



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
October 23, 2006**

This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.fairfaxcounty.gov/bosclerk/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 703-324-3903 (TTY).

19-06

DS:ds

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, October 23, 2006, at 9:14 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Dana Kauffman, Lee District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Elaine McConnell, Springfield District, arrived at 9:40 a.m.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Angela Schauweker, Management Analyst, Office of the County Executive; Regina Thorn, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief

Deputy Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

BOARD MATTER

1. **MOMENT OF SILENCE** (9:14 a.m.)

Chairman Connolly asked everyone to keep in thoughts the men and women serving in Iraq, Afghanistan, and other parts of the world who are in harm's way, as well as the people of Iraq and Afghanistan. He noted that this has been the bloodiest month in Iraq in the past two years.

Supervisor Hudgins asked everyone to keep in thoughts the family of Airman First Class LeeBernard Chavis, who was killed in Iraq by sniper fire. His parents Michael and Jackie Chavis live in Reston and are residents of the Hunter Mill District.

Supervisor DuBois asked everyone to keep in thoughts the family of Pam Wilks, an administrative aide in her office, whose father died recently.

Supervisor Hyland asked everyone to keep in thoughts the family of Ms. Dorothy D. Hahne, who died recently. She was a citizen in the Mount Vernon District.

Supervisor Kauffman asked everyone to keep in thoughts the family of Charlene Connolly, provost of the Springfield Campus of the Northern Virginia Community College, whose husband died recently.

AGENDA ITEMS

2. **PROCLAMATION DESIGNATING OCTOBER 2006 AS "PEDESTRIAN SAFETY MONTH" IN FAIRFAX COUNTY** (9:17 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate October 2006 as "*Pedestrian Safety Month*" in Fairfax County. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

3. **PROCLAMATION DESIGNATING NOVEMBER 2006 AS "ADOPTION AWARENESS MONTH" IN FAIRFAX COUNTY** (9:27 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate November 2006 as "*Adoption Awareness Month*" in Fairfax County. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

4. **PROCLAMATION DESIGNATING OCTOBER 2006 AS “HEAD START AWARENESS MONTH” IN FAIRFAX COUNTY** (9:33 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate October 2006 as “*Head Start Awareness Month*” in Fairfax County. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

ADDITIONAL BOARD MATTER

5. **ORDERS OF THE DAY** (9:43 a.m.)

Chairman Connolly noted that the meeting would probably end late today because approximately 40 speakers were signed up to speak for the various public hearings scheduled.

AGENDA ITEMS

6. **CERTIFICATE OF RECOGNITION PRESENTED TO CLERK OF THE CIRCUIT COURT JOHN FREY** (9:43 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to the Clerk of the Circuit Court John Frey for being named 2006 Public Official of the Year by the National Association of County Recorders, Election Officials, and Clerks. Supervisor Hudgins and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

7. **CERTIFICATES OF RECOGNITION PRESENTED TO RESTON INTERFAITH AND SEVERAL PUBLIC AND PRIVATE ORGANIZATIONS AND REQUEST TO PUBLICIZE THE 2006–2007 HUNTER MILL DISTRICT WINTER COAT CLOSET** (9:50 a.m.)

Supervisor Hudgins moved:

- Approval of the Certificate of Recognition presented to Reston Interfaith for its support of the 2005–2006 Hunter Mill District Winter Coat Closet.
- Approval of the Certificate of Recognition presented to the other public and private organizations for their support of the Coat Closet.

- That the Board direct the Office of Public Affairs to publicize the 2006–2007 Hunter Mill District Winter Coat Closet which is scheduled to begin November 15, 2006. She noted that the Department of Finance had contacted her office last week regarding organizing a coat drive at the Government Center to piggyback on the Hunter Mill District Coat Closet.

Supervisor McConnell seconded the motion.

Supervisor Hudgins also thanked Ellen Graves, former aide in the Hunter Mill District Office, for her help with the coat closet.

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

8. **CERTIFICATE OF RECOGNITION PRESENTED TO THE VIENNA HALLOWEEN PARADE COMMITTEE** (10 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to the Vienna Halloween Parade Committee for continuing and maintaining a community tradition. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO THE ENCORE THEATRICAL ARTS PROJECT** (10:06 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to the Encore Theatrical Arts Project for being invited to perform in China at the Chinese Arts Cultural Tourism Festival. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

10. **PROCLAMATION DESIGNATING OCTOBER 28, 2006, AS “VOLUNTEERFEST® DAY” IN FAIRFAX COUNTY** (10:12 a.m.)

Supervisor Smyth moved approval of the Proclamation to designate October 28, 2006, as “*Volunteerfest® Day*” in Fairfax County. Supervisor Bulova seconded the motion and it carried by unanimous vote.

11. **CERTIFICATES OF RECOGNITION PRESENTED TO SOUTHGATE ADVISORY COUNCIL AND REPRESENTATIVES OF COMMUNITY ORGANIZATIONS AND COUNTY AGENCIES** (10:20 a.m.)

Supervisor Hudgins moved approval of the Certificates of Recognition presented to:

- The Southgate Advisory Council for its contributions in building the Southgate Community Center.

- The other representatives of community organizations and County agencies for their contributions in building the Southgate Community Center.

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

12. **PROCLAMATION DESIGNATING NOVEMBER 2006 AS “AMERICAN INDIAN HERITAGE MONTH” IN FAIRFAX COUNTY** (10:26 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate November 2006 as “*American Indian Heritage Month*” in Fairfax County. Supervisor Hudgins and Supervisor McConnell jointly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

13. **PROCLAMATION DESIGNATING NOVEMBER 15, 2006, AS “AMERICA RECYCLES DAY” IN FAIRFAX COUNTY** (10:33 a.m.)

Supervisor Gross moved approval of the Proclamation to designate November 15, 2006, as “*America Recycles Day*” in Fairfax County. Supervisor Bulova and Supervisor DuBois jointly seconded the motion and it carried by unanimous vote.

Chairman Connolly announced that the County won a National Association of Counties Award for its environmental plan and implementation components.

14. **PROCLAMATION DESIGNATING NOVEMBER 14–18, 2006, AS “SUBSTANCE ABUSE AWARENESS WEEK” IN FAIRFAX COUNTY** (10:37 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate November 13–17, 2006, as “*Substance Abuse Awareness Week*” in Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

ADDITIONAL BOARD MATTER**15. PRESENTATION OF THE CHANGE A LIGHT CAMPAIGN AWARD AND REQUEST TO PUBLICIZE AND PROMOTE ENERGY EFFICIENT LIGHT BULBS (10:44 a.m.)**

Supervisor Gross said that on October 4 she had the pleasure of accepting the 2006 Change a Light Campaign Award for the County from the National Association of Counties. The County won in the “Large County” category for jurisdictions with more than 500,000 residents. She said that more than 400 County employees performed the simple task of changing a light bulb.

Supervisor Gross said that the simple task – changing a light bulb – can change the world. Collectively, the efforts of County employees so far will prevent the emission of 377,100 pounds of greenhouse gases, and save over 118,000 kilowatts of energy. These employees also will save a total of over 11,000 in energy costs over the life of the bulbs. She said the award is particularly important because County employees extended themselves beyond the workplace and promoted energy efficiency in their homes, on their own time. The Facilities Management Department encouraged employees by email, electronic bulletin board messages, and persuasion to participate and change one incandescent bulb with an energy efficient bulb.

Supervisor Gross distributed to her colleagues an energy efficient light bulb, familiar by its curlicue shape and also known as a compact fluorescent light (CFL), and marked with the energy star label.

Supervisor Gross said that she challenges all County staff to make the initiative to change a light at home and replace it with an energy efficient bulb. She said that more than 400 employees have already done it, and she set a goal of 1500.

Therefore, Supervisor Gross asked that the Board direct the County Executive and the Office of Public Affairs to publicize and promote the Change a Light Campaign across the County. Without objection, it was so ordered.

On behalf of the Board, Supervisor Gross and Chairman Connolly presented the Change a Light Campaign Award to Jose Comayagua, Director, Facilities Management Department, for display in his office.

AGENDA ITEMS16. **10 A.M. – PRESENTATION OF THE ENVIRONMENTAL EXCELLENCE AWARDS** (10:49 a.m.)

Stella Koch, Chairman, Environmental Quality Advisory Council, presented an Environmental Excellence awards in three categories to the following:

- County resident – Ken Andrews
- Business – Wetland Studies and Solutions, Incorporated
- Organization – Northern Virginia Soil and Water Conservation District

17. **10:15 A.M. – PRESENTATION OF THE BARBARA VARON AWARD** (11:05 a.m.)

(BACs) This annual award was established to recognize a Fairfax County resident's dedication to improving the community through volunteer service and to honor the memory of Barbara Varon, former chairman of the Electoral Board. The award's selection criteria states that nominees must reside in the County; demonstrate an appreciation for the diversity of the community's population; exhibit patriotism; show evidence of having a positive effect on the community; and be known for encouraging others to do the same.

Chairman Connolly presented the Barbara Varon Award to Kimberli Costabile, an Annandale resident.

PW:pw

18. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:13 a.m.)

(APPTS)
(BACs)

ADVISORY SOCIAL SERVICES BOARD

Supervisor Hyland moved the appointment of Ms. Carla Hellwig as the Mount Vernon District Representative.

The Board deferred the appointment of the Mason District Representative.

ATHLETIC COUNCIL

Supervisor Smyth moved the reappointment of Mr. Frank Williams as the Providence District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large Diversity Alternate Representative, At-Large Women's Principal Representative, and Hunter Mill District Alternate Representative.

CONFIRMATION:

Supervisor McConnell moved the confirmation of the following appointments:

- Mr. Dennis "Butch" Baugh as the Town of Herndon Alternate Representative
- Mr. E.J. Thomas as the Youth Basketball Advisory Council Representative

Supervisor Bulova seconded the motion, which carried by unanimous vote.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Supervisor Hyland moved the appointment of Mr. Al Bornmann as the Mount Vernon District Representative.

The Board deferred the appointments of the Dranesville, Mason, Providence, and Springfield District Representatives.

COMMISSION FOR WOMEN

Chairman Connolly moved the reappointment of Ms. Silvia Patton as the At-Large Minority Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Theresa Wanbaugh as the Braddock District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Ms. Diane Hoyer as the Dranesville District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Debra Spears as the Hunter Mill District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Supervisor Frey moved the appointment of Ms. Dorothy O'Rourke as the Sully District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

CONSUMER PROTECTION COMMISSION

Supervisor McConnell moved the appointment of Ms. Samiah Bahhur as the Fairfax County Resident #12 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointments of the Dranesville and Springfield District Representatives.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the Springfield District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

Supervisor Kauffman moved the appointment of Ms. Barbara Hunt as the Lee District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

The Board deferred the appointment of the Lee District Representative.

HEALTH SYSTEMS AGENCY BOARD

Supervisor Smyth moved the appointment of Mr. David Braun as the Consumer #1 Representative. Supervisor Dubois seconded the motion, which carried by unanimous vote.

HISTORY COMMISSION

Supervisor Bulova moved the appointment of Ms. Gretchen Bulova to fill the unexpired term of Mr. David Olin as the At-Large #4 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the Mason District Representative.

SMALL BUSINESS COMMISSION

The Board deferred the appointment of the Dranesville District Representative.

TENANT LANDLORD COMMISSION

Chairman Connolly moved the appointment of Mr. Michael Aho to fill the unexpired term of Mr. Michael Naeve as the Tenant Member #3 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Citizen #3 Representative.

TRANSPORTATION ADVISORY COMMISSION

The Board deferred the appointment of the Providence District Representative.

TREE COMMISSION

Supervisor Bulova moved the reappointment of Mr. Michael McMahon as the Braddock District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Mr. John Dudzinsky as the Dranesville District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Ron Rubin as the Hunter Mill District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the appointment of Ms. Sandra Logan to fill the unexpired term of Ms. Laura Hoy as the Springfield District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

UNIFORMED RETIREMENT SYSTEM

Chairman Connolly moved the reappointment of Mr. Frank Grace, III as the Citizen #1 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

AD HOC COMMITTEES**TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY
COORDINATING COMMITTEE**

The Board deferred the appointments of the Providence District #2 and Sully District Representatives.

DET:det

19. **ADMINISTRATIVE ITEMS** (11:20 a.m.)

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

Supervisor Kauffman called the Board's attention to Admin 18 – Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Chapter 112 (Zoning Ordinance), and the Public Facilities Manual (PFM) Regarding Shape Factor Limitations for Lots in Certain Single Family Detached Residential Districts, and thanked staff for the quality of work that went into it and for moving it forward.

The question was called on the motion to approve the Administrative Items, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING
ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY
FOR THE CONSTRUCTION OF THE BRADDOCK ROAD AT LITTLE
RIVER TURNPIKE ROAD IMPROVEMENT PROJECT (MASON
DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2006, at 4 p.m.** to consider the acquisition of certain land rights necessary for the construction of Project 4YP014 – Braddock Road at Little River Turnpike Road Improvement, in Fund 304, Primary and Secondary Road Bond Construction.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF LITTLE RIVER TURNPIKE (ROUTE 236)/BEAUREGARD STREET IMPROVEMENT PROJECT (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2006, at 4 p.m.** to consider the acquisition of certain land rights necessary for the construction of Project 4YP013 – Little River Turnpike (Route 236)/Beauregard Street Improvement, in Fund 304, Primary and Secondary Road Bond Construction.

ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITIES REVIEW APPLICATIONS (DRANESVILLE, HUNTER MILL, LEE, AND SPRINGFIELD DISTRICTS)

Approved an extension of review period for the following 2232 Public Facilities Review Applications:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-L06-54	Clearwire Antenna co-location on exiting radio tower 3900 San Leandro Place (Lee District)	December 25, 2006
FS-D06-56	Clearwire Antenna co-location on existing tower 9916 Georgetown Pike (Great Falls Fire Station) (Dranesville District)	January 11, 2007
FSA-S97-70-1	Sprint-Nextel Replacement antennas on existing transmission tower 6500 Westbury Oaks Court (Springfield District)	January 12, 2007
2232-H06-14	Fairfax County Park Authority Lawyers Park 10049 Lawyers Road (Hunter Mill District)	February 28, 2007

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR PROJECT 0001-029-F20-R201 (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 4, 2006, at 4:30 p.m.** to consider the conveyance of County-owned property to the Virginia Department of Transportation for Project 0001-029-F20-R201 (Mount Vernon District).

ADMIN 5 – APPROVAL OF A MULTI-WAY STOP AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (SULLY AND DRANESVILLE DISTRICTS)

- (R)
- Endorsed a multi-way stop at Paddington Lane and Gothwaite Drive (Sully Drive).
 - Adopted the Resolution endorsing the installation of “Watch for Children” signs at the following locations:
 - Spring Ridge Lane (Dranesville District)
 - Edgefield Lane (Dranesville District)
 - Powhatan Street (Dranesville District)
 - Freedom Lane (Dranesville District)
 - Directed staff to request the Virginia Department of Transportation to install the approved measures as soon as possible.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON PART OF THE RIGHT-OF-WAY OF POTOMAC AVENUE (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2006, at 4:30 p.m.** to consider the vacation and abandonment of part of the right-of-way of Potomac Avenue.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE GREENTREE VILLAGE COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2006, at 4 p.m.** to consider a proposed amendment to the Code of

the County of Fairfax, Appendix M, to establish the Greentree Village CPD in accordance with current CPD restrictions.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE KEENE MILL VILLAGE IV COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2006, at 4:30 p.m.** to consider a proposed amendment to the Code of the County of Fairfax, Appendix M, to establish the Keene Mill Village IV CPD in accordance with current CPD restrictions.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE ISLAND CREEK COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2006, at 4 p.m.** to consider a proposed amendment to the Code of the County of Fairfax, Appendix M, to establish the Island Creek CPD in accordance with current CPD restrictions.

ADMIN 10 – PROPOSED STREET NAME CHANGE FOR THE EAST TO WEST PORTION OF NORTHDOWN ROAD (MOUNT VERNON DISTRICT)

Approved the street name change to Stone Terrace Road in the Official Street Names and Property Numbering Atlas and the Master Addressing Repository for the east to west portion of Northdown Road, Tax Map Number 102-2. The name change shall become effective in 30 days, in accordance with Section 102-1-9 of the Code of the County of Fairfax.

ADMIN 11 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL AND PROVIDENCE DISTRICTS)

- (R) Approved the request that the following streets be accepted into the State System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Crocker Property	Hunter Mill	Reston Avenue (Route 7917) Additional ROW only
Rosehaven Estates	Providence	Dudley Heights Court

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Rosehaven Estates	Providence	Rosehaven Street (Route 897) Additional ROW only
		Rosehaven Street (Route 897) Additional ROW Only

ADMIN 12 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individual, identified with his registration number, as a Plans Examiner:

- Harold Lino Rodriguez (270)

ADMIN 13 – ADDITIONAL TIME TO ESTABLISH THE USE FOR SPECIAL EXCEPTION APPLICATION SE 2004-PR-017, ATI CAREER INSTITUTE INCORPORATED D/B/A STRATFORD UNIVERSITY (PROVIDENCE DISTRICT)

(AT) Approved the request for four months of additional time to establish the use for Special Exception Application SE 2004-PR-017 to January 7, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 14 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-L-053-4, SPRINGFIELD EAST LC (LEE DISTRICT)

(AT) Approved the request for six months of additional time to commence construction for Special Exception Amendment Application SEA 91-L-053-4 to April 28, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 15 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 07054 FOR VARIOUS COUNTY AGENCIES TO ACCEPT DEPARTMENT OF HOMELAND SECURITY (DHS) URBAN AREAS SECURITY INITIATIVE (UASI) SUB-GRANT AWARDS FROM THE DISTRICT OF COLUMBIA OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE TO SUPPORT EMERGENCY PREPAREDNESS AND RESPONSE

(SAR) Approved SAR AS 07054 in the amount of \$2,434,234 for the County to accept DHS UASI Sub-Grant Awards from the DC Office of the Deputy Mayor for Public Safety and Justice. These funds will be used by various County agencies to enhance security and overall preparedness by implementing the projects summarized in Attachment One of the Board Agenda Item dated October 23,

2006. All projects will be implemented in accordance with program guidance documents. No local cash match is required.

ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A RESOLUTION PROPOSING TO REVISE THE BOUNDARY OF SMALL DISTRICT NUMBER FIVE, THE SPECIAL TAX DISTRICT THAT SUPPORTS THE RESTON COMMUNITY CENTER (HUNTER MILL DISTRICT)

(A)
(BACs)

Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2006, at 5:30 p.m.** to consider adoption of a Resolution to revise the boundary of Small District Number Five, the special tax district that supports the Reston Community Center. If the Resolution is adopted, and the boundaries are revised, the change will become effective on January 1, 2007.

ADMIN 17 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE REVISED AND UPDATED FALLS CHURCH/JAMES LEE/SOUTHGATE NEIGHBORHOOD IMPROVEMENT PROGRAM AND CONSERVATION PLAN (PROVIDENCE DISTRICT)

(A)

Authorized the advertisement of a public hearing to be held before the Board on **November 20, 2006, at 5:30 p.m.** regarding the revised and updated Falls Church/James Lee/Southgate Neighborhood Improvement Program and Conservation Plan.

ADMIN 18 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), CHAPTER 112 (ZONING ORDINANCE), AND THE PUBLIC FACILITIES MANUAL (PFM) REGARDING SHAPE FACTOR LIMITATIONS FOR LOTS IN CERTAIN SINGLE FAMILY DETACHED RESIDENTIAL DISTRICTS

(A) (R)

(Note: Earlier in the meeting, there was a brief comment on this item. See page 11.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 9, 2006, at 8:15 p.m. and before the Board on **December 4, 2006, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Chapter 112 (Zoning Ordinance), and the PFM regarding shape factor limitations for lots in certain single family detached residential districts.

20. **A-1 – APPROVAL AND AUTHORIZATION TO EXECUTE DOCUMENTS TO PROVIDE FINANCING TO COMPLETE THE FINAL FOUR INTERCHANGES OF THE ROUTE 28 HIGHWAY IMPROVEMENT PROJECT** (11:20 a.m.)

(R) Supervisor Frey moved that the Board concur in the recommendation of staff and adopt the Resolution:

- Authorizing the execution and delivery of a Route 28 document amendment agreement.
- Approving the forms of a State Transportation Partnership Opportunity Fund (TPOF) Grant Financing Agreement and a TPOF Loan Financing Agreement, all for the purpose of providing funding for certain transportation projects on State Route 28.
- Conferring authority to execute and deliver such documents and agreements relating to such transactions as may be necessary or required.
- Delegating to the Chairman, Vice-Chairman, County Executive, Chief Financial Officer, and County Debt Manager authority to determine and approve certain details of such documents and transactions.

Supervisor Hudgins and Supervisor McConnell jointly seconded the motion.

Discussion ensued, with input from Leonard P. Wales, Debt Manager, Department of Management and Budget, concerning the grant and loan financing agreements that were discussed at a meeting of the Tax District Commission, and Economic Development Authority bond financing.

Discussion continued, with input from Katharine D. Ichter, Director, Department of Transportation, concerning the number of interchanges completed on Route 28.

Chairman Connolly noted that this item is part of the County's transportation initiative.

The question was called on the motion, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

21. **A-2 – AUTHORIZATION TO REALLOCATE AND DISBURSE FUNDS FROM THE HOUSING TRUST FUND AND THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND, FOR A PORTION OF THE FINANCING FOR THE GLENWOOD MEWS MAGNET HOUSING PROJECT AND NOTIFICATION OF A CONTRACT AGREEMENT WITH CENTENNIAL CONTRACTORS ENTERPRISES, INCORPORATED FOR THE CONSTRUCTION OF TOWNHOUSES AT GLENWOOD MEWS (LEE DISTRICT)** (11:25 a.m.)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and approve the reallocation of \$2,020,878 from Funds 144, Housing Trust Fund, and an additional \$131,866 to be used for eligible activities from Fund 142, CDBG, for the construction of the Glenwood Mews Magnet Housing project. The funds will be used as a portion of the project's permanent financing. Supervisor Hudgins seconded the motion.

Discussion ensued, with input from Cynthia J. Ianni, Director, Design, Development, and Construction, Department of Housing and Community Development, concerning the number of bedrooms and parking spaces allocated to some of the units. Chairman Connolly noted that this is a facet of the County's affordable housing initiative.

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

22. **A-3 – TESTIMONY FOR PUBLIC HEARING ON COMMONWEALTH OF VIRGINIA'S SIX-YEAR PROGRAM FOR HIGHWAY AND TRANSIT FUNDS FOR FISCAL YEAR (FY) 2008 THROUGH FY 2013** (11:27 a.m.)

Supervisor McConnell moved that the Board concur in the recommendation of staff and approve a letter to Secretary Pierce Homer transmitting the recommendations of the Board and emphasizing its concerns regarding allocations to Interstate, Primary, and transit projects, facilities, and services. Supervisor Bulova seconded the motion.

Supervisor McConnell called the Board's attention to handwritten pages 8 and 9 of the attachment to the Board Agenda Item pertaining to I-95/Franconia-Springfield Parkway access. She noted that the Neuman Street interchange was identified, but that it failed to mention the link to the ramp to have access to the single occupancy vehicle (SOV) lanes.

Discussion ensued, with input from Katharine D. Ichter, Director, Department of Transportation, regarding the inclusion of both items in the Plan. Chairman Connolly noted that a typographical correction was needed for the spelling of the word Newman. The correct spelling is Neuman.

Supervisor McConnell asked to amend the motion to acknowledge the linkage between the two in the presented testimony, and this was accepted.

Supervisor Kauffman asked to amend the motion so that when the prioritized list is delivered, it:

- Emphasizes the importance of Rail to Dulles (handwritten page 5 of the attachment to the Board Agenda Item).
- Recognizes the importance of the Base Realignment and Closure (BRAC) in packaging some of the projects.
- Emphasizes the importance of the missing piece of the Fairfax County Parkway (“the Parkway”).
- Emphasizes the importance of the I-95 widening.
- Emphasizes the importance of getting into the secondary roads with Telegraph.
- Includes Phase 8 of the mixing bowl.
- Encourages the Virginia Department of Transportation (VDOT) to allow for more creativity and flexibility in Traffic Operations (handwritten page 11 of the attachment to the Board Agenda Item), as demonstrated on Route 50 and Route 1.

This was accepted.

Discussion continued with input from Ms. Ichter regarding the missing piece of the Parkway.

Discussion continued concerning Dulles Rail Project Funding Requirements (handwritten page 6 of the attachment to the Board Agenda Item) and the status of the items, including pedestrian access plans, as well as joint funding with the State, with input from Ms. Ichter who noted that the requirements would be amended, as appropriate, before submission.

Supervisor Frey called the Board’s attention to the top of handwritten page 10 of the Board Agenda Item referencing monies that were taken out of the program for Route 50 from Route 28 west to the County line. Supervisor Frey asked to amend the motion to include language to encourage VDOT to expedite the process of engaging an engineering firm to begin the preliminary engineering for the project, and this was accepted.

Supervisor Hudgins called to the Board’s attention handwritten page 5 of the attachment to the Board Agenda Item concerning the Dulles Corridor Transit Enhancements and the bottom of handwritten page 6 of the attachment to the Board Agenda Item concerning the Advanced Public Transportation Systems

(APTS) Deployment Plan. Discussion ensued, with input from Ms. Ichter, regarding maintenance of service through 2012 and APTS funding.

Supervisor McConnell called to the Board's attention to the funding required for the widening of Stringfellow Road. Discussion ensued with input from Ms. Ichter concerning alternative funding options and funding for finishing roads that feed into the Parkway that would help resolve transportation issues as a result of BRAC.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide a list of auxiliary improvements, in association with BRAC, that will be necessary over and above the Parkway completion. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to provide information on the costs associated with the delay of the Parkway completion. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

- Provide, as soon as possible, the recommendations of the Transportation Committee concerning BRAC, in preparation for a meeting of the Transportation Subcommittee of the Fort Belvoir Board of Advisors (BOA) on November 14, 2006.
- Review the present design of the Parkway and the inadequacy of the present design to support the BRAC as there will be other changes necessary to the Parkway to accommodate BRAC.

Without objection, it was so ordered.

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

Chairman Connolly noted that handwritten page 12 of the Board Agenda Item contains the proposed projects for the 2007 Bond Referendum. He asked that any modifications or proposed changes be brought to either his attention or that of Ms. Ichter before the next Board meeting at which time they would be discussed.

ADDITIONAL BOARD MATTER23. **CINDER BED ROAD FUNDING (LEE AND MOUNT VERNON DISTRICTS)** (11:46 a.m.)

Supervisor Kauffman stated that he and Supervisor Hyland had been discussing a \$10 million identified allotment for improving Cinder Bed Road and the prospect of that being \$10 million identified to be held for possible Base Realignment and Closure (BRAC) improvements.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide additional information on the reason for the recommendation. Without objection, it was so ordered.

AGENDA ITEMS24. **A-4 – AGREEMENT WITH SAINT MARY’S OF SORROWS CHURCH TO PROVIDE TEMPORARY PUBLIC COMMUTER PARKING DURING CONSTRUCTION OF THE BURKE CENTRE VIRGINIA RAILWAY EXPRESS (VRE) PARKING GARAGE (BRADDOCK DISTRICT)** (11:47 a.m.)

On motion of Supervisor Bulova, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved an agreement between Saint Mary’s of Sorrows Church and the Fairfax County Department of Transportation to provide temporary public commuter parking during the construction of Burke Center VRE Parking Garage, on a portion of the existing church parking lot which is not utilized during the weekdays.

25. **A-5 – ESTABLISHMENT OF THE JOSIAH H. BEEMAN COMMISSION ON THE FAIRFAX-FALLS CHURCH MENTAL HEALTH SERVICE DELIVERY SYSTEM AND CONFIRMATION OF PROPOSED MEMBERSHIP TO THE COMMISSION** (11:48 a.m.)

(BACs) On motion of Supervisor Gross, seconded by Supervisor Hudgins, and carried by
(APPTS) unanimous vote, the Board concurred in the recommendation of staff and:

- Established the Josiah H. Beeman Commission on the Fairfax-Falls Church Mental Health Service Delivery System.
- Approved the Charter and General Work Plan to govern the Commission’s operation.

- Confirmed the appointments of the following individuals to the Commission:
 - Ms. Mary Ann Beall
 - Ms. Mary Ann Bergeron
 - Judith Cook, Ph.D.
 - Mr. Gary Cyphers
 - David E. Dangerfield, D.S.W.
 - Joan Dodge, Ph.D.
 - Robert Drake, M.D., Ph.D.
 - Ms. Diane Grieder, M.Ed.
 - Sonia Alves Jurich, M.D., Ed.D.
 - Ronald Manderscheid, Ph.D.
 - Russell Pierce, J.D.
 - Ms. Sherry Rose
 - Ms. Yvette Sangster
 - Mr. James Stewart, III
 - Ms. Carol Ulrich, Esquire

26. **A-6 – APPROVAL OF THE FINANCING PLAN FOR THE ACQUISITION, REHABILITATION, AND PRESERVATION OF 50 UNITS AT HOLLYBROOKE III CONDOMINIUM BY AHC LIMITED PARTNERSHIP-16 INCLUDING AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO 1) MAKE AN AFFORDABLE HOUSING PARTNERSHIP PROGRAM (AHPP) LOAN, 2) MAKE AN AHPP TIER ONE LOAN, 3) ISSUE TAX-EXEMPT BONDS; AND 4) SUBMIT A LETTER OF SUPPORT FOR THE PROJECT TO VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) PURSUANT TO AHC'S APPLICATION FOR LOW INCOME HOUSING TAX CREDITS (MASON DISTRICT)** (11:50 a.m.)

(R) On motion of Supervisor Gross, seconded by Supervisor Hudgins, and carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," the Board concurred in the recommendation of staff and:

- Approved reallocation of up to \$40,000 in Tier One funds from the AHPP within Fund 144, Housing Trust Fund.
- Awarded a loan in an amount not to exceed \$3.1 million in AHPP Tier Three funds to AHC Limited Partnership-16:
 - \$1.6 million will be allocated from Fund 319, The Penny for Affordable Housing Fund from Fiscal Year (FY) 2007.
 - \$1.5 million will be allocated from either Fund 319, the Penny for Affordable Housing Fund or Fund 144, Housing Trust Fund from FY 2008, subject to annual appropriations by the Board.
- Adopted the Resolution authorizing the issuance of tax-exempt bonds by the FCRHA in an amount not to exceed \$6.5 million.
- Authorized submission of a letter of support to VHDA for Hollybrooke III in connection with an application for Low Income Housing Tax Credits.

27. **C-1 – 2006 VIRGINIA ASSOCIATION OF COUNTIES' (VACO) ANNUAL MEETING** (11:53 a.m.)

The Board next considered an item contained in the Board Agenda dated October 23, 2006, requesting designation of a voting delegate and alternate voting

delegate to represent the County at the VACo annual meeting to be held at the Homestead in Hot Springs (Bath County), Virginia, on November 14, 2006.

Supervisor Hyland moved that the Board designate Chairman Connolly as the voting delegate. Supervisor Gross seconded the motion, and it carried by unanimous vote.

Following discussion concerning the alternate voting delegate, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that all Members of the Board attending be listed as alternates. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

28. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES REVIEW APPLICATION 2232-B06-1, T-MOBILE NORTHEAST, LLC (BRADDOCK DISTRICT)** (11:54 a.m.)

The Board next considered an item contained in the Board Agenda dated October 23, 2006, announcing the Planning Commission's denial of Public Facilities Review Application 2232-B06-1. The application sought approval to install an unmanned wireless telecommunications link with nine antennas to be mounted on an existing 185-foot telecommunications lattice tower. The lattice tower is located at Northern Virginia Community College, 8333 Little River Turnpike in Annandale, Tax Map 59-3 ((1)) 20.

29. **I-2 – QUARTERLY STATUS REPORT ON THE BOARD'S FOUR-YEAR TRANSPORTATION PROGRAM AND OTHER SELECTED PROJECTS** (11:54 a.m.)

The Board next considered an item contained in the Board Agenda dated October 23, 2006, which provided the quarterly status report on the Board's Four-Year Transportation Program and other selected projects.

Supervisor Gross asked unanimous consent that the Board direct staff to correct the record for future reference on handwritten page 9 of the Board Agenda Item, Item number 9, stating the entirety of the Route 50 Pedestrian Bridge is in the Mason District. Without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to address the following:

- The construction status for pedestrian improvements at Telegraph Road and South Van Dorn Street (handwritten page 10 of the attachment to the Board Agenda Item) which was to have started in August.

- The schedule status of the Backlick Road North Park-and-Ride Lot (handwritten page 11 of the attachment to the Board Agenda Item).

Following discussion, with input from Larry Ichter, Chief, Transportation Design Branch, Plans and Design Division, Department of Public Works and Environmental Services, concerning the Telegraph Road interchange, the request, without objection, was so ordered.

30. **I-3 – CONTRACT AWARD – ANNUAL CONTRACT FOR CONSTRUCTION SERVICES** (11:57 a.m.)

The Board next considered an item contained in the Board Agenda dated October 23, 2006, requesting authorization for staff to award a contract to Ashburn Contracting Corporation in the amount of \$2,576,645 for the annual contract for Construction Services.

The staff was directed administratively to proceed as proposed.

31. **I-4 – CONTRACT AWARD – STATION ACCESS MANAGEMENT PLAN FOR WIEHLE AVENUE AND RESTON PARKWAY** (11:57 a.m.)

The Board next considered an item contained in the Board Agenda dated October 23, 2006, requesting authorization for staff to award a contract to Vanasse Hangen Brustlin, Incorporated in the estimated amount of \$475,691 for the Station Access Management Plan for Wiehle Avenue and Reston Parkway. Funding is available within the budget of the Department of Transportation.

The staff was directed administratively to proceed as proposed.

32. **I-5 – CONTRACT AWARD TO URBAN LAND INSTITUTE (ULI) TO IMPLEMENT A FIVE DAY ADVISORY SERVICES PANEL PROGRAM FOR THE BAILEYS CROSSROADS COMMUNITY BUSINESS AREA (MASON DISTRICT)** (11:57 a.m.)

The Board next considered an item contained in the Board Agenda dated October 23, 2006, requesting authorization for staff to award a contract to ULI in the amount of \$115,000 to conduct a Five Day Advisory Services Panel Program for the Baileys Crossroads Community Business Area of Mason District for a contract term ending December 31, 2007.

The staff was directed administratively to proceed as proposed.

33. **I-6 – CONTRACT AWARD – CONSULTING SERVICES FOR PLANNING AND URBAN DESIGN FOR TYSONS CORNER** (11:58 a.m.)

(BACs) The Board next considered an item contained in the Board Agenda dated October 23, 2006, requesting authorization for staff to award a contract to Parsons Brinckerhoff Quade and Douglas, Incorporated dba PB Placemaking in an amount of \$894,000, plus optional tasks not to exceed \$106,000 to provide consultant services to assist the Tysons Land Use Task Force in identifying changes to the 1994 Comprehensive Plan for Tysons Corner by applying the best possible Transit Oriented Development and urban design planning strategies for the future growth of the Tysons Corner Urban Center. Discussion ensued with input from Fred Selden, Director, Planning Division, Department of Planning and Zoning, regarding the \$106,000 for optional tasks.

The staff was directed administratively to proceed as proposed.

NV:nv

ADDITIONAL BOARD MATTERS

34. **WORLD AIDS DAY** (11:59 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board proclaim December 1, 2006, as “*World AIDS Day*” in Fairfax County and direct staff to invite representatives from the Health Department to be recognized with the proclamation at the November 20 Board meeting. Without objection, it was so ordered.

35. **EXAMINER ARTICLE ON CHILDCARE SUBSIDY** (12 noon)

Chairman Connolly distributed copies of an article published in the *Examiner* on October 17 regarding childcare funding related to welfare-to-work programs with a quotation from Virginia House of Delegates Speaker William Howell.

Following discussion regarding the Speaker’s quotation that appeared to indicate that the County should be able to fund its programs without State support because of the County’s relative wealth, Supervisor Hyland moved that the Board direct staff to draft a letter to the Speaker regarding the quotation and provide him an opportunity to explain the context in which it was said and to come to the County to discuss this issue with the Board about the meaning of a Commonwealth. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

Noting that she served on the State’s Mental Health Board, Supervisor McConnell said that Fairfax County is the highest subsidy for social services and that some counties do not pay anything into the system. She asked unanimous consent that the Board direct staff to provide a list of what Fairfax County supports (through its tax revenues) in those other counties. Without objection, it was so ordered.

Discussion continued regarding those persons outside the County who were affected by the childcare subsidy, including residents of Stafford County; the Virginia Railway Express in relation to Stafford County; and the importance of childcare in welfare-to-work efforts.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

36. **MERRIFIELD MIXED USE LLC, MERRIFIELD TOWN CENTER REZONING APPLICATION RZ 2005-PR-041 (PROVIDENCE DISTRICT)**
(12:07 p.m.)

Supervisor Smyth stated that Merrifield Mixed Use LLC filed an amendment to its pending Rezoning Application RZ 2005-PR-041 for its proposed development of a major portion of the Merrifield Town Center revitalization area to add more parcels at the juncture of Eskridge Road and Lee Highway. As part of the application, the applicant will be required to bring Eskridge Road up to the level of Lee Highway and shift it to the west. Because of this shifting, the applicant is requesting that the piece of Eskridge Road that will no longer be used be considered as part of the application.

Supervisor Smyth moved that the Board authorize the inclusion of a total of approximately 2,314 square feet of Eskridge Road right-of-way adjacent to Tax Map Parcel 49-3-((1))-82A, as shown on the plat attached to her written Board Matter, in Rezoning Application RZ 2005-PR-041 (in addition to the 12,646 square feet of Hilltop Road right-of-way already included in the approximately 31.37-acre application). She noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of the rezoning application or future abandonment/vacation requests in any way. Supervisor Bulova seconded the motion, which carried by unanimous vote.

37. **CLOSING OF TEMPORARY PARKING LOT AT THE VIENNA METRO STATION (PROVIDENCE DISTRICT)** (12:09 p.m.)

Supervisor Smyth announced that the Washington Metropolitan Area Transit Authority (WMATA) will be distributing the notices that the temporary parking lot (on private property) at the Vienna Metro Station will be closing effective November 17. She noted her understanding that Department of Transportation staff has been working with WMATA staff to identify satellite parking and associated bus routes. She also indicated that the County has received the application from WMATA regarding the construction of the third parking garage.

Supervisor Kauffman noted for the record that this lot would have closed five years ago without the intercession of the Board to keep it open as long as it could. He also said that with the completion of the new garage in 2009, there will be a net increase of 750 parking spaces.

38. **COPPERMINE CROSSING (HUNTER MILL DISTRICT)** (12:12 p.m.)

Supervisor Hudgins stated that an engineering error on the subdivision plat for the Coppermine Crossing Subdivision resulted in a number of townhouse units within the development that do not meet the minimum setback requirements. A resubdivision of four of these lots and part of the Homeowners Association (HOA) open space property will correct the error, but will result in a minor reduction in open space owned by the HOA of about 360 square feet.

Supervisor Hudgins said that the Zoning Evaluation Division of the Department of Planning and Zoning reviewed the request and determined the deletion of this open space area will not negatively impact the proffers that were accepted pursuant to Rezoning/Final Development Plan Application RZ/FDP 2002-HM-035. In addition, the Department of Public Works and Environmental Services (DPWES) reviewed the resubdivision plat and the original site plan for the property. With the reduction the project will continue to be in compliance with open space requirements.

To allow the approval and recordation of the resubdivision plat for the Coppermine Crossing Subdivision, an offer of the open space being configured back into the lots must first be made, and has been made by the HOA. Based on recommendations from DPWES, Supervisor Hudgins moved that the Board refuse the offer of 336 square feet of the open space for the Coppermine Crossing Subdivision, as provided for in Paragraph 4 of Section 2-703 (4) of the Zoning Ordinance. Supervisor Hyland seconded the motion, which carried by unanimous vote.

39. **RETIREMENT OF PHYLIS SALAK** (12:14 p.m.)

Supervisor Hudgins noted that Phylis Salak, a valued Board staff member since 1995, County library advocate, and friend, retired on Wednesday. Phylis worked closely from the beginning with information technology staff to implement important software that helped all Board Members to more efficiently communicate with constituents. She circulated a card for signatures of Board Members and asked that if others would like to send cards and best wishes to do so through her office.

On behalf of the Board, Supervisor Hudgins wished Ms. Salak well on her retirement. Chairman Connolly also wished her well and thanked her for her many years of service to the County.

40. **METRO-HEALTH DEPARTMENT JOINT FLU CAMPAIGN** (12:15 p.m.)

Supervisor Hudgins said that local health departments, along with emergency management, hospitals, and other key government agencies, are taking a look at how they would manage during a pandemic flu or other long-term health crisis in a two day Statewide Virginia Department of Health exercise. They are being

joined by Metro in a regional campaign on fighting the flu as part of the Healthy Rider campaign.

Supervisor Hudgins noted that Health Department representatives, Metro officials, and Fairfax Medical Reserve Corps (MRC) volunteers will be at the Vienna Metrorail Station today between 3:30 p.m. and 6 p.m. to distribute hand sanitizers and brochures about the importance of hand washing during flu season and what to do during a pandemic flu event.

Supervisor Hudgins asked unanimous consent that the Board direct the Office of Public Affairs to disseminate information on the joint Metro/Department of Health/MRC campaign and post it on the County's Web site. Without objection, it was so ordered.

Chairman Connolly noted that he had requested the County Executive and the Department of Human Resources to examine the possibility of organizing a flu shot clinic at the Government Center for employees.

41. **RECOGNITION OF THE JAMES MADISON HIGH SCHOOL MARCHING BAND AND THE SOUTH LAKES HIGH SCHOOL MARCHING SEAHAWKS AND WIND ENSEMBLE (HUNTER MILL DISTRICT)** (12:16 p.m.)

Supervisor Hudgins announced that two Hunter Mill District High Schools received Statewide recognition. The South Lakes High School Marching Seahawks were awarded first place for group AA at the United States Scholastic Band Association (USSBA) Virginia State Championship. As State champions, the Marching Seahawks collected five awards: Best Music, Best Visual Effect, Best General Effect, Best Color Guard, and Best Percussion. The band was honored on October 14, 2006, in King George, Virginia.

Supervisor Hudgins said that under the direction of Grayson Fore, the South Lakes Wind Ensemble will travel to the Bands of America (BOA) National Concert Band Festival, March 15-17, 2007, in Indianapolis, Indiana. South Lakes High School will represent the County and the entire Commonwealth as the only Virginia high school honored with an invitation to the festival.

Supervisor Hudgins commended James Madison High School Marching Band and Director Michael Hackbrath for their outstanding performance at the USSBA Yamaha Cup at Giants stadium on October 7, 2006. The band was awarded the Class-V Open Championship and received the following awards: Best Music, Best General Effect, Best Visual Performance, and Best Percussion.

To acknowledge their accomplishments, Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare and send resolutions of congratulations to the award-winning directors and student members of each of

the high schools and wish South Lakes well on its trip to Indianapolis. Without objection, it was so ordered.

42. **FAIRFAX COUNTY MARROW DRIVE** (12:18 p.m.)

Supervisor Hudgins said that leukemia is a blood cancer for which a marrow transplant from a matching donor could save a life. A simple swab of the cheek cells is all it takes to join the registry. The Department of Fire and Rescue will partner with the National Marrow Donor Program to sponsor ten marrow drives in February 2007. The goal of this project is to encourage citizens of the County to enroll in the registry and increase the numbers of nationalities with lower representation.

Supervisor Hudgins noted that last year the Department of Fire and Rescue sponsored a successful drive at the Fire Training Academy. Each year more than 35,000 children and adults in the United States are diagnosed with diseases for which a marrow or blood cell transplant may be a treatment option. Only 30 percent of these patients will find a matched donor in their own family.

Accordingly, Supervisor Hudgins asked unanimous consent that the Board direct the Office of Public Affairs to work with the Department of Fire and Rescue to promote the February marrow drives throughout the County. Without objection, it was so ordered.

43. **COUNCIL OF GOVERNMENTS (COG) OBESITY CONFERENCE** (12:19 p.m.)

Supervisor Hudgins announced that on November 16, 2006, COG will be holding a one day obesity conference, meant to engage policymakers in government and schools from across the region. The County has had a prominent role in the discourse through the work of Dr. Gloria Addo-Ayensu, Director, Department of Health. As Chair of COG's Obesity Advisory Group, "Dr. Gloria" briefed the Human Services Policy Committee on the critical need to tackle obesity, its effect on individuals, and as a quality of life, and ultimately a health care issue.

Accordingly, as a member of COG's Human Services Policy Committee, Supervisor Hudgins asked unanimous consent that the Board support this event and direct the Departments of Health, Human Services, and Community and Recreation Services to not only support, but participate in, this important event. She further asked that the Board direct the Office of Public Affairs to publicize this event. Without objection, it was so ordered.

44. **RESTON COMMUNITY CENTER PREFERENCE POLL RESULTS
(HUNTER MILL DISTRICT)** (12:20 p.m.)

(BACs)
(APPTS)

Supervisor Hudgins said that on October 21, 2006, the Reston Community Center held its annual preference poll election for its Board of Governors. The following individuals were elected to serve three-year terms on the Reston Community Center Board of Governors:

- Ms. Carol Ann Bradley
- Mr. Bill Bouie
- Mr. Colin Mills
- Mr. William Penniman to fill the unexpired term of Ms. Mary Bluff which expires October 31, 2008.

Accordingly, Supervisor Hudgins moved that the Board confirm the appointments of the above-listed individuals to serve on the Reston Community Center's Board of Governors so that they can be seated at the next Board of Governor's meeting. Supervisor Smyth seconded the motion, which carried by unanimous vote.

45. **HIGH RISE AFFORDABILITY** (12:21 p.m.)

Supervisor Hudgins reported that at the October 16 meeting of the Board's Housing Committee, it received a presentation from the Board-appointed High Rise Affordability Panel, complete with Policy recommendations for Board approval. She distributed printed materials from the meeting to the Board.

Following the presentation, important questions were raised by Board Members and staff from the Department of Housing and Community Development (HCD) and the Department of Planning and Zoning (DPZ). Supervisor Hudgins expressed the importance and value of the presentation. She noted that there are critical implications to each moment that the Board does not take any action with regard to an objective outcome driven policy to achieve at least 12 percent affordability in high density areas.

Accordingly, Supervisor Hudgins moved that the Board accept the panel's High Rise Affordability Presentation in principal and direct staff from HCD and DPZ to work with the panel to resolve questions raised during the Housing Committee meeting, and return with recommendations to accomplish the Policy Plan objective of 12 percent affordable housing in residential high rise high density areas. Supervisor Bulova seconded the motion.

Following discussion regarding a timeframe of February 2007, the question was called on the motion, which carried by unanimous vote.

46. **GEORGE MASON UNIVERSITY (GMU) – EXPERTISE FOR BOARDS, AUTHORITIES, COMMISSIONS, AND TASK FORCES (BACs)**
(12:23 p.m.)

(BACs) (NOTE: Earlier in the meeting the Board appointed members to the new Beeman Commission. See Clerk's Summary Item 25.)

Supervisor Bulova said that she recently met with Tom Hennessy, Chief of Staff at GMU. He had read in the *Washington Post* about the many BACs that advise and assist the Board with County issues and business. Mr. Hennessy wants the Board to be aware of the wealth of knowledge and expertise available at the University that could bring additional value to some of these bodies. She circulated a list of *Centers of Excellence in National Rankings* from which university talent could be helpful.

Supervisor Bulova circulated this list so that Members of the Board are aware of GMU's many impressive resources that may be available to the County as it fills vacancies. Additionally, Supervisor Bulova asked unanimous consent that this information be kept on file with the Clerk to the Board as a resource for potential appointments. Without objection, it was so ordered.

Supervisor Bulova noted that the new Josiah Beeman Commission might find this expertise of interest.

47. **CLARIFICATION OF MOTION FOR ANNUAL PLAN REVIEW (APR) NOMINATION APR 05-I-1F (BRADDOCK DISTRICT)** (12:24 p.m.)

Supervisor Bulova said that during the APR public hearings on September 11, 2006, there was a typo on her motion, and she incorrectly referred to APR nomination 05-II-1F as APR nomination 05-I-1F. There is no nomination APR 05-I-1F.

Therefore, Supervisor Bulova asked unanimous consent that the Board clarify for the record that her motion and the Board's action were to adopt the Planning Commission's recommendation for APR nomination 05-II-1F, and that staff be directed to review and correct the Board's September 11, 2006, Clerk's Board Summary, if necessary. Following input from David P. Bobzien, County Attorney, regarding the clerical nature of the correction, without objection, it was so ordered.

48. **BRADDOCK TOMORROW** (12:26 p.m.)

Supervisor Bulova said that on Wednesday, October 25 she will be hosting the first of a three-part town meeting and dialog series called *Braddock Tomorrow*. This series will be a community discussion on the issue of growth and development and the future in the County and specifically in the Braddock District. On the evenings of October 25, November 1, and November 8 at

7:30 p.m. in the Kings Park Library (adjacent to her office), dialog participants will have an opportunity to learn about trends, projections, and demographic information regarding the region's growing population. They will examine past growth decisions and patterns, and will consider both problems and successes that have resulted from these patterns. Participants in the series will learn about new strategies and philosophies for shaping future growth. At the conclusion of the series, participants will be asked to adopt a Community Vision Statement for Braddock's and Fairfax County's future.

Braddock Tomorrow panelists for the three nights include Paul DesJardin and David Robertson from the Council of Governments, Robert Puentes of the Brookings Institute, Dennis Carmichael of EDAW, Gerry Gordon from the Economic Development Authority, Former Board Chairman Jean Packard; Tom Fleury, Senior Vice President of Van Metre Companies, and Chairman Connolly will be "*Setting the Stage*" for the final dialog session on November 8. Supervisor Bulova asked unanimous consent that the Board direct the Office of Public Affairs to publicize Braddock's latest exciting community dialog series, *Braddock Tomorrow*. Without objection, it was so ordered.

49. **AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) INVITATION** (12:28 p.m.)

Supervisor Bulova asked unanimous consent that the Board support an invitation to William Millar, President, APTA, to a future meeting of the Board for the purpose of an award presentation.

Recently, at the association's annual meeting in San Jose, California, and, as part of its 2006 Awards Program celebrating excellence in the public transportation industry, Supervisor Bulova noted that an award was made to one of the County's own. Since neither the recipient nor other members of the Board were able to attend the APTA Annual meeting, Mr. Millar, who is a local resident, would be pleased to make the award presentation here.

Without objection, it was so ordered.

50. **LETTER OF SUPPORT FOR THE ALICE FERGUSON FOUNDATION'S TARGETED WATERSHEDS PROGRAM: IMPLEMENTATION GRANT APPLICATION** (12:29 p.m.)

Supervisor Gross said that the County is one of many local and state governments that have signed and committed to a 2006 Potomac Watershed Trash Treaty. The Treaty commits signers to achieving a trash-free Potomac by 2013 and to do the following:

- Support and implement regional strategies aimed at reducing trash and increasing recycling.

- Increase education and awareness of the trash issue throughout the Potomac Watershed.
- Reconvene annually to discuss and evaluate measures and actions addressing trash reduction.

Supervisor Gross noted that this action also commits the Board to support other initiatives such as grant applications.

Accordingly, Supervisor Gross moved that the Board approve the letter as shown in attachment I of her Board Matter supporting the grant application by the Alice Ferguson Foundation for the Environmental Protection Agency's Targeted Watersheds Program: Implementation Grant. This grant will provide necessary funding to help implement cost-effective actions in support of the County's goal of a trash free Potomac by 2013. By approving and sending this letter of support, the County is not committing to providing matching funds.

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

51. **FAIRFAX SPORTS NETWORK (FSN)** (12:31 p.m.)

Supervisor Gross said that the FSN has covered local high school sports events on television. For 20 years a group of dedicated volunteers has provided free local-access programming for County residents. The FSN group of volunteers includes announcers, camera operators, sideline reporters, graphics operators, audio technicians, producers, and directors. In many cases, local access television stations from other parts of the Commonwealth have used tapes of these shows to air on their own stations.

Games that have been filmed and enjoyed include football, basketball, soccer, lacrosse, baseball, field hockey, swimming, and rowing. One significance of the FSN is that 99 percent of the student athletes will not play sports before television cameras after high school, so taping and airing these games is often the only chance for students to share lasting memories with their families.

To recognize the two decades of work by FSN, Supervisor Gross asked unanimous consent that the Board direct staff to invite Executive Producer Brian Nern, long-time FSN volunteer Fred Shwaery, and perhaps others to appear before the Board to receive certificates of appreciation. Without objection, it was so ordered.

52. **JOINT BOARD MATTER WITH SUPERVISOR HYLAND AND SUPERVISOR McCONNELL: FIFTIETH ANNIVERSARY OF INOVA HEALTH SYSTEMS** (12:32 p.m.)

Supervisor Gross said that 2006 marks the fiftieth anniversary of INOVA Health System, which began as Fairfax Hospital Association in 1956. The unique

partnership between the County and the not-for-profit health care system has served County residents well. As the population has increased, so has the service of INOVA, which now includes a broad range of health care facilities, including the original Fairfax Hospital, which has grown to encompass a Women's and Children's Hospital and the new Heart and Vascular Center, INOVA Mount Vernon Hospital, INOVA Fair Oaks Hospital, INOVA Healthplex in Springfield, and a planned INOVA Healthplex at Lorton. INOVA facilities throughout Northern Virginia provide top quality healthcare, and it all started 50 years ago.

On behalf of Supervisor Hyland, Supervisor McConnell, and herself, Supervisor Gross asked unanimous consent that the Board direct staff to invite Knox Singleton, Don Harris, and other administrative personnel of the INOVA Health System, to appear before the Board to receive appropriate recognition on INOVA's fiftieth anniversary. She further asked that the recognition document include the signatures of Chairman Connolly, Supervisor Hyland, Supervisor McConnell, and her. Without objection, it was so ordered.

(NOTE: Later in the meeting, additional action was taken regarding the INOVA anniversary. See Clerk's Summary Item 58.)

53. **JOINT BOARD MATTER WITH SUPERVISOR BULOVA REGARDING THE NEW FLAG OF ANNANDALE (MASON DISTRICT)** (12:33 p.m.)

Supervisor Gross announced that on October 5, 2006, the people of Annandale celebrated the unveiling and raising of the new flag of Annandale at the Annandale "Cannon" on the Island. This flag project, initiated by Mr. Sami Kalifa, owner of the Flower Den in Annandale and a former Annandale Chamber of Commerce president, attracted much interest from individuals who participated in a community contest sponsored by the Chamber. The final design by teenager Michelle Redmon of Annandale was modified by the North American Vexillological Association (NAVA) and voted on by the attendees of the Chamber's annual dinner in June. The new flag has a field of medium blue, reflective of the Scottish river and town of Annan, for which Annandale is named. White stripes representing Little River Turnpike and Columbia Pike, two of the area's historic commercial roads, converge at Tollhouse Park in the center of Annandale. An elongated red oval embraces a stylized dogwood tree and the cardinal, Virginia's State tree and bird, which also symbolizes the revitalization of Annandale. The flag provides an important sense of community for Annandale residents and businesses.

Therefore, jointly with Supervisor Bulova, Supervisor Gross asked unanimous consent that the Board direct staff to invite the Annandale Chamber of Commerce, American Legion Post 1976, the Annandale Central Business District Planning Committee, NAVA, Mr. Kalifa, and Ms. Redmon to appear before the Board to celebrate this significant achievement. Without objection, it was so ordered.

54. **REQUEST FOR CONCURRENT PROCESSING AND AN EXPEDITED BOARD PUBLIC HEARING FOR 8106 ACCOTINK DRIVE (MASON DISTRICT)** (12:35 p.m.)

Supervisor Gross said that during the heavy rains this past July, the residents and owners of 8106 Accotink Drive in Annandale experienced severe flooding from Accotink Creek, which washed out the foundation of their house. The house was later condemned and is currently not habitable. Because their entire lot is located in both the floodplain and a Resource Protection Area (RPA), rebuilding will require approval of both a special exception for fill and uses in the floodplain and an RPA Exception for uses in the RPA. The owners have been working closely with staff, and have submitted both applications, which are currently under review for acceptance.

To ensure that these applications proceed as expeditiously as possible, Supervisor Gross moved that the Board direct staff to expedite the processing of the special exception application and to concurrently process the grading and building plans where possible, for 8106 Accotink Drive, Tax Map Parcel 59-4 ((2)) 45. This motion should in no way be construed as a favorable recommendation by the Board on the special exception and RPA exception applications. Supervisor Bulova seconded the motion and it carried by unanimous vote.

PMH:pmh

55. **JOINT BOARD MATTER WITH SUPERVISOR KAUFFMAN REQUESTING CLARIFICATION ON INTERACTIVE WATER FEATURES** (12:36 p.m.)

Supervisor Hyland said that a few months ago, he and Supervisor Kauffman requested information from staff on interactive water fountains and how the Health Department and the Department of Public Works and Environmental Services regulates construction and maintenance. The Board received a memorandum however, staff did not respond to its concerns about the extent of direct supervision these interactive fountains require.

Supervisor Hyland asked unanimous consent that the Board direct staff to report with this information within two weeks. Without objection, it was so ordered.

Supervisor Hyland moved that the Board direct staff to determine and communicate whether a pool operator must be present at all times, on call, and how often staff requires the water to be inspected. Supervisor Kauffman seconded the motion.

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

56. **REZONING APPLICATION RZ 2000-MV-060 (MOUNT VERNON DISTRICT)** (12:38 p.m.)

Supervisor Hyland said that Rezoning Application RZ 2000-MV-060 was a Board's Own Motion to place 6.67 acres currently zoned C-8 within the Richmond Highway CRD Overlay District in conjunction with a proposal to develop hotels on Tax Map 83-3 ((1)) 56 and 56A. This case did not have the support of the community and as such, has been indefinitely deferred since January of 2002. There has been no activity on this rezoning since that time.

Therefore, Supervisor Hyland moved that the Board withdraw Rezoning Application RZ 2000-MV-060 from consideration. Supervisor Kauffman seconded the motion.

Chairman Connolly noted that there was a typographical error in the written Board Matter. He added that the Rezoning Application number is RZ 2000-MV-060.

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

57. **RETIREMENT OF MOUNT VERNON DISTRICT PLANNING COMMISSIONER JOHN BYERS AND LORTON OMBUDSPERSON, MARCIA HANSON** (12:39 p.m.)

(BACs) Supervisor Hyland announced that Mount Vernon District Planning Commissioner John Byers and Lorton Ombudsperson Marcia Hanson will retire in the coming months.

Supervisor Hyland referred to his written Board Matter and outlined the accomplishments of Mr. Byers and Ms. Hanson.

Therefore, Supervisor Hyland asked unanimous consent that the Board recognize these two extraordinary public servants at its December 4 meeting. Without objection, it was so ordered.

58. **JOINT BOARD MATTER WITH CHAIRMAN CONNOLLY, SUPERVISOR GROSS, AND SUPERVISOR McCONNELL TO CONGRATULATE INOVA MOUNT VERNON HOSPITAL ON ITS THIRTIETH ANNIVERSARY (MASON, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (12:40 p.m.)

(NOTE: Earlier in the meeting, the Board took action regarding INOVA's fiftieth anniversary. See Clerk's Summary Item 52.)

Supervisor Hyland announced that this Saturday, Chairman Connolly, Supervisor Gross, and he were privileged to attend the thirtieth anniversary celebration of INOVA Mount Vernon Hospital. After threatening closure four years ago, Mount

Vernon Hospital is undergoing renovations and expansion. Furthermore, INOVA will soon be building the Lorton Healthplex, an outpatient facility that will ensure the continued success of Mount Vernon Hospital.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Office of Public Affairs to prepare a resolution, to be signed by Chairman Connolly, Supervisor Gross, Supervisor McConnell, and Supervisor Hyland, congratulating INOVA Mount Vernon Hospital on the occasion on its thirtieth anniversary and he asked that a representative of INOVA be invited to appear before the Board to receive the certificate. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that the Board direct staff to schedule the INOVA Fiftieth Anniversary recognition with the Mount Vernon Thirtieth Anniversary recognition. Without objection, it was so ordered.

59. **FIRE COMMITTEE MEETING** (12:42 p.m.)

(BACs) Supervisor Hyland said asked unanimous consent that the Board direct staff to schedule a meeting of the Fire Committee to discuss issues of staffing and volunteers. Without objection, it was so ordered.

60. **NEW MOUNT VERNON DISTRICT CONSTITUENTS** (12:42 p.m.)

Supervisor Hyland announced the wedding of his daughter and noted that she and her husband would be relocating to the Mount Vernon District.

A brief discussion ensued regarding the wedding.

61. **DOLLEY MADISON LIBRARY FIFTIETH ANNIVERSARY
(DRANESVILLE DISTRICT)** (12:44 p.m.)

Supervisor DuBois said that on November 18 the Dolley Madison Library in McLean will hold festivities to celebrate its fiftieth anniversary. A full day of music and events for the whole family is planned in celebration of 50 years of library services to McLean. The Dolley Madison Library is a vital and popular resource for the community. Last year, this branch loaned 359,500 books and was visited 209,500 times by County residents. The library is slated to undergo renovations that will nearly double its size. Construction will begin in February 2007.

Therefore, Supervisor DuBois asked unanimous consent that the Board direct the the Office for Public Affairs to prepare a joint resolution and plaque to commemorate this anniversary to be presented at the celebration on November 18. Without objection, it was so ordered.

62. **OLD CENTREVILLE ROAD PARK OUT-OF-TURN PLAN AMENDMENT (SULLY DISTRICT)** (12:45 p.m.)

Supervisor Frey said that a proposal has been received to develop two acres of land on Old Centreville Road for office use at an intensity of approximately .30 floor area ratio (FAR). The subject area faces land developed with or approved for commercial uses such as fast food and automotive repair. The subject area is planned for residential use at 16-20 dwelling units per acre. However, because these parcels were not consolidated when the surrounding residential communities were developed, it is unlikely that the recommended density can be achieved.

The office use proposal also contemplates exchanging approximately one acre of land with the Park Authority land to facilitate better office design. Potential benefits to the Park Authority include improved access to the park, construction of a parking area, and a stormwater management facility to support the Old Centreville Road Park. The possible land exchange is being reviewed by the Park Authority Board.

Therefore, to consider the benefits and impacts of the proposal, Supervisor Frey moved that the Board authorize a Plan Amendment to consider revising the Comprehensive Plan for parcels 54-4 ((1)) 81 and 82, and the portion of Old Centreville Road Park that lies between the two parcels for office use at an intensity up to .30 FAR and public parks use, with the review of the Plan Amendment to be coordinated with the Fairfax County Park Authority. Supervisor Hyland seconded the motion and it carried by unanimous vote.

63. **REZONING APPLICATION RZ 2006-SU-007 (SULLY DISTRICT)** (12:47 p.m.)

Supervisor Frey said that Lincoln Property Company has filed Rezoning Application RZ 2006-SU-007, requesting mixed use development on the balance of the property on EDS Drive. The Planning Commission public hearing is currently scheduled for November 16 and the applicant has been working with staff to secure their support. For contractual reasons, the applicant has requested that the Board public hearing date be scheduled to occur prior to the end of the year.

Therefore, Supervisor Frey moved that the Board direct staff to schedule a public hearing to be held before the Board on December 4, 2006, for Rezoning Application RZ 2006-SU-007. The applicant understands that this motion does not relieve them of any obligation, ordinance or standards, and will not prejudice the consideration of the application in any way. Supervisor Bulova seconded the motion and it carried by unanimous vote.

64. **CONCURRENT PROCESSING AND INCORPORATION OF SUBDIVISION PLAN WITH REZONING/FINAL DEVELOPMENT PLAN APPLICATION FZ/FDP 2004-SU-015 (SULLY DISTRICT)** (12:48 p.m.)

Supervisor Frey said that on January 10, 2005, the Board approved Rezoning/Final Development Plan Application RZ/FDP 2004-SU-015 located on Lowe Street in Chantilly. That rezoning consolidated all but one lot, Tax Map 034-4-03-0005, (Voss Property). The Voss Property is a half acre lot which the developer was initially unable to acquire and consolidate with the other properties included in that rezoning. The developer of Rezoning/Final Development Plan Application RZ/FDP 2004-SU-015 has now acquired that half-acre lot from Mr. and Mrs. Voss and has filed Rezoning Application RZ 2006-SU-021, to have the Voss Property rezoned to PDH-5 District, consistent with the adjacent approval and the Comprehensive Plan.

Supervisor Frey noted that pending acquisition of the Voss Property, the applicant filed Site Plan Number 04363-SP-001 for review, without the Voss Property. That site plan was approved on August 17, 2006, and now needs to be revised to include the Voss Property. The applicant would like to proceed at its own risk to process that revision prior to approval of the pending rezoning. The applicant understands that approval of the simultaneous processing will not guarantee approval of the rezoning of the Voss Property and that the revision cannot be approved until the rezoning of the Voss Property has occurred. He said that it seems appropriate to allow the revision to the approved site plan to be reviewed simultaneously while the rezoning of the Voss Property is proceeding.

Therefore, Supervisor Frey moved that the Board direct staff to accept for review and process a site plan revision to Site Plan Number 04363-SP-001 to include Tax Map 034-4-03-0005, but not approve it unless and until Rezoning Application RZ 2006-SU-021 is approved. This motion does not relieve the applicant of the proposed rezoning from complying with all other requirements of the Site Plan Ordinance and the Zoning Ordinance and does not prejudge the consideration of Rezoning Application RZ 2006-SU-021 in any way. Supervisor DuBois seconded the motion and it carried by unanimous vote.

65. **WAIVER OF THE APPLICATION FEES FOR FLEA MARKETS HELD BY THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB CHARITIES, INCORPORATED (LEE DISTRICT)** (12:51 p.m.)

Supervisor Kauffman said that he is requesting a waiver of the application fees for permits associated with the flea markets held by the Springfield-Franconia Host Lions Club Charities, Incorporated. The Board has approved this waiver request annually since 1994. The Springfield-Franconia Host Lions Club Charities, Incorporated recently contacted him to express appreciation for the Board's help in the past and to ask that the Board support a waiver again this year.

Supervisor Kauffman noted that the flea markets are held on alternating Saturdays

from April through November. All net proceeds from the flea markets are returned to the community. The Springfield-Franconia Host Lions Club Charities, Incorporated supports organizations such as Koinonia, ECHO, and the Juvenile Diabetes Foundation, and assists indigent citizens with eye glass prescriptions and hearing aids.

Therefore, Supervisor Kauffman moved that the Board waive the application fees for 21 day permits associated with the Springfield Host Lions Club Charities 2007 flea markets. This motion, the second to which was inaudible, carried by unanimous vote.

66. **JOINT BOARD MATTER BY CHAIRMAN CONNOLLY, SUPERVISOR HYLAND, SUPERVISOR KAUFFMAN, WITH SUPERVISOR McCONNELL REGARDING GRANT FUNDING FOR THE BASE REALIGNMENT AND CLOSURE (BRAC) PROJECTS (LEE, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (12:52 p.m.)

(R) Supervisor Kauffman said that at the Board's October 13, 2006, Legislative Committee meeting, staff presented a list of projects for consideration for federal earmarks to address the impacts of the BRAC recommendations at Fort Belvoir.

Also on October 13, 2006, Governor Kaine announced the availability of \$5 million in State grants for each of the next two years to support communities impacted by the 2005 BRAC recommendations.

Supervisor Kauffman moved adoption of the Resolution authorizing submission of Virginia Military Strategic Response Fund Application and Virginia Military Strategic Response Fund Agreement with the Virginia National Defense Industrial Authority. Supervisor Bulova seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

67. **INTENT TO DEFER PUBLIC HEARINGS (LEE DISTRICT AND MOUNT VERNON DISTRICTS)** (12:54 p.m.)

Supervisor Kauffman announced his intent, later in the meeting, at the appropriate time, to defer the public hearing on Proffered Condition Amendment Application PCA 82-L-087-02 until November 20, 2006, at 3 p.m.

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

- Proffered Condition Amendment Application PCA 2006-MV-005

- Special Exception Applications SE 2006-MV-001 and SE 2006-MV-013

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items CL#76 and #79.)

68. **NEW FIRE STATION (SPRINGFIELD DISTRICT)** (12:55 p.m.)

Supervisor McConnell said that at the new fire station in the Springfield District there will be tankers for water. She asked unanimous consent that the Board direct staff to report with information regarding the need for experienced tanker drivers at the station. Without objection, it was so ordered.

A brief discussion ensued regarding the need for experience tanker drivers on every shift.

69. **RECESS/CLOSED SESSION** (12:56 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section (§) 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 1. Claim of Dwight Yarbrough
 2. *County of Fairfax v. Janee Conley*; Case No. 06-20926 (Fx. Co. Gen. Dist. Ct.)
 3. The Grievance Appeal of Mark E. Price, Fairfax County Civil Service Commission
 4. *Board of Zoning Appeals of Fairfax County, Virginia v. Board of Supervisors of Fairfax*

- County, Virginia*, Case No. 2006-0011777 (Fx. Co. Cir. Ct.)
5. *Concerned Citizens of Hollin Hall Village, et al. v. County of Fairfax Board of Zoning Appeals, et al.*, Case No. CL-2006-0002456 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 6. *Nancy C. Welch and Mark T. Welch v. Fairfax County Board of Zoning Appeals, et al.*, Case No. CL-2006-0002456 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 7. *McLean Bible Church v. Eileen M. McLane, Zoning Administrator, and Board of Zoning Appeals of Fairfax County, Virginia*, Case No. 1:06-cv-00769 (E.D. Va.) (Dranesville District)
 8. *Horace Cooper v. Fairfax County Board of Zoning Appeals*, At Law No. CL-2005-0007636 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 9. *William E. Shoup, Fairfax County Zoning Administrator v. William T. Fansher*, Case No. CL-2006-0007013 (Fx. Co. Cir. Ct.) (Sully District)
 10. *William E. Shoup, Fairfax County Zoning Administrator v. John J. Watkins, Jr., and Janie Watkins*, In Chancery No. CH-2005-0005082 (Fx. Co. Cir. Ct.) (Dranesville District)
 11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Vinh Lai*, Case No. CL-2006-0011715 (Fx. Co. Cir. Ct.) (Mason District)
 12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bruce B. Moore and Debra B. Moore*, Case No. CL-2006-0011775 (Fx. Co. Cir. Ct.) (Braddock District)
 13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Chin Van Nguyen*, Case No. CL-2006-0012507 (Fx. Co. Cir. Ct.) (Mason District)

14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Angela Turcios and Absolute Tree, Inc.*, Case No. CL-2006-0012317 (Fx. Co. Cir. Ct.) (Lee District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Victoria Y. Carbajal*, Case No. CL-2006-0012163 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bernard Ehrlich and Vera Ehrlich*; Case No. CL-2006-0012832 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Board of Supervisors v. TEV, L.L.C., et al.*, At Law No. CL-2005-0006400 (Fx. Co. Cir. Ct.) (Providence District)
18. *Board of Supervisors v. G & M Homes, LLC, Number Three, et al.*, Case No. CL-2006-0012212 (Fx. Co. Cir. Ct.) (Providence District)

And in addition:

- Claim of Singh Virk
- Board of Supervisors versus Board of Zoning Appeals, CL 2006-10952
- Health Department Employees in the Virginia Retirement System
- Attorney General Opinion to Calvin C. Massie Jr., dated July 24, 2006

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

CWB:cwb

At 4:44 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

70. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:44 p.m.)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

71. **ACCEPTANCE OF DWIGHT YARBROUGH SETTLEMENT OFFER** (4:44 p.m.)

Supervisor Hyland moved that the Board accept the settlement offer in the claim of Dwight Yarbrough 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. **ACCEPTANCE OF SINGH VIRK SETTLEMENT OFFER** (4:45 p.m.)

Supervisor Hyland moved that the Board accept the settlement offer in the claim of Singh Virk according to the terms and conditions outlined by the County Attorney in closed session. Supervisor McConnell seconded the motion and it carried by unanimous vote.

73. **MOTION APPROVING TWO GROUND LEASES IN JANNA LEE VILLAGE (LEE DISTRICT)** (4:45 p.m.)

Supervisor Kauffman moved that the Board approve two ground leases each with a maximum term of 99-years, in substantially the form distributed, between Fairfax County Redevelopment and Housing Authority, as the ground landlord thereunder, and AHP Virginia, LLC and/or one or more limited partnerships formed by AHP Virginia, LLC, as the ground tenant(s) thereunder, for the purpose of effecting financing previously approved by the Board for the acquisition, rehabilitation, revitalization, and preservation of Janna Lee Village, a 319-unit affordable rental complex located in the Hybla Valley area of the Lee

District. Supervisor Bulova seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

74. **3 P.M. – DECISION ONLY ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-I-7A, LOCATED NORTH OF LITTLE RIVER TURNPIKE AND EAST OF JOHN MARR DRIVE (MASON DISTRICT)**
(4:46 p.m.)

(NOTE: On September 11, 2006, the Board held a public hearing on this item and deferred decision.)

Supervisor Gross provided the Board with the history and characteristics of this nomination and she moved approval of APR Item 05-I-7A as recommended by the Planning Commission with a modification dated October 23, 2006. This recommendation provides an option for up to 1.5 FAR, which includes Plan guidance for an internal street grid. This modification deletes the internal street grid recommended by the Planning Commission. Supervisor Hyland seconded the motion. Following discussion regarding the internal street grid, transportation issues, and policy procedures, the question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor Bulova and Supervisor Smyth voting “NAY,” Supervisor McConnell being out of the room.

75. **3 P.M. – DECISION ONLY ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-I-10A, LOCATED IN SUB-UNIT A-2 OF THE ANNANDALE COMMUNITY BUSINESS CENTER AND BOUNDED BY LITTLE RIVER TURNPIKE, MARKHAM STREET, AND ANNANDALE ROAD (MASON DISTRICT)** (4:54 p.m.)

(NOTE: On September 11, 2006, the Board held a public hearing on this item and deferred decision.)

Supervisor Gross noted that her remarks regarding APR Item 05-I-7A also apply to this nomination and she moved approval of APR Item 05-I-10A as recommended by the Planning Commission with a modification to increase the building height limit to 95 feet and to provide Plan text concerning site ingress and egress. This recommendation limits intensity to 2.0 floor area ratio. Supervisor Hyland seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor Bulova and Supervisor Smyth voting “NAY,” Supervisor McConnell being out of the room.

76. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2006-MV-005 (PACE-BOSWELL ASSOCIATES, LLC)**

AND

PH ON SPECIAL EXCEPTON APPLICATION SE 2006-MV-001 (PACE-BOSWELL ASSOCIATES, LLC)

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2006-MV-013 (PACE-BOSWELL ASSOCIATES, LLC) (MOUNT VERNON DISTRICT)
(4:56 p.m.)

Supervisor Hyland moved to defer Proffered Condition Amendment Application PCA-MV-005 and Special Exception Applications SE 2006-MV-001 and SE 2006-MV-013 until **November 20, 2006, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Smyth being out of the room.

77. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, RENEWAL APPLICATION AR 89-S-002-02 (MA PROPERTIES) (SPRINGFIELD DISTRICT)** (4:58 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

The application property is located on the east side of Union Mill Road approximately 600 feet south of its intersection with Compton Road. Tax Map 74-2 ((1)) 14Z and 75-1 ((1)) 11Z.

Following the public hearing, Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of Agricultural Renewal Application AR 89-S-002-02 and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the MA Local Agricultural and Forestal District, subject to the Ordinance provisions listed in Appendix One of the staff report. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, and Chairman Connolly voting “AYE,” Supervisor Frey, Supervisor Kauffman, and Supervisor Smyth being out of the room.

78. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, RENEWAL APPLICATION AR 97-D-002 (CHARLES E. JENKINS, TRUSTEES) (DRANESVILLE DISTRICT)**

(5:01 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

The application property is located at 10509 Beach Mill Road, Tax Map 3-4 ((1)) 44Z, 45Z and 46Z.

Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Supervisor DuBois moved to waive the reading of the staff and Planning Commission recommendations. Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Smyth being out of the room.

Supervisor DuBois moved approval of Agricultural Renewal Application AR 97-D-002 and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Jenkins Local Agricultural and Forestal District, subject to the Ordinance provisions dated September 20, 2006. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Connolly voting "AYE," Supervisor Frey and Supervisor Smyth being out of the room.

79. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-L-087-02 (WILLOW CREEK COMMUNITY ASSOCIATION) (LEE DISTRICT)** (5:03 p.m.)

Supervisor Kauffman moved to defer the public hearing on Proffered Condition Amendment Application PCA 82-L-087-02 until **November 20, 2006, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Smyth being out of the room.

80. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-SP-011 (HABITAT FOR HUMANITY OF NORTHERN VIRGINIA, INCORPORATED) (SPRINGFIELD DISTRICT)** (5:03 p.m.)

- (O) The application property is located in the northwest quadrant of the intersection of Lee Highway and Stevenson Street, Tax Map 56-2 ((3)) 2.

Mark Jenkins reaffirmed the validity of the affidavit for the record.

John David Moss, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

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, Supervisor McConnell moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Supervisor McConnell moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2006-SP-011, from the R-1 and WS Districts to the R-20 and WS Districts, subject to the proffers dated September 25, 2006.
- Waiver of the minimum district size requirement.
- Waiver of the transitional screening and barrier requirements along the eastern boundary.
- Waiver of the service drive requirement along Lee Highway (Route 29).

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey being out of the room.

81. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING FENCE AND/OR WALL HEIGHT** (5:08 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

Donna Pesto, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by three speakers, Supervisor Frey moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding fence and/or wall height, as recommended by the Planning Commission with a provision that allows for a maximum of administrative increase of five percent of the measurement involved and including the following change:
 - On Line 25 of page 14 of the Staff Report in paragraph 3J of Section 10-104, insert the phrase “not less than” in two locations, such that the phrase reads “...provided such features are spaced an average distance of not less than six feet apart and a minimum distance of not less than three feet apart.”
- That this amendment become effective at 12:01 a.m. on October 24, 2006.

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor McConnell being out of the room.

82. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING ARCHAEOLOGICAL SUBMISSION REQUIREMENTS**
(5:33 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

Cynthia Chambers, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by nine speakers, Supervisor Frey moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as recommended by the Planning Commission, with an effective date of 12:01 a.m. on October 24, 2006.

- That this amendment only be applicable for those applications that are submitted on or after the effective date.
- An editing revision to Section 7-210, Paragraph 3 to revise the reference to “Paragraph 7” to read “Paragraph 6” in Paragraph 3.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor McConnell being out of the room.

83. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING CONDOMINIUM APPLICANTS** (6:11 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

S. Paige Mathes, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding condominium applicants, as recommended by the Planning Commission with an effective date of October 24, 2006, at 12:01 a.m. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Connolly voting “AYE,” Supervisor McConnell and Supervisor Smyth 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 PARKING RATES FOR CERTAIN RESIDENTIAL USES** (6:13 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

Donna Pesto, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by five speakers, Supervisor Frey moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding parking rates for certain residential uses, as advertised with the following change recommended by the Planning Commission:
 - Paragraph 3 of Section 11-103 - the parking rate for lots with frontage on a public street shall be two spaces per unit and the parking rate for lots with frontage on a private street shall be three spaces per unit
- That the Board direct staff to expedite the Transportation Demand Management (TDM) Study to provide parking flexibility in Transit Oriented Development (TOD) and possibly other developments.
- That the Board direct staff to develop outreach materials to assist existing Home Owner Associations with parking problems that will not be addressed by this amendment.
- That the amendment become effective at 12:01 a.m. on January 22, 2007, and that the following grandfathering provisions be implemented:
 - That increased parking rates shall not apply to any special exception, proffered rezoning, or developments that were approved prior to the effective date of this amendment when such approvals contain a specific parking requirement.
 - That increased parking rates shall not apply to any building plans or site submitted on or before the effective date of the amendment, provided such plans are (a) approved within twelve months of the return of the initial submission to the applicant or agent, (b) the plan remains valid, (c) building permits for the structures shown on the approved plan are issued and (d) the structures and uses are constructed in accordance with such building permits.

Supervisor Bulova seconded the motion.

Supervisor Bulova asked to amend the motion that the Board discuss the issue of “shared driveways” in the near future, and this was accepted.

The question was called on the motion, as amended, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

PW:pw

85. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), CHAPTER 112 (ZONING ORDINANCE), AND THE PUBLIC FACILITIES MANUAL (PFM)** (6:43 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issue of October 5, 2006.

Jan Leavitt, Engineer III, Code Analysis Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Chapter 112 (Zoning Ordinance), and the PFM, as recommended by the Planning Commission. Supervisor Hyland seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, and Chairman Connolly voting “AYE,” Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, and Supervisor Smyth being out of the room.

86. **REQUEST TO RECORD VOTE** (6:46 p.m.)

Supervisor DuBois asked that she be recorded as voting in the affirmative for the proposed zoning ordinance amendment regarding condominium applicants and the proposed amendments to the Public Facilities Manual and Chapter 101 (Subdivision Ordinance). It was so noted.

87. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 83-C-021 (ATLANTIC REALTY COMPANIES, INCORPORATED) (SULLY DISTRICT)** (6:47 p.m.)

The application property is located at the northwest corner of the intersection of Lee Jackson Memorial Highway and Fair Ridge Drive, Tax Map 46-3 ((1)) 15A and 15B.

Mr. Keith Martin reaffirmed the validity of the affidavit for the record.

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

- In excess of \$100 from Atlantic Realty Companies, Incorporated

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

- In excess of \$100 from Atlantic Realty Companies, Incorporated

Mr. Martin 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, Tracy Strunk, Senior 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 83-C-021, subject to the proffers dated October 17, 2006.
- Modification of the transitional screening requirements to allow the use of existing vegetation on the north and west.
- Modification of the transitional screening requirements and waiver of the barrier requirements to the south in favor of that shown on the Conceptual Development Plan/Final Development Plan.
- Waiver of the service drive along Route 50.

This motion was multiply seconded and it carried by a vote of six, Supervisor Gross, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly being out of the room.

(NOTE: On September 21, 2006, the Planning Commission voted unanimously to approve Final Development Plan Amendment Application FDPA 83-C-021, subject to the development conditions dated September 6, 2006.)

88. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2006-HM-001 (HERITAGE FELLOWSHIP UNITED CHURCH OF CHRIST) (HUNTER MILL DISTRICT) (6:54 p.m.)**

- (O) The application property is located east of Fox Mill Road approximately 400 feet north of its intersection with Pinecrest Road, Tax Map 25-2 ((5)) 51 and 52.

Mr. Stuart Mendelsohn reaffirmed the validity of the affidavit for the record.

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

- In excess of \$100 from Mr. Stuart Mendelsohn

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

- In excess of \$100 from Mr. Stuart Mendelsohn
- In excess of \$100 from William H. Gordon and Associates, Incorporated., through 4501 Daly LP, which is not a party to this application

Mr. Mendelsohn 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, Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins stated that she had items for the record.

Supervisor Hudgins moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2006-HM-001, from the R-1 District to the R-2 District, subject to the proffers dated October 11, 2006.
- Modification of the transitional screening, in favor of that shown on the Generalized Development Plan/Special Exception Plat, and as conditioned to allow the use of existing vegetation.
- Waiver of the barrier requirement along the western boundary of the site.

Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, and Vice-Chairman Bulova voting "AYE," Supervisor Gross, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly being out of the room.

89. **4:30 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-IV-5MV, LOCATED WEST OF CENTRAL AVENUE AND NORTH OF MAURY PLACE (MOUNT VERNON DISTRICT)** (7:05 p.m.)

(NOTE: On September 25, 2006, the Board deferred the public hearing on this item until October 23, 2006.)

Meghan Van Dam, Planner II, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by seven speakers, Ms. Van Dam presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of APR Item 05-IV-5MV, as recommended by the Planning Commission, with modifications as found in the handout dated October 23, 2006, and distributed to the Board which allows for more flexibility and site design and would effectively require the use of the single family detached units. Supervisor Smyth seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

90. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE SULLY STATION II COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (7:37 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

Maria Turner, Transportation Planner, Department of Transportation, presented the staff report.

Supervisor Frey stated that he had items for the record.

Following the public hearing, which included testimony by four speakers, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Sully Station II CPD, in accordance with current CPD restrictions. Supervisor Smyth seconded the motion and it carried by a vote of seven, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Bulova, Supervisor Hudgins, and Supervisor McConnell being out of the room.

91. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION), ESTABLISHING A PROCEDURE AND CRITERIA FOR A PROPERTY TAX EXEMPTION PROGRAM** (7:51 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

Michael Long, Senior Assistant County Attorney, presented the staff report.

Following the public hearing, which included testimony by five speakers, discussion ensued with input from Kevin Greenlief, Director, Department of Tax Administration, and Mr. Long regarding assessment at market value, the implication of accepting applications, the inclusion of information regarding the acceptance of County funding for non-profit organizations in reviewing applications, the method of presenting the applications to the Board, and public hearing implications.

Supervisor Smyth moved to **table** the adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation). Supervisor Kauffman seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Hudgins and Supervisor Hyland voting “NAY.”

92. **5 P.M. – PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON GEORGETOWN PIKE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (DRANESVILLE DISTRICT)** (8:38 p.m.)

Verbatim
(R)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

Doug Hansen, Senior Transportation Planner, Department of Transportation, presented the staff report.

Discussion ensued with input from Mr. Hansen regarding definitions and criteria in the State statute.

Supervisor DuBois stated that she had items for the record.

Following the public hearing, which included testimony by four speakers, Supervisor DuBois moved adoption of the Resolution endorsing Georgetown Pike to be included in the R-TAP for a through truck traffic restriction. Chairman Connolly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hyland, Supervisor McConnell,

and Chairman Connolly voting “AYE,” Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, and Supervisor Smyth being out of the room.

93. **5 P.M. – PH ON A PROPOSED CUT-THROUGH TRAFFIC MITIGATION PLAN FOR FORDSON ROAD, SCHELHORN ROAD, BOSWELL AVENUE, AND FRANCES DRIVE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (MOUNT VERNON DISTRICT)** (8:53 p.m.)

Verbatim
(R)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

Doug Hansen, Senior Transportation Planner, Department of Transportation, presented the staff report.

Supervisor Hyland stated that he had items for the record.

Following the public hearing, which included testimony by nine speakers, Supervisor Hyland moved that the Board adopt the Resolution endorsing Fordson Road, Schelhorn Road, Boswell Avenue, and Frances Drive for a cut-through traffic mitigation plan as part of R-TAP. The proposed plan consists of the following traffic calming measures:

- Two speed tables on Fordson Road.
- Three speed tables on Schelhorn Road.
- A speed table on Boswell Avenue.
- Two speed tables on Frances Drive.
- Multi-way stop at the intersection of Boswell Avenue and Frances Drive.

Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Frey being out of the room.

Supervisor Hyland asked unanimous consent the Board direct staff to report in a year with performance monitoring data. Without objection, it was so ordered.

94. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE DAVENTRY COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)** (9:28 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

Maria Turner, Transportation Planner, Department of Transportation, presented the staff report.

Supervisor McConnell stated that she had items for the record.

Following the public hearing, which included testimony by seven speakers, Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Davenport CPD, in accordance with current CPD restrictions. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Frey being out of the room.

95. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (9:55 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 5 and October 12, 2006.

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 ten speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was called and written testimony from the following individual was entered into the record:

- Ms. Elizabeth McNally regarding childcare subsidy

ADDITIONAL BOARD MATTER96. **COLUMBIA GAS PIPELINE EASEMENT CLEARING** (9:55 p.m.)

Supervisor DuBois reported that two weeks ago, without prior notice, the residents of Hiddenbrook neighborhood in Herndon awoke to the sound of chain saws. Columbia Gas representatives had begun clearing its pipeline easement in the neighborhood for the first time in approximately 20 years. The firm's subcontractors cut a sky-to-ground swath. Trees on private property that overhung into the easement were cut off at the boundary line. Some trees that were growing in residents' back yards are now nothing but large poles with roots. Some were practically cut in half, including a 90-year-old oak tree in one resident's front yard. The gas company did curtail its work for a few hours to listen to neighborhood residents, but representatives were unable to give them any idea of how they intended to fix damage to private property. At that meeting, she was also informed that crews had already cleared a similar area in Great Falls from Beach Mill Road down to the Potomac River, through Park Authority and Northern Virginia Regional Park Authority (NVRPA) lands. Columbia Gas undertook all this work without any notification to adjacent residents, her office, the Park Authority, or NVRPA. After the first wave was been completed, the extent of the damage, possibly outside the easement, is being evaluated. The original easement was obtained through condemnation in 1949.

Supervisor DuBois stated that the County's urban foresters evaluated all the trees that were cut to ascertain whether the trees need additional pruning or need to be removed. Questions remain about the steep slope in Great Falls that was denuded and now could erode directly into the Potomac River. It has not been stabilized. As an interstate utility, Columbia Gas is not subject to local regulations or State oversight and may be exempt from the Chesapeake Bay Preservation Act requirements. She said that the State Corporation Commission was contacted and it confirmed that it has no oversight.

Columbia Gas crews have not completed clearing its easements in the County. Work was scheduled to begin in the Hunter Mill District last week. This path will take them not only through other neighborhoods, but also through the sensitive Sugarland stream valley, and later, through the heart of Great Falls.

Supervisor DuBois asked unanimous consent that the Board direct the County Executive to assemble appropriate County staff to coordinate with Columbia Gas on repairs to private and public lands, and to research the legal issues regarding the boundaries of the easement and damages to County residents' property. Supervisor Smyth seconded the motion.

Following discussion regarding input over gas company action and the lack of company policies regarding cutting in urban areas, Chairman Connolly clarified that implicit in the motion, the County Attorney is authorized to seek whatever

injunction or relief he may deem appropriate to get Columbia Gas to cease and desist on damage currently being caused.

Following a brief discussion on outreach efforts by other pipeline companies, the question was called on the motion, as clarified, which carried by a vote of nine, Supervisor Frey being out of the room.

97. **BOARD ADJOURNMENT** (10:02 p.m.)

The Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2-5, 7
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	7-11
Items Presented by the County Executive	
Administrative Items	11-16
Action Items	17-23
Consideration Items	23-24
Information Items	24-26
Board Matters	
Chairman Connolly	2, 26, 37, 41
Supervisor Bulova	31-33, 35
Supervisor DuBois	2, 38, 59-60
Supervisor Frey	38-40
Supervisor Gross	6, 33-36, 37
Supervisor Hudgins	2, 27-31
Supervisor Hyland	2, 36-38, 41
Supervisor Kauffman	2, 21, 36, 40-41
Supervisor McConnell	37, 41
Supervisor Smyth	27
Actions from Closed Session	44-45
Public Hearings	45-59