



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
December 4, 2006**

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21-06

PW:pw

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, December 4, 2006, at 9:48 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 Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Regina Thorn, Administrative Assistant, Office of the County Executive; Angela Schauweker, Management Analyst, 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** (9:48 a.m.)

Chairman Connolly noted that the County flag, by order of Deputy County Executive Robert A. Stalzer, will be flown at half-staff beginning at sunrise today in respect and memory of Nicholas P. Rapavi, corporal, United States Marine Corps. Corporal Rapavi died on November 24 from wounds sustained while conducting combat operations in the Al Anhbar province in Iraq. He was on his third overseas deployment. Corporal Rapavi grew up in Springfield. The flag will remain at half-staff until sunset tonight.

(NOTE: Later in the meeting, the Board discussed a way to honor Corporal Rapavi. See Clerk's Summary Item #47.)

(NOTE: Later in the meeting, the Board discussed procedures for flying the flag at half-staff. See Clerk's Summary Item #49.)

AGENDA ITEMS

2. **CERTIFICATE OF RECOGNITION PRESENTED TO SASHA RYJIK**
(9:49 a.m.)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Sasha Ryjik for his accomplishment as the 2006 National Sabre Fencing Champion for age 12 and under. Supervisor Hyland seconded the motion and it carried by unanimous vote.

3. **RESOLUTION OF RECOGNITION PRESENTED TO MR. JOHN BYERS**
(9:53 a.m.)

(BACs) Supervisor Hyland moved approval of the Resolution of Recognition presented to Mr. John Byers for his 21 years on the Planning Commission and nearly four decades of involvement with the County. Supervisor Smyth seconded the motion and it carried by unanimous vote.

4. **RESOLUTION OF RECOGNITION PRESENTED TO MR. BEN PEPPER**
(10:06 a.m.)

(BACs) Supervisor Kauffman moved approval of the Resolution of Recognition presented to Mr. Ben Pepper for his years of service with the Fairfax-Falls Church Community Services Board. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

5. **RESOLUTION OF RECOGNITION PRESENTED TO MOUNT PLEASANT BAPTIST CHURCH (HUNTER MILL DISTRICT)**
(10:17 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition presented to Mount Pleasant Baptist Church on the occasion of its one hundred fortieth anniversary. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

6. **RESOLUTION OF RECOGNITION PRESENTED TO MR. JIM CHESLEY (SPRINGFIELD DISTRICT)** (10:26 a.m.)

Supervisor McConnell moved approval of the Resolution of Recognition presented to Mr. Jim Chesley for his dedication and commitment to the Town of Clifton. Chairman Connolly seconded the motion and it carried by unanimous vote.

DET:det

7. **10 A.M. – BOARD ADOPTION OF THE 2007 LEGISLATIVE PROGRAM FOR THE VIRGINIA GENERAL ASSEMBLY AND APPROVAL OF THE COUNTY’S 110TH CONGRESS FEDERAL APPROPRIATIONS REQUEST FOR FISCAL YEAR 2008** (10:42 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved adoption of the 2007 Legislative Program for the Virginia General Assembly and approval of the County’s 110th Congress Federal Appropriations Request for Fiscal Year 2008. Supervisor Hudgins seconded the motion.

Discussion ensued concerning:

- A streamlined process that presented priorities clearly and addressed regional priorities.
- Tree preservation and tree legislation as it relates to the report to be presented by the Environmental Quality Advisory Council.

Discussion continued regarding a memorandum that was circulated late last week concerning demolition permits, with input from Karen Harwood, Deputy County Attorney.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to:

- Review the memorandum.
- Determine what, if any, legislative relief the Board may want to seek before the next meeting of the Legislative Committee on January 19, 2007.

Without objection, it was so ordered.

Additional input was provided by Susan Mittereder, Legislative Director, concerning the time frame for submitting legislation.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Discussion continued concerning the length of time involved in completing construction projects, an issue that had been raised at the last Board meeting. Following input by Ms. Harwood concerning legislation that had been introduced by a State Delegate on behalf of the City of Fairfax that addressed this issue as well as the role of the Virginia State Board of Housing and Community Development in promulgating regulations that become the Building Code, Supervisor Bulova asked to amend the motion to encourage the Delegate to introduce that legislation on behalf of the County if the City of Fairfax does not wish to have it introduced on its behalf, and this was accepted.

Supervisor Frey stated that for the reasons he has enumerated over the years, he would not support the Legislative Program.

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

Supervisor McConnell stated that she supported the entire program with the exception of the section dealing with sexual orientation.

Supervisor Hudgins noted that at a previous meeting of the Board, a question had been raised about tunnel training for public safety personnel, specifically what the differences were with the Metro training facility and what is contained in the Legislative Program. Discussion ensued with input from Anthony H. Griffin, County Executive, concerning the status of the information requested. Chairman Connolly noted that he had also requested information concerning the dollar amount involved.

8. **10:15 A.M. – PRESENTATION OF THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) 2006 ANNUAL REPORT** (10:57 a.m.)

(NOTE: Earlier in the meeting, the Board made reference to this report. See Clerk's Board Summary Item #7.)

Stella Koch, Chairperson, EQAC, presented its 2006 annual report and outlined several of the Council's recommendations concerning the County's environmental agenda.

Chairman Connolly thanked the Council for its report and noted that the County won the National Association of Counties (NACo) award for its environmental plan and implementation.

Supervisor Gross stated that one of the Council's recommendations included the creation of spoil disposal/recycling areas and noted that the Dredge Spoils Committee was already working on this issue.

Discussion ensued concerning compact fluorescent light (CFL) bulbs and e-scrap. Supervisor Gross asked unanimous consent that the Board direct EQAC to include those issues in its next report. Without objection, it was so ordered.

Discussion continued concerning advertising in public rights-of-way, with input from Anthony H. Griffin, County Executive, regarding the status of the Board's consideration of this issue.

Following further discussion concerning path lighting and the over-use of lighting, Supervisor Smyth noted efforts of the Council of Governments' (COG) Metropolitan Washington Air Quality Committee (MWAQC) concerning air quality, and asked unanimous consent that the Board direct EQAC to confer with MWAQC to determine what it will be doing about working tree canopy into the calculations for meeting air quality standards. Without objection, it was so ordered.

Chairman Connolly stated that the Board had laid out a six point agenda for this four-year term, and the environmental initiative was very high on that list as it is a 20 year comprehensive plan. He said that the presentation made today by EQAC was a wonderful interim report on the status of that environmental initiative and that it is one of the most significant things the Board has done and is doing including a dedication of the penny on the tax rate to stormwater detention efforts which has a lot to do with water quality, Chesapeake Bay preservation and restoration, and the like.

Supervisor Gross moved that the Board accept, with gratitude, the report of the EQAC. Supervisor DuBois seconded the motion, and it carried by a vote of nine, Supervisor Frey being out of the room.

PW:pw

BOARD MATTER

9. **INTRODUCTION OF NEW STAFF MEMBER DOMINIC BONAIUTO**
(11:19 a.m.)

Chairman Connolly introduced his new Chief of Staff, Dominic Bonaiuto, and warmly welcomed him to the Board Auditorium.

AGENDA ITEMS

10. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:19 a.m.)

(APPTS)
(BACs)

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Mason District Representative.

ATHLETIC COUNCIL

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

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

The Board deferred the appointments of the Alternate #3 and Alternate #4 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Supervisor DuBois moved the reappointment of Mr. William C. Harvey, II as the Appraiser #2 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Ms. Noelle Maynard as the Attorney #1 Representative. Supervisor Smith seconded the motion, which carried by unanimous vote.

A brief discussion ensued with input from David P. Bobzien, County Attorney, regarding the eligibility of the incumbent serving as the builder representative.

Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Ms. Gloria Crawford to appear before the Board to be recognized for her service to the Board of Equalization of Real Estate Assessments. Without objection, it was so ordered.

Chairman Connolly moved the reappointment of Mr. Thomas Parr as the Freeholder #1 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Attorney #2 and Builder Representatives.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Supervisor DuBois moved the appointment of Mr. Steve Kirtley as the Dranesville District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large Chairman's Representative and the Mason, Providence, and Springfield District Representatives.

COMMUNITY ACTION ADVISORY BOARD

CONFIRMATIONS:

Supervisor Hyland moved the confirmation of the following appointments:

- Ms. Renee D. Barnett as the Elected Central County #1 Representative
- Mr. Mark Roudybush as the Elected Central County #3 Representative
- Ms. Suequita Williams as the Elected South County #3 Representative

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

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Dranesville District Representative.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment:

- Ms. Sharon Ivy Weiss as the Federation of Citizens Associations Representative

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the Springfield District Representative.

(NOTE: Later in the meeting, the Board made an appointment to this council. See Clerk's Summary #42.)

FAIRFAX AREA DISABILITY SERVICES BOARD

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

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Mr. Kirby Smith as the Northern Virginia Hospitality Council #8 Representative

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

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Kauffman moved the appointment of Ms. Martha Lloyd as the Lee District Representative.

GEOTECHNICAL REVIEW BOARD**CONFIRMATIONS:**

Supervisor Hyland moved the confirmation of the following appointments:

- Mr. I. Al Nouri as the Primary #1 Representative
- Mr. J. Christopher Geise as the Alternate #2 Representative

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

HISTORY COMMISSION

Chairman Connolly moved the reappointment of Mr. Robert Beach as the Architect Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the appointment of Mr. James H. Cox, Jr. to fill the unexpired term of Ms. Sue Patterson as the At-Large #3 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Jack Hiller as the Citizen #1 Representative to the History Commission. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Sallie Lyons as the Citizen #2 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Lynne Garvey Wark as the Citizen #4 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Paula Elsey as the Citizen #5 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Mary Lipsey as the Citizen #6 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. Michael Irwin as the Citizen #8 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Ann Barnes as the Citizen/Minority Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

Supervisor Hudgins moved the reappointment of Mr. William A. Young, III as the Hunter Mill District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Ms. Emily McCoy as the Lee District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large Chairman's Representative.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the Mason District Representative.

PARK AUTHORITY

Supervisor Bulova moved the reappointment of Ms. Winifred Shapiro as the Braddock District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Frank Vajda as the Mason District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Gilbert McCutcheon as the Mount Vernon District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Following input from David P. Bobzien, County Attorney, the Board deferred the appointment of the Springfield District Representative.

PLANNING COMMISSION

Chairman Connolly moved the appointment of Mr. Tim Sargeant as the At-Large #2 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to invite Laurie Frost Wilson, former At-Large #2 Representative, to appear before the Board to be recognized for her service on the Planning Commission. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Gross moved the reappointment of Ms. Janet Hall as the Mason District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Earl Flanagan to fill the unexpired term of Mr. John Byers as the Mount Vernon District Representative. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

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

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

Supervisor Hyland moved the reappointment of Mr. Brendan Harold as the Citizen #2 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

ROAD VIEWERS BOARD

Supervisor McConnell moved the reappointment of Mr. Joseph Bunnell as the At-Large #1 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. John Ewing as the At-Large #2 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Arthur Nalls as the At-Large #3 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large #4 and At-Large #5 Representatives.

SMALL BUSINESS COMMISSION

Supervisor Gross moved the reappointment of Ms. Elizabeth Novak as the Mason District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Marvin Powell as the Sully District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large #1, At-Large #2, and the Dranesville District Representatives.

TENANT LANDLORD COMMISSION

Supervisor Bulova moved the reappointment of Ms. Karen Geier-Smith as the Landlord Member #1 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. Christopher Kocsis as the Landlord Members #2 Representative. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

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

VOLUNTEER FIRE COMMISSION**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Mr. Shawn Stokes as the Volunteer Fire and Rescue Association Representative

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

WETLANDS BOARD

Supervisor Hyland moved the reappointment of Mr. David Geneson as the Mount Vernon District #2 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.

CONFIRMATION:

Supervisor Smyth moved the confirmation of the following appointment:

- Mr. Doug Denny as the Federation of Citizens Associations Representative

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

CWB:cwb

11. **ADMINISTRATIVE ITEMS** (11:31 a.m.)

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

Supervisor Frey called the Board's attention to Admin 6 – Authorization to Advertise Public Hearings to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding the Centreville Historic Overlay District (CHOD) and asked to amend the motion to consider it separately, and this was accepted.

Supervisor Gross and Supervisor Smyth called the Board's attention to Admin 10 – Authorization to Advertise Public Hearings to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding a Waiver of the Residential Minimum Lot Width Requirement and discussion ensued with input from Donna Pesto, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, regarding standards for approving special exception applications.

The question was called on the motion, as amended, to approve the Administrative Items with the exception of Admin 6, 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 – STREETS INTO THE SECONDARY SYSTEM
(DRANESVILLE, HUNTER MILL, PROVIDENCE, MOUNT VERNON,
AND SULLY DISTRICTS)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Little Run Farm	Dranesville	Chamberlain Woods Way Little Run Farm Court Hunter Mill Road – Route 674 (Additional ROW only)
Woodlea Mill Section 1B	Dranesville	Woodlea Mill Road Daviswood Drive (Route 6629) Orlo Drive (Route 3634)
Woodlea Mill Section 1C	Dranesville	Woodbranch Court Orlo Drive
Battery Park	Hunter Mill	Old Courthouse Road (Route 677) (Additional ROW only)
JDA Custom Homes, Inc.	Hunter Mill	Old Courthouse Road (Route 677) (Additional ROW dedication only)
Shady Brook, Section B, Lots 14–18	Providence	Capital Beltway (I-495) (Additional ROW only)
Unitarian Universalist Congregation of Fairfax Lot 23	Providence	Huntermill Road (Route 674) (Additional ROW only)
Wells Addition	Providence	Lee Highway (Route 29) (Additional ROW only)
Cadlerock Properties Joint Venture, LP – Laurelwood II	Mount Vernon	Alban Road (Route 790) Pohick Road (Route 641) (Additional ROW only) Creekside View (Previously Pohick Road) (Additional ROW only) Creekside View Lane (Previously Pohick Road) (Additional ROW only)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Cardinal Forest Estates, LLC	Sully	Pleasant Valley Road (Route 609) (Additional ROW only)
Copper Creek Section 1	Sully	Bronzgate Court (Route 6304) English Garden Court West Ox Road (Route 608) (Additional ROW only) West Ox Road (Route 608) (Additional ROW only)
Rainbow Day Care Center, Incorporated	Sully	Braddock Road (Route 620) (Additional ROW only)

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE KINGSTOWNE COMMUNITY PARKING DISTRICT (LEE DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **January 8, 2007, at 4:30 p.m.** to consider a proposed amendment to the Code of the County of Fairfax, Appendix M, to expand the Kingstowne Community Parking District (CPD) in accordance with current CPD restrictions. The proposed district expansion includes the following streets:

- Woodlake Lane (Route 8116): The entire length of Woodlake Lane from cul-de-sac to cul-de-sac
- Shuttington Drive (Route 8697): from Kingstowne Village Parkway to it terminus
- Green Glen Court (Route 10425): from Green Glen Lane to the cul-de-sac, inclusive
- Green Glen Lane (Route 10424): from Greendale Village Drive to the cul-de-sac, inclusive
- Trumpington Court (Route 10428): from Greendale Village Drive to the cul-de-sac, inclusive
- Castle Bar Court (Route 10423): from Castle Bar Lane to the cul-de-sac, inclusive

- Castle Bar Lane (Route 10422): from Greendale Village Drive to the cul-de-sac, inclusive
- Donegan Court (Route 10427): from Clonmel Court to the cul-de-sac, inclusive
- Clonmel Court (Route 10426): from Greendale Village Drive to the cul-de-sac, inclusive
- Greendale Village Drive (Route 10420): from South Van Dorn Street to Scottswood Court

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE SOUTHRUN COMMUNITY PARKING DISTRICT (MOUNT VERNON DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **January 8, 2007, at 4:30 p.m.** to consider a proposed amendment to the Code of the County of Fairfax, Appendix M, to expand the Southrun Community Parking District (CPD) in accordance with current CPD restrictions. The proposed district expansion includes the following streets:

- Grandview Court (Route 6570): from Southrun Road to the cul-de-sac, inclusive
- Rushing Creek Drive (Route 6518): from Newington Forest Avenue to the cul-de-sac, inclusive
- Treasure Tree Court (Route 6118): from Newington Forest Avenue to Cold Plain Court
- Cold Plain Lane (Route 6117): from Newington Forest Avenue to Cold Plain Court
- Newington Forest Avenue (Route 6100): from Hoos Road to Pohick Road
- Rising Creek Lane (Route 6116): from Curving Creek Court to the cul-de-sac, inclusive
- Curving Creek Court (Route 6115): from Newington Forest Avenue to the cul-de-sac, inclusive

ADMIN 4 – AUTHORIZATION OF A PUBLIC HEARING ON A PROPOSAL TO ABANDON SEGMENTS OF LOCKHEED BOULEVARD AND CONVEY THE SAME TO THE PARK AUTHORITY (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on January 8, 2007, to consider the abandonment of segments of Lockheed Boulevard and the conveyance to the Park Authority.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED CUT-THROUGH TRAFFIC MITIGATION PLAN FOR MEMORIAL STREET AND LENCLAIR STREET AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 22, 2007, at 4 p.m.** for the purpose of endorsing Memorial Street, between Richmond Highway and South Kings Highway, and Lenclair Street, between Memorial Street and South Kings Highway, for a cut-through traffic mitigation plan as part of the R-TAP. The proposed plan consists of the following traffic calming measures:

- Speed hump, speed table, and raised crosswalk on Memorial Street
- Speed hump on Lenclair Street

ADMIN 6 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE CENTREVILLE HISTORIC OVERLAY DISTRICT (CHOD)

(NOTE: Earlier in the meeting, the Board deferred this item until later in the meeting. See page 13.)

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item CL#12.)

ADMIN 7 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 99-M-038 (LEEWOOD INVESTMENTS AND ASSOCIATES, LLC) (MASON DISTRICT)

- (AT) Approved 24 months of additional time to commence construction for Special Exception Application SE 99-M-038 to October 30, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 8 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SEA 94-D-002 (FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY) (DRANESVILLE DISTRICT)

- (AT) Approved 30 months of additional time to commence construction for Special Exception Amendment Application SEA 94-D-002 to February 9, 2009, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 9 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-M-002 (WASHINGTON INTERNATIONAL TELEPORT, INCORPORATED) (MASON DISTRICT)

- (AT) Approved 24 months of additional time to commence construction for Special Exception Application SE 98-M-002 to April 13, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 10 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING A WAIVER OF THE RESIDENTIAL MINIMUM LOT WIDTH REQUIREMENT

- (A)(R) (NOTE: Earlier in the meeting, the Board discussed this item. See page 13.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on January 11, 2007, at 8:15 p.m., and before the Board on **February 26, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding a waiver of the residential minimum lot width requirement.

ADMIN 11 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITIES REVIEW APPLICATIONS (BRADDOCK, DRANESVILLE, MASON, MOUNT VERNON, AND PROVIDENCE 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>
2232-D06-20	T-Mobile Northeast LLC 10-foot extension to existing 100-foot tall transmission pole Georgetown Pike at Dolley Madison Boulevard (Dranesville District)	February 9, 2007

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-B06-72	Clearwire US LLC Antenna colocation on existing monopole 9537 Helenwood Drive (Braddock District)	February 26, 2007
FS-M06-73	Clearwire US LLC Antenna colocation on existing monopole 6621 Columbia Pike (Mason District)	March 1, 2007
FS-V06-79	T-Mobile Northeast LLC Antenna colocation inside existing steeple 8009 Fort Hunt Road (Mount Vernon District)	March 2, 2007
2232-P06-12	Washington Metropolitan Area Transit Authority Parking structure at the Vienna Metrorail Station 2900 Nutley Street (Providence District)	June 4, 2007

ADMIN 12 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 07067 FOR VARIOUS COUNTY AGENCIES TO ACCEPT DEPARTMENT OF HOMELAND SECURITY (DHS) URBAN AREA 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 07067 in the amount of \$108,233 for the County to accept DHS Fiscal Year (FY) 2005 and FY 2006 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 December 4, 2006. All projects will be implemented in accordance with the program guidance documents. No Local Cash Match or in-kind match is required.

ADMIN 13 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-M-086 (RADLEY AUTOMOBILES, INCORPORATED D/B/A RADLEY ACURA) (MASON DISTRICT)

- (AT) Approved six months additional time to commence construction for Special Exception Amendment Application SEA 85-M-086 to March 7, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO OBTAIN INPUT FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES’ (CRS) GRANT APPLICATION TO THE COMMONWEALTH OF VIRGINIA FOR THREE REPLACEMENT VEHICLES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 8, 2007, at 4 p.m.** to obtain public input regarding the Board’s approval for CRS to submit a grant application in the amount of \$156,000 to the Commonwealth of Virginia for funds to purchase three wheelchair lift-equipped replacement vehicles. The total cost of the vehicles, including needed options, is estimated at \$156,000. Of this total, the grant will provide 80 percent funding, or \$124,800. The balance of 20 percent, or \$31,200, in required Local Cash Match will be absorbed within the Fiscal Year 2008 budget for CRS. No additional County funding is required.

ADMIN 15 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PORTABLE STORAGE CONTAINERS

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on February 8, 2007, at 8:15 p.m., and before the Board on **March 26, 2007, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding portable storage containers.

12. **ADMIN 6 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE CENTREVILLE HISTORIC OVERLAY DISTRICT (CHOD) (11:36 a.m.)**

- (A) (R) Discussion ensued with input from David P. Bobzien, County Attorney, regarding automobile oriented uses in the historic district.

Therefore, Supervisor Frey moved adoption of the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on

January 18, 2007, at 8:15 p.m. and before the Board on **February 26, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding the CHOD with the following revision to handwritten page 10, Section A1-1303 – Use Limitations to read as follows:

- “Any new improvements shall be designed to be sensitive to archaeological resources as well as the historical character of the area.”

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.”

13. **A-1 – APPROVAL OF THE RENEWAL OF A COOPERATIVE AGREEMENT BETWEEN CHILDELP CHILDREN’S CENTER OF VIRGINIA AND FAIRFAX COUNTY POLICE DEPARTMENT (FCPD), DEPARTMENT OF FAMILY SERVICES (DFS), FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB), OFFICE OF THE COMMONWEALTH’S ATTORNEY OF FAIRFAX COUNTY, INOVA FAIRFAX HOSPITAL FOR CHILDREN, AND HISPANICS AGAINST CHILD ABUSE AND NEGLECT** (11:47 a.m.)

On motion of Supervisor Hudgins, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the renewal of a cooperative agreement for a period of three years between the FCPD, DFS, CSB, the Commonwealth’s Attorney of Fairfax County, ChildHelp Children’s Center of Virginia, INOVA Fairfax Hospital for Children, and Hispanics Against Child Abuse and Neglect. The purpose of this agreement is to sustain a coordinated, collaborative, and systemic response to child abuse and neglect therefore improving the welfare of children.

14. **A-2 – AUTHORIZATION TO REALLOCATE AND DISBURSE FUNDS FROM HOME DEVELOPMENT COSTS TO TRANSITIONAL HOUSING/KATHERINE K. HANLEY FAMILY SHELTER (SPRINGFIELD DISTRICT)** (11:47 a.m.)

On motion of Supervisor McConnell, the second to which was inaudible, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized reallocation and disbursement of \$207,000 from Project 013974, HOME Development Costs, to Project 014144, Transitional Housing/Katherine K. Hanley Family Shelter, within Fund 145, HOME Investment Partnership Grant. The funds will be used for predevelopment activities of six units of transitional housing on the same site as the Katherine K. Hanley Family Shelter.

15. **A-3 – PARKING REDUCTION FOR RADHA SOAMI SOCIETY BEAS AMERICA (MOUNT VERNON DISTRICT)** (11:47 a.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve a 28.3 percent reduction in required parking for the Radha Soami Society Beas America, located at 7955 Cameron Brown Court, Tax Map 099-1-04-0031-A, Mount Vernon District, pursuant to Paragraph 4(B), Section 11-102 of the Fairfax County Zoning Ordinance, based on an analysis of the parking requirements for each use on the site and a parking reduction study, on the conditions outlined in the Board Agenda Item dated December 4, 2006. Supervisor Kauffman seconded the motion.

Discussion ensued with input from Richard Hayes, staff, Department of Public Works and Environmental Services, regarding businesses agreeing with the parking reductions.

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

16. **A-4 – PROPOSED AMENDMENT TO BOARD OF EQUALIZATION RESOLUTION** (11:50 a.m.)

- (R) (BACs) On motion of Supervisor Frey, seconded by Supervisor Hyland, 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 adopted the Resolution for the Board of Equalization of Real Estate Assessments to better align the member qualifications with State Code.

17. **A-5 – ENDORSEMENT OF THE CHIEF ADMINISTRATIVE OFFICERS (CAO) TASK FORCE’S COMMENTS REGARDING THE PRELIMINARY FISCAL YEAR (FY) 2008 VIRGINIA RAILWAY EXPRESS (VRE) BUDGET (BRADDOCK, LEE, MASON, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (11:50 a.m.)

Supervisor Bulova moved that the Board concur in the recommendation of staff and endorse the CAOs Task Force’s initial recommendations regarding the proposed FY 2008 VRE budget. Supervisor Kauffman seconded the motion.

Discussion ensued with input from Tom Biesiadny, Chief, Coordination and Funding Division, Department of Transportation, regarding VRE subsidies.

Supervisor Bulova, Supervisor Kauffman, and Supervisor McConnell expressed reservations regarding certain conditions of the VRE Preliminary Budget.

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

18. **A-6 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ACT AS AGENT OF THE BOARD AND SIGN A MEMORANDA OF AGREEMENT (MOA) FOR THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) PROJECT TO DESIGN AND CONSTRUCT THE RICHMOND HIGHWAY - TELEGRAPH ROAD CONNECTOR ROAD NEAR FORT BELVOIR (MOUNT VERNON AND LEE DISTRICTS)** (11:59 a.m.)

On motion of Supervisor Hyland, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive, on behalf of the Board, to sign the project and the Historic Preservation MOA.

19. **A-7 – DESIGNATION OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FISCAL YEAR (FY) 2007 REVENUE SHARING PROGRAM FUNDS AND MATCHING FAIRFAX COUNTY FUNDS (SPRINGFIELD AND SULLY DISTRICTS)** (12 p.m.)

- (R) On motion of Supervisor Frey, seconded by Supervisor McConnell, 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:

- Adopted the Resolution designating a maximum of \$1 million in FY 2007 VDOT Revenue Sharing Program Funds to partially fund the widening of Stringfellow Road.
- Approved up to \$500,000 in bond funds approved by the voters for transportation purposes for the Route 29 (Lee Highway) project west of Fairfax City.

20. **A-8 – APPROVAL TO MAKE A LOAN FROM FUND 319, THE PENNY FOR AFFORDABLE HOUSING FUND FROM FISCAL YEAR (FY) 2007 AS PART OF THE FINANCING PLAN FOR THE ACQUISITION, REHABILITATION AND PRESERVATION OF THE 90-UNIT SUNSET PARK APARTMENTS BY AHC LIMITED PARTNERSHIP – 15 (MASON DISTRICT)** (12:01 p.m.)

Supervisor Gross moved that the Board concur with the recommendation of staff and approve reallocation of up to \$5 million from Fund 319, The Penny for Affordable Housing Fund from FY 2007 as part of the financing plan for the acquisition, rehabilitation and preservation of Sunset Park Apartments. Supervisor Hudgins seconded the motion.

Chairman Connolly commented that Fairfax County has preserved 1358 housing units, and that the County is meeting its goals regarding housing issues.

Discussion ensued with input from Paula Sampson, Director, Department of Housing and Community Development, regarding the amount of money that the housing units are worth.

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

21. **A-9 – AUTHORIZATION TO (1) REALLOCATE FUNDING AMONG COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS PROGRAM (2) APPROVE A LOAN TO JEWISH FOUNDATION, AND (3) APPROVE A LOAN TO FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) CEDAR RIDGE, LP (HUNTER MILL DISTRICT)** (12:05 p.m.)

On motion of Supervisor Hudgins, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and directed the County Executive or his designee to:

- Facilitate the reallocation of CDBG and HOME funds and execute contracts, notes, and other required documents involved with this reallocation, as outlined in the Board Agenda Item dated December 4, 2006.
- Approve a loan in the amount of \$380,381 to Jewish Foundation for Group Homes utilizing CDBG funds.
- Approve a loan in the amount of \$126,150 to FCRHA Cedar Ridge, LP utilizing CDBG funds.

22. **C-1 – ELECTION YEAR POLICIES** (12:06 p.m.)

(P) The Board next considered an item contained in the Board Agenda dated December 4, 2006, regarding adoption of Election Year Policies from now through December 2007.

Supervisor Bulova moved adoption of the Election Year Policies from now through December 2007 as outlined in the Board Agenda Item. Supervisor Gross seconded the motion.

Discussion ensued regarding the election year policies.

Supervisor Gross moved to call the question. This motion, the second to which was inaudible, carried by unanimous vote.

The question was called on the motion to approve the Election Year Policies and it **CARRIED** by a recorded vote of nine, Supervisor Frey voting “NAY.”

23. **I-1 – PRESENTATION OF FISCAL YEAR 2006 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)** (12:14 p.m.)

The Board next considered an item contained in the Board Agenda dated December 4, 2006, regarding the CAFR.

Anthony H. Griffin, County Executive, commented on the item and discussion ensued regarding public audit.

24. **I-2 – CONTRACT AWARDS AND APPROVAL OF STREET ACCEPTANCE ITEMS DURING THE PERIOD BETWEEN THE DECEMBER BOARD MEETING AND THE FIRST BOARD MEETING IN JANUARY** (12:16 p.m.)

The Board next considered an item contained in the Board Agenda dated December 4, 2006, requesting authorization for the County Executive or the appropriate Deputy County Executive or the Chief Financial Officer to continue to approve street acceptance items and award contracts during the period between the December meeting and the first meeting in January.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

25. **NATIONAL MENTORING MONTH** (12:16 p.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board proclaim January 2007 as “*National Mentoring Month*” in Fairfax County and direct staff to invite the appropriate representatives from the Fairfax County Partnership for Youth to receive the proclamation at the January 8, 2007, Board meeting. Without objection, it was so ordered.

There was a brief discussion, with input from Merni Fitzgerald, Director, Office of Public Affairs, regarding the number of presentations for that date.

26. **OCCOQUAN RIVER FOOTBRIDGE (MOUNT VERNON DISTRICT)** (12:16 p.m.)

(R) Chairman Connolly called the Board’s attention to a letter he received from Mayor Earnest W. Porta, Jr., of the Town of Occoquan, requesting that the Board endorse a proposal by the town to formally name the footbridge across the Occoquan River after one of the town’s founders, Nathaniel Ellicott. In 1795, after asking for authorization from the General Assembly, Mr. Ellicott was instrumental in connecting Prince William and Fairfax Counties by erecting a bridge across the Occoquan River from the town and connecting the bridge to

Colchester via a new road. The town is prepared to cover the cost associated with the naming, but has been advised by the Virginia Department of Transportation that it needs resolutions from the Fairfax County and Prince William County Boards of Supervisors endorsing the request to receive approval from the Commonwealth Transportation Board.

Accordingly, Chairman Connolly moved that the Board endorse the Town of Occoquan's proposal by adopting the Resolution attached to Mayor Porta's letter, and direct staff to prepare a letter for his signature transmitting the Board's endorsement to Mayor Porta. Supervisor McConnell seconded the motion, which carried by a vote of nine, Chairman Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Vice-Chairman Bulova voting "AYE," Supervisor DuBois being out of the room.

27. **AUDIT COMMITTEE REPORT** (12:18 p.m.)

(BACs) Chairman Connolly noted that the Board's Audit Committee receives Quarterly Status Reports from the Board Auditors that must then be approved by the full Board. At the November 28, 2006, Audit Committee meeting, the Audit Committee received the draft of the November 28, 2006, Quarterly Status Report on Operations. The Auditors to the Board previously mailed copies of both reports to all Board Members.

Accordingly, Chairman Connolly moved that the Board accept the November 28, 2006 Quarterly Status Report on Operations as prepared by the Board Auditors. Supervisor McConnell seconded the motion.

Following discussion regarding a misleading *Washington Post* article about fuel consumption and theft, the question was called on the motion, which carried by unanimous vote.

28. **HALF OF WASHINGTON AREA'S FASTEST GROWING COMPANIES ARE IN THE COUNTY** (12:28 p.m.)

Chairman Connolly pointed out that half of the Washington area's fastest growing companies are in the County. The *Washington Business Journal* released its listing of the 50 Washington-area companies named to its Fastest Growing Companies list based on revenue growth over the previous three years. His written Board Matter listed all of the companies.

Chairman Connolly announced that on Tuesday, December 5, the Economic Development Authority will host an event for these companies and other Virginia companies that made the Fastest Growing Companies list. He and Virginia Secretary of Commerce and Trade Patrick O. Gottschalk will be at the event and will present awards to the Fairfax County winners. Other Members of the Board are invited to attend the event.

Accordingly, Chairman Connolly asked unanimous consent that the Board direct staff to send a formal congratulatory note to the County winners for their significant achievement and wish them well. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

29. **RECOGNITION OF MS. GLORIA CRAWFORD** (12:28 p.m.)

(BACs) (NOTE: Earlier in the meeting, the Board took action on this item. See Clerk's Summary Item #10.)

Supervisor Hudgins noted that the Board took action on the first item in her written Board Matters, recognition of Ms. Gloria Crawford, during the Appointments agenda item.

30. **OUT-OF-TURN PLAN AMENDMENT FOR LAKE ANNE VILLAGE CENTER (HUNTER MILL DISTRICT)** (12:30 p.m.)

Supervisor Hudgins noted that the citizens of the Lake Anne community in Reston and County staff have been engaged in a process to develop a vision for the future of the Lake Anne Village Center and identify potential revitalization opportunities in the Village Center area. She described the extensive public process and its conclusion that the Comprehensive Plan needs new language. Potential changes to the Plan include adjusting the boundary of the Lake Anne Commercial Revitalization Area, highlighting potential redevelopment areas, and providing guidance as to a desirable mix of uses at intensities that will meet the objectives of the charrette. In addition, she said that design guidelines are needed to ensure that future development is consistent with the unique character of the Lake Anne Village Center and plaza.

Supervisor Hudgins moved that the Board authorize staff to evaluate a plan amendment for the Lake Anne Village Center and adjacent areas, as designated on the map distributed to the Board, to allow the community to take the next steps in the revitalization of this historic and important area of Reston and the County. Supervisor Bulova seconded the motion, which carried by unanimous vote.

31. **WASHINGTON GAS LIGHT (WGL) AND POSSIBLE OUTSOURCING OF CUSTOMER SERVICE** (12:30 p.m.)

Supervisor Hudgins noted that at the Board's meeting on November 20, it took action to authorize the filing of a Notice of Participation as a respondent in the WGL Company State Corporation Commission Case Number PUE-2006-00059 which involves a proposed rate increase. She said that she received from constituents a concern that WGL issued a request for proposals to outsource its customer service unit. Noting that many of those employees live and work in the

County, she moved that the Board direct staff to register the Board's concern about the outsourcing of these jobs concurrently with a price increase on the customers. Chairman Connolly seconded the motion, which carried by unanimous vote.

32. **SCHEDULING OF THE PUBLIC HEARING FOR REZONING APPLICATION RZ 2003-SU-035, DULLES DISCOVERY/SULLY NORTH INVESTMENTS LC (SULLY DISTRICT)** (12:32 p.m.)

Supervisor Frey said that Rezoning Application RZ 2003-SU-035 proposes to rezone approximately 78 acres of land to permit an age-restricted adult community with an associated commercial component. The project is located in close proximity to Sully Plantation and the Air and Space Museum.

Supervisor Frey noted that the application has been deferred a number of times at staff's request and the public hearing before the Planning Commission is scheduled for January 10, 2007. The applicant has requested that the Board authorize the scheduling of the public hearing before the Board on January 22, 2007.

Accordingly, Supervisor Frey moved that the Board authorize the scheduling of the public hearing to be held before the Board on January 22, 2007. He noted that the applicant understands that this motion does not relieve it of any obligation, ordinance, or standards, and will not prejudice the consideration of the applications in any way. He also noted the applicant's understanding that there are issues with staff that must be resolved prior to the public hearing. Supervisor Bulova seconded the motion, which carried by unanimous vote.

33. **LOCAL HIGH SCHOOL FOOTBALL WINNERS (LEE, SPRINGFIELD, AND SULLY DISTRICTS)** (12:34 p.m.)

Jointly with Supervisor Kauffman and Supervisor McConnell, Supervisor Frey extended congratulations to the Chantilly and Edison High School football teams, respectively, on their wins in their State Semi-Final Divisional games. Both teams will compete for their respective division championships on December 9.

Accordingly, jointly with Supervisor Kauffman and Supervisor McConnell, Supervisor Frey asked unanimous consent that the Board direct staff to invite the members of those teams to appear before the Board on January 22, 2007, or other convenient date, to be recognized for their accomplishments.

Following discussion regarding scheduling, with input from Merni Fitzgerald, Director, Office of Public Affairs, without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to publicize information on the County's website about supporting the teams and riding in the "Spirit Buses."

Following discussion regarding support for local high school football teams in other parts of the country, without objection, the request was so ordered.

34. **VIRGINIA 2007** (12:38 p.m.)

(BACs) Supervisor Smyth said that in January 2005, then-Governor Warner officially recognized the County as a Virginia 2007 Community. This recognition was an opportunity for the County to join with other communities across Virginia and celebrate by sponsoring events, programs, and projects that honor the Commonwealth's history.

Since the Board established its Virginia 2007 Community Program Committee, the 2007 Planning Committee has been meeting and planning for the County's commemoration of the four hundredth anniversary of the founding of Jamestown. The committee is composed of 27 representatives of various segments of the community. Some of the items that the committee has worked on are the 2007 Legacy Book and engaging citizens to create America's Anniversary Gardens.

Therefore, Supervisor Smyth asked unanimous consent that the Board direct staff to invite the Fairfax County Virginia 2007 Community Program Committee to be recognized and receive a proclamation to commemorate 2007 as the "Four Hundredth Anniversary of the Founding of Jamestown" at the January 8, 2007, Board meeting.

Following discussion regarding the scheduling of the recognition and the consensus to leave it to the committee's discretion, without objection, it was so ordered.

35. **SUPPORT OF THE COUNTY'S BLIGHT ABATEMENT PROGRAM**
(12:39 p.m.)

Supervisor Smyth said that over the last three years, she received numerous complaints regarding properties that would have benefited from the intervention of the county's Blight Abatement Program. Residents file complaints not only because a property is unsightly, but because it can truly become an overarching public safety concern. Currently her office has close to a hundred pending cases at various stages under the Blight Abatement Program.

Supervisor Smyth said that this invaluable service to County residents has been slowed down due to gaps in coordination with other critical agencies. One of the crucial tools that staff need to improve inter-agency coordination is full access to "Fairfax Inspections Database Online (FIDO)." Full access to FIDO will enable staff to work on cases faster and more efficiently as they will readily have pertinent information available to them.

Therefore, Supervisor Smyth moved that the Board direct the County Executive to look into allowing the Blight Abatement Program staff full access to FIDO as soon as possible. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

36. **COMMUNITY EMERGENCY RESPONSE TEAM (CERT)** (12:41 p.m.)

Supervisor Smyth noted that the Community Emergency Response Team (CERT) Program educates people about disaster preparedness for hazards that may impact their communities and trains them in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations. The CERT education and exercise was designed to empower community members to assist others following an event when professional responders are not immediately available to help. CERT members also are encouraged to support emergency response agencies by taking a more active role in emergency preparedness projects in their community.

Since 1996, the County's CERT program has been administered by the County's Fire and Rescue Department and consists of 26 hours of Federal Emergency Management Agency (FEMA) authorized training so that citizens can make decisions and act in the event of a disaster. While people will respond to others in need without the training, the primary goal of the CERT program is to help people do so effectively and efficiently without placing themselves in unnecessary danger.

The County's CERT program will have graduated students for 10 years on December 7, 2006, and in celebration, Supervisor Smyth asked unanimous consent that the Board direct staff to invite members of the CERT community of trainers and volunteers to be recognized for their invaluable service to the community at the January 22, 2007, Board meeting. Supervisor Bulova seconded the motion, which carried by unanimous vote.

37. **FLINT HILL SCHOOL (PROVIDENCE DISTRICT)** (12:42 p.m.)

Supervisor Smyth said that Flint Hill School has filed a rezoning application and a special exception amendment application for proposed improvements to its East Campus at the corner of Chain Bridge Road and Jermantown Road on Tax Map Parcels 47-2-((1))-36A, 37, 38, and 52A. The school proposes to vacate/abandon at least that cul-de-sac portion of Academic Drive within the boundaries of the East Campus, and to provide an alternative traffic circulation on the school site. The school proposes to include an approximately 14,131-square-foot portion of Academic Drive (Route 8042) in the land area of the rezoning and special exception applications, which were filed with the Zoning Evaluation Division on November 22, 2006. The proposed GDP/SE Plat shows an alternative traffic circulation plan as well as additional parking areas and landscaping on the portion of Academic Drive proposed for inclusion in the rezoning.

Supervisor Smyth said that since the Board does not meet again until January of next year the school's representatives have requested Board authorization to include the right-of-way within its rezoning and special exception amendment application boundary.

Accordingly, Supervisor Smyth moved that the Board authorize the inclusion of a total of approximately 14,131 square feet of Academic Drive right-of-way adjacent to Tax Map Parcels 47-2-((1))-36A and 52A, as shown on the plat, as attached to her written Board Matter, in the rezoning and special exception amendment applications filed by Flint Hill School on a total of approximately 15.22 acres of land. 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.

38. **SCHEDULING OF A PUBLIC HEARING FOR REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2004-PR-044 (PROVIDENCE DISTRICT)** (12:44 p.m.)

Supervisor Smyth noted that the Planning Commission has scheduled the decision only date for the Tysons Corner Center Mall Rezoning/Final Development Plan Application RZ/FDP 2004-PR-044. The applicant has requested a date certain scheduling of the Board public hearing following the Planning Commission decision.

To that end, Supervisor Smyth moved that the Board authorize a public hearing to be held on January 22, 2007, for Rezoning/Final Development Amendment RZ/FDP 2004-PR-044. 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 in any way. Chairman Connolly seconded the motion, which carried by unanimous vote.

DET:det

39. **REQUEST FOR A PROCLAMATION FOR THE NORTHERN VIRGINIA SAIL AND POWER SQUADRON'S (NVSPS) FORTIETH ANNIVERSARY** (12:44 p.m.)

Supervisor Bulova stated that the NVSPS was a unit within the United States Power Squadrons® which was founded on February 2, 1914, and served the national defense in World Wars I and II through active participation in patrols with the United States Navy and teaching seamanship and navigation to service personnel, civilians, and members of the organization. She noted that the Northern Virginia unit was chartered on May 14, 1967, and will celebrate its fortieth anniversary on March 24, 2007.

Supervisor Bulova said that the NVSPS is a totally volunteer, non-profit organization that provides for safe boating through education courses for residents of the County and throughout the region.

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

- Prepare a proclamation to honor this fine organization on the occasion of its fortieth anniversary.
- Invite Past Commander John Shivik to appear before the Board to accept the proclamation at the Board's first March 2007 meeting.

Without objection, it was so ordered.

40. **REQUEST FOR RECOGNITION OF THE GREEN SPRING MASTER GARDENERS ON THEIR FIFTH ANNIVERSARY** (12:46 p.m.)

Supervisor Gross said that the Green Spring Master Gardeners will celebrate its fifth anniversary this month, and these volunteers at Green Spring Gardens Park, which has National Historic Site status, provide a needed and popular service for the community.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to invite the Green Spring Master Gardeners to appear before the Board to be recognized at a meeting in January or February, 2007. Without objection, it was so ordered.

41. **THE DEPARTMENT OF TAX ADMINISTRATION (DTA) AND SERVICE-DISABLED, VETERAN-OWNED SMALL BUSINESSES** (12:46 p.m.)

Supervisor Gross referred to a letter she received from Advanced Systems Incorporated, as well as a copy of a letter it sent to the DTA, and voiced her concern over its contention that the DTA handles service-disabled, veteran-owned small businesses differently than other businesses.

Supervisor Gross asked unanimous consent that the Board refer the matter to the County Executive and the DTA for review and response. Without objection, it was so ordered.

Supervisor Gross noted that the letter asked that the Board affirm its support for service-disabled, veteran-owned small businesses, and asked unanimous consent that the Board direct staff to review the issue so that the Board can then reaffirm its support. Without objection, it was so ordered.

PMH:pmh

42. **APPOINTMENT TO THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (SPRINGFIELD DISTRICT)** (12:48 p.m.)

(APPT) (NOTE: Earlier in the meeting, the Board deferred this appointment. See Clerk's Summary Item #10, page 8.)

Supervisor McConnell moved the appointment of Mr. David Gaines as the Springfield District Representative to the Environmental Quality Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

43. **INTENT TO DEFER PUBLIC HEARINGS (PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (12:48 p.m.)

Supervisor McConnell announced her intent, later in the meeting, at the appropriate time, to defer the public hearing for Proffered Condition Amendment Application PCA 93-Y-044 and Agricultural and Forestal District Application AF 2006-SP-002.

Chairman Connolly announced that Rezoning Application RZ 2006-PR-008 had been withdrawn.

Chairman Connolly announced that the public hearing on Rezoning Application RZ 2004-SU-029 would be deferred.

(NOTE: Later in the meeting, these public hearings were deferred or withdrawn, respectively. See Clerk's Summary Items #58, #56, #61, and #69.)

44. **(EVANS FARM - PROFFERED CONDITION AMENDMENT APPLICATION/FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION PCA/FDPA 1998-DR-049-03 (DRANESVILLE DISTRICT)** (12:49 p.m.)

Supervisor DuBois said that on March 27, 2006, the Board approved Proffered Condition Amendment Application/Final Development Plan Amendment Application PCA/FDPA 1998-DR-049-03 to allow the consolidation of two lots in the Evans Farm subdivision. The owner has now determined that he does not wish to proceed with this consolidation and has asked to further amend these applications to re-establish two lots. Staff has now accepted this application for processing. Because there will be little staff time required to review this application, the applicant has requested expedited processing.

Therefore, Supervisor DuBois moved that the Board direct staff to process approved Proffered Condition Amendment Application/Final Development Plan Amendment Application PCA/FDPA 1998-DR-049-04 to re-establish lots 8A and 9A on Tax Maps 30-1 ((30)), also known as 7247 and 7249 Addington Road.

This motion should not be construed as a favorable recommendation by the Board on the proposed application, and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Supervisor Bulova seconded the motion and it carried by unanimous vote.

45. **BANK OF AMERICA – PROFFERED CONDITON AMENDMENT APPLICATION/SPECIAL EXCEPTION AMENDMENT APPLICATION PCA 1999-MV-025/SEA 99-V-020-2 (MOUNT VERNON DISTRICT)** (12:50 p.m.)

Supervisor Hyland said that on November 20, 2006, the Board approved Proffered Condition Amendment Application PCA 1999-MV-025-02, and Special Exception Amendment Application SEA 99-V-020-02, by Bank of America for a drive-in bank on property located in a portion of the Lorton Station Shopping Center. He added that in the process of revising the proffers and development conditions during the evaluation of the application, the incorrect date for the latest generalized development plan/special exception amendment application (GDP/SEA) plat submitted for this application was inadvertently referenced in the proffers and development conditions. The proffers and development conditions have been revised to reference the correct date for the GDP/SEA plat and those are the only changes that have been made to the applications.

Therefore, Supervisor Hyland moved that the Board:

- Reconsider its decision on Proffered Condition Amendment Application PCA 1999-MV-025-02 and Special Exception Amendment Application SEA 99-V-020-02.
- Direct staff to schedule a public hearing to be held before the Board on these applications on January 8, 2007, at 3:30 p.m.

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

46. **UPDATE ON THE CONDITION OF A FORMER STAFF MEMBER, MS. MARCIA HANSON (MOUNT VERNON DISTRICT)** (12:52 p.m.)

Supervisor Hyland announced that Ms. Hanson is making progress and in good spirits following a car accident. She is in Inova Mount Vernon Rehab.

47. **REQUEST TO NAME A BALLFIELD IN HONOR OF THE LATE CORPORAL NICHOLASS P. RAPAVI (MOUNT VERNON DISTRICT)**
(12:53 p.m.)

(NOTE: Earlier in the meeting, it was announced that the County flag would be flown at half-staff beginning at sunrise today in respect and memory of Corporal Nicholas P. Rapavi. See Clerk's Summary Item #1.)

Supervisor Hyland asked unanimous consent that the Board refer the request by Corporal Rapavi's family to name a ballfield in his memory to staff. Without objection, it was so ordered.

48. **MOUNT VERNON DISTRICT PLANNING COMMISSION VACANCY**
(12:54 p.m.)

(BACs) (NOTE: Earlier in the meeting, the Board made appointments to the Planning Commission. See Clerk's Summary Item #10, page 10.)

Supervisor Hyland said that he convened a Planning Commission Task Force to receive applicants for the Mount Vernon District Representative to the Planning Commission. He expressed his satisfaction with the process.

49. **PROCESS FOR FLYING THE COUNTY FLAG AT HALF-STAFF**
(12:56 p.m.)

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

- Report with the procedure for flying the County flag at half-staff when someone in the service is killed.
- Develop a standard procedure for flying the County flag at half-staff so that the Board does not have to take an action each time.
- Alert the Board when the flag is flown at half-staff.

Without objection, it was so ordered.

There was a brief discussion of when the County flag is flown at half-staff and the notification process of Board Members, with input from Anthony H. Griffin, County Executive.

50. **PATRIOT FIELD** (12:59 p.m.)

Supervisor McConnell asked unanimous consent that the Board consider dedicating fields to honor those who have died in the war and direct the County Executive to talk to the Park Authority. Without objection, it was so ordered.

51. **UNLICENSED CONTRACTORS IN THE COUNTY** (1 p.m.)

Supervisor Kauffman said that there is a problem in the County with unlicensed contractors. He noted that the issue was being studied by the Permits Task Force.

Supervisor Kauffman expressed concern about the issuing of “owner as contractor” building permits.

Supervisor Kauffman moved that the Board request the Permits Task Force to:

- Include on the agenda for January’s Development Process Committee meeting this issue and its recommendation to the Board, specifically the evaluation of the legal benefits of the owner affidavit and the implications for the County.
- Review the current owner developer affidavit to ensure its clarity and relevance to the current construction environment.

Supervisor Smyth seconded the motion.

Discussion ensued regarding the issue of unlicensed contractors and home improvement contractors.

52. **THIRD PARTY FEE IMPOSED BY THE COUNTY FOR PAYING PERSONAL PROPERTY TAXES USING A CREDIT CARD** (1:06 p.m.)

Supervisor Kauffman said that he has received complaints from citizens about the third party fee imposed by the County for paying personal property taxes using a credit card.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct staff to prepare a consideration item for the upcoming budget process to absorb third party credit card fees (estimated at \$500,000). Without objection, it was so ordered.

53. **RECESS/CLOSED SESSION** (1:07 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. *The Grievance Appeal of Jane L. Jackson*, Fairfax County Civil Service Commission
 2. *PFC Eric Ivancic-Police Administrative Trial Board*
 3. *Board of Supervisors of Fairfax County, Virginia, and Jimmie D. Jenkins, Director, Fairfax County Department of Public Works and Environmental Services v. Board of Zoning Appeals of Fairfax County, Virginia, Young K. Lee, and Young A. Lee*, At Law No. CL-2004-0221391 (Fx. Co. Cir. Ct.) (Providence District)
 4. *Eileen M. McLane, Fairfax County Zoning Administrator v. John J. Watkins, Jr., and Janie Watkins*, In Chancery No. CH-2005-0005082 (Fx. Co. Cir. Ct.) (Dranesville District)
 5. *Jimmie D. Jenkins, Director, Fairfax County Department of Public Works and Environmental Services v. Ahmad M. Al-Naji*, Case No. CL-2006-0012833 (Fx. Co. Cir. Ct.) (Providence District)
 6. *Eileen M. McLane, Fairfax County Zoning Administrator v. Juan Carlos Cadima*, Case No. CL-2006-0011524 (Fx. Co. Cir. Ct.) (Mason District)
 7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ali Reza Abdolrashidi and Colleen M. O'Connor*, Case No. CL-2006-0014345 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Anthony Eller and Barbara D. Eller*, Case No. 2006-0014177 (Fx. Co. Cir. Ct.) (Providence District)

9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rene Sorto*, Case No. CL-2006-0014416 (Fx. Co. Cir. Ct.) (Lee District)
10. *Board of Supervisors v. Powhatan Associates, L.L.C., et al.*, Case No. CL-2006-0009019 (Fx. Co. Cir. Ct.) (Dranesville District)
11. *Board of Supervisors v. McDonald's Corporation, et al.*, Case No. CL-2006-0014344 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- National Association of Counties' Prescription Drug Discount Card Program

This motion, the second to which was inaudible, carried by unanimous vote.

CWB:cwb

At 3:20 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

54. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:20 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 Smyth 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."

DS:ds

55. 3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-SU-033 (RITA POWELL AND MARK A. JOHNSON) (SULLY DISTRICT)

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2006-SU-015 (RITA POWELL AND MARK A. JOHNSON) (SULLY DISTRICT) (3:21 p.m.)

(NOTE: On November 20, 2006, the Board deferred the public hearing on this item until December 4, 2006.)

The application property is located at the west terminus of Upper Cub Run Drive, west of its intersection with Stonecroft Boulevard at 4500 Upper Cub Run Drive, Tax Map 33-4 ((1)) 9A.

Mr. Charles Shumate reaffirmed the validity of the affidavit for the record.

Supervisor McConnell disclosed that she has a business relationship with Land Design Consultants, Incorporated.

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

- In excess of \$100 from Rita and Donald Powell

Mr. Shumate 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 2000-SU-033, subject to the proffers dated September 28, 2006. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

Supervisor Frey moved approval of Special Exception Application SE 2006-SU-015, subject to the development conditions dated October 18, 2006. Supervisor DuBois seconded the motion and it carried by unanimous vote.

56. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-PR-008 (CHALICE CREST, LC) (PROVIDENCE DISTRICT)** (3:28 p.m.)

This item was withdrawn by staff.

57. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2005-PR-039 (DUNN LORING METRO LLC) (PROVIDENCE DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-P-030 (DUNN LORING METRO, LLC) (PROVIDENCE DISTRICT) (3:28 p.m.)

- (O) The Rezoning Application RZ 2005-PR-039 property is located in the northeast quadrant of the intersection of Prosperity Avenue and Gallows Road, Tax Map 49-1 ((1))27A; 49-2 ((1)) 13A and 15A.

The Proffered Condition Amendment Application PCA 88-P-030 property is located on the north side of Prosperity Avenue approximately 1200 feet west of its intersection with Gallows Road, Tax Map 49-1((13))17A and 18A.

Mr. Mark Looney reaffirmed the validity of the affidavit for the record.

Supervisor Kauffman disclosed that he is a member of the Washington Metropolitan Area Transit Authority Board (WMATA).

Supervisor Hudgins disclosed that she is a member of WMATA.

Mr. Looney 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.

Discussion ensued, with input from Mr. Looney and Barbara A. Byron, Director, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), regarding the density of the proposed application and the proposed number of affordable dwelling units.

Further discussion ensued, with input from David Bobzien, County Attorney, regarding the proffers.

Following the public hearing, which included testimony by six speakers, Supervisor Smyth stated that she had items for the record.

Discussion ensued, with input from Paul Emerick, Assistant County Attorney, regarding easements.

Further discussion ensued, with input from Dean Tistadt, Chief Operating Officer, Fairfax County Public Schools (FCPS); Gary Chevalier, Director, Facilities Planning, Department of Facilities and Transportation Services, FCPS; and Ms. Byron regarding cash proffers and funding for schools.

Supervisor Smyth asked unanimous consent that the Board direct staff to request Mr. Tistadt and Mr. Chevalier to work with the FCPS principals and Parent Teacher Associations to discuss the needs for cash proffers and how they will be addressed. Without objection, it was so ordered.

Jonathan Papp, Staff Coordinator, ZED, DPZ, presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Approval of Proffered Condition Amendment Application PCA 88-P-030, subject to the proffers dated November 30, 2006.
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2005-PR-039, from the R-1 and I-4 Districts to the PRM District, subject to the proffers dated November 30, 2006, and Conceptual Development Plan conditions dated December 1, 2006.
- Approval of the waiver to locate underground facilities in a residential area for Land Unit A of the Dunn Loring-Merrifield Metro Station Development Plan, subject to Waiver Number 0378-WPFM-001-2 Conditions dated August 24, 2006.
- Modification of the private street limitations, as depicted on the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Modification of the transitional screening and waiver of the barrier requirements to the north, northeast, and internal to the site in favor of the treatments depicted on the CDP/FDP.
- Waiver of the 75-foot yard regulations for lots abutting principal arterial highways.
- Modification of the interior parking lot landscaping on top of the WMATA parking deck, as depicted on the CDP/FDP.

Supervisor DuBois seconded the motion and discussion ensued regarding the motion.

Supervisor Hudgins expressed her concern regarding the proposed number of affordable dwelling units to be constructed.

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."

(NOTE: On November 15, 2006, the Planning Commission approved Final Development Plan Amendment Application FDPA 88-P-030. The Planning Commission also approved Final Development Plan Application FDP 2005-PR-039, subject to the development conditions dated November 2, 2006.)

58. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-Y-044 (FL PROMENADE OUTPARCEL LC) (SPRINGFIELD DISTRICT)** (4:42 p.m.)

Supervisor McConnell moved to defer the public hearing on Proffered Condition Amendment Application PCA 93-Y-044 until **January 8, 2007, at 3:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Smyth being out of the room.

59. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-HM-022 (MARYMOUNT UNIVERSITY) (HUNTER MILL DISTRICT)** (4:42 p.m.)

The application property is located 1861 Wiehle Avenue, Tax Map 17-4 ((18)) 1A.

Mr. Jason R. Rogers reaffirmed the validity of the affidavit for the record.

Mr. Rogers 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, William O'Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Application SE 2006-HM-022, subject to the development conditions dated November 30, 2006. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor Kauffman, and Supervisor Smyth being out of the room.

60. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 01-D-022 (SUGARLAND HILL LLC) (DRANESVILLE DISTRICT)**
(4:47 p.m.)

The application property is located at 1100 Dranesville Road, Tax Map 6-3 ((1)) 11.

Ms. Lisa Chiblow reaffirmed the validity of the affidavit for the record.

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

- In excess of \$100 from Carson Lee Fifer, Jr., Esquire, McGuireWoods LLP

Carrie Lee, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

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

Following the public hearing, Supervisor DuBois moved to waive the reading of the staff and Planning Commission recommendations. Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Supervisor Smyth being out of the room.

Supervisor DuBois moved:

- Approval of Special Exception Amendment Application SEA 01-D-022, subject to the development conditions dated November 29, 2006.
- Modification of Additional Standard Number 10, under Section 9-306 of the Zoning Ordinance, to permit a front yard setback of 48 feet.
- Modification of Additional Standard Number 10, under Section 9-306 of the Zoning Ordinance, to permit a rear yard setback of 36.1 feet.

Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Supervisor Smyth being out of the room.

61. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, ESTABLISHING APPLICATION AF 2006-SP-002 (GEORGE AND SUSAN SCHULZ) (SPRINGFIELD DISTRICT)** (4:50 p.m.)

Supervisor McConnell moved to defer the public hearing on Local Agricultural and Forestal District Application AF 2006-SP-002 until **January 22, 2007, at 3:30 p.m.** Supervisor DuBois seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Supervisor Smyth being out of the room.

62. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, ESTABLISHING APPLICATION AF 2006-DR-001 (JOHN H. AND BARBARA WHITNEY) (DRANESVILLE DISTRICT)** (4:51 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 November 16 and November 23, 2006.

The application property is located at 10607 Beach Mill Road, Tax Map 3-3 ((1)) 32.

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

Following the public hearing, Mr. Papp presented the staff and Planning Commission recommendations.

Supervisor DuBois moved approval of Agricultural and Forestal District Application AF 2006-DR-002 (sic) and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, establishing the Whitney Local Agricultural and Forestal District, subject to the Ordinance provisions dated November 28, 2006. Supervisor Gross seconded the motion.

Mr. Papp noted that the correct application number is AF 2006-DR-001.

Supervisor Smyth amended her motion to approve Agricultural and Forestal District Application AF 2006-DR-001, and this was accepted.

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

Discussion ensued, with input from Kris Abrahamson, Branch Chief, ZED, DPZ, regarding other parcels of land in the County which could be classified as Agricultural and Forestal Districts.

63. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2006-SU-007 (LPC COMMERCIAL SERVICES, INCORPORATED) (SULLY DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 75-2-016-03 (LPC COMMERCIAL SERVICES, INCORPORATED) (SULLY DISTRICT) (4:56 p.m.)

- (O) The application property is located in the northwestern quadrant of the intersection of Old Centreville Road and Wall Road, Tax Map 24-2 ((1)) 6B pt. and 6C; 24-4 ((1)) 6B pt. and 6C.

Mr. Benjamin Tompkins reaffirmed the validity of the affidavit for the record.

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

- In excess of \$100 from William H. Gordon, William H. Gordon Associates, Incorporated (which corporation is shown as an agent of the applicant), on behalf of 4501 Daly LP

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

Discussion ensued, with input from Barbara A. Byron, Director, Director, ZED, DPZ, regarding noise impact from Dulles Airport.

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

Chairman Connolly noted that the applicant is proffering 17 acres of fields, 3 diamond fields and 2 rectangular fields which will be lit and have synthetic turf, and 270 parking spaces, all of which the applicant will construct.

Following the public hearing, which included testimony by one speaker, Mr. Moss presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 75-2-016-03. Supervisor McConnell seconded the motion.

Following a brief discussion, the question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Hudgins voting “**NAY**,” Supervisor Kauffman being out of the room.

Supervisor Frey moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2006-SU-007, from the I-5, AN, and WS Districts to the PRM, AN, and WS Districts, subject to the proffers dated November 30, 2006. Supervisor McConnell seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “**AYE**,” Supervisor Hudgins voting “**NAY**,” Supervisor Kauffman being out of the room.

Supervisor Frey moved:

- Modification of the loading space requirement to allow fewer spaces, as shown in the tabulations on sheets three and six of the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Modification of the transitional screening requirement along Centreville Road, in favor of the landscape buffer treatment shown on the CDP/FDP.
- Modification of the maximum private street length requirement to permit private streets in excess of 600 linear feet.
- Waiver of the barrier requirements along the eastern property boundary, between the proposed multi-family residential uses and nonresidential uses and the off-site single-family detached houses, in favor of that shown on sheets 19 and 20 of the CDP/FDP.
- Waiver of the site plan requirement for construction of the six-lane widening of Centreville Road.
- Waiver of the interparcel access requirement to the EDS Campus to the west, at Tax Map 24-4 ((1)) 6B, and the office uses on the Cox property to the north, on Tax Map parcels 24-4 ((1)) 6E and 6F.

Supervisor McConnell seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Hudgins voting “**NAY**,” Supervisor Kauffman being out of the room.

(NOTE: On November 29, 2006, the Planning Commission approved Final Development Plan Application FDP 2006-SU-007, subject to the development conditions dated November 29, 2006.)

64. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-SP-010 (CHEVY CHASE BANK, FSB) (SPRINGFIELD DISTRICT)** (5:19 p.m.)

The application property is located at 11611 and 11617 Lee Highway, Tax Map 5-2 ((1)) 63 and 63A.

Mr. Robert Flinn reaffirmed the validity of the affidavit for the record.

Mr. Flinn 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.

Discussion ensued, with input from Mr. Flinn; Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ); and Barbara Byron, Director, ZED, DPZ, regarding the community's objection to the "no right turn on red" sign.

Following the public hearing, which included testimony by one speaker, the Board deferred decision on this item until later in the meeting.

(NOTE: Later in the meeting, the Board took action regarding this tem. See Clerk's Summary Item #66.)

65. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-BR-004 (7-ELEVEN, INCORPORATED) (BRADDOCK DISTRICT)** (5:34 p.m.)

The application property is located at 6621 Rolling Road, Tax Map 79-3 ((8)) 5A3.

Mr. John McBride reaffirmed the validity of the affidavit for the record.

Jack Thompson, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a brief description of the application and site location.

Discussion ensued, with input from Barbara Byron, Director, ZED, DPZ, regarding the proposed gas pumps on the site.

Mr. McBride 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.

Extensive discussion ensued, with input from Mr. McBride, Mr. Thompson, and Ms. Byron, regarding the location of tree planting, the access road, and traffic buildup.

Following the public hearing, Mr. Thompson presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Mr. Thompson and Mr. McBride, regarding underground stormwater detention.

Supervisor Bulova moved:

- Approval of Special Exception Application SE 2006-BR-004, subject to the development conditions dated October 25, 2006.
- That the Board direct staff to disapprove any waiver of detention requests.

Supervisor Kauffman seconded the motion.

Extensive discussion ensued, with input from Mr. McBride, regarding the motion, environmental issues, and the access road.

Supervisor DuBois moved to call the question. This motion, the second to which was inaudible, carried by unanimous vote.

The question was called on the main motion and it **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, and Supervisor Kauffman voting “**AYE.**”

Supervisor Bulova thanked everyone who worked on this application.

66. **4:30 P.M. – DECISION ON SPECIAL EXCEPTION APPLICATION SE 2006-SP-010 (CHEVY CHASE BANK, FSB) (SPRINGFIELD DISTRICT)** (6:22 p.m.)

(NOTE: Earlier in the meeting, the Board held the public hearing on this item and deferred action until later in the meeting. See Clerk’s Summary Item #64.)

Supervisor McConnell moved:

- Approval of Special Exception Application SE 2006-SP-010, subject to the development conditions dated November 13, 2006, with condition number 20 revised, to add a second sentence which states “**And shall provide a copy of said application to the Springfield Supervisor’s Office and all homeowners of the Lee**

High Village and Estates of Leewood subdivision for review and comment.”

- Modification of the transitional screening requirement to the south to allow existing vegetation to be utilized.
- Modification of the transitional screening requirement and waiver of the barrier requirement to the north in favor of that shown on the SE Plat.

Following a query from Barbara A. Byron, Director, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), regarding presentation of the staff and Planning Commission recommendation, Supervisor McConnell’s motion was withheld pending the recommendations.

Tracy Strunk, Senior Staff Coordinator, ZED, DPZ, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Approval of Special Exception Application SE 2006-SP-010, subject to the development conditions dated November 13, 2006, with condition number 20 revised, to add a second sentence which states **“And shall provide a copy of said application to the Springfield Supervisor’s Office and all homeowners of the Lee High Village and Estates of Leewood subdivision for review and comment.”**
- Modification of the transitional screening requirement to the south to allow existing vegetation to be utilized.
- Modification of the transitional screening requirement and waiver of the barrier requirement to the north, in favor of that shown on the SE Plat.

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

67. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), CHAPTER 101 (SUBDIVISION ORDINANCE), AND THE PUBLIC FACILITIES MANUAL (PFM), REGARDING SHAPE FACTOR LIMITATIONS FOR LOTS IN CERTAIN SINGLE FAMILY DETACHED RESIDENTIAL DISTRICTS** (6:25 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 November 16 and November 23, 2006.

Jeff Blackford, Director, Code Services, Land Development Services, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, which included testimony by one speaker, discussion ensued, with input from Lorrie Kirst, Deputy Zoning Administrator, Zoning Administration Branch, Department of Planning and Zoning, regarding grandfathering lots.

Discussion ensued, with input from Mr. Blackford, regarding plats that will be affected.

Supervisor DuBois stated that she had items for the record.

Supervisor Frey moved:

- Approval of the Planning Commission recommendation to adopt proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as outlined in Option 3, Attachment C, of the staff report dated October 23, 2006, which sets forth a maximum by-right shape factor of 35 that may be increased up to 50 under the limited circumstances with special permit approval by the Board of Zoning Appeals (BZA).
- Denial of Option 3A for septic drain field exclusions, as set forth in Paragraph 2D, of Section 2-401 in Attachment C.
- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), as outlined in Attachment E of the staff report dated October 23, 2006.
- Adoption of the PFM amendment, as outlined in Attachment D of the staff report dated October 23, 2006, and approval of the grandfathered provisions following from the shape factor amendments which would be lots depicted on a preliminary subdivision plan that is **submitted** prior to the effective date of this amendment, is diligently pursued, and remains valid. Approval of lots depicted on approved proffered generalized development plans and lots created in accordance with approval of a lot with variance by the BZA when such lots were granted prior to the effective date of this amendment.

- That the Board direct staff to review the issue of regulation of irregular lot shape in the RC District and report as to whether a shape factor regulation should be implemented in the RC District.
- That the Board direct staff to review the history and volume of shape factor applications for a two year period and report with any recommendations as to whether the shape factor for special permits should be converted to a special exception and whether the shape factor value should be adjusted.

Supervisor Hyland seconded the motion.

Discussion ensued regarding clarification of the motion and grandfathering lots.

Supervisor DuBois moved to amend the motion that the public hearing process be a special exception process and that it go before the Planning Commission and the Board of Supervisors (BOS). Supervisor Smyth seconded the motion.

Supervisor DuBois clarified her motion as follows:

- Bulleted item number one of Supervisor Frey's motion be amended to delete the special permit process and approval by BZA. (The process would go before the Planning Commission and the BOS.)
- Delete bulleted item number five of Supervisor Frey's motion. (No two year study needed.)

Discussion ensued, with input from Mr. Blackford, regarding the number of applications that would be affected by this process.

The question was called on the amendment to the motion, as clarified, and it **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey and Supervisor Hyland voting "NAY," Supervisor McConnell being out of the room.

Supervisor Smyth moved to amend Supervisor Frey's motion, bulleted item number four, to not grandfather only **submitted** preliminary subdivision plats, that they be subjected to the same irregular lot requirements now.

Following a brief discussion, Supervisor Smyth clarified her motion that approval of the grandfathered provisions following from the shape factor amendments would be "Lots depicted on a preliminary subdivision plan that is **approved** prior to the effective date of this amendment and remains valid." Supervisor DuBois seconded the motion.

Following a brief discussion, the question was called on the amendment to the motion, as clarified, and it **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor DuBois, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Connolly voting “**AYE**,” Supervisor Frey, Supervisor Gross, and Supervisor Kauffman voting “**NAY**,” Supervisor McConnell being out of the room.

The question was called on Supervisor Frey’s main motion, as amended, 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.

68. **4:30 P.M. – PH REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR PROJECT 0001-029-F20-R201 (MOUNT VERNON DISTRICT)** (6:52 p.m.)

(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 November 16 and November 23, 2006.

Marguerite Verville, Assistant Director, Real Estate, Department of Facilities Management, presented the staff report.

Following the public hearing, Supervisor Hyland moved adoption of the Resolution for the conveyance of County-owned property to the Virginia Department of Transportation for Project 0001-029-F20-R201. Supervisor Smyth 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.

69. **5 P.M. – PH ON REZONING APPLICATION RZ 2004-SU-029 (NVP, INCORPORATED) (SULLY DISTRICT)** (6:54 p.m.)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 2004-SU-029 until **January 22, 2007, at 4:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

70. **5 P.M. – PH ON PROPOSED PLAN AMENDMENT S06-IV-LP1, LOCATED AT THE INTERSECTION OF LORTON ROAD AND RICHMOND HIGHWAY, NORTH OF LORTON ROAD (MOUNT VERNON DISTRICT)** (6:55 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 November 16 and November 23, 2006.

Pamela Nee, Chief, Environment and Development Review Branch (EDRB), Planning Division (PD), Department of Planning and Zoning (DPZ), introduced Deborah Albert, Planner, EDRB, PD, DPZ, who presented the staff report.

Following the public hearing, which included testimony by one speaker, Ms. Albert presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of the staff recommendation for Plan Amendment S06-IV-LP1, as modified by the Planning Commission on November 29, 2006. Supervisor DuBois seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

71. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (No time)

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 November 16 and November 23, 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.

There were no speakers for this public hearing.

ADDITIONAL BOARD MATTER

72. **BOARD'S OWN MOTION REZONING ACTION REGARDING THE CENTREVILLE HISTORIC OVERLAY DISTRICT (SULLY DISTRICT)** (7 p.m.)

Supervisor Frey said that on September 11, 2006, the Board supported his motion to initiate a Board's Own Motion rezoning action to expand the Centreville Historic Overlay District. Since that time, Rezoning Application RZ 2006-SU-

030 has been initiated. Subsequently, it has come to his attention that due to a re-division of parcels, a 154 square foot parcel was omitted.

Therefore, Supervisor Frey moved that the Board direct staff to include Tax Map Parcel 54-4 ((1)) 51B in the Board's Own Motion Rezoning Application RZ 2006-SU-030. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

73. **BOARD ADJOURNMENT** (7:02 p.m.)

The Board adjourned.

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