



# CLERK'S BOARD SUMMARY

## REPORT OF ACTIONS

### OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

*This does not represent an official transcript of the Board Meeting, and is subject to minor change.*

**MONDAY  
OCTOBER 28, 1991**

**Board Package**

**32-91**

JLD:JLD

The meeting was called to order at 9:45 a.m. with all Members being present, with the exception of Supervisor McConnell, and with Chairman Moore presiding.

Supervisor McConnell arrived at 9:50 a.m.

Others present were Richard A. King, Acting County Executive; Robert L. Howell, Deputy County Attorney; Theodore Austell, III, Executive Assistant to the County Executive; William Howland, Assistant to the County Executive; Viki L. Lester, Deputy Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

(NOTE: David T. Stitt, County Attorney, was absent from the entire meeting.)

#### 2. ORDERS OF THE DAY (TAPE 1)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Orders of the Day be revised and that prior to the presentations scheduled, the Board receive a report and recommendations from the Acting County Executive on the changes in revenue projections.

Supervisor Moore amended her request to allow the Acting County Executive to report following the presentations scheduled.

Supervisor Bulova called the Board's attention to the Budget Subcommittee meeting scheduled for November 15, 1991. She asked unanimous consent that the Board direct staff to:

- Report at the Subcommittee meeting with the most up-to-date revenue figures and recommendations for both the current fiscal year and the upcoming fiscal year;

- Consult with Schools staff in preparing its report; and
- Provide information on State losses.

Without objection, it was so ordered.

Supervisor Moore amended her request to allow the Board to proceed with the presentations and receive information about the revenue projections at the Board's Budget Subcommittee meeting scheduled for November 15, 1991. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

(NOTE: Later in the meeting, a presentation was made on the incremental review of budget projections. See Clerk's Summary Item CL#37.)

3. CERTIFICATE OF APPRECIATION PRESENTED TO  
W.D. CRAUN, REPRESENTATIVE, VIRGINIA  
DEPARTMENT OF TRANSPORTATION (VDOT)  
(TAPE 1)

Supervisor Pennino moved approval of the presentation of the Certificate of Appreciation presented to W.D. Craun for his work with Fairfax County as a representative of the Virginia Department of Transportation (VDOT). This motion was jointly seconded by Supervisor Alexander and Supervisor Hanley and carried by a vote of eight, Supervisor Davis being out of the room.

4. CERTIFICATES OF APPRECIATION PRESENTED TO  
DONALD A. POMERENING, GARY W. BROOKS, AND  
LEON C. GAMBLE, AT-LARGE REPRESENTATIVES,  
FOR THEIR SERVICE ON THE HUMAN RIGHTS  
COMMISSION (TAPE 1)

Supervisor Pennino moved approval of the presentation of the Certificates of Appreciation presented to Donald A. Pomerening, Gary W. Brooks, and Leon C. Gamble, At-Large Representatives, for their service on the Human Rights Commission. This motion was seconded by Supervisor Hyland.

Discussion ensued among Board Members, with input from Robert L. Howell, Deputy County Attorney.

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

5. CERTIFICATE OF APPRECIATION PRESENTED TO  
MAGNOLIA HENDERSON, LEE DISTRICT  
REPRESENTATIVE, FOR HER SERVICE ON  
THE ADVISORY SOCIAL SERVICES BOARD  
(TAPE 1)

Supervisor Alexander moved approval of the presentation of the Certificate of Appreciation presented to Magnolia Henderson, Lee District Representative, for her service on the Advisory Social Services Board. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room.

6. ADMINISTRATIVE ITEMS (TAPE 1)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino before departing the Board Room.

Supervisor Davis moved approval of the Administrative Items. This motion was seconded by Supervisor Bulova.

Supervisor Hanley asked that the motion be amended to defer action on Administrative Item Seven until November 18, 1991, and this was accepted.

With reference to Administrative Item Eight, Supervisor McConnell asked unanimous consent that the Board direct staff to contact the Chief of the Centreville Volunteer Fire Department in order that he may thoroughly review the conditions of the leasing arrangement prior to the scheduled public hearing. Without objection, it was so ordered.

Supervisor McConnell asked that the motion be amended to defer action on Administrative Item 11 to allow her additional time to meet with neighborhood representatives, and this was accepted.

The question was then called on the motion, as amended, to approve the Administrative Items which carried by a vote of eight, **\*\*Chairman Moore being out of the room.\*\***

**\*\*(NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on the Administrative Items. See Clerk's Summary Item CL#16A.)\*\***

(NOTE: Later in the meeting, additional action was taken on Administrative Item Five to approve the request for 24 months of additional time to establish the use for Special Exception Application SE 89-D-076 until October 17, 1993. See Clerk's Summary Item CL#10.)

ADMIN 1 - APPROVAL OF WATER MAIN EXTENSION,  
CONFEDERATE RIDGE, SECTION 3 (SULLY DISTRICT)

Approved the request for the extension of an existing 12-inch water main approximately 550 feet along Mount Olive Road (Route 859) in Confederate Ridge, Section 3, Sully District. The proposed main will provide adequate water supply for the Subdivision to meet the County's standards for fire protection.

ADMIN 2 - STREETS INTO THE SECONDARY SYSTEM  
(BRADDOCK, PROVIDENCE AND SPRINGFIELD  
DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated October 28, 1991 be recommended for acceptance into the State Secondary System.

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION  
FOR SPECIAL EXCEPTION APPLICATION SE 87-S-072  
(EXXON COMPANY, USA) (SPRINGFIELD DISTRICT)

- (ET) Approved the request for six months of additional time to commence construction for Special Exception Application SE 87-S-072 until March 24, 1992 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION  
FOR SPECIAL EXCEPTION APPLICATIONS SE 89-C-046,  
SE 89-C-047, AND SE 89-C-048 (AUBREY LIMITED  
PARTNERSHIP) (CENTREVILLE DISTRICT)

- (ETs) Approved the requests for 12 months of additional time to commence construction for Special Exception Applications SE 89-C-046, SE 89-C-047, and SE 89-C-048 until October 30, 1992 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - ADDITIONAL TIME TO ESTABLISH THE USE  
FOR SPECIAL EXCEPTION APPLICATION SE 89-D-076  
(SMC-MCLEAN LIMITED PARTNERSHIP) (DRANESVILLE  
DISTRICT)

- (ET) Approved the request for \*\*18 months\*\* of additional time to establish the use for Special Exception Application SE 89-D-076 until \*\*April 17, 1993\*\* pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

\*\*(NOTE: Later in the meeting, additional action was taken to approve the request for 24 months of additional time to establish the use for Special Exception Application SE 89-D-076 until October 17, 1993. See Clerk's Summary Item CL#10.)\*\*

ADMIN 6 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION  
FOR SPECIAL EXCEPTION APPLICATION SE 88-L-071  
(IMMANUEL CHRISTIAN SCHOOL, INCORPORATED)  
(MASON DISTRICT - FORMERLY LEE DISTRICT)

- (ET) Approved the request for six months of additional time to commence construction for Special Exception Application SE 88-L-071 until April 17, 1992 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 7 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION  
FOR SPECIAL EXCEPTION APPLICATION SE 89-D-044  
(CHEVRON U.S.A., INCORPORATED) (PROVIDENCE  
DISTRICT - FORMERLY DRANESVILLE DISTRICT)

Supervisor Hanley asked unanimous consent that action on Administrative Item Seven - Additional Time to Commence Construction for Special Exception Application SE 89-D-044 be deferred until November 18, 1991. Without objection, it was so ordered.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON THE LEASE OF COUNTY-OWNED PROPERTY  
TO THE CENTREVILLE VOLUNTEER FIRE DEPARTMENT  
(SULLY DISTRICT - FORMERLY SPRINGFIELD)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on November 18, 1991 at 3:30 p.m. on the proposed leasing of a portion of County-owned property, Tax Map Reference 54-4 ((1)) 0060 to the Centreville Volunteer Fire Department, Sully District, and directed staff to notify adjacent property owners of the public hearing by certified mail.

Supervisor McConnell asked unanimous consent that the Board direct staff to contact the Chief of the Centreville Volunteer Fire Department in order that he may thoroughly review the conditions of the leasing arrangement prior to the scheduled public hearing. Without objection, it was so ordered.

ADMIN 9 - ADVERTISEMENT OF A PUBLIC HEARING TO  
SET ASSESSMENTS AND ORDER CONSTRUCTION FOR  
PARRAMORE DRIVE IN THE LINCOLNIA HEIGHTS  
COMMUNITY, PHASE II (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on November 25, 1991 at 3:30 p.m. on the proposed

adoption of a Resolution setting assessments and ordering construction for an additional street, Parramore Drive, in the Lincolnia Heights Community, Phase II, Mason District.

ADMIN 10 - AUTHORIZATION TO ADVERTISE FOR A JOINT VIRGINIA DEPARTMENT OF TRANSPORTATION/FAIRFAX COUNTY BOARD OF SUPERVISORS PUBLIC HEARING ON PROPOSED CUT-THROUGH TRAFFIC RESTRICTIONS ON KATHRYN STREET (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a joint public hearing to be held before the Board of Supervisors and the Virginia Department of Transportation (VDOT) on November 25, 1991 at 3:30 p.m. to consider a VDOT proposal to limit cut-through traffic on Kathryn Street, Mount Vernon District, and directed staff to post the notice of intent to conduct the public hearing.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF A PORTION OF COUNTY PROPERTY AT 8723 CENTER ROAD TO SOUTHWESTERN BELL MOBILE SYSTEM, INCORPORATED (SPRINGFIELD DISTRICT)

Supervisor McConnell asked unanimous consent that action on Administrative Item 11 - Authorization to Advertise a Public Hearing on the Proposed Leasing of a portion of County-Owned Property at 8723 Center Road, to Southwestern Bell Mobile System, Incorporated, be deferred to allow her additional time to meet with neighborhood representatives. Without objection, it was so ordered.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE LEASE OF COUNTY-OWNED PROPERTY TO THE CENTREVILLE UNITED METHODIST CHURCH AND CENTREVILLE PRESBYTERIAN CHURCH (SULLY DISTRICT - FORMERLY SPRINGFIELD)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on November 18, 1991 at 4:00 p.m. on the proposed leasing of County-owned property, Tax Map Reference 54-4 ((1)) 003A to the United Methodist Church and Centreville Presbyterian Church, Sully District formerly Springfield District, and directed staff to notify adjacent property owners of the public hearing by certified mail.

7. A-1 - APPOINTMENT OF MEMBERS TO THE NORTHERN VIRGINIA MANPOWER CONSORTIUM PRIVATE INDUSTRY COUNCIL (TAPE 1)

(APPTs)

On motion of Supervisor Davis, jointly seconded by Supervisor Alexander and Supervisor McConnell, and carried by a vote of eight, **\*\*Chairman**

Moore being out of the room,\*\* the Board concurred in the recommendation of staff and approved the following reappointment/ appointments to the Northern Virginia Manpower Consortium Private Industry Council (PIC). Federal regulations and State policy require that nominations be solicited from organized labor, a rehabilitation agency, and an educational agency:

The Virginia State AFL/CIO has nominated for appointment:

- Mr. Mark Federici, to fill the term to expire on June 30, 1993;

The Virginia Department of Rehabilitative Services has nominated for appointment:

- Mr. Robert L. Hetrick, to fill the term to expire on June 30, 1992; and

The Fairfax County Public Schools has nominated for reappointment:

- Mr. Bernard Cameron, to fill the term to expire on June 30, 1993.

Staff was further directed to forward the necessary information on these individuals to the Governor of the Commonwealth of Virginia for certification.

\*\*(NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Action Item One. See Clerk's Summary Item CL#16A.)\*\*

8. A-2 - DENSITY CREDIT FOR ADVANCE DEDICATION OF LAND FOR PUBLIC PURPOSES (BEULAH STREET, NORTH OF TELEGRAPH ROAD) (LEE DISTRICT) (TAPE 1)

(DC)

(R) On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by a vote of eight, \*\*Chairman Moore being out of the room,\*\* the Board concurred in the recommendation of staff and adopted a Resolution approving density credit for the portion of the following lot or parcel that is to be dedicated for public use and for public street purposes in accordance with the deed of dedication which is to be recorded. Based on the information available, the applicant is requesting advanced density credit for the following approximate amount of land from the following Tax Map Parcel:

Tax Map ReferenceApproximate Area

100-1 ((1)) 9

41,909 square feet

TOTAL

41,909 square feet

\*\*(NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Action Item Two. See Clerk's Summary Item CL#16A.)\*\*

9. A-3 - APPROVAL OF CERTIFICATION OF ZONING AND  
SUBDIVISION ORDINANCE COMPLIANCE FOR RYDER  
DISTRIBUTION RESOURCES (LEE DISTRICT)  
(TAPE 1)

Supervisor Alexander moved that the Board:

- Defer action on the request to authorize the Acting County Executive to sign the Certificate stating that the Ryder Distribution Resources facility located at 6100 Farrington Avenue, Tax Map Reference 81-2 ((1)) 9 and 11, Zoning District I-6, Lee District, is consistent with the Fairfax County Zoning and Subdivision Ordinances so that an application for a Virginia Pollutant Discharge Elimination System (VPDES) Permit may be filed with the State Water Control Board (SWCB); and
- Direct staff to report with an evaluation of the permitting of the facility, with particular reference to environmental concerns.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, \*\*Chairman Moore being out of the room.\*\*

\*\*(NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Action Item Three. See Clerk's Summary Item CL#16A.)\*\*

10. ADDITIONAL ACTION ON ADMIN 5 - ADDITIONAL TIME TO  
ESTABLISH THE USE FOR SPECIAL EXCEPTION APPLICATION  
SE 89-D-076 (SMC-MCLEAN LIMITED PARTNERSHIP)  
(DRANESVILLE DISTRICT) (TAPE 1)

(ET) (NOTE: Earlier in the meeting, action was taken on the Administrative Items. See Clerk's Summary Item CL#6.)



Supervisor Richards moved that the Board reconsider its previous action to approve Administrative Item Five - Additional Time to Establish the Use for Special Exception Application SE 89-D-076. This motion was seconded by Supervisor Hanley and carried by a vote of eight, \*\*Chairman Moore being out of the room.\*\*

Supervisor Richards moved that the Board approve 24 months of additional time to establish the use for Special Exception Application SE 89-D-076 until October 17, 1993 pursuant to the provisions of Section 9-015 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of eight, \*\*Chairman Moore being out of the room.\*\*

\*\*(NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Administrative Item Five. See Clerk's Summary Item CL#16A.)\*\*

11. A-4 - APPROVAL OF CERTIFICATION OF ZONING AND SUBDIVISION ORDINANCE COMPLIANCE FOR PLANTATION PIPE LINE COMPANY (MOUNT VERNON DISTRICT)  
(TAPE 1)

Supervisor Hyland moved that the Board:

- Defer action on the request to authorize the Acting County Executive to sign the Certificate stating that the Plantation Pipe Line Company facility, located at 8206 and 8208 Terminal Road, Tax Map Reference 99-3 ((1)) 13, Zoning District I-6, Mount Vernon District, is consistent with the Fairfax County Zoning and Subdivision Ordinances so that an application for a Virginia Pollutant Discharge Elimination System (VPDES) Permit may be filed with the State Water Control Board (SWCB); and
- Direct staff to report with an evaluation of the permitting of the facility, with particular reference to environmental concerns, and in order that County policy be consistent.

This motion was seconded by Supervisor Hanley, and carried by a vote of eight, \*\*Chairman Moore being out of the room.\*\*

\*\*(NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Action Item Four. See Clerk's Summary Item CL#16A.)\*\*

12. A-5 - ADOPTION OF FINAL ASSESSMENTS FOR NEW ALEXANDRIA (MOUNT VERNON DISTRICT) (TAPE 1)

(R's) On motion of Supervisor Hyland, seconded by Supervisor Davis, and carried by a vote of eight, \*\*Chairman Moore being out of the room,\*\* the Board concurred in the recommendation of staff and adopted Resolutions establishing the final amount to be assessed against each landowner in the New Alexandria Community Improvement Program project, Mount Vernon District.

\*\* (NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Action Item Five. See Clerk's Summary Item CL#16A.) \*\*

13. A-6 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT THE RYAN WHITE COMPREHENSIVE AIDS RESOURCE EMERGENCY (CARE) ACT GRANT FOR PROVISION OF MENTAL HEALTH SERVICES TO PERSONS WITH HIV INFECTIONS AND THEIR FAMILIES (TAPE 1)

On motion of Supervisor Hanley, seconded by Supervisor Davis, and carried by a vote of eight, \*\*Chairman Moore being out of the room,\*\* the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to accept the Ryan White Comprehensive AIDS Resource Emergency (CARE) Act Grant from the Northern Virginia Planning District Commission (NVPDC), in the amount of \$50,001, to fund a grant status Mental Health Therapist III for the provision of mental health services to persons with HIV infections, and their families.

\*\* (NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Action Item Six. See Clerk's Summary Item CL#16A.) \*\*

14. A-7 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT THE STATE OF VIRGINIA MENTAL HEALTH CONSORTIUM INTERAGENCY POOL DEMONSTRATION GRANT FOR PROVISION OF IN-HOME THERAPY SERVICES (TAPE 1)

On motion of Supervisor Hanley, seconded by Supervisor Davis, and carried by a vote of eight, \*\*Chairman Moore being out of the room,\*\* the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to accept, with other Fairfax County agencies (Schools, Family Court, Department of Human Development), the Virginia Mental Health Consortium Grant, in the amount of \$35,000, to fund an existing, unfunded Mental Health Therapist

position to provide in-home therapy services for two clients currently identified by the Interagency Resource Case Review and Planning Team (IRT).

**\*\***(NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Action Item Seven. See Clerk's Summary Item CL#16A.)**\*\***

15. A-8 - OFFICE FOR CHILDREN APPLICATION FOR THE  
CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS  
SET ASIDE FOR HEAD START PROGRAMS IN VIRGINIA  
(CENTREVILLE AND PROVIDENCE DISTRICTS)  
(TAPE 1)

Supervisor Hanley moved that the Board concur in the recommendation of staff and authorize the Office for Children (OFC) to apply for Child Care and Development Block Grant funds set aside for Head Start Programs in Virginia, in the amount of \$55,900 in Fiscal Year (FY) 1992-1993, to allow the OFC to provide summer child care services to homeless, Head Start eligible children in Reston and in the Route 50 corridor. She noted that the hotels along the Route 50 corridor may be located in Fairfax City.

This motion was jointly seconded by Supervisor Alexander and Supervisor Bulova and carried by a vote of eight, **\*\***Chairman Moore being out of the room.**\*\***

**\*\***(NOTE: Upon returning to the Board Room, Chairman Moore requested to be recorded as voting "AYE," on Action Item Eight. See Clerk's Summary Item CL#16A.)**\*\***

16. A-9 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
(SAR) AS 92029 FOR THE HEALTH DEPARTMENT'S  
DEMENTIA CARE AND RESPIRE SERVICES PROGRAM  
(TAPE 1)

(SAR) Supervisor Davis moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 92029, in the amount of \$201,912, to provide for the continuation and expansion of the Dementia Care and Respite Services grant program that began in August 1988, with start-up funding from the Robert Wood Johnson Foundation (RWJF) and National Alzheimer's Association. This motion was seconded by Supervisor Hanley.

16A. REQUEST TO RECORD VOTE ON ADMINISTRATIVE  
ITEMS AND ACTION ITEMS A-1 THROUGH A-8  
(Tape 1)

Upon returning to the Board Room, Supervisor Moore asked unanimous consent that she be recorded as

voting "AYE" on the Administrative Items and Action Items One through Eight. Without objection, it was so ordered.

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

Vice-Chairman Pennino returned the gavel to Chairman Moore.

17. A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
(SAR) AS 92031 FOR THE OFFICE FOR CHILDREN  
HEAD START/PUBLIC SCHOOLS EARLY CHILDHOOD  
TRANSITION DEMONSTRATION GRANT (TAPE 1)

(SAR) Supervisor Hanley moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 92031, in the amount of \$650,000, for a federal Head Start grant to serve as a Head Start/Public School Transition Demonstration project. The Office for Children (OFC) has collaborated with the Fairfax County Public Schools, George Mason University, and the Virginia Polytechnic Institute and State University, in the development of this project. This motion was seconded by Supervisor Davis and carried by unanimous vote.

Supervisor Pennino noted that the project shows that those children that enroll in the Head Start program receive a good beginning in school; however, by the third grade, those children seem to have lost the advantage. She asked unanimous consent that the Board direct staff to report on whether this means that those children who have participated in the Head Start program are at the same level as other third graders or whether those children have retrogressed. Without objection, it was so ordered.

18. A-11 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
(SAR) AS 92032 FOR THE OFFICE FOR CHILDREN  
VIRGINIA DEPENDENT CARE PLANNING AND  
DEVELOPMENT GRANT TO DEVELOP CURRICULUM  
AND TRAINING MATERIALS FOR SCHOOL-AGE  
CHILD CARE PROGRAMS (TAPE 1)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 92032, in the amount of \$4,883, for a Virginia Dependent Care Planning and Development Grant to develop curriculum and training materials for school-age child care programs in Fairfax County.

19. A-12 - APPROVAL OF ADDITIONAL HOUSING TO BE PROVIDED BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) ADJACENT TO THE LITTLE RIVER GLEN FACILITY FOR THE ELDERLY (TAPE 1)

- (R) Supervisor Bulova moved that the Board concur in the recommendation of staff and adopt a Resolution approving the provision of additional housing by the Fairfax County Redevelopment and Housing Authority (FCRHA), as required under Virginia Code Section 36-19.2 prior to acquisition of the land, for the expansion of the Little River Glen to include a nursing home, elderly day care center, and an adult home. Funding for the land acquisition will be available under Project 013948, Little River Glen II, Subfund 419, FCRHA Private Financing. This motion was jointly seconded by Supervisor Davis and Supervisor Pennino.

Following discussion among Board Members, Supervisor Hanley asked that the motion be amended to require that a determination regarding the existence of underground contamination be made prior to settlement, and this was accepted.

Supervisor Alexander asked that the amendment (Supervisor Hanley's) be further amended to require that the contract specify that if contamination exists, associated costs will be the responsibility of the seller, and this was accepted.

Following additional discussion among Board Members, with input from Walter D. Webdale, Director, Department of Housing and Community Development, the question was called on the motion, as amended, which carried by unanimous vote.

20. A-13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 92028 TALLING \$375,100 FOR THE DEPARTMENT OF HUMAN DEVELOPMENT CHILD CARE AND DEVELOPMENT BLOCK GRANT (CDBG) (TAPE 1)

- (SAR) On motion of Supervisor Davis, jointly seconded by Supervisor Pennino and Supervisor Richards, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 92028, totalling \$375,100, for the Child Care and Development Block Grant allocation to the Department of Human Development, for the period of October 1, 1991 through May 31, 1992.

21. A-14 - ACCEPTANCE OF LOCAL PLANNING ALLOCATIONS GRANT, PUBLIC LAW 101-476 FUNDING TO PROVIDE PLANNING OF EARLY INTERVENTION SERVICES TO HANDICAPPED INFANTS AND THEIR FAMILIES (TAPE 1)

On motion of Supervisor Hanley, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the acceptance of a grant from the State Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), to be used by the Fairfax-Falls Church Community Services Board (CSB) to provide support for the Fairfax-Falls Church Interagency Coordinating Council and to implement planned strategies to meet State and local priority areas, as mandated by law and training. The amount to be accepted is \$17,250.

22. A-15 - FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OFFICE AND HOUSING CENTER (TAPE 1)

Following discussion among Board Members, with input from Walter D. Webdale, Director, and Paula C. Sampson, Director of Real Estate Finance, Department of Housing and Community Development, Board decision was deferred on the financing plan for the acquisition and development of the Fairfax County Redevelopment and Housing Authority (FCRHA) Office and housing center until later in the meeting, following action by the Board on Application 456-P91-12.

(NOTE: Later in the meeting, action was taken on this Item. See Clerk's Summary Item CL#92.)

23. A-16 - AUTHORIZATION TO MODIFY THE CONTRACT OF SALE FOR THE BACKLICK ROAD COMMUTER RAIL STATION SITE (LEE DISTRICT) (TAPE 1)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Reaffirmed its earlier decision to develop a commuter rail station at Backlick Road;
- Authorized the Acting County Executive to purchase the Backlick Road Commuter Rail Station site, Tax Map Reference 80-2 ((1)) 24 from the Washington Metropolitan Area Transit Authority (WMATA) for an amount not to exceed \$1.419 million plus interest;

- Authorized the Acting County Executive to execute a revised Contract of Sale with the following modifications intended to minimize the purchase price to the County:
  - \* Insert clarifying language which states that any WMATA sponsored development on the site will be able to take advantage of the Floor Area Ratio (FAR) for the entire 8.2 acre site, assuming the site plan for such development included the entire parcel and any commuter rail parking facility, and the development is consistent with the Fairfax County Zoning Ordinance;
  - \* Insert clarifying language which states that the County retains the right to expand the commuter rail station parking from 220 to 500 spaces without reducing the amount of development WMATA is permitted to construct; and
- Directed the Acting County Executive to authorize the Northern Virginia Transportation Commission to begin construction of the commuter rail station platform based on the current Right-of-Entry executed by the County and WMATA.

24. C-1 - APPLICATION OF JEFFERSON VILLAGE ASSOCIATES, A DISTRICT OF COLUMBIA LIMITED PARTNERSHIP, FOR REFUNDING OF TAX EXEMPT BONDS USED TO FINANCE THE ACQUISITION AND REHABILITATION OF KINGSLEY COMMONS APARTMENTS (JEFFERSON VILLAGE) (PROVIDENCE DISTRICT) (TAPE 1)

(IDBs)

- (R) The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1991 regarding a request for the refund of tax exempt revenue bonds for Jefferson Village Associates, a Virginia Limited Partnership.

Chairman Moore called for disclosures by Board Members, and there was no response.

Discussion ensued among Board Members with input from Walter D. Webdale, Director, and Paula C. Sampson, Director of Real Estate Finance, Department of Housing and Community Development and James P. McDonald, Deputy County Executive for Management and Budget.

Supervisor Hanley moved adoption of a Resolution:

- Approving the issuance of the bonds in an amount not to exceed \$21,270,100, of which not more than the face amount of the prior bonds shall be exempt for federal income tax purposes, for the purpose of complying with Section 103(k)(2) of the Internal Revenue Code of 1954, as amended, and only for that purpose; and
- Certifying the "AYEs" and "NAYS" as recorded in the minutes of the Board meeting for each resolution.

This motion was jointly seconded by Supervisor Davis and Supervisor Pennino and CARRIED by a recorded vote of eight, Supervisor Alexander being out of the room.

25. C-2 - AIRPORTS ADVISORY COMMITTEE OF FAIRFAX COUNTY RESOLUTION (TAPE 1)

(BACs)

- (R) The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1991 requesting adoption of a Resolution proposed by the Fairfax County Airports Advisory Committee.

Supervisor Pennino moved adoption of a Resolution prepared by the Fairfax County Airports Advisory Committee requesting an amendment to the Metropolitan Washington Airports Act of 1986. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by unanimous vote.

26. C-3 - VIRGINIA ASSOCIATION OF COUNTIES' ANNUAL MEETING (NO TAPE)

(NOTE: Later in the meeting, action was taken on Consideration Item Three to designate Supervisor Hanley as the VOTING Delegate and Supervisor Hyland as the ALTERNATE Delegate to represent Fairfax County at the Annual Meeting of VACo. See Clerk's Summary Item CL#36.)



AR:AR

27. I-1 - STAFF SUMMARY OF SEPTEMBER, 1991  
TRANSPORTATION ADVISORY COMMISSION MEETING  
(COUNTYWIDE) (TAPE 2)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 28, 1991 presenting the staff summaries of the Transportation Advisory Commission (TAC) meeting for September 17, 1991.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to provide the consultant's estimation of the annual costs for the takeover of signalization. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

28. I-2 - ESTABLISHMENT OF A FEE FOR FLOODPLAIN  
DETERMINATIONS (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 28, 1991 requesting authorization for the Department of Environmental Management (DEM) to charge a fee of \$25 per parcel for making floodplain determinations under the auspices of the Federal Emergency Management Agency (FEMA), effective December 1, 1991. All institutions and businesses that regularly request formal documentation of flood hazard areas, for the purpose of providing insurance coverage through this program, will be advised by mail of the enactment of this new fee.

Following discussion, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to provide a more detailed analysis of the proposed fee and other factors involved in making a floodplain determination. Without objection, it was so ordered.

Supervisor Hanley asked that the request be amended to include information as to how this type of determination fits in with the proposed Chesapeake Bay Ordinance, and this was accepted.

Supervisor Hyland asked unanimous consent that the Board direct staff to determine whether it would be more cost-effective for the County to just certify all of its floodplain properties at one time. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

ADDITIONAL BOARD MATTER29. GET-WELL WISHES FOR IRVING BIRMINGHAM, DIRECTOR,  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM) (TAPE 2)

Supervisor McConnell stated that Irving Birmingham, Director of the Department of Environmental Management (DEM) underwent surgery for a kidney transplant last Tuesday, and that the donor, who is doing well, is another County employee in the Office for Children.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to send get well cards, signed by all Board Members, to both Mr. Birmingham and the kidney donor. Without objection, it was so ordered.

30. I-3 - STATUS REPORT ON FIRE RETARDANT TREATED  
PLYWOOD (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 28, 1991 presenting a status report on fire retardant treated plywood. At its meeting held on August 5, 1991, the Board requested staff to update the Department of Environmental Management's (DEM) Fact Sheet on Fire Retardant Treated (FRT) wood as well as report on the status of negotiations between various industry groups regarding the replacement of FRT plywood.

Supervisor Hanley asked unanimous consent that the Board direct staff to provide an ongoing update on the status of the negotiations at the national level regarding this serious problem. Without objection, it was so ordered.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to prepare a letter, for her signature, to Governor L. Douglas Wilder objecting strongly to the situation where sheetrock was allowed to be substituted for plain cinder block, and requesting a return to the old system of safe, fireproof construction materials.

Supervisor McConnell asked that this request be amended to include a strong objection to the materials presently used in the construction of some chimneys, consisting of a thin metal liner in a wooden frame, which are a fire hazard and allow no protection in many chimneys in Fairfax County, and this was accepted.

In addition, Supervisor Moore noted that copies of this letter should also go to the chairmen of the appropriate committees in the State of Virginia House and Senate, and also to the members of the Housing Board.

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

Vice-Chairman Pennino returned the gavel to Chairman Moore.

31. I-4 - EXTENSION OF THE MCKINNON OPEN SPACE  
EASEMENT (DRANESVILLE DISTRICT) (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 28, 1991 requesting authorization for the County Attorney to proceed with the necessary procedures to record an extension of the McKinnon Open Space Easement, Dranesville District.

On December 14, 1989, Edith M.C. McKinnon granted an open space easement for five years on 10 acres of property in the Great Falls area, Tax Map Reference 6-4 ((1)) 10. The property is in the Upper Potomac Planning District of Area III, in the UP2 (Springvale) Planning Sector. The easement was accepted by the Board and recorded among the land records. Recently, Ms. McKinnon submitted a revised open space easement on the property. The effect of this new easement is to extend the duration of the easement for a period of five years from the date of acceptance.

Supervisor Pennino and Supervisor Richards expressed their appreciation for Ms. McKinnon's generosity.

The staff was directed administratively to proceed as proposed.

32. I-5 - INCREASE OF PSYCHIATRIC SERVICES CONTRACT  
FOR ROSEMARY ISIDRO, M.D. (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 28, 1991 requesting authorization for the Purchasing Agent to proceed to execute and increase the Fiscal Year (FY) 1992 contract of Dr. Rosemary Isidro, M.D., a psychiatrist at the Mount Vernon Mental Health Center, by 225 hours and \$12,375.

The staff was directed administratively to proceed as proposed.

33. I-6 - AWARD OF A CONTRACT FOR ARCHITECTURAL AND  
ENGINEERING SERVICES FOR THE CONSTRUCTION OF THE  
LEWINSVILLE HOME FOR ADULTS (DRANESVILLE  
DISTRICT) (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 28, 1991 requesting authorization for staff to proceed to award a contract to Herbert Cohen and Associates, in the amount of \$247,856, for the architectural and

engineering services for the construction of the Lewinsville Home for Adults, Dranesville District.

The staff was directed administratively to proceed as proposed.

34. I-7 - CONTRACT AWARD - VIRGINIA HILLS PHASE II  
STORM DRAINAGE IMPROVEMENTS (LEE DISTRICT)  
(TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 28, 1991 requesting authorization for staff to proceed to award a contract to Granja Contracting, Incorporated, in the amount of \$562,431, for the Virginia Hills Phase II Storm Drainage Improvements, Lee District, and reallocate the necessary funds as noted in the Memorandum to the Board.

35. I-8 - CONTRACT AWARD - CONSULTANT SERVICES -  
GOLF COURSE FINANCING AND FEASIBILITY STUDY  
(COUNTYWIDE) (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 28, 1991 requesting authorization for the Purchasing Agent to proceed to award a contract to Pannell, Kerr, and Forster, in an amount not to exceed \$57,910, to provide consultant services for the Golf Course and Feasibility Study, Countywide.

Supervisor Pennino asked unanimous consent that the Board direct staff to explore the possibility of the formation of an advisory committee of experts to conduct this Golf Course Financing and Feasibility Study. Without objection, it was so ordered.

Following input from William C. Beckner, Director, Park Authority, Supervisor Bulova moved that the Board defer this contract award and direct staff to provide additional, more detailed, information on this expenditure. This motion was seconded by Supervisor Pennino.

Supervisor Alexander asked that the motion be amended to include more information regarding the private sector in the public/private partnership, and this was accepted.

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

36. C-3 - VIRGINIA ASSOCIATION OF COUNTIES'  
ANNUAL MEETING (TAPE 2)

The Board next considered an item contained in the Memorandum to the Board dated October 28, 1991 regarding the designation of a voting and

alternate delegate to represent the County at the Annual Meeting of the Virginia Association of Counties (VACo) in Hot Springs, Virginia on November 9-12, 1991.

Supervisor Pennino moved that the Board designate Supervisor Hanley as the VOTING Delegate to represent Fairfax County at the Annual Meeting of VACo. This motion was seconded by Supervisor Richards and carried by unanimous vote.

Supervisor Richards moved that the Board designate Supervisor Hyland as the ALTERNATE Delegate for Fairfax County at the Annual Meeting of VACo. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

(NOTE: Later in the meeting, Supervisor Davis asked unanimous consent to be recorded as voting "AYE" on Consideration Item Three and, without objection, it was so ordered. See Clerk's Summary Item CL#80.)

## BOARD MATTERS

### 37. INCREMENTAL REVIEW OF BUDGET PROJECTIONS (TAPE 2)

(NOTE: Earlier in the meeting, there was additional discussion of this matter. See Clerk's Summary Item CL#2.)

At the request of Supervisor Moore, Dr. James P. McDonald, Deputy County Executive for Management and Budget, briefed the Board on the recommended procedures for the incremental review of the budget projections.

Dr. McDonald stated that it would be premature to make any specific recommendations for dealing with the County deficit situation. He explained that it would be necessary for he and other staff members, including Acting County Executive Richard A. King, to sit down and prepare a very deliberate plan. However, Dr. McDonald did acknowledge that it was his recommendation that the Board follow an incremental approach to the budget review, similar to the one used last year, to begin immediately.

Following further discussion, with additional input from Dr. McDonald, Supervisor Hyland asked unanimous consent that the Board direct staff to provide, for the meeting of the Budget Subcommittee on November 15, 1991, an examination of the assessment question and whether it is in the County's best interest to consider deferring reassessment of properties for a period of time, two or three years, in an effort to establish some stability in terms of the assessed base. Supervisor Hyland added that, due to the decreased assessment base brought on by the incredible

downward trend in the value of commercial property, the residential property owner is going to be hit the hardest in an effort to make up for this decrease. Without objection, it was so ordered.

Supervisor Bulova reiterated her earlier request that the Board direct staff to provide preliminary suggestions for dealing with the incremental review of the budget for both the current fiscal year and the upcoming fiscal year, with a notation to include discussion of the information requested by Supervisor Hyland as well.

Supervisor Richards asked unanimous consent that the Board direct staff to invite representatives of the Coalition of Fairfax County Employees, the Employees Advisory Council, the Fairfax County Police Association, the Fairfax Education Association, and other interested groups to be present at the next scheduled Budget Subcommittee Meeting on November 15, 1991. Without objection, it was so ordered.

38. DIFFICULT RUN CLEAN-UP DAY (TAPE 2)

Supervisor Moore stated that a large group of people, including representatives of Great Falls, the Sierra Club, the Navy/Vale Community League, the Miller Heights Homeowners Association, and the Fox Mill District Girl Scouts, participated in a recent Difficult Run Clean-Up Day. She congratulated all those involved for a job well done.

39. MEDIA GENERAL RATE INCREASE (TAPE 2)

As a matter of information, Supervisor Moore stated that a letter had been sent to Media General requesting them to rescind their recently announced cable television rate increase, in view of the downturn in the economy. However, no reply has been received as of this date.

40. RECYCLING CONTRACT (TAPE 2)

Supervisor Moore called the Board's attention to a letter she received recently from ERI, a recycling firm, regarding the recent decision to combine the recycling programs of the School System and the County Administrative Offices into one contract. She noted that this firm believes that combining the two programs into one contract will make it more difficult for small firms to successfully compete for the recycling contract.

Therefore, Supervisor Moore asked unanimous consent that the Board refer this letter from ERI to the personal attention of the Acting County Executive in an effort to find another solution for this problem. Without objection, it was so ordered.

41. NEW TENANT IN FAIRFAX COUNTY: POTOMAC APPALACHIAN TRAIL CLUB (TAPE 2)

Supervisor Moore announced that she was very proud to welcome a new tenant to Fairfax County, the Potomac Appalachian Trail Club, now headquartered in Vienna. She asked unanimous consent that the Board direct staff to prepare a Resolution welcoming the club to Fairfax County and expressing the Board's gratitude for work which the club does in preserving the Appalachian Trail. Without objection, it was so ordered.

42. EVALUATION OF THE USE OF VALUE ENGINEERING IN COUNTY GENERAL FUND EXPENDITURES (TAPE 2)

With reference to the Board's unanimous request on June 17, 1991, that staff evaluate the use of value engineering in County General Fund expenditures, Supervisor Moore asked unanimous consent that the Board direct staff to provide this information at the November 18, 1991 Board Meeting. Without objection, it was so ordered.

43. GREATER LITTLE ZION BAPTIST CHURCH (TAPE 2)

Supervisor Moore stated that she recently attended the 100th Anniversary Celebration of the Greater Little Zion Baptist Church. She noted that part of the celebration was the unveiling of a marker dedicating this building as a site of historical significance.

Supervisor Moore asked unanimous consent that the Board direct the Fairfax County History Commission, the Heritage Resources Division of the Office of Comprehensive Planning, and other organizations which deal with the history and heritage of Fairfax County, to be attentive to the inclusion of the contributions of Afro-Americans and other minorities in their publications and presentations, and personally contact groups around Fairfax County who are compiling histories on their own. Without objection, it was so ordered.

44. ACCESS TO FINANCIAL ACCOUNTING MANAGEMENT INFORMATION SYSTEM (FAMIS) (TAPE 2)

Supervisor Moore asked unanimous consent that the Board direct the Acting County Executive to provide information on the costs involved in arranging for computer access to the Financial Accounting Management Information System (FAMIS) in the Board of Supervisors' offices, to include instruction in the use of the system for Board staff. Without objection, it was so ordered.

45. SALE OF SEEDLINGS BY THE NORTHERN VIRGINIA SOIL  
AND WATER CONSERVATION DISTRICT (TAPE 2)

Supervisor Moore announced that the Northern Virginia Soil and Water Conservation District is sponsoring a seedling sale, with a package of 15 seedlings of five different kinds of trees available for \$14.50. Orders are due by November 8, 1991. She asked unanimous consent that the Board direct staff to include information regarding this seedling sale in the next edition of the Weekly Agenda. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

46. REQUEST FOR CERTIFICATE OF RECOGNITION FOR  
MRS. BETTY SOLOMONSON (TAPE 2)

Supervisor Hyland stated that recently, Betty Solomonson, Administrator of the Mount Vernon Nursing Center, was named Virginia Nursing Home Administrator of the Year by the Virginia Health Care Association. In addition to her work at the center, she generously gives of her time to the health care industry, serving on the Fairfax County AIDS Council, trainer for the Northern Virginia Ombudsman Program and as Preceptor for Administrators In-Training.

Because of Mrs. Solomonson's achievements and her dedication to the health care community overall, Supervisor Hyland asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Certificate of Recognition in honor of her award. Without objection, it was so ordered.

47. MOUNT VERNON COMMEMORATES THE CLOSING OF FORT  
HUNT HIGH SCHOOL (TAPE 2)

Supervisor Hyland stated that Fort Hunt High School was once an active, academically excellent high school in the Mount Vernon District before its conversion in 1985 to an intermediate school. He said that the residents of Mount Vernon whose children attended the school and the former students have not forgotten this tradition of scholarly excellence and achievement.

Supervisor Hyland said that, as tangible evidence of this strong sentiment, members of the community led by Mr. Henry Norton mounted a special fund raising effort to commemorate Fort Hunt High School on the sixth anniversary of its closing. This effort included the development and presentation of a special plaque celebrating Fort Hunt High School.



Supervisor Hyland noted that the presentation to the school took place on October 14 when almost 300 people showed up for the dedication. Accompanying the official plaque, was another presentation to Dr. Robert R. Spillane, Division Superintendent, expressing the sentiments of the community recognizing his understanding of the human needs in the Fort Hunt community.

48. ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)  
PUBLIC HEARING (TAPES 2-3)

Supervisor Hyland stated that the Environmental Quality Advisory Council (EQAC) has scheduled a public hearing to solicit comments from the public on the state of the environment in Fairfax County.

Supervisor Hyland said that EQAC encourages all interested people to share their views on the environment in Fairfax County. He added that issues to be considered, but not limited to, are water and air quality, land use, noise, solid waste management and the use and preservation of ecological resources.

Supervisor Hyland announced that the public hearing will be held on Monday, November 11, 1991 at 7:30 p.m. in the Board Room of the Massey Building. Anyone interested in speaking should contact Mr. Noel Kaplan or Mr. John Bell at 246-1339 in the Office of Comprehensive Planning.

49. FORT BELVOIR ARTILLERY EXERCISE (TAPE 3)

Supervisor Hyland stated that after a recent candidates' night in Lorton, constituents questioned him about the recent loud "cannon like" noises they have heard during the late evening hours.

Supervisor Hyland said that as a result of his call to Fort Belvoir, he was advised by the information officer that the noise emanated from the 610th Ordinance Battalion field exercises and specifically from the artillery simulators. He added that, as a part of their training, these exercises must occur during nighttime hours in order to properly train recruits in all types of conditions.

Supervisor Hyland announced that these exercises will be recurring throughout the rest of this calendar year between midnight and noon on the following dates:

- October 28-29;
- October 31 - November 1;
- November 4-5;

- November 12-13;
- November 18-19; and
- December 3-4.

50. REVIEW OF POLICY AND PROCEDURES FOR ROAD-INJURED ANIMALS REQUESTED (TAPE 3)

Supervisor Hyland stated that a recent article appearing in the Mount Vernon Gazette reported the experience of a concerned citizen, who after attending a late-night meeting, encountered a deer which had apparently been hit crossing Route 1 where it cuts through Fort Belvoir above Pohick Road. The animal was alive, but writhing and kicking in pain.

Supervisor Hyland said that requests for assistance from passers-by resulted in help from the Military Police at Fort Belvoir followed later by Fairfax County Police. Both law enforcement representatives were carrying weapons, yet when asked by the citizen to drag the animal off the road and kill it, refused to do so because they were not permitted to use their weapons "without probable cause." They finally wrapped a belt around the injured animal's neck and dragged her into the woods.

Supervisor Hyland stated that at that point, a lunch van arrived and its operator offered to kill the animal with a knife. With the assistance of the military and County police officers, the van driver proceeded to behead the deer.

Supervisor Hyland explained that the response from officials at Fort Belvoir indicates that the post does have policies about animals struck by cars or otherwise injured which are believed to be humane but unfortunately the policy was not followed either due to unfamiliarity or inexperience of the Military Police at the site.

According to the Department of Animal Control, the County's policy is to kill road-injured animals with a gun. However, this event occurred late at night and the Fairfax County police officer took no steps in this direction. The sad result was that a helpless injured deer suffered inhumanely for more than an hour until an unknown lunch van operator finally put an end to the animal's life.

Therefore, Supervisor Hyland moved that the Board direct staff to review:

- Existing policies and procedures as they pertain to treating and/or shooting road-injured animals in the absence of Department of Animal Control personnel;

- Procedures governing County Police interface with Military Police on Fort Belvoir in instances such as the one described; and
- Report its findings.

This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor McConnell, and Chairman Moore being out of the room.

51. POTOMAC WATERFRONT SYMPOSIUM AND DESIGN AWARDS LUNCHEON (TAPE 3)

Supervisor Hyland stated that the Northern Virginia Community Appearance Alliance, an organization affiliated with the Northern Virginia Association of Realtors will be presenting the Potomac Waterfront Symposium and Design Awards Luncheon on Thursday, October 31, 1991 at Fort Belvoir's Officers Club. He noted that the theme of the all day event is how can the waterfront accommodate such diverse needs and what can be done to bring together the diverse communities who use, need and appreciate the Potomac River? He added that this event is open to everyone and interested individuals can call 703-821-1840 for reservations.

52. POTENTIAL WATERING DOWN OF THE WETLANDS' MANUAL (TAPE 3)

Supervisor Hyland stated that at the October 14, 1991 Board meeting he raised the issue of the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands. He noted that it was subsequently deferred until this meeting in order that staff could review it.

Supervisor Hyland said that it has been proposed that the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands undergo substantial change that would not only cause permanent wetland loss, but also would adversely impact the effectiveness of Fairfax County's local legislative authority. He said that if the Federal Manual conformity criteria is weakened, Fairfax County could lose forever critical wetland areas that are now otherwise being protected.

Supervisor Hyland pointed out that for 200 years, the destruction of the wetlands for development was part and parcel of the country's public policy. He said that wetlands that purify the groundwater offer protection from erosion and serve as buffer zones between development and nature.

Supervisor Hyland stated that the Federal Manual's criteria should remain as currently defined and any "watering down" of the criteria would only harm the natural world.

Therefore, Supervisor Hyland moved that the Board support writing to Governor Wilder to solicit his support to write to the Congressional delegation on Fairfax County's position in opposing any changes to the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands. This motion died due to the lack of a second.

Following discussion, Supervisor Davis asked unanimous consent that the Board refer this issue to the Environmental Subcommittee for further review. Without objection, it was so ordered.

53. I-95 LANDFILL (TAPE 3)

Supervisor Hyland referred to language in Virginia Senator Charles Robb's bill which passed in the Senate last week. Supervisor Hyland said that an issue has arisen in connection with his questions raised regarding what is presently permitted or what could be permitted in the future at the I-95 Landfill. He said that Senator Robb's bill includes the following:

- That the Solid Waste Sanitary Landfill will terminate in 1995;
- No more landfilling at I-95 precludes other jurisdictions such as the District of Columbia (D.C.) from trying to continue landfilling at I-95 notwithstanding the action of the Board of Supervisors; and
- That there may be an Ash Landfill at I-95 through the year 1999 at which point the Ash Landfill operation would cease and then ash landfilling after that point at I-95 could only be continued provided an Environmental Impact Statement (EIS) were to be conducted.

Following discussion, Supervisor Hyland moved that the Board have representatives meet with Senators Robb and Warner as well as with Congressman Moran and representatives of the other jurisdictions that are affected by the federal legislation, to determine the final language of the bill and to ensure that the interests of all parties are protected. This motion was seconded by Supervisor Pennino.

Supervisor Davis asked that the motion be amended to include citizen representatives and this was accepted.

The question was called on the motion, and as amended, carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor McConnell, and \*\*Chairman Moore being out of the room.\*\*

\*\*(NOTE: Upon returning to the Board Room, Chairman Moore asked unanimous consent to be recorded as voting "AYE" on this item and, without objection, it was so ordered. See Clerk's Summary Item CL#90.)\*\*

54. COMMONWEALTH TRANSPORTATION BOARD HEARING ON  
TRANSPORTATION PROPOSALS (TAPE 3)

Supervisor Richards reiterated Supervisor Hyland's announcement about the hearing on November 21, 1991 before the Commonwealth Transportation Board on five proposals which will have a significant impact on Fairfax County:

- The establishment of a Virginia Department of Transportation (VDOT) Rail and Public Transportation Division as a separate state agency;
- Permitting the counties, under an agreement with VDOT, to assume responsibility for certain transportation functions and decisions on the State Secondary Highway System, including the entrances to secondary roads, through truck restrictions, speed limits and the justification, design, maintenance and installation of traffic control devices;
- Improving the Transportation Revenue Sharing Program by raising the total appropriation to \$15 million and increasing the per jurisdiction ceiling to \$650,000, which would be extending the eligibility to cities for use on urban and interstate projects;
- Establishing a fund to provide an incentive for rural transportation planning through the planning districts or other appropriate entities in rural areas; and

- Proposing an 80/20 match, which requires new urban street and secondary road construction to be financed jointly by the state and local governments on an 80/20 match basis, with the state's 80 percent share being provided under the current secondary road allocation formula.

Following discussion, Shiva K. Pant, Director, Office of Transportation stated that staff will provide testimony for Board approval at the November 18, 1991 Board Meeting

55. ALTERNATIVES ANALYSIS AND PRELIMINARY ENGINEERING GRANT FOR RAIL CORRIDOR FROM WEST FALLS CHURCH TO THE DULLES CORRIDOR (TAPE 3)

Supervisor Richards stated that an October 9, 1991 committee draft of HR 2950, provides \$6 million for an alternatives analysis and preliminary engineering grant for a rail corridor from West Falls Church to the Dulles Corridor. She added that it directs the Secretary of Transportation to sign a multi-year grant agreement with the State of Virginia or its assignee to perform the project. Given the location of the corridor, the overriding land-use and transportation issues which the Board has to address, the County proffer system, and the County's suburban mobility grant effort, Supervisor Richards noted that it would be appropriate for Fairfax County to be specifically designated as a participant in the grant.

Accordingly, Supervisor Richards moved that the Board request the County's representatives to make every effort to have the language of Section 322, Paragraph TT of HR 2950 modified to include Fairfax County in the Dulles Corridor alternatives analysis and the preliminary engineering grant.

This motion was seconded by Supervisor Alexander, with a request that the motion be amended to include stronger language to definitely designate Fairfax County as the other party, and this was accepted.

Following input from Mr. Pant, Supervisor Richards clarified her motion to include language which directs the Secretary of Transportation to sign the grant agreement with the State of Virginia and Fairfax County.

The question was then called on the motion, as amended, which carried by a vote of five, Supervisor Bulova, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

56. APPRECIATION EXPRESSED TO FAIRFAX COUNTY HISTORY COMMISSION (TAPE 3)

Supervisor Richards expressed her appreciation to the Fairfax County History Commission for providing her with the new 250th Anniversary Edition of Fairfax County, Virginia--A History.

57. DIFFICULT RUN CLEAN-UP (TAPE 3)

Supervisor Richards added her note of thanks to all those persons who participated in the clean-up of Difficult Run.

58. INVITATION TO REPRESENTATIVES OF THE TOWN OF HERNDON (TAPE 3)

Supervisor Richards asked unanimous consent that the Board direct staff to invite representatives of the Town of Herndon to come and show the Board a brief videotape which the town prepared on the parks and recreation facilities in the Town of Herndon. She added that this videotape was part of the town's application from which they won the 1991 National Gold Medal Award for excellence in the field of Park and Recreation Management from the National Recreation and Park Association. Without objection, it was so ordered.

59. NUMBER OF DOGS ALLOWED ON RESIDENTIAL PROPERTY (TAPE 3)

Supervisor Richards called the Board's attention to the fact that, under the present Zoning Ordinance, a six and one-half acre residential property may have 59 dogs. She added that, while most of us couldn't conceive of this, there is a property this size in Dranesville District which has close to this number of dogs. She noted that as long as the dogs are licensed, have rabies shots, and the living conditions are sanitary, the dogs may remain on the property.

With a notation of her concern, Supervisor Richards stated that she has heard from several of the neighbors and she must side with them. The noise and the odor is extremely difficult to manage. She added that, because odor is subjective and there are no means to quantify it, odor is not addressed in the code, and the constant barking is difficult to regulate. Supervisor Richards stated that, although this case is highly unusual, it would seem that the Board could change the current Zoning Ordinance to limit the maximum number of dogs allowed on residential property, while protecting the rights of the property owner.

Therefore, Supervisor Richards asked unanimous consent that the Board direct Animal Control, the Health Department, and the Zoning Enforcement Office to review the present Zoning Ordinance concerning the number of dogs permitted on residential property and return to the Board with

their recommendations for solutions to this problem. Without objection, it was so ordered.

Following discussion, Supervisor Richards asked that her request be amended to include a request that staff research the quote from Thomas Jefferson on the matter of cats and provide it to the Board, and this was accepted.

60. SCRAP TIRES - RECYCLING INTO ROAD SURFACES  
(TAPE 3)

With reference to a recent article in Waste Age Magazine concerning the recycling of scrap tires for use on road surfaces, Supervisor Richards asked unanimous consent that the Board request the Virginia Department of Transportation (VDOT) to evaluate the rubber asphalt mixtures which use recycled tires and select a vendor for a pilot project.

Supervisor Richards noted that her own recommendation for a pilot project would be the planned section of Wiehle Avenue extending east from Dranesville Road to Reston Parkway. She noted that the road runs through a heavily populated residential area and any roadway material offering reduced noise levels would benefit adjacent neighborhoods. She stated that, if the material performed as claimed, its long-term use would benefit VDOT and the taxpayers.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the request be amended to ask Transportation Secretary Milliken to review this important item, and this was accepted.

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

Vice-Chairman Pennino returned the gavel to Chairman Moore.

VLL:VLL

61. DEFERRAL OF BOARD MATTERS FOR BRADDOCK DISTRICT  
SUPERVISOR SHARON BULOVA (TAPE 4)

Chairman Moore announced that Braddock District Supervisor Sharon Bulova had to leave the Board Meeting in order to attend a commuter rail meeting. On behalf of Supervisor Bulova, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board permit Supervisor Bulova additional time later in the meeting to present her Board Matters. Without objection, it was so ordered.



Vice-Chairman Pennino returned the gavel to Chairman Moore.

(NOTE: Later in the meeting, Supervisor Bulova presented her Board Matters. See Clerk's Summary Items CL#86 through CL#88.)

62. DEDICATION OF VISITORS CENTER AT HUNTLEY MEADOWS PARK (TAPE 4)

Supervisor Alexander briefly highlighted the successful ceremony held this past Saturday to dedicate the Visitors Center at Huntley Meadows Park.

63. CALAMO STREET MINI-PARK SITE IN CENTRAL SPRINGFIELD SELECTED TO RECEIVE GRANT BY THE VIRGINIA DEPARTMENT OF FORESTRY AND THE UNITED STATES (U.S.) SMALL BUSINESS ADMINISTRATION (SBA) (TAPE 4)

Supervisor Alexander announced that recently a proposal to construct a mini-park on a parcel of unused right-of-way (ROW) in Central Springfield was selected by the Virginia Department of Forestry and the United States (U.S.) Small Business Administration (SBA) to receive a \$12,000 federal grant for the planting of trees. This site had already been selected by the Central-Springfield Area Revitalization Council (C-SPARC) for such a purpose, however, this grant will provide additional money for landscaping.

In order that Fairfax County may accept this grant, Supervisor Alexander moved that the Board authorize the Acting County Executive to file the necessary application, including all understandings and assurances contained therein, and accept this grant as the official representative for the Calamo Street Mini-Park project. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Davis, and Supervisor Hanley being out of the room.

64. REQUEST FOR WAIVER OF "AS-BUILT" PLAN FOR THE FRONTIER DRIVE IMPROVEMENT, PRELIMINARY PLAN 7463-PI-01 (LEE DISTRICT) (TAPE 4)

Supervisor Alexander briefed Board Members that Springfield Mall developers rebuilt Frontier Drive from a four-lane divided road to a six-lane divided road and extended the road from the Mall to the Franconia Metro Station site at a cost of nearly \$5,000,000. Springfield Mall was not required to construct this road improvement as part of its expansion, but did so at his request and he stated that they should not be required to spend another \$15,000-\$20,000 for an "As-Built" Plan.

In addition, Supervisor Alexander stated that the Frontier Drive Improvement project was constructed under a Virginia Department of Transportation (VDOT) permit, not a County permit, and VDOT does not require an "As-Built" Plan. Accordingly, he moved that the Board direct the Department of Environmental Management (DEM) staff to waive the requirement for an "As-Built" Plan for the Frontier Drive Improvement Project. This motion was seconded by Chairman Moore.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the motion be amended to include that the Board direct County staff to determine the location of any underground utility lines such as sewer, water, gas, electric, etcetera.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Following discussion among Board Members, with input from Edward Jankiewicz, Director, Design Review Division, Department of Environmental Management (DEM), consideration of this request was deferred to allow additional time for staff to review and report on underground utility data that have been recorded on any VDOT and/or County plans.

65. REQUEST FOR AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) TO CLARIFY ARTICLE 11 (OFF-STREET PARKING AND LOADING, PRIVATE STREETS), SECTION 11-102 (5) (GENERAL PROVISIONS), TO INCLUDE "MULTI-MODAL" TRANSPORTATION CENTERS (TAPE 4)

Supervisor Alexander moved that the Board direct staff to review the following language and prepare the necessary amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to clarify the language of Article 11 (Off Street Parking and Loading, Private Streets), Section 11-102 (5) (General Provisions), to read as follows:

- "5. Within the area in proximity to a multi-modal transportation center (as hereinafter defined), which either exists or is programmed for completion within the same time frame as the completion of the subject development; or along a corridor served by a multi-modal transportation facility, which facility is conveniently accessible to the proposed use and offers a regularly schedule service, the Board may reduce the number of off-street parking spaces otherwise required by the strict application of the provisions of

this Part, by an amount that is in accordance with that projected reduction of automobile trips prompted by the proximity of the transit station center or facility. A multi-modal transportation center shall include WMATA mass transit, commuter rail, a fixed bus route terminus, and such other modes of transportation which in the opinion of the Board serve to reduce the number of off-street parking spaces necessitated by the subject use."

This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Bulova and Supervisor Hanley being out of the room.

66. UPDATE REQUESTED ON THE EXPANSION OF MEMBERSHIP FOR THE CIVIL SERVICE COMMISSION (TAPE 4)

(BACs)

Supervisor Alexander asked unanimous consent that the Board direct staff to report, as expeditiously as possible, with an update on the Board's request to expand the membership of the Civil Service Commission. Without objection, it was so ordered.

Robert Howell, Deputy County Attorney, responded that staff would be distributing its response to Board Members later this week.

67. REQUEST TO RESTORE "COLUMBUS DAY" IN 1992 AS A COUNTY HOLIDAY (TAPE 4)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and, at the request of the Fairfax County Employees Advisory Council (EAC), asked unanimous consent that the Board refer to its Personnel Subcommittee for consideration the EAC's request that the County restore "Columbus Day" as a County holiday in view of fact that 1992 marks the 500th anniversary of Columbus' voyage to America. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

68. REQUEST TO EXPEDITE THE PROCESSING OF SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 89-S-058 (AMOCO OIL COMPANY) (SPRINGFIELD DISTRICT) (TAPE 4)

Supervisor McConnell moved that the Board direct staff to expedite the processing of Special Exception Amendment Application SEA 89-S-058 for the Amoco Service Station located at the intersection of Torrence Street

and Old Keene Mill Road, Springfield District. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova and Supervisor Hanley being out of the room.

69. REQUEST FOR ESTABLISHMENT OF A RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) FOR THE LITTLE ROCKY RUN COMMUNITY (TAPE 4)

On behalf of the residents on Union Springs Court and Union Village Circle in the Little Rocky Run Subdivision, Supervisor McConnell moved that the Board refer to the Office of Transportation staff for its review the request for a Residential Permit Parking District (RPPD), consistent with guidelines, because of the increased number of Centreville High School students parking in the residential community to avoid the School's parking fee. She further moved that the Board waive the fees associated with the preliminary review of this request. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Davis, and Supervisor Hanley being out of the room.

Supervisor McConnell stated that she would forward to the Office of Transportation the petitions from the Little Rocky Run Community.

70. REQUEST FOR PUBLIC COMMENDATIONS FOR THE FAIRFAX SYMPHONY ORCHESTRA ON ITS 35TH ANNIVERSARY AND FOR BILL HUDSON, DIRECTOR, ON HIS 20TH ANNIVERSARY WITH THE ORCHESTRA (TAPE 4)

Supervisor Pennino announced that the Fairfax Symphony Orchestra is celebrating two anniversaries this year: the 35th Anniversary of the Fairfax Symphony Orchestra and the 20th Anniversary of its renowned director, Bill Hudson. She moved that the Board direct staff to invite Representatives of the Symphony and Mr. Hudson to appear before the Board for public commendation for their exceptional contributions to the quality of life. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Bulova, Supervisor Davis, and Supervisor Hanley being out of the room.

71. RESULTS OF THE RESTON COMMUNITY CENTER BOARD OF GOVERNORS PREFERENCE POLL AND CONFIRMATIONS TO THE BOARD (TAPE 4)

(APPT)  
(BACs)

Supervisor Pennino announced the results of the Reston Community Center Board of Governors Preference Poll held on Saturday, October 19, 1991, and she moved that the Board endorse the results and confirm the following appointments/reappointment to the Reston Community Center Board of Governors:

ADULT REPRESENTATIVES:

- Ms. Brenda Irons-LeCesne;
- Mr. Willie L. Hudgins, Jr.;
- Mr. Tom Hartnett; and
- Ms. Barbara W. Bonner.

STUDENT REPRESENTATIVES:

- Miss Khanh Pham; and
- Miss Kimberly M. Song.

This motion was jointly seconded by Supervisor Alexander and Supervisor Richards and carried by a vote of seven, Supervisor Bulova and Supervisor Davis being out of the room.

72. COMMENDATION TO MEMBERS OF THE FAIRFAX  
COUNTY ATHLETIC COUNCIL FOR THEIR  
GENEROUS DONATION FOR A YOUTH SPORTS  
SUBSIDY PROGRAM (TAPE 4)

Supervisor Pennino stated that during the Board's budget deliberations, tough decisions had to be made, one of which had been to cut the youth sports subsidy. She announced that the members of the Fairfax County Athletic Council recently voted unanimously to contribute their payment of \$15 per meeting for use towards a youth sports subsidy program. She moved that the Board commend the Fairfax County Athletic Council for their generous donation and direct staff to send each member of the Council a letter of appreciation. This motion was jointly seconded by Supervisor Alexander and Supervisor Hanley and carried by a vote of seven, Supervisor Bulova and Supervisor Davis being out of the room.

73. PROPERTY TAX EXEMPTION STATUS REQUESTED FOR  
THE FUTURE BUSINESS LEADERS OF AMERICA  
(TAPE 4)

Supervisor Pennino stated that certain non-profit organizations can be considered for County property tax exemptions. She called to the Board's attention that the Future Homemakers of America, as well as the Future Farmers of America, maintain this tax exempt status. She asked unanimous consent that the Board refer to its Legislative Subcommittee for its review and recommendation the request of the Future Business Leaders of America for tax exempt status in Fairfax County. Without objection, it was so ordered.

PMH:PMH

74. WAIVER OF FEES FOR THE SITE PLAN EXCEPTION FOR LIONS CLUB (TAPE 5)

Supervisor Hanley announced that the Lions Club will be selling apples at the Oakton Shopping Center. Therefore, Supervisor Hanley moved that the Board waive the fees for the Site Plan Exception for the Lions Club to sell apples. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Bulova being out of the room.

75. CONSTRUCTION OF A SERVICE DRIVE IN FRONT OF THE VIRGINIAN (TAPE 5)

Supervisor Hanley referred to the service drive in front of the Virginian which is a residence located on Route 50. She noted that the County won the ability to use the escrowed funds for the construction of the service drive in front of the Virginian that would connect to the service drive that connects to Nutley Street that connects to the traffic light that moves traffic onto Route 50.

Supervisor Hanley explained that the difficulty occurred some time ago and the funds have been escrowed for a number of years. She said that the estimates are now in for the cost to move the utilities prior to building the road and there are not enough funds escrowed to cover this cost. Supervisor Hanley said that there has been interest accruing on the escrowed funds and she moved that the Board direct staff to:

- Review the amount of interest that has been accruing on this money; and
- Determine if the interest is applied to the escrowed funds if it will then cover the cost of the construction of the service drive.

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

76. PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 83-P-107-2 (CENTENNIAL GATEWAY LIMITED PARTNERSHIP) [SULLY DISTRICT (FORMERLY PROVIDENCE DISTRICT)] (TAPE 5)

Supervisor Hanley announced her intent later in the meeting, at the appropriate time, to defer the public hearing on Proffered Condition Amendment Application PCA 83-P-107-2.

77. REVIEW OF PERMIT PROCESS REGARDING THE ISSUE OF AN INCORRECT PERMIT FEE BEING APPLIED TO THE CORRECT PERMIT (TAPE 5)

Supervisor Hanley stated that a constituent contacted her to express his concern regarding his attempt to obtain a permit for a furnace. He said he was told which permit was necessary and then obtained it and installed the furnace. He said he was advised by the inspector who came to inspect the furnace that he had obtained the wrong permit. At that point the constituent discovered that there were two permits necessary for furnaces. Supervisor Hanley said that he requested his incorrect permit fee be applied to the correct permit and was told that that could not be done. He was also told that he would have to request a refund in writing.

Therefore, Supervisor Hanley asked unanimous consent that the Board direct staff to review this matter to determine if, when the wrong permit is issued, the fee could be applied towards the correct permit. Without objection, it was so ordered.

78. CONCURRENT PROCESSING OF THE PRELIMINARY PLAN OF SUBDIVISION WITHIN THE SITE PLAN FOR FAIR LAKES CENTER WITH PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-069-6 (FAIR LAKES PARTNERSHIP) [SULLY DISTRICT (FORMERLY PROVIDENCE DISTRICT)] (TAPE 5)

Supervisor Hanley stated that a public hearing is scheduled later today for Proffered Condition Amendment Application PCA 82-P-069-6. Supervisor Hanley moved that the Board authorize the concurrent processing of the Preliminary Plan of Subdivision within the Site Plan for Fair Lakes Center. She added that it is understood that the applicant will have the entire risk and cost of having both processes underway. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Bulova being out of the room.

Supervisor Hanley stated that this action does not assume the approval of the case.

79. REQUEST FOR DEFINITION OF "HEALTH SPA" WITH REGARD TO EXERCISE ROOMS ESTABLISHED BY COMPANIES FOR USE BY EMPLOYEES (TAPE 5)

Supervisor Davis referred to an item which he raised on June 17, 1991 regarding a new issue rising across the County regarding companies establishing exercise rooms for use by employees during their lunch hours as enhancement for employee health.

Supervisor Davis asked unanimous consent that the Board direct staff to review the definition of "health spa" as it relates to ordinance requirements and report with a response within the next month. Without objection, it was so ordered.

80. REQUEST TO RECORD VOTE (TAPE 5)

(NOTE: Earlier in the meeting action was taken on Consideration Item Three. See Clerk's Summary Item CL#36.)

Supervisor Davis asked unanimous consent that he be recorded as voting "AYE" on Consideration Item Three. Without objection, it was so ordered.

81. WASTE REDUCTION AND RECYCLING PROGRAM RECOGNIZED  
AS AN OUTSTANDING PUBLIC AWARENESS PROGRAM  
(TAPE 5)

Supervisor Hyland announced that the Fairfax County Department of Public Works' - Waste Reduction and Recycling Program has been recognized as an outstanding public awareness program by the National Recycling Coalition. On behalf of the Board, Supervisor Hyland congratulated Department of Public Works staff for their efforts.

Following comments from John W. diZerega, Director, Department of Public Works, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to place a letter of commendation in all appropriate staff members' personnel files. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

82. RECESS/EXECUTIVE SESSION (TAPE 5)

At 12:50 p.m., Supervisor Davis moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Arthur L. Miller versus James Nida, John E. Granfield and the County of Fairfax Civil Action #91-0585-A and Eastern District of Virginia.

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



PMH:PMH/VLL:v11

At 3:30 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Richards, and with Chairman Moore presiding.

### ADDITIONAL BOARD MATTERS

83. GENERAL MEMBERSHIP MEETING SCHEDULED FOR  
"DIRTY AIR OVER FAIRFAX" (TAPE 6)

Supervisor Pennino announced that HAND, a group concerned about environmental issues in Fairfax County, will be conducting a general membership meeting for "Dirty Air Over Fairfax" on Wednesday, November 13, 1991 at 8:00 p.m. at the Waples Mill Elementary School Library, 11509 Waples Mill Road, Oakton. The topic of discussion will be air quality and pollution.

84. "MOUNTAIN DAY" IN NEW ENGLAND (TAPE 6)

While waiting for Supervisor Richards to return to the Board Room, Chairman Moore briefed Board Members on "Mountain Day" in New England.

85. ACTIONS FROM EXECUTIVE SESSION (TAPE 6)

A. CERTIFICATION BY BOARD MEMBERS  
REGARDING ITEMS DISCUSSED IN  
EXECUTIVE SESSION

Supervisor Hyland moved that the Board of Supervisors certify that, to the best of their knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed or considered by the Board during the Executive Session. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Bulova abstaining.

B. BOARD OF SUPERVISORS OF FAIRFAX  
COUNTY, VIRGINIA, VERSUS ROGERS,  
ET AL., AT LAW NUMBER 98691

Supervisor Alexander moved that the Board authorize settlement of the Board of Supervisors of

Fairfax County, Virginia, versus Rogers, et al., At Law Number 98691 according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

#### ADDITIONAL BOARD MATTERS

86. REQUEST FOR A STREET LIGHT NEAR THE INTERSECTION OF ROUTE 123 AND UNIVERSITY DRIVE (TAPE 6)

Supervisor Bulova noted that George Mason University's (GMU) Field House is located on the west of Route 123, just south of the intersection with University Drive.

Supervisor Bulova said that a number of residents and students attend events at the Field House at night. She pointed out that pedestrians trying to cross at the crosswalk at night find this extremely dangerous because the roadway is not well lit in this area on the east side of Route 123.

Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to review pedestrian safety in this area both at the crosswalk and at the intersection to determine the best place for additional street lights. Without objection, it was so ordered.

87. STAFF REQUESTED TO WORK WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT), COMMONWEALTH TRANSPORTATION BOARD (CTB) TO EXPEDITE REQUESTS FOR RESIDENTIAL PERMIT PARKING DISTRICTS (TAPE 6)

Supervisor Bulova stated that staff had circulated to Board Members a response to her previous request regarding the streamlining of Residential Permit Parking District (RPPD) requests. Staff responded that the system could not be expedited. She asked unanimous consent that the Board reiterate its request to staff to work with the Virginia Department of Transportation (VDOT), Commonwealth Transportation Board (CTB), to determine a method to reduce the length of time for RPPD. Without objection, it was so ordered.

88. REQUEST FOR WAIVER OF FEES FOR SPECIAL PERMIT USE FILED BY THE WASHINGTON POST FOR NOISE WALL (TAPE 6)

Supervisor Bulova stated that at the Board of Supervisors' meeting held on October 14, 1991, action was deferred on her request to waive the \$1,800 filing fee for a Special Permit Application filed by the Washington Post for its facility on Wimsatt Road.

Supervisor Bulova stated that the Board's recent amendment to the Code of the County of Fairfax allows taller fences to mitigate noise from industrial or commercial uses that are next to residences. She stated that the Washington Post recently expanded its facility by-right on Wimsatt Road. During discussions with residents it was learned that the existing wall was insufficient for reducing noise generated at the site. An independent noise study confirmed this and the Washington Post graciously agreed to extend the length and height of the existing wall.

The recent ordinance amendment provides a vehicle for change in the fence through the filing of a Special Permit Use request. Accordingly, Supervisor Bulova moved that the Board waive the \$1,800 filing fee for this Special Permit. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Further, Supervisor Bulova stated that before it became clear that a change in the ordinance would be needed, the Washington Post also filed for a variance and paid a \$900 filing fee; however, the variance was not pursued or reviewed by staff. Accordingly, she asked unanimous consent that the Board direct staff to refund the variance filing fee. Without objection, it was so ordered.

89. WAIVER OF FEES FOR TEMPORARY SPECIAL PERMIT APPLICATIONS FOR SEASONAL SALES BY CHARITABLE ORGANIZATIONS (TAPE 6)

Supervisor Davis stated that at the Board of Supervisors' meeting held on October 14, 1991, staff was requested to review the issue of waiver of fees for Special Permit applications for seasonal sales by charitable organizations. He stated that staff has responded that these organizations may use a temporary Special Permit and pay a \$50 filing fee rather than the \$500 filing fee in order to obtain a Site Plan approval.

Supervisor Davis moved that the Board direct staff to report with recommendations as soon as possible on waiving the \$50 temporary Special Permit fee for these charitable organizations. This motion was seconded by Chairman Moore.

Following discussion among Board Members, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP), and Jane W. Gwinn, Zoning Administrator, Supervisor Davis clarified that the waiver of fees would be extended only to those organizations that are non-profit and whose fund-raising profits are donated to charities, and he amended his motion that the Board direct staff to work with the County Attorney's Office on requirements for the waiver of fees, i.e., affidavit, and this was accepted.

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

Following further discussion, it was clarified that the Zoning Administrator would determine whether to waive the filing fees for temporary Special Permits filed by non-profit organizations during seasonal sales and would research the issue on a more permanent basis and report with recommendations some time next year.

CM:CM

90. REQUEST TO RECORD VOTE (TAPE 7)

(NOTE: Earlier in the meeting during Board Matters action was taken regarding the ash landfill. See Clerk's Summary Item CL#53.)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that she be recorded as voting "AYE" on the ash landfill discussed earlier in the meeting during Supervisor Hyland's Board Matters. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

91. 3:00 P.M. - BOARD DECISION ON APPLICATION  
456-P91-12: ACQUISITION BY THE FAIRFAX COUNTY  
REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)  
OF AN EXISTING OFFICE BUILDING LOCATED AT  
3700 PENDER DRIVE (PROVIDENCE DISTRICT)  
(TAPE 7)

[NOTE: The public hearing on Application 456-P91-12 regarding acquisition by the Fairfax County Redevelopment and Housing Authority (FCRHA) of an existing office building located at 3700 Pender Drive in the Providence District was held on October 14, 1991 and Board decision deferred until October 28, 1991.]

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 26 and October 3, 1991.

Supervisor Hanley moved that the Board concur with the determination of the Planning Commission, pursuant to Section 15.1-456 of the Code of Virginia, as amended on Application 456-P91-12. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hanley further moved that the Board authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to acquire the office building located at 3700 Pender Drive [Tax Map 47-3 ((1)) 59B]. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

92. A-15 - FAIRFAX COUNTY REDEVELOPMENT AND HOUSING  
AUTHORITY (FCRHA) OFFICE AND HOUSING CENTER  
(TAPE 7)

(NOTE: Earlier in the meeting, there was additional discussion on this issue. See Clerk's Summary Item CL#22.)

Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the financing plan for the acquisition and development of the Fairfax County Redevelopment and Housing (FCRHA) Office and housing center, and the conversion of the existing One University Plaza building, including:

- Authorization of the purchase of an FCRHA bond anticipation note (BAN), in an amount not to exceed \$4.4 million, by the Fairfax County Integrated Sewer System Fund (FCISS); and authorization if necessary, for purchase of a new 12 month BAN with an investment by the FCISS;
- Authorization for the County to enter into an operating lease(s) with the FCRHA for some or all of the space to be used by the County Department of Housing and Community Development (HCD) at the Pender and Plaza sites. In turn, the FCRHA will enter into a sublease with the County for some or all of the unallocated space. The approximate amount of the total lease cost would be \$824,240 annually. Of this \$824,240 annual lease cost, the FCRHA will contribute approximately \$453,581 annually through a sublease with the County. The FCRHA will make this payment with its revenues which will largely consist of funds it expects to receive from the United States Department of Housing and Urban Development. Thus, after deducting FCRHA's annual payment of \$453,581, the net cost to the County will be approximately \$370,650 annually. The lease term will be up to 29 years and be subject to annual appropriations by the Board; and

- Authorization for the execution of a contract with Davis and Carter, Incorporated, for the provision of architectural and engineering services for tenant finish of the office space and development of the single room occupancy (SRO) units at the Pender Drive building and with Strang and Samaha, AIA, for necessary renovations at One University Plaza for conversion to a maintenance and management facility.

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

93. 3:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING DRIVE-IN BANKS, FAST FOOD RESTAURANTS, QUICK-SERVICE FOOD STORES, AUTOMOBILE-ORIENTED USES AND VEHICLE LIGHT SERVICE ESTABLISHMENTS IN THE RETAIL COMMERCIAL DISTRICTS (TAPE 7)

- (0) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor McConnell moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Chairman Moore being out of the room.

Supervisor McConnell moved adoption of Alternative 2 of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as recommended by the Planning Commission, regarding drive-in banks, fast food restaurants, quick-service food stores, automobile-oriented uses and vehicle light service establishments in the retail commercial districts. This motion was seconded by Supervisor Hyland and CARRIED by a recorded vote of seven, Supervisor Richards voting "NAY," Chairman Moore being out of the room.

This amendment shall become effective on October 29, 1991, at 12:01 a.m.

94. 3:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-S-032 (TRAFALGAR HOUSE PROPERTY, INCORPORATED) (SPRINGFIELD DISTRICT) (TAPE 7)

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

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

Following the public hearing, Jon Larson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of Proffered Condition Amendment Application PCA 86-S-032 subject to the proposed development conditions contained in Appendix I of the staff report. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, and Chairman Moore being out of the room.

95. 3:00 P.M. - PH ON SPECIAL EXCEPTION RENEWAL APPLICATION SER 90-D-015 (KAE SHIK AND SUNG KIL MOON; DON LEE AND SUNG LEE) (DRANESVILLE DISTRICT) (TAPE 7)

Supervisor Richards moved DISMISSAL of Special Exception Renewal Application SER 90-D-015 pursuant to Section 18-113 of the Zoning Ordinance for failure to diligently prosecute the application. This motion was seconded by Supervisor Davis and carried by a vote of eight, Chairman Moore being out of the room.

96. 3:00 P.M. - PH ON REZONING APPLICATION RZ 91-Y-010 (MAPLEWOOD DEVELOPMENT COMPANY, INCORPORATED); PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-S-083 (BURKE INVESTMENT ASSOCIATES AND MASON ASSOCIATES); AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-S-058-2 (BURKE INVESTMENT ASSOCIATES, MASON ASSOCIATES, AND MAPLEWOOD DEVELOPMENT COMPANY, INCORPORATED) [SULLY DISTRICT (FORMERLY SPRINGFIELD DISTRICT)] (TAPE 7)

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

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

Following the public hearing, which included testimony by five speakers, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 91-Y-010 be amended from the PDH-20 and Water Supply Protection Overlay Districts to the PDC and Water Supply Protection Overlay Districts subject to the executed proffers dated October 24, 1991. This motion was seconded by Supervisor Davis and CARRIED by a recorded vote of five, Supervisor Bulova and Supervisor Richards abstaining, Supervisor Hanley and Chairman Moore being out of the room.

Supervisor McConnell moved approval of Proffered Condition Amendment Application PCA 81-S-058-2 subject to the revised development conditions dated October 24, 1991. This motion was seconded by Supervisor Davis and CARRIED by a recorded vote of five, Supervisor Bulova and Supervisor Richards abstaining, Supervisor Hanley and Chairman Moore being out of the room.

Supervisor McConnell moved approval of Proffered Condition Amendment Application PCA 88-S-083 subject to the revised development conditions dated October 24, 1991. This motion was seconded by Supervisor Davis and CARRIED by a recorded vote of five, Supervisor Bulova and Supervisor Richards abstaining, Supervisor Hanley and Chairman Moore being out of the room.

Supervisor McConnell moved that the Board authorize concurrent processing of the preliminary plans of the subdivision with the Site Plans for the Center Ridge theaters and the retail center. This motion was seconded by Supervisor Hyland and CARRIED by a recorded vote of five, Supervisor Bulova and Supervisor Richards abstaining, Supervisor Hanley and Chairman Moore being out of the room.

#### ADDITIONAL BOARD MATTER

97. REQUEST TO GOVERNOR WILDER REGARDING  
REFORMULATED GASOLINE (TAPE 7)

Supervisor Hyland announced that he had just received a telephone call from Mr. Bob Means indicating he had just spoken with the Governor's office and was informed that the Board's request to contact the Environmental Protection Agency (EPA) regarding establishing Northern Virginia, Richmond, and the Hampton Roads Area as areas requiring reformulated gasoline had been honored by the Governor.

98. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE  
OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING  
ORDINANCE) REGARDING COMMUNITY BUSINESS CENTERS  
(TAPE 7)

- (0) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.



Following the public hearing, Supervisor Hyland moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to replace all references to Central Business District (CBD) contained in the Zoning Ordinance with Community Business Center (CBC). This motion was seconded by Supervisor Alexander and CARRIED by a recorded vote of four, Supervisor Richards voting "NAY," Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

This amendment shall become effective on October 29, 1991, at 12:01 a.m.

99. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE  
OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING  
ORDINANCE) REGARDING REVOCATION OF SPECIAL  
PERMITS AND SPECIAL EXCEPTIONS (TAPE 8)

- (0) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendation. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Richards moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding authority of the Board of Zoning Appeals (BZA) to revoke special permits and special exceptions. This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked that the motion be amended to include that:

- The Board of Zoning Appeals (BZA) be requested to consider amending their By-Laws and procedures to permit a prior notice to be sent out to persons with Special Permits informing them of the fact that their Special Permit could be revoked unless they get their house in order; and
- To direct staff to establish an administrative procedure that would notify a person or organization having previously received a Special Exception of the fact that their Special Exception could be revoked unless they take corrective action.

This was accepted.

The question was called on the motion, and as amended, carried by a vote of six, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

This amendment shall become effective on October 29, 1991, at 12:01 a.m.

100. 3:30 P.M. - PH ON REZONING APPLICATION RZ 90-L-055  
(LEVIN CONSTRUCTION CORPORATION) (LEE DISTRICT)  
(TAPE 8)

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

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

Following the public hearing, Supervisor Alexander moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor McConnell and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room.

Supervisor Alexander moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-L-055 be amended from the R-1, C-5 and Highway Corridor Districts to the C-2 and Highway Corridor Districts subject to the executed proffers dated October 25, 1991. This motion was seconded by Supervisor McConnell and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room.

Supervisor Alexander moved modification of the transitional screening requirement along the north, east, and west property lines in favor of that shown on the Generalized Development Plan. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room.

Supervisor Alexander moved modification of the barrier requirement in the vicinity of the 64-inch willow oak near the northeast corner of the site and the two 18-inch oaks along the southwest property line as determined by the Urban Forestry Branch of the Department of Environmental Management (DEM). This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room.

Supervisor Alexander moved waiver of the barrier requirement along the north property line. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room.

Supervisor Alexander moved that the Board direct the Director of the DEM to address the issue of service and ground water on adjacent residential properties in the review of the final Site Plan. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room.

101. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT  
APPLICATION PCA 82-P-069-6 (FAIR LAKES  
PARTNERSHIP) [SULLY DISTRICT (FORMERLY  
PROVIDENCE DISTRICT)] (TAPE 8)

Mr. Frank McDermott reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Theresa Hooper, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Proffered Condition Amendment Application PCA 82-P-069-6, subject to the revised development conditions dated October 9, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Hanley moved waiver of the 75 foot minimum set-back requirement between the commercial structure and the right-of-way of Interstate 66 pursuant to Paragraph 3, Section 2-414. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Hanley moved waiver of the 200 foot minimum set-back requirement between a residential structure and the right-of-way of Interstate 66 pursuant to Paragraph 3, Section 2-414 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Hanley moved modification of the transitional screening and barrier requirement adjacent to the residential uses in Land Bay 4A pursuant to Paragraph 1, Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Hanley moved modification of the transitional screening requirement along Interstate 66 upon dedication of additional right-of-way along Interstate 66 pursuant to Paragraph 11, Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Hanley moved waiver of the barrier requirement along Interstate 66 pursuant to Paragraph 12, Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Hanley moved modification of the location of the transitional screening requirement along Interstate 66 so that the transitional screening yard may be located as shown on the Final Development Plan and to permit existing vegetation to be used to satisfy the screening requirement in accordance with Paragraph 4, Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Hanley moved modification of the transitional screening and a waiver of the barrier requirement along Fairlakes Boulevard pursuant to Paragraph 1, Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor Hanley moved to amend her earlier motion to include that the simultaneous processing of this project be expedited. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

102. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT  
APPLICATION PCA 83-P-107-2 (CENTENNIAL GATEWAY  
LIMITED PARTNERSHIP) [SULLY DISTRICT (FORMERLY  
PROVIDENCE DISTRICT)] (TAPE 8)

Supervisor Hanley moved that the public hearing on Proffered Condition Amendment Application PCA 83-P-107-2, be deferred indefinitely. This

motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

103. 4:00 P.M. - PH ON REZONING APPLICATION RZ 91-L-018  
(THE SCHOOL BOARD OF FAIRFAX COUNTY, VIRGINIA)  
(LEE DISTRICT) (TAPE 8)

Mr. Tom Williams reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Regina Murray, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 91-L-018 be amended from the R-1, R-2 and Highway Corridor Districts to the R-3 and Highway Corridor Districts. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

Supervisor Alexander moved modification of the transitional screening and barrier requirements along the northern, eastern and western boundaries of the site to that existing on the site. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

Supervisor Alexander moved modification of the transitional screening and barrier requirements along the southern boundary, subject to the provision of supplemental plantings to screen the proposed trailers along that portion of Kathmoor Drive, subject to the review and approval of the Urban Forestry Branch. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

Supervisor Alexander moved that the Floor Area Ratio (FAR) on the site be limited to .24 and any additional proposals for development of the site be brought back to the Planning Commission for approval. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

104. 4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT  
APPLICATION PCA 85-S-099 (TRAFALGAR HOUSE  
PROPERTY, INCORPORATED) [SULLY DISTRICT  
(FORMERLY SPRINGFIELD DISTRICT)] (TAPE 8)

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

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

Following the public hearing, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of Proffered Condition Amendment Application PCA 85-S-099, subject to the revised development conditions dated September 30, 1991. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

105. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION  
SE 91-D-029 (MCELM ASSOCIATES LIMITED PARTNERSHIP)  
(DRANESVILLE DISTRICT) (TAPE 8)

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

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

Following the public hearing, Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor McConnell and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

Supervisor Richards moved that the Board:

- Approve Special Exception Application SE 91-D-029 subject to the revised development conditions dated October 21, 1991;
- Reaffirm the waiver of the service drive requirement along Old Dominion Drive frontage of the site;

- Direct the Director of the Department of Environmental Management (DEM), at the time of Site Plan approval, to approve a waiver of the front yard requirements in favor of the setback shown on the Special Exception plat; and
- Direct staff to expedite processing of the Site Plan and building permit process.

This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

106. 4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE  
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112  
(ZONING ORDINANCE) REGARDING PRIVATE CLUBS  
IN THE R-C DISTRICT (TAPE 8)

- (0) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to allow private clubs in the R-C District subject to the review and public hearing process of a Special Exception. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

Supervisor McConnell moved waiver of the Special Exception filing fee. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

This amendment shall become effective on October 29, 1991, at 12:01 a.m.

107. 4:30 P.M. - PH ON REZONING APPLICATION RZ 91-Y-006  
(TRUSTEES OF THE PENDER UNITED METHODIST CHURCH)  
[SULLY DISTRICT (FORMERLY CENTREVILLE DISTRICT)]  
(TAPE 8)

Mr. Ed Prichard reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Hyland and moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 91-Y-006 be amended from the R-1, Highway Corridor, and Water Supply Protection Overlay Districts to the R-3, Highway Corridor, and Water Supply Protection Overlay Districts subject to the executed proffers dated October 25, 1991. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

108. 4:30 P.M. - PH ON REZONING APPLICATION RZ 91-C-014  
AND SPECIAL EXCEPTION AMENDMENT APPLICATION  
SEA 84-C-092-4 (HCA HEALTH SERVICES OF VIRGINIA,  
INCORPORATED) (CENTREVILLE DISTRICT) (TAPE 8)

At the request of the applicant, Supervisor Pennino moved deferral of the public hearing on Rezoning Application RZ 91-C-014 and Special Exception Amendment Application SEA 84-C-092-4 until January 6, 1992 at 4:30 p.m. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

109. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION  
SE 91-D-030 (FAIRFAX COUNTY BOARD OF SUPERVISORS)  
(NO TAPE)

(NOTE: On October 14, 1991, the Board of Supervisors requested staff to withdraw this Special Exception application.)

110. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION  
SE 91-Y-028 (SECOND WILLS-BEATTY SULLY PLACE  
LIMITED PARTNERSHIP) [SULLY DISTRICT (FORMERLY  
CENTREVILLE DISTRICT)] (TAPE 8)

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

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

Following the public hearing, Theresa Hooper, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.



Supervisor Pennino moved approval of Special Exception Application SE 91-Y-028 subject to the revised development conditions dated October 28, 1991 and that the last paragraph of the development conditions be amended to reflect 30 months to establish the use rather than the 18 months shown. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

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

111. 4:30 P.M. - PH TO ORDER IMPROVEMENTS AND AUTHORIZE ASSESSMENTS IN GROVETON, PHASE VI (LEE DISTRICT)  
(TAPE 8)

- (R) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor Alexander moved adoption of the Resolution ordering improvements and assessing landowners in Groveton, Phase VI, Lee District. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

112. 4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A (RESIDENTIAL PERMIT PARKING DISTRICT) TO INCLUDE EAST SIDE OF OLD NUTLEY STREET, BRIARWOOD FARMS (PROVIDENCE DISTRICT) (TAPES 8-9)

- (O) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, which included testimony by two speakers, Supervisor Hanley moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A (Residential Permit Parking Districts), Appendix G-12, to include the east side of Old Nutley Street (Route 8060) in the existing Briarwood Farms Residential Permit Parking District (RPPD). This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

113. 4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN DEDICATIONS AND EASEMENTS NECESSARY FOR CONSTRUCTION OF THE DRANESVILLE SEGMENT OF COUNTY ROAD PROJECT - WIEHLE AVENUE (DRANESVILLE DISTRICT) (TAPE 9)

- (R) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Richards moved adoption of the Resolution authorizing the acquisition of interests in real property necessary for construction of the Dranesville Road segment of County Road Project 006495 - Wiehle Avenue. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

SBE:SBE

114. 5:00 P.M. - PH ON REZONING APPLICATION RZ 90-D-052 (STANLEY MARTIN COMMERCIAL, INCORPORATED) (DRANESVILLE DISTRICT) (TAPE 10)

Mr. John F. Cahill reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Richards moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-D-052 and the Conceptional Development Plan be amended from the R-1 District to the PDH-2 District, subject to the executed proffers dated October 24,

1991 and the development conditions dated October 23, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

115. 5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-52-2 (TENTH SKYLINE ASSOCIATES LIMITED PARTNERSHIP AND EIGHTH SKYLINE ASSOCIATES LIMITED PARTNERSHIP) (MASON DISTRICT) (TAPE 10)

On behalf of Supervisor Davis, Supervisor Hanley moved to defer the public hearing on Proffered Condition Amendment Application PCA C-52-2 until January 6, 1992 at 4:30 p.m. at the request of the applicant. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

116. 5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 91-B-014 (THE SALVATION ARMY) [BRADDOCK DISTRICT (FORMERLY ANNANDALE DISTRICT)] (TAPE 10)

Mr. James M. Rickard reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Regina Murray, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved approval of Special Exception Application SE 91-B-014 subject to the development conditions dated September 26, 1991. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Bulova moved modification of the transitional screening and barrier requirements along all boundaries as shown on the Special Exception Plat dated September 26, 1991, and as further specified in the development conditions. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Bulova moved waiver of the service drive requirement along the Ox Road frontage of the site in favor of the existing service drive. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Bulova moved that the last paragraph of the development conditions be amended to reflect 30 months to establish the use rather than 18 months. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

117. 5:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING FENCES AND WALLS APPROVED BY THE BOARD OF SUPERVISORS IN CONJUNCTION WITH A PUBLIC USE (TAPE 10)

(O)

(P)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

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

- Adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow a modification to the height and location regulations for fences or walls approved by the Board of Supervisors in conjunction with the establishment of a public use, to become effective on October 29, 1991 at 12:01 a.m.; and
- Adoption of a Board Policy regarding public notification prior to Board action on fences or walls proposed in conjunction with a public use under this provision of the Zoning Ordinance.

This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor McConnell, and Chairman Moore being out of the room.

118. 5:00 P.M. - PH ON APPLICATION 456-P91-17: LEGATO ROAD MULTIFAMILY AFFORDABLE HOUSING (PROVIDENCE DISTRICT) (TAPE 10)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, which included testimony by four speakers, Supervisor Hanley moved that the Board concur in the Planning Commission determination, pursuant to Section 15.1-456 of the Code of Virginia, that provision of the proposed affordable housing units on the subject properties is in accord with the County's Comprehensive Plan. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Hanley further moved that the Board authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to acquire the subject properties along the west side of Legato Road and to proceed with construction of the proposed apartment units [Tax Map 46-3 ((1)) 43B, 45, 46], subject to the appropriate rezoning actions of the Board. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

119. RECESS (TAPE 10)

At 7:00 p.m., the Board recessed briefly for dinner and, at 8:10 p.m., reconvened in the Board Room with all Members being present, with the exception of Supervisor Alexander, Supervisor Hanley, Supervisor Richards, and Chairman Moore, and with Vice-Chairman Pennino presiding.

120. 7:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING INITIAL APPROVAL PERIOD AND ADDITIONAL TIME FOR SPECIAL EXCEPTIONS, SPECIAL PERMITS AND VARIANCES (TAPE 10)

- (0) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as recommended by the Planning Commission, and set forth in Attachment One of the Memorandum to the Board, extending the

initial approval period and revising the provisions regarding requests for additional time to establish the use or activity or commence construction for approved Special Exceptions, Special Permits, and Variances.

In addition, the portion of the amendment revising the initial approval period shall not be applicable to Special Exceptions, Special Permits, and Variances approved prior to the effective date, but that provisions of the amendment which revise the standards for requests for additional time shall be applicable to Special Exceptions, Special Permits, and Variances approved prior and/or subsequent to the effective date of the amendment.

This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

This amendment shall become effective on October 29, 1991, at 12:01 a.m.

121. 7:30 P.M. - PH ON THE CONTINUATION OF THE  
FAIRFAX COUNTY PARK AUTHORITY FOR A PERIOD  
OF 30 YEARS, UNTIL OCTOBER 28, 2021 (TAPE 10)

- (0) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 10 and October 17, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor Hanley moved adoption of the proposed ordinance to amend and reenact Section III of the Ordinance which created the Park Authority on December 6, 1950, as amended, which would extend the Fairfax County Park Authority from June 30, 1992 until October 28, 2021. This motion was jointly seconded by Supervisor Bulova and Supervisor Davis and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

Vice-Chairman Pennino expressed her appreciation to the Members of the Fairfax County Park Authority for their outstanding service and she asked that those Members present in the Board Room stand and be recognized.

122. 7:30 P.M. - PH ON REZONING APPLICATION  
RZ 91-L-012 (KENNETH W. WHITE AND  
HELEN J. WHITE) (LEE DISTRICT) (TAPES 10-11)

Mr. T. Farrell Egge reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Cathy Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 91-L-012 be amended from the C-8 and Highway Corridor Overlay Districts to the C-2 and Highway Corridor Overlay Districts subject to the executed proffers dated October 1, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

Supervisor Alexander moved waiver of the lot width requirement. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

Supervisor Alexander moved modification of the transitional screening requirement along the entire western border and a waiver of the barrier requirement along the portion of the western property boundary to that shown on the Generalized Development Plan (GDP). This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

Supervisor Alexander moved modification of the transitional screening requirement along the entire southern property boundary in favor of that shown on the GDP. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

123. 7:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT  
APPLICATION SEA 79-V-073 (AMERICAN HORTICULTURAL  
SOCIETY) (MOUNT VERNON DISTRICT) (TAPE 11)

Mr. Frank L. Robinson reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Chairman Moore being out of the room.

Supervisor Hyland moved approval of Special Exception Amendment Application SEA 79-V-073 subject to the revised development conditions dated October 24, 1991. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Chairman Moore being out of the room.

124. 7:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT  
APPLICATION PCA 87-P-005 (KOREAN CENTRAL  
PRESBYTERIAN CHURCH) (PROVIDENCE DISTRICT)  
(TAPE 11)

Mr. Carson Lee Fifer, Jr., reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Gregory Riegler, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Proffered Condition Amendment Application PCA 87-P-005 subject to the executed proffers dated October 4, 1991 and revised October 9, 1991, which are consistent with those contained in Appendix One of the Staff Report. This motion was seconded by Supervisor Davis and carried by a vote of eight, Chairman Moore being out of the room.

Supervisor Hanley moved modification of the barrier requirement along the northern boundary of Lot 37 and waiver of the barrier requirement along the southern boundary of Lot 37 in favor of that shown on the Generalized Development Plan (GDP) and in accordance with Paragraph Three of Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Davis and carried by a vote of eight, Chairman Moore being out of the room.

125. 7:30 P.M. - PH ON REZONING APPLICATION RZ 91-D-005  
AND SPECIAL EXCEPTION APPLICATION SE 91-D-035  
(JERRY AND HELEN R. HILL) (DRANESVILLE DISTRICT)  
(TAPE 11)

Mr. Gregory C. Streeter reaffirmed the validity of the affidavit for the record.

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



Following the public hearing, which included testimony by one speaker, Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Davis and carried by a vote of eight, Chairman Moore being out of the room.

Supervisor Richards moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 91-D-005 be amended from the R-1 District to the R-A District subject to the executed proffers. This motion was seconded jointly by Supervisor Hyland and Supervisor Pennino and carried by a vote of eight, Chairman Moore being out of the room.

Supervisor Richards moved:

- Approval of Special Exception Application SE 91-D-035, subject to the development conditions dated October 24, 1991;
- Waiver of the site plan process for this application; and
- Amendment of the last paragraph of the development conditions to reflect 30 months to establish the use rather than 18 months.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

126. 7:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 118 AND THE PUBLIC FACILITIES MANUAL REGARDING CHESAPEAKE BAY AND EROSION AND SEDIMENT CONTROL REGULATIONS  
(NO TAPE)

(NOTE: On October 14, 1991, the Board of Supervisors cancelled the October 28, 1991 public hearing on this item.)

Supervisor Hyland stated that the proposed amendments to the Code of the County of Fairfax, Chapter 118, and the Public Facilities Manual regarding Chesapeake Bay and Erosion and Sediment Control Regulations has been deferred indefinitely.

127. 8:00 P.M. - BOARD DECISION ON PROPOSED AMENDMENT  
TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112  
(ZONING ORDINANCE) REGARDING LOCATION OF OFF-  
STREET PARKING RELATIVE TO THE FRONT LOT LINE  
(TAPE 11)

[NOTE: On October 14, 1991, the public hearing was held on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding location of off-street parking relative to the front lot line and Board decision deferred until October 28, 1991.]

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 26 and October 3, 1991.

Supervisor Bulova moved that the Board:

- Remand the proposed amendment to the Planning Commission for further review; and
- Direct the Planning Commission, in consultation with staff, to review the issue of the paving of townhouse front lawns.

This motion was seconded by Supervisor Hyland.

Following discussion among Board Members, the question was called on the motion which CARRIED by a recorded vote of seven, Supervisor Alexander voting "NAY," Chairman Moore being out of the room.

128. BOARD ADJOURNMENT (TAPE 11)

At 9:00 p.m., the Board adjourned.