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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 Davis presiding.

Supervisor McConnell was absent from the entire meeting.

Others present were William J. Leidinger, County Executive; David Bobzien, County Attorney; William O. Howland, Jr., Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Deputy Clerk to the Board of Supervisors; and Viki L. Wellershaus, Deputy Clerk to the Board of Supervisors.

2.SPRINGFIELD DISTRICT SUPERVISOR ELAINE MCCONNELL

ABSENT FROM THE MEETING (Tape 1)

Chairman Davis announced that Springfield District Supervisor Elaine McConnell would be absent from today's meeting due to illness. On behalf of the entire Board, Chairman Davis wished Supervisor McConnell a speedy recovery.

3.PROCLAMATION RECOGNIZING NATIONAL CORRECTIONAL

OFFICERS WEEK IN FAIRFAX COUNTY (Tape 1)

Supervisor Alexander moved approval of the Proclamation, presented to Sheriff Carl R. Peed, recognizing the week beginning May 2, 1993 as "**NATIONAL CORRECTIONAL OFFICERS WEEK**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

4.CERTIFICATE OF APPRECIATION COMMENDING

MS. CHARLINE WHITMORE FOR HER EFFORTS IN THE

BEAUTIFICATION OF THE DOLLEY MADISON LIBRARY

(Tape 1)

Supervisor Berger moved approval of the presentation of the Certificate of Appreciation, presented to Ms. Charline Whitmore, for her service to the community and tireless dedication to the landscaping and beautification of the Dolley Madison

Library. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

5. PROCLAMATION DESIGNATING "ADOPT-A-FAMILY PROGRAM"

(Tape 1)

Supervisor Hyland moved approval of the Proclamation, presented to the Department of Community Action (DCA), extending the County's heartfelt appreciation and thanks to all of the dedicated volunteers and generous sponsors of the "**ADOPT-A-FAMILY PROGRAM.**" This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being absent.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that staff send separate pictures to the Department of Community Action (DCA). Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

6. ORDERS OF THE DAY (Tape 1)

Chairman Davis announced that the Orders of the Day would be changed to allow the Board to proceed, at this time, with **Action Item One - Access to the Criminal Justice System by Language and Cultural Minorities.**

7.A-1 - ACCESS TO THE CRIMINAL JUSTICE SYSTEM BY

LANGUAGE AND CULTURAL MINORITIES (Tape 1)

(P)Following a brief presentation by Sheriff Carl R. Peed and Judge Richard Jamborski, Supervisor Trapnell moved that the Board concur in the recommendation of staff and:

- Adopt, as County policies, certain policies recommended by the Criminal Justice Policy Group (CJPG), as described in the Report on Access to the Fairfax County Criminal Justice System by Language and Cultural Minorities (March 1993, previously forwarded to Board Members), and outlined in the Memorandum to the Board; and
- Approve and support the efforts by the CJPG and its member agencies to urge the State Supreme Court and other State Agencies to adopt and act on the similar policies as described in the Report.

This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being absent.

8.10:00 A.M. - BOARD ADOPTION OF THE FISCAL YEAR

(FY) 1994 BUDGET PLAN (Tape 1)

(SARs)

(FPRs)

(O)Supervisor Alexander, Supervisor Hanley, and Supervisor Hyland stated, for the record, their opposition to the funding for the Daviswood Storm Drainage Project on Page 11 in the Fiscal Year (FY) 1994 Budget Plan.

(NOTE: Later in the meeting during Board Matters, Supervisor Alexander briefly outlined the Daviswood Storm Drainage Project. See Clerk's Summary Item CL#65.)

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and moved approval of:

- FY 1994 Resolution Adopting Tax Rates for FY 1994, as contained in Attachment One of the Memorandum to the Board dated April 26, 1993, which includes a real estate tax rate of \$1.16 per \$100 of assessed value.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Davis moved approval of:

- FY 1994 Appropriation Resolution for County Agencies, as contained in Attachment Two of the Memorandum to the Board dated April 26, 1993.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Davis moved approval of:

- FY 1994 Appropriation Resolution for School Board Agencies, as contained in Attachment Three of the Memorandum to the Board dated April 26, 1993.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Davis moved approval of:

- FY 1994 Fiscal Planning Resolution, as contained in Attachment Four of the Memorandum to the Board dated April 26, 1993.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

9.SUPERVISOR BULOVA'S FIRST PLACE PRIZE IN THE SULLY

STATION INAUGURAL RABBIT RUN (Tape 1)

Chairman Davis presented Supervisor Bulova with a trophy for her first place win in the Master's 40 Plus Category in the Inaugural Sully Station Two "Five Kilometer Rabbit Run for Charity" held on April 18, 1993.

10.APPOINTMENTS TO VIRGINIA MUNICIPAL LEAGUE (VML)

COMMITTEES (Tape 1)

(APPTs)

(BACs)

At the request of Chairman Davis for volunteers, the following confirmations were made as Board of Supervisors' Representatives to the Virginia Municipal League (VML) Committees:

- Supervisor Dix as the Community and Economic Development Committee Representative;
- Supervisor Hanley as the Educational Policy Representative;
- Chairman Davis as the Effective Government Annexation Committee Representative;
- Supervisor Hyland as the Environmental Quality Committee Representative;
- Supervisor Trapnell as the Human Development Committee Representative;

- Supervisor Berger as the Public Safety Committee Representative; and
- Supervisor Alexander as the Transportation Committee Representative.

**11.10:15 A.M. - APPOINTMENTS TO CITIZEN BOARDS,
AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS**

(Tape 1)

(APPTs)

(BACs)

ADVISORY PLANS EXAMINER BOARD

CONFIRMATION:

Supervisor Hanley moved that the Board confirm the following appointment to the Advisory Plans Examiner Board:

- Mr. Thomas F. Farley to fill the unexpired term of Mr. Claude Garver as the Virginia Department of Transportation (VDOT) Representative.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Supervisor Hanley moved the reappointment of Mr. James Scott as the At-Large (Citizen of Fairfax County) Representative to the Affordable Dwelling Unit Advisory Board. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Hanley moved the reappointment of Mr. Dean Wilson as the At-Large (Residential Builder/Multiple Family) Representative to the Affordable Dwelling Unit Advisory Board. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

[NOTE: The appointment of the At-Large (Civil Engineer/Architect or Planner) Representative to the Affordable Dwelling Unit Advisory Board was deferred.]

ATHLETIC COUNCIL

Supervisor Berger moved the reappointment of Ms. Doris Ledbetter as the Dranesville District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Alexander moved the reappointment of Mr. Dick Combs as the Lee District (Principal) Representative to the Athletic Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Alexander moved the reappointment of Mr. Steven Saulnier as the Lee District (Alternate) Representative to the Athletic Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

[NOTE: The appointments of the Dranesville District (Alternate) and the Sully District (Alternate) Representatives to the Athletic Council were deferred.]

BOARD OF BUILDING CODE APPEALS - TECHNICAL DIVISION

[NOTE: The appointment of the At-Large (Builder Alternate) Representative to the Board of Building Code Appeals - Technical Division was deferred.]

COMMISSION ON AGING

Supervisor Hanley moved the reappointment of Mr. Jarold Kieffer as the Providence District Representative to the Commission on Aging. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Bulova moved the appointment of Mr. George Miller as the Braddock District Representative to the Commission on Aging. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Chairman Davis moved the appointment of Mr. Al Metz as the Springfield District Representative to the Commission on Aging. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being absent.

(NOTE: Later in the meeting, during this item, action was taken to reappoint Mr. Virginio S. Cruz as the Springfield District Representative to the Commission on Aging. See Page 9 of the Clerk's Board Summary.)

(NOTE: The appointment of the Dranesville District Representative to the Commission on Aging was deferred.)

COMMUNITY CORRECTIONS RESOURCES BOARD

Supervisor Alexander moved the reappointment of Mr. Dennis Braddock as the At-Large Representative to the Community Corrections Resources Board. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Trapnell moved the appointment of Mr. Richard E. Patrick as the At-Large Representative to the Community Corrections Resources Board. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being absent.

COMMUNITY IMPROVEMENT COMMITTEE

(NOTE: The appointment of the Springfield District Representative to the Community Improvement Committee was deferred.)

COUNTYWIDE TRAILS COMMITTEE

(NOTE: The appointments of the Sully and the Springfield District Representative to the Countywide Trails Committee were deferred.)

CRIMINAL JUSTICE ADVISORY BOARD

Chairman Davis moved the appointment of Mr. Antonio Amador as the At-Large Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being absent.

EROSION AND SEDIMENT CONTROL REVIEW BOARD

Supervisor Bulova asked unanimous consent that the Board direct staff to provide information regarding the frequency of the meetings held by the Erosion and Sediment Control Review Board. Without objection, it was so ordered.

Supervisor Bulova moved the reappointment of Mr. Robert Steeves as the At-Large (Citizen/Resident of Fairfax County/Principal) Representative to the Erosion and Sediment Control Review Board. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

Chairman Davis moved the reappointment of Mr. Chris Kearney as the At-Large (Citizen/Resident of Fairfax County/Principal) Representative to the Erosion and Sediment Control Review Board. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

FAIRFAX AREA DISABILITY SERVICES BOARD

CONFIRMATION:

Supervisor Hyland moved that the Board confirm the following appointment to the Fairfax Area Disability Services Board:

- Ms. Annette Carr as the Fairfax City Representative.

This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being absent.

FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE

Supervisor Frey moved the reappointment of Mr. William Keech as the Sully Business District Representative to the Fairfax County Airports Advisory Committee. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

(NOTE: The appointment of the Lee District Representative to the Fairfax County Airports Advisory Committee was deferred.)

CONFIRMATION:

Supervisor Hyland moved that the Board confirm the following appointment to the Fairfax County Airports Advisory Committee:

- Mr. John Palatiello as the Planning Commission Representative.

This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being absent.

FAXFAIR CORPORATION BOARD

Chairman Davis moved the appointment of Mr. Warren Thompson as the At-Large Representative to the Faxfair Corporation Board. This motion was seconded by

Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being absent.

HISTORY COMMISSION

Chairman Davis moved the appointment of Ms. Barbara Williams as the At-Large (Minority) Representative to the History Commission. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Dix moved the appointment of Mr. James C. Martinelli as the At-Large (Architect) Representative to the History Commission. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being absent.

HUMAN RIGHTS COMMISSION

(NOTE: Later in the meeting, during this item, Ms. Elana Dietz was appointed as the At-Large Representative to the Human Rights Commission. See Page 12 of the Clerk's Board Summary.)

COMMISSION ON AGING

(NOTE: Earlier in the meeting, during this item, additional appointments were made to the Commission on Aging. See Page Six of the Clerk's Board Summary.)

Supervisor Hyland, on behalf of Supervisor McConnell, moved the reappointment of Mr. Virginio S. Cruz as the Springfield District Representative to the Commission on Aging. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

MECHANICAL ADVISORY AND LICENSING BOARD

[NOTE: The appointment of the At-Large (Master Mechanic) Representative to the Mechanical Advisory and Licensing Board was deferred.]

NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

Chairman Davis asked unanimous consent that the confirmation to the Northern Virginia Community College Board be deferred. Without objection, it was so ordered.

PARK AUTHORITY

Chairman Davis moved the appointment of Mr. Cesar A. Orantes-Alfaro as the At-Large Representative to the Park Authority. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

PROJECT SELECTION COMMITTEE

(NOTE: The appointment of the Springfield District Representative to the Project Selection Committee was deferred.)

REDEVELOPMENT AND HOUSING AUTHORITY

Supervisor Hyland moved the reappointment of Mr. Joseph Adinaro as the Mount Vernon District Representative to the Redevelopment and Housing Authority. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

(NOTE: The appointment of the At-Large and the Hunter Mill District Representatives to the Redevelopment and Housing Authority were deferred.)

ROAD VIEWERS BOARD

Chairman Davis moved the appointment of Mr. Bruce Pearson as the At-Large Representative to the Road Viewers Board. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being absent.

SMALL AND DISADVANTAGED BUSINESS COMMISSION

Supervisor Dix moved that the Board confirm the following appointment to the Small and Disadvantaged Business Commission:

- Ms. Mona Kabib as the Arab-American Representative.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

TENANT LANDLORD COMMISSION

Supervisor Trapnell moved the appointment of Ms. Yolanda Ramirez as the At-Large (Citizen) Representative to the Tenant Landlord Commission. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

TRANSPORTATION SAFETY COMMISSION

Supervisor Bulova moved the appointment of Mr. Roger Gross as the At-Large (Citizen) Representative to the Transportation Safety Commission. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

TREE COMMISSION

(NOTE: The appointment of the Springfield District Representative to the Tree Commission was deferred.)

AD-HOCS

ANIMAL OVERPOPULATION TASK FORCE

CONFIRMATIONS:

Supervisor Hyland moved that the Board confirm the following appointments to the Animal Overpopulation Task Force:

- Ms. Suzanne Cliver as the Animal Shelter Advisory Committee Representative;
- Ms. Beth Richelieu as the Fairfax Humane Society Representative;
- Ms. Doreen Toulson as the Homeless Animals Rescue Team Representative;
- Ms. Elaine Miletta as the Animal Allies Representative;
- Ms. Coco Strauss as the Prevent a Litter Coalition Representative;
- Ms. Helen Biggs as the Spay, Incorporated, Representative;
- Mr. Jack Sexton as the Northern Virginia Veterinary Medical Association Representative; and
- Mr. Jim Armstrong as the Fairfax County Health Department Representative.

This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor McConnell being absent.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that Supervisor Hyland be appointed as the Board of Supervisor's

Representative to the Animal Overpopulation Task Force. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

**CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND
DISPOSAL MATTERS**

(NOTE: The appointments of the Sully and the Braddock District Representatives to the Citizens Advisory Committee on Solid Waste and Disposal Matters were deferred.)

**MINORITY UPWARD MOBILITY AND RETENTION IN FAIRFAX
COUNTY GOVERNMENT COMMITTEE**

Supervisor Frey stated that it was his understanding that the Minority Upward Mobility and Retention in Fairfax County Government Committee had completed its task and, therefore, the appointment of a Sully District Representative would not be made.

**TASK FORCE TO RESOLVE THE QUESTION OF RESTORATION
OF CLINIC ROOM AIDE HOURS IN THE SCHOOL HEALTH
PROGRAM**

Supervisor Hanley asked unanimous consent that the Board direct staff to determine whether members have already been appointed to the Task Force to Resolve the Question of Restoration of Clinic Room Aide Hours in the School Health Program. Without objection, it was so ordered.

**UPPER HOLMES RUN ENVIRONMENTAL MONITORING ADVISORY
COMMITTEE**

CONFIRMATION:

Supervisor Hanley moved that the Board confirm the following appointment to the Upper Holmes Run Environmental Monitoring Advisory Committee:

•Mr. Richard G. Terwilliger as the Northern Virginia Soil and Water Representative.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

HUMAN RIGHTS COMMISSION

Supervisor Dix moved the appointment of Ms. Elana Dietz to fill the unexpired term of Mr. Rodney Martin as the At-Large Representative to the Human Rights Commission. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

SBE:sbe

12.ADMINISTRATIVE ITEMS (Tape 2)

Supervisor Hyland moved approval of the Administrative Items. This motion was seconded by Supervisor Frey.

Supervisor Hanley and Chairman Davis asked that they be recorded as voting "NAY" on **Administrative Item One - Additional Time to Commence Construction for Special Exception Application SE 89-S-055 (Star Enterprise) (Springfield District)**, and this was accepted.

Following discussion, Supervisor Dix called the Board's attention to **Administrative Item Five - Authorization to Advertise a Public Hearing on the Acquisition of Certain Sanitary Sewer Easements Necessary for the Construction of West Ox Road at Horsepen Run by the Virginia Department of Transportation (VDOT)**. He asked unanimous consent that the Board direct staff to advise his office of any difficulties that incur with the Bradley Farms Homeowners Association, as well as advising Supervisor Frey's office of any difficulties that occur with the Emerald Chase neighborhood. Without objection, it was so ordered.

Following discussion, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Hanley and Chairman Davis voting "NAY," on Administrative Item One only, and Supervisor McConnell being absent.

Supervisor Bulova called the Board's attention to those items regarding cut-through traffic. She asked unanimous consent that the Board direct staff to include maps in the Board Package on these items. Without objection, it was so ordered.

ADMIN 1 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION

FOR SPECIAL EXCEPTION APPLICATION SE 89-S-055 (STAR ENTERPRISE) (SPRINGFIELD DISTRICT)

(AT)Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 89-S-055 until **May 5, 1994** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

(NOTE: During the approval of the Administrative Items, Supervisor Hanley and Chairman Davis asked that they be recorded as voting "NAY" on Administrative Item One. See Clerk's Summary Item CL#12.)

ADMIN 2 - ADDITIONAL TIME TO ESTABLISH THE USE FOR SPECIAL EXCEPTION APPLICATION SE 90-M-033 AND APPROVAL OF FIVE PARKING SPACES FOR THE REAL ESTATE BROKERAGE OFFICE (MEAD PROPERTIES, INCORPORATED) (MASON DISTRICT)

(AT)Approved the request for six months of additional time to establish the use for Special Exception Application SE 90-M-033 until **September 16, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance and approved the provision of five parking spaces for this use subject to the location and sign limitations of Development Condition Number Six.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD PROJECT - ROUTE 1/BUCKMAN ROAD (LEE DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:00 p.m.** on the proposed acquisition of certain land rights necessary for the construction of County Road Project 064115 - Route 1/Buckman Road, Lee District.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC

**HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS
NECESSARY FOR THE CONSTRUCTION OF THE MAPLEWOOD
DEVELOPMENT/WILLOW PONDS (SULLY DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:00 p.m.** on the proposed acquisition of certain land rights necessary for the construction of Private Developer Project PD0063 - Maplewood Development/Willow Ponds, Sully District.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC

**HEARING ON THE ACQUISITION OF CERTAIN SANITARY
SEWER EASEMENTS NECESSARY FOR THE CONSTRUCTION
OF WEST OX ROAD AT HORSEPEN RUN BY THE VIRGINIA
DEPARTMENT OF TRANSPORTATION (VDOT) (HUNTER MILL
AND SULLY DISTRICTS)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:30 p.m.** on the proposed acquisition of certain sanitary sewer easements necessary for the construction of Virginia Department of Transportation (VDOT) Project 0608-029-265, C-501 - West Ox Road at Horsepen Run, Hunter Mill and Sully Districts.

(NOTE: During the approval of the Administrative Items, action was taken to direct staff to notify Supervisor Dix's and Supervisor Frey's office of any difficulties that occur with the Homeowners Associations in Bradley Farms and Emerald Chase. See Clerk's Summary Item CL#12.)

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC

**HEARING ON THE ACQUISITION OF A CERTAIN SANITARY
SEWER EASEMENT NECESSARY FOR THE CONSTRUCTION
OF THE SPRINGVALE SUBDIVISION SANITARY SEWER**

EXTENSION PROJECT (LEE DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:00 p.m.** on the proposed acquisition of a certain sanitary sewer easement necessary for the construction of Project X00820 (M00047) - Springvale Subdivision Sanitary Sewer Extension Project, Lee District.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS

NECESSARY FOR THE CONSTRUCTION OF THE BAILEY'S

ROAD IMPROVEMENTS PHASE D PROJECT (MASON DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:30 p.m.** on the proposed acquisition of certain land rights necessary for the construction of Project 003846 - Bailey's Road Improvements Phase D Project, Mason District.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS

NECESSARY FOR THE CONSTRUCTION OF THE JAMES LEE

PHASE IV PROJECT (PROVIDENCE DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:30 p.m.** on the proposed acquisition of certain land rights necessary for the construction of Project 003910 - James Lee Phase IV Project, Providence District.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE PROPOSED ABANDONMENT OF A PORTION

OF MOUNT GILEAD ROAD (SULLY DISTRICT)

(A)Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on **June 7, 1993 at 4:00 p.m.** on

the proposed abandonment of a portion of Mount Gilead Road (Route 670), Sully District.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ABANDON AND CONVEY NORRIS PLACE RIGHT-OF-WAY (LEE DISTRICT)

(A)Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on **June 28, 1993 at 3:30 p.m.** on the proposed abandonment and conveyance of Norris Place, Lee District.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A JOINT VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)/ FAIRFAX COUNTY BOARD OF SUPERVISORS PUBLIC HEARING ON PROPOSED CUT-THROUGH TRAFFIC RESTRICTIONS ON BRIARY LANE (PROVIDENCE DISTRICT)

(A)Authorized the posting of the notice of intent and advertisement of a joint public hearing to be held before the Virginia Department of Transportation (VDOT) and the Fairfax County Board of Supervisors on **June 7, 1993 at 3:30 p.m.** to consider a VDOT proposal to limit cut-through traffic on Briary Lane in the Mantua area, Providence District.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A JOINT VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)/ FAIRFAX COUNTY BOARD OF SUPERVISORS PUBLIC HEARING ON PROPOSED CUT-THROUGH TRAFFIC RESTRICTIONS IN THE CANTERBURY WOODS AND RED FOX COMMUNITIES (BRADDOCK DISTRICT)

(A)Authorized the posting of the notice of intent and advertisement of a joint public hearing to be held before the Virginia Department of Transportation (VDOT) and the

Fairfax County Board of Supervisors on **June 7, 1993 at 3:30 p.m.** to consider a VDOT proposal to limit cut-through traffic in the Canterbury Woods and Red Fox Communities, Braddock District.

ADMIN 13 - CORRECTION TO AN ADOPTED ORDER

ABANDONING A PORTION OF HIDDEN ROAD (ROUTE 785)

(PROVIDENCE DISTRICT)

(R)Adopted a Resolution correcting an adopted Order of Abandonment for a portion of Hidden Road (Route 785), Providence District, previously adopted by the Board of Supervisors on September 14, 1987.

[NOTE: It recently has come to the attention of the Virginia Department of Transportation (VDOT) that the adopted Order of Abandonment incorrectly cited the distance of the portion of Hidden Road abandoned as 278.54 feet. The actual distance abandoned is 318.62 feet.]

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE PROPOSED REVISIONS TO THE CODE

OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY

EMPLOYEES), ARTICLE 2 (SUPPLEMENTAL RETIREMENT

SYSTEM ORDINANCE), REGARDING EXCLUSION OF

OVERTIME FROM CREDITABLE COMPENSATION)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:30 p.m.** on a proposed revision to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 2 (Supplemental Retirement System), regarding the exclusion of overtime from creditable compensation.

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON SETTING ASSESSMENTS FOR THE FAIRDALE

COMMUNITY (MASON DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:00 p.m.** on the proposed adoption of a Resolution setting the assessments for the Fairdale Community, Mason District.

ADMIN 16 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), RELATING TO THE BUSINESS LICENSE TAXATION OF RESEARCH AND DEVELOPMENT BUSINESSES

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 17, 1993 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), to amend Section 4-7-21 and to enact Section 4-7-35 relating to the business license taxation of Research and Development businesses.

13.A-1 - ACCESS TO THE CRIMINAL JUSTICE SYSTEM BY LANGUAGE AND CULTURAL MINORITIES (No Tape)

(NOTE: Earlier in the meeting, action was taken on **Action Item One - Access to the Fairfax County Criminal Justice System by Language and Cultural Minorities.** See Clerk's Summary Item CL#6.)

14.A-2 - REALLOCATION OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REVENUE SHARING PROGRAM FUNDS (COUNTYWIDE) (Tape 2)

(R)On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted a Resolution approving the reallocation of previously designated Virginia Department of Transportation (VDOT) Revenue Sharing Program funds, in the amount of \$1,757,133, to finance 15 spot improvement projects.

15.A-3 - DESIGNATION OF VIRGINIA DEPARTMENT OF

**TRANSPORTATION (VDOT) REVENUE SHARING FUNDS AND
MATCHING FAIRFAX COUNTY FUNDS FOR FISCAL YEAR**

(FY) 1994 (SULLY DISTRICT) (Tape 2)

(R)On motion of Supervisor Frey, seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted a Resolution designating a maximum of \$500,000 in Fiscal Year (FY) 1994 Virginia Department of Transportation (VDOT) Revenue Sharing Program funds and \$500,000 in matching Fairfax County funds for the construction of missing portions of the third lane on Route 50 between Greenbriar and Stringfellow Road.

**16.A-4 - APPROVAL OF A COST PARTICIPATION AGREEMENT
BETWEEN THE BOARD OF SUPERVISORS AND THE VIRGINIA
DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE
CONSTRUCTION OF THE VILLA STREET ROAD IMPROVEMENT
PROJECT (LEE DISTRICT) (Tape 2)**

Supervisor Alexander moved that the Board concur in the recommendation of staff and authorize the County Executive to execute the agreement between Fairfax County and the Virginia Department of Transportation (VDOT) for the upgrading of Villa Street. This motion was seconded by Supervisor Hyland.

Following brief discussion, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being absent.

**17.A-5 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION
AND COMPENSATION PLANS - REHABILITATION SPECIALIST,
IRRIGATION SPECIALIST CLASSES (Tape 2)**

On motion of Supervisor Trapnell, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the amendments to the County's Classification and Compensation Plans necessary to establish the following classes:

Class Title Grade/Pay Range

Rehabilitation Specialist S-23-1 \$34,595 - \$53,543

Irrigation Specialist S-16-2 \$26,247 - \$38,692

18.A-6 - APPROVAL OF THE 1993 SCHEDULE AND THE REVIEW

COMMITTEE MEMBERS FOR THE EXCEPTIONAL DESIGN AWARDS

PROGRAM (Tape 2)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the implementation schedule and the members of the Review Committee, as nominated by the respective organizations, for the 1993 Exceptional Design Awards Program:

Implementation Schedule:

June 2 Awards Entry Deadline

June 16 Design Awards Jury Selects Winners

July 1 Notify Winners

October 25 Awards Ceremony

Review Committee Members:

•Mr. Carl E. Neuberg, AIA,

Fairfax County Architectural Review Board;

•Mr. Daniel R. Bairley, AIA,

Northern Virginia Chapter of the American

Institute of Architects;

•Mr. James W. Ritter, FAIA,

Northern Virginia Chapter of the American

Institute of Architects;

•Mr. Jack Blevins, ASLA, AICP,

Potomac Chapter of the American Society

of Landscape Architects;

•Mr. Robert W. Davis, AIA,

Fairfax County Chamber of Commerce;

•Ms. Elise Murray,

Fairfax County History Commission;

•Mr. Douglas A. Pickford,

American Planning Association; and

•Mr. James H. Scanlon, PE, LS,

Engineers and Surveyors Institute.

This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Frey asked unanimous consent that the Board direct staff to report with an estimate of the cost of the documentation that had been prepared for this item, as well as what agency provided the funding. Without objection, it was so ordered.

**19.A-7 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD (CSB) TO APPLY TO THE
VIRGINIA DEPARTMENT OF HEALTH FOR THE CONTINUATION
OF GRANT FUNDING FOR VIRGINIA SEXUAL ASSAULT CRISIS
INTERVENTION SERVICES (Tape 2)**

On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor McConnell being absent, the Board concurred in the

recommendation of staff and approved the Fairfax-Falls Church Community Services Board (CSB) application to the Virginia Department of Health for Fiscal Year (FY) 1994 grant funding, in the amount of \$44,663, for the continued provision of sexual assault crisis intervention services through the Fairfax Victim Assistance Network (VAN) at the Mount Vernon Center for Community Mental Health.

20.A-8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)

AS 93055 FOR ACCEPTANCE OF A UNITED STATES (U.S.)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT

AWARD THROUGH THE VIRGINIA DEPARTMENT OF HOUSING

AND COMMUNITY DEVELOPMENT (DHCD) FOR SUPPLEMENTAL

ASSISTANCE FOR FACILITIES TO ASSIST THE HOMELESS

(SAFAH) PROGRAM FUNDS (Tape 2)

(SAR)Supervisor Hanley moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 93055, in the amount of \$76,800, for the acceptance of a United States (U.S.) Department of Housing and Urban Development Grant Award through the Virginia Department of Housing and Community Development (DHCD) for Supplemental Assistance for Facilities to Assist the Homeless (SAFAH) Program funds. This motion was seconded by Supervisor Alexander.

Following brief discussion, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being absent.

21.A-9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)

AS 93059 FOR THE HEALTH DEPARTMENT'S COMPREHENSIVE

AIDS RESOURCES EMERGENCY ACT (CARE) GRANT (Tape 2)

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93059, in the amount of \$24,495, for the Health Department's Comprehensive AIDS Resources Emergency Act (CARE) grant.

**22.A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 93058 FOR THE DEPARTMENT OF HUMAN DEVELOPMENT TO
ACCEPT ADDITIONAL STATE FUNDING FOR AID TO FAMILIES
WITH DEPENDENT CHILDREN (AFDC) WORKING/TRANSITIONAL
DAY CARE (Tape 2)**

(SAR)Supervisor Hyland moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 93058, in the amount of \$120,486, for the Department of Human Development to accept additional State funding for Aid to Families with Dependent Children (AFDC) working/transitional day care. This motion was seconded by Supervisor Hanley.

Following discussion, with input from Verdia L. Haywood, Deputy County Executive for Human Services, Supervisor Dix asked unanimous consent that the Board direct staff to prepare and distribute to Board Members a one page document that would give an analysis of the funding streams of child care system programs in which the County participates. Without objection, it was so ordered.

The question was called on the motion which carried by a vote of nine, Supervisor McConnell being absent.

**23.A-11 - FAIRFAX COUNTY'S COMMITMENT TO MAKE LOCAL
PAYMENTS IN SUPPORT OF THE FISCAL YEAR (FY) 1994
METRORAIL CONSTRUCTION PROGRAM (COUNTYWIDE)**

(Tape 2)

Following discussion, Supervisor Alexander moved that the Board concur in the recommendation of staff and:

- Approve making the County's commitment called for in the Fifth Interim Capital Contribution Agreement (ICCA-V) to make local payments of \$20,088,110 in support of the Fiscal Year (FY) 1994 Metrorail Construction Program; and

•Authorize the County Executive to execute and transmit to the Washington Metropolitan Area Transit Authority (WMATA) Fairfax County's letter of commitment for the FY 1994 Metrorail construction Budget.

This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being absent.

AP:ap

24.C-1 - MODIFIED PUBLIC FACILITIES MANUAL (PFM)

CRITERIA TO REQUIRE THE INSTALLATION OF MERCURY

VAPOR STREET LIGHTS AT CRITICAL LOCATIONS IN

RESTON (HUNTER MILL DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated April 26, 1993 presenting the proposed modified Public Facilities Manual (PFM) criteria to require the utilization of a mercury vapor light source for all new street lights within Reston, Virginia, and to stipulate that the installation of these new street lights be restricted to critical locations.

Supervisor Dix moved that the Board implement the modified PFM requirements for the installation of street lights at critical locations in Reston. This motion was seconded by Chairman Davis.

Following discussion with input from staff, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being absent.

25.I-1 - INCLUSION OF OFFENDER AID AND RESTORATION

OF FAIRFAX COUNTY, INCORPORATED, IN THE COUNTY

HEALTH PLAN (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 26, 1993 requesting authorization for staff to advise Offender Aid and Restoration of Fairfax County, Incorporated, that they may participate in the County health insurance plans beginning May 1, 1993.

The staff was directed administratively to proceed as proposed.

**26.I-2 - CONTRACT AWARD - MEMORIAL STREET (WEST)
NEIGHBORHOOD IMPROVEMENTS (LEE DISTRICT)**

(Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 26, 1993 requesting authorization for staff to:

- Award a contract to Coalson's Landscapes and Excavating, Incorporated in the amount of \$395,300 for Memorial Street (West) Neighborhood Improvements (Lee District), Project C00090, Subfund 488, Neighborhood Improvement Program; and
- Reallocate funds in the amount of \$249,688 from Project C00070, Subfund 488 Contingency.

The staff was directed administratively to proceed as proposed.

**27.I-3 - CONTRACT AMENDMENT - ENGINEERING SERVICES
FOR THE RENOVATION OF THE HOLMES RUN SEWAGE
PUMPING STATION (MASON DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated April 26, 1993 requesting authorization for staff to extend the existing contract with BCM Engineers, Incorporated in the amount of \$86,249.80 for engineering services for the renovation of the Holmes Run Sewage Pumping Station (Mason District), Project X00906, Subfund 524, Sewer Bond Extension and Improvements.

The staff was directed administratively to proceed as proposed.

**28.I-4 - COMPREHENSIVE HOUSING AFFORDABILITY
STRATEGY (CHAS) CERTIFICATION - MORRIS GLEN
ELDERLY APARTMENTS (LEE DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated April 26, 1993 requesting authorization for the County Executive to sign the Comprehensive Housing Affordability Strategy (CHAS) Certification for

inclusion in the application by the Fairfax County Redevelopment and Housing Authority (FCRHA) to the Virginia Department of Housing and Community Development (VCHCD) for financing of the Morris Glen Elderly Apartments (Lee District).

The staff was directed administratively to proceed as proposed.

29.I-5 - UPDATE TO FAIRFAX COUNTY COMMUNITY

DEVELOPMENT BLOCK GRANT (CDBG) CITIZEN

PARTICIPATION PLAN (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 26, 1993 outlining the updated Fairfax County Community Development Block Grant (CDBG) Citizen Participation Plan.

30.I-6 - NOTIFICATION OF APPLICATION TO THE

UNITED STATES DEPARTMENT OF HOUSING AND

URBAN DEVELOPMENT (HUD) FOR EMERGENCY

SHELTER GRANT PROGRAM ENTITLEMENT

ALLOCATION (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 26, 1993 outlining the notification of application to the United States Department of Housing and Urban Development (HUD) for emergency shelter grant program entitlement allocation.

There was a brief discussion concerning this item, with input from Verdiana L. Haywood, Deputy County Executive for Human Services.

31.I-7 - COMPREHENSIVE HOUSING AFFORDABILITY

STRATEGY (CHAS) CERTIFICATION - JEFFERSON

GARDEN APARTMENTS (LEE DISTRICT) (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 26, 1993 requesting authorization for the County Executive to sign the Comprehensive Housing Affordability Strategy (CHAS) Certification for inclusion in the application by the Robert Pierre Johnson Housing Development Corporation to the Virginia Department of Housing and Community Development (VCHCD) for financing of the Jefferson Garden Apartments (Lee District).

The staff was directed administratively to proceed as proposed.

**32.I-8 - LETTER TO THE DEPARTMENT OF THE ARMY TO
TRANSMIT STAFF COMMENTS ON THE FINAL
ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED
DEVELOPMENT OF THE FORT BELVOIR ENGINEER
PROVING GROUND (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated April 26, 1993 requesting authorization for the Chairman to sign the letter to the Department of the Army regarding the proposed development of the Fort Belvoir Engineer Proving Ground.

There was a brief discussion concerning this item, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP).

The staff was directed administratively to proceed as proposed.

**33.MAZE CRAZE EVENT AT THE FAIRFAX FAIR
(Tape 4)**

Chairman Davis informed the Board of a challenge extended to the Board Members from the County Executive staff in the maze event on Friday, June 11, 1993 at the Fairfax Fair to be held on the grounds of the Government Center. This event will be a challenge to see which teams can go through the maze the fastest.

Chairman Davis stated that the County Executive has already named his team the "Maze Busters" and is offering a challenge to the Board Members for this event. There will also be competition between the Human Services/ Planning and

Development staff versus the Management and Budget/Public Safety staff. This event will be emceed by Peter F. Murphy, Jr., Chairman of the Planning Commission.

34.DUTIES FOR TASK FORCE TO RESOLVE THE QUESTION OF RESTORATION OF CLINIC ROOM AIDE HOURS IN THE SCHOOL HEALTH PROGRAM (Tape 4)

Chairman Davis informed the Board of the increasing number of children in public schools who require medical procedures such as tracheal suctioning, catheterization, and tube feeding. He stated his belief that such tasks are inappropriate for teachers to perform because they are not within the scope of their responsibilities and training and it reduces the time that they are available for teaching. He stated that funding was restored by the Board for the Clinic Room Aides in January, Fiscal Year (FY) 1993, with the understanding that these sensitive duties would be assumed by the Aides but there is confusion and delay in the redirection of these duties.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Task Force to Resolve the Question of Restoration of Clinic Room Aide Hours in the School Health Program, which is examining this issue work with the Department of Health to ensure that an answer is provided to the Board as soon as possible. Without objection, it was so ordered.

35.LETTER TO SECRETARY MILLIKEN INDICATING THE BOARD'S SUPPORT FOR ADDING THE WESTERN BY-PASS QUARTER IN VIRGINIA TO A COMPONENT OF THE NATIONAL HIGHWAY SAFETY (NHS) SYSTEM (Tape 4)

Supervisor Davis moved that the Board authorize staff to write a letter under his signature to Secretary Milliken to indicate the Board's support for adding the Western By-Pass Quarter in Virginia to a component of the National Highway Safety (NHS) System. He stated that this will allow federal funding for highway projects, the NHS, and for studies included in the eastern and western by-pass. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being absent.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

**36.REQUEST FOR PROHIBITION OF THROUGH TRUCK TRAFFIC
ON GREG-ROY LANE (ROUTE 2520) AND ALONG THAT
PORTION OF FOX MILL ROAD (ROUTE 665) WHICH IS
LOCATED IN THE GREG-ROY SUBDIVISION (Tape 4)**

Supervisor Dix stated that his office has received correspondence, on behalf of the residents of the Greg-Roy Subdivision, requesting the County to begin procedures to prohibit through truck traffic in their neighborhood, specifically on Fox Mill Road and Greg-Roy Lane. With the completion of Sunrise Valley Drive, between the improved section of Fox Mill Road and Monroe Street, a much safer and direct alternate truck route is now available.

Accordingly, Supervisor Dix moved that the Board direct staff to initiate the review process to determine whether through trucks could be prohibited on Greg-Roy Lane (Route 2520) and along that portion of Fox Mill Road (Route 665) which is located in the Greg-Roy Subdivision. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

**37.INFORMATION REQUESTED REGARDING THE FEES ASSESSED
AT THE FAIRFAX COUNTY PARK AUTHORITY (FCPA)
FACILITIES (Tape 4)**

Supervisor Dix stated that, consistent with his view that Fairfax County taxpayer-supported recreational facilities should be for the principal benefit of residents, he has had some concerns regarding the fees (or lack of such) assessed to the non-resident public for the use of Fairfax County Park Authority (FCPA) facilities. He stated that his concern is heightened in view of the substantial costs likely to be involved in the rehabilitation of Lake Fairfax Park in Reston, and the present nature of resident and non-resident user fees at that facility.

Therefore, Supervisor Dix moved that the Board direct the County Executive to seek information regarding the manner of fees assessed (or not assessed) at FCPA facilities for Fairfax County residents and non-residents and provide this information to the Board. If this information is not readily available, he further moved that the County Executive request that the documentation be prepared and forwarded to the Board no later than May 10, 1993. This motion was seconded by Supervisor Berger.

Supervisor Hyland asked that the motion be amended to request that the Board direct staff to include in the inquiry information regarding the percentage of revenue currently coming to the Park Authority from non-residents using the facilities and an analysis of the projected impact on increasing fees for non-residents, and this was accepted.

The question was then called on the motion, as amended, which carried by a vote of nine, Supervisor McConnell being absent.

38.LOSS OF JOBS OF COUNTY RESIDENTS RELATED TO THE PROPOSED BASE CLOSING IN ARLINGTON (Tape 4)

Supervisor Dix stated that recent indications from the Clinton Administration that it intends to transfer jobs from Arlington, Virginia, as part of an overall "base closing" and consolidation policy represents a serious economic threat to Northern Virginia. Many of the jobs affected by these proposals are held by residents of Fairfax County and the potential loss of these jobs will harm the recovering local economy.

With a notation that a Congressional Subcommittee is presently reviewing the base closing proposals, Supervisor Dix moved that the Board direct the Chairman to promptly direct correspondence to Senators Warner and Robb, and Representatives Wolf, Moran, and Byrne, to reiterate Fairfax County's opposition to these job losses and to reinforce their value to Northern Virginia's economy and to urge a strong, bipartisan position against the proposed plan. This motion was seconded by Chairman Davis.

Supervisor Hyland clarified, for the record, that recommendations for the overall base closings is being reviewed by the Brack Commission, which was established by law, and not the Clinton Administration.

The question was called on the motion which carried by a vote of nine, Supervisor McConnell being absent.

39.REQUEST TO RECEIVE THE FAIRFAX COUNTY PUBLIC SCHOOLS' (FCPS) BUDGET BY CATEGORY OF FUNDING

(Tape 4)

Supervisor Dix stated that previously he had discussed with the Superintendent of Schools, the County Executive, and Board Members, the merits of both receiving the

annual Fairfax County Public Schools (FCPS) budget by-category of funding and, likewise, making the annual FCPS budget transfer by category rather than as one "lump" appropriation. A funding transfer in seven broad categories is provided for under Virginia law and is currently utilized by the FCPS in making its accounting to the Commonwealth of Virginia shortly after the conclusion of the fiscal year.

Supervisor Dix stated that he has discussed this issue with the Superintendent of Schools and is persuaded that the resolution of issues related to Fairfax County's accounting systems would make the timing of a by-category transfer ill advised for Fiscal Year (FY) 1994. However, in order to give the Board the flexibility to make such an appropriation in FY 1995 or at some later time, Supervisor Dix moved that the Board direct the County Executive to meet with the Superintendent of Schools to begin the process of determining what accounting, computer and/or other modifications may be necessary to make a by-category transfer possible and to report to the Board by September 1, 1993. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor McConnell being absent.

VW:vw

40.WAIVER OF FILING FEES FOR PERMITS NECESSARY FOR

THE FAIRFAX FAIR (Tape 5)

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and, on behalf of Supervisor McConnell, moved that the Board direct staff to waive the filing fees for the electrical, building, fire, and zoning permits necessary for the Fairfax Fair that will be held at the Fairfax County Government Center. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

41.RETENTION OF SECURITY GUARD POSITIONS AT THE

MASSEY BUILDING (Tape 5)

As the Board is aware, Supervisor Davis stated that the County is in the process of privatizing building security at the Government Center and the Massey Building. Currently, police officers are providing the security at the Government Center and privatization will allow these police officers to continue with their normal duties on the street.

The four guards at the Massey Building, however, have a different situation. The function of these guards is to solely provide security at the Massey Building. These guards have put in many, many years of service with Fairfax County and have done an

outstanding job. Supervisor Davis stated that there is a concern that if these positions are privatized, there will no place for these employees to be absorbed in the County system. In addition, several of these guards have handicaps which prevent them from joining the Police Department or Department of Animal Control.

Therefore, on behalf of Supervisor McConnell, Supervisor Davis moved that the Board direct staff to **NOT** privatize security at the Massey Building and retain the current four guards to continue with this service. He stated that, as the guards leave through retirement or other reasons, the positions could be replaced with guards from a private firm. This motion was seconded by Supervisor Hanley.

Following discussion, with input from William J. Leidinger, County Executive, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Berger and Supervisor Dix voting "NAY," Supervisor McConnell being absent.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

42. CONCURRENT PROCESSING REQUESTED FOR THE BALMORAL SUBDIVISION (SPRINGFIELD DISTRICT) (Tape 5)

Supervisor Frey stated that Balmoral Subdivision is in the process of preparing its Preliminary Plan for the entire property and the engineering for the first 30 lots on the eastern side of the property.

On behalf of Supervisor McConnell, Supervisor Frey moved that the Board direct staff to concurrently process the Preliminary Plan for the east side, plus the construction drawings for the first section of the 30 lots. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

43. CONCURRENT PROCESSING REQUESTED FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA C-634-6 (PROVIDENCE DISTRICT) (Tape 5)

Supervisor Hanley moved that the Board direct staff to:

- Concurrently process the property which is the subject of Proffered Condition Amendment Application PCA C-634-6; and

- Accept and review a site plan submission pertaining to this property.

Supervisor Hanley stated, for the record, that the applicant understands that this action does not guarantee the approval of the Plan Amendment or Proffered Condition Amendment Application. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

**44.REQUEST FOR WAIVER OF FEES FOR THE SPECIAL
EXCEPTION APPLICATION TO BE FILED BY THE
CITY OF FALLS CHURCH FOR THE CONSTRUCTION
OF ADDITIONAL WATER TANKS (Tape 5)**

Supervisor Hanley stated that the City of Falls Church is in the process of filing the land use application required for the construction of its additional water tanks.

Accordingly, Supervisor Hanley moved that the Board direct staff to:

- Waive the filing fees for the Special Exception Application to be filed on behalf of the City of Falls Church for the water tanks; and
- Ensure that the road improvements outlined in the Master Plan (for the continuation of the loop) are considered during the review of the application.

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

**45.REQUEST FOR EXPEDITIOUS PROCESSING AND WAIVER
OF FEES FOR THE SPECIAL EXCEPTION APPLICATION
FOR RALPH THOMPSON, ET.AL., ALSO KNOWN AS LEE-
HIGH AUTO BODY (Tape 5)**

Supervisor Hanley stated that later in the meeting, a public hearing and subsequent action will be taken on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to provide the Board of Supervisors with the flexibility to consider minor alterations to nonconformities impacted by public acquisitions, which acquisitions could otherwise result in the discontinuation of the

use. She stated that, if approved, a Special Exception Application will be filed by Ralph Thompson, Et. Al., also known as Lee-High Auto Body.

Accordingly, Supervisor Hanley moved that the Board:

- Direct the Office of Comprehensive Planning (OCP) staff to schedule expedited public hearings before the Planning Commission and before the Board of Supervisors to ensure that action is taken before the widening of Route 29 is completed;
- Direct the Department of Environmental Management (DEM) staff to process the site plan for the proposed improvements concurrently with the Special Exception process; and
- Direct staff to waive the preliminary site plan review fees for this application.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being absent.

46.DEVELOPMENT OF AN ANNUAL HUMAN NEEDS SURVEY

(Tape 5)

Prior to leaving the Board Auditorium to attend to business in the conference area, Chairman Davis relinquished the Chair to Acting-Chairman Alexander.

Supervisor Hanley stated that during the budget process, the Human Services Council recommended that the County conduct an annual human needs survey that would: 1) include the elements of both County agencies and private non-profit providers; 2) adopt a standardized and improved methodology that would be a uniformed instrument; and 3) reflect data through December 31st of the current fiscal year and would be published before February 1st of the current fiscal year.

Accordingly, Supervisor Hanley moved that the Board direct Verdina L. Haywood, Deputy County Executive for Human Services, in conjunction with the Office of Research and Statistics (ORS), to move forward in developing such a process and instrument. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Chairman Davis being out of the room, Supervisor McConnell being absent.

47.OFFICE FOR CHILDREN TO RESEARCH WAYS TO MAINTAIN FULL ENROLLMENT AT THE CHILD CARE CENTERS THAT

HAVE PARTICIPANTS IN THE SUBSIDY PROGRAM (Tape 5)

Supervisor Hanley stated that during the budget process, representatives from the community-based non-profit child care centers, who are primarily serving the subsidy program children such as ACCA and the Seven Corners, Falls Church and McLean Centers, called to the Board's attention the fact that those centers have vacancies and are operating very close to the edge. She stated that the County restored some of the funds to the program; however, not all that was necessary to solve that problem.

Because there may be additional ways to address this issue, Supervisor Hanley moved that the Board direct the Office for Children (OFC) to find a way to maintain full enrollment or adequate planning numbers at the community-based non-profit centers that have had almost 100 percent of their participants in the child care subsidy program. This motion was seconded by Supervisor Bulova.

In response to a query by Supervisor Dix, Supervisor Hanley amended her motion that staff include in its review those private providers who also have 100 percent participants in the subsidy program, and this was accepted.

Supervisor Hanley further amended her motion to include that the Board direct staff to:

- Report on what services are being provided at these centers; and
- Develop criteria for addressing this issue.

This was accepted.

The question was called on the motion, and as amended, carried by a vote of eight, Chairman Davis being out of the room, Supervisor McConnell being absent.

48.ADDITIONAL INFORMATION REQUESTED ON WHETHER NON-RESIDENTS MUST PURCHASE COUNTY DECALS FOR VEHICLES**GARAGED IN FAIRFAX COUNTY (Tape 5)**

Supervisor Hanley stated that now that the Fairfax County Police Department has obtained agreements with several condominium properties which permits police officers on the properties to check automobiles for County decals, an administrative problem has developed.

Supervisor Hanley stated that several condominium owners only live in Fairfax County a few months out of the year and are legally residents in another area. These individuals keep their vehicles in the parking spaces of the condominium lots while they are away. Appropriately, the police officers keep ticketing these vehicles because they have identifying condominium decals displayed, however are not cars of residence. After being repeatedly ticketed, the residents are now refusing to purchase and display the condominium decals.

Supervisor Hanley asked unanimous consent that the Board direct staff to work with the Police Department to resolve this issue.

Supervisor Berger called the Board's attention to the fact that the ordinance states that a decal must be purchased if a vehicle is garaged in Fairfax County.

Supervisor Hanley amended her request that the Board direct staff to research the requirement and work with the Police Department to resolve these conflicts, and this was accepted.

Without objection, the amended request was so ordered.

49.REQUEST FOR STATUS OF ACTION ON THE ESTABLISHMENT OF A FAIR CAMPAIGN PRACTICES COMMISSION (Tape 5)

Supervisor Hanley stated that at the Board of Supervisors's meeting held on March 22, 1993, action was taken to direct staff to report with a Consideration Item for authorization to advertise a public hearing on a proposed ordinance that would allow the establishment of a Fair Campaign Practices Commission. She asked unanimous consent that the Board direct staff to report with this Consideration Item at the meeting scheduled for May 10, 1993. Without objection, it was so ordered.

50.REQUEST FOR WAIVER OF FEES FOR THE SPECIAL EXCEPTION AND SPECIAL PERMIT AMENDMENT APPLICATIONS FOR THE DAR AL-HIJRAH MOSQUE

LOCATED IN BAILEY'S CROSSROADS (Tape 5)

Supervisor Trapnell stated that the Dar Al-Hijrah Mosque, located in Bailey's Crossroads, will be submitting a number of applications in an attempt to solve its overflow parking problems. A Special Exception Application will be submitted for

coordinated parking on a 1.1 acre parcel located less than one-half block away from the Mosque. If approved, this space will provide 101 parking spaces. Additionally, a Special Permit Amendment Application will be submitted to the Board of Zoning Appeals (BZA) to add an additional 66 parking spaces at its current parking lot.

In order for these applications to proceed without delay, Supervisor Trapnell moved that the Board direct staff to waive:

- The filing fees for the Special Exception and Special Permit Amendment Applications; and
- The upfront fee for the filing of the coordinated shared parking agreement.

This motion was seconded by Supervisor Bulova.

Following discussion, the question was called on the motion which carried by a vote of eight, Chairman Davis being out of the room, Supervisor McConnell being absent.

**51.REQUEST FOR EXPEDITIOUS AND SIMULTANEOUS
PROCESSING OF THE SITE PLAN WAIVER AND SPECIAL
EXCEPTION APPLICATION FOR THE MIGHTY BRITE CAR
WASH (Tape 5)**

Supervisor Trapnell stated that the Mighty Brite Car Wash will be submitting a site plan waiver application for the property located at 5715 Leesburg Pike, Falls Church, where a full service car wash is planned. In order to locate at this site, the applicant will need to submit a Special Exception Application.

To ensure that this project proceeds on schedule and, due to the relative simplicity of this care, Supervisor Trapnell moved that the Board direct staff to expedite the review process for both the site plan waiver and the Special Exception Application, as well as simultaneously process the two applications. This motion was seconded by Supervisor Berger and carried by a vote of eight, Chairman Davis being out of the room, Supervisor McConnell being absent.

**52.BOARD SUPPORT FOR RESOLUTION REQUESTING THE
VIRGINIA LEGISLATURE TO EXEMPT THE CHRISTIAN**

LEGAL SOCIETY FROM REAL AND PERSONAL PROPERTY**TAXES (Tape 5)**

Supervisor Trapnell stated that the Christian Legal Society (CLS), located in Mason District, has asked the Board to sponsor a resolution to request the Virginia Legislature to amend Section 58.1-3650 of the Code of Virginia by adding CLS to the list of organizations specifically exempted from real and personal property taxes.

Supervisor Trapnell noted that CLS is a not-for-profit religious and charitable organization incorporated in Illinois in 1961 and is currently exempt from federal income taxation under Section 501 (c) (3) of the Internal Revenue Code. CLS is a broad-based membership organization serving members in all 50 states and was originally headquartered in Illinois, but moved their corporate headquarters to Annandale in 1985.

Supervisor Trapnell stated that in most areas of the country, a not-for-profit, Section 501 (c) (3), would be automatically exempt from real and personal property taxation. CLS applied for an exemption under Section 58.1-3617 of the Code of Virginia as a non-profit religious "association." The State Attorney General determined that incorporated entities, like CLS, are not "associations" for purposes of this section and the application was denied.

Supervisor Trapnell stated that if the Board is to sponsor a resolution to provide a tax exemption to CLS, it would not only encourage the charitable activities of CLS, but would send a message to other not-for-profit organizations that Fairfax County wants their business and understands their needs. She distributed to Board Members copies of an informational sheet which summarizes the activities of CLS, as well as copies of their 1992 tax receipts.

Accordingly, Supervisor Trapnell moved that the Board sponsor a resolution requesting the Virginia Legislature to exempt the CLS from real and personal property taxes.

Supervisor Dix asked that the motion be amended to refer this request to the Board's Legislative Subcommittee for its recommendation, and this was accepted.

The motion, as amended, was seconded by Supervisor Hanley and carried by a vote of eight, Chairman Davis being out of the room, Supervisor McConnell being absent.

53.REQUEST FOR ADDITION TO EXECUTIVE SESSION AGENDA

**TO DISCUSS THE ISSUE OF MR. JOHN MAZUR AND THE
FAIRFAX COUNTY ZONING ENFORCEMENT BRANCH OF THE
OFFICE OF COMPREHENSIVE PLANNING (OCP) (Tape 5)**

Supervisor Hyland moved that the Board add to its agenda for discussion in Executive Session the issue of Mr. John Mazur, who owns a furniture store in Springfield. The issue, involving a "crackdown" on zoning laws by the Fairfax County Zoning Enforcement Branch of the Office of Comprehensive Planning (OCP), had been reported in the Sunday issue of The Washington Post. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix and Chairman Davis being out of the room, Supervisor McConnell being absent.

**54. PROCLAMATION DESIGNATING "EARTH CARING MONTHS"
(Tape 5)**

Supervisor Hyland announced that Earth Day continues to play an integral part in Fairfax County's environmental volunteerism strategies in healing the earth. On Earth Day 1990, the Board adopted the Difficult Run as the County's Adopt-A-Stream project. Since that time, hundreds of residents in the 58-mile watershed have participated and volunteers are out there every week removing litter, reviewing the water quality monitors, planting trees, and educating others on the importance of clean water.

On Earth Day 1991, the Lee and Mount Vernon Magisterial Districts worked together to perform its first annual Route One Clean Up, and since that time, every Fairfax County jurisdiction, in coordination with Clean Fairfax, Incorporated, has also developed its own litter clean up program.

On Earth Day 1992, the Board agreed to sponsor its first Countywide Ecoloday, an educational environmental festival, produced by Faxfair, in coordination with the Northern Virginia Soils and Water Conservation District, various County departments, and hundreds of volunteers. This event is scheduled for October 2, 1993 at the Government Center.

Supervisor Hyland stated that in April 1993, Fairfax County's Department of Extension and Continuing Education (DECE), in coordination with other Northern Virginia DECE agencies, held a very successful regional EcoFest at the American Horticultural Society Farm, located along the Potomac River in Mount Vernon. The

event attracted individuals, not only from Northern Virginia, but from Maryland and the District of Columbia as well. The event focused on nonpoint source pollutions.

Unfortunately, Supervisor Hyland stated that one of the largest underground pipeline breaks in the United States also occurred in Fairfax County this year. He pointed out that if Fairfax County's volunteers had not been willing to come immediately to assist staff in the rescue operations of that massive spill, the environmental damage would have been far more catastrophic.

Therefore, in the honor of those volunteers and staff from every agency involved in that clean up, as well as the efforts of volunteers and staff throughout the County who continue to commit to healing the earth and to educating others, Supervisor Hyland moved that the Board:

- Proclaim the months of April and May, 1993 as "**EARTH CARING MONTHS**" in Fairfax County; and
- Direct the Office of Public Affairs to provide a press release and proclamation for the Chairman's signature.

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

**55.ARTICLE IN THE FAIRFAX COUNTY PUBLIC SCHOOLS'
NEWSLETTER "FAMILYGRAM" ENTITLED, "AN OPEN LETTER
TO STUDENTS FROM A FRUSTRATED SCHOOL BOARD MEMBER"**

(Tape 5)

Upon his return to the Board Auditorium, Acting-Chairman Alexander returned the gavel to Chairman Davis.

Supervisor Hyland distributed to Board Members copies of an article that appeared in the Fairfax County Public Schools' Newsletter FAMILYGRAM entitled, "An Open Letter to Students from a Frustrated School Board Member."

Supervisor Hyland stated that he had read the article with great interest and admiration for the clarity with which the article had been written. He stated that he felt he needed to share the power of what had been written by Kris Amundson, Mount

Vernon District's Representative to the School Board, as well as the sensitivity that she had shown in the article.

PMH:pmh

**56.AUTHORIZATION FOR STAFF TO PRESENT TESTIMONY AT
STATE WATER CONTROL BOARD (SWCB) MEETING
REGARDING ABOVE GROUND STORAGE TANKS (AST)**

REGULATIONS (Tape 6)

Supervisor Hanley stated that the State Water Control Board (SWCB) was meeting today and Captain Michael Neuhard, Fire and Rescue Department, is representing the Board of Supervisors at the meeting in Richmond.

Therefore, Supervisor Hanley moved that the Board authorize Captain Neuhard to reiterate the County position on the Above Ground Storage Tank (AST) Regulations at the public meeting this afternoon. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

(NOTE: Later in the meeting, there was additional discussion regarding this issue. See Clerk's Summary Item CL#104.)

57.JAMES ROBINSON, JR. SECONDARY SCHOOL BAND WINS

SUDLER FLAG OF HONOR AWARD (Tape 6)

Supervisor Bulova stated that she had received a letter from the John Philip Sousa Foundation, advising the Board that the very outstanding James Robinson, Jr. Secondary School Band has been awarded the Sudler Flag of Honor for outstanding musical excellence by the John Philip Sousa Foundation. She said that only one high school concert band was awarded this international honor this year and only 29 bands in the United States and Canada have received this award in the 10 years that the Sudler Flag Award Program has been in operation.

Supervisor Bulova said that there will be a presentation ceremony to be held during a concert to be performed by the Robinson Band on May 18, 1993 at the Russell Theater in Robinson Secondary School. She added that a distinguished member of the Board of Directors of the John Philip Sousa Foundation and Chair of the Sudler Flag Selection Committee will make the presentation.

Therefore, Supervisor Bulova moved that the Board direct staff to prepare a Proclamation for the Chairman's signature to be presented at the Presentation Ceremony. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

58.INSTALLATION OF TEMPORARY TRAILERS ON THE PARKWOOD BAPTIST CHURCH SITE (Tape 6)

Supervisor Bulova stated that the Parkwood Baptist Church, located on Braddock Road, amended its Special Permit Application to add two temporary trailers for an expansion of its Sunday School program. If there is not enough interest in the program, the trailers will be removed in a few years; however, if there is a need to expand the program, the church will request an amendment to allow a building addition to the site.

Because of the temporary nature of this minor use, Supervisor Bulova moved that the Board take the following actions regarding the installation of temporary trailers on the Parkwood Baptist Church site:

- Direct the County Executive to defer the dedication of additional right-of-way (ROW) for widening Braddock Road as indicated on the Comprehensive Plan until such time as the ROW is requested by Fairfax County or the Virginia Department of Transportation (VDOT);
- Direct the County Executive to defer the construction of the road widening indicated on the Comprehensive Plan along the site's frontage on Braddock Road, street light installation, and the construction of a pedestrian trail adjacent to Braddock Road until such time as the subject site redevelops; and
- Direct the staff of the Department of Environmental Management (DEM) to pay all fees related to the site plan waiver and exception review associated with the installation of temporary trailers on the Parkwood Baptist Church site.

This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

59.EXPANSION OF SCHOOL AGE CHILD CARE (SACC) PROGRAM TO THE GREEN ACRES ELEMENTARY SCHOOL (Tape 6)

Supervisor Bulova stated that she has received correspondence from the City of Fairfax indicating that it is considering expansion of the School Age Child Care (SACC) Program to the Green Acres Elementary School. Supervisor Bulova moved that the Board direct staff to review this matter as expeditiously as possible. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

60.COMBAT AUTO THEFT PROGRAM - INFORMATION (Tape 6)

Supervisor Berger distributed to Board Members an article that appeared in the Fairfax Journal last week regarding automobile theft. He said that the County Executive and the Police Department are currently looking into this program for possible implementation in Fairfax County.

Therefore, Supervisor Berger asked unanimous consent that the Board direct staff to report its findings as expeditiously as possible. Without objection, it was so ordered.

61.DEED OF VACATION AND RELEASE REGARDING

1010 MILL RIDGE COURT (Tape 6)

Supervisor Berger said that in 1988 an ingress/egress was created by a Deed of Subdivision and recorded in Deed Book 6972 at page 1890, on a parcel known as 1010 Mill Ridge Court (Route 7482). He explained that the easement was created at the suggestion of the Virginia Department of Transportation (VDOT) with the thought that Mill Ridge would eventually connect to Woburn Court (Route 5002) and be a through road to Old Dominion.

Supervisor Berger stated that such a through road is not desirable; the additional easements that would be necessary to create such a through road do not exist and would be prohibitively expensive to obtain and there is no public policy served by the continuation of this ingress/egress easement. He added that staff has reviewed this matter and has no problem with this vacation.

Therefore, Supervisor Berger moved that the Board direct staff to sign an appropriate Deed of Vacation and Release and take whatever steps necessary to vacate and release fully this ingress/egress easement. This motion was seconded by Supervisor Hyland.

Following discussion, with input from David P. Bobzien, County Attorney and Karen J. Harwood, Assistant County Attorney, Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff

to report with an Administrative Item regarding this issue. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

62.DISPLAY OF FAIRFAX COUNTY FLAG (Tape 6)

Supervisor Berger said that approximately one year ago he requested the honor guard to display the Fairfax County flag and he again moved that the Board direct the honor guard to display the County flag. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being absent.

63.WAIVER OF FEES ASSOCIATED WITH THE INSTALLATION

OF A SIGN AT THE GARFIELD ELEMENTARY SCHOOL

(Tape 6)

As a result of many fund raising events, Supervisor Alexander said that an activities sign was purchased by the Parent Teacher Association (PTA) for the Garfield Elementary School.

Supervisor Alexander said that the PTA is ready to install the sign on Spring Road, however, they do not have the \$56 needed for the building permit. He said that it is in the County's best interest to waive the Department of Environmental Management (DEM) fees associated with installing this sign.

Therefore, Supervisor Alexander moved that the fees associated with installing the activities sign for the Garfield Elementary School be waived. He said that the applicant understands that this neither provides him with a vested right in the plan approval nor relieves him from the responsibility of any plan modifications as a result of Board review. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

64.REVITALIZATION CRITERIA (Tape 6)

Supervisor Alexander stated that he was under the impression that the Annandale area requested a deferral of Board consideration of the Revitalization Criteria and he asked Supervisor Trapnell to determine if the Annandale area is ready to proceed with the criteria.

65 .STORM DRAINAGE IMPROVEMENT PROJECT

(SUMMERWOOD/DAVISWOOD DRIVE) (Tape 6)

(NOTE: Earlier in the meeting, during the adoption of the budget, Supervisor Alexander, Supervisor Hanley, and Supervisor Hyland stated, for the record, their opposition of the funding for the Daviswood Storm Drainage Project on Page 11 in the Fiscal Year (FY) 1994 Budget Plan. See Clerk's Summary Item CL#8.)

At the Board of Supervisors Meeting held on April 19, 1993, the Board approved \$50,000 to construct the Summerwood/Daviswood Drive Storm Drainage Improvement Project. Supervisor Alexander briefly outlined the project to indicate the following:

- Sodded drainage ditch and underground storm sewers along Daviswood Drive;
- Homeowners on Daviswood Drive are experiencing problems with water ponding in their back yards;
- Water collecting in the easement area behind the homes;
- The homeowner at 1309 Daviswood Drive has installed a four-inch PVC pipe in an attempt to alleviate these standing water problems;
- Storm drainage problem area (Cottonwood Drive/Telegraph Road);
- A fence was constructed at the edge of the storm drainage easement behind 6601 Cottonwood Drive. Massive erosion of the drainage channel is causing slope failure and threatening adjacent properties;
- Erosion has reached the fence line of 6603 Cottonwood Drive;
- Severe slope erosion is also threatening homes on Rose Hill Drive;
- A 1989 Department of Public Works (DPW) memorandum states: "...the headwall at the outfall of the 18-inch RCP was undermined, with the outfall area deeply scoured by constant erosion...";
- In 1992, DPW indicated: "...significant erosion was occurring in 1989. Additional erosion, silt deposits, and loss of vegetation have occurred over the past three years and can be expected in the future until these channel banks are adequately stabilized." DPW also observed an existing 30-inch water main which was exposed in the stream channel;

- Confluence of the Cottonwood Drive drainage channel and the steep roadside drainage ditch along Telegraph Road. Slopes are substantially eroded, there are downed trees, and heavy siltation;
- The Greendale Golf Course incurs substantial annual maintenance costs due to this problem. Silt fills the irrigation ponds, requiring annual dredging. If the irrigation ponds become too choked with silt, DPW warned "...the heavily silt laden water can potentially be discharged into Dogue Creek and Huntley Meadows Park"; and
- No money is committed to correcting Cottonwood Drive drainage problems; but \$50,000 could:
 - *Fund design;
 - *Engineering of full project;
 - *Provide some emergency improvements; and
 - *Help offset continued maintenance costs.

**66.DEFERRAL OF THE PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101
(SUBDIVISION PROVISIONS) REGARDING SUBDIVISION
OF LOTS ON PRIVATE STREETS (Tape 6)**

Supervisor Frey moved to defer the public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Provisions), regarding the subdivision of lots on private streets until **June 28, 1993 at 4:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger being out of the room, Supervisor McConnell being absent.

67.CHRIST PRESBYTERIAN CHURCH - PARKING (Tape 6)

Supervisor Frey moved that the Board direct the Department of Environmental Management (DEM) to post the fee for review of the parking study required for the Christ Presbyterian Church project until completion of that review, and thereafter bill the Christ Presbyterian Church for the cost of the review. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger being out of the room, Supervisor McConnell being absent.

68.25TH ANNIVERSARY OF THE GREENBRIAR CIVIC**ASSOCIATION (Tape 6)**

Supervisor Frey stated that the Greenbriar Civic Association in Chantilly is celebrating its silver anniversary this year. He added that 25 years ago Greenbriar was considered a development of pioneers living on the edge of Fairfax County. Now Greenbriar is the heart of the Sully District and is surrounded by hundreds of new neighborhoods.

Supervisor Frey said that many know Greenbriar by its outstanding 4th of July celebration, but it is the people of Greenbriar that make it so special. Their commitment to the community is second to none in Fairfax County. For these reasons and many others, Supervisor Frey requested the Board to join him in congratulating Greenbriar and wishing them every success for the next 25 years.

69.ARCHAEOLOGICAL SITES ACROSS PINEY BRANCH ROAD**FROM THE WEST OX ROAD PRICE CLUB (Tape 6)**

Supervisor Frey announced that Heritage Resources' archaeologists have discovered three ancient archaeological sites across Piney Branch Road from the West Ox Road Price Club. One of these sites is 7,000 to 10,000 years old and another has been dated to 7,000 to 8,000 years ago.

Supervisor Frey commended the staff for their discovery.

70.NOISE WALLS ON I-66 FOR CABELLS MILL COMMUNITY**(Tape 6)**

Supervisor Frey stated that the Board recently endorsed Virginia Department of Transportation (VDOT) design plans to improve Interstate I-66 between Route 50 and Route 234. With that endorsement came four caveats. One of these was the issue of noise walls for the Cabells Mill community. He added that the Commonwealth Transportation Board (CTB) recently approved noise walls at this location if Fairfax County funded over \$400,000 in noise wall construction.

Supervisor Frey stated that given that figure, as well as an evaluation of the situation by the homeowners in Cabells Mill, it is appropriate for VDOT officials to reevaluate their study.

Therefore, Supervisor Frey moved that the Board:

- Direct staff to review the decision of the CTB and report with potential ramifications;
- Request VDOT to reevaluate their study; and
- Request VDOT to consult and incorporate members of the Cabells Mill community in the new study.

This motion was seconded by Supervisor Alexander with the following amendment that the Board include in its request to the VDOT the area along I-95 and I-495 where a sound wall stops and VDOT has removed all foliage in making improvements and has refused to construct a sound wall, and this was accepted.

Supervisor Bulova noted that if it is not possible or appropriate to install noise walls, perhaps some kind of fencing or sound attenuation could be included in the project.

The question was called on the motion, and as amended, carried by a vote of nine, Supervisor McConnell being absent.

71.SCHEDULING OF MEETING WITH PRINCE WILLIAM COUNTY

BOARD OF SUPERVISORS (Tape 6)

Supervisor Frey stated that the Board had previously requested a meeting with the Prince William County Board of Supervisors which has been difficult to schedule.

Supervisor Frey said that he has discussed it with the County Executive and it has been determined that a meeting could be scheduled on Monday, May 10, 1993 at approximately 5:00 p.m. Therefore, Supervisor Frey asked unanimous consent that Board Members check the calendars to determine if a meeting could be scheduled. Without objection, it was so ordered.

AR:ar

72.INTENT TO DEFER PUBLIC HEARING ON REZONING

APPLICATION RZ 92-V-024 (Tape 7)

Supervisor Hyland announced his intent to defer, at the proper time later today, the public hearing on Rezoning Application RZ 92-V-024 until **May 17, 1993 at 5:00 p.m.**

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#80.)

73. WOODROW WILSON BRIDGE COMMITTEE

(Tape 7)

Supervisor Hyland called the Board's attention to the Woodrow Wilson Bridge Committee, on which he has been asked to serve, and stated that he has requested the designation of a representative from Fairfax County, presumably from the Office of Transportation, to serve on this group's Traffic Committee.

Secondly, Supervisor Hyland stated that he has asked that the Traffic Committee expand the scope of its study to include Fairfax County, particularly the Route One area which would be affected by any change to the Woodrow Wilson Bridge.

74. BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION PROVISIONS), CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL), CHAPTER 112 (ZONING ORDINANCE), AND TO THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL (PFM) REGARDING THE CHESAPEAKE BAY AND EROSION AND SEDIMENT CONTROL REGULATIONS (PHASE II)

(Tape 7)

(O)(NOTE: The public hearing was held on March 22, 1993 and Board Decision deferred until April 12, 1993 and again until April 26, 1993.)

Chairman Davis noted that all Board Members are in receipt of a letter from the Fairfax County Chamber of Commerce expressing its serious concerns regarding the uncertainty of the exception process to be used for projects in progress at the time the ordinance is scheduled to take effect on July 1, 1993, and respectfully requesting that the decision of the Board be deferred until each Member of the Board and the public has had an opportunity to review the staff-developed list of currently active plans.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Hanley moved that the Board defer its decision on the proposed amendments regarding the Chesapeake Bay Preservation Ordinance in response to the Chamber of Commerce request. This motion was seconded by Supervisor Bulova and **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Supervisor Trapnell voting "**AYE**," Supervisor McConnell being absent.

Following further discussion, with input from Karen J. Harwood, Assistant County Attorney, Supervisor Dix moved that the Board adopt the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Provisions), Chapter 104 (Erosion and Sedimentation Control), Chapter 112 (Zoning Ordinance), and the Public Facilities Manual (PFM) as set forth in the document dated April 19, 1993, Attachment I to the April 26, 1993, 11:30 a.m. Board Package Item, and specifically that Option One on Page 28 be adopted. This motion was seconded by Supervisor Berger.

Supervisor Hyland moved to amend the motion to include Option One as shown on Page 28, as well as that shown on Pages 30, 33 and 35, and Option Two as shown on Page 27 of Attachment I. After discussion, Supervisor Hyland **WITHDREW** his motion in order to allow Supervisor Dix to proceed with amendments to his motion.

(NOTE: Later in the meeting, following a brief recess, discussion continued on the proposed amendments regarding the Chesapeake Bay Ordinance. See Clerk's Summary Item CL#76.)

75.BOARD RECESS (Tape 7)

At 12:20 p.m., the Board recessed briefly in order to provide additional time for distribution of Supervisor Dix's proposed motions, and reconvened in the Board Auditorium at 12:40 p.m., with all Board Members being present, with the exception of Supervisor McConnell, and with Chairman Davis presiding.

76.CONTINUATION OF THE BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION PROVISIONS), CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL), CHAPTER 112 (ZONING ORDINANCE), AND TO THE FAIRFAX COUNTY

**PUBLIC FACILITIES MANUAL (PFM) REGARDING THE
CHESAPEAKE BAY AND EROSION AND SEDIMENT CONTROL
REGULATIONS (PHASE II) (Tapes 7-8)**

(NOTE: Earlier in the meeting, there was additional action regarding this matter. See Clerk's Summary Item CL#74.)

Concerning the 80 percent coverage requirement which is set forth in Section 6-0402(1) of the PFM, Supervisor Dix moved that the Board delete this Section and renumber those paragraphs that follow. This motion was seconded by Supervisor Berger.

Following discussion, Supervisor Dix **WITHDREW** this motion.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and moved that the Board approve Option One (Staff Recommendation), on Page 27 of Attachment I, to replace Section 6-0402(1) of the PFM. This motion was jointly seconded by Supervisor Alexander and Supervisor Frey and **CARRIED** by a recorded vote of eight, Supervisor Hyland voting "NAY," Supervisor McConnell being absent.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

Concerning the Best Management Practices (BMP) credit for open space, as set forth in Section 6-0402-3(5) of the PFM, Supervisor Dix moved to amend the motion by deleting the entire paragraph (5), and replacing it with the language as shown in Option Three, Page 31, Attachment I. This motion was seconded by Supervisor Berger.

Supervisor Hyland moved a substitute motion that the Board approve Option One (Staff Recommendation) for Section 6-0402-3(5) of the PFM, as shown on Page 30, Attachment I. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of five, Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Chairman Davis voting "NAY," Supervisor McConnell being absent.

Following additional discussion, the question was then called on the main motion (Supervisor Dix's), as amended, which **CARRIED** by a recorded vote of eight, Supervisor Hyland voting "NAY," Supervisor McConnell being absent. As a point of clarification, it was stated that the main motion, as amended, also included the selection by the Board of Option One (Staff Recommendation) for all other sections of the PFM which presented an option in Attachment I, Section 6-0402(1) and (2), as

shown on Pages 27 and 28; Section 6-0402(8)(g), as shown on Page 33; and Section 6-1703(3), as shown on Page 35.

Supervisor Dix moved that the language in Section 6-0301(4) of the PFM be changed by replacing the word "preferred" in the first line to read, "Regional wet ponds are permitted types of stormwater management facilities...", and that the new language be submitted to staff for its review and consideration for public hearing advertisement. This motion was seconded by Supervisor Berger.

After further discussion, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being absent.

Concerning exception applications pursuant to Chapter 118 (Chesapeake Bay Preservation Ordinance), Section 118-6-9, and the staff proposals for application in Paragraph C(2) found on Page 2 of the Staff Report for Phase II, Supervisor Dix moved that staff be directed to process exception applications under Section 118-6-9 so as to carry out the intent of the Board at the time of the adoption of the exception provisions, using the following as guidelines:

- If construction on a project has legally commenced prior to the effective date, an exception hereby exists and no further action is required;
- For structures for which building permits have been approved, but construction has not commenced, the exception shall be granted without additional requirements imposed if no RPA exists on the lot or no RPA is proposed to be disturbed. It shall be granted upon presentation of evidence of the building permit in addition to an engineering certification that no RPA exists on the lot or is to be disturbed. If an RPA exists on the lot and is being disturbed, then processing time shall be no more than seven (7) days;
- For the following plans and plats that are approved prior to the effective date in the instances where no RPA exists on the lot or the site, or no RPA is proposed for disturbance, the exception shall be granted within seven (7) days of filing without additional requirements: site plan waivers and exceptions, final subdivision plats, construction plans, grading plans, and conservation plans; and
- For grading plans, conservation plans and building permits filed pursuant to a plat approved prior to the effective date where no RPA exists on the property or where no RPA is proposed to be disturbed, the exception shall be granted without additional requirements as a part of the approval for the plan and/or permit.

This motion was seconded by Supervisor Berger.

Following extensive discussion, with input from Mr. Griffin, Irving Birmingham, Director, Department of Environmental Management, and Ms. Harwood, Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked to amend the motion to add the words, "...subject to the due diligence requirements set forth in Section 118-6-9(a)(8)," to the end of Bullet Number Four above, and this was accepted.

Supervisor Frey emphasized that this motion is intended to provide guidance to staff in processing exception applications, recognizing that the ordinance provisions will control.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

Supervisor Hanley asked that the motion be amended to add the words, "...off-site" to Bullets Number Two, Three, and Four so that they read, "...where no RPA exists on the lot or the site, or no off-site RPA is proposed to be disturbed....," and this was accepted.

The question was then called on the motion, as amended, which **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "NAY," Supervisor McConnell being absent.

ADDITIONAL BOARD MATTER

77.ADOPTION OF RESOLUTION HONORING THE

40TH BIRTHDAY OF HUNTER MILL DISTRICT

SUPERVISOR ROBERT B. DIX, JR. (Tape 8)

(Verbatim)

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and moved that the Board adopt a Resolution honoring the celebration of the 40th Birthday of Hunter Mill District Supervisor Robert B. Dix, Jr., on April 22, 1993. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Dix abstaining, Supervisor McConnell being absent.

In addition, Supervisor Davis asked unanimous consent that the Board direct staff to prepare a verbatim transcript of these proceedings for presentation to Supervisor Dix. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

78.RECESS/EXECUTIVE SESSION (Tape 8)

At 1:30 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in Virginia Code § 2.1-344 and stated in the Agenda for this meeting. In addition, the following specific legal matters requiring the provisions of legal advice by counsel will be discussed:

- Distribution of the Washington Blade by the Fairfax County Public Libraries;
- Fairfax County Economic Development Authority (EDA) and Board of Supervisors of Fairfax County, Virginia, Versus Taxpayers, Property Owners, and Citizens of Fairfax County, Virginia, At Law Number 121909;
- Thomas Versus County of Fairfax; Ivans Versus County of Fairfax and Belk Versus County of Fairfax;
- Mazur and Meyer, Incorporated, trading as The Furniture Store, Versus the Board of Zoning Appeals (BZA) In Chancery Number 128213; Gwinn Versus Watano Rosewood Furniture In Chancery Number 129818; Gwinn Versus Lawn and Leisure Limited In Chancery Number 129819; Gwinn Versus Mazur and Inure, Incorporated, Trading as The Furniture Store In Chancery 129817; and legal issues concerning Zoning Ordinance Sections 5-505 and 5-605; and
- Board of Supervisors Versus Ripple, Et. Al., At Law Number 92-212.

This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor McConnell being absent.

At 4:15 p.m., the Board reconvened in the Board Auditorium with all Board Members present, with the exception of Supervisor McConnell, and with Chairman Davis presiding.

79.ACTIONS FROM EXECUTIVE SESSION (Tape 9)

A.CERTIFICATION BY BOARD MEMBERS

REGARDING ITEMS DISCUSSED IN

EXECUTIVE SESSION

Supervisor Bulova 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 Hyland and carried by a vote of nine, Supervisor McConnell being absent.

SBE:sbe

80.3:30 P.M. - PUBLIC HEARING ON REZONING APPLICATION

RZ 92-V-024 (HOUCANG M. SENDI, ELOISE M. SENDI, AND

DAVID SENDI) (MOUNT VERNON DISTRICT) (Tape 10)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 92-V-024 until **May 17, 1993 at 5:00 p.m.** at the request of the applicant. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being absent.

81.3:30 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENT

TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112

(ZONING ORDINANCE) REGARDING MINOR MODIFICATIONS

TO A NONCONFORMITY (Tape 10)

(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 on April 8 and April 15, 1993.

Following the public hearing, Supervisor Hanley moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to provide the Board of Supervisors with the flexibility to consider minor alterations to nonconformities impacted by public acquisitions, which acquisitions could otherwise result in the discontinuation of the use, **with an effective date of 12:01 a.m., April 27, 1993**. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being absent.

82.3:30 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENT

**TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING ORDINANCE) REGARDING SIGN REGULATIONS FOR
CERTAIN COMMERCIAL AND INDUSTRIAL USES (Tape 10)**

(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 on April 8 and April 15, 1993.

Following the public hearing, Supervisor Alexander moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise the sign area regulations for certain building-mounted signs in commercial and industrial districts and to provide for a new Category 6 special exception use that will allow for the modification or waiver of the sign regulations. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor McConnell being absent.

**83.3:30 P.M. - PUBLIC HEARING ON OUT-OF-TURN PLAN
AMENDMENT S93-II-F1 FOR THE AREA LOCATED IN THE
SOUTHEAST QUADRANT OF THE INTERSECTION OF ROUTE 123
AND WHITE GRANITE DRIVE (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 on April 8 and April 15, 1993.

Supervisor Hanley moved to defer the public hearing on Out-of-Turn Plan Amendment S93-II-F1 for the area located in the southeast quadrant of the intersection of Route 123 and White Granite Drive until **May 17, 1993 at 3:30 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being absent.

**84.3:30 P.M. - PUBLIC HEARING ON SPECIAL EXCEPTION
APPLICATION SE 93-L-011 [FAIRFAX COUNTY WATER**

AUTHORITY (FCWA)] (LEE DISTRICT) (Tape 10)

Mr. Marty Sultan reaffirmed the validity of the affidavit for the record.

Mr. Sultan 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.

Chairman Davis noted that Hunton and Williams, which has represented the Fairfax County Water Authority (FCWA), has also represented the Planning Research Corporation (PRC) of which Chairman Davis is employed. He stated, for the record, that he has had no business or financial relationship with Hunton and Williams personally or through PRC.

Following the public hearing, which included testimony by one speaker, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Alexander moved approval of Special Exception Application SE 93-L-011 subject to the development conditions dated April 15, 1993. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Hyland and Chairman Davis voting "NAY," Supervisor Frey being out of the room, Supervisor McConnell being absent.

85.4:00 P.M. - PUBLIC HEARING ON SPECIAL EXCEPTION**APPLICATION SE 92-P-033 (CHRISTIAN ASSEMBLY CHURCH)****(PROVIDENCE DISTRICT) (Tape 10)**

Supervisor Hanley moved to defer the public hearing on Special Exception Application SE 92-P-033 until May 17, 1993 at 3:30 p.m. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being absent.

(NOTE: This application was subsequently rescheduled for public hearing before the Board of Supervisors on **June 28, 1993 at 4:00 p.m.**)

86.4:00 P.M. - PUBLIC HEARING ON PROFFERED CONDITION**AMENDMENT APPLICATION PCA 87-C-060-2 (BATMAN/**

**MCNAIR ASSOCIATES, LIMITED PARTNERSHIP, BY BATMAN/
MCNAIR, INCORPORATED) (HUNTER MILL DISTRICT)**

(Tape 10)

Mr. Paul Kraucunas reaffirmed the validity of the affidavit for the record.

Mr. Kraucunas 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.

Supervisor Dix stated, for the record, that there are contributions listed on the affidavit for the "Friends of Bob Dix," from Greg Beckwith and David Hall. While the dates of the contributions are listed as 1992, the actual contributions had been made in 1991, well over 12 months prior to the application filing date.

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

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA 87-C-060-2 subject to the executed proffers dated April 23, 1993. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Dix moved waiver the 600-foot limitation on the length of private street for Land Bays five and 11. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Dix moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive the Public Facilities Manual (PFM) requirement to provide sidewalks on both sides of the street for Land Bays five and 11. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Dix moved waiver of the barrier requirement for Land Bay 11 pursuant to Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor

Berger and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Dix moved modification of the screening requirement for Land Bay 11 pursuant to Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Dix moved waiver of the privacy yard fence for Land Bay five pursuant to Section 6-107 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

87.4:00 P.M. - PUBLIC HEARING ON OUT-OF-TURN PLAN

AMENDMENT S92-CW-T3 CONCERNING ROADS IN THE

FAIRFAX CENTER AREA (SULLY 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 on April 8 and April 15, 1993.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved approval of Out-of-Turn Plan Amendment S92-CW-T3 to Fairfax Community Planning Sector (Center Area Land Unit O) of Areas II and III of the Comprehensive Plan, concerning roads in the Fairfax Center area, in accordance with the Planning Commission recommendation which substitutes Option A with Modified Option D. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Dix, and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

88.4:00 P.M. - PUBLIC HEARING ON OUT-OF-TURN PLAN

AMENDMENT S92-III-P1 FOR THE AREA LOCATED ON THE

NORTH SIDE OF OX ROAD NEAR ITS INTERSECTION WITH

HAMPTON ROAD (SPRINGFIELD 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 on April 8 and April 15, 1993.

Following the public hearing, which included testimony by one speaker, Chairman Davis relinquished the Chair to Acting-Chairman Bulova and, on behalf of Supervisor McConnell, moved approval of Out-of-Turn Plan Amendment S92-III-P1 for the area located on the north side of Ox Road near its intersection with Hampton Road, as recommended by the Planning Commission and with the modified text regarding access for secondary uses. This text would replace the last bullet on Page Eight as follows:

- "If secondary uses are included in the development proposal, the maximum density of the portion of the property in residential uses should not exceed 1.25 dwelling units per acre;
- Access to secondary uses should be provided to the internal street network;
- Access to secondary uses from Route 123 may be allowed **IF** a significant volume of traffic is expected to be generated by such uses such that access to Route 123 is necessary to accommodate the proposal;
- Such access does not provide a through connection between Route 123 and Crosspointe;
- The entrance to 123 is located so as to align with a future median break; and
- Appropriate entrance permits are obtain from the Virginia Department of Transportation (VDOT)."

This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

89.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 87-Y-119 (LA PETITE ACADEMY, INCORPORATED)

(SULLY DISTRICT) (Tape 11)

Mr. Thomas W. Smith reaffirmed the validity of the affidavit for the record.

Mr. Smith 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, Gregory Chase, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved to defer Board decision on Special Exception Application SE 87-Y-119 until **May 10, 1993, at 4:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Alexander, Supervisor Hanley, and Supervisor Trapnell being out of the room, Supervisor McConnell being absent.

90.4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 86-D-093-5 (WORLDGATE ASSOCIATES

LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT) (Tape 11)

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

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

Following the public hearing, which included testimony by one speaker, Catherine Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Berger moved approval of Proffered Condition Amendment Application PCA 86-D-093-5 subject to the development conditions dated April 26, 1993. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of six, Chairman Davis abstaining, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Berger moved waiver of the 600-foot maximum length of a private street as provided in Section 11-302 of the Zoning Ordinance. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of six, Chairman Davis abstaining,

Supervisor Alexander, and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Berger moved waiver of the 200-foot residential building setback requirement from the Dulles Airport Access Road pursuant to Section 2-414 of the Zoning Ordinance. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of six, Chairman Davis abstaining, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Berger moved waiver of the transitional screening and barrier requirements between the proposed residential and office development on the Worldgate site pursuant to Paragraph 1 of Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of six, Chairman Davis abstaining, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Supervisor Berger moved modification of the transitional screening and barrier requirement along that portion of the northern property boundary adjacent to the Courts of Chandon pool/clubhouse as specified in the proffer dated April 26, 1993. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of six, Chairman Davis abstaining, Supervisor Alexander and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

(NOTE: Supervisor Hyland was in the room, however, his vote was cast from the audience.)

91.4:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT

S93-I-J1 FOR THE AREA LOCATED AT THE SOUTH END

OF GEORGE C. MARSHALL DRIVE AND EAST SIDE OF

I-495 [TAX MAP 39-4((1))178A] (PROVIDENCE

DISTRICT) (Tape 11)

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 April 8 and April 15, 1993.

Following the public hearing, Supervisor Hanley moved approval of Out-of-Turn Plan Amendment S93-I-J1. This motion was seconded by Chairman Davis

and **CARRIED** by a recorded vote of five, Supervisor Bulova abstaining, Supervisor Alexander, Supervisor Dix and Supervisor Trapnell being out of the room, Supervisor McConnell being absent.

92.4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING CHURCHES AND OTHER PLACES OF WORSHIP WITH A CHILD CARE CENTER OR PRIVATE SCHOOL WHICH HAS AN ENROLLMENT OF 100 OR MORE STUDENTS DAILY AS A SPECIAL PERMIT USE

(Tape 11)

Supervisor Hanley moved to defer the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) until **June 7, 1993, at 4:30 p.m.** This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Alexander, Supervisor Dix, and Supervisor Trapnell being out of the room, Supervisor McConnell being absent.

93.4:30 P.M. - PH ON THE CREATION/ENLARGEMENT/ DE-CREATION/RE-CREATION/RENAMING OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICES (DRANESVILLE, HUNTER MILL, AND PROVIDENCE DISTRICTS) (Tape 11)

(Rs)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 April 8 and April 15, 1993.

Following the public hearing, which included testimony by one speaker, Supervisor Hanley moved that the Board:

- De-Create/Re-Create Small District One within Providence District for the purpose of discontinuing County refuse and leaf collection service to the Churchill Square Townhouse Subdivision; and
- Create Small District 13 within Providence District for the purpose of providing County refuse collection service to the Churchill Square Townhouse Subdivision.

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

Supervisor Dix moved that the Board:

- Rename Local District A within Small District Five within Centreville District to Local District A within Small District Five within Hunter Mill District to meet the Magisterial District Renaming Plan adopted by the Board of Supervisors to take effect on January 1, 1993;

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

Supervisor Berger moved that the Board:

- Enlarge Local District A-1-1 within Small District One within Dranesville District for the purpose of providing County refuse and leaf collection service;

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

94.ORDERS OF THE DAY (Tape 11)

Chairman Davis announced that public hearings on the following applications would be held concurrently since the properties adjoin each other:

- Rezoning Applications RZ 92-V-022 and RZ-V-019; and
- Special Exception Applications SE 91-V-022 and SE 91-V-026.

95.5:00 P.M. - PH ON REZONING APPLICATIONS

**RZ 92-V-022 AND RZ 91-V-019 (ARIF HODZIC) AND
SPECIAL EXCEPTION APPLICATIONS SE 91-V-026
AND SE 91-V-022 (DEMANDIS INCORPORATED)
(MOUNT VERNON DISTRICT) (Tape 11)**

Mr. H. Kendrick Sanders reaffirmed the validity of the affidavits for the record.

Mr. Sanders 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 Hyland moved to waive the reading of the staff and Planning Commission recommendations. The motion, the second to which was inaudible, carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor Frey being out of the room, Supervisor McConnell being absent.

Supervisor Hyland moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-V-022 be amended from the R-3 District to the C-3 District subject to the proffers dated March 25, 1993. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor Frey being out of the room, Supervisor McConnell being absent.

Supervisor Hyland moved approval of Special Exception Application SE 91-V-022 subject to the development conditions dated February 18, 1993 subject to the following modifications:

•A new Development Condition Number 13 to read as follows:

*"An ATM facility located on site in connection with the bank shall have hours limited to 9:00 a.m. to 7:00 p.m., five days a week, Monday thru Friday, and Saturdays from 8:00 a.m. to Noon."

•A new Development Condition Number 14 to read as follows:

*The fence along the western lot line will be seven feet in height; and

*The fence will be of brick material.

This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor Frey being out of the room, Supervisor McConnell being absent.

Supervisor Hyland moved approval of modification of the transitional screening requirements to that shown on the Special Exception Plat. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor Frey being out of the room, Supervisor McConnell being absent.

Supervisor Hyland moved waiver of the barrier requirement along the northern property line, as it pertains to Special Exception Application SE 91-V-022. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor Frey being out of the room, Supervisor McConnell being absent.

Supervisor Hyland moved:

- That the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 91-V-019 be amended from the C-3 District to the R-3 District subject to the proffers dated March 25, 1993; and
- Approval of Special Exception Application SE 91-V-026 subject to the development conditions dated February 12, 1993 and subject to the modifications previously stated.

This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

96.5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 85-P-145-2 (THE RENAISSANCE

APARTMENTS LIMITED PARTNERSHIP) (PROVIDENCE

DISTRICT) (Tape 11)

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh 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 Hanley moved approval of Proffered Condition Amendment Application PCA 85-P-145-2 subject to the development conditions dated March 24, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Chairman Davis being out of the room, Supervisor McConnell being absent.

Supervisor Hanley moved:

- Waiver of the 200-foot minimum separation between residential buildings and the interstate right-of-way;
- Waiver of the 75-foot minimum separation between commercial buildings and the interstate right-of-way; and
- Modification of the transitional screening and barrier requirements in favor of that shown on the Conceptual/Final Development Plan.

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

97.5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA C-52-3 (SIXTEENTH SKYLINE

ASSOCIATES LIMITED PARTNERSHIP) (MASON

DISTRICT) (Tapes 11-12)

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh 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 two speakers, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Trapnell moved approval of Proffered Condition Amendment Application PCA C-52-3 subject to the development conditions dated April 14, 1993. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor McConnell being absent.

Supervisor Trapnell moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive Paragraph Seven of Section 6-03-02 of the Public Facilities Manual (PFM) to permit underground detention facilities in a residential development subject to the executed proffers dated April 14, 1993. The motion, the second to which was inaudible, carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor McConnell being absent.

Supervisor Trapnell moved that the Board direct the Director of DEM to waive the 600 foot maximum length of a private street pursuant to Section 11-302 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor McConnell being absent.

Supervisor Trapnell moved that the Board waive the transitional screening and barrier requirements between the office and the residential uses within Skyline Center pursuant to Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor McConnell being absent.

Supervisor Trapnell moved to defer the Board decision on the parking reduction for Skyline Center until **May 10, 1993**. The motion, the second to which was inaudible, carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor McConnell being absent.

98.5:00 P.M. - PH ON THE ACQUISITION OF A DEDICATION

AND EASEMENTS NECESSARY FOR CONSTRUCTION OF

MOUNT ZEPHYR, PHASE I NEIGHBORHOOD IMPROVEMENTS

PROJECT) (MOUNT VERNON DISTRICT) (Tape 12)

(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 April 8 and April 15, 1993.

Following the public hearing, which included testimony by five speakers, Supervisor Hyland moved that the Board adopt the Resolution authorizing the acquisition of certain land rights necessary to implement the Mount Zephyr, Phase I Neighborhood Improvements Project - C00087. This motion, the second to which was inaudible, carried by a vote of eight, Chairman Davis being out of the room, Supervisor McConnell being absent.

99.BOARD RECESS (Tape 12)

At 6:35 p.m., the Board recessed for dinner.

AR:ar

At 7:30 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor McConnell and Chairman Davis, and with Acting-Chairman Alexander presiding.

100.7:30 P.M.- PH TO RECEIVE CITIZEN COMMENT ON

ISSUES OF CONCERN (Tape 13)

Certificates of Publication were 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 March 8 and March 15, 1993.

Citizens of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: Issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Citizens must call the Office of the Chairman of the Board of Supervisors to register to speak and provide their names, addresses, phone numbers, and topics they wish to address.

Following the testimony of Mr. Ken Moreland (Speaker One), Individual, Acting-Chairman Alexander relinquished the Chair to Acting-Chairman Hyland and asked unanimous consent that Mr. Moreland's comments regarding non-compliance with County ordinances be referred to staff. Without objection, it was so ordered.

Acting-Chairman Hyland returned the gavel to Chairman Davis as he entered the Board Auditorium.

Following the testimony of Ms. Sally Ormsby (Speaker Three), Chair of the Citizens Committee on Land Use and Transportation, Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that Ms. Ormsby's comments concerning public participation and openness in the process of proffer and development condition negotiations and acceptance be referred to the Board's Scheduling Subcommittee for its review and comments. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

The public hearing was held and included testimony by four speakers.

(NOTE: Later in the meeting, an additional speaker was called forward to present his testimony. See Clerk's Summary Item CL#103.)

**101.7:30 P.M. - DEFERRAL OF PH ON PROPOSED AMENDMENT
TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101
(SUBDIVISION PROVISIONS) REGARDING SUBDIVISION OF
LOTS ON PRIVATE STREETS (Tape 13)**

Supervisor Frey moved to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Provisions) regarding the subdivision of lots on private streets until **June 28, 1993 at 4:00 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being absent.

**102.7:30 P.M. - PH ON REZONING APPLICATION RZ 89-D-060
AND FINAL DEVELOPMENT PLAN APPLICATION FDP 89-D-060
(ALAN I. KAY) (DRANESVILLE DISTRICT) (Tapes 13-15)**

Mr. Randolph A. Sutliff reaffirmed the validity of the affidavit for the record.

Mr. Sutliff 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, with testimony by eight speakers, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning; Robert L. Moore, Chief, Transportation Planning Division, Office of Transportation; and Mr. Douglas R. Fahl, representing Dewberry and Davis, Supervisor Berger moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 89-D-060 be amended from the R-1 and R-3 Districts to the PDH-20 District subject to the executed proffers dated April 12, 1993, and the following Conceptual Development Plan (CDP) conditions:

- The fence to be provided pursuant to Proffer Number 22A shall be six (6) feet in height and shall be chain link with black vinyl cladding; and
- All lighting to be provided on-site shall be shielded and shall be directed on-site so as to keep glare from projecting off-site onto the adjacent residential community of Reflection Lakes.

This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Supervisor Hyland voting "NAY," Supervisor McConnell being absent.

Supervisor Berger moved approval of Final Development Plan Application FDP 89-D-060. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Supervisor Hyland voting "NAY," Supervisor McConnell being absent.

Supervisor Berger moved to waive the 600-foot limitation of the length of the private streets. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being absent.

Supervisor Berger moved that the modification of transitional screening and barrier requirements be approved in favor of those shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP) dated April 1, 1993, pursuant to Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being absent.

103.ADDITIONAL SPEAKER FOR PUBLIC HEARING TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN

(Tape 15)

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

At this time, Chairman Davis recognized the presence of Mr. Steve Elsen, an additional speaker who wished to present his testimony on an issue of concern, and invited him to come forward.

ADDITIONAL BOARD MATTER

104.AUTHORIZATION FOR STAFF TO PRESENT TESTIMONY

AT STATE WATER CONTROL BOARD (SWCB) MEETINGS

REGARDING ABOVE GROUND STORAGE TANK (AST)

REGULATIONS (Tape 15)

(NOTE: Earlier in the meeting, there was discussion regarding this matter. See Clerk's Summary Item CL#56.)

Supervisor Hanley moved that the Board authorize Captain Michael Neuhard, Fire and Rescue Department, to continue to represent Fairfax County at the State Water Control Board (SWCB) meetings on above ground storage tank (AST) regulations, and to continue to present the County's previously established position. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

105.BOARD ADJOURNMENT (Tape 15)

At 9:45 p.m., the Board adjourned.