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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 Hanley and Supervisor McConnell, and with Chairman Davis presiding.

Supervisor Hanley arrived at 9:50 a.m.

Supervisor McConnell arrived at 10:30 a.m.

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

2. **CERTIFICATE OF RECOGNITION TO CATHERINE E. LOCKE AFTER 37 YEARS OF SERVICE** (Tape 1)

Supervisor Hyland and Supervisor Bulova jointly moved approval of the Certificate of Recognition presented to Catherine E. Locke after 37 years of service upon her retirement from the Office of the Clerk of the Circuit Court. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor McConnell not yet having arrived.

3. **PROCLAMATION DESIGNATING OCTOBER 31, 1994 AS "FRANCIS J. DUTTON DAY" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Hyland moved approval of the Proclamation presented to Francis J. Dutton, designating October 31, 1994 as "**Francis J. Dutton Day**" in Fairfax County and recognizing his devotion of over 20,000 volunteer hours to the citizens of Fairfax County. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell not yet having arrived.

4. **PROCLAMATION DESIGNATING THE WEEK OF NOVEMBER 10 THROUGH 18, 1994 AS "SUBSTANCE ABUSE AWARENESS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Alexander moved approval of the Proclamation presented to Inta Sraders, Chairman, Fairfax-Falls Church Community Services Board (CSB), and Joan Volpe, Director, Alcohol and Drug Services, CSB, designating the week of November 10 through 18, 1994 as "**Substance Abuse Awareness Week**". This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell not yet having arrived.

5. **RESOLUTION TO RECOGNIZE THE 25TH ANNIVERSARY OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (Tape 1)

Supervisor Hanley moved approval of the Resolution presented to Inta Sraders, Chairman, Fairfax-Falls Church Community Services Board (CSB) in celebration of the 25th Anniversary of the CSB's operation, commending the dedicated service that the CSB provides to Fairfax County citizens, and calling its significant and worthy purpose to the attention of all Fairfax County citizens. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell not yet having arrived.

6. **CERTIFICATES OF RECOGNITION TO REPRESENTATIVES WHO CONTRIBUTED TO THE SUCCESSFUL IMPLEMENTATION OF THE OAK GROVE MOBILE HOME PARK RELOCATION PLAN** (Tape 1)

Supervisor Alexander moved approval of the Certificates of Recognition presented to representatives who contributed to the successful implementation of the Oak Grove Mobile Home Park relocation plan. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Alexander asked unanimous consent that the Board direct staff of the Department of Housing and Community Development to take the lead in the preparation of a detailed report on the entire relocation process of the Oak Grove Mobile Home Park so that the County would have a record of the successful move for future use. Without objection, it was so ordered.

Supervisor Alexander commended Ms. Maureen Schreiner of his staff for her efforts on this project.

7. **RESOLUTION RECOGNIZING THE NEED FOR INCREASED AWARENESS, COORDINATION AND EDUCATION IN FAIRFAX COUNTY ON ORGAN AND TISSUE DONATIONS** (Tape 1)

(BACs)

Supervisor Hyland and Supervisor McConnell jointly moved approval of the Resolution presented to John F. Herrity, former Chairman of Board of Supervisors, recognizing the need for increased awareness, coordination and education in Fairfax County on organ and tissue donations and creating a volunteer Fairfax County Commission on Organ and Tissue Donation and Transplantation. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Dix submitted the nomination of Ms. Jane Lanier St. John, Minister of the Unity of Fairfax Church, as the Hunter Mill District representative to this Commission.

8. **RECOGNIZATION OF MOUNT VERNON DISTRICT SUPERVISOR HYLAND'S TWIN SISTER, CAROL SULLIVAN AND FRIENDS** (Tape 1)

Supervisor Hyland introduced with great pleasure his twin sister Carol Sullivan and her friends, Jean Cegala and Nancy Vandergriff, to Board Members and warmly welcomed them to the Board Auditorium.

9. **10:15 A.M. - PRESENTATION BY OFFICIALS FROM JIADING PROVINCE, CHINA, FAIRFAX COUNTY'S SISTER CITY IN CHINA** (Tapes 1-2)

Following a presentation by officials from Jiading Province, People's Republic of China, Fairfax County's Sister City in China, Supervisor Trapnell moved approval of an agreement of the Establishment of Sister County-District Relations between Jiading and the County of Fairfax, dated October 31, 1994. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Hanley being out of the room.

10. **10:00 A.M. - PRESENTATION BY THE TRANSPORTATION ADVISORY COMMISSION (TAC) OF THE TRANSPORTATION ACHIEVEMENT AWARD** (Tape 2)

Robert J. Heittman, Lee District Representative, Transportation Advisory Commission, (TAC), presented the Transportation Achievement Award to Larry L. Ichter, Chief, County Design Branch, Office of Road Program Management, Department of Public Works.

11. **10:15 A.M. - 1994 EXCEPTIONAL DESIGN AWARDS CEREMONY (COUNTYWIDE)** (Tape 2)

Carl E. Neuberg, AIA, Chairman, Design Jury, announced that the award winners of the

Exceptional Design Awards are as follows:

- Merit Award - Huffington Library - The Madeira School:
Architect: Bowie-Gridley Architects of Washington, DC
Owner/Developer: The Madeira School
Year Built: 1993;
- Merit Award - Fairfax County Fire and Rescue Station Number 16 and Clifton Meeting Hall:
Architect: Ward/Hall Associates AIA of Fairfax, Virginia
Owner/Developer: County of Fairfax
Year Built: 1994;
- Honorable Mention - Westwood Baptist Church:
Architect: Lawrence Cook Associates, P.C. of Falls Church, Virginia
Owner/Developer: Westwood Baptist Church
Year Built: 1992; and
- Honorable Mention - Flint Hill Elementary School Renewal:
Architect: Gauthier, Alvarado and Associates of Falls Church, Virginia
Owner/Developer: Fairfax County Public Schools
Year Built: 1994.

12. **10:15 A.M. - PRESENTATION BY OFFICIALS FROM JIADING PROVINCE, CHINA, FAIRFAX COUNTY'S SISTER CITY IN CHINA** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#9.)

AM:am

13. **ADMINISTRATIVE ITEMS** (Tape 3)

Supervisor Hyland moved approval of the Administrative Items. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Alexander and Supervisor Bulova being out of the room.

ADMIN 1 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) ARTICLE 17.1 BY ADDING SECTION 4-17.1-6.1; ALTERNATE METHOD OF FILING PERSONAL PROPERTY RETURNS FOR MOTOR VEHICLES

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) to add Section 4-17.1-6.1; Alternate method of filing personal property returns for motor vehicles.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE PROPOSED VACATION OF A PORTION OF A TRAIL EASEMENT IN QUIET COVE SUBDIVISION (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 4:30 p.m.** regarding the vacation of a portion of a trail easement located in Quiet Cove Subdivision, Tax Map Number 60-3((14))2.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE VACATION OF A SANITARY SEWER EASEMENT AND A PORTION OF A SANITARY SEWER EASEMENT LOCATED IN WILTON WOODS SUBDIVISION, SECTION A (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 5:00 p.m.** regarding the vacation of a sanitary sewer easement, Tax Map Number 82-4((6))18 and a portion of a sanitary sewer easement, Tax Map Number 82-4((6))17, located in Wilton Woods Subdivision, Section A.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE ADOPTION OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 109 (SOLID WASTE) AND CHAPTER 5 (OFFENSES), (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 109 (Solid Waste) and Chapter 5 (Offenses).

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF A SANITARY SEWER EASEMENT IN THE RIDGELEA HILLS SUBDIVISION (MASON DISTRICT)

- (A) Directed staff to post notice of the intent to vacate a portion of a sanitary sewer easement in the Ridgelea Hills Subdivision and authorized the advertisement of a public hearing to

be held before the Board of Supervisors on **December 5, 1994 at 3:00 p.m.**

ADMIN 6 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING POLICE OFFICERS, SUPPLEMENTAL AND UNIFORMED RETIREMENT SYSTEMS ORDINANCES REGARDING FAMILY AND MEDICAL LEAVE ACT

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 3:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees) to consider changes to comply with the Family and Medical Leave Act (FMLA) for the Police Officers Supplemental and Uniformed Retirement Systems.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING POLICE OFFICERS RETIREMENT SYSTEM ORDINANCE REGARDING ELIMINATION OF MEDICAL BENEFITS PROVISION

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 3:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees) to consider changes to eliminate the payment of medical benefits provision from the Police Officers Retirement System Ordinance.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) TO REVISE THE POLICE OFFICERS, SUPPLEMENTAL AND UNIFORMED RETIREMENT SYSTEMS ORDINANCES REGARDING DIRECT TRANSFERS OF INDIVIDUAL RETIREMENT ACCOUNT MONEY TO THE SYSTEMS

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 3:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees) to consider changes to permit direct transfers of individual retirement account (IRA) money to the Systems for the Police Officers, Supplemental and Uniformed Retirement Systems.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING A REVISION TO POLICE OFFICERS RETIREMENT SYSTEM ORDINANCE TO INCREASE MAXIMUM RETIREMENT BENEFIT

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 3:00 p.m.** on proposed amendments to the Code of

the County of Fairfax, Chapter 3 (County Employees) to consider changes to increase the maximum retirement benefit for Fairfax County Police Officers, from 66 and 2/3 percent of average compensation to 75 percent of average compensation.

14. **A-1 - APPROVAL OF SCOPE OF WORK OPTIONS FOR RESTON EAST AND HERNDON MONROE PARK-AND-RIDES (HUNTER MILL DISTRICT)**
(Tape 3)

Supervisor Dix moved to defer Action Item A-1 - Approval of the Scope of Work Options for Reston East and Herndon Monroe Park-and-Rides until **November 21, 1994**.

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

15. **A-2 - APPOINTMENT OF TOWING ADVISORY BOARD AND AUTHORIZATION TO ISSUE AN INVITATION FOR BID TO OBTAIN POLICE-DIRECTED TOWING SERVICES** (Tape 3)

(BACs)

Following discussion, Supervisor McConnell asked unanimous consent that the Board defer Action Item A-2 - Appointment of Towing Advisory Board and Authorization to Issue an Invitation for Bid to Obtain Police-Directed Towing Services.

Supervisor Hanley asked to amend the request by directing staff to invite the Virginia Association of Towing to send representatives to address the question of conflict of interest, and this was accepted.

Supervisor Bulova asked to amend the request to include:

- Representation of the Fairfax County Chapter of The Towing Associations; and
- Representation from Incident Management on the Towing Advisory Board;

and this was accepted.

Without objection, the request as amended was so ordered.

Supervisor Dix asked unanimous consent that the Board direct staff to include a request for qualifications as a first step in the procurement process. Without objection, it was so ordered.

16. **A-3 - NEW SEWER SERVICE AGREEMENT BETWEEN FAIRFAX AND ARLINGTON COUNTIES (COUNTYWIDE)** (Tape 3)

On motion of Supervisor Hyland, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the new Sewer Service Agreement with Arlington County.

17. **A-4 - APPROVAL OF THE SEWAGE DELIVERY SYSTEM AND CAPACITY PURCHASE AGREEMENT BETWEEN FAIRFAX COUNTY AND THE DISTRICT OF COLUMBIA (MOUNT VERNON DISTRICT)** (Tape 3)

Following discussion, with input by John W. di Zerega, Director, Department of Public Works, and Dennis Bates, Senior Assistant County Attorney, Supervisor Hyland asked unanimous consent to defer Action Item A-4 - Approval of the Sewage Delivery System and Capacity Purchase Agreement Between Fairfax County and the District of Columbia (Mount Vernon District) until after Executive Session. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff provide a report on the violations that were issued against the District of Columbia by the Department of Environmental Quality and the State Water Control Board. Without objection, it was so ordered.

(NOTE: Later in the meeting, this item was not discussed.)

18. **A-5 - MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS AND THE SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION (SFDC), JULY 1, 1994 TO JUNE 30, 1996 (COUNTYWIDE)** (Tape 3)

On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and:

- Approved the Memorandum of Understanding (MOU) with the Southeast Fairfax Development Corporation (SFDC); and
- Authorized the Chairman to sign the Memorandum on behalf of the County.

19. **A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95031 FOR CONTINUATION OF THE FEDERAL HEAD START/PUBLIC SCHOOLS EARLY CHILDHOOD TRANSITION DEMONSTRATION GRANT WITHIN THE OFFICE FOR CHILDREN** (Tape 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 95031 in the amount of \$670,000 for continuation of the U.S. Department of Health

and Human Service's Head Start/Public School Transition Demonstration project.

20. **A-7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95034 FOR CONTINUATION OF A GRANT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE OFFICE FOR CHILDREN (OFC)** (Tape 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 95034 in the amount of \$236,879 for continuation of the grant received by the Office for Children (OFC) from the U.S. Department of Health and Human Services for a Community Integrated Services System Project.

21. **A-8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95035 FOR A DEPARTMENT OF HEALTH AND HUMAN SERVICES GRANT FOR THE HEAD START PROGRAM WITHIN THE OFFICE FOR CHILDREN** (Tape 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Trapnell, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 95035 in the amount of \$279,005 for continuation of the U.S. Department of Health and Human Services grant funds for the Head Start program.

22. **A-9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95036 FOR CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS FOR THE HEAD START PROGRAM WITHIN THE OFFICE FOR CHILDREN** (Tape 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 95036 in the amount of \$376,191 for Child Care and Development Block Grant funds for the Head Start program.

23. **A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95037 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT FUNDS FOR SIXTH YEAR PARTICIPATION IN THE PART H PROGRAM FOR INFANTS AND TODDLERS WITH DISABILITIES GRANT** (Tape 3)

(SAR) Following discussion, with input by Verdia L. Haywood, Deputy County Executive for Human Services, Supervisor Hanley moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 95037 in the amount of \$266,475 in grant funds from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to provide support for the Fairfax-Falls Church Interagency Coordinating Council to implement mandated services. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

24. **A-11 - APPROVAL OF AN EXPANSION OF THE LILLIAN CAREY ELEMENTARY SCHOOL IN COMBINATION WITH THE RENOVATION/EXPANSION OF THE BAILEY'S COMMUNITY CENTER (MASON DISTRICT)** (Tape 3)

Following discussion, with input by Verdian L. Haywood, Deputy County Executive for Human Services, Supervisor Trapnell moved that the Board concur in the recommendation of staff and approve the expansion of the former Lillian Carey Elementary School as part of the Bailey's Community Center project. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

25. **A-12 - OFFICE FOR CHILDREN APPLICATION FOR A GRANT FROM THE XEROX DEPENDENT CARE DEVELOPMENT FUND FOR THE EMPLOYER CHILD CARE COUNCIL QUALITY CHILD CARE INITIATIVE** (Tape 3)

On motion of Supervisor Hanley, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of the application for the Xerox Dependent Care Development Fund grant in the amount of \$22,110 as part of the Employer Child Care Council (ECCC) Quality Child Care Initiative.

26. **A-13 - APPROVAL TO APPLY FOR GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ASSIST IN THE PURCHASE AND CONVERSION OF NEW VEHICLES TO RUN ON COMPRESSED NATURAL GAS AND/OR ELECTRIC BATTERY POWER AS ALTERNATIVE FUELS** (Tape 3)

- (R) Following discussion, with input by Fred K. Kramer, Director, Department of General Services; and James D. Gorby, Director, Equipment Management Transportation Agency (EMTA), Department of General Services, Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing staff to submit two Virginia Alternative Fuels Revolving Fund grant applications to the Virginia Department of Transportation (VDOT) for a total amount of \$274,000. This motion was seconded by Chairman Davis.

Supervisor Alexander asked unanimous consent that the Board direct staff to examine the possibility of converting connector buses to alternative fuel and report with its recommendations. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct staff to provide a breakdown of the cost for vehicle conversion. Without objection, it was so ordered.

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

27. **A-14 - LAND ACQUISITION FOR LINCOLNIA HEIGHTS, PHASE II NEIGHBORHOOD IMPROVEMENTS PROJECT (MASON DISTRICT)**
(Tape 3)

(Rs)

(A) On motion of Supervisor Trapnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolutions to:

- Allow the purchase of the necessary land rights for one parcel for Project C00080 - Lincolnia Heights, Phase II Community Improvement Program; and
- Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 3:00 p.m.** regarding the acquisition of a parcel for Project C00080.

28. **A-15 - AMENDED PARKING REDUCTION FOR RESTON TOWN CENTER URBAN CORE - PHASE I (HUNTER MILL DISTRICT)** (Tape 3)

On motion of Supervisor Dix, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Reston Town Center Urban Core - Phase I amended request to reduce the amount of parking to 2,800 parking spaces pursuant to Paragraph Four, Section 11-102 of the Zoning Ordinance subject to the conditions outlined in the Memorandum to the Board dated October 31, 1994.

29. **A-16 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING SITE PLANS AND TO ADD A NEW CHAPTER 120 REGARDING PUBLIC IMPROVEMENT PLANS** (Tapes 3-4)

(A)

(R) Following discussion, with input by Jane W. Gwinn, Zoning Administrator/Division Director, Zoning Administration Division, Office of Comprehensive Planning (OCP) and John Winfield, Deputy Director, Plan Review Branch, Design Review Division, Department of Environmental Management (DEM), Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 30, 1994 and before the Board of Supervisors on **January 9, 1994 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Site Plans and to add a new Chapter 120 regarding Public Improvement Plans. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

30. **A-17 - STREET NAME CHANGE FOR THODE LANE AND A PORTION OF POHICK ROAD (SPRINGFIELD DISTRICT)** (Tape 4)

On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room, the Board concurred in the recommendation of staff and approved the name changes to Lakehaven Court and Lakehaven Lane effective 30 days following Board approval, in accordance with Section 102-1-9 of the Code of the County of Fairfax.

31. **A-18 - APPROVAL OF REORGANIZATION OF FAIRFAX COUNTY TAX ADMINISTRATION FUNCTIONS** (Tape 4)

Following discussion, with input by William J. Leidinger, County Executive, Supervisor Bulova moved that the Board concur in the recommendation of staff and authorize staff to proceed with the necessary actions to create a Department of Tax Administration and establish a Director of Tax Administration position to lead a Transition Team to implement the new Department of Tax Administration, as identified in the October 24, 1994 presentation to the Reorganization Subcommittee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

32. **A-19 - POLICY DIRECTION REGARDING LOCALLY FUNDED OLDER WORKER EMPLOYMENT PROGRAMS** (Tape 4)

- (P) On motion of Supervisor Berger, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Policies (outlined in the Memorandum to the Board dated October 31, 1994) providing locally funded employment services to older workers.

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33. **C-1 - 1994 VIRGINIA ASSOCIATION OF COUNTIES' ANNUAL MEETING**
(Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 regarding the designation of a voting and alternate delegate to represent the County at the Virginia Association of Counties' Annual Conference.

Supervisor Dix moved that the Board designate:

- Chairman Davis as the voting delegate; and
- Supervisor Hanley as the alternate delegate.

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

34. **C-2 - PROPOSED FUNDING OF THE KURDISH HUMAN RIGHTS WATCH, INCORPORATED (KHRW) REFUGEE ASSISTANCE PROGRAM** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization to fund the Kurdish Human Rights Watch, Incorporated (KHRW), a non-profit community based organization providing assistance to refugee individuals, immigrants and their families.

Supervisor Hanley moved that the Board direct staff to schedule the issue of proposed funding for KHRW as a Consideration Item at the Mid-Year Budget Review. This motion was seconded by Chairman Davis and carried by unanimous vote.

35. **C-3 - ADOPTION OF A TEMPORARY TRAIL ALONG DRANESVILLE ROAD (DRANESVILLE DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 regarding the addition of a trail along Dranesville Road for an approximate distance of 1300 feet, adjacent to the Dranesville Estates Homeowners Association, Wetherburn Farms Subdivision.

Citing heavy pedestrian traffic in this area, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct staff to advance up to \$20,000 for the construction of a temporary asphalt trail along Dranesville Road, with an appropriate adjustment as part of the Fiscal Year (FY) 1995 Mid-Year Budget Review. This motion was seconded by Supervisor Berger.

Supervisor Bulova asked to amend the motion by directing staff to examine the most cost-effective solution to this problem, such as a mulch trail, and this was accepted.

Following discussion, with input from William J. Leidinger, County Executive, and John W. di Zerega, Director, Department of Public Works, the question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Bulova abstaining.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

36. **I-1 - STAFF'S PROPOSED APPROACH REGARDING VIRGINIA'S SHARE OF FISCAL YEAR (FY) 1995 METROBUS PURCHASES (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to attend the November 1, 1994 meeting of the Northern Virginia Transportation Commission (NVTC) and present the County's position as outlined in the Memorandum to the Board regarding Virginia's share of Fiscal Year (FY) 1995 Metrobus purchases.

Following input from Shiva K. Pant, Director, Office of Transportation, Supervisor Dix moved that the Board approve items one, two, and three only of the staff recommendations, and not include items four and five as part of the Board's position. This motion was seconded by Supervisor McConnell.

Following discussion, with additional input from Mr. Pant, Supervisor Dix amended his motion to also include item five regarding allocation of State bond monies to each Northern Virginia jurisdiction, and this was accepted.

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

37. **I-2 - COMBATTING GRAFFITI** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to continue to monitor:

- The Virginia Department of Transportation's (VDOT) efforts as outlined in the Memorandum to the Board and report when a recommendation has been formulated; and
- Strategies and legislative remedies so that further recommendations in this regard can be made as needed.

The staff was directed administratively to proceed as proposed.

Following discussion, Supervisor Bulova moved that the Board refer this matter to the Legislative Subcommittee for review of:

- Legislative changes to include mandatory suspension or delay in the issuance of a driver's license following conviction for defacing property; and
- Utilization of additional video surveillance techniques to assist in combatting the graffiti problem in the County.

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

Supervisor Alexander asked unanimous consent that the Board direct staff to work with VDOT to address the ongoing graffiti problem on the Pohick Bridge over I-95. Without objection, it was so ordered.

38. **I-3 - HAZARDOUS LIQUID AND NATURAL GAS PIPELINE SAFETY - UPDATE** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to:

- Continue to pursue information on the transmission pipelines

crossing the County;

- Correspond with federal and State pipeline officials; and
- Monitor the activities of operators in regards to inspection, maintenance and repair activities.

The staff was directed administratively to proceed as proposed.

39. **I-4 - VEHICLE ASSESSMENT PROCESS FOR PERSONAL PROPERTY TAXES**
(Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 presenting staff's analysis of why certain vehicles seem to appreciate in value and whether an adjustment in the County's approach toward valuing personal property for tax purposes is needed.

Supervisor Hanley asked unanimous consent that the Board direct staff to examine mileage standards to be used by the County in its analysis.

Supervisor Dix asked that the request be amended to include determination of whether jurisdictions in Virginia have implemented a process which allows for high mileage to be taken into consideration at the time an assessment is determined on a vehicle, and this was accepted. Without objection, the amended request was so ordered.

Following additional discussion, with input from Ellen Posner, Assistant County Attorney, and Kevin C. Greenlief, Acting Supervisor of Assessments, staff acknowledged that this matter will be returned to the Board before the first of the year for consideration of specific recommendations following completion of a staff study.

40. **I-5 - NOTIFICATION PROCEDURES FOR ADJACENT JURISDICTIONS REGARDING PROPOSED LAND USE CHANGES (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to:

- Continue with the established process which meets the State law requirements regarding notification of adjacent jurisdictions regarding proposed land use;
- Expedite review of these items by designating the Director of the Planning Division within the Office of Comprehensive Planning (OCP), as the recipient of all notification letters regarding land use applications in neighboring jurisdictions;
- Send letters to neighboring jurisdictions informing them of the above stated actions; and
- Not respond to notifications from other jurisdictions for Plan amendments, rezonings, use permit, special exception or variance applications except when, in the staff's judgment, they may have an impact on Fairfax County. In such cases, staff will coordinate with the appropriate Supervisor and respond in writing.

The staff was directed administratively to proceed as proposed.

Following discussion, with input from Lynda L. Stanley, Division Director, Planning Division, Office of Comprehensive Planning, Supervisor Hyland asked unanimous consent that the Board direct staff to include on the top of the notification, in large letters, "NO SIGNIFICANT IMPACT," or "POSSIBLE SIGNIFICANT IMPACT" as a means of determining the need for Board Members to contact citizens' groups which may be impacted by proposed land use changes. Without objection, it was so ordered.

41. **I-6 - STATE NON-ARBITRAGE INVESTMENT POOL (SNAP)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 presenting a status report on the State Non-Arbitrage Investment Pool (SNAP).

Supervisor Trapnell asked unanimous consent that the Board refer this matter to the Deputy Auditor to the Board for his review and recommendations. Without objection, it was so ordered.

42. **I-7 - WORK/FAMILY TASK FORCE UPDATE** (Tape 5)

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 presenting an update on the Work/Family Task Force.

43. **I-8 - INCREASES IN BASIC CABLE RATES FOR INFLATION AND EXTERNAL COSTS** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to take no further action at this time regarding the increase in basic cable rates.

Following a query from Chairman Davis, the staff was directed administratively to proceed as proposed.

44. **I-9 - SECTION 213 REVIEW FOR APPLICATION FOR SECTION EIGHT RENTAL CERTIFICATES UNDER THE FAMILY UNIFICATION DEMONSTRATION PROGRAM** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to sign the Section 213 Review letter to be sent to the U.S. Department of Housing and Urban Development (HUD) for consideration with the Section Eight funding application.

The staff was directed administratively to proceed as proposed.

45. **I-10 - VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY - REGULATORY REVIEW PROCESS (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to forward a letter to the Department of Environmental Quality (DEQ) which supports the Occoquan Policy and the Dulles Watershed Policy.

Supervisor Hanley asked unanimous consent that the Board direct staff to include in the letter its comments with regards to above ground storage tanks, underground storage tanks, and tank farm regulations. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

46. **I-11 - AWARD OF CONTRACT - ARCHITECTURAL AND ENGINEERING SERVICES FOR THE RENOVATION OF WASHINGTON PLAZA (HUNTER MILL DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to:

- Award a contract to Stephenson and Good in the amount of \$75,335 for the design and construction of the improvements to Washington Plaza, Project 013990; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

47. **I-12 - AWARD OF CONTRACT - SURREY ON THE POTOMAC DEVELOPER DEFAULT (MOUNT VERNON DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to award a contract to JRG Contractors, Incorporated in the amount of \$138,276.25 for the construction of Surrey on the Potomac Developer Default in Project U00006, Developer Default, in Subfund 68, Public Works Construction.

The staff was directed administratively to proceed as proposed.

48. **I-13 - CONTRACT AWARD - OPEN-END ARCHAEOLOGICAL SERVICES (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to award contracts to the Potomac

River Archeology Survey, Incorporated; Thunderbird Archeological Associates, Incorporated; and Engineering Science, Incorporated for two years, with an option of extension for two one-year periods in an amount not to exceed \$40,000 for open-end archaeological services.

The staff was directed administratively to proceed as proposed.

49. **I-14 - PARK AUTHORITY REVENUE BONDS FOR GOLF DEVELOPMENT (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 presenting the Park Authority Revenue Bonds for golf development.

There was a brief discussion regarding this item.

50. **I-15 - REQUEST FOR PROPOSALS FOR THE CONTINUED OPERATION OF PRIMARY HEALTH CARE CENTERS FOR THE MEDICALLY INDIGENT** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 announcing that Request for Proposals (RFPs) for the continued operation of the primary health care centers for the medically indigent will be issued in November 1994.

With reference to the underserved northwest area of the County, Supervisor Dix asked unanimous consent that the Board direct staff to work with his office regarding a potential provider of these services, the costs involved, and a definition of the County's role in order to determine what options are available in the northwest area. Without objection, it was so ordered.

51. **I-16 - AWARD OF CONTRACT - LINE MAINTENANCE FACILITY STORAGE SHEDS (BRADDOCK DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated October 31, 1994 requesting authorization for staff to:

- Award a contract to the Stevens Construction Corporation in the amount of \$109,970 for construction of storage sheds at the Line Maintenance Facility Expansions, Project X00441, Line Maintenance Facility Storage Sheds, in Subfund 524 Sewer bond Extension and Improvement; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

BOARD MATTERS52. **APPOINTMENT OF CITIZENS TASK FORCE TO CONSIDER POTENTIAL SITES FOR A MAJOR LEAGUE BASEBALL STADIUM** (Tape 5)

(BACs)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board schedule appointments on **November 22, 1994** to a Citizens Task Force to work with Loudoun County on potential sites for a Major League Baseball Stadium, should such an invitation be offered. Every Board Member would have one representative, with additional representation from interested citizens' groups throughout the County.

In addition, Supervisor Davis enlisted the assistance of Supervisor Dix and Supervisor Frey in getting the formation of the task force underway. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

53. **POLICE DEPARTMENT TELESERVE OPERATIONS** (Tape 5)

In meetings with civic and condominium associations, Supervisor Bulova noted that citizens have expressed their concerns and frustrations regarding the Police Department's Teleserve Operations. She added that, under the new General Order, certain calls to the Police Station are handled over the telephone rather than dispatching an officer to respond in person to handle the complaint.

Supervisor Bulova referred to Page three of the General Order on Teleserve Operations which states that, "If a caller insists on seeing a Police Officer in person, even after being advised of the teleserve procedures, the caller shall be transferred to the teleserve supervisor, or in the absence of the teleserve supervisor, the PSCC supervisor, who shall determine if a police dispatch is required."

Supervisor Bulova stated that it appears that the General Order does not coincide with what was approved by the Board in that it was her understanding that if a person specifically stated that they did not want to give the complaint over the telephone and requested a police officer in person, an officer would be dispatched.

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

- Amend the General Order on Teleserve Operations to reflect the Board's wishes that if a person making a complaint wants an officer to come out, an officer will be dispatched after the explanation as to why it is not necessary in all instances; and

- Provide a report to the Board on how well the Teleserve Operations procedure is working, i.e. does it free officers to respond to more urgent situations?

This motion was seconded by Supervisor Trapnell with a notation that she has received numerous citizens' complaints regarding the present Police Department policy in response to their calls.

Supervisor McConnell asked that the motion be amended to direct staff to also provide information about the specific Police Department policy with regard to when an officer is or is not dispatched in response to a complaint, and this was accepted.

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

54. **COMPETITIVE PROCESS FOR FILLING POSITIONS** (Tape 5)

Supervisor Bulova referred to a memorandum dated October 27, 1994 regarding actions which were taken at meetings to create two positions. She stated that when the Board allocated funding for those two positions, both in the Economic Development Authority (EDA) and in the Police Department for high crime areas in the County, it was her understanding that no new positions were being created for any particular individual or individuals.

Supervisor Bulova clarified, for the record, that these positions will be filled competitively in accordance with the County's standard hiring practices.

PMH:pmh

55. **GUM SPRINGS HISTORY WEEK PROCLAMATION REQUEST** (Tape 6)

Supervisor Hyland said that the Gum Springs area of Mount Vernon District was the first African American community in Fairfax County, and generations of Gum Springs community leaders and other committed individuals have worked to protect and preserve this area. The Gum Springs Historical Society was founded in 1984 to authenticate the area's history by preserving its heritage, culture, artifacts and traditions. The Anniversary celebration will be held at Fort Belvoir Officers Club on December 17 with Retired Brigadier General Clara L. Adams-Ender as the keynote speaker.

Supervisor Hyland pointed out that a major objective of the Gum Springs Historical Society is to establish a museum in the Gum Springs community where the legacy of a people can be communicated, and be the repository providing a link for children to the history of the oldest black community in Fairfax County and Northern Virginia.

In honor of the 10th Anniversary of the Gum Springs Historical Society and its

objectives, Supervisor Hyland moved that the Board:

- Proclaim the week of December 11 - 17, 1994, as Gum Springs History Week; and
- That the Historical Society's President, Ronald L. Chase, Jr., be invited to appear before the Board on December 5, 1994, to receive the Proclamation in recognition and support for the work of the Society in pursuing, collecting and preserving the history of Gum Springs.

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

56. **QUESTIONS REGARDING THE WYATT COMPENSATION STUDY** (Tape 6)

Supervisor Hyland stated that the Mount Vernon District Representative on the Fairfax County Commission for Women has requested that he bring forward some of their concerns with the scope of the Wyatt Company Compensation Study to the Board.

The Commission has identified equity issues related to the Compensation Study citing such points that:

- Women, in general, still earn less than men even in the same occupations; and
- Women working in female dominated job classes are consistently paid less than men in comparable male dominated job classes.

The Commission maintains that Fairfax County's current compensation practices institutionalize existing gender and racial bias within job classification families. For example, jobs that have similar skill and experience requirements which are already segregated into traditional male or female dominated job classifications should not be the basis of comparison.

Further, the Commission for Women points out that any recommendation to use external market comparison data more heavily as part of the compensation system will only further institutionalize existing gender and racial bias. They maintain that external market comparisons are useful only when internal inequities between jobs have been addressed and only when the external comparisons are done with equitable job evaluation systems. While the Commission is not suggesting that this Study become an equity study in and of itself, they are concerned that the issue of equity be addressed.

Lastly, the Commission states that Fairfax County's current compensation practices are not in line with its reputation as a national leader in its other management and financial

areas. In the area of compensation equity, the County lags behind improvements made in other local jurisdictions.

Supervisor Hyland questioned whether the Wyatt Compensation Study is going to take into consideration these questions and concerns on behalf of women in the workplace. In view of the job restructuring being considered in the Human Services Redesign effort and the questions it has raised, perhaps the Study is the ideal place to pilot these designs in a reasonable way.

Accordingly, Supervisor Hyland moved that the Board request the Wyatt Company Compensation Study to address these equity issues, including the point factor job evaluation system, if it is not already being considered as part of the Study. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Supervisor Hanley asked unanimous consent that the Board direct the County Executive to respond as to why there was not a staff survey on this issue and why a decision was made not to do a staff survey. Without objection, it was so ordered.

57. **GOVERNOR ALLEN'S BLUE RIBBON STRIKE FORCE RECOMMENDS CUTTING STATE FUNDING TO GUNSTON HALL** (Tape 6)

Supervisor Hyland said that one of the first executive orders signed by the Honorable Governor George Allen was to establish a Blue Ribbon Strike Force: Governor's Commission on Government Reform. The Strike Force has more than 360 recommendations before them and will be meeting on November 1, 1994 to review public comment. On November 15, 1994 Chairman Otis L. Brown will meet with the Governor to discuss the final recommendations. One of the many significant recommendations includes Recommendation 73:

- The Secretaries of Education and Natural Resources should consider the advisability of privatizing Gunston Hall and Chippokes Plantation Farm Foundation which are replicated in the private sector.

Supervisor Hyland stated that Gunston Hall is the anchor of George Mason's significant contributions to the founding principles of the Constitution and Bill of Rights. The land was deeded to the Commonwealth in 1932 with significant conditions attached to the deed and if privatized the deed and conditions would be breached making it subject to a lawsuit.

Supervisor Hyland moved that the Board support state funding for Gunston Hall. This motion was seconded by Chairman Davis.

Following discussion, the question was called on the motion which **CARRIED** by a recorded vote of five, Supervisor Berger voting "NAY," Supervisor Bulova, Supervisor Dix, Supervisor Hanley, and Supervisor McConnell being out of the room.

58. **WILEY/GUNSTON HEIGHTS PUMP AND HAUL SEWER PROJECT** (Tape 6)

Supervisor Hyland noted that Wiley/Gunston Heights is a small community on Mason Neck that has failing and failed septic systems. He added that the Board continues to support the design project for a pump and haul sewer system that will give this community relief from health risks.

Supervisor Hyland said that he has received a copy of the project's time schedule. He said that the schedule is not acceptable because construction is more than two years away. He added that the County has been working with the community since 1988 and by the time this project goes to construction it will be at least March 1997, nine years in the making.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to expedite the Gunston Heights/Wiley pump and haul sewer design project. Without objection, it was so ordered.

59. **FAIRFAX RELEAF COST-BENEFITS OF TREES** (Tape 6)

Supervisor Hyland said that he has received a letter from the President of Fairfax ReLeaf stating they can help Fairfax County determine a cost-benefit analysis, if only they had \$2500 to purchase software and provide the professional staff time to find answers as to why conservation is better than "chop and replant."

Supervisor Hyland said that with this unique software "Quanta-Tree" the worth of trees could be realistically assessed. Quanta-Tree uses available aerial photos of the County and ground-truth sampling; it can quantify and display benefits of tree conservation for air quality, carbon storage, hydrology, energy, energy conservation and property values. It can also calculate the effects of various changes, policies or actions. It is based on the best available scientific methodology, including recent U.S. Forest Service research. The \$2500 Board of Supervisors' funding would compensate Davey Resource Group for technical staff time with Fairfax ReLeaf donating staff time as well.

Therefore, Supervisor Hyland asked unanimous consent that the Board:

- Support a \$2500 allocation to be given to Fairfax ReLeaf for the purchase of computer software called "Quanta-Tree"; and
- For certain staff time costs to perform the cost-benefit analysis work.

Following discussion, Supervisor Hyland amended his request to refer this issue to staff for review. Without objection, the amended request was so ordered.

60. **FEDERAL AVIATION ADMINISTRATION (FAA) HOLDS PUBLIC HEARING ON HIGH DENSITY RULE FOR WASHINGTON NATIONAL AIRPORT**
(Tape 6)

Supervisor Hyland said that as part of the U.S. Department of Transportation's study of the High Density Traffic Airports Rule, on October 19, 1994 the Federal Aviation Administration (FAA) held a public hearing.

As a result of this public hearing, Supervisor Hyland moved that the Board endorse the Resolution stating that the Board opposes any increase in the current number of aircraft operations at Washington National Airport and it would not object to any decrease in the current number of aircraft operations at this airport. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room.

61. **LEGAL NOTICE REQUIREMENT FOR LAND USE MATTERS IN NEIGHBORING JURISDICTIONS** (Tape 6)

(NOTE: Earlier in the meeting, during Matters Presented by the County Executive - Information Item I-5 - Notification Procedures for Adjacent Jurisdictions Regarding Proposed Land Use Changes (Countywide), this item was discussed. See Clerk's Summary Item CL#40.)

Supervisor Hyland noted that this item had already been discussed earlier in the meeting.

62. **GOVERNOR'S STRIKE FORCE** (Tape 6)

Supervisor Hyland said that staff has reviewed the Governor's Strike Force's recommendations and responded with its recommendations. He expressed the opinion that it would be helpful to share the staff's response with the Strike Force concerning the 300 plus recommendations that have been made by the Strike Force.

Therefore, Supervisor Hyland moved that the Board share the staff's review of the Strike Force's recommendations and to transmit them to the Strike Force for the edification and guidance and to assist them in making recommendations to the Governor. This motion was seconded by Supervisor Hanley.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved a substitute motion that Supervisor Hyland, on his own behalf, and without any objection from the Board, be allowed to submit the staff's comments without the Board addressing pro or con so that it can be included in the record and analyzed. This motion was seconded by Supervisor Hyland.

Following additional discussion, Supervisor Dix called for a Point of Order. He said that this matter was referred to the Legislative Subcommittee for review and recommendation.

He further stated that the release of the staff response is not authorized until the Subcommittee has "fulfilled its charge."

Supervisor Davis pointed out that the staff response is a public document that has not been approved or commented on by the Board.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

63. **CONFIRMATION OF APPOINTMENTS TO THE RESTON COMMUNITY CENTER BOARD OF GOVERNORS** (Tape 6)

(APPTs)

Supervisor Dix moved confirmation of the following appointments to the Reston Community Center Board of Governors:

Adult Members (three year term - November 1, 1994 - October 31, 1997):

- John J. Hannigan;
- David A. Ross; and
- Sharon Snyder.

Student Members (one year term - November 1, 1994 - October 31, 1995):

- Erika McGhee; and
- Mile Kwon Schroeder.

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

64. **SIMULTANEOUS PROCESSING OF THE SITE PLAN FOR REZONING APPLICATION RZ 87-C-060 (MCNAIR FARMS)** (Tape 6)

Supervisor Dix stated that the proffers for Rezoning Application RZ 87-C-060 (McNair Farms) include provision for the construction of a child care facility to serve the residents of the community and the surrounding area. The property owner, Batman/McNair Associates, L.P., has submitted a Final Development Plan Amendment (FDPA) Application for the child care facility FDPA 87-C-060-3.

Therefore, Supervisor Dix moved that the Board authorize simultaneous processing of the Site Plan to allow the Department of Environmental Management (DEM) to review the

plans during the FDPA process. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the FDPA application in any way. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

65. **PURCHASING AND DISPLAY PROCESSES FOR THE LIBRARY BOARD**
(Tape 6)

Supervisor Dix asked unanimous consent that the Board direct the County Executive, on behalf of the Board, to request the Library Board in writing to make a presentation to the Board of Supervisors as it relates to purchasing processes and display processes. Without objection, it was so ordered.

66. **NORTHERN VIRGINIA ASSOCIATION FOR THE EDUCATION OF YOUNG CHILDREN RECOGNIZES THE FAIRFAX COUNTY EMPLOYER CHILD CARE COUNCIL** (Tape 6)

Supervisor Dix stated that the Northern Virginia Association for the Education of Young Children recognized the Fairfax County Employer Child Care Council with an award for outstanding service for young children.

67. **OPERATING SUBSIDY PAYMENTS FOR METRO FROM THE DISTRICT OF COLUMBIA (D.C.)** (Tape 6)

Supervisor Dix referred to an article in the Washington Post regarding the operating subsidy payments for Metro from the District of Columbia (D.C.). The article indicates a substantial shortfall in D.C.'s commitment to meeting its obligations on operating subsidies. He added that there is a consideration of borrowing money to meet the shortfall for D.C. There are concerns from Maryland and Virginia that if D.C. did not fulfill its obligation to meet its payment that that obligation could fall to the suburban jurisdictions.

Therefore, Supervisor Dix moved that the Board take the position that it does not support Metro borrowing money to meet the shortfall of its operating subsidy requirements to meet its regional obligation. This motion was seconded by Supervisor Frey.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Dix restated his motion that Fairfax County's position is that it has no legal obligation to make up any shortfall that is caused by D.C.'s refusal to pay its share of its subsidy.

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

68. **SUCCESS OF THE "CHARACTER COUNTS" CEREMONY** (Tape 6)

Supervisor Dix expressed his appreciation to all involved with the success of the "Character Counts" Ceremony held at the Government Center.

69. **REIMBURSEMENT FROM THE STATE REGARDING THE ADULT DETENTION CENTER** (Tape 6)

Supervisor Dix said that he had received a letter from Sheriff Peed regarding the Adult Detention Center which indicated that the State has approved 50 percent State reimbursement in the amount of approximately \$27 million.

70. **WELCOME TO CUB SCOUT PACK 999** (Tape 6)

Chairman Davis announced the presence of Cub Scout Pack 999 and he warmly welcomed them to the Board Auditorium.

71. **GEORGE MASON DAY** (Tape 6)

Supervisor Hanley moved that the Board proclaim December 11, 1994 as George Mason Day and take appropriate actions to celebrate George Mason and all the things he represented. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

72. **REMOVAL OF THE MERRIFALLS PLAZA SHOPPING CENTER FROM THE LEAF COLLECTION DISTRICT** (Tape 6)

Supervisor Hanley asked unanimous consent that the Board direct staff to take action necessary to remove the Merrifalls Plaza Shopping Center from the Leaf Collection District. Without objection, it was so ordered.

73. **ADDITION TO THE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)** (Tape 6)

Supervisor Hanley said that staff has now determined that Brightlea Drive from Oleander Avenue to Crossbow Court and Crossbow Court have qualified to be included in the Residential Permit Parking District (RPPD).

Supervisor Hanley moved that the Board direct staff to move forward with appropriate action to include this new section in the RPPD. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

74. **AIDS AWARENESS DAY** (Tape 6)

Supervisor Hanley moved that the Board direct staff to prepare a Proclamation for the Board meeting scheduled for November 21, 1994 proclaiming Aids Awareness Day which will coincide with World Aids Day on December 1, 1994. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

75. **TANK FARM TASK FORCE** (Tape 6)

(BACs)

Supervisor Hanley asked unanimous consent that the Board refer to staff the issue of how to assist the City of Fairfax in paying for the legal services which resulted from the recent spill at the tank farm. Without objection, it was so ordered.

76. **WAIVER OF FEES ASSOCIATED WITH A SPECIAL PERMIT, VARIANCE AND SITE PLAN WAIVER REQUEST SUBMITTED BY THE FRANCONIA UNITED METHODIST CHURCH** (Tape 6)

Supervisor Alexander moved waiver of all fees associated with a Special Permit, Variance, and Site Plan Waiver request submitted last week by the Franconia United Methodist Church on Franconia Road in Lee District. This motion was seconded by Chairman Davis.

Supervisor Alexander said that the waiver is requested as the church is merely wishing to add an exterior stairwell. The Church pre-dates the Special Permit process for houses of worship and must now make an application. The church has been at the same location since 1951 and the addition poses no impact to surrounding properties.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Alexander amended his request to ask unanimous consent that the Board direct staff to refer this issue to staff to determine if there is a way to meet the criteria. Without objection, it was so ordered.

77. **REQUEST FOR EXPEDITIOUS PROCESSING FOR SPECIAL EXCEPTION APPLICATION FOR FREE STANDING SIGNS FOR SPRINGFIELD MALL** (Tape 6)

Supervisor Alexander stated that Springfield Mall submitted a Special Exception Application three months ago and it was processed to go before the Board of Zoning Appeals (BZA). The Office of Comprehensive Planning (OCP) recently contacted the mall and requested that they go through the Special Exception process. Since the OCP staff has already reviewed their request for free standing signs, Supervisor Alexander said that the application should be expedited.

Therefore, Supervisor Alexander moved that the Board direct staff to expeditiously process the Special Exception Application for free standing signs at the Springfield Mall.

The applicant understands that this neither provides him with a vested right in the plan approval nor relieves him from the responsibility of plan modifications as a result of Board review. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

78. **REQUEST FOR CONCURRENT PROCESSING FOR KINGSTOWNE SECTIONS FIVE, SIX AND SEVEN** (Tape 6)

Supervisor Alexander moved that the Board direct staff to concurrently process Sections Five, Six and Seven for Kingstowne. These sections include additional parking and amenities for the Kingstowne community. The applicant understands that this neither provides him with a vested right in the plan approval nor relieves him from the responsibility of plan modifications as a result of Board review. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

79. **ZONING VIOLATIONS** (Tape 6)

(BACs)

Supervisor Alexander asked unanimous consent that the Board direct:

- William J. Leidinger, County Executive;
- David P. Bobzien, County Attorney; and
- Staff from the Office of Comprehensive Planning (OCP);

to create a Task Force to immediately address the issue of expediting zoning violations. Without objection, it was so ordered.

NV:nv

80. **ORDERS OF THE DAY** (Tape 7)

Chairman Davis stated that due to the lateness of the hour the remainder of the Board Matters would be presented after the public hearings.

81. **RECESS/EXECUTIVE SESSION** (Tape 7)

At 2:15 p.m., Supervisor Trapnell moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in Virginia Code Section 2.1-344 and listed in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Section 3, Article Eight of the Fairfax County Code, providing for the Senior Executive Service Retirement Plan;
- Herndon Elderly Housing; and

- Sewage Delivery System and Capacity Purchase Agreement Between Fairfax County and the District of Columbia.

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

AM:am

At 3:50 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor McConnell, and with Chairman Davis presiding.

ACTIONS FROM EXECUTIVE SESSION

82. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 8)

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

83. **BOARD OF SUPERVISORS VERSUS NICOLETTE PSYLLAS** (Tape 8)

Supervisor Hyland moved that the Board of Supervisors authorize the County Attorney to seek prevention of and relief from a violation of the Fairfax County Human Rights Ordinance in the matter concerning Nicolette Psyllas. This motion was seconded by Supervisor Berger and carried by unanimous vote.

84. **ALLSTATE LIFE INSURANCE COMPANY VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA AT LAW 128909** (Tape 8)

Supervisor Dix moved that the Board of Supervisors authorize the settlement of Allstate Life Insurance Company versus the Board of Supervisors of Fairfax County, Virginia, At Law Number 128909, as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Berger and carried by unanimous vote.

SBE:sbe

85. **ORDERS OF THE DAY** (Tape 9)

Chairman Davis announced that the Board would now proceed with the 3:00 p.m. - PH

on Out-of-Turn Plan Amendment S94-I-A1 for Land Located on Matthew Place and Backlick Road, South of Braddock Road (Mason District).

86. **3:00 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT S94-I-A1 FOR LAND LOCATED ON MATTHEW PLACE AND BACKLICK ROAD, SOUTH OF BRADDOCK ROAD (MASON DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, which included testimony by one speaker, Supervisor Trapnell moved approval of Out-of-Turn Plan Amendment S94-I-A1 for land located on Matthew Place and Backlick Road south of Braddock Road, Tax Map 71-4((1))38 and 71-4((2))4, as shown on page four of the staff report to allow as an option only, an elderly assisted living residential facility in accordance with the plan language contained on page four of the staff report with the following modification to the final bullet:

- Building height is limited to no more than 40 feet.

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

87. **3:00 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) TO ALLOW OUTDOOR STORAGE IN ASSOCIATION WITH A WAREHOUSING ESTABLISHMENT IN THE SULLY HISTORIC OVERLAY DISTRICT** (Tape 9)

Supervisor Frey moved to defer the public hearing on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow outdoor storage in association with a warehousing establishment in the Sully Historic Overlay District until **November 22, 1994 at 10:00 a.m.** This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

88. **3:00 P.M. - PH TO CONSIDER ADOPTION OF THE EMERGENCY ORDINANCE ON A PERMANENT BASIS ESTABLISHING BASIC SERVICE, EQUIPMENT, AND INSTALLATION RATES FOR WARNER CABLE COMMUNICATIONS OF RESTON (WCCR) PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION (FCC) RATE REGULATIONS EFFECTIVE SEPTEMBER 1, 1993 (HUNTER MILL DISTRICT)** (Tape 9)

- (O) (NOTE: On September 26, 1994, the Board adopted an Emergency Ordinance and scheduled a public hearing for permanent adoption on October 31, 1994.)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Trapnell moved adoption of the Emergency Ordinance on a permanent basis establishing basic service, equipment, and installation rates for Warner Cable Communications of Reston (WCCR) pursuant to Federal Communications Commission (FCC) rate regulations effective September 1, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

89. **3:00 P.M. - PH TO CONSIDER ADOPTION OF THE EMERGENCY ORDINANCE ON A PERMANENT BASIS ESTABLISHING BASIC SERVICE, EQUIPMENT, AND INSTALLATION RATES FOR MEDIA GENERAL CABLE OF FAIRFAX, INCORPORATED (MGC) PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION (FCC) RATE REGULATIONS EFFECTIVE SEPTEMBER 1, 1993 (COUNTYWIDE)** (Tape 9)

(O)
(BACs)

(NOTE: On September 26, 1994, the Board adopted an Emergency Ordinance and scheduled a public hearing for permanent adoption on October 31, 1994.)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, which included testimony by three speakers, Supervisor Bulova moved adoption of the Emergency Ordinance on a permanent basis establishing basic service, equipment, and installation rates for Media General Cable of Fairfax, Incorporated (MGC) pursuant to Federal Communications Commission (FCC) rate regulations effective September 1, 1993. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Dix being out of the room.

Chairman Davis appointed Supervisor Bulova and Supervisor Trapnell as the Liaison Committee to work with staff regarding the provision of services by other common carriers such as Bell Atlantic. He noted that staff will present a Consideration Item regarding this issue at the meeting scheduled for November 21, 1994.

90. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-Y-023 (CHURCH OF THE ASCENSION) (SULLY DISTRICT)** (Tape 9)

Mr. Michael A. Mays reaffirmed the validity of the affidavit for the record.

Mr. Mays 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, David Hunter, Staff Coordinator, Zoning Evaluation

Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-Y-023 be amended from the R-1, Water Supply Protection Overlay District, Historical District, Highway Corridor and Sign Control District to C-2, Water Supply Protection Overlay District, Historical District, Highway Corridor Overlay District and Sign Control District to permit a church and related facilities, subject to the execution of proffers dated October 31, 1994. This motion was seconded by Vice-Chairman McConnell and carried by a vote of seven, Supervisor Dix, Supervisor Hanley, and Chairman Davis being out of the room.

Supervisor Frey moved waiver of the peripheral parking lot landscaping requirement. This motion was seconded by Vice-Chairman McConnell and carried by a vote of seven, Supervisor Dix, Supervisor Hanley, and Chairman Davis being out of the room.

91. **3:30 P.M. - PH ON REZONING APPLICATION RZ 93-Y-040 (RICHARD C. WALSH, D.V.M.) (SULLY DISTRICT)** (Tape 9)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 93-Y-040 until **December 5, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Dix, Supervisor Hanley, and Chairman Davis being out of the room.

92. **3:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-045 (CARL L. SCHMITZ) (PROVIDENCE DISTRICT)** (Tape 9)

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

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

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

Supervisor Hanley moved approval of Special Exception Application SE 94-P-045 subject to the development conditions dated October 27, 1994. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Frey and Chairman Davis being out of the room.

In addition, Supervisor Hanley moved:

- Waiver of interior and peripheral parking lot landscaping requirements; and

- Waiver of the service drive along Leesburg Pike.

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

93. **3:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-035 (HOYN CHAN RIM) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. Jamie W. Rim reaffirmed the validity of the affidavit for the record.

Mr. Rim 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, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Special Exception Application SE 94-P-035 subject to the development conditions dated September 28, 1994. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Frey being out of the room.

94. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-L-008 (COLUMBIA FIRST BANK) (LEE DISTRICT)** (Tape 9)

Mr. Thomas P. Dugan reaffirmed the validity of the affidavit for the record.

Mr. Dugan 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, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-L-008 be amended from the R-1, R-2 and Highway Corridor Districts to R-12 and Highway Corridor Districts, subject to the execution of proffers dated October 28, 1994. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

Supervisor Alexander moved waiver of the minimum district size. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

95. **3:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-D-005 (WEST*PARK ASSOCIATES, LIMITED PARTNERSHIP AND WEST*MAC ASSOCIATES, ET AL) AND SPECIAL EXCEPTION APPLICATION SE 94-P-040 (GANNETT COMPANY, INCORPORATED) (PROVIDENCE DISTRICT)** (Tapes 9-13)

Mr. Martin D. Walsh reaffirmed for the record the validity of the affidavit for Special Exception Application SE 94-P-040.

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.

Chairman Davis disclosed the following contributions which he had received:

- In the amount of \$700 from Lois Zambo, which was returned;
- In the amount of \$250 from Kristin H. Kent, an employee of Gannett Company, which was returned; and
- In the amount of \$100 from Mr. Robert Potts.

Supervisor Dix disclosed the following contribution which he had received over a year ago to the Friends of Bob Dix:

- In the amount of \$100 from an employee of West Group.

Mr. Thomas D. Fleury reaffirmed for the record the validity of the affidavit for Proffered Condition Amendment Application PCA 88-D-005.

Mr. Fleury 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 disclosed the following contribution which he had received:

- A contribution from Kathryn MacLane more than a year ago.

Supervisor Berger disclosed the following contribution which he had received:

- In the amount of \$100 from Kathryn MacLane over a year ago.

Following the public hearing, which included testimony by 40 speakers, Cathy Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Proffered Condition Amendment Application PCA 88-D-005 subject to the executed proffers dated October 24, 1994. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Hanley moved reaffirmation of the modification of the transitional screening and a waiver of the barrier requirements where the application property is adjacent to residentially zoned land, pursuant to Paragraph 3 of Section 13-304, to that shown on the Generalized Development Plan (GDP), and as proffered. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Hanley moved reaffirmation of a waiver of the 75 foot setback requirement from the Dulles Airport Access Road (DAAR), pursuant to Paragraph 3 of Section 2-414, to that shown on the GDP and as proffered. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Hanley moved approval of Special Exception Application SE 94-P-040 subject to the development conditions dated October 28, 1994 that incorporate the following changes:

- Condition Eight:
 - * Insert the sentence: Notwithstanding the above, the maximum building height of any portion of the buildings located between 75 feet and 150 feet from the DAAR right-of-way shall not exceed 75 feet and;
 - * Strike the sentence: The minimum building setback from DAAR right-of-way shall be 150 feet and;
- Condition 16:
 - * Change 150 feet to 75 feet wherever it appears.

This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of nine, Supervisor Bulova voting "NAY."

96. **3:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-045 (CARL L. SCHMITZ) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on Special Exception Application SE 94-P-045. See Clerk's Summary Item CL#92.)

97. **3:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-035 (HOYN CHAN RIM) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#93.)

98. **3:00 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT S94-I-A1 FOR LAND LOCATED ON MATTHEW PLACE AND BACKLICK ROAD, SOUTH OF BRADDOCK ROAD (MASON DISTRICT)** (NoTape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#86.)

99. **3:00 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) TO ALLOW OUTDOOR STORAGE IN ASSOCIATION WITH A WAREHOUSING ESTABLISHMENT IN THE SULLY HISTORIC OVERLAY DISTRICT** (No Tape)

(NOTE: Earlier in the meeting, this hearing was deferred. See Clerk's Summary Item CL#87.)

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100. **3:00 P.M. - PH TO CONSIDER ADOPTION OF THE EMERGENCY ORDINANCE ON A PERMANENT BASIS ESTABLISHING BASIC SERVICE, EQUIPMENT, AND INSTALLATION RATES FOR WARNER CABLE COMMUNICATIONS OF RESTON (WCCR) PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION (FCC) RATE REGULATIONS EFFECTIVE SEPTEMBER 1, 1993 (HUNTER MILL DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#88.)

101. **3:00 P.M. - PH TO CONSIDER ADOPTION OF THE EMERGENCY ORDINANCE ON A PERMANENT BASIS ESTABLISHING BASIC SERVICE, EQUIPMENT, AND INSTALLATION RATES FOR MEDIA GENERAL CABLE OF FAIRFAX, INCORPORATED (MGC) PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION (FCC) RATE REGULATIONS EFFECTIVE SEPTEMBER 1, 1993 (COUNTYWIDE)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#89.)

102. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-Y-023 (CHURCH OF THE ASCENSION) (SULLY DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#90.)

103. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-L-008 (COLUMBIA FIRST BANK) (LEE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#94.)

104. **3:30 P.M. - PH ON REZONING APPLICATION RZ 93-Y-040 (RICHARD C. WALSH, D.V.M.) (SULLY DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this hearing. See Clerk's Summary Item CL#91.)

105. **BOARD RECESS** (Tape 14)

At 8:30 p.m., the Board recessed briefly and at 8:55 p.m. reconvened in the Board Auditorium with all Members present with the exception of Supervisor Hyland, and with Chairman Davis presiding.

106. **3:30 P.M. - PH ON FINAL DEVELOPMENT PLAN FDP 91-W-023-2 (FAIRFAX COUNTY BOARD OF SUPERVISORS) (COUNTYWIDE)** (Tape 14)

Thomas M. Dorman, Acting Director, Project Management Division, Department of Public Works (DPW), reaffirmed the validity of the affidavit for the record.

Staff from the Office of Comprehensive Planning (OCP) had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

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

Supervisor Hanley moved approval of Final Development Plan FDP 91-W-023-2 subject to the development conditions dated October 5, 1994. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Hanley moved reaffirmation of the modification of the transitional screening and waiver of the barrier along the portion of the southern property boundary as previously approved by the Board with Rezoning Application RZ 91-W-023. This

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

107. **3:30 P.M. - PH ON PROPOSED PROHIBITION OF THROUGH TRUCK TRAFFIC ON DOUGLAS AVENUE (ROUTE 1711), BRICE STREET (ROUTE 1710) AND LIBERTY AVENUE (ROUTE 1710) (PROVIDENCE DISTRICT)**
(Tape 14)

(R)

(Verbatim)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Hanley moved adoption of the Resolution, as outlined in Attachment II of the Memorandum to the Board dated October 31, 1994, requesting the Virginia Department of Transportation (VDOT) Commonwealth Transportation Board (CTB) to prohibit through truck traffic on Douglas Avenue (Route 1711), Brice Street (Route 1710) and Liberty Avenue (Route 1710). This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being out of the room.

108. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-P-017 (WILLIAM P. SLOAN) (PROVIDENCE DISTRICT)** (Tape 14)

Mr. Michael Mehaffee reaffirmed the validity of the affidavit for the record.

Mr. Mehaffee 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 three speakers, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-P-017 be amended from the R-2 District to the R-3 District, subject to the execution of proffers dated September 22, 1994. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Supervisor Hanley moved waiver of the minimum district size and the requirement for open space provisions for a cluster subdivision. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

109. **4:00 P.M. - BOARD DECISION ON AREA PLANS REVIEW (APR) ITEM 94-III-7P IN THE VICINITY OF NEW GUINEA ROAD AND THE BURKE CENTRE COMMUTER RAIL STATION (BRADDOCK DISTRICT)** (Tape 14)

(NOTE: On October 10, 1994, a public hearing was held on APR Item 94-III-7P and decision deferred until October 31, 1994.)

Supervisor Bulova moved approval of Area Plans Review (APR) Item 94-III-7P to retain the adopted Plan with the following modifications:

- Amend the planned text for Recommendation Number Three, as found on page 183 of the staff report, to substitute the words "Dedication of the right-of-way and easements" for the words "Construction of"; and
- Delete the option for office use for Recommendations Number Three and Four.

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

110. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-III-10P, BURKE LAKE ESTATES SUBDIVISION (SPRINGFIELD DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor McConnell moved approval of Area Plans Review (APR) Item 94-III-10P to revise the Comprehensive Plan map for the Burke Lake Estates Subdivision to show "Residential Planned Community" and public park uses to be consistent with the Burke Centre Master Plan, as shown on page 45 of the staff report. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Hyland being out of the room.

111. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-CW-1CP FOR 18 PARCELS IN THE VICINITY OF THE CITY OF FAIRFAX AND THE TOWN OF VIENNA (BRADDOCK, HUNTER MILL AND PROVIDENCE DISTRICTS)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Bulova moved approval of Area Plans Review (APR) Item 94-CW-1CP to add Comprehensive Plan designations for 18 parcels now within Fairfax County as a result of recent jurisdictional boundary changes with the City of Fairfax and the Town of Vienna, as outlined in the staff report. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor Hyland being out of the room.

112. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-II-6M IN THE VICINITY OF ROUTE 7, DULLES AIRPORT ACCESS ROAD, MAGARITY ROAD AND PIMMIT DRIVE (DRANESVILLE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Berger moved approval of Area Plans Review (APR) Item 94-II-6M to delete Comprehensive Plan text regarding a day care facility in Pimmit Hills, as shown on page 37 of the staff report. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor Hyland being out of the room.

113. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR ITEM 94-II-8M IN THE VICINITY OF GEORGETOWN PIKE, THE CAPITAL BELTWAY, DULLES AIRPORT ACCESS ROAD, LEESBURG PIKE AND TOWLSTON ROAD (DRANESVILLE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Berger moved approval of Area Plans Review (APR) Item 94-II-8M to delete and add Comprehensive Plan text regarding the Concept for Future Development in the Spring Hill Community Planning Sector, as shown on page 70 of the staff report. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

114. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-III-14UP IN THE VICINITY OF STUART ROAD AND LAUREL WAY (DRANESVILLE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Supervisor Berger moved that the Board defer the public hearing on Area Plans Review (APR) Item 94-III-14UP to add Comprehensive Plan text regarding residential use at 8-10 dwelling units per acre, as shown on pages 80 and 81 of the staff report. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Hyland being out of the room.

115. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-CW-13T IN THE VICINITY OF CENTREVILLE ROAD/ELDEN STREET (DRANESVILLE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Berger moved approval of Area Plans Review (APR) Item 94-CW-13T to reflect six-lane designation on Centreville Road/Elden Street, as shown in the staff report. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Hyland being out of the room.

116. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-III-17UP IN THE VICINITY OF PINECREST ROAD AND FOX MILL ROAD (HUNTER MILL DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Dix moved approval of Area Plans Review (APR) Item 94-III-17UP to modify the Comprehensive Plan text to add an option for residential use at 4-5 dwelling units per acre on land planned for low intensity light industrial and research and development use, as shown on page 32 of the staff addendum.

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

117. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-III-6UP IN THE VICINITY OF OLD CENTREVILLE ROAD AND MCNAIR FARMS DRIVE (HUNTER MILL DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, which included testimony by one speaker, Supervisor Dix moved approval of Area Plans Review (APR) Item 94-III-6UP to modify the Comprehensive Plan text to allow townhouse residential use at 8-12 dwelling units per acre on the subject property, as shown on page 21 of the staff addendum. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Hanley and Supervisor Hyland being out of the room.

118. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-IV-9MV IN THE JEFFERSON MANOR CONSERVATION AREA LOCATED NORTH OF MOUNT EAGLE ELEMENTARY SCHOOL AND WEST OF NORTH KINGS HIGHWAY (LEE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Alexander moved approval of Area Plans Review (APR) Item 94-IV-9MV to clarify and make minor changes to the Comprehensive Plan text that relates to the Jefferson Manor Conservation Area, as shown on page 33 of the staff report. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hanley, Supervisor Hyland, and Chairman Davis being out of the room.

119. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-IV-17MV IN THE VICINITY OF ROUTE ONE AND FRYE ROAD (LEE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

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

Supervisor Alexander moved approval of Area Plans Review (APR) Item 94-IV-17MV to amend the Comprehensive Plan text so that it is consistent with the adopted Plan Map, as shown on page 58 of the staff report. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Hanley, Supervisor Hyland, and Chairman Davis being out of the room.

120. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-IV-1S IN THE VICINITY OF FRANCONIA ROAD AND FRONTIER DRIVE (LEE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

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

Supervisor Alexander moved approval of Area Plans Review (APR) Item 94-IV-1S to amend the Comprehensive Plan text to permit various optional uses, to include townhouses, multi-family dwellings, office use, limited retail, governmental and community facilities or quasi-public uses, as shown on page 106 of the staff report. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Hyland and Chairman Davis being out of the room.

121. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-IV-10MV IN THE VICINITY OF BUCKMAN ROAD AND MAIN STREET (LEE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

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

Supervisor Alexander moved approval of Area Plans Review (APR) Item 94-IV-10MV to amend the Comprehensive Plan Map from residential use at 8-12 dwelling units per acre (du/ac) to private open space on Parcel D north of Main Street, as shown on page 45 of the staff report. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Hyland and Chairman Davis being out of the room.

122. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-I-1B IN THE VICINITY OF ARLINGTON BOULEVARD AND LEESBURG PIKE (MASON DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of

October 14 and 21, 1994.

Following the public hearing, Supervisor Trapnell moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Chairman Davis being out of the room.

Supervisor Trapnell moved approval of Area Plans Review (APR) Item 94-I-1B as recommended by the Planning Commission with the following modifications:

- Incorporate the alternative transit transfer center text that was formulated in conjunction with the Office of Transportation (OT) adding specific text regarding the location and maximum height of the future hotel; and
- Add a limit to the number of drive through uses as shown by strikeovers and underlining on page 31 of the staff report.

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

123. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-I-6J IN THE VICINITY OF LEE HIGHWAY AND GRAHAM ROAD (PROVIDENCE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, which included testimony by two speakers, Supervisor Hanley moved approval of Area Plans Review (APR) Item 94-I-6J to modify the Comprehensive Plan to add text for a residential use option at 8 to 12 dwelling units per acre (du/ac) on approximately 2.5 acres of the parcel, including frontage on Lee Highway, as shown on page 81 of the staff report. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Chairman Davis being out of the room.

124. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-II-2F LOCATED AT 3300 AND 3310 GALLOWS ROAD, THE FAIRFAX HOSPITAL COMPLEX (PROVIDENCE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, which included testimony by one speaker, Supervisor Hanley moved approval of Area Plans Review (APR) Item 94-II-2F to add Comprehensive Plan text regarding intensity, ancillary hospital uses and medical/physicians office uses, as shown on pages 87 and 88 of the staff addendum. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Hyland and Chairman Davis being out of the room.

125. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-CW-9T IN THE VICINITY OF ROUTE 123, I-495 AND THE DULLES AIRPORT ACCESS ROAD EXTENSION (PROVIDENCE DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Hanley moved approval of Area Plans Review (APR) Item 94-CW-9T to consider reviewing a recommendation in the Area II Plan to depict a six-lane roadway on Route 123 between I-495 and the Dulles Airport Access Road Extension as reflected on the Transportation Plan Map, as outlined in the Staff Report. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

126. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-CW-6T IN THE VICINITY OF I-66 WEST OF THE PROPOSED ROUTE 28 BYPASS (SULLY DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Frey moved approval of Area Plans Review (APR) Item 94-CW-6T to consider amending the Comprehensive Plan to show HOV lanes along I-66 west of the proposed interchange with the Route 28 Bypass, as shown on page 441 of the staff report. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Hanley and Supervisor Hyland being out of the room.

127. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-CW-7T IN THE VICINITY OF NORTHBOURNE DRIVE (SULLY DISTRICT)** (Tape 15)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Frey moved approval of Area Plans Review (APR) Item 94-CW-7T to show Northbourne Drive as a two-lane roadway in the Area III Plan to be consistent with the Comprehensive Plan Map, as shown on page 454 of the staff report. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Hanley and Supervisor Hyland being out of the room.

128. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-CW-8T IN THE VICINITY OF MONUMENT DRIVE (SULLY DISTRICT)** (Tape 15)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Frey moved approval of Area Plans Review (APR) Item 94-CW-8T to show Monument Drive as a six-lane roadway between West Ox Road and the I-66 bridge to make the Area Plans consistent with the Countywide Transportation Plan, as shown on page 470 of the staff report. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Hanley and Supervisor Hyland being out of the room.

129. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-CW-10T IN THE AREA SOUTHEAST OF STRINGFELLOW ROAD AND I-66 (SULLY DISTRICT)** (Tape 15)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 14 and 21, 1994.

Following the public hearing, Supervisor Frey moved approval of Area Plans Review (APR) Item 94-CW-10T to correct an error in the Transportation Plan east of Stringfellow Road, south of I-66, west of West Ox Road and north of Route 29, and to make the Transportation Plan Map consistent with the Area III Plan, as shown on page 484 of the staff report. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Hanley and Supervisor Hyland being out of the room.

ADDITIONAL BOARD MATTERS

NV:nv

130. **AUTHORIZATION OF A PUBLIC HEARING ON THE PROPOSED ABANDONMENT OF A PORTION OF OSMAN DRIVE** (Tape 15)

- (A) In accordance with Section 33.1-151 of the Code of Virginia, Supervisor Alexander moved that the Board authorize the advertisement of a public hearing to be heard before the Board on **December 5, 1994 at 5:00 p.m.** on the proposed abandonment of a portion of Osman Drive, State Route 935. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley and Supervisor Hyland being out of the room.

131. **AUTHORIZATION OF THE FILING OF A REZONING APPLICATION BY PULTE HOME CORPORATION WHICH INCLUDES THE DEDICATED RIGHT-OF-WAY OF REBEL LANE** (Tape 16)

Supervisor Trapnell stated that Pulte Home Corporation will be filing a Rezoning Application for approximately 122.5 acres located north of Edsall Road, west of the City of Alexandria and south of I-395. A dedicated public right-of-way known as Rebel Lane located within this property which is proposed to be vacated with this development is included in the rezoning application. Accordingly, Supervisor Trapnell moved that the Board:

- Authorize the filing of a Rezoning Application by Pulte Home Corporation which includes the dedicated right-of-way of Rebel Lane; and
- Direct staff to take all reasonable measures to ensure that construction traffic is discouraged from utilizing this area.

Supervisor Trapnell noted that this motion should not be construed as a favorable recommendation on the Rezoning Application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

132. **THROUGH TRUCK TRAFFIC ON EDSALL ROAD** (Tape 16)

Supervisor Trapnell stated that recently she had received several calls regarding through truck traffic on Edsall Road in Springfield. Accordingly, she moved that the Board direct the staff of the Office of Transportation to study the possible restriction of through truck traffic on Edsall Road from Backlick Road to Conard Street in Springfield. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Hanley, Supervisor Hyland, and Supervisor McConnell being out of the room.

133. **SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 94-M-038 AND SPECIAL EXCEPTION APPLICATION SE 94-M-043**
(Tape 16)

Supervisor Trapnell reminded Board Members that in June they authorized an Out-of-Turn Plan Amendment for approximately four acres located on Backlick Road for a 72-unit medical care/elderly assisted living residential use. The public hearing on this Plan Amendment was heard by the Board today. The applicant, Fralin and Waldron, has filed concurrent Rezoning and Special Exception Applications which are scheduled for a public hearing to be held before the Planning Commission on November 30, 1994.

Due to the increasing demand for this type of use in the Mason District, Supervisor Trapnell moved that the Board direct staff to schedule the public hearing for Rezoning Application RZ 94-M-038 and Special Exception Application SE 94-M-043 before the Board for the first meeting scheduled in December. This motion was seconded by Supervisor Bulova.

Following discussion, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Dix voting "NAY," Supervisor Hyland being out of the room.

134. **DEDICATION FOR PUBLIC STREET PURPOSES OF LAND IDENTIFIED AS TAX MAP NUMBER 64-2((4))(3) PARCEL E** (Tape 16)

- (R) Supervisor Frey moved adoption of a Resolution dated October 31, 1994, as distributed to the Board, regarding the dedication for public street purposes of a parcel of land identified as Tax Map Number 64-2 ((4))(3) Parcel E. He stated that the property had been initially intended as a stub street to the adjacent property. The use of this land shall

be subject to the requirements of the Code of the County of Fairfax, Chapter 2 (Property Under County Control), and the dedication is subject to vacation or abandonment at any time at the sole discretion of the Board. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Hyland being out of the room.

135. **SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-S-079, UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA)** (Tape 16)

Supervisor Frey stated that the Upper Occoquan Sewage Authority (UOSA) operates a small pump station called Silver Hill located at 14614 Compton Road. UOSA needs to expand and upgrade this facility and an amendment to Special Exception Application SE 86-S-079 is required.

Accordingly, Supervisor Frey moved that the Board concur in the filing of the Special Exception Amendment Application. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Frey further moved that the Board direct staff to expedite Special Exception Amendment Application SEA 86-S-079, in concurrence with the County Executive's recommendation. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to process the Site Plan for the pump station and any other required plans simultaneously with the SEA. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Frey noted that the previous actions do not prejudice any decision on the SEA.

136. **FANTASIA DRIVE PROJECT** (Tape 16)

Supervisor Berger reminded the Board that earlier in the day it had discussed the Fantasia Drive project. Accordingly, he moved that the Board direct staff to:

- Initiate design on the Fantasia Drive project administratively using residual available funds from the Herndon sidewalk project; and
- Include the remaining construction funds in the Mid-Year Budget Review as a Consideration Item.

The second to this motion was inaudible. Following a clarification, the question was called on the motion which carried by a vote of nine, Supervisor Hyland being out of the room.

137. **OUT-OF-TURN PLAN AMENDMENT FOR NORTHERN VIRGINIA EDUCATION CENTER IN FALLS CHURCH** (Tape 16)

Supervisor Berger stated that the Virginia Polytechnic Institute and State University (VPI) and the University of Virginia (UVa.) have chosen a site in Fairfax County to be the new home for their joint graduate and continuing education facility in Northern Virginia. At full build out, the Universities' plans call for a 240,000 square foot complex on an approximately seven acre site adjacent to the West Falls Church Metro Station.

Supervisor Berger stated his understanding that construction is scheduled to begin on the first phase of this project in June 1995. Therefore, to expedite the Rezoning and Site Plan process, he moved that the Board authorize:

- An Out-of-Turn Plan Amendment to consider up to approximately 240,000 square feet of office and educational uses on the seven acre site adjacent to the West Falls Church Metro Station, addressed under Land Unit A of the West Falls Church Metro Station in the Area II Plan; and
- Direct staff to schedule a public hearing before the Board for early next year.

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Hyland being out of the room.

138. **EXPANSION OF THE CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**
(Tape 16)

(BACs)
(APPT)

Supervisor Berger moved that the Board:

- Expand the membership of the Criminal Justice Advisory Board (CJAB) by one to include a representative of the Alcohol Safety Action Program (ASAP); and
- Appoint Jody Douglas, Director, ASAP, as the ASAP representative to CJAB.

Following a clarification by Chairman Davis indicating that this action would be subject to review by the County Attorney, and subsequent discussion, the question was called on the motion which carried by a vote of nine, Supervisor Hyland being out of the room.

139. **EXPEDITED PROCESSING FOR SITE PLAN FOR BRYN MAWR SUBDIVISION** (Tape 16)

Supervisor Berger moved that the Board direct the Director of the Department of Environmental Management (DEM) to expedite the processing of the Site Plan for the Bryn Mawr Subdivision. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

140. **COMMENDATION FOR THE DEPARTMENT OF FIRE AND RESCUE'S SWIFT WATER RESCUE UNIT** (Tape 16)

Supervisor Berger commended the efforts of the Department of Fire and Rescue's Swift Water Rescue staff, stating that they are nearly peerless in the United States. The 40 trained personnel are scattered throughout the County, with 21 assigned to Company 12 in Great Falls.

Accordingly, Supervisor Berger asked unanimous consent that the Board direct staff to invite representatives of the Swift Water Rescue Unit to appear before the Board to be recognized for their efforts. He particularly noted Captain Jimmy Chinn, trainer for the unit. Without objection, the request was so ordered.

141. **THROUGH TRUCK TRAFFIC ON YATES FORD ROAD** (Tape 16)

Supervisor McConnell called the Board's attention to a Resolution adopted by the Prince William County Board of Supervisors requesting the Virginia Department of Transportation (VDOT) to examine the possibility of restricting through truck traffic on Yates Ford Road. She stated that she has been requested by the citizens of Springfield District to have the Board adopt a similar resolution. Therefore, Supervisor McConnell moved that the Board direct staff of the Office of Transportation to:

- Review this matter; and
- Prepare the appropriate documents for the Board's consideration.

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

142. **AUTHORIZATION OF A SPECIAL EXCEPTION APPLICATION BY BURKE VILLAGE CENTER LIMITED PARTNERSHIP AND EXAMINATION OF A WAIVER OF THE APPLICATION FEE** (Tape 16)

Supervisor McConnell reminded Board Members that they had authorized a Board's Own Motion zoning action for the Burke Village Shopping Center as a result of a condemnation case. This case has been scheduled for a public hearing.

Supervisor McConnell stated that due to an interest expressed by a potential user of the site, the owner of the shopping center would like to file a Special Exception (SE) Application to allow fast food restaurants and have it heard concurrently with the Rezoning Application. Because the Board is still the owner of the property, the applicants must have the consent of the Board to file the SE Application.

Therefore, Supervisor McConnell moved that the Board:

- Authorize the filing of a Special Exception Application by Burke Village Center Limited Partnership on property it owns in Burke, identified as Tax Map 78-1((1)) pt. 27; and
- Direct staff to waive the \$1,980 application fee associated with this SE.

Chairman Davis seconded the motion with the understanding that the Board would refer the waiver of the fee to staff to determine whether the Board can take that action.

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

143. **WAIVER OF FEE FOR DUSTLESS SURFACE REQUIREMENT EXTENSION REQUEST FOR THE FRIENDS OF FAIRFAX STATION** (Tape 16)

Supervisor McConnell stated that the Friends of the Fairfax Station have had a waiver of the dustless surface requirement for the past five years. They are now in the process of requesting an extension of that waiver and have discovered that the fee for the extension is \$500. Supervisor McConnell moved that the Board direct staff to waive the fee requirement for the Friends of the Fairfax Station.

Following discussion, with input from David P. Bobzien, County Attorney, Chairman Davis seconded the motion on the condition that the County Attorney examine the fee waiver issue. The question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Alexander abstaining, Supervisor Hyland being out of the room.

144. **EXEMPTION FROM FLOOR AREA RATIO (FAR) FOR SCHOOLS** (Tape 16)

Supervisor McConnell stated that each year the Board considers Rezoning Applications which must be filed by the Fairfax County Public Schools because an addition to a school will cause the Floor Area Ratio (FAR) for the underlying residential zoning district to be exceeded. Usually these additions are caused by the need to upgrade older schools or by new special programs or requirements, and do not typically result in an increase in enrollment. She added that critical and time-sensitive expansions have often been delayed considerably because of the requirement for rezoning, delays which deprive the children of facilities and programs. These rezonings also crowd the Board's agenda and

add to the burden of the Office of Comprehensive Planning (OCP).

Supervisor McConnell stated her belief that little or no public benefit results from continuing to require the School System to follow the rezoning process simply to construct an addition to an existing school. Schools throughout the County require upgrades or expansions, and rezoning can create the dilemma of denying the upgrade, or a potentially undesirable precedent for the surrounding properties zoned and planned to lower densities, particularly in the RC, RE, and R-1 districts. Public schools serve the residential zoning districts in which they are located and are very distinguishable from other public uses, as to nature and intensity of use, and from private schools located in residential zoning districts.

Supervisor McConnell stated that the problem can be solved by simply exempting public schools from the FAR limitation or by increasing the non-residential FAR which applies to public schools. With respect to either, one protection already in place applicable only to public schools is that all schools are required by the Commonwealth, for certification purposes, to have substantial land areas commensurate with the grade level of the institution.

Therefore, Supervisor McConnell moved that the Board direct:

- The Zoning Administrator to prepare, in conjunction with the Public Schools and their representatives, an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding FAR limitations as they pertain to public schools only; and
- Staff to return in December with its recommendation in sufficient time to permit advertisement of a public hearing to be scheduled before the Board on an expedited basis no later than the last meeting in January, 1995 for consideration of such an amendment.

This motion was seconded by Supervisor Alexander.

Following discussion, the question was called on the motion which carried by a recorded vote of eight, Supervisor Frey voting "NAY," Supervisor Hyland being out of the room.

145. **BOARD ADJOURNMENT** (Tape 16)

At 10:20 p.m., the Board adjourned.