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The meeting was called to order at 9:50 a.m. with all Members being present, with the exception of Supervisor Alexander and Supervisor Dix, and with Chairman Hanley presiding.

Supervisor Alexander arrived at 9:55 a.m.

Supervisor Dix arrived at 12:30 p.m.

Others present were William J. Leidinger, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, 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. **CERTIFICATES OF RECOGNITION PRESENTED TO FOUR FAIRFAX COUNTY POLICE DEPARTMENT OFFICERS FOR THEIR EFFORTS IN THE MOTOR CARRIER SAFETY PROGRAM** (Tape 1)

Supervisor Hyland moved approval of the Certificates of Recognition presented to the following four Fairfax County Police Department officers who staff the Motor Carrier Safety Section in the Traffic Division for their efforts in the Motor Carrier Safety Inspection Program:

- MPO Todd R. Edwards;
- MPO Wade W. Jordan;
- MPO William T. Morrison; and
- MPO Christopher A. Rizzo.

This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Dix not yet having arrived.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO MEMBERS OF THE OFFICE OF THE SHERIFF FOR THEIR EFFORTS WITH THE SECOND ANNUAL SHOP WITH A SHERIFF PROGRAM** (Tape 1)

Supervisor Frey moved approval of the Certificates of Recognition presented to Members of the Office of the Sheriff for their efforts with the second annual Shop with a Sheriff Program. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Dix not yet having arrived.

BOARD MATTER

4. **NATIONAL ASSOCIATION FOR COMMUNITY LEADERSHIP'S 1996 DISTINGUISHED LEADERSHIP AWARD PRESENTED TO SHERIFF CARL R. PEED** (Tape 1)

Supervisor Frey reported that on October 8, 1995, Sheriff Carl R. Peed was the recipient of the National Association for Community Leadership's 1996 Distinguished Leadership Award sponsored by Sprint. This award recognizes community leaders who exemplify the spirit and goals for civic involvement and trusteeship. Supervisor Frey commended him for this achievement.

5. **PROCLAMATION DESIGNATING NOVEMBER 1, 1995 AS "FRIENDS OF GEORGE MASON REGIONAL LIBRARY DAY" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Trapnell moved approval of the Proclamation presented to Mary Zimmerman, President and Barbara Coats recognizing the Friends of George Mason Regional Library for their 20 years of service and designating November 1, 1995 as "**Friends of George Mason Regional Library Day**" in Fairfax County. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Dix not yet having arrived.

6. **PROCLAMATION DESIGNATING NOVEMBER 13-17, 1995 AS "SUBSTANCE ABUSE AWARENESS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and moved approval of the Proclamation presented to Carl R. Peed, Sheriff designating November 13-17, 1995 as "**Substance Abuse Awareness Week**" in Fairfax County. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Frey being out of the room and Supervisor Dix not yet having arrived.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

BOARD MATTER7. **SUPERVISOR DIX'S ABSENCE FROM THE BOARD ROOM** (Tape 1)

Chairman Hanley stated that due to rapidly evolving circumstances, it was necessary for Supervisor Dix to attend a meeting in Richmond this morning as a Fairfax County representative and Vice-Chairman of the Virginia Baseball Stadium Authority.

Chairman Hanley stated that Supervisor Dix would be returning to the Board Meeting later in the day and he has requested the Board to defer action on Appointments to Citizen Boards, Authorities, Commissions and Advisory Group (BACs); Action Item One, Action Item Five; and Information Item Four until his arrival.

8. **10:00 A.M. - 1995 EXCEPTIONAL DESIGN AWARDS CEREMONY (COUNTYWIDE)** (Tape 1)

Carl E. Neuberg, AIA, representing the Fairfax County Fairfax County Architectural Review Board, and serves as Chairman of the Design Jury, presented the following 1995 Exceptional Design Awards:

- **Honor Award:** Classroom Buildings
- Burgundy Farm
County Day School
(Institutional).

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Owner/Developer: Burgundy Farm Country
Day School - Year Built: 1995.

- **Merit Award:** Timberview (Residential, Townhouse).

Architect: The Martin Organization.

Owner/
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per:
Miller
and
Smith
Homes
- Year
Built:
1994.

- **Merit Award:** Chantilly High School (Institutional).

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Owner/
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Fairfax
County
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School
s -
Year
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■ Honorable
Mention:

Market
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(Com
mercial
,
Office)
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Archite
ct:
DNC

Architects.

Owner/Developer: West*Mac Associates/West*Group - Year Built: 1995.

■ **Honorable Mention:**

Aldrin Elementary School (Institutional).

Architect: Ward/Hall Associates AIA.

Owner/Developer: Fairfax County Public Schools - Year Built: 1994.

9. **10:15 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS (BACs)** (No Tape)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#67.)

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10. **ADMINISTRATIVE ITEMS** (Tape 2)

Supervisor Hyland moved approval of the Administrative Items. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Dix not yet having arrived.

**ADMIN-1 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE,
HUNTER MILL, PROVIDENCE AND SULLY DISTRICTS)**

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated October 30, 1995 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Crew Woods	Dranesville	Nedra Drive, Route 7631 Crews Road
Sycamore Ridge, Section 6	Hunter Mill	Iron Forge Road, Route 8536 Stable Brook Way Silver Spur Court
Hidden Place	Providence	Hidden Estates Cove Hidden Road, Route 785 Additional right-of-way only Courthouse Road, Route 673 Additional right-of-way only
Madrillon Springs, Section 1	Providence	Merry Oaks Lane, Route 813
Ashburton Oaks, Section 3	Sully	Harrison Hollow Lane Ashburton Avenue, Route 749
Centre Ridge Upper Ridge Drive	Sully	Upper Ridge Drive Centrewood Drive, Route 8351, Additional right-of-way only
Cinnamon Oaks	Sully	Saffron Drive Tarragon Court Cinnamon Oaks Court West Ox Road, Route 608 Additional Right-of-way only Ashburton Avenue, Route 749, Northside, Additional Right- of-way only Ashburton Avenue, Route 749, Southside Additional right-of-way only

Hampton Forest,
Section 9

Sully

Ashleigh Road, Route 7886
Blythewood Drive

ADMIN-2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF ADDITIONAL LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE FAIRFAX COUNTY PARKWAY (ROUTE 123 TO HOES ROAD/POHICK ROAD) (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 1995 at 4:00 p.m.** on the acquisition of additional interests in real property necessary for the construction of Project 064146 - Fairfax County Parkway (Route 123 to Hoes Road/Pohick Road).

ADMIN-3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - SOUTH VAN DORN STREET/I-95 INTERCHANGE (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 1995 at 3:30 p.m.** on the acquisition of interests in real property necessary for the construction of County Road Bond Project 064103 - South Van Dorn Street/I-95 Interchange.

ADMIN-4 - AUTHORIZATION OF A PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF OLD CENTREVILLE ROAD (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 1995 at 3:30 p.m.** on the proposed vacation of a portion of Old Centreville Road.

ADMIN-5 - AUTHORIZATION OF A PUBLIC HEARING ON THE VACATION OF REBEL LANE (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 1995 at 3:30 p.m.** on the proposed vacation of Rebel Lane.

ADMIN-6 - AUTHORIZATION OF A PUBLIC HEARING ON THE VACATION AND ABANDONMENT OF A PORTION OF RIVER PARK DRIVE (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 20, 1995 at 3:30 p.m.** on the proposed vacation and abandonment of a portion of River Park Drive.

ADMIN-7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96047 FOR EXPANSION OF THE FEDERAL HEAD START PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY SERVICES

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96047 in the amount of \$42,294 for the Department of Health and Human Services (DHHS) grant award for the Head Start Parent and Child Center (PCC) Program.

ADMIN-8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96048 FOR JUDICIAL OPERATIONS TO ACCEPT A GRANT FOR THE APPLICATION OF A TRIAL COURT CASEFLOW SIMULATION MODEL

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96048 in the amount of \$16,300 to provide for technical assistance to assist agency staff with the implementation of caseflow software.

ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96049 FOR JUDICIAL OPERATIONS TO ACCEPT A GRANT FOR DISASTER RECOVERY PLANNING FOR THE DIFFERENTIATED CASE TRACKING PROGRAM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96049 in the amount of \$4,998 to provide for technical assistance for the differentiated case tracking program's disaster recovery plan.

ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96050 FOR THE DEPARTMENT OF FAMILY SERVICES REHABILITATIVE SERVICES INCENTIVE FUNDS GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96050 to accept Rehabilitative Services Incentive Fund Grant in the amount of \$32,000 from the Virginia Department of Rehabilitative Services.

11. **A-1 - BOARD POSITION REGARDING IMPLEMENTATION OF THE REGIONAL TRANSPORTATION EMPLOYER OUTREACH PROGRAM (COUNTYWIDE)** (Tape 2)

Chairman Hanley noted that Supervisor Dix has requested that this item be considered later in the meeting.

Supervisor Hyland asked unanimous consent that the Board direct the County Executive to circulate to Board Members the letter from the Mount Vernon District Transportation Commissioner concerning this matter. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#74.)

12. **A-2 - APPROVAL OF THE INSTALLATION OF MULTI-WAY STOPS AT INTERSECTIONS LOCATED IN THE PROVIDENCE DISTRICT (PROVIDENCE DISTRICT)** (Tape 2)

On motion of Supervisor Connolly, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Dix not yet having arrived, the Board concurred in the recommendation of staff and:

- Endorsed the installation of multi-way stops at the following intersections:
 - Woodley Place (Route 1720) and Timber Lane (Route 1777);
 - Willow Lane (route 2939) and Pine Spring Road (Route 2923);
 - Borge Street (Route 5177) and Flagpole Lane (route 5650 and Bushman Drive (Route 5600);
 - Oakton Drive (Route 1264) and Gray Street (Route 674);
 - Pine Street (Route 1042) and Hibbard Street (Route 784); and
 - Virginia Avenue (Route 719) and Virginia Lane (Route 1117)
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

(NOTE: Later in the meeting, this item was reconsidered by the Board. See Clerk's Summary Item CL#14.)

13. **A-3 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT FOR THE WIDENING OF LEE JACKSON MEMORIAL HIGHWAY (ROUTE 50) FROM WEST OF CENTREVILLE ROAD (ROUTE 657) TO STRINGFELLOW ROAD (ROUTE 645) (SULLY DISTRICT)** (Tape 2)

Following discussion, Supervisor Frey moved that the Board:

- Endorse the staff comments in the Memorandum to the Board dated October 30, 1995;
- Concur in the recommendation of staff and endorse the Virginia Department of Transportation (VDOT) design plans to widen Lee Jackson Memorial Highway from west of Centreville Road to Stringfellow Road to six lanes, with curb and gutter, and pedestrian

facilities on the both sides (except the segments where trails and sidewalks have already been built by developers) as presented at the September 19, 1995 public hearing subject to the conditions outlined in the Memorandum to the Board dated October 30, 1995 as modified:

- Delete Condition Three: “Relocate traffic signal from its existing location at the service drive entrance to Chantilly Mall (formerly F and M Plaza) to the Route 50/Galesbury Road (Route 4951) intersection to directly access the many communities serviced by Galesbury Road;”
- Direct staff to request VDOT to leave the traffic light in its present location;
- Direct staff to request VDOT to retain the median crossover at Centreview Drive as long as possible;
- Direct staff to request VDOT to review the median break at Sullyfield Circle and Centreview Drive and coordinate the application for the restaurant park to the north with the construction.

This motion was seconded by Supervisor Hyland.

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct the Transportation Advisory Commission (TAC) to advise the Board regarding a Policy for crossovers for U-turns only. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

Following further discussion, the question was called on the motion which carried by a vote of nine, Supervisor Dix not yet having arrived.

14. **RECONSIDERATION OF ACTION ITEM A-2 - APPROVAL OF THE INSTALLATION OF MULTI-WAY STOPS AT INTERSECTIONS LOCATED IN THE PROVIDENCE DISTRICT (PROVIDENCE DISTRICT)** (Tape 2)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#12.)

Supervisor Connolly called the Board's attention to Action Item 2 - Approval of the Installation of Multi-Way Stops at Intersections Located in the Providence District and moved that the Board reconsider its action on this item. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Dix not yet having arrived.

Supervisor Connolly moved that the Board concur in the recommendation of staff with the exception of number six. He said he needed additional time to work with the community. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix not yet having arrived.

15. **A-4 - ACCEPTANCE OF FINDINGS AND RECOMMENDATIONS IN CONSULTANT'S REPORT FOR CABLE TELEVISION RATES AND CHARGES OF MEDIA GENERAL CABLE OF FAIRFAX, INCORPORATED FOR THE PERIOD BEGINNING JULY 15, 1994 (COUNTYWIDE)** (Tape 2)

Supervisor Frey moved that the Board defer Action Item A-4 - Acceptance of Findings and Recommendations in Consultant's Report for Cable Television Rates and Charges of Media General Cable of Fairfax, Incorporated for the Period Beginning July 15, 1994 (Countywide) until later in the meeting. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Dix not yet having arrived.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Items CL#52 and CL#76.)

16. **A-5 - ACCEPTANCE OF FINDINGS AND RECOMMENDATIONS IN CONSULTANT'S REPORT FOR CABLE TELEVISION RATES AND CHARGES OF WARNER CABLE COMMUNICATIONS OF RESTON FOR THE PERIOD BEGINNING JULY 15, 1994 (HUNTER MILL DISTRICT)** (Tape 2)

Supervisor Frey moved that the Board defer Action Item A-5 - Acceptance of Findings and Recommendations in Consultant's Report for Cable Television Rates and Charges of Warner Cable of Fairfax, Incorporated for the Period Beginning July 15, 1994 (Countywide) until later in the meeting. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Dix not yet having arrived.

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Items CL#52 and CL#76 .)

17. **A-6 - BLOCK GRANT FUNDING FOR FAIRFAX COUNTY JUVENILE DETENTION CENTER** (Tape 2)

On motion of the Board, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Dix not yet having arrived, the Board concurred in the recommendation of staff and initiated an amendment to the 1996-1998 State of Virginia Biennium Budget to provide increased block grant funding for operation of the Fairfax County Juvenile Detention Center in the amount of \$601,509 annually.

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18. **C-1 - FORMATION OF TASK FORCE TO EVALUATE TELECOMMUNICATION LAND USE REGULATIONS (COUNTYWIDE)**
(Tape 3)

(BACs)

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and moved that the Board concur in the recommendation of staff to formulate a Task Force on telecommunications to be composed with representatives selected as follows:

- **Citizens** One representative from each Supervisor District as determined by the individual Board Members for their respective districts;

One At-Large representative appointed by the Chairman of the Board for a total of 10 citizen members.
- **Industry** One representative from each of the telecommunications companies currently doing business in Fairfax County - American Personal Communications, Bell Atlantic Mobile, Cellular One, and NEXTEL for a total of four industry members.
- **Chamber of Commerce** One representative from the Fairfax County Chamber of Commerce.

Chairman Hanley moved to modify the staff recommendation to include representation from the:

- Federation of Citizens Associations;
- League of Women Voters; and

- Planning Commission (one member).

This motion was seconded by Supervisor Berger.

Supervisor Frey asked to amend the motion to include representation from:

- The Park Authority; and
- Virginia Power.

This was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Dix not yet having arrived.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

19. **I-1 - STAFF SUMMARIES OF JULY AND AUGUST 1995 TRANSPORTATION ADVISORY COMMISSION MEETINGS (COUNTYWIDE)** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 30, 1995 presenting the staff summaries of the Transportation Advisory Commission (TAC) Meetings for July and August 1995.

There was discussion with input by Shiva K. Pant, Director, Office of Transportation.

20. **I-2 - UPDATE OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) POLICY AND PROCEDURES FOR THE CONTROL OF RESIDENTIAL CUT-THROUGH TRAFFIC (COUNTYWIDE)** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 30, 1995 updating information on the status of Virginia Department of Transportation (VDOT) efforts in evaluating the effectiveness of VDOT's existing cut-through traffic policy and determining if the existing residential cut-through traffic policy needs to be modified.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to provide draft language changes to the collector road policy. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to coordinate the proposed changes to the policy with VDOT before returning to the Board. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

21. **I-3 - CONTINUATION OF THE FORMER LAZARUS AT THE GATE FOOD PROGRAM BY FOOD FOR OTHERS AND REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 30, 1995 requesting authorization for staff to redirect current balances and reallocate \$30,000 in Community Development Block Grant (CDBG) funds, as well as an additional \$15,000 for one-time start-up costs, to continue the emergency food program by Food for Others. Funds in the amount of \$15,000 are available from Subfund 178, Project 003899, CDBG Contingency Fund, to continue this food program.

The staff was directed administratively to proceed as proposed.

22. **I-4 - BUDGET AND ECONOMIC SUMMIT: FAIRFAX COUNTY BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY SCHOOL BOARD** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 30, 1995 requesting authorization for staff to proceed with all of the necessary arrangements to conduct a joint Budget and Economic Summit of the Board of Supervisors and the Fairfax County School Board on November 29, 1995, to be attended by current Board Members as well as Members Elect. It will serve as an informational forum and allow staff to present materials discussed with the Committee on County Revenues and Expenditures (CREx).

Following discussion with input from William J. Leidinger, County Executive, Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to:

- Reschedule the Budget and Economic Summit;
- Recirculate a draft agenda that addresses the issues that gives balance from the School System's perspective; and
- Schedule a Reorganization Subcommittee meeting to address the issues of consolidation of services such as payroll and purchasing.

Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting there was further discussion on this item. See Clerk's Summary Item CL#75.)

23. **I-5 - AMENDMENT TO THE ARCHITECTURAL CONTRACT AWARD WITH HELBING LIPP, LIMITED, FOR THE COMPLETION OF THE DESIGN OF THE GEORGE MASON REGIONAL LIBRARY EXPANSION (MASON DISTRICT)** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 30, 1995 requesting authorization for staff to award a contract amendment to Helbing Lipp, Limited, in the amount of \$120,810 for the George Mason Regional Library Expansion, Project 004827, within Subfund 460, Library Construction.

The staff was directed administratively to proceed as proposed.

24. **I-6 - AWARD OF A CONTRACT TO DEWBERRY AND DAVIS FOR THE OPERATION OF THE KINGSTOWNE ENVIRONMENTAL MONITORING STATION (LEE DISTRICT)** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 30, 1995 requesting authorization for staff to award a contract to Dewberry and Davis in the amount of \$96,219, with an option to extend the contract for a second year in the amount of \$85,584, for the operation of the Kingstowne Environmental Monitoring Station, Lee District, Project L00034, Kingstowne Environmental Monitoring Program, Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

25. **I-7 - AWARD OF AN ENGINEERING CONTRACT TO BENGTON, DEBELL AND ELKIN, LIMITED, FOR THE ENGINEERING ANALYSIS AND DESIGN OF REGIONAL POND S-7, PROJECT SU0007 (DRANESVILLE DISTRICT)** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 30, 1995 requesting authorization for staff to award a contract to Bengton, DeBell and Elkin, Limited, in the amount of \$78,936.50, for the engineering analysis and design of Regional Pond S-7, Project SU0007, Subfund 490, Pro Rata Share Storm Drainage Construction, located in the Dranesville District.

The staff was directed administratively to proceed as proposed.

26. **I-8 - AWARD OF CONTRACT FOR PHASE I FOR A TAX SYSTEMS MODERNIZATION PROJECT** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 30, 1995 requesting authorization for staff to award a contract to American Management Systems of Fairfax, Virginia in a total amount not to exceed \$600,000 from

Subfund 150, Information Technology Subfund, for Phase I of a three phase project to modernize the County's computerized tax systems.

The staff was directed administratively to proceed as proposed.

BOARD MATTERS

27. **LOWER POTOMAC LAND USE ADVISORY COMMITTEE FOR THE DISTRICT OF COLUMBIA (D.C.) DEPARTMENT OF CORRECTIONS PROPERTY IN LORTON** (Tape 3)

(BACs)

Chairman Hanley announced she had received a letter which she had shared with Supervisor Hyland regarding the Lower Potomac Land Use Advisory Committee for the District of Columbia (D.C.) Department of Corrections Property in Lorton. The letter deals with the composition of the Task Force relating to representation from Prince William County.

28. **DULLES CORRIDOR RAIL POLICY COMMITTEE** (Tape 3)

Chairman Hanley stated that she and Supervisor Dix have been serving on the Dulles Corridor Rail Policy Committee. As this study progresses, she said that the Board needs to be informed about the direction the Committee is taking. Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to schedule a presentation of the Rail to Dulles Study. Without objection, it was so ordered.

29. **DESIGNATION OF NOVEMBER 1995 AS "NATIVE AMERICAN MONTH"** (Tape 3)

Chairman Hanley stated that the month of November is nationally recognized as Native American Month. In conjunction with federal observances and a request from the Office of Equity Programs, Chairman Hanley moved that the Board direct staff to recognize this occasion by preparing a Proclamation declaring November 1995 as "**Native American Month**" in Fairfax County for presentation at the November 20, 1995 Board meeting. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Dix not yet having arrived.

30. **DESIGNATION OF DECEMBER 1, 1995 AS "WORLD AIDS AWARENESS DAY"** (Tape 3)

Chairman Hanley informed the Board that December 1, 1995 is World AIDS Awareness Day. In conjunction with Federal observances, Chairman Hanley moved that the Board direct staff to prepare a Proclamation declaring December 1, 1995 as "**AIDS AwarenessDay**" in Fairfax County and invite a representative from the community to accept this Proclamation at the November 20, 1995 Board Meeting. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix not yet having arrived.

31. **FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (Tape 3)

Chairman Hanley stated that she had received a letter from Raymond Burmester, Vice-Chairman, Fairfax/Falls Church Community Services Board (CSB), indicating his grave concerns regarding the Department of Mental Health and Mental Retardation and Alcohol Drug Services' allocation of block grant funds to localities for the establishment of HIV Prevention Programs. She stated that, despite being recognized as one of the top three jurisdictions in the Commonwealth in the total number of HIV/AIDS cases, Fairfax County has not been included on the list for automatic allocations, but instead must submit a request for refunding which would be considered.

Chairman Hanley moved that the Board direct staff to draft a letter from the Board reflecting these concerns. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix not yet having arrived.

32. **TRANSPORTATION PRIORITIES MEETING** (Tape 3)

Chairman Hanley stated she had received a letter regarding a meeting to be held on November 14, 1995 at Lake Braddock High School regarding transportation priorities. Chairman Hanley moved that the Board direct the staff of the Office of Public Affairs, in conjunction with the Cable Programming Division, to publicize this information. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix not yet having arrived.

33. **FAIRFAX COUNTY RECEIVES THE DISTINGUISHED BUDGET PRESENTATION AWARD** (Tape 3)

Chairman Hanley announced that Fairfax County has received the Distinguished Budget Presentation Award from the Government Finance Officers Association.

Chairman Hanley asked unanimous consent that the Board direct staff to prepare a presentation of this award. Without objection, it was so ordered.

34. **DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) STATE AIR POLLUTION CONTROL BOARD PUBLIC MEETING** (Tape 3)

Chairman Hanley announced that there will be a public meeting of the State Air Pollution Control Board on November 2, 1995 at Lee High School concerning the regulation of vehicle emissions and motor vehicle emissions testing.

Chairman Hanley asked unanimous consent that the Board direct staff to provide:

- The Department of Environmental Quality (DEQ) proposal; and
- Information as to whether the Board's position on this issue needs to be communicated to DEQ.

Without objection, it was so ordered.

Acting-Chairman Alexander return the gavel to Chairman Hanley.

(NOTE: Later in the meeting, there was further discussion of this matter. See Clerk's Summary Item CL#19.)

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35. **ARRIVAL OF TWO NEW "SMART TRAILERS"** (Tape 4)

Supervisor Connolly announced that the two additional "Smart Trailers" purchased as a result of Board approval at Budget Carryover arrived last week. Officer Bill Knost notes that these data gathering radar devices, which have been so successful in addressing problems of speeding in neighborhoods, will be on the streets within two weeks. This brings to four the number of trailers available for sharing among the County's eight Police districts.

36. **NOTIFICATION OF INTENT TO DEFER INDEFINITELY THE PUBLIC HEARING ON REZONING APPLICATIONS RZ 94-P-015 AND SE 94-P-020 (TYSONS PROMENADE LIMITED PARTNERSHIP AND MCDONALD'S CORPORATION)** (Tape 4)

Supervisor Connolly announced his intent to defer indefinitely, at the appropriate time later today, the public hearing on Rezoning Application RZ 94-P-015 and Special Exception Application SE 94-P-020.

(NOTE: Later in the meeting, this public hearing was deferred indefinitely. See Clerk's Summary Item CL#106.)

37. **PUBLIC HEARING TO CORRECT ZONING DESIGNATION** (Tape 4)

With a notation that a small strip of property in the northernmost portion of Tax Map Parcel Number 49-2((1))26C in the area of Tyson's Corner is incorrectly shown on the Zoning Map, Supervisor Connolly moved that the Board direct staff to schedule a public hearing on an expedited basis for a Board's Own Motion rezoning for the designated property from the R-3 and HC Districts **TO** the C-8 and HC Districts. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Dix not yet having arrived.

PMH:pmh

38. **PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING GOLF COURSES** (Tape 5)

Supervisor Berger pointed out that an existing golf driving range facility in the Dranesville District offers a variety of recreational opportunities to the residents of

Fairfax County. This facility includes a miniature golf course and other uses that are currently the subject of a

Special Permit Amendment Application (SPA). However the Zoning Ordinance does not allow miniature golf facilities in the zoning district in which the driving range is located. The property is located within the Dranesville Tavern Historic Overlay District which contains specific limitations on commercial uses.

Supervisor Berger moved that the Board direct staff to:

- Review the applicable Zoning Ordinance provisions and prepare an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) that will allow, by Special Permit, a miniature golf course as an accessory and subordinate use to a golf driving range in the lower density residential districts; and
- In consultation with the Park Authority, History Commission, and Architectural Review Board, review the Dranesville Tavern Historic Overlay District boundaries to determine if changes to reduce the size of the district would be appropriate while still ensuring the protection and preservation of the Dranesville Tavern; and
- Report its findings as expeditiously as possible.

This motion was seconded by Supervisor Trapnell.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP), Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked to amend the motion to modify bullet one: change the phrase “will allow” to would allow,” and this was accepted.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

Supervisor Frey asked to amend the motion and refer this issue to the Development Process Committee for consideration within priority Zoning Ordinance amendment listing, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Dix not yet having arrived.

39. **RETAIL MERCHANT BUSINESS LICENSES THAT OPERATE OUT OF CITIZENS' HOMES** (Tape 5)

Supervisor Berger said that it has come to his attention that the County has issued a great number of retail merchant business licenses for businesses that operate out of citizens' homes. The County collects Business, Professional and Occupation License (BPOL) taxes on the retail sales arranged on the premises and the Commonwealth of Virginia collects sales tax.

Supervisor Berger noted that he is referring to businesses that sell such items as dresses, toys, children's clothes, and cleaning products. He said that in-person sales from these homes, however, are illegal because the Zoning Ordinance does not allow for the storage, display or selling of stock in trade on the premises or in the presence of customers or clients.

Supervisor Berger moved that the Board direct staff to:

- Prepare an amendment to the Code of the County of Fairfax, Chapter 112, (Zoning Ordinance) that would permit occasional, by appointment only, retail sales out of a home, and this amendment be prepared as expeditiously as possible;
- Report with the number of these distribution type permits currently operative;
- Report on the amount of BPOL the County annually collects; and
- Report with any possible estimate of the number of similar operations throughout the County operating without permits.

This motion was seconded by Supervisor Trapnell.

Following discussion, Supervisor Frey asked to amend the motion and refer this issue to the Development Process Committee for consideration within priority Zoning Ordinance amendment listing, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Dix not yet having arrived.

40. **REQUEST FOR A REPORT ON PROPERTIES OWNED BY METRO AND STAFF'S PROPOSED ZONING FOR EACH** (Tape 5)

Supervisor Berger distributed to Board Members a list of properties in Fairfax County owned by Metro along with the current zoning for each. It is now the intention of Metro to jointly develop these sites to:

- Increase the local tax base;
- Increase Metro ridership; and
- Provide additional revenues for Metro which would help reduce the amount of local subsidies needed.

Supervisor Berger stated that Metro will be issuing Request for Proposals (RFPs) on these properties in February 1996. Supervisor Berger moved that the Board refer this list to staff

and that they, by November 20, 1995, provide the Board with a recommendation on what the zoning should be to develop these sites to their best and fullest usage. This motion was seconded by Supervisor McConnell.

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to report with a detailed explanation of how the Request for Proposal (RFP) process would work if there were RFPs on different zoning categories. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

Following discussion, Supervisor Alexander asked to amend the motion to direct County staff to work with Metro staff to review the list of properties and determine a recommendation, and this was accepted.

Supervisor Alexander moved a substitute motion to direct staff to contact Metro staff to determine how they are approaching this process and report it findings. This motion was seconded by Supervisor Hyland.

The question was called on the substitute motion which carried by a vote of nine, Supervisor Dix not yet having arrived.

41. **REQUEST FOR CONCURRENT PROCESSING OF PRELIMINARY AND FINAL SUBDIVISION PLANS FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-D-084** (Tape 5)

Supervisor Berger said that the applicant in Special Exception Amendment Application SEA 87-D-084 is requesting that the Board approve concurrent processing of their Preliminary and Final Subdivision Plans. They also request that the Department of Environmental Management (DEM) accept and review these plans while the Application is being processed. The applicant is aware that concurrent processing approval by the Board does not assure eventual approval of the Application. The applicant further understands that his expenditures for preparation of these plans, as well as reviewing fees, will be lost if the

Application is not approved. Nevertheless, the applicant would like to proceed with Preliminary and Final Subdivision Plan submission and review at this time to have the possibility of commencing construction at an earlier date.

Therefore, Supervisor Berger moved that the Board:

- Approve concurrent processing for the property which is the subject of Special Exception Amendment Application SEA 87-D-084; and
- Direct staff to accept the applicant's Preliminary and Final Subdivision Plans at this time and to review them concurrently.

This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander being out of the room, Supervisor Dix not yet having arrived.

42. **HOURS OF OPERATION FOR THE KINGS PARK LIBRARY** (Tape 5)

Supervisor Bulova said that she has received several comments from constituents in the Braddock District regarding the limited hours of operation at the Kings Park Community Library. The Kings Park Library is the busiest Community Library in the entire system and is even approaching the usage of several Regional Libraries. She added that since Kings Park is classified as a Community Library it has much shorter hours of operation than those extended to Regional Libraries.

To better serve the citizens of Fairfax County and to better utilize existing resources, Supervisor Bulova suggested that staff investigate alternative ways to expand library services that would not require additional staff or increased funding. She added that it has been suggested by a constituent that, at certain hours, the library could offer different levels of service. Supervisor Bulova also suggested soliciting any other innovations from the library staff regarding hours and/or staffing.

Therefore, Supervisor Bulova moved that the Board direct staff to explore this matter further and, if there is no fiscal impact, to implement any changes that may improve the library service. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Alexander being out of the room, Supervisor Dix not yet having arrived.

43. **CANDIDATE FORUM FOR AT-LARGE CANDIDATES FOR THE FAIRFAX COUNTY SCHOOL BOARD** (Tape 5)

Supervisor Bulova noted that this election year Fairfax County voters will choose their first elected School Board. Many voters may be confused by the large number of candidates, especially for the three at-large positions.

Supervisor Bulova said that it is very important that any voter who has questions regarding the School Board election attend the final Candidate Forum for At-Large Candidates for the Fairfax County School Board. This event is sponsored by the School Board Election Coalition for Fairfax County.

Supervisor Bulova stated that the forum will be held Wednesday, November 1, 1995 at 7:00 p.m. at the Northern Virginia Community College Cultural Center on the Annandale campus. She encouraged all interested voters to attend.

44. **REQUEST TO INVITE MR. BILL CLAY TO APPEAR BEFORE THE BOARD TO BE RECOGNIZED FOR HIS MANY YEARS OF SERVICE** (Tape 5)

Supervisor Trapnell asked unanimous consent that the Board direct staff to invite Mr. Bill Clay to appear before the Board at the November 20, 1995 Board Meeting to be recognized for his many years of service on behalf of the senior citizens of Fairfax County. Without objection, it was so ordered.

45. **SCHEDULING OF SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-M-140** (Tape 5)

Supervisor Trapnell said that Exxon Corporation has filed a Special Exception Application SEA 80-M-140 to renovate the existing service station located at 7336 Little River Turnpike in the Mason District. She added that the Planning Commission public hearing has been scheduled for November 15, 1995, and the applicant would like to have the public hearing held before the Board in January 1996.

Therefore, Supervisor Trapnell moved that the Board direct staff to schedule a public hearing to be held before the Board in January 1996. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Dix not yet having arrived.

46. **REQUEST FOR COUNTY FACILITY FOR A DISPLAY OF GOLF MEMORABILIA** (Tape 5)

Supervisor Trapnell said that a constituent has spoken to her about the possibility of finding space in a County facility for a display of golf memorabilia. She added that he is willing to lend his collection to the County for a mini golf museum. The space requirements are a room about 20 feet by 25 feet with shelves and display cabinets.

Therefore, Supervisor Trapnell asked unanimous consent that the Board refer this issue to staff for review. Without objection, it was so ordered.

47. **STREAM BANK EROSION - LAFAY PROPERTY** (Tape 5)

Supervisor Trapnell asked unanimous consent that the Board direct staff to address the stream bank erosion problem on Mrs. LaFay's property. Without objection, it was so ordered.

48. **BOARD CONCURRENCE IN THE FILING OF A REZONING APPLICATION BY FAIR OAKS GLEN L.L.C. WHICH INCLUDES A PORTION OF THE DEDICATED RIGHT-OF-WAY OF OX TRAIL** (Tape 5)

Supervisor Frey said that Fair Oaks Glenn L.L.C. will be filing a Rezoning Application for approximately 15 acres located north of the Fairfax County Parkway and west of Rugby Road in the Murray Farms Subdivision. There is a dedicated right-of-way known as Ox Trail

(Route 6985) located contiguous to a portion of the western boundary of this property which is proposed to be vacated with this development and included in the Rezoning Application. This right-of-way was dedicated to Fairfax County as part of the Murray Farms Subdivision, but this particular portion of the road was never built. Because the right-of-way is owned by the Board, the Board must concur in the filing of the Rezoning Application.

Therefore, Supervisor Frey moved that the Board concur in the filing of a Rezoning Application by Fair Oaks Glen L.L.C. which includes a portion of the dedicated right-of-way of Ox Trail. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor McConnell and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

Supervisor Frey said that it should be 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 relating to vacation of a portion of the subject plat of subdivision.

49. **SPECIAL EXCEPTION APPLICATION SE 94-Y-029 [FAIRFAX COUNTY HOUSING AND COMMUNITY DEVELOPMENT (HCD)]** Tape 5)

Supervisor Frey said that on January 9, 1995, the Board approved Special Exception Application SE 94-Y-029, filed by the Fairfax County Department of Housing and Community Development (HCD). This Special Exception allows cluster subdivision on 45.17 acres in the R-C District for eight single family residences with a dedication of 21.14 acres to Fairfax County for a public park which would include three ball fields.

Supervisor Frey said that some of the conditions and actions have caused the Rough Grading Plan (RGP) to be held up. He added that one of the last issues that needs to be resolved concerns Condition Seven from the Special Exception which states, in part, that prior to any land disturbing activity, conservation easements for specified areas on the Plan must be executed.

Supervisor Frey said that he has been working with the County Attorney's Office to determine how to satisfy this condition. He added that the County Attorney has recommended that a covenant be placed on the property and recorded among the land records to establish the conservation areas because it is legally impossible for the County to grant itself an easement.

Therefore, Supervisor Frey moved that the Board authorize the County Executive to execute a covenant on the County owned property associated with the 21.14 acres designated for public park, said covenant to run with the land upon terms prescribed by the County Attorney, to satisfy the requirement in Condition Seven concerning conservation easements and allow the interim preparation of three ball fields for future construction. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor McConnell and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

50. **RESOLUTION - EASTER SEALS** (Tape 5)

- (R) Supervisor Frey moved adoption of the Resolution that the Board does not endorse the Easter Seals Society of the District of Columbia (ESSDC) proposal to regionalize the Metropolitan Washington area to include Northern Virginia, Berkeley, and Jefferson Counties, West Virginia, and that the Board commends the Easter Seals Society of Virginia (ESSV) for their responsive and compassionate service to the communities of Northern Virginia and the entire Commonwealth of Virginia and requests the National Easter Seal Board to reject the ESSDC proposal. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor McConnell and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

NV:nv

51. **RESTRUCTURING OF RAIL SERVICE IN CONJUNCTION WITH OPENING OF FRANCONIA-SPRINGFIELD METRORAIL STATION** (Tape 6)

Supervisor Alexander reminded the Board that the Franconia-Springfield Metrorail Station is on schedule for opening for service in mid-1997 while the Virginia Railway Express (VRE) station will open in early 1996. As in the past, in conjunction with such new service there has been the restructuring of bus service whereby service is directed to serve a feeder function for the rail station.

Supervisor Alexander moved that the Board direct the staff of the Office of Transportation to report by November 20, 1995 on how they are planning to accomplish this work. He noted that in view of the amount of bus service in this corridor, which includes both Metrobus and Fairfax Connector service, it is important that bus service plans be developed in a coordinated and timely manner with time for appropriate public meetings and hearings to ensure that a plan can be approved well in advance of the opening of the Metrorail station. This motion was seconded by Supervisor Bulova. Supervisor Berger asked to amend the motion to direct staff to report on the VRE station regarding why it is being located there and the destination of the riders, and this was accepted.

Following discussion, the question was called on the motion, as amended, which carried by a vote of seven, Supervisor McConnell and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

52. **DEFERRAL OF ACTION ITEM-A-4 - ACCEPTANCE OF FINDINGS AND RECOMMENDATIONS IN CONSULTANT'S REPORT FOR CABLE TELEVISION RATES AND CHARGES OF MEDIA GENERAL CABLE OF FAIRFAX, INCORPORATED FOR THE PERIOD BEGINNING JULY 15, 1994 (COUNTYWIDE) AND ACTION ITEM-A-5 - ACCEPTANCE OF FINDINGS AND RECOMMENDATIONS IN CONSULTANT'S REPORT FOR CABLE TELEVISION RATES AND CHARGES OF WARNER CABLE COMMUNICATIONS OF RESTON FOR THE PERIOD BEGINNING JULY 15, 1994 (HUNTER MILL DISTRICT)** (Tape 6)

(NOTE: Earlier in the meeting, these items were deferred pending the arrival of Supervisor Dix. See Clerk's Summary Item CL#15.)

Chairman Hanley stated that staff had informed her that the consultant associated with Action Items A-4 and A-5 could not remain at the meeting. Accordingly, Supervisor Connolly moved that the Board defer until November 20, 1995 Action Items A-4 - Acceptance of Findings and Recommendations in Consultant's Report for Cable Television Rates and Charges of Media General Cable of Fairfax, Incorporated for the Period Beginning July 15, 1994 (Countywide) and A-5 - Acceptance of Findings and Recommendations in Consultant's Report for Cable Television Rates and Charges of Warner Cable Communications of Reston for the Period Beginning July 15, 1994 (Hunter Mill District). This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor McConnell and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

(NOTE: Later in the meeting, these items were called and action was again deferred. See Clerk's Summary Item CL#76.)

53. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-L-073-2 (HUNTER TRACT ASSOCIATED, LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tape 6)

Supervisor Alexander announced his intent to defer, at the appropriate time, the public hearing on Proffered Condition Amendment Application PCA 86-L-073-2 (Hunter Tract Associated, Limited Partnership) scheduled for 4:00 p.m. today.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#92.)

54. **PROCLAMATION HONORING GEORGE HOWARD ALEXANDER, FORMER FIRE CHIEF** (Tape 6)

As part of the November 5, 1995 dedication renaming the Fire and Rescue Training Academy, Supervisor Hyland moved that the Board direct staff to develop an appropriate Proclamation honoring the late George Howard Alexander, former Chief of the Fire and Rescue Department for presentation at the dedication ceremony. This motion was seconded

by Supervisor Alexander and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

55. **MOLINE STREAM NEEDS HELP** (Tape 6)

Supervisor Hyland shared with Board Members the lead article in the October 1995 issue of *Inside Newington Station* on Moline Stream which is a meandering stream west of Rolling Road in the Newington Station community. He stated that along the stream is a sewer line which was constructed many years ago and on occasion the manhole covers are removed and logs and debris are thrown into the lines. Also, the pedestrian path along segments of the stream intermittently floods. Supervisor Hyland stated that even though Moline Stream has conduits designed to handle the water flow rate, they lack the capacity to carry all the water during certain storm surges, which in turn causes not only the stream banks to erode, but the path to erode as well.

Noting the significant problems along that stream, Supervisor Hyland moved that the Board direct staff to:

- Walk the stream with interested Newington Station community members;
- Locate the problem areas, and
- Develop a plan that would permanently fix these areas.

This motion was seconded by Chairman Hanley and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

56. **FAIRFAX RELEAF REQUEST** (Tape 6)

Supervisor Hyland called the Board's attention to a letter from Edward Mainland, President, Fairfax ReLeaf, to the County Executive dated October 1, 1995 regarding a funding request in the amount of \$21,500 associated with a paid director position. Supervisor Hyland referenced the significant accomplishments and awards of Fairfax Re-Leaf.

Citing the accomplishments and commitments which continue to be made by County citizens, Supervisor Hyland moved that the Board direct staff to:

- Review Fairfax ReLeaf, Incorporated's request for \$21,500; and
- Present it as a Consideration Item as part of the Mid-Year Budget Review.

Following discussion, this motion was seconded by Supervisor Alexander.

Following further discussion, the question was called on the motion which **CARRIED** by a recorded vote of five, Supervisor Berger voting “NAY,” Supervisor Connolly, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

57. **LORTON SENIOR CENTER** (Tape 6)

Supervisor Hyland asked unanimous consent that the Board direct staff to waive the fees associated with the relocation of the Lorton Seniors’ Program subject to review by the County Attorney. Without objection, it was so ordered.

58. **WAIVER OF APPLICATION FEE FOR RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) REQUEST BY RIVERSIDE ESTATES** (Tape 6)

Supervisor Hyland moved that the Board direct staff to waive the application fee of \$220 associated with the Riverside Estates Civic Association’s request for a Residential Permit Parking District (RPPD). This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

59. **SUMMIT OAKS REQUEST FOR PUBLIC HEARING AND SIMULTANEOUS REVIEW** (Tape 6)

Referencing a request for a rezoning from Martin E. Turk, trustee for property known as Summit Oaks in Lorton, Supervisor Hyland moved that the Board direct staff to schedule public hearings to be held before the Planning Commission and the Board, respectively. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Dix not yet having arrived.

60. **COVINGTON WOODS’ REQUEST FOR PROFFERED CONDITION AMENDMENT AND CONCURRENT PROCESSING** (Tape 6)

Supervisor Hyland referenced a request for a Proffered Condition Amendment from Mr. J. Berry of Berrywood, Incorporated for Covington Woods regarding moving the subdivision road 15 feet from the property line and thereby reducing the number of single family lots from 10 to nine.

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

- Schedule the public hearing for Covington Woods to be held before the Board; and

- Concurrently process this application with the Department of Environmental Management (DEM) for review.

The applicant understands that this action does not guarantee approval by the Board.

This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Connolly and Supervisor McConnell being out of the room, Supervisor Dix not yet having arrived.

61. **WOODROW WILSON BRIDGE IMPROVEMENT STUDY - A STATUS REPORT** (Tape 6)

Supervisor Hyland briefed the Board on the Woodrow Wilson Bridge Improvement Study (WWBIS) and the October 25, 1995 meeting of the WWBIS Coordination Committee. He once again announced that the public hearing scheduled for County residents is planned for Wednesday, January 24, 1996 from 5:00-9:00 p.m. at the Belle View Elementary School, 6701 Fort Hunt Road, Alexandria. He also announced that the WWBIS Coordination Committee has scheduled a retreat for February 24, 1996 to consider all the candidate alternatives and to select the preferred design.

62. **STATUS OF BELLE HAVEN MARINA** (Tape 6)

In regard to the status of Belle Haven Marina, Supervisor Hyland stated that he anticipates within two weeks a letter from the Regional Director of the National Park Service indicating its decision to keep the Marina open and that it will agree to take the necessary steps to provide temporary repairs to make it safe in the interim pending completion of the necessary improvements to continue at that marina for the long term.

63. **BUSINESS AND PROFESSIONAL OCCUPATION TAX (BPOL) POLICY REVIEW** (Tape 6)

Supervisor Hyland reminded the Board that at its meeting on October 16, 1995 the Board directed staff to provide information regarding the Business and Professional Occupation Tax (BPOL) to the Task Force on County Revenues and Expenditures (CREx). In reference

to the item as it appeared in the Clerk's Board Summary, Supervisor Hyland stated for the record that the Business Tax Study Group stated that BPOL was an undesirable tax which in the long run should be replaced or phased out.

A brief discussion ensued.

64. **NO BOARD MATTERS FOR SPRINGFIELD DISTRICT SUPERVISOR MCCONNELL** (Tape 6)

Supervisor McConnell stated that she had no Board Matters to present today.

65. **RECESS/EXECUTIVE SESSION** (Tape 6)

At 12:25 p.m., Supervisor Connolly 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:

- McLean Hamlet Citizens, Incorporated, et al., versus The Board of Supervisors of Fairfax County, Virginia, et al., In Chancery Number 137177; and
- Hechinger Company versus The Board of Supervisors of Fairfax County, At Law Number 133802.

This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Dix not yet having arrived.

Chairman Hanley announced that the Board would convene Executive Session at 2:30 p.m.

NV:nv

At 3:00 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTION FROM EXECUTIVE SESSION

66. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 7)

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 Connolly and carried by unanimous vote.

CM:cm

67. 10:15 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS (Tape 7)

(BACs)

(APPTS)

ADVISORY SOCIAL SERVICES BOARD

Supervisor Dix moved the appointment of Ms. Yvonne Campbell-Cole as the Hunter Mill District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Chairman Hanley moved the appointment of Mr. Grant J. Nelson as an At-Large Representative to the Alcohol Safety Action Program Local Policy Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Trapnell moved the reappointment of Mr. Kevin Sabo as an At-Large Representative to the Alcohol Safety Action Program Local Policy Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: One At-Large Representative to the Alcohol Safety Action Program Local Policy Board was deferred.)

ATHLETIC COUNCIL

Chairman Hanley moved the appointment of Mr. Jackie Jones, Sr. as

the Diverse Population Representative to the Athletic Council. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Connolly moved the appointment of Mr. Paul Best as the Providence District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

BOARD OF BUILDING CODE APPEALS

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

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

(NOTE: The appointment of the Braddock District Representative to the Commission on Organ and Tissue Donation and Transplantation was deferred.)

COMMUNITY CRIMINAL JUSTICE BOARD

Supervisor Dix moved the appointment of Mr. S. Woodruff Bentley, Sr. as an At-Large (Citizen) Representative to the Community Criminal Justice Board. This motion was seconded by Supervisor Berger.

Supervisor Hyland moved the appointment of Ms. Henley Gible as an At-Large (Citizen) Representative to the Community Criminal Justice Board. This motion was seconded by Supervisor Berger.

Supervisor Bulova moved the appointment of Ms. Ruth Johnson as an At-Large (Citizen) Representative to the Community Criminal Justice Board. This motion was seconded by Supervisor Berger.

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

CONFIRMATIONS:

Supervisor Alexander moved that the Board confirm the following appointments to the Community Criminal Justice Board:

- Ms. Karen Decker as Chief Magistrate Representative;
- Colonel Douglas Scott as the Chief of Police Representative;
- Mr. John T. Frey as the Circuit Court Representative;
- Dr. Joan Volpe as the Community Services Board Representative;
- Mr. Joseph Cammarata as a Criminal Justice Advisory Board Representative;
- Mr. Joshua Thomas as a Criminal Justice Advisory Board Representative;

Representative;

- Mr. Robert F. Horan as the Commonwealth's Attorney Representative;
- Judge Donald P. McDonough as the General District Court Judge Representative;
- Ms. Lesley Bubenhofer as the Probation and Parole Representative;

- Mr. R. Dean Kidwell as the Public Defender Representative;
- Sheriff Carl R. Peed as the Sheriff's Office Representative; and
- Judge F. Bruce Bach as the Circuit Court Judge Representative.

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

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

[NOTE: The appointment of the Lee District (Burgundy Area) Representative to the Community Development Advisory Committee was deferred.]

COMMUNITY IMPROVEMENT COMMITTEE

[NOTE: The appointments of the Dranesville District (Westhampton Community) and the Braddock District Representatives to the Community Improvement Committee were deferred.]

CRIMINAL JUSTICE ADVISORY BOARD

(NOTE: The appointment of the Mount Vernon District Representative to the Criminal Justice Advisory Board was deferred.)

ELECTRICAL ADVISORY BOARD

Chairman Hanley moved the reappointment of Mr. Lemuel Bowden as the At-Large (Tradesman) Representative to the Electrical Advisory Board. This motion was seconded by Supervisor Hyland and

carried by unanimous vote.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Chairman Hanley moved the reappointment of Mr. John DeNoyer as the At-Large Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Brian Roberts as the Braddock District Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Ms. Johna Gagnon as the Lee District Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

FAIRFAX AREA DISABILITY SERVICES BOARD

Chairman Hanley moved the appointment of Ms. Judy Burgess as the At-Large Representative to the Fairfax Area Disability Services Board.

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

Supervisor Hyland moved the reappointment of Mr. Arthur W. Friedberg as the Mount Vernon District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Connolly moved the reappointment of Mr. Don Colodny as the Providence District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointment of the Springfield District Representative to the Fairfax Area Disability Services Board was deferred.)

HUMAN RIGHTS COMMISSION

Supervisor Hyland moved the appointment of Mr. Thomas E. Gallahue as an At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

LOWER POTOMAC LAND USE COMMITTEE FOR THE DISTRICT OF COLUMBIA (D.C.) PROPERTY LOCATED IN LORTON, VIRGINIA

Chairman Hanley moved the appointment of Ms. Irma A. Mahon Clifton as the At-Large Representative to the Lower Potomac Land

Use Committee for the District of Columbia (D.C.) Property Located in Lorton, Virginia. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**NORTHERN VIRGINIA TRANSPORTATION COORDINATING COUNCIL
CITIZENS ADVISORY COMMITTEE**

Supervisor Dix moved the appointment of Mr. Philip Lamade as an At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizens Advisory Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

PLUMBING ADVISORY BOARD

(NOTE: The appointment of the At-Large Representative to the Plumbing Advisory Board was deferred.)

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

Supervisor Berger moved the appointment of Mr. Adam S. Glickfield to fill the unexpired term of Mr. Al Neely as an At-Large (Resident/Owner) Representative to the Route 28 Highway Transportation District Advisory Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

[NOTE: The appointment of an At-Large (Resident/Owner) Representative to the Route 28 Highway Transportation District Advisory Board was deferred.]

TRANSPORTATION SAFETY COMMISSION

Chairman Hanley moved the appointment of Ms. Moira T. Roberts as an At-Large Representative to the Transportation Safety Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Barbara Nunes as an At-Large Representative to the Transportation Safety Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Trapnell moved the reappointment of Mr. H. Dean Fravel

as an At-Large Representative to the Transportation Safety Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

TREE COMMISSION

Supervisor Hyland moved the appointment of Ms. Elisabeth Lardner to fill the unexpired term of Mr. Phil Downs as the Mount Vernon District Representative to the Tree Commission. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

AD-HOCS

ANIMAL SHELTER ADVISORY COMMISSION

(NOTE: The appointment of the Mason District Representative to the Animal Shelter Advisory Commission was deferred.)

CITIZENS ADVISORY COMMITTEE ON SOLID WASTE

[NOTE: The appointments of the Braddock (Alternate), the Hunter Mill (Principal and Alternate); the Mason (Alternate), the Springfield (Alternate) and the Sully (Alternate) District Representatives to the Citizens Advisory Committee on Solid Waste were deferred.]

DULLES CORRIDOR TASK FORCE

(NOTE: The appointment of the Dranesville District Representative to the Dulles Corridor Task Force was deferred until later in the meeting. See Clerk's Summary Page #35.)

ADDITIONAL APPOINTMENT-RELATED ITEMS**VACANCY ON THE TRANSPORTATION ADVISORY COMMISSION**

Chairman Hanley announced that there is a vacant At-Large position on the Transportation Advisory Commission due to a member's non-attendance and that she would be making an appointment to fill that slot later in the meeting.

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to keep an Appointment Book in the Board Auditorium for reference purposes. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, action was taken to defer the appointment of the At-Large Representative to the Transportation Advisory Commission. See Clerk's Summary Item CL#117.)

DISCUSSION OF APPOINTMENTS TO THE PARK AUTHORITY

Supervisor Frey stated his belief that the term of the Sully District Representative to the Park Authority was expiring at the end of December, 1995 and queried whether he should make that appointment at this time.

Following discussion of the election year Policy regarding appointments, it was determined that members whose terms were expiring in December, 1995 would remain on their respective Boards, Authorities, Commissions, and Advisory Groups (BACs) in accordance with the holdover doctrine.

WOODBURN MENTAL HEALTH CENTER ADVISORY BOARD

Supervisor Connolly announced the resignation of Mr. Herb Taylor from the Woodburn Mental Health Center Advisory Board and moved the appointment of Mr. Richard Sava.

Following discussion, it was determined that the Woodburn Mental Health Center Advisory Board was not Board-appointed.

APPOINTMENT TO THE DULLES CORRIDOR TASK FORCE

Supervisor Berger moved the appointment of Mr. Kevin Fay as the Dranesville District Representative to the Dulles Corridor Task Force. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

ADDITIONAL BOARD MATTERS

68. **INTENT TO DEFER INDEFINITELY THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 95-H-036 (EXXON CORPORATION) (HUNTER MILL DISTRICT)** (Tape 8)

Supervisor Dix announced his intent to defer indefinitely, at the appropriate time, the public hearing on Special Exception Application SE 95-H-036, Exxon Corporation, scheduled for 6:00 p.m. today.

(NOTE: Later in the meeting, this hearing was formally deferred. See Clerk's Summary Item CL#116.)

69. **ANNUAL PREFERENCE POLL FOR MEMBERS OF THE RESTON COMMUNITY CENTER BOARD OF GOVERNORS** (Tape 8)

(APPT)

Supervisor Dix announced the results of the annual preference poll for the Reston Community Center Board of Governors for the term beginning November 1, 1995. Accordingly, he moved the confirmation of the following adult members to the Reston Community Center Board of Governors to serve from November 1, 1995 through October 31, 1998:

- Ms. Vera Hannigan;
- Ms. Cecily Lohmar; and
- Mr. Terry L. Smith.

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

70. **CONCURRENT PROCESSING OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) APPLICATION** (Tape 8)

Supervisor Dix reminded the Board that on July 31, 1995, it authorized the County

Executive to enter into an agreement to lease County-owned property identified as Tax Map Parcel 17-3 ((1)) 1B located on the north side of Sunset Hills Road east of the interchange

with the Fairfax County Parkway to the Young Men's Christian Association (YMCA) for the purpose of constructing a recreation/teen center on the site. The lease agreement calls

for the YMCA to construct a 55,000 square foot family style YMCA facility which will include an approximately 10,000 square foot teen center with a 5,000 square foot gymnasium. The teen center component will be operated by the County.

To move forward with the construction of this facility, Supervisor Dix stated that the YMCA is in the process of filing the necessary Conceptual Plan and Public Facilities (456) Applications which will be reviewed by the Planning Commission in early 1996. The applicant is also required to file detailed engineering plans, namely a PRC Plan and a Site Plan to be reviewed by the Department of Environmental Management (DEM). The lease agreement specifies January 31, 1996 as the date by which Planning Commission review of the Conceptual Plan and the Public Facilities (456) Applications must occur and specifies March 31, 1996 as the date by which all necessary approvals must be obtained to commence construction.

Therefore, Supervisor Dix moved that the Board direct:

- Staff to expeditiously process the Conceptual Plan and Public Facilities (456) Applications once these Applications have been properly filed; and
- The Director of DEM to accept and concurrently process the PRC Plan and Site Plan with the Conceptual Plan Application.

Supervisor Dix noted that this motion in no way relieves the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and this motion does not prejudice the consideration of these Application in any way. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

71. **HUNTER MILL DISTRICT RESIDENT MS. ELLA MILLER CELEBRATES 115TH BIRTHDAY** (Tape 8)

Supervisor Dix announced that one of his constituents, Ms. Ella Miller, will be celebrating her 115th birthday on December 6, 1995, continuing her status as the oldest known person living in Virginia. He stated that over the years Ms. Miller has been active in the community, including volunteering her time at nursing homes and sharing her life experience with local school children.

Accordingly, Supervisor Dix moved that the Board direct staff to invite Ms. Miller to appear before the Board on December 11, 1995 recognizing her for her outstanding accomplishments and celebrating the occasion of her 115th birthday. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being out of the room.

72. **MOTHERS AGAINST DRUNK DRIVING (MADD) AND THE NATIONAL HIGHWAY SAFETY ADMINISTRATION SPONSOR SECOND ANNUAL "RED OUT DAY"** (Tape 8)

Supervisor Dix announced that on November 21, 1995 Mothers Against Drunk Driving (MADD) and the National Highway Safety Administration (Region III) will sponsor the second annual "Red Out Day" as a means of focusing public attention, especially in light of the upcoming holiday season, on the very serious problem of drinking and driving.

Accordingly, Supervisor Dix moved that the Board direct staff to invite Jody Douglas, Director, Alcohol Safety Action Program (ASAP), and others within the community who are committed to helping significantly reduce highway deaths caused by alcohol abuse, to appear before the Board on November 20, 1995, to be recognized for their efforts and to offer support on this important issue. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

A brief discussion ensued.

73. **EXTENSION OF REVIEW TIME FOR PUBLIC FACILITIES APPLICATION 456-H95-27 BY AMERICAN PERSONAL COMMUNICATIONS** (Tape 8)

Supervisor Dix reported that the Planning Commission intends to defer the public hearing on Public Facilities Application 456-H95-27 by American Personal Communications to construct a telecommunications base station facility at Xanadu Cleaners located at 1110 Reston Avenue. To accommodate the additional review time required for this Application, Supervisor Dix moved that the Board extend the Application review period for Public Facilities Application 456-H95-27 to a date of April 30, 1996. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

74. **A-1 - BOARD POSITION REGARDING IMPLEMENTATION OF THE REGIONAL TRANSPORTATION EMPLOYER OUTREACH PROGRAM (COUNTYWIDE)** (Tape 8)

(Earlier in the meeting, this item was deferred pending the arrival of Supervisor Dix. See Clerk's Summary Item CL#11.)

Chairman Hanley called the Board's attention to Action Item A-1 - Board Position Regarding Implementation of the Regional Transportation Employer Outreach Program. Supervisor Dix moved that the Board concur in the recommendation of staff and:

- Endorse the position that the County Office of Transportation be the implementing agency for the employer outreach program in Fairfax County, including coordination with existing Transportation Management Associations (TMAs);

- Direct staff to transmit the Board's endorsement of this position to the appropriate agencies and entities; and
- Direct staff to take all necessary actions to implement this approach if approved by the Transportation Planning Board (TPB);

with the following revisions:

- In the first bullet change the word *coordination* to **utilization**; and
- With reference to paragraph four on page 38 of the Memorandum to the Board dated October 30, 1995 regarding temporary staff, add language which encourages the Office of Transportation to examine the possibility of contracting with the TMAs to accomplish the task in supplement to or in lieu of additional staff.

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

75. **I-4 - BUDGET AND ECONOMIC SUMMIT: FAIRFAX COUNTY BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY SCHOOL BOARD** (Tape 8)

(Note: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#22.)

Supervisor Dix called the Board's attention to Information Item I-4 - Budget and Economic Summit: Fairfax County Board of Supervisors and the Fairfax County School Board. Chairman Hanley explained that the Board rejected the proposed date and that the staff would return with this item.

76. **A-4 - ACCEPTANCE OF FINDINGS AND RECOMMENDATIONS IN CONSULTANT'S REPORT FOR CABLE TELEVISION RATES AND CHARGES OF MEDIA GENERAL CABLE OF FAIRFAX, INCORPORATED FOR THE PERIOD BEGINNING JULY 15, 1994 (COUNTYWIDE) AND A-5 - ACCEPTANCE OF FINDINGS AND RECOMMENDATIONS IN CONSULTANT'S REPORT FOR CABLE TELEVISION RATES AND CHARGES OF WARNER CABLE COMMUNICATIONS OF RESTON FOR THE PERIOD BEGINNING JULY 15, 1994 (HUNTER MILL DISTRICT)** (Tape 8)

(Note: Earlier in the meeting, these items were deferred. See Clerk's Summary Items CL#15 and CL#52.)

Chairman Hanley called the Board's attention to A-4 - Acceptance of Findings and Recommendations in Consultant's Report for Cable Television Rates and Charges of Media General Cable of Fairfax, Incorporated for the Period Beginning July 15, 1994 (Countywide) and A-5 - Acceptance of Findings and Recommendations in Consultant's Report for Cable Television Rates and Charges of Warner Cable Communications of

Reston for the Period

Beginning July 15, 1994 (Hunter Mill District). Following discussion, with input from Ronald B. Mallard, Director, Department of Consumer Affairs, Chairman Hanley announced that these items would remain deferred until November 20, 1995.

Supervisor Dix indicated for the record that he did not have significant questions regarding these items.

77. **ORDERS OF THE DAY** (Tape 8)

Supervisor Connolly asked unanimous consent that the Board hold the public hearing on Proffered Condition Amendment Application PCA 84-P-103-2; Special Exception Applications SE 95-P-053 and SE 95-P-035; and Rezoning Applications RZ 95-P-041 and RZ 95-P-025 as the last 3:30 p.m. hearing today. Without objection, it was so ordered.

SBE:sbe

78. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-103-2, REZONING APPLICATIONS RZ 95-P-025 AND RZ 95-P-041, AND SPECIAL EXCEPTION APPLICATIONS SE 95-P-035 AND SE 95-P-053 (NORMAN R. POZEZ AND DENNIS F. RATNER) (PROVIDENCE DISTRICT)**
(Tape 9)

Chairman Hanley announced that the public hearing on Proffered Condition Amendment Application PCA 84-P-103-2, Rezoning Applications RZ 95-P-025 and RZ 95-P-041, and Special Exception Applications SE 95-P-035 and SE 95-P-053 would be held later in the meeting.

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#82.)

79. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-B-019 (MONTE L. WEST, TRUSTEE) (BRADDOCK DISTRICT)** (Tape 9)

Supervisor Bulova moved to defer the public hearing on Rezoning Application RZ 95-B-019 until January 8, 1996 at 4:00 p.m. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

80. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 86-W-001-6 AND PCA 86-P-089-3 AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA**

86-W-001-4 (BOARD OF SUPERVISORS' OWN MOTION) (SULLY DISTRICT) (Tape 9)

Fred K. Kramer, Director, Department of General Services, reaffirmed the validity of the affidavit for the record.

Mr. Kramer 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, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Applications PCA 86-W-001-6 and PCA 86-P-089-3 subject to the execution of proffers dated October 4, 1995. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being out of the room.

Supervisor Frey moved approval of Final Development Plan Amendment Application FDPA 86-W-001-4. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Alexander being out of the room.

81. **3:30 P.M. - PH ON THE LEASING OF A PORTION OF COUNTY-OWNED PROPERTY KNOWN AS LAND BAY A TO THE CHANTILLY YOUTH ASSOCIATION (SULLY 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 13 and 20, 1995.

Following the public hearing, Supervisor Frey moved that the Board authorize the County Executive to execute a lease with the Chantilly Youth Association for a portion of County-owned property known as Land Bay A, Tax Map Number 55-2((1))15 to develop and use athletic playing fields on a portion of the subject property in accordance with the terms and conditions contained in the lease and summarized in the Memorandum to the Board dated October 30, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being out of the room.

82. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-103-2, REZONING APPLICATIONS RZ 95-P-025 AND RZ 95-P-041, AND SPECIAL EXCEPTION APPLICATIONS SE 95-P-035 AND SE 95-P-053 (NORMAN R. POZEZ AND DENNIS F. RATNER) (PROVIDENCE DISTRICT)** (Tape 9)

Ms. Michelle Rosati reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved approval of Proffered Condition Amendment Application PCA 84-P-103-2 subject to the executed proffers dated October 30, 1995. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved modification of transitional screening and barrier requirements along the eastern property boundary in accordance with paragraph three, Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-P-025 be amended from the I-5 and Highway Corridor Districts to the C-3 and Highway Corridor Districts, subject to execution of proffers dated October 30, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved modification of transitional screening along the eastern property boundary in accordance with paragraph three of Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-P-041 be amended from the R-3 and Highway Corridor Districts to the C-3 and Highway Corridor Districts subject to execution of the proffers dated October 30, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved waiver of the minimum lot size and lot width in accordance with Section 9-610 of the Zoning Ordinance. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved approval of Special Exception Application SE 95-P-035 subject the development conditions dated October 20, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved modification of the transitional screening along the southern property boundary of the Special Exception area for the eating establishment in accordance with paragraph three of Section 13-304 of the Zoning Ordinance. This motion was seconded

by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved approval of Special Exception Application SE 95-P-053 subject to the development conditions dated October 4, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

Supervisor Connolly moved to direct the Director of the Department of Environmental Management (DEM) to accept the dedication shown on the Generalized Development Plan/ Special Exception Plat (GDP/SE) as satisfying the Comprehensive Plan requirements for this roadway. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

83. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-114-2 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-P-129-2 (LEADER NURSING AND REHABILITATION CENTER OF VIRGINIA, INCORPORATED AND MANOR HEALTHCARE CORPORATION) (SULLY DISTRICT)** (Tape 9)

Mr. Michael J. Giguere reaffirmed the validity of the affidavit for the record.

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

Supervisor Connolly disclosed the following:

- That James W. Dyke, Jr., a partner of McGuire, Woods, Battle and Boothe, serves on the Connolly for Supervisor Finance Committee.

Supervisor Frey disclosed the following:

- A campaign contribution from Carson Lee Fifer, Jr., a partner at McGuire, Woods, Battle and Boothe, in 1993.

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

- In excess of \$200 from Curtis M. Coward, a partner at McGuire, Woods, Battle and Boothe.

Chairman Hanley disclosed the following:

- That James W. Dyke, Jr., a partner at McGuire, Woods, Battle and Boothe, serves on her Finance Committee.

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 84-P-114-2 subject to the execution of proffers dated September 27, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 84-P-129-2 subject to the development conditions dated September 27, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved waiver of the barrier requirement along all lot lines. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved modification of the transitional screening requirements along all lot lines to that existing and shown on Proffered Condition Amendment and Special Exception Amendment (PCA/SE) Plat. This motion was seconded by Supervisor Connolly, and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved to direct the Director of the Department of Environmental Management (DEM) to accept the 12 1/2 feet of dedication, for right-of-way for a public street connection along the southern boundary of this site, as satisfying the Comprehensive Plan requirements for this roadway. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

84. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) REGARDING RECENT CODE OF VIRGINIA UPDATES AND EDITING REVISIONS (COUNTYWIDE)** (Tape 9)
- (O) 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 13 and 20, 1995.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) to incorporate several recent revisions to the *Code of Virginia* and make editing revisions **to become effective on October 31, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland and Chairman Hanley voting "AYE," Supervisor Alexander, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

85. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING SIGNS** (Tape 9)

- (O) 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 13 and 20, 1995.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise the provisions on signs **to become effective on October 31, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER

86. **RECOGNITION OF BOY SCOUT TROOP 1523 FROM ANNANDALE** (Tape 9)

Supervisor Bulova recognized the presence of the following members of Boy Scout Troop 1523 from Annandale: David Kepley, Merit Badge Counselor; and Jason Sclater, Jimmy Sterling and Dan Kogan, members who were working on their Citizenship Badge; and warmly welcomed them to the Board Auditorium.

87. **4:00 P.M. - PH ON REZONING APPLICATION RZ 95-Y-033 (FRED G. GARRISON) (SULLY DISTRICT)** (Tape 9)

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

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

Following the public hearing, Lorrie Kirst, Senior 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 applied to the property which is the subject of Rezoning Application RZ 95-Y-033 be amended from the R-1, C-8, Water Supply Protection Overlay and Highway Corridor Districts to the C-6, Water Supply Protection Overlay and Highway Corridor Districts subject to execution of the proffers dated October 24, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved modification of the transitional screening along all project boundaries as shown on the Generalized Development Plan (GDP) and waiver of the barrier requirements along the northern boundary. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved waiver of the service drive requirement in lieu of that which is shown on the GDP Plat that connects to the property to the east. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell being out of the room.

88. **4:00 P.M. - PH ON REZONING APPLICATION RZ 95-P-010 (VAN METRE HOMES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tapes 9-10)

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-P-010 be amended from the R-3 and Highway Corridor Districts to the R-12, C-8, I-5 and Highway Corridor Districts subject to execution of the proffers dated October 30, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Supervisor Connolly moved:

- Waiver of the 600-foot maximum length for private streets;
- Waiver of the minimum yard requirements and privacy yard requirements of single family attached dwelling units in accordance with Section 9-613 of the Zoning Ordinance;
- Modification of the transitional screening and barrier requirements along the east and west property boundaries of the R-12 portion of the site in accordance with paragraph 15 of Section 13-304 of the Zoning Ordinance;
- Waiver of the minimum lot width for the C-8 portion of the application in accordance with Section 9-610 of the Zoning Ordinance;
- Modification of the transitional screening and waiver of the barrier requirements for the C-8 portion of the application to that provided in the proffers dated October 30, 1995 in accordance with paragraph three of Section 13-304 of the Zoning Ordinance; and
- Waiver of the minimum lot size and lot width for the I-5 portion of the application in accordance with Section 9-610 of the Zoning Ordinance.

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

Supervisor Connolly noted that the Applicant has committed to dedicate additional right-of-way so that a total of 55 feet would be provided from the center line of Gallows Road to the western property boundary. The Comprehensive Plan recommends that this section of Gallows Road be widened to a six lane divided facility with a minimum dedication of 68 feet from the center line.

Therefore, Supervisor Connolly moved to direct the Director of Department of Environmental Management (DEM) to accept the dedication shown on the Generalized Development Plan (GDP) and proffers dated October 30, 1995 as satisfying the Comprehensive Plan requirements for this roadway. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

89. **4:00 P.M. - PH ON REZONING APPLICATION RZ 95-P-002 (DAVID M. BERNSTEIN, TRUSTEE) (PROVIDENCE DISTRICT)** (Tape 10)

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

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

Following the public hearing, which included testimony by seven speakers, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations. Supervisor Connolly moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-P-002 be amended from the R-1 and Highway Corridor Districts to the R-5 and Highway Corridor Districts subject to execution of the proffers dated October 30, 1995. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Connolly moved waiver of the open space requirement. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Connolly moved waiver of the service drive requirement. This motion was seconded by Supervisor Trapnell and carried by unanimous vote.

ADDITIONAL BOARD MATTER

90. **PRESENCE OF WEBELO PACK 105 FROM CROSSFIELD AND HUNTER WOODS ELEMENTARY SCHOOL** (Tape 10)

Supervisor Dix recognized the presence of members Weebelo Pack 105 from Crossfield and Hunter Woods Elementary Schools and warmly welcomed them to the Board Auditorium.

91. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-Y-028 AND SPECIAL EXCEPTION APPLICATION SE 94-Y-032 (FAIRFAX BANK AND TRUST COMPANY) (SULLY DISTRICT)** (Tapes 10-11)

Because the Applicant made late changes to the affidavit, Supervisor Frey moved that the Board waive the Policy and hold the public hearing for Rezoning Application RZ 94-Y-028 and Special Exception Application SE 94-Y-028 as scheduled. This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

Mr. Bryan Tydings reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Jerry M. Phillips, Director of Fairfax Bank and Trust Company.

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

- In excess of \$200 from Fairfax Bank and Trust Company.

Noting that the Virginia Electric and Power Company is listed as a title owner in the relationship with the Applicant and the parent Company is Dominion Resources, Supervisor Connolly disclosed that he owns over 400 shares of stock in Dominion Resources.

Following the public hearing, Leslie Johnson, Senior 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 applied to the property which is the subject of Rezoning Application RZ 94-Y-028 be amended from the R-1, Highway Corridor, Water Supply Protection Overlay and Airport Noise Impact Overlay Districts to the I-3, Highway Corridor, Water Supply Protection Overlay and Airport Noise Impact Overlay

Districts subject to execution of the proffers dated October 5, 1995. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Frey moved waiver of the minimum lot size requirement for the I-3 District. This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Frey moved approval of Special Exception Application SE 94-Y-032 subject to the development conditions dated October 11, 1995 and as amended by the Planning Commission on October 25, 1995. This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Frey moved modification of the transitional screening requirement along the eastern boundary to that shown on the Generalized Development Plan/Special Exception Plat (GDP/SEP) and waiver of the transitional screening and barrier requirement along the southern property line. This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

92. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-L-073-2 (HUNTER TRACT ASSOCIATES, LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tape 11)

Supervisor Alexander moved to defer the public hearing on Proffered Condition Amendment Application PCA 86-L-073-2 until January 1996. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Chairman Hanley being out of the room.

93. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-132 (AMOCO OIL COMPANY) (MASON DISTRICT)** (Tape 11)

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

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

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

Supervisor Trapnell moved approval of Special Exception Amendment Application SEA 84-M-132 subject to the development conditions dated October 30, 1995. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

Supervisor Trapnell moved:

- Waiver of the minimum lot size and lot width requirements;
- Modification of the minimum open space requirement;
- Waiver of the transitional screening along the western boundary;
- Waiver of the barrier requirements along the western and southern boundaries; and
- Waiver of the trail requirements along Braddock and Backlick Roads.

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

CM:cm

94. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-069-8, CONDITIONAL DEVELOPMENT PLAN AMENDMENT APPLICATION CDPA 82-P-069-6 AND SPECIAL EXCEPTION APPLICATION SE 95-Y-033 (TRW FOUNDATION) (SULLY DISTRICT)** (Tape 12)

Ms. Susan Yantis reaffirmed the validity of the affidavit for the record.

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

Supervisor Frey disclosed the following campaign contribution:

- In excess of \$200 from TRW Foundation's Political Action Committee (PAC).

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 82-P-069-8 subject to the proffers dated October 18, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Conceptual Development Plan Amendment Application CDPA 82-P-069-6. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Special Exception Application SE 95-Y-033 subject to the development conditions dated October 30, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved modification of the gross floor limitations for residential uses in the PDC District pursuant to Section 6-206 of the Zoning Ordinance. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell and Chairman Hanley being out of the room.

Supervisor Frey moved waiver of the loading requirements of residential uses pursuant to Section 11-201. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved waiver of the 600 foot maximum length requirement. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved modification of the transitional screening requirements between the restaurants and the adjacent residents as reflected on the Final Development Plan Amendment/Special Exception (FDPA/SE) Plat. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Hanley being out of the room.

95. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-B-061 (AMERICAN PCS, LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)**
(Tape 12)

Supervisor Bulova moved to defer the public hearing on Special Exception Application SE 95-B-061 until **January 8, 1996 at 4:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Chairman Hanley being out of the room.

Vice-Chairman Dix relinquished the Chair to Acting-Chairman Alexander.

96. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-H-057 (LAKE FAIRFAX SEVEN LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)**
(Tape 12)

Ms. Sarah Hall reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Dix moved that the Board:

- Approve Special Exception Application SE 95-H-057 subject to the development conditions dated October 12, 1995;
- Direct the Director of the Department of Environmental Management (DEM) to modify the transitional screening requirement; and
- Waive the barrier requirements pursuant to Section 13-304 of the Zoning Ordinance.

This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Frey, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley being out of the room.

Acting-Chairman Alexander returned the gavel to Vice-Chairman Dix.

97. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-V-055 (SAFEWAY, INCORPORATED) (MOUNT VERNON DISTRICT)** (Tape 12)

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

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

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

- In excess of \$200 from Mr. Bernard Fagelson.

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

Supervisor Hyland moved approval of Special Exception Application SE 95-V-055 subject to the development conditions dated October 10, 1995, and contained in Appendix One of the staff report amended to:

- Delete Condition Number Five regarding the barrier and the remaining Conditions renumbered accordingly; and

- Add Condition Number 10 which specifies that a number of improvements will be made to the overall shopping center, attached as Exhibit One, and is incorporated by reference into these development conditions.

The improvements specified in the letter shall be undertaken by the owner of the shopping center concurrently with the renovations to the overall site and shall be completed within 30 months from the date of approval of this Special Exception. Nothing herein shall affect the ability of the Safeway to proceed with the addition authorized pursuant to this Special Exception provided such is in conformance with Development Conditions, Numbers 1-8.

Supervisor Hyland further moved that the Board:

- Modify the transitional screening yard requirements in favor of the development conditions; and
- Waive the barrier requirements along the northern boundary of the shopping center.

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

Vice-Chairman Dix relinquished the Chair to Acting-Chairman Alexander.

98. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-C-008 (DAVCO RESTAURANTS, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 12)

Mr. Lawrence A. McDermott reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor Dix 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 six, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley being out of the room.

Supervisor Dix moved approval of Special Exception Amendment Application SEA 81-C-008 subject to the development conditions dated September 27, 1995. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley being out of the room.

Acting-Chairman Alexander returned the gavel to Vice-Chairman Dix.

99. **4:30 P.M. - PH FOR THE PROPOSED CREATION/ENLARGEMENT/
WITHDRAWAL OF SMALL AND LOCAL SANITARY DISTRICTS FOR
REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE, MASON AND
PROVIDENCE DISTRICTS** (Tape 12)

(Rs) 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 13 and October 20, 1995.

Following the public hearing, which included testimony by one speaker, Supervisor Berger moved that the Board adopt the proposed Resolution for the Creation of Small and Local Sanitary Districts within the Dranesville District as follows:

<u>SANITARY DISTRICT</u>	<u>ACTION</u>	<u>SERVICE</u>
Local District C within Small District 1 within Dranesville District	Create	Refuse

This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Connolly, Supervisor Frey, Supervisor Hyland and Vice-Chairman Dix voting "AYE," Supervisor Bulova, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley being out of the room.

Supervisor Berger moved that the Board adopt the proposed Resolution for the Enlargement of Small and Local Sanitary Districts within the Dranesville District as follows:

<u>SANITARY DISTRICT</u>	<u>ACTION</u>	<u>SERVICE</u>
Local District A-6-1 within Small District 1 within Dranesville District (2020 Rhode Island Avenue)	Enlarge	Refuse and Leaf

This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Connolly, Supervisor Frey, Supervisor Hyland and Vice-Chairman Dix voting "AYE," Supervisor Bulova, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved that the Board adopt the proposed Resolution for the De-Creation/Re-Creation of a Small and Local Sanitary District within Providence District as follows:

<u>SANITARY DISTRICT</u>	<u>ACTION</u>	<u>SERVICE</u>
Small District 1 within Providence District (Falls Church Motel)	De-Create/ Re-Create	Leaf

This motion was seconded by Supervisor Alexander and carried by a vote of six, supervisor Alexander, Supervisor Berger, Supervisor Connolly, Supervisor Frey, Supervisor Hyland and Vice-Chairman Dix voting "AYE," Supervisor Bulova, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley being out of the room.

Supervisor Trapnell moved that the Board adopt the proposed Resolutions for the Creation/Enlargement of Small and Local Sanitary Districts within the Mason District as follows:

<u>SANITARY DISTRICT</u>	<u>ACTION</u>	<u>SERVICE</u>
Small District 1 within Mason District (Charing Cross Condominiums)	De-Create/ Re-Create	Leaf
Small District 1 within Mason District (Steppes of Barcroft Condominiums)	De-Create/ Re-Create	Leaf
Small District 1 within Mason District (The Yacht Club)	De-Create/ Re-Create	Refuse and Leaf
Small District 6 within Mason District (4519 Braddock Road)	Enlarge	Refuse

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor Trapnell, and Vice-Chairman Dix voting "AYE," Supervisor Bulova, Supervisor McConnell, and Chairman Hanley being out of the room.

100. **5:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING GROUP EIGHT SPECIAL PERMIT USE OF TEMPORARY MOBILE AND LAND BASED TELECOMMUNICATIONS TESTING FACILITIES** (Tape 12)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of October 13 and October 20, 1995.

Supervisor Frey moved to defer the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Group Eight Special Permit use for temporary mobile and land based telecommunication testing facilities until **January 8, 1996, at 4:00 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor McConnell, and Chairman Hanley being out of the room.

101. **5:00 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD PROJECT - STRINGFELLOW ROAD (SULLY DISTRICT)** (Tape 12)

(R) A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of October 13 and October 20, 1995.

Following the public hearing, Supervisor Frey moved adoption of the Resolution authorizing the acquisition of the necessary property interests for the construction of County Road Project 064151 - Stringfellow Road. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Vice-Chairman Dix voting "AYE," Supervisor Alexander, Supervisor Berger, Supervisor Connolly, and Chairman Hanley being out of the room.

Vice-Chairman Dix relinquished the Chair to Acting-Chairman Alexander.

102. **5:00 P.M. - PH ON THE ABANDONMENT AND DISPOSITION OF A PORTION OF RESTON AVENUE (ROUTE 602) (HUNTER MILL DISTRICT)** (Tape 12)

- (R) A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of October 13 and October 20, 1995.

Following the public hearing, Supervisor Dix moved that the Board:

- Adopt the Resolution abandoning a portion of Reston Avenue located immediately west of Parcel 13A (Tax Map Number 11-4-01); and
- Authorize the County Executive to execute a quick claim deed conveying the right-of-way to the Reston Land Corporation.

This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Acting-Chairman Alexander voting "AYE," Supervisor Berger, Supervisor Connolly, and Chairman Hanley being out of the room.

103. **5:00 P.M. - PH ON THE ABANDONMENT AND VACATION OF A PORTION OF RESTON AVENUE (HUNTER MILL DISTRICT)** (Tape 12)

- (O) A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of October 13 and October 20, 1995.

Following the public hearing, Supervisor Dix moved adoption of an Ordinance vacating a portion of Reston Avenue located along the eastern boundary of Lot 4 [(Tax Map 11-2-((06))]. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Berger, Supervisor Connolly, Supervisor McConnell, and Supervisor Trapnell being out of the room.

104. **5:00 P.M. - PH ON PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS (COUNTYWIDE)** (Tapes 12-13)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of October 13 and October 20, 1995.

Following the public hearing, which included testimony by six speakers, Chairman Hanley closed the public hearing and announced that the Board would take action on this item on January 8, 1996.

105. **5:30 P.M. - PH ON REZONING APPLICATION RZ 95-L-028 AND SPECIAL EXCEPTION APPLICATION SE 95-L-044 (SUNRISE DEVELOPMENT INCORPORATED) (LEE DISTRICT)** (Tape 13)

Mr. Michael J. Giguere reaffirmed the validity of the affidavit for the record.

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

Supervisor Connolly disclosed the following:

- Mr. James Dyke of McGuire, Woods, Battle and Booth, is also a member of the Connolly for Supervisor Finance Committee.

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 nine, Chairman Hanley being out of the room.

Supervisor Alexander moved:

- That the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-L-028 be amended from the R-1, R-2, C-7, Highway Corridor and Sign Control Districts to the C-3, Highway Corridor and Sign Control Districts subject to the proffers dated October 19, 1995; and
- Approval of Special Exception Application SE 95-L-044 subject to the development conditions dated October 26, 1995.

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

106. **5:30 P.M. - PH ON REZONING APPLICATION RZ 94-P-015 AND SPECIAL EXCEPTION APPLICATION SE 94-P-020 (TYSONS PROMENADE LIMITED PARTNERSHIP AND MCDONALD'S CORPORATION) (PROVIDENCE DISTRICT)** (Tape 13)

Supervisor Connolly moved that the Board defer indefinitely the public hearing on the Rezoning Application RZ 94-P-015 and Special Exception Application SE 94-P-020. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Chairman Hanley being out of the room.

107. **5:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-D-093-9 (WORLDGATE ASSOCIATES LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT)** (Tape 13)

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

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

Supervisor Berger disclosed the following:

- That he currently rents an apartment at the Westerly which is a part of the overall WorldGate Development but is not a part of the application property.

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

Supervisor Berger moved:

- Approval of Proffered Condition Amendment Application PCA 86-D-093-9 subject to proffers dated October 24, 1995; and
- Waiver of the transitional screening and barrier requirements along the northern side of the proposed restaurant park pursuant to paragraph one of Section 13-304 of the Zoning Ordinance

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

108. **5:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 78-P-137-4 (KLM LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 13)

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

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

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

Supervisor Connolly moved approval of Proffered Condition Amendment Application PCA 78-P-137-4 subject to the proffers dated September 20, 1995. This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Connolly further moved that the Board approve:

- Waiver of the 600-foot maximum length of private streets; and
- Modification of the 50 percent limitation on dwelling units as a secondary use within a PDC District.

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

109. **5:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-V-064 (BSM CORPORATION) (MOUNT VERNON DISTRICT)** (Tape 13)

Ms. Tracy Steele reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Sy Kapson.

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

- In the amount of \$200 from Dr. Katz in August, 1994.

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

- In the amount of \$1,000 from Dr. Katz on December 21, 1994.

Following the public hearing, Supervisor Hyland 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 nine, Chairman Hanley being out of the room.

Supervisor Hyland moved:

- Approval of Special Exception Application SE 95-V-064 subject to the development conditions dated October 26, 1995 as amended to delete Condition Number 11; and
- Modification of the transitional screening and barrier requirements on the northern and eastern property lines, that shown on sheet two of the SE Plat dated October 2, 1995 subject to the review and approval of the Urban Forester.

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

110. **5:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-V-031 (CHARLES E. HARDISON, INCORPORATED) (MOUNT VERNON DISTRICT)** (Tape 13)

Ms. Margaret Callahan reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hyland moved:

- Approval of Special Exception Application SE 95-V-031 subject to the development conditions dated September 22, 1995, with the deletion of Condition Number 10; and
- Modification of the landscape open space requirement, subject to the proposed development conditions dated September 22, 1995.

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

111. **6:00 P.M. - PH ON REZONING APPLICATION RZ 94-S-053 (PARK STREET, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tapes 13-14)

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

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

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

Supervisor McConnell moved:

- That the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 94-S-053 be amended from the R-1 and R-3 Districts to the R-3 District subject to the proffers dated October 10, 1995; and
- Waiver of the minimum district size in accordance with the provisions of Section 9-610 of the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance).

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

Supervisor McConnell further moved that the Board:

- Approve concurrent processing for the property which is the subject of Rezoning Application RZ 94-S-053; and
- Direct the Director of the Department of Environmental Management (DEM) to accept and review concurrently the applicant's Preliminary and Final Subdivision Plans pertaining to this property.

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

112. **6:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-P-045 (RF AND P LAND II) (PROVIDENCE DISTRICT)** (Tape 14)

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

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

Following the public hearing, Supervisor Connolly 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 nine, Chairman Hanley being out of the room.

Supervisor Connolly moved approval of Special Exception Application SE 95-P-045 subject to the development conditions dated September 28, 1995. This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

113. **6:00 P.M.- PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-D-053 (M.S.S., INCORPORATED) (DRANESVILLE DISTRICT)** (Tape 14)

Mr. Robert C. Burgess reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Berger moved that the Board:

- Approve Special Exception Amendment Application SEA 93-D-053 subject to the development conditions dated October 13, 1995;
- Waive the transitional screening and barrier requirement along the northern side of the proposed restaurant park pursuant to Paragraph One of Section 13-304 of the Zoning Ordinance; and
- Reaffirm the waiver of the minimum lot size granted with Special Exception Amendment

Application SEA 93-D-053.

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

114. **6:00 P.M. - PH ON REZONING APPLICATION RZ 93-S-029 (BOARD OF SUPERVISORS' OWN MOTION) AND SPECIAL EXCEPTION APPLICATION SE 95-S-015 (BURKE VILLAGE CENTER ASSOCIATES LIMITED PARTNERSHIP) (SPRINGFIELD DISTRICT)** (Tape 14)

Ms. Elizabeth Baker reaffirmed the validity of the affidavit for the record.

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

Supervisor Hyland disclosed the following campaign contributions which he had received:

- In excess of \$200 from Mr. Travers; and
- In excess of \$200 from Mr. Fagelson.

Chairman Hanley disclosed the following:

- Mr. Fagelson contributed to her campaign.

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

Supervisor McConnell moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-S-029 be amended from the R-2 and C-2 Districts to the C-6 District subject to the proffers dated September 13, 1995, a copy of which was distributed at today's meeting. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Bulova and Supervisor Frey being out of the room.

Supervisor McConnell moved approval of Special Exception Application SE 95-S-015 subject to the development conditions dated October 27, 1995. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Bulova and Supervisor Frey being out of the room.

Supervisor McConnell moved that the Board:

- Waive the peripheral parking lot landscaping requirement along the northern boundary of the site; and
- Waive the transitional screening and barrier requirements along the portion of the site which is adjacent to Burke Road in favor of that shown on the SE Plat.

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

Supervisor McConnell moved that the Board direct the Office of Transportation to initiate a review of the intersection of Burke Road and Burke Lake Road to determine the need for any intersection improvements and if deemed necessary to determine the type of improvements which may be recommended. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Bulova and Supervisor Frey being out of the room.

ADDITIONAL BOARD MATTER

115. **RECOGNITION OF STUDENTS FROM THOMAS JEFFERSON HIGH SCHOOL** (Tape 14)

Chairman Hanley recognized the presence of students from Thomas Jefferson High School and warmly welcomed them to the Board Auditorium.

116. **6:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-H-036 (EXXON CORPORATION) (HUNTER MILL DISTRICT)** (Tape 14)

Supervisor Dix moved that the Board defer indefinitely the public hearing on Special Exception Application SE 95-H-036. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

ADDITIONAL BOARD MATTERS

117. **APPOINTMENT TO THE TRANSPORTATION ADVISORY COMMISSION**
(Tape 14)

(BACs)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#67.)

Chairman Hanley announced that the appointment of the At-Large Representative to the Transportation Advisory Commission would be deferred.

118. **STATE AIR POLLUTION CONTROL BOARD TO CONSIDER AMENDING THE REGULATIONS FOR THE CONTROL OF MOTOR VEHICLE EMISSIONS IN THE NORTHERN VIRGINIA AREA** (Tape 14)

(NOTE: Earlier in the meeting, this issue was raised and information was requested. See Clerk's Summary Item CL#34.)

Chairman Hanley called the Board's attention to a memorandum from the County Executive regarding the State Air Pollution Control Board's intent to consider amending the regulations for the control of motor vehicle emissions in the Northern Virginia area.

Following a brief discussion, Supervisor Dix offered to participate on the ad hoc advisory group developing the regulations.

Following further discussion, Supervisor Dix asked unanimous consent that the Board direct staff to provide the Board with the staff comments and recommendations and the proposed composition of the membership on the ad hoc advisory group prior to their submission to the Virginia Department of Environmental Quality. Without objection, it was so ordered.

119. **BOARD ADJOURNMENT** (Tape 14)

At 7:55 p.m., the Board adjourned.