

**AM:am**

The meeting was called to order at 9:40 a.m. with all Members being present, and with Chairman Hanley presiding.

Others present were Robert J. O'Neill, Jr., 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.

**BOARD MATTERS**

2. **MOMENT OF SILENCE FOR MR. GUY BLANEY** (Tape 1)

Supervisor Connolly asked that Board Members remember in their thoughts and prayers the family of Mr. Guy Blaney, who died suddenly last week. Mr. Blaney was the husband of Police Detective Ilsa Blaney.

3. **MOMENT OF SILENCE FOR MRS. KATHERINE FREEAR** (Tape 1)

Supervisor Kauffman asked that Board Members remember in their thoughts and prayers the family of Mrs. Katherine Freear, who died recently. Mrs. Freear was the wife of Jerry Freear who is employed by the Document Services Division, Department of General Services.

**AGENDA ITEMS**

4. **PROCLAMATION DESIGNATING THE WEEK OF NOVEMBER 17-23, 1997 AS "SUBSTANCE ABUSE AWARENESS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to John Stephens, Chairman, Fairfax/Falls Church Community Services Board (CSB) designating the week of November 17-23, 1997 as "**Substance Abuse Awareness Week**" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO STEVE MARINO, W. T. WOODSON HIGH SCHOOL** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to Steve Marino, W. T. Woodson High School, for winning the AAA State Golf Championship. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland being out of the room.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to the Countywide Non-Motorized Transportation (Trails) Committee for its work on the Walkway Improvement Projects. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

7. **PROCLAMATION DESIGNATING DECEMBER 2, 1997 AS "COMPUTER SECURITY DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to Peter K. Korinis, Chief Information Office, Department of Information Technology (DIT), designating December 2, 1997 as "**Computer Security Day**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. MARGARET PECK**  
(Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Margaret Peck for her years of service on the History Commission. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

9. **RESOLUTION TO RECOGNIZE THE COMMITTEE OF 100 ON THE OCCASION OF ITS 20TH ANNIVERSARY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved adoption of the Resolution presented to Warren Eisenhower, President, Committee of 100, in recognition of the Committee's 20th anniversary. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

10. **PROCLAMATION DESIGNATING NOVEMBER 15, 1997 AS "NATIONAL AMERICA RECYCLES DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation, presented to staff from the Division of Solid Waste Collection and Recycling, Department of Public Works, designating November 15, 1997 as "**National America Recycles Day**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **SPECIAL PRESENTATION TO RECOGNIZE THE PARK AUTHORITY FOR RECEIVING THE "OUTSTANDING BOARD-COMMISSION AWARD"**  
(Tape 1)

The Board recognized the members of the Park Authority for receiving the "Outstanding Board-Commission Award." Chairman Hanley congratulated the Park Authority and expressed appreciation for all of its efforts.

Supervisor Gross stated that Thomas B. White, Mason District Representative to the Park Authority, could not attend today because he is in the hospital.

Supervisor Gross reminded the Board that the Elly Doyle Award presentation will be held on Friday, November 21, 1997.

**ADDITIONAL BOARD MATTER**

12. **WELCOME TO JAMES A. HEBERLEIN, DIRECTOR, PARK AUTHORITY**  
(Tape 1)

Chairman Hanley recognized the presence of James A. Heberlein, Director, Park Authority, and warmly welcomed him to the Board Room.

(NOTE: Later in the meeting, Mr. Heberlein's retirement was discussed. See Clerk's Summary Items CL#119 and CL#122.)

**AGENDA ITEMS**

13. **CERTIFICATES OF RECOGNITION PRESENTED TO THE ORGANIZERS AND LEADERSHIP OF THE VOLUNTEER CENTER FOR THE SUCCESS OF VOLUNTEERFEST** (Tapes 1-2)

Supervisor Dix moved approval of the Certificates of Recognition presented to the organizers and leadership of the Volunteer Center for the success of VolunteerFest. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Connolly and Supervisor McConnell being out of the room.

14. **GOLD BAY PARTNER COMMUNITY AWARD PRESENTED TO FAIRFAX COUNTY** (Tape 2)

Michael Clower, Director, Chesapeake Bay Local Assistance Department (CBLAD) and Gloria Fisher, Chairman of the Virginia Delegation to the Local Government Advisory Committee presented to the Board the Gold Bay Partner Community Award for implementing a number of Chesapeake Bay Preservation Act requirements.

15. **10:00 A.M. - PRESENTATION OF THE FINAL REPORT OF THE FAIRFAX COUNTY COMMUNITY INITIATIVE TO REDUCE YOUTH VIOLENCE STEERING COMMITTEE AND ACTION ITEM A-3 - APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FAIRFAX PARTNERSHIP FOR YOUTH, INCORPORATED** (Tapes 2-4)

(BACs)

Joseph Cammarata, Chairman, presented the final report of the Fairfax County Community Initiative to Reduce Youth Violence Steering Committee.

Following discussion, Chairman Hanley called the Board's attention to Action Item A-3 - Approval of Memorandum of Understanding (MOU) with the Fairfax Partnership for Youth, Incorporated. She referred to page four of the MOU regarding the appointment by the Chairman of the Board of two citizens of Fairfax County to the Board of Directors of the Fairfax Partnership for Youth, Incorporated, and clarified that these citizens would be At-Large Representatives.

Following further discussion, with input from David P. Bobzien, County Attorney; Mr. Cammarata and Mr. Howard Perlstein, Supervisor Dix moved to defer action on this

item until December 8, 1997. This motion was seconded by Supervisor Mendelsohn and **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "**AYE.**"

Supervisor McConnell moved that the Board:

- Endorse the report and the concept of executing an MOU; and
- Direct staff to report with final language for the MOU on December 8, 1997.

This motion was seconded by Supervisor Bulova.

Supervisor Dix moved to amend the motion to:

- Accept the report; and
- Endorse the concept of partnership.

This amendment to the motion was seconded by Supervisor Frey and **FAILED** by a recorded vote of eight, Supervisor Dix and Supervisor Frey voting "**AYE.**"

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

Supervisor Mendelsohn asked unanimous consent that the Board direct the County Attorney to provide the Board with copies of the original MOU. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct staff to provide copies of the proposed document to other County youth related organizations to allow them to comment prior to Board consideration. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to evaluate the report and provide comments. Without objection, it was so ordered.

16. **ORDERS OF THE DAY** (Tape 4)

Chairman Hanley announced that there would be a change in the Orders of the Day to proceed with the County Executive Items and then recess for lunch.

CM:cm

17. **ADMINISTRATIVE ITEMS** (Tape 5)

Supervisor Connolly moved approval of the Administrative Items. This motion was seconded by Supervisor Kauffman.

Supervisor Frey called the Board's attention to Administrative Item 10 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Article 9, Traveling Animal Exhibitions. Following discussion, with input from Major Helene M. Cassell, Acting-Director, Department of Animal Control, Supervisor Frey asked unanimous consent that the Board direct staff to:

- Provide Board Members with a list of the permits issued over the last two-three years; and
- Refer this item to the Animal Shelter Advisory Commission for a recommendation.

Without objection, it was so ordered.

Supervisor Frey called the Board's attention to Administrative Item 11 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Article 7, Keeping of Wild, Exotic or Vicious Animals Prohibited. Following discussion, with input from David P. Bobzien, County Attorney, and Major Cassell, Supervisor Frey asked unanimous consent that the Board direct staff to refer this item to the Animal Shelter Advisory Commission for a recommendation. Without objection, it was so ordered.

The question was called on the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

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

(R) Approved the request that certain streets listed in the Memorandum to the Board dated November 17, 1997 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Kirby Run	Dranesville	Sugarstone Court Kirby Road, Route 695 Additional right-of-way only
Riverscape	Dranesville	Riverscape Run

		Utterback Store Road, Route 717, Additional right-of-way only
Shaker Woods, Section 9	Hunter Mill	Lake Forest Drive Lake Forest Court
Regal Oaks	Providence	Arden Street, Route 3450 Oak Street, Route 769 Additional right-of-way only Railroad Street, Route 697, Additional right-of-way only Arden Street, Route 3450, Additional right-of-way only Gallows Road, Route 650, Additional right-of-way only
Giles Run, Sections 1A, 1B and 1C	Springfield	Gauge Drive Westpointe Drive, Route 8326 Richlawn Terrace Greenside Drive Greentree Manor Lane Crosslake Drive, Route 8331 Knotty Pine Lane Ox Road, Route 123, Additional right-of-way only
The Hunt at Fairfax Station, Phase I and II	Springfield	Sydney Road, Route 4505 Rice Field Place Halley Commons Court Freds Oak Road, Route 5580 Fournier Drive Winslow Court, Route 8167 Pohick Road, Route 641, Additional right-of-way only Little Ox Road,

Route 123,  
Additional  
right-of-way only

Bennett Farms

Sully

Leefield Drive,  
Route 5360  
Havencrest Street  
Berry Farm Court  
Bennett Farms Court  
Bennett Road, Route 669,  
Additional  
right-of-way only

### **ADMIN 2 - EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITY REVIEW APPLICATIONS**

Authorized the extension of the review period for the five Public Facility Review Applications listed in the Memorandum to the Board dated November 17, 1997, until May 17, 1998 to ensure compliance with the 60-day review requirement mandated by Section 15.1-456 of the *Code of Virginia*.

### **ADMIN 3 - INSTALLATION OF MULTI-WAY STOP AT THE INTERSECTION OF QUEENSWOOD DRIVE AND HARROWHILL LANE (BRADDOCK DISTRICT)**

- Endorsed the installation of multi-way stop at the following intersection:
  - Queenswood Drive (Route 6158) and Harrowhill Lane (Route 6159); and
- 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.

### **ADMIN 4 - INSTALLATION OF MULTI-WAY STOP AT THE INTERSECTION OF WAYNE ROAD AND WESTMORELAND ROAD (MASON DISTRICT)**

- Endorsed the installation of multi-way stop at the following intersection:
  - Wayne Road (Route 2304) and Westmoreland Road (Route 1713); and
- 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.



**ADMIN 5 - INSTALLATION OF MULTI-WAY STOP AT THE INTERSECTION OF FOX DEN LANE AND LAPHAM DRIVE (SULLY DISTRICT)**

- Endorsed the installation of multi-way stop at the following intersection:
  - Fox Den Lane (Route 3727) and Lapham Drive (Route 4697); and
- 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.

**ADMIN 6 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-D-038-1, HADID INVESTMENT GROUP, INCORPORATED (PROVIDENCE DISTRICT)**

- (AT) Approved the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 82-D-038-1 until May 20, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 7 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 89-C-048, FOOD LION, INCORPORATED (SULLY DISTRICT)**

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 89-C-048 until October 30, 1998, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 8 - AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO ACCEPT FUNDING FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES**

Authorized the Fairfax County Police Department to accept funds in the amount of \$225,000 from the Virginia Department of Criminal Justice Services, Virginia Community Oriented Policing Services (COPS) Matching Funds Program, to assist in recovering monies that have been expended for new sworn law enforcement positions obtained through the United States (US) Department of Justice COPS grants. This funding replaces \$225,000 of local cash match previously approved for the COPS Universal Hiring Program Grant by the Board of Supervisors as part of the Fiscal Year (FY) Adopted Budget Plan.

**ADMIN 9 - ABANDONMENT OF A PORTION OF UNION MILL ROAD (SULLY DISTRICT)**

- (R) Adopted a Resolution abandoning a portion of Union Mill Road (Route 659).

**ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), ARTICLE 9, TRAVELING ANIMAL EXHIBITIONS**

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See page six.)

Authorized the advertisement of a public hearing to be held before the Board on **December 8, 1997 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Article 9, Traveling Animal Exhibitions, with the purpose of providing exemptions from the permit fee to businesses conducting multiple exhibitions or exhibitions for nonprofit activities.

**ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), ARTICLE 7, KEEPING OF WILD, EXOTIC OR VICIOUS ANIMALS PROHIBITED**

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See page six.)

Authorized the advertisement of a public hearing to be held before the Board on **December 8, 1997 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Article 7, Keeping of Wild, Exotic or Vicious Animals Prohibited, to allow for the keeping of certified service animals, specifically to provide for the training or keeping of exotic animals that are in training or use as an assistance animal for disabled persons.

**ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON HIDDENBROOK DRIVE AND BUILDERS ROAD (DRANESVILLE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 12, 1998 at 3:30 p.m.** to consider requesting the Virginia Department of Transportation (VDOT) to restrict through truck traffic on Hiddenbrook Drive (Route 5380) between Dranesville Road (Route 228) and Builders Road (Route 6258); and Builders Road between Crestview Drive (Route 2525) and Hiddenbrook Drive.

18. **A-1 - SALE OF GENERAL OBLIGATION BONDS, SERIES 1997B** (Tape 5)

## Bonds

(Rs) (NOTE: On October 27, 1997, there was discussion and a motion regarding the sale of General Obligation Bonds, Series 1997B; however, the Board inadvertently failed to vote on the pending motion.)

On motion of Supervisor Connolly, seconded by Supervisor Bulova, and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," the Board concurred in the recommendation of staff and:

- Adopted the Resolution authorizing the issuance of general obligation bonds in the amount of \$60,000,000, the proceeds of which will be used to fund the Fiscal Year (FY) 1998 construction of capital facilities and infrastructure as previously approved by the Board, which also authorizes the execution and delivery of a Continuing Disclosure Agreement;
- Adopted the Resolution providing for the sale of the bonds which also approves the form of the notice of sale and the Official Statement, and authorizes the Chairman to sign the Official Statement; and
- Adopted the Resolution delegating to the County Executive or the Deputy County Executive for Management and Budget authority to award the bonds to the best bidder. Bond Counsel has advised that this form of authorization is acceptable and consistent with previous bond sales. The winning bid must offer the lowest true interest cost, and the true interest cost rate must not exceed six and one-half percent per annum.

19. **A-2 - BOARD ADOPTION OF STANDARDS FOR THE CONSIDERATION OF REQUESTS FROM PRIVATE ORGANIZATIONS THAT SEEK BOARD ENDORSEMENT OF SPECIAL LEGISLATION TO CONFER TAX-EXEMPT STATUS (COUNTYWIDE)** (Tape 5)

On motion of Supervisor Connolly, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the new informational standards for the consideration of requests from private organizations that seek Board endorsement of special legislation to provide an exemption from the County property tax. These standards, as set forth in the Memorandum to the Board dated November 17, 1997, will require such organizations to provide specific information to the Board prior to Board consideration of such requests.

20. **A-3 - APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FAIRFAX PARTNERSHIP FOR YOUTH, INCORPORATED** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#15.)

21. **A-4 - APPROVAL TO USE FISCAL YEAR (FY) 1998 ATHLETIC FIELD LIGHTING FUNDS FROM CAPITAL PROJECTS PAYDOWN CONSTRUCTION PROGRAM TO LIGHT THE GIRLS' VARSITY SOFTBALL FIELD AT EDISON HIGH SCHOOL** (Tape 5)

Supervisor Kauffman moved that the Board:

- Approve the recommendation of staff for the use of \$80,000 from the Athletic Field Lighting funding in the Fiscal Year (FY) 1998 Capital Projects Paydown Construction Program to light the girls' varsity softball field at Edison High School; and
- Direct staff to coordinate the placement of the lighting with the Kingstown owners.

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

22. **A-5 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION/COMPENSATION PLANS - DIRECTOR, VICTIM - WITNESS PROGRAMS** (Tape 5)

On motion of Supervisor Gross, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved proposed amendments to the County's Classification and Compensation Plans necessary to establish the class of Director, Victim - Witness Programs, Grade S-26 (\$43,597-67,479).

23. **A-6 - AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO FORM CASTELLANI MEADOWS LIMITED PARTNERSHIP FOR THE OWNERSHIP OF CASTELLANI MEADOWS (SULLY DISTRICT)** (Tape 5)

On motion of Supervisor Frey, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Fairfax County Redevelopment and Housing Authority (FCRHA) to proceed to form the Castellani Meadows Limited Partnership to be composed of the FCRHA and the FCRHA Housing Assistance Corporation (FHAC) for the ownership of Castellani Meadows.

(NOTE: Later in the meeting, additional action was taken by the Board regarding Castellani Meadows. See Clerk's Summary Item CL#27.)



24. **A-7 - AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO FORM A LIMITED PARTNERSHIP FOR THE PURPOSE OF OWNING THE GREEN APARTMENTS AND SECTION 213 REVIEW FOR THE PROPOSED FINANCING OF THIS PROJECT (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Dix moved that the Board concur in the recommendation of staff and authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to:

- Proceed to form a limited partnership to own the Green Apartments; and
- Execute and submit a Section 213 review letter to the United States (US) Department of Housing and Urban Development (HUD) with the mixed-finance application for the proposed financing of the project.

This motion was seconded by Supervisor McConnell.

Following discussion, with input from Walter D. Webdale, Director, Department of Housing and Community Development (DHCD), the question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

25. **A-8 - LAND ACQUISITION FOR MOUNT ZEPHYR, PHASE II NEIGHBORHOOD IMPROVEMENTS PROJECT (MOUNT VERNON DISTRICT)** (Tape 5)

(Rs)

(A) Supervisor Hyland moved that the Board concur in the recommendation of staff and:

- Adopt the Resolutions authorizing the purchase of the necessary land rights for Project C00088 - Mount Zephyr, Phase II Community Improvement Program; and
- Authorize the advertisement of a public hearing to be held before the Board on **December 8, 1997 at 3:30 p.m.**

This motion was seconded by Supervisor Kauffman.

Following discussion, with input from James R. Ashton, Director, Land Acquisition Division, Department of Public Works, the question was called on the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

26. **A-9 - APPROVAL OF POINT SOURCE GRANT AGREEMENT BETWEEN THE COUNTY OF FAIRFAX AND THE COMMONWEALTH OF VIRGINIA (COUNTYWIDE)** (Tape 5)

At the request of David P. Bobzien, County Attorney, the Board deferred consideration of this item until after Executive Session.

(NOTE: Later in the meeting, action was taken on the item. See Clerk's Summary Item CL#39.)

27. **C-1 - ISSUANCE AND SALE OF BONDS BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) FOR THE FINANCING OF THE CASTELLANI MEADOWS PROJECT (SULLY DISTRICT)** (Tape 5)

(Bonds)

- (R) (NOTE: Earlier in the meeting, additional action was taken by the Board regarding Castellani Meadows. See Clerk's Summary Item CL#23.)

The Board next considered an item contained in the Memorandum to the Board dated November 17, 1997 regarding the issuance and sale of bonds by the Fairfax County Redevelopment and Housing Authority (FCRHA) for the financing of the Castellani Meadows Project.

Supervisor Frey moved adoption of the Resolution regarding the issuance and sale of bonds by the Fairfax County Redevelopment and Housing Authority (FCRHA) for the financing of the Castellani Meadows Project. This motion was seconded by Supervisor Hyland and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

28. **C-2 - ISSUANCE AND SALE OF BONDS BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) FOR THE FINANCING OF THE GRAND VIEW APARTMENTS PROJECT (MASON DISTRICT)** (Tape 5)

(Bonds)

(R)

The Board next considered an item contained in the Memorandum to the Board dated November 17, 1997 regarding the issuance and sale of bonds by the Fairfax County Redevelopment and Housing Authority (FCRHA) for the financing of the Grand View Apartments Project.

Supervisor Gross moved adoption of the Resolution regarding the issuance and sale of bonds by the Fairfax County Redevelopment and Housing Authority (FCRHA) for the financing of the Grand View Apartments Project. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

29. **I-1 - SOLID WASTE ASSOCIATION OF NORTH AMERICA EXCELLENCE AWARD (MOUNT VERNON DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated November 17, 1997 announcing that the Solid Waste Association of North America (SWANA) has recognized the Landfill Gas Control Program at the I-95 Landfill by naming the Fairfax County Department of Public Works the Silver Award winner in the Landfill Gas Control category of its Excellence in Municipal Solid Waste Awards Program.

Supervisor Gross reiterated her concerns that staff schedule recognition of awards at the beginning of the Board Agenda during presentations.

30. **I-2 - APPROVAL OF AN INCREASE TO THE CONTRACT CEILING FOR LIFE CYCLE TECHNOLOGY, INCORPORATED FOR EXPERT ASSISTANCE IN COMPUTER SYSTEMS PLANNING AND APPLICATION DEVELOPMENT OF THE LAND DEVELOPMENT SYSTEM FOR THE PLANNING AND DEVELOPMENT AGENCIES** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated November 17, 1997 requesting authorization for staff to:

- Increase the ceiling for the contract with Life Cycle Technology, Incorporated in an amount of \$4,755,000 for expert assistance in computer systems planning and application development of a Land Development System for the Planning and Development agencies; and
- Execute an amendment to the contract for the completion of the Plan and Waiver System (PAWS).

Following discussion, with input from Peter W. Korinis, Chief Information Officer, Department of Information and Technology (DIT); Larry N. Wellman, Director, Purchasing and Supply Management Agency (P&SMA); Robert J. O'Neill, Jr., County Executive; and David P. Bobzien, County Attorney; staff was directed administratively to proceed as proposed.



31. **I-3 - AWARD OF CONTRACT FOR CHILDREN IN NEED OF SERVICES** (Tape 5)

Chairman Hanley announced that this item had been withdrawn from consideration.

32. **I-4 - CONTRACT AWARD - REEDY DRIVE STREAM CHANNEL IMPROVEMENT (PROVIDENCE DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated November 17, 1997 requesting authorization for staff to award a contract to Cube Construction Corporation in the amount of \$109,974 for the construction of Project AC0294, Reedy Drive Stream Channel Improvement, in Fund 316, Pro Rata Share Drainage Construction.

The staff was directed administratively to proceed as proposed.

33. **I-5 - ENGINEERING DESIGN CONTRACT FOR THE DESIGN OF STORMWATER MANAGEMENT IMPROVEMENTS FOR THE SOUTH VAN DORN STREET, PHASE III ROAD PROJECT (LEE DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated November 17, 1997 requesting authorization for staff to award a contract to GKY and Associates, Incorporated in the amount of \$265,075 for the South Van Dorn Street, Phase III, Stormwater Management Improvements, Project 064134, in Fund 304, Primary and Secondary Road Bond Construction, consisting of the implementation of several sub-projects within the Dogue Creek watershed, adjacent to the Kingstowne Development and within the Greendale Golf Course, near the intersection of Telegraph Road with South Kings Highway.

The staff was directed administratively to proceed as proposed.

34. **INTENT TO DEFER THE PUBLIC HEARINGS ON REZONING APPLICATION RZ 1997-PR-007, SPECIAL EXCEPTION APPLICATION SE 97-P-007 (HOMESTEAD VILLAGE INCORPORATED AND THE POMEROY COMPANIES, INCORPORATED) AND PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 95-P-020 AND PCA 80-P-039-5 (BOZZUTO DEVELOPMENT (PROVIDENCE DISTRICT))** (Tape 5)

Supervisor Connolly announced his intent, later in the meeting at the appropriate time, to defer the following public hearings:

- Rezoning Application RZ 1997-PR-007 scheduled for 3:30 p.m today until December 8, 1997;
- Special Exception Application SE 97-P-007 scheduled for 3:30 p.m today until December 8, 1997; and

- Proffered Condition Amendment Applications PCA 95-P-020 and PCA 80-P-039-5 scheduled for 4:00 p.m. today until December 8, 1997 at 4:30 p.m.

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items CL#48 and CL#55.)

35. **INTENT TO DEFER THE PUBLIC HEARING ON AREA PLANS REVIEW (APR) ITEMS 97-IV-1S AND 97- IV-11S** (Tape 5).

Supervisor Kauffman announced his intent, later in the meeting at the appropriate time, to defer the following public hearings scheduled for 6:00 p.m. today:

- Area Plans Review (APR) Item 97-IV-1S until February 23, 1998; and
- Area Plans Review (APR) Item 97-IV-11S to Schedule B.

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items CL#91 and CL#97.)

36. **RECESS/EXECUTIVE SESSION** (Tape 5)

At 1:50 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting and in addition:

- Media General Cable of Fairfax County, Incorporated, DA 97-2241; Federal Communications Commission (FCC);
- *AT&T Wireless PCS Incorporated versus City Council of the City of Virginia Beach*, Civil Action Number 2:97CV391;
- Point Source Agreement between Fairfax County and the State of Virginia;
- *Rita Warren versus Fairfax County*, Civil Action Number 97-119-A; and
- *Howard S. Swartz versus the Board of Supervisors of Fairfax County, Virginia et al.*, In Chancery Number 143876.

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

**AM:am**

At 3:50 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

**ADDITIONAL BOARD MATTER****37. ELECTION OF ROBERT J. O'NEILL, JR., COUNTY EXECUTIVE, TO THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION (Tape 6)**

Chairman Hanley congratulated Robert J. O'Neill, Jr., County Executive, on being elected to the National Academy of Public Administration (NAPA).

**ACTIONS FROM EXECUTIVE SESSION****38. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION (Tape 6)**

Supervisor Bulova moved that the Board certify that, to the best of its 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, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**AGENDA ITEM****39. A-9 - APPROVAL OF POINT SOURCE GRANT AGREEMENT BETWEEN THE COUNTY OF FAIRFAX AND THE COMMONWEALTH OF VIRGINIA (COUNTYWIDE) (Tape 6)**

(NOTE: Earlier in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#26.)

Supervisor Connolly moved that the Board concur in the recommendation of staff and:

- Approve the Point Source Grant Agreement between the County and the State of Virginia in the amount of \$1,387,500 for 50 percent of the local assessment for the installation of biological nutrient removal facilities at the Blue Plains Wastewater Treatment Facility; and
- Authorize the County Executive to execute the Agreement on behalf of the County.

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

**ADDITIONAL ACTIONS FROM EXECUTIVE SESSION**

40. **AUTHORIZATION OF THE SETTLEMENT OF SOFTWARE AG OF NORTH AMERICA, ET AL. VERSUS FAIRFAX COUNTY BOARD OF SUPERVISORS, AT LAW NUMBER 157893** (Tape 6)

Supervisor Dix moved that the Board authorize the settlement of *Software AG of North America, et al. versus Fairfax County Board of Supervisors*, At Law Number 157893, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

41. **AUTHORIZATION TO FILE A SUIT AGAINST CERTUS, INCORPORATED AND LONZIE H. BUSBY** (Tape 6)

Supervisor Kauffman moved that the Board authorize the filing of a suit against Certus, Incorporated, and Lonzie H. Busby, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

42. **AUTHORIZATION OF THE SETTLEMENT OF FAIRBROOK BUSINESS PARK ASSOCIATES, L.L.C. VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY AND TOWN OF HERNDON, VIRGINIA, AT LAW NUMBER 157884** (Tape 6)

Supervisor Mendelsohn moved that the Board authorize the settlement of *Fairbrook Business Park Associates, L.L.C. versus Board of Supervisors of Fairfax County and Town of Herndon, Virginia*, At Law Number 157884, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Gross and carried by unanimous vote.

43. **APPOINTMENT OF MR. LAURNZ SWARTZ AS EXECUTIVE DIRECTOR TO THE RETIREMENT BOARDS** (Tape 6)

Supervisor Gross moved the appointment of Mr. Lurnz Swartz as Executive Director to the Retirement Boards at a salary of \$77,745.20 effective November 18, 1997. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

44. **AUTHORIZATION OF THE SETTLEMENT OF COMDISCO, INCORPORATED VERSUS FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 157846** (Tape 6)

Supervisor Connolly moved that the Board authorize the settlement of *Comdisco, Incorporated versus Fairfax County, Virginia*, At Law Number 157846, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

45. **AUTHORIZATION OF AN APPEAL IN CABLE SERVICES BUREAU OF THE**

**FEDERAL COMMUNICATIONS COMMISSION (FCC) IN THE MATTER OF MEDIA GENERAL CABLE OF FAIRFAX COUNTY, INCORPORATED TO THE FULL FCC** (Tape 6)

Supervisor Connolly moved that the Board authorize an appeal of the decision by the Cable Services Bureau of the Federal Communications Commission (FCC) in the matter of Media General Cable of Fairfax County, Incorporated to the full FCC, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

SBE:sbe

**AGENDA ITEMS**

46. **3:30 P.M. - PH TO CONSIDER ADOPTION OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 43 (FOOD AND FOOD SERVICE ESTABLISHMENTS)** (Tape 7)
- (O) Certificates of Publication were 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 31 and November 7, 1997.

Following the public hearing, which included testimony by four speakers and discussion with input from Dennis A. Hill, Director, Environmental Health Administration, Department of Health, and David P. Bobzien, County Attorney, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 43 (Food and Food Service Establishments) regarding the replacement of the present County requirements on the regulation of food and food service establishments.

Supervisor McConnell stated, for the record, that the Board is adopting the ordinance with the provision that administrative decisions can be made to alter items.

This motion was seconded by Supervisor Dix and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADDITIONAL BOARD MATTER**

47. **RECOGNITION OF BOY SCOUT TROOP 1131 FROM BURKE AND BOY SCOUT TROOP 918 FROM THE CITY OF FAIRFAX** (Tape 7)

Chairman Hanley recognized the presence of Boy Scout Troop 1131, from Burke, and Boy Scout Troop 918, from the City of Fairfax, who were working on their Citizenship and Community and Communication Merit Badges. She warmly welcomed them to the Board Auditorium.

48. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1997-PR-007 AND SPECIAL EXCEPTION APPLICATION SE 97-P-007 (HOMESTEAD VILLAGE INCORPORATED AND THE POMEROY COMPANIES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1997-PR-007 and Special Exception Application SE 97-P-007 until **December 8, 1997 at 5:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

49. **3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 79-S-031-2 (MCDONALD'S CORPORATION) (SPRINGFIELD DISTRICT)** (Tape 7)

*Ms. Tracy L. 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.*

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

*Supervisor McConnell moved approval of:*

- *Special Exception Amendment Application SEA 79-S-031-2 subject to the revised*

development conditions dated November 17, 1997;  
and

- A reduction of the 11 stacking spaces required by the Zoning Ordinance, and to permit the 10 parking spaces as reflected on the Special Exception Plat.

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

50. **3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 96-P-006 (COMMONWEALTH ATLANTIC LAND IV, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 7)

Mr. Christopher D. Bell reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved:

- Approval of Special Exception Amendment Application SEA 96-P-006 subject to the proposed development conditions in Appendix I of the staff

report dated October 17, 1997;

- Reaffirmation of a modification of the transitional screening and a waiver of the barrier requirement in favor of the landscaping shown on the Special Exception Amendment Plat; and
- Modification of the bike trail requirement along International Drive as previously approved.

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

51. **3:30 P.M. - PH REGARDING THE DEDICATION OF A PORTION OF COUNTY-OWNED PROPERTY LOCATED ON BRADDOCK ROAD/ROUTE 620 TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR ROAD IMPROVEMENTS (SULLY DISTRICT)** (Tape 7)

- (R) Certificates of Publication were 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 31 and November 7, 1997.

Following the public hearing, Supervisor Frey moved adoption of the Resolution authorizing the disposition of County-owned property, Tax Map Numbers 66-2((01))4B and 4D, to the Virginia Department of Transportation (VDOT). This motion was seconded jointly by Supervisor Dix and Supervisor Hyland and carried by a vote of eight, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Connolly and Supervisor Mendelsohn being out of the room.

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

Chairman Hanley announced a change in the Orders of the Day. Because of the large number of speakers scheduled to testify for the public hearing on Special Exception Application SE 97-S-22 (The Trustees of the Fairfax Baptist Temple), Chairman Hanley stated that the Board would hold the other afternoon hearings prior to that public hearing.

53. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-S-022 (THE TRUSTEES OF THE FAIRFAX BAPTIST TEMPLE) (SPRINGFIELD DISTRICT)**  
\_(No Tape)



NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#64.)

54. **4:00 P.M. - PH ON REZONING APPLICATION RZ 1997-PR-024 (YASH P. SALUJA, ET AL) (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1997-PR-024 indefinitely. This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Kauffman being out of the room.

55. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 95-P-020 AND PCA 80-P-039-5 (BOZZUTO DEVELOPMENT COMPANY) (PROVIDENCE DISTRICT)** (Tape 7)

*Supervisor Connolly moved to defer the public hearing on Proffered Condition Amendment Applications PCA 95-P-020 and PCA 80-P-039-5 until December 8, 1997 at 5:00 p.m. This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Kauffman being out of the room.*

56. **4:00 P.M. - PH ON REZONING APPLICATION RZ 95-V-046 (RICHARD H. CARTER, DONALD REISER AND IRMA B. REISER) (MOUNT VERNON DISTRICT)** (Tape 7)

- (O) *Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.*

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

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

Supervisor Hyland moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-V-046 be amended from the R-1 District to the R-20 District subject to the revised proffers dated October 27, 1997;
- Modification to the transitional screening along Silverbrook Road and southern boundary and barrier requirements, in favor of those shown on the Site Plan; and
- Waiver of the 600-foot limitation on the length of private streets.

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

57. **4:00 P.M. - PH ON REZONING APPLICATION RZ 1996-HM-032 (MILLER AND SMITH LAND, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 7)

- (O) Ms. Tracy L. 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.

Following the public hearing, Leslie Johnson, Senior Staff Coordinator,

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

Supervisor Dix moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1996-HM-032 be amended from the R-E District to the R-5 District subject to the revised proffers dated October 30, 1997;
- Waiver of the minimum district size for the R-5 district; and
- Modification of the open space requirement for the R-5 District.

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

58. **4:00 P.M. - PH ON REZONING APPLICATION RZ 1997-PR-024 (YASH P. SALUJA, ET AL) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this public hearing indefinitely. See Clerk's Summary Item CL#54.)

59. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 95-P-020 AND PCA 80-P-039-5 (BOZZUTO DEVELOPMENT COMPANY) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this public hearing. See Clerk's Summary Item CL#55.)

60. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING TRUCK RENTAL ESTABLISHMENTS** (Tapes 7-8)

- (O) Certificates of Publication were 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 31 and November 7, 1997.

Following the public hearing, which included testimony by three speakers, Supervisor Dix moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding truck rental establishments as recommended by the Planning Commission. This motion was seconded by Supervisor Bulova.

Supervisor McConnell moved to amend the motion to add the use in the C-5 District by Special Exception. This motion was seconded by Supervisor Connolly.

Following discussion, with input from staff, the question was called on the amendment to the motion to add the C-5 District, which **CARRIED** by a recorded vote of eight, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova and Supervisor Kauffman voting "NAY."

The question was then called on the main motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova voting "NAY."

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide a response to the Board on a question raised by Supervisor Frey regarding the consistency of the allowance of truck rentals but not car rentals in the C-5 District. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

61. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1997-BR-017 (ROBERT J. BATAL, TRUSTEE) (BRADDOCK DISTRICT)** (Tape 8)

- (O) *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, which included testimony by three speakers, Brian Davis, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-BR-017 be amended from the R-1 District to the R-3 District subject to the proffers dated October 30, 1997. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Mendelsohn being out of the room.

62. **4:30 P.M. - PH TO THE EXECUTION OF AN INGRESS/EGRESS EASEMENT ON COUNTY-OWNED PROPERTY ACROSS FORMER UNION MILL ROAD (SPRINGFIELD DISTRICT)** (Tape 8)

- (R) Certificates of Publication were 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 31 and November 7, 1997.

Following the public hearing, Supervisor McConnell moved adoption of the Resolution authorizing the execution of the proposed ingress/egress easement on County-owned property across former Union Mill Road. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

63. **4:30 P.M. - BOARD DECISION ON A PROPOSED AMENDMENT TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING SANITARY SEWER STANDARDS (COUNTYWIDE)** (Tape 8)

- (O) (NOTE: On October 27, 1997 the Board held a public hearing on the proposed amendment to the Public Facilities Manual (PFM) and deferred its decision until November 17, 1997.)

Supervisor Bulova moved adoption of the proposed amendments to the Public Facilities Manual (PFM) as shown in Attachment I (Alternative B) of the Memorandum to the Board dated November 17, 1997 regarding sanitary sewer standards for the placement of sanitary sewer pipe under pipestem driveways **to become effective on January 1, 1998 at 12:01 a.m. and the following types of plans shall be grandfathered:**

- Subdivision Plans (excluding Preliminary Plats); and
- Site Plans and Public Improvement Plans submitted prior to 12:01 a.m., January 1, 1998, provided that such plans are approved not later than July 1, 1998.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

64. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-S-022 (THE TRUSTEES OF THE FAIRFAX BAPTIST TEMPLE) (SPRINGFIELD DISTRICT)** (Tapes 8-12)

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

*Following discussion, with input from Ms. Johnson and Mr. Martin, Supervisor McConnell moved:*

- *Approval of Special Exception Application SE 97-S-022 subject to the proposed development*

conditions dated November 17, 1997 with the revised condition 17 to provide that a sidewalk be constructed along Missionary Lane and extend into the site as shown on the Special Exception Plat;

- Waiver of the barrier requirement along the northern, eastern, and southern property boundary lines; and
- Modification of the transitional screening requirement along all property boundaries as shown on the Special Exception Plat and modified by the proposed development conditions.

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

65. **BOARD RECESS** (Tape 12)

At 8:55 p.m., the Board recessed briefly, and at 9:00 p.m., reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Bulova and Supervisor McConnell, and with Chairman Hanley presiding.

**AR:ar**

66. **6:00 P.M. -PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-1A, LOCATED ON THE NORTH SIDE OF LITTLE RIVER TURNPIKE, WEST OF ANNANDALE COMMUNITY BUSINESS CENTER (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff,

task force, and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of the task force alternative for Area Plans Review (APR) Item 97-I-1A as recommended by the Planning Commission on October 22, 1997.

The text, as shown in the handout dated November 17, 1997, adds an option for retail use up to .10 Floor Area Ratio (FAR) on approximately one acre of the Annandale Swim Club. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room.

67. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-2A AND 5A, LOCATED SOUTH OF WOODBURN ROAD AND WEST OF BANNERWOOD DRIVE (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, which included testimony by three speakers, Supervisor Gross moved approval of the task force alternative for Area Plans Review (APR) Item 97-I-2A and 5A as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, plans the Pine Ridge property for a public school facility or a permanent park site. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

68. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-7A, LOCATED EAST OF DANIELS AVENUE AND THORNTON STREET INTERSECTION (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff, task force, and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of the staff alternative for Area Plans Review (APR) Item 97-I-7A as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, would add an option for residential use at 8-10 dwelling units per acre (du/ac) with conditions. This recommendation has only a minor difference from that of the task force which is to have full consolidation versus substantial consolidation. This motion was seconded by



Supervisor Connolly and carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

69. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-3B, LOCATED ON THE SOUTH SIDE OF COLUMBIA PIKE, EAST OF THE COLUMBIA PIKE/LEESBURG PIKE INTERCHANGE (MASON DISTRICT)**  
(Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff, task force, and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of the staff and task force alternative for Area Plans Review (APR) Item 97-I-3B as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, adds an option for retail use up to .25 Floor Area Ratio (FAR). This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

70. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-6B, LOCATED ON THE SOUTH SIDE OF COLUMBIA PIKE, EAST OF POWELL LANE (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff, task force, and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of the modified task force alternative for Area Plans Review (APR) Item 97-I-6B as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, increases the option's residential density to 16-20 dwelling units per acre (du/ac) and adds guidance concerning the design and consolidation. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

71. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-9J, LOCATED SOUTH OF ARLINGTON BOULEVARD AND EAST OF THE INTERSECTION WITH ANNANDALE ROAD (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff, task force, and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval the staff alternative for Area Plans Review (APR) Item 97-I-9J as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, allows consideration of low intensity drive-through uses on the subject property. This recommendation has only a minor difference from that of the task force by stating other drive-in or drive-through uses "should be discouraged" instead of stating that these uses "are inappropriate" as suggested by the task force. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

72. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-1L, LOCATED IN THE NORTHEASTERN QUADRANT OF THE LINCOLNIA PLANNING DISTRICT (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff, task force, and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of the modified task force alternative for Area Plans Review (APR) Item 97-I-1L as recommended by the Planning Commission on October 22, 1997, with additional modifications. This text, with the modifications, is shown in the handout dated November 17, 1997. The modifications clarify the planned density which allows consideration of single family attached residential use not to exceed 12 dwelling units per acre (du/ac) or multifamily use at 12-16 du/ac. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

73. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-2L, LINCOLNIA PLANNING DISTRICT (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Gross moved to waive the reading of the staff, task force, and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Gross moved to defer Board decision on Area Plans Review (APR) Item 97-I-2L until **December 8, 1997 at 6:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

74. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-3L, LOCATED NORTH OF EDSALL ROAD, SOUTH OF I-395 AND WEST OF THE CITY OF ALEXANDRIA (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff, task force, and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Gross moved approval of the staff alternative for Area Plans Review (APR) Item 97-I-3L as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, reflects approved development and retain the option's current density range from 2.5-5 dwelling units per acre (du/ac). This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

75. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-5L, LOCATED IN THE AREA SOUTH OF LITTLE RIVER TURNPIKE AND NORTH OF 8TH STREET, BETWEEN CHOWAN STREET AND MARTIN STREET (MASON DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Gross moved to waive the reading of the staff, task force, and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 97-I-5L as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, indicates that reductions in yard requirements are inappropriate since they have resulted in incompatible infill development and spot densities greater than the planned density. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

76. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-III-5UP FOR 1246 RESTON AVENUE, NEAR THE INTERSECTION OF WIEHLE AVENUE (HUNTER MILL DISTRICT)** (Tape 13)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Dix moved approval of Area Plans Review (APR) Item 97-III-5UP as recommended by the Planning Commission. This amendment reflects the Hunter Mill District Task Force and staff recommendation to add an option

for residential

use at 1-2 dwelling units per acre (du/ac) to the existing recommendation for residential use at .5-1 du/ac. The option allows for the creation of an appropriate transition from high density residential uses to lower density residential uses. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Gross, Supervisor Kauffman, and Supervisor McConnell being out of the room.

77. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-III-50UP IN THE NORTHWEST QUADRANT OF THE INTERSECTION OF SUNRISE VALLEY DRIVE AND MONROE STREET (HUNTER MILL DISTRICT)** (Tape 13)

Supervisor Dix moved to defer the public hearing on proposed Area Plans Review (APR) Item 97-III-50UP until **December 8, 1997 at 6:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

78. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-II-22V TO ADD TEXT ADDRESSING BUFFERS IN FREEDOM HILL PARK AND OTHER AREAS IN THE VIENNA PLANNING DISTRICT (HUNTER MILL DISTRICT)** (Tapes 13-14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Dix moved approval of Area Plans Review (APR) Item 97-II-22V as recommended by the Planning Commission with the following change on page 374 of the Area II volume, V3 Spring Lake Community Planning Sector, recommendation number eight:

- In the sentence which begins, "If additional park facilities are planned...", delete the words "seek to" so that the sentence would read, "...the park master planning process should preserve trees along the park's boundaries..."

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

79. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-CW-6ED, AN EDITORIAL ITEM FOR VIENNA PLANNING DISTRICT (HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS)** (Tape 14)

Supervisor Dix moved to defer the public hearing on proposed Area Plans Review (APR) Item 97-CW-6ED until **December 8, 1997 at 6:00 p.m.** to allow more time to consider issues related to text revisions and map changes. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Gross and Supervisor

McConnell being out of the room.

80. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW ITEM 97-CW-30T TO ADD A ROAD CROSSING UNDER THE DULLES AIRPORT ACCESS AND TOLL ROAD BETWEEN THE FAIRFAX COUNTY PARKWAY AND RESTON PARKWAY (HUNTER MILL DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

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

- Approve Area Plans Review (APR) Item 97-CW-30T to show only one alignment with the extension of Town Center Drive across the Dulles Access and Toll Roads to Edmund Halley Drive, generally as shown on Exhibit Two of the staff report;
- Modify pages 476, Area III volume of the Comprehensive Plan as amended through June 26, 1995, Upper Potomac Planning District, UP5 Reston Community Planning Sector, Figure 174, Transportation Recommendations, to add a reference regarding an enlarged map as shown in Exhibit One of the staff report; and
- Modify pages 404 and 481, Area III volume of the Comprehensive Plan as amended through June 26, 1995, Upper Potomac Planning District, UP5 Reston Community Planning Sector, Figure 138, Countywide Transportation Recommendations and Figure 179, Transit Facility Recommendations, to reflect proposed changes as shown on Exhibits Two and Three of the staff report.

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

81. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-II-4F, LOCATED NORTH OF LEE HIGHWAY AND WEST OF ALDEN GLEN TOWNHOUSES (SULLY DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Frey moved approval of Area Plans Review (APR) Item 97-II-4F as recommended by the Planning Commission on October 22, 1997. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

82. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-II-16F, REGARDING THE FAIR OAKS MALL COMPLEX (SULLY DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Frey moved approval of Area Plans Review (APR) Item 97-II-16F as recommended by the Planning Commission on October 22, 1997. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

83. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-II-17F, FOR THE CENTERPOINTE AREA IN THE VICINITY OF WEST OX AND LEGATO ROADS (SULLY DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Frey moved approval of Area Plans Review (APR) Item 97-II-17F as recommended by the Planning Commission on October 22, 1997. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

84. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-III-1UP IN THE VICINITY OF CENTREVILLE ROAD AND MCLEAREN ROAD (SULLY DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved approval of Area Plans Review (APR) Item 97-III-1UP as recommended by the Planning Commission on October 22, 1997. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

85. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-25MV LOCATED WEST OF RICHMOND HIGHWAY AND SOUTH OF THE MULTIPLEX THEATER (LEE DISTRICT)** (Tape 14)



Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Kauffman moved approval of the staff alternative for Area Plans Review (APR) Item 97-IV-25MV as recommended by the Planning Commission on October 22, 1997. The text is shown on the handout dated November 17, 1997, with an added option for 8-12 dwelling units per acre. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

86. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-26MV LOCATED WEST OF RICHMOND HIGHWAY AND SOUTH OF SOUTH VALLEY SHOPPING CENTER (LEE DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Kauffman moved approval of the Lee District Task Force alternative for Area Plans Review (APR) Item 97-IV-26MV as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, would allow retail and/or office use at .50 Floor Area Ratio (FAR). This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

87. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-28MV ALONG MARTHA STREET, BETWEEN RICHMOND HIGHWAY AND BUCKMAN ROAD (LEE DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Kauffman moved approval of the Lee District Task Force alternative for Area Plans Review (APR) Item 97-IV-28MV as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, allows 12-16 dwelling units per acre (du/ac) if consolidation of contiguous parcels fronting on Richmond Highway is achieved on Martha Street. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

88. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-59MV IN THE VICINITY OF THE INTERSECTION OF RICHMOND HIGHWAY AND BUCKMAN ROAD (LEE DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Kauffman moved approval of the Lee District Task Force alternative for Area Plans Review (APR) Item 97-IV-59MV as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, allows commercial, retail and/or office uses up to .35 Floor Area Ratio (FAR) and deletes conditions relating to consolidation, architectural style, and the location of parking. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

89. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-1RH(EX) IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF I-495 AND SOUTH VAN DORN STREET (LEE DISTRICT)**  
(Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Kauffman moved approval of the staff alternative for Area Plans Review (APR) Item 97-IV-1RH(EX) as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, would update the Plan for the subject area to reflect residential development on the majority of the property and replans the northern and southeastern portions of the subject area from office use to residential use at a density that is compatible with neighboring development. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

90. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-8RH LOCATED WEST OF SOUTH KINGS HIGHWAY IN THE VICINITY OF SOUTH KINGS STATION TOWNHOUSES AND KING GARDENS APARTMENTS (LEE DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Kauffman moved approval of the staff alternative for Area Plans Review (APR) Item 97-IV-8RH as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated

November 17, 1997, would add an option for 5-8 dwelling units per acre (du/ac) with conditions regarding parcel consolidation, access, and environmental sensitivity. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

91. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-1S IN THE VICINITY OF HOES ROAD AND LACKAWANNA DRIVE (LEE DISTRICT)** (Tape 14)

Certificates of Publication were 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 30 and November 6, 1997.

Supervisor Kauffman moved that the Board authorize Area Plans Review (APR) Item 97-IV-1S as an Out-of-Turn Plan Amendment to be reconsidered with a public hearing before the Planning Commission on February 12, 1998, and before the Board on February 23, 1998. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

92. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-2S LOCATED IN THE NORTHWEST QUADRANT OF THE INTERSECTION OF FRONTIER DRIVE AND FRANCONIA-SPRINGFIELD PARKWAY (LEE DISTRICT)** (Tapes 14-15)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, which included testimony by 14 speakers, Supervisor Kauffman moved approval of Area Plans Review (APR) Item 97-IV-2S as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, would add an option for retail or office use at an intensity of .30 Floor Area Ratio (FAR) with conditions. This motion was seconded by Supervisor Dix and carried by unanimous vote.

93. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-6S LOCATED BETWEEN FRANKLIN MEWS AND FRANCONIA HEIGHTS SUBDIVISIONS, WEST OF BETHNAL PLACE (LEE DISTRICT)** (Tape 15)

Certificates of Publication were 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 30 and November 6, 1997.

Supervisor Kauffman moved that the Board authorize an Out-of-Turn Plan Amendment for Area Plans Review (APR) Item 97-IV-6S to allow for its consideration during the Schedule B/APR process. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

(NOTE: Later in the meeting, APR Item 97-IV-6S was discussed. See Clerk's Summary Item CL#107.)

94. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-8S CONCERNING THE BEST BUY SHOPPING CENTER, IN THE VICINITY OF FRONTIER DRIVE AND SPRINGFIELD MALL (LEE DISTRICT)** (Tape 15)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Kauffman moved approval of the Lee District Task Force alternative for Area Plans Review (APR) Item 97-IV-8S as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, would delete recommendations that no longer apply as the property has been developed with the Best Buy Shopping Center in accordance with the Plan. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

95. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-9S IN THE SOUTHEAST QUADRANT OF THE INTERSECTION OF FRANCONIA ROAD AND FRONTIER DRIVE (LEE DISTRICT)** (Tape 15)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, Supervisor Kauffman moved approval of the Lee District Task Force alternative for Area Plans Review (APR) Item 97-IV-9S as recommended by the Planning Commission on October 22, 1997. The text, as shown in the handout dated November 17, 1997, would allow for public facilities, governmental and institutional use, with the institutional component limited to .30 Floor Area Ratio (FAR), reflecting existing development and the demolition of the Oak Grove Plantation. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Frey being out of the room.

96. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-10S LOCATED SOUTH OF THE FRANCONIA-SPRINGFIELD PARKWAY AND ADJACENT TO THE GSA PARR WAREHOUSE (LEE DISTRICT)** (Tape 15)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved:

- Approval of Area Plans Review (APR) Item 97-IV-10S with the modification to the Planning Commission recommendation of October 22, 1997. The text, as shown in the handout dated November 17, 1997, would add an option for up to 30 dwelling units per acre (du/ac), support retail, and related secondary uses on the northern portion of the land unit, prohibit a cinema within the retail use, and provide vehicular and pedestrian access to the Joe Alexander Transportation Center in the first phase of development; and
- Modification of text in the handout to:
  - Add the words, "hotel and medical care facilities" after the word "residential" in the last bullet on page 17; and
  - Add the word "also" after the word "are" in the third bullet on page 18 of the handout.

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

97. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-IV-11S IN THE VICINITY OF LACKAWANNA DRIVE AND EAST OF THE ACCOTINK STREAM VALLEY (LEE DISTRICT)** (Tape 15)

Certificates of Publication were 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 30 and November 6, 1997.

Supervisor Kauffman moved that the Board authorize an Out-of-Turn Plan Amendment for Area Plans Review (APR) Item 97-IV-11S to allow for its consideration during the Schedule B/APR process. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

98. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW ITEM 97-CW-6T CONCERNING I-95/I-395 (SHIRLEY HIGHWAY) FROM THE PENTAGON TO PRINCE WILLIAM COUNTY (LEE, MASON, MOUNT VERNON DISTRICTS)** (Tapes 15-16)

Certificates of Publication were 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 30 and November 6, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved approval of the staff alternative for Area Plans Review (APR) Item 97-CW-6T as recommended by the Planning Commission on October 22, 1997. The recommendation supports changing transportation maps to designate 11 lanes on Shirley Highway, south of the Fairfax County Parkway and nine lanes north of the Capital Beltway. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

99. **6:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW ITEM 97-CW-7T TO MAKE EDITORIAL UPDATES AND FIGURE REVISIONS (COUNTYWIDE)**  
(Tape 16)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved to defer the public hearing on proposed Area Plans Review (APR) Item 97-CW-7T until **December 8, 1997 at 6:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

#### **ADDITIONAL BOARD MATTERS**

CM:cm

100. **NATIONAL PEARL HARBOR REMEMBRANCE DAY IN FAIRFAX COUNTY**  
(Tape 17)

Chairman Hanley informed Board Members of a request by the Pearl Harbor Survivors Association to honor Public Law 103-308 and observe December 7, 1997 as "National Pearl Harbor Remembrance Day." The law urges all to fly the United States (US) flag at half staff in honor of the individuals who died as a result of their service at Pearl Harbor.

Chairman Hanley, therefore, relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to:

- Prepare and send the Proclamation to observe December 7, 1997 as "**Pearl Harbor Remembrance Day**" in Fairfax County; and
- Urge all residents to fly the US flags at half staff, including the flags at all Fairfax County facilities.

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

101. **FAIRFAX SYMPHONY'S UPCOMING HOLIDAY MATINEES AT THE GEORGE MASON PERFORMING ARTS CENTER** (Tape 17)

Chairman Hanley informed Board Members of a request by the Fairfax Symphony to recognize the upcoming Holiday Matinees at the George Mason Performing Arts Center. Children's gifts for the Marine Corps Reserve's 'Toys for Tots' will be collected to put under the tree at the program. During the event all Fairfax County employees in attendance will be recognized.

Therefore, Chairman Hanley moved that the Board direct staff to:

- Prepare a Proclamation recognizing the Fairfax Symphony for community involvement; and
- Invite representatives of the Symphony to appear before the Board to receive the recognition.

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

102. **RECOGNITION OF TWO MEMBERS OF THE MEDICAL CARE FOR CHILDREN PARTNERSHIP ADVISORY COUNCIL (MCCP)** (Tape 17)

Chairman Hanley informed Board Members of the Office for Partnerships' wish to recognize two members of the Medical Care for Children Partnership Advisory Council (MCCP) who will be leaving the area soon to pursue professional opportunities.

Chairman Hanley moved that the Board direct staff to invite Ms. Kelly Vallandingham of Crestar Bank and Ms. Jill Vallandingham of the Ballston Center for Computer Training to appear before the Board to be recognized for their contributions to MCCP programs. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor McConnell being out of the room.

103. **NATIONAL ASSOCIATION OF COUNTIES' (NACo) RECOGNITION OF SUSAN HERBERT TO SERVE ON THE INTERIM EXECUTIVE COMMITTEE** (Tape 17)

Chairman Hanley announced that NACo has included Susan Herbert, Volunteer Liaison, Department of Fire and Rescue, to serve on the affiliate's interim executive committee and asked unanimous consent that the Board direct staff to write Ms. Herbert a letter of congratulations and thank her for her involvement. Without objection, it was so ordered.



104. **FOLLOW-UP ON THE CHILD PROTECTIVE SERVICES TASK FORCE RECOMMENDATIONS** (Tape 17)

Chairman Hanley called the Board's attention to a Memorandum from the Chairman of the Human Services Council with a follow-up on the Child Protective Services Task Force recommendations. In the memorandum, the Chairman of the Council and the Chairman of the Task Force raised concerns about overall capacity to meet human services needs.

Chairman Hanley moved that the Board refer the concerns raised in the memorandum to the County Executive for review in developing the Fiscal Year (FY) 1999 Budget Plan. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

105. **FAIRFAX COUNTY WATER AUTHORITY REQUEST FOR REPRESENTATION ON THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) BOARD OF DIRECTORS** (Tape 17)

(BACs)

Chairman Hanley reminded Board Members of a request from Fred Morin, Chairman of the Fairfax County Water Authority, communicating the Water Authority's interest in being represented on the Upper Occoquan Sewage Authority (UOSA) Board of Directors and requesting a meeting to discuss the possibility of reserving one of Fairfax County's two seats on the Board for that purpose.

Chairman Hanley stated that she had a meeting with Mr. Morin, members of the Water Authority, and County staff, in which he expressed the chief concern of the Authority is that its members are not in the information loop with regard to the decision making process on a number of issues that could have a substantial impact on the quality of Fairfax County's water supply. Specifically, the Water Authority is concerned that, because their access to information regarding the UOSA Agreement is limited, the Board might act to amend the Agreement without the benefit of the Water Authority's input.

Therefore, Chairman Hanley moved that the Board seek input from the Water Authority before taking any action to amend the UOSA Agreement. This includes those amendments currently proposed for the County's consideration, along with any future amendments that may be proposed. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor McConnell being out of the room.

So that the Water Authority will have an opportunity to receive information affecting the Occoquan in a timely fashion, Chairman Hanley asked unanimous consent that the Board direct staff to share any information it receives as a result of its participation on the UOSA Board of Directors with the Water Authority. Without objection, it was so ordered.

106. **INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC) CHARTER** (Tape 17)

(BACs)

Chairman Hanley informed Board Members that the Information Technology Policy Advisory Committee (ITPAC) has drafted and approved a Charter establishing a three year term of appointment for members and providing for the election of a Chairman and Vice-Chair. The charter also restates the purpose and structure of the Committee which were established by the Board on February 10, 1997.

Chairman Hanley, therefore, moved that the Board approve the charter of the ITPAC adopted by the Committee on October 17, 1997. This motion was seconded by Supervisor Kauffman and carried by a vote on nine, Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**PMH:pmh**

107. **CLARIFICATION ON AREA PLAN REVIEW (APR) ITEM 97-IV-6S** (Tape 18)

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

Supervisor Kauffman moved that the Board authorize Area Plans Review (APR) Item 97-IV-6S as an Out-of-Turn Plan Amendment to allow for its reconsideration during the Schedule B/APR Process. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

108. **RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) FOR THE RESIDENTS OF JARVIS COURT** (Tape 18)

Supervisor Mendelsohn said that he has received a request from the residents of Jarvis Court, adjacent to Langley High School, requesting the study and establishment of a Residential Permit Parking District (RPPD) for their street.

Supervisor Mendelsohn moved that the Board:

- Direct staff to study Jarvis Court and make a recommendation as to its eligibility for inclusion into the existing District 20, Langley High School, RPPD program;
- Waive the requirement for 100 contiguous or nearly contiguous on-street parking spaces; and
- Waive the \$2.00 per residence filing fee for the extension of District 20.

This motion was seconded by Supervisor Bulova.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

109. **RECOGNITION OF GAIL WOMBLE, PRINCIPAL OF LONGFELLOW MIDDLE SCHOOL** (Tape 18)

Supervisor Mendelsohn commended Gail Womble, Principal of Longfellow Middle School, for being named the Fairfax County Public Schools Principal of the Year and for receiving the *Washington Post* Distinguished Educational Leadership Award. This award is given annually to those principals who extend themselves beyond the daily demands of their positions to help create superior learning environments for their students.

Supervisor Mendelsohn moved that the Board direct staff to invite Ms. Womble to appear before the Board on November 24, 1997 to recognize her for her efforts on behalf of the young people in her school and her school community. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

110. **APPOINTMENT TO THE HEALTH CARE ADVISORY BOARD** (Tape 18)

(APPT)

Supervisor Dix moved the appointment of Ms. Gail Savage as the Hunter Mill District Representative to the Health Care Advisory Board. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

111. **BUS USE OF SLIP RAMPS - DULLES ACCESS ROAD** (Tape 18)

Supervisor Dix said that since 1987, use of the slip ramps on the Dulles Access Road for commuter buses has been permitted by a Deed of Easement between the Commonwealth of Virginia through the Virginia Department of Transportation (VDOT) and the Metropolitan Washington Airports Authority. Under the current plan for the operation and maintenance of the ramps, which are located just east of the Wiehle Avenue interchange, use is limited to the eastbound direction during the morning rush hour. The State Police open the gates to the ramp, police the use, and close the slip ramp.

Supervisor Dix said that the Toll Road is currently under construction, and since the opening of the Wiehle Park-and-Ride facility in January, commuter bus ridership has steadily increased. In addition, there are occasions, such as adverse traffic conditions and accidents,

which cause significant traffic delays on the Toll Road. He added that his office has received many requests for necessary accommodations to be made to open the slip ramps during the evening rush hour for westbound buses. In addition, there exists the need to be able to open the ramp eastbound during certain traffic emergency situations during the evening rush hours.

Supervisor Dix said that he has been advised that a request would be considered for additional usage of the slip ramps by Fairfax Connector buses, should VDOT and the County agree that this is desired. The State Police responded to an inquiry by VDOT relative to this matter in early 1996, and indicated that they did not have the sufficient numbers of troopers and funding to effectively monitor additional usage of the ramps.

Therefore, Supervisor Dix moved that the Board direct the Office of Transportation to work with the Airports Authority and VDOT to devise a plan that may enable the maximum utilization of these slip ramps, and that this matter return to the Board as an Information Item. Supervisor Dix said that with the opening of the Herndon/Monroe Park-and-Ride facility in late 1998 and with the additional Dulles Corridor Bus Service to be provided in conjunction with that facility, another set of slip ramps will be required at some location west of Wiehle Avenue and he further moved that the Board direct staff to determine what action and resources would be required to both construct and operate these additional ramps and report its findings. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor McConnell being out of the room.

112. **ALCOHOL BEVERAGE CONTROL (ABC) LICENSES ISSUE** (Tape 18)

Supervisor Dix said that there has been a change in the issuance of Alcohol Beverage Control (ABC) licenses for on and off premise activities and he asked unanimous consent that the Board refer this issue to the Legislative Subcommittee.

Following discussion, with input from David P. Bobzien, County Attorney, without objection, the request was so ordered.

113. **VENDORS AT PARK-AND-RIDE FACILITIES** (Tape 18)

Supervisor Dix moved that the Board direct staff to review the proper competitive process involving the private sector, to locate vendors for coffee, newspapers, and possibly other sundry items at park-and-ride facilities. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor McConnell being out of the room.

114. **EXAMINATION OF DRIVING WHILE INTOXICATED (DWI) LAWS** (Tape 18)

Supervisor Dix referred to an issue he raised at the October 27, 1997 Board meeting regarding an examination of the Driving While Intoxicated Laws (DWI) and he reiterated his request that the Board direct staff to facilitate in a timely manner, an examination of County laws regarding Driving While under the Influence (DWI) and Habitual Offenders, as well as the bonding requirements in terms of setting bonds for those who are charged with being involved with accidents that result in fatalities.

Supervisor Dix asked unanimous consent to add to his request that the Board consider a legislative initiative that includes mandatory minimum sentences for repeat offenders under DWI charges. Without objection, it was so ordered.

115. **FAIRHILL ELEMENTARY SCHOOL STUDENTS TO PERFORM AT THE WHITE HOUSE** (Tape 18)

Supervisor Connolly stated that the Fairhill Elementary Children's Festival Chorus has been selected to perform for President and Mrs. Clinton and their guests at the reception for the volunteers who decorate the White House for the holiday season. The chorus will be performing for the decorators and the First Family on December 3, 1997 prior to the press tour of the holiday decorations hosted by Mrs. Clinton. That evening the children will also be performing and dining at the Willard Hotel.

Supervisor Connolly moved that the Board direct staff to invite the Fairhill Elementary Children's Festival Chorus to appear before the Board on December 8, 1997 to be recognized and to perform a brief sample of their holiday program. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Connolly noted that his daughter may participate in this program.

116. **LAUREL HILL OUT-OF-TURN PLAN AMENDMENT S95-CW-2CP** (Tape 18)

Supervisor Connolly reminded the Board that at its last meeting, it returned the Laurel Hill Out-of-Turn Plan Amendment to the Planning Commission for reconsideration. A verbatim of the Board's action has been prepared and he moved that the Board clarify its intent and designate the verbatim transcript that the Clerk's office has prepared of the Board's discussion of the Board's motion and the Minutes related to Out-of-turn Plan Amendment S95-CW-2CP to be forwarded to the Planning Commission. This motion was seconded by Supervisor Mendelsohn.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

NV:nv

117. **DEER HUNTING LIMITS WITHIN THE COUNTY** (Tape 19)

Supervisor Frey raised the issue of legal deer hunting limits in the County. He moved that the Board direct the staff to request the State's Department of Game and Inland Fisheries to remove the existing deer hunting limits for licensed hunters in the County.

Following a brief discussion, this motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor McConnell being out of the room.

A brief discussion continued following the vote.

118. **DESIGNATION OF "NATIONAL FAMILY WEEK"** (Tape 19)

Supervisor Bulova stated that Thanksgiving week, November 23-29, 1997, has been designated "National Family Week" by Family Service America (FSA) and by a Proclamation signed by the President of the United States. FSA defines a family as consisting of two or more people, whether living together or apart, related by blood, marriage, adoption or committed to care for one another.

Supervisor Bulova explained that National Family Week is a week set aside to annually recognize and appreciate families and their role in caring for individual members, thus contributing to society. She noted that the week also reinforces and encourages healthy family life and family values.

So that the County can join in the thousand or more organizations across the nation in celebrating National Family Week, Supervisor Bulova moved that the Board direct staff to prepare a Resolution to be presented to members of the Fairfax County Faith Communities in Action at the Board meeting scheduled for November 24, 1997 declaring November 23-29, 1997 as "**National Family Week**" in Fairfax County. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

119. **RETIREMENT OF JAMES HEBERLEIN, DIRECTOR, PARK AUTHORITY**  
(Tape 19)

(NOTE: Earlier in the meeting, the retirement of James Heberlein, Director, Park Authority, was announced. See Clerk's Summary Item CL#12.)

As announced earlier in the meeting, Supervisor Gross stated that James Heberlein, Director, Park Authority, is retiring after 35 years of dedicated service to the County. She noted that he was responsible for the rise of the County's nationally-recognized park system, from his first years with the County to his long tenure as Director.

Accordingly, Supervisor Gross moved that the Board direct staff to invite Mr. Heberlein to appear before the Board at a date to be determined, to be recognized for his service to the County. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

(Later in the meeting, there was further discussion of Mr. Heberlein's retirement. See Clerk's Summary Item CL#122.)

120. **CONCURRENT PROCESSING OF SITE PLAN WITH REZONING APPLICATION RZ 1997-MA-044 AND SPECIAL EXCEPTION APPLICATION SE 97-M-044, SKYLINE ENTRE LP** (Tape 19)

Supervisor Gross stated that Skyline Entre LP has filed Rezoning Application RZ 1997-MA-044 and Special Exception Application SE 97-M-044 for property located at 5701 Columbia Pike and identified as Tax Map 61-2((1)) parcel 82 and 61-2((43)) parcel 4. The applicant has requested processing of the Site Plan concurrent with the Rezoning and Special Exception applications.

Accordingly, Supervisor Gross moved that the Board direct staff to process the Site Plan associated with these applications concurrently. This motion should not be construed as a favorable recommendation on the Rezoning or Special Exception applications by the Board, and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards in any way. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

121. **CONCURRENT PROCESSING OF SITE PLAN WITH A SPECIAL EXCEPTION APPLICATION FOR PROPERTY LOCATED AT 6318 LEESBURG PIKE** (Tape 19)

Supervisor Gross stated that Mubarek Corporation has filed a Special Exception application to construct a gasoline service station with quick service food store on property located a 6318 Leesburg Pike and identified as Tax Map 51-3((1)) parcels 33 and 34. The applicant has requested processing of the Site Plan concurrent with the Special Exception application request.

Accordingly, Supervisor Gross moved that the Board direct staff to process the Site Plan associated with this application concurrently. This motion should not be construed in any way as a favorable recommendation on the Special Exception application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

122. **FURTHER DISCUSSION REGARDING THE RETIREMENT OF JAMES HEBERLEIN, DIRECTOR, PARK AUTHORITY** (Tape 19)

(NOTE: Earlier in the meeting Mr. Heberlein's retirement was discussed. See Clerk's Summary Items CL#12 and CL#119.)

Citing the retirement of James Heberlein, Director, Park Authority, Supervisor Hyland noted that he had a certificate to present to him entitling him to one pound of green peppers from the Mount Vernon Farmers' Market.

123. **A NEW INDIVIDUAL RETIREMENT ACCOUNT (IRA) OPPORTUNITY BECOMES AVAILABLE IN 1998** (Tape 19)

With reference to his written Board Matters handout, Supervisor Hyland asked unanimous consent that the Board direct staff to publish information for County employees about the new Roth Individual Retirement Account (IRA) that was referenced in the recent Financial Planning Conference presented by the Office of Personnel. Without objection, it was so ordered.

124. **RECOGNITION OF FORMER REPRESENTATIVE OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (Tape 19)

(BACs)

Supervisor Hyland stated that Mr. Joseph Adinaro served for more than eight years on Fairfax County Redevelopment and Housing Authority (FCRHA) and asked unanimous consent that the Board direct staff to invite him to appear before the Board to be recognized for his years of service. Without objection, it was so ordered.

125. **"YOU AND YOUR LAND," A PUBLICATION OF THE NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD)** (Tape 19)

Supervisor Hyland shared copies of the newest edition of the Northern Virginia Soil and Water Conservation District's (NVSWCD) Homeowner's Guide for the Potomac River Watershed with Members of the Board. He asked unanimous consent that the Board direct staff to invite Dewey Bond, Chairman of the NVSWCD, to make a short presentation on "*You and Your Land A Homeowner's Guide for the Potomac River Watershed.*" Without objection, it was so ordered.

126. **LORTON TOWN CENTER REZONING APPLICATION RZ 1996-MV-037 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 76-L-019** (Tape 19)

With reference to his written Board Matter regarding Rezoning Application RZ 1996-MV-037 and Proffered Condition Amendment Application PCA 76-L-019 for the Lorton Town Center, Supervisor Hyland moved that the Board direct staff to schedule the



public hearing to be held before the Board on February 23, 1998. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards and does not prejudice the consideration of the land use application in any way. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

127. **GUNSTON HEIGHTS AND WILEY SUBDIVISION** (Tape 19)

With reference to his written Board Matter regarding the failing septic systems in the Gunston Heights and Wiley Subdivision, Supervisor Hyland noted that this issue was discussed in Executive Session. He explained the background of this issue, noting that on March 21, 1994 the Board took action and created a conservation district on behalf of the Gunston Heights and Wiley citizens. On June 27, 1994 the Board amended the Comprehensive Plan and expanded the sewer shed to include only lots with a house located in this subdivision, in order that a pump and haul system could be constructed. The contract for designing the system was given on the same date. The County also took steps to make available to the homeowners low interest loans and appropriated full funding.

Supervisor Hyland noted, however, on the advice of the County Attorney, and as part of the pump and haul system for this community, each homeowner must sign certain restrictive covenants, including, but not limited to, agreeing not to construct any addition to existing homes. Over the next few years, less than 50 percent of the homeowners signed those covenants. It is the opinion of the County Attorney that unless all homeowners sign the Declaration of Covenants, it "will be extremely difficult to restrict the owners of vacant lots (located within this subdivision) from developing their properties and hooking into the sanitary sewer pump and haul system."

Supervisor Hyland stated that the Planning Commission considered a Plan Amendment regarding the issue of running a public sewer pipe through this community, but rejected that Plan Amendment and recommended that the Board proceed with the pump and haul and consider removing the covenant requirement.

Based on the history of this project and the serious health and environmental issues, Supervisor Hyland moved that the Board:

- Authorize an Out-of-Turn Plan Amendment to change the language of the Comprehensive Plan to remove the Covenant restrictions requirement; and
- Direct staff to proceed with construction of the pump and haul system for the Gunston Heights and Wiley Subdivision.

This motion was seconded by Supervisor Kauffman.

Following a brief discussion, the question was called on the motion which **FAILED** by a recorded vote of five, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting “**AYE**,” Supervisor McConnell being out of the room.

128. **BOARD ADJOURNMENT** (Tape 19)

At 12:40 a.m. on Tuesday, November 18, 1997, the Board adjourned.