



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**MONDAY  
June 2, 2008**

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**13-08**

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**DET:det**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, June 2, 2008, at 9:09 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Jan L. Brody, Deputy County Attorney; Catherine A. Chianese, Assistant County Executive; Regina Stewart, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

**BOARD MATTER**1. **MOMENT OF SILENCE** (9:10 a.m.)

Supervisor Hudgins asked the Board and the community to extend best wishes to Officer Crystal J. Gray of the Reston District Station who was in an accident a week ago Sunday.

Chairman Connolly asked the Board to keep in thoughts the family of Judge David Stitt, who died recently. Judge Stitt served with enormous distinction on the Circuit Court of Fairfax County and prior to that served as the County Attorney.

Supervisor Gross asked the Board to keep in thoughts the family of Ethel Wilcox Register, who recently died. Mrs. Register served as Clerk to the Board of Supervisors until 1988.

**AGENDA ITEMS**2. **PRESENTATION OF THE COLORS** (9:12 a.m.)

The Army Continental Color Guard presented the colors and an element of the Old Guard Fife and Drum Corps performed.

3. **PROCLAMATION DESIGNATING JUNE 8-14, 2008, AS "ARMY STRONG WEEK" IN FAIRFAX COUNTY** (9:16 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman and moved approval of the Proclamation to designate June 8-14, 2008, as "*Army Strong Week*" in Fairfax County and urged all residents to join in congratulating the United States Army on the 233<sup>rd</sup> anniversary of its formation. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

4. **RESOLUTION OF RECOGNITION PRESENTED TO COLONEL BRIAN LAURITZEN** (9:18 a.m.)

Supervisor Hyland moved approval of the Resolution of Recognition presented to Colonel Brian W. Lauritzen, Commander, Fort Belvoir, the County's largest employer, for his steadfast leadership, valued service, and contributions to the County. Supervisor Herrity seconded the motion and it carried by unanimous vote.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO THE 2008 LORD AND LADY FAIRFAX HONOREES** (9:30 a.m.)

Supervisor Hyland moved approval of the Certificates of Recognition presented to the 2008 Lord and Lady Fairfax Honorees. Supervisor Smyth seconded the motion and it carried by unanimous vote. The honorees are as follows:

**Braddock District**

- Ms. Tena Bluhm
- Mr. Bruce Wallachy

**Dranesville District**

- Ms. Pamela Beck Danner
- Mr. Frank B. Crandall

**Hunter Mill**

- Ms. Marilyn Silvey
- Mr. B.J. Silvey

**Lee District**

- Ms. Victoria McLeod
- Mr. Rodney L. Lusk

**Mason District**

- Ms. Nancy D. Hall
- Mr. David B. Conway

**Mount Vernon District**

- Ms. Susan F. Fremit
- Mr. Frank Cohn

**Providence District**

- Ms. Mary Ann Beall
- Mr. Conrad Egan

**Springfield District**

- Ms. Tracy Allyn Betts
- Mr. Rob Robertory

**Sully District**

- Ms. Gabrielle Levy
- Mr. Andrew S. Levy

**At Large**

- Ms. Kerrie Wilson
- Mr. George W. Lamb IV

Chairman Connolly announced that Celebrate Fairfax, the County's official fair, would begin this Friday, June 6, at 6 p.m. and run until Sunday, June 8. He added that several members of the board of Celebrate Fairfax, Incorporated, which produced the fair, were present in the auditorium, and asked that they stand and be recognized.

6. **PROCLAMATION DESIGNATING JUNE 14, 2008, AS "HEPATITIS AWARENESS DAY" IN FAIRFAX COUNTY** (9:48 a.m.)

Supervisor Bulova moved approval of the Proclamation to designate June 14, 2008, as "*Hepatitis Awareness Day*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

7. **RESOLUTION CONGRATULATING THE SUCCESS OF THE NORTHERN VIRGINIA STREAM RESTORATION BANK PROJECT AND CERTIFICATES OF RECOGNITION PRESENTED TO PARTICIPATING INDIVIDUALS** (9:53 a.m.)

Supervisor Hudgins moved approval of:

- A Resolution congratulating the success of the Northern Virginia Stream Restoration Bank project.

- Certificates of Recognition presented to individuals from the Reston Association, Friends of Reston, Wetland Studies and Solutions, Incorporated, and Department of Public Works and Environmental Services staff for their efforts on the Northern Virginia Stream Restoration Bank Project.

Supervisor Hyland seconded the motion and it carried by unanimous vote.

8. **CERTIFICATES OF RECOGNITION PRESENTED TO PARTICIPANTS IN THE 2007–2008 HYPOTHERMIA PREVENTION SERVICES PROJECT** (10:05 a.m.)

Supervisor Hudgins moved approval of the Certificates of Recognition presented to the following participants in the 2007-2008 Hypothermia Prevention Services project for partnering with the County to address homelessness throughout the County:

- FACETS
- New Hope Housing
- Reston Interfaith
- Rising Hope United Methodist Mission Church
- Ventures in Community
- Volunteers of America

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

9. **CERTIFICATES OF RECOGNITION PRESENTED TO COUNTY STAFF WHO RECEIVED A US COMMUNITIES GOVERNMENT PURCHASING ALLIANCE MERITORIOUS AWARD** (10:20 a.m.)

Supervisor Hyland moved approval of the Certificates of Recognition presented to county staff who received a US Communities Government Purchasing Alliance Meritorious Award. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Chairman Connolly introduced Steve Swendiman, Managing Director and Chief Executive Officer, Financial Services Corporation, National Association of Counties, who administered the award.

10. **CERTIFICATES OF RECOGNITION PRESENTED TO COUNTY AGENCIES WITH THE HIGHEST NUMBER AND PERCENTAGE OF PARTICIPANTS IN BIKE TO WORK DAY** (10:28 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificates of Recognition presented to the following agencies that participated in Bike to Work Day:

- Department of Family Services – the highest number of participants
- Department of Transportation – the highest percentage of its merit employees

Supervisor Hudgins and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

**EBE:ebe**

11. **ADMINISTRATIVE ITEMS** (10:36 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Hyland seconded the motion.

Supervisor Smyth asked unanimous consent to withdraw Admin 4 from consideration. Without objection, it was so ordered.

Supervisor McKay called the Board's attention to Admin 5 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5A Residential Permit Parking Districts (RPPD). Discussion ensued regarding Item 3 and the restriction in issuing decals to allowable vehicles with an address in a residential district with Gross Vehicle Rating of more than 12,000 pounds.

Discussion ensued with input from Cherie L. Halyard, Assistant County Attorney; Hamid Majdi, Transportation Planner II, Department of Transportation; and David P. Bobzien, County Attorney; regarding allowable vehicle weight.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to review the language and provide clarification and more information before the proposed public hearing date. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor McKay called the Board's attention to Admin 11 – Additional Time to Commence Construction for Special Exception Application SE 98-L-063 and asked to amend the motion to approve 6 months of additional time, instead of the recommended 12 months. This was accepted.

(NOTE: Later in the meeting, the Board clarified this action. See Clerk's Summary Item #45.)

Supervisor Foust called the Board's attention to Admin 7 – Authorization to Advertise a Public Hearing on Proposed Transportation Enhancement Program Projects. Discussion ensued with input from Jay Guy, Transportation Planner II, Coordination and Funding Division, Department of Transportation (DOT) regarding the percentage of funds allocated to the County for transportation enhancements from the Commonwealth Transportation Board (CTB) Member.

Chairman Connolly asked unanimous consent that the Board direct Katharine Ichter, Director, Department of Transportation, to convey, to the County's Representative to the Commonwealth Transportation Board, the Board of Supervisor's displeasure and concern with the low percentage of funds allocated to the County. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to report on the history of and criteria used in allocation of funds to counties in the last decade. Without objection, it was so ordered.

Further discussion ensued regarding the allocation.

The question was called on the motion, as amended, to approve the Administrative Items, with the exception of Admin 4, and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, MOTOR VEHICLES AND TRAFFIC, SECTION 82-1-6, ADOPTION OF STATE LAW**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law. These amendments adopt actions of the 2008 General Assembly into Chapter 82.

**ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (BRADDOCK, DRANESVILLE, HUNTER MILL, LEE, MASON, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)**

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-P08-8	Sprint-Nextel Antenna colocation on existing radio broadcasting tower 7330 Ronald Street (Providence District)	August 2, 2008
FS-Y08-9	Verizon Wireless Antenna colocation on existing electric transmission tower 6700 Centreville Road (Sully District)	August 2, 2008
FS-S08-10	Verizon Wireless Antenna colocation on existing monopole (athletic field light pole) 4201 Stringfellow Road (Chantilly High School) (Springfield District)	August 2, 2008
FS-D08-11	FiberTower Antenna colocation on existing tower 9916 Georgetown Pike (Great Falls Fire Station) (Dranesville District)	August 8, 2008
FS-B08-12	FiberTower Antenna colocation on existing monopole 9537 Helenwood Drive (Braddock District)	August 8, 2008
FS-S08-13	FiberTower Antenna colocation on existing monopole 9501 Old Burke Lake Road (Burke Fire Station) (Springfield District)	August 8, 2008



<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-Y08-16	FiberTower Antenna colocation on existing monopole 3725 Stonecroft Boulevard (Sully District)	August 8, 2008
FSA-H97-7-1	Sprint-Nextel Add dish antennas 11800 Sunrise Valley Drive (Hunter Mill District)	August 11, 2008
FS-M08-17	FiberTower Antenna colocation on existing monopole 6800 Versar Center (Mason District)	August 17, 2008
FS-D08-18	FiberTower Antenna colocation on existing monopole Interstate 495 at Georgetown Pike (Dranesville District)	August 17, 2008
FSA-M00-32-3	Sprint-Nextel Add new antennas 3100 South Manchester Street (Mason District)	August 21, 2008
FS-P08-19	T-Mobile Northeast LLC Rooftop antennas 8350 Greensboro Drive (Providence District)	August 22, 2008
2232A-D00-4-4	Sprint-Nextel Add antennas, remove antennas, add equipment cabinets Interstate 495 at Old Dominion Drive (Dranesville District)	August 22, 2008
FS-D08-20	T-Mobile Northeast LLC Antenna colocation on existing monopole (tree pole) 1927 Pimmit Drive	August 23, 2008

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
	(Dranesville District)	
FSA-Y99-29-2	Sprint-Nextel Replace antennas, add equipment cabinets 2750 Towerview Road (Sully District)	August 23, 2008
FS-L08-21	T-Mobile Northeast LLC Rooftop antennas 5911 Kingstowne Village Parkway (Lee District)	August 25, 2008
2232-D06-21	Fairfax County Department of Public Works and Environmental Services Expansion of Dolley Madison Library 1244 Oak Ridge Avenue (Dranesville District)	December 8, 2008
2232-M07-12	Columbia Crossroads LP East County Human Services Center (PPEA proposal) 5837 Columbia Pike (Mason District)	December 8, 2008
2232-Y07-16	Upper Occoquan Sewage Authority Replacement of approximately 25,000 feet of sanitary sewer line Cub Run Stream Valley Park (Sully District)	December 8, 2008

**ADMIN 3 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL AND PROVIDENCE DISTRICTS)**

(R) Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
TST Woodland (Woodland Park)	Hunter Mill	Sunrise Valley Drive (Route 5320) (Additional ROW Only)
Hearthstone Village Oakton Section 2	Providence	Miller Road (Route 663) (Additional ROW only)

**ADMIN 4 – INSTALLATION OF “NO PARKING” SIGNS ON THE SERVICE DRIVE ON THE NORTH SIDE OF LEE HIGHWAY FROM EAST SIDE OF 8522 LEE HIGHWAY TO WEST SIDE OF 8500 LEE HIGHWAY (PROVIDENCE DISTRICT)**

(NOTE: Earlier in the meeting, this item was withdrawn. See page 6.)

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-5A RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD)**

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See page 6.)

Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5A, RPPD; to amend parking regulations.

**ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 08129 FOR THE OFFICE OF EMERGENCY MANAGEMENT (OEM) TO ACCEPT A DEPARTMENT OF HOMELAND SECURITY (DHS) URBAN AREA SECURITY INITIATIVE (UASI) SUB-GRANT AWARD FROM THE DISTRICT OF COLUMBIA’S OFFICE OF THE DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE THROUGH THE STATE ADMINISTRATIVE AGENCY FOR THE NATIONAL CAPITAL REGION**

- (SAR) Approved SAR AS 08129 in the amount of \$139,000 to support the continuation of efforts to recruit and retain affiliated volunteers in the County and to expand and integrate the local regional coordination mechanism and capacity to mobilize large numbers of volunteers (spontaneous and affiliated) for response to a catastrophic natural or terrorism event. No local cash or in kind match is required.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS**

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See page 7.)

Authorized the advertisement of a public hearing to be held before the Board on **August 4, 2008, at 4 p.m.** to solicit comments and input on the proposed Fiscal Year 2010 Transportation Enhancement Program projects.

**ADMIN 8 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (SULLY DISTRICT)**

- Endorsed the installation of two speed humps on Cedar Break Drive (Sully District).
- Directed staff to request the Virginia Department of Transportation (VDOT) install the approved measures as soon as possible.

**ADMIN 9 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING RECODIFICATION OF TITLE 63.1, CHAPTER 10 OF THE CODE OF VIRGINIA TO TITLE 63.2, CHAPTER 17**

(As) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on June 26, 2008, at 8:15 p.m., and before the Board on **July 21, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to replace all references in the Zoning Ordinance to Title 63.1, Chapter 10 and Section 63.1-196 of the *Virginia Code* to Title 63.2, Chapter 117.

**ADMIN 10 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PUBLIC HEARING NOTICE REQUIREMENTS FOR LEVY AND FEE AMENDMENTS**

(As) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on June 26, 2008, at 8:15 p.m., and before the Board on **July 21, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding public hearing notice requirements for levy and fee-related amendments.

**ADMIN 11 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-L-063, MOBIL OIL CORPORATION (LEE DISTRICT)**

(AT) (NOTE: Earlier in the meeting, action was taken regarding this item. See page 7.)

Approved **6** months of additional time to commence construction for Special Exception Application SE 98-L-063, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

(NOTE: Later in the meeting, the Board clarified action regarding this item. See Clerk's Summary Item #45.)

**ADMIN 12 – ADDITIONAL TIME TO ESTABLISH THE USE FOR SPECIAL EXCEPTION APPLICATION SE 2002-HM-014, HBL INCORPORATED (HUNTER MILL DISTRICT)**

(AT) Approved the request for 30 months of additional time to establish the use for Special Exception Application SE 2002-HM-014 to November 18, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 13 – CONFIRMATION OF THE DIRECTORS OF THE DEPARTMENT OF ADMINISTRATION FOR HUMAN SERVICES (DAHS) AND DEPARTMENT OF SYSTEMS MANAGEMENT (DSM) AS REPRESENTATIVES TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)**

(BACs)  
(APPTS) Confirmed the following appointments to the CPMT:

- Kenneth Garnes, Director of DAHS, as the DAHS representative
- Kenneth Disselkoen, Director of DSM, as the DSM representative

**ADMIN 14 – AUTHORIZATION FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS) TO APPLY FOR AND ACCEPT A GRANT FROM THE VIRGINIA DEPARTMENT OF EDUCATION FOR THE 2008-2009 TWENTY-FIRST CENTURY COMMUNITY LEARNING CENTERS (CLC)**

Authorized CRS to apply for and accept grant funds in the amount of \$200,000 from the Virginia Department of Education for the 2008–2009 Twenty-First Century CLCs.

**ADMIN 15 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 7, REGARDING POLICE OFFICERS RETIREMENT SYSTEM – CHANGE IN EMPLOYEE CONTRIBUTION RATE**

(A) Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 5 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 7, to change the employee contribution rate.

**ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), AMENDING ARTICLES 2 AND 3, REGARDING UNIFORMED AND EMPLOYEES' RETIREMENT SYSTEMS – CHANGE IN SOCIAL SECURITY OFFSET TO SERVICE-CONNECTED DISABILITY BENEFITS**

(A) Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 5 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Articles 2 and 3, to change the level of service-connected disability benefits.

12. **A-1 – APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT AND THE UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS (ATF), AND EXPLOSIVES** (10:49 a.m.)

(MOA) On motion of Supervisor Gross, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the MOA between the Police Department and the Bureau of ATF authorizing the assignment of County Police Officers to the ATF Task Force targeting organized criminal activity, illegal firearms, untaxed liquor, and tobacco. The ATF will compensate the County for all incurred overtime and other costs related to the official use of task force officers.

13. **A-2 – APPROVAL OF FALL BOND REFERENDUM AUTHORIZING COUNTY GENERAL OBLIGATION BONDS AND AUTHORIZATION OF PUBLIC INFORMATION MATERIALS AND ACTIVITIES FOR COUNTY REFERENDUM** (10:49 a.m.)

(R)  
(Bonds) Supervisor Gross moved that the Board concur in the recommendation of staff and:

- Adopt the Resolution authorizing a Parks and Parks Facilities Bond Referendum in the amount of \$77 million with \$65 million for the Park Authority and \$12 million for the County contribution to the Northern Virginia Regional Park Authority.
- Authorize the printing and distribution of the plain English statements regarding the park bond referendum and that the Office of Public Affairs provide the public with information about this referendum.

Supervisor Bulova seconded the motion.

Following discussion, Chairman Connolly clarified that the Park Authority, and not the Board of Supervisors, will be appointing a Citizen Committee.

The question was called on the motion, and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

14. **A-3 – AMENDED PARKING REDUCTION FOR SHELL OIL PARK, LOT 11 (MASON DISTRICT)** (10:49 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve an amended parking reduction of 44.6 percent for the Shell Oil Park, Lot 11, pursuant to Paragraph 4(B), Section 11-102 of the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), based on an analysis of the parking requirements for the church, public benefit association, warehouse and office uses on the sites, and a shared use parking study, subject to the conditions outlined in the Board Agenda Item dated June 2, 2008. Supervisor Bulova seconded the motion.

Chairman Connolly clarified for the record that the park was not named after Shell Oil Corporation.

The question was called on the motion, and it carried by unanimous vote.

15. **A-4 – FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) TRANSPORTATION CONTRACT REVENUE BONDS (ROUTE 28 PROJECT) SERIES 2008** (10:50 a.m.)

(R)  
(Bonds)

On motion of Supervisor Frey, seconded by Supervisor Hudgins, and carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE," the Board concurred in the recommendation of staff and adopted the Resolution relating to the issuance of the EDA Transportation Contract Revenue Bonds (Route 28 Project) which authorizes the following actions:

- Requests the EDA to issue the new money bonds.
- Approves the form of the Fourth Supplemental Trust Agreement.
- Approves the form of the Preliminary Official Statement and the Notice of Sale.
- Approves the form of the Continuing Disclosure Agreement.
- Authorizes the execution and delivery of the documents and authorizes the Chairman, Vice Chairman, the County Executive or the Deputy County Executive/Chief Financial Officer to determine certain details of the transaction.

16. **A-5 – AUTHORIZATION TO PURCHASE OPTICAL SCAN VOTING EQUIPMENT FOR USE IN FAIRFAX COUNTY ELECTION PRECINCTS**

(10:50 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve the purchase of the Premier Election Solutions AccuVote-OS optical scan voting system. Supervisor Gross seconded the motion.

Discussion ensued, with input from Judy Flaig, Election Manager, Electoral Board, regarding the number of voting machines to be purchased, which is a total of 240.

Chairman Connolly noted a discussion he had with Delegate Mark Sickles regarding the voting machines and the need to persuade members of the General Assembly to allow flexibility until a decision is made by the Federal Government regarding replacement voting machines.

The question was called on the motion, and it carried by unanimous vote.

Ms. Flaig introduced Mr. Rokey W. Suleman, the new General Registrar. On behalf of the Board, Chairman Connolly warmly welcomed him to the County.

17. **C-1 – NATIONAL ASSOCIATION OF COUNTIES’ ANNUAL CONFERENCE** (10:53 a.m.)

The Board next considered an item contained in the Board Agenda dated June 2, 2008, regarding the designation of a voting and alternative delegate to represent the County at the NACo Annual Conference to be held in Jackson County, Missouri, on July 11-15, 2008.

Supervisor Gross moved the appointment of:

- Chairman Connolly as the County’s voting delegate for NACo.
- Supervisor Hyland as the County’s alternate voting delegate for NACo.

Supervisor Hyland seconded the motion, and asked to amend the motion to also appoint:

- Supervisor Gross as an alternate voting delegate for NACo.

This was accepted.

The question was called on the motion, as amended, and it carried by unanimous vote.



18. **I-1 – COMMENTS REGARDING PROPOSED REVISIONS TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY STREET ACCEPTANCE REQUIREMENTS** (10:54 a.m.)

The Board next considered an item contained in the Board Agenda dated June 2, 2008, requesting authorization for the Department of Transportation to transmit the comments contained in Attachment 1 of the Board Agenda Item to VDOT for consideration before the close of the public comment period on June 30, 2008.

Discussion ensued regarding the issue of road connectivity.

The staff was directed administratively to proceed as proposed.

19. **I-2 – ENVIRONMENTAL ASSESSMENT (EA) FOR BASE REALIGNMENT AND CLOSURE (BRAC) RECOMMENDATION NUMBER 133 TO RELOCATE APPROXIMATELY 6,200 PERSONNEL TO FORT BELVOIR, VIRGINIA (MOUNT VERNON, LEE, AND SPRINGFIELD DISTRICTS)** (11:02 a.m.)

The Board next considered an item contained in the Board Agenda dated June 2, 2008, announcing that the release date for the EA for BRAC Recommendation Number 133 has been delayed and that the Army will revise the EA schedule once a new release date has been established. Staff will review and provide comments by the due date on the EA once it is released through collective efforts involving a number of County agencies.

20. **I-3 – WORK PLAN AGREEMENT BETWEEN THE NATURAL RESOURCES CONSERVATION SERVICE, THE NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT, AND FAIRFAX COUNTY FOR THE REHABILITATION OF POHICK CREEK DAM SITE NUMBER 3, WOODGLEN LAKE (BRADDOCK DISTRICT)** (11:02 a.m.)

The Board next considered an item contained in the Board Agenda dated June 2, 2008, requesting authorization for the County Executive, on behalf of the County, to sign the Work Plan Agreement with the Natural Resources Conservation Service and the Northern Virginia Soil and Water Conservation District for the rehabilitation of Pohick Creek Dam Site Number 3.

The staff was directed administratively to proceed as proposed.

21. **I-4 – OAKTON LIBRARY RECEIVES AN AMERICAN PUBLIC WORKS ASSOCIATION (APWA) PROJECT OF THE YEAR AWARD (PROVIDENCE DISTRICT)** (11:02 a.m.)

The Board next considered an item contained in the Board Agenda dated June 2, 2008, announcing that the Oakton Library Project was selected by the APWA,

Virginia/DC/Maryland Chapter, as the 2008 Project of the Year in the \$2 million to \$10 million structures category.

Supervisor Smyth asked unanimous consent that the Board direct staff to invite the staff of Oakton Library to appear before the Board to be recognized for this achievement. Without objection, it was so ordered.

22. **I-5 – RETIREMENT SYSTEMS COST-OF-LIVING INCREASES FOR 2008** (11:03 a.m.)

The Board next considered an item contained in the Board Agenda dated June 2, 2008, presenting the retirement systems cost-of-living increases for 2008 as follows:

- Employees' Retirement System: Four percent
- Police Officers System: Five percent
- Uniformed Employees System: Four percent

NV:nv

**ADDITIONAL BOARD MATTERS**

23. **IRON DOG COMPETITION** (11:03 a.m.)

In a joint Board Matter with Supervisor Frey, Chairman Connolly announced that they would like to honor County Police Officer Mike Guebesch who, along with his dog partner Justice, competed in the Virginia Police Canine Association Iron Dog Competition held in The Plains on May 21 and won the competition. The competition consisted of 28 officers and their dogs who hailed from Maryland, West Virginia, and Virginia competing for time and score in a ten event course covering 1.25 miles. The duo completed the course in 8 minutes, 57 seconds, less than 5 minutes than the average score, resulting in Justice being named "Iron Dog" of the year.

Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and, jointly with Supervisor Frey, asked unanimous consent that the Board direct staff to invite Officer Guebesch and his dog Justice to appear before the Board in recognition of this accomplishment.

Supervisor Frey noted that the County team also won the partner portion of the competition and asked to amend the request to direct staff to invite both dogs and partners to appear before the Board. This was accepted.

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

24. **CAPITAL BELTWAY HIGH OCCUPANCY TOLL (HOT) LANES PLANT SAVE** (11:05 a.m.)

In a joint Board Matter with Supervisor Smyth, Chairman Connolly noted that an intrepid group of volunteers joined in a partnership with the HOT lanes project team to replant indigenous plants from the areas that had impacts by the project. It is an example of making something positive out of the situation.

Accordingly, jointly with Supervisor Smyth, Chairman Connolly moved that the Board recognize the conservation groups and individuals involved in this impressive effort associated with the HOT lanes project and direct staff to invite these volunteers to appear before the Board to receive a proclamation at an appropriate time. Supervisor Smyth seconded the motion.

Following a brief discussion regarding native plant rescues, the question was called on the motion, which carried by unanimous vote.

25. **ENDORSEMENT OF LETTER TO GENERAL ASSEMBLY MEMBERS REGARDING SPECIAL SESSION ON TRANSPORTATION** (11:07 a.m.)

In a joint Board Matter with Supervisor McKay, Chairman Connolly referred to the written copy and attached draft letter and asserted that the Board needs to send a letter to every member of the County's delegation to the General Assembly, and others as well, reminding them that "they need to do their duty" and resolve the State transportation funding crisis.

Accordingly, jointly with Supervisor McKay, Chair of the Board's Transportation Committee, Chairman Connolly moved that the Board endorse and approve the draft letter addressed to all General Assembly members from the County and the leadership in both chambers. He noted that the letter does not endorse any particular plan, but that it urges the members of the General Assembly to take action. Supervisor McKay seconded the motion.

Supervisor Herrity asked to amend the motion to:

- Include a reference in the letter to the dire need for additional transportation funding for Northern Virginia as a region.
- Highlight the message that a significant percentage of the funds raised in Northern Virginia should be returned to Northern Virginia.

This was accepted.

Supervisor Gross asked to amend the motion to direct staff to:

- Attach the Board's *Eight Principles for Transportation Funding* to the letter.
- Change the word "duration" in the second paragraph, third line, to "during."

This was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

26. **NO BOARD MATTERS FOR MASON DISTRICT SUPERVISOR PENELOPE A. GROSS** (11:09 a.m.)

Supervisor Gross announced that she had no Board Matters to present today.

27. **NO BOARD MATTERS FOR DRANESVILLE DISTRICT SUPERVISOR JOHN W. FOUST** (11:09 a.m.)

Supervisor Foust announced that he had no Board Matters to present today.

28. **ACCESS FROM FULLERTON ROAD TO THE FAIRFAX COUNTY PARKWAY AND I-95 NORTH** (11:09 a.m.)

In a joint Board Matter with Supervisor Hyland and Supervisor McKay, Supervisor Herrity said that the project to complete the Fairfax County Parkway through the Engineering Proving Grounds (EPG) is finally on its way to being constructed. He asserted that the plans are well thought out and should satisfy all interested parties if the project were constructed in full as designed. Currently, because of funding shortages, the missing Fairfax County Parkway segment and its interchanges will be built in phases. At this point, only Phases One and Two are projected to be funded and moving forward; they include the construction of four through lanes between Donegal Lane and Fullerton Road as well as construction of a cloverleaf interchange connecting the Parkway to Rolling Road and the EPG Access Road.

Supervisor Herrity said that one matter of major concern associated with this phasing is the lack of direct access to the Parkway and I-95 North for vehicles exiting the Fullerton Industrial Park. Many of the businesses in Fullerton Industrial Park located there primarily for access to I-95. Currently this traffic has access to the Parkway and I-95 northbound via Fullerton Road. The plans call for Fullerton Road to become an overpass with no access to the Parkway and also call for a new ramp at Boudinot Drive to be constructed. The problem is that the ramp

at Boudinot is in Phase Four of the project, costs approximately \$17 million, and is unfunded. This leaves the numerous businesses in the Fullerton Industrial Park, including a United Parcel Service (UPS) facility with 250 trucks, isolated from the Parkway and I-95 North.

Supervisor Herrity said that the only option for these UPS trucks is to travel through main Springfield on an already congested Backlick Road or to go long out of their way to Rolling Road to reach the Parkway and/or I-95 North. Through truck traffic is currently prohibited on Fullerton Road at Rolling Road.

Supervisor Herrity said that Supervisor Hyland and he proposed that the Federal Highway Administration (FHWA) include a single ramp to allow access from Fullerton Road to the Parkway and I-95 North. FHWA has included this ramp in the request for proposal. Very preliminary estimates for this single ramp are \$5 million, and it is unclear if funds are available. He noted that this is not a perfect solution, but the current situation is unacceptable.

Therefore, jointly with Supervisor Hyland and Supervisor McKay, Supervisor Herrity moved that the Board direct the Department of Transportation to work with VDOT, FHWA, and the Department of Defense to find funding and/or a solution for this much-needed access. Supervisor Hyland seconded the motion.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the Director of the Department of Transportation to provide, by July 1, an analysis of the funding. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

(NOTE: Later in the meeting, the Board took action regarding construction of the Parkway through the EPG. See Clerk's Summary Item #34.)

29. **I-66 MULTIMODAL ENVIRONMENTAL IMPACT STATEMENT (EIS)**  
(11:13 a.m.)

In a joint Board Matter with Supervisor Frey, Supervisor Herrity asserted that the I-66 corridor may be the most congested corridor in Northern Virginia. Because of this congestion, many of the County's secondary roads, including Braddock Road, Route 29, and Little River Turnpike, are used as alternatives and, therefore, are also extremely congested.

Supervisor Herrity said that in 1999 the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (VDRPT) performed a Major Investment Study (MIS) for the I-66 corridor. The MIS

concluded that “a multimodal investment strategy is required to accommodate projected travel demand in the study area beyond the year 2020.”

Supervisor Herrity explained that in 2001, VDOT and VDRPT used the MIS as a starting point for a multimodal EIS for the I-66 corridor from west of the I-66/I-95 interchange (at Cedar Lane) to Route 15. The EIS was stopped in 2002 and there has been no significant work done towards a solution for the congestion on I-66 since that time.

Supervisor Herrity said that the funds for the EIS have remained available and VDOT and VDRPT have now restarted the multimodal EIS for I-66 outside the Beltway. The revised schedule for the EIS has not been completed, but should be available toward the end of the year. Completion of this study is a critical step in the process toward a solution to I-66 congestion.

Jointly with Supervisor Frey, Supervisor Herrity moved:

- Board approval for the Chairman’s Office to send a letter to the Secretary of Transportation and the Chairman of the NVTA expressing the Board’s full support for the timely completion of the EIS and noting the Board’s readiness and willingness to assist VDOT and VDRPT with the study should they need that assistance.
- That the Board direct the Department of Transportation to assign someone to monitor and provide regular updates on the progress of this project and to work to ensure the project scope includes the tie-in to I-495 and not just to Cedar Lane.

Supervisor Frey seconded the motion.

A lengthy discussion ensued regarding the general motion, previous studies, rail as part of the solution for the I-66 corridor, rail capacity, and a multimodal solution.

Chairman Connolly asked Supervisor Hudgins, as the Board’s representative to the Washington Metropolitan Area Transit Authority (WMATA), to request WMATA to review its design capacity status and provide the Board with that information.

Following further discussion of the motion and rail for the I-66 corridor, the question was called on the motion, as clarified that rail should be considered as part of this study, and it carried by unanimous vote.

DET:det

30. **CAPITAL BELTWAY HIGH OCCUPANCY TOLL (HOT) LANES ACOUSTIC BARRIERS** (11:30 a.m.)

Supervisor Smyth stated that one of the key features of the HOT lanes projects was the sound wall; with the addition of higher volumes of traffic and accompanying increases in noise, the importance of sound walls to the citizens of the County, living in the vicinity of what would become a twelve-lane interstate, could not be overstated. She noted that, unfortunately, it had come to light that the allocation of sound walls by the Virginia Department of Transportation (VDOT) could leave Fairfax citizens with insufficient protection from high levels of noise.

Supervisor Smyth indicated that the problem facing some residents in high-rise buildings could be attributed to a VDOT policy for constructing sound walls that relied on an analysis of noise impacts only on the first and second floors of structures; as a result, in the case of one high-rise dwelling near Tysons Corner, VDOT has proposed an eight-foot high sound wall.

Supervisor Smyth moved that the Board direct the Department of Transportation (DOT) to review HOT lanes projects for adequate noise abatement for high-rise properties located in the impacted areas. Supervisor Bulova seconded the motion.

Discussion ensued concerning noise abatement and attenuation. Supervisor Bulova noted that at the next meeting, the Board would have an opportunity to consider a resolution that would list concerns regarding HOT lanes projects and expressed her hope that the Board was providing input to DOT regarding their concerns.

Supervisor Foust asked to amend the motion to review HOT lanes projects for adequate noise abatement **including** high-rise properties, and this was accepted.

Discussion continued regarding existing noise attenuation procedures, the need to see the full noise wall study, the height of the noise walls, and the impact of the removal of current noise walls to prepare for expansion.

The question was called on the motion, as amended, and it carried by unanimous vote.

31. **REVISION TO THE ZONING ORDINANCE AMENDMENT WORK PROGRAM** (11:36 a.m.)

Supervisor Smyth stated that for many years concerns had been expressed about the definition of gross floor area as to how it was calculated for underground space and noted that several years ago the Planning Commission requested that the issue be placed on the Zoning Ordinance Amendment Work Program list. She

added that since then, the issue had languished on the Priority Two Work Program list and there was a pressing need to expedite the review of this issue.

Supervisor Smyth said that the calculation of underground space was of particular importance because under the current ordinance, cellar spaces did not contribute to total floor area ratio (FAR) calculations and, therefore, by definition, did not figure into transportation analyses of comprehensive planning efforts or rezoning applications. She added that the use of cellar space was currently unrestricted and that to ensure that comprehensive planning and zoning application analyses were realistic and that proffered transportation demand management (TDM) targets were not skewed by phantom density, the definition of underground space needed to be reviewed and possibly modified as soon as possible.

Supervisor Smyth asked unanimous consent that the Board direct staff to shift item 13, "Review the definition of gross floor area as to how it was calculated for underground space," from the 2008 Priority Two Zoning Ordinance Amendment Work Program to the 2008 Priority One Zoning Ordinance Amendment Work Program. Without objection, it was so ordered.

Discussion ensued concerning ensuring the safety of individuals in unrestricted cellar space. Supervisor Smyth noted part of this issue was the planning of Tysons which was being planned to an FAR and stated that if there were cellar space that might only be cellar space by an inch or two of dirt, and that space was being used for an office, thereby generating peak-hour trips, the transportation analysis would be completely undermined.

Supervisor MacKay asked unanimous consent that the Board direct staff to include counting the space in terms of FAR and transportation, but also include a review of what restrictions were on its use and whether those needed to be amended. Without objection, it was so ordered.

32. **FAIRFAX COUNTY LAW ENFORCEMENT FOUNDATION** (11:39 a.m.)

Supervisor Frey stated that the Fairfax County Law Enforcement Foundation was a relatively new organization that worked with the community to support the public safety community, particularly the Police Department, and noted that some of the programs they focused on were educational and training programs that helped train officers and attracted new recruits. He added that the primary mission of the Foundation was to raise money from the private sector to support the Department, and was based on the existing Library and Park Foundations, previously the Board had agreed to include brochures about those two foundations and their mission along with the tax bills when they were mailed out. Supervisor Frey stated that he would ask the Board to support doing the same for the Law Enforcement Foundation and for staff to work with them to put something together to go out with the next tax bill.



Discussion ensued concerning information on the Foundation as well as its tax status. Following a query to Anthony H. Griffin, County Executive, concerning the next tax mailing, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to:

- Advise the Board about the possibility of doing such a mailing in July.
- Provide more information on the Foundation.

Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

33. **VIRGINIA TO RENT OUT PRISON BEDS** (11:42 a.m.)

Supervisor Frey announced his surprise and dismay concerning the State's intent to rent out jail spaces to out-of-state prisoners and continue to leave in-state prisoners in local jails, prisoners that more appropriately, and in fact, by law, should be in State jails.

Supervisor Frey moved that the Board direct staff to provide the following:

- The number of County prisoners who should legitimately be in State facilities.
- The County's experience in picking up the cost.
- An analysis of the County's budget for the next year to review the difference between the cost to the County to keep a prisoner and what the State reimburses the County to retain a prisoner that should be in State custody.
- A review by the County Attorney of a potential Virginia Beach suit against the State and whether the County should support that effort.

Supervisor Herrity seconded the motion.

Supervisor Hyland asked unanimous consent that the Board direct staff to determine the cost to the County for the last five to ten years to subsidize keeping State prisoners in local jails. Without objection, it was so ordered.

The question was called on the motion, and it carried by a vote of nine, Supervisor Smyth being out of the room.

DS:ds

34. **BASE REALIGNMENT AND CLOSURE (BRAC) RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) AMENDMENTS**  
(11:48 a.m.)

(NOTE: Earlier in the meeting, the Board took action regarding the Fairfax County Parkway. See Clerk's Summary Item #28.)

Supervisor Hyland said that late last year, the Federal Highway Administration (FHA) and the Virginia Department of Transportation (VDOT) entered into a Memorandum of Agreement regarding the construction of Phases 1 and 2 of the Fairfax County Parkway through the Engineering Proving Grounds. Requests for proposals have been released and the right-of-way is being acquired. Although this movement is good news, lack of funding will not permit the full extension to be completed at this time - Phases 3 and 4 are unfunded. The phased construction has led to concerns by adjacent residential communities about cut through traffic generated by the need to access the Parkway without the complete set of ramps and ingress/egress points.

Supervisor Hyland noted that there are two Countywide programs by which communities can petition the County to slow traffic through their neighborhoods – Traffic Calming and Cut-Through. To determine qualification in either program, the County first runs traffic speed and volume counts. If the road counts meet program requirements, the next step of the process involves the collection of signatures of 75 percent of residents in a defined area. If the completed petition is returned to the County, a task force is assembled of stakeholders and a traffic calming plan is developed for a vote by the impacted community. The process for either program typically takes a minimum of one year to complete—this does not include the time it takes VDOT to install the approved measures.

Supervisor Hyland said that BRAC will lead to an unprecedented number of new workers and new cars on roads in the area – especially since there is currently no funding for a Metro extension to Fort Belvoir. The impeding traffic will be exceptionally and frustratingly exacerbated by the tangle of access points and ramps created by the construction of only Phases 1 and 2 of the Parkway. By studying adjacent roads, compressing the time frame, and anticipating increased traffic counts, the County will proactively address the concerns of these residents and ensure a continued high quality of life on these neighborhood streets.

Supervisor Hyland stated that it is critical that staff look at the communities adjacent to the proposed Parkway construction and determine which side roads may receive an increase in through traffic with the alignment and construction of only Phases 1 and 2.

He said it is important that the County's Department of Transportation staff work with affected communities who are interested in traffic calming, without the need

for the petition process to initiate the study. In lieu of the time-consuming petition process, a letter of interest from the homeowners association or civic association would be submitted. The other steps in the R-TAP process to ensure community support would remain in place at this time. Eliminating the petition process upfront would save crucial time to ensure that the devices are in place and effectively preventing the use of neighborhood streets by commuters.

Supervisor Hyland also stated that County staff should consider the current traffic count requirements for devices, with the anticipation that over 18,000 workers will be working in this area by September 2011. Although some of the roads may not reflect higher traffic counts at this time, increased cars on the road brought by new development on and off the Engineering Proving Grounds may lead to an increase in cut-through traffic, yet to be apparent in the numbers.

Therefore, Supervisor Hyland, jointly with Supervisor Herrity and Supervisor McKay, asked unanimous consent that the Board direct staff to consider and return to the Board with a procedure to implement these changes on a temporary basis to the R-TAP program for specific interested neighborhoods in the area. Without objection, it was so ordered.

35. **NOMAN COLE WASTEWATER TREATMENT PLANT – DECADE OF PLATINUM AWARDS (MOUNT VERNON DISTRICT)** (11:51 a.m.)

Supervisor Hyland announced that the Noman Cole Wastewater Treatment plant has reached a milestone that is the envy of other municipalities in the country. Noman Cole will be awarded the National Association of Clean Waters Agencies Platinum Peak Award for 10 years of 100 percent permit compliance. This means that the Noman Cole Wastewater Treatment plant has met the National Pollution Discharge Elimination System (NPDES) permit for this 10 year period, and has been recognized along with only a few selective plants in the country.

Supervisor Hyland asserted that it is easy to take for granted the proper operation and maintenance of the wastewater system. As the County continues to grow, so does the need to handle the wastewater processing demand that is produced by new construction and increased existing users. The County continues to make substantial investments, generated by sewer fees, on the wastewater treatment facility at Noman Cole. This investment not only provides necessary service but also actively addresses associated environmental issues in wastewater treatment. According to the Department of Public Works and Environmental Services (DPWES), of the 67 million gallons of wastewater processed each day, the treatment process is extremely effective, removing 99 to 99.5 percent of pollutants.

Therefore, Supervisor Hyland moved that the Board direct the Office of Public Affairs to invite DPWES staff to appear before the Board at an appropriate time for recognition of their hard work and dedication to service and the environment.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

36. **BURKE CENTER VIRGINIA RAILWAY EXPRESS (VRE) GARAGE OPENS (BRADDOCK DISTRICT)** (11:53 a.m.)

Supervisor Bulova announced that while the VRE Burke Center parking garage project is not yet totally completed, the garage itself opened today. She noted that Board Members should have received a press release announcing the opening. She invited her colleagues to attend the official celebration and ribbon cutting ceremony to be held on June 28, 2008.

37. **PROPOSED SISTER CITY RELATIONSHIP WITH THE SONGPA-GU DISTRICT OF SEOUL, KOREA** (11:53 a.m.)

Supervisor Bulova said that in January she had a meeting with representatives of Songpa-gu, a district located on the southeastern part of Seoul, Korea. She stated that she was joined by School Board Member Tessie Wilson and Paula Patrick, Foreign Language Coordinator with the Fairfax County Public Schools. Songpa-gu has a population of 620,000 citizens and is described as a very beautiful city surrounded with a castle on the mountain and four rivers. In 1988 Songpa-gu hosted the Seoul Olympic Games.

Supervisor Bulova said that the Mayor of Songpa-gu, Kim Young Soon, has expressed an interest in establishing a Sister City Relationship with the County. The mayor is aware of the vibrant Korean-American community in the County and feels that it is close in that both jurisdictions are “forward-looking and environmentally friendly.” The mayor is especially interested in sharing best practices regarding environmental, cultural, and education initiatives.

Supervisor Bulova said that School Board Members Tessie Wilson and Ilryong Moon, and Superintendent Jack Dale have already indicated that they are very interested in participating in this partnership and are prepared to bring this issue to the School Board once the Board of Supervisors has taken action in support of entering into formal discussions with the Mayor of Songpa-gu.

Supervisor Bulova said that following the initial meeting in January, Mayor Kim Young Soon provided her with a letter of intent, which she distributed around the dais.

Therefore, Supervisor Bulova moved that the Chairman, on behalf of the Board, respond officially regarding the County’s willingness to enter into a partnership. With this action, it is understood that exchanges and activities regarding this partnership will not require the expenditure of County funds, except for minor expenses, such as e-mail or phone exchanges. Chairman Connolly seconded the motion.

Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to provide a list of other sister/brother relationships within the County. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

38. **REQUEST FOR RECOGNITION OF BOY SCOUT TROOP 152 (HUNTER MILL DISTRICT)** (11:57 a.m.)

Supervisor Hudgins said Hunter Mill District is proud to recognize the seventy-fifth anniversary of Boy Scout Troop 152. A special dinner is being held on June 20, 2008, to commemorate this special occasion. Initially sponsored by Vienna Elementary School, for more than the past 50 years the Troop has been sponsored by the Vienna Presbyterian Church. Troop 152 has a long and proud history of service in the Town of Vienna. It is also one of the oldest troops in Northern Virginia.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite representatives from Boy Scout Troop 152 and Vienna Presbyterian Church to appear before the Board to be recognized for this momentous occasion. Without objection, it was so ordered.

39. **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BROCHURE** (11:57 a.m.)

Supervisor Hudgins said that the federal CDBG program has been used in the County since 1975 to provide affordable housing and community improvements and services to County residents. The County has used more than \$172.6 million in CDBG funding to support programs that benefit thousands of low and moderate income residents including the homeless, the elderly, and persons with disabilities.

Over the past three years, CDBG has sustained threats of elimination and significant cuts amounting to almost \$1 million of funding. CDBG funding remains essential to maintaining strong partnerships among federal, state, and local governments, non-profits, the private sector, the community, and is effective in leveraging other financial and in-kind resources.

To emphasize the importance of the CDBG Program to the County, the Department of Housing and Community Development has recently published a brochure highlighting County programs and programs managed by local non-profits supported by CDBG funds.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to work with the media to publicize the CDBG brochure and its importance to the residents of the County. Without objection, it was so ordered.

40. **COMMUNITY SOFTBALL GAME (HUNTER MILL DISTRICT)**  
(11:59 a.m.)

Supervisor Hudgins said that as part of its community outreach efforts, CBS Radio, the owner of WPGC 95.5, sponsors events throughout the Washington, DC metropolitan region. These events aim to encourage local youth, governmental agencies, and other service providers to collaborate with one another, foster relationships based on respect and communication, while also discouraging violence.

On June 25 the Hunter Mill District will sponsor a community softball game from 6 to 8 p.m. at Baron Cameron Park in Reston. The game will feature WPGC 95.5 against staff from the Department of Community and Recreation Services and the Police Department's Reston District Station.

Residents are encouraged to come out to enjoy the game, meet radio personalities, and get to know some of the police officers and County staff in a friendly environment.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to work with local media to publicize this fun and worthwhile community event. Without objection, it was so ordered.

41. **DULLES STATION – REQUEST FOR EXPEDITED PROCESSING AND PUBLIC HEARING (HUNTER MILL DISTRICT)** (12 noon)

Supervisor Hudgins said that the Board originally approved Rezoning Application C-696 in 1975. Since then the application has been amended several times, the latest being Proffered Condition Amendment Application PCA C-696-6, which was approved in July 2006. The development known as Dulles Station is approved for office, hotel, residential, and retail uses, and is currently under construction. Recently proffered condition amendment and special exception amendment applications have been filed to modify and clarify the uses permitted on the property. In an effort to allow tenants to move into the development, the applicant has requested expedited and concurrent processing.

Therefore, Supervisor Hudgins moved that the Board direct:

- The Department of Planning and Zoning to expeditiously process Proffered Condition Amendment Application PCA C-696-7 and Special Exception Application SE 2008-HM-018.
- Staff to schedule an expedited public hearing before the Board on or before August 4, 2008.

- The Director of the Department of Public Works and Environmental Services to accept any site plans and building plans for concurrent processing with Proffered Condition Amendment Application PCA C-696-7 and Special Exception Application SE 2008-HM-018.

This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from complying with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

42. **RESTON OUTDOOR LIGHTING COMMUNITY MEETING (HUNTER MILL DISTRICT)** (12:01 p.m.)

Supervisor Hudgins said outdoor lighting is a vital part to everyday lives. Ranging from maintaining a safe environment, guiding people along a chosen path, or simply to help preserve the night sky, outdoor lighting is an integral component to any community. At its May 5, 2008 meeting, the Board voted to increase the limit of streetlights in the Reston Demonstration Project by 76, to a maximum of 350 units.

On June 18, 2008, the Hunter Mill District office, along with the Department of Public Works and Environmental Services, will host a community meeting on outdoor lighting in the Hunter Mill District Community Room at the North County Governmental Center, located at 12000 Bowman Towne Drive in Reston, from 7 to 9 p.m.

Supervisor Hudgins said this will be the initial meeting on the direction of outdoor lighting in Reston, including areas within and outside of the demonstration project. As well, the meeting will re-establish the Outdoor Lighting Task Force.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to work with local media to publicize this community meeting. Without objection, it was so ordered.

43. **REQUEST FOR EXPEDITED PROCESSING – PROFFERED CONDITION AMENDMENT APPLICATION PCA 2004-LE-012, THE HEIGHTS AT GROVETON (LEE DISTRICT)** (12:02 p.m.)

Supervisor McKay said that the Heights at Groveton project is a 4.5902 acre property along Richmond Highway, located on Tax Map parcels 92-2 ((1)) 13A, 93-1 ((1)) 97 and 98, and 93-1 ((38)) (1) 1, 4, and 7. The applicant has submitted a Proffered Condition Amendment Application PCA 2004-LE-012, to revise the plan approved in the rezoning process, Rezoning Application RZ 2004-LE-012, which was approved by the Board on July 11, 2005. The rezoning allows for a

total of 360,000 square feet, which includes a maximum of 290,000 square feet of residential space, a minimum of 20,000 square feet of retail, and a minimum of 50,000 square feet of office use. Proffered Condition Amendment Application PCA 2004-LE-012 will not increase the density, heights, or uses of the space.

The project is in the Richmond Highway revitalization district. The Groveton Citizens Association voted in support of this project at its April 7, 2008, meeting.

Therefore, Supervisor McKay moved that the Board direct staff to expedite processing of Proffered Condition Amendment Application PCA 2004-LE-012 and to concurrently process the application and site plan. This motion should in no way prejudice the full review of this application and does not preclude the applicant from adherence to all adopted standards in any way. Supervisor Herrity and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

44. **REQUEST FOR CONCURRENT PROCESSING – SPECIAL EXCEPTION APPLICATION SE 2008-LE-013, CHEVY CHASE BANK (LEE DISTRICT)** (12:04 p.m.)

Supervisor McKay said that Chevy Chase Bank is proposing to construct a one-story 3,300 square foot bank on Franconia Road, directly adjacent to the existing Burke and Herbert Bank. The property is currently zoned C-2, which permits banks by-right. However, the two drive-through lanes that are proposed need approval of the special exception application that has recently been submitted by the applicant.

Therefore, Supervisor McKay moved that the Board direct staff to concurrently process Special Exception Application SE 2008-LE-013 and its associated site plan. This motion should in no way prejudice the full review of this application and does not preclude the applicant from adherence to all adopted standards in any way. Supervisor Gross and Supervisor Herrity jointly seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

45. **CLARIFICATION OF ADMIN 11 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-L-063, MOBIL OIL CORPORATION (LEE DISTRICT)** (12:04 p.m.)

(NOTE: Earlier in the meeting, the Board took action regarding this item. See Clerk's Summary Item #11.)

Supervisor McKay clarified the action taken earlier in the meeting regarding Admin 11. He noted that the six months of additional time to commence construction for Special Exception Application SE 98-L-063 begins from today.



Supervisor McKay expressed his frustration regarding extending an application which expired on November 24, 2007, and asked unanimous consent that the Board direct staff to provide information regarding why the request took so long to be presented to the Board for action. Without objection, it was so ordered.

46. **RECESS/CLOSED SESSION AND INTENT TO DEFER PUBLIC HEARINGS** (12:05 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section (§) 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
  - 1. *Margaretha C. McGrail v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2007-0013822 (Fx. Co. Cir. Ct.) (Dranesville District)
  - 2. *Board of Zoning Appeals of Fairfax County, Virginia v. Board of Supervisors of Fairfax County, Virginia*, Record No. 071395 (Sup. Ct. Va.)
  - 3. *Matthew Francis Egan v. Fairfax County Police Department*, Case No. 98-6428 (4th Cir.)
  - 4. *Ryan Herold v. Richard Perl*, Case No. CL-2007-0010415 (Fx. Co. Cir. Ct.)
  - 5. *Fairfax County Redevelopment and Housing Authority v. Zareen Hudson, Juan Zayas, and*

Cristian Hernandez, et al., Case No. CL-2007-0005458 (Fx. Co. Cir. Ct.) (Lee District)

6. Admiral Limousine and Transportation Service, Inc. v. County of Fairfax and Department of Tax Administration, Case No. CL 2007-0014589 (Fx. Co. Cir. Ct.)
7. Michael Ku v. Schaefer Pyrotechnics, Inc., et al., Case No. CL-2008-0003303 (Fx. Co. Cir. Ct.); Conley Ku v. Schaeffer Pyrotechnics, Inc., et al., Case No. CL-2008-0003317 (Fx. Co. Cir. Ct.)
8. Forrest J. Hatcher and Marva K. Hatcher v. Fairfax County Park Authority, Case No. CL-2008-0005228 (Fx. Co. Cir. Ct.) (Providence District)
9. Home Properties, LP v. Fairfax-Falls Church Community Services Board, Case No. 08-10023 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
10. Janet Lyon Haight, Conservator of the Estate of Jay Richard Lyon v. Robert Carlson, et al., Case No. 2008-0000671 (Fx. Co. Cir. Ct.)
11. Eileen M. McLane, Fairfax County Zoning Administrator v. William Flores and Marco Flores, Case No. CL-2008-0004292 (Fx. Co. Cir. Ct.) (Mount Vernon District) (Strike Team Case)
12. Eileen M. McLane, Fairfax County Zoning Administrator, and Ronald L. Mastin, Fairfax County Fire Marshal v. Segundo Paucar and Claudia Padillo, Case No. CL-2008-0004103 (Fx. Co. Cir. Ct.) (Braddock District) (Strike Team Case)
13. Eileen M. McLane, Fairfax County Zoning Administrator, and Linward Ray Pylant, Fairfax County Building Official v. Elsa M. Aguilera, Case No. CL-2008-0001499 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)

14. Eileen M. McLane, Fairfax County Zoning Administrator v. Asif Attai and John Jung, a/k/a Un Pok Jung d/b/a JP Transmission, Case No. CL-2008-0003329 (Fx. Co. Cir. Ct.) (Lee District)
15. Eileen M. McLane, Fairfax County Zoning Administrator v. Redentor Eguez, Viviana Paz Arza, and Marlene Zurita, Case No. CL-2008-0002529 (Fx. Co. Cir. Ct.) (Sully District)
16. Eileen M. McLane, Fairfax County Zoning Administrator v. Pedro Campos and Ligia Campos, Case No. CL-2008-0015534 (Fx. Co. Cir. Ct.) (Lee District)
17. Eileen M. McLane, Fairfax County Zoning Administrator v. Wilber E. Sorto, Case No. CL-2007-0015536 (Fx. Co. Cir. Ct.) (Lee District)
18. Eileen M. McLane, Fairfax County Zoning Administrator v. Eleticia Arriola, Case No. CL-2008-0004425 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
19. Eileen M. McLane, Fairfax County Zoning Administrator v. Shirley M. Dillon and Donna Dillon, Case No. CL-2008-0006321 (Fx. Co. Cir. Ct.) (Sully District)
20. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Mohamed Sorour, Case No. CL-2008-0006134 (Fx. Co. Cir. Ct.) (Mount Vernon District)
21. Eileen M. McLane, Fairfax County Zoning Administrator v. Hussain Kanaa, Myrna Kanaan, and Yasmine Kanaan, Case No. CL-2008-0006680 (Fx. Co. Cir. Ct.) (Lee District)

Chairman Connolly noted Supervisor Smyth's intent to defer, later in the meeting at the appropriate time, the public hearing on:

- Proffered Condition Amendment Application PCA 2005-PR-039
- Proffered Condition Amendment Application PCA 88-P-030-02

Supervisor Hyland noted his intent to defer, later in the meeting at the appropriate time, the public hearing on:

- A Proposal to Abandon Part of the Right-of-Way of Sanger Street (Mount Vernon District)

(NOTE: Later in the meeting, these public hearings were deferred. See Clerk's Summary Items #51 and #56.)

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

#### **DMS:dms**

At 3:40 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

#### **ADDITIONAL BOARD MATTER**

47. **URBAN SEARCH AND RESCUE (USAR) TEAM AIDING IN MYANMAR**  
(3:40 p.m.)

Chairman Connolly announced that the Department of Fire and Rescue's USAR Team would be sending one member to assist with the Myanmar earthquake recovery.

#### **ACTIONS FROM CLOSED SESSION**

48. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:41 p.m.)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Frey and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

49. **SETTLEMENT IN *McGRAIL VERSUS THE BOARD OF SUPERVISORS*, CASE NUMBER CL-2007-0013822** (3:41 p.m.)

Supervisor Foust moved that the Board authorize the County Attorney's Office to settle the lawsuit of *McGrail versus The Board of Supervisors*, Case Number

CL-2007-0013822, in accordance with the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

### AGENDA ITEMS

50. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2007-MA-017 (AMERIKOR PROPERTIES, LLC) (MASON DISTRICT)**

**AND**

**PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MA-032 (AMERIKOR PROPERTIES, LLC) (MASON DISTRICT)** (3:42 p.m.)

The application property is located on the east side of Markham Street and north of Little River Turnpike at 4245 Markham Street, Tax Map 71-1 ((20)) 2.

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

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

Chairman Connolly disclosed the following campaign contributions which he had received in excess of \$100 from:

- Amerikor Properties, LLC
- Mr. Douglas N. Carter of Davis, Carter, Scott, LTD
- Mr. Jonathan C. Kinney, a limited partner with Fairfax Investors Limited Partnership, LLP

Supervisor Herrity disclosed the following campaign contribution which he had received in excess of \$100 from:

- Amerikor Properties, LLC

Supervisor Frey disclosed the following campaign contribution which he had received in excess of \$100 from:

- Amerikor Properties, LLC

Supervisor Hyland disclosed the following campaign contribution which he had received in excess of \$100 from:

- Amerikor Properties, LLC

Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Ms. Strunk, regarding whether the 527 Review was conducted on the property.

Following the public hearing, Supervisor Gross moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2007-MA-017, from the C-6, CRD, HC, and SC Districts to PDC, CRD, HC, and SC Districts, subject to the proffers dated May 29, 2008.
- Approval of Special Exception Application SE 2007-MA-032, subject to the development conditions dated May 28, 2009.
- Modification of the peripheral parking lot landscaping, in favor of that shown on the CDP/FDP/SE Plat.
- Modification of PFM Standard 12-0702.1B2 to permit reduction of the minimum planting width requirement, in favor of that shown on the CDP/FDP/SE Plat.

Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

(NOTE: On May 28, 2008, the Planning Commission approved Final Development Plan Application FDP 2007-MA-017, subject to the development conditions dated May 12, 2008.)

51. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2005-PR-039 (DUNN LORING METRO, LLC) (PROVIDENCE DISTRICT)**

**AND**

**PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-P-030-02 (DUNN LORING METRO, LLC) (PROVIDENCE DISTRICT) (3:53 p.m.)**

Supervisor Smyth moved to defer the public hearing on Proffered Condition Amendment Applications PCA 2005-PR-039 and PCA 88-P-030-02 until **June 30, 2008, at 3 p.m.** Supervisor Hudgins seconded the motion and it carried by unanimous vote.

52. **3:30 P.M. – PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC 82-C-060 (ATHENA/RENAISSANCE RESTON LLC AND THE UNIT OWNERS ASSOCIATION OF THE PARCRESTON CONDOMINIUM) (HUNTER MILL DISTRICT)** (3:54 p.m.)

The application property is located east of Reston Parkway, north of Temporary Road, west of North Shore Drive and 900 feet south of Baron Cameron Avenue, Tax Maps 17-2 ((1)) 23, 24 and 24A; 17-2 ((40)) (1) 1-12; 17-2 ((40)) (2) 1-12; 17-2 ((40)) (3) 1-18; 17-2 ((40)) (4) 1-18; 17-2 ((40)) (5) 1-32; 17-2 ((40)) (6) 1-32; 17-2 ((40)) (7) 1-12; 17-2 ((40)) (8) 1-18; 17-2 ((40)) (9) 1-32; 17-2 ((40)) (10) 1-22; 17-2 ((40)) (11) 1-22; 17-2 ((40)) (12) 1-32; 17-2 ((40)) (13) 1-22; 17-2 ((40)) (14) 1-32; 17-2 ((40)) (15) 1-20.

Mr. Mark C. Looney stated that there was no affidavit for this case.

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

Suzanne Lin, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following the public hearing, Supervisor Hudgins moved:

- Approval of Planned Residential Community Application PRC 82-C-060, subject to the development conditions dated May 13, 2008.
- Reaffirmation of the previously-approved modification of the transitional screening along the northern property line (Wainwright Drive) in favor of the existing vegetation.
- Reaffirmation of the previously-approved waiver of the barrier requirement along the northern property line (Wainwright Drive).

Supervisor Bulova seconded the motion.

Discussion ensued, with input from Mr. Looney, regarding the:

- Percentage of units available for workforce housing.
- LEED-certified building.
- Landscape buffers possibly hindering improvements to pedestrian safety.

- Widening of Reston Parkway and bike lanes.
- Onsite bio-retention basin.

The question was called on the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

53. **3:30 P.M. – PH REGARDING THE PROPOSED CONVEYANCE OF COUNTY-OWNED PROPERTY KNOWN AS SUMMERS CEMETERY TO THE FAIRFAX COUNTY PARK AUTHORITY (MASON DISTRICT)**  
(4:05 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2008.

Marguerite Verville, Assistant Director, Real Estate Development and Planning Branch, Facilities Management Department, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the Resolution authorizing conveyance of County-owned property known as Summers Cemetery to the Park Authority. Supervisor Bulova seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE.”

54. **4 P.M. – PH REGARDING THE PROPOSED CONTINUED LEASING OF COUNTY-OWNED PROPERTY KNOWN AS THE HOLLIN HALL FACILITY TO A CHILD’S PLACE (MOUNT VERNON DISTRICT)**  
(4:10 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2008.

The property is located at 1500 Shenandoah Road, Tap Map No. 102 -2 ((1)) - 002-A.

Marguerite Verville, Assistant Director, Real Estate Development and Planning Branch, Facilities Management Department (FMD), presented the staff report.

Supervisor Hyland noted that even though the subject property has an Alexandria address, the property is located in the Mount Vernon District, within the County.



Discussion ensued, with input from Ms. Verville and Robert L. Morgan, Leasing Manager, FMD, concerning the:

- Zoning of the property as retail or residential space.
- Competitive fair market rate for the leasing of the County-owned land.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved that the Board authorize the County Executive to execute a lease substantially in the form of the Revenue Lease Agreement for the continued leasing of a portion of County-owned property known as the Hollin Hall facility located at 1500 Shenandoah Road [Tax Map Number 102-2((1))002-A], to a Child's Place. Supervisor Smyth seconded the motion and it carried by unanimous vote.

55. **4 P.M. – PH REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)** (4:19 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2008.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Supervisor Bulova submitted items for the record.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Robinson RPPD. The proposed District expansion includes the following streets:

- Sideburn Road (Route 653) west side from Stallworth Court (Route 6995) to Braddock Road (Route 620).
- Sideburn Road east side from Stallworth Court to 4909 Sideburn Road.

Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

56. **4 P.M. – PH TO CONSIDER THE PROPOSED ABANDONMENT OF A PORTION OF A PUBLIC ROAD KNOWN AS SANGER STREET (ROUTE 747) (MOUNT VERNON DISTRICT)** (4:24 p.m.)

Supervisor Hyland moved to defer the public hearing on the proposed abandonment of a portion of Sanger Street (Route 747) until **July 21, 2008, at 3:30 p.m.** Supervisor Bulova seconded the motion, and it carried by a vote of nine, Supervisor Gross being out of the room.

57. **4 P.M. – PH REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE HILLSIDE COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)** (4:24 p.m.)

- (O) Maria Turner, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by two speakers, discussion ensued, with input from Ken Allen (Speaker One), regarding the lengthy petition process.

Supervisor Herrity moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Hillside CPD. The proposed CPD expansion encompasses Hillside Road (Route 1031), from 230 feet north of Moverly Court [the southern boundary of parcel 78-4((17)) J] to 525 feet south of Moverly Court [the northern boundary of 79-3((06))27, Pohick Stream Valley Park]. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor McKay being out of the room.

58. **4 P.M. – PH REGARDING PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE GOLF COURSE SQUARE COMMUNITY PARKING DISTRICT (CPD) (HUNTER MILL DISTRICT)** (4:32 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2008.

Maria Turner, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor Hudgins moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Golf Course Square CPD. The proposed CPD encompasses Golf Course Square (Route 5332), from

Soapstone Drive to cul-de-sac inclusive. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

59. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE BURKE STATION SQUARE COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)** (4:40 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2008.

Maria Turner, Transportation Planner, Department of Transportation, presented the staff report.

Supervisor Herrity submitted items for the record.

Following the public hearing, which included testimony by three speakers, Supervisor Herrity moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Burke Station Square CPD. The proposed CPD encompasses the following streets:

- Arbutus Court from Brook Ford Road to cul-de-sac inclusive
- Bluffwood Court from Ridge Ford Drive to cul-de-sac inclusive
- Brook Ford Road from Ridge Ford Drive to Ridge Ford Drive
- Carrindale Court from cul-de-sac to cul-de-sac
- Crossin Court from Brook Ford Road to cul-de-sac inclusive
- Judson Court from Ridge Ford Drive to cul-de-sac inclusive
- Kerrwood Street from Brook Ford Drive south to cul-de-sac inclusive
- Longmead Court from Ridge Ford Drive to cul-de-sac inclusive
- Marianna Court from Ridge Ford Drive to cul-de-sac inclusive
- Quintana Court from Brook Ford Road to cul-de-sac inclusive

- Ridge Ford Drive from the northern boundary of parcel 78-4((08)B to Ridge Ford Drive
- Strattondale Court from Quintana Court to cul-de-sac inclusive

Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hudgins being out of the room.

60. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), SECTIONS 3-2-57, 3-3-37, AND 3-7-52, TO EXTEND THE DEFERRED RETIREMENT OPTION PROGRAMS (DROP) OF THE COUNTY EMPLOYEES’, POLICE OFFICERS AND UNIFORMED RETIREMENT SYSTEMS** (4:45 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2008.

Robert Mears, Executive Director to the Retirement Boards, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Sections 3-2-57, 3-3-37, and 3-7-52, extending DROP for County Employees’, Police Officers, and Uniformed Retirement Systems. Supervisor Bulova and Supervisor Hyland jointly seconded the motion.

Discussion ensued, with input from Mr. Mears, regarding the tracking of the number of employees in the DROP Program.

The question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE.”

61. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 2, SECTIONS 3-2-28, 3-2-38, AND 3-2-57, TO COMPLY WITH IRS REGULATIONS REGARDING MANDATORY DISTRIBUTIONS FROM DEFINED BENEFIT RETIREMENT PLANS** (4:55 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2008.

Robert Mears, Executive Director to the Retirement Boards, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Sections 3-2-28, 3-2-38, and 3-2-57, to comply with IRS regulations regarding mandatory distributions from defined benefit retirement plans. Supervisor Bulova seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE.”

62. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MA-028 (THE MONTESSORI SCHOOL OF NORTHERN VIRGINIA, INCORPORATED) (MASON DISTRICT)** (4:57 p.m.)

The application property is located at 3433 Rose Lane, Tax Map 60-2 ((32)) 1 and 60-2 ((38)) A1.

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 parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Supervisor Smyth disclosed that within the last year, her spouse, Nigel S. Smyth, has had an attorney/client relationship with Charles and Monica Flynn, the title owners in this application and she recused herself from the Board Auditorium and the vote.

Following the public hearing, which included testimony by 10 speakers, Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross, Chairman Connolly, and Supervisor McKay submitted items for the record.

Discussion ensued, with input from Ms. Strobel, regarding the:

- Incorporation of lower impact developments on the site.
- Enhancement of vegetative buffers.
- Deterioration of water quality.

Supervisor Gross moved:

- Approval of Special Exception Application SE 2007-MA-028, subject to the development conditions dated May 30, 2008.
- Modification of the transitional screening requirements, in favor of that shown on the Special Exception Plat (SE) and further modified by the development conditions.
- Modification of the barrier requirement, to allow the barrier to be located as shown on the SE Plat as modified by the development conditions.

Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Smyth being out of the room.

63. **BOARD ADJOURNMENT** (5:40 p.m.)

The Board adjourned.

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