

## **AM:am**

The meeting was called to order at 9:30 a.m. with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 12:10 p.m.

Others present were Anthony H. Griffin, Acting 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 IRVING BIRMINGHAM, DIRECTOR, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM), AND EDWARD L. LONG, JR., DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET (OMB) WHO ARE BOTH ILL** (Tape 1)

Chairman Hanley asked the Board to join her in remembering Irving Birmingham, Director, Department of Environmental Management (DEM) who is in the hospital, and Edward L. Long, Jr., Director, Office of Management and Budget (OMB) who is also ill.

3. **WELCOME TO MS. KATIE ROBERTS** (Tape 1)

Supervisor Mendelsohn introduced Ms. Katie Roberts who is working as an intern in the Dranesville District Office, and warmly welcomed her to the Board Auditorium.

4. **CERTIFICATE OF RECOGNITION TO BE FORWARDED TO MR. ROBERT STEARNS** (Tape 1)

Supervisor Mendelsohn announced that Mr. Robert Stearns declined the invitation to make an appearance before the Board to receive this certificate. Therefore, Supervisor Mendelsohn moved approval of the Certificate of Recognition to be forwarded to Mr. Stearns for personal courage in rescuing a victim trapped in a burning car. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell not yet having arrived.

5. **WELCOME TO LEHIGH COUNTY, PENNSYLVANIA COMMISSIONER, DR. PERCY H. DOUGHERTY** (Tape 1)

Supervisor Hyland introduced Lehigh County, Pennsylvania, Commissioner, Dr. Percy H. Dougherty who is spending the day in Fairfax County to look at the Geographic Information Systems (GIS), and warmly welcomed him to the Board Auditorium.

**AGENDA ITEMS**

6. **PROCLAMATION DESIGNATING THE MONTH OF APRIL 1997 AS "IMMUNIZATION MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to Dr. Leslie Elwood designating April 1997 as "**Immunization Month**" in Fairfax County. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor McConnell not yet having arrived.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. MARGARET ANDINO** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Ms. Margaret Andino for her years of service on the Fairfax County Park Authority. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. GREG TSENG**  
(Tape 1)

*Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Mr. Greg Tseng for being selected a finalist in the Westinghouse Science Talent Search. This motion was seconded by Supervisor Gross and carried by a vote of seven, Supervisor Dix and Supervisor Frey being out of the room, Supervisor*

*McConnell not yet having arrived.*

**ADDITIONAL BOARD MATTER**

9. **WELCOME TO MR. GREGORY HANNA AND MR. FRANCISCO MENA** (Tape 1)

Chairman Hanley introduced Mr. Gregory Hanna and Mr. Francisco Mena who are working as interns in her office, and warmly welcomed them to the Board Auditorium.

**AGENDA ITEMS**

10. **10:00 A.M. - PRESENTATION BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) OF ITS ANNUAL REPORT** (Tape 1)

Ms. Patricia M. Woolsey, Chairman, Fairfax County Economic Development Authority (EDA) Commission presented the EDA Annual Report.

Following discussion, Supervisor Hyland asked unanimous consent that the Board request the EDA to provide information as to the amount of tax revenue which would be generated during the World Congress on Information Technology. Without objection, it was so ordered.

**CM:cm**

11. **10:15 A.M. - PRESENTATION OF THE 1996 ANNUAL REPORT OF THE FAIRFAX COUNTY ADVISORY SOCIAL SERVICES BOARD** (Tape 2)

(BACs)

Elizabeth L. McManus, Chairman, Fairfax County Advisory Social Services Board, presented the 1996 Annual Report.

A question and answer period ensued, with input from Verdina L. Haywood, Deputy County Executive for Human Services.

12. **ORDERS OF THE DAY** (Tape 2)

Chairman Hanley announced that Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups (BACs) would be deferred until later in the day.

(NOTE: Later in the meeting, appointments to BACs were made. See Clerk's Summary Item CL#78.)

**AR:ar**

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

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

Supervisor Mendelsohn called the Board's attention to Administrative Item 14 -

Authorization for the Department of Family Services to Submit Renewal Grant Application for Supportive (Transitional) Housing Program Grant to the United States (US) Department of Housing and Urban Development (HUD), and asked to amend the motion to consider this item separately, and this was accepted.

Supervisor Dix called the Board's attention to Administrative Item 13 - Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 1997 Revised Budget Plan. With reference to Subfund 616, he asked unanimous consent that the Board direct staff to provide a summary of the disposition of the 386 model computers which are being replaced as part of the technology infrastructure program. Without objection, it was so ordered.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell\* not yet having arrived.

(NOTE: \*Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on the Administrative Items. See Clerk's Summary Item CL#77.)

(NOTE: Later in the meeting, action was taken to reconsider the Administrative Items. See Clerk's Summary Item CL#15.)

**ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (MOUNT VERNON AND SULLY DISTRICTS)**

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated March 24, 1997 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Gum Springs Community Center	Mount Vernon	Fordson Road, Route 779 Fordson Road, Route 779, Additional right-of-way only
Pleasant Hill, Section 6 A/C	Sully	Hidden Canyon Road, Route 6202 Ridgemont Drive, Route 8557 Waters Creek Drive

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

Authorized the extension of the review period for the three Public Facility Review Applications listed in the Memorandum to the Board dated March 24, 1997 until September 24, 1997 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 STOPS AT THE INTERSECTION OF GATESHEAD ROAD AND GRANADA STREET (MOUNT VERNON DISTRICT)**

Approved the endorsement of the installation of multi-way stops at the following intersection:

- Gateshead Road (Route 3710) and Granada Street (Route 4267);  
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 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 92-V-042, GUNSTON LAND COMPANY (MOUNT VERNON DISTRICT)**

(AT) Approved the request for 48 months of additional time to commence construction for Special Exception Application SE 92-V-042 until February 8, 2001, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 90-S-017, RICHARD L. LABBE, TRUSTEE AND STAR ENTERPRISE (SULLY DISTRICT)**

(NOTE: Later in the meeting, action was taken to defer this item for two weeks. See Clerk's Summary Item CL#15.)

**ADMIN 6 - PROPOSED STREET NAME CHANGE FOR THE EASTERN PORTION OF HIDDEN CANYON ROAD (SULLY DISTRICT)**

Approved an official street name change in the *Official Street Names and Property Numbering Atlas* for the eastern portion of Hidden Canyon Road to Martins Hundred Drive from its intersection with Martins Hundred Drive, Ridgemont Drive, and Hidden Canyon Road to the end of the cul-de-sac, Tax Map Number 053-1, in accordance with Section 102-1-9 of the Code of the County of Fairfax.

**ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97062 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT A VIRGINIA DEPARTMENT OF HEALTH SEXUAL ASSAULT EDUCATION/PREVENTION GRANT**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97062 in the amount of \$35,769 for the Fairfax-Falls Church Community Services Board (CSB) to accept a Virginia Department of Health Sexual Assault Education/Prevention Grant.

**ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97063 FOR THE GENERAL DISTRICT COURT TO ACCEPT GRANT FUNDS FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97063 in the amount of \$13,130 for the General District Court to accept grant funds from the Department of Criminal Justice Services to purchase computer equipment for the support of the existing grant programs funded under the Comprehensive Community Corrections Act Grant which provides staff for the Court Services Division of General District Court.

**ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97064 FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO PAY FOR THE COMPRESSED NATURAL GAS (CNG) OPTION COST FOR 10 COUNTY VEHICLES**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97064 in the amount of \$60,000 from the Virginia Alternative Fuels Revolving Fund, administered by the Virginia Department of Transportation (VDOT) to provide funding to the County to pay for the Compressed Natural Gas (CNG) option cost for 10 new vehicles.

**ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE LEASING OF COUNTY-OWNED PROPERTY BY BREN MAR BAPTIST CHURCH (MASON DISTRICT)**

(A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 1997 at 3:30 p.m.** regarding the leasing of County-owned property located directly in front of 6200 Indian Run Parkway, Tax Map Number 81-1((04))-p (part), to the Bren Mar Baptist Church and directed staff to notify adjacent property owners of the public hearing by certified mail.

**ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CREATION/ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE, LEE, AND PROVIDENCE DISTRICTS)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 1997 at 3:30 p.m.** to consider the following changes to local and small sanitary districts for refuse and leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District A-6-1 within Small District 1 within Dranesville District	Enlarge	Refuse and Leaf	Approve
Local District A-2-1 within Small District 1 within Dranesville District	Create	Refuse and Leaf	Approve
Small District 1 within Lee District	Enlarge	Refuse	Approve
Local District B within Small District 1 within Lee District	Enlarge	Refuse and Leaf	Approve
Small District 2 within Providence District (Mantua Hills Subdivision)	Enlarge	Leaf	Approve
Small District 2 within Providence District (Colesbury Place)	Enlarge	Leaf	Approve
Small District 2 within Providence District (Tovito Drive)	Enlarge	Leaf	Approve



**ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 9 (CABLE COMMUNICATIONS) PERTAINING TO THE ESTABLISHMENT OF CABLE TELEVISION RATES AND CHARGES (COUNTYWIDE)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 1997 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 9 (Cable Communications) pertaining to the establishment of cable television rates and charges.

**ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1997 REVISED BUDGET PLAN**

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

Authorized the advertisement of a public hearing to be held before the Board on **April 7, 8, and 9, 1997 at 7:30 p.m.** to amend the current appropriation level in the Fiscal Year (FY) 1997 Revised Budget Plan. The advertisement encompasses both the County and the Schools' FY 1997 Third Quarter Reviews.

**ADMIN 14 - AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES TO SUBMIT RENEWAL GRANT APPLICATION FOR SUPPORTIVE (TRANSITIONAL) HOUSING PROGRAM GRANT TO THE UNITED STATES (US) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**

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

**ADMIN 15 - APPROVAL FOR FAIRFAX COUNTY LOCAL GOVERNMENT CHALLENGE GRANT APPLICATION TO THE VIRGINIA COMMISSION FOR THE ARTS**

Approved the submission of a grant application to the Virginia Commission for the Arts in the amount of \$5,000 for distribution by the Arts Council of Fairfax County.

14. **ADMIN 14 - AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES TO SUBMIT RENEWAL GRANT APPLICATION FOR SUPPORTIVE (TRANSITIONAL) HOUSING PROGRAM GRANT TO THE UNITED STATES (US) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)** (Tape 3)

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item CL#13.)

Supervisor Connolly moved that the Board authorize the Department of Family Services to submit a renewal grant application in the amount of \$1,067,020 to the United States (US) Department of Housing and Urban Development (HUD) for supportive (transitional) Housing Program Grant Funds. HUD funds would be \$476,172 and a local cash match of \$590,848 would be required. This motion was seconded by Supervisor Kauffman.

Following discussion, with input from Verdian L. Haywood, Deputy County Executive for Human Services, and Frieda Louton, Family and Child Program Manager, Department of Family Services, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Frey and Supervisor Mendelsohn voting "NAY," Supervisor McConnell\* not yet having arrived.

(NOTE: \*Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on the Administrative Items. See Clerk's Summary Item CL#77.)

15. **RECONSIDERATION OF THE ADMINISTRATIVE ITEMS** (Tape 3)

Supervisor Frey moved that the Board reconsider its action on the Administrative Items. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell\* not yet having arrived.

Supervisor Frey called the Board's attention to Administrative Item 5 - Additional Time to Commence Construction for Special Exception Application SE 90-S-017, Richard L. Labbe, Trustee and Star Enterprise (Sully District) and moved that the Board defer action on this item for two weeks. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell\* not yet having arrived.

(NOTE: \*Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on the Administrative Items. See Clerk's Summary Item CL#77.)

16. **A-1 - AUTHORIZATION TO PAY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FISCAL YEAR (FY) FOURTH QUARTER BILLING (COUNTYWIDE)** (Tape 3)

(R) Supervisor Hyland moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing payment of the Washington Metropolitan Area Transit Authority's (WMATA) fourth quarter transit operating and capital billing, due April 1, 1997, in the net amount of \$11,880,671. This motion was seconded by Supervisor Connolly.

Following discussion, with input from Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, the question was called on the motion which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell not yet having

arrived.

17. **C-1 - APPEAL OF A REQUEST FOR A WAIVER OF A SERVICE DRIVE REQUIREMENT FOR THE PROPOSED SUBDIVISION OF FAIRFAX HILLS, LOT FIVE (BRADDOCK DISTRICT)** (Tape 3)

*The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 regarding the appeal by Mr. Dario P. Davies from the County Executive's decision to deny a service drive waiver request for Lot Five of the Fairfax Hills Subdivision.*

*Supervisor Bulova moved that the Board uphold the decision of the County Executive in denying a request for a service drive waiver for Lot Five of the Fairfax Hills Subdivision. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell not yet having arrived.*

18. **I-1 - PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 456-V96-17, AT&T WIRELESS SERVICES (MOUNT VERNON DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 presenting the Planning Commission's approval of Public Facilities Application 456-V96-17.

19. **I-2 - PURCHASE OF TRANSIT BUSES (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 requesting authorization for staff to proceed with the acquisition of 10 each 30-foot transit buses at a cost of approximately \$2,300,000 which will be appropriated from the bus replacement reserve fund, Subfund 103, County Transit Services, in the Fiscal Year (FY) 1997 Third Quarter Review for this purchase.

Following discussion, with input from Tom Biesiadny, Transit Operations Division, Office of Transportation, Supervisor Hyland asked unanimous consent that the Board defer action on this item until later in the meeting. Without objection, it was so ordered.

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

20. **I-3 - CERTIFICATION FOR TAX CREDIT APPLICATION FOR DULLES TOWN CENTER APARTMENTS, PHASE III (HUNTER MILL DISTRICT)**  
(Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 requesting authorization for staff to sign a letter for submission by Dulles Town Center III Associates, Limited Partnership, to the Virginia Housing Development Authority (VHDA) for consideration with its tax credit application.

The staff was directed administratively to proceed as proposed.

21. **I-4 - DRAFT FAIRFAX COUNTY FAIR HOUSING ANALYSIS OF IMPEDIMENTS (DRAFT LOCAL PLAN)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 presenting the draft Fairfax County Fair Housing Analysis of Impediments (Draft Local Plan).

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board designate the Human Rights Commission as the lead agency in connection with the Fair Housing Analysis and the implementation of any of the recommendations. She added that the other issues would be retained for consideration during the Fiscal Year (FY) 1998 Budget deliberations. This motion was seconded by Supervisor Connolly.

Following further discussion, with input from Fred L. Allen, Executive Director, Human Rights Commission, and Walter D. Webdale, Director, Department of Housing and Community Development (HCD), the question was called on the motion which **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn voting "NAY," Supervisor McConnell not yet having arrived.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

22. **I-5 - AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOWEST BIDDER FOR RENOVATIONS OF KINGSLEY PARK TOWNHOUSES (PROVIDENCE DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to award a contract to Whitener and Jackson, Incorporated, in the amount of \$704,642, subject to United States (US) Department of Housing and Urban Development (HUD) approval, for renovations at Kingsley Park Townhouses, a 108-unit townhouse development owned by the FCRHA.

*The staff was directed administratively to proceed as proposed.*

23. **I-6 - AWARD OF CONTRACT FOR THE STAFFING AND OPERATION OF THE FIRE AND RESCUE DEPARTMENT OCCUPATIONAL HEALTH CENTER** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 requesting authorization for staff to award a contract for the Occupational Health Center to Hunter Medical, Incorporated, for a total amount of \$665,901 for the first year of service; \$751,215 for the second year of service; and \$773,753 for the third year of service. The increases in years two and three include workload increases for the inclusion of volunteers and contractual inflationary adjustments.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, and Kenneth L. Jones, Deputy Chief, Administrative Services Division, Fire and Rescue Department, Supervisor Hyland asked unanimous consent that the Board defer consideration of this item until after Executive Session. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken regarding item. See Clerk's Summary Item CL#82.)

24. **I-7 - CONTRACT AWARD - PUBLIC SAFETY FACILITY - PHASE II (SULLY DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 requesting authorization for staff to award a contract to V. F. Pavone Construction Company in the lump sum amount of \$6,386,800 for construction of Phase II of the Public Safety Facility, Project 009102, Subfund 476, Public Safety Construction.

Chairman Hanley noted that consideration of this item would be deferred until after Executive Session.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#83.)

CM:cm

**ADDITIONAL BOARD MATTERS**

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

Chairman Hanley announced that Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups (BACs) would be deferred until later in the day.

(NOTE: Later in the meeting, appointments were made. See Clerk's Summary Item CL#78.)

26. **ASIAN/PACIFIC AMERICAN HERITAGE MONTH** (Tape 4)

Chairman Hanley stated that the month of May is nationally recognized as Asian/Pacific American Heritage Month. In conjunction with federal observances, the Office of Equity Programs requests that Fairfax County observe May as Asian/Pacific American Heritage Month.

Therefore, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite a representative from the Office of Equity Programs and

the Asian/Pacific American community to appear before the Board on April 28, 1997 to receive a Proclamation declaring the month of May as "Asian/Pacific American Heritage Month" in Fairfax County. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell not yet having arrived.

27. **NATIONAL LIBRARY WEEK** (Tape 4)

Chairman Hanley informed the Board that the week of April 13-19, 1997 is observed as National Library Week. This year the American Library Association's theme is "Kids Connect at the Library." The Fairfax County Public Library will participate as libraries from across the country highlight "Log-On at the Library Day" on April 16, 1997.

Chairman Hanley moved that the Board direct staff to:

- Prepare a Proclamation declaring April 13-19, 1997 as "National Library Week" in Fairfax County; and
- Invite the appropriate individuals to receive this Proclamation at the April 7, 1997 Board meeting.

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

28. **ADDITIONAL REPRESENTATIVES ON THE COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION** (Tape 4)

(BACs)

Chairman Hanley informed the Board of a request from Reverend Jane St. John, Chairman of the Fairfax County Commission on Organ and Tissue Donation and Transplantation, asking for additional representation on the Commission.

Chairman Hanley moved the addition of the following representatives to the Commission:

- A Donor Family Member;
- An American Association of Tissue Banks Member; and
- A Minority Community Member.

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

29. **ENDORSEMENT OF A PROPOSAL BY THE FAIRFAX-FALLS CHURCH UNITED WAY** (Tape 4)

Chairman Hanley called the Board's attention to a letter from the Fairfax-Falls Church United Way requesting the Board's endorsement of a proposal United Way is submitting regarding a public-private partnership in connection with the information kiosks to be placed in the three districts (Sully, Providence, and Braddock) that do not have them.

Chairman Hanley moved that the Board endorse this proposal. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Dix asked unanimous consent that the Board direct staff to examine the possibility of locating a kiosk in the Hunter Mill District in the public library for better exposure. Without objection, it was so ordered.

30. **HUMAN SERVICES SUBCOMMITTEE MEETING WITH THE HUMAN SERVICES COUNCIL** (Tape 4)

Chairman Hanley informed the Board of a meeting that was held between the Human Services Subcommittee and the Human Services Council to discuss several items. The committee recommended that the Task Force Report be referred to the County Executive for response with particular attention to the caseload standards and appropriate analysis in terms of budget impact that could be considered during the budget process as recommended.

Chairman Hanley, therefore, moved that the Board refer the Task Force Report to staff for review. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

31. **THE DEPARTMENT OF HUMAN SERVICES' NEW TECHNOLOGY** (Tape 4)

Chairman Hanley referred Board Members to the memorandum from the Department of Human Services on "ASSIST" and encouraged all Members to visit the Department of Human Services to see the new technology that is now being used.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

32. **DRANESVILLE DISTRICT EVENTS** (Tape 4)

Supervisor Mendelsohn announced the following events in the Dranesville District:

- April 2, 1997, in McLean/Falls Church area; April 3 in the Great Falls area; and April 14 in the Herndon area, Town Meetings to discuss budget issues and other matters;



- April 26, 1997, a Dranesville District-wide planting of loblolly pines and other assorted trees. All citizens are welcome to participate; and
- March 19, 1997, a meeting on “The Future of McLean” with suggestions still being sought from citizens. Suggestions can be made by calling the Dranesville District office.

33. **RECOGNITION OF MR. STEVE SHEPARD** (Tape 4)

Supervisor Mendelsohn informed the Board that Mr. Steve Shepard, a resident of Great Falls in the Dranesville District and a senior at Thomas Jefferson High School, has distinguished himself lately in a series of oratorical contests sponsored by the American Legion. Mr. Shepard placed first in local and regional competitions and recently took first place at the State level in Virginia Beach. This qualifies him for the national finals in Indianapolis, Indiana in mid-April.

Supervisor Mendelsohn moved that the Board direct staff to invite Mr. Shepard to appear before the Board, after the finals, to be recognized for his accomplishments and to allow the Board an opportunity to hear him speak on the topic of patriotism in America. This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

34. **ENABLING AUTO DEALERS TO ACQUIRE COUNTY DECALS ON BEHALF OF CUSTOMERS PURCHASING AUTOMOBILES** (Tape 4)

Supervisor Mendelsohn stated that a number of constituents have relayed to his office the fact that auto dealers cannot acquire County decals on behalf of customers when they purchase a car as they can with the Virginia State tags.

Because of the closing of the satellite tax offices and the inconvenience this has caused many constituents despite their ability to order decals by mail, Supervisor Mendelsohn asked unanimous consent that the Board direct staff in the Department of Tax Administration to determine the feasibility of allowing auto dealers to acquire County decals, on behalf of their customers when a car is purchased, and report to the Board with its findings. Without objection, it was so ordered.

35. **REQUEST TO PREPARE LANGUAGE FOR AN ORDINANCE PROHIBITING THE PARKING OF CERTAIN COMMERCIAL VEHICLES ON THE HIGHWAYS OF THE COUNTY IN AREAS ZONED FOR RESIDENTIAL USE** (Tape 4)

Supervisor Mendelsohn informed Board Members of the General Assembly’s last session in which House Bill number 2646 was passed. This bill prohibits the parking of certain commercial vehicles on the highways of the County in areas zoned for residential use. This legislation is of particular importance to citizens of the Dranesville District.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to prepare language for such an Ordinance and report to the Board in May for advertisement. This will allow the Board to hold a public hearing in a timely fashion so that the Ordinance can take effect on July 1, 1997. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell not yet having arrived.

**PMH:pmh**

36. **NO BOARD MATTERS FOR BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA** (Tape 5)

Braddock District Supervisor Sharon Bulova announced that she had no Board Matters to present today.

37. **MULTI-WAY STOP SIGNS AT THE INTERSECTION OF WHISPERING LANE AND RENWOOD LANE** (Tape 5)

Supervisor Gross stated that she has received and forwarded to the Office of Transportation petitions signed by the residents of the Sleepy Hollow Run/Forest Hills Civic Association requesting the installation of multi-way stop signs at the intersection of Whispering Lane and Renwood Lane.

Supervisor Gross asked unanimous consent that the Board direct staff to expedite this request and a Resolution to the Virginia Department of Transportation (VDOT) as soon as possible. Without objection, it was so ordered.

38. **ALEX VERZOSA, TRANSPORTATION PLANNER, RESIGNS FROM THE OFFICE OF TRANSPORTATION** (Tape 5)

Supervisor Gross announced that Alex Verzosa, Transportation Planner, Office of Transportation is resigning his position. She wished him well in his future endeavors.

39. **WILDLIFE HOTLINE** (Tape 5)

Supervisor Gross stated that there is now a Wildlife Hotline. The Wildlife Rescue League initiated the Hotline, staffed entirely by volunteers, who will be available to assist the public with questions and emergencies regarding birds and animals.

Residents throughout Northern Virginia are invited to leave messages 24 hours a day at the following number: (703) 440-0800. A volunteer will return all calls, and refer cases to the appropriate recipient. This undertaking deserves praise for its intent to assist the County by coordinating the efforts of State and local agencies, animal shelters, and licensed wildlife rehabilitators.

40. **MASON DISTRICT TOWN MEETING** (Tape 5)

Supervisor Gross announced that the next Mason District Town Meeting will be held on Saturday, April 5, 1997 from 10:30 a.m. until 12:00 noon. The meeting will take place at the Washington Gas Auditorium, which is located at 6801 Industrial Road in Springfield. The topic will be the Fiscal Year (FY) 1998 Budget. Anthony H. Griffin, Acting County Executive, and Edward L. Long, Jr., Director of the Office of Management and Budget (OMB), will be available to answer questions about the budget, and changes being made to the County government. She added that everyone in Mason District is invited to attend.

41. **APPOINTMENT TO RESTON COMMUNITY CENTER BOARD OF GOVERNORS** (Tape 5)

(APPT)

Supervisor Dix moved the appointment of Mr. Ralph Butler to the Reston Community Center Board of Governors to fill the unexpired term of Mr. David Ross. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

42. **NATIONAL CRIME VICTIMS' RIGHTS WEEK** (Tape 5)

Supervisor Dix stated that this year National Crime Victims' Rights Week will be observed April 13-19, 1997. There will be a ceremony in the Forum of the Government Center on Wednesday, April 16, 1997 to which all Board Members, as well as the public, are cordially invited. Refreshments will be available in the reception area at 8:30 a.m. with the ceremony beginning at 9:00 a.m.

Supervisor Dix announced that a candlelight vigil will be held Sunday, April 13, 1997 in the Forum from 3:00 p.m. until 6:00 p.m. Board Members and the public are invited to this event. The speaker will be Mr. Jack Collins.

Supervisor Dix moved that the Board direct staff to invite Ms. Carroll Ellis of the Victim Witness Unit of the Fairfax County Police Department, and any others she deems appropriate, to appear before the Board to accept a Proclamation on April 7, 1997 declaring that week as "National Crime Victims's Rights Week in Fairfax County." This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

43. **JAMES MADISON HIGH SCHOOL FORENSICS TEAM WINS STATE CHAMPIONSHIP** (Tape 5)

Supervisor Dix announced that the James Madison High School Forensics Team won the State Championship for the fourth consecutive year. Therefore, he asked unanimous consent that the Board direct staff to work with his office to coordinate a time that the Forensics Team can be invited to appear before the Board to be recognized for their accomplishment. Without objection, it was so ordered.

44. **JOAN OGS DAGEN, EXECUTIVE DIRECTOR, FAIRFAX-FALLS CHURCH**

**UNITED WAY RETIRES** (Tape 5)

Supervisor Dix announced that Joan Ogsdagen, Fairfax-Falls Church United Way, has retired from the position of Executive Director. He asked unanimous consent that the Board direct staff to invite Ms. Ogsdagen to appear before the Board to be recognized for her accomplishments. Without objection, it was so ordered.

45. **REQUEST FOR SIGNAGE IN HISTORICAL AREAS** (Tape 5)

Supervisor Dix referred to a letter that he had received from Ms. Margaret Peck who has been very active in many activities in western Fairfax County. He said that she has requested the Board's assistance in obtaining signage in the Floris and Frying Pan areas designating the historical nature of this area.

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

46. **LEGISLATIVE COMMITTEE** (Tape 5)

Supervisor Dix referred to a letter from Supervisor Sharon Bulova regarding personal property taxes and utility taxes and asked unanimous consent that the Board refer this item to the Legislative Committee. Without objection, it was so ordered.

47. **LETTER FROM THE FAIRFAX COUNTY POLICE ASSOCIATION** (Tape 5)

Supervisor Dix referred to a letter from the Fairfax County Police Association and asked unanimous consent that the Board refer this letter to staff for review and response, especially a reference to the "agency in such dire straits." Without objection, it was so ordered.

48. **HISTORIC VIENNA** (Tape 5)

Supervisor Dix referred to a letter from Historic Vienna regarding publications that have previously been available through the Office of Comprehensive Planning (OCP). He asked unanimous consent that the Board refer this issue to staff for review and comment. Without objection, it was so ordered.

49. **USAGE OF BALL FIELDS** (Tape 5)

Supervisor Dix referred to the issue of ball field usage and noted that volunteer groups contributed \$60,000 to the Park Authority to upgrade and maintain the ball fields, but the usage of the fields are constrained.

Supervisor Dix asked unanimous consent that the Board direct Anthony H. Griffin, Acting County Executive to work with the Park Authority to resolve these issues.

Following input from Mr. Griffin, without objection, it was so ordered.

50. **WASHINGTON BUSINESS JOURNAL ARTICLE** (Tape 5)

Supervisor Dix referred to an article in the *Washington Business Journal* which negatively reflects on the Columbia/HCA Reston Hospital. He asked unanimous consent that the Board send a letter to the Chief Executive Office reaffirming the Board's support and gratitude for Reston Hospital and Columbia/HCA being a part of Fairfax County. Without objection, it was so ordered.

51. **INTERNATIONAL BUILDING SAFETY WEEK** (Tape 5)

Supervisor Frey noted that for many years International Building Safety Week has been observed across the country to increase public awareness of the importance of building codes and construction safety. Code officials actively endorse Building Safety Week as an effective means to enhance communication between their departments, community residents, and local builders and developers; and to increase public education on a wide range of safety issues, the considerable safety devices available to homeowners, and the functions performed by their building departments.

Supervisor Frey pointed out that this year, International Building Safety Week will be observed during the week of April 6-12, 1997. To mark the event, the Department of Environmental Management (DEM) has scheduled several public outreach efforts in local hardware and construction supply retail stores.

Therefore, Supervisor Fry moved that the Board direct staff to prepare a Proclamation for the Board meeting scheduled for April 7, 1997, declaring the week of April 6-12, 1997 as Building Safety Week in Fairfax County. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

52. **RECOGNITION OF STUDENTS SELECTED AS "PEOPLE TO PEOPLE" STUDENT AMBASSADORS** (Tape 5)

Supervisor Frey said that nine Fairfax County students have been selected to participate in the "People to People" Student Ambassador Program. They will represent the United States (U.S.) on a trip to Australia and New Zealand this summer.

Supervisor Frey said that these children are from Benjamin Franklin Middle School, Ormond Stone Middle School, Robinson Secondary, and Rocky Run Middle School. Most of the students live in the Sully District and have requested Supervisor Frey to lend his support for their trip.

Supervisor Frey moved that the Board direct staff to:

- Invite the students and the delegation leader to appear before the Board on Monday, May 12, 1997 to briefly describe the "People to People" Program; and
- Present the students with Fairfax County mementos for them to present to the Australian Parliament and others they meet throughout their travels.

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

NV:nv

53. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 96-P-009 (HUNTING RIDGE ASSOCIATES)** (Tape 7) (Tape 6 was unused.)

Supervisor Connolly announced his intent to defer, at the appropriate time, the public hearing on Rezoning Application RZ 96-P-009 (Hunting Ridge Associates) until **May 12, 1997 at 4:00 p.m.**

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#85.)

54. **MS. ANNA M. GOD NAMED AS A SYRACUSE UNIVERSITY REMEMBRANCE SCHOLAR** (Tape 7)

Supervisor Connolly announced that Ms. Anna M. God, daughter of Mantua constituent Mary R. Greene and a senior at Syracuse University's Newhouse School of Public Communications, was named as one of the University's Remembrance Scholars. The stipends are awarded each year in honor of the 35 Syracuse University students who perished when a terrorist bomb destroyed Pan Am Flight 103 on December 21, 1988 over Scotland. The recipients are selected for distinguished scholarship, citizenship, and service to community. Additionally, Ms. God will be installed into the Syracuse Chapter of Phi Beta Kappa. She is spending her senior year at the Syracuse University campus in Madrid, Spain. Supervisor Connolly congratulated her achievements and congratulated her mother.

55. **PROPOSAL FOR A PILOT OFF-LEASH AREA FOR DOGS IN BLAKE LANE PARK** (Tape 7)

Supervisor Connolly stated that citizens have approached him about creating areas in County parks where they could run their dogs off-leash. He noted that the County's leash law strictly prohibits this. He explained that he had communicated with the Park Authority regarding this issue, but that they determined that other uses at parks make it unfeasible.

Supervisor Connolly stated that a group of constituents have formed a social club of dog walkers at Blake Lane and are calling themselves the Bushman Drive Kennel Club and they have offered to pay for fencing for an off-leash area called a "puppy park." This would alleviate concerns about conflicts with soccer fields as well as other issues of concern in establishing an off-leash area. He noted that the plan has the tentative support of the Director of the Department of Animal Control.

Accordingly, Supervisor Connolly moved that the Board direct:

- The Acting County Executive to work with the Park Authority and the Department of Animal Control to determine whether a pilot program for the establishment of a puppy park/off-leash area in County parks could be established in partnership with the Bushman Drive Kennel Club at Blake Lane Park;
- Staff to seek input from interested citizens on this issue; and
- The County Attorney to draft a supporting amendment to the County leash law to apply to County-established, fenced off-leash areas.

This motion was seconded by Supervisor Bulova.

Supervisor Connolly stated that if this pilot program is realized, he will invite Mosby Frey, Supervisor Frey's German shepherd, as the first guest.

Following discussion, Supervisor Gross asked unanimous consent that the Board direct staff to review other areas in the County for additional "puppy parks" because one pilot program may be inadequate. Without objection, it was so ordered.

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

56. **EXPEDITED AND CONCURRENT PROCESSING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 95-P-012** (Tape 7)

Supervisor Connolly explained that recently he met with Mr. Ronnie Mervis of Mervis Diamond Importers to discuss his interest in consolidating his three jewelry centers into a headquarters facility that would be located in Tysons Corner. The subject property is located at the intersection of Route 7 and Dogwood Lane. Mr. Mervis indicated that he would like to build his headquarters within the height and square footage limitations placed on the previously approved rezoning application. He is anxious to begin the Proffered Condition Amendment application process and has requested expedited and concurrent processing of his applications.

Accordingly, Supervisor Connolly moved that the Board direct:

- The Director of the Department of Environmental Management (DEM) and the Director of the Office of Comprehensive Planning (OCP) to expeditiously and concurrently process the zoning applications, Site Plans, and permits associated with Proffered Condition Amendment Application PCA 95-P-012; and
- Staff to schedule the public hearing to be held before the Board on August 4, 1997.

Supervisor Connolly noted that this motion does not relieve the applicant from complying with any applicable ordinances, regulations, or adopted standards and does not prejudice the consideration of the application in any way.

This motion, the second to which was inaudible, carried by unanimous vote.

57. **AFFORDABLE DWELLING UNIT (ADU) BROCHURE RELEASED TO THE PUBLIC** (Tape 7)

Supervisor Connolly stated that last fall, he met with Carl Coan III, Providence District Representative to the Fairfax County Redevelopment and Housing Authority (FCRHA), and Pat Goddard, Mason District Representative to the FCRHA, and discussed the need for more information regarding the County's Affordable Dwelling Unit (ADU) Program to be made available to the public. He noted that as a result of that discussion, and Mr. Coan's and Ms. Goddard's continued efforts, the staff of the Department of Housing and Community Development (DHCD) has designed a brochure about the ADU program. He stated that the brochures are being provided to employers and to developers of ADU's, as well as to the Government Center information desk, and to the Board Members' offices. He expressed his appreciation to Commissioners Coan and Goddard, as well as the staff of DHCD, for their efforts to provide this information to first-time home buyers.

58. **BOARD SUPPORT FOR SENATOR ROBB'S BILL FOR FULL FUNDING FOR CONSTRUCTION OF WOODROW WILSON BRIDGE** (Tape 7)

In reference to his written Board Matter regarding a bill sponsored by Senator Robb for full federal funding of the Woodrow Wilson replacement bridge, Supervisor Hyland moved that the Board send:

- A letter of support to Senator Robb; and
- Letters to all members of the delegation requesting support of this legislation.

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

59. **FAIRFAX COUNTY TAP WATER DOING IT RIGHT** (Tape 7)



With reference to his written Board Matter regarding drinking water, Supervisor Hyland stated that the County was commended for the quality and low cost of its drinking water in a three part series, "*Tap Water at Risk*" which reviewed nationwide water treatment facilities, identified problems, reviewed federal safety standards and interviewed people from all walks of life. The articles specifically mentioned Fairfax County as being a good example of doing it right. These articles were produced by 16 journalists from the Hearst papers in San Francisco, Seattle, Houston, San Antonio, and other cities and generally concerned the EPA and the national drinking water scene.

Supervisor Hyland moved that the Board direct staff to produce a press release indicating how well the Fairfax County Water Authority provides quality water at the best price possible. This motion was seconded by Supervisor Bulova.

Supervisor Frey reminded the Board that several years ago the Centreville area won an award for "best tasting water" at a competition in Berkeley Springs.

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

60. **COMMUNITY COUNTDOWN 2000** (Tape 7)

Supervisor Hyland explained that the Community Countdown 2000 is a new program sponsored by the National Association of Counties (NACo). The purpose of this new initiative is to involve citizens in defining and addressing the problems facing the County, demonstrating how the public can take an even more active role in creating better communities, and restoring the public's confidence in government by providing learning opportunities for the public on how county government functions and what it can do for them. He explained how Community Countdown can create an atmosphere in which interactive and hands on citizen participation can take place while providing them an opportunity to more fully understand local government and to address local issues.

Accordingly, Supervisor Hyland moved that the Board direct the Office of Public Affairs to:

- Work with the community leaders to work on this important initiative; and
- Schedule activities and a round table discussion during the week of April 13, 1997.

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

61. **SOIL AND WATER STEWARDSHIP WEEK** (Tape 7)

With reference to his written Board Matter regarding soil and water, Supervisor Hyland moved that the Board:

- Proclaim the week of April 27- May 4, 1997 as *Soil and Water Stewardship Week* in Fairfax County; and

- Direct staff to provide such Proclamation to the Northern Virginia Soil and Water Conservation District (NVSWCD).

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

62. **CLEAN FAIRFAX COUNCIL** (Tape 7)

With reference to his written Board Matter regarding the Clean Fairfax Council, Supervisor Hyland moved that the Board:

- Declare April and May as *Fairfax County Beautiful Months*; and
- Direct staff to provide an appropriate Proclamation to Clean Fairfax Council, with such Proclamation to be presented to their Board at a Clean Fairfax Council meeting.

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

63. **EARTH DAY OPPORTUNITY-POTOMAC WATERSHED CLEANUP** (Tape 7)

Supervisor Hyland stated that the ninth annual Potomac Watershed Cleanup will take place on Saturday, April 5, 1997 from 9:00 a.m. until noon. He moved that the Board:

- Direct the staff of the Office of Public Affairs Office and request representatives of Media General Cable to work with Ms. Sil Pembleton of the Alice Ferguson Foundation with publicizing this event; and
- Direct the staff to waive the tipping fees associated with this project and to supply roll off containers, if needed, and trash bags.

This motion was seconded by Supervisor Bulova.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, the question was called on the motion which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

64. **DISTRICT OF COLUMBIA (DC) DEPARTMENT OF CORRECTIONS FACILITY LOCATED IN LORTON** (Tape 7)

Supervisor Hyland recounted the most recent escape from the District of Columbia (DC) Department of Corrections Facility located in Lorton, Virginia when the escapee hid in the local community rather than heading toward DC. He moved that the Board direct staff to send a letter to the local members of Congress, particularly Congressman Thomas M. Davis III, requesting Congress to immediately appoint a Trustee or Receiver to operate all of DC's Department of Corrections facilities located in Lorton, pending its closure. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

65. **TELECOMMUNICATIONS TOWER** (Tape 7)

Supervisor Hyland stated that Mid-Atlantic Towers has filed a special exception application for a telecommunications tower facility at the Fort Belvoir Bar and Grill site in Accotink Village. The applicant is requesting expeditious review and concurrent processing of the Site Plan and building permits.

Noting that this site is unsightly and in need of clean up and revitalization, Supervisor Hyland moved that the Board direct staff to expedite and concurrently process the review of the application with the processing of the Site Plan and building permits.

Chairman Hanley noted that the applicant understands that this motion does not relieve them from complying with any applicable ordinances, regulations, or adopted standards and does not prejudice the consideration of the application in any way.

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

66. **PUTTING AN END TO TEMPORARY USES** (Tape 7)

With reference to his written Board Matter regarding temporary use permits, Supervisor Hyland stated that a 21-day temporary use permit has been requested by someone for the former Southern Nursery site close to Fort Hunt Road, Route One, and the Beltway. He noted that there were numerous zoning violations on the site. He expressed his concerns about the issuance of a temporary permit on this site.

Accordingly, Supervisor Hyland moved that the Board:

- Refer the subject of issuing permits for temporary uses to staff for study; and

- Direct staff to determine whether temporary permits can be issued only for certain purposes such as the sale of Christmas trees, pumpkins, et cetera to benefit community non-profit organizations; and
- Direct staff to provide a recommendation for change in the Zoning Ordinance.

This motion was seconded by Supervisor Kauffman.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, the question was called on the motion which carried by unanimous vote.

67. **POWERS AND DUTIES OF THE COUNTY EXECUTIVE** (Tape 7)

In reference to his written Board Matter regarding the requirement for a monthly report from the County Executive to the Board, Supervisor Hyland asked unanimous consent that the Board direct the County Attorney to provide the Board with an opinion as to the County's compliance with the *Code of Virginia* Section 15.1-738. Without objection, it was so ordered.

68. **COUNTYSCOPE FOR FAIRFAX COUNTY** (Tape 7)

With reference to his written Board Matter regarding data for counties available on a single CD-ROM produced by the United States (US) Department of Commerce Census Bureau, Supervisor Hyland stated that this information may be displayed, browsed or downloaded using CountyScope's Windows application software.

Accordingly, Supervisor Hyland asked unanimous consent that the Board refer this matter to both the Department of Information Technology (DIT) and Economic Development Authority (EDA) staff for review and response to the Board as to its efficacy for use in Fairfax County. Without objection, it was so ordered.

69. **UPDATE ON SIGNAGE TO GOVERNMENT CENTER** (Tape 7)

Supervisor Hyland raised the issue of the poor signage to the Government Center. Following discussion, with input from Anthony H. Griffin, Acting County Executive, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to draft a letter for her signature to the Secretary of Transportation for the Commonwealth of Virginia regarding the lack of signage on Route 66 and Route 50. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

70. **ROUTE ONE CORRIDOR REVITALIZATION** (Tape 7)

Supervisor Kauffman noted that he and Supervisor Hyland, along with their respective staffs attended a community area revitalization group meeting on Saturday, March 22, 1997 and made progress on some long range plans for the Route One Corridor.

71. **PARKING REDUCTION FOR SPRINGFIELD MALL SHOPPING CENTER**  
(Tape 7)

Noting that there was a mathematical error in the action, Supervisor Kauffman moved to reconsider the Board's action on March 10, 1997 regarding A-6 - Parking Reduction for Springfield Mall Shopping Center. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Kauffman moved that the Board reaffirm its March 10, 1997 approval of a parking reduction for the Springfield Mall Shopping Center and clarify that its approval reduces required parking by six percent or 512 spaces to a minimum requirement of 8037 spaces as provided for in Paragraph Four, Section 11-102 of *The Zoning Ordinance of the County of Fairfax, Virginia*. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

72. **RECOGNITION OF MELISSA CHADWICK, WINNER OF THE 1996 METRO POSTER OF THE YEAR** (Tape 7)

Supervisor Kauffman announced that Melissa Chadwick, a student at Thomas A. Edison High School in the Lee District, won the 1996 Metro Poster of the Year. Her award-winning poster is entitled "Enjoy the Show, Ride Metro."

Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct staff to invite Ms. Chadwick to appear before the Board to recognize her for this achievement as well as her effort in promoting mass transit. Without objection, it was so ordered.

73. **CHRISTMAS IN APRIL** (Tape 7)

Supervisor Kauffman explained that Christmas in April is a volunteer organization that repairs the homes of low income, elderly, and disabled community members at no cost to the homeowner or the County. He asked unanimous consent that the Board direct staff to consider waiving the restriction on community and civic association landfill entrance passes to the County's I-95 Sanitary Landfill for Christmas in April's volunteer project on April 26-27, 1997. He noted that the organization has received 20 donated dumpsters from BFI and Waste Management to accommodate the debris.

Following input from Anthony H. Griffin, Acting County Executive, regarding the budget status for funding such requests, the request was so ordered.

74. **STATE CHAMPIONSHIPS FOR WEST SPRINGFIELD HIGH SCHOOL**  
(Tape 7)

On behalf of Supervisor McConnell who had laryngitis, Supervisor Dix congratulated the West Springfield High School Girls Basketball Team and Girls Swim Team for winning Virginia State Championships and moved that the Board direct staff to invite them to appear before the Board on April 28, 1997 to be recognized for their outstanding accomplishments. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

75. **TELECOMMUNICATIONS EQUIPMENT ON THE EXISTING TOWER AT THE WEST SPRINGFIELD GOVERNMENTAL CENTER** (Tape 7)

On behalf of Supervisor McConnell, Supervisor Dix explained that the Board is the fee simple owner of the West Springfield Governmental Center, Tax Map 79-3 ((4)) 32, 33, 34. American Personal Communications (APC) and Cellular One currently have telecommunications equipment on the structure. Each company is in need of additional equipment to support their respective telecommunications network. Their proposal will involve a 30 foot increase in the height of the tower which will require a Special Exception Amendment application in addition to a public facilities review by the Planning Commission. The applicants would like to submit the Special Exception Amendment application and the Public Facilities Application to begin the land use approval process. As property owner, the Board must concur in the filing of the application.

Accordingly, on behalf of Supervisor McConnell, Supervisor Dix moved that the Board concur in the filing of a Public Facility Application and the Special Exception Amendment application by APC and Cellular One for an increase in the height and for the installation of additional telecommunications equipment on the existing tower at the West Springfield Governmental Center. This motion does not relieve the applicants from complying with any applicable ordinances, regulations, or adopted standards and does not prejudice the consideration of the applications in any way. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

**CM:cm**

76. **I-2 - PURCHASE OF TRANSIT BUSES (COUNTYWIDE)** (Tape 8)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#19.)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 requesting authorization for staff to proceed with the acquisition of 10 each 30-foot transit buses at a cost of approximately \$2,300,000 which will be appropriated from the bus replacement reserve fund, Subfund 103, County Transit Services, in the Fiscal Year (FY) 1997 Third Quarter Review for this purchase.

The staff was directed administratively to proceed as proposed.

77. **REQUEST TO RECORD VOTE** (Tape 8)

Supervisor McConnell asked unanimous consent that the Board direct staff to record her as voting "AYE" on the Administrative Items. Without objection, it was so ordered.

78. **10:30 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 8)

(BACs)

(APPTs)

**DEFERRAL OF APPOINTMENTS TO THE EROSION AND SEDIMENT CONTROL REVIEW BOARD**

Chairman Hanley announced that she received a letter from staff requesting deferral of appointments to the Erosion and Sediment Control Review Board because they are preparing a Board Item recommending that this Board disband.

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

Supervisor Kauffman moved the reappointment of Ms. Gloria Haher as the Lee District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Hyland and carried unanimous vote.

**ATHLETIC COUNCIL**

Supervisor Mendelsohn moved the reappointment of Ms. Doris Leadbetter as the Dranesville District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Dix and carried unanimous vote.

Supervisor Connolly announced the resignation of Mr. Paul G. Best, Providence District (Principal) Representative to the Athletic Council and moved the appointment of Ms. Cindy Aserkoff the Alternate Representative, to fill his unexpired term. This motion was seconded by Supervisor Bulova and carried unanimous vote.

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

**AIRPORTS ADVISORY COMMITTEE**

Supervisor Frey moved the appointment of Mr. Cedric DuBard to fill the unexpired term of Mr. John Henderson as the Sully District Representative to the Airports Advisory Committee. This motion was seconded by Supervisor Dix and carried unanimous vote.

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

**BOARD OF BUILDING CODE APPEALS**



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

#### **COMMUNITY ACTION ADVISORY COMMITTEE**

(NOTE: The appointments of the Lee and Sully District Representatives to the Community Action Advisory Committee were deferred.)

#### **COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

[NOTE: The appointment of the Mason District (Bailey's Conservation Area) Representative to the Community Development Advisory Committee was deferred.]

#### **COMMUNITY IMPROVEMENT COMMITTEE**

Supervisor Hyland moved the appointment of Mr. Robert A. Smolinski to fill the unexpired term of Mr. Monty Westmeyer as the Mount Vernon District Representative to the Community Improvement Committee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: The appointments of the Lee and the Springfield District Representatives to the Community Improvement Committee were deferred.)

#### **CRIMINAL JUSTICE ADVISORY BOARD**

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

#### **ECONOMIC DEVELOPMENT AUTHORITY**

Chairman Hanley moved the appointment of Mr. Gregory W. Berry to fill the unexpired term of Mr. F.B. Walker as an At-Large Representative to the Economic Development Authority. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

#### **ENGINEERING STANDARDS REVIEW COMMITTEE**

[NOTE: The appointments of the two At-Large (Citizen) Representatives to the Engineering Standards Review Committee were deferred.]

#### **ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

(NOTE: The appointments of the At-Large and the Sully District Representatives to the Environmental Quality Advisory Council were deferred.)

#### **EROSION AND SEDIMENT CONTROL REVIEW BOARD**

(NOTE: Earlier in the meeting, Chairman Hanley announced that appointments to the Erosion and Sediment Control Review Board would be deferred. See page 29.)

**FAIRFAX AREA DISABILITY SERVICES BOARD**

[NOTE: The appointments of the At-Large (Business Community) and the Springfield District Representatives to the Fairfax Area Disability Services Board were deferred.]

**FAXFAIR CORPORATION BOARD**

Chairman Hanley moved the appointment of Ms. Vylen (Win) P. Dinh as an At-Large Representative to the Faxfair Corporation Board. This motion was seconded by Supervisor Gross and carried by unanimous vote.

(NOTE: The appointment of one At-Large Representative to the Faxfair Corporation Board was deferred.)

**HISTORY COMMISSION**

Supervisor Mendelsohn moved the appointment of Ms. Karen Washburn as an At-Large (Historian) Representative to the History Commission. This motion was seconded by Supervisor Frey and carried by unanimous vote.

**INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**

Supervisor Dix moved the appointment of Ms. Kathy Clark as the Hunter Mill District Representative to the Information Technology Policy Advisory Committee. This motion was seconded by Chairman Hanley and carried by unanimous vote.

Supervisor Kauffman moved the appointment of Ms. Emily McCoy as the Lee District Representative to the Information Technology Policy Advisory Committee. This motion was seconded by Supervisor Gross and carried by unanimous vote.

Supervisor Dix, on behalf of Supervisor McConnell, moved the appointment of Mr. Kenneth E. Kittock as the Springfield District Representative to the Information Technology Policy Advisory Committee. This motion was seconded by Supervisor Frey and carried by unanimous vote.

(NOTE: The appointments of the Mount Vernon and the Sully District Representatives to the Information Technology Policy Advisory Committee were deferred.)

**CONFIRMATION:**

Supervisor Connolly moved that the Board confirm the following appointment to the Information Technology Policy Advisory Committee:

- Mr. Glenn A. Stroup as the Fairfax County Federation of Citizens Associations Representative.

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

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to telephone the Fairfax County Chamber of Commerce, the Northern Virginia Technology Council, and the School Board for nominees to the Information Technology Policy Advisory Committee. Without objection, it was so ordered.

**MECHANICAL ADVISORY (HVAC) BOARD**

[NOTE: The appointments of the three At-Large (Master Mechanic) Representatives to the Mechanical Advisory Board were deferred.]

**REDEVELOPMENT AND HOUSING AUTHORITY**

Chairman Hanley moved the appointment of Mr. Conrad Egan as the At-Large Representative to the Redevelopment and Housing Authority. This motion was seconded by Supervisor Connolly.

Following discussion, the question was called on the motion which **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn abstaining.

Supervisor Dix moved the reappointment of Mr. Bill Cramer as the Hunter Mill District Representative to the Redevelopment and Housing Authority. This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

(NOTE: The appointment of the Mount Vernon District Representative to the Redevelopment and Housing Authority was deferred.)

**SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION**

(NOTE: The appointments of the Braddock and the Sully District Representatives to the Small and Minority Business Enterprise Program Advisory Commission were deferred.)

**TENANT LANDLORD COMMISSION**

Supervisor Gross moved the reappointment of Mr. Robert Pescott as an At-Large (Tenant) Representative to the Tenant Landlord Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**TREE COMMISSION**

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

**YOUTH VIOLENCE STEERING COMMITTEE**

(NOTE: The appointments of the Mason and the Providence District Representatives to the Youth Violence Steering Committee were deferred.)

**ADDITIONAL APPOINTMENTS****ECONOMIC ADVISORY COMMITTEE**

Supervisor Connolly moved that the following individuals be added to the membership of the Economic Advisory Commission:

- Ms. Helen Ackerman, George Mason University;
- Mr. Melvin Chas, Vanguard Research;
- Mr. Chuck Gerard, Economic Data Systems;
- Mr. Jim Hughes, INOVA;
- Mr. Kirk Wrigley, 4A Systems; and
- Ms. April Young, Potomac Knowledgeway.

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

NV:nv

**ADDITIONAL BOARD MATTER**79. **MAPS IN BOARD CONFERENCE ROOM** (Tape 8)

Supervisor Frey announced that staff had displayed large maps in the Board Conference Room pertaining to the Dulles Airport noise contour issue.

(NOTE: Later in the meeting, the Board held a public hearing on this issue. See Clerk's Summary Item CL#102.)

80. **RECESS/EXECUTIVE SESSION** (Tape 8)

At 1:05 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda, and in addition:

- *Rita Warren versus Fairfax County*, Civil Action Number 96-119-A (E.D. VA.);
- *In re Bahman Batmanghelidj, et al.*, Case Number 96-14279-AM (Chapter 11);
- Criminal Justice Academy - Contract Number CN76154; and
- Award of Contract for Staffing and Operation of the Fire and Rescue Department Occupational Health Center.

This motion was seconded by Supervisor Bulova.

Following a query from Supervisor Dix, the question was called on the motion which carried by unanimous vote.

Chairman Hanley announced that the Board would proceed to lunch and convene Executive Session at 1:50 p.m.

**AR:ar**

At 4:00 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

**ACTION FROM EXECUTIVE SESSION**81. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 9)

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 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."

(NOTE: Later in the meeting, there was an additional action from Executive Session. See Clerk's Summary Item CL#84.)

82. **I-6 - AWARD OF CONTRACT FOR THE STAFFING AND OPERATION OF**

**THE FIRE AND RESCUE DEPARTMENT OCCUPATIONAL HEALTH CENTER** (Tape 9)

(NOTE: Earlier in the meeting, this item was deferred until after Executive Session. See Clerk's Summary Item CL#23.)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 requesting authorization for staff to award a contract for the Occupational Health Center to Hunter Medical, Incorporated, for a total amount of \$665,901 for the first year of service; \$751,215 for the second year of service; and \$773,753 for the third year of service. The increases in years two and three include workload increases for the inclusion of volunteers and contractual inflationary adjustments.

The staff was directed administratively to proceed as proposed.

83. **I-7 - CONTRACT AWARD - PUBLIC SAFETY FACILITY - PHASE II (SULLY DISTRICT)** (Tape 9)

(NOTE: Earlier in the meeting, this item was deferred until after Executive Session. See Clerk's Summary Item CL#24.)

The Board next considered an item contained in the Memorandum to the Board dated March 24, 1997 requesting authorization for staff to award a contract to V. F. Pavone Construction Company in the lump sum amount of \$6,386,800 for construction of Phase II of the Public Safety Facility, Project 009102, Subfund 476, Public Safety Construction.

The staff was directed administratively to proceed as proposed.

**ADDITIONAL ACTION FROM EXECUTIVE SESSION**

84. **AUTHORIZATION FOR SETTLEMENT OF RICHARD D. FERRIS, ET AL. VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBERS 131721 AND 156926, AND SUN NLF VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 157892** (Tape 9)

(NOTE: Earlier in the meeting, there was action from Executive Session. See Clerk's Summary Item CL#81.)

Supervisor Dix moved that the Board authorize the settlement of *Richard D. Ferris, et al. versus Board of Supervisors of Fairfax County, Virginia*, At Law Numbers 131721 and 156926, and *Sun NLF versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 157892, 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.

**AM:am**

85. **3:30 P.M. - PH ON REZONING APPLICATION RZ 96-P-009 (HUNTING RIDGE ASSOCIATES, L.L.C.) (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing on the Rezoning Application RZ 96-P-009 until **May 12, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor McConnell being out of the room.

86. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PDH AND PDC DISTRICT RECREATIONAL FACILITIES** (Tape 10)

- (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 March 3 and March 10, 1997.

Following the public hearing, which included testimony by two speakers, and discussion, with input by Karen Harwood, Assistant County Attorney, Supervisor Frey moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding PDH and PDC District recreational facilities with the following modifications:

- Fees for rezoning applications approved between March 25, 1997 and March 24, 1998 will be \$500; and
- Fees for rezoning applications approved after March 24, 1998 will be \$955.

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

Supervisor Frey moved that the amendment shall have an effective date of **March 25, 1997 12:01 a.m.**, and that the following shall be grandfathered with modifications:

- Rezonings for the PDH Districts and PDC Districts containing a residential component approved prior to the effective date of this amendment shall be grandfathered from the requirements of this

amendment. However, Proffered Conditions Amendments (PCA) which proposed to add dwelling units shall be subject to the requirements of the amendment for the additional density.

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

87. **3:30 P.M. - PH TO OBTAIN CITIZEN INPUT REGARDING THE PROPOSED USE OF FUNDS RECEIVED BY THE POLICE DEPARTMENT UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM** (Tape 10)

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 March 13 and March 20, 1997.

The public hearing was held.

88. **4:00 P.M. - PH ON REZONING APPLICATION RZ 96-Y-030 (LEES CORNER, L.L.C.) (SULLY DISTRICT)** (Tape 10)

- (O) Mr. Sterling W. Montague reaffirmed the validity of the affidavit for the record.

Mr. Montague 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.

Following the public hearing, which included testimony by one speaker, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-Y-030 be amended from the R-1 District to the PDH-4 District subject to the execution of the proffers dated March 21, 1997; the Planning Commission having previously approved Final Development Plan Application FDP 96-Y-030 on February 24, 1997. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Supervisor Kauffman voting "AYE," Chairman Hanley abstaining, Supervisor McConnell and Supervisor Mendelsohn being out of the room.



89. **4:00 P.M. - PH ON REZONING APPLICATION RZ 96-H-010 (J.A. LOVELESS HOMES V, INCORPORATED) (HUNTER MILL DISTRICT)** (Tapes 10-11)

(O) Ms. Susan Yantis reaffirmed the validity of the affidavit for the record.

Ms. Yantis had filed the necessary notices showing that at least 25 adjacent and/or interested parties 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 four speakers, Gregg Russ, 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 96-H-010 be amended from the R-1 and I-5 Districts to the R-12 District subject to the execution of the proffers dated March 21, 1997 and contingent upon the applicant's payment of funds required by State law, the amount of which the applicant has been advised, and in accordance with the Board's formula and procedures regarding the rezoning of commercial and industrial zoned land to residential use within the Route 28 Tax District;
- The Board set the effective date of this rezoning application to be April 10, 1997 with payment to be received at least 10 days prior to the effective date in accordance with the Board's adopted procedures. If payment is not made as and when required by the Board's formula and procedures the change in zoning classification shall not become effective and the Ordinance providing such change shall be void;
- Waiver of the 600-foot maximum private street length requirement; and
- Waiver of the transitional screening requirement and barrier requirement along the eastern side of the site, and a waiver of the barrier requirement and modification of the transitional screening requirement along the western and southwestern sides of the site.

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

90. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION**

**SEA 86-L-008-2 (CHRISTIAN CENTER SCHOOL, INCORPORATED AND CHRISTIAN CENTER MINISTRIES) (LEE DISTRICT)** (Tape 11)

Mr. James F. Morgans reaffirmed the validity of the affidavit for the record.

Mr. Morgans 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.

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

Supervisor Kauffman moved:

- Approval of Special Exception Amendment Application SEA 86-L-008-2 subject to the development conditions dated March 10, 1997;
- Waiver of the barrier requirements on the northern boundary of parcel 66 and the western boundary of parcel three;
- Modification of the transitional screening requirements along the boundaries of parcel 66; and.
- Waiver of the transitional screening requirements along the boundaries of parcel three.

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

SBE:sbe

91. **4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF SANGER STREET (MOUNT VERNON DISTRICT)** (Tape 12)

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 March 7 and March 14, 1997.

Following discussion, Supervisor Hyland moved to defer the public hearing on the acquisition of certain land rights necessary for the construction of Sanger Street until later in the day. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Kauffman, and Supervisor McConnell being out of the room.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#104.)

92. **4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN SANITARY SEWER EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE FORT HUNT ROAD SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (MOUNT VERNON DISTRICT)** (Tape 12)

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 February 6 and February 13, 1997.

The public hearing, which included testimony by 14 speakers, was held and no action was taken.

93. **4:00 P.M. - PH ON THE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84.1 (PUBLIC TRANSPORTATION) TO UPDATE AND REVISE PUBLIC CONVENIENCE AND NECESSITY REQUIREMENTS AND OTHER ADMINISTRATIVE CHANGES** (Tapes 12-13)

- (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 February 27 and March 6, 1997.

Following discussion, with input from Ronald B. Mallard, Director, Department of Consumer Affairs, Supervisor Gross asked unanimous consent that the Board direct staff to label charts presented to the Board with the names of staff and/or agencies that prepared them. Without objection, it was so ordered.

Following the public hearing, which included testimony by four speakers, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 84.1 (Public Transportation) to update and revise public convenience and necessity requirements and other administrative changes and to:

- Remove the burden of proof of demand for taxicabs from the applicant to the County;
- Change the annual application window to March 1 - March 30;

- Effective January 1, 2000, make at least two percent of all taxicabs in a certificate operator's fleet to be handicapped accessible; and
- Increase the applicable fees for licensing vehicles, operators/owners and drivers to recover 50 percent of the administrative costs of the program.

This motion was seconded by Supervisor Hyland.

Supervisor Dix referred to a handout entitled "Notable Changes to Chapter 84.1, Aggregate Taxicab Fees," and moved to amend the motion on the 50% line that the Company Certificate Application be revised to increase to \$100, not \$150, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide, following review with the Consumer Protection Commission, information on the following:

- The outcome for the process this year; and
- The issue of handicapped accessible cabs, providing choices and recommendations to the Board as to the following:
  - Consideration of implementation of the Arlington approach, which is the additional certificates;
  - Consideration of the year 2000 forward or some other combination, such as working with the Industry to determine if they can promote additional cabs; and
  - Stating the number of accessible cabs needed and having bids to encourage that in the opening process.

Supervisor Gross asked to amend the request to direct staff to utilize the Disabilities Services Board as a resource to work in conjunction with the Consumer Protection Commission. Without objection, the request, as amended, was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

94. **4:30 P.M. - BOARD DECISION ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE JAMES LEE PHASE IV PUBLIC IMPROVEMENTS PROJECT (PROVIDENCE DISTRICT)**  
(Tape 13)

- (R) (NOTE: On January 6, 1997, the Board held the public hearing on this item and deferred its decision until February 24, 1997. On February 24, 1997 the Board deferred decision until March 24, 1997.)

Supervisor Connolly moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project 003910 - James Lee Phase IV Public Improvements with the contingency that staff will delay the filing of any quick-take certificates until April 28, 1997. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova and Supervisor McConnell being out of the room.

95. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 95-Y-008 (WESTBROOK RESIDENTIAL INVESTMENT L.L.C.) (SULLY DISTRICT)** (Tape 13)

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

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

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

Supervisor Frey moved:

- Approval of Proffered Condition Amendment Application PCA 95-Y-008 subject to the executed proffers contained in Appendix One; and
- Reaffirmation of the Board's previous approval of a modification of the transitional screening and barrier requirements along the eastern boundary as shown on the Final Development Plan Amendment (FDPA) Application.

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

96. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION  
PCA 93-V-028 (BANK OF ALEXANDRIA) (MOUNT VERNON DISTRICT)**  
(Tape 13)

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

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

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

- In an amount less than \$200 from Mr. John W. Farrell.
- In the amount of \$50 from Curry Development; and
- In the amount of \$100 from Curry Development.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Gross, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Hyland moved:

- Approval of Proffered Condition Amendment Application PCA 93-V-028 subject to the executed proffers dated January 24, 1997;
- Reaffirmation of the waiver of the service drive along Route One;
- Modification of the transitional screening requirement along the north and along Route One and waiver of the barrier along Route One as shown on the Generalized Development Plan (GDP); and
- Waiver of the trail requirement along Route One in favor of a five foot wide sidewalk as shown on the GDP.

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

97. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION  
PCA 92-V-032 AND SPECIAL EXCEPTION APPLICATION SE 96-V-045  
(STARR MANAGEMENT CORPORATION) (MOUNT VERNON DISTRICT)**  
(Tape 13)

Mr. John W. Farrell reaffirmed the validity of the affidavit for the record.

Mr. Farrell 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.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Connolly, Supervisor Gross, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Hyland moved:

- Approval of Proffered Condition Amendment Application PCA 92-V-032 subject to the executed proffers dated March 21, 1997;
- Approval of Special Exception Application SE 96-V-045 subject to the development conditions dated March 24, 1997;
- Modification of Additional Standards for Commercial Off-Street Parking in Metro Station Areas as a Temporary Use to allow the number of temporary off-street parking spaces in the vicinity of the Huntington Metro Station to exceed the difference between the ultimate number of Metro Station parking spaces planned for the Station and the number existing at the time the application is filed; and
- Modification of the transitional screening and waiver of the barrier requirements subject to the development conditions dated March 24, 1997.

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

98. **4:30 P.M. - PH ON REZONING APPLICATIONS RZ 1996-PR-039, RZ 1996-PR-038, RZ 95-P-039 AND SPECIAL EXCEPTION APPLICATIONS SE 96-P-049 AND SE 96-P-048 (GREENSTAR II LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tapes 13-14)

(O) Ms. Susan K. Yantis reaffirmed the validity of the affidavit for the record.

Ms. Yantis had filed the necessary notices showing that at least 25 adjacent and/or interested parties 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 two speakers, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Connolly asked unanimous consent that the Board direct staff to keep the record open for additional citizen association letters. Without objection, it was so ordered.

Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-P-039 be amended from the I-3 and C-4 Districts to the PDH-30 District and the Conceptual Development Plan subject to the execution of the proffers dated March 13, 1997. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Acting-Chairman Dix voting "AYE," Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved waiver of the 600-foot minimum length requirement for private streets. This motion was seconded by Supervisor Gross and carried by a vote six, Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved modification of the 200 foot minimum distance required between the residential dwellings in Land Bay A and the right-of-way of Interstate 495. This motion was seconded by Supervisor Mendelsohn and carried by a vote of six, Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved approval of a waiver of the 200 square foot privacy yard for single family attached units. This motion was seconded by Supervisor Mendelsohn and carried by a vote of six, Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved approval of Special Exception Application SE 96-P-049 subject to the development conditions and recommendations by the Planning Commission dated March 20, 1997. This motion was seconded by Supervisor Mendelsohn and carried by a vote of six, Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved waiver of the 600-foot minimum length requirement for private streets. This motion was seconded by Supervisor Gross and carried by a vote of six, Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.



Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1996-PR-039 be amended from the C-4 District to the C-4 District subject to the execution of the proffers dated March 13, 1997. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Acting-Chairman Dix voting "AYE," Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved approval of Special Exception Application SE 96-P-048 subject to the development conditions dated March 20, 1997. This motion was seconded by Supervisor Gross and carried by a vote of six, Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved modification of the transitional screening requirement and waiver of the barrier requirement to that shown on the GDP/SE Plan along the boundaries of the office/hotel buildings and the residential buildings. This motion was seconded by Acting-Chairman Dix, and carried by a vote of six, Supervisor Bulova, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Connolly moved to:

- Deny the amendment to the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1996-PR-038 from the C-4 District to the R-20 District; and
- Amend the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1996-PR-038 from the C-4 to the R-16 District, subject to the execution of the proffers dated March 13, 1997.

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

Supervisor Connolly moved:

- Waiver of the minimum district size for the R-16 District; and
- Waiver of the 600 foot limitation on the length of private streets.

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

Supervisor Connolly moved that the Board direct:

- The Park Authority to designate the proffered funds for the purchase of bleachers and possibly the installation of lights at Luther Jackson ball fields; and
- Staff to coordinate any expenditure of the proffered funds with the Providence District Representative to the Park Authority.

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

99. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA A-936 AND DEVELOPMENT PLAN AMENDMENT DPA A-936-3(HUNTERS WOODS VILLAGE CENTER, L.L.C.) (HUNTER MILL DISTRICT)** (Tape 14)

Mr. Carlos M. Montenegro reaffirmed the validity of the affidavit for the record.

Mr. Montenegro 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.

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

- In excess of \$200 from Mr. Carlos M. Montenegro.

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

- In excess of \$200 from Mr. David A. Ross;
- In excess of \$200 from Mr. Charles K. Nulson, III;
- In excess of \$200 from Mr. Stanley N. Barg; and
- In excess of \$200 from Mr. Carlos M. Montenegro.

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

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA A-936 subject to the executed proffers dated February 25, 1997. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Connolly, Supervisor Kauffman, and Supervisor McConnell being out of the room.

Supervisor Dix moved:

- Approval of Development Plan Amendment Application DPA A-36-3 subject to the proposed development conditions dated March 21, 1997;
- Waiver of the 200-square foot minimum privacy yard requirement for townhomes;
- Modification of the interior parking lot landscaping requirement with the Transcontinental Gas pipeline easement to that shown on the DPA Plat; and
- Modification of the transitional screening requirements and a waiver of the barrier requirements along a portion of the southern and western periphery and between the retail portion of the site and townhouse portion of the site as that reflected on the DPA and subject to the proposed development conditions dated March 21, 1997.

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

100. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT/DEVELOPMENT PLAN AMENDMENT APPLICATIONS PCA/DPA 84-C-117 (WESTERRA RESTON, L.L.C.) (HUNTER MILL DISTRICT)** (Tapes 14-15)

Mr. John J. Bellaschi reaffirmed the validity of the affidavit for the record.

Mr. Bellaschi 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.

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

- In excess of \$200 from Mr. James C. Cleveland.

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

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA 84-C-117 subject to the executed proffers dated March 12, 1997. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Dix moved approval of Development Plan Amendment Application DPA 84-C-117 subject to the revised development conditions dated March 21, 1997. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Dix moved:

- Waiver of the barrier requirement and a modification of the transitional screening requirement along the western property boundary to that shown on the development plan; and
- Waiver of the 600-foot limitation on the maximum length of private streets.

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

#### **ADDITIONAL BOARD MATTER**

101. **WESTERRA RESTON, THE ORGANIZATION THAT ACQUIRED RESTON LAND, ANNOUNCES ITS PARTNERSHIP WITH BOSTON PROPERTIES**  
(Tape 15)

Supervisor Dix stated that Westerra Reston, which is the organization that acquired Reston Land, has announced today its partnership with Boston Properties to construct the first office building of Phase II at Reston Towne Center. KCF SHG, a renowned Washington, D. C. Architect, is designing the 18 story 400,000 square foot office tower on Market Street in Reston.

102. **5:00 P.M. - PH ON PROPOSED OUT-OF-TURN COMPREHENSIVE PLAN AMENDMENT AND PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING AIRPORT NOISE IMPACT OVERLAY DISTRICT AND UPDATED NOISE AND LAND USE COMPATIBILITY GUIDANCE IN THE DULLES AIRPORT NOISE IMPACT AREA (COUNTYWIDE) AND REZONING APPLICATION RZ 1996-CW-041 (BOARD OF SUPERVISORS' OWN MOTION) (HUNTER MILL AND SULLY 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 March 7 and March 14, 1997.

Following the public hearing, which included testimony by nine speakers, Supervisor Frey moved to adopt Comprehensive Plan Amendment S96-CW-4CP as set forth in the Plan Amendment and Zoning Ordinance Amendment staff report dated February 3, 1997,

with the modifications recommended by the Planning Commission on March 20, 1997. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor McConnell being out of the room.

Supervisor Frey moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1996-CW-041 be amended as set forth in the rezoning Staff Report dated February 3, 1997; and
- Adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding the Airport Noise Impact Overlay District and related provisions as set forth in the Plan Amendment and Zoning Ordinance Amendment staff report dated February 3, 1997, with an effective date of March 25, 1997 at 12:01 a.m.

This motion was seconded by Supervisor Mendelsohn.

Supervisor Connolly moved a substitute motion to defer action on these matters until the next Board Meeting on April 7, 1997. This motion was seconded by Supervisor Bulova.

Supervisor Frey withdrew his motion and the substitute motion became the main motion.

The question was called on the motion, as substituted, which carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

#### **ADDITIONAL BOARD MATTER**

103. **APPOINTMENT TO THE FAXFAIR CORPORATION BOARD** (Tape 16)

(APPT)

Chairman Hanley moved the appointment of Ms. Tae K. Kim as an At-Large Representative to the Faxfair Corporation Board. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

104. **4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF SANGER STREET (MOUNT VERNON DISTRICT)** (Tape 16)

Supervisor Kauffman, on behalf of Supervisor Hyland, moved to defer the public hearing on the acquisition of certain land rights necessary for the Construction of Sanger Street until **April 7, 1997 at 4:30 p.m.** This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the

room.

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

At 10:00 p.m., the Board adjourned.