



# **CLERK'S BOARD SUMMARY**

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

**MONDAY  
JULY 26, 1999**

*This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.co.fairfax.va.us/gov/bos/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 703-324-3903 (TTY).*

---

**17-99**

---

**CM:cm**

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

Others present were Robert J. O'Neill, Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, 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** (Tape 1)

Supervisor Gross asked Members to remember in their thoughts and prayers the family of Mr. Ed Smith, who died suddenly last week. Mr. Smith was the former Chairman of the Mason District Citizen Advisory Committee to the Police Department and founder of the Skyline Neighborhood Watch.

3. **INTRODUCTION OF MS. SARA MARISKA** (Tape 1)

Supervisor Bulova introduced Sara Mariska, a Summer Intern in her office, and warmly welcomed Ms. Mariska to the Board Auditorium. She is a graduate of Robinson Secondary School and will be attending the University of Virginia in the Fall.

4. **INTRODUCTION OF MR. KINGSFORD AGBEMBLE** (Tape 1)

Supervisor Bulova introduced Kingsford Agbemble, also a graduate of Robinson Secondary School, who is now a staff member working in the Braddock District Supervisor's office and warmly welcomed him to the Board Auditorium.

**AGENDA ITEMS**

5. **CERTIFICATE OF RECOGNITION PRESENTED TO SENATOR JOSEPH GARTLAN** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Senator Joseph Gartlan for his years of public service in the Virginia Senate. Supervisor Dix seconded the motion and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION TO RECOGNIZE THE EFFORTS OF THE EARTH DAY/ARBOR DAY GROUPS AND SPONSORS** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition to recognize the efforts of the Earth Day/Arbor Day groups and sponsors. Supervisor Connolly seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION DESIGNATING AUGUST 3, 1999, AS "NATIONAL NIGHT OUT" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Frey moved approval of the Proclamation, designating August 3, 1999, as "**National Night Out**" in Fairfax County. Supervisor Gross seconded the motion and it carried by unanimous vote.

**ADDITIONAL BOARD MATTER**

8. **REQUEST TO INVITE THE FAMILY OF THE LATE MS. MARTA WYATT TO APPEAR BEFORE THE BOARD** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to invite the family of the late Ms. Marta Wyatt to appear before the Board at the August 2, 1999, meeting to receive recognition in honor of her service to Fairfax County. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**AGENDA ITEMS**

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. VICTOR PRICE** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to the Mr. Victor Price for being selected the National 1999 Little League Volunteer

of the Year. Chairman Hanley seconded the motion and it carried by unanimous vote.

10. **CERTIFICATE OF RECOGNITION PRESENTED TO THE RESTON ASSOCIATION** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to the Reston Association for its efforts in Reston's being designated a Tree City USA. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

11. **RESOLUTION TO RECOGNIZE HERNDON POLICE CHIEF GEORGE KRANDA** (Tape 1)

Supervisor Mendelsohn moved adoption of the Resolution to recognize Herndon Police Chief George Kranda for his years of service to the Town of Herndon and to Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

12. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. EUGENE SCHAEFFER** (Tapes 1-2)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. Eugene Schaeffer for his generous and thoughtful actions on behalf of the Public Library System. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

13. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 2)

(BACs) **AIRPORTS ADVISORY COMMITTEE**  
(APPTS)

(NOTE: The appointments of the Braddock, Dranesville, Lee, and Springfield District Representatives to the Airports Advisory Committee were deferred.)

**ATHLETIC COUNCIL**

Supervisor Gross moved the appointment of Ms. Barbara R. Lowrey as the Mason District (Principal) Representative to the Athletic Council. Supervisor Connolly seconded the motion and it carried by unanimous vote.

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

**CONFIRMATIONS**

Supervisor Mendelsohn moved that the Board confirm the following appointments to the Athletic Council:

- Vice-Mayor Richard C. Thoesen as the Town of Herndon (Principal) Representative
- Mr. Dennis Baughan as the Town of Herndon (Alternate) Representative

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

**COMMISSION ON AGING**

Supervisor Mendelsohn moved the appointment of Ms. Janet L. Kuhn as the Dranesville District Representative to the Commission on Aging. Supervisor Gross seconded the motion and it carried by unanimous vote.

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION**

Supervisor Frey moved the reappointment of Ms. Patricia J. Beck as the Sully District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor McConnell seconded the motion and it carried by unanimous vote.

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

**COMMUNITY IMPROVEMENT COMMITTEE**

Supervisor Kauffman moved the reappointment of Mr. Vernon Moore as the Lee District Representative to the Community Improvement Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved the appointment of Ms. Marilyn Dee as the Mount Vernon (Mount Zephyr Area) Representative to the Community Improvement Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

[NOTE: The appointments of the Braddock, Dranesville, Mason (Fairdale Community), Springfield, and Sully 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.)

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

(NOTE: The appointment of the Sully District Representative to the Environmental Quality Advisory Council was deferred.)

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

The Board briefly discussed the public notice requirements for nominees to the Fairfax-Falls Church Community Services Board, with input from David P. Bobzien, County Attorney.

(NOTE: The appointments of the Dranesville and Springfield District Representatives to the Fairfax-Falls Church Community Services Board were deferred.)

**HUMAN SERVICES COUNCIL**

Supervisor Gross moved the appointment of Mr. Miguel R. Rovira as the Mason District Representative to the Human Services Council. Supervisor Connolly seconded the motion and it carried by unanimous vote.

(NOTE: The appointments of the Lee and Providence District Representatives to the Human Services Council were deferred.)

**JUVENILE COURT CITIZEN ADVISORY COUNCIL**

Supervisor Hyland moved the appointment of Mr. Frederick M. Joyce as the Mount Vernon District Representative to the Juvenile Court Citizen Advisory Council. Supervisor Bulova seconded the motion and it carried by unanimous vote.

**ROAD VIEWERS BOARD**

(NOTE: The appointments of the two At-Large Representatives to the Road Viewers Board were deferred.)

**TELECOMMUNICATIONS LAND USE REGULATIONS TASK FORCE**

(NOTE: The appointment of the Hunter Mill District Representative to the Telecommunications Land Use Regulations Task Force was deferred.)

**TREE COMMISSION**

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

**AD-HOC****ANIMAL CARE AND CONTROL COMMITTEE**

(NOTE: The appointment of the At-Large Representative to the Animal Care and Control Committee was deferred.)

**ADDITIONAL BOARD MATTER**14. **VACANCIES DUE TO DISCLOSURE REQUIREMENT** (Tape 2)

(BACs) Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to revise the appointment letters to highlight the importance of the disclosure requirement. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**AM:am**15. **ADMINISTRATIVE ITEMS** (Tape 3)

Supervisor Connolly moved approval of the Administrative Items. Supervisor Bulova seconded the motion.

Supervisor Dix asked to amend the motion to consider separately Administrative Item 4 - Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of the Presidents Park Complex (Hunter Mill District), and this was accepted.

Supervisor Kauffman and Supervisor McConnell asked to amend the motion to consider separately Administrative Item 5 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 109 (Solid Waste), and this was accepted.

Supervisor Kauffman asked to amend the motion to consider separately Administrative Item 7 - Authorization to Advertise Public Hearings on a Proposed Amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Places of Worship, and this was accepted.

There was a brief discussion on Administrative Item 3 - Agreements with the Virginia Department of Transportation and American Legion #176 for Commuter Parking (Lee District).

There was a brief discussion on Administrative Item 6 - Supplemental Appropriation Resolution AS 00016 to Operate the Springfield Mall Transit Store (Lee, Springfield, and Mount Vernon Districts).

The question was called on the motion, as amended, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey,

Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADMIN 1 – EXTENSION OF REVIEW PERIOD FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS**

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

- ⊘ Application FS-H99-13 until October 1, 1999
- ⊘ Application FS-H99-14 until October 7, 1999
- ⊘ Application FS-Y99-15 until October 16, 1999
- ⊘ Application 2232-M99-6 until October 24, 1999
- ⊘ Application FS-S99-16 until October 29, 1999
- ⊘ Applications FS-H99-17 and FS-L99-18 until November 4, 1999
- ⊘ Application FS-Y99-19 until November 6, 1999
- ⊘ Application 2232-S99-8 until February 2, 2000
- ⊘ Applications FS-V97-24, FS-L97-24 and FS-L98-1 until February 3, 2000
- ⊘ Application 2232-Y99-7 until February 7, 2000
- ⊘ Application 2232-H99-9 until February 13, 2000

Extension of the review periods for specific Public Facility 2232 Review applications are to ensure compliance with the review requirements mandated by Section 15.2-2232 of the *Code of Virginia*.

**ADMIN 2 – INSTALLATION OF "NO PARKING" SIGNS ON CARRHILL ROAD FROM ITS TERMINUS TO CARRHILL COURT (HUNTER MILL DISTRICT)**

- (R) ⊘ Adopted the Resolution restricting parking along Carrhill Road from its northern terminus to Carrhill Court.
- ⊘ Directed staff to install these signs at the earliest possible date.

**ADMIN 3 – AGREEMENTS WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND AMERICAN LEGION #176 FOR COMMUTER PARKING (LEE DISTRICT)**

(NOTE: Earlier in the meeting there was discussion of this item. See page six.)

- ⊞ Approved in substantial form the agreements to provide additional parking for commuters at the American Legion during construction of the Springfield Interchange project, which will continue for a number of years.
- ⊞ Authorized the Director of Transportation to execute both agreements.

**ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE PRESIDENTS PARK COMPLEX (HUNTER MILL DISTRICT)**

(NOTE: Later in the meeting action was taken regarding this item. See Clerk's Summary Item CL#16.)

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 109 (SOLID WASTE) (COUNTYWIDE)**

(NOTE: Later in the meeting action was taken regarding this item. See Clerk's Summary Item CL#17.)

**ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 00016 TO OPERATE THE SPRINGFIELD MALL TRANSIT STORE (LEE, SPRINGFIELD, AND MOUNT VERNON DISTRICTS)**

(SAR) (NOTE: Earlier in the meeting the Board discussed this item. See page 6.)

- ⊞ Approved SAR AS 00016 in the amount of \$120,000. These grant funds are provided by the Virginia Department of Rail and Public Transportation (VDRPT). This grant will be used to support the management and operation of the Springfield Mall Transit Store via the County's current contractor who is responsible for operating three other transit stores in the Dulles Corridor.
- ⊞ Authorized the Director of the Department of Transportation to execute a contract with VDRPT to implement this grant.



(NOTE: Later in the meeting the Board discussed the Springfield Mall shuttle service. See Clerk's Summary Item CL#72.)

**ADMIN 7 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PLACES OF WORSHIP**

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#18.)

16. **ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE PRESIDENTS PARK COMPLEX (HUNTER MILL DISTRICT)** (Tape 3)

Supervisor Dix moved to defer this item until August 2, 1999. Supervisor Mendelsohn seconded the motion and it carried by unanimous vote.

17. **ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 109 (SOLID WASTE) (COUNTYWIDE)** (Tape 3)

- (A) Supervisor Hyland moved that the Board authorize the advertisement of a public hearing to be held before the Board on **September 13, 1999, at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 109 (Solid Waste) based upon changing local requirements, revised State code numbering, and general editorial change. Supervisor Connolly seconded the motion.

A discussion ensued, with input from David P. Bobzien, County Attorney; Richard J. Gozikowski, Director, Office of Waste Management; and Joyce M. Doughty, Director, Solid Waste Disposal and Resource Recovery Division, Department of Public Works and Environmental Services.

Supervisor McConnell referred to page 27 of the handout distributed to Board Members and asked to amend the motion regarding the proposed advertisement to modify Chapter 109-9-2 (b) as follows:

- This section shall be enforced by uniformed County officers as set forth in Chapter 82 of this Code. The County Police Department is hereby authorized to immediately remove, or cause to be removed, any vehicle parked in violations of this section. The owner or operator of any such vehicle shall be required to pay, in addition to any fine, the reasonable charges for such removal and storage.

This was accepted.

Supervisor Connolly referred to "...reasonable charges for such removal and storage" and asked to amend the motion to delete the word reasonable, and this was accepted.

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

18. **ADMIN 7 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PLACES OF WORSHIP** (Tape 3)

- (A) Supervisor Bulova moved that the Board adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 15, 1999, and before the Board on **September 27, 1999, at 5:30 p.m.** regarding a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding places of worship. Supervisor Dix seconded the motion.

There was discussion on this item with input from Barbara A. Byron, Division Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), and Jane W. Gwinn, Zoning Administrator/Division Director, Zoning Administration Division, DPZ.

Following discussion, Supervisor Bulova referred to Attachment III of the Memorandum to the Board dated July 26, 1999, third bullet, entitled *Development Process Meetings* and asked to amend the motion to delete the words upon request from the third line, and this was accepted.

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

19. **A-1 - CONSOLIDATED COMMUNITY FUNDING ADVISORY COMMITTEE (CCFAC) REPORT ON MULTI-YEAR FUNDING AWARDS FOR THE CONSOLIDATED COMMUNITY FUNDING POOL** (Tape 3)

On motion of Supervisor Bulova, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the implementation of a two-year funding cycle for the Consolidated Community Funding Pool in accordance with the recommendation of the CCFAC.

20. **A-2 - AGREEMENT FOR THE CONSTRUCTION OF STONECROFT BOULEVARD EXTENSION (SULLY DISTRICT)** (Tape 3)

Supervisor Frey moved that the Board concur in the recommendation of staff and approve the agreement for the construction of Stonecroft Boulevard Extension to share in the construction of the roadway for acceptance into the State Secondary

System. Chairman Hanley seconded the motion.

There was discussion on this item.

21. **A-3 - APPROVAL OF SEWER CAPACITY SALES AGREEMENT AND SEWER CONNECTION AGREEMENT (MOUNT VERNON DISTRICT)**  
(Tape 3)

Following discussion, Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the Sewer Capacity Sales Agreement with the Prince William County Board of Supervisors as contained in the Memorandum to the Board dated July 26, 1999. Supervisor Connolly seconded the motion and it carried by unanimous vote.

22. **A-4 - ADOPTION OF THE PROPOSED FAIRFAX COUNTY FAIR HOUSING PLAN** (Tape 3)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and adopt the proposed Fairfax County Fair Housing Plan. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Following discussion, with input from Michael T. Cash, Executive Director, Human Rights Commission, the question was called on the motion, which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

23. **A-5 - RESOLUTION ENDORSING THE ISSUANCE OF BONDS FOR CATEGORY 3 PROJECTS OF THE NORTHERN VIRGINIA TRANSPORTATION DISTRICT (NVTD) PROGRAM (COUNTYWIDE)**  
(Tape 3)

- Bonds  
(R) Supervisor Connolly moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the issuance of bonds by the Commonwealth Transportation Board (CTB) to finance the cost of Category 3 Projects in the NVTD program. Supervisor Kauffman seconded the motion.

Following discussion, with input from Young Ho Chang, Director, Department of Transportation, the question was called on the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

24. **A-6 - PARKING REDUCTION FOR WASHINGTON DULLES AIRPORT HILTON HOTEL (SULLY DISTRICT)** (Tape 3)

On motion of Supervisor Frey, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the request for a parking reduction of 17.5 percent, or 145 spaces, of the parking required by the Zoning Ordinance in conjunction with the proposed expansion of the Washington Dulles Airport Hilton Hotel, subject to the conditions contained in the

Memorandum to the Board dated July 26, 1999.

25. **A-7 - APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS AND THE SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION (LEE AND MOUNT VERNON DISTRICTS)** (Tape 3)

On motion of Supervisor Hyland, seconded by Supervisor Kauffman, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the MOU with the Southeast Fairfax Development Corporation.

26. **A-8 - FISCAL YEAR (FY) 2000 PERFORMANCE CONTRACT BETWEEN THE VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES AND THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (Tape 3)

Supervisor Bulova moved that the Board concur in the recommendation of staff and approve the Performance Contract for FY 2000 between the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services and the CSB. Supervisor Connolly seconded the motion.

Following discussion, with input from Robert J. O'Neill, Jr. County Executive, and James A. Thur, Executive Director, CSB, the question was called on the motion and it carried by unanimous vote.

27. **C-1 - ESTABLISHMENT OF THE 2000 CENSUS COMPLETE COUNT COMMITTEE** (Tape 3)

(BACs) The Board next considered an item contained in the Memorandum to the Board dated July 26, 1999, regarding the establishment of a Complete Count Committee to promote the 2000 US Census.

Following discussion, Supervisor Connolly moved that the Board establish the Complete Count Committee to promote the 2000 US Census. Supervisor Gross seconded the motion and it carried by unanimous vote.

28. **I-1 - FAIRFAX COUNTY CHANNEL 16 NAMED BEST GOVERNMENT CABLE TV STATION IN THE COUNTRY** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 26, 1999, announcing that Fairfax County's Government Channel 16 was recently honored by the Alliance for Community Media as the best government access cable television station in the country in 1999.

Supervisor Connolly asked unanimous consent that the Board direct staff to invite Gail C. Eskew, Director, Telecommunications Productions Division, Department of

Telecommunications and Consumer Services, and her staff to appear before the Board to be recognized for this achievement. Without objection, it was so ordered.

29. **I-2 – YOUTH SPORTS SCHOLARSHIP PROGRAM** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 26, 1999, requesting authorization for staff to proceed with the implementation of the youth scholarship program as outlined in the general description contained in the Memorandum to the Board.

Following discussion, the staff was directed administratively to proceed as proposed.

30. **I-3 – CONTRACT AWARD - INTERSECTION OF ROUTE 123 (DOLLEY MADISON BOULEVARD) AND ROUTE 1907 (BALLANTRAE LANE) ROAD IMPROVEMENT (DRANESVILLE DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 26, 1999, requesting authorization for staff to award a contract to Merit Contractors, Incorporated in the amount of \$159,626.15 for the construction of Project 064169, Intersection of Route 123 (Dolley Madison Boulevard) and Route 1907 (Ballantrae Lane) Road Improvement, in Fund 304, Primary and Secondary Road Bond Construction.

The staff was directed administratively to proceed as proposed.

31. **I-4 – CHANGES IN CREDIT CARD TAX PAYMENTS** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 26, 1999, announcing that staff has implemented an option to address a recent fee increase in the use of credit cards to pay taxes.

32. **I-5 – USE OF E-COMMERCE FOR PAYING TAX BILLS** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 26, 1999, requesting authorization for staff to discontinue charging \$0.38 per electronic debit immediately.

The staff was directed administratively to proceed as proposed.

33. **I-6 - FAIR HOUSING RENTAL TESTING REPORT** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 26, 1999, presenting the Fair Housing Rental Testing Report.

**ADDITIONAL BOARD MATTERS**

34. **PROCLAMATION DESIGNATING THE MONTH OF OCTOBER, 1999, AS "NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH" IN**

**FAIRFAX COUNTY** (Tape 4)

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 Disability Services Board to appear before the Board on September 27, 1999, to receive a Proclamation declaring October, 1999, as "**Disability Employment Awareness Month**" in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

35. **WATER CONSERVATION** (Tape 4)

Chairman Hanley referred to her written Board Matters and said that on May 24, 1999, the Board approved actions recognizing the importance of water conservation and asked for information regarding the Fairfax County Water Authority's (FCWA) plans should a drought last through the summer. The response from the Water Authority was distributed at the June 7, 1999, Board meeting.

Chairman Hanley further stated that several weeks ago Douglas Duncan, Montgomery County Executive, called for voluntary water conservation measures in that County because of extended drought conditions. The Metropolitan Washington Council of Governments (COG) passed a resolution on July 14, 1999, requesting that water providers notify customers of the drought conditions and encourage them to undertake voluntary water conservation measures and that within each jurisdiction member governments encourage voluntary water conservation. On July 20, 1999, Loudoun County became the first jurisdiction in the region to approve mandatory restrictions on water use.

Although the FCWA Board has not formally advised that a water emergency exists, Chairman Hanley moved that the Board:

- Urge Fairfax County residents to conserve water in an effort to prevent mandatory water restrictions in the continuing drought.
- Direct staff to publicize the Web address of the FCWA and the Washington Sanitary Sewer Commission in the *Weekly Agenda*.
- Direct staff to place links to this information on the first page of the County's website.
- Direct staff of the Office of Public Affairs to promulgate water conservation tips.

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

36. **POPULATION PROJECTIONS** (Tape 4)

Chairman Hanley said that she had received a memorandum from George Barker, Health Systems on Aging of Northern Virginia, with questions regarding population projections as they pertain to the elderly population.

Chairman Hanley asked unanimous consent that the Board direct staff to review this memorandum and determine why there is a discrepancy. Without objection, it was so ordered.

37. **PLANNING, ZONING, AND BUILDING PROCESS** (Tape 4)

Chairman Hanley stated that in recent conversations with religious and other community based groups, one issue that has been frequently raised by members of these organizations are the difficulties that many of them have encountered in navigating the County's planning, zoning, and building process. Chairman Hanley said that as these types of organizations are often comprised of volunteers and other citizens who may be unfamiliar with Fairfax County's land use policies and regulations, it is necessary to have a person on staff to serve as an ombudsman, whose job would include helping guide religious and other community groups through the planning, zoning, and building process.

Therefore, Chairman Hanley moved that the Board direct staff to develop criteria for an ombudsman position within the Department of Planning and Zoning and report with its recommendations. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

38. **RESTORATION OF LIBRARY HOURS** (Tape 4)

Chairman Hanley referred to a memorandum from Edwin S. Clay, III, Director, Fairfax County Public Library, which shows three options for restoring Library hours.

Therefore, Chairman Hanley moved that the Board support the Library's proceeding with Option One, which would allow the restoration of weekday public service hours that had been eliminated from the community library branches beginning January 1, 2000. Supervisor Bulova seconded the motion.

Following discussion this motion was withdrawn.

Following further discussion, with input from Robert J. O'Neill, Jr., County Executive, Chairman Hanley moved that the restoration of weekday public service hours for community library branches be added as a Consideration Item at Carryover. Supervisor Dix seconded the motion and it carried by unanimous vote.

39. **LETTER FROM FAIRFAX COUNTY PARK AUTHORITY REQUESTING ITEMS FOR CONSIDERATION AT CARRYOVER** (Tape 4)

Chairman Hanley said that she had received a letter from the Chairman of the Fairfax County Park Authority requesting that a number of items be given consideration at Carryover.

Therefore, Chairman Hanley moved that the Board incorporate these items as Consideration Items at Carryover. Supervisor Kauffman seconded the motion.

Supervisor Bulova asked to amend the motion to add the repair or replacement of the sluice gate at the Lake Accotink Dam to the list of Consideration Items, and this was accepted.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, the question was called on the motion, as amended, which carried by unanimous vote.

40. **OPEN SPACE EASEMENT POLICY** (Tape 4)

Chairman Hanley distributed to the Board the staff response to her request at the June 28, 1999, Board meeting regarding the County Open Space Easement Policy.

Chairman Hanley asked unanimous consent that the Board direct staff to prepare a Consideration Item, if necessary, that includes an inventory of historic properties that need stabilization or other action to preserve them and report with the list on August 2, 1999. Without objection, it was so ordered.

41. **CIVIL WAR SITE INVENTORY** (Tape 4)

Chairman Hanley moved that the Board direct staff to report with a recommendation on how the County might analyze and inventory Civil War sites in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

42. **TRANSPORTATION IMPROVEMENTS** (Tape 4)

Chairman Hanley reminded the Board of a list of projects that came before the Board to apply for matching State funds for improvements that would help the transportation network.

Therefore, Chairman Hanley moved that the Board direct staff to report on August 2, 1999, with a list of small projects that have been identified as projects that could make substantial improvements in the transportation network. Supervisor Bulova seconded the motion and it carried by unanimous vote.

43. **2020 MEETINGS** (Tape 4)

Chairman Hanley announced that there is a need to schedule 2020 meetings and she noted that she would be contacting Board Members and the Office of Transportation to schedule meetings.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

44. **ADDITION OF FAIRFAX COUNTY TRAIL FUNDS TO CONSIDERATION LIST** (Tape 4)

Supervisor Connolly reminded Board Members that at the June 28 Board meeting he asked that the County Executive enter into discussions with the Park Authority with the aim of completion of the Cross-County Trail. He noted that the Board unanimously supported that motion.



Therefore, Supervisor Connolly asked unanimous consent that the Board direct the County Executive to determine the cost of the completion of this trail so that it could be considered at to the Carryover. Without objection, it was so ordered.

45. **USE OF INSURANCE REIMBURSEMENTS FOR ROAD MAINTENANCE**  
(Tape 4)

Supervisor Connolly stated that it has recently come to his attention that insurance reimbursements paid to the State when a vehicle does damage to the road system, such as hitting and destroying a guard rail, are funneled into the State of Virginia's general fund rather than being used to replace road facilities or make the necessary repairs for which the funds are intended. The repairs must be made and the cost depletes the County's already inadequate road maintenance fund. Supervisor Connolly noted the extensive needs for road repair, repaving, mowing, and other maintenance.

Therefore, Supervisor Connolly moved that the Board direct the County Executive to work with the Department of Transportation, County Legislative staff, and the Northern Virginia Delegation on legislation which would require that funds paid by insurance companies for damage to County road facilities be used to repair that damage rather than be placed in the State's general fund. Chairman Hanley seconded the motion and it carried by unanimous vote.

46. **MAKING CONSUMER ASSISTANCE MORE ACCESSIBLE ON THE WEB**  
(Tape 4)

Supervisor Connolly stated that the Department of Telecommunications and Consumer Affairs presently maintain a site on the Fairfax County Web page to inform citizens of services the County offers to address consumer issues.

Supervisor Connolly said that he has heard recently from constituents who deem that this information is not easy to find. Presently someone entering the County's Home Page must know to click on the Government icon and to find Telecommunications and Consumer Affairs in the listing of agencies and departments. Once reached, this link offers much valuable information on everything from auto repair and home improvement concerns to a section on frequently asked questions. Residents may even access and fill out a consumer complaint form. Given the importance to the citizens of the many consumer assistance services the County offers, accessing this information should be as user-friendly as possible.

Therefore, Supervisor Connolly moved that the Board direct staff to:

- Create a visible link for consumer services on the home page.
- Review creating links from the consumer services page to other consumer sites such as State and federal agencies and consumer advocacy groups.

Supervisor Mendelsohn seconded the motion.

Chairman Hanley noted that the County's website is being redesigned.

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

47. **IMPACT OF FIBER OPTIC CABLE PROJECTS ON COUNTY ROAD SYSTEM** (Tape 4)

Supervisor Connolly said that some dozen telecommunications companies are presently engaged in what may be the largest public works project in history: the laying of miles of glass fiber, the conduit of the digital age. This project is going on along roads across the country, but in technology hubs like Fairfax County, the work is pervasive. The "spine" they are laying along main roads will eventually have branches running into the business and residential communities. Supervisor Connolly further stated that at this time, according to the Virginia Department of Transportation (VDOT), projects are underway in his district along Arlington Boulevard, across Gallows Road to Tysons Corner, and up Route Seven along Sunrise Valley and Sunset Hill Drive in the Hunter Mill District. In Tysons Corner, the work is tearing up International, West Park, and Greensboro Drives. The companies involved are competitors in this booming industry, so there is little effort being made to coordinate efforts. It is often the case; therefore, that as soon as one company finishes laying its cable, and patches up the road, as they are required, another company applies for a permit to lay cable along the same route and begins to tear up that newly laid pavement. Residences and businesses along these corridors are enduring the effects of what must seem like never ending construction. The integrity of these roads is disturbed again and again in endless succession. This unprecedented boom in the telecommunications industry is the vehicle of great promise of progress and prosperity for Fairfax County citizens, but the attendant wear and tear on the road system needs to be addressed.

Therefore, Supervisor Connolly moved that the Board direct:

- The County Executive to explore the issue of wear and tear on the road system due to the many companies that are laying miles of glass fiber and report on any opportunities for new policy or legislation that would encourage or require companies to join in cable projects to lessen the impact on the road system.
- The Director of the Department of Transportation to assess the extent of the current impact on the roadways and report his findings.

Following discussion, Supervisor Dix asked to amend the motion to include VDOT in this discussion, and this was accepted.

Supervisor Frey asked to amend the motion to request that VDOT plan for the future when granting permission to lay fiber optic cable, and this was accepted.

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

vote.

PMH:pmh

48. **NAMING/RENAMING OF SALISBURY HOLLOW LANE, WINDRUSH DRIVE, AND DENALI WAY** (Tape 5)

Supervisor Hyland said that on June 7, 1999, he called to the Board's attention the error relating to the naming/renaming of streets called Salisbury Hollow Lane, Windrush Drive, and Denali Way. At that time he requested the Board's support to rescind the new name, Salisbury Hollow Lane, because not all of the affected property owners were aware of the name change, especially those who own the ground on which the road lays. The Board concurred. Consequently, he met with the affected property owners and requested them to agree on a suitable name.

Supervisor Hyland moved that the Board:

- ☐ Direct staff to change the name ADenali Way≅ to ADogue Hollow Lane≅ and to assign the name AWindrush Drive≅ to an existing unnamed section of the road.
- ☐ Give the property owner, Jennifer Such, the signs named ASalisbury Hollow Lane≅ for their historical value.

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

49. **FORT HUNT ROAD/BELLE HAVEN ROAD PROJECT** (Tape 5)

Supervisor Hyland noted that the improvements to the Fort Hunt Road/Belle Haven Road Project (Contract #CN63213, Project #64160) have been completed. He added that the citizens are not happy with the lane configurations.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to review the way this intersection works now and to provide an alternative striping pattern to help facilitate the traffic at this location. He added that there is a turn lane in the middle of Fort Hunt Road onto Belle Haven Road and the left turn signal does not work properly. Without objection, it was so ordered.

50. **RETIREMENT OF ELIZABETH S. DAVID, DEPARTMENT OF PLANNING AND ZONING (DPZ)** (Tape 5)

Supervisor Hyland said that within the last month the excellent, knowledgeable and loyal employee, Elizabeth S. David, DPZ, retired. He referred to his written Board Matters, which noted her many contributions to the County.

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Ms. David to appear before the Board to receive a Certificate of Appreciation for her

years of service to the County. Without objection, it was so ordered.

51. **ADOPT-AN-ARTIFACT** (Tape 5)

Supervisor Hyland stated that recently he learned that Olde Town Alexandria has initiated a program called AAdopt-An-Artifact. Since its inception last December, the program has flourished. Individuals, school groups, scout groups, etcetera are adopting an artifact that has resulted in conserving more than 20 articles.

Supervisor Hyland pointed out that this program enables the public to provide funds for hiring a professional to clean a selected artifact, stabilize it, and conserve it. Each artifact will ultimately be displayed in an exhibit. The adoptees can select an item and when they do, they receive a certificate that has a picture showing the item before and after conservation and an acknowledgement of the cost to get it into exhibit condition. To do this, each artifact generally costs between \$24 to \$200 per adoption.

Supervisor Hyland noted that this program is a way of involving the public with the community and local government while stimulating their interest and providing funds to complete a worthy job. A few years ago there was a display case designed and made specifically for exhibiting archaeological finds in Fairfax County.

Supervisor Hyland moved that the Board direct staff to review Alexandria's AAdopt-An-Artifact program and to report with its findings and recommendations. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

52. **LOAN GUARANTEE PROGRAM** (Tape 5)

Supervisor Dix noted that on October 12, 1998, the Board directed that a policy be prepared to address the potential need for financial assistance from the Fairfax County Redevelopment and Housing Authority (FCRHA) to condominium communities in the County. On May 28, 1999, the FCRHA adopted a loan guarantee policy and program that, at this point, will only be available to condominium communities.

However, in addition to creating a loan program applicable to condominiums, there may be isolated situations where a townhouse homeowners association also may not have the resources to fund necessary infrastructure improvements. Supervisor Dix moved that Board direct the FCRHA to review the issue of including townhouse homeowners associations in this loan guarantee program along with the Board of Supervisors, but only in those instances where condemnation for associated health and safety issues is imminent. Chairman Hanley seconded the motion and it carried by unanimous vote.

53. **OUT-OF-TURN PLAN AMENDMENT AUTHORIZATION REGARDING**

**THE GREG-ROY SUBDIVISION** (Tape 5)

Supervisor Dix said that the Greg-Roy subdivision, a community of 30 homes on one-acre parcels, is located north of Fox Mill Road near Frying Pan Road. In 1987, when the McNair Farms area was replanned, the Plan recommendation for Greg-Roy was changed to allow for consolidation and redevelopment of the subdivision. The change added an option for office and light industrial use subject to full consolidation of the subdivision. Five years ago, the current Plan guidance for Greg-Roy was adopted as part of a Plan change to the Reston-Herndon Suburban Center. The Plan recommends residential use at 1-2 dwelling units per acre (du/ac). With full consolidation, there is an option for 8-12 du/ac. In addition, there is a second option for mixed use up to .50 floor area ratio if Greg-Roy and adjoining land in the Suburban Center are consolidated.

Supervisor Dix said that there has been considerable residential development in the vicinity, including McNair Farms, Avalon, and Van Metre at Woodland Park. Greg-Roy is now a pocket of low-density residential development surrounded by higher density residential uses. In addition, the residential development to the north and east has precluded implementation of the mixed use option for Greg-Roy.

Therefore, Supervisor Dix moved that an Out-of-Turn Plan Amendment be authorized to allow for a review of the Plan recommendation for the Greg-Roy subdivision. This review should address the appropriate redevelopment density and conditions for consolidation. This motion, the second to which was inaudible, carried by unanimous vote.

54. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR OAKTON HIGH SCHOOL'S BASEBALL COACH, TOM HALL** (Tape 5)

Supervisor Dix announced the retirement of Oakton High School's Baseball Coach, Tom Hall. Coach Hall skippered the Cougars for 31 great years.

Supervisor Dix moved that the Board direct staff to invite Coach Hall to appear before this Board and that staff be directed to prepare an appropriate Certificate of Appreciation so he can be properly thanked for his 31 years of dedicated coaching in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

55. **FILE OF LIFE DAY** (Tape 5)

Supervisor Dix announced that File of Life Day is July 27, 1999, in Hunter Mill District. He invited Board Members to attend the event at various locations, particularly senior residence facilities between 1 p.m. and 4 p.m.

Supervisor Dix briefly explained that the File of Life is a magnetized document that attaches to refrigerators and contains important medical history.

56. **NEWSPAPER ARTICLE REGARDING THE SELLING OF BEER AT NORTHERN VIRGINIA REGIONAL PARK AUTHORITY FACILITIES** (Tape 5)

Supervisor Dix expressed concern about a newspaper article entitled "Using beers to bring putters back." He said that article indicates that the Northern Virginia Regional Park Authority is considering selling beer at its facilities as a means to compete.

Supervisor Dix asked unanimous consent that the Board direct staff to report with the Board's Policy on the sale of alcoholic beverages and the policy of the Northern Virginia Regional Park Authority. Without objection, it was so ordered.

57. **RETIREMENT OF LARRY N. WELLMAN, DIRECTOR, DEPARTMENT OF PURCHASING AND SUPPLY MANAGEMENT** (Tape 5)

Supervisor Dix announced that Larry N. Wellman, Director, Department of Purchasing and Supply Management, is retiring. He asked unanimous consent that the Board direct staff to invite Mr. Wellman to appear before the Board to be recognized for his years of service.

Supervisor Hyland asked unanimous consent that the Board direct staff to invite a representative from the National Association of Counties to appear before the Board at the meeting that Mr. Wellman is to be recognized.

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

58. **RETIREMENT OF DAVID MARSDEN, SUPERINTENDENT, JUVENILE DETENTION CENTER, JUVENILE AND DOMESTIC RELATIONS COURT** (Tape 5)

Supervisor Dix announced that David Marsden, Superintendent, Juvenile Detention Center, Juvenile and Domestic Relations Court, is retiring and he asked unanimous consent that the Board direct staff to invite Mr. Marsden to appear before the Board. Without objection, it was so ordered.

59. **RESTON EAST TRANSPORTATION CENTER** (Tape 5)

Supervisor Dix said that he has recently been advised that staff has determined that funds are not available to do the feasibility and design work for the Reston East Transportation Center. He asked unanimous consent that the Board direct staff to determine whether there are sources of funding either from remaining transportation bonds or other sources of funding that might be available to be used for feasibility analysis and design of a parking facility.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request to direct staff to report on August 2, 1999, with a Consideration Item including how much the design and feasibility analysis would cost. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

60. **FAIRFAX COUNTY STARS 12 AND UNDER GIRLS AAU BASKETBALL**

**TEAM** (Tape 5)

Supervisor Dix announced that the Fairfax County Stars 12 and under girls AAU basketball team had a successful tournament in Springfield, Missouri. He thanked the team for their efforts.

61. **MOTOR VEHICLE LAWS ON PRIVATE PROPERTY** (Tape 5)

Chairman Hanley referred to a memorandum from David P. Bobzien, County Attorney, regarding the authority to enforce motor vehicle laws and driving while intoxicated violations on private property.

Following discussion, Supervisor Dix asked unanimous consent that the Board refer this issue to the Legislative Committee. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board refer the information to the Planning Commission so that its members are aware of the implications of what private roads mean. Without objection, it was so ordered.

There was a brief discussion with input from Mr. Bobzien.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

62. **HUNTING AND SHOOTING IN FAIRFAX COUNTY** (Tape 5)

Supervisor Gross said that the pamphlet *Hunting and Shooting in Fairfax County* was last published in 1994 by the Department of Animal Control. It includes information on gun registration and the rules for gun usage in the County, but does not contain gun safety tips. Additionally, as these rules have likely changed in the past five years, she said it would be appropriate to have the most current information available to the public.

Therefore, Supervisor Gross moved that the Board direct staff to revise and reprint the pamphlet, *Hunting and Shooting in Fairfax County*, and distribute copies to locations of gun sales in the County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

63. **MASON TOWN MEETING AND OTHER Y2K MEETINGS** (Tape 5)

Supervisor Gross announced that her next town meeting will be held on Tuesday, July 27 at 7 p.m. at Camelot Elementary School located at 8100 Guinevere Drive. The theme is "Y2K in Fairfax County" and this is the first in a series of meetings on the subject to be held throughout the County. Panelists will be from private industry in addition to County government. She invited all interested residents to attend this important town meeting.

Chairman Hanley announced that the At-Large Y2K town meeting is scheduled for August 4, 1999, at the Government Center.

Supervisor Bulova announced the Y2K town meeting in Braddock District is scheduled for Tuesday, September 14, 1999, at 7 p.m. at the Kings Park Library.

Supervisor Mendelsohn announced that the Y2K town meeting in Dranesville District is scheduled for October 6, 1999, at a location to be determined.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to report with the schedule for other Y2K town meetings. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

64. **CONSIDERATION ITEMS** (Tape 5)

Supervisor Gross asked unanimous consent that the Board direct staff to include as a Consideration Item for Carryover a \$10 per month increase in the County payment for health insurance retirees. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to include a list of the savings that the Auditor has helped to identify. Without objection, it was so ordered.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, Supervisor Gross asked unanimous consent that the Board direct staff to include as a Consideration Item for Carryover up to \$6,000 for the day laborer issue at Culmore in Baileys Crossroads. Without objection, it was so ordered.

65. **REQUEST FOR CONCURRENT AND EXPEDITED REVIEW FOR VIRGINIA CONCRETE AND BURKE HEALTH CLUB (BW MANAGEMENT)** (Tape 5)

Supervisor Bulova said that with construction of the Fairfax County Parkway and the realignment of Route 123, some Industrial Zoning District parcels were bisected and their access realigned from Pohick (the parkway) to a cul-de-sac off Clara Barton Drive (old Route 123 alignment) in Burke Centre. One of the parcels, formerly owned by Virginia Power, has been purchased by BW Management for the establishment of a health club or gym. A special permit is needed for a gym in the 1-5 district. One of the required standards is that the gym must be at least 100 feet from a parcel zoned R-1. The adjacent parcel to the east is owned by Virginia Concrete, which operates a concrete factory there under a special exception. The zoning is very old with a "donut" of R-1 zoning surrounding a center of I-6 zoning where the concrete factory is located. To allow the gym to be established the Virginia Concrete site needs to be rezoned to I-6 only.

The Burke Centre Conservancy is supportive of the gym because it would be used by the community and is preferable as a conditioned use rather than a by-right use such as self-storage. The Conservancy is not opposed to rezoning the Virginia Concrete site particularly if a sufficient buffer zone is established and no actual intensification occurs.



The special permit application has been languishing for some time as a solution was sought and Burke Centre and County planning staff were consulted. The rezoning application has also been filed.

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

- ⊘ Expedite the rezoning application by Virginia Concrete to rezone its property from the R-1 and I-6 Districts to the I-6 District and schedule a public hearing to be held before the Board prior to November 1999.
- ⊘ Simultaneously process the special permit application by BW Management for the Burke Health Club with the rezoning application and request that the Board of Zoning Appeal schedule its public hearing as soon after the rezoning is held as possible.
- ⊘ Concurrently and expeditiously process the Burke Health Club site plan with the rezoning and special permit applications.

This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards nor does it prejudice the consideration of these applications in any way. Supervisor Connolly seconded the motion and it carried by unanimous vote.

66. **SPOT IMPROVEMENTS** (Tape 5)

Supervisor Bulova said that she has discussed with the Transportation Advisory Committee the issue of spot improvements. She asked unanimous consent that up to \$500,000 for the projects that are about to be under construction be authorized as a Consideration Item for Carryover.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request to direct staff to circulate a status report regarding the list of spot improvements, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, without objection, the request, as amended, was so ordered.

67. **UNEXPENDED FUNDS FROM THE OFFICE OF THE SHERIFF** (Tape 5)

Supervisor Bulova said that the Office of the Sheriff has conducted a preliminary review of its Fiscal Year (FY) 1999 expenditures in preparation for the year-end close process. According to the most recent figures for the Third Quarter projections there will be just over \$400,000 in unexpended funds at the close of FY 1999. She said that the Sheriff is asking to be allowed to use a portion of these savings

(\$107,000) to increase the shift differential rate for swing shift from \$0.25 per hour to \$0.50 per hour and from \$0.35 per hour to \$0.70 per hour for a midnight shift. She noted that these are the rates paid to the employees of the Fairfax County Police Department for shift hours work. She asked unanimous consent that the Sheriff be allowed to do for the employees of the Sheriff's Department what the police are able to do for its employees if he is able to absorb the cost within his existing budget.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, Supervisor Frey asked to amend the request to include this issue as a Consideration Item, and this was accepted.

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

NV:nv

68. **NO BOARD MATTERS FOR DRANESVILLE DISTRICT SUPERVISOR STUART MENDELSON** (Tape 6)

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

69. **RESIDENTIAL POLICE OFFICER (RPO) PROGRAM** (Tape 6)

Supervisor Kauffman reported that at a recent meeting to discuss challenges facing affordable housing in the metropolitan area, he learned of a program that Mayor Donnelly of the City of Alexandria has implemented. This initiative is called the RPO program. This program places veteran police officers in selected high crime areas. The officers reside in the neighborhoods and their "beat" assignment is to provide police services to residents while involving them in implementing effective solutions to specific community problems. Supervisor Kauffman provided details of the program as explained in his written Board Matter.

In light of the success of the City of Alexandria's RPO program in low and moderate-income neighborhoods, Supervisor Kauffman asserted that this program is worth analyzing for implementation in Fairfax County. Accordingly, he moved that the Board direct the Chief of Police to work with the commander of the Mount Vernon District Police Station to determine whether this program would be useful as a pilot in the Buckman Road corridor. He further stipulated that the review should include a recommendation on possible incentives, including their budgetary impact, to offer officers who voluntarily elect to participate in the pilot program, should the Board endorse the concept. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

70. **CONCURRENT PROCESSING FOR APPLICATIONS FOR KINGSTOWNE HOLDINGS I** (Tape 6)

Supervisor Kauffman stated that Kingstowne Holdings I, LC has a pending application to modify the plan for Section 1 in Kingstowne to include single family detached units. The applicant has worked with both planning staff and the surrounding community and, prior to the zoning review and approval process, the applicant has received the written support of the Kingstown Residential Owners

Corporation. Based on these circumstances, Supervisor Kauffman moved that the Board approve concurrent processing with the site plans and related engineering drawings associated with Rezoning Application RZ 1999-LE-047, Final Development Plan Applications FDP 1999-LE-047, FDP C-448-36, and Proffered Condition Amendment Application PCA C-448-21. He noted that if approved and adopted, this motion for concurrent processing shall in no way prejudice the merits

of the pending zoning application. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

71. **CONCURRENT PROCESSING FOR KINGSTOWN TOWNE CENTER APPLICATIONS** (Tape 6)

Supervisor Kauffman stated that the Kingstowne Towne Center is designed and planned to be the heart of Kingstowne. The developer of Kingstowne has filed an application to slightly modify the existing approved Towne Center plans by including a more significant office use component. He noted that these revised plans have been well received by both staff and the community who are anxious to see the Towne Center become the thriving, mixed-use heart of Kingstowne originally envisioned.

Accordingly, Supervisor Kauffman moved that the Board approve concurrent processing with the site plans and related engineering drawings associated with Rezoning Application RZ 1999-0040, Final Development Plan Application FDP 1999-021, Proffered Condition Amendment Application PCA 1999-0025 and Final Development Plan Amendment Application FDPA 1999-0013. He noted that if approved and adopted, this motion for concurrent processing shall in no way prejudice the merits of the pending zoning application. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

72. **SHUTTLE BUS SERVICE** (Tape 6)

(NOTE: Earlier in the meeting, the Board discussed the Springfield Mall shuttle. See Clerk's Summary Item CL#15-6.)

Supervisor Kauffman announced that a shuttle bus service between the Macy's at Springfield Mall and the Joe Alexander Transportation Center began operation this morning. He distributed information provided by the Washington Metropolitan Area Transit Authority publicizing this service.

73. **PIONEER BASEBALL ELEVEN YEAR OLD BABE RUTH "BAMBINO" STATE CHAMPIONS** (Tape 6)

Supervisor Kauffman recognized the efforts of the Pioneer Baseball Eleven Year Old Babe Ruth "Bambino" State Champions from Franconia. These young men, along with the guidance of their manager Steve Placek and coaches Roger Strecker and Eric Swanson, will be competing as representatives of Lee District, Fairfax County, and the entire State of Virginia in the regional championship later this week to be held in Kingston, North Carolina. He lauded the efforts they have shown on

the field and wished them continued success at the regional level.

Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct staff to invite the manager, coaches, and team members to appear before the Board to be recognized with a formal certificate at an upcoming meeting. Without objection, it was so ordered.

74. **RECRUITING BONUSES** (Tape 6)

Supervisor Kauffman stated that he recently read in the School Division's *Supergram* that school employees are being offered a \$500 bonus possible for each employee who successfully recruits a public school bus driver candidate. He moved that the Board authorize the County Executive to offer a similar incentive to County employees in an effort to recruit school crossing guards if he deems it appropriate.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct the County Executive to provide a recommendation on whether he deems it appropriate and the budgetary implications, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Chairman Hanley seconded the motion, as amended, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

75. **POSSIBLE SISTER CITY RELATIONSHIP WITH INCHON, KOREA**  
(Tape 6)

Supervisor Frey reported that he recently met with Michael Runde, president of the Washington Dulles World Trade Group, and the driving force behind the creation of the Dulles World Trade Center (DWTC), which will focus on high technology transfer and business tourism. One step in the effort to establish the DWTC is to develop sister city relationships with jurisdictions around the world that are also part of the world trade center partnership. Mr. Runde has been conducting discussions with representatives of Inchon, Korea who are excited about the possibilities of locating and doing business in the County and pursuing the sister city relationship. Supervisor Frey distributed a packet of information regarding Inchon and detailing this endeavor.

Accordingly, Supervisor Frey asked unanimous consent that the Board direct the County Executive to explore necessary steps for the County to establish a sister city relationship with the dynamic, technologically advanced city of Inchon, Korea and appoint a point-of-contact person to conduct discussions with the mayor and the ambassador. Supervisor Frey stated that the Commonwealth of Virginia has already established a sister relationship with the province in which Inchon is located and may have funds to assist. He also noted that the mayor of Inchon will be in the area in November and perhaps could address the Board at that time. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to establish some guidelines for establishing a sister city relationship. There are current relationships with Essonne, France and Russia. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

76. **RECOGNITION FOR MS. HALEY MORGAN BELL** (Tape 6)

Supervisor McConnell extended the Board's congratulations to Ms. Haley Morgan Bell for her third place finish at the United States Taekwondo National Junior Olympics. The event, which culminated on Thursday, July 15, in Las Vegas, Nevada, was host to approximately 5000 competitors from around the country. Ms. Bell was awarded the bronze medal in the sparring event.

Accordingly, Supervisor McConnell asked unanimous consent that the Board direct staff to invite Ms. Bell and her family to appear before the Board at a future meeting to receive recognition for her outstanding achievement. Without objection, it was so ordered.

77. **POLICE DEPARTMENT TRUCK SAFETY DIVISION** (Tape 6)

Supervisor McConnell stated that Congressman Frank Wolf (R-10) recently visited with members of the Police Department's Truck Safety Division in Chantilly. She cited a specific example of an unsafe truck they had found and she commended this unit as a way to ensure the safety of citizens. She said that Congressman Wolf will seek additional federal funds for this activity.

Supervisor McConnell noted that trucks are using the Fairfax County Parkway as a by-pass and traveling at very high rates of speed. She asked unanimous consent that the Board direct the Chief of Police to review this situation. Without objection, it was so ordered.

There was a brief discussion regarding Congressman Wolf's visit.

78. **UNINSURED RETIREES** (Tape 6)

Supervisor McConnell asked unanimous consent that the Board direct the County Executive to review the issue of County retirees who are no longer covered by the health insurance and to consider an amendment to the Code of the County of Fairfax that would apply only in hardship cases. Supervisor Mendelsohn stated that he had initiated a similar request in the past. Without objection, it was so ordered.

79. **RECESS/CLOSED SESSION** (Tape 6)

At 1:05 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting. Supervisor Hyland

seconded the motion and it carried by unanimous vote.

Following input from David P. Bobzien, County Attorney, Chairman Hanley announced that the closed session would convene at 2 p.m.

At 3:10 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

### **ACTION FROM CLOSED SESSION**

80. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

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 closed session were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it 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 closed session. See Clerk's Summary Item CL#94.)

CM:cm

81. **3 P.M. - BOARD DECISION ON ADOPTION OF CERTAIN ORDINANCES AND AMENDMENTS TO EFFECT A TRANSFER OF THE NORTH AND SOUTH COUNTY CABLE TELEVISION SYSTEM FRANCHISES FROM MEDIA GENERAL CABLE OF FAIRFAX COUNTY, INCORPORATED TO COXCOM, INCORPORATED** (Tape 7)

(NOTE: On July 12, 1999, the Board held the public hearing on these ordinance amendments, and deferred decision until July 26, 1999.)

Following discussion, Supervisor Dix moved that the Board:

- Accept the staff report that evaluates Media General Cable's request to transfer the North and South County cable television system franchises as reflected in Attachment I of the memorandum to the Board dated July 26, 1999.
- Approve the change of ownership and control of the North and South County cable television franchises from Media General,

Incorporated to Cox Communications, Incorporated using the Resolution contained in Attachment II of the memorandum to the Board dated July 26, 1999.

- Approve the transfer of the North and South County franchises from Media General Cable of Fairfax County, Incorporated to Cox Communications of Northern Virginia by adopting the Ordinances and amendments in Attachment III of the memorandum to the Board dated July 26, 1999, and including the following provisions:
  1. That in no event shall Cox incorporate an automatic renewal, a term based on the length of time for which a franchise is granted, or a right of first refusal as a condition of any contract, easement or other agreement under which Cox asserts that it has access to any Multiple Dwelling Unit (MDU), office building, or hotel located in Fairfax County.
  2. That Cox shall, at the property owner's option and upon the written request of the property owner: (a) renegotiate in good faith any such agreements in existence as of the date of the Board's approval of the transfer so as to provide in such agreements a fixed term independent of the franchise with no right of first refusal for Cox to renew the agreements, or (b) terminate any such agreement, which termination shall take effect on the date specified in the written request but no later than ninety (90) days after the date on which the request is delivered to Cox. Any written request under this paragraph must be delivered to Cox no later than 90 days after the date of the Board's approval of the transfer.
  3. Cox shall provide written notice of the options described herein to all affected property owners within thirty (30) days after the date of the Board's approval of this transfer.

Supervisor McConnell seconded the motion.

Following further discussion, with input from David P. Bobzien, County Attorney,

Ronald B. Mallard, Director, Department of Telecommunications and Consumer Services, Michael Long, Senior Assistant County Attorney, Supervisor Bulova moved to defer Board decision until August 2, 1999, at 3 p.m. Supervisor Connolly seconded the motion.

Supervisor Connolly asked to amend the motion to direct the County Attorney to inform Board Members of any relevant legal matters involved in this matter, and this was accepted.

Supervisor Hyland asked to amend the motion to direct staff to clarify the language on page one of the staff report regarding the options to be negotiated in MDUs, and this was accepted.

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

82. **3:30 P.M. - BOARD DECISION ON A PROPOSAL TO ABANDON A ROADWAY FORMERLY DESIGNATED AS ROUTE 670 (HUNTER MILL DISTRICT)** (Tape 7)

(O) (NOTE: On July 12, 1999, the Board held the public hearing on this application, and deferred decision until July 26, 1999.)

Supervisor Dix moved adoption of the Order abandoning the roadway formerly designated as Route 670. Supervisor Frey seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

83. **3:30 P.M. - PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING OFF-STREET PARKING REQUIREMENT FOR SHOPPING CENTERS** (Tape 7)

Chairman Hanley announced that the public hearing regarding off-street parking requirement for shopping centers had been deferred indefinitely.

84. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-LE-048 (METRO PARK, LLC) (LEE DISTRICT)** (Tape 7)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 1998-LE-048 until August 2, 1999, at 3:30 p.m. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

85. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-P-064 (CLIFTON PAUL CRAVEN AND NANCY CRAVEN) (PROVIDENCE DISTRICT)** (Tape 7)



Supervisor Bulova moved to defer the public hearing on Special Exception Application SE 98-P-064 until **September 13, 1999, at 4 p.m.** Supervisor Dix seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

86. **3:30 P.M. - PH ON THE PROPOSED AMENDMENTS TO THE CODE OF COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) DISTRICT 17 (BRADDOCK DISTRICT)**  
(Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 8 and July 15, 1999.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to expand the Robinson RPPD, District 17. The proposed district expansion boundaries include the following street blocks: Gainsborough Drive (Route 4815) from Rodney Court (Route 5186) to Wheatstone Drive (Route 5712). Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

87. **3:30 P.M. - PH PROPOSED AMENDMENTS TO THE CODE OF COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) EXPANDING THE CHANTILLY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) DISTRICT 29 (SULLY DISTRICT)** (Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 8 and July 15, 1999.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to expand the Chantilly RPPD, District 29. The proposed district expansion boundaries include the following street blocks: Braxton Road (Route 6479) from Currey Lane (Route 4299) to Brookfield Drive (Route 6476). Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

88. **3:30 P.M. - PH ON A PROPOSED AMENDMENTS TO THE CODE OF COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL) ARTICLE 2, SECTION 2 (d), REGARDING THE ISSUANCE OF DOG LICENSE TAGS** (Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 8 and July 15, 1999.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl) Article 2, Section (d) to change the words stamped on dog license tags and to make minor housekeeping changes to become effective on **July 27, 1999, at 12:01 a.m.** Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

89. **BOARD RECESS** (Tape 7)

At 4:20 p.m. the Board recessed briefly and reconvened in the Board Auditorium at 4:25 p.m., with all Board Members present, with the exception of Supervisor Connolly, Supervisor Dix, and Supervisor Kauffman, and with Chairman Hanley presiding.

90. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-MA-010 (FAIRFAX DEVELOPMENT CORPORATION) (MASON DISTRICT)** (Tapes 7-8)

- (O) Mr. John Thillmann reaffirmed the validity of the affidavit for the record.

Mr. Thillmann 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 Bowman Consulting Group

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

- In excess of \$200 from Mr. Scott Herrick of the Fairfax Development Corporation

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

- In excess of \$200 from Bowman Consulting Group

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

- In excess of \$200 from Bowman Consulting Group

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

- In excess of \$200 from Mr. John Thillmann and Mr. Scott Herrick

Following the public hearing, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-MA-010 be amended from the R-4, C-3, SC, and HC Districts to the PDH-12, SC, and HC Districts, subject to the execution of the proffers dated June 15, 1999; the Planning Commission having previously approved Final Development Plan Application FDP 1998-MA-010 on June 24, 1999. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor Kauffman, and Chairman Hanley being out of the room.

**SBE:sbe**

91. **4 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) AGRICULTURAL AND FORESTAL DISTRICT RENEWAL APPLICATION AR 83-D-005-2 (RUTH B. CORNFIELD) (DRANESVILLE DISTRICT)** (Tape 9)

(O) Ms. Ruth B. Cornfield reaffirmed the validity of the affidavit for the record.

Ms. Cornfield 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, Tracy Swagler, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District) Appendix F, to renew the Ruth B. Cornfield Agricultural and Forestal District

(Application AR 83-D-005-2), subject to the ordinance provisions dated June 23, 1999. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Kauffman and Chairman Hanley being out of the room.

92. **4 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) AGRICULTURAL AND FORESTAL DISTRICT CREATION APPLICATION AF 99-D-002 (LAWRENCE A. AND ARTHUR W. KROP, JR.) (DRANESVILLE DISTRICT)** (Tape 9)

- (O) Mr. Lawrence A. Krop reaffirmed the validity of the affidavit for the record.

Mr. Krop 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, Tracy Swagler, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District) Appendix F, to create the Lawrence A. and Arthur W. Krop, Jr. Agricultural and Forestal District (Application AF 99-D-002), subject to the ordinance provisions dated June 23, 1999. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Kauffman and Chairman Hanley being out of the room.

93. **4 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) AGRICULTURAL AND FORESTAL DISTRICT CREATION APPLICATION AF 99-D-001 (ROBERT N. LEGGETT, JR.) (DRANESVILLE DISTRICT)** (Tape 9)

- (O) Mr. Charles A. Sloan reaffirmed the validity of the affidavit for the record.

Mr. Sloan 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, Tracy Swagler, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved approval of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District) Appendix F, to create the Robert N. Leggett, Jr. Agricultural and Forestal District (Application AF 99-D-001), subject to the ordinance provisions dated June 23, 1999. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Frey, Supervisor Kauffman, and Chairman Hanley being out of the room.

#### **ADDITIONAL ACTION FROM CLOSED SESSION**

94. **TINNER HILL ROAD** (Tape 9)

Supervisor Connolly moved that the Board authorize staff to acquire Lot Two on Tinner Hill Road, Tax Map 50-2 ((7)) Parcel 2, consistent with the discussion the Board had in closed session for the purpose of preserving it as an archaeological and historical resource and for the use of the Tinner Hill Heritage Foundation. Supervisor Dix seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Chairman Hanley being out of the room.

#### **AGENDA ITEMS**

95. **4 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) AGRICULTURAL AND FORESTAL DISTRICT RENEWAL APPLICATION AR 90-S-004 (JLB ASSOCIATES)) (SPRINGFIELD DISTRICT)** (Tape 9)

(O) Mr. Julian L. Blincoe reaffirmed the validity of the affidavit for the record.

Mr. Blincoe 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, Tracy Swagler, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District) Appendix F, to renew the JLB Associates Agricultural and Forestal District (Application AR 90-S-004), subject to the ordinance provisions dated June 23, 1999. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting

"AYE," Supervisor Frey, Supervisor Kauffman, and Chairman Hanley being out of the room.

96. **4 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-H-022 (ACADEMY OF CHRISTIAN EDUCATION) (HUNTER MILL DISTRICT)**  
(Tape 9)

Mr. Jonathan P. Rak reaffirmed the validity of the affidavit for the record.

Mr. Rak 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 Connolly disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. James Irving of the Irving Group

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

- In excess of \$200 from Mr. James Irving of the Irving Group

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

- In excess of \$90 from Mr. Jonathan P. Rock

Following the public hearing, Jackie Blue, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved approval of Special Exception Application SE 99-H-022, subject to the development conditions dated July 15, 1999. Supervisor McConnell seconded the motion and it carried by a vote of nine, Chairman Hanley being out of the room.

97. **4 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-D-005-4 (WEST\*GROUP PROPERTIES, LLC AND WEST\*MAC ASSOCIATES LP) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. Thomas D. Fleury reaffirmed the validity of the affidavit for the record.

Mr. Fleury 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, Cathy Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

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

- In excess of \$200 from Ms. Kathryn A. MacLane

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

- In excess of \$200 from Ms. Kathryn A. MacLane

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

- In excess of \$200 from Ms. Kathryn A. MacLane

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

- In excess of \$200 from Ms. Kathryn A. MacLane

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

- In the amount of \$150 from Ms. Kathryn A. MacLane

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

- In excess of \$200 from Ms. Kathryn A. MacLane

Vice-Chairman Hyland disclosed the following campaign contributions which he had received:

- In excess of \$200 from Ms. Kathryn A. MacLane
- In excess of \$200 from Mr. Charles B. Ewing, Jr.
- In excess of \$200 from Mr. Charles H. Smith, Jr.
- In excess of \$200 from Mr. John T. Kenney
- In excess of \$200 from Mr. Peter A. Ognibene
- In excess of \$200 from Mr. Gerry T. Halpin

- In excess of \$200 from Ms. Helen Halpin
- In excess of \$200 from Mr. John C. Ulfelder
- In excess of \$200 from Mr. Robert A. Abt

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

Supervisor Connolly moved:

- Approval of Proffered Condition Amendment Application PCA 88-D-005-4, subject to the executed proffers dated June 21, 1999.
- Modification of the transitional screening requirements where the application property is adjacent to residentially zoned property to that shown on the Generalized Development Plan (GDP) and as proffered.
- Waiver of the barrier requirements where the application property is adjacent to residentially zoned property.
- Waiver of the 75-foot setback requirement from the Dulles Access Airport Road to that shown on the GDP and as proffered.

Supervisor Gross seconded the motion and it carried by a vote of nine, Chairman Hanley being out of the room.

98. **4 P.M. - PH REGARDING THE DEDICATION OF COUNTY-OWNED PROPERTY AT LEE CHAPEL ROAD TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR ROAD IMPROVEMENTS (SPRINGFIELD DISTRICT)** (Tape 9)

- (R) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 8 and July 15, 1999.

Following the public hearing, Supervisor McConnell moved adoption of the Resolution authorizing the execution of all documents necessary for the dedication of a portion of the County-owned property at Lee Chapel Road, Tax Map Number 88-1((17))-A to VDOT. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Chairman Hanley being out of the room.



99. **4 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S99-CW-1CP FOR THE LAUREL HILL COMMUNITY PLANNING SECTOR (LP1) (MOUNT VERNON DISTRICT)** (Tapes 9-10)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 8 and July 15, 1999.

Discussion ensued with input from Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, Neil McBride and Tim Sargeant, Co-Chairmen of the Laurel Hill Citizen Advisory Committee.

Supervisor McConnell stated for the record that the organizations want lighted ball fields so that they may be used in the evening for games.

Following the public hearing, which included testimony by 15 speakers, Supervisor Hyland recommended the following areas for modification:

- The first is the addition of a collector road to be located behind the middle and high school sites to serve as a secondary access point for both schools. Its designation as a collector road will ensure maintenance and snow removal once it is adopted into the State road system. This will result in modifications to the maps on pages 18 and page 25 of staff report dated June 24, 1999. On both of these maps, this collector road should be added along the alignment of the secondary trail that abuts the two school sites.
- The second modification is to provide an alternative if the transportation facility is not adaptively reused. He modified the first bullet on page 38 of the staff report to indicate that if it is not feasible to adaptively reuse the existing transportation facility, it should be demolished and be used as an alternative elementary school site, or be developed with single family detached housing at 2-4 dwelling units per acre.
- The third modification addresses the other elementary school site. On page 39, the first bullet should be modified to indicate that access to the elementary school should be from the abutting collector road, rather than Silverbrook Road.
- The fourth area of change clarifies that hospital uses are not appropriate in the areas planned for institutional use, since these can be intensive uses; therefore several portions of the text need to be modified to make this clarification.
- In addition, a fifth change on page 43, first bullet, the words "research and development uses" need to be deleted.

Supervisor Hyland moved approval of Out-of-Turn Plan Amendment S99-CW-1CP

as recommended by the Planning Commission on July 8, 1999, with the additional modifications listed above, which are also shown in the handout entitled "Changes to the Planning Commission Recommendations for Out-of-Turn Plan Amendment S99-CW-1CP," dated July 26, 1999. He further moved that the Board adopt this Plan Amendment as the County's Reuse Plan for the Lorton Correctional Property and that this Reuse Plan be sent to the General Services Administration on or before October 21, 1999, as indicated in the Lorton Technical Corrections Act of 1998.

Chairman Hanley seconded the motion and it **CARRIED** by a recorded 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 voting "NAY."

100. **4:30 P.M. - PH PROPOSED AMENDMENTS TO THE CODE OF COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), REGARDING THE REPLACEMENT OF DEFECTIVE SPRINKLER HEADS (COUNTYWIDE)** (Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 8 and July 15, 1999.

Following the public hearing, Supervisor Mendelsohn moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), to allow the issuance of plumbing permits at no fee for the replacement of defective sprinkler heads **to become effective on July 27, 1999, at 12:01 a.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Kauffman and Supervisor McConnell being out of the room.

101. **4:30 P.M. - PH ON A PROPOSAL TO VACATE A PORTION OF SEVENTH STREET (MASON DISTRICT)** (Tapes 10-11)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 8 and July 15, 1999.

Following the public hearing, which included testimony by six speakers, discussion ensued with input from Robert S. Wynn, Assistant County Attorney, and Michael A. Davis, Staff, Department of Transportation.

Supervisor Gross moved adoption of an Ordinance vacating a portion of Seventh Street. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix,

Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

102. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1999-BR-008 (TRANSAMERICAN CONSTRUCTION) (BRADDOCK DISTRICT)**  
(Tape 11)

(O)

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

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

Following the public hearing, Tracy Swagler, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-BR-008 be amended from the R-1 District to the R-2 District, subject to the execution of the proffers dated July 16, 1999. Supervisor Dix seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

103. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1999-SU-005 (WINCHESTER HOMES, INCORPORATED) (SULLY DISTRICT)** (Tape 11)

(O)

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

Mr. McDermott had filed the necessary notices showing that at least 25 adjacent and/or interested 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, Leslie Johnson Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-SU-005 from the R-1, HC, and WS Districts to the PDH-8, HC and WS Districts, subject to the execution of the proffers dated June 24, 1999.
- Approval of a waiver of the 600 foot limitation on the length of private streets.

Supervisor Dix seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland asked to amend the motion to direct staff to notify the School Division that this property is in the Greenbrier East attendance area, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman

Hanley voting "AYE," Supervisor Bulova and Supervisor Mendelsohn being out of the room.

104. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-Y-033 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-Y-038 (AJB ASSOCIATES, INCORPORATED) AND REZONING APPLICATION RZ 1999-SU-018 (WEST\*GROUP MANAGEMENT, LLC) (SULLY DISTRICT)** (Tape 11)

(O) Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record on Proffered Condition Amendment Application PCA 94-Y-003 and Special Exception Amendment Application SEA 94-Y-038.

Mr. Thomas D. Fleury reaffirmed the validity of the affidavit for the record on Rezoning Application RZ 1999-SU-018.

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

- In excess of \$200 from Ms. Kathryn A. MacLane

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

- In excess of \$200 from Ms. Kathryn A. MacLane

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

- In excess of \$200 from Ms. Kathryn A. MacLane
- In excess of \$200 from Mr. Charles A. Ewing, Jr.
- In excess of \$200 from Mr. Charles H. Smith, Jr.

- In excess of \$200 from Mr. John T. Kenny
- In excess of \$200 from Mr. Peter A. Ognibene
- In excess of \$200 from Mr. G. T. Halpin
- In excess of \$200 from Ms. Helen Halpin
- In excess of \$200 from Mr. John C. Ulfelder
- In excess of \$200 from Mr. Robert A. Abt
- In excess of \$200 from Mr. Pat Schooltz
- In the amount of \$195 from Mr. William Rucker
- In excess of \$200 from Mr. Peter Halpin

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

- In excess of \$200 from Ms. Kathryn A. MacLane

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

- In excess of \$200 from Ms. Kathryn A. MacLane

Mr. Martin 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.

Mr. Fleury 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, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 94-Y-033, subject to the executed proffers dated July 14, 1999. Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 94-Y-038, subject to the development conditions dated July 23, 1999.

Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved waiver of the service drive requirement along Route 50. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Mendelsohn 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 1999-SU-018 be amended from the C-8, WS and AN Districts to the I-5, WS and AN Districts, subject to the execution of the proffers dated July 23, 1999. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

Supervisor Frey stated that it had come to his attention that the applicants will be required to provide a 2-foot wide easement adjacent to the 8-foot wide trail to be provided along Stonecroft Boulevard. The easement is to permit maintenance to the trail and is required to be free of landscaping. Staff raised concerns that this additional two feet not be taken out of the 15-foot buffer to be provided along Stonecroft Boulevard. To accommodate the additional two feet without impacting the buffer, a modification to the peripheral parking lot landscaping requirement may be needed within several of the interior lots to be established within the auto park and business park.

Therefore, Supervisor Frey moved that the Director of the Department of Public Work and Environmental Services be authorized to approve a modification of the peripheral parking lot landscaping for both the auto park site and the Stonecroft Business park site only as is necessary to ensure that the minimum landscape buffer of 15 feet is maintained along Stonecroft Boulevard for both applications. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

105. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-S-012 (COUNTRY CLUB OF FAIRFAX, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 11)

Mr. Francis McDermott reaffirmed the validity of the affidavit for the record.

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

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

Supervisor McConnell moved:

- Approval of Special Exception Application SE 99-S-012, subject to the development conditions dated July 22, 1999.
- Modification of the transitional screening and barrier requirements along all property boundaries in favor of the conditions shown on the Special Exception Plat.
- Waiver of the service drive requirement along the Route 123 frontage.

Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn and, Chairman Hanley being out of the room.

106. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-448-10 (KINGSTOWNE, LP) (LEE DISTRICT)**  
(Tapes 11-12)

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavit for the record.

Mr. Calabrese 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, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Proffered Condition Amendment Application PCA C-448-10, and the accompanying Conceptual Development Plan subject to the executed proffers dated July 18, 1999.
- Waiver of the following requirements for off-site recreation facilities: sidewalks, dustless surface, on-site stormwater management, transitional screening yard, tree coverage, Best Management Practice Standards, dedication and construction of roads per the Comprehensive Plan, street lights, on-site pedestrian sidewalks and trails, and the soils report.

Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

107. **5 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-V-009 (ALAN CARTER) (MOUNT VERNON DISTRICT)** (Tape 12)

Mr. Lloyd A. Trump reaffirmed the validity of the affidavit for the record.

Mr. Trump 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, Catherine Sieber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and moved to defer decision on Special Exception Application SE 99-V-009 until **August 2, 1999, at 3:30 p.m.** Supervisor Dix seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Acting-Chairman Kauffman returned the gavel to Vice-Chairman Hyland.

108. **5 P.M. - PH ON REZONING APPLICATION RZ 1998-LE-006 AND SPECIAL EXCEPTION APPLICATION SE 98-L-057 (SPRINGFIELD EAST, LC) (LEE DISTRICT)** (Tape 12)

(O) 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, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-LE-006 from the I-4 and I-6 Districts to the PDH-40 and C-4 Districts, subject to the execution of the proffers dated July 23, 1999; the Planning Commission having previously approved Final Development Plan Application FDP 1998-LE-006 on July 22, 1999.
- Approval of Special Exception Application SE 98-L-057, subject to the proposed development conditions dated July 21, 1999.
- Waiver of the transitional screening yard requirements between the hotel and the proposed residences.



- Waiver of the requirement that residential buildings be set back from a railroad right-of-way by 200 feet.

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

109. **5 P.M. - PH ON REZONING APPLICATION RZ 1998-DR-049 (RALPH B. EVANS) (DRANESVILLE DISTRICT)** (Tapes 12-18)

- (O) Mr. Jonathan P. Rak reaffirmed the validity of the affidavit for the record.

Mr. Rak 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 contributions which he had received:

- In excess of \$200 from Ms. Kathryn A. MacLane
- In excess of \$200 from Elm Street Development Corporation, Incorporated

Supervisor Bulova disclosed the following campaign contributions which she had received:

- In the amount of \$150 from Ms. Kathryn A. MacLane
- In the amount of \$90 from Mr. Jonathan P. Rak

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

- In excess of \$200 from Ms. Kathryn A. MacLane

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

- In excess of \$200 from Ms. Kathryn A. MacLane
- In the amount of \$100 each, on two separate occasions, from Mr. Michael G. Anzilotti, President and CEO of First Virginia Bank

Supervisor Hyland disclosed the following campaign contributions which he had

received:

- In the amount of \$195 from Mr. John C. Ulfelder
- In excess of \$200 from Ms. Kathryn A. MacLane
- In excess of \$200 from Mr. Charles B. Ewing, Jr.
- In excess of \$200 from Mr. Charles H. Smith, Jr.
- In excess of \$200 from Mr. John T. Kenney
- In excess of \$200 from Mr. Peter A. Ognibene
- In excess of \$200 from Mr. Robert A. Abt
- In excess of \$200 from Mr. Pat Shooltz
- In excess of \$200 from Mr. William Rucker
- In excess of \$200 from Mr. G. T. Halpin
- In excess of \$200 from Ms. Helen Halpin

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

- In the amount of \$100 from Elm Street Development Corporation, Incorporated
- In excess of \$200 from Mr. Michael G. Anzilotti, President and CEO of First Virginia Bank

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

- In excess of \$200 from Kathryn A. MacLane

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

- In excess of \$200 from Mr. Mark Lowham
- In excess of \$200 from Ms. Kathryn A. MacLane

Supervisor Connolly corrected for the record that the disclosure that is listed in

excess from Mr. Robert A. Abt is incorrect but he freely chose to disclose the following campaign contribution which he had received:

- In the amount of \$100 from Mr. Robert A. Abt

Following the public hearing, which included testimony by 75 speakers, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-DR-049 from the R-3 District to the PDH-5 District, subject to the execution of the proffers dated July 26, 1999.
- Waiver of the limitation on the length of private streets.
- Waiver of the service drive requirement on Dolly Madison Boulevard.
- Modification of the transitional screening and barrier requirements adjacent to Lot 60.
- Modification of the transitional screening and barriers internal to the property.
- Approval of a variance to allow that \$955 per unit be used for implementation of trails in the Pimmit Run area.
- Direction to the Department of Public Works and Environmental Services to allow the existing Enterprise Avenue to remain a stub street without a cul-de-sac and with pedestrian only access to Evans Farm Property.

Supervisor Frey seconded the motion and it 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."

110. **BOARD ADJOURNMENT** (Tape 18)

At 1:24 a.m., Tuesday, July 27, 1999, the Board adjourned.