



# **CLERK'S BOARD SUMMARY**

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

**MONDAY  
March 4, 2002**

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**05-02**

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**DS:ds**

The meeting was called to order at 9:35 a.m., with all Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

Supervisor Hyland arrived at 3:15 p.m.

Others present were Anthony H. Griffin, 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 MATTER**

1. **MOMENT OF SILENCE** (Tape 1)

Chairman Hanley asked everyone to keep in thoughts and prayers the family of Ms. Florence Mendelsohn, Supervisor Stuart Mendelsohn's mother, who died on February 26, 2002. On behalf of the Board, Chairman Hanley offered condolences to Supervisor Mendelsohn and his family, and said that the Board will contribute \$300 to the American Heart Association, the Mid-Atlantic affiliate's memorial processing center.

Chairman Hanley asked everyone to keep in thoughts and prayers the family of Clive DuVal II, former Virginia state Senator, who died last week. He was a shining example of civility in politics.

Chairman Hanley asked everyone to keep in thoughts and prayers the family of Mr. Michael Giguere, who died last week. He was involved with the land use process for the County.

Chairman Hanley asked everyone to keep in thoughts and prayers the family of Ms. Mary Ann Hurt who died last week. She lived in Lake Barcroft, and was a community activist in the Mason District.

Supervisor Kauffman asked everyone to keep in thoughts and prayers the family of Delegate Kristen Amundson, whose father died last week.

Supervisor Mendelsohn asked everyone to keep in thoughts and prayers the family of Ms. Martha Seeley, who died recently.

### **AGENDA ITEMS**

2. **PROCLAMATION DESIGNATING THE WEEK OF MARCH 10 - 16, 2002, AS "NATIONAL GIRL SCOUT WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Gross moved approval of the Proclamation designating March 10 - 16, 2002, as "*National Girl Scout Week*" in Fairfax County. The motion, which was multiply seconded, carried by a vote of nine, Supervisor Hyland not yet having arrived.

3. **PROCLAMATION DESIGNATING MARCH AS "DEVELOPMENT DISABILITIES INCLUSION MONTH" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Bulova moved approval of the Proclamation designating March as "*Development Disabilities Inclusion Month*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

4. **PROCLAMATION DESIGNATING MARCH AS "COLON CANCER AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation designating March as "*Colon Cancer Awareness Month*" in Fairfax County. Supervisor Connolly and Supervisor McConnell jointly seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Hyland not yet having arrived.

5. **PROCLAMATION DESIGNATING MARCH AS "PURCHASING MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation designating March as "*Purchasing Month*" in Fairfax County. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

6. **10 A.M. – PRESENTATION BY THE LONG TERM CARE (LTC) TASK FORCE** (Tapes 1-2)

(BACs) Barry Ingram, Chairman, LTC Task Force, gave remarks. Eileen Dohmann, Member, LTC Task Force, presented the report.

Discussion ensued with input from Martha Glennan and Marlene Blum, Members of the LTC Task Force.

Supervisor Hudgins moved that the Board:

- Accept the LTC Task Force report and recommendations.
- Direct staff to return with input on the recommendations, in order to allow the:
  - Board to begin a series of meetings.
  - Human Services Committee to begin addressing the recommendations.

The second to this motion was inaudible.

Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and asked to amend the motion that the Board:

- Refer the report to staff.
- Direct staff to return immediately with a structure report on the LTC Council.

Supervisor Connolly seconded the motion.

Supervisor Hudgins clarified that her motion to have input from staff would have a 60 day turn around time frame.

Following discussion, with input from Anthony H. Griffin, County Executive, Chairman Hanley asked unanimous consent that the Board direct staff to return at the next Board meeting scheduled for March 18, 2002, with the structure report on the LTC Council. Without objection, it was so ordered.

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

Supervisor Connolly asked to amend the motion that the Board direct staff to send the report to the Members of the Fairfax County Delegation of the General

Assembly with a cover letter that addresses the concerns regarding the State's lack of assistance with Medicare funding. This was accepted.

Following further discussion, the question was called on the motion, as amended, and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

7. **10:15 A.M. – PRESENTATION BY THE HOMELESS OVERSIGHT COMMITTEE** (Tape 2)

Sharon Kelso, Peyton Whiteley, and Carla Taylor, Co-Chairs, Homeless Oversight Committee, presented its report.

Discussion ensued with input from Michael Finkle, Acting Director, Division of Housing Management, Department of Housing.

Noting that a report had been previously requested, Supervisor Hudgins asked unanimous consent that the Board direct staff to report with how many units have become unavailable as a result of integrating incomes, in terms of the program. Without objection, it was so ordered.

Following discussion, with input from Mr. Finkle, Supervisor McConnell asked unanimous consent that the Board direct staff to report with information regarding whether there is any County property available for placing modular homes. Without objection, it was so ordered.

Further discussion ensued with input from Anthony H. Griffin, County Executive, and Mr. Finkle.

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

Supervisor Connolly moved approval of the Administrative Items. Supervisor Bulova seconded the motion, and it carried by a vote of eight, Supervisor Gross being out of the room, Supervisor Hyland not yet having arrived.

**ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (MOUNT VERNON, PROVIDENCE, AND SULLY DISTRICTS)**

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

- Application 2232-Y02-1 to April 8, 2002
- Application 2232-P02-2 to May 20, 2002
- Application 2232-V02-3 to June 3, 2002

**ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), ARTICLE 10 - CHARGES, REGARDING REVISIONS TO SEWER SERVICES CHARGES AND THE AVAILABILITY FEES**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 8, 2002, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10 - Charges, regarding revisions to sewer service charges and the availability fees.

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

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
The Bennett Kiln Section 1 and 2	Hunter Mill	McKinley Street Route 4316 Brenner Court
Prichard's Corner	Providence	Sandburg Street Route 936 Prichards Court Sandburg Street Route 936 Additional ROW Only
Brookfield Corporate Center	Sully	Brookfield Corporate Drive Route 7681

**ADMIN 4 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM**

Designated the following individuals, identified by their registration numbers, as Plans Examiners:

- Michael R. Sanchez (215)
- Andrew J. Williams (216)
- Stephen M. Platt (217)
- Kayvan Jaboori (218)

- Keith H. Chilton (219)

**ADMIN 5 – AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 2003 BUDGET AND REQUIRED TAX RATES**

(A) Authorized the advertisement of the following items, which are included in the proposed FY 2003 Budget:

- A brief synopsis of the FY 2003 Budget and a notice of proposed adoption of a resolution appropriating funds for the FY 2003 Budget to be advertised during the week ending March 29, 2002.
- The notice required by *Virginia Code* Section 58.1-3321.
- Public hearings on the proposed Capital Improvement Program for FY 2003 - 2007 (with Future Fiscal Years to 2012)

**ADMIN 6 – RECOMMENDATION OF STREETS TO BE CONSIDERED FOR TRAFFIC-CALMING MEASURES AS PART OF THE RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (BRADDOCK AND PROVIDENCE DISTRICTS)**

- Endorsed the selection of the following streets into the R-TAP for traffic calming:
  - Maple Avenue (Braddock District)
  - Virginia Lane (Providence District)
- Directed staff and requested the Virginia Department of Transportation to develop traffic-calming plans in conjunction with each community, as soon as possible.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 83 (BOATS), TO ESTABLISH A "NO WAKE" ZONE FOR VESSELS ON DOGUE CREEK (MOUNT VERNON DISTRICT)**

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **April 8, 2002, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 83 (Boats), to establish a "No Wake" zone for vessels on Dogue Creek.

- Directed staff to provide notice of the proposed public hearing to the Virginia Department of Game and Inland Fisheries in accordance with *Virginia Code* Section 29.1-744(D).

9. **A-1 – APPROVAL OF DESIGN-BUILD JUSTIFICATION, REQUEST FOR QUALIFICATIONS, AND REQUEST FOR PROPOSAL FOR DEVELOPMENT OF A MINIATURE GOLF COURSE AT BURKE LAKE PARK (SPRINGFIELD DISTRICT)** (No Tape)

This item was withdrawn by staff.

10. **A-2 – FAIRFAX COUNTY'S COMMENTS REGARDING THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) CORE CAPACITY STUDY** (Tape 2)

On motion of Supervisor Kauffman, seconded by Supervisor Connolly, and carried by a vote of eight, Supervisor Gross being out of the room, Supervisor Hyland not yet having arrived, the Board concurred in the recommendation of staff and:

- Endorsed the comments on the WMATA Core Capacity Study as contained in the Board Agenda Item dated March 4, 2002.
- Directed staff to transmit the comments to WMATA.

11. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-Y01-21, NEXTEL COMMUNICATIONS (SULLY DISTRICT)** (Tape 2)

The Board next considered an item contained in the Board Agenda dated March 4, 2002, announcing the Planning Commission's approval of Public Facilities Application 2232-Y01-21, Nextel Communications.

12. **I-2 – CONTRACT AWARD - DESIGN SERVICES FOR DEVELOPMENT OF A MINIATURE GOLF COURSE AT BURKE LAKE PARK (SPRINGFIELD DISTRICT)** (Tape 2)

The Board next considered an item contained in the Board Agenda dated March 4, 2002, requesting authorization for staff to award a contract to William H. Gordon Associates, Incorporated, in the amount of \$139,950 for design, permitting, bidding, construction administration, and supplemental services for the design of a miniature golf course at Burke Lake Park located at 7315 Ox Road, Fairfax Station, Tax Map Number 87-4(1)) 6. Funds are currently available in Project 004748, General Park Improvements, in Fund 371, Park Capital Improvement Fund.

The staff was directed administratively to proceed as proposed.

**ADDITIONAL BOARD MATTERS**

NV:nv

13. **ABSENCE OF SUPERVISOR HYLAND** (Tape 3)

Chairman Hanley noted that Supervisor Hyland was representing the County along with the Police Chief and the Fire Chief at a National Association of Counties presentation in Washington, DC this morning.

(NOTE: Later in the meeting, Supervisor Hyland reported on his appearance there. See Clerk's Summary Item CL#55.)

14. **FOSTER CARE MONTH** (Tape 3)

Chairman Hanley announced that in conjunction with the national observances, the Fairfax County Foster Care Association has requested that the County observe May as Foster Care Month.

Therefore, Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and moved that the Board direct staff to invite representatives from the foster care community to appear before the Board at the May 6, 2002, meeting to receive a Proclamation declaring May as "*Foster Care Month*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Gross and Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

15. **NATIONAL PUBLIC HEALTH WEEK** (Tape 3)

Chairman Hanley announced that "Healthy People, Healthy Communities" is the theme of National Public Health Week to be celebrated April 1-7, 2002. To coincide with the national observance and to recognize the regional efforts made to respond to bioterrorism, Chairman Hanley moved that the Board direct staff to invite representatives from the Health Department, the Health Care Advisory Board, Inova Health Systems, and the Health Departments in Arlington, Alexandria, and Winchester to appear before the Board at the March 18, 2002, meeting to receive a proclamation declaring April 1-7, 2002, as "*Public Health Week*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Gross being out of the room, Supervisor Hyland not yet having arrived.

16. **WORLD TUBERCULOSIS DAY** (Tape 3)

Chairman Hanley announced that World Tuberculosis Day is designated as March 24, 2002. To encourage all Fairfax County residents to recognize the importance of TB screenings, she moved that the Board direct staff to invite representatives from the Health Department and a physician working closely with



TB patients to appear before the Board at the March 18, 2002, meeting to receive a proclamation declaring March 24, 2002, as "*TB Awareness Day*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

17. **AREA PLANS REVIEW (APR) PROCESS** (Tape 3)

Chairman Hanley said that the ongoing APR process has raised the need for Policy Plan guidance regarding the process and the types of property that are generally appropriate for public parks, as well as a clarification and affirmation of the County Policy supporting privately initiated open space transactions, such as the donation of conservation easements to non-profit organizations.

Chairman Hanley reminded the Board that there were a number of property-specific "park option" nominations submitted in the ongoing APR process. She asserted that there should be clear and concise Countywide guidance in the Policy Plan about the type of properties that might be appropriate for public park use. Furthermore, it should be clear that a property-specific designation in an Area Plan is not required for consideration of a property for public park acquisition.

Chairman Hanley noted that it is important to recognize that the County enthusiastically supports the efforts of the Northern Virginia Conservation Trust, the Park Authority, and other groups that enable private land owners the opportunity to donate development rights and receive favorable Internal Revenue Service (IRS) treatment as thank yous for their generosity. One of the criteria the IRS uses to evaluate the validity of a conservation easement dedication is the support from state and local policies. To make sure there is no misunderstanding at the IRS about County endorsement of these transactions, the Policy Plan should incorporate a concise statement of support for privately initiated conservation transactions.

Therefore, Chairman Hanley moved that the Board direct staff to draft appropriate Plan language regarding County policies supporting parks and open space and return to the Board for advertisement. Supervisor Connolly seconded the motion.

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

18. **IMPORTANCE OF VIRGINIA SCHOOL CENSUS FORMS** (Tape 3)

Chairman Hanley reminded Board Members that they had received a letter from the Superintendent of Schools requesting assistance in publicizing the importance of the Virginia School Census forms. The results of the census affect school funding. Accordingly, she asked unanimous consent that the Board direct staff to publicize the importance of the forms on the County's website. Without objection, it was so ordered.

19. **LEGAL RULING REGARDING PAINT** (Tape 3)

Chairman Hanley called the Board's attention to a press release she had received with the headline "Milestone Ruling in Rhode Island's Lawsuit Against Paint Companies." She asked unanimous consent that the Board direct the County Attorney to examine this case and report with information regarding lead paint class action suits in the legal community. Without objection, it was so ordered.

The Board briefly discussed the County's population in comparison with Rhode Island and other states.

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

**PMH:pmh**

20. **MADEIRA SCHOOL'S GIRLS' SWIM AND DIVE TEAM** (Tape 4)

Supervisor Mendelsohn announced that the Madeira School's Girls' Swim and Dive Team defended its title at the Virginia State Independent Schools Championship in Chatham, Virginia. These young women scored 295 points and dominated the competition, amassing 49 more points than runners-up in this field of 32. This was Madeira's second State athletic title in its 96-year history.

Supervisor Mendelsohn said that leading the Snails to victory were senior captains, Lauren Edmondson and Katie Mims.

Supervisor Mendelsohn moved that the Board direct staff to invite the Madeira School's Girls' Swim and Dive Team, and coaching staff to appear before the Board at a date to be determined to be recognized for these significant accomplishments. Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

21. **CERTIFICATE OF RECOGNITION FOR MS. CHRISTINA GHANI**  
(Tape 4)

Supervisor Bulova announced that Christina Ghani of Lake Braddock Secondary School is the State's Individual All Around Gymnastics Champion.

Therefore, Supervisor Bulova moved that the Board direct staff to invite Ms. Ghani to appear before the Board to be recognized for her significant accomplishment. Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

22. **TELEVISIONING COUNTY CONCERTS** (Tape 4)

Supervisor Bulova moved that the Board direct staff to investigate the possibility of taping the summer concert series held in the County's parks during the summer and broadcasting those shows on Channel 16 throughout the year. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

23. **DIGITAL GUIDE FOR CABLE CHANNEL 16** (Tape 4)

Supervisor Bulova asked unanimous consent that the Board direct staff to determine if additional programming information could be provided on the digital guide for cable Channel 16. Without objection, it was so ordered.

24. **FAIRFAX COUNTY LICENSE PLATE** (Tape 4)

Supervisor Gross reminded the Board, interested citizens, and employees that they now have an opportunity to show pride in Fairfax County by reserving a new license plate commemorating the County's history. The Fairfax County license plate features the County coat-of-arms and the motto "Home of the Bill of Rights." Proceeds from the purchase of a Fairfax County license plate will help to support the County's historic preservation activities and programs.

The Virginia Department of Motor Vehicles (DMV) requires that the County collect 350 pre-paid applications before plate production can begin. To date, 250 more applicants are needed to reach the goal of 350 by June 2002. Once 350 pre-paid registrations have been received, the County will submit them to the DMV and the license plates will be produced and issued directly to the applicant. The annual fee for the Fairfax County plate is \$25 and a personalized Fairfax County plate is \$35. After a total of 1000 plates are sold, the DMV will forward \$15 from the sale of each plate to Fairfax County.

To receive an application form, go to the County's web site, [www.fairfaxcounty.gov](http://www.fairfaxcounty.gov) and click on "Today in Fairfax" or call the County Executive's Office at (703) 324-2531.

25. **"IMPACT OF WOMEN IN PUBLIC OFFICE"** (Tape 4)

Supervisor Gross said that the March 2, 2002, newsletter of the League of Women voters of the Fairfax area has an article entitled "The Impact of Women in Public Office." She briefly outlined the article.

Supervisor Gross asked unanimous consent that the Board direct staff to:

- Refer this article to the Office for Women.
- Send the article to the School System.

Chairman Hanley noted that there was an inaccuracy in the article. She said that the article reported that since 1952 there has always been at least one woman elected to the Board with a high of five serving today. She pointed out that at one time there were six women on the Board when the total number of members on the Board was nine.

Supervisor Gross asked to amend the request that the error be corrected, and this was accepted.

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

26. **RESTON CELEBRATES LONGEVITY WITH AN "OVER 90" CELEBRATION** (Tape 4)

Supervisor Hudgins said that on Monday, February 18, 2002, yesterday's teenagers of Reston celebrated their longevity at Lake Anne's Fellowship House with an "over 90" celebration. One of Reston's oldest citizens, Mr. Vartan Anooshian, celebrated his 108th birthday. Mr. Anooshian is believed to be Reston's oldest citizen. There were a total of 18 nonagenarians honored at the "Over 90" party.

Therefore, Supervisor Hudgins moved that the Board recognize Mr. Anooshian with a proclamation commemorating his longevity as well as his 108<sup>th</sup> birthday. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

27. **APPOINTMENT OF THE STUDENT MEMBER OF THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)** (Tape 4)

(APPT) Supervisor Hudgins said that recently the student member of EQAC resigned from this position. EQAC has recommended that Sonya Khan be appointed to complete the Student Member's term, which runs through June, 2002. Ms. Khan is a resident of the Hunter Mill District and is a junior at South Lakes High School. She was the alternate for the Student Member position as selected by EQAC in June 2001.

Therefore, Supervisor Hudgins moved the appointment of Ms. Sonya Khan as the Student Member of EQAC to fill the unexpired term of Ms. Priyanka Tandon for a term to run through June 2002. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

28. **REZONING APPLICATIONS RZ 2001-SP-041 AND RZ 2001-SP-043**  
(Tape 4)

Supervisor McConnell said that Centex Homes has submitted rezoning applications for the DixCenGato area of Fairfax Center. The main application proposes to rezone the subject property from the R-1 and R-2 Districts to the PDH-12 District. A smaller application proposes a rezoning from the R-1 District to the R-5 District.

The Planning Commission public hearing on these applications is currently scheduled for April 24, 2002. The Planning Commission public hearing was deferred from March 20, 2002, to give the applicant time to resolve outstanding issues. The applicant has requested that the Board schedule its public hearing to occur on May 6, 2002.

Therefore, Supervisor McConnell moved that the Board direct staff to schedule the public hearing to be held before the Board on Rezoning Applications RZ 2001-SP-041 and RZ 2001-SP-043 to occur on May 6, 2002. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of the rezoning applications in any way. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

29. **RESULTS OF SURVEY TO BE PRESENTED** (Tape 4)

Supervisor McConnell announced that at the next Board meeting she would be presenting the results of the survey completed by her office. She added that two major concerns in the Springfield District are education and traffic.

30. **INTERNATIONAL NIGHT AT CHANTILLY HIGH SCHOOL** (Tape 4)

Supervisor McConnell said that she and Chairman Hanley attended International Night at Chantilly High School. She noted the diversity of students, beautiful costumes, and wonderful talent.

**NV:nv**

31. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 01-V-035** (Tape 5)

Supervisor Kauffman announced that Supervisor Hyland indicated to him his intent to defer the public hearing on Special Exception Application SE 01-V-035 later in the meeting at the appropriate time.

(NOTE: Later in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#57.)

32. **OLDER AMERICANS MONTH** (Tape 5)

Supervisor Kauffman stated that seniors contribute to the community in significant ways. They are community leaders, providing volunteer assistance to other seniors, leading civic groups, mentoring school children, and supporting parks and cultural institutions. To recognize the important contributions older Americans make in the community, this year's theme for Older Americans Month will be "America: A Community for All Ages."

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

- Prepare a proclamation declaring May 2002 as "*Older Americans Month*" in Fairfax County.
- Invite the Chair of the Commission on Aging to the April 29, 2002, meeting of the Board to be recognized and to receive the proclamation.

Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

Supervisor Gross asked unanimous consent that the Board direct staff to invite ALL members of the Commission on Aging to appear. Without objection, it was so ordered.

33. **RED CROSS** (Tape 5)

Supervisor Connolly referred to an article published in the Sunday, March 3, 2002, edition of *The Washington Post* regarding some concerns raised about the Washington Capital Chapter of the American Red Cross, which serves the County. He asked unanimous consent that the Board direct the County Executive to review the relationship with the National Capital Chapter and report with his findings and any appropriate recommendations. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and asked unanimous consent that the Board direct staff to review the statistics regarding the number of disasters along with its definition and the responses. Without objection, it was so ordered.

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

Discussion continued briefly.

34. **CONCURRENT PROCESSING REQUEST FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 00-Y-001** (Tape 5)

Supervisor Frey stated that Chevy Chase Bank has submitted a special exception application requesting approval of drive-through facilities for a bank proposed on Old Centreville Road. Given the fact that the application is consistent with the recommendations of the Comprehensive Plan and staff does not have outstanding issues, the applicant has requested that the Board authorize concurrent processing.

Therefore, Supervisor Frey moved that the Board direct the staff of the Department of Public Works and Environmental Services to process the site plan concurrently with the consideration of Special Exception Amendment Application SEA 00-Y-001. The applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

35. **SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 2001-SU-044** (Tape 5)

Supervisor Frey said that Ratcliffe Associates, LC has submitted a rezoning application to request approval for development of a mix of single family attached and detached homes on 22.5 acres located on Lee Highway. The applicant has agreed to defer the Planning Commission hearing to address staff's concerns regarding design. Due to the large number of sellers that are participating in this rezoning application, the applicant is anxious to proceed with the Board public hearing. A Planning Commission hearing date has been scheduled for April 25, 2002.

Supervisor Frey moved that the Board direct staff to schedule the public hearing to be held before the Board for Rezoning Application RZ 2001-SU-044 on April 29, 2002. The applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor Mendelsohn seconded the motion, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

36. **FEE WAIVER FOR KNIGHTS OF COLUMBUS CIRCUS** (Tape 5)

Supervisor Frey announced that the Knights of Columbus, a non-profit group, is holding a circus on the weekend of May 10-12, 2002, at the Bull Run Regional Park to benefit various charities. Supervisor Frey moved that the Board waive all County fees associated with the circus, so that full benefits of the fundraiser may be achieved. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

37. **ELEPHANTS ON PARADE** (Tape 5)

Supervisor Frey stated that he had learned that elephants from the Ringling Brothers and Barnum and Bailey Circus may be walking up Route 123 in the near future. He said that the plan is that they will be making the trek from a train up to their performance area in the County.

Supervisor Bulova clarified that the circus will be performing at the Patriot Center on the campus of George Mason University and the animals will be transported by rail, with a stop at the old station at Fairfax Station. She noted that the requested plan, which may not yet be approved, was to move the caravan up Route 123, with a parade by some of the animals.

38. **RECESS/CLOSED SESSION** (Tape 5)

At 12 noon, 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 as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).
  1. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Emma C. Whitney, Duane Whitney, Edward Whitney, and Leslie Whitney*, In Chancery No. 152580 (Fx. Co. Cir. Ct.) (Providence District)
  2. *Richard M. Robertson v. The Board of Supervisors of Fairfax County, et al.*, In Chancery No. 160618 (Fx. Co. Cir. Ct.) (Dranesville District)
  3. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Ruben Martinez and Carmen Velazquez*, In Chancery No. 176692 (Fx. Co. Cir. Ct.) (Springfield District)



And in addition:

- Grievance of Eileen Wollstadt

Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

Chairman Hanley announced that the Board would convene in closed session at 1:30 p.m.

**SBE:sbe**

At 3:15 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hudgins, and with Chairman Hanley presiding.

### **ACTIONS FROM CLOSED SESSION**

39. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 6)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," \*Supervisor Hudgins being out of the room.

(\*NOTE: Later in the meeting, Supervisor Hudgins asked to be recorded as voting "AYE" on this motion. See Clerk's Summary Item CL#56.)

40. **PURCHASE OF PROPERTY OWNED BY HAYFIELD PROPERTY LLC AND HYBLA VALLEY PROPERTY LLC** (Tape 6)

The Board next considered the contract of sale for a property located adjacent to the US Coast Guard Station and Hayfield Farm Section 3 in Alexandria, Virginia. This property is needed for wetlands mitigation required by the US Army Corps of Engineers for construction of the final segment of South Van Dorn Street.

In conjunction with that, Supervisor Kauffman moved:

- Approval of the Contract of Sale for purchase of the property by Special Warranty Deed, subject to the special conditions stated within the contract.

- Authorization of the execution of said instrument by the County Executive or the Deputy County Executive.

This property is located in the Lee District, known as Tax Map Parcel 091-4-01-0030-A and owned by Hayfield Property LLC and Hybla Valley Property LLC.

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

**DMB:dmb**

**AGENDA ITEMS**

41. **3 P.M. – BOARD DECISION ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE MCLEAN HEIGHTS SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (DRANESVILLE DISTRICT)** (Tape 7)

(NOTE: At its February 25, 2002, meeting the Board deferred decision on this item until March 4, 2002.)

Supervisor Mendelsohn moved to defer decision on the acquisition of certain land rights necessary for the construction of the McLean Heights Sanitary Sewer Extension and Improvement Project to **March 18, 2002, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor Hudgins being out of the room.

42. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-P-069-2 (SMII FAIRFAX LLC) (PROVIDENCE DISTRICT)** (Tape 7)

(NOTE: At its February 11, 2002, meeting the Board deferred the public hearing on this item until February 25, 2002. At its February 25, 2002, meeting the Board deferred the public hearing on this item until March 4, 2002.)

The application property is located in the northwest quadrant of Interstate 66 and Route 123, north and east of Arrowhead Drive and west of Rosehaven Street, Tax Map 47-4 ((1)) 5B.

Ms. Mary Theresa Flynn reaffirmed the validity of the affidavit for the record.

Ms. Flynn 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, Cathy Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Approval of Proffered Condition Amendment Application PCA 81-P-069-2 and the Conceptual Development Plan, subject to the proffers consistent with those dated February 22, 2002.
- Waiver of the 600-foot maximum length requirement of private streets.
- Modification of the transitional screening requirement and waiver of the barrier requirement on the eastern, western, and southern peripheries in favor of that shown on the Conceptual Development Plan/Final Development Plan.

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

43. **3:30 P.M. – PH ON A PROPOSAL TO ABANDON A PORTION OF WILSON AVENUE (PROVIDENCE DISTRICT)** (Tape 7)

- (O) (NOTE: At its January 28, 2002, meeting the Board deferred the public hearing on this item until February 11, 2002. At its February 11, 2002, meeting the Board deferred the public hearing on this item until March 4, 2002.)

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 February 14 and February 21, 2002.

Following the public hearing, Supervisor Connolly moved adoption of the order abandoning a portion of Wilson Avenue. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

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

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the 3:30 p.m. public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), expanding the Mount Vernon Residential Permit Parking District, District 24, Mount Vernon District.

45. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), EXPANDING THE WEST SPRINGFIELD RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 7 (SPRINGFIELD DISTRICT)** (No Tape)

(NOTE: This public hearing was deferred until later in the meeting. See Clerk's Summary Item CL#49.)

46. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), EXPANDING THE MOUNT VERNON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 24 (MOUNT VERNON 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 February 14 and February 21, 2002.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), expanding the Mount Vernon RPPD, District 24. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

47. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2001-BR-028 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-A-036 (EASTWOOD PROPERTIES, INCORPORATED)** (Tape 7)

- (O) The Rezoning Application Property is located on the south side of Zion Drive, approximately 600 feet east of Roberts Road, Tax Map 68-4 ((1)) 48-50; 68-4 ((4)) A1, C, D, 1; 68-4 ((13)) A pt and 77-2 ((26)) 1-3.

The Proffered Condition Amendment Application PCA 81-A-036 is also located on the south side of Zion Drive, approximately 600 feet east of Roberts Road, Tax Map 68-4 ((1)) 50- pt. and 68-4 ((13)) A.

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

Following discussion, Supervisor Bulova moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-BR-028, from the R-1 and R-3 Districts to the PDH-3 and R-3 Districts, subject to the proffers dated February 20, 2002, with the following sentence added to proffer #5: "An escrow fund of \$2,000 for maintenance of the rain garden shall be established."
- Approval of Proffered Condition Amendment Application PCA 81-A-036, subject to the proffers dated February 13, 2002.

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

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

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the 3:30 p.m. public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), expanding the West Springfield Residential Permit Parking District (RPPD), District 7, Springfield District, and Supervisor Hyland's Board Matters.

49. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), EXPANDING THE WEST SPRINGFIELD RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 7 (SPRINGFIELD DISTRICT)** (Tape 7)

(O) (NOTE: Earlier in the meeting this public hearing was deferred. See Clerk's Summary Item CL#45.)

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 February 14 and February 21, 2002.

Following the public hearing, Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), expanding the West Springfield RPPD, District 7.

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

NV:nv

### **ADDITIONAL BOARD MATTERS**

50. **PROPOSAL FOR TAX RELIEF** (Tape 7)

Supervisor Hyland referred to his written Board Matter regarding tax relief in light of double-digit real estate tax assessments and noted that he was resurrecting a proposal he had made some years ago.

Accordingly, Supervisor Hyland moved that the Board refer the following two proposals to staff and the Board's Legislative Committee:

- Placing an annual cap of not more than ten percent on real estate assessment increases on residential property representing the principal domicile of County homeowners.
- Allowing deferral of all or a portion of annual real estate tax assessment increases for those residents who are over age 65 and retired for payment in full to the County until the residents sell their homes or die. At that time, their deferred taxes plus interest would be collected and made payable to Fairfax County.

Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to determine what other states and jurisdictions around the country are implementing for tax relief for the elderly. Without objection, it was so ordered.

Following further discussion, Supervisor Connolly asked unanimous consent that the Board direct staff to include in the information about other jurisdictions additional information about their differences in regard to Fairfax County and its reliance on the real estate tax. Without objection, it was so ordered.

51. **REQUEST FOR AN ANALYSIS OF PRESENT AND FUTURE DEVELOPMENT AT FORT BELVOIR** (Tape 7)

Supervisor Hyland referred to his written Board Matter regarding development at Fort Belvoir. In it he noted recent reports that Fort Belvoir had just begun the process of building 2,569 new residences on the base known as the "Residential Communities Initiative." The Army Materiel Command, with its 800 - 1,000

employees will be locating to Fort Belvoir by July 2002. The Southwest Administrative Park, which will serve as a work center for 15,000 army and military-affiliated personnel, is proposed to be placed at Fort Belvoir near the entrance to the Fairfax County Parkway. In addition, the National Army Museum to be located at Fort Belvoir is expected to attract one million visitors annually.

Supervisor Hyland asked unanimous consent that in light of all these developments and activities at Fort Belvoir, as well as proposed development there, that the Board direct staff to analyze present and proposed changes to Fort Belvoir and provide the Board with a report of the development conditions and proffers which would be required if a private developer were to develop and/or make such changes. He noted that he hoped to share the results of the analysis with the County's Congressional Delegation as well as the Department of the Army. Without objection, it was so ordered.

A brief discussion ensued.

52. **REQUEST FOR "NO THROUGH TRUCK TRAFFIC" AND "WATCH FOR CHILDREN" SIGNS ON HUNTINGTON DRIVE** (Tape 7)

Supervisor Hyland called the Board's attention to copies of an email request he received from Mack Rhoades, President of the Huntington Community Association, in which he requests "no through truck traffic" and "watch for children" signs on Huntington Avenue for the reasons stated in his message.

Accordingly, Supervisor Hyland moved that the Board refer these requests to staff for review, consideration, and recommendation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

53. **ACKNOWLEDGMENT OF MS. JENNIFER BENISON** (Tape 7)

Supervisor Hyland referred to his written Board Matter which stated that Ms. Jennifer Benison, an eighth grader at Mark Twain Middle School, had been chosen as one of the state's top two youth volunteers in the seventh annual Prudential Spirit of Community Awards, a national program recognizing young people for outstanding community service. As a State Honoree, Ms. Benison will receive a \$1,000 award and an engraved silver medallion along with a trip to Washington, DC on May 4 – 7 for a series of national recognition events.

Accordingly, Supervisor Hyland moved that the Board direct staff to invite Ms. Benison to appear before the Board in recognition of her invaluable contribution to the County in connection with the free lunch program that she organized for 150 disadvantaged children while attending a summer day camp. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

54. **TRUCK PARKING PROBLEM** (Tape 7)

Supervisor Hyland stated that the Mount Vernon District Planning Commission had asked staff whether there was anything the County could do about trucks parking along portions of Lorton Road and Armistead at Gunston Plaza. Apparently, the only alternative available to the County is to post “no parking” signs. Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to prepare a Board item requesting Board authorization for such signs. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

55. **CEREMONY RECOGNIZING PUBLIC SAFETY STAFF** (Tape 7)

(NOTE: Earlier in the meeting, Supervisor Hyland’s absence was explained. See Clerk's Summary Item CL#13.)

Supervisor Hyland reported that at noon earlier in the day he was privileged to be at the Hilton in Washington, DC where the Fire Chief and Police Chief appeared with two of the troops who had responded to the Pentagon on September 11, 2001. They were recognized along with six other fire departments and police departments involved in responding to the Pentagon, World Trade Center in New York, and Pennsylvania plane crash site as a result of the terrorist attacks. Attorney General Ashcroft addressed the group as part of the ceremony honoring the public safety employees. Supervisor Hyland stated that he was honored and proud to accept the plaque on behalf of the County and public safety staff.

56. **CERTIFICATION BY SUPERVISOR HUDGINS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

(NOTE: Earlier in the meeting, Supervisor Hudgins was not present for the vote on the certification regarding items discussed in closed session. See Clerk's Summary Item CL#39.)

Supervisor Hudgins asked to be recorded as voting “AYE” on the motion certifying that, to the best of her knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Without objection, it was so ordered.



DMB:dmb

**AGENDA ITEMS**

57. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-V-035 (LANDMARK PROPERTY DEVELOPMENT, LLC) (MOUNT VERNON DISTRICT)** (Tape 7)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 01-V-035 until **March 18, 2002, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

58. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT (OTPA) S01-IV-LP2 LOCATED NORTHEAST OF SILVERBROOK ROAD, NORTH OF PLASKETT LANE (MOUNT VERNON DISTRICT)** (Tape 7)

The OTPA concerns Sub-unit 2B in Laurel Hill located on the northeast side of Silverbrook Road, approximately 1,000 feet north of Plaskett Lane.

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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Denise M. James, Planner II, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of OTPA S01-IV-LP2 as shown on page 5 of the staff report dated February 6, 2002. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

59. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S99-CW-2TR TO REVISE THE COUNTYWIDE TRAILS PLAN** (Tape 7)

Supervisor Hyland moved to defer the public hearing on Out-of-Turn Plan Amendment S99-CW-2TR to revise the Countywide Trails Plan until **April 29, 2002, at 4 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

60. **4 P.M. – PH ON REZONING APPLICATION RZ 2001-MV-030 (LANDMARK PROPERTIES DEVELOPMENT, LLC) (MOUNT VERNON DISTRICT)** (Tape 7)

- (O) The application property is located on the east side of Richmond Highway, approximately 400 feet north of the intersection of Richmond Highway and Cooper Road, Tax Map 110-1 ((1)) 2.

Mr. John H. Thillman reaffirmed the validity of the affidavit for the record.

Mr. Thillman 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 Gross disclosed the following campaign contribution which she had received:

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

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

- In excess of \$200 from Mr. Scott M. Herrick

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

- In excess of \$200 from Mr. Scott M. Herrick

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

- In excess of \$200 from Landmark Properties Development, LLC

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

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MV-030, from the R-2, CRD, and HC Districts to the PDH-5, CRD, and HC Districts, subject to the proffers dated February 18, 2002, and the development conditions dated February 21, 2002, and revised by

deleting development condition number one and renumbering the development conditions accordingly.

- Waiver of the maximum length for private streets and waiver of the limitation on fence height to permit sections of the proposed wall to be eight feet in height.

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

**SBE:sbe**

61. **RECESS** (Tapes 7-8)

At 4:15 p.m. the Board recessed, and at 7:05 p.m. the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hudgins and Supervisor McConnell, and with Chairman Hanley presiding.

**ADDITIONAL BOARD MATTER**

62. **RECOGNITION OF MEMBERS OF THE DRANESVILLE AREA PLANS REVIEW TASK FORCE** (Tape 8)

Supervisor Mendelsohn introduced Ivan Somers, Co-Chairman of the Dranesville District Area Plans Review Task Force, and warmly welcomed him to the Board Auditorium.

Supervisor Mendelsohn also thanked Ms. Adrienne Whyte and Mr. John Ulfelder for all the work they did in preparation for tonight's public hearings.

**AGENDA ITEMS**

63. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-3M, LOCATED TO THE EAST OF THE OLD DOMINION DRIVE AND BALLS HILL ROAD INTERSECTION (DRANESVILLE DISTRICT)** (Tape 8)

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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by two speakers, Supervisor Mendelsohn moved approval of APR Item 01-II-3M as recommended

by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room.

64. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-4M, ADDRESSING THE WEST FALLS CHURCH TRANSIT STATION PROPERTY (DRANESVILLE DISTRICT)** (Tape 8)

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 February 14 and February 21, 2002.

Discussion ensued with input from Clara Quintero Johnson, Planner II, Planning Division, Department of Planning and Zoning (DPZ), and Sterling R. Wheeler, Chief, Policy and Plan Development Branch, Planning Division, DPZ.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Item 01-II-4M as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

65. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-13M, LOCATED NORTH OF HAYCOCK ROAD BETWEEN GREAT FALLS STREET AND WESTMORELAND STREET (DRANESVILLE DISTRICT)** (Tape 8)

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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Item 01-II-13M as recommended by the Planning Commission. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

66. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-22M, LOCATED ON CHAIN BRIDGE ROAD, WEST OF BRAUNER STREET (DRANESVILLE DISTRICT)** (Tape 8)

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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Item 01-II-22M as

recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

67. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 01-II-23M AND 01-II-24M, LOCATED NORTH OF LEWINSVILLE ROAD AND EAST OF THE CAPITAL BELTWAY (DRANESVILLE DISTRICT)** (Tape 8)

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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Items 01-II-23M and 01-II-24M as recommended by the Planning Commission alternative with a modification. This modification clarifies that new development must have lot sizes similar in size to the immediately adjacent subdivision. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Hyland being out of the room.

68. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-25M, LOCATED NORTH OF SPRING HILL RECREATION CENTER, EAST OF SPRING HILL ROAD (DRANESVILLE DISTRICT)** (Tape 8)

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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by four speakers, Supervisor Mendelsohn moved approval of APR Item 01-II-25M as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Hyland being out of the room.

69. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-26M, LOCATED NORTH OF LEWINSVILLE ROAD, BETWEEN ALTAMIRA COURT AND LANCIA DRIVE (DRANESVILLE DISTRICT)** (Tape 8)

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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Item 01-II-26M as

recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

70. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-27M, ADDRESSING THE OLD DOMINION SCHOOL SITE, LOCATED EAST OF KIMBERWICKE ROAD AND SOUTH OF HUNTING HILL LANE (DRANESVILLE DISTRICT)** (Tape 8)

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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by three speakers, Supervisor Mendelsohn moved approval of APR Item 01-II-27M as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

71. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-31M, LOCATED SOUTHEAST OF THE DOLLEY MADISON BOULEVARD AND ELM STREET INTERSECTION (DRANESVILLE DISTRICT)** (Tapes 8-9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Item 01-II-31M as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

72. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-19UP, LOCATED NORTHEAST OF THE GEORGETOWN PIKE AND INSBRUCK AVENUE INTERSECTION (DRANESVILLE DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Item 01-III-19UP as recommended by the Planning Commission. Supervisor McConnell seconded the

motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

73. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-21UP, LOCATED SOUTH OF ARNON CHAPEL ROAD AND EAST OF WALKER ROAD (DRANESVILLE DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Item 01-III-21UP as recommended by the Planning Commission. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

74. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-25UP, ADDRESSING THE AREA NORTH OF LEESBURG PIKE AND WEST OF DIFFICULT RUN (DRANESVILLE DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Item 01-III-25UP as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, Supervisor Kauffman being out of the room.

75. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 01-III-26UP AND 01-III-29UP, ADDRESSING THE AREA BOUNDED BY LOUDOUN COUNTY TO THE WEST, POTOMAC RIVER TO THE NORTH AND GEORGETOWN PIKE TO THE SOUTH (DRANESVILLE DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved approval of APR Items 01-III-26UP and 01-III-29UP as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

Supervisor Mendelsohn thanked the Task Force members for all their help and Joan M. DuBois, Dranesville District Planning Commissioner, for all her hard work.

76. **RECESS** (Tape 9)

At 8:20 p.m., the Board recessed briefly, and, at 8:25 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell, and with Chairman Hanley presiding.

77. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-10UP, LOCATED WEST OF STUART ROAD, NORTH OF ELDEN STREET (HUNTER MILL DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.

Following the public hearing, Supervisor Hudgins moved approval of APR Item 01-III-10UP as recommended by the Planning Commission. Supervisor Bulova and Supervisor Frey jointly seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

78. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-9UP, LOCATED WEST OF WEST OX ROAD, NORTH OF MCLEAREN ROAD (HUNTER MILL DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.

Following the public hearing, Supervisor Hudgins moved approval of APR Item 01-III-9UP as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

79. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-5UP, LOCATED SOUTH OF SUNRISE VALLEY DRIVE, WEST OF MONROE STREET (HUNTER MILL DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.



Following the public hearing, Supervisor Hudgins moved approval of APR Item 01-III-5UP as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

80. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-6UP, LOCATED NORTHWEST OF CENTREVILLE ROAD AND COPPERMINE ROAD INTERSECTION (HUNTER MILL DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 14 and February 21, 2002.

Following the public hearing, which included testimony by four speakers, Supervisor Hudgins moved approval of APR Item 01-III-6UP as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

81. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-5V, LOCATED SOUTH OF RIDGE LANE BETWEEN CREEK CROSSING AND FOXSTONE DRIVE (HUNTER MILL 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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by four speakers, Supervisor Hudgins moved approval of APR Item 01-II-5V as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Hyland being out of the room.

82. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-14UP, LOCATED SOUTH OF FRYING PAN ROAD AT THE INTERSECTION OF FOX MILL ROAD (HUNTER MILL DISTRICT)** (Tape 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 February 14 and February 21, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Hudgins moved approval of APR Item 01-III-14UP as recommended by the Planning Commission. Supervisor Bulova seconded the motion and it

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

83. **BOARD ADJOURNMENT** (Tape 10)

At 9:15 p.m., the Board adjourned.

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