



# **CLERK'S BOARD SUMMARY**

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

**MONDAY  
September 11, 2000**

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**19-00**

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**DMB:dmb**

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

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 MATTERS**

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

Chairman Hanley expressed, on behalf of the Board, heartfelt sympathy to Supervisor Hyland on the death of his wife, Carmen, who fought a long and brave battle with cancer with grace and courage and said that the community is better because of her. Chairman Hanley said that in her memory, the members of the Board will contribute \$500 to "Carmen's Kid's," which was a project that was dear to her, that helps young children in the community read and master English.

Supervisor Gross asked everyone to keep in thoughts and prayers the family of her staff member Ken Rosenfeld, whose mother, Sallie Rosenfeld, recently passed away.

Supervisor Mendelsohn asked everyone to keep in thoughts and prayers Nelson and Katherine Post who passed away within two weeks of each other. They were longtime activists in the Herndon area.

Supervisor Connolly asked everyone to keep in thoughts and prayers the family of Bob Sherin, a longtime member of the County Attorney's Office who recently passed away.

Supervisor Hudgins asked everyone to remember the family of Dr. James Gillespie, who was active in promoting outreach to needy children.

Chairman Hanley noted that she and Supervisor Hyland attended a ceremony for the late Florence Surovell, who was an active member of the Mount Vernon Community for 50 years, and will be missed.

### **AGENDA ITEMS**

2. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. JOSHUA THOMAS** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Mr. Joshua Thomas to recognize his service on the Criminal Justice Advisory Board. Vice-Chairman Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

3. **RESOLUTION PRESENTED TO MR. HAROLD WILSON** (Tape 1)

Supervisor Hyland moved approval of the Resolution to confer the title of Lorton Poet Laureate upon Harold Wilson, who recited a special poem for the occasion. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.

4. **PROCLAMATION DECLARING SEPTEMBER 23, 2000, AS "RESTON MULTICULTURAL FESTIVAL DAY" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Hudgins moved approval of the Proclamation to declare September 23, 2000, "*Reston Multicultural Festival Day*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

5. **PROCLAMATION DESIGNATING SEPTEMBER 15 THROUGH OCTOBER 15, 2000, "HISPANIC HERITAGE MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate September 15 through October 15, 2000, as "*Hispanic Heritage Month*" in Fairfax County. Supervisor Hyland and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

6. **10 A.M. - PH ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY) 2000 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2001 REVISED BUDGET PLAN** (Tapes 1-2)

(SAR) The public hearing was held and included testimony by 13 speakers.

(FPR)

**Additional Board Matter**

**Congratulations to Edward L. Long, Jr. on His Upcoming Marriage**

Chairman Hanley conveyed congratulations to Edward L. Long, Jr., Chief Financial Officer, on his upcoming marriage on September 15, 2000.

Supervisor Bulova moved approval of Supplemental Appropriation Resolution AS 01022 and Amendment to the Fiscal Planning Resolution AS 01901, which includes the revenue, expenditure and transfer adjustments and grant awards and adjustments contained in the County and School's Carryover Review. This action results in an available balance of \$9.24 million.

Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

Supervisor Bulova moved, in conformance with the Board's previously approved policy concerning the Revenue Stabilization Fund, the transfer of 40 percent of the Available Balance or \$3,692,561 to the Revenue Stabilization Fund.

Supervisor Connolly seconded the motion.

Following discussion with input from Edward L. Long, Jr., Chief Financial Officer, the question was called on the motion, and it **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

Supervisor Bulova moved that in addition, based on the Board's adopted budget guidelines, approval of the allocation of \$2.77 million, or 50 percent of the remaining balance, to the Schools to support non-recurring requirements. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved approval of the consideration items included in the document entitled Board Motions, which total \$2.7 million that results in an available balance of \$73,277. Supervisor Connolly seconded the motion, after which discussion ensued with input from Anthony H. Griffin, County Executive.

Supervisor Mendelsohn asked unanimous consent that the Board review the budget process and the process for submitting Consideration Items. Without objection, it was so ordered.

Additional discussion ensued with input from Young Ho Chang, Director, Department of Transportation.

Supervisor Gross moved to amend the motion to add \$73,277 for the Shawnee Road improvement. Supervisor Connolly seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting the Board took additional action regarding Shawnee Road. See Clerk's Summary Items CL#56 and CL#57.)

Following further discussion, Supervisor Hyland moved to amend the motion, which referenced the \$300,000 for community revitalization, that the Board direct staff to return to the Revitalization Policy Committee to prepare a proposal regarding how the funds will be utilized after conferring and working with the revitalization groups. Supervisor Kauffman seconded the motion. Following discussion, the question was called on the amendment to the motion, which carried by unanimous vote.

Supervisor McConnell moved to amend the motion that the Board consider taking \$73,000 out of the Library Materials for English Language Learners (\$263,183) to address the critical issue of providing water for the people in the Lincoln-Lewis-Vannoy area. Supervisor Mendelsohn seconded the motion.

Supervisor Bulova moved a substitute motion to direct staff to review this issue and report with recommendations on how to address the Lincoln-Lewis-Vannoy water system for funding sources for the design and implementation. Supervisor Connolly seconded the motion, which **CARRIED** by a recorded vote of eight, Supervisor McConnell and Supervisor Mendelsohn voting "NAY."

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

Supervisor Bulova moved approval of adjusting the Managed Reserve to maintain the reserve at two percent of total disbursements based on the actions taken by the Board as part of the Carryover Review. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved that the Board direct the County Executive to:

- Review Fire and Rescue Department's uniformed employee compensation issues, including hourly rate comparisons and retirement benefits and address these issues as part of the FY 2002 Advertised Budget Plan.
- Examine and cost out a 2.9 multiplier for the firefighters.

Supervisor Kauffman seconded the motion, which carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to examine funds held at the Northern Virginia Transportation Commission in light of the fact that revenue from the gas tax is probably up and other possible increases, some of which will come from the formula changes that the Board initiated a couple of years ago, and designate funds from that source to budget for Connector Bus replacement. Vice-Chairman Hyland seconded the motion, which carried by unanimous vote.

Chairman Hanley moved that the Board take formal action to direct staff to incorporate the guidance and development in making the changes necessary to put the available but unused Revitalization Bonds into the Capital Program so that it could be programmed over the long term. Supervisor Bulova seconded the motion.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

#### **DAM:dam**

#### 7. **ADMINISTRATIVE ITEMS** (Tape 3)

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

Supervisor Gross called the Board's attention to Admin 1 – Streets into the Secondary System (Lee, Providence, Springfield and Sully Districts), and discussion ensued with input from Anthony H. Griffin, County Executive.

Supervisor Connolly called the Board's attention to Admin 9 – Supplemental Appropriation Resolution AS 01027 for the Fairfax County Department of Family Services to Accept Funds from the Virginia Department of Social Services to Continue the Existing Food Stamp Performance Enhancement Program and a discussion ensued congratulating the Department of Family Services for the lowest error rates in the Commonwealth of Virginia.

Chairman Hanley called the Board's attention to Admin 6 – Supplemental Appropriation Resolution AS 01023 for the Fairfax County Police Department (FCPD) to Accept Funds from the Virginia Department of Transportation for Congestion Management Surrounding the Springfield Interchange Construction Project to question the substantial decrease in officers from last year. Discussion ensued with input from Officer Bill Knost, Master Police Officer, Traffic Division, FCPD.

Supervisor Mendelsohn called the Board's attention to Admin 12 – Authorization to Advertise a Public Hearing on the Proposed Amendments to the Code of the County of Fairfax, Chapter 11 (Human Rights Ordinance), and discussion ensued

with input from Michael T. Cash, Executive Director, Human Rights Commission.

Supervisor McConnell called the Board's attention to Admin 6 – Supplemental Appropriation Resolution AS 01023 for the Fairfax County Police Department to Accept funds from the Virginia Department of Transportation for Congestion Management Surrounding the Springfield Interchange Construction Project for further clarification and discussion ensued with input from Officer Knost.

Supervisor Frey called the Board's attention to Admin 4 – Authorization for the Department of Transportation to Apply for a Grant from the Federal Transit Administration to Construct the Stringfellow Road/I-66 Park-and-Ride Lot and asked unanimous consent that the Board direct staff to provide further information on the breakdown of land acquisition costs and construction costs. Without objection, it was so ordered.

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

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (LEE, PROVIDENCE, SPRINGFIELD AND SULLY DISTRICTS)**

(R) (Note: Earlier in the meeting the Board briefly discussed this item. See page 5 .)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Woodland Lake	Lee	Elati Court Woodland Lake Drive Valley View Drive Route 768 Addl ROW Only
Nutley Street	Providence	Nutley Street
Dunn Loring Square	Providence	Sagarmal Court
Lee Chapel Grove Sections 1, 2, & 3	Springfield	Viewcrest Drive Route 8150 Preakness Lane Lee Chapel Road Route 643 Addl ROW Only

Wickens

Sully

Aryness Drive  
William Terry Drive  
Route 5700  
Hunter Mill Road  
Route 674  
Addl ROW Only

**ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION  
FOR SPECIAL EXCEPTION AMENDMENT APPLICATION  
SEA 87-A-017, LITTLE RIVER GLEN II (BRADDOCK DISTRICT)**

(AT)

Approved the request for 30 months of additional time for Special Exception Amendment Application SEA 87-A-017 until March 9, 2003, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR PUBLIC  
FACILITY 2232 REVIEW APPLICATIONS (DRANESVILLE, HUNTER  
MILL, MASON, MOUNT VERNON, AND PROVIDENCE DISTRICTS)**

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

- Application 2232-D00-23 to November 25, 2000
- Application FS-M00-82 to November 26, 2000
- Application FS-P00-83 to December 2, 2000
- Application FS-V00-84 to December 3, 2000
- Application FS-M00-86 to December 8, 2000
- Application 2232-H00-25 to December 9, 2000
- Application FS-P00-85 to December 9, 2000
- Application 2232-M00-24 to December 10, 2000
- Application FS-P00-87 to December 14, 2000

**ADMIN 4 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR A GRANT FROM THE FEDERAL TRANSIT ADMINISTRATION TO CONSTRUCT THE STRINGFELLOW ROAD/I-66 PARK-AND-RIDE LOT**

(Note: Earlier in the meeting the Board requested additional information regarding this item. See page 5.)

- Approved DOT's application for \$992,500 in funds available from the Federal Transit Administration. The local cash match will be provided by the state.
- Authorized the Director of DOT to take the necessary actions to receive the grant.

**ADMIN 5 – AGREEMENTS WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND SPRINGFIELD PLAZA, SECTION II, LIMITED PARTNERSHIP FOR COMMUTER PARKING (LEE DISTRICT)**

- Approved in substantial form the agreements contained in the Memorandum to the Board dated September 11, 2000, to provide additional parking for commuters at the Springfield Plaza Shopping Center during construction of the Springfield Interchange project which will continue for several years.
- Authorized the Director of the Department of Transportation to execute both agreements.

**ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01023 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO ACCEPT FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR CONGESTION MANAGEMENT SURROUNDING THE SPRINGFIELD INTERCHANGE CONSTRUCTION PROJECT**

(SAR) (Note: Earlier in the meeting the Board discussed this item. See page 5.)

Approved SAR AS 01023 in the amount of \$196,560 from VDOT to fund officers' overtime salaries to augment police patrols in the area surrounding the Springfield Interchange Construction Project through June 30, 2001. No additional County funding is required.

**ADMIN 7 - AUTHORIZATION FOR THE POLICE DEPARTMENT TO DONATE RECOVERED AND UNCLAIMED BICYCLES TO THE BIKES FOR TYKES PROGRAM**

Authorized the donation of recovered and unclaimed bicycles to the Bikes for Tykes program.



**ADMIN 8 - AUTHORIZATION FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS) TO APPLY TO THE CORPORATION FOR NATIONAL SERVICE (CNS) FOR PROGRAM SUPPORT AT THE GUM SPRINGS COMMUNITY CENTER COMPUTER CLUBHOUSE**

Authorized the submission of the CNS application to request Volunteers in Service to America support directly through CRS.

**ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01027 FOR THE FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES TO ACCEPT FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES TO CONTINUE THE EXISTING FOOD STAMP PERFORMANCE ENHANCEMENT PROGRAM (PEP)**

(SAR) (Note: Earlier in the meeting the Board discussed this item. See page 5.)

Approved SAR AS 01027 in the amount of \$55,000 to provide supplemental funding for the Food Stamp PEP. This supplemental appropriation from the Virginia Department of Social Services will continue Fairfax County participation in PEP until the next program year award. No local cash match is required.

**ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01025 FOR THE CONTINUATION OF THE FEDERAL HEAD START PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY SERVICES**

(SAR) Approved SAR AS 01025 in the amount of \$714,502 for federal Head Start programs. This includes \$640,552 from the US Department of Health and Human Services, \$25,000 from the US Department of Agriculture, and a local cash match of \$48,950. The remaining program costs of \$108,952 are met through the use of existing services and other non-cash contributions identified as an in-kind match.

**ADMIN 11 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01026 FOR THE CONTINUATION OF THE FEDERAL EARLY HEAD START (EHS) PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY SERVICES (DFS)**

(SAR) Approved SAR AS 01026 in the amount of \$1,563,443 for the EHS grant. This includes \$1,416,702 from the US Department of Health and Human Services, \$20,000 from the US Department of Agriculture, and a local cash match of \$126,741 and \$227,435 in-kind match of existing services and other non-cash contributions. The total program cost is \$1,790,878.

**ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 11 (HUMAN RIGHTS ORDINANCE)**

(A) (Note: Earlier in the meeting the Board discussed this item. See page 5.)

Authorized the advertisement of a public hearing to be held before the Board on **October 16, 2000, at 4:30 p.m.** on the proposed amendments to the Code of the County of Fairfax, Chapter 11 (Human Rights Ordinance).

8. **A-1 – DELINQUENT REAL ESTATE, PERSONAL PROPERTY, AND BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSES (BPOL) TAX LISTS FOR 1999** (Tape 3)

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

- Direct staff to publish lists of delinquent real estate, personal property and BPOL taxes for public review in all Fairfax County Regional Public Libraries as done in prior years.
- Direct staff to return the delinquent lists to the Department of Tax Administration (DTA) to continue collection of taxes on subjects other than real estate until the expiration of the applicable statute of limitations as provided by Virginia Code Section 58.1-3933.

Supervisor Hyland seconded the motion.

Following discussion, with input from Kevin C. Greenlief, Director, DTA, the question was called on the motion, which carried by unanimous vote.

9. **A-2 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT AND THE DEFENSE PROTECTIVE SERVICE** (Tape 3)

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Connolly moved that the Board concur in the recommendation of staff and approve the Memorandum of Understanding (MOU) between the Police Department and the Defense Protective Service, with the understanding that the Board will allow the County Executive to update the Fairfax County Department of Defense Building Locations List and adjust the MOU language accordingly. Supervisor Bulova seconded the motion.

Following discussion, with input from Robert M. Ross, Assistant County Attorney, the question was called on the motion, which carried by unanimous vote.

10. **A-3 – REALLOCATION OF FUNDS TO EXPLORE THE TRANSFER OF OWNERSHIP OF THE CEDAR RIDGE APARTMENTS FROM THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY TO RESTON INTERFAITH, INCORPORATED (HUNTER MILL DISTRICT)** (Tape 3)

On motion of Supervisor Hudgins, seconded by Supervisor Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the reallocation of \$50,000 from Project 014013, Development Fund, to Project 013914, Cedar Ridge, within Fund 144, Housing Trust Fund.

11. **A-4 – APPROVAL OF A CONCURRENT RESOLUTION OF THE UPPER OCCOQUAN SEWAGE AUTHORITY REGARDING AN INCREASE IN BOARD MEMBER COMPENSATION** (Tape 3)

(BACs)  
(R)

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Frey moved that the Board concur in the recommendation of staff and:

- Approve the concurrent Resolution outlined in the Memorandum to the Board dated September 11, 2000.
- Authorize the Chairman of the Board to sign the Resolution after approval by the other Upper Occoquan Sewage Authority Member Jurisdictions.

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

12. **A-5 – APPROVAL OF TRUSTEE RESIGNATION AND REASSIGNMENT** (Tape 3)

(R) On motion of Supervisor Gross, seconded by Supervisor Hudgins, and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell and Chairman Hanley voting “AYE,” Supervisor Mendelsohn being out of the room, the Board concurred in the recommendation of staff and:

- Approved the Resolution appointing a successor Depository, Bond Registrar and Paying Agent with respect to the County's Sewer Revenue Bonds issued under the County's general bond resolution.
- Approved the forms of the Resignation and Appointment Agreement and Amendment to the Investment Agreement.

13. **A-6 – APPROVAL OF REFERRAL AND RETENTION INCENTIVE PAY FOR SEASONAL LEAF COLLECTION PROGRAM** (Tape 3)

Supervisor Gross moved that the Board approve the proposed financial incentives for the recruitment and retention of seasonal leaf collection workers. Supervisor Connolly seconded the motion.

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

14. **A-7 – AWARD OF CONTRACT FOR THE CONSTRUCTION OF GUM SPRINGS GLEN AND AUTHORIZATION TO EXECUTE A CAPITAL FACILITY LEASE BETWEEN THE COUNTY AND THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) FOR THE USE OF THE NON-RESIDENTIAL SPACE AT THE GUM SPRINGS GLEN FACILITY FOR THE OPERATION OF A HEAD START PROGRAM (MOUNT VERNON DISTRICT)** (Tape 3)

On motion of Supervisor Hyland, seconded by Supervisor Kauffman, and carried by unanimous vote, the Board authorized:

- The award of a contract for the construction of Project O14056, Gum Springs Glen, which will consist of 60 units of elderly housing units and 11,785 square feet of non-residential space.
- Execution of a capital facility lease to permit the Department of Family Services/Office for Children to use the non-residential space at Gum Springs Glen to operate an expanded Head Start Program. In order to secure a portion of the permanent financing needed for the project, a capital facility lease with Fairfax County for the non-residential space is necessary.

15. **ORDERS OF THE DAY** (Tape 3)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent of the Board to allow the appellants in today's Consideration Items to make brief presentations limited to five minutes. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Chairman Hanley announced that there would be a change in the orders of the Day and that the Board would proceed with Consideration Item C-3 – Appeal by Albert and Rosalynd Keys of a Proffer Interpretation for Rezoning Application RZ 94-Y-037 (Sully District).

16. **C-3 – APPEAL BY ALBERT AND ROSALYND KEYS OF A PROFFER INTERPRETATION FOR REZONING APPLICATION RZ 94-Y-037 (SULLY DISTRICT)** (Tape 3)

Supervisor Frey moved to defer the appeal by Albert and Rosalynd Keys of a proffer interpretation for Rezoning Application RZ 94-Y-037 until October 30, 2001, to allow the appellants additional time to prepare a report for staff. Supervisor Hyland seconded the motion, which carried by unanimous vote.

17. **C-1 – APPEAL BY BARBARA L. PAINTER OF TWO DECISIONS BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) UNDER THE CHESAPEAKE BAY PRESERVATION ORDINANCE REGARDING SALONA VILLAGE, SECTION 7, LOT 3; TAX MAP NUMBER 30-2 ((29)) PARCEL 3 (DRANESVILLE DISTRICT)** (Tape 3)

Supervisor Mendelsohn moved to defer the appeal by Barbara L. Painter of two decisions by the Director of DPWES under the Chesapeake Bay Preservation Ordinance regarding Solano Village, Section 7, Lot 3, Tax Map Number 30-2 ((29)) Parcel 3 (Dranesville District), until the end of the day. Supervisor Connolly seconded the motion, which carried by unanimous vote.

(Note: Later in the meeting the Board took action on this appeal. See Clerk's Summary Item CL#98.)

18. **C-2 – APPEAL BY MOBIL OIL CORPORATION OF PLANNING COMMISSION DENIAL OF CONCEPTUAL PLAN AMENDMENT APPLICATION CPA 86-C-121-4 (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated September 11, 2000, regarding an appeal filed by Mobil Oil Corporation of the Planning Commission's disapproval of Conceptual Plan Amendment Application CPA 86-C-121-4 for development of a service station and quick service food store on 1.73 acres zoned PRC.

Steve Fox, Esquire, representative for the appellant, presented testimony requesting the Planning Commission's reconsideration of the conceptual plan.

Following discussion, with input from Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning, and David Stoner, Assistant County Attorney, Supervisor Hudgins moved that the Board:

- Reverse the Planning Commission's denial of Conceptual Plan Amendment Application 86-C-121-4 and remand this matter to the Planning Commission for action consistent with the Board's decision.

- Direct the Planning Commission to take final action on this matter within 45 days of Mobil Oil's submission of the Conceptual Plan Amendment Application.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

19. **I-1 – FAIRFAX CONNECTOR RIDERSHIP REPORT FOR FISCAL YEAR (FY) 2000** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated September 11, 2000, requesting authorization for staff to provide periodic information reports to the Board.

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

**NV:nv**

20. **VOLUNTEERFEST®** (Tape 4)

Chairman Hanley stated that the sixth annual "VolunteerFest® will be held on Saturday, October 16\* and will celebrate the fiftieth anniversary of the Park Authority with activities to be focused in the parks. Accordingly, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board:

- Proclaim October 28, 2000, as "*VolunteerFest Day*" in Fairfax County".
- Direct staff to invite representatives to appear before the Board to receive the proclamation.
- Direct staff to publicize the appropriate information in the *Weekly Agenda* and on the County's web page.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

(\*NOTE: Later in the meeting, Chairman Hanley corrected the date of when VolunteerFest will be held as October 28. See Clerk's Summary Item CL#75.)

21. **FIFTIETH ANNIVERSARY OF THE PARK AUTHORITY** (Tape 4)

Chairman Hanley announced that the Park Authority is celebrating its fiftieth anniversary this year, officially on December 6, 2000. Accordingly, she moved that the Board direct staff to:

- Prepare a proclamation.

- Invite the Park Authority Board to appear before the Board to receive appropriate congratulations at the meeting scheduled for December 4, 2000.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

22. **TURN OFF THE VIOLENCE** (Tape 4)

Chairman Hanley explained that the TURN OFF THE VIOLENCE campaign is a weeklong series of events and activities in October that promotes nonviolence. This year's theme is "Personal Responsibility = Personal Power" with a focus on youth-perpetrated and gang-related violence. Accordingly, she moved that the Board direct staff to:

- Prepare a proclamation proclaiming October 1-8, 2000, as "*Northern Virginia Turn Off the Violence Week*" in Fairfax County.
- Invite the Northern Virginia Turn Off the Violence Coalition to appear before the Board on September 25, 2000, to receive this proclamation.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

23. **SENIOR CITIZEN "SAVE OUR SENIORS" (SOS) PROGRAM** (Tape 4)

Chairman Hanley asserted that enabling senior citizens to stay safely in their homes for as long as possible is a quality of life issue that this Board must address. In many jurisdictions across the country, public safety departments, or some local entity, maintain a list of seniors who are called by telephone once a day. If there is no answer, someone is dispatched to the residence to check. Sometimes this is called an SOS Program.

Accordingly, Chairman Hanley moved that the Board direct staff to work with the Fire and Rescue Department and the Area Agency on Aging to explore establishing such a program, and to provide a recommendation to the Board, including any budget impact. Supervisor Connolly seconded the motion.

Supervisor Gross asked to amend the motion to review the TRIAD program to ensure that it is not overlooked and that there is no overlap, and this was accepted.

Following discussion regarding automatic dialers, the question was called on the motion, which carried by unanimous vote.

(NOTE: Later in the meeting, the Board made reference to the TRIAD program. See Clerk's Summary Item CL#43.)

24. **LETTER TO GOVERNOR GILMORE REGARDING MENTAL RETARDATION (MR) MEDICAID WAIVERS** (Tape 4)

Chairman Hanley called the Board's attention to a letter she had drafted to Governor Gilmore regarding MR Medicaid waivers and explained this complex issue. The General Assembly failed to budget additional funds for additional Medicaid waivers. This is the State match to draw from federal funds. The Senate Finance Committee is meeting on this issue today. Chairman Hanley noted the paradox is that there is funding to institutionalize persons, but no funding for the preferred option to provide the services in the community.

Accordingly, Chairman Hanley moved that the Board direct staff to send the proposed letter to the governor, with copies to others as appropriate. Supervisor Hudgins seconded the motion.

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

Further discussion followed the vote.

25. **SECONDARY ROAD FUNDING** (Tape 4)

Chairman Hanley reported that she had attended a transportation committee meeting at the recent Local Government Officials Conference meeting in Charlottesville where she received a handout on the budget (not the six-year plan) for secondary roads. The budget is \$4 million less for the statewide Secondary System, resulting in a decrease of \$716,514 for Fairfax County compared to last year's expenditure.

Following further discussion, Chairman Hanley asked unanimous consent that the Board direct the staff of the Department of Transportation to send copies of the State's Secondary Road Program to the Board for review as soon as it is received by that office. Without objection, it was so ordered.

Discussion continued briefly.

26. **SUBSTANCE ABUSE AWARENESS WEEK** (Tape 4)

Chairman Hanley stated that staff from Alcohol and Drug Services (ADS), an agency of the Fairfax-Falls Church Community Services Board (CSB), has requested that the week of November 8 through November 17, 2000, be proclaimed as Substance Abuse Awareness Week. For the nineteenth year, ADS will provide a week of educational programs on a variety of substance abuse treatment and prevention topics.



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

- Prepare a proclamation declaring November 8 to 17, 2000, as "*Substance Abuse Awareness Week*" in Fairfax County.
- Invite representatives of the CSB to appear before the Board to receive the proclamation.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

27. **COMMUNITY CRIMINAL JUSTICE BOARD** (Tape 4)

(BACs) Chairman Hanley called the Board's attention to a letter from Sheriff Barry regarding a request to amend the agreement that established a multi-jurisdictional Community Criminal Justice Board. She asked unanimous consent that the Board refer this item to staff for inclusion in the agenda for the next Board meeting. Without objection, it was so ordered.

28. **MID-ATLANTIC POLICE MOTORCYCLE RIDING COMMITTEE, INCORPORATED (MAPMRC)** (Tape 4)

Chairman Hanley announced that the Board is invited to attend the twenty-first annual Mid-Atlantic Police Motorcycle Safety competition and awards banquet to be held September 30, 2000, as outlined in a letter from Joe Furman, Vice-President, MAPMRC.

29. **EXPANSION OF COMMISSION FOR WOMEN MEMBERSHIP** (Tape 4)

(BACs) Chairman Hanley called the Board's attention to copies of a memorandum she had received from Alta Newman, Chair, Commission for Women, requesting expansion of the membership of that commission by three seats, which she referred to the Board for its interest.

30. **ROUTE 123 BRIDGE PROJECT** (Tape 4)

Chairman Hanley called the Board's attention to copies of a letter from Patricia Conway, Mayor, Town of Occoquan, regarding the Virginia Department of Transportation's Route 123 Bridge Project. A brief discussion ensued.

31. **BUS SHELTER INSTALLATIONS** (Tape 4)

Chairman Hanley called the Board's attention to an "Installation of Bus Shelter" memorandum dated August 14, 2000, in response to a previous Board Matter she had raised to accelerate bus shelter installations. She asked unanimous consent that the Board direct staff to review the list and accelerate the schedule. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

DS:ds

32. **APPOINTMENT TO THE TRANSPORTATION ADVISORY COMMISSION** (Tape 5)

(APPT) Supervisor Bulova moved the appointment of Mr. Don Johnson to fill the unexpired term of Ms. Marsha Scherr as the Braddock District Representative to the Transportation Advisory Commission. Supervisor Connolly seconded the motion which carried by unanimous vote.

PMH:pmh

33. **NOISE COMPLAINTS** (Tape 6)

Supervisor Hudgins said that over the past several months there has been an increase in the number of noise complaints to the Hunter Mill District office. Citizens have expressed concern regarding the noise from construction and refuse collection vehicles.

Supervisor Hudgins noted that according to the County's Noise Ordinance, the purpose is "to promote an environment for its citizens free from noise that jeopardizes their health or welfare or degrades the quality of life." Construction vehicles can only operate during the hours of 7 a.m. until 9 p.m., Monday through Saturday and 9 a.m. until 9 p.m. on Sundays and federal holidays. Trash and refuse collection in residential neighborhoods can only operate during the hours of 6 a.m. until 9 p.m.

Violations to the Noise Ordinance can be reported to the Zoning Enforcement Branch at 703-324-1300. When there is a violation to the Noise Ordinance the Zoning Administrator will give notice of such violation to the person failing to comply with the ordinance and take other corrective measures as necessary.

Therefore, Supervisor Hudgins moved that the Board direct staff to reiterate the County's Noise Ordinance through the Office of Public Affairs and give notice to construction contractors, trash and refuse collectors, for the benefit of all citizens. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

34. **BELL ATLANTIC** (Tape 6)

Supervisor Hudgins said that Bell Atlantic has submitted a Special Exception application for the existing telecommunications switching station facility at 2516 Horsepen Road, Herndon, Virginia. This expansion is needed to handle the increased demand for telecommunications access. The proposed expansion will allow Bell Atlantic to meet the forecasted demand of the surrounding community for data and phone lines used for cellular, paging, and computer access for home and business users.

Supervisor Hudgins moved that the Board approve an expedited Board date for Special Exception Application SE 00-H-043. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards and does not prejudice the consideration of this application in any way. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

35. **RESTON GATEWAY PROJECT** (Tape 6)

Supervisor Hudgins said that on July 19, 2000, the Planning Commission approved the Town Center Concept Plan filed by Boston Properties and Terrabrook for the development of Reston Section 93, Blocks 1 and 2, also known as the Reston Gateway project, located at the corner of Sunset Hills Road and Town Center Parkway. The Reston Gateway property is just west of the new Discovery Square office development at the corner of Reston Parkway and Sunset Hills Road, on which Boston Properties and Terrabrook also recently broke ground. Already existing on the property are two buildings that are leased by the federal government. Importantly, the property is immediately adjacent to the general area in which a rail station could be located as rail service is extended along the Dulles Corridor.

To make the review process more efficient and give the staff a full picture of the proposed development, this Board is permitted to authorize concurrent processing of both the PRC Plan and the site plan for projects in the PRC Zoning District. Such authorization does not relieve the applicant of complying with the requirements of the Zoning Ordinance and in no way prejudices the staff's review of those applications.

Therefore, Supervisor Hudgins moved that the Board authorize staff to accept and process concurrently the PRC and site plans for Reston Section 93, Blocks 1 and 2, Tax Map Numbers 017-3-01, Parcels 4B, 5B, 5E and 29. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards and does not prejudice the consideration of this application in any way. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

36. **OPENING OF THE YOUNG MEN'S CLUB ASSOCIATION** (Tape 6)

Chairman Hanley announced that she and Supervisor Hudgins and Supervisor Mendelsohn attended the opening of the new YMCA.

37. **APPOINTMENT TO THE TREE COMMISSION** (Tape 6)

(APPT) Supervisor Connolly moved the appointment of Mr. Marco Greenberg as the Providence District Representative to the Tree Commission. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

38. **REGISTRATION HIGH FOR THE FIRST ANNUAL WASHINGTON AREA CONFERENCE ON TELEWORK** (Tape 6)

Supervisor Connolly announced that the electronic invitations have gone out for the first Annual Washington Area Conference on Telework being co-sponsored by the Metropolitan Washington Council of Governments (COG), which he chairs this year, Fairfax County and the International Telework Association and Council (ITAC). This all-day event is being held at the Government Center on Tuesday, October 24, 2000. The steering committee chairman Bob Di Lorenzi reports that nearly 400 people have already registered. Spaces for special guests, including representatives from each of the supervisor districts, have been set aside to give Board Members the opportunity to invite constituents who have an interest in this issue. Supervisor Connolly noted that this is a regional conference and guest spaces are limited, so Supervisors need to submit the names of four constituents to his office as soon as possible.

The day will include presentations on what local jurisdictions are doing to help meet the goal of 20 percent of the region's workforce participating in teleworking by 2005 that was unanimously endorsed by the COG Board this spring. Representatives of federal, state, and local governments and the private sector will participate in panels ranging from the basic "how to" of teleworking, to overcoming challenges and resistance, to presentations of case studies of telework programs that are working in the region.

In addition to helping recruit and retain employees and drive down operational costs, teleworking is one of the most exciting short-term options for addressing traffic congestion and improving air quality and the quality of life for families in the region.

Supervisor Hyland asked that an effort be made to extend invitations to the Virginia Association of Counties and the National Association of Counties.

39. **KINGSLEY COMMUNITY COALITION IS A MODEL NEIGHBORHOOD EFFORT** (Tape 6)

Supervisor Connolly brought to the Board's attention that a remarkable partnership was formed this year in one of the Providence District communities. The Kingsley Community Coalition was the creation of John Freeman, owner of Kingsley Common, an affordable housing community on Arlington Boulevard near Graham Road. Residents of Kingsley Commons include many recent immigrants who speak little or no English. The children attend nearby Graham Road Elementary, the County's number one special needs school. Supervisor Connolly said that he has worked with the community and the adjacent Kingsley Park, a public housing community run by the County, on several initiatives that involved a number of private and public partnerships.

Several things have contributed to the success of these efforts to improve the quality of life for residents. Supervisor Connolly said the most important factor has been Mr. Freeman's willingness to donate space and considerable resources to

allow partners to come in to Kingsley Commons and serve the children and adults who live there. He has provided space to create a computer learning center, a satellite office for the Community Police, a homework center and the recently opened Family Resource Center. The group that has formed around these efforts include Cora Harper, the principal of Graham Road Elementary School, Rev. Bill Hale from Knox Presbyterian Church, as well as representatives from Supervisor Connolly's office, the Office of Partnership, Volunteer Fairfax, the Virginia Cooperative Extension, Fairfax County Community Police officers and Kingsley Commons and Kingsley Park. Working together this group has also presented a health and safety fair and sponsored a summer youth basketball clinic, just to name a few. At a time when affordable housing is at a premium, Mr. Freeman's commitment deserves our special attention.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct staff to invite Mr. John Freeman and the other members of the Kingsley Community Coalition to appear before the Board at the next meeting to honor them for extraordinary partnership and to allow them to report to the Board on their accomplishments in hopes that the coalition may serve as a model for other communities in the County. Without objection, it was so ordered .

40. **PINE SPRING ELEMENTARY SCHOOL RATES HIGHEST IN COUNTY IN IMPROVEMENT OF VIRGINIA STANDARDS OF LEARNING SCORES (SOL)** (Tape 6)

Supervisor Connolly noted that after concerns were raised about SOL Scores last year, School Superintendent Daniel Domenech challenged 20 schools in Fairfax County to significantly improve their scores. In making the challenge, Dr. Domenech provided incentives to every employee at schools that met his announced goals. Nine schools worked hard and qualified for those incentive rewards, but Pine Spring Elementary in the Providence District achieved the most dramatic gains, qualifying as a "gold-medal school." As an example, some 96 percent of Pine Spring's fifth graders passed the SOL's math test, compared with 64 percent the previous year. Overall, Pine Spring posted a gain three times as large as the goal school officials had set. Dr. Domenech found the gain so remarkable that he has directed administrators to study Pine Spring's success to see what methods can be duplicated in other County schools.

Supervisor Connolly asked unanimous consent that the Board direct staff to invite Andrea Warner, principal of Pine Spring Elementary School, and other staff members and appropriate individuals who participated in this remarkable effort to appear before the Board and be recognized for this outstanding achievement. Without objection, it was so ordered.

41. **LEGISLATIVE COMMITTEE MEETING** (Tape 6)

(BACs) Supervisor Connolly reminded Board Members and the public of the schedule of upcoming Legislative Committee meetings. Committee meetings have been scheduled for 4 p.m. on the following Fridays: September 22, October 27 (tentative), November 10, and November 28, in Conference Rooms 9 and 10 at

the Government Center. The Board's draft legislative program, will be available to the public at noon on Wednesday, November 15, and November 20 has been tentatively set as the public hearing date for that program. The program is expected to be adopted on Monday, December 4. The Annual Legislative Breakfast to present the program to the Fairfax County delegation will be held at 7:30 a.m. on Friday, December 15.

42. **DATING OF DOCUMENTS** (Tape 6)

Supervisor Connolly noted that there are many documents produced by Fairfax County Government that lack any sort of date, whether it be date of origin, revision, or printing. Obviously, this causes unnecessary difficulties when it becomes necessary to determine a date, either for information purposes or to accretion the timeliness of a publication.

Therefore, Supervisor Connolly moved that the Board direct the County Executive to develop a Countywide policy for dating all materials generated or reproduced by county offices. Without objection, it was so ordered.

43. **TRIAD COUNCIL FOR PROVIDENCE DISTRICT** (Tape 6)

(NOTE: Earlier in the meeting TRIAD was referenced. See Clerk's Summary Item CL#23.)

Supervisor Connolly said that TRIAD is a national movement that represents a three-way partnership among a community's older or retired leaders, its local chief of police and its sheriff. In Fairfax County the TRIAD includes the Chief of Police as well as the Chiefs of the City of Fairfax and the Towns of Vienna and Herndon, the Sheriff, American Association of Retired People, and the County Commission on Aging. To further strengthen this union, there is support from Adult Protective Services, Fire and Rescue, George Mason University Police, Victim Services, and the Virginia State Police.

Supervisor Connolly announced a new chapter in the history of TRIAD in the County. He said that Providence will be the first to establish a District SALT (Seniors and Law Enforcement Together) Council. This group of talented and dedicated seniors will represent the wealth of the diversity as well as the commitment of the seniors and law enforcement to work together to prevent crime and victimization.

44. **LEE NATIONAL DENIM DAY** (Tape 6)

Supervisor Connolly said that the Susan G. Komen Breast Cancer Foundation began fundraising for breast cancer research, education, screening, and treatment in 1982. Since that time, the non-profit organization has raised over \$240 million dollars for this worthy cause. Lee National Denim Day is one of the fundraising efforts of the Komen Foundation. The National Denim Day event began in 1996 and has taken place annually since and becoming more successful each year.

On Friday, October 6, 2000, employers throughout the country will encourage their employees to donate \$5 to the Komen foundation and wear jeans to work. Fundraising efforts such as National Denim Day provide the organization with funds as well as recognition for the fight for a cure for breast cancer.

Supervisor Connolly moved that the Board direct:

- The Office of the County Executive to encourage County agencies to take part in National Denim Day by contributing \$5 toward the Susan G. Komen Breast Cancer Foundation.
- Staff to act quickly since the deadline for registration is September 15, 2000.

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

Please see [www.denimday.com/fall](http://www.denimday.com/fall) or call 1-800-521-5333 for additional information and registration.

45. **NOTTOWAY NIGHTS" - PROVIDENCE DISTRICT'S SUMMER CONCERT SERIES** (Tape 6)

Supervisor Connolly said that this summer, "Nottoway Nights," Providence District's summer concert series, was launched with the support of the Friends of Nottoway Park, the Fairfax County Park Authority, citizen volunteers, and several corporate, and community sponsors. Attendance at the 11 free weekly concerts averaged over 400 people per concert, and allowed citizens a unique opportunity not only to experience music and culture from around the world, but to share an evening with their neighbors as well. Despite this summer's wet weather, only three concerts had to be cancelled due to rain.

Therefore, Supervisor asked unanimous consent that the Board invite those involved in this year's successful Nottoway Nights Program, including the Friends of Nottoway Park, Park Authority staff, and program sponsors to appear before the Board to be recognized for their efforts. Without objection, it was so ordered.

46. **PUBLIC HEARING FOR NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY - PROFFERED CONDITION AMENDMENT APPLICATION PCA 80-P-039-7** (Tape 6)

Supervisor Connolly said that Northwestern Mutual Life Insurance Company has a pending proffered condition amendment application for Land Bay D in the Hunters Branch project. The Planning Commission decision is scheduled for September 26, 2000, and the site plan is currently being reviewed by the Department of Public Works and Environmental Services. The applicant has worked with Linda Smyth, the Providence District Planning Commissioner to

address a number of issues. Prior to the public hearing before the Planning Commission and Board, the applicant has agreed to strengthen a commitment to pursue support retail in the proposed office building.

Supervisor Connolly moved that the Board direct staff to schedule a public hearing to be held before the Board on October 16, 2000, on Proffered Condition Amendment Application PCA 80-P-039-7 in the name of Northwestern Mutual Life Insurance Company. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

47. **FAIRFAX BAR ASSOCIATION PRESIDENT** (Tape 6)

Supervisor Connolly expressed his congratulations to Jan Brodie, Senior Assistant County Attorney, for being named as the Fairfax Bar Association President.

48. **INTENT TO DEFER THE JOINT PUBLIC HEARING WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) ON A PROPOSED CUT-THROUGH TRAFFIC RESTRICTION FOR PARK ROAD BETWEEN OLD DOMINION DRIVE AND KIRBY ROAD (DRANESVILLE DISTRICT)** (Tape 6)

Supervisor Mendelsohn announced his intent to defer the joint public hearing with the VDOT on a proposed cut-through traffic restriction for Park Road between Old Dominion Drive and Kirby Road until October 30, 2000.

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

49. **MCLEAN COMMUNITY CENTER CELEBRATES ITS TWENTY-FIFTH ANNIVERSARY** (Tape 6)

Supervisor Mendelsohn said that on October 13 and 14, 2000, the McLean Community Center will host a celebration marking its twenty-fifth anniversary. Highlights of this event include a gala reception, special performances at the Alden Theatre, a fundraising Walk Around McLean, a festival and numerous other exhibits and special features throughout the week.

The McLean Community Center was built on land donated by the McLean Citizens Association, and the Center was constructed with privately raised funds and revenues from Fairfax County's first sanitary tax district. The Board approved the master plan for this complex in 1974, construction began in April 1974, and the Center opened for business in September 1975. Since that time, the Center has been managed by a Governing Board elected annually at McLean Day and approved by the Board of Supervisors under a Memorandum of Understanding adopted in 1982.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to invite the Chairman of the McLean Community Center Governing Board



and its Executive Director to appear before the Board on September 25 to congratulate and recognize them on the occasion of this twenty-fifth anniversary celebration. Without objection, it was so ordered.

50. **HERNDON NEIGHBORHOOD RESOURCE CENTER** (Tape 6)

Supervisor Mendelsohn said that the Town of Herndon and the County of Fairfax have worked in partnership to create the Herndon Neighborhood Resource Center which opened in July of 1999. This partnership has made it possible for a small local jurisdiction to provide integrated community based services to enhance the quality of life in culturally diverse neighborhoods.

Supervisor Mendelsohn announced that the Herndon Neighborhood Resource Center was submitted by the Town of Herndon as its entry to the Virginia Municipal Leagues (VML) 2000 Achievement Awards and has been selected as one of the winners. The Resource Center was awarded best project or program in the category for localities with populations of between 10,001 and 35,000.

Therefore, Supervisor Mendelsohn congratulated the Town and expressed his appreciation to Verdia Haywood, Deputy County Executive, Robert Stalzer, Deputy County Executive and former Herndon Town Manager, and all Fairfax County staff members who were instrumental in making the Neighborhood Resource Center a reality.

Following discussion, Supervisor Mendelsohn asked unanimous consent that the Board direct the Chairman to send a letter of congratulations on behalf of the Board. Without objection, it was so ordered.

51. **REQUEST TO RECOGNIZE CECELIA LAMMERS, FORMER FAIRFAX COUNTY URBAN FORESTER** (Tape 6)

Jointly with Supervisor Bulova, Supervisor Mendelsohn said that it has been a pleasure as Chair of the Tree Preservation Task Force to have worked with Ms. Cecelia Lammers, the Fairfax County Urban Forester. After 14 years of her service to Fairfax County, Ms. Lammers has left the County to work for the Maryland National Capital Parks and Planning Commission.

Supervisor Mendelsohn noted that Ms. Lammers has played an invaluable role as Fairfax County's Urban Forester. She has raised the visibility of and encouraged dialogue on tree-related issues in Fairfax County. Ms. Lammers was instrumental in the success of 2000 Trees by 2000, which resulted in over 20,000 new trees being planted in the County in 1999. She also has worked tirelessly with the Tree Preservation Task Force to produce over 37 recommendations that were unanimously adopted by the Board and are in the implementation process.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to invite Ms. Cecelia Lammers to appear before the Board to be recognized for her service to Fairfax County. Without objection, it was so ordered.

52. **MHI-LAUGHLIN AVENUE VENTURE, LLC (MADISON HOMES)**  
(Tape 6)

Supervisor Mendelsohn said that MHI-Laughlin Avenue Venture, LLC, (Madison Homes), is the applicant for a rezoning of several parcels of land in the McLean Community Business Center. The proposed rezoning would consolidate these parcels of residential land into a mixed-use development with retail and residential components. As a feature of its proposal, Madison Homes has offered to provide the McLean community with land for Civic Place, which is envisioned in the Comprehensive Plan as a community gathering place.

The Madison Homes proposal includes a portion of the existing right-of-way of Lowell Avenue and portions of existing alleyways into the Madison Homes land. Before the application can be accepted by the Department of Planning and Zoning, however, staff must be directed by the Board to accept an application which includes these portions of public right-of-way. It is estimated that approximately 8,775 square feet of the Lowell Avenue right-of-way and 5,211 square feet of alleyways would be included in the application. The McLean Planning Committee supports the inclusion of these public rights-of-way in the Madison Homes plan.

Therefore, Supervisor Mendelsohn moved that the Board give permission for Madison Homes to include a portion of the existing right-of-way of Lowell Avenue and portions of existing alleyways in its proposed rezoning application for property identified as Tax Map 30-2 ((9)) parcels 56-66. This motion does not relieve the applicant from compliance with the provisions of any and all applicable ordinances, regulations, or adopted standards, and does not constitute support by the Board for the application. Supervisor Bulova seconded the motion and it carried by unanimous vote.

53. **"MARYLAND FIRST" POLICY** (Tape 6)

Supervisor Mendelsohn said that at the August 7, 2000, Board meeting, he requested, in conjunction with Information Item 3 - Contract Award - Professional Services for Trail Design Consultants, that staff review the analysis regarding out-of-state contractors and Business, Professional, and Occupational Licenses.

Subsequent to that meeting, he has been informed that the State of Maryland has a "Maryland First" policy whereby contractors who are located in Maryland are provided additional points in the Request for Proposal review process. According to a constituent, the Honorable Thomas Davis Rust, Mayor of Herndon, this preference effectively locks out Virginia firms from doing public works business in Maryland.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to research this matter and to provide the Board with the following information:

- Value of public works contracts in Fairfax County that are annually awarded to Maryland firms
- How contracts for public works projects are awarded and the preference, if any, given to Maryland firms on state and county contracts in Maryland
- Determination of legislative authority for Fairfax County to give priority to Virginia firms in awarding of public works contracts

Without objection, it was so ordered.

54. **HOSPICE GRANT AWARD** (Tape 6)

Supervisor Mendelsohn said that on August 8, 2000, he received a letter from Darleen Cors, Vice President for Development of Hospice and Palliative Care of Metropolitan Washington (Hospice). Ms. Cors' letter describes a disturbing circumstance which has led Hospice to the unfortunate decision to return the \$15,000 grant awarded to the organization by the County through the Fiscal Year 2000 Community Funding Pool. According to Ms. Cors, that decision was based on the overly extensive reporting requirements imposed by the County which are too burdensome to make the funds useful to Hospice. In addition to the Fairfax County grants, Hospice has received grant funding of over \$36,000 from other local governments and has indicated that the reporting requirements for these jurisdictions are minimal by comparison to those of Fairfax County and are derived from the extensive patient-related data already in the Hospice files.

Supervisor Mendelsohn said that upon further investigation, Mr. David Bobbit, Director of the Annual Fund for Hospice, informed him that, although Hospice certainly needs these funds, the organization has brought this matter to his attention with the hopes that the evaluating system can be streamlined for all organizations that provide essential services to Fairfax County.

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

- Review the level of monitoring and evaluation required by the Community Funding Pool as a condition of receiving funds compared to the requirements of other local governments in administering similar grant funds.
- Report on this matter as soon as possible.

Supervisor Hyland seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to include a review of other regulatory requirements, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hyland.

Supervisor Frey asked to amend the motion to direct staff to review the application process, and this was accepted.

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

55. **SEVEN OAKS II DEVELOPMENT** (Tape 6)

Supervisor Gross said that the Seven Oaks II development is a townhouse community located in the Mason District, which was approved by the Board on November 15, 1976, as the subject of Rezoning Application RZ 76-M-112. At the time of the zoning approval, a number of proffers were accepted by the Board, including commitments to provide a recreational facility, a buffer strip at least 50-feet in width, a continuous six-foot brick wall, and supplemental plantings to be located along the west and southwest property boundaries. The property was subsequently developed and the open space was turned over to the Homeowners Association in 1991.

In September 1999 a complaint was received by the Zoning Enforcement Branch, questioning the development's compliance with the proffers. Following site inspections by staff, it was determined that a number of violations of the proffers did exist. Since that time, the homeowners association (HOA) has been working diligently with staff to determine the extent of the violations and the appropriate remedies.

Staff from both the Zoning Enforcement and Urban Forestry Branches have met repeatedly with representatives of the HOA, and have resolved some of the outstanding issues. However, because a number of the homes having fences, air conditioning units and other intrusions located in error within the 50-foot wide buffer strip, it has been determined that the best course of action is for the HOA to file a proffered condition amendment application to attempt to settle the remaining concerns.

The Seven Oaks II Homeowners Association is a non-profit organization with limited means, and has to date expended large sums in an attempt to resolve these violations. In an effort to reduce the financial burden on the HOA and to arrive at a mutually acceptable resolution of the concerns of Seven Oaks II and the surrounding community, Supervisor Gross moved that the Board waive the filing fees for the proffered condition amendment application. The applicant understands that this motion will not in any way prejudice the consideration of the application, and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor

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

56. **SHAWNEE ROAD, PARCEL 18C** (Tape 6)

(NOTE: Earlier in the meeting an issue relating to Shawnee Road was discussed. See Clerk's Summary Item CL#6.)

Supervisor Gross said that Cafferty Commercial Real Estate Services has been working to develop parcel 18-C, a 6.7 acre parcel served by Shawnee Road in the vicinity of Edsall Road and I-395. A Texas based company is interested in occupying the planned low density office campus-style building approved for this location, provided there is some certainty that the building can be ready for occupancy a year from now.

Supervisor Gross noted that normally, plan approval and permits would be withheld until the issues regarding the acceptance of Shawnee Road are resolved, which in this instance would cause the project to be too late to secure the commitment of the interested company.

Therefore, Supervisor Gross moved that the Board direct staff to process plan review and the issuance of permits on an expedited basis while efforts are concurrently occurring to resolve the acceptance of Shawnee Road into the State system for maintenance. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and does not prejudice the consideration of this application in any way. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

57. **SHAWNEE ROAD** (Tape 6)

(NOTE: Earlier in the meeting issues relating to Shawnee Road was discussed. See Clerk's Summary Items CL #6 and CL#56.)

Supervisor Gross moved that the Board direct staff to prepare the appropriate resolution necessary for the Virginia Department of Transportation's Industrial Access Road Program for Board consideration at the September 25, 2000, Board meeting. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Mendelsohn being out of the room.

58. **NEW GRAPHICS** (Tape 6)

Chairman Hanley noted the new graphics on the cable television monitors around the dias.

59. **WESTMINSTER SCHOOL** (Tape 6)

Supervisor Gross said that the Westminster School has filed Special Exception Amendment Application SEA 84-M-121, for an expansion of its facility located at

3819 Gallows Road. Because of a delay in processing the paperwork, the applicant has requested that the public hearings be expedited.

Supervisor Gross moved that the Board direct staff to schedule a public hearing to be held before the Board at its first meeting in January 2001. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

60. **STORAGE PARTNERS** (Tape 6)

Supervisor Gross said that Storage Partners has filed a special exception application for property located at Tax Map Number 80-2((7)) Parcel U1.

Supervisor Gross moved that the Board direct staff to schedule a public hearing to be held before the Planning Commission and the Board as expeditiously as possible. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

61. **OUR RESOURCES** (Tape 6)

Supervisor Gross called the Board's attention to a good publication by the Park Authority entitled *Our Resources* which contains information regarding nature, history, and horticulture.

62. **BOARD RECOGNITION OF CARLA CONVERY, VIRGINIA FEMALE ATHLETE OF THE YEAR** (Tape 6)

Supervisor Hyland announced that Virginia Amateur Sports, organizers of the commonwealth Games of Virginia, announced that Ms. Carla Convery of Alexandria has been named the 2000 Commonwealth Games of Virginia Female Athlete of the Year. The award is presented to a male and female athlete who have competed in the Commonwealth games and who personify the ideals of the State Games movement – participation, sportsmanship, effort and positive attitude.

During the past 20 years, Ms. Convery, age 80, has earned more than 500 track and field medals competing in the 100m and 200m dashes, long jump, shot put and discus. Ms. Convery has competed in the Commonwealth Games of Virginia, Virginia's Golden Age Games, the National Senior Olympic Games and the Master Program Competition in several other states and she is still going strong.

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Ms. Convery to appear before the Board to be recognized for her latest achievement as recipient of the 2000 Commonwealth Games of Virginia Athlete of the Year. Without objection, it was so ordered.

63. **URBAN REVITALIZATION PROGRAMS** (Tape 6)

Supervisor Hyland said that he recently received from State Senator Puller a Catalog of Urban Revitalization Programs which was produced by the Commonwealth of Virginia Commission on Local Government. Upon review, he found it to contain a wealth of information about funding resources for revitalization programs and projects which have been successfully occurring in other jurisdictions, both in Virginia and nationwide.

Supervisor Hyland said that the Tax Increment Financing (TIF) is discussed at length as a means for paying for redevelopment in a specific district with new tax revenue generated by the increase in property values at the conclusion of redevelopment. Improvements in a district are customarily financed with bonds issued by a Redevelopment Authority with the debt on the bonds retired through tax revenue increment generated by the increased assessed value of the redeveloped property. TIF does not raise taxes, is not an extra assessment or service tax, and is treated as a special financing entity similar to revenue bonds not subject to statutory limitations on allowable debt. The advantage of using TIF is that it appears to be a way of financing revitalization without raising taxes or using general fund money and offers a myriad of ways in which the funds may be used.

Among the many examples provided in the catalog are Town Centers, replacement of blighted areas with mixed use parks, removal of contaminated soils and creation of neighborhood shopping malls, creation of a business park with greenway trails, ponds, woods, and other developments involving conversion of abandoned properties into hotels, office, retail, and restaurants. It might also be possible to use such a method for funding Community Improvements in aging neighborhoods.

Tax Incentives were discussed as a means for distressed localities to offer incentives to attract commerce and industry since these areas are in direct competition with perceived cleaner and safer locations. Fairfax County has taken some tax incentive measures, Supervisor Hyland asserted that perhaps the time has come to evaluate how well these are working.

Empowerment Zones are mentioned as a way to revitalize designated areas in economically distressed communities by providing federal tax incentives and grants to qualifying businesses. Specifically mentioned is the Virginia Enterprise Zone program in which Fairfax County once competed.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct the Director of Housing and Community Development to review the catalog in its entirety and provide commentary and recommendations to the Revitalization Policy Committee at its next meeting focusing on programs which might work best in Fairfax County's designated revitalization areas and how and when those programs most appropriate for the County's needs could be initiated. Without objection, it was so ordered.

64. **WITH SINCERE THANKS** (Tape 6)

(Earlier in the meeting the Board offered its condolences to Supervisor Hyland in the death of his wife. See Clerk's Summary Item CL#1.)

Supervisor Hyland expressed his appreciation to his colleagues on the Board, Fairfax County staff, and the incredible number of citizens, friends, and business associates who have expressed their sympathy and kind thoughts to him and his family during this very difficult time – the loss of his wife and beloved life partner, Carmen Hyland.

Supervisor Hyland said that the outpouring of love and caring from so many has brought comfort to his daughter, Gigi and to him. He added that his wife made a significant impression on all who knew her and while their personal loss is momentous, he recognized how much her passing has meant to so many.

NV:nv

65. **TAX COLLECTION FOR ILLEGAL BUSINESSES** (Tape 7)

Supervisor Kauffman said that the Zoning Enforcement Branch of the Department of Planning and Zoning (DPZ) recently issued to one of his constituents a Notice of Violation for operating a towing business on a piece of property zoned R-1. The constituent asked why the Department of Tax Administration (DTA) annually issues her and her husband a Business, Professional, and Occupational License (BPOL) and collects taxes on an illegal business.

Supervisor Kauffman noted that although DTA's website does refer BPOL license applicants to the DPZ, the BPOL division informed his staff that this division does not verify that applicants have applied for, or received, the appropriate permits from DPZ before issuing a business license. He asserted that to prevent further inconsistencies, these two agencies must share information about applicants, similar to the way the Virginia Department of Motor Vehicles shares vehicle registration information with the County Department of Tax Administration.

Accordingly, Supervisor Kauffman moved that the Board direct staff to return with a proposed procedural change to ensure that the County does not generate tax revenue from uses which violate the Zoning Ordinance. Supervisor Hyland seconded the motion, which carried by unanimous vote.

66. **SHOWMOBILE FEE WAIVER FOR DIXIELAND BAND CONCERT**  
(Tape 7)

Supervisor Kauffman announced that the City of Fairfax's Dixieland Band will perform a free concert for the community on Sunday, September 17, 2000, at Muddy Hole Park. His office has reserved the Showmobile for this event. In recognition of the contribution to community spirit that this event brings, he



moved that the Board waive the fees associated with the use of the Showmobile. Supervisor Hyland seconded the motion, which carried by unanimous vote.

67. **HEALTHY FAMILIES OF FAIRFAX** (Tape 7)

With reference to her written Board Matter on the subject, Supervisor McConnell informed the Board of the credentialing of the Healthy Families of Fairfax by the Prevent Child Abuse America's Healthy Families America. This achievement, effective through April 2, 2004, recognizes a prevention program of the Department of Family Services, in partnership with the Department of Health and three nonprofit agencies, including Northern Virginia Family Services, United Community Ministries-Community Solutions, and Reston Interfaith.

Accordingly, Supervisor McConnell asked unanimous consent that the Board direct staff to invite members of the Healthy Families Fairfax Program to appear before the Board to be recognized for their accomplishment and to provide further details on the program. Without objection, it was so ordered.

68. **CONCURRENT PROCESSING OF SITE AND SUBDIVISION PLANS FOR REZONING APPLICATION RZ 2000-SU-012** (Tape 7)

Supervisor Frey stated that Centex Homes and Batal Builders have submitted Rezoning Application RZ 2000-SU-012 and have requested concurrent processing of the site and subdivision plans. The public hearing is scheduled for October 16, 2000.

Accordingly, Supervisor Frey moved that the Board authorize the Department of Public Works and Environmental Services to accept the site and subdivision plans associated with Rezoning Application RZ 2000-SU-012 for concurrent processing. He noted that the motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards. Supervisor Bulova seconded the motion, which carried by unanimous vote.

69. **OUT-OF-TURN PLAN AMENDMENT FOR KSI-MIDDLETON CENTER** (Tape 7)

Supervisor Frey reported that KSI has acquired an interest in property located at Tax Map 24-2((1)) 1, generally located in the southeast corner of the intersection of Frying Pan Road and Route 28. The property falls within both the Sully and Hunter Mill Districts. The Comprehensive Plan anticipates office uses between a .15 floor area ratio (FAR) and a .35 FAR, depending on the provision of certain improvements including roadway extensions, dedication of right-of-way for a transit stop, land consolidation, dedication of Environmental Quality Corridors and other items. He said that KSI representatives have requested an out-of-turn plan amendment to consider a mixed-use development including multi-family residential with an overall FAR up to .5.

With the understanding that the applicants understand that this motion will not prejudice the consideration of the application in any way, Supervisor Frey moved

that the Board direct staff of the Department of Planning and Zoning to consider an out-of-turn plan amendment for alternatives on property identified as Tax Map 24-2((1)) 1, including an option for mixed-use development containing multi-family residential up to a maximum .5 FAR. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

70. **INOVA HEALTH CARE - FAIR OAKS HOSPITAL** (Tape 7)

Supervisor Frey stated that Inova Health Care Services has filed concurrent rezoning and special exception amendment applications for another revision to proposed expansion plans for the Fair Oaks Hospital campus. Hospital representatives have requested scheduling of the public hearings prior to the end of the year.

Accordingly, Supervisor Frey moved that the Board direct:

- Staff to schedule the public hearings to be held before the Board for Rezoning Application RZ 2000-SU-032 and Special Exception Amendment Application SEA 84-C-076-6 on December 11, 2000.
- Department of Public Works and Environmental Services staff to be authorized to concurrently process the site plans associated with the above-referenced applications.

Supervisor Bulova seconded the motion, which carried by unanimous vote.

71. **WAIVER OF FEES ASSOCIATED WITH THE EXPANSION OF CHANTILLY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) NUMBER 29** (Tape 7)

Supervisor Frey moved that the Board waive the fees associated with the expansion of Chantilly RPPD Number 29 for the blocks of Poplar Tree Road, Pinefield Court, Majestic Lane, Pearsall Lane, and Pergate Lane. Supervisor Bulova seconded the motion, which carried by unanimous vote.

72. **CENTREVILLE FALL FESTIVAL** (Tape 7)

Supervisor Frey announced that the Centreville Fall Festival is scheduled for September 23, 2000, the same day as the Reston Multicultural Festival (the organizers for which were recognized earlier in the meeting.) He noted that in the past the Board has waived the tipping fees for the after-event cleanup for Centreville's festival, performed at no charge by AAA Trash Service.

Accordingly, Supervisor Frey moved that the Board waive:

- All tipping fees associated with the cleanup of the Centreville Fall Festival.

- Any fees associated with use of the new Showmobile, should that unit be available for this event.

Supervisor Connolly seconded the motion.

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

73. **ANIMAL SHELTER APPRECIATION WEEK** (Tape 7)

Supervisor Frey announced that this year's National Animal Shelter Appreciation week is November 5-11, 2000. Accordingly, he moved that the Board direct staff to:

- Prepare a resolution proclaiming the importance of supporting the very essential efforts of all shelter employees and volunteers who give countless hours of their time to comfort homeless, injured, and abused animals.
- Invite representatives to appear before the Board to accept this resolution.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

74. **2012 OLYMPICS** (Tape 7)

Supervisor Frey stated that the Washington Baltimore Regional 2012 Coalition is preparing a bid to host the 2012 Olympic games in the DC area. Many of the events are proposed to be held in Northern Virginia/Fairfax County, including swimming and diving events, judo, wrestling, and tae kwon do. Dulles Airport would provide a major gateway for the athletes and spectators and more than 30,000 hotel rooms in Northern Virginia would be occupied by participants and spectators.

Because the County has striven to develop an identity separate from the Washington Statistical Metropolitan Area, Supervisor Frey moved that the Board direct staff to prepare and send a letter from the Board to the Olympic bid organizing committee to specifically recognize Fairfax in the name of the bid effort, such as the "Washington/Baltimore/Fairfax 2012 Coalition. Supervisor McConnell seconded the motion.

Following discussion, Supervisor Frey clarified the intent of his motion as officially identifying the County as a partner in this regional effort.

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

75. **CORRECTION OF DATE FOR VOLUNTEERFEST®** (Tape 7)

(NOTE: Earlier in the meeting, Chairman Hanley presented a Board Matter regarding VolunteerFest®. See Clerk's Summary Item CL#20.)

Chairman Hanley noted for the record that the date of VolunteerFest® is Saturday, October 28, 2000.

76. **RECESS/CLOSED SESSION** (Tape 7)

At 2:05 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, and in addition:

- Khalid "Hal" Sheikh versus Anthony H. Griffin, At Law Number 189678.
- Rezoning Application RZ 87-P-108, Williamsburg Commons.
- County Contract Number MT97-000688-12A, Allied Elevator, Incorporated.

The second to this motion was inaudible.

Chairman Hanley announced that should this motion carry, closed session would commence at 2:15 p.m.

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

**SBE:sbe**

At 3:55 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

**ACTION FROM CLOSED SESSION**77. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 8)

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

SBE:sbe

**AGENDA ITEMS**

78. **3 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-060 (RIVER TOWERS BUILDING NUMBER THREE JOINT VENTURE) (PROVIDENCE DISTRICT)** (Tape 8)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#81.)

79. **3 P.M. – BOARD DECISION ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON BULL RUN POST OFFICE ROAD BETWEEN US ROUTE 29 AND THE LOUDOUN COUNTY LINE AND ON STONE ROAD/POPLAR TREE ROAD BETWEEN US ROUTE 29 AND SULLY STATION DRIVE/SEQUOIA FARMS DRIVE (SULLY DISTRICT)** (Tape 8)

Verbatim

(Rs)

(NOTE: On July 24, 2000, the Board deferred decision on this item until September 11, 2000.)

Supervisor Frey moved adoption of the Resolutions requesting the Virginia Department of Transportation to restrict through truck traffic on Bull Run Post Office Road between US Route 29 and the Loudoun County line, and on Stone Road/Poplar Tree Road between US Route 29 and Sully Station Drive/Sequoia Farms Drive, with the condition that the route for through trucks be designated as Route 29 to I-66 to Route 28 and that a traffic light be provided at the entrance ramps on Route 29 to I-66. Chairman Hanley seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADDITIONAL BOARD MATTER**

80. **WELCOME TO BOY SCOUT TROOP 695 FROM CHANTILLY, VIRGINIA** (Tape 8)

Chairman Hanley recognized the presence of Boy Scout Troop 695 from Chantilly, Virginia, and warmly welcomed them to the Board Auditorium.

**AGENDA ITEMS**

81. **3 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-060 (RIVER TOWERS BUILDING NUMBER THREE JOINT VENTURE) (PROVIDENCE DISTRICT)** (Tape 8)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1999-PR-060 until **October 16, 2000, at 4:30 p.m.** This motion, the second to which was inaudible, carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

82. **3 P.M. – PH ON A PROPOSAL TO VACATE A PORTION OF BUENA VISTA ROAD (PROVIDENCE DISTRICT)** (Tape 8)

- (O) (NOTE: On August 7, 2000, the Board deferred the public hearing on this item until September 11, 2000.)

A Certification 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 August 24 and August 31, 2000.

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved adoption of the Ordinance vacating a portion of Buena Vista Road. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor McConnell and Supervisor Mendelsohn being out of the room.

83. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-Y-018 (COSCAN WASHINGTON, INCORPORATED) (SULLY DISTRICT)** (Tape 8)

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved:

- Approval of Special Exception Application SE 00-Y-018, subject to the proposed development conditions dated July 26, 2000, amended as follows:
  - Condition number six, delete the second sentence from the development conditions.
  - Condition number nine, third line, replace "as determined by the Urban Forestry Branch" with "in coordination with the Urban Forestry Branch."
  - Condition number 13, replace with the following condition: "The applicant shall contribute the sum of \$44,276.51 to the Fairfax County Park Authority at time of subdivision plan approval in lieu of constructing an 8-foot wide asphalt trail along the stream within the Ellick Run Stream Valley. These funds shall be applied to construction of trails in the area as determined by the Fairfax County Park Authority in conjunction with the Sully District Representative to the Countywide Non-Motorized Transportation Committee."
  - Condition number 14, first line, replace "Prior to issuance of the first Residential Use Permit," with "Prior to Bond Release."
- Approval of a waiver of the requirement for construction of an 8-foot wide trail along the Ellick Run Stream Valley in favor of the contribution funds as stated in the development condition.

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

Supervisor Frey announced that the County is receiving an additional 140 acres of open space that will be dedicated to the Fairfax County Park Authority.

84. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1996-MV-037-3 (SOUTH STATION LLC) (MOUNT VERNON DISTRICT)** (Tape 8)

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, which included testimony by one speaker, MaryAnn Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Approval of the Proffered Condition Amendment Application PCA 1996-MV-037-3, subject to the proffers dated July 20, 2000.
- Re-affirmation of a waiver to permit private streets which exceed 600 feet in length.

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

85. **3:30 P.M. – JOINT PH WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION ON A PROPOSED CUT-THROUGH TRAFFIC RESTRICTION FOR PARK ROAD BETWEEN OLD DOMINION DRIVE AND KIRBY ROAD (DRANESVILLE DISTRICT)** (Tape 8)

On behalf of Supervisor Mendelsohn, Supervisor Kauffman moved to defer the joint public hearing with the Virginia Department of Transportation on a proposed cut-through traffic restriction for Park Road between Old Dominion Drive and Kirby Road until **October 30, 2000, at 3 p.m.** Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

86. **3:30 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF DUFF DRIVE (ROUTE 1886) (MASON DISTRICT)** (Tape 8)

- (O) A Certification 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 August 24 and August 31, 2000.



Following the public hearing, Supervisor Gross moved adoption of the Ordinance authorizing the vacation and abandonment of a portion of Duff Drive (Route 1886). Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

87. **3:30 P.M. - PH ON A PROPOSAL TO VACATE AND ABANDON HORSE SHOE COURT (ROUTE 775) (PROVIDENCE DISTRICT)** (Tape 8)

- (O) A Certification 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 August 24 and August 31, 2000.

Following the public hearing, Supervisor Connolly moved adoption of the Ordinance authorizing the vacation and abandonment of Horse Shoe Court (Route 775). Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

88. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 80-C-028-5 (TST WOODLAND LLC, TST WOODLAND ONE, LLC), REZONING APPLICATION RZ 1999-HM-037 (TST WOODLAND, LLC), SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 97-H-070-2 (TST WOODLAND LLC), AND SPECIAL EXCEPTION APPLICATION SE 00-H-042 (TST WOODLAND LLC) (HUNTER MILL DISTRICT)** (Tape 8)

- (O) Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

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 Frey disclosed the following campaign contribution which he had received:

- In excess of \$200 from William H. Gordon Associates

Supervisor Hudgins moved approval of the Proffered Condition Amendment Application PCA 80-C-028-5. Supervisor Kauffman seconded the motion and it

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

Supervisor Hudgins moved approval of the amendment of the Zoning Ordinance as it applies to the property, which is the subject of Rezoning Application RZ 1999-HM-037, from the I-4 District to the I-4 and PDC Districts, subject to the execution of proffers dated September 8, 2000. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of a reaffirmation of modification of the transitional screening requirement along Centreville Road and Woodland Park Road, as shown on the CDP/FDP/SEA plat. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of a reaffirmation of the waiver of the barrier requirement along Centreville Road and Woodland Park Road. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of a reaffirmation of the waiver of the 70-foot minimum setback requirement from the Dulles Airport Access Road and Toll Road. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of a reaffirmation of a waiver of the service drive requirement along the Dulles Airport Access and Toll Road. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of a reaffirmation of a waiver of the peripheral parking lot landscaping requirement along the northern property boundary adjacent to the Dulles Airport Access and Toll Road. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of a waiver of the transitional screening and barrier requirements along the western boundary of Parcel 5A and along Sunrise Valley Drive. Supervisor Bulova and Supervisor Frey jointly seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of Special Exception Amendment Application SEA 97-H-070-2, subject to the development conditions set forth in Appendix 2A of the staff report dated August 23, 2000. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of Special Exception Application SE 00-H-042, subject to the development conditions set forth in Appendix 2B of the staff report dated August 23, 2000. Supervisor Bulova seconded the motion which carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

**DS:ds**

89. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 89-C-027-8 (BRE/VCD ASSOCIATES, LLC) (HUNTER MILL DISTRICT)** (Tape 9)

Mr. Fred Taylor reaffirmed the validity of the affidavit for the record.

Mr. Taylor 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, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Amendment Application SEA 89-C-027-8, subject to the proposed development conditions dated August 30, 2000. Supervisor Frey seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

90. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-009 (MSW, INCORPORATED) (SULLY DISTRICT)** (Tape 9)

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

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

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

Following discussion, Supervisor Frey moved to defer the decision on this item until **September 25, 2000, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman and Chairman Hanley voting "AYE," Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

91. **4 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-027 (ALD GROUP, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 9)

(O) Mr. Mark G. Jenkins reaffirmed the validity of the affidavit for the record.

Mr. Jenkins 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 moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-PR-027 and the conceptual development plan from the R-1 District to the PDH-3 District, subject to the execution of proffers dated August 4, 2000, and the development conditions dated September 11, 2000.
- Waiver of the height limitation for the proposed noise wall.

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

92. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), SECTION 41-2-4(a)** (Tape 9)

(O) A Certification 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 August 24 and August 31, 2000.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Section 41-2-4(a) to allow the designation of certain areas within the

County that are leased, controlled or operated by the Fairfax County Park Authority and by the Northern Virginia Regional Park Authority as off-leash or dog exercise areas. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Fey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

93. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)**  
(Tape 9)

- (O) A Certification 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 August 24 and August 31, 2000.

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, Robinson RPPD, District 17. The proposed District expansion includes the following street blocks:

- Wheatstone Drive (Route 5172) from Gainsborough Drive (Route 4815) to Allenby Road (Route 5187)
- Allenby Road from Wheatstone Drive to the south end
- Rodney Court (Route 5186) from Gainsborough Drive to the end

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

94. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)**  
(Tape 9)

- (O) A Certification 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 August 24 and August 31, 2000.

Following the public hearing, which included testimony by two speakers, Supervisor Bulova moved adoption of the proposed amendments to the Code of

the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, Annandale RPPD, District 14. The proposed District expansion includes the following street block:

- Newcastle Drive (Route 2055) from Terrell Street (Route 2642) to Heritage Drive (Route 2630)

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

95. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-084 (A & R GENERAL PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

Mr. Riegle 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.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Michael J. Giguere

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

Supervisor Connolly moved:

- Approval of the Proffered Condition Amendment Application PCA 82-P-084, subject to the execution of proffers dated July 6, 2000.
- Waiver of the loading space requirements, waiver of the transitional screening and barrier requirements, and waiver of the interior and peripheral parking lot landscaping requirements, subject to the proffers dated July 6, 2000.

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

96. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2000-DR-002 (JANET L. AND LOIS H. BEALL) (DRANESVILLE DISTRICT)** (Tape 9)

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

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested 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 that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-DR-002 be amended from the R-1 District to the R-3 District, subject to the execution of the proffers dated September 8, 2000. Supervisor Bulova seconded the motion, and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Acting Chairman McConnell voting "AYE," Supervisor Frey, Supervisor Hudgins, and Chairman Hanley being out of the room.

97. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-V-012 (C. N. MORRIS, JR., INCORPORATED) (MOUNT VERNON DISTRICT)** (Tape 9)

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

Mr. Riegle 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 Hyland moved:

- Approval of Special Exception Amendment Application SE 00-V-012, subject to the proposed development conditions dated July 21, 2000.
- Waiver of the minimum district size.

Supervisor Connolly and Supervisor Hudgins jointly seconded the motion and it carried by a vote of eight, Supervisor Frey and Chairman Hanley being out of the room.

98. **C-1 – APPEAL BY BARBARA L. PAINTER OF TWO DECISIONS BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) UNDER THE CHESAPEAKE BAY PRESERVATION ORDINANCE REGARDING SALONA VILLAGE, SECTION 7, LOT 3; TAX MAP NUMBER 30-2 ((29)) PARCEL 3 (DRANESVILLE DISTRICT)** (Tapes 9-10)

(NOTE: Earlier in the meeting this item was deferred. See Clerk's Summary Item CL#17.)

The Board next considered an item contained in the Memorandum to the Board dated September 11, 2000, regarding an appeal of two decisions by the Director of DPWES not to approve an exception (#021942) under Section 118-6-8 (Minor Additions) to the Code of the County of Fairfax, Chapter 118 (Chesapeake Bay Preservation Ordinance), and to disapprove a Water Quality Impact Assessment (5253-WQ-01) under Section 118-4-5 (Evaluation Procedures for Water Quality Impact Assessments) of the Chesapeake Bay Preservation Ordinance for Salona Village, Section 7, Lot 3 (5253-RGP-02).

Discussion ensued with input from John Farrell, representative for the appellant; John Friedman, Engineer III, DPWES; and David W. Stroh, Assistant County Attorney.

Supervisor Mendelsohn moved:

- Affirmation of the April 7, 2000, decision of the Director of the DPWES to disapprove the appellant's request to waive the performance criteria and requirements of the Chesapeake Bay Preservation Ordinance for an encroachment into a resource protection area sought by the appellant under the Code of the County of Fairfax, Chapter 118 (Chesapeake Bay Preservation Ordinance), Section 118-6-8.
- Affirmation of the Director of DPWES April 20, 2000, decision to disapprove the appellant's water quality impact assessment.

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

#### **ADDITIONAL BOARD MATTER**

99. **UPCOMING BOARD MEETING** (Tape 10)

Chairman Hanley announced to the Board Members that the next meeting would be short, and during lunch break the Board would be attending the Chamber of Commerce luncheon.

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

At 6:25 p.m., the Board adjourned.



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