



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
SEPTEMBER 13, 1999**

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19-99

SBE:sbe

The meeting was called to order at 8:35 a.m., with all Members being present, and with Chairman Hanley presiding.

Others present were Robert J. O'Neill, Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTER

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

Supervisor Connolly asked everyone to remember in thoughts and prayers the family of Frances Gustafaro, a long time Providence District resident, who died recently.

Supervisor Hyland asked everyone to remember in thoughts and prayers the family of Mr. Joseph T. Flakne who died recently at the age of 99. Mr. Flakne made a big difference in the lives of many people and was involved with statehood for Alaska and the rights of women. He also made a lasting effect on the environment of Fairfax County. Mr. Flakne's home in Mason Neck will be sold, with the proceeds going to the Park Authority.

(NOTE: Later in the meeting the Board took additional action to recognize Mr. Flakne. See Clerk's Summary Item CL#82.)

Supervisor McConnell asked everyone to remember in thoughts and prayers the family of Ms. Nancy Byers who died recently.

Supervisor Dix asked everyone to remember in thoughts and prayers the family of Ms. Nan Haslet who died recently.

AGENDA ITEMS3. **RESOLUTION TO RECOGNIZE FIRE AND RESCUE'S URBAN SEARCH AND RESCUE TEAM** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Resolution to recognize the Department of Fire and Rescue's Urban Search and Rescue Team for responding to the massive earthquake in Turkey. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Edward L. Sinnette, Chief, Department of Fire and Rescue, presented a US flag that flew over their base of operations in Turkey to Chairman Hanley and the Board.

4. **PRESENTATION OF THE NATIONAL ASSOCIATION OF COUNTIES (NACo) ACHIEVEMENT AWARDS** (Tape 1)

Supervisor Hyland introduced Jacqueline Byers, Director of Research, National Association of Counties, who was the special NACo guest presenter, and welcomed her to the Board Auditorium.

Supervisor Hyland and Ms. Byers presented NACo Achievement Awards to the following departments and task forces:

- ⊞ Community and Recreation Services for *Teen Center Model*.
- ⊞ Housing and Community Development for *Bridging Community Opposition: Restructuring Section*.
- ⊞ Employee Communications Task Force for *Communications Task Force*.
- ⊞ Fairfax-Falls Church Community Services Board, Alcohol and Drug Services, for *HIDTA Resiliency Initiative*.
- ⊞ Department of Public Works and Environmental Services for *Value Engineering for Capital Improvement Project*.

5. **CERTIFICATE TO RECOGNIZE THE FAIRFAX COUNTY STARS 11-YEAR-OLD GIRLS AAU BASKETBALL TEAM** (Tapes 1-2)

Supervisor Dix moved approval of the Certificate of Recognition presented to the Fairfax County Stars 11-year-old girls AAU Basketball Team for being the runner-up in the National Championship. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

BOARD MATTER6. **INTRODUCTION OF NEWLY-APPOINTED DEPARTMENT HEADS TO THE BOARD** (Tape 2)

Robert J. O'Neill, Jr., County Executive, introduced and welcomed the following three new department heads:

- Paula Sampson, Director, Department of Housing and Community Development.
- Armand S. Malo, Director, Department of Purchasing and Supply Management.
- Robert Mears, Director, Department of Finance.

AGENDA ITEMS7. **PROCLAMATION DESIGNATING SEPTEMBER 15 TO OCTOBER 15, 1999, AS HISPANIC HERITAGE MONTH IN FAIRFAX COUNTY** (Tape 2)

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and moved approval of the Proclamation, presented to Ms. Emma Violand Sanchez, designating September 15 to October 15, 1999, as Hispanic Heritage Month in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

William A. Spencer, Director, Office of Equity Programs, introduced Ambassador Marcelo Perez Monasterio, Ambassador of Bolivia, who briefly addressed the Board.

8. **RESOLUTION TO RECOGNIZE THE LATE MS. MARTA WYATT** (Tape 2)

The presentation of this resolution will be rescheduled.

9. **CERTIFICATE TO RECOGNIZE MS. ROXANNE BAULAND, A STUDENT AT FAIRHILL ELEMENTARY SCHOOL** (Tape 2)

Supervisor Connolly moved approval of the Certificate of Recognition presented to Ms. Roxanne Bauland, a student at Fairhill Elementary School, for saving the life of a fellow student. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

10. **CERTIFICATE TO RECOGNIZE MS. HALEY MORGAN BELL** (Tape 2)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Ms. Haley Morgan Bell for her third place finish at the Tae Kwon Do National Junior Olympics. Supervisor Hyland and Chairman Hanley jointly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

11. **CERTIFICATE TO RECOGNIZE MS. ELIZABETH DAVID, FORMERLY FROM THE DEPARTMENT OF PLANNING AND ZONING** (Tape 2)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Ms. Elizabeth David, formerly from the Department of Planning and Zoning, for her years of service with Fairfax County. Supervisor Frey seconded the motion and it carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

12. **CERTIFICATE TO RECOGNIZE THE SPONSORS AND COUNTY STAFF FOR THEIR EFFORTS ASSOCIATED WITH BRADDOCK NIGHTS AND TOON DISNEY MOVIE NIGHT** (Tape 2)

Supervisor Bulova moved approval of the Certificate of Recognition presented to the sponsors and County staff for their efforts associated with Braddock Nights and Toon Disney Movie Night. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

13. **CERTIFICATE TO RECOGNIZE MR. GORDON LANDES** (Tape 2)

(BACs) Supervisor Kauffman moved approval of the Certificate of Recognition presented to Mr. Gordon Landes for his years of service on the Disability Services Board. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

14. **CERTIFICATE TO RECOGNIZE INOVA HEALTH SYSTEM** (Tape 2)

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and moved approval of the Certificate of Recognition presented to INOVA Health System for its generous donation to the Fairfax County Public Library Foundation. Supervisor Dix seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

15. **10:00 A.M. - PRESENTATION OF THE 1999 TREE PRESERVATION TASK FORCE FINAL REPORT AND A-1 - APPROVAL OF RECOMMENDATIONS CONTAINED IN THE REPORT OF THE TREE PRESERVATION TASK FORCE** (Tapes 2-3)

(BACs) Supervisor Mendelsohn, Chair, Tree Preservation Task Force, presented the 1999 Tree Preservation Task Force Final Report.

Supervisor Mendelsohn expressed appreciation to members of both the current task force as well as the 1995 task force; staff from each Supervisor's office; and Cecilia Lammers, Urban Forester, Urban Forestry Branch, Department of Public Works and Environmental Services; for their efforts. Supervisor Bulova, Co-Chair of the task force, expressed appreciation to Supervisor Mendelsohn for chairing the task force. She also expressed appreciation to task force members and the organizations involved as well as Ms. Lammers.

Noting that the report discussed the fact that Virginia Department of Transportation projects are sometimes lacking on landscaping after completion, Chairman Hanley suggested that the Board might consider making these areas eligible for spot improvement funding if the particular area is in jeopardy.

Following discussion, with input from staff, Supervisor Mendelsohn called the Board's attention to Action Item 1 - Approval of Recommendations Contained in the Report of the Tree Preservation Task Force and moved that the Board concur in the recommendation of staff and direct staff to take all necessary actions to implement the recommendations presented in the Tree Preservation Task Force dated September 13, 1999. None of the quick-hit recommendations have been identified as having fiscal implications. Any of the recommendations which are determined to have fiscal implications in the future will be returned to the Board as part of the budget cycle. Supervisor Bulova seconded the motion.

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

Supervisor Mendelsohn announced that the task force will continue to meet semi-annually, with its next meeting scheduled for February 2000.

16. **10:00 A.M. - PUBLIC HEARING ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY) 1999 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2000 REVISED BUDGET PLAN** (Tapes 3-5)

(SAR) Chairman Hanley recognized the presence of Jane K. Strauss, Dranesville District
(FPR) Representative to the School Board, and welcomed her to the Board Auditorium.
(P)

Following the testimony of Bruce McLeod, Sully District Representative to the Library Board, and with input from Edward L. Long, Jr., Chief Financial Officer and Director, Department of Management and Budget, Supervisor Frey asked unanimous consent that the Board direct staff to provide an explanation of the use and/or extent

of "exempt limited term" positions throughout the libraries and their effect on staffing. Without objection, it was so ordered.

Following the public hearing, which included testimony from six speakers, Robert J. O'Neill, Jr., County Executive, provided details on the creation of a Revenue Stabilization Fund (RSF).

Following discussion, with input from Mr. Long, Supervisor Frey asked unanimous consent that the Board direct staff to review the records of the last ten years to determine how many times there has been a shortfall of one and one-half percent between the official budget projections and the actual revenues. Without objection, it was so ordered.

Following further discussion, Supervisor Bulova moved:

- ⊞ Approval of Supplemental Appropriation Resolution AS 00022 and Amendment to the Fiscal Planning Resolution AS 00901 which includes expenditure authorization for FY 1999 Carryover encumbrances, unencumbered items, unexpended capital balances, revenue adjustments, and administrative adjustments identified in the County and Schools' FY 1999 Carryover Review, which results in a General Fund balance of \$19.25 million.

Supervisor Connolly seconded the motion.

Following discussion, with input from Mr. O'Neill and Mr. Long, Supervisor McConnell asked unanimous consent that the Board direct staff to list in the next annual budget all items that are funded out of the General Fund for the School Division. Without objection, it was so ordered.

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

Supervisor Bulova moved:

- Appropriation of Federal/State grants including \$22.03 million in Carryover of unexpended balances and additional adjustments as identified in Attachment VI to the Memorandum to the Board dated September 13, 1999.

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

Supervisor Bulova moved:

- Approval of an amendment to the Budget Guidelines providing for the establishment of a RSF with a goal of reaching an amount

equal to three percent of General Fund disbursements. The balance would be accomplished over a multi-year basis with a policy whereby a minimum of 40 percent and up to a maximum of 60 percent of non-recurring balances identified at quarterly reviews would be allocated to the RSF.

Supervisor Connolly seconded the motion.

Following discussion, Supervisor Bulova amended the motion to reflect the guidelines, criteria, and conditions for use that would govern the RSF as contained in the Memorandum to the Board (subject RSF) dated September 7, 1999, and this was accepted.

Supervisor Dix moved to amend the motion to establish a requirement that, given the conditions previously discussed are met, that an appropriation from the RSF would require a two-thirds vote of the members of the Board. Following a brief discussion, Supervisor Hyland seconded the amendment.

Discussion ensued with input from David P. Bobzien, County Attorney.

Supervisor Bulova stated for the record that on principle she has no problems with the super majority vote requirement, but that she would be voting against it because of the County Attorney's opinion that the Board does not have the authority to impose a super majority.

Following further discussion, with input from Mr. Bobzien, the question was called on the amendment, which **FAILED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE."

Following further discussion, with input from Mr. O'Neill, Supervisor Frey asked to amend the motion to delete the language, "and up to a maximum of 60 percent," and this was accepted.

Supervisor Gross asked to amend the motion to add the following two sentences regarding the conditions for use: "Withdrawals from the RSF will not be made unless the projected revenues reflect a decrease greater than 1.5 percent for the current year estimate. In addition, any withdrawal from the RSF should not exceed one-half of the fund balance in any fiscal year."

This was accepted.

Supervisor Bulova amended the main motion, as amended, to include the words "as described in County Executive Robert O'Neill's memorandum of September 7, 1999, as attached" after the words "establishment of a RSF," and this was accepted.

The question was then called on the main motion, as amended, which **CARRIED** by unanimous vote.

Supervisor Bulova moved:

- Approval of the transfer of \$7.8 million or 40 percent of the FY 1999 available balance to the newly created RSF. The General Fund balance remaining after this adjustment is \$11.4 million.

Supervisor Connolly seconded the motion.

Following discussion, with input from Mr. O'Neill, the question was called on the motion, which carried by unanimous vote.

Recognition of Carl F. Juncker, Assistant Superintendent, Financial Services, Fairfax County Schools

Supervisor Dix recognized the presence of Carl F. Juncker, Assistant Superintendent, Financial Services, Fairfax County Schools, and welcomed him to the Board Auditorium. Supervisor Dix stated that Mr. Juncker will be retiring soon and thanked him for his years of service.

Supervisor Bulova moved:

- Approval of the Consideration Items and Items recommended by the County Executive in the amount of \$11.4 million as listed in the document entitled "Board Motions - FY 1999 Carryover Review." The balance after this adjustment is \$0.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and stated that the Board had received a letter from Dr. Donald J. Senese requesting the use of some of the \$850,000 in historical preservation money (Consideration Items 12, 13, and 19) to print three manuscripts. Accordingly, she asked to amend the motion to

include that direction to the History Commission to print the three referenced manuscripts, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Connolly seconded the motion.

Following discussion, with input from Joan N. Volpe, Deputy Director, Fairfax-Falls Church Community Services Board, Supervisor Hyland asked unanimous consent that the Board direct staff to report on efforts to alleviate the waiting list for children who need services at the Mount Vernon Center for Community Mental Health. Without objection, it was so ordered.

Following further discussion, with input from Mr. Long and Anthony H. Griffin,

Deputy County Executive, Supervisor Gross asked unanimous consent that the Board direct staff to distribute the status report regarding the 31 communities on the Community Improvement Program waiting list. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took further action regarding the Community Improvement Program. See page 10.)

Supervisor Mendelsohn stated for the record that funding for the transportation system improvements (Consideration Item 14) includes funds to alleviate the morning traffic problems at Langley High School, but is subject to the recommendation from the Georgetown Pike Traffic Calming Study Group.

Following discussion, with input from Mr. Griffin, Paul L. Baldino, Director, Park Authority, and Mr. Long, Supervisor Dix asked unanimous consent that the Board direct staff to provide the Board with a list of projects that will use the \$11 million discussed during the budget workshops. Without objection, it was so ordered.

With reference to the funding for historic preservation (Consideration Items 12, 13, and 19), Supervisor Dix noted that there is a proffer associated with the Reston Town Center development that refers to the development of a cultural center. He asked unanimous consent that the Board direct staff to not duplicate efforts and consider leveraging this opportunity. Without objection, it was so ordered.

With reference to the Funding for Alcohol and Drug Services Youth Initiative (Consideration Item 22), Supervisor Dix asked unanimous consent that the Board direct the County Executive to provide well in advance of next year's budget an assessment of supply and demand issues directly related to Youth Alcohol and Drug Services to determine whether there are long waiting lists. Without objection, it was so ordered.

With reference to the cultural center, Supervisor Kauffman pointed out for the record that the Springfield area has also been identified as the possible location for a cultural center.

Supervisor Gross asked unanimous consent that the Board direct staff to provide a status report as to how the Park Authority intends to deal with the emergency repair of the retaining wall along the spring house at Green Spring Gardens Park. Without objection, it was so ordered.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of nine, with a notation that Supervisor McConnell does not approve of the funding for the Lorton infrastructure evaluation effort, Supervisor Frey voting "**NAY.**"

Supervisor Bulova moved approval of adjusting the Managed Reserve to maintain the reserve at 2.0 percent of total General Fund disbursements based on the actions taken by the Board as part of the FY 1999 Carryover Review. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved approval of allocating \$9,500 from available cable funds for the production of video programming to assist the County in attracting the National Army Museum to Fort Belvoir. There is no general fund impact. Supervisor Dix seconded the motion and it carried by unanimous vote.

(NOTE: Earlier in the meeting, the Board discussed the Community Improvement Program. See page 9.)

With reference to the Community Improvement Program as discussed earlier in the meeting and noting its importance in relation to revitalization efforts, Supervisor Hyland moved that the Board direct staff to:

- Review the subject of the number of communities that need help.
- Provide recommendations as to the design and planning for these communities but, most important, the construction, which may need consideration of a bond referendum.

Supervisor Gross seconded the motion.

Supervisor Dix clarified that the language of the motion entails the inclusion of communities that have been waiting, similar to the ones discussed earlier in the meeting, and that the Board should advise staff of who they are to determine some kind of eligibility if, in fact, the Board decides to proceed.

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

CM:cm

17. **APPOINTMENTS TO THE 2000 CENSUS COMPLETE COUNT COMMITTEE** (Tape 6)

(BACs) Chairman Hanley moved the appointment of Mr. Jim D. Kelly as the At-Large
(APPTS) Representative to the 2000 Census Complete Count Committee. Supervisor Kauffman seconded the motion.

Supervisor Bulova moved the appointment of Mr. John Shivik as the Braddock District Representative to the 2000 Census Complete Count Committee. The second to this motion was inaudible.

Supervisor Mendelsohn moved the appointment of Ms. Penny Chaboudy as the Dranesville District Representative to the 2000 Census Complete Count Committee. Chairman Hanley seconded the motion.

Supervisor Kauffman moved the appointment of Pastor Leroy S. Anderson as the Lee District Representative to the 2000 Census Complete Count Committee. Chairman Hanley seconded the motion.

Supervisor Gross moved the appointment of Ms. Irma Ortiz as the Mason District Representative to the 2000 Census Complete Count Committee. Chairman Hanley seconded the motion.

Supervisor Connolly moved the appointment of Ms. Linda Freeman as the Providence District Representative to the 2000 Census Complete Count Committee. Supervisor Gross seconded the motion.

Supervisor McConnell moved the appointment of Mr. William Burris II as the Springfield District Representative to the 2000 Census Complete Count Committee. Chairman Hanley seconded the motion.

Supervisor Frey moved the appointment of Ms. Carol Hawn as the Sully District Representative to the 2000 Census Complete Count Committee. Supervisor Connolly seconded the motion.

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

(NOTE: The appointments of the Hunter Mill and the Mount Vernon District Representatives to the 2000 Census Complete Count Committee were deferred.)

CONFIRMATIONS:

Supervisor Mendelsohn moved that the Board confirm the following appointments to the 2000 Census Complete Count Committee:

- Mr. Bruce Coates as the Black Women United for Action Representative
- Ms. Roxanne Rice as the Fairfax-Falls Church United Way Representative
- Mr. Drew Schuler as the Hispanic Committee of Northern Virginia Representative
- Ms. Carol Steere as the League of Women Voters Representative
- Mr. Robert Hayman as the Northern Virginia Board of Realtors Representative
- Mr. George Lambert as the Northern Virginia Urban League Representative

Supervisor Bulova moved that the Board confirm the following representative to the 2000 Census Complete Count Committee:

- Ms. Surjit Kaur as the Faith in Action Representative

Supervisor Gross seconded the motions, which carried by unanimous vote.

17a. **APPOINTMENTS TO THE HUMAN SERVICES COUNCIL**

Supervisor Connolly moved the appointment of Ms. Donna Fleming as the Providence District Representative to the Human Services Council. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the appointment of Mr. Robert Faherty as the Lee District Representative to the Human Services Council. Supervisor Dix seconded the motion, which carried by unanimous vote.

18. **ADMINISTRATIVE ITEMS** (Tape 6)

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

Supervisor McConnell called the Board's attention to Administrative Item 1 – Board of Supervisors' Meeting Schedule for Calendar Year 2000. Following discussion, Supervisor Connolly asked unanimous consent that the Board direct staff to keep the agenda light for the Monday meeting following Easter. Without objection, it was so ordered.

Supervisor Kauffman called the Board's attention to Administrative Item 6 - Adoption of a Resolution Approving the Issuance of a Bond Issue by the Fairfax County Economic Development Authority on Behalf of Greenspring Village, Incorporated (Lee District). Following discussion, with input from Robert J. O'Neill, Jr., County Executive, and Anthony H. Griffin, Deputy County Executive, Supervisor Kauffman asked to amend the motion to defer this item until later in the meeting, and this was accepted.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item CL#95.)

There was a brief discussion of Administrative Item 20 - Authorization to Advertise a Public Hearing on a Proposed Amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Zoning Violations and Penalties.

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

ADMIN 1 – BOARD OF SUPERVISORS’ MEETING SCHEDULE FOR CALENDAR YEAR 2000

(NOTE: Earlier in the meeting, action was taken regarding this item. See page 12.)

Adopted the meeting schedule for January through December 2000.

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, MASON, AND SULLY DISTRICTS).

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Seneca Gate	Dranesville	Sherman Court Seneca Road, Route 602, Additional right-of-way only Jordan Lane, Route 6705, Additional right-of-way only
Smithfield at West Ox	Hunter Mill	Smith Farm Way Lou Alice Way West Ox Road, Route 608, Additional right-of-way only
Camelot Square	Mason	Bannerwood Drive, Route 4028 Bannerwood Court
Statecrest Woods	Mason	Ivycrest Place Statecrest Drive, Route 2610, Additional right-of-way only
Willow Ponds, Section 4	Sully	Winter Willow Drive

ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 94-Y-006, KINDERCARE LEARNING CENTERS, INCORPORATED (SULLY DISTRICT)

(AT) Approved the request for four months of additional time for SE 94-Y-006, to November 8, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS

Authorized the extension of the review periods for the following 2232 public facility review applications to the dates noted: applications FS-99-20 and FS-H99-21 to December 3, 1999; applications 2232-L99-10 and FS-M99-22 to December 5, 1999; and application 2232-V99-11 to April 1, 2000, to ensure compliance with the review requirements mandated by Section 15.2-2232 of the *Code of Virginia*.

ADMIN 5 – INSTALLATION OF MULTI-WAY STOPS AT VARIOUS LOCATIONS (COUNTYWIDE)

- Endorsed the installation of multi-way stops at the following intersections:
 - Burnside Landing Road and Eagle Landing Road (Braddock)
 - Stonehaven Drive and Blackpool Drive (Braddock)
 - New Parkland Drive and Melchester Drive (Hunter Mill)
 - Farthingale Drive and Mansway Drive (Hunter Mill)
 - Pine Crest Road and Lyme Bay Drive (Hunter Mill)
 - Irvin Street and Higdon Drive (Hunter Mill)
 - Bren Mar Drive and Beryl Road (Mason)
 - Union Village Circle and Forest Run Drive (Sully)
- Directed staff to request the Virginia Department of Transportation to approve the temporary installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 6 - ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON BEHALF OF GREENSPRING VILLAGE, INCORPORATED (LEE DISTRICT)

(NOTE: Earlier in the meeting action was taken to defer this item until later in the meeting. See page 12.)

**ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 00031 FOR THE CONTINUATION OF THE FEDERAL HEAD START
PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY
SERVICES**

(SAR) Approved SAR AS 00031 in the amount of \$2,092,923 for ongoing federal Head Start programs. This grant allows the Department of Family Services/Office for Children (DFS/OFC) to continue Head Start services for 336 three to five-year-old children.

**ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 00032 FOR THE CONTINUATION OF THE FEDERAL EARLY HEAD
START PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY
SERVICES**

(SAR) Approved SAR AS 00032 in the amount of \$1,469,400 for the Early Head Start grant from the Department of Health and Human Services. This grant provides early, continuous, intensive child development and family support services on a year-round basis to low-income families with children under age three, and to pregnant women.

**ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 00019 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC
RELATIONS DISTRICT COURT SERVICES TO ACCEPT GRANT FUNDS
FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE
SERVICES TO CONTINUE TO DEVELOP AND IMPLEMENT THE
MAXIMIZE ATTENDANCE PROGRAM (MAP), AN INTENSIVE
SUPERVISION PROGRAM FOR ADJUDICATED TRUANTS**

(SAR) Approved SAR AS 00019 in the amount of \$78,315 to support MAP for adjudicated truants. Grant funding in the amount of \$58,736 is available from the Virginia Department of Criminal Justice Services. A 25 percent local cash match (\$19,579) is required for this year. The money will be used to continue funding for two merit-grant positions and to provide the necessary operating supplies.

**ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 00028 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC
RELATIONS DISTRICT COURT SERVICES TO ACCEPT GRANT FUNDS
FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE
SERVICES TO DEVELOP INTENSIVE AFTERCARE SUPERVISION
COMPONENTS FOR THE TRANSITIONAL LIVING PROGRAM AT THE
BOYS PROBATION HOUSE AND FOR THE ALPHA AND BETA POST-
DISPOSITIONAL TREATMENT PROGRAMS AT THE JUVENILE
DETENTION CENTER**

(SAR) Approved SAR AS 00028 in the amount of \$75,000 to support the establishment of intensive aftercare supervision components for the Boys Probation House Transitional Living Program and for the post-dispositional treatment programs in the Juvenile Detention Center.

ADMIN 11 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 00023 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO SUPPORT THE LOCAL VICTIM SERVICES SECTION

(SAR) Approved SAR AS 00023 for the Fairfax County Police Department to accept Department of Criminal Justice Services funding in the amount of \$124,564 to fund four grant merit positions (4/4 SYE).

ADMIN 12- SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 00024 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO ACCEPT A GRANT FROM THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES TO FUND A DEER CRASH ABATEMENT PROGRAM

(SAR) Approved SAR AS 00024 in the amount of \$1,500 to fund a Deer Crash Abatement Program.

ADMIN 13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 00026 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO ACCEPT A GRANT FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, FOR CONTINUED FUNDING UNDER THE COPS MORE 96 GRANT PROGRAM

(SAR) Approved SAR AS 00026 in the amount of \$26,728 to support the Police Department's Community Oriented Policing Program.

ADMIN 14 - AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO APPLY TO THE BUREAU OF JUSTICE ASSISTANCE (BJA) FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM

Approved the Fairfax County Police Department's application to the BJA in the amount of \$233,293.

ADMIN 15 - AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO APPLY TO THE BUREAU OF JUSTICE SERVICES TO CONTINUE V-STOP GRANT FUNDING

Approved the Fairfax County Police Department's application to the Department of Criminal Justice Services for V-STOP grant funding in the amount of \$126,652.

ADMIN 16 - AUTHORIZATION FOR THE MCLEAN COMMUNITY CENTER TO APPLY FOR A GRANT TO THE VIRGINIA COMMISSION FOR THE ARTS TOURING ASSISTANCE PROGRAM (DRANESVILLE DISTRICT)

Approved the McLean Community Center's application to the Virginia Commission

for the Arts in the amount of \$1,300. These funds will support two performances of a children's theatre production by Theatre IV. No local cash match is required. The program services populations of all ages.

ADMIN 17 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON PHILIP ROAD, GREENFIELD ROAD, AND KENWOOD DRIVE (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 11, 1999, at 4:30 p.m.** to consider requesting the Virginia Department of Transportation to restrict through truck traffic on Philip Road, Greenfield Road, and Kenwood Drive between Braddock Road and Ravensworth Road.

ADMIN 18 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON FROST WAY, SHELLEY LANE, AND WINTERSET DRIVE (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 11, 1999, at 4:30 p.m.** to consider requesting the Virginia Department of Transportation to restrict through truck traffic on Frost Way, Shelley Lane, and Winterset Drive between Little River Turnpike and Woodburn Road.

ADMIN 19 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE VACATION OF A PORTION OF H STREET (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 11, 1999, at 4:30 p.m.** to consider the adoption of an ordinance vacating a portion of H Street.

ADMIN 20 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING ZONING VIOLATIONS AND PENALTIES

- (A) (NOTE: Earlier in the meeting there was discussion of this item. See page 12.)

(R)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 13, 1999, and before the Board on **November 15, 1999, at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding zoning violations and penalties.

ADMIN 21 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONTINUED LEASING OF COUNTY-OWNED PROPERTY KNOWN AS THE LEWINVILLE FACILITY LOCATED AT 1609 GREAT FALLS STREET, MCLEAN, VIRGINIA 22101, TO FUN AND FRIENDS CHILD DEVELOPMENT CENTERS, INCORPORATED (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 11, 1999, at 4:30 p.m.** regarding the continued leasing of County-owned property known as the Lewinsville Facility located at 1609 Great Falls Street, McLean, Virginia 22101, Tax Map Number 030-3-01-0042, to Fun and Friends Child Development Centers, Incorporated.

19. **A-1 – APPROVAL OF RECOMMENDATIONS CONTAINED IN THE REPORT OF THE TREE PRESERVATION TASK FORCE** (No Tape)

(NOTE: Earlier in the meeting action was taken regarding this item. See page 5.)

20. **A-2 – AUTHORIZATION TO EXECUTE AGREEMENTS FOR THE INSPECTION AND BONDING OF THE CLIFTON HEIGHTS DEVELOPMENT PROJECT IN THE TOWN OF CLIFTON (SPRINGFIELD DISTRICT)** (Tape 6)

On motion of Supervisor McConnell, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to:

- ☐ Execute an agreement with the Town of Clifton to inspect, monitor, and process fees for the Clifton Heights Project.
- ☐ Execute an agreement with the developer of the Clifton Heights Project specifying bonding requirements for the project.

21. **A-3 – CONSOLIDATED COMMUNITY FUNDING ADVISORY COMMITTEE (CCFAC) RECOMMENDATIONS REGARDING THE FIVE-YEAR CONSOLIDATED PLAN AND THE FISCAL YEAR (FY) 2001 AND FY 2002 FUNDING PRIORITIES FOR THE CONSOLIDATED COMMUNITY FUNDING POOL** (Tape 6)

On motion of Supervisor Bulova, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the following items as recommended by the CCFAC:

- ☐ The Vision and Mission for the Five-Year Consolidated Plan.
- ☐ The priorities for Household Categories for the Five-Year

Consolidated Plan.

- ⊘ The FY 2001 and FY 2002 Funding Priorities for the Consolidated Community Funding Pool.

22. **A-4 – RELEASE OF OPTION TO PURCHASE REAL PROPERTY LOCATED AT 10523 AND 10525 SCHOOL STREET, FAIRFAX CITY**
(Tape 6)

On motion of Supervisor Bulova, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and released the County's option to purchase real property located at 10523 and 10525 School Street, Fairfax City [Tax Map Numbers 57-4((2))5 and 6] (also known as "lots 4 and 5, of a subdivision of land made for John S. Barbour, by Henry Crocker, September, 1909, on the southern portion of his tract, at Fairfax, Virginia, each lot containing .4586 acre").

23. **A-5 – APPROVAL OF TRAFFIC CALMING MEASURES ON NORTHBOURNE DRIVE AS PART OF THE COUNTYWIDE TRAFFIC CALMING PILOT PROGRAM (TCCP) (SULLY DISTRICT)** (Tape 6)

On motion of Supervisor Frey, seconded by Supervisor Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- ⊘ Approved the traffic calming plan for Northbourne Drive in the joint Fairfax/Virginia Department of Transportation (VDOT) TCCP as shown in Attachment I of the Memorandum to the Board dated September 13, 1999.
- ⊘ Recommended that VDOT be requested to install the approved measures for Northbourne Drive, as soon as possible.

24. **I-1 - FAIRFAX COUNTY WINS TWO VIRGINIA MUNICIPAL LEAGUE (VML) AWARDS** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 13, 1999, announcing that Fairfax County has won the 1999 President's Award for Entrepreneurial Government, the top honor in the VML Achievement Awards competition, and the VML Communications Award, which recognizes the best in local government communication programs.

25. **I-2 - SUBMISSION OF APPLICATIONS FOR PROPOSED ROADWAY SAFETY IMPROVEMENTS UNDER THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) HAZARD ELIMINATION SAFETY PROGRAM, FISCAL YEAR (FY) 2001 (COUNTYWIDE)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 13, 1999, announcing the submission of applications for proposed roadway safety improvements under VDOT's Hazard Elimination Safety Program,

FY 2001.

Supervisor Kauffman commended staff for their work on this project.

26. **I-3 - FAIRFAX COUNTY PARK AUTHORITY'S FIFTIETH ANNIVERSARY (COUNTYWIDE)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 13, 1999, announcing that next year marks a milestone for the Fairfax County Park Authority. Amidst the hoopla and festivities of ushering in a new millennium, the Authority will reach a half-century, its golden anniversary.

27. **PROCLAMATION DESIGNATING OCTOBER 2 – 9, 1999, AS “TURN OFF THE VIOLENCE WEEK” IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley informed the Board of the Turn Off the Violence Campaign which highlights opportunities for the community to work together to promote nonviolence through a week long series of activities and events.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to:

- Prepare a Proclamation to designate October 2 through 9, 1999, as “*Turn Off the Violence Week*” in Fairfax County.
- Invite the Northern Virginia Turn Off the Violence Coalition to appear before the Board on September 27, 1999, to receive the Proclamation.

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

28. **PROCLAMATION DESIGNATING OCTOBER 3 – 9, 1999, AS “FIRE PREVENTION WEEK” IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley stated that the week of October 3 – 9, 1999 is celebrated nationally as Fire Prevention Week. Fairfax County Department of Fire and Rescue will host open houses at all thirty-four County Fire and Rescue Stations on Saturday, October 9, 1999, to feature “Fire Drills: The Great Escape!”

Chairman Hanley, therefore, moved that the Board direct staff to invite representatives from the Department of Fire and Rescue to appear before the Board at the September 27, 1999, meeting to receive a proclamation declaring the week of October 3-9, 1999, as “**Fire Prevention Week**” in Fairfax County. Supervisor Mendelsohn seconded the motion, which carried by a vote of nine, Supervisor Gross being out of the room.

29. **PROCLAMATION DECLARING OCTOBER 23, 1999, AS "VOLUNTEERFEST DAY" IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley stated that the Volunteer Center of Fairfax County, Incorporated will sponsor the fifth annual VolunteerFest Day and has asked the Board to proclaim Saturday, October 23, 1999, as "VolunteerFest Day" in Fairfax County. The theme of this year's event is "Building Communities One Day at a Time." In partnership with the Homeless Oversight Committee and members of the Continuum of Care Committee, VolunteerFest will focus on issues that include transitional housing and permanent supportive housing.

Chairman Hanley moved that the Board direct staff to:

- Prepare a Proclamation declaring October 23, 1999, as "**VolunteerFest Day**" in Fairfax County.
- Invite the appropriate members of the community to appear before the Board on October 11, 1999, to receive the Proclamation.

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

30. **PROCLAMATION DECLARING THE MONTH OF OCTOBER AS "NEIGHBORHOOD WATCH MONTH" IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley stated that to recognize the ongoing efforts of citizens throughout Fairfax County who support the Neighborhood Watch Program, the Police Chief has requested the Board to proclaim the month of October as "**Neighborhood Watch Month**" in Fairfax County.

Therefore, Chairman Hanley moved that the Board direct staff to invite representatives from the Police Department to appear at the September 27, 1999, meeting to receive a Proclamation declaring October 1999, as "**Neighborhood Watch Month**" in Fairfax County. Supervisor Bulova seconded the motion, which carried by unanimous vote.

31. **PROCLAMATION DECLARING NOVEMBER 15, 1999, AS FAIRFAX COUNTY RECYCLES DAY" IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley informed the Board that under the leadership of the metropolitan Washington Council of Governments (COG), America Recycles Day activities will take place in this region.

As requested by the COG Board of Directors, Chairman Hanley moved that the Board direct staff to:

- Prepare a Proclamation declaring November 15, 1999, as “Fairfax County Recycles Day.”
- Invite the appropriate individuals to appear before the Board to accept it.

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

(NOTE: Later in the meeting this item was mentioned again. See Clerk's Summary Item CL#66.)

32. **PROCLAMATION TO DECLARE “SUBSTANCE ABUSE AWARENESS WEEK” IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley stated that Alcohol and Drug Services (ADS), an agency of the Fairfax-Falls Church Community Services Board (CSB), has requested that the week of November 15 – 19, 1999, be proclaimed as “Substance Abuse Awareness Week” in Fairfax County. ADS will provide a week of educational programs on a variety of substance abuse treatment and prevention topics.

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

- Prepare a Proclamation declaring November 15 - 19, 1999, as “**Substance Abuse Awareness Week**” in Fairfax County.
- Invite representatives from the CSB to appear before the Board on November 15, 1999, to receive the Proclamation.

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

33. **POLICY REGARDING ALL GUNS SEIZED OR CONFISCATED BY THE FAIRFAX COUNTY POLICE DEPARTMENT** (Tape 6)

(P) Chairman Hanley informed Board Members that she recently learned from the Police Chief that, although it is not the current practice of the Fairfax County Police Department to do so, guns that the police have confiscated, seized, or that citizens have turned in voluntarily have been traded in to gun dealers in the past. The practice regarding the disposition of such weapons has varied depending on a number of factors, including budgetary considerations, at the discretion of the Police Chief. She asserted that Fairfax County residents have a right to expect that guns that are confiscated, seized, or voluntarily turned over to police will be either returned to their legal owners or destroyed, regardless of financial considerations or who may be Chief.

Therefore, Chairman Hanley moved that:

- It will be the policy of the Fairfax County Board of Supervisors that, when no longer needed for law enforcement purposes, all guns seized or confiscated by the Fairfax County Police

Department, or turned in to the police by citizens, will be destroyed. If the Chief of Police determines that any guns in the possession of the department, including those purchased for police use, are no longer useful for any law enforcement purpose, such guns will also be destroyed.

- The Chief of Police shall have the discretion to exempt those guns that are deemed to be of extraordinary value and/or historically significant, and which are unlikely to be used in the commission of a crime. The Police Chief may receive advice and information from a historian or firearms expert with regard to the value of weapons he believes may fall into this category.

Supervisor Connolly seconded the motion.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, and Colonel J. Thomas Manger, Police Chief, the question was called on the motion, which carried by unanimous vote.

34. **ORDINANCE TO COLLECT THE ELECTRIC UTILITY LICENSE TAX AUTHORIZED BY THE VIRGINIA CODE** (Tape 6)

Chairman Hanley distributed for Board Members' a bulletin from the Virginia Association of Counties (VACo) reminding Boards of Supervisors around the State to adopt the appropriate ordinance to collect the electric utility license tax authorized by the Virginia Code. As the bulletin points out, all of Virginia's cities already have such a license tax in place, as do about half of the counties in the Commonwealth. Under the recently enacted Virginia Code, Section 58.1-3731, in cases where localities do not collect the license tax, or collect less than the maximum allowed to be collected the tax is remitted from the utility directly to the Commonwealth. Therefore, as the bulletin points out, electric company rate payers in those localities that do levy the tax are paying the same rates as consumers of electricity in counties that do not have the license tax or whose levy is less than the statutory maximum.

Chairman Hanley stated that the Board is on record in a number of different contexts in support of seeking the authority to diversify the tax base and reduce the County's dependence on the residential real estate tax as the major source of revenue for the County government. The Board has also noted on several occasions that whenever the State levies a new tax, Fairfax County becomes a donor jurisdiction.

In light of the VACo bulletin and recent changes to Virginia law regarding the amount of tax that may be collected and the collection methods, Chairman Hanley moved that the Board direct staff to:

- Determine what steps, if any, the County should take to ensure that Fairfax County electric utility customers are not required to further subsidize the State.

- Report with a recommendation immediately.

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

35. **COMMENDATIONS TO STAFF FOR THE PROCESSING OF PERMITS FOR AHOLD REAL ESTATE COMPANY** (Tape 6)

Supervisor Frey shared a letter with Board Members from Ahold Real Estate Company showing its appreciation that the County has processed its application for the building permit in its efforts to relocate its headquarters to Fairfax County.

Supervisor Frey asked unanimous consent that the Board direct staff to commend all who worked so hard to process these permits. Without objection, it was so ordered.

36. **ADDITIONAL TIME FOR WEST*GROUP REZONING APPLICATION REGARDING STONECROFT BOULEVARD** (Tape 6)

Supervisor Frey reminded Board Members of a recently approved zoning application for West*Group, who agreed to significant construction and improvements to Stonecroft Boulevard. The intention of the parties is to ensure that Stonecroft Boulevard is complete and open to the public prior to the beginning of the next school year. To facilitate that timeline, the contract requires that West*Group select a contractor, and that the bond be posted prior to September 15, 1999. West*Group has selected a contractor, who is diligently working toward this goal.

Supervisor Frey moved that the Board extend the deadline to September 27, 1999. Supervisor Mendelsohn seconded the motion, which carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, and Chairman Hanley being out of the room.

37. **PENDING CHANGES TO FAIRFAX CONNECTOR BUS ROUTES** (Tape 6)

Supervisor Frey apprised Board Members of some pending changes to Fairfax Connector bus routes 557 and 929. The residents of Franklin Farm and Chantilly Highlands have expressed their concerns with the recently implemented bus service on Dower House Drive, Dairy Lou Drive, and Allness Lane. As a result of these concerns, Supervisor Frey stated that his office and the Department of Transportation (DOT) held meetings with the communities.

Supervisor Frey moved that the Board direct the DOT to alter Fairfax Connector Bus routes 557 and 929 so that they are operated on West Ox Road and Centreville Road rather than Dower House Drive, Dairy Lou Drive, and Allness Lane, effective October 3, 1999. Supervisor Mendelsohn seconded the motion, which carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, and Chairman Hanley being out of the room.

38. **OUT-OF-TURN PLAN AMENDMENT FOR MITCHELL WEEKS HOUSE** (Tape 6)

Supervisor Frey stated that Mitchell-Weeks house is an eighteenth century structure of architectural and historical significance. The house is located on property which was recently the subject of a Virginia Department of Transportation (VDOT) condemnation hearing and is currently under review by the Department of Planning and Zoning for a Proffered Condition Amendment (PCA) application. The applicant is considering options for commercial development of the property and has offered, as part of the pending PCA application to donate the house and a significant sum of money to the Historic Centreville Society to relocate and preserve the home on a nearby site. The current Comprehensive Plan language for the property requires that the Mitchell-Weeks house be preserved on the site. As a result of the taking, the site contains less than one acre, and preservation of the home would severely limit the development of the site.

Supervisor Frey stated that in 1997, the Planning Division drafted language which would permit the relocation of the Mitchell-Weeks house, but that language was ultimately not included in the final adopted language for the site. However, in light of the VDOT condemnation and the applicant's willingness to allow for the preservation of the home and willingness to coordinate with the Historic Centreville Society, Supervisor Frey stated his belief that it is appropriate to amend the Plan language to allow for the relocation.

Therefore, Supervisor Frey moved that the Board direct staff to accept and process an Out-of-Turn Plan Amendment for Tax Map Number 34-4-((1))58, 59, 60D, to consider deleting the requirement that the Mitchell-Weeks house be preserved in its current location. In coordination with the Planning Division, October 21, 1999, 4 p.m. and October 26, 1999, have been identified as available dates for the Planning Commission and the Board of Supervisors hearings, respectively. Supervisor Mendelsohn seconded the motion, which carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Chairman Hanley being out of the room.

39. **WAIVER AND REIMBURSEMENT OF FEE FOR THE USE OF THE COUNTY'S SHOWMOBILE AT THE CIVITAN CLUB'S ANNUAL PICNIC (Tape 6)**

Supervisor Frey noted that the Chesapeake District Club recently held its twenty-ninth annual Burke Lake picnic for the mentally disabled and handicapped. The Civitan Club used the County's Showmobile as part of its event; however, this was the first year that the organization was charged a fee.

Supervisor Frey moved:

- Waiver of the \$150 fee associated with the use of the Showmobile for the Civitan Club's annual picnic held on July 29, 1999.
- Reimbursement to the Civitan Club of the amount paid.

Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor

Dix and Chairman Hanley being out of the room.

40. **ALTERNATIVE MATERIALS TO REDUCE THE COST AND MAINTENANCE OF BRIDGES AND FAIR WEATHER CROSSINGS**

(Tape 6)

Supervisor Frey circulated a piece of composite material known as Prestek that has been designed and manufactured to be utilized in bridge construction. The material is prefabricated and is lighter and easier to assemble and maintain than traditional bridge materials.

Supervisor Frey asked unanimous consent that the Board direct the Department of Public Works and Environmental Services to review this and other similar materials for the purpose of considering whether there are alternative feasible designs and materials which could reduce the cost and maintenance for bridges and fair weather crossings. Without objection, it was so ordered.

41. **CONCURRENT PROCESSING OF SITE PLANS AND BUILDING PLANS FOR REZONING APPLICATION RZ 95-Y-056, SPECIAL EXCEPTION APPLICATION SE 95-Y-071, AND PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 87-S-023-2 AND PCA 74-2-112 (MOBIL OIL – PINEY BRANCH ROAD)** (Tape 6)

Supervisor Frey stated that earlier this summer the Board approved Rezoning Application RZ 95-Y-056, Special Exception Application SE 95-Y-071, and Proffered Condition Amendment Applications PCA 87-S-023-2, and PCA 74-2-112 in the name of Mobil Oil Corporation for a service station on Piney Branch Road and West Ox Road. To maintain the required timeline, the applicant has requested concurrent processing of the necessary site plans and building plans.

Supervisor Frey moved that the Board direct the Director of the Department of Public Works and Environmental Services to accept and concurrently process the site plans and building plans for the Mobil site at Piney Branch Road and West Ox Road. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

42. **BOARD HEARING FOR CALIBER SPATIUM PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-S-061-2** (Tape 6)

Supervisor Frey stated that on September 15, 1999, the Planning Commission will hear a Proffered Condition Amendment application to amend the allowable height limit for a building within Westfields. The contract between the applicant, Caliber Spatium and the contract purchaser, requires that the application be completed prior to October 8, 1999.

Supervisor Frey moved that the Board direct staff to schedule the Board hearing for October 11, 1999, for Proffered Condition Amendment Application PCA 85-S-061-2. It is understood that this motion does not relieve the applicant from complying

with the provisions of any applicable conditions, regulations, or adopted standards and it does not prejudice the consideration of this application in any way. Supervisor Dix seconded the motion, which carried by unanimous vote.

43. **CHANGES TO THE PLAN AMENDMENT FOR THE CENTREVILLE FARMS AREA** (Tape 6)

Supervisor Frey called the Board's attention to the Plan Amendment adopted for the Centreville Farms area and stated that there is now considerable activity within that area and a need to make changes to the plan adopted by the Board.

Supervisor Frey stated that he has asked Sully District Planning Commissioner Koch to chair a citizens committee of interested parties in that area to review the plan language and report to the Board at the beginning of the year with any recommended changes.

PMH:pmh

44. **SPECIAL OLYMPICS** (Tape 7)

Supervisor Mendelsohn said that for many years, he has been involved in Special Olympics and has had the honor of serving as President of Virginia Special Olympics. This year, four outstanding Special Olympians represented Fairfax County and Virginia at the World Summer Games that were held over the July Fourth Weekend in the Raleigh-Durham-Chapel Hill "Triangle" of North Carolina.

Supervisor Mendelsohn moved that the Board invite the Special Olympics athletes to appear before the Board to receive its recognition and congratulations. Chairman Hanley seconded the motion and it carried by unanimous vote.

45. **NO BOARD MATTERS FOR SUPERVISOR BULOVA** (Tape 7)

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

46. **SPECIAL EXCEPTION APPLICATION SE 98-P-064 - CRAVEN'S NURSERY** (Tape 7)

Supervisor Connolly said that Special Exception Application SE 98-P-064, in the name of Clifton Paul Craven and Nancy Craven, was scheduled for a public hearing before the Board today at 4 p.m. The Planning Commission deferred this case for decision only until September 16, 1999.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct the County Executive to defer the public hearing on Special Exception Application SE 98-P-064 until **September 27, 1999, at 4 p.m.** Without objection, it was so ordered.

47. **ECOSTEWARDS ALLIANCE** (Tape 7)

Supervisor Connolly said that Ecostewards Alliance is an organization dedicated to furthering the respect and understanding of the earth's natural resources. As part of its work, Ecostewards Alliance assists in the design and creation of backyard habitats. The habitat's emphasis on native plants reduces the need for water, fertilizer, or maintenance, thereby reducing the runoff and nutrient loads flowing into the Chesapeake Bay.

Supervisor Connolly said that the 10,000 square foot habitat in Yorktowne Condominiums was started in November 1998 in an effort to provide refuge for plants and wildlife displaced by a neighboring development.

Supervisor Connolly moved that the Board direct staff to invite Peter Kelsey, President of Ecostewards Alliance, and Jeanette Stewart, a Yorktowne resident and point of contact on the project, who have led the efforts to create the habitat in Merrifield, to appear before the Board to be recognized for their accomplishments and efforts. Chairman Hanley seconded the motion and it carried by unanimous vote.

48. **HORSE SHOE COURT RIGHT-OF-WAY** (Tape 7)

Supervisor Connolly stated that Van Metre Homes, Incorporated, is filing a rezoning application for an assemblage of 11 parcels. The application proposes to include right-of-way known as Horse Shoe Court (Route 775), which is proposed to be vacated and abandoned to provide a new plan for coordinated development. All of the properties that access Horse Shoe Court are to be included in this application. Because of the County's interest in the right-of-way, the applicants must obtain consent from the Board of Supervisors to file their application.

Therefore, Supervisor Connolly moved that the Board authorize the inclusion of the right-of-way for Horse Shoe Court (Route 775) in the application for rezoning to be filed by Van Metre Homes, Incorporated for property identified as Tax Map Number 39-1 ((3)) Parcels 5A, 9, 9A, 10, 10A, 11A, 11B, 11C, 11D, 11E, 12. This action does not prejudice the consideration of this review in any way. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

49. **JEFFERSON PARK PHASE 2** (Tape 7)

Supervisor Connolly said that a subdivision plat has been recorded and certain open space conveyed to the homeowners association for the Jefferson Park Land Bay C development in Merrifield. After a final architecture was complete, it was determined that with the brick facades on the buildings, there is encroachment on the rear and side yards on a number of townhouse buildings (between 2-4 inches). To

satisfy the required setbacks specified by the Zoning Ordinance, a total of 660 square feet of previously recorded and dedicated open space must be used. The remaining open space equals that represented on the Generalized Development Plan. Since the proposed larger lots would use land already recorded as homeowners' open space, pursuant to the provisions of the Zoning Ordinance, common open space cannot be disposed of without first offering to dedicate that land to the County.

Therefore, Supervisor Connolly moved that the Board decline to accept dedication of this 660 square feet of land in Phase 2 of Jefferson Park. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

50. **EXPEDITED AND CONCURRENT PROCESSING - MORGAN CHASE REZONING APPLICATION/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 1998-PR-026** (Tape 7)

Supervisor Connolly said Morgan Chase has submitted an application to rezone 12.7 acres from the R-1 District to the PDH-4 District to allow development of 38 single family detached homes. The applicant has worked extensively with staff to address concerns with the site.

Therefore, Supervisor Connolly moved that the Board:

- ⊖ Expedite a public hearing for RZ/FDP 1998-PR-026.
- ⊖ Direct staff to schedule a public hearing to be held before the Board on **October 25, 1999, at 4 p.m.**
- ⊖ Direct staff to concurrently process any subdivision or site plans for RZ/FDP 1998-PR-006.

This action does not prejudice the consideration of this review in any way. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

51. **BICYCLE FACILITIES IN THE COUNTY** (Tape 7)

Supervisor Connolly said that his office has recently been contacted by a constituent in search of a map of bicycle facilities in the County. In subsequent checking with the Park Authority and the Department of Public Works and Environmental Services, he learned that there is no map designed for public distribution that shows current bicycle facilities in the County. Currently, the only maps available showing bicycle facilities in the County are the Countywide Trails Plan, which shows existing and planned trails, and the ADC Washington Regional Bike Map, which is produced in coordination with the Metropolitan Washington Council of Governments (COG). However, he said that the COG map, while an extremely useful tool, has not been updated in several years.

Therefore, Supervisor Connolly moved that the Board direct staff to develop a plan to produce a map of bicycle routes and trails in Fairfax County for public distribution and report with their findings. Supervisor Gross seconded the motion

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

52. **CERTIFICATE OF RECOGNITION FOR MR. DAVID EMERY** (Tape 7)

Supervisor Connolly said that Woodson High School junior David Emery has gained recognition as one of Northern Virginia's top-ranked tennis players. He has compiled a perfect 16-0 singles record this past season, and won both the Concorde District and Northern Region Titles.

Therefore, Supervisor Connolly moved that the Board direct staff to invite Mr. Emery to appear before the Board to be recognized for his accomplishments. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Kauffman being out of the room.

53. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 78-C-098 (PRISON FELLOWSHIP MINISTRIES)** (Tape 7)

Supervisor Dix announced his intent to defer the public hearing on Proffered Condition Amendment Application PCA 78-C-098 to September 27, 1999.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#102.)

54. **RESTON 2000 TRANSPORTATION COMMITTEE** (Tape 7)

Supervisor Dix moved that the Board transmit the work of the Reston 2000 Transportation Committee to the Virginia Department of Transportation to be considered as part of the Reston Transportation Task Force Study Committee.

Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Kauffman being out of the room.

There was a brief discussion of this item.

55. **ARTICLE REGARDING RESTON IS CONTAINED IN HEMISPHERES, THE IN-FLIGHT MAGAZINE FOR UNITED AIRLINES** (Tape 7)

Supervisor Dix referred to an article that appeared in the September 1999 issue of *Hemispheres*, which is the in-flight magazine for United Airlines. Title of the article is "Sprawl."

Supervisor Dix noted that the article mentions Reston - and notes how it is becoming more desirable as a residential and business location with each passing year.

56. **KATIE BENKO, WORLD CHAMPION TEENAGE VOCALIST AT WORLD CHAMPIONSHIPS OF THE PERFORMING ARTS IN LOS ANGELES**
(Tape 7)

Supervisor Dix announced that Katy Benko, a 16-year old Fairfax County high school student and rising country music singer, successfully defended her title as

World Champion Teenage Vocalist at the World Championships of the Performing Arts In Los Angeles this past August.

Supervisor Dix moved that the Board direct staff to invite Ms. Benko to appear before the Board on October 11, 1999, to be recognized for the pride that she has brought to Fairfax County by winning consecutive "Teenage Vocalist World Championships." Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

57. **CHARACTER COUNTS WEEK** (Tape 7)

Supervisor Dix announced that National Character Counts Week is the week of October 18, 1999.

Supervisor Dix moved that the Board direct staff to prepare the appropriate recognition and certificate and to invite representatives to appear before the Board on October 11, 1999, to receive a Proclamation. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

58. **VOLUNTEER EMERGENCY FAMILIES FOR CHILDREN** (Tape 7)

Supervisor Dix referred to Volunteer Emergency Families for Children (VEFC). He asked unanimous consent that the Board direct the Office of Public Affairs to publicize the work of VEFC. Without objection, it was so ordered.

59. **PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX REGARDING BUS STOPS** (Tape 7)

Supervisor Dix moved that the Board direct staff to begin the process to amend the Code of the County of Fairfax that would include the following language: "It shall be unlawful to stop, stand, or park a vehicle other than a public passenger bus within 50 feet of a bus stop when such bus stop has been designated and signed by Fairfax County. Any person violating the provisions of this section shall be punished by fine established in accordance with Section 82-1-31." Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

60. **HICKORY CLUSTER ASSOCIATION** (Tape 7)

Supervisor Dix asked unanimous consent that the Board direct the County Executive to review the issue at the Hickory Cluster Association to determine whether there are any eligible funding sources, either grant or loan, for a parking garage replacement. Without objection, it was so ordered.

61. **TRANSPORTATION IMPROVEMENTS ON I-66** (Tape 7)

Supervisor Dix expressed concern about proposed transportation improvements that would take additional right-of-way on both sides of I-66 that would adversely impact Yeonas Park, Southside Park, and other properties within the Town of Vienna.

Supervisor Dix asked unanimous consent that the Board remind the planners and decision-makers that the Board is already on record expressing its concerns and objections.

Following discussion, Supervisor Connolly asked to amend the request to accelerate the transit portion regarding Centreville, and this was accepted.

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

62. **THE ISSUE OF COMPATIBILITY UNDER THE AFFORDABLE DWELLING UNITS (ADU) ORDINANCE** (Tape 7)

Supervisor Dix said that he submitted a proposal for consideration on dealing with the issue of compatibility under the ADU Ordinance. Supervisor Dix requested that this item be reviewed prior to March 2000.

Following discussion, Supervisor Dix moved that the Board direct staff and the ADU Task Force to:

- ☐ Examine an option that would allow a landowner, through the ADU Board, the option of a cash contribution that would be set-up as a down payment program for homeownership for eligible applicants in lieu of constructing non-compatible unit types.
- ☐ Report with a recommendation.

Supervisor Frey seconded the motion.

Following further discussion, Supervisor Mendelsohn asked to amend the motion to direct that the recommendation by staff and the task force be made by the end of the year, and this was accepted.

The question was called on the motion, as amended, which **FAILED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE."

(Later in the meeting, there was an additional issue regarding the ADU Ordinance. See Clerk's Summary Item CL#85.)

63. **WEEKLY WORLD NEWS** (Tape 7)

Supervisor Dix stated that he had a copy of *Weekly World News* which contained an article regarding the breeding of small, 150 pound pot belly pigs in a townhouse in Fairfax County, an issue that the Board held a public hearing on approximately 10 years ago.

NV:nv

64. **GOODWIN HOUSE** (Tape 8)

Supervisor Gross called the Board's attention to a unique public-private partnership that has addressed a critical healthcare issue. Goodwin House in Alexandria, (which has a sister facility in Mason District), as part of a major renovation project, recently replaced several nursing home beds with more intensive assisted living beds. Rather than seeking a monetary gain from selling the licensure for the beds, Goodwin House donated the licensure for the beds to Birmingham Green, a nursing home jointly owned by the County and four other jurisdictions. The result is a great benefit to the County.

Accordingly, Supervisor Gross moved that the Board direct staff to invite representatives from Goodwin House and other appropriate health officials to be honored before the Board at a date to be determined. Supervisor Connolly seconded the motion and it carried by unanimous vote.

65. **THOMAS B. "BO" WHITE WINS NATIONAL AWARD** (Tape 8)

Supervisor Gross announced that Thomas B. "Bo" White, the Mason District Representative on the Park Authority Board, was selected to receive the 1999 Voluntary Service Award from the National Recreation and Park Association (NRPA). This national award is presented to a citizen or organization in recognition of a continued voluntary contribution of time and effort to recreation, parks, and conservation programs. She expressed her joy in having Mr. White so honored.

Mr. White will travel to Nashville, Tennessee to receive the award on October 23 during the NRPA Congress for Recreation and Parks.

Accordingly, Supervisor Gross moved that the Board direct staff to invite Mr. White to be honored before the Board at the November 15, 1999, meeting, to share the Board's appreciation and to report on his trip to Nashville. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

66. **FAIRFAX COUNTY RECYCLES DAY** (Tape 8)

(NOTE: Earlier in the meeting, the Board took action on this item. See Clerk's Summary Item CL#31.)

With reference to her written Board Matters, Supervisor Gross stated that the Board had already taken action regarding "Fairfax County Recycles Day."

67. **FRIENDS OF GEORGE MASON REGIONAL LIBRARY BOOK SALE**
(Tape 8)

Supervisor Gross announced that the Friends of George Mason Regional Library will be holding their popular semi-annual used book sale later this month. The sale will be held inside the beautifully renovated library, located at 7001 Little River Turnpike in Annandale. The hours are as follows:

- Thursday, September 23, 5-9 p.m.
- Friday, September 24, 10 a.m.-6 p.m.
- Saturday, September 25, 10 a.m.-5 p.m.
- Sunday, September 26, 12 noon-5 p.m.

68. **MASON DISTRICT PARK FESTIVAL** (Tape 8)

Supervisor Gross announced that the twentieth annual Mason District Park Festival will be held Saturday, September 25 from 10 a.m. - 4 p.m. She invited everyone to attend this free family day in the park.

69. **METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) RESOLUTION REGARDING WATER SUPPLY ISSUES** (Tape 8)

Supervisor Gross called the Board's attention to copies of a resolution adopted by the COG Board of Directors on September 8, 1999, entitled "Resolution Directing the Task Force on Regional Water Supply Issues to Assess the Adequacy of Current Water Supply Allocation and Coordination Agreements to Address Drought Emergencies." She noted that she is a member of the task force and it will meet October 5.

Supervisor Gross also announced the availability of a report completed by the Brookings Institute entitled *A Region Divided, the State of Growth in Greater Washington*, copies of which were distributed at the COG meeting. There was a brief discussion regarding the content of the report.

70. **OUT-OF-TURN PLAN AMENDMENT REGARDING THE VAN DORN/I-95 INTERCHANGE** (Tape 8)

Supervisor Kauffman said that during the 1997-1998 Area Plans Review (APR), five nominations to amend the Comprehensive Plan in the vicinity of the Van Dorn/I-495 interchange were submitted. All but one of the nominations were deferred indefinitely, denied, or withdrawn.

During the review of the nominations, the Lee District APR Task Force expressed a view that all of the area surrounding the interchange should be studied to address overarching transportation issues concerning existing traffic circulation and planned transportation improvements, particularly the bridge connection between Oakwood Road and Vine Street. The task force also believed that environmental and other Comprehensive Plan guidance should be revised in light of current conditions. In response to the task force's comments, the Planning Commission recommended to the Board that a special study be authorized for the area surrounding the Van Dorn/I-495 interchange.

Therefore, Supervisor Kauffman moved that the Board authorize an Out-of-Turn Plan Amendment to conduct a special study of the area surrounding the Van Dorn/I-495 interchange to include the parcels along Vine Street, Oakwood Road, and the Dove tract. Any deferred APR nominations should be addressed as a part of the study. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

71. **LIABILITY INSURANCE FOR DAMAGE INCURRED FROM GOLFERS AT COUNTY-OWNED FACILITIES TO PRIVATE PROPERTY** (Tape 8)

Supervisor Kauffman noted that there have been a number of problems in the past dealing with damage to private property from golfers using the Greendale Golf Course in Lee District. Specifically, the problem results from golf balls hit off the golf course and into adjacent property owners' land. Recently a golfer from Greendale damaged a vehicle.

Supervisor Kauffman asked unanimous consent that the Board direct the County Attorney and the Park Authority to:

- ⊖ Re-examine the issue of liability insurance for damage incurred from golfers at County-owned facilities to private property.
- ⊖ Report on how best to reimburse or otherwise cover private property owners for damage.

Following a brief discussion, without objection, it was so ordered.

72. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR MOUNT EAGLE ELEMENTARY SCHOOL** (Tape 8)

Supervisor Kauffman said that Mount Eagle Elementary, in Lee District, would be celebrating 50 years of soaring academics this 1999-2000 school year. The anniversary celebration will take place at the school November 15-19, 1999.

Mount Eagle is celebrating the various school and community assets that have made it such a unique learning environment for the last 50 years. They have a diverse population of 350 students coming from 23 different countries, as well as an academic program in which community volunteers play an integral role, one of which is an evening tutorial program sponsored by the neighborhood Calvary Presbyterian Church. It is a modern technology school and has received a number of awards.

Supervisor Kauffman moved that the Board direct staff to prepare a Certificate of Recognition recognizing Mount Eagle Elementary School to be presented at a Board meeting in September or October. Supervisor Hyland seconded the motion, which carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

73. **REQUEST FOR CERTIFICATE OF RECOGNITION TO RECOGNIZE MRS. JOSEPHINE (JO) DERRYBERRY** (Tape 8)

Supervisor Kauffman said that it has come to his attention that Mrs. Josephine (Jo) Derryberry will be celebrating her eightieth birthday on October 14, 1999.

Mrs. Derryberry, and her late husband Carl, have been active members in the community for many decades. She was one of the original homeowners in the Crestwood Development. Mr. Derryberry was one of the original founders of the Northern Virginia Bank, and as an owner of several gasoline stations, he was one of the first sponsors of the various Little League Boys Clubs teams. They were also patrons of the original Community Theater, the Springfield Footlighters.

Supervisor Kauffman asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition to be presented to Mrs. Derryberry at a ceremony to be held at the Fairfax Retirement Home on October 16, 1999. Without objection, it was so ordered.

74. **WAIVER OF FEES ASSOCIATED WITH THE COSTS FOR POLICE STAFFING FOR CLIFTON DAY** (Tape 8)

Supervisor McConnell said that Mayor Chesley of the Town of Clifton has mentioned the need for police enforcement at the upcoming October 10 Clifton Day, with a rain date of October 17.

Supervisor McConnell noted that this daylong event annually attracts over 25,000 visitors to the Town of Clifton and is the major fundraiser, which many of the Clifton area non-profit groups rely on as their principal funding source. Historically, Fairfax County has provided police assistance to this Town event to help control the tremendous crowds and traffic volumes.

On behalf of Mayor Chesley, the Town Council, and Clifton Day's thousands of attendees, Supervisor McConnell moved that the Board:

- ⊖ Waive the associated costs for police staffing of this event.
- ⊖ Direct the police department's cooperation to work with Mayor Chesley and its organizers.

This motion, the second to which was indistinguishable, carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

75. **ORDERS OF THE DAY** (Tape 8)

Noting the lateness of the hour (2:10 p.m.), Chairman Hanley reminded the Board that it is scheduled to resume in session at 3 p.m., following lunch and closed session. She noted that the Board would have to quickly proceed with Board Matters.

76. **MOUNT VERNON ESTATE REQUESTS BOARD APPROVAL** (Tape 8)

With reference to his written Board Matter with respect to the property of the Mount Vernon Ladies= Association of the Union, identified on the Fairfax County Tax Map as TM110-2((1))-12, on the subject, Supervisor Hyland moved that the Board approve, as provided in Section 10-104(3)(G) of the Zoning Ordinance, the following height limits of the proposed improvements illustrated in the Lower Gate Entrance Exhibit prepared by Walter L. Phillips, Incorporated, including the following:

- A gate with a maximum height of seven feet and piers with a maximum height of eight feet within the 35-foot yard setback.
- A brick wall with a maximum height of seven feet within the 35-foot front yard setback.
- A solid wood fence with a maximum height of four feet within the 35-foot front yard setback.

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

77. **REQUEST FOR BOARD APPROVAL TO EXPAND AREA SERVED BY SOUTH FAIRFAX REGIONAL BUSINESS PARTNERSHIP** (Tape 8)

With reference to his written Board Matter on the subject, Supervisor Hyland moved that the Board direct staff to permit the South Fairfax Regional Business Partnership to expand the geographic area of its loan program to include all of Fairfax County, as discussed during the meeting of the Board=s Revitalization Policy Committee. Supervisor Kauffman seconded the motion, which carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

78. **SYSTEM OVERHAUL REQUESTED FOR CITIZENS' ACQUISITION OF**

RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) DECALS (Tape 8)

With reference to his written Board Matter on the subject, Supervisor Hyland moved that the Board direct staff to review the current system and propose a way for RPPD decals to be obtained by mail. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

Supervisor Kauffman suggested that staff from the Department of Transportation sell these decals in the evening in a local elementary school on a quarterly basis.

79. **RECOGNITION OF MR. BOB PORTER** (Tape 8)

Jointly with Supervisor Kauffman, Supervisor Hyland moved that the Board direct staff to prepare a resolution in honor of Mr. Bob Porter, who is retiring from County service, and that a presentation be made to him before the Board in October. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

80. **RECOGNITION OF MR. GENE SCHAEFFER** (Tape 8)

(BACs) With reference to his written Board Matter regarding Mr. Gene Schaeffer, Supervisor Hyland moved that the Board direct staff to invite Mr. Schaeffer to appear before the Board in October to be awarded a Certificate of Recognition for his significant contributions to Fairfax County's Library System as the Mount Vernon District Representative to the Library Board of Trustees. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

81. **AUTO-B-GONE - REQUEST FOR TIMELY NOTIFICATION BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (Tape 8)

With reference to his written Board matter regarding the towing of the car of a vacationing family for resurfacing of a roadway, Supervisor Hyland moved that the Board direct staff to request that VDOT provide more timely information to County residents when roadways are to be resurfaced, necessarily prohibiting parking on that roadway and, should towing be necessary, that VDOT investigate the use of County facilities, such as local governmental centers or police stations, for the storage of towed vehicles. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

82. **IN MEMORY OF MR. JOSEPH T. FLAKNE** (Tape 8)

(NOTE: Earlier in the meeting the Board observed a moment of silence in honor of the late Mr. Joseph T. Flakne. See Clerk's Summary Item CL#2.)

With reference to the recognition of the late Mr. Joseph T. Flakne earlier in the meeting, Supervisor Hyland asked unanimous consent that the Board direct the

Chairman to write a letter to Mr. Flakne's nephew, Mr. Jim Flakne, expressing how the Board's condolences. Without objection, it was so ordered.

83. **POHICK EPISCOPAL CHURCH ANNUAL COUNTRY FAIR** (Tape 8)

Supervisor Hyland moved that the Board:

- Proclaim Saturday, October 2, 1999, as **Historic Pohick Church Day** in Fairfax County in celebration of the fifty-fourth anniversary of the Pohick Church Country Fair.
- Direct staff to waive the temporary special use permit fee for this event.

Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

84. **OUT OF TURN PLAN AMENDMENT FOR U-HAUL INTERNATIONAL, INCORPORATED TERMINAL ROAD** (Tape 8)

Supervisor Hyland called the Board's attention to his written Board Matter number nine and noted that a revised item was subsequently distributed. The item requests an out-of-turn plan amendment for U-Haul in the Newington area that would increase the floor area ratio to allow a more aesthetically pleasing mini-warehouse unit that would avoid the look of an outdoor storage facility. Accordingly, he moved that the Board direct staff to initiate an out-of-turn plan amendment and schedule the public hearing to be held before the Board on October 25, 1999. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

85. **REQUEST THAT THE AFFORDABLE DWELLING UNIT (ADU) ORDINANCE BE CONSIDERED FOR REVISION** (Tape 8)

(NOTE: Earlier in the meeting, the Board discussed an amendment to the ADU Ordinance. See Clerk's Summary Item CL#62.)

With reference to his written Board Matter regarding a request for a revision to the ADU ordinance, Supervisor Hyland moved that the Board refer this matter to the Redevelopment and Housing Authority and the ADU Advisory Board for review and recommendation as to how the loophole regarding the purchase of foreclosed properties as rental properties can be closed so that the ADU Ordinance does not inadvertently become a mechanism for recreating inferior housing projects, which is not the intent of the ADU Ordinance. Accordingly, he moved that the Board refer this matter to the ADU Task Force for consideration at its March meeting. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to provide details of the referenced loophole to all members of the Board as soon as possible. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the review include the examination of the potential adverse economic impact that these conditions might have on the balance of the community. Without objection, it was so ordered.

86. **STATUS OF REQUEST FOR CREATING TECHNOLOGY ZONE FOR RICHMOND HIGHWAY** (Tape 8)

With reference to a Board Matter he presented on May 10, 1999, regarding the possible designation of specific areas of Richmond Highway as one or more "Technology Zones," Supervisor Hyland asked unanimous consent that the Board direct staff to provide a status report. Without objection, it was so ordered.

87. **ANNUAL MOUNT VERNON CROP WALK SCHEDULED OCTOBER 24** (Tape 8)

Noting that several CROP Walks for the Hungry will be taking place across Fairfax County during October, Supervisor Hyland moved that the Board declare the month of October as "**Hunger Awareness Month**" in Fairfax County and that the Board direct staff to invite Joan McLellan, Crop Walk Coordinator, to address the Board to commemorate the event. Without objection, it was so ordered.

88. **NEWINGTON CIVIC ASSOCIATION REQUEST** (Tape 8)

Supervisor Hyland called the Board's attention to a fax marked "urgent" from Gregory J. Budnik, President, Newington Civic Association, who raised questions about four waivers requested by the County in connection with improvements to the Newington maintenance facility. Supervisor Hyland asked unanimous consent that the Board defer action on those waiver requests until he and the community have an opportunity to review them. Without objection, it was so ordered.

89. **RECESS/CLOSED SESSION** (Tape 8)

At 2:20 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:

- Settlement offer from Randolph Williams, Incorporated; Frontier Insurance Company; Credcor, Incorporated; and Mountaineer Pipe Company regarding Chesterbrook Farm, Section 1.
- *United Virginia Bankshares, Incorporated, Trustee Under the Estate of Clarence J. Robinson versus Board of Supervisors of Fairfax County, Virginia, et al.*, In Chancery Number 112325.

- Proposed sale and transfer of Media General Cable of Fairfax County, Incorporated to Cox Communications, Incorporated.
- IFB99-275578-11, Collection and Disposal of Refuse and Recyclable Materials for Fairfax County Public School Facilities.

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

SBE:sbe

90. At 4:05 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

91. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 9)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene closed session were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote: Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

92. **AUTHORIZATION OF THE SETTLEMENT OF THE COUNTY'S CLAIMS IN THE CHESTERBROOK FARM, SECTION 1, SUBDIVISION BOND DEFAULT** (Tape 9)

Supervisor Mendelsohn moved authorization of the settlement of the County's claims in the Chesterbrook Farms, Section 1, subdivision bond default, in accordance with the terms and conditions recommended by the County Attorney in closed session. The motion, the second to which was inaudible, carried by unanimous vote.

93. **AUTHORIZATION OF THE APPOINTMENT OF THE DIRECTOR OF THE DEPARTMENT OF FINANCE AS THE TRUSTEE OF THE FAIRFAX COUNTY DEFERRED COMPENSATION PLAN TRUST** (Tape 9)

Supervisor Gross moved the appointment of the Director of the Department of Finance as the Trustee of the Fairfax County Deferred Compensation Plan Trust, effective September 13, 1999. Supervisor Bulova seconded the motion and it carried by unanimous vote.

94. **AUTHORIZATION OF THE SETTLEMENT OF THE CASE OF UNITED VIRGINIA BANKSHARES, INCORPORATED, TRUSTEE UNDER THE ESTATE OF CLARENCE J. ROBINSON VERSUS BOARD OF SUPERVISORS, IN CHANCERY NUMBER 112325** (Tape 9)

Supervisor Hyland moved that the Board authorize settlement of the case of *United Virginia Bankshares, Incorporated, Trustee under the Estate of Clarence J. Robinson versus Board of Supervisors*, In Chancery Number 112325, in accordance with the terms and conditions recommended by the County Attorney in closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

95. **ADMIN 6 - ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY ON BEHALF OF GREENSPRING VILLAGE, INCORPORATED (LEE DISTRICT)** (Tape 9)

(R) (NOTE: Earlier in the meeting, the Board deferred action on this item.)

Supervisor Kauffman called the Board's attention to Administrative Item Six and Anthony H. Griffin, Deputy County Executive, provided a brief explanation.

Supervisor Kauffman moved adoption of the Resolution approving the issuance of a bond issue by the Fairfax County Economic Development Authority on behalf of Greenspring Village, Incorporated. Supervisor Hyland seconded the motion, which carried by unanimous vote: Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

SBE:sbe

96. **3 P.M. - BOARD DECISION TO ADOPT CERTAIN ORDINANCES AND AMENDMENTS TO EFFECT A TRANSFER OF THE NORTH AND SOUTH COUNTY CABLE TELEVISION SYSTEM FRANCHISES FROM MEDIA GENERAL CABLE OF FAIRFAX COUNTY, INCORPORATED TO COXCOM, INCORPORATED** (Tape 9)

(R) (NOTE: On July 12, 1999, the Board held the public hearing on these ordinance
(O) amendments, and deferred decision until July 26, 1999. On July 26 the Board deferred decision to August 2, 1999. On August 2 the Board deferred decision to

September 12, 1999.)

Supervisor Bulova moved adoption of a:

- Revised Resolution and Attachment I to the Memorandum to the Board dated September 13, 1999, that addresses the County's expectations of the Cable Television System upgrade and approves the change of ownership control in the North and South County Cable Television Franchises from Media General Cable Incorporated to Cox Communications Incorporated.
- Revised ordinance approving the transfer of the North and South County Franchises from Media General Cable of Fairfax County, Incorporated to Cox Communications of Northern Virginia that continues the classification of "high speed data service" as a Cable Service in Attachment II of the Memorandum to the Board dated September 13, 1999.

Supervisor McConnell seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, and Ron Mallard, Director, Department of Telecommunications and Consumer Services, Supervisor Connolly asked unanimous consent that the Board direct staff to report with the progress that was/was not achieved in the intervening six weeks since the Board last met on this matter. Without objection, it was so ordered.

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

AM:am

97. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 109 (SOLID WASTE) (COUNTYWIDE)**
(Tape 10)

(O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of August 26 and September 2, 1999.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 109 (Solid Waste) reflecting the change in local requirements, revising the State code numbering, and making general editorial changes. Supervisor McConnell seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell,

Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

Supervisor McConnell asked unanimous consent that the Board direct staff to provide information as to the status of an earlier request regarding proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl) and Chapter 82 (Motor Vehicles and Traffic). Without objection, it was so ordered.

98. **3:30 P.M. - PH ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF JAPONICA STREET (LEE DISTRICT)** (Tape 10)

(O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of August 26 and September 2, 1999.

Following the public hearing, Supervisor Kauffman moved adoption of the Ordinance vacating and the Order abandoning a portion of Japonica Street (Route 1100). Supervisor Hyland seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE" Supervisor Bulova, Supervisor Frey, Supervisor Gross, and Supervisor Mendelsohn being out of the room.

99. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-P-021 (SLC, LC AND PAUL L. SWEENEY TESTAMENTARY TRUST) (PROVIDENCE DISTRICT)** (Tape 10)

Mr. Dexter S. Odin reaffirmed the validity of the affidavit for the record.

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

Supervisor Connolly moved:

- Approval of Special Exception Application SE 99-P-021, subject to the development conditions dated September 13, 1999.
- Modification of the transitional screening along the north, south, east, and west property lines to that shown on the Special Exception Plat.
- Modification of the barrier requirement along the north, south, east and west property lines to that shown on the Special Exception Plat.
- Waiver of the interior parking lot landscaping requirements and

modification of the peripheral parking lot landscaping requirements to that shown on the Special Exception Plat.

- Waiver of the rail requirements subject to the development conditions dated September 13, 1999, for temporary use only.
- Waiver of the requirement for dedication and construction of Vaden Drive as shown on the Comprehensive Plan with respect to this temporary use only.
- That the Board direct the Clerk to the Board to expedite the processing of the Clerk's letter of approval so that this letter is ready by September 14, 1999.

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

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board authorize the Washington Metropolitan Area Transit Authority (WMATA) to use an additional \$350,000 of parking surcharge revenues being held in account at WMATA for the design, construction, and lease of property for the temporary parking lot next to the Vienna-Fairfax-GMU Metro Rail Station. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

100. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1999-HM-009 (EASTWOOD PROPERTIES, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 10)

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

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

Following the public hearing, which included testimony by one speaker, Cathy Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved to defer Board decision on Rezoning Application RZ 1999-HM-009 until **September 27, 1999, at 4:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

101. **4 P.M. - PH ON REZONING APPLICATION RZ 1998-LE-069 (HEATHER GLEN ASSOCIATES, INCORPORATED) (LEE DISTRICT)** (Tape 10)

- (O) Mr. Robert M. Jones reaffirmed the validity of the affidavit for the record.

Mr. Jones 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 Kauffman moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-LE-069 be amended from the R-1 District to the PDH-4 District, subject to the execution of the proffers dated June 14, 1999; the Planning Commission having previously approved Final Development Plan Application FDP 1998-LE-069 on June 17, 1999. Supervisor Hyland seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, and Supervisor Mendelsohn, voting "AYE," Chairman Hanley abstaining, Supervisor Gross and Supervisor McConnell being out of the room.

102. **4 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 78-C-098 (PRISON FELLOWSHIP MINISTRIES) (HUNTER MILL DISTRICT)** (Tape 10)

Supervisor Dix moved to defer the public hearing on Proffered Condition Amendment Application PCA 78-C-098 until **September 27, 1999, at 4:30 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

103. **4 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-P-064 (CLIFTON PAUL CRAVEN AND NANCY CRAVEN) (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 98-P-064 until **September 27, 1999, at 4 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

104. **4 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-III-51UP PERTAINING TO THE SOUTHWESTERN PORTION OF THE HICKORY (UP3) COMMUNITY PLANNING SECTOR (HUNTER MILL DISTRICT)** (Tapes 10-11)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of August 26 and September 2, 1999.

The public hearing was held with testimony by seven speakers.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Dix moved approval of APR Item 97-III-51UP as recommended by the Planning Commission and as found on page 15 of Attachment III of the Memorandum to the Board dated September 13, 1999. This amendment provides additional guidance on the consideration of new special exception or special permit uses or the expansion of existing uses in the subject area. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, and Supervisor Kauffman being out of the room.

105. **4 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-III-52UP PERTAINING TO THE SOUTHEASTERN PORTION OF THE RESTON (UP5) COMMUNITY PLANNING SECTOR (HUNTER MILL DISTRICT)** (Tape 11)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of August 26 and September 2, 1999.

Following the public hearing, which included testimony by six speakers, Supervisor Dix moved approval of APR Item 97-III-52UP as recommended by the Planning Commission and shown on page 14 in Attachment III of the Memorandum to the Board dated September 13, 1999. The text provides additional guidance in the consideration of new special exceptions or special permit uses or the expansion of existing uses in the subject area. Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.

106. **4 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-CW-3HO PROPOSING TEXT CHANGES TO THE DISTRICT-WIDE HOUSING SECTION OF THE MOUNT VERNON PLANNING DISTRICT (MOUNT VERNON DISTRICT)** (Tape 11)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of August 26 and September 2, 1999.

Following the public hearing, Supervisor Hyland moved approval of APR Item 97-CW-3HO as recommended by the Planning Commission with the following modification:

- Revise the first two sentences to read “According to a 1996 consultant study evaluating assisted housing in the County, the Mount Vernon Planning District has a higher percentage of assisted housing units than most other areas of the County. In 1997 the revitalization analysis of Richmond Highway

recommended that no new project based assisted housing be built in the Richmond Highway Corridor. . .”

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

107. **4:30 P.M. - PH ON CONTINUED LEASING OF COUNTY-OWNED PROPERTY LOCATED AT 8333 RICHMOND HIGHWAY, ALEXANDRIA, VIRGINIA TO THE ROYAL EMBASSY OF SAUDI ARABIA D/B/A THE ISLAMIC SAUDI ACADEMY (MOUNT VERNON DISTRICT)** (Tape 11)

Supervisor Hyland moved to defer the public hearing on this item until **October 11, 1999, at 3:30 p.m.** This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

108. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-448-19 (KINGSTOWNE SVD SOUTH, LP) (LEE DISTRICT)** (Tape 11)

Ms. Erika L. Byrd reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Kauffman moved:

- Approval of Proffered Condition Amendment Application PCA C-448-19, subject to the executed proffers dated August 20, 1999.
- Waiver of the 600 foot length restriction on private streets.

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

109. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-448-20 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-L-004 (KINGSTOWNE SHOPPING CENTER I LP) (LEE DISTRICT)** (Tape 11)

Ms. Erika L. Byrd reaffirmed the validity of the affidavit for the record.

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

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

- ⊘ In excess of \$200 from Mr. Warren E. Halle

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

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

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

Supervisor Kauffman moved:

- ⊘ Approval of Proffered Condition Amendment Application PCA C-448-20, subject to the executed proffers dated July 16, 1999.
- ⊘ Modification of the transitional screening requirement along the north, east, and south property lines to that shown on the Final Development Plan Amendment Application.
- ⊘ Waiver of the barrier requirements along the north, east, and south property lines.
- ⊘ Approval of Special Exception Amendment Application SEA 94-L-004, subject to the development conditions dated July 14, 1999.

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

110. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-M-077-2 AND REZONING APPLICATION RZ 1999-MA-014 (MFG 21-MADISON LANE LIMITED LIABILITY COMPANY) (MASON DISTRICT)** (Tapes 11-12)

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

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

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

- In excess of \$200 from Bowman Consulting

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

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

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

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

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

- In excess of \$200 from Bowman Consulting

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

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

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 Gross moved:

- ☐ Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-MA-014 from the R-3 and HC Districts to the PDH-20 and HC Districts, subject to the execution of the proffers dated July 21, 1999.
- ☐ Approval of Proffered Condition Amendment Application PCA 88-M-077-2, subject to the executed proffers dated July 21, 1999.
- ☐ Waiver of the 200 square foot privacy yard requirement for single family attached units for both applications.
- ☐ Reaffirmation of the modification of the transitional screening and barrier requirements granted with Rezoning Application

RZ 88-M-077.

- ⊘ Reaffirmation of the waiver of the service drive along Columbia Pike northeast of the realigned Madison Lane.
- ⊘ Waiver of the minimum district size requirement for Rezoning Application RZ 1999-MA-014.

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

111. **5 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 80-S-088 (GLEN ALDEN LLC) (SULLY DISTRICT)** (Tape 12)

Supervisor Frey moved to defer the public hearing on Proffered Condition Amendment Application PCA 80-S-088 until **September 27, 1999, at 3:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

112. **5 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-S-097-2 (EXXON LAND DEVELOPMENT, INCORPORATED) (SULLY DISTRICT)** (Tape 12)

Mr. Michael J. Giguere reaffirmed the validity of the affidavit for the record.

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

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

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

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

Supervisor Frey moved:

- Approval of Proffered Condition Amendment Application PCA 88-S-097-2, subject to the executed proffers dated July 28, 1999.
- Reaffirmation of a modification of the transitional screening

requirements and waiver of the barrier requirements along the southern property boundary as shown on the Final Development Plan Amendment Application.

- Reaffirmation of a waiver of the service drive requirement along Route 50.

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

113. **5 P.M. - PH ON REZONING APPLICATION RZ 1997-MV-038 (CHARLES J. AND MARIE E. BECHERER) (MOUNT VERNON DISTRICT)** (Tape 12)

- (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 one speaker, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-MV-038 from the R-2 District to the PDH-3 District, subject to the execution of the proffers dated July 27, 1999.
- Modification of the Public Facilities Manual radius standards to permit a Virginia Department of Transportation standard 30 foot radius cul-de-sac on a private street.

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

114. **5 P.M. - PH ON THE PROPOSED ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PROJECT 064196 - STONECROFT BOULEVARD (SULLY DISTRICT)** (Tape 12)

Supervisor Frey moved to defer the public hearing on this item until **September 27, 1999, at 4:30 p.m.** Supervisor Hyland seconded the motion and it

carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

115. 5:30 P.M. - PH ON REZONING APPLICATION RZ 1999-SP-015 (LANDMARK PROPERTY DEVELOPMENT, LLC) (SPRINGFIELD DISTRICT) (Tape 12)

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

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

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

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

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

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

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

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

Following the public hearing, Supervisor McConnell moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Kauffman seconded the motion and it **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell, voting "AYE," Chairman Hanley abstaining, Supervisor Connolly, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

Supervisor McConnell moved:

- ⊘ Amendment to the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-SP-015 from the R-1 District to the R-3 District, subject to the execution of the proffers dated July 29, 1999.

- ⊘ Modification of the Public Facilities Manual and the minimum cul-de-sac radius standards to the minimum Virginia Department of Transportation standards.

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

116. **5:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-P-062 (QUARLES PETRO, INCORPORATED) (PROVIDENCE DISTRICT)**
(Tape 12)

Mr. Michael Martindale reaffirmed the validity of the affidavit for the record.

Mr. Martindale 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, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Connolly moved:

- ⊘ Approval of Special Exception Application SE 97-P-062, subject to the development conditions dated July 29, 1999.
- ⊘ Modification of the transitional screening requirement along the north and a portion of the west periphery adjacent to the residential property to that shown on the Special Exception Plat.

Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

117. **5:30 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-027 (HEARTHSTONE VANGUARD JOINT VENTURE) (PROVIDENCE DISTRICT)**
(Tapes 12-16)

Mr. Alan B. Geller reaffirmed the validity of the affidavit for the record.

Mr. Geller 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 64 speakers, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Connolly moved to **deny** Rezoning Application RZ 1998-PR-027. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

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

At 11:10 p.m., the Board adjourned.