



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
March 18, 2002**

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06-02

DMB:dmb

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

Supervisor McConnell arrived at 12:25 p.m.

Supervisor Mendelsohn arrived at 3:50 p.m.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

(NOTE: Supervisor McConnell was managing a family health issue and Supervisor Mendelsohn was attending a meeting of the Chesapeake Bay Local Advisory Board.)

BOARD MATTERS

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

Supervisor Gross asked everyone to keep in thoughts and prayers the family of Mr. Stan Brockway who was a member of the Fairfax County Park Authority from 1969 to 1977, representing what was then the old Annandale District and now part of Mason District. Mr. Brockway was one of the founders of the first district park, which was Wakefield Park.

Supervisor Hudgins asked everyone to keep in thoughts and prayers the family of Mr. James Franklin Bonner, who was an area developer and put his stamp on

Reston in terms of the environment in which he built homes and the manner that families now look upon the contribution he made to the community as a whole.

Supervisor Hyland asked everyone to keep in thoughts and prayers the family of Ms. Beth Hopkins who recently died. Ms. Hopkins, a volunteer who was involved in the delivery of community services in the Mount Vernon community, worked for years to improve the lives of those in need.

AGENDA ITEMS

2. **ORDERS OF THE DAY** (Tape 1)

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the Certificate of Recognition presented to David Molchany, Chief Information Officer.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. DAVID MOLCHANY** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. David Molchany for being named one of the business world's Premier 100 Information Technology Leaders for 2002 by *Computerworld* magazine. Supervisor Connolly seconded the motion. Chairman Hanley called the Board's attention to the two following recent press releases that announced two additional County Digital Government awards:

- "Fairfax County Chief Information Officer, David Molchany, was named one of the inaugural 'GT 25' Doers, Dreamers, and Drivers of Information Technology in Government" sponsored by *Government Technology* magazine and the Center for Digital Government.
- Notification from the National Academy of Public Administration and the National Association of Counties awarding Fairfax County the eGovernance Award of Distinction recognized by a silver seal which will be made available to post on the County's website as other counties with the population of just under a million. The National Association of Counties will present these awards.

The question was called on the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE NOVA HAWKS FOOTBALL TEAM** (Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to the NOVA Hawks football team for its undefeated first season. Supervisor

Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

5. **PROCLAMATION DESIGNATING APRIL AS "DIVERSITY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and moved approval of the Proclamation designating April as "*Diversity Month*" in Fairfax County. The motion was multiply seconded and it carried by a vote of seven, Supervisor Hyland being out of the room, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. MARY ANNE GATTON** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Ms. Mary Anne Gatton for being named *Teacher of the Year for the Washington Metropolitan Area* by the Greater Washington Reading Council. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Hyland being out of the room, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. JOHN CALLAGHAN** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. John Callaghan for 26 years of service to Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. STEVE GROSSMAN, AND STAFF OF CROSSROADS** (Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Steve Grossman, Director of Adult Services for Crossroads, and the staff of Crossroads, for 30 years of providing services to County residents who seek assistance to free themselves from substance abuse. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Supervisor Kauffman moved approval of recognition of Richard L. Kunkel, Director, Alcohol Drug Services, Fairfax-Falls Church Community Services Board, who will be retiring after 24 years, for his many years of dedicated service to the County. The motion, the second to which was inaudible, carried by a vote

of eight, Supervisor McConnell, and Supervisor Mendelsohn not yet having arrived.

9. **PROCLAMATION DESIGNATING MARCH 24, 2002, AS "TUBERCULOSIS (TB) AWARENESS DAY" IN FAIRFAX COUNTY**
(Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating March 24, 2002, as "*TB Awareness Day*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

10. **PROCLAMATION DESIGNATING APRIL 1 - 7, 2002, AS "PUBLIC HEALTH WEEK " IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation designating April 1 - 7, 2002, as "*Public Health Week*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Frey being out of the room, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Chairman Hanley moved approval of the Certificate of Recognition presented to the Lord Fairfax Health District for outstanding collaboration, support, and assistance in developing and operating the Anthrax Assessment Center at Fairfax County from October 27 - 31, 2001. Vice-Chairman Hyland seconded the motion and it carried by a vote of seven, Supervisor Frey being out of the room, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. DAVID MOLCHANY** (No Tape)

(NOTE: Earlier in the meeting the Board took action on this item. See CL#3.)

12. **10 A.M. – PRESENTATION BY THE FAIRFAX COUNTY ADVISORY SOCIAL SERVICES BOARD** (Tapes 1-2)

(BACs) Dianne M. Jinwright, Chairman, Advisory Social Services Board, presented its 2001 Annual Report. Discussion ensued with input from Dana W. Paige, Director, Department of Family Services, and Kathy A. Froyd, Director, Department of Children and Family Programs, Department of Family Services.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to write a letter requesting that the Virginia Department of Child Support Enforcement Regional Office staff again be

co-located at the Department of Family Services offices. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

13. **10:15 A.M. – PRESENTATION BY THE FAIRFAX COUNTY VOLUNTEER FIRE COMMISSION OF ITS 2001 ANNUAL REPORT AND VOLUNTEER FIREFIGHTER OF THE YEAR AWARDS** (Tape 2)

Timothy Fleming, Chairman, and Andrew Eastman, Vice Chairman, Volunteer Fire Commission, and Chief Edward L. Stinnette, Fire and Rescue Department, presented the 2001 Volunteer Fire Service Awards to the following individuals to recognize them for their service to the community:

- Volunteer Firefighter – Edward Gilhooly, Greater Springfield Volunteer Fire Department
- Volunteer Operational Officer – Bradford Miller, Sr., Burke Volunteer Fire and Rescue Department
- Volunteer ALS Provider – Marie Blain, Burke Volunteer Fire and Rescue Department
- Volunteer BLS Provider – Brandy Nichols, Greater Springfield Volunteer Fire Department
- Volunteer EMS Provider – Shawn Stokes, Dunn Loring Volunteer Fire and Rescue Department
Kurt Bolland, Burke Volunteer Fire and Rescue Department
Blake Payne, Greater Springfield Volunteer Fire Department
- Rookie of the Year – Jody Dosen, Dunn Loring Volunteer Fire and Rescue Department
- Administrative Officer – Rose-Ellen Eastmann, Dunn Loring Volunteer Fire and Rescue Department
- Administrative Member – Kevin Martin, Burke Volunteer Fire and Rescue Department
- Canteen Member – Shirley Binsky, Annandale Volunteer Fire Department

- Fire Chief's Award – Darrell Duane, Fair Oaks Volunteer Fire and Rescue Company

Richard Morani, Dunn Loring Volunteer Fire and Rescue Department
- Special Recognition Award – Gary Pope, Captain, Fire and Rescue Department, Apparatus Section

14. **10:30 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES**
(Tapes 2-3)

Susan E. Mittereder, Legislative Liaison, Office of the County Executive, presented the staff report of the 2002 General Assembly.

Discussion ensued with input from Young Ho Chang, Director, Department of Transportation, Kevin C. Greenlief, Director, Department of Tax Administration; Karen J. Harwood, Deputy County Attorney; Joseph Romeo, Staff, Department of Management and Budget; and Gertrude Brisendine, Staff, Department of Family Services.

Supervisor Connolly moved that the Board direct the Chairman to write a letter, on behalf of the Board, regarding the new State mandate requiring localities to administer a 'Personal Use' vehicle certificate process for car tax relief eligibility urging Governor Warner to give serious consideration to vetoing this provision because of the fact that it is a nonfunded mandate and would be extremely onerous to the taxpayers in Fairfax County. Supervisor Kauffman seconded the motion.

Following discussion, Supervisor Bulova asked to amend the motion to delete the terminology "to give serious consideration" so that the motion would read "to veto this provision," and this was accepted.

The question was called on the motion, as amended, and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Supervisor Connolly moved that the Board direct the Chairman to write a letter, on behalf of the Board, expressing support for being in opposition of legislation that prohibits any locality from adopting an ordinance, resolution, or motion, prohibiting the carrying of weapons on county properties and urging Governor Warner to veto the legislation. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Supervisor Kauffman asked unanimous consent that the Board direct staff to report regarding the budget status for Virginia Commonwealth University School of Medicine - Northern Virginia Division. Without objection, it was so ordered.

Supervisor Connolly moved acceptance of the 2002 Legislative Report. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

(NOTE: Later in the meeting there was additional discussion of this item. See Clerk's Summary Item CL#68.)

SBE:sbe

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

Chairman Hanley announced that there would be a change in Orders of the Day and appointments would be deferred until later in the meeting, when a full Board would be present.

16. **10:45 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 4)

(NOTE: Later in the meeting appointments were made. See Clerk's Summary Item CL#103.)

17. **ADMINISTRATIVE ITEMS** (Tape 4)

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

Supervisor Kauffman called the Board's attention to Admin 2 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Vehicle Parking in Front Yards for Single Family Detached Dwellings. Discussion ensued with input from Lorrie Kirst, Deputy Zoning Administrator for the Ordinance Administration Branch, Department of Planning and Zoning (DPZ); Daryl Varney, Senior Assistant to the Zoning Administrator, DPZ; and David P. Bobzien, County Attorney.

Supervisor Kauffman moved to amend the motion to authorize the advertisement for the R-3 and R-4 Districts at 25 percent, rather than 35 percent, of the front yard area covered by parked vehicles. Supervisor Gross seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Supervisor Hyland called the Board's attention to Admin 3 – Additional Time to Commence Construction for Special Exception Amendment Application SEA 82-044-2, Coakley-Backlick Road Limited Partnership and moved to amend the motion to approve a six-month (rather than 12 month) extension. The motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Supervisor Kauffman called the Board's attention to Admin 11 – Authorization for Fairfax County Redevelopment and Housing Authority to Apply to the US Department of Commerce, National Telecommunications and Information Administration for the Technology Opportunities Programs. He asked unanimous consent that if the County secures the grant that the Board direct staff to consider whether staff could be reassigned or eliminated, since the process is being automated. Without objection, it was so ordered.

Chairman Hanley called the Board's attention to Admin 15 – Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 2002 Revised Budget Plan. Discussion ensued with input from Edward L. Long, Jr., Chief Financial Officer, Susan W. Datta, Director, Department of Management and Budget.

Supervisor Connolly asked unanimous consent that the Board direct staff to revise the charts as contained in the attachment to the Memorandum to the Board dated March 18, 2002, to reflect the percentage change from the Adopted Budget Plan, as well as the Revised Budget Plan from the Carryover Review. Without objection, it was so ordered.

Discussion continued with input from Anthony H. Griffin, County Executive, and Ms. Datta.

The question was called on the main motion, as amended, and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

ADMIN 1 – NOTIFICATION OF AWARD OF FISCAL YEAR (FY) 2001 RESIDENT OPPORTUNITIES AND SELF-SUFFICIENCY (ROSS) GRANT IN THE AMOUNT OF \$199,624 FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Authorized the Fairfax County Redevelopment and Housing Authority to accept the FY 2001 ROSS grant in the amount of \$199,624 from HUD. No local cash match is required.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING VEHICLE PARKING IN FRONT YARDS FOR SINGLE FAMILY DETACHED DWELLINGS

- (A) (NOTE: Earlier in the meeting the Board took additional action on this item. See page 7.)

Authorized the advertisement of a public hearing to be held before the Board on **June 3, 2002, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding vehicle parking in front yards for single family detached dwellings.

ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-V-044-2, COAKLEY-BACKLICK ROAD LIMITED PARTNERSHIP (MOUNT VERNON DISTRICT)

- (AT) (NOTE: Earlier in the meeting action was taken on this item. See page 8.)

Approved the request for **six** months of additional time to commence construction for Special Exception Application Amendment Application SEA 82-V-044-2 to September 8, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02074 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT GRANT FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR URBAN SEARCH AND RESCUE ACTIVITIES AT THE 2002 WINTER OLYMPICS IN SALT LAKE CITY, UTAH

- (SAR) Approved SAR AS 02074 in the amount of \$132,982 to provide urban search and rescue activities that were requested by FEMA in support of the 2002 Winter Olympics. No local cash match is required.

ADMIN 5 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR GRANT FUNDS TO CONTINUE PARTICIPATION IN THE NATIONAL URBAN SEARCH AND RESCUE (US&R) RESPONSE SYSTEM

Authorized FRD to apply for US&R Program grant funds in the amount of \$150,000 from FEMA to continue to fund participation in the National US&R Response System as Virginia Task Force 1. No local cash match is required.

**ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING
FOR THE CREATION/ENLARGEMENT OF SMALL AND LOCAL
SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION
SERVICE (DRANESVILLE AND MASON DISTRICTS)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 2002, at 3:30 p.m.** to consider the following changes to small and local sanitary districts for refuse and leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 5 within Dranesville District (Langley Forest)	Create	Refuse	Approve
Local District A-2 within Small District 1 within Dranesville District (West Langley)	Create	Refuse & Leaf	Approve
Local District A-2-1 within Small District 1 within Dranesville District (Theresa Ann Street)	Enlarge	Refuse & Leaf	Approve
Local District A-1-1 within Small District 1 within Dranesville District (1624 Woodman Drive)	Enlarge	Refuse & Leaf	Approve
Small District 4 within Dranesville District (1641 Evers Drive)	Enlarge	Refuse	Approve
Small District 2 within Mason District (Kenwood)	Enlarge	Refuse & Leaf	Approve

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON HUNTSMAN BOULEVARD AND RESERVATION DRIVE/GAME LORD DRIVE/COTTONTAIL COURT/CONSERVATION DRIVE/FIELD MASTER DRIVE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (SPRINGFIELD DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 2002, at 4 p.m.** for the purpose of endorsing the following roads to be included in the R-TAP for a through truck traffic restriction:

- Huntsman Boulevard between Fairfax County Parkway and Old Keene Mill Road
- Reservation Drive/Game Lord Drive/Cottontail Court/Conservation Drive/Field Master Drive between Fairfax County Parkway and Old Keene Mill Road

ADMIN 8 – INSTALLATION OF A MULTI-WAY STOP (SPRINGFIELD DISTRICT)

- Endorsed the installation of a multi-way stop at the intersection of Main Street and Dell Avenue (Springfield District) as part of the Residential Traffic Administration Program.
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 9 – RECOMMENDATION OF STREETS TO BE CONSIDERED FOR TRAFFIC-CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (MASON DISTRICT)

- Endorsed the selection of the following streets for traffic-calming measures as part of the R-TAP:
 - Shelly Lane (Mason District)
 - Frost Way (Mason District)
- Directed staff to request the Virginia Department of Transportation to develop traffic-calming plans in conjunction with the community, as soon as possible.

ADMIN 10 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (DRANESVILLE, MOUNT VERNON, AND SULLY DISTRICTS)

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

- Application 2232-D02-4 to June 24, 2002
- Application 2232-Y01-15 to September 23, 2002
- Application 2232-V02-5 to September 23, 2002

ADMIN 11 – AUTHORIZATION FOR FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO APPLY TO THE US DEPARTMENT OF COMMERCE, NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION FOR THE TECHNOLOGY OPPORTUNITIES PROGRAM

(NOTE: Earlier in the meeting action was taken on this item. See page 8.)

Authorized the FCRHA to apply for the Technology Opportunities Program funds from the US Department of Commerce, National Telecommunications and Information Administration, in the amount of \$650,000 to fund the development and implementation of the technology component of the Consolidated Housing Redesign Project.

ADMIN 12 – AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR \$100,000 IN TOBACCO SETTLEMENT FOUNDATION FUNDS FOR A TOBACCO USE PREVENTION PROGRAMS GRANT TO EXPAND THE LEADERSHIP AND RESILIENCY PROGRAM

Authorized CSB to apply to the Virginia Tobacco Settlement Foundation for \$100,000 in Tobacco Use Prevention Programs funds to expand the Leadership and Resiliency Program. No local cash match is required.

ADMIN 13 – AUTHORIZATION FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT (JDRDC) TO APPLY FOR INTENSIVE AFTERCARE SUPERVISION PROGRAM FUNDING FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS)

Authorized JDRDC to submit a grant application to DCJS for funds in the amount of \$75,000 for the continuation of the Intensive Aftercare Supervision Program for the Boys Probation House Transitional Living Program and the post-dispositional treatment program in the Juvenile Detention Center. This amount

reflects \$37,500 in DCJS grant funds and a required 50 percent local cash match of \$37,500. The full cost of the program is \$158,806.

ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON FISCAL YEAR 2003 ALTERNATIVE REAL ESTATE TAX RELIEF OPTIONS FOR THE ELDERLY AND DISABLED

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 8, 2002, at 5 p.m.** to consider possible alternatives to the County's real estate tax relief program for certain elderly and disabled persons.

ADMIN 15 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2002 REVISED BUDGET PLAN

- (A) (Earlier in the meeting the Board took additional action on this item. See page 8.)

Authorized the advertisement of a public hearing to be held before the Board on **April 8, 9, and 10, 2002, at 7:30 p.m.** to increase the FY 2002 appropriation level.

(NOTE: Later in the meeting the April 10, 2002, public hearing time was changed to 7 p.m. See Clerk's Summary Item CL#132.)

ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), REGARDING ENHANCING POLICE AND SHERIFF'S AUTHORITY TO SEIZE VEHICLES FOR OUTSTANDING PARKING TICKETS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 2002, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), regarding enhancing Police and Sheriff's authority to seize vehicles for outstanding parking tickets.

ADMIN 17 – AUTHORIZATION FOR THE FAIRFAX COUNTY GENERAL DISTRICT COURT (FCGDC) TO APPLY FOR COMPREHENSIVE COMMUNITY CORRECTIONS ACTION GRANT (CCCA) AND PRETRIAL SERVICES ACT (PSA) GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS)

- (R) Adopted the Resolution authorizing the FCGDC to submit a grant application in the amount of \$522,759 to DCJS for continued pretrial and post-trial supervision of defendants and offenders in the community during Fiscal Year 2003. The requested total includes State funding of \$340,689 for the CCCA grant, and \$182,070 for the PSA grant. No local cash match is required.

18. **A-1 – APPROVAL OF AN AGREEMENT BETWEEN THE BOARD AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR CONSTRUCTION OF THE DULLES CORRIDOR SLIP RAMPS PROJECT (DRANESVILLE AND HUNTER MILL DISTRICTS)** (Tape 4)

Following discussion with input from Larry L. Ichter, Chief, Transportation Design Branch, Department of Public Works and Environmental Services, Supervisor Hudgins moved that the Board concur in the recommendation of staff and direct the County Executive to execute an agreement between the County and VDOT to provide \$3,900,000 in construction funding for Project 90A011, Dulles Corridor Slip Ramps, in Fund 311, County Bond Construction. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

Following further discussion, Supervisor Frey asked unanimous consent that the Board direct staff to present to the Board at the next Transportation Committee meeting a program for the Board's action on unsold transportation bonds. Following discussion, without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took action regarding another issue related to the Dulles Corridor Slip Ramps. See Clerk's Summary Item CL#28.)

19. **A-2 – APPROVAL OF AN INITIAL PARKING REDUCTION REQUEST FOR FAIRFAX CORNER TOWN CENTER (SPRINGFIELD DISTRICT)** (Tape 4)

Chairman Hanley announced that at the request of Supervisor McConnell this item would be deferred until later in the meeting.

(NOTE: Later in the meeting the Board took action of this item. See Clerk's Summary Item CL# 74.)

20. **A-3 – ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE OF A \$50 MILLION SEWER REVENUE BOND TO PAY A PORTION OF THE COUNTY'S SHARE OF THE COST OF IMPROVEMENTS TO THE ALEXANDRIA SANITATION AUTHORITY'S WASTEWATER TREATMENT PLANT AND THE EXECUTION OF A FINANCING AGREEMENT WITH THE VIRGINIA RESOURCES AUTHORITY FOR A WATER FACILITIES REVOLVING FUND LOAN** (Tape 4)

(R)

(Bonds)

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

- Adopted the Resolution authorizing the issuance of a \$50 million sewer revenue bond to pay a portion of the County's share of the cost of improvements to the Alexandria Sanitation Authority's Wastewater Treatment Plant.
- Authorized the acceptance of a commitment letter from the Virginia Resources Authority to make a \$50 million loan from the Virginia Water Facilities Revolving Fund.

- Approved the form of a Financing Agreement relating to the loan.

Supervisor Connolly and Supervisor Hyland jointly seconded the motion.

Following discussion with input from Edgar R. Jones, Chief, Financial Management and Planning Branch, Department of Public Works and Environmental Services, the question was called on the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

21. **A-4 – ADJUSTMENT TO FAIRFAX CENTER ROAD FUND CONTRIBUTION RATE AND AUTHORIZATION OF CORRESPONDING RATE ADJUSTMENTS IN THE CENTREVILLE AND TYSONS CORNER FUND AREAS (PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (Tape 4)

On motion of Supervisor Frey, seconded by Supervisor Connolly, and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived, the Board concurred in the recommendation of staff and:

- Adopted the revised Procedural Guidelines for the Annual Review Process including a two percent adjustment of the existing contribution rate in the Fairfax Center Area from \$4.18 to \$4.26 per gross square foot on non-residential building structure and from \$928 to \$946 per residential unit, with the new rate to become effective March 18, 2002.
- Authorized a two percent increase of rates used in other areas of the County for similar purposes to become effective March 18, 2002.

22. **A-5 – DESIGN-BUILD JUSTIFICATION, REQUEST FOR QUALIFICATIONS, AND REQUEST FOR PROPOSAL FOR DEVELOPMENT OF A MINIATURE GOLF COURSE AT BURKE LAKE PARK (SPRINGFIELD DISTRICT)** (Tape 5)

On behalf of Supervisor McConnell, Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize staff to begin the process of obtaining Commonwealth of Virginia approval for the use of a Design-Build contract on the Burke Lake Miniature Golf Course.

Following discussion with input from Paul L. Baldino, Director, Park Authority, Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn not yet having arrived.

23. **A-6 – AUTHORIZATION TO REALLOCATE \$500,000 UNDER THE AFFORDABLE HOUSING PARTNERSHIP PROGRAM FROM PROJECT 014116, PARTNERSHIP PROGRAMS, WITHIN FUND 144, HOUSING TRUST FUND, TO PROJECT 002892, BRIARCLIFF, AS A LOAN TO AN ENTITY TO BE FORMED BY NATIONAL HOUSING TRUST-ENTERPRISE PRESERVATION CORPORATION (NHT-E) AND CATHOLICS FOR HOUSING, INCORPORATED (CFH) (PROVIDENCE DISTRICT)** (Tape 4)

Supervisor Connolly moved that the Board concur in the recommendation of staff and reallocate \$500,000 from the Affordable Housing Partnership Program, within Fund 144, Housing Trust Fund to an entity to be formed by NHT-E and CFH for the acquisition of 30 townhouse units at the Townhomes of Briarcliff. The motion was seconded by Supervisor Hyland.

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

24. **A-7 – AUTHORIZATION TO REALLOCATE \$250,000 FROM PROJECT 014049, ROGERS GLEN, WITHIN FUND 144, HOUSING TRUST FUND, TO PROJECT 014140, THE LEWINSVILLE EXPANSION PROJECT, FOR FURTHER REDEVELOPMENT EXPENSES INCLUDING MARKET ANALYSIS, ENGINEERING, TRAFFIC ANALYSIS AND OTHER STUDIES (DRANESVILLE DISTRICT)** (No Tape)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#84.)

25. **I-1 – CONSOLIDATED PLAN CERTIFICATION FOR THE PUBLIC HOUSING AND HOUSING CHOICE VOUCHER ANNUAL PLAN UPDATE FOR FISCAL YEAR (FY) 2003 OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, requesting authorization for the staff to sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Public Housing and Housing Choice Voucher Annual Plan Update for FY 2003 submitted to the US Department of Housing and Urban Development (HUD).

Supervisor Kauffman moved that the Board send a letter, under Chairman Hanley's signature, to HUD urging it to reconsider the scoring threshold in areas of high rental costs and low vacancy conditions. Supervisor Gross seconded the motion.

Following discussion with input from Paula C. Sampson, Director, Department of Housing and Community Development, the question was called on the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

The staff was directed administratively to proceed as proposed.

26. **I-2 – CONTRACT AWARD - INDIAN RUN PHASE IV-B, STORM DRAINAGE IMPROVEMENT (MASON DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, requesting authorization for staff to award a contract to Metro Paving Corporation in the amount of \$208,383.76 for the construction of Project CA0289, Indian Run Phase IV-B Storm Drainage Improvement, in Fund 316, Pro Rata Share Drainage Construction.

The staff was directed administratively to proceed as proposed.

27. **I-3 – CONTRACT AWARD - REPAIR/REPLACEMENT OF SEWER SAGS – GROUP 1 (PROVIDENCE AND LEE DISTRICTS)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, requesting authorization for staff to award a contract to C&F Construction Company in the amount of \$300,947.50 for the Repair/Replacement of Sewer Sags - Group 1, in Project X00905, Replacement and Transmission, in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

28. **I-4 – CONTRACT AWARD - DULLES CORRIDOR SLIP RAMPS (DRANESVILLE AND HUNTER MILL DISTRICTS)** (Tape 4)

(NOTE: Earlier in the meeting the Board took action regarding another item related to the Dulles Corridor Slip Ramps. See Clerk's Summary Item CL# .)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, requesting authorization for staff to award a contract to New Construction Incorporated following Commonwealth Transportation Board approval, in the amount of \$3,187,762.05 for the construction of Dulles Corridor Slip Ramps, Project 90A011, in Fund 311, County Bond Construction.

The staff was directed administratively to proceed as proposed.

29. **I-5 – CONTRACT AWARD - PHASED REPLACEMENT OF GRINDER PUMPS (MOUNT VERNON, DRANESVILLE, PROVIDENCE, AND LEE DISTRICTS)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, requesting authorization for staff to award a contract to J.L.W. Associates, Incorporated, in the amount of \$736,138 for the phased replacement of Grinder Pumps, in Project Number I00351; Pump Station Renovations, in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

30. **I-6 – CONTRACT AWARD - PROFESSIONAL AUDITING SERVICES**
(Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, requesting authorization for staff to award a contract to KPMG, LLP, in an amount not to exceed \$596,388, with a maximum escalation rate of six percent for succeeding Fiscal Year (FY) 2003 and FY 2004, for professional auditing services. This contract provides three annual renewal options, starting FY 2005, to be mutually agreed upon.

The staff was directed administratively to proceed as proposed.

31. **I-7 – CONTRACT AWARD - PARKING LOT EXPANSION AT FAIRFAX CONNECTOR HUNTINGTON DIVISION (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, requesting authorization for staff to award a contact to Martin and Gass, Incorporated, in the amount of \$565,000 for the Parking Lot Expansion at Fairfax Connector Huntington Division, funded by Project 90A012, Huntington Garage Parking Lot Expansion, in Fund 311, County Bond Construction.

The staff was directed administratively to proceed as proposed.

32. **I-8 – CONTRACT AWARD - DRIVING RANGE TEE STRUCTURE ADDITION AT OAK MARR PARK (PROVIDENCE DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, requesting authorization for staff to award a contract to Howard C. Handy and Sons in the amount of \$107,931 for the construction of an addition to the Driving Range Tee Structure at Oak Marr Park, funded by Project 004748, General Park Improvements, in Fund 371, Park Capital Improvement Fund.

The staff was directed administratively to proceed as proposed.

33. **I-9 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-Y01-33, FAIRFAX COUNTY PARK AUTHORITY (SULLY DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, announcing the Planning Commission's approval of Public Facilities Application 2232-Y01-33.

34. **I-10 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 456A-M83-21-1, FAIRFAX COUNTY POLICE DEPARTMENT (MASON DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated March 18, 2002, announcing the Planning Commission's approval of Public Facilities Application 456A-M83-21-1.

ADDITIONAL BOARD MATTERS

NV:nv

35. **VOLUNTEER RECOGNITION DAY** (Tape 5)

Chairman Hanley announced that Volunteer Fairfax will sponsor the tenth annual Fairfax County Volunteer Service Awards program on April 23, 2002. To recognize the important efforts made by volunteers, Volunteer Fairfax has requested the County acknowledge Fairfax County Volunteer Recognition Day.

Therefore, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from Volunteer Fairfax to appear before the Board on April 8, 2002, to receive a proclamation declaring April 23, 2002, as "*Volunteer Recognition Day*" in Fairfax County. Vice-Chairman Hyland seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

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

Chairman Hanley announced that National Crime Victims' Rights Week will be observed April 21-27, 2002. In conjunction with the national observance, the Police Department's Victims Section has requested local recognition. Therefore, she moved that the Board direct staff to invite the appropriate representative to appear before the Board on April 8, 2002, to receive a proclamation declaring April 21-27, 2002, as "*National Crime Victims' Rights Week*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

37. **CHILD ABUSE PREVENTION MONTH** (Tape 5)

Chairman Hanley stated that the Advisory Social Services Board requested that the County recognize April as Child Abuse Prevention Month. Therefore, Chairman Hanley moved that the Board direct staff to invite representatives from the Advisory Social Services Board to appear before the Board at the April 8, 2002, meeting to receive a proclamation declaring April as "*Child Abuse Prevention Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

38. **FAIR HOUSING MONTH** (Tape 5)

Chairman Hanley said that April is traditionally celebrated throughout the nation as "Fair Housing Month." The Human Rights Commission has requested a proclamation to recognize the observance in Fairfax County. Therefore, she moved that the Board direct staff to invite representatives from the Human Rights Commission to appear before the Board at the April 8, 2002, meeting to receive a proclamation declaring April as "*Fair Housing Month*" in Fairfax County. Supervisor Connolly seconded the motion.

Following a query to Merni Fitzgerald, Director, Office of Public Affairs, Chairman Hanley announced that the April 8, 2002, Board meeting would begin at **9 a.m.** because of the number of presentations scheduled.

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

39. **SAFE KIDS WEEK** (Tape 5)

Chairman Hanley stated that the Department of Fire and Rescue is requesting support and endorsement for Safe Kids Week from May 4 to 11, 2002. Comprised of INOVA Hospital, the Office of the Sheriff, Fire and Rescue, and the Police Department, the group was established in 1992 to raise awareness for childhood injuries. Chairman Hanley moved that the Board direct staff to invite representatives from the Safe Kids Coalition to appear before the Board at the April 29, 2002, meeting to receive a proclamation declaring May 4-11, 2002, as "*Safe Kids Week*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

Supervisor Connolly reminded the staff of a Board Matter he had presented on bicycle helmet safety awareness and asked unanimous consent that the Board direct staff to provide a progress report on those plans, possibly as an information item. Without objection, it was so ordered.

40. **RECOGNITION OF HEALTH INFORMATION PARTNERS PROGRAM**
(Tape 5)

Chairman Hanley announced that the Fairfax County Public Library Foundation wishes the Board to recognize the ongoing relationship between the Fairfax County Public Library and INOVA Health System to fund and provide the Health Information Partners Program. INOVA has recently expanded the program to provide additional support.

Accordingly, Chairman Hanley moved that the Board direct staff to invite representatives from the Public Library Foundation and INOVA Health System to appear before the Board at the April 29, 2002, meeting to receive a certificate of appreciation for the Health Information Partners Project. Vice-Chairman Hyland seconded the motion.

Following discussion, Chairman Hanley amended the motion to change the date to a May Board meeting, if possible, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

41. **TWENTIETH ANNIVERSARY OF THE ENDEPENDENCE CENTER**
(Tape 5)

Chairman Hanley announced that the ENDependence Center of Northern Virginia (ECNV) will celebrate its twentieth anniversary on April 1, 2002. ECVN is one of 16 centers for independent living in Virginia. While the organization serves individuals with disabilities and their families regardless of age or type of disability, it is uniquely the only center for independent living run by individuals with disabilities. Therefore, Chairman Hanley moved that the Board direct staff to prepare and send a proclamation to recognize the twentieth anniversary of the ECVN on April 1, 2002. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

42. **COMMUNITY DEVELOPMENT WEEK** (Tape 5)

Chairman Hanley stated that the year 2002 marks the twenty-eighth anniversary of community development block grants (CDBG). Since 1975, the County has received more than \$132.5 million in grants to fund neighborhood improvements, revitalization, community facilities, and to provide critical services to benefit the elderly and the disabled. Over the past few years, the funds have provided a significant part of the County's Consolidated Community Funding Pool. Based on a reduction in the Federal Fiscal Year 2002, the County's allocation was cut by \$135,000.

Because of the critical needs the CDBG fund, Chairman Hanley moved that the Board direct staff to:

- Prepare a proclamation declaring the week of April 1 to 7, 2002, as “*Community Development Week*” in Fairfax County.
- Copy the proclamation, along with a transmittal letter, to the Virginia Congressional Delegation, the Chairs of the Senate and House Banking Committee, and the Senate and House Appropriation Committees. The transmittal letter should include the Board’s support for the federal HOME Investment Partnerships Program, a national formula-based program to provide incentives and assistance for the preservation and development of affordable housing.

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

43. **RECOGNITION OF LORDS AND LADIES FAIRFAX** (Tape 5)

To recognize the 2002 Lords and Ladies Fairfax honorees, as well as the 2002 Celebrate Fairfax sponsors, Chairman Hanley moved that the Board direct staff to invite the Lords, Ladies, and sponsors to appear before the Board on June 3, 2002, to receive certificates of recognition for the Fairfax Fair. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

44. **ELECTORAL BOARD REQUEST** (Tape 5)

Chairman Hanley stated she had received a letter from Carol Ann Coryell, Chairman, Electoral Board, regarding an Electoral Board request for the Board of Supervisors to establish level funding for the position of Electoral Board Secretary. Additionally, the Electoral Board requested an increase in the supplement paid to the General Registrar of Voters. Accordingly, in response to the request, she moved that the Board direct staff to add these items to the consideration list for the Fiscal Year 2003 Budget. Supervisor Connolly seconded the motion.

Following discussion, Chairman Hanley withdrew her motion pending distribution of copies of the actual letter.

(NOTE: Later in the meeting, this issue was revisited. See Clerk's Summary Item CL#133.)

45. **STANDARD AND POOR'S SCHOOL EVALUATION SERVICES METHOD OF ANALYZING SCHOOL DISTRICTS** (Tape 5)

Chairman Hanley called the Board's attention to a letter from Delegate David B. Albo regarding information on the Standard and Poor's School Evaluation Services method of analyzing school districts. She asked unanimous consent that the Board direct staff to review this program with the School Division. Without objection, it was so ordered.

Discussion ensued.

46. **SMART CARD** (Tape 5)

Chairman Hanley stated that earlier she had requested David Molchany, Chief Information Officer, to review opportunities to partner on use of the Metro Smart Card technology.

47. **OCOQUAN WATERSHED YEAR** (Tape 5)

(BACs) Chairman Hanley stated that this year marks the twentieth anniversary of the Board's decision to downzone approximately 41,000 of the 63,000 acres (about 63 percent) of the land comprising the Occoquan Basin portion of Fairfax County. The action occurred on July 26, 1982. She noted that there was also an upzoning of a portion of the land within the basin. The purpose of the downzoning was the recognized need to protect the viability of the Occoquan River and its watershed that now supplies more than a million residents with their water. The County's Baseline 2000 Stream Protection Strategy Study found the County's healthiest streams in the Occoquan Watershed and as of March 14, 2002, the Occoquan Reservoir was 88 percent full, despite record low rainfall. She noted how the nation has become more aware of the need for protection and preservation of water supplies.

In recognition of the foresight of the Board, Chairman Hanley moved that the Board:

- Designate 2002 as "*Occoquan Watershed Year*" in celebration of the downzoning decision.
- Approve a proclamation recognizing the decision to be framed and posted in the Atrium of the Government Center.
- Approve a presentation before the Board of Supervisors honoring those who were instrumental in realizing the vision.
- Approve a presentation of certificates recognizing those groups that have been and continue to be stewards of the watershed.

- Approve a display at the Fairfax Fair in June, with County agency participation that documents the decision and its benefits to the watershed.
- Approve the establishment of the New Millennium Occoquan Watershed Task Force to examine the impacts of increasing population, stormwater management, and other challenges in the watershed and to present its findings and recommendations to the Board. The task force should include representatives from appropriate County agencies, the Park Authority, Northern Virginia Soil and Water Conservation District, Northern Virginia Regional Commission, Northern Virginia Regional Park Authority, the Occoquan Watershed Coalition, Audubon Naturalist organization, Health Department, and stakeholder representatives.
- Approve the designation of the Office of Public Affairs to assist in coordination of events associated with the fair and other events that might be held during the rest of the year celebrating the event in the Occoquan Watershed.
- Approve a web page on the County's website dedicated to educating the public about the decision.
- Approve the coordination with the schools in that part of the County to provide educational materials on the Occoquan Watershed.

Supervisor Connolly and Supervisor McConnell jointly seconded the motion.

Supervisor Connolly asked unanimous consent that the Board direct staff to prepare a fact sheet as part of this effort. He said that the downzoning action should be put in context for citizens to understand the impact as to what was averted and a comparison with neighboring jurisdictions and their efforts. Without objection, it was so ordered.

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

48. **QUARTERLY REPORT OF THE AUDIT COMMITTEE** (Tape 5)

(BACs) Chairman Hanley briefed the Board on the quarterly Audit Committee Report dated March 13, 2002, and distributed a summary of general proffers for homeowners' associations along with spreadsheets for each supervisor district. She moved that the Board:

- Accept the Report.

- Direct staff to develop a process in working with the district Supervisor's office to ensure that this money that is available to the homeowners' associations is transferred properly.

Supervisor Connolly seconded the motion.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

49. **BUILDING SAFETY WEEK** (Tape 6)

Supervisor Frey announced that International Building Safety Week will be observed during the week of April 7-13, 2002. To mark the event, the Department of Public Works and Environmental Services has scheduled public outreach efforts in several local hardware and building material supply retail stores. In addition, the Department will honor a corporate resident with the 2002 Building Safety Community Partnership award to the Washington Area Council of Engineering Laboratories (WACEL) during the Board meeting scheduled for April 8, 2002.

Therefore, Supervisor Frey moved that the Board direct staff to prepare a proclamation to be presented at the April 8, 2002, Board meeting declaring the week of April 7-13, 2002, as "*Building Safety Week*" in Fairfax County. Additionally, at that time, Supervisor Frey said that he would recognize WACEL, the 2002 Community Partnership Award recipient, and staff from the Office of Building Code Services who have made particular contributions to building safety this past year. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

50. **CHANNEL 16** (Tape 6)

On behalf of Supervisor Frey and herself, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to report with information on how the County can make channel 16 available to individuals who have satellite dishes. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

51. **EARTH DAY/ARBOR DAY CELEBRATION** (Tape 6)

Supervisor Bulova announced that this year's Earth Day/Arbor Day celebration is being held at the Annandale Campus of the Northern Virginia Community College on Saturday, April 27 from 11 a.m. until 4 p.m. Earth Day/Arbor Day is sponsored by Target Stores, Fairfax County Recycling, Clean Fairfax Council, Northern Virginia Community College, and Fairfax County. Included in the festivities:

- Billy B
- Animal Park Petting Zoo
- Fairfax Pets on Wheels
- Gleemania
- Wildlife Center of Virginia
- Earth Day/Arbor Day Awards Program

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

- Assist the Earth Day/Arbor Day Committee with the planning of this event where County involvement is needed.
- Draft a press release for this event and to provide the Committee with a proclamation proclaiming April 27 as Earth Day/Arbor Day in Fairfax County. Following the event, Certificates of Recognition should be prepared to thank the sponsors of the event so that they can be invited to appear before the Board to be thanked.

Without objection, it was so ordered.

A brief discussion ensued.

52. **CONGRATULATIONS TO THE LAKE BRADDOCK SECONDARY SCHOOL'S GIRLS' TRACK TEAM** (Tape 6)

Supervisor Bulova congratulated the members of the Lake Braddock Secondary School's girls' track team for winning the Group AAA State Winter Track meet and State championship.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite members of the team and their coaches to appear before the Board to be recognized for their accomplishment. Without objection, it was so ordered.

(NOTE: Later in the meeting there was discussion regarding a related item. See Clerk's Summary Item CL#67.)

53. **EXPANSION OF THE ROBINSON SECONDARY SCHOOL RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) - WAIVER OF THE FILING FEES** (Tape 6)

Supervisor Bulova said that student parking on residential streets around Robinson Secondary School continues to be a serious problem and expansion of the Robinson RPPD is needed.

Supervisor Bulova said that she has forwarded to the Department of Transportation a petition for the expansion of the Robinson RPPD on Sideburn Road from Holden Street to Linfield Street and on Sideburn Road from Portsmouth Road to Holden Street.

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

- Waive the filing fees.
- Proceed as expeditiously as possible.

Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

54. **IMMUNIZATION PROGRAMS** (Tape 6)

Supervisor Bulova announced that there are a number of programs to provide free immunizations to County employees. She asked unanimous consent that the Board direct staff to do as much outreach as possible so that all employees know that those opportunities are available. Without objection, it was so ordered.

55. **EMPLOYEE COMMUNICATION** (Tape 6)

Supervisor Bulova asked unanimous consent that the Board direct staff to ensure that there is a standard operating procedure for employees to follow in cases of emergency. Without objection, it was so ordered.

56. **COMMITTEE MEETINGS** (Tape 6)

Supervisor Bulova announced the following meetings:

- Budget Committee on March 25, 2002, at 9:30 a.m. in conference rooms 9 and 10
- Development Process Review Committee on March 25, 2002, following the budget committee meeting

57. **WORKSHOP TO REVIEW LAND USE AROUND THE DULLES STATION AREAS** (Tape 6)

Supervisor Hudgins announced that a workshop to review land use around the Dulles Station areas will be held on April 11-13, 2002, in Reston at TRW. She added that the community is invited.

58. **MASON DISTRICT SPRING TOWN MEETING** (Tape 6)

Supervisor Gross announced that the Mason District Spring Town meeting will be held on Thursday, April 4, 2002, from 7:30 p.m. until 9 p.m. at Belvedere Elementary School on Columbia Pike. She added that guests will include Anthony H. Griffin, County Executive, and Edward L. Long, Chief Financial Officer.

59. **ORGAN AND TISSUE DONATION AWARENESS WEEK** (Tape 6)

Supervisor Gross moved that the Board:

- Direct staff to prepare a proclamation to be issued at the Board meeting scheduled for April 8, 2002, declaring the week of April 15-21, 2002, as "*Organ and Tissue Donation Awareness Week*" in Fairfax County.
- Recognize a number of County residents who have become living donors, by donating kidneys.

Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

60. **REQUEST TO EXPEDITE SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-V-072** (Tape 6)

Supervisor Hyland said that the Board has been asked to expedite its special exception amendment application for the Bryant Early Learning Center.

Accordingly, Supervisor Hyland moved that the Board direct staff to expedite Special Exception Amendment Application SEA 86-V-072 for the Bryant Early Learning Center. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

61. **BOARD RECOGNITION REQUESTED FOR THE OUTSTANDING WORK OF THE NORTHERN VIRGINIA TECHNOLOGY COUNCIL (NVTC) FOUNDATION** (Tape 6)

Supervisor Hyland asked unanimous consent that the Board direct staff to invite those responsible at NVTC, as well as staff from the Department of Community and Recreation Services and the Office of Partnerships, for their efforts in successfully partnering, creating, and maintaining the computer clubhouses and computer learning partnerships to appear before the Board. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

62. **REQUEST TO RECOGNIZE HENLEY F. GABEAU, REPRESENTATIVE, COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)** (Tape 6)

(BACs) Supervisor Hyland said that he recently received and regretfully had to accept Ms. Henley F. Gabeau's resignation from the CCJB.

Supervisor Hyland moved that the Board direct staff to invite Ms. Gabeau to appear before the Board to be recognized for her service on the CCJB and her many contributions to Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

63. **REQUEST FOR INCLUSION OF ROUTE 1 WIDENING AT THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROGRAMMING AND PLANNING HEARINGS** (Tape 6)

Supervisor Hyland announced that programming and planning hearings concerning the Virginia Transportation Development Plan is tentatively set for April 15 at Fairfax City Hall.

Accordingly, Supervisor Hyland moved that the Board direct staff of the Department of Transportation to strongly urge in its testimony the inclusion of Project #0001-029-124, PE101, RW201-Route 1 widening as a top priority project for inclusion in VDOT's update of the new Virginia Transportation Development Plan at VDOT's public hearing scheduled for April 15, 2002. Without objection, it was so ordered.

NV:nv

64. **MAIN STREET CHILD DEVELOPMENT CENTER FINDS TEMPORARY HOME** (Tape 7)

Supervisor Connolly reminded the Board that in September the Main Street Child Development Center was given notice that it would have to vacate its space by the end of July due to renovation and expansion of the church that has been its home for the last 29 years. The Child Development Center provides childcare for many low-income families from the County and the City of Fairfax who were then put at risk of losing their childcare provider. He reported that the Fairfax City Council voted to allow Main Street to relocate to Green Acres School for the next two years. This interim solution will allow the Main Street Board time to secure adequate funding and a permanent space from which to serve the children and families that depend on them for quality childcare.

Supervisor Connolly expressed appreciation to Deputy County Executive Verdia Haywood and his staff and the Fairfax City Council for their help and cooperation in encouraging this interim solution for the Main Street Board.

65. **LOCATION OF 911 CELLULAR CALLERS** (Tape 7)

Supervisor Connolly stated that the *Journal* newspaper recently reported that the Alexandria City Police can trace 911 calls from cellular phones faster with state of the art technology installed in its new communications center. Accordingly, he asked unanimous consent that the Board direct the (County) Police Department to report on its present capability to pinpoint the location of a cellular caller and if, at this time, it cannot pinpoint the caller's location, to provide a timetable for the implementation of the locator technology. Without objection, it was so ordered.

66. **LANGUAGE CARDS** (Tape 7)

Supervisor Connolly stated that he recently met with the graduates of the thirty-eighth session at the Criminal Justice Academy. One year ago he was honored to be the keynote speaker at the graduation of that session and that night he invited the graduates to join him one year later so he could learn what their first year was like and ways that Fairfax could improve.

Supervisor Connolly noted that one of the suggestions raised at the meeting pertained to language problems. Accordingly, he moved that the Board direct the Public Information Offices of the Police and Fire and Rescue Departments to join with the Office of Public Affairs to develop a laminated card that would allow individuals to identify the language they speak. He envisioned a card that would have in each language "I speak _" and then an English identification of the language.

Chairman Hanley clarified that the request was to have staff determine whether this suggestion is feasible and how it can be implemented.

Without objection, the request was so ordered.

67. **OAKTON HIGH SCHOOL TRACK TEAM** (Tape 7)

(NOTE: Earlier in the meeting there was additional discussion regarding a related item. See Clerk's Summary Item CL#52.)

Supervisor Connolly stated that on March 9, 2002, the Oakton High School Indoor Track team achieved a feat that no other Oakton High School indoor track team has ever done by placing first at the Northern Virginia Regional Indoor Track Meet. Led by a 100 point showing by the girls' team, Oakton High School defeated defending State champion Lake Braddock Secondary School. He did note that Lake Braddock Secondary School did go on to win the State Championship.

Accordingly, Supervisor Connolly moved that the Board direct staff to invite the members of the Oakton High School Indoor Track Team to appear before the Board to receive a certificate recognizing their regional achievement. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

68. **LEGISLATIVE REPORT** (Tape 7)

(NOTE: Earlier in the meeting the Board discussed the legislative report. See Clerk's Summary Item CL#14.)

With reference to the Legislative Report, Supervisor Connolly asked unanimous consent that the Board direct staff to publicize the fact that the full report on the status of the Legislative Program of Fairfax County is available on the County's website at www.fairfaxcounty.gov/government/board/default.htm by following the link under Programs and Reports. It will be available March 19, 2002. Without objection, it was so ordered.

69. **ROUTE ONE PEDESTRIAN FATALITIES** (Tape 7)

Supervisor Kauffman announced that this morning there was another pedestrian fatality on Route One, which brings to ten the number of fatalities there this year. He noted that the State has been working closely with his office and Supervisor Hyland's Office on improvements for pedestrian safety at key intersections and is also working on pedestrian education efforts with George Mason University.

Following discussion, Supervisor Hudgins reminded the Board that one of the recommendations from the Transportation Summit was education for pedestrians

as well as motorists. She asked unanimous consent that the Board direct staff to respond to those recommendations. Without objection, it was so ordered.

Following further discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide statistics on the fines imposed for speeding. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Further discussion ensued.

70. **HAYFIELD HIGH SCHOOL HAWKS BOYS' VARSITY BASKETBALL TEAM** (Tape 7)

Supervisor Kauffman stated that the Hayfield High School Hawks Boys' Varsity Basketball team ended its 2002 season having advanced to the state semifinals. This was the team's third consecutive state tournament appearance. While the Hawks lost the game to Cave Spring in a semifinal match-up, they won in many other ways and their success is due to the dedication of their coaches, their players, and the athletic and academic support of the entire Hayfield community.

Therefore, Supervisor Kauffman moved that the Board direct the Office of Public Affairs to invite the members of the Hawks Boys' Basketball team, their coaches, and principal to a future Board meeting to receive formal recognition for their efforts. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Mendelsohn not yet having arrived.

71. **AMERICORPS VOLUNTEERS** (Tape 7)

Supervisor Kauffman said that Americorps, a successful youth program started by the Clinton Administration, is coming to Lee District. Twelve elite Americorps volunteers are making repairs on the popular boardwalk at Huntley Meadows Park restoring a meadowland for the park's abundant wildlife. Last year, these volunteers accomplished several other important natural resource management projects in Virginia, Washington, DC, and Pennsylvania. Huntley Meadows and the Park Authority have benefited from the hard work of Americorps volunteers for the past three years.

Therefore, Supervisor Kauffman moved that the Board direct the Office of Public Affairs to invite Ms. Mary Beth Misluk and members of the Americorps Team 11 to appear before the Board at a convenient time before they leave the area, to receive formal recognition for their efforts. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Mendelsohn not yet having arrived.

72. **SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-D-084**
(Tape 7)

(NOTE: Earlier in the meeting, Supervisor Mendelsohn's absence was explained. See page 1.)

On behalf of Supervisor Mendelsohn, Supervisor Kauffman said that Verizon, Incorporated is the applicant for a Special Exception Amendment Application SEA 85-D-084. This application requests an expansion of Verizon's Central Office located at 735 Walker Road [Tax Map 13-1((1))-26].

Supervisor Kauffman said that Verizon continues to work diligently with the County and the owners of adjacent properties on issues relevant to this application. The Great Falls Civic Association Planning and Zoning Committee supports this application.

Therefore, on behalf of Supervisor Mendelsohn, Supervisor Kauffman moved that the Board direct staff of the Department of Public Works and Environmental Services and the Department of Planning and Zoning to proceed with concurrent processing of this application. He noted that this motion does not relieve the applicant from compliance with the provision of any and all applicable ordinances, regulations, or adopted standards, and does not constitute support by the Board for the special exception amendment application. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Mendelsohn not yet having arrived.

73. **SPECIAL EXCEPTION APPLICATION SE 2002-DR-005** (Tape 7)

On behalf of Supervisor Mendelsohn, Supervisor Kauffman said that John M. Colton Hand, II, Alexandra H. Mateer, and Victoria B. Hand are the applicants for Special Exception Application SE 2002-DR-005. This application is located on Ballantrae Lane [tax map 31-1 ((2)) 1 A, 7A and 24A]. The application proposes a cluster development as an alternative to a by-right development. The application would preserve the existing home on the property and establish three additional lots, as well as preserve environmentally sensitive features of the property. He noted that the applicants continue to work with the County and the McLean Citizens' Association on issues relevant to this application.

Therefore, on behalf of Supervisor Mendelsohn, Supervisor Kauffman moved that the Board direct staff of the Department of Public Works and Environmental Services, and the Department of Planning and Zoning to proceed with concurrent processing of this application. He noted that this motion does not relieve the applicant from compliance with the provision of any and all applicable ordinances, regulations, or adopted standards, and does not constitute support by the Board of Supervisors for the Special Exception application. Supervisor Hyland seconded the motion, which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Mendelsohn not yet having arrived.

74. **FAIRFAX CORNER SHARED PARKING MOTION AND A-2 – APPROVAL OF AN INITIAL PARKING REDUCTION REQUEST FOR FAIRFAX CORNER TOWN CENTER (SPRINGFIELD DISTRICT)**
(Tape 7)

(NOTE: Earlier in the meeting action was deferred on Action Item A-2. See Clerk's Summary Item CL#19.)

Supervisor McConnell said that the applicant for the Fairfax Corner mixed-use project has requested a shared parking reduction, which has been under review for almost two years. The main unresolved issue is how much theatre parking needs to be provided on weekday afternoons.

Supervisor McConnell said that staff has utilized a 1983 ULI Study which indicates that 70 percent of a theatre's parking should be available on a weekday afternoon. The applicant has conducted actual surveys of four different theatres, three in Northern Virginia and one in Florida at three different time periods - July, Christmas week, and January. The applicant's data indicates that less than 30 percent of a theatre's parking is used on weekday afternoons. The applicant has proposed that 35 percent of the theatre parking will be available on weekday afternoons.

Supervisor McConnell noted that in this case, the applicant's data is more accurate and relevant than the 1983 ULI study. She noted that this applicant intends to invest over \$100 million in this mixed-use project.

Supervisor McConnell noted that if the parking proves not to be adequate, there is a condition - found in the fifth bullet of the attachment distributed with the Board Matter - which allows the Board to require the applicant to provide additional parking. The County is fully protected if there is a problem.

Therefore, Supervisor McConnell moved that the Board approve an initial parking reduction for Fairfax Corner pursuant to the staff recommendation with the modification to the staff recommendation as distributed and as follows:

- An initial parking reduction of **27.8** percent for Phase I/Phase IA development of Fairfax Corner Town Center
- A **27.5** percent reduction of the required on-site parking at the completion of the entire development pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Paragraph 4(B), Section 11-02, based on an analysis for parking requirements for each use on the site and incorporation of that data in a shared use parking study based on the characteristics of each use, on the conditions contained in the Board Agenda Item dated March 18, 2002.

Supervisor McConnell noted that this would result in a minimum of **2,336** parking spaces provided for Phase I/IA and a minimum of **2,990** parking spaces provided for buildout.

Supervisor Connolly seconded the motion.

Discussion ensued with input from Richard B. Hayes, staff, Department of Public Works and Environmental Services, and Frank McDermott, attorney for the applicant.

Anthony H. Griffin, County Executive, stated that staff would provide a total review of this application since its inception.

Following further discussion, with input from Mr. McDermott, the question was called on the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

75. **DIXCENGATO REZONING APPLICATIONS** (Tape 7)

Supervisor McConnell said that on January 28, 2002, the Board authorized the inclusion of right-of-way for portions of Ruffin Drive, Deming Drive, Butler Drive, Legato Road, Dixie Hill Road, Rhett Lane, and Quality Street within the land area of the Centex Homes DixCenGato rezoning applications. The application has been reviewed by staff and, in response to staff's comments, the applicant has added new parcels, rendering the three application areas contiguous and resulting in the consolidation of the three rezoning applications to one. The consolidation of additional parcels enables the applicant to reconfigure roadways and ensure provision of the appropriate infrastructure. To that end, Centex has requested Board authorization to include additional right-of-way within the application land area.

Therefore, Supervisor McConnell moved that the Board authorize the inclusion of 10.56519 acres of right-of-way for portions of Ruffin Drive, Butler Drive, Dixie Hill Road, Rhett Lane, and Legato Road, and all of the right-of-way for Deming Drive, Deljo Drive, and Quality Street within the land area of the Centex Homes DixCenGato rezoning application. The right-of-way areas to be included are adjacent to the following tax map parcels:

- 56-1-((1))-11A and 11B, 27 through 30, inclusive
- 56-1-((2))-1 through 5, inclusive
- 56-1-((3))-1 through 15, inclusive
- 56-1-((4)) 4, 6 through 12, inclusive

- 56-1 ((5))-1 through 28, inclusive
- 56-1-((6))-1 through 10, inclusive
- 56-1-((9))-1 through 6, inclusive, 11 through 13, inclusive; and 15 through 22, inclusive
- 56-1-((11))-1, 2, 3A, 4A, 5, 6, 7 and Parcels A and B.

Supervisor McConnell noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not predetermine or prejudice the consideration of the rezoning applications or future abandonment/vacation requests in any way. Supervisor Frey seconded the motion.

Supervisor Frey noted for the record his desire to continue having a street named Quality.

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

76. **LANDMASTER, INCORPORATED** (Tape 7)

Supervisor McConnell said that Landmaster, Incorporated has filed a rezoning application on its property identified as Tax Map 77-1((1)) 5. The application requests rezoning from the C-8 District to the I-5 District in this industrial area on the north side of the Norfolk Southern railway. A section of Hill Street bisects the property and will be the subject of a vacation application.

Therefore, Supervisor McConnell moved that the Board authorize the inclusion of the subject portion of Hill Street to be included in the application. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not predetermine or prejudice the consideration of the rezoning applications or future abandonment/vacation requests in any way. Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

77. **CONVEYANCE OF ABANDONED SUMMIT DRIVE RIGHT-OF-WAY**
(Tape 7)

Supervisor McConnell said that on August 6, 2001, the Board abandoned a segment of Summit Drive right-of-way north of Lee Highway. The abandonment was done to realign the right-of-way in accordance with the Board's approval of Rezoning Application RZ 2000-SU-012. Centex Homes has requested that a portion of the abandoned right-of-way be conveyed to Centex Homes to develop the property in accordance with the approved development plan. Centex has

requested that the Board schedule the appropriate Board public hearing for April 29, 2002, and staff does not object to the requested date.

Therefore, Supervisor McConnell moved that the Board direct staff to schedule the appropriate public hearing on the conveyance of the previously abandoned Summit Drive right-of-way to occur on April 29, 2002. She noted that this motion does not in any way prejudice the Board's consideration of the request to convey the abandoned right-of-way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

78. **REVIEW OF STUDIES** (Tape 7)

Supervisor McConnell reminded the Board that she will soon be sharing the results of a survey her office conducted. She asked unanimous consent that the Board direct staff to examine ways that the County can become more independent of the State capital. Without objection, it was so ordered.

Chairman Hanley suggested that the staff review the myriad of studies that have been conducted on restructuring state and local responsibilities.

79. **BEST MANAGED COUNTY PLAQUES** (Tape 7)

Supervisor Connolly expressed appreciation to the County Executive and staff for distributing to the Board plaques on the County's number one rating by *Governing Magazine*.

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

At 1:55 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 as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).

1. *Board of Supervisors v. Thoburn Limited Partnership, et al.* (Dranesville District)
2. *Thanh Van Tran v. Jane W. Gwinn, Fairfax County Zoning Administrator*, In Chancery No. 163246 (Fx. Co. Cir. Ct.) (Sully District)
3. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Jose A. Neto, Isaura A. Neto, and Neto Construction Co., Inc.*, In Chancery No. 174308 (Fx. Co. Cir. Ct.) (Lee District)
4. *Board of Supervisors v. Roger DeMarco, et al.*, At Law No. 202313 (Fx. Co. Cir. Ct.) (Hunter Mill District)
5. *Board of Supervisors v. Randolph Williams, Inc., et al.*, At Law No. 202356 (Fx. Co. Cir. Ct.) (Sully District)

and in addition:

- Fairfax County Economic Development Authority Resource Recovery Revenue Refunding Bonds, Series A
- Tort Claim Filed by Convista, Incorporated
- Reid Scott, et al., versus Commonwealth of Virginia, et al., 247 Va. 379

Supervisor Bulova seconded the motion, which carried by a vote of seven, Supervisor Frey and Supervisor Hyland being out of the room, Supervisor Mendelsohn not yet having arrived.

SBE:sbe

At 3:50 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

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

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which

closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Hudgins seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

82. **AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING A PROPOSED SALE OF LAND COMMONLY KNOWN AS LAND BAY A** (Tape 8)

Supervisor Hyland moved that the Board authorize the advertisement of a public hearing to be held before the Board on April 8, 2002, in accordance with Virginia Code Annotated § 15.2-1800 (Michie Supplement 2001) regarding a proposed sale by the Board to Fair Lakes Metropolitan Square, LLC and Fair Lakes Metropolitan Square II, LLC of land commonly known as Land Bay A, as identified on Fairfax County Tax Map Number 55-2((1)) 15, excluding therefrom a portion of such land intended to be used for a police forensic facility, for a purchase price of \$15,000,000. Supervisor Connolly seconded the motion, which **CARRIED** by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn abstaining.

83. **DENIAL OF THE TORT CLAIM OF CONVISTA, INCORPORATED** (Tape 8)

Supervisor Hudgins moved that the Board deny the claim of Convista, Incorporated that is set forth in the letter dated March 7, 2002, from Convista, Incorporated's attorney. Supervisor Connolly seconded the motion, which carried by unanimous vote.

AGENDA ITEMS

84. **A-7 –AUTHORIZATION TO REALLOCATE \$250,000 FROM PROJECT 014049, ROGERS GLEN WITHIN FUND 144, HOUSING TRUST FUND, TO PROJECT 014140, THE LEWINSVILLE EXPANSION PROJECT, FOR FURTHER PREDEVELOPMENT EXPENSES INCLUDING MARKET ANALYSIS, ENGINEERING, TRAFFIC ANALYSIS AND OTHER STUDIES** (Tape 8)

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

On motion of Supervisor Mendelsohn, seconded by Chairman Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and reallocated \$250,000 from Rogers Glen, Project 014049, within Fund 144,

Housing Trust Fund, to the Lewinsville Expansion Project for a market analysis, engineering study, traffic analysis and other studies for the development of a 60-unit assisted living facility, a kitchen and dining facility, expansion of the existing senior center, and a family respite center.

PW:pw

85. **3 P.M. – BOARD DECISION ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE MCLEAN HEIGHTS SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (DRANESVILLE DISTRICT)** (Tape 9)

(R) (NOTE: At its February 25, 2002, meeting the Board deferred decision on this item until March 4, 2002. At its March 4, 2002, meeting the Board deferred decision on this item until March 18, 2002.)

Supervisor Mendelsohn moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of McLean Heights Sanitary Sewer Extension and Improvement (G00014), in Project X00826, Extension Project, in Fund 402, Sewer Construction Improvements.

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

86. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-V-035 (LANDMARK PROPERTY DEVELOPMENT, LLC) (MOUNT VERNON DISTRICT)** (Tape 9)

(NOTE: At its March 4, 2002, meeting the Board deferred the public hearing on this item until March 18, 2002.)

The application property is located at 6310 Potomac Avenue, Tax Map 83-4 ((2)) (29) 28, 28A, 29, and 30.

Mr. John H. 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 Landmark Property Development

Supervisor Hyland disclosed the following campaign contribution which he 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. John Thillmann
- In excess of \$200 from Cherokee Management

Following the public hearing, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Hudgins and Supervisor McConnell being out of the room.

Supervisor Hyland moved approval of Special Exception Application SE 01-V-035, subject to the development conditions contained in Appendix 1 of the staff report dated January 10, 2002. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Hudgins and Supervisor McConnell being out of the room.

87. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM), CHAPTERS 7, 8, AND 10, REGARDING BALLFIELDS, CENTERLINE STREET RADIUS, AND SANITARY SEWER STEEL CASING PIPE/TUNNEL DETAIL** (Tape 9)

- (O) A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Following the public hearing, Jan Shaw Leavitt, staff, Department of Public Works and Environmental Services, presented the staff report.

Supervisor Frey moved adoption of the proposed amendments to the PFM, Chapters 7, 8, and 10, regarding ballfields, centerline street radius, and sanitary sewer steel casing pipe/tunnel detail as set forth in the staff report dated December 3, 2001, and as recommended by the Planning Commission on February 21, 2002. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting “AYE,”

Supervisor Bulova, Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room.

88. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 107 (PROBLEM SOILS)** (Tape 9)

- (O) A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Following the public hearing, discussion ensued with input from Jan Shaw Leavitt, staff, Department of Public Works and Environmental Services.

Supervisor Kauffman moved approval of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) and Chapter 107 (Problem Soils), as set forth in the staff report dated January 28, 2002 and as recommended by the Planning Commission on February 28, 2002. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn and Chairman Hanley voting “AYE,” Supervisor Bulova, Supervisor Hudgins, Supervisor Hyland and Supervisor McConnell being out of the room.

89. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-Y-047 (UPPER OCCOQUAN SEWAGE AUTHORITY) (SULLY DISTRICT)** (Tape 9)

The application property is located at 14631 Compton Road, Tax Map 64-2 ((1)) 23 and 24.

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

Supervisor Frey moved approval of Special Exception Application SE 01-Y-047, subject to the proposed development conditions dated March 18, 2002. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved:

- Modification of the transitional screening and barrier requirement along the north property line to the proposed single row of trees and the six-foot high chain link fence, as depicted on the SE plat.
- Waiver of the trail requirement along the Compton Road frontage, subject to the development conditions dated March 18, 2002.

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

90. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-037 (ZAFARALLAH KHAN) (MASON DISTRICT)** (Tape 9)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 01-M-037 until **April 8, 2002 at 3:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Hudgins, Supervisor Hyland and Supervisor McConnell being out of the room.

91. **ORDERS OF THE DAY** (Tape 9)

Chairman Hanley announced that there would be a change in the Orders of the Day and the Board would next proceed with the public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District).

92. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION PCA 91-W-023-2/FDPA 91-W-023-3 (FAIRFAX COUNTY BOARD OF SUPERVISORS) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#96.)

93. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-MV-057 AND REZONING APPLICATION RZ 2001-MV-039 (LORTON VALLEY EAST LC) (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#95.)

94. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) TO CONSIDER THREE ORDINANCES THAT WOULD (1) RELOCATE THREE POLLING PLACES, CREATE A NEW PRECINCT AND ADJUST THE BOUNDARY BETWEEN EXISTING PRECINCTS; (2) ABOLISH TWO ABSENTEE VOTING SATELLITES; AND (3) ESTABLISH HOURS OF OPERATION FOR THE ABSENTEE VOTING SATELLITES** (Tape 9)

(Os) A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Following the public hearing, Erin C. Ward, Assistant County Attorney, presented the staff report and discussion ensued with input from Margaret K. Luca, Electoral Board Secretary.

Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District), to:

- Relocate the polling places for Dogwood, Pine Spring, and Ridgelea precincts.
- Divide the Frying Pan precinct to form a new precinct.
- Adjust the boundary between Haycock and Westhampton precincts to conform to the Congressional district line.
- Abolish the absentee voting satellites at the Richard A. King Center and the Sully District Office.
- Establish the hours of operation for all absentee voting satellites.

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

95. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-MV-057 AND REZONING APPLICATION RZ 2001-MV-039 (LORTON VALLEY EAST LC) (MOUNT VERNON DISTRICT)** (Tape 9)

(O) The Proffered Condition Amendment Application PCA 2000-MV-057 property is located at the south terminus of 4th Place, approximately 500 feet east of Furnace Road, Tax Map 107-3 ((1)) 13, 14, and 16.

The Rezoning Application RZ 2001-MV-039 property is generally located west of I-95, east of Furnace Road, in the vicinity of the Shirley Acres Subdivision, Tax Map 107-3 ((1)) 15.

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

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

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

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MV-039, from the R-1 District to the PDH-4 District and approval of the Conceptual Development Plan, subject to execution of proffers consistent with those dated February 28, 2002.
- Waiver of the privacy yard requirements for the attached units, subject to the development conditions dated February 25, 2002.
- Approval of Proffered Condition Amendment Application PCA 2000-MV-057, subject to execution of proffers dated February 25, 2002.
- Waiver of the privacy yard requirement for the attached units, subject to the development conditions dated February 28, 2002.

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

96. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION PCA 91-W-023-2/FDPA 91-W-023-3 (FAIRFAX COUNTY BOARD OF SUPERVISORS) (PROVIDENCE DISTRICT)** (Tapes 9-10)

The application property is located in the southwest quadrant of the intersection of Main Street and Chain Bridge Road, Tax Map 57-4 ((1)) 14 and 14A.

Ms. Ellen vanHully-Bronson, Project Manager, Department of Public Works and Environmental Services, reaffirmed the validity of the affidavit for the record.

Ms. vanHully-Bronson 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 three speakers, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued with input from Anthony H. Griffin, County Executive.

Supervisor Connolly moved:

- Approval of Proffered Condition Amendment/Final Development Plan Amendment Applications PCA 91-W-023-2/FDPA 91-W-023-3 subject to the proffers dated March 13, 2002.
- Approval of an eight-foot tall wall with a three-foot tall open decorative pergola along Judicial Drive pursuant to the provisions of Paragraph 8, Section 16-401 of the Zoning Ordinance.

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

97. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), REGARDING THE METHOD FOR DETERMINING THE ANNUAL EMPLOYER CONTRIBUTION RATE IN RETIREMENT SYSTEMS** (Tape 10)

- (O) A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Following the public hearing, which included testimony by one speaker and input from Lurnz A. Swartz, Executive Director to the Retirement Boards, Supervisor Gross moved approval of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Sections 3-2-26, 3-3-27, and 3-7-25, modifying the methodology for determining the annual employer contribution rates in a manner that would decrease the volatility in the rates while still following a methodology that adequately funds the retirement systems. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

DS:ds

98. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING A SUPPLEMENTAL BENEFIT FOR FUTURE RETIREES OF THE UNIFORMED RETIREMENT SYSTEM** (Tape 11)

(O) A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Following the public hearing, which included testimony by four speakers, discussion ensued with input from Anthony H. Griffin, County Executive; Lurnz A. Swartz, Executive Director to the Retirement Boards; and Captain Jack Hurlock, Criminal Investigations Bureau, Police Department.

Supervisor Gross asked unanimous consent that the Board direct staff to provide information regarding the Police Officers Retirement System not being included in the County's Social Security Retirement System.

Following further discussion, Supervisor Gross asked unanimous consent that the Board direct staff to provide a:

- History of the Police Officers withdrawing from social security.
- History of the 12 percent that the Police Department received previously.
- Yearly break down on the \$16.7 Million unfunded liability.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Section 3-3-33, changing benefits payable to future retirees from the Uniformed Retirement System. Supervisor Connolly and Supervisor Hudgins jointly seconded the motion and it

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

Supervisor Hyland moved that the Board direct staff to return with the retiree issue as a Consideration Item. Supervisor Mendelsohn seconded the motion.

Following discussion, with input from Mr. Griffin, the question was called on the motion and it carried by unanimous vote.

99. **4:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY COMMERCIAL REVITALIZATION BOND PROJECT - ANNANDALE STREETScape (JOHN MARR DRIVE/ROUTE 236) (MASON DISTRICT)** (Tape 11)

- (R) A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Gross moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of County Commercial Revitalization Bond Project 008909 - Annandale Streetscape (John Marr Drive/Route 236). Supervisor Hyland and Supervisor Bulova jointly seconded the motion.

Following a brief discussion, the question was called on the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

100. **4:30 P.M. – BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING HOME CHILD CARE FACILITIES** (Tape 11)

- (O) (NOTE: The public hearing was held on October 22, 2002, and the Board deferred decision on this item until March 18, 2002.)

Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as advertised, with the following change to Paragraph 6B of Section 10-103, to require that, except in emergency situations, the resident child care provider remains on the premises while the home child care facility is in operation. Chairman Hanley seconded the motion.

Supervisor Bulova asked to amend the motion that the maximum number of nonresident children allowed in a home child care facility remain at ten. Supervisor Connolly seconded the motion.

Discussion ensued with input from Eileen M. McLane, Deputy Zoning Administrator, Ordinance Administration Branch, Department of Planning and Zoning.

The question was called on the amendment to the motion and it **CARRIED** by a recorded vote of seven, Supervisor Hudgins and Chairman Hanley voting "NAY," Supervisor McConnell being out of the room.

Following discussion, with input from Ms. McLane, the question was called on the main motion, as amended, and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

101. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-P-135-3 (PUBLIC STORAGE, INCORPORATED, AND MCDONALD'S CORPORATION) (PROVIDENCE DISTRICT)**
(Tape 11)

The application property is located at 2955, 3001, 3005, and 3009 Gallows Road, Tax Map 49-4 ((1)) 17, 20-22.

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh 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, Bill Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Approval of Special Exception Amendment Application SEA 80-P-135-3, subject to the development conditions dated March 15, 2002.
- Waiver of the front yard setback requirement and angle of bulk plane for Lot One.

- Modification of the barrier requirements for the northern boundary of Lot One, in accordance with the SE plat.
- Waiver of Additional Standards 5A and 5B for a fast food restaurant.

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

102. **ORDERS OF THE DAY** (Tape 9)

Chairman Hanley announced that there would be a change in the Orders of the Day and the Board would next proceed with Appointments to Citizens Boards, Authorities, Commissions, and Advisory Groups which was deferred earlier in the day.

PW:pw

103. **10:45 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 11)

(APPTS)
(BACs)

(NOTE: Earlier in the meeting appointments were deferred. See Clerk's Summary Item CL#16.)

AIRPORTS ADVISORY COMMITTEE

Supervisor Gross moved the appointment of Ms. Roe H. Panella as the Mason District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting the Board made another appointment to this committee. See page 55.)

ANIMAL SERVICES ADVISORY COMMISSION

Supervisor Hudgins moved the reappointment of Ms. Ava L. McDannell as the Hunter Mill District Representative to the Animal Services Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the reappointment of Ms. Jeanine M. Larsen as the Providence District Representative to the Animal Services Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville, Springfield, and Sully District Representatives to the Animal Services Advisory Commission.

ATHLETIC COUNCIL

Chairman Hanley moved the reappointment of Ms. Elizabeth T. Bradsher as the At-Large #1 Principal Representative to the Athletic Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointments to the Athletic Council:

- Mr. Carl Coan, III as the Adult Softball Representative
- Ms. Sharon Sealock as the Adult Softball Alternate Representative
- Mr. Mark D. Meana as the Youth Football League Representative
- Mr. Sandi Murnan as the Youth Football League Alternate Representative

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

BOARD OF BUILDING CODE APPEALS

The Board deferred the appointment of the Superintendent of Building Construction Representative to the Board of Building Code Appeals.

CHARACTER COUNTS! TASK FORCE

The Board deferred the appointment of the Sully District Representative to the Character Counts! Task Force.

CHILD CARE ADVISORY COUNCIL

Supervisor McConnell moved the appointment of Ms. Mary Campbell as the Springfield District Representative to the Child Care Advisory Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

COMMISSION FOR WOMEN

The Board deferred the appointment of the Mason District Representative to the Commission for Women.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the At-Large (Minority) Representative, Braddock and Springfield District Representatives, and Donor Family Member Representative to the Commission on Organ and Tissue Donation and Transplantation.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Commission on Organ and Tissue Donation and Transplantation:

- Ms. Patricia A. McCabe as the City of Fairfax Representative

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

COMMUNITY ACTION ADVISORY BOARD

Supervisor Kauffman moved the appointment of Ms. Deloris Jones Baskfield to fill the unexpired term of Mr. Kenneth Halla as the Lee District Representative to the Community Action Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville, Hunter Mill, and Mason District Representatives to the Community Action Advisory Board.

COMMUNITY IMPROVEMENT COMMITTEE

Supervisor Hudgins moved the reappointment of Ms. Dorolyn Cotton as the Hunter Mill District Representative to the Community Improvement Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Vernon L. Moore as the Lee District Representative to the Community Improvement Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Robert A. Smolinski as the Mount Vernon District Representative to the Community Improvement Committee. Chairman Hanley seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Braddock, Dranesville, Mason, Mason (Fairdale Community), Providence, Springfield, and Sully District Representatives to the Community Improvement Committee.

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

The Board deferred the appointment of the Dranesville District Representative to the Countywide Non-Motorized Transportation (Trails) Committee.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Mason District Representative to the Criminal Justice Advisory Board.

ENGINEERING STANDARDS REVIEW COMMITTEE**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointments to the Engineering Standards Review Committee:

- Mr. Reid M. Dudley as the Engineers and Surveyors Institute Representative
- Ms. Jean Packard as the League of Women Voters Representative

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the Springfield District Representative to the Environmental Quality Advisory Council.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the At-Large and Springfield District Representatives to the Fairfax Area Disability Services Board.

FAIRFAX COUNTY CONSTRUCTION TRADES ADVISORY BOARD

Supervisor Gross moved the appointment of Mr. Gerald M. Kassalow as the Fairfax County Resident Representative to the Fairfax County Construction Trades Advisory Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Electrical Tradesman #1 and #2, Gas Fitter Tradesman, HVAC Tradesman, and Plumbing Tradesman #1 and #2 Representatives to the Fairfax County Construction Trades Advisory Board.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Hyland announced the nomination of Ms. Theresa J. Fanone to fill the unexpired term of Ms. Frances M. Hicks as the Mount Vernon District Representative to the Fairfax-Falls Church Community Services Board at the next Board meeting.

Chairman Hanley announced that the Board would make this appointment at its next meeting.

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the At-Large #12 Representative to the Human Rights Commission.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Sully District #2 Representative to the Human Services Council.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

Supervisor Hudgins moved the appointment of Mr. William A. Young, III to fill the unexpired term of Ms. Katherine K. Clark as the Hunter Mill District Representative to the Information Technology Policy Advisory Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointment of the At-Large Chairman's Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council.

CONFIRMATION:

Supervisor Gross moved the confirmation of the following appointments to the Juvenile and Domestic Relations District Court Citizens Advisory Council:

- Mr. John J. Harold as the City of Fairfax Representative
- Mr. George A. Ashley as City of Fairfax Council Representative

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

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the At-Large #5 Representative to the Oversight Committee on Drinking and Driving.

REDEVELOPMENT AND HOUSING AUTHORITY

The Board deferred the appointment of the Hunter Mill District Representative to the Redevelopment and Housing Authority.

ROAD VIEWERS BOARD

The Board deferred the appointment of the At-Large #2 Representative to the Road Viewers Board.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Tenant Member #1 Representative to the Tenant Landlord Commission.

TREE COMMISSION

Supervisor Mendelsohn moved the appointment of Mr. John L. Dudzinsky to fill the unexpired term of Mr. Eugene A. LeBoeuf as the Dranesville District Representative to the Tree Commission. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Springfield and Sully District Representatives to the Tree Commission.

ADHOC COMMITTEES

HEALTH AND MEDICAL CARE DELIVERY TASK FORCE

Chairman Hanley noted that this task force had completed its project.

SIGN TASK FORCE

The Board deferred the appointment of the Springfield District Representative to the Sign Task Force.

ADDITIONAL APPOINTMENT TO THE AIRPORTS ADVISORY COMMITTEE

(NOTE: Earlier in the meeting, the Board made an appointment to the Airports Advisory Committee. See page 49.)

Supervisor Connolly moved the appointment of Mr. Robert L. Freeman to fill the unexpired term of Mr. Richard R. Martinez, Jr., as the Providence District Representative to the Airports Advisory Committee. Supervisor Bulova seconded the motion, which carried by unanimous vote.

DS:ds

104. **5 P.M. – PH TO OBTAIN CITIZEN INPUT FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES' GRANT APPLICATION TO THE COMMONWEALTH OF VIRGINIA FOR FUNDING UNDER THE FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 PROGRAM FOR FIVE REPLACEMENT VEHICLES** (Tape 12)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Following the public hearing, Supervisor Connolly moved that the Board authorize staff to submit the transcript of this public hearing to complete the application for FTA Section 5310 grant funds for the replacement of Fastran's five high mileage vehicles. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

105. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-038 (AT&T WIRELESS SERVICES, INCORPORATED, D/B/A AT&T WIRELESS) (MASON DISTRICT)** (Tape 12)

The application property is located at 7212 Early Street, Tax Map 60-3 ((24)) 9B.

Mr. Terence S. Cooke reaffirmed the validity of the affidavit for the record.

Mr. Cooke 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, Fran Burnsynski, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 01-M-038, subject to the development conditions dated January 30, 2002.
- Modification of the screening requirement along the northern, eastern, and southwestern property boundaries.
- Waiver of the barrier requirements along the northern, eastern, and southwestern property boundaries.

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

106. **5 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-C-051-2 (VERIZON VIRGINIA INCORPORATED) (SULLY DISTRICT)** (Tape 12)

The application property is located at 2905 Fox Mill Road, Tax Map 36-1 ((1)) 21.

Mr. Carson Lee Fifer, Jr., reaffirmed the validity of the affidavit for the record.

Mr. Fifer 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.

Discussion ensued with input from Barbara J. Nissel, agent for Verizon Virginia Incorporated, Real Estate Construction Department.

Following the public hearing, which included testimony by three speakers, Fran Burnsynski, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Board defer decision on Special Exception Amendment Application SEA 81-C-051-2 until **April 8, 2002, at 3:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

107. **5 P.M. – PH ON REZONING APPLICATION RZ 2001-PR-032 (STANLEY-MARTIN HOMEBUILDING, LLC) (PROVIDENCE DISTRICT)** (Tape 12)

- (O) The application property is located on the south side of Courthouse Road, approximately 250 feet west of its intersection with Sutton Road, Tax Map 48-1 ((1)) 113A and 113B.

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, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-PR-032, be amended from the R-1 District to the PDH-4 District, and approval of the Conceptual Development Plan, subject to the proffers dated March 18, 2002. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

108. **5 P.M. – PH ON REZONING APPLICATION RZ 2001-SU-033 (STANLEY-MARTIN HOMEBUILDING LLC) (SULLY DISTRICT)** (Tapes 12-15)

The application property is located on the north side of Wharton Lane at its intersection with Mount Gilead Road, Tax Map 54-4 ((1)) 13 - 17 and 54-4 ((3)) 1, 2, and 3.

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 22 speakers, Bill Mayland, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Discussion ensued with input from Barbara A. Byron, Director, ZED, DPZ; and Steven B. Alloy, President, Stanley-Martin Homebuilding, LLC.

Supervisor Frey moved that the Board defer decision on Rezoning Application RZ 2001-SU-033 until April 8, 2002, at 3 p.m. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

ADDITIONAL BOARD MATTER

NV:nv

109. **ROUTE 28 BOND ISSUE UPDATE** (Tape 15)

Chairman Hanley raised the issue of action by the Loudoun County Board of Supervisors regarding a Route 28 transportation improvement bond.

Anthony H. Griffin, County Executive, called the Board's attention to copies of the staff report prepared by Loudoun County for its Board of Supervisors which he distributed earlier in the day. He reported that the Loudoun County Board of Supervisors directed staff to work on Alternative Four, which was to direct Loudoun County staff to work with the Virginia Department of Transportation (VDOT) and Fairfax County staff to develop a proposal that would include a reduced moral obligation on both counties.

Leonard P. Wales, Assistant Director, Department of Management and Budget, briefed the Board on the matter and said that the State would refund its own bonds but extend the term. The result is to dramatically reduce the amount of debt service from the tax district that goes to servicing State bonds. The surplus revenue would be leveraged into a local bond issue by one of the County Economic Development Authorities that would be backed by the counties sharing a moral obligation pledge that should generate about \$70 million. This would be added to the State's \$70 million for a total construction fund of \$140 million. The counties would provide a limited moral obligation of about \$35 million of any new money.

Supervisor Mendelsohn moved that the Board direct the County Executive to continue working with Loudoun County and VDOT to come to an agreement along the lines described by Mr. Wales. Supervisor Frey seconded the motion.

Following further discussion, with input from Mr. Wales, the question was called on the motion, which carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

AGENDA ITEMS

DS:ds

110. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-I-1J, LOCATED EAST OF ANNANDALE ROAD BETWEEN BRICE STREET AND COSTNER DRIVE (PROVIDENCE DISTRICT)**
(Tape15)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved that the Board approve the Task Force alternative, which is the Planning Commission recommendation for APR Item 01-I-1J. This recommendation identifies the subject property as being planned for residential density of three to four dwelling units per acre, and adds text highlighting that commercial intrusion should not occur in the James Lee Conservation Area. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, and Supervisor Kauffman being out of the room.

111. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-1F, LOCATED SOUTH OF ROUTE 50 BETWEEN CHICHESTER LANE AND BARKLEY DRIVE (PROVIDENCE DISTRICT)**
(Tape 15)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by four speakers, Supervisor Connolly moved that the Board approve the Task Force alternative, which is the Planning Commission recommendation for APR Item 01-II-1F. The recommendation indicates that with access to Route 50, residential use could be one to two dwelling units per acre, and if access is to Barbara Lane or

Chichester Lane residential use could be one dwelling unit per acre. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, and Supervisor Kauffman being out of the room.

112. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-3F, LOCATED EAST OF PICKETT ROAD AND NORTH OF THE MANTUA HILLS SUBDIVISION (PROVIDENCE DISTRICT)**
(Tape 15)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved that the Board approve the staff alternative as modified by the Planning Commission recommendation for APR 01-II-3F. This recommendation indicates that this property is planned for Public Park use and that efforts should be made to preserve mature trees on the site where feasible. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Kauffman being out of the room.

113. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 01-II-5F, 01-II-6F, 01-II-7F AND 01-II-8F, LOCATED NORTH OF WOODBURN ROAD, EAST OF PROSPERITY AVENUE, AND SOUTH AND WEST OF ACCOTINK CREEK (PROVIDENCE DISTRICT)**
(Tape 15)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, Supervisor Connolly moved that the Board approve the nominations as modified by the Planning Commission for APR Items 01-II-5F, 01-II-6F, 01-II-7F, and 01-II-8F. This recommendation limits

infill development for the subject properties to no more than one dwelling unit per acre. Supervisor Gross seconded the motion.

Following discussion, the question was called on the motion and it **CARRIED** by a record vote of six, Supervisor McConnell voting "NAY," Supervisor Frey, Supervisor Hyland, and Supervisor Kauffman being out of the room.

114. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-9F, LOCATED IN THE NORTHWEST QUADRANT OF CHAIN BRIDGE ROAD AND HUNTER MILL ROAD (PROVIDENCE DISTRICT)** (Tape 15)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved that the Board approve the staff alternative, which is the Planning Commission recommendation for APR Item 01-II-9F. The recommendation modifies the current Plan option from 4.5 to 5 dwelling units per acre (du/ac) to 3 to 4 du/ac to reflect the approved rezoning on this site. Supervisor McConnell and Supervisor Hudgins jointly seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Kauffman being out of the room.

115. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 01-II-11F, 01-II-13V, 01-III-27UP AND 01-III-28UP, TO ADDRESS THE 7.2 MILE HUNTER MILL CORRIDOR FROM CHAIN BRIDGE ROAD TO BARON CAMERON AVENUE (DRANESVILLE, HUNTERMILL, SULLY, AND PROVIDENCE DISTRICTS)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by five speakers, Supervisor Connolly moved that the Board approve the staff alternative, which is

the Planning Commission recommendation for APR Items 01-II-11F, 01-II-13V, 01-III-27UP, and 01-III-28UP. The recommendation adds plan text that reflects the intent of the nominators by recognizing that known and potential heritage resources exist within the corridor. Supervisor Hudgins and Supervisor Mendelsohn jointly seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

116. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-12F, LOCATED SOUTH OF ROUTE 50 AND EAST OF THE CITY OF FAIRFAX (PROVIDENCE DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved that the Board approve the staff alternative, which is the Planning Commission recommendation for APR Item 01-II-12F. The recommendation describes the character of the area in a more accurate manner than the current plan. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

117. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-19M, LOCATED IN THE NORTHEASTERN QUADRANT OF ROUTE 7 AND INTERSTATE 495 (PROVIDENCE DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved that the Board approve the staff alternative as modified by the Planning Commission recommendation for APR Item 01-II-19M. The recommendation adds an option for .9 floor area ratio with conditions that ensure transportation impacts are mitigated and that Transportation Demand

Management commitments are provided. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

118. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-1V, LOCATED EAST OF NUTLEY STREET, WEST OF HIDEAWAY ROAD, AND SOUTH OF INTERSTATE 66 (PROVIDENCE DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by four speakers, Supervisor Connolly moved that the Board approve the Task Force alternative with the Planning Commission modifications for APR Item 01-II-1V. The recommendation expands the four to five dwelling units per acre area known as Topaz Street and adds an option for two to three dwelling units per acre for a portion of the area west of Hideaway Road. The Planning Commission added bullets concerning vehicular and pedestrian access. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

119. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-2V, LOCATED SOUTH OF IDYLWOOD ROAD AND NORTH OF HILLTOP AVENUE, BETWEEN WILLIAMS DRIVE AND CEDAR LANE (PROVIDENCE DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, Supervisor Connolly moved that the Board approve the staff and Task Force alternative, which is the Planning Commission recommendation for APR Item 01-II-1V. The recommendation adds an option that would allow this parcel to be considered for a density slightly above three dwelling units per acre if the resulting subdivision is parcels of a similar size and

character as the adjoining parcels. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

120. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-16V, LOCATED SOUTH OF IDYLWOOD ROAD AND WEST OF GALLOWS ROAD (PROVIDENCE DISTRICT)** (Tapes 16-17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by six speakers, Supervisor Connolly moved that the Board approve the Task Force recommendation, which is the Planning Commission recommendation for APR Item 01-II-16V. The recommendation supports the nomination to replan the subject property from three to four dwelling units per acre (du/ac) to one to two du/ac. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell being out of the room.

121. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-II-19V, LOCATED SOUTH OF ROUTE 7, EAST OF ALINE AVENUE AND NORTH OF GALLOWS ROAD (PROVIDENCE DISTRICT)** (Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Charlene M. Fuhrman-Schulz, Planner III, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Joseph Annunziata, Chairman, Providence District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved that the Board approve the staff and Task Force alternative, as modified by the Planning Commission for APR Item 01-II-19V. The recommendation adds a mixed-use option for up to 1.27 floor area ratio (FAR) with consolidation for the subject property. The Planning Commission modifications increased the intensity from 1.2 FAR to 1.27 FAR, and add language concerning high-quality design and provides that if a hotel is

part of the mixed-use development, it should provide community meeting space. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

122. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-4BR, LOCATED IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF WEST OX ROAD AND ROUTE 50 IN THE FAIRFAX TOWNE CENTER SHOPPING CENTER (SPRINGFIELD DISTRICT)** (Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Tom McDonald, Chairman, Springfield District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, Supervisor McConnell moved that the Board approve the Planning Commission recommendation for APR Item 01-III-4BR shown on pages five and six of the staff report for the Springfield District as found in Attachment One of the Board Agenda Item dated March 18, 2002. The alternative would allow a limited amount of additional retail space or multi-family residential use with ground floor retail. Supervisor Frey seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

123. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-2BR, LOCATED SOUTH OF THE INTERSECTION OF CENTREVILLE ROAD (ROUTE 28) AND OLD CENTREVILLE ROAD (SULLY DISTRICT)** (Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Glenn Stroup, Chairman, Sully District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, Supervisor Frey moved that the Board approve the Planning Commission recommendations for APR Item 01-III-2BR. The alternative would replan the subject area for office use at .20 floor area ratio.

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

124. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-6BR, LOCATED SOUTH OF ROUTE 50 (LEE-JACKSON HIGHWAY) AND NORTH OF WALNEY ROAD (SULLY DISTRICT)**
(Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Glenn Stroup, Chairman, Sully District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, Supervisor Frey moved that the Board approve the Planning Commission recommendation for APR Item 01-III-6BR as shown on pages 57 through 60 of the staff report for Sully District and shown in Attachment One of the Board Agenda Item. The alternative updates the comprehensive plan by removing recommendations for office and/or industrial uses from the Rockland Village area and the Walney Road subdivision now that the area has been developed for residential and retail uses. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

125. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-8BR, LOCATED WEST OF CENTREVILLE ROAD AND SOUTH OF OLD MILL ROAD (SULLY DISTRICT)**
(Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Glenn Stroup, Chairman, Sully District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved that the Board approve the Planning Commission recommendation for APR Item 01-III-8BR. The recommendation adds an option for residential use at two to three dwelling units per acre with consolidation and other conditions. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

126. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-1UP, LOCATED IN THE NORTHWEST QUADRANT OF ROUTE 28 AND ROUTE 50 (SULLY DISTRICT)** (Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Glenn Stroup, Chairman, Sully District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, Supervisor Frey moved that the Board approve the Planning Commission recommendation for APR Item 01-III-1UP. The recommendation eliminates the .35 floor area ratio cap for hotel use, but requires that hotel uses meet the "Performance Criteria for Optional Uses." Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

127. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-3UP, LOCATED NORTH OF ROUTE 50, BETWEEN CHANTILLY ROAD AND DOWNS DRIVE (SULLY DISTRICT)** (Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Glenn Stroup, Chairman, Sully District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, Supervisor Frey moved that the Board defer decision on APR Item 01-III-3UP until **May 6, 2002, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

128. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-4UP, LOCATED NORTH OF ROUTE 50, WEST OF FAIR RIDGE CORPORATE CENTER ON PROPERTY OWNED BY DOMINION VIRGINIA POWER (SULLY DISTRICT)** (Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Glenn Stroup, Chairman, Sully District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, Supervisor Frey moved that the Board approve the Planning Commission recommendation for APR Item 01-III-4UP. The recommendation allows hotel as an alternative use. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

129. **7 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-III-8UP, FAIR OAKS HOSPITAL, LOCATED ON RUGBY ROAD (SULLY DISTRICT)** (Tape 17)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 28 and March 7, 2002.

Marianne R. Gardner, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations and Glenn Stroup, Chairman, Sully District Area Plan Review Task Force, presented the Task Force recommendations.

Following the public hearing, which included testimony by one speaker, discussion ensued with input from Ms. Gardner.

Supervisor Frey moved that the Board approve the Planning Commission recommendation for APR Item 01-III-8UP, with a modification noted in bold lettering as follows:

- The Planning Commission recommendation supports text changes that increase intensity to .30 FAR; expand medical office use; allow up to 100 feet in building height in the central campus area, but limit height for all other buildings to "60" feet; and limit the roof top antennae.

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

ADDITIONAL BOARD MATTERS

130. **FAREWELL AND REQUEST TO RECOGNIZE MR. GLEN STROUP**
(Tape 17)

Supervisor Frey announced that Glen Stroup, Chairman, Sully District Area Plan Review Task Force, is resigning. He said that he played a tremendous role in helping get the Task Force started.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite Mr. Stroup to appear at a future Board meeting to be recognized for his many years of service to the Task Force. Without objection, it was so ordered.

131. **FAREWELL TO SUSAN JOHNSON, CHIEF AIDE FOR SUPERVISOR FREY, SULLY DISTRICT** (Tape 17)

Supervisor Frey said that Susan Johnson, his Chief Aide for the Sully District, is resigning and her last day will be March 22, 2002. She will be leaving the County to return to Indiana and continue her education. He said that she has been a tremendous help and will be sorely missed. On behalf of the Board, he wished her success in her future endeavors.

132. **BUDGET HEARING REVISED TIME SCHEDULE** (Tape 17)

Chairman Hanley said that the budget hearing scheduled for Wednesday, April 10, 2002, will begin at 7 p.m., instead of 7:30 p.m., and advised the Clerk to inform all individuals who had signed up to speak on April 10, 2002.

133. **LETTER FROM ELECTORAL BOARD REGARDING SALARIES**
(Tape 17)

(NOTE: Earlier in the meeting the Board raised this issue. See Clerk's Summary Item CL#44.)

Chairman Hanley referred to a letter she had distributed to the Board earlier today from the Electoral Board. She relinquished the Chair to Acting-Chairman McConnell and moved that the Board direct staff to include the requested level pay for the Electoral Board Secretary and an increase in the supplemental pay for the General Registrar of Voters as a Consideration Item. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

Supervisor Gross asked unanimous consent that the Board direct staff to provide a history of the salary for the last two to three years. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board direct staff to include information regarding the State funding. Without objection, it was so ordered.

Discussion ensued with input from Anthony H. Griffin, County Executive.

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

At 12:05 a.m., on Tuesday, March 19, 2002, the Board adjourned.

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