

SBE:sbe

The meeting was called to order at 9:50 a.m., with all Members being present, with the exception of Supervisor Mendelsohn, and with Chairman Hanley presiding.

Supervisor Mendelsohn arrived at 9:55 a.m.

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

2. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF LOCAL FOUR-MAN BOBSLED TEAM** (Tape 1)

Supervisor Frey moved approval of the Certificates of Recognition presented to Mr. Michael Kohn and members of the local four-man bobsled team who are trying to qualify for a place on the 2002 Olympic bobsled team. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Connolly being out of the room.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. SAMUEL V. MOORE FOR YEARS OF SERVICE TO THE COUNTYWIDE NON-MOTORIZED TRANSPORTATION COMMITTEE** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Mr. Samuel V. Moore for his years of service as Braddock District Representative to the Countywide Non-Motorized Transportation Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. SUSAN CABLE FOR YEARS OF SERVICE WITH FAIRFAX COUNTY PARK AUTHORITY** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Ms. Susan Cable for her years with the Fairfax County Park Authority. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Connolly being out of the room.

5. **RESOLUTION OF RECOGNITION PRESENTED TO STEPHEN G. YEONAS AND SONS FOR 50 YEARS OF HOME BUILDING IN THE GREATER VIENNA AREA** (Tape 1)

Supervisor Dix moved approval of the Resolution of Recognition presented to representatives of Stephen G. Yeonas and Sons for 50 years of home building in the Greater Vienna Area. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

6. CERTIFICATES OF RECOGNITION PRESENTED TO THE EDUCATORS RESPONSIBLE FOR INSTITUTING AND COORDINATING THE SUMMER STUDY PROGRAM AT OXFORD UNIVERSITY (Tape 1)

Supervisor Mendelsohn moved approval of the Certificates of Recognition presented to the educators responsible for instituting and coordinating the summer study program at Oxford University. This motion was seconded by Supervisor Dix and carried by unanimous vote.

7. CERTIFICATE OF RECOGNITION PRESENTED TO THE FALLS CHURCH-MCLEAN CHILDREN'S CENTER ON THE OCCASION OF ITS 30TH ANNIVERSARY OF SERVICE TO THE COMMUNITY (Tape 1)

Supervisor Mendelsohn moved approval of the Certificates of Recognition presented to the Falls Church-McLean Children's Center on the occasion of its 30th anniversary of service to the community. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

AR:ar

8. 10:00 A.M. – PRESENTATION BY THE ENVIRONMENTAL QUALITY ADVISORY COMMISSION (EQAC) OF ITS ANNUAL REPORT ON THE ENVIRONMENT (Tape 2)

Robert McLaren, Chairman, Environmental Quality Advisory Council, presented the Environmental Quality Advisory Commission (EQAC) 1998 Annual Report on the Environment.

Following the presentation and discussion, Supervisor Bulova referred to item number two, page xvi of the report, under Recommendations, and asked unanimous consent that the Board direct EQAC to reevaluate its recommendation for the restoration of the full number of Urban Forester II positions. Without objection, it was so ordered.

Supervisor McConnell asked unanimous consent that the Board direct EQAC to examine the County's regulations requiring the removal of trees for temporary drainage easements. Without objection, it was so ordered.

Supervisor Gross referred to page III-9, number six, "Relax the 20 percent limitation on the number of lots in a subdivision that can be served by pipestems," and asked unanimous consent that the Board direct staff to respond with an update on this item. Without objection, it was so ordered.

With reference to the last paragraph of the report, page VI-11, regarding the proliferation of illegal signs, Supervisor Gross asked unanimous consent that the Board direct EQAC to

expand its review of the authorization required for the removal of these signs. Without objection, it was so ordered.

Following remarks by Supervisor Hyland regarding the cankerworm problem in Mount Vernon District, Mr. McLaren noted that EQAC is continuing its research of this problem.

Supervisor Dix asked unanimous consent that the Board direct EQAC to include in next year's report an assessment and evaluation of tree transplanting in right-of-ways in an effort to preserve our natural environment. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the Department of Planning and Zoning (DPZ) and/or the Department of Public Works and Environmental Services (DPW&ES) to provide information on the results of previous tree transplanting by developers throughout the County. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. 10:15 A.M. – PRESENTATION BY THE HISTORY COMMISSION OF THE FISCAL YEAR (FY) 1998 ACTIVITY REPORT AND JOINT PRESENTATION WITH THE CHAIRMAN OF THE FAIRFAX COUNTY PARK AUTHORITY ON THE PRESENTATION OF THE FAIRFAX COUNTY HISTORICAL TOUR MAP AND GUIDE TO PLACES OF INTEREST (Tape 2)

Francis R. "Pat" Bray, Jr., Chairman, History Commission, presented the Commission's Fiscal Year (FY) 1998 Activity Report, and joined Frank de la Fe, Chairman, Fairfax County Park Authority, on the presentation of the County's Historical Tour Map and Guide to Places of Interest.

BOARD MATTER

10. RECOGNITION OF WEEBLO PACK 698, DEN SEVEN, WHITE OAKS ELEMENTARY SCHOOL, IN THE BOARD AUDITORIUM (Tape 2)

Chairman Hanley recognized the presence of members of Weeblo Pack 698, Den Seven, from White Oaks Elementary School, Burke, and extended a warm welcome.

CM:cm

11. ADMINISTRATIVE ITEMS (Tape 3)

Supervisor Connolly moved approval of the Administrative Items with the exception of Administrative Item 5 - Additional Time to Commence Construction for Special Exception Application SE 94-Y-006, Kindercare Learning Centers, Incorporated (Sully District). This

motion was seconded by Supervisor Kauffman and carried by unanimous vote, Supervisor Bulla, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

(R) ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (LEE, SPRINGFIELD AND SULLY DISTRICTS)

Approved the request that certain streets listed in the Memorandum to the Board dated October 12, 1998 be recommended into the State Secondary System:

Subdivision District Street

Kingstowne-Lake Lee South Van Dorn,

Village Drive Route 613

Lake Village Drive

Shadowbrook, Springfield Alban Road, Route 790,

Section 1 (4 lanes)

Rolling Road,

Route 638,

Additional

Right-of-way

South Run Forest, Springfield Scott Street,

Section 1 Route 6734

Sleepy Brook Court

Scott Court

Hooes Road, Route 636,

Additional

Right-of-way only

Fairfax County Parkway

Route 7100,

Additional

Right-of-way only

Fair Oaks Hunt Sully Alderwoods Drive

Route 7201

Hunt Manor Drive

Hunt Manor Court

ADMIN 2 - INSTALLATION OF A MULTI-WAY STOP AT THE INTERSECTION OF CLYDESDALE STREET AND YORKSHIRE STREET (BRADDOCK DISTRICT)

- Endorsed the installation of a multi-way stop at the following intersection:
 - Clydesdale Street (Route 3624) and Yorkshire Street (Route 3385); and
 - Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.
- **ADMIN 3 – AWARD OF CONTRACT FOR THE GUM SPRINGS COMMUNITY CENTER EXPANSION AND AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE GUM SPRINGS COMMUNITY CENTER FACILITY LEASE AGREEMENT BETWEEN THE COUNTY AND THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (MOUNT VERNON DISTRICT)**

Authorized the Fairfax County Redevelopment and Housing Authority (FCRHA) to award a contract for the Gum Springs Community Center Head Start Expansion; an amendment to the Gum Springs Community Center Facility Lease Agreement; and the County Executive to execute an amendment to the Facility Lease Agreement with the FCRHA.

(AT) ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 89-C-048, MCLEAREN SHOPPING CENTER (SULLY DISTRICT)

Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 89-C-048 until October 30, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 94-Y-006, KINDERCARE LEARNING CENTERS, INCORPORATED (SULLY DISTRICT)

(NOTE: Later in the meeting, action was taken to defer this item. See Clerk's Summary Item CL #12.)

12. ADMIN 5 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 94-Y-006, KINDERCARE LEARNING CENTERS, INCORPORATED (SULLY DISTRICT) (Tape 3)

Supervisor Frey called the Board's attention to Administrative Item 5 – Additional Time to Commence Construction for Special Exception Application SE 94-Y-006, Kindercare Learning Centers, Incorporated (Sully District) and moved to defer this item until November 16, 1998. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

13. A-1 – APPROVAL OF LOAN GUARANTEE BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) FOR A RENOVATION LOAN IN AN AMOUNT NOT TO EXCEED \$155,000 TO HUNTINGTON WALK CONDOMINIUM (MOUNT VERNON DISTRICT) (Tape 3)

Following discussion, with input from Walter D. Webdale, Director, Department of Housing and Community Development (HCD), and Michael J. Scheurer, Director, Development and Real Estate Division, HCD, Supervisor Connolly moved that the Board defer this item until October 19, 1998 to allow staff time to provide Board Members with more financial information regarding this program. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to provide Board Members with information regarding the purpose of the program. Without objection, it was so ordered.

14. A-2 – ELIMINATION OF THE COUNTY'S MIDYEAR REVIEW PROCESS (Tape 3)

On motion of Supervisor Bulova, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and eliminated the requirement for a Midyear Review, but retained the Carryover Review and the Third Quarter Review.

If the School Board decides to present a Midyear Review to the Board of Supervisors that increases expenditures by \$500,000 or more, a public hearing on the School adjustments would be necessary. If the School Board's requested changes did not result in a net increase of \$500,000 and was a request to adjust funding levels among funds, a public hearing would not be required and the Board of Supervisors could address the change as a part of the regular Board package.

15. I-1 – COUNTY PROGRAMS SELECTED AS NATIONAL MODELS BY THE "STREAMLINING THE NATION'S BUILDING REGULATORY PROCESS" PROJECT (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 announcing that the following programs have been selected as national models by the "Streamlining the Nation's Building Regulatory Process:"

- Code Enforcement Through Training;
- Targeted Information Brochures;
- Residential Inspections Program; and
- Expedited Plan Review.

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

16. I-2 – CHANGE IN "MISS UTILITY" CONTRACTOR (COUNTYWIDE) (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 requesting authorization for staff to:

- Execute a Membership Agreement with the Northern Virginia Utility Protection Service, Incorporated; and
- Establish a five year contract for "Miss Utility" services with a total annual expenditure of approximately \$118,000.

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

17. I-3 – INTEGRATED SEWER SYSTEM SPECIAL PROJECTS BASIC ORDERING AGREEMENT (COUNTYWIDE) (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 requesting authorization for staff to award a contract to Hazen and Sawyer in the amount of \$400,000 per year to provide consulting services to the County's Integrated Sewer System.

The staff was directed administratively to proceed as proposed.

18. I-4 – APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF A NEW SIDEWALK AND BIKE TRAIL ALONG LEE CHAPEL ROAD (SPRINGFIELD DISTRICT) (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 requesting authorization for staff to execute the agreement with the Virginia Department of Transportation (VDOT) in the amount of \$75,377 for Project 00100, VDOT Participation Projects, in Fund 308, Public Works Construction. VDOT proposes to widen Lee Chapel Road to four lanes between Old Keene Mill Road and the Fairfax County Parkway. This project will also include a cost-share for a sidewalk and bike trail.

The staff was directed administratively to proceed as proposed.

19. I-5 – APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF A NEW SIDEWALK ALONG OLD MILL ROAD (MOUNT VERNON DISTRICT) (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 requesting authorization for staff to execute the agreement with the Virginia Department of Transportation (VDOT) in the amount of \$1,317 for Project 00100, VDOT Participation Projects, in Fund 308, Public Works Construction. VDOT proposes to construct a replacement bridge on Old Mill Road over the north fork of Dogue Creek. This project will also include a cost-share for a sidewalk.

The staff was directed administratively to proceed as proposed.

20. I-6 – APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF A NEW SIDEWALK AND BIKE TRAIL ALONG SHREVE ROAD (PROVIDENCE DISTRICT) (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 requesting authorization for staff to execute the agreement with the Virginia Department of Transportation (VDOT) in the amount of \$4,591 to construct improvements to Shreve Road in the vicinity of Buckelew Drive, Pinycastle Road, and Chestnut Street. This project will also include a cost-share for a sidewalk and bike trail.

The staff was directed administratively to proceed as proposed.

21. I-7 – TRANSMITTAL OF THE FAIRFAX COUNTY INTEGRATED DEER MANAGEMENT PLAN, DRAFT (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 presenting a draft plan entitled Fairfax County Integrated Deer Management Plan, dated October, 1998 and included in Attachment 1. This plan proposes a variety of strategies to facilitate the implementation of site-specific management of the County's deer herd.

The staff was directed administratively to proceed as proposed.

22. I-8 – AWARD OF CONTRACT FOR ENGINEERING SERVICES FOR THE DESIGN OF SITE PLANS BASED UPON THE GENERAL DEVELOPMENT PLAN/SPECIAL EXCEPTION AMENDMENT (GDP/SEA) FOR LITTLE RIVER GLENN II (BRADDOCK DISTRICT) (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 announcing that the Fairfax County Redevelopment and Housing Authority (FCRHA) approved the award of a contract for engineering services for the design of site development plans for the 14.04 acres surrounding Little River Glen on Tax Map Number 58 -4((1))41A, 43, 44, 45, and 47.

The staff was directed administratively to proceed as proposed.

23. **I-9 – AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOWEST BIDDER FOR REPLACEMENT OF EXISTING LIFTS AT LITTLE RIVER GLEN (BRADDOCK DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated October 12, 1998 requesting authorization for staff to award a contract to Keys Ridge Construction Company, Incorporated in the amount of \$259,634 for the replacement of four existing lifts with limited capacity at Little River Glen.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

24. **PROCLAMATION DECLARING NOVEMBER, 1998 AS “AMERICAN INDIAN HERITAGE MONTH” IN FAIRFAX COUNTY** (Tape 3)

Chairman Hanley announced that November is nationally recognized as American Indian Heritage month.

In conjunction with Federal observances, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the Office of Equity Programs and the American Indian community to appear before the Board on October 19, 1998 to receive a Proclamation designating November 1998 as “**American Indian Heritage Month**” in Fairfax County. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

25. **PROCLAMATION DESIGNATING NOVEMBER 22-28, 1998 AS “NATIONAL FAMILY WEEK” IN FAIRFAX COUNTY** (Tape 3)

Chairman Hanley noted that, since the week of November 22-28, 1998 is celebrated as “National Family Week,” the Northern Virginia Family Services and Alliance for Children and Families have requested that Fairfax County celebrate and appreciate the families in the community.

Chairman Hanley moved that the Board direct staff to invite representatives from Northern Virginia Family Services and the Alliance for Children and Families to come before the Board to receive a Proclamation designating November 22 -28, 1998, as “**National Family Week**” in Fairfax County. This motion was seconded by Supervisor Dix and carried by unanimous vote.

26. **WAIVER OF RENTAL BALANCE FOR THE MULTICULTURAL COMMUNITY CONSORTIUM’S MULTICULTRUAL INTERNATIONAL FESTIVAL TO BE HELD OCTOBER 17, 1998** (Tape 3)

Chairman Hanley announced that the Multicultural Community Consortium, a nonprofit organization, is holding a Multicultural International Festival on October 17, 1998 at the Willston Center from noon until 8:00 p.m. The profit from this festival will go toward developing youth crime prevention programs in the community. The Consortium is requesting assistance from the County to waive the balance of its \$150 rental cost for the Department of Community and Recreation's mobile stage.

Chairman Hanley moved that the Board approve the waiver for the rental balance of the mobile stage for the Multicultural Community Consortium. This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor McConnell being out of the room.

27. FAIRFAX COUNTY POLICE DEPARTMENT HONOR GUARD SEEKING SURPLUS RIFLES FROM THE DEPARTMENT OF THE ARMY FOR CEREMONIAL USE (Tape 3)

Chairman Hanley announced that the Fairfax County Police Department Honor Guard is seeking surplus rifles from the Department of the Army for ceremonial use. The Department of the Army has informed Congressman Thomas M. Davis, III that surplus rifles are available according to 10 United States (US) Code 2572 as donations to specific entities including municipalities.

Chairman Hanley moved that the Board forward a request to the US Army Materiel Command, Department of the Army, for surplus rifles for use by the Fairfax County Police Department Ceremonial Honor Guard. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

28. THE FAIRFAX COUNTY FEDERATION OF CITIZENS ASSOCIATIONS (FCFCA) CONCERN OVER THE PROBLEM OF SOLID WASTE (Tape 3)

Chairman Hanley circulated to Board Members a letter from the Fairfax County Federation of Citizens Associations a letter concerning solid waste and associated available funding.

29. METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) REQUEST FOR NOMINATIONS OF ELECTED OFFICIALS TO THE CHESAPEAKE BAY POLICY COMMITTEE (Tape 3)

Chairman Hanley shared with Board Members a letter from the Metropolitan Washington Council of Governments (COG) requesting nominations of elected officials to the COG Board Chesapeake Bay Policy Committee.

Chairman Hanley moved that the Board nominate Supervisor Gross and Supervisor Hyland to serve. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

30. EDITORIAL ON THE STRUCTURE OF LOCAL GOVERNMENT FUNDING (Tape 3)

Chairman Hanley distributed to Board Members a copy of an editorial from the Sunday, September 6, 1998, Commentary of the *Virginia-Pilot* on the structure of local government funding.

31. FIRE AND RESCUE RETIREMENT ASSOCIATION'S GOLF TOURNAMENT (Tape 3)

Chairman Hanley reminded Board Members of the upcoming Fire and Rescue Retirement Associations' golf tournament that will be held on Monday, October 19, 1998. They are asking for the donation of a putting green that will be shared by the Board and Chief Gaines.

32. CLARIFICATION OF BOARD MATTER FROM SEPTEMBER 14, 1998, REGARDING HIGH FECAL COLIFORM COUNTS IN THE COUNTY'S WATERSHEDS (Tape 3)

Chairman Hanley called the Board's attention to one of her Board Matters she discussed at the September 14, 1998, Board meeting and clarified that her request was for an identification of why the fecal coliform counts in the County's watersheds are so high, particularly the sources.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

33. REQUEST TO SEND A LETTER TO THE CHIEF JUDGE OF THE JUVENILE AND DOMESTIC RELATIONS COURT REQUESTING A REVIEW OF THE SCHEDULING OF CASES FOR POLICE OFFICERS WORKING LATE NIGHT SHIFTS (Tape 3)

Supervisor Mendelsohn stated that he became aware of a problem concerning police officers who are scheduled for late night duty when those same officers are also scheduled for appearances in cases docketed for the early morning hours in the Juvenile and Domestic Relations Court. Due to the uncertainty of the court's schedule, an officer in this situation could find himself or herself in court waiting for a case to be heard as late as noon.

Supervisor Mendelsohn moved that the Board direct staff to draft a letter, under the Chairman's signature, to the Chief Judge of the Juvenile and Domestic Relations Court:

- Requesting an investigation into the feasibility of scheduling cases before the court which gives priority to those cases requiring the appearance of police officers who have been scheduled for late night duty the previous evening;
- Recommending that those cases be heard as soon as possible after court session begins for the day; and
- Requesting a response to this request as soon as possible.

This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor McConnell being out of the room.

34. REQUEST TO DESIGNATE BROYHILL STREET AS A RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) (Tape 3)

Supervisor Mendelsohn stated that he forwarded a petition to the Department of Transportation from the residents of Broyhill Street, adjacent to McLean High School, requesting that this area be designated a Residential Permit Parking District (RPPD). Broyhill Street meets all requirements for RPPD designation with the exception of a minimum number of on-street parking spaces.

Supervisor Mendelsohn moved that the Board:

- Direct staff to study Broyhill Street and make a recommendation to the Board as soon as possible regarding its eligibility for inclusion into the existing District 21, McLean RPPD program; and
- Waive the requirement for 100 contiguous, or nearly contiguous, on-street parking spaces.

This motion was seconded jointly by Supervisor Bulova and Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

35. **OUT-OF-TURN PLAN AMENDMENT FOR THE EVANS FARM PROPERTY** (Tape 3)

Supervisor Mendelsohn stated that the Evans Farm property is a long established community feature that is located in the heart of the McLean community. This 24-acre property is shown on the Comprehensive Plan Map as planned for residential use at 3-4 and 5-8 dwelling units per acre. There is no site specific plan text that recognizes the existing use or provides additional guidance for future development.

Supervisor Mendelsohn moved that, pursuant to *Virginia Code* Section 15.2-229, the Board direct the Planning Commission to prepare and submit for public hearing an Out-of-Turn Plan Amendment for the Evans Farm property as public open space, a farm park or community serving facilities. It is understood that this proposed amendment would be an alternative recommendation or option, to the existing residential use that is shown on the Plan Map. This motion was seconded by Chairman Hanley.

Supervisor Connolly moved to amend the language to read: "This proposed amendment should consider adding an option to the Plan that would recommend the preservation of some or all of this property as public open space, a farm park, or community serving facilities."

This motion was seconded by Supervisor Kauffman.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the amendment to the motion, which **CARRIED** by a recorded vote of seven, Supervisor Frey and Supervisor Mendelsohn voting "**NAY**," Supervisor McConnell being out of the room.

The question was then called on the motion, as amended, which **CARRIED** by a recorded vote of eight, Supervisor Frey voting "**NAY**," Supervisor McConnell being out of the room.

36. **METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENT'S (COG) NOISE ABATEMENT GROUP COMMUNITY MEETING REGARDING AIRPORT NOISE** (Tape 3)

Supervisor Mendelsohn announced that the Metropolitan Washington Council of Governments (COG) will be conducting a series of community meetings regarding airport noise. He asked unanimous consent that the Board direct staff to publicize the Virginia meeting which is scheduled for Thursday, November 12, 1998 at the National Rural Electric Cooperative Association, 4301 Wilson Boulevard, Arlington, Virginia from 7-9:00 p.m. Without objection, it was so ordered.

37. **BOARD POSITION REGARDING STATE CONSTITUTIONAL AMENDMENTS THREE AND FOUR** (Tape 3)

Supervisor Mendelsohn moved that the Board take a position in opposition to State Constitutional amendments three and four. This motion was seconded by Supervisor Bulova.

Supervisor Hyland moved that the Board defer this item until the October 19, 1998 meeting to allow Board Members time to obtain information on these amendments. This motion was seconded by Supervisor Kauffman and **CARRIED** by a recorded vote of seven, Supervisor Frey and Supervisor Mendelsohn voting "NAY," Supervisor McConnell being out of the room.

PMH:pmh

38. **UPDATE ON NIGHT COURT SITUATION** (Tape 4)

With reference to a previous Board request, Supervisor Kauffman asked unanimous consent that the Board direct staff to provide an update on the night court situation. Without objection, it was so ordered.

39. **SCHOOL CROSSING GUARDS** (Tape 4)

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide an update on the School Crossing Guard situation.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, Supervisor Gross asked to amend the request to direct staff to provide information concerning the use of school crossing guards at private schools.

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

40. **SURPLUS RADIOS** (Tape 4)

Supervisor Kauffman said that it has come to his attention that there are surplus radios that can be donated to the Mount Vernon Woods Neighborhood Watch Program to increase safety in the neighborhood.

Supervisor Kauffman moved that the Board direct staff to donate the surplus radios as is consistent with County established procedures to the Mount Vernon Woods Neighborhood Watch Program. This motion, the second to which was inaudible carried by a vote of nine, Supervisor McConnell being out of the room.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board circulate to Board Members the existing Policy regarding this issue. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

41. **REZONING APPLICATION 1998-LE-019 (MORRIS CONSTRUCTION COMPANY)** (Tape 4)

Supervisor Kauffman moved that the Board direct staff to concurrently process the Subdivision Plan and any related engineering approvals associated with Rezoning Application 1998-LE-019 by Morris Construction Company for property at Tax Map 91-2((1))19A, 19B. This motion should not be construed as a favorable recommendation on the Rezoning Application by the Board and does not relieve the applicant of compliance with the provision of any applicable ordinances, regulations, or adopted standards. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

42. **BURGUNDY VILLAGE COMMUNITY CENTER OPERATIONS BOARD** (Tape 4)
(APPT)

In conformance with the articles of operation for the Burgundy Village Community Center Operations Board, Article IV, Section 2, Supervisor Kauffman moved the appointment of the following candidates to the Operations Board:

Three-year term: Ms. Shirley Magalis;

Three-year term: Ms. Joyce Hearst;

Two-year term: Ms. Frances Wilkerson;

Two-year term: Mr. Gary Griesmyer; and

One-year term: Mr. Harold Lloyd.

This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor McConnell being out of the room.

43. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1998-HM-001 (HEARTHSTONE VANGUARD TYSONS LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 4)

Supervisor Dix announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 1998-HM-001.

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#77.)

44. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 98-H-021(HUNTER MILL DISTRICT)** (Tape 4)

Supervisor Dix announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Special Exception Application SE 98-H-021.

(NOTE: Later in the meeting, the public hearing was deferred. See Clerk's Summary Item CL#78.)

45. **YEAR 2000 (Y2K) UPDATE** (Tape 4)

Supervisor Dix asked unanimous consent that the Board direct staff, working through the Metropolitan Washington Council of Governments (COG) to participate in making aware to the community the issues related to the Year 2000 (Y2K) challenge. Without objection, it was so ordered.

46. **"NATIONAL CHARACTER COUNTS" WEEK** (Tape 4)

Supervisor Dix moved that the Board designate the week of October 18-24, 1998 as "**National Character Counts Week**" in Fairfax County and that there be a presentation scheduled for October 19, 1998. This motion was seconded by Supervisor Mendelsohn.

Following input from Jean White, Director, Office of Public Affairs, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

47. **COMPREHENSIVE SIGN PLAN (CSP 86-C-121-2)** (Tape 4)

Supervisor Dix moved that the Board direct staff to include Tax Map 17-3((1))1B, a parcel of land owned by the County and proposed YMCA site in Reston, in the Westerra Reston Comprehensive Sign Plan application for Reston Section 935, Block 2 (Village Commons). One of the entrances to the YMCA is through the Westerra parcel. Westerra has agreed to include the YMCA on their entrance sign for Village Commons, and Board consent is needed to include the County parcel in this application. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor McConnell being out of the room.

48. **HAPPY 100TH BIRTHDAY TO MRS. SARA MATHEWS MCNICHOLS** (Tape 4)

Supervisor Dix stated that it has come to his attention that Mrs. Sara Mathews McNichols of Vienna recently celebrated her 100th birthday on September 28, 1998.

Supervisor Dix moved that the Board direct staff to prepare a Certificate of Congratulations to be presented to Ms. McNichols in celebration of this happy occasion. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

49. **COMMISSION ON AGING** (Tape 4)

(BACs) Supervisor Dix announced the resignation of Gerri F. Evans, Hunter Mill District Representative, Commission on Aging, and asked unanimous consent that the Board direct staff to invite Ms. Evans to appear before the Board to receive a Certificate of Appreciation for her years of service. Without objection, it was so ordered.

50. **52ND ANNUAL VIENNA HALLOWEEN PARADE** (Tape 4)

Supervisor Dix announced that the Vienna Regional Chamber of Commerce will be hosting the Town of Vienna Halloween Parade on October 28, 1998 at 7:00 p.m. He invited Board Members and all of the citizens of Fairfax County to attend.

51. **GOVERNMENT CENTER BASEBALL FIELD RESTROOMS** (Tape 4)

Supervisor Dix asked unanimous consent that the Board direct staff to determine if there are any alternatives to address the need for restrooms at the Government Center Baseball Field. Without objection, it was so ordered.

52. **AFFORDABLE DWELLING UNIT (ADU) UPDATE** (Tape 4)

Supervisor Dix asked unanimous consent that the Board direct staff to report with an update on the Affordable Dwelling Unit (ADU) issues.

Following input from Robert J. O'Neill, Jr., County Executive, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request to direct staff to provide information regarding the action of the Board in response to the Task Force.

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

53. **STARLIT POND COMMUNITY/APPLICATION TO DEPARTMENT OF CONSERVATION AND RECREATION, WATER QUALITY IMPROVEMENT FUND GRANT PROGRAM** (Tape 4)

Supervisor Bulova said that Starlit Ponds is a single family community located in the Braddock District. It is a neighborhood of 130 moderately priced homes. The land on which the Starlit Ponds community is built was originally a private golf course. When Starlit Ponds was built in the 1970's, the developer was allowed to build private streets

instead of streets constructed to public street standards. Additionally, two existing ponds were permitted to serve as the site's storm water detention ponds. These accommodations were meant to reduce

the cost of developing the property and thus make the homes more affordable. Unfortunately, the financial burden for 130 families to maintain not only their private streets, but two substandard wet ponds has proven to be overwhelming.

Supervisor Bulova said that over the years, the ponds have silted in, and during the summer they are covered with vegetation that traps litter. They are unsightly and sometimes have an unpleasant odor. The homeowner's association lacks the funds necessary to properly maintain the ponds and will soon be responsible for paying higher liability insurance premiums for having wet ponds.

Supervisor Bulova noted that during the past 10 years, her office has tried unsuccessfully on a number of occasions to assist the Starlit Ponds community with this issue. A number of options were explored, including the conversion of the ponds into dry ponds which could then be maintained by Fairfax County. At a recent "Charrette", conducted by the University of Maryland Environmental Finance Center, the community selected a preferred solution to restore the water quality and flood control functions of the ponds and also provide an aesthetic amenity for the community.

Supervisor Bulova said that the total cost of the project, which would restore and improve the larger pond and convert the smaller pond into a wetland forebay ("rain garden"), is estimated to be \$240,000. The community has agreed to pay up to \$62,000. The Northern Virginia Planning District Commission (NVPDC), with the assistance of staff, is applying for additional funds to the Department of Conservation and Recreation through their Water Quality Improvement Fund Grant Program. She said that she and the Starlit Ponds community are hopeful that a solution to a very difficult, long standing problem, seems finally within reach.

Supervisor Bulova moved that the Board:

- Waive the fees for a Rough Grading Permit and other permits that would apply; and
- Send a letter to the Department of Conservation and Recreation, through the NVPDC, endorsing the project.

The motion was seconded by Supervisor McConnell and carried by unanimous vote.

54. **SPACE REQUIREMENTS FOR THE BRADDOCK DISTRICT SUPERVISOR'S OFFICE** (Tape 4)

Supervisor Bulova said that earlier this year the School District notified the County of its desire to reacquire the space in the Chapel Square Center presently being used for

the Braddock District Supervisor's office. For this space to be returned to the School District in use, an alternative site for the Supervisor's office needs to be identified.

Supervisor Bulova moved that the Board direct staff to initiate the process which will complete a feasibility study for an alternative location and enable a submission for design funds as part of the budget process. This motion, the second to which was inaudible, carried by unanimous vote.

55. **PROCLAMATION FOR LUIS HAZA, DIRECTOR, NORTHERN VIRGINIA YOUTH SYMPHONY** (Tape 4)

Supervisor Bulova announced that on Sunday, November 1, 1998 the Northern Virginia Youth Symphony will be holding a concert at George Mason University (GMU) during which Music Director Luis Haza will be celebrating his 15th season.

Supervisor Bulova referred to her written Board Matter and reviewed Mr. Haza's many accomplishments.

Supervisor Bulova moved that the Board direct staff to prepare a Proclamation, signed by Board Members, designating Sunday, November 1, 1998 as "**Luis Haza Day**" in Fairfax County. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

56. **TOWN MEETING** (Tape 4)

Supervisor Bulova announced that the Braddock District Town Meeting is scheduled for October 27, 1998 at Little Run Elementary School at 7:00 p.m. She added that the focus of the meeting will be revitalization.

57. **8230 AND 8240 LEESBURG PIKE CONCURRENT PROCESSING** (Tape 4)

With a notation that properties identified as 8230 and 8240 Leesburg Pike are shown on a single development plan which was approved with Rezoning Application RZ 85-P-002, Supervisor Connolly moved that the Board direct staff to:

- Expeditiously process the application that will be submitted and filed for the properties identified as 8230 and 8240 Leesburg Pike;
- Expeditiously review and process a shared parking agreement between 8230 and 8240 Leesburg Pike; and
- Accept for concurrent and simultaneous processing any drawings, Site Plan revisions, or any other plans that may be necessary in association with these application requests.

This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the application in any way. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

58. INFORMATION REGARDING BONDS (Tape 4)

Supervisor Connolly noted that the Providence District Council endorsed both bond referendums.

59. SCHEDULE OF COMMITTEE MEETINGS (Tape 4)

Supervisor Connolly announced the following:

- Legislative Committee meeting - Friday, November 13, 1998 at 8:00 a.m.;
- Public hearing on the Legislative Program on Monday, November 23, 1998 at 6:00 p.m.;
- Committee meeting - Monday November 30, 1998 following the public hearing;
- Board decision on the Legislative Program on Monday, December 7, 1998 adoption of a Legislative Program; and
- Wednesday, December 9, 1998 at 7:30 a.m. at the Fairview Park Marriott, Annual Delegation Breakfast.

NV:nv**60. OUT-OF TURN PLAN AMENDMENT FOR VIRGINIA HEIGHTS (Tape 5)**

Supervisor Gross stated that on October 1, 1998, the Planning Commission denied Annual Plans Review Item APR 97-I-2B. She noted that Janet Hall, Mason District Planning Commissioner, informed her that the Commission believed that the scope of the nomination was too narrow, but neither the Commission nor staff could expand it. Commissioner Hall recommended that the Board consider re-introducing this item in an expanded form as an Out-of-Turn Plan Amendment.

Accordingly, Supervisor Gross moved that the Board direct staff to initiate an Out-of-Turn Plan Amendment to evaluate amending the Comprehensive Plan to add an option for residential development at densities up to 8-12 dwelling units per acre (du/ac) for the parcels known as Virginia Heights, located at Tax Map 62-1 ((5)) lots 11, 12, 13, 14, 15, 23, and 8B1, and 62-3 ((5)) lots 5A, 6A, 7, 8A, 9A, 10A, 16, 17, 18B, 19B, and 22. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Mendelsohn being out of the room.

61. FALLS CHURCH HIGH SCHOOL RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) FOR THE BROYHILL PARK NEIGHBORHOOD (Tape 5)

Noting that this was a joint Board Matter with Supervisor Connolly, Supervisor Gross stated that she has forwarded to the Department of Transportation petitions signed by residents on

Holly Hill Drive, from Carol Lane to Parkwood Terrace, and Carol Lane, from Holly Hill Drive to Parkwood Terrace, requesting implementation of a Residential Permit Parking District. The area is adjacent to Falls Church High School in the Broyhill Park neighborhood, and it straddles the Mason and Providence Districts.

Accordingly, on behalf of herself and Supervisor Connolly, Supervisor Gross moved waiver of the:

- Minimum requirement of 100 contiguous or nearly contiguous parking spaces; and
- \$10 per household fee.

This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

62. **SEVEN CORNERS INTERCHANGE MEETING** (Tape 5)

Supervisor Gross said that the Virginia Department of Transportation (VDOT) is planning a major maintenance and repair project for the Seven Corners interchange in 1999. While VDOT plans to perform most of the work at night, some travel routes may be temporarily altered. She noted that she has arranged for VDOT to give a presentation to the community on the planned maintenance project and to answer questions from residents and business owners. The meeting is scheduled on Monday, October 26, 1998 at 10:00 a.m. at the Mason Governmental Center, 6507 Columbia Pike in Annandale. Supervisor Gross asked unanimous consent that the Board direct the staff of the Office of Public Affairs to help publicize this meeting through press releases and the Channel 16 Bulletin Board. Without objection, it was so ordered.

63. **A TIMELY ISSUE - WATCHES FOR RETIRING COUNTY EMPLOYEES** (Tape 5)

Supervisor Gross stated that, as Chairman of the Board's Personnel Committee, it has been called to her attention that the customary watch presented to County personnel upon retirement is not always appreciated. She was told that Police retirees, who receive a better quality watch from the Police Department, appreciate the County gift even less. The County watch pales in comparison and has a history of not working properly. She asserted that when dependable employees retire after decades of service, they deserve a more reliable gift to represent appreciation for a job well done.

Accordingly, Supervisor Gross moved that the Board direct staff to report to the Personnel Committee with ideas for a punctual gift for retiring employees. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

64. **NO BOARD MATTERS FOR SULLY DISTRICT SUPERVISOR FREY** (Tape 5)

Supervisor Frey stated that he had no Board Matters to present today.

65. **NATIONAL RADON ACTION WEEK** (Tape 5)

Supervisor Hyland moved that the Board direct staff to prepare a Proclamation declaring support for the week of October 18-24, 1998 as "**National Radon Action Week**" in Fairfax County and invite the appropriate individuals to appear before the Board on October 19, 1998 to accept the Proclamation. The second to this motion was inaudible.

Following input from Jean V. White, Director, Office of Public Affairs, the question was called on the motion, which carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

66. **CONSIDERATION OF TRUCK RESTRICTIONS FOR GATESHEAD ROAD** (Tape 5)

Supervisor Hyland stated that the residents of Gateshead Road have inquired about the possibility of having signs posted restricting truck traffic on this residential collector street due to the inordinate amount of trucks that are traversing this road. He said that they have expressed concerns about the wear and tear imposed by the truck traffic on their streets. Access by trucks is not in conformance with the residential character of the Mount Vernon Manor neighborhood and they wish that something be done.

Accordingly, Supervisor Hyland moved that the Board direct staff to review this request as quickly as possible and provide an opinion as to its feasibility as well as offering a viable alternative for trucks from Richmond Highway. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

67. **CEREMONY TO RENAME THE LOWER POTOMAC POLLUTION CONTROL PLANT FOR NOMAN COLE** (Tape 5)

Supervisor Hyland announced that on Thursday, October 15, 1998 at 11:00 a.m., there will be a formal renaming ceremony for the Lower Potomac Pollution Control Plant in honor of Noman Cole. He invited everyone to attend.

68. **COLUMBUS DAY** (Tape 5)

Supervisor McConnell announced that today is the Columbus Day holiday and she expressed her displeasure with holding a Board meeting on this day.

69. **CERTIFICATE OF RECOGNITION FOR JOHN M. YEATMAN, DIRECTOR, REAL ESTATE DIVISION, DEPARTMENT OF TAX ADMINISTRATION** (Tape 5)

Supervisor McConnell reminded the Board that John M. Yeatman, Director, Real Estate Division, Department of Tax Administration, is retiring in early November. In honor of his longtime dedication and service to the County, she asked unanimous consent that the Board direct staff to invite him to appear before the Board in the near future to be appropriately recognized. Without objection, it was so ordered.

70. **SPRINGFIELD DISTRICT TOWN MEETING** (Tape 5)

Supervisor McConnell reminded the Board that the Springfield District Town Meeting will be held on Wednesday, October 14, 1998 in the West Springfield High School cafeteria. The topics will be the upcoming Fall Bond Referenda and the I-95/395/495 Springfield Interchange Improvement Project. She invited the Board to attend.

71. **RECESS/EXECUTIVE SESSION** (Tape 5)

At 12:50 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda for this meeting. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Chairman Hanley announced that the Board would convene Executive Session at 2:45 p.m.

AR:ar At 3:35 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION72. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 6)

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

73. **AUTHORIZATION TO PETITION THE FAIRFAX COUNTY GENERAL DISTRICT COURT FOR A SUBPOENA ON BEHALF OF THE HUMAN RIGHTS COMMISSION IN *CORUM VERSUS MR. CLEAN CARPET*, HRC NUMBER 97126E, EEOC NUMBER 10D970199 (DRANESVILLE DISTRICT)** (Tape 6)

Supervisor Mendelsohn moved that the Board authorize the County Attorney to petition the Fairfax County General District Court for a subpoena on behalf of the Human Rights Commission in *Corum versus Mr. Clean Carpet*, HRC Number 97126E, EEOC Number 10D970199. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

AM:am

74. 3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-S-103-2 (AMERICAN TOWER SYSTEMS, LP, AND FAIRFAX COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY) (SPRINGFIELD DISTRICT) (Tape 7)

Mr. James R. Michal reaffirmed the validity of the affidavit for the record.

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

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

Supervisor McConnell moved:

- Approval of Special Exception Amendment Application SEA 80-S-103-2 subject to the development conditions dated October 8, 1998;
- Modification of the transitional screening requirements; and
- Waiver of the barrier requirement along all property boundaries in favor of that shown on the Special Exception (SE) Plat and as indicated in the conditions.

This motion was seconded by Supervisor Connolly and carried by unanimous vote.

75. 3:30 P.M. - PH ON THE VACATION OF A PORTION OF STORM DRAINAGE EASEMENT IN THE BLAKE HILLS SUBDIVISION (PROVIDENCE (O) DISTRICT) (Tape 7)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 24 and October 1, 1998.

Following the public hearing, Supervisor Connolly moved adoption of an Ordinance to vacate a portion of a storm drainage easement encumbering six parcels of property in the Blake Hills Subdivision, Tax Map Number 48-1 ((41)) parcels seven through 12. This motion was seconded by Supervisor Hyland and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting AAYE.@

ADDITIONAL BOARD MATTER

76. WELCOME TO BOY SCOUTS FROM TROOP 1313 (Tape 7)

Supervisor Dix recognized the presence Boy Scouts from Troop 1313 and warmly welcomed them to the Board Auditorium.

AGENDA ITEMS

77. 3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-HM-001 (HEARTHSTONE VANGUARD TYSONS LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT) (Tape 7)

Supervisor Dix moved to defer the public hearing on the Rezoning Application RZ 1998-HM-001 until **November 16, 1998 at 3:30 p.m.** This motion was seconded by Supervisor McConnell and carried by unanimous vote.

78. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-H-021 (COMMERCIAL NET LEASE REALTY, INCORPORATED) (HUNTER MILL DISTRICT) (Tape 7)

Supervisor Dix moved to defer the public hearing on the Rezoning Application RZ 1998-H-021 until **November 16, 1998 at 4:30 p.m.** This motion was seconded by Supervisor McConnell and carried by unanimous vote.

79. ORDERS OF THE DAY (Tape 7)

Chairman Hanley announced that there would be a change in the Orders of the Day to proceed with the:

- Public hearing to obtain input regarding the proposed use of funds received by the Police Department under the Local Law Enforcement Block Grant Program;
- Board decision on Rezoning Application RZ 1998-SU-007 (Alban Development Corporation);
- Public hearing on the proposed amendments to the Code of the County of Fairfax to enact a new Chapter 8.1 (Security Alarm Systems); and
- Public hearing on the proposed Out-of-Turn Plan Amendment S95-II-F1 and Area Plans Review Item 98-II-11F.

80. BOARD RECESS (Tape 7)

At 3:55 p.m., the Board recessed, and at 4:00 p.m., reconvened in the Board Auditorium with all Members present, and with Chairman Hanley presiding.

81. 4:00 P.M. - PH TO OBTAIN CITIZEN INPUT REGARDING THE PROPOSED USE OF FUNDS RECEIVED BY THE POLICE DEPARTMENT UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM (Tape 7)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 24 and October 1, 1998.

Following the public hearing, Supervisor Gross moved approval of the proposed use of funds received by the Police Department under the Local Law Enforcement Block Grant Program. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

82. **4:00 P.M. - BOARD DECISION ON REZONING APPLICATION RZ 1998-SU-007 (ALBAN DEVELOPMENT CORPORATION) (SULLY DISTRICT) (Tape 7)**

(O)

(NOTE: On September 28, 1998, the Board held the public hearing on this application, but deferred decision until October 12, 1998.)

Following discussion, Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-SU-007 be amended from the R-1 District to the PDH-5 District subject to the execution of the proffers dated September 25, 1998; the Planning Commission having previously approved Final Development Plan Application FDP 1998-SU-007 on July 30, 1998. This motion was seconded by Supervisor Hyland.

Supervisor Dix asked to amend the motion that none of the units that will be available as a result of the Affordable Dwelling Units (ADU) Ordinance be eligible for sale to the Fairfax County Redevelopment and Housing Authority (FCRHA) for public housing purposes, and this was accepted.

Following discussion, David P. Bobzien, County Attorney stated that this amendment should be made as a separate follow up motion.

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

Supervisor Frey moved:

- Modification of the transitional screening requirement along the northern boundary to that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP);
- Waiver of the barrier requirements along the northern boundary; and
- Waiver of the 600 foot maximum length of private streets.

This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Dix and Chairman Hanley abstaining.

Following further discussion, Supervisor Frey moved that the Board direct the FCRHA to not consider purchase of the units that will be available as a result of the ADU Ordinance. This motion was seconded by Supervisor Dix and **FAILED** by a recorded vote of four, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE."

83. **4:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S95-II-F1 AND AREA PLANS REVIEW ITEM 97-II-11F, LOCATED IN THE NORTHWEST QUADRANT OF CHAIN BRIDGE ROAD AND HUNTER MILL ROAD (PROVIDENCE DISTRICT)** (Tapes 8-10)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 24 and October 1, 1998.

Following the public hearing, which included testimony by 31 speakers, Supervisor Connolly moved to:

- Defer decision on Out-of-Turn Plan Amendment S95-II-F1;
- Defer decision on Area Plans Review Item 97-II-11F until **October 19, 1998 at 4:00 p.m.**; and
- Keep the record open for the submission of additional testimony.

This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

84. **4:00 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX TO ENACT A NEW CHAPTER 8.1 (SECURITY ALARM SYSTEMS)** (Tapes 10-11)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 24 and October 1, 1998.

Following the public hearing, which included testimony by five speakers, Supervisor Gross moved to defer decision on the proposed amendments to the Code of the County of Fairfax to enact a new Chapter 8.1 (Security Alarm Systems) until **November 16, 1998 at 3:30 p.m.** This motion was seconded by Supervisor Dix.

Following discussion, with input from Lieutenant Colonel J. Thomas Manger, Acting Chief of Police, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to provide information as to:

- What does verification mean?
- Are the homes owned by embassies exempt or do they have to register? and
- The cost to upgrade older alarm systems to meet new requirements.

Without objection, it was so ordered.

Supervisor Frey circulated the letter from Mr. Max Ames (Speaker Four), and asked unanimous consent that the Board direct staff to provide a response to the questions regarding backup time for batteries and reference to dual technology. Without objection, it was so ordered.

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

85. **4:00 P.M. - PH TO OBTAIN CITIZEN INPUT REGARDING THE PROPOSED USE OF FUNDS RECEIVED BY THE POLICE DEPARTMENT UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#81.)

86. **4:00 P.M. – BOARD DECISION ON REZONING APPLICATION RZ 1998-SU-007 (ALBAN DEVELOPMENT CORPORATION) (SULLY DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#82.)

87. **7:00 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), TO ALLOW CERTAIN SPECIAL PERMIT AND SPECIAL EXCEPTION USES BY RIGHT IN THE C-3 THROUGH C-8 DISTRICTS AS A FACET OF THE REVITALIZATION INITIATIVES (COUNTYWIDE)** (Tape 11)

Supervisor Connolly moved to defer indefinitely the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow certain special permit and special exception uses by right in the C-3 through C-8 Districts. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

88. **7:00 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), TO ESTABLISH THE BOUNDARIES OF A COMMERCIAL REVITALIZATION DISTRICT WITHIN FIVE AREAS OF THE COUNTY (BRADDOCK, DRANESVILLE, LEE, MASON, MOUNT VERNON, AND PROVIDENCE DISTRICTS) AND OTHER CHANGES TO THE REGULATIONS AND PROCESSES FOR COMMERCIAL REVITALIZATION AREAS (COUNTYWIDE)** (Tapes 11-13)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 24 and October 1, 1998.

Following the public hearing, which included testimony by nine speakers, Supervisor Hyland moved that the Board:

- Adopt the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to establish five Commercial Revitalization Districts and other revisions to facilitate development in these areas as recommended by the Planning Commission and set forth in Attachment One of the staff report;
- Approve Rezoning Application RZ 1998-MD-037 to establish the:
- Annandale Commercial Revitalization District;
- Bailey's Cross Roads/Seven Corners Commercial Revitalization District;
- McLean Commercial Revitalization District;
- Richmond Highway Commercial Revitalization District; and
- Springfield Commercial Revitalization District as recommended by the Planning Commission with the modification that the boundary for the Richmond Highway District be amended to delete Tax Map parcels 83-3 ((9)) (1A) and A lots 1, 2, 3, 4, and 4A;
- Endorse the facilitated development process for Commercial Revitalization Areas as recommended by the Planning Commission; and
- Adopt as Policy the Concurrent Plan Amendment Process for Commercial Revitalization Areas as recommended by the Planning Commission.

This motion was seconded by Supervisor Kauffman.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, Supervisor Dix requested that this motion be voted on seriatim.

The question was called on the motion to adopt the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to establish five Commercial Revitalization Districts and other revisions to facilitate development in these areas as recommended by the Planning Commission and set forth in Attachment One of the staff report.

Supervisor Dix asked to amend the motion that the Zoning Ordinance provisions as reflected in Attachment One of the staff report be applicable on a Countywide basis as opposed to the designated revitalization districts. The motion dies for lack of a second.

The question was called on the main motion which **CARRIED** by a recorded vote of nine,

Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting “**AYE**,” Supervisor Dix voting “**NAY**.”

The question was called on the motion to approve Rezoning Application RZ 1998-MD-037 to establish the:

- Annandale Commercial Revitalization District;
- Bailey's Cross Roads/Seven Corners Commercial Revitalization District;
- McLean Commercial Revitalization District;
- Richmond Highway Commercial Revitalization District; and

- Springfield Commercial Revitalization District as recommended by the Planning Commission with the modification that the boundary for the Richmond Highway District be amended to delete Tax Map parcels 83-3 ((9)) (1A) and A lots 1, 2, 3, 4, and 4A.

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

The question was called on the motion to endorse the facilitated development process for Commercial Revitalization Areas as recommended by the Planning Commission. This motion **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

The question was called on the motion to adopt as Policy the Concurrent Plan Amendment Process for Commercial Revitalization Areas as recommended by the Planning Commission. which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

89. **BOARD ADJOURNMENT** (Tape 13)

At 9:40 p.m., the Board adjourned.