



# **CLERK'S BOARD SUMMARY**

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

**MONDAY  
January 28, 2002**

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**02-02**

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**DMB:dmb**

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

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

### **BOARD MATTERS**

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

Supervisor Bulova asked everyone to keep in thoughts and prayers the family of Danica Canfield, a 15-year old student at Robinson High School, who recently died.

Supervisor Hudgins asked everyone to keep in thoughts and prayers the family of Cliff Webb who recently died. Mr. Webb, who worked in Fairfax County for Channel 8 and was instrumental in establishing it as a news channel, was also a strong community activist and made many contributions to the County.

Supervisor Connolly asked everyone to keep in thoughts and prayers the family of Joseph "Gus" Gustaferry who passed away. Mr. Gustaferry was a survivor of an elite club having been at Pearl Harbor when the attack occurred in December 1941, and at Tokyo Bay when the Japanese surrendered in the summer of 1945.

2. **WELCOME TO THE BOARD AUDITORIUM** (Tape 1)

Chairman Hanley recognized the presence of Consul General Hyunju Lee from the Embassy of the Republic of Korea and warmly welcomed him to the Board Auditorium. She announced that later in the meeting he would have the opportunity to address the Board. Supervisor Gross announced that Consul General Lee will be the guest speaker at the Mason District Kaleidoscope meeting on Wednesday, January 30, 2002, from 5:30 p.m. until 7 p.m. at the Mason Governmental Center, 6507 Columbia Pike, Annandale, Virginia 22003.

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#8.)

**AGENDA ITEMS**

3. **CERTIFICATES OF RECOGNITION PRESENTED TO MS. RIMA VESILIND AND OTHER STAFF OF WOODLEY HILLS ELEMENTARY SCHOOL** (Tape 1)

Supervisor Hyland moved approval of the Certificates of Recognition presented to Rima Vesilind, principal, and other staff of Woodley Hills Elementary School for being selected as a 2001 National School of Character. Supervisor Connolly seconded the motion and it carried by unanimous vote.

**ADDITIONAL BOARD MATTER**

4. **WELCOME TO THE BOARD AUDITORIUM** (Tape 1)

Supervisor Bulova recognized the presence of Boy Scout Troop 1345 and the scout leader, Joe Osborn, who meet in Burke Centre, and she warmly welcomed them to the Board Auditorium.

**AGENDA ITEMS**

5. **CERTIFICATES OF RECOGNITION PRESENTED TO MR. MACK RHOADES AND OFFICERS OF THE HUNTINGTON COMMUNITY ASSOCIATION** (Tape 1)

Supervisor Hyland moved approval of the Certificates of Recognition presented to Mr. Mack Rhoades and officers of the Huntington Community Association for their contribution to better their neighborhood. Chairman Hanley seconded the motion and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO ROBERTS PARKWAY OVERPASS TASK FORCE** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Roberts Parkway Overpass Task Force. Supervisor McConnell seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION DESIGNATING FEBRUARY AS "AFRICAN-AMERICAN HISTORY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating February as "*African-American History Month*" in Fairfax County. The motion was multiply seconded and it carried by a vote of nine, Supervisor Bulova being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**ADDITIONAL BOARD MATTER**

8. **ADDRESS BY CONSUL GENERAL HYUNJU LEE, EMBASSY OF THE REPUBLIC OF KOREA** (Tape 1)

(NOTE: Earlier in the meeting there was a brief discussion of this item. See Clerk's Summary Item CL#2.)

Chairman Hanley invited Consul General Hyunju Lee from the Embassy of the Republic of Korea to address the Board. Consul General Lee expressed his appreciation for the Board's continued help, consideration, and support to the Korean community in Fairfax County.

**AGENDA ITEMS**

9. **10 A.M. – PRESENTATION BY THE FAIRFAX COUNTY COMBINED CHARITABLE CAMPAIGN LEADERSHIP TEAM** (Tapes 1-2)

Margaret Savage, Fairfax County Government Campaign Coordinator, presented a check for \$5,496.48 for the September 11, 2001, Fund to the Fairfax-Falls Church United Way on behalf of Fairfax County employees. Ms. Savage said that two special events were held to raise the funds: the Taste of Fairfax and the Jug of Hope.

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

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with closed session immediately after the morning session because she and Supervisor Hudgins would be attending a 2 p.m. ceremony at Dogwood Elementary School.

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#50.)

11. **10:10 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 2)

Following a brief report by Supervisor Connolly, Chairman, Board's Legislative Committee, discussion ensued with input from Young Ho Chang, Director, Department of Transportation.

Following additional discussion, Supervisor Connolly moved adoption of the Legislative Report dated January 28, 2002. Supervisor Hudgins seconded the motion, and it **CARRIED** by a recorded vote of nine, Supervisor Mendelson abstaining.

(NOTE: Later in the meeting the Board discussed other issues related to the General Assembly activities. See Clerk's Summary Items CL#13, CL#14, and CL#15.)

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

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with a Board Matter that she distributed to Board Members regarding Virginia Department of Transportation that is pertinent to the Legislative Report.

**ADDITIONAL BOARD MATTERS**

**NV:nv**

13. **TRANSPORTATION FUNDING** (Tape 3)

(NOTE: Earlier in the meeting, the Board discussed General Assembly activities. See Clerk's Summary Item CL#11.)

Chairman Hanley said that according to reports, the Virginia Department of Transportation (VDOT) will be reevaluating and readjusting the Six-Year Plan published in December using revised revenue figures. Additionally, she noted that the Board was told on January 25, 2002, that Virginia will lose \$211 million in Federal transportation funds in Fiscal Year 2003.

Chairman Hanley asserted that the County needs information to be prepared to keep projects moving forward that are ready to proceed now. She said that several projects in the County are funded by the Northern Virginia Transportation District (NVTD) bonds sold by the State, but paid by local shares of recordation and right-of-way fees.

Chairman Hanley noted that the Department of Transportation (DOT) prepared a list of projects in the County that are already in design or right-of-way acquisition. Accordingly, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to:

- Indicate how many State dollars (not NVTD bonds) are being used to fund each of these projects and where there are shortfalls.
- Provide recommendations to the Board after VDOT has finished revising the plan on what the County might do in partnership with VDOT to keep projects moving.

Following discussion, with input from Young Ho Chang, Director, DOT, Supervisor Connolly seconded the motion.

Following further discussion, with input from Mr. Chang, the question was called on the motion, which carried by a vote of nine, Supervisor Bulova being out of the room.

(NOTE: Later in the meeting additional action was taken regarding this item. See Clerk's Summary Item CL#19.)

14. **LEGISLATIVE DAYS** (Tape 3)

Chairman Hanley noted that Thursday, January 31, 2002, is local VML/VACo Day. She encouraged all Members to the Board to join her and other Board Members there.

Supervisor Connolly publicly expressed appreciation to the County's legislative staff.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

15. **SALES TAX INCREASE REFERENDUM** (Tape 3)

Supervisor McConnell raised the issue of the number of bills regarding the proposed sales tax increase referendum and a brief discussion ensued with input from Young Ho Chang, Director, Department of Transportation.

PW:pw

16. **10:25 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 3)

(APPTS)

(BACs)

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

Chairman Hanley moved the re-appointment of Mr. Clifford L. Fields as the At-Large Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the re-appointment of Mr. Richard Yessian as the Braddock District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Mendelsohn moved the re-appointment of Mr. Gus Hubal as the Dranesville District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Mr. Wade Bolton as the Hunter Mill District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Mr. Jeffrey Sachs as the Lee District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the re-appointment of Mr. Claire O. Ducker, Jr. as the Mason District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Ms. Carole O. Harman as the Mount Vernon District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Ms. Elaine Waggener as the Providence District Representative to the A. Heath Onthank Memorial Award Selection Committee. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the re-appointment of Mr. Philip Rosenthal as the Springfield District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the re-appointment of Mr. John Shughrue, Jr. as the Sully District Representative to the A. Heath Onthank Memorial Award Selection Committee. Chairman Hanley seconded the motion, which carried by unanimous vote.

### **AIRPORTS ADVISORY COMMITTEE**

Supervisor Mendelsohn moved the re-appointment of Mr. Robert K. Ackerman as the Dranesville District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Hunter Mill, Mason, and Springfield District Representatives to the Airports Advisory Committee.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#54.)

### **ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD**

The Board deferred the appointment of the At-Large #6 Representative to the Alcohol Safety Action Program Local Policy Board.

### **ARCHITECTURAL REVIEW BOARD**

Supervisor Kauffman moved the appointment of Ms. Pamela J. Cressey to fill the unexpired term of Mr. Richard J. O'Brien as the Archaeologist/Historian Representative to the Architectural Review Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

### **ATHLETIC COUNCIL**

Chairman Hanley moved the appointment of Mr. J. Marcelo Gangotena as the At-Large (Diverse Population) Representative to the Athletic Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

### **AUDIT COMMITTEE**

Supervisor Kauffman moved the re-appointment of Ms. Barbara J. Fried as the At-Large #1 Representative to the Audit Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Chairman Hanley moved the re-appointment of Mr. Michael J. Hershman as the At-Large #2 Representative to the Audit Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

#### **BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)**

Supervisor Connolly moved the re-appointment of Ms. Julia A. Kriss as the Citizen of Fairfax County #2 Representative to the Board of Equalization of Real Estate Assessments. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Attorney #1 Representative to the Board of Equalization of Real Estate Assessments.

#### **CHARACTER COUNTS! TASK FORCE**

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

#### **CHILD CARE ADVISORY COUNCIL**

The Board deferred the appointment of the Springfield District Representative to the Child Care Advisory Council.

#### **COMMISSION FOR WOMEN**

Supervisor Hyland moved the appointment of Ms. Frances M. Hicks to fill the unexpired term of Ms. Gladys Rodriguez as the Mount Vernon District Representative to the Commission for Women. Supervisor Connolly seconded the motion, which carried by unanimous vote.

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

#### **COMMISSION ON AGING**

Supervisor Bulova moved the appointment of Ms. Sara C. Looney to fill the unexpired term of Ms. Tamara Stuchlak as the Braddock District Representative to the Commission on Aging. Supervisor Hyland seconded the motion, which carried by unanimous vote.



**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION**

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

**COMMUNITY ACTION ADVISORY BOARD**

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

**COMMUNITY IMPROVEMENT COMMITTEE**

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

**COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE**

Chairman Hanley moved the re-appointment of Ms. Catherine Ann Bennett as the At-Large (Chairman's) Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the appointment of Ms. Evelyn P. Tomaszewski as the Braddock District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Mr. Bruce Wright as the Hunter Mill District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the appointment of Mr. Robert W. Michie as the Lee District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the re-appointment of Mr. Bunyan Bryant as the Mason District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Mr. Kevin L. Brugman as the Mount Vernon District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Mr. Donald J. Emerson as the Providence District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the re-appointment of Mr. Michael J. Shannon as the Springfield District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the re-appointment of Ms. Debra Rimmer Leser as the Sully District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Chairman Hanley seconded the motion, which carried by unanimous vote.

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 appointments of the Mason and Springfield District Representatives to the Criminal Justice Advisory Board.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#54.)

#### **ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

Supervisor Frey moved the appointment of Mr. Donald J. Ehreth as the Sully District Representative to the Environmental Quality Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

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-FALLS CHURCH COMMUNITY SERVICES BOARD**

The Board deferred the appointment of the Mount Vernon District Representative to the Fairfax-Falls Church Community Services Board.

**HUMAN RIGHTS COMMISSION**

(NOTE: Later in the meeting, action was taken on this item. See page 14 and Clerk's Summary Item CL#71.)

**INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**

Supervisor McConnell moved the appointment of Mr. John M. Yeatman to fill the unexpired term of Mr. Kenneth Kittock as the Springfield District Representative to the Information Technology Policy Advisory Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**CONFIRMATION:**

Supervisor Mendelsohn moved the confirmation of the following appointment to the Information Technology Policy Advisory Committee:

- Mr. Mays Nakashima as the Northern Virginia Technology Council Representative

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

**JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITIZENS ADVISORY COUNCIL**

Supervisor Bulova moved the re-appointment of Ms. Janet T. Muldoon as the Braddock District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Ms. Jennifer M. Mehnert as the Lee District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the re-appointment of Ms. Deborah S. Foreman as the Mason District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the re-appointment of Ms. Judith A. Isom as the Springfield District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville and Sully District Representatives to the Juvenile and Domestic Relations District Court Citizens Advisory Council.

#### **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.

#### **PARK AUTHORITY**

Chairman Hanley moved the appointment of Mr. Rodney L. Lusk to fill the unexpired term of Mr. Frank A. de la Fe as the At-Large #1 Representative to the Park Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.

#### **POLICE OFFICERS RETIREMENT SYSTEM**

Supervisor Hyland moved the re-appointment of Mr. Forrest E. Williams as the Citizen At-Large #1 Representative to the Police Officers Retirement System. Supervisor Connolly seconded the motion, which carried by unanimous vote.

#### **ROAD VIEWERS BOARD**

Supervisor Hudgins moved the re-appointment of Mr. Michael K. Tobias as the At-Large #4 Representative to the Road Viewers Board. Supervisor Hyland \_\_\_\_\_ seconded the motion, which carried by unanimous vote.

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

#### **ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD**

Supervisor Frey moved the re-appointment of Mr. Dallas Porter Hutchison as the Resident/Owner Route 28 District #1 Representative to the Route 28 Highway Transportation District Advisory Board. Supervisor McConnell seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the re-appointment of Mr. William H. Keech as the Resident/Owner Route 28 District #2 Representative to the Route 28 Highway Transportation District Advisory Board. Supervisor McConnell seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Mr. James T. Deuel as the Resident/Owner Route 28 District #3 Representative to the Route 28 Highway Transportation District Advisory Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

### **TENANT LANDLORD COMMISSION**

Chairman Hanley moved the re-appointment of Ms. Jacqueline G. Rosier as the Citizen Member #1 Representative to the Tenant Landlord Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Chairman Hanley moved the re-appointment of Mr. Antonio E. Gomez as the Citizen Member #2 Representative to the Tenant Landlord Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Mr. Charles V. Smith as the Condominium Owner Representative to the Tenant Landlord Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the re-appointment of Mr. Ivan Patino as the Landlord Member #3 Representative to the Tenant Landlord Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the re-appointment of Mr. Daniel P. Jackson as the Tenant Member #3 Representative to the Tenant Landlord Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

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

### **TREE COMMISSION**

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

**VOLUNTEER FIRE COMMISSION**

**CONFIRMATION:**

Supervisor Connolly moved the confirmation of the following appointment to the Volunteer Fire Commission:

- Mr. Donald Melick as the At-Large Representative

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

**WATER AUTHORITY**

Supervisor Mendelsohn moved the re-appointment of Ms. Pamela Beck Danner as the Dranesville District Representative to the Water Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**ADHOC COMMITTEES**

**ANIMAL CARE AND CONTROL COMMITTEE**

The Board deferred the appointment of the Dranesville District Representative to the Animal Care and Control Committee.

**HEALTH AND MEDICAL CARE DELIVERY TASK FORCE**

The Board deferred the appointments of the Braddock, Mason, Springfield, and Sully District Representatives to the Health and Medical Care Delivery Task Force.

**SIGN TASK FORCE**

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

**TELECOMMUNICATIONS (“MONOPOLES”) LAND USE TASK FORCE**

The Board deferred the appointment of the Hunter Mill District Representative to the Telecommunications (“Monopoles”) Land Use Task Force.

**ADDITIONAL APPOINTMENTS**

**HUMAN RIGHTS COMMISSION**

Supervisor Kauffman moved the appointment of Ms. Lisa H. Helfman to fill the unexpired term of Ms. Gladys B. Keating as the At Large #7 Representative to the

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

The Board deferred the appointments of the At-Large #9 and At-Large #12 Representatives to the Human Rights Commission.

### **ADVISORY SOCIAL SERVICES BOARD**

Supervisor Hudgins moved the appointment of Ms. Kathy J. Cutri to fill the unexpired term of Ms. Yvonne Campbell-Cole as the Hunter Mill District Representative to the Advisory Social Services Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting the Board made additional appointments. See Clerk's Summary Items CL#54 and CL#71.)

**SBE:sbe**

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

Supervisor Connolly moved approval of the Administrative Items, with the exception of Admin 12 – Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 6709 Hackberry Street [Tax Map Number 091-1-((02))-0163]. Supervisor Bulova 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.”

### **ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE MCLEAN HEIGHTS SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (DRANESVILLE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2002, at 4:30 p.m.** to consider the acquisition of certain land rights necessary for the construction of Project X00828 (G00014) - McLean Heights Sanitary Sewer Extension and Improvement.

**ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), AND CHAPTER 107 (PROBLEM SOILS) REGARDING PROBLEM SOILS, SOIL REPORT REQUIREMENTS, AND DEPARTMENT NAME UPDATE**

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on February 21, 2002, and before the Board on **March 18, 2002, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), and Chapter 107 (Problem Soils) regarding problem soils, soil report requirements, and department name update.

**ADMIN 3 – INSTALLATION OF "WATCH FOR CHILDREN" SIGNS (SPRINGFIELD, PROVIDENCE, AND DRANESVILLE DISTRICTS)**

- (R)
- Adopted the Resolution endorsing the installation of "Watch for Children" signs at the following locations:
    - North Lake Drive (Springfield District)
    - Fairlee Drive (Providence District)
    - Windy Hill Road (Dranesville District)
  - Directed staff to request the Virginia Department of Transportation install this sign at the earliest possible date.

**ADMIN 4 – RECOMMENDATION OF STREETS TO BE CONSIDERED FOR TRAFFIC-CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (LEE, MASON, AND PROVIDENCE DISTRICTS)**

- Endorsed the selection of the following streets into the R-TAP for traffic-calming:
  - Cottage Street (Providence District)
  - Shaffer Drive (Lee District)
  - Fairchild Drive (Lee District)
  - Patrick Henry Drive (Mason District)
- Directed staff to request the Virginia Department of Transportation develop traffic-calming plans in conjunction with each community as soon as possible.



**ADMIN 5 – APPROVAL OF TRAFFIC-CALMING MEASURES FOR BROOKSIDE DRIVE AS PART OF THE RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (MASON DISTRICT)**

- Approved the traffic-calming plan for Brookside Drive as proposed by the Department of Transportation and the Virginia Department of Transportation (VDOT), consisting of the following measures:
  - One painted median island with reflectorized posts at Braddock Road
  - Four speed humps along Brookside Drive
  - One short segment of double-yellow centerline at State Route 236
- Directed staff to request VDOT install the approved measures as soon as possible.

**ADMIN 6 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (LEE, 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-Y01-15 to March 18, 2002
- Application 2232-V01-36 to August 5, 2002
- Application FS-L97-24 to August 5, 2002

**ADMIN 7 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-L-057, SPRINGFIELD EAST, LC (LEE DISTRICT)**

(AT)

Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 98-L-057 to January 26, 2003, pursuant to the provisions of Section 4-403 of the Zoning Ordinance.

**ADMIN 8 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-D-030-6, THE MADEIRA SCHOOL (DRANESVILLE DISTRICT)**

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Amendment Application SEA 83-D-030-6 to June 7, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02062 FOR THE HEALTH DEPARTMENT'S IMMUNIZATION WIC GRANT**

- (SAR) Approved SAR AS 02062 in the amount of \$112,000 for grant funds under the Immunization WIC Grant. The grant will allow the Health Department to review immunization records of children enrolled in WIC in an effort to assure that children are up to date with their immunizations. No local cash match is required.

**ADMIN 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02060 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) TO CONTINUE THE V-STOP SOMEPLACE SAFE PROGRAM**

- (SAR) Approved SAR AS 02060 for the FCPD to accept grant funding from the DCJS in the amount of \$45,364 for the continuation of the V-STOP Someplace Safe Program. This includes \$34,023 from DCJS and a local cash match of \$11,341.

**ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02061 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR A CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAM**

- (SAR) Approved SAR AS 02061 in the amount of \$464,638 for DFS to accept grant funds from HUD for a Continuum of Care Homeless Assistance Program. Approval of this request includes funding in the amount of \$243,702 from HUD, and a local cash match of \$220,936 for this program year.

**ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 6709 HACKBERRY STREET [TAX MAP NUMBER 091-1-((02))-0163] (LEE DISTRICT)**

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#70.)

18. **A-1 – AUTHORIZATION TO REALLOCATE UP TO \$50,000 IN TIER ONE PREDEVELOPMENT FUNDS UNDER THE AFFORDABLE HOUSING PARTNERSHIP PROGRAM AS A LOAN TO LEWINSVILLE PRESBYTERIAN CHURCH FOR PRELIMINARY STUDIES (DRANESVILLE DISTRICT)** (Tape 4)

On motion of Supervisor Mendelsohn, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the reallocation of up to \$50,000 from the Affordable Housing Partnership Program, Project 014013, Development Fund to Project 014138, Lewinsville Presbyterian Church at Chesterbrook, within Fund 144, Housing Trust Fund, for preliminary studies related to the development of up to 150 assisted living units.

19. **A-2 – ADOPTION OF A PERMANENT TRAFFIC-CALMING PROGRAM AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION "RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM" (R-TAP)** (Tape 4)

- (R) (NOTE: Earlier in the meeting the Board discussed State transportation funding. See Clerk's Summary Item CL#13.)

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

- Amending the Virginia Department of Transportation "Traffic-Calming Guide for Local Residential Streets."
- For permanent inclusion in DOT's R-TAP.

Supervisor Connolly seconded the motion.

Discussion ensued with input from Douglas W. Hansen, Transportation Planner III, Department of Transportation.

With reference to the Board's earlier discussion regarding transportation funding, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to also track the funding of this item. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, with input from Mr. Hansen, Supervisor Hyland asked unanimous consent that the Board direct staff to include as part of the process a statement from the public safety staff stating that there is not a reason not to grant a requested traffic-calming project. Without objection, it was so ordered.

Following further discussion, with input from Mr. Hansen, Supervisor Frey asked to amend the motion to direct staff to report with the following information regarding \$200 fines prior to implementing this program:

- Evaluation of how it is working in terms of the fines
- Number of tickets issued
- Whether the fines are being paid
- Whether those cited are proceeding through the court process
- Reaction of the judges to the process

This was accepted.

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

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

Chairman Hanley called the Board's attention to an additional Board Item, Action Item A-4 – Approval of Project Agreement for Franconia-Springfield Metrorail Station Parking Garage Addition. It was distributed to Board Members in their red folders today.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Board Summary Item CL#22.)

21. **A-3 – AUTHORIZATION FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT (JDRDC) TO ESTABLISH NEW POSITIONS TO BE ELIGIBLE FOR REIMBURSEMENT THROUGH TITLE IV-E OF THE SOCIAL SECURITY ACT** (Tape 4)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize JDRDC to hire additional staff to provide services to additional youth that are adjudicated to be truant, runaway and delinquent, and management support for quality assurance and audits of court records to ensure compliance with Title IV-E. The second to the motion was inaudible.

Discussion ensued with input Anthony H. Griffin, County Executive, and James S. Dedes, Director of Probation Services, Juvenile and Domestic Relations District Court Services.

Supervisor Connolly moved to amend the motion to consider these positions as grant positions and to add to this motion the standard language that the County is under no obligation to continue funding these positions should the source of funding disappear. Supervisor Mendelsohn seconded the motion.

Following the discussion, with input from Verdia L. Haywood, Deputy County Executive, Mr. Dedes, and Mr. Griffin, the question was called on the amendment to the motion which **CARRIED** by a recorded vote of nine, Supervisor Hudgins voting “NAY.”

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

22. **A-4 – APPROVAL OF PROJECT AGREEMENT FOR FRANCONIA-SPRINGFIELD METRORAIL STATION PARKING GARAGE ADDITION (LEE DISTRICT)** (Tape 4)

On motion of Supervisor Kauffman, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved in substantial form the Project Agreement for the Franconia-Springfield Metrorail Station Parking Garage Addition.

23. **I-1 – ENGINEERING DESIGN CONTRACT FOR PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES TO DREDGE LAKE ACCOTINK, PROJECT 475098-161 (BRADDOCK DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 28, 2002, requesting authorization for staff to award a contract to HDR Engineering, Incorporated, in the amount of \$198,200 for planning, environmental, and engineering services to dredge Lake Accotink. Funds are currently available in Fund 370, Park Authority Bond Construction, Project 475098-161, Lake Accotink Dredging.

24. **I-2 – LOCAL COMMENT LETTER TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) ON GROVETON GARDENS APARTMENTS (LEE DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 28, 2002, requesting authorization for the County Executive to sign the letter on Groveton Gardens Apartments and forward it to VHDA for consideration with the tax credit application.

The Board briefly discussed this item.

25. **I-3 – E-GOVERNMENT CUSTOMER SERVICE ENHANCEMENT: ON-LINE REGISTRATION AND PURCHASE OF DECALS** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 28, 2002, announcing enhancements to the E-Government customer service online.

**ADDITIONAL BOARD MATTERS**

NV:nv

26. **AMERICAN RED CROSS MONTH** (Tape 5)

Chairman Hanley announced that the month of March is nationally recognized as American Red Cross Month. The National Capital Chapter of the American Red Cross has requested that Fairfax County recognize its 97 years of service and commitment to the community. Therefore, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to:

- Prepare a proclamation recognizing March as “*Red Cross Month*” in Fairfax County.
- Invite representatives from the American Red Cross to appear before the Board at the February 25, 2002, meeting.

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

27. **NATIONAL CHILDREN’S DENTAL HEALTH MONTH** (Tape 5)

Chairman Hanley stated that Fairfax County has been asked to join the American Dental Association in recognizing the month of February as National Children’s Dental Health Month. The Health Department indicates that Fairfax County has a large population with unmet dental health needs and wishes to encourage citizens to establish and maintain good oral hygiene. Therefore, she moved that the Board direct staff to:

- Prepare a proclamation recognizing February as “*National Children’s Dental Health Month*” in Fairfax County.
- Invite the appropriate representative from the dental community to accept the proclamation at the February 11, 2002, meeting.

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

28. **NATIONAL AND STATE HONORS FOR THE NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD)** (Tape 5)

Chairman Hanley announced that at the annual meeting of Virginia's 47 conservation districts, the NVSWCD *Earth Team* earned both State and national awards for its combined 3,483 volunteer hours devoted to conservation last year. The *Earth Team* is the volunteer arm of the US Department of Agriculture's Natural Resources Conservation Service. More than half of the district's *Earth Team* hours came from the over 100 volunteers in the County's stream monitoring program.

Chairman Hanley noted that other awards went to Jean Packard, former County Board Chairman and Vice Chairman of the NVSWCD Board, who was named outstanding director of the year by the Virginia Association of Soil and Water Conservation Districts. Greg Evans, a member of their board and Chairman of the Potomac Watershed Roundtable, received the Watershed Connections Award. NVSWCD Association Director Dick Terwilliger received the E.C. Compton Meritorious Achievement Award in recognition of the 20 years he has dedicated to the conservation movement. This past year Mr. Terwilliger has focused his efforts on obtaining federal funds to rehabilitate Virginia's again watershed dams.

Accordingly, Chairman Hanley asked unanimous consent that the Board direct staff to prepare and send letters of congratulations and recognition to these County residents who volunteer so much of their time to improving water quality and the environment in the County and the State. Without objection, it was so ordered.

29. **REDUCTION IN THE NUMBER OF SCHOOL TRAILERS** (Tape 5)

Chairman Hanley noted that she had read an article in the December 31, 2001, edition of the *Fairfax Journal* on the topic of the annual bonus for Daniel A. Domenech, School Division Superintendent. One criteria on which he was judged was the reduction of the use of temporary classrooms. A five percent target reduction was exceeded with an actual eleven percent reduction.

Chairman Hanley asked unanimous consent that the Board direct the County Executive to request from the Superintendent an accounting on the reduction of the number of trailers. Without objection, it was so ordered.

Discussion continued briefly.

30. **OFFENDER AID AND RESTORATION (OAR) VOLUNTEERS** (Tape 5)

Chairman Hanley stated that the OAR of Fairfax County requested assistance about information and training on March 9 and 16, 2002, and needs volunteers. She noted that she would provide this correspondence to the Office of Public Affairs for publicity coverage.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**PMH:pmh**

31. **PARKING PROBLEM BEHIND STENWOOD ELEMENTARY SCHOOL AT THE KISS-AND-RIDE AREA** (Tape 6)

- (R) Supervisor Connolly said that he has been working with constituents to resolve a parking problem behind Stenwood Elementary School at the kiss-and-ride area that exits through Citadel Place onto Bucknell Drive. School officials are very concerned that when cars are parked on both sides of Citadel Place, access for emergency vehicles is limited and perhaps even compromised. In addition, operational problems are exacerbated during the peak morning and afternoon kiss-and-ride drop-off because it is extremely difficult for so many cars to move through so narrow a street. Attempts have been made by the Virginia Department of Transportation (VDOT) to permanently 'no park' portions of the block; however, this has inconvenienced residents who park on this block, including a handicapped resident.

Supervisor Connolly said that a consensus was reached that the best solution is to 'no park' the south side of Citadel Place, between 8 a.m. until 4 p.m. on school days. The County has authority to install 'no parking' signs according to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5-37, paragraph 2, wherein "parking along local residential streets is so restricting the primary purpose of the road as to interfere with that purpose," in this case, the safe and efficient passage of vehicles during school hours. In addition, his staff has discussed the matter with the Police Department and they are aware of the enforcement requirements.

Therefore, Supervisor Connolly moved that the Board adopt a Resolution establishing a time-restricted 'No Parking' area on the south side of Citadel Place, from 8 a.m. until 4 p.m. school days, and that staff convey the urgent nature of this request to VDOT's Permit Section so a permit can be quickly obtained and the signs installed as soon as possible. Supervisor Gross seconded the motion.

Supervisor Mendelsohn asked unanimous consent that the Board direct the County Executive to determine if this solution could be used near elementary schools. Without objection, it was so ordered.

The question was called on 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."



32. **REZONING BY CHRISTOPHER MANAGEMENT** (Tape 6)

Supervisor Connolly referred to the filing of a rezoning on two existing areas of County right-of-way associated with Hideaway Road and Swanee Lane in Providence District. The rezoning in question is filed in the name of Christopher Management, Incorporated and generally involves an assemblage of land at the intersection of Nutley Street and Interstate 66.

Therefore, Supervisor Connolly moved that the Board authorize the filing of a rezoning on those portions of Hideaway Road and Swanee Lane, as generally identified in the pending rezoning application affecting the same and filed in the name of Christopher Management, Incorporated. As is the case in matters such as this, approval of this motion shall in no way prejudice the substantive review of the pending rezoning. Supervisor Bulova seconded the motion and it carried by unanimous vote.

33. **REQUEST FOR REPORT FROM THE INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)** (Tape 6)

(BACs) Supervisor Connolly stated that he recently met with Edward H. Blum, Chairman, ITPAC, and he asked unanimous consent that the Board direct the County Executive to encourage ITPAC to prepare a status report to the Board on various accomplishments in the County.

Following input from Anthony H. Griffin, County Executive, without objection, it was so ordered.

34. **MCLEAN PROJECT FOR THE ARTS (MPA)** (Tape 6)

Supervisor Mendelsohn announced that the MPA will be celebrating its fortieth anniversary on February 9, 2002. MPA is a non-profit educational organization currently located in the McLean Community Center.

Supervisor Mendelsohn said that MPA was started in 1962 by a small group of women interested in bringing exhibitions of quality art to the community.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board congratulate the MPA on its fortieth anniversary and recognize its Board and staff by providing a proclamation for presentation at its anniversary celebration on February 9, 2002. Without objection, it was so ordered.

35. **WEEKLY AGENDA** (Tape 6)

Supervisor Mendelsohn referred to the possible termination of the *Weekly Agenda* and he asked unanimous consent that the Board direct staff to report to the Board prior to its action to terminate the *Weekly Agenda*.

Supervisor Bulova asked unanimous consent that the Board direct staff to report with options to continue publishing the *Weekly Agenda*. Without objection, it was so ordered.

36. **STORY SWAP** (Tape 6)

Supervisor Kauffman said that former students of the Laurel Grove School and descendants of the original trustees of the Laurel Grove Church will gather for a story swap. They will tell stories of these institutions and share their memories of living in Fairfax County under segregation. He invited everyone to attend.

The event will be held on Saturday, February 9, 2002, at 10 a.m. at the Laurel Grove Baptist Church located at 6834 Beulah Street.

37. **WAIVER OF FEES FOR PERMITS ASSOCIATED WITH THE FLEA MARKETS HELD BY THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB CHARITIES, INCORPORATED** (Tape 6)

Supervisor Kauffman requested a waiver of the application fees for permits associated with the flea markets held by the Springfield-Franconia Host Lions Club Charities, Incorporated. The Board has approved this waiver request annually since 1994.

Supervisor Kauffman noted that the flea markets are held on alternating Saturdays from April through November. All net proceeds from the flea markets are returned to the community

Therefore, Supervisor Kauffman moved that the Board waive the application fees for 21 day permits associated with the Springfield-Franconia Host Lions Club Charities 2002 flea markets. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

38. **CONCURRENT PROCESSING OF THE SITE PLAN AND OTHER ENGINEERING APPROVALS ASSOCIATED WITH SPECIAL EXCEPTION APPLICATION SE 01-L-045** (Tape 6)

Supervisor Kauffman said that pending Special Exception Application SE 01-L-045 is a request to expand an existing telecommunications facility in Lee District and will be the subject of a public hearing before the Planning Commission on March 21, 2002. There appears to be no significant unresolved planning and zoning issues associated with the request. On that basis the applicant has requested permission to begin concurrently processing the necessary site plans.

Therefore, Supervisor Kauffman moved that the Board authorize the Department of Public Works and Environmental Services to concurrently process the site plan and other engineering approvals associated with pending Special Exception

Application SE 01-L-045. This motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Hyland seconded the motion it carried by a vote of nine, Supervisor Hudgins being out of the room.

39. **MASON DISTRICT SENIOR CITIZEN TASK FORCE REPORT** (Tape 6)

Supervisor Gross presented the report of the Mason District Senior Citizen Task Force, entitled "*Looking Toward 2020: The Future for Senior Citizens.*" By 2020, the number of people older than age 65 in the region will increase by 107 percent.

Supervisor Gross noted that the report is the culmination of 18 months of work and additional copies are available through her office, as hard copies or by e-mail.

40. **REQUEST FOR INFORMATION ON THE ARLINGTON GRANT PROGRAM REGARDING STREAM PROJECTS IN PARKS AND PUBLIC LANDS** (Tape 6)

Supervisor Gross said that she attended the Northern Virginia Streams Confluence meeting at the Algonkian Regional Park. Nearly 200 volunteers gathered to review programs and policies regarding stream protection and restoration in Northern Virginia.

Supervisor Gross noted that in one of the panel presentations, she learned that Arlington County makes grants to civic associations and groups for stream projects in parks and public lands near their neighborhoods.

Therefore, Supervisor Gross asked unanimous consent that the board direct the County Executive to provide additional information about the Arlington grant program, how it works, how well it works, and how a similar grant program might be implemented in Fairfax County. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to include information regarding the cost of a similar program. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

41. **OUT-OF-TURN PLAN AMENDMENT TO BE INCLUDED IN THE 2002 SOUTH COUNTY AREA PLANS REVIEW (APR) CYCLE** (Tape 6)

Supervisor Gross said that the rules adopted by the Planning Commission for the 2002 South County APR Cycle include a prohibition on nominating property that was in an area included in a special study introduced or adopted since January 2000. Although no changes to the plan for Seven Corners Center were proposed, its location is within the Seven Corners Community Business Center, for which a

special study was adopted in February 2000. As a result, in order for the shopping center to have the opportunity for consideration of a plan amendment, the Board must authorize it.

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

- Consider an out-of-turn plan amendment for property located at Tax Map 51-3 ((1)) Lots 29 and 29A. For this out-of-turn plan amendment, staff should evaluate if an additional drive-through use is appropriate.
- Include this out-of-turn plan amendment in the evaluation process with the nominations introduced in the 2002 South County APR Cycle.

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

42. **THIRD ANNUAL GIRL POWER CONFERENCE** (Tape 6)

Supervisor Gross announced that the Third Annual Girl Power Conference will be held at the Baileys Community Center on Saturday, May 18, 2002.

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

- Prepare a proclamation declaring May 18, 2002, as Girl Power Day in Fairfax County.
- Invite the organizers of the conference to appear before the Board.

Without objection, it was so ordered.

43. **HIGH OCCUPANCY VEHICLES (HOV) LANES AND METROACCESS**  
(Tape 6)

Supervisor Bulova said that in September the Chairman wrote to the General Manager of the Washington Metropolitan Area Transit Authority (WMATA), Richard White, regarding the use of I-395 HOV lanes by MetroAccess vehicles. According to Mr. White, in 1998 WMATA received authorization from the Virginia General Assembly for paratransit vehicles to use the HOV lanes on I-395 during peak hours. Apparently there was, and continues to be, some confusion regarding this on the part of law enforcement personnel. Some paratransit vehicle drivers are so concerned about getting tickets that they are not using this new authorization.

Supervisor Bulova asked unanimous consent that the Board direct staff to make sure all law enforcement officials (County police, State troopers, Sheriff's Department personnel) are aware that MetroAccess vehicles are allowed to use the HOV lanes on I-395 during rush hour. Without objection, it was so ordered.

44. **CONSIDERATION ITEM - MINORITY BUSINESS START-UP ASSISTANCE** (Tape 6)

Supervisor Bulova said that the Census 2000 shows that nearly one in three people in Fairfax County lives in a household where a foreign language is spoken. An organization called the Business Development Assistance Group, Incorporated (BDAG), which works out of George Mason University's Enterprise Center conducts business assistance programs focusing on the language minorities. Its efforts have been successful and many immigrant-owned small businesses have been created. BDAG is a not-for-profit 501(C)(3) organization.

Supervisor Bulova noted that BDAG wishes to expand its efforts and is asking the County for assistance with a request for \$100,000.

Therefore, Supervisor Bulova asked unanimous consent that the Board refer this item to:

- The Economic Development Authority (EDA) for its consideration of the services offered by BDAG.
- Staff as a potential consideration item for the Fiscal Year 2003 budget in the amount of \$100,000.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request to only refer the item to the EDA for its consideration of the services offered by BDAG. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

45. **BRADDOCK DISTRICT TOWN MEETING** (Tape 6)

Supervisor Bulova announced that the Braddock District is hosting a winter town meeting on elder issues on February 6, 2002, at 2 p.m. at the Little River Glen Senior Center. The topic is "memory and mental acuity."

NV:nv

46. **CONCURRENT PROCESSING FOR REZONING APPLICATION RZ 2001-HM-052** (Tape 7)

Supervisor Hudgins stated that Keystone, LLC has filed a rezoning application to rezone 1246 Reston Avenue, Herndon, Virginia 20170, from the R-1 District to the R-2 District. She said that the application proposes a development of three single family homes on the property for a density of 1.38 units per acre.

Supervisor Hudgins moved that the Board direct staff in the Department of Public Works and Environmental Services to review and process the site and building plans for Tax Map 11-2 ((1)) Parcel 47A concurrent with the review of Rezoning Application RZ 2001-HM-052. She noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards and does not prejudice the consideration of this application in anyway. Supervisor Connolly seconded the motion, which carried by unanimous vote.

A brief discussion ensued.

47. **DONATIONS OF FOREIGN LANGUAGE BOOKS** (Tape 7)

Supervisor Hudgins stated that during a conversation with several members of Fairfax County's Iranian community, it was called to her attention that there is a dearth of Farsi and Persian language books in the Fairfax County Public Library system. The constituents in question wished primarily to donate titles to the library system so that they would be available for the community's Farsi-speaking children. In researching this issue further, she learned that the estimated cost of cataloging a single book in a foreign language other than Spanish, Vietnamese, or Korean, a process that is generally outsourced, would be \$35 per item. She stated her understanding that funds are not available for cataloging should language-minority communities donate books to the library system.

Supervisor Hudgins asserted that the diversity of the County's population and the seeming willingness of the language minorities to make donations to broaden the scope of the library services should be impetus enough to remedy this situation. Accordingly, she moved that the Board direct staff to respond as to how best to raise the accessibility of the library system by including donated foreign languages titles without incurring the exorbitant costs for cataloging. Supervisor Connolly seconded the motion, which carried by unanimous vote.

48. **UNPAID PARKING TICKETS** (Tape 7)

In an effort to assist a constituent concerned with tracking unpaid parking tickets, Supervisor Hudgins said that her office learned that the County cannot track unpaid parking tickets. While she found this message disturbing, especially when

there may be public safety concerns, she said that she had understood that the County did have a way to track unpaid parking tickets.

Following discussion, Anthony H. Griffin, County Executive, said that he would share correspondence he has on this subject.

Supervisor Hudgins asked unanimous consent that the Board direct the Department of Tax Administration to:

- Determine whether it can track unpaid parking tickets and the relationship and response that it has with the Sheriff's Department in providing the enforcement.
- Provide the number of unpaid parking tickets and the resources being used to retrieve those funds.

Following input from Mr. Griffin, without objection, it was so ordered.

Further discussion ensued with input from Mr. Griffin.

49. **SAFETY AT LOCAL AIRPORTS** (Tape 7)

Supervisor Hudgins stated that September's terrorist attacks have led to heightened awareness and heightened security in the nation's airports. She asserted that nowhere is this security more relevant and more necessary than in the Washington, DC metropolitan area. Congresswoman Eleanor Holmes Norton has suggested that priority be given to the three major airports in the area, Baltimore-Washington International, Reagan National, and Dulles International, for the installation of explosive detection systems (EDS). Though these systems will be required in all airports by January 2003, none of these three airports are currently fully equipped with EDS. In addition to the important role that Dulles and Reagan National airports play in the security of the nation's capital, these airports are also critical to the economic viability of Fairfax County and the region.

Therefore, Supervisor Hudgins moved that the Board direct staff to send a letter to the members of the Fairfax County federal delegation urging their support of the prioritization of the three Washington metropolitan airports for EDS installations. Supervisor Bulova seconded the motion, which carried by unanimous vote.

50. **DOGWOOD ELEMENTARY SCHOOL PROCLAMATION** (Tape 7)

(NOTE: Earlier in the meeting, Chairman Hanley announced that she and Supervisor Hudgins would be attending the 2 p.m. celebration at Dogwood Elementary School. See Clerk's Summary Item CL#10.)

Supervisor Hudgins moved that the Board approve a proclamation welcoming home students and staff to Dogwood Elementary School upon its reopening January 14 after a devastating fire last year. Chairman Hanley seconded the motion, which carried by unanimous vote.

51. **WEST SPRINGFIELD RESIDENTAL PERMIT PARKING DISTRICT (RPPD)** (Tape 7)

Supervisor McConnell stated that she received a petition requesting the expansion of the West Springfield RPPD Number 7, to encompass a portion of Center Road.

Residents on Center Road have made this request to preserve on street parking spaces that would normally be occupied by students attending West Springfield High School. She said that she forwarded these petitions with a request that staff from the Department of Transportation study this location to determine if it meets the guidelines set forth in the County Code for the RPPD.

Accordingly, Supervisor McConnell moved that the Board waive the \$10 per petition signature RPPD application fee. Supervisor Bulova seconded the motion, which carried by unanimous vote.

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

Supervisor McConnell stated that on December 3, 2001, the Board authorized the inclusion of approximately 7.73123 acres of right-of-way for portions of Ruffin Drive, Deming Drive, Dixie Hill Road, Rhett Lane, and Quality Street within the land area of the Centex Homes DixCenGato rezoning applications. Since that time, Centex has been working toward consolidating additional land area to be included in these applications. As additional land area joins the consolidation, opportunities to provide a more desirable road network are made available. To that end, Centex has requested Board authorization to include additional right-of-way within the application land area. This motion does include all of the right-of-way that has previously been authorized, as well as the proposed right-of-way for which Centex is seeking Board approval.

Accordingly, Supervisor McConnell moved that the Board authorize the inclusion of 10.786 acres of right-of-way for portions of Ruffin Drive, Deming Drive, Dixie Hill Road, Rhett Lane, and Legato Road, and all of the right-of-way for 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)) – 5, 6, 11 through 22, inclusive
- 56-1-((11)) 1, 2, 3A, 4A, 5, 6, 7 and Parcels A and B

For clarification purposes, Supervisor McConnell noted that the applicant has requested the inclusion of the right-of-way adjacent to Tax Map Parcel 56-1-((9)) 14, although the applicant does not have Lot 14 under contract. The applicant has asked that the motion include the right-of-way in the event that a mutually-acceptable agreement with that owner can be reached and to avoid further delays in the processing of the application. The applicant has agreed to include a proffer which would prohibit use of the immediately contiguous right-of-way to Parcel 14, absent the consent of the owner of Lot 14 or further action of this Board.

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 Bulova seconded the motion and it carried by unanimous vote.

53. **ROUTE 123 WIDENING PROJECT** (Tape 7)

Supervisor McConnell stated that the Virginia Department of Transportation (VDOT) is about to commence construction of the widening of Route 123 in the area of Burke Lake Park, Project 0123-029-132-R201. That widening will take a portion of the property of the Sikh Foundation of Virginia in which is located the septic system for its temple.

Supervisor McConnell said that VDOT and the Foundation have agreed on a site for relocation of the drainage field. However the relocation site is off the Foundation property on other land taken by VDOT as part of this project. Health Department regulations require the septic system to be on the same lot as the building it serves. It will, therefore, be necessary for VDOT and the Foundation to submit a boundary line adjustment to incorporate the site for the relocated drain

field into the Foundation property. It will also be necessary for the Foundation to obtain a special permit amendment, for Special Permit Application SP 83-S-098, to incorporate the new drain field location into the property subject to the special permit.

Supervisor McConnell stated that because a failure to expeditiously act on the boundary line adjustment and the special permit amendment would cause either a delay in the VDOT project or a shut down of the temple, she moved that the Board direct the staff to process both applications expeditiously. Chairman Hanley seconded the motion, which carried by unanimous vote.

54. **SPRINGFIELD DISTRICT APPOINTMENTS** (Tape 7)

(APPTS) (NOTE: Earlier in the meeting, the Board deferred appointments of the Springfield District Representatives to the Airports Advisory Committee and the Criminal Justice Advisory Board, respectively.)

Supervisor McConnell moved the appointment of Mr. Kenneth Meagher as the Springfield District Representative to the Airports Advisory Committee. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the appointment of Mr. Gene R. Voegtlin to fill the unexpired term of Mr. Michael J. Keenan as the Springfield District Representative to the Criminal Justice Advisory Board. This motion, the second to which was inaudible, carried by unanimous vote.

55. **SPRINGFIELD DISTRICT NEWSLETTER** (Tape 7)

Supervisor McConnell announced that the Springfield District newsletter is posted on the County's website and can be viewed at <http://www.co.fairfax.va.us/gov/bos/spd/NL0102.htm>.

(NOTE: Later in the meeting, the Board raised this issue again. See Clerk's Summary Item CL#64.)

56. **MOUNT VERNON DISTRICT'S FIFTEENTH ANNUAL TOWN MEETING** (Tape 7)

Supervisor Hyland announced that the Mount Vernon District's Fifteenth Annual Town Meeting, held at the Mount Vernon High School's Little Theatre attracted more than 375 people. He expressed appreciation to Members of the Board and staff who attended.

Supervisor Hyland stated that a major focus at this year's meeting was discussion about the Army's concern about public access to Fort Belvoir (which began prior to September 11) and the resulting closure of Woodlawn Road.

Supervisor Hyland announced that this successful meeting was taped and will replay on Cable Channel 16 at 8 p.m. on Monday, February 4; Thursday, February 14; and Monday, February 18, 2002. Extra copies of the tape will also be available for loan to citizens by the end of this week at Mount Vernon District Libraries and at the Supervisor's office.

57. **WAIVER OF SHOWMOBILE FEES** (Tape 7)

With reference to his written Board Matter on the subject, Supervisor Hyland moved that the Board direct staff to waive the fee for the use of the Showmobile for the Martha Washington Community Library for its event called "Diversity Day" on April 20, 2002. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

58. **RECOGNITION OF DAVID MOLCHANY** (Tape 7)

Supervisor Hyland stated that he recently learned that Fairfax County's Chief Information Officer, David Molchany, was recognized by *Computerworld* Magazine as one of the business world's Premier 100 Informational Technology Leaders for 2002. Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Molchany to appear before the Board to be recognized for his accomplishments. Without objection, it was so ordered.

59. **MOUNT VERNON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) NUMBER 24** (Tape 7)

Supervisor Hyland referred to his written Board Matter which stated that the residents of Maryland Street have submitted petitions to his office for the expansion of the Mount Vernon RPPD Number 24. He had requested that staff from the Department of Transportation study this street to determine if it meets the guidelines as set forth in the County Code for a RPPD.

Accordingly, Supervisor Hyland moved that the Board waive the \$10 per petition signature RPPD application fee for the residents of Maryland Street. Supervisor Bulova seconded the motion, which carried by unanimous vote.

60. **OUT-OF-TURN PLAN AMENDMENT S01-IV-LP1** (Tape 7)

Supervisor Hyland referred to his written Board Matter that stated that last July he offered a motion for property located on Richmond Highway, south of Pohick Church, to consider removing a condition in the Comprehensive Plan that limits residential use to elderly housing. There is now general agreement in the community that, in addition to changing the condition requiring elderly housing, the current Plan's density of 4-5 dwelling units per acre (du/ac) should be reduced to a density of 3-4 du/ac.

Therefore, Supervisor Hyland moved that the Board expand the authorization related to Out-of-Turn Plan Amendment S01-IV-LP1 to consider a reduction in planned density as well as a change to the condition requiring elderly housing. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

61. **CONCURRENT PROCESSING FOR MADISON HOMES, INCORPORATED** (Tape 7)

Supervisor Frey stated that Madison Homes, Incorporated, has submitted two rezoning applications (scheduled for public hearing later in the day) requesting approval to develop a total of 94 single family attached units along Rugby Road. Given the fact that the application is consistent with the recommendations of the Comprehensive Plan and has received a favorable recommendation from both the staff and the Planning Commission, the applicant has requested that the Board authorize concurrent processing.

Accordingly, Supervisor Frey moved that the Board direct the Department of Public Works and Environmental Services to process the subdivision plans concurrently with the consideration of Rezoning Application RZ 2001-SU-034 and Rezoning Application RZ 2001-SU-035. He noted that the applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor Bulova seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting the public hearing regarding these two rezoning applications was held. See Clerk's Summary Item CL#78.)

62. **PROPOSED ZONING ORDINANCE AMENDMENT FOR THE R-C RESIDENTIAL CONSERVATION ZONING DISTRICT** (Tape 7)

Supervisor Frey announced that the Board would soon be scheduling a meeting of the Development Process Committee to consider the Zoning Ordinance amendment workload priority program.

Supervisor Frey moved that the Board direct staff to prepare an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as a Priority One item that would allow, by special exception, the offices or headquarters, and associated management activities, for an athletic organization and related athletic facilities in the R-C Residential Conservation Zoning District.

Following a brief discussion, Chairman Hanley seconded the motion.

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

63. **DARTMOOR REGIONAL POND D-40 AND OTHER STORMWATER ISSUES** (Tape 7)

Supervisor Frey stated that in light of the recent concern over the existing Stormwater Management Regional Pond Programs and the preliminary resolution from the Environmental Quality Advisory Council (EQAC) Regional Storm Management, he moved that the Board defer Special Exception Amendment Application SEA 84-C-015 (Dartmoor Regional Pond D-40) indefinitely. He noted that “indefinitely” in this case is defined as until the larger pond program is reviewed. Supervisor Hyland seconded the motion.

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

Supervisor Frey moved that the Board direct the staff of the Department of Public Works and Environmental Services (DPWES) to evaluate on a watershed-by-watershed basis the watershed master planning initiative as currently proposed by staff.

Supervisor Frey further moved that the Board direct staff to form a multi-agency committee to develop a unified position on the use of regional ponds as a watershed management tool. The committee shall consist of staff from DPWES, the Park Authority, the Department of Planning and Zoning, the County Executive’s Office, the County’s environmental coordinator, EQAC, and other organizations as appropriate.

Supervisor Mendelsohn seconded the motion with the understanding that the review would include regional ponds as well as other alternative types of stormwater controls.

Following discussion, Supervisor McConnell asked to amend the motion to stipulate that the review will not interfere with ongoing projects or projects that will be submitted, and this was accepted.

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

64. **SPRINGFIELD DISTRICT NEWSLETTER** (Tape 7)

(NOTE: Earlier in the meeting the Board discussed the online Springfield District newsletter. See Clerk's Summary Item CL#55.)

In light of today’s warm weather, Supervisor Mendelsohn called the Board’s attention to an article about snow in the Springfield District newsletter.

65. **INTENT TO DEFER PUBLIC HEARINGS** (Tape 7)

Supervisor Frey announced his intent to defer, later in the day at the appropriate time, the public hearing on Rezoning Application RZ 2001-SU-033 until February 25, 2002.

Supervisor Connolly announced his intent to defer, later in the day at the appropriate time, the public hearing on a proposal to abandon a portion of Wilson Avenue until February 11, 2002, at 3 p.m.

(NOTE: Later in the meeting these public hearings were formally deferred. See Clerk's Summary Items CL#82 and CL#87.)

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

At 12:45 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. In the matter of Pantech Corporation, General Contractor for Task Order No. 3, Laboratory Modifications and Improvements, Noman M. Cole, Jr., Pollution Control Plant, Contract No. CN75604
  2. *Host Marriott Corporation and HMC Diversified American Hotels LP v. Board of Supervisors*, At Law No. 200918 (Providence District); *Host Marriott Corporation and Eastside Hotel Associates LP v. Board of Supervisors*, At Law No. 200919 (Providence District); *Host Marriott Corporation and Host*

- Marriott LP v. Board of Supervisors*, At Law No. 200920 (Sully District)
3. *Herndon Lodge General Partnership v. Board of Supervisors*, At Law No. 199870 (Dranesville District)
  4. *Smith Property Holdings Skyline Mall, LLC v. County of Fairfax and Board of Supervisors*, At Law No. 200888 (Mason District)
  5. *Anh-Hung Tran Duong v. County of Fairfax*, At Law No. 200365 (Fx. Co. Cir. Ct.)
  6. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Guillermo Hernandez and Becky S. Hernandez*, In Chancery No. 174996 (Fx. Co. Cir. Ct.) (Lee District)
  7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. John T. Morrisey*, In Chancery No. 175624 (Fx. Co. Cir. Ct.) (Mason District)
  8. *Jane W. Gwinn, Fairfax County Zoning Administrator and John Wesley White, Director, Department of Public Works and Environmental Services v. Chi Won Hwang a/k/a Charlie C. Hwang, Chi Kwon Hwang a/k/a John C. Hwang, and Brothers Construction Company, Inc.*, In Chancery No. 172421 (Fx. Co. Cir. Ct.) (Lee District)
  9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Shirley L. Bacon and Raymond E. Bacon*, In Chancery No. 176140 (Fx. Co. Cir. Ct.) (Sully District)

and in addition:

- National Rifle Association versus Board of Supervisors, et al., At Law No. 192519
- Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 6709 Hackberry Street
- Va. Code § 15.2-1717.1

- Fairfax County Economic Development Authority Resource Recovery Revenue Refunding Bonds, Series A

Supervisor Bulova seconded the motion.

Chairman Hanley announced that should this motion carry, closed session would convene immediately. She and Supervisor Hudgins would be leaving for Dogwood Elementary School in one hour.

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

**PW:pw**

At 3:10 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

#### **ACTIONS FROM CLOSED SESSION**

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

68. **AUTHORIZATION TO SETTLE NATIONAL RIFLE ASSOCIATION VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, ET AL., AT LAW NUMBER 192519** (Tape 8)

Supervisor Connolly moved that the Board authorize the settlement in *National Rifle Association versus Board of Supervisors of Fairfax County, et al.*, At Law Number 192519, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion, which carried by unanimous vote.



69. **AUTHORIZATION TO SETTLE IN THE MATTER OF PANTECH CORPORATION, GENERAL CONTRACTOR FOR TASK ORDER NUMBER 3, LABORATORY MODIFICATIONS AND IMPROVEMENTS, NOMAN M. COLE, JR., POLLUTION CONTROL PLANT, CONTRACT NUMBER CN75604** (Tape 8)

Supervisor Hyland moved that the Board authorize the settlement in the matter of Pantech Corporation, General Contractor For Task Order Number 3, Laboratory Modifications and Improvements, Noman M. Cole, Jr., Pollution Control Plant, Contract Number Cn75604, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion, which carried by unanimous vote.

### **AGENDA ITEMS**

70. **ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 6709 HACKBERRY STREET [TAX MAP NUMBER 091-1-((02))-0163] (LEE DISTRICT)** (Tape 8)

- (A) (NOTE: Earlier in the meeting the Board deferred action on this item. See Clerk's Summary Item CL#17.)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and authorize the advertisement of a public hearing to be held before the Board on **February 25, 2002, at 4 p.m.** to consider the adoption of a Spot Blight Abatement Ordinance for 6709 Hackberry Street. Supervisor Hyland seconded the motion and it carried by unanimous vote.

71. **APPOINTMENT TO THE HUMAN RIGHTS COMMISSION** (Tape 8)

- (APPT) (NOTE: Earlier in the meeting, during appointments to Boards, Authorities, Commissions, and Committees, the Board inadvertently omitted this appointment.)

Chairman Hanley moved the appointment of Mr. James T. Tsai to fill the unexpired term of Mr. Sang Kuen Park as the At-Large #9 Representative to the Human Rights Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

NV:nv

72. **3 P.M. – ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (Tape 8)

At 3:15 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Hanley in accordance with Article III, Section I of the Bylaws.

Supervisor Connolly moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

**OFFICERS**

Katherine K. Hanley Chairman, Fairfax County Board of Supervisors	Chairman
Gerald W. Hyland Vice-Chairman, Fairfax County Board of Supervisors	Vice-Chairman
Nancy Vehrs Clerk to the Fairfax County Board of Supervisors	Secretary
Robert L. Mears Director, Office of Finance	Treasurer
David P. Bobzien County Attorney	Attorney
Anthony H. Griffin County Executive	Executive Director
Joyce Doughty Director, Division of Solid Waste Disposal and Resource Recovery, Department of Public Works and Environmental Services	Authority Representative

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

Supervisor Connolly moved approval of the minutes of the January 22, 2001, and April 30, 2001, meetings of the Fairfax County Solid Waste Authority. Supervisor Gross seconded the motion and it carried by unanimous vote.

Supervisor Gross moved approval of the financial statements for the Authority as distributed to members of the Authority. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Following a brief discussion, at 3:20 p.m., Supervisor Gross moved to adjourn the meeting of the Solid Waste Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**DS:ds**

73. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-S-003 (FEDERATED DEPARTMENT STORES, INCORPORATED) (SPRINGFIELD DISTRICT) [FORMERLY SULLY DISTRICT]** (Tape 9)

(NOTE: At its January 7, 2002, meeting the Board deferred the public hearing on this item until January 28, 2002.)

The application property is located within the Fair Oaks Mall, Tax Map 46-3 ((8)) 1B pt.

Ms. Catharine Puskar reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of Special Exception Application SE 01-S-003, subject to the development conditions dated January 10, 2002. Supervisor Connolly and Supervisor Frey jointly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

74. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-030 (ENTERPRISE LEASING COMPANY, D/B/A ENTERPRISE RENT-A-CAR) (PROVIDENCE DISTRICT)** (Tape 9)

(NOTE: At the January 7, 2002, meeting the Board deferred the public hearing on this item until January 28, 2002.)

The application property is located at 6526 and 6530 Arlington Boulevard, Tax Map 50-4 ((9)) 38 and 39.

Mr. David C. Stewart reaffirmed the validity of the affidavit for the record.

Mr. Stewart 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 Enterprise Rent-A-Car

Following the public hearing, William 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 Application SE 01-P-030, subject to the development conditions dated November 28, 2001.
- Modification of the transitional screening requirements to the north and west and waiver of the barrier requirement to the west in accordance with the special exception plat.
- Waiver of the frontage improvement for the third westbound lane for Arlington Boulevard.
- Modification of the trail requirement along Arlington Boulevard to permit a four-foot wide sidewalk.

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

75. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-V-014 (BARGAIN RENT A CAR) (MOUNT VERNON DISTRICT)** (Tape 9)

The application property is located at 8145 Richmond Highway, Tax Map 101-2 ((1)) 25.

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 Hyland moved **DENIAL** of Special Exception Application SE 01-V-014. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

76.

**3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-069-12 (TRW, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tapes 9-10)

The application property is located on the north side of Fair Lakes Parkway, approximately 1,250 feet east of Stringfellow Road and west of Fair Lakes Circle, Tax Map 55-1 ((1)) 33, and 55-2 ((1)) 21.

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

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

Supervisor McConnell moved:

- Approval of Proffered Condition Amendment Application PCA 82-P-069-12, subject to the proffers dated January 24, 2002.
- Waiver of the 600-foot maximum length of private streets.
- Waiver of the requirement for a 200-square foot privacy yard for each unit.
- Modification of the transitional screening and waiver of the barrier to the north in favor of the existing vegetation as shown on the Conceptual Development Plan/Final Development Plan and as proffered.

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

77. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 78-C-024 AND PCA 81-C-005, AND SPECIAL EXCEPTION APPLICATION SE 97-Y-006 (CATHOLIC DIOCESE OF ARLINGTON [SAINT VERONICA PARISH]) (SULLY DISTRICT)**  
(Tape 10)

The Proffered Condition Amendment Applications PCA 78-C-024 and PCA 81-C-005 properties are located west of Centreville Road, approximately 1,000 feet south of Barnsfield Road, Tax Map 34-2 ((1)) 10B pt.

The Special Exception Application SE 97-Y-006 property is located at 3227 Centreville Road, Tax Map 34-2 ((1)) 10B.

Mr. David L. Lause reaffirmed the validity of the affidavit for the record.

Mr. Lause 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 Michael Davis, Transportation Planner II, Site Analysis Section, Department of Transportation, and Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning.

Following the public hearing, which included testimony by one speaker, Ms. Swagler presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Applications PCA 78-C-024 and PCA 81-C-005, subject to the proffers dated December 17, 2001. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hudgins, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Special Exception Application SE 97-Y-006, subject to the development conditions dated January 24, 2002. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hudgins, and Chairman Hanley being out of the room.

78. **4 P.M. – PH ON REZONING APPLICATIONS RZ 2001-SU-034 AND RZ 2001-SU-035 (MADISON HOMES, INCORPORATED) (SULLY DISTRICT)**  
(Tape 10)

(Os) (NOTE: At the January 7, 2002, meeting the Board deferred the public hearing on this item until January 28, 2002.)

The Rezoning Application RZ 2001-SU-034 property is located on the west side of Rugby Road and south of the Fairfax County Parkway, Tax Map 45-2 ((2)) 17.

The Rezoning Application RZ 2001-SU-035 property is located on the west side of Rugby Road, north of Route 50 and south of the Fairfax County Parkway, Tax Map 45-2 ((2)) 5-15.

Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-SU-034, be amended from the R-1 and WS Districts to the R-5 and WS Districts, subject to the proffers dated December 11, 2001. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Hudgins, and Supervisor McConnell being out of the room.

Supervisor Frey moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-SU-035, be amended from the R-1 and WS Districts to the R-5 and WS Districts, subject to the proffers dated January 16, 2002. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Hudgins, and Supervisor McConnell being out of the room.

Supervisor Frey moved a waiver of the minimum district size for Rezoning Application RZ 2001-SU-034. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hudgins, and Supervisor McConnell being out of the room.

Supervisor Frey moved a waiver of the 600-foot maximum length of private streets for Rezoning Application RZ 2001-SU-035. Supervisor Bulova and Supervisor Hyland jointly seconded the motion, and it carried by a vote of seven, Supervisor Connolly, Supervisor Hudgins, and Supervisor McConnell being out of the room.

Supervisor Frey moved a modification of the transitional screening and waiver of the barrier requirement on all sides of Rezoning Applications RZ 2001-SU-034 and RZ 2001-SU-035 both in favor of that shown on the generalized development

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

79. **4 P.M. – PH ON REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ 1999-PR-029/FDP 1999-PR-029 (COSCAN WASHINGTON, INCORPORATED) (PROVIDENCE DISTRICT)**  
(Tape 10)

Supervisor Connolly moved that the Board defer the public hearing on Rezoning/Final Development Plan Application RZ 1999-PR-029/FDP 1999-PR-029 indefinitely. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

80. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-L-024 (KINGSTOWNE TOWNE CENTER, LP) (LEE DISTRICT)** (Tape 10)

(NOTE: At its January 7, 2002, meeting the Board deferred the public hearing on this item until January 28, 2002.)

The application property is located at 5955 Kingstowne Boulevard, Tax Map 91-2 ((1)) 26Q (formerly 26A).

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

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

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

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

Following the public hearing, Leslie Johnson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved approval of Special Exception Application SE 01-L-024, subject to the development conditions dated October 24, 2001. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.



81. **4 P.M. – PH REGARDING CONTRACT FOR AND THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO FAIR LAKES METROPOLITAN SQUARE, LLC, AND FAIR LAKES METROPOLITAN SQUARE II, LLC (SPRINGFIELD DISTRICT)** (Tape 10)

Supervisor Bulova moved to defer the public hearing regarding a contract for the conveyance of County-owned property to Fair Lakes Metropolitan Square, LLC, and Fair Lakes Metropolitan Square II, LLC until **February 11, 2002, at 4 p.m.** Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

82. **4:30 P.M. – PH ON A PROPOSAL TO ABANDON A PORTION OF WILSON AVENUE (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing regarding a proposal to abandon a portion of Wilson Avenue to **February 11, 2002, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

83. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 96-L-005-2 (SPRINGFIELD CAMPUS LLC) (LEE DISTRICT)** (Tapes 10-11)

The application property is located on the west side of Hampton Creek Way at its intersection with Spring Village Drive, Tax Map 90-1 ((1)) 63 pt. and 64.

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

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

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

Supervisor Kauffman moved approval of Proffered Condition Amendment Application PCA 96-L-005-2, subject to the proffers dated December 17, 2001. Supervisor Bulova and Supervisor Hudgins jointly seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

84. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-136-2 (SHEEHY INVESTMENTS FOUR, LC C/O VINCE SHEEHY, IV) (LEE DISTRICT)** (Tape 11)

The application property is located at 7434 and 7436 Richmond Highway, Tax Map 92-4 ((1)) 68A.

Mr. David K. Clear reaffirmed the validity of the affidavit for the record.

Mr. Clear 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 Kauffman moved:

- Approval of Special Exception Amendment Application SEA 85-L-136-2, subject to the development conditions dated January 9, 2002.
- Modification of the transitional screening requirement along the western property line and a portion of the northern property line, adjacent to residential development, to the existing and supplemental landscaping as shown on the SEA plat.
- Modification of the Richmond Highway streetscape and trail requirements to the existing vegetation and sidewalk as shown on the SEA plat.

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

85. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-L-016-2 (FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY) (MOUNT VERNON DISTRICT)** (Tape 11)

The application property is located on the east side of Old Mill Road, approximately 1,200 feet north of its intersection with Richmond Highway, Tax Map 109-2 ((1)) 5A and 5B.

Mr. Jack B. Clark reaffirmed the validity of the affidavit for the record.

Mr. Clark 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 Hyland moved:

- Approval of Proffered Condition Amendment Application PCA 91-L-016-2 and the conceptual development plan, subject to the proffers dated January 4, 2002.
- Waiver of the privacy yard requirement for the rear-loaded garage units.
- Modification of the transitional screening along the west property line to permit the existing and proposed vegetation as shown on the conceptual development plan/final development plan.
- Waiver of the barrier requirement along the west property line.

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

86. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-C-060-9 (WESLEY COPPERMINE LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 11)

The application property is located at the intersection of McNair Farms Drive and Coppermine Road, Tax map 16-3 ((1)) 35H.

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 three speakers, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Proffered Condition Amendment Application PCA 87-C-060-9, subject to the proffers dated January 8, 2002.

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

Supervisor Hudgins moved modification of:

- The transitional screening requirement to the east.
- Additional Standard 10 for housing for the elderly to permit the transitional screening and front yard setback in accordance with the Conceptual/Final Development Plan.

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

Supervisor Hudgins moved that the Board authorize the County Executive to sign the agreement dated January 24, 2002, between Mr. Bahman Batmanghelidj and the County securing the payment of the Housing Trust Fund contribution until the affordable housing units are provided in Land Bay 7 as described in the proffers. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

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

- Waiting list for housing for the disabled
- Location of housing for the disabled

Without objection, it was so ordered.

87. **5 P.M. – PH ON REZONING APPLICATION RZ 2001-SU-033 (STANLEY-MARTIN HOMEBUILDING, LLC) (SULLY DISTRICT)** (Tape 11)

Supervisor Frey moved that the Board defer the public hearing on Rezoning Application RZ 2001-SU-033 until **February 25, 2002, at 4:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

88. **5 P.M. – PH ON REZONING APPLICATION RZ 2001-PR-020 (ROSETTA BROOKS) (PROVIDENCE DISTRICT)** (Tape 11)

- (O) The application property is located on the north side of Amanda Place approximately 1,400 feet east of its intersection with Cedar Lane, Tax Map 49-1 ((1)) 40B.

Mr. Joseph A. Brooks reaffirmed the validity of the affidavit for the record.

Mr. Brooks 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, Charles Burnham, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-PR-020, from the R-1 District to the R-5 District, subject to the proffers dated November 27, 2001.
- Waiver of the minimum district size.
- Waiver of the open space requirement.

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

89. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING DRY CLEANING ESTABLISHMENTS/LAUNDRIES**  
(Tapes 11-12)

(O) (NOTE: At its November 19, 2001, meeting the Board deferred the public hearing on this item until January 28, 2002.)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of January 10 and January 17, 2002.

Discussion ensued with input from Eileen M. McLane, Deputy Zoning Administrator, Department of Planning and Zoning (DPZ), and Jack Reale, Assistant to the Zoning Administrator, DPZ.

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

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding dry cleaning establishments/laundries, as set forth as Alternative 2 in the staff report dated September 10, 2001, which will allow a garment cleaning establishment by right with a maximum of 3,000 square feet of gross floor area in the C-5 through C-9 retail commercial districts and the commercial areas of the P district when shown on an improved development plan, with the following revisions:
  - That there be no restriction or prohibition on the type of solvents and/or type of machines used in the mechanical cleaning process.
  - That there be no limit on the number of pickup stations that could be served by a garment cleaning establishment.
  - That the effective date for the amendment is **12:01 a.m., January 29, 2002.**

Supervisor Bulova and Supervisor Hudgins jointly seconded the motion.

Following discussion, the question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Kauffman voting "NAY."

90. **BOARD ADJOURNMENT** (Tape 12)

At 6:55 p.m., the Board adjourned.

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