



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
JULY 12, 1999**

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16-99

SBE:sbe

The meeting was called to order at 9:40 a.m., with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Chairman Hanley announced that Supervisor McConnell would be arriving late.

Supervisor McConnell arrived at 10:20 a.m.

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

2. **CERTIFICATE OF RECOGNITION PRESENTED TO FAIRFAX CABLE ACCESS CORPORATION'S CHANNEL 10 SPORTS** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to the Fairfax Cable Access Corporation's Channel 10 Sports for its support and coverage of local high school sporting events. Supervisor Dix seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. LINDA GOLDBERG** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Linda Goldberg, upon her retirement as Principal of the Hunters Woods Elementary School, for her years of service. Supervisor Gross seconded the motion and it carried by a vote of seven, *Supervisor Connolly and Supervisor Frey being out of

the room, Supervisor McConnell not yet having arrived.

(*NOTE: Later in the meeting, Supervisor Connolly asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#5.)

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. PATRICIA LAWLESS** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Ms. Patricia Lawless for being named 1999 Realtor of the Year. Chairman Hanley seconded the motion and it carried by a vote of eight, *Supervisor Connolly being out of the room, Supervisor McConnell not yet having arrived.

(*NOTE: Later in the meeting, Supervisor Connolly asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#5.)

BOARD MATTER

5. **REQUEST TO RECORD VOTE** (Tape 1)

Upon his return to the Board Auditorium, Supervisor Connolly asked unanimous consent to be recorded as voting "AYE" on the previous two items. Without objection, it was so ordered.

AGENDA ITEMS

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE RESTON CHARACTER COUNTS COALITION** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to the Reston Character Counts Coalition for its outstanding efforts in the community. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Dix noted for the record that this Certificate includes the Reston Association, Greater Reston Chamber of Commerce, Reston Community Center Board of Governors, Reston Citizens Association, and Reston Interfaith, all represented today.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MICHAEL SCHEURER, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to the Michael Scheurer, HCD, for his years of service. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO THE RESTON FESTIVAL STEERING COMMITTEE AND ORGANIZERS** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to the Reston Festival steering committee and organizers for its efforts in putting together this year's Festival. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO TOM FITZPATRICK, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPW&ES)** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Tom Fitzpatrick, DPW&ES, for his years of service with Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

CM:cm

10. **ADMINISTRATIVE ITEMS** (Tape 2)

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

Supervisor Dix asked to amend the motion to consider separately Administrative Item 15 - Authorization for the Fairfax County Police Department to Apply to the US Department of Justice, Office of Community Oriented Policing Services (COPS) in Schools Grant Funding, and this was accepted.

There was a brief discussion between staff and Supervisor Kauffman on Administrative Item 9 - Authorization for the Fairfax County Police Department to Submit a Grant Application to the Virginia Department of Motor Vehicles (DMV) for a Deer Crash Abatement Program.

There was a brief discussion on Administrative Item 12 - Agreements with the Virginia Department of Transportation and Springfield Mall for Commuter Parking (Lee District).

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

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE AND SULLY DISTRICTS)

(R) Approved the request that certain streets listed in the Memorandum to the Board dated July 12, 1999, be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Great Falls West	Dranesville	Great Falls Way, Route 8019 Nalls Farm Way, Nalls Dairy Court, Jackson Tavern Way Seneca Road, Route 602, Additional right-of-way only
Monument Drive	Sully	Monument Drive, Route 7969 (4 Lanes)

ADMIN 2 – EXTENSION OF REVIEW PERIOD FOR A 2232 PUBLIC FACILITY REVIEW APPLICATION

Authorized extension of the review period for 2232 Public Facility Review Application Number FS-S99-12 until September 27, 1999, to ensure compliance with the review requirements mandated by Section 15.2-2232 of the *Code of Virginia*.

ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 96-L-014, STEPHEN P. MEHR (LEE DISTRICT)

- (AT) Approved a request for 30 months of additional time to commence construction for Special Exception Application SE 96-L-014 to December 2, 2001, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 – INSTALLATION OF A MULTI-WAY STOP AT EXETER STREET AND FALCON STREET (MASON DISTRICT)

- ☐ Endorsed the installation of a multi-way stop at the following intersection:
 - Exeter Street (Route 3205) and Falcon Street (Route 3219).
- ☐ Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 5 – INSTALLATION OF A MULTI-WAY STOP AT MINBURN STREET AND GOLDEN ARROW STREET (DRANESVILLE DISTRICT)

- ☐ Endorsed the installation of a multi-way stop at the following intersection:
 - Minburn Street and Golden Arrow Street.
- ☐ Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 6 – ADDITION, RENUMBERING, AND DISCONTINUANCE OF PORTIONS OF OAKTON ROAD AND THE ADDITION AND DISCONTINUANCE OF A SEGMENT OF JERMANTOWN ROAD (PROVIDENCE DISTRICT)

- (R) Adopted a Resolution requesting that:
- ⊘ The new alignment of Oakton Road be added to the secondary system and that segments of Oakton Road be renumbered for inclusion in the secondary system and discontinued from the secondary system.
 - ⊘ A widened segment of Jermantown Road be added to the secondary system and the former centerline of Jermantown Road be discontinued from the secondary system.

ADMIN 7 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON BEHALF OF PHILLIPS PROGRAMS (MASON DISTRICT)

- (R) Bonds Adopted the Resolution approving the issuance of a bond issue by the EDA on behalf of Phillips Programs, a Virginia corporation exempt from taxation under Internal Revenue Code Section 501(c) (3).

ADMIN 8 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON BEHALF OF SANDY ROCK LLC (SULLY DISTRICT)

- (R) Bonds Adopted the Resolution approving the issuance of a bond issue by the EDA on behalf of Sandy Rock, LLC.

ADMIN 9 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR A DEER CRASH ABATEMENT PROGRAM

(NOTE: Earlier in the meeting there was a brief discussion regarding this item. See page three.)

Authorized the Fairfax County Police Department to apply to the DMV for a grant in the amount of \$40,000, to fund a Deer Crash Abatement Program. A local in-kind match is required.

ADMIN 10 – ENDORSEMENT OF A TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION GRANT APPLICATION FOR THE GREAT FALLS COMMUNITY LINKAGE PROJECT (DRANESVILLE DISTRICT)

Endorsed an application to be submitted to the Federal Highway Administration for a grant of \$685,000 to implement a trail project known as the Community Linkage Project in the Great Falls area.

ADMIN 11 – VACATION OF A PORTION OF SANITARY SEWER EASEMENT IN THE WEST VIEW HILLS SUBDIVISION (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 2, 1999, at 4:30 p.m.** on the proposed vacation of a portion of a sanitary sewer easement and directed staff to notify adjacent property owners of the public hearing by certified mail.

ADMIN 12 – AGREEMENTS WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND SPRINGFIELD MALL FOR COMMUTER PARKING (LEE DISTRICT)

(NOTE: Earlier in the meeting there was a brief discussion regarding this item. See page three.)

- ⊘ Approved in substantial form the agreements contained in the Memorandum to the Board to provide additional parking for commuters at the Springfield Mall, as parking at the Franconia-Springfield Metrorail Station is nearly at capacity and construction of the Springfield Interchange project will continue for a number of years.
- ⊘ Authorized the Director of Transportation to execute both agreements.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) APPENDIX G, TO EXPAND THE OAKTON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 19 (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 2, 1999, at 4:30 p.m.** to consider adopting a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to expand the Oakton RPPD, District 19.

ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON WHERNSIDE STREET (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 2, 1999, at 4:30 p.m.** for consideration of requesting the Virginia Department of Transportation (VDOT) to restrict through truck traffic on Whernside Street between Pohick Road and Telegraph Road.

ADMIN 15 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO APPLY TO THE US DEPARTMENT OF JUSTICE, OFFICE COMMUNITY ORIENTED POLICING SERVICES (COPS) IN SCHOOLS GRANT FUNDING

(NOTE: Later in the meeting action was taken regarding this item. See Clerk's Summary Item CL#11.)

11. **ADMIN 15 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO APPLY TO THE US DEPARTMENT OF JUSTICE, OFFICE COMMUNITY ORIENTED POLICING SERVICES (COPS) IN SCHOOLS GRANT FUNDING** (Tape 2)

Supervisor Bulova moved that the Board authorize the Fairfax County Police Department to apply to the US Department of Justice, Office of Community Oriented Policing Services, for a COPS in Schools grant in the amount of \$4,187,855 to hire, train, and support 14/14.0 SYE additional sworn law enforcement officers. Supervisor Connolly seconded the motion.

Following discussion, with input from staff, the question was called on the motion, which carried by unanimous vote.

Supervisor Frey asked unanimous consent that the Board direct staff to provide Board Members with information regarding the percentage of the COPS program that is funded by local taxpayers versus that funded by the federal grant. Without objection, it was so ordered.

12. **A-1 – APPROVAL OF STORM DRAINAGE IMPROVEMENT PROJECTS FOR IMPLEMENTATION USING FISCAL YEAR (FY) 2000 FUNDING (COUNTYWIDE)** (Tape 2)

Following discussion, with input from Howard J. Guba, Director, Office of Capital Facilities, Department of Public Works and Environmental Services, Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize approval of the storm drainage improvement projects as contained in Attachment I of the Memorandum to the Board dated July 12, 1999, for funding using FY 2000 funds. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide Board Members with information regarding the plans for de-silting the lakes. Without objection, it was so ordered.

13. **A-2 - APPROVAL OF WALKWAY IMPROVEMENT PROJECTS (COUNTYWIDE)** (Tape 2)

Supervisor Connolly moved that the Board concur in the recommendation of staff and authorize approval of the walkway improvement projects for Fiscal Year (FY) 2000 as contained in the Memorandum to the Board dated July 12, 1999, with the following amendment:

- Add the three Providence District projects listed in the Board Item to the list.

Supervisor Gross amended the motion to move \$30,000 from the Mason District priority 3 to fund design of a new priority 4, as stated in Attachment II of the Memorandum to the Board dated July 12, 1999, and this was accepted.

Following further discussion, with input from Randall Flowers, Department of Public Works and Environmental Services, the question was called on the motion, as amended, which carried by unanimous vote.

14. **A-3 – AGREEMENT FOR THE CONSTRUCTION OF STONECROFT BOULEVARD EXTENSION (SULLY DISTRICT)** (Tape 2)

Supervisor Frey moved to defer action on this item until later in the meeting.

(NOTE: Later in the meeting action was taken regarding this item. See Clerk's Summary Item CL#69.)

15. **A-4 - EXPANSION OF BUS PARKING LOT AT THE FAIRFAX CONNECTOR HUNTINGTON DIVISION GARAGE (LEE AND MOUNT VERNON DISTRICTS)** (Tape 2)

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

- ⊞ Directed staff to request a determination from the Planning Commission, pursuant to Section 15.2-2232 of the *Code of Virginia*, as to whether a proposed expansion to the FAIRFAX CONNECTOR Huntington Division garage parking lot is substantially in accord with the County's Comprehensive Plan; authorized staff to complete, or to have completed, the studies required as part of the application to the Planning Commission; and authorized staff to proceed with the design and construction of the parking lot expansion, if the Planning

Commission determines that the proposed parking lot expansion is substantially in accord with the Comprehensive Plan.

- ⊘ Approved the use of \$380,000 in 1990 Transportation Bond funds for preliminary studies, design, and construction of the parking lot expansion at the Huntington Division garage.
- ⊘ Approved an administrative reallocation in Fund 311, in the amount of \$380,000, from Project 88A002, Vienna Feeder Bus, to Project 90A012, Huntington Garage Parking Lot Expansion, to allow preliminary work on the expansion project to begin immediately.

Following discussion, Supervisor Dix asked unanimous consent that the Board direct staff to provide an update on funding options and the feasibility of the expansion of the Reston East parking lot. Without objection, it was so ordered.

16. **A-5 – ENDORSEMENT OF STREETS TO BE INCLUDED IN THE TRAFFIC CALMING PILOT PROGRAM (TCPP) COUNTYWIDE)** (Tape 2)

On motion of Supervisor Gross, seconded by Supervisor Mendelsohn, and carried by unanimous vote, the Board concurred in the recommendation of staff and endorsed the selection of the following streets into the Fairfax County Department of Transportation/Virginia Department of Transportation (VDOT) TCPP and requested staff and VDOT to develop traffic calming plans in conjunction with each community, as soon as possible:

- ⊘ Cherokee Avenue/Chowan Avenue (Mason District)
- ⊘ Memorial Street (Lee District)
- ⊘ Ox Hill Road/Charles Stewart Drive (Sully District)

17. **A-6 – RESOLUTION ENDORSING THE ISSUANCE OF BONDS FOR CATEGORY 3 PROJECTS OF THE NORTHERN VIRGINIA TRANSPORTATION DISTRICT PROGRAM** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that this item be deferred until later in the meeting. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, no action was taken regarding this item.)

18. **A-7 - APPROVAL OF A CHANGE TO THE COMMUNITY USE OF PUBLIC GYMNASIUMS POLICY** (Tape 2)

- (P) Supervisor Dix moved that the Board concur in the recommendation of staff and approve the minor addition to the Community Use of Public Gymnasiums Policy.

Supervisor Gross seconded the motion.

Following discussion, with input from Wes Kendrick, Director, Community and Recreation Services, the question was called on the motion, which carried by unanimous vote.

19. **C-1 – ISSUANCE AND SALE OF BONDS BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCHRA) FOR THE FINANCING OF THE ACQUISITION AND REHABILITATION OF BRIARCLIFF TOWNHOUSES BY CATHOLICS FOR HOUSING INCORPORATED (PROVIDENCE DISTRICT)** (Tape 2)

(Bonds)
(R) Supervisor Connolly moved approval of the item contained in the Memorandum to the Board dated July 12, 1999, regarding the issuance and sale of bonds by the FCRHA for the financing of the acquisition and rehabilitation of Briarcliff Townhouses by Catholics for Housing, Incorporated. Supervisor Mendelsohn seconded the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting “AYE.”

BOARD MATTER

20. **INTRODUCTION OF CASEY SCOTT, A SUMMER INTERN IN CHAIRMAN HANLEY’S OFFICE** (Tape 2)

Chairman Hanley introduced Ms. Casey Scott who will be working as her intern this summer and warmly welcomed her to the Board Auditorium.

AGENDA ITEMS

21. **I-1 - AMENDMENT #1 TO THE ARCHITECTURAL/ENGINEERING CONTRACT WITH HAYES, SEAY, MATTERN AND MATTERN, INCORPORATED, FOR THE DESIGN OF THE SULLY DISTRICT POLICE STATION** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 12, 1999, requesting authorization for staff to award the architectural contract amendment to Hayes, Seay, Mattern and Mattern, Incorporated, in the amount of \$597,963 which increases the total contract amount to \$650,522 for the design of the Sully District Police Station.

The staff was directed administratively to proceed as proposed.

22. **I-2 - APPROVAL OF AN INCREASE TO THE CONTRACT CEILING FOR LIFE CYCLE TECHNOLOGY, INCORPORATED FOR EXPERT ASSISTANCE IN COMPUTER SYSTEMS PLANNING AND APPLICATION DEVELOPMENT OF THE LAND DEVELOPMENT SYSTEM FOR THE PLANNING AND DEVELOPMENT AGENCIES** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 12, 1999, requesting authorization for staff to increase the contract ceiling by \$2,500,000, conclude negotiations, and execute a contract amendment with Metamor Worldwide for Life Cycle Technology, Incorporated for expert assistance in computer systems planning and application development of the Land Development System for the planning and development agencies.

There was a brief discussion regarding this item with input from Judith F. Helmich, Department of Public Works and Environmental Services.

The staff was directed administratively to proceed as proposed.

23. **I-3 - FAIRFAX COUNTY WINS FIVE NATIONAL AWARDS** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 28, 1999, announcing that Fairfax County has won five 1999 National Achievement Awards for innovative programs from the National Association of Counties (NACo).

Supervisor Dix asked unanimous consent that the Board direct staff to invite the winners of the awards to appear before the Board to be recognized for their achievements. Without objection, it was so ordered.

Supervisor Gross asked to amend the direct staff to ask the winners to bring the awards with them when they appear, and this was accepted.

Supervisor McConnell asked to amend the request to direct staff to provide the Board with information regarding the winning projects, and this was accepted.

Supervisor Hyland asked to amend the request to direct staff to invite representatives from NACo to appear to present the awards to the winners, and this was accepted.

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

ADDITIONAL BOARD MATTERS

24. **QUARTERLY STATUS REPORT OF THE AUDITOR AND HEALTH INSURANCE SUBSIDY FOR RETIREES** (Tape 2)

Chairman Hanley called the Board's attention to the quarterly status report of the

Auditor and stated that additional funds of \$228,000 were identified in one item and \$602,000 in another item.

Supervisor Gross asked unanimous consent that the Board direct staff to include a Consideration Item for Carryover to add \$10 to the health insurance subsidy for retirees. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide Board Members with a summary list of the savings identified in the status report. Without objection, it was so ordered.

25. **CERTIFICATE OF APPRECIATION TO MS. URSULA KOTORITY FOR SAVING THE LIFE OF FOUR-YEAR-OLD SOPHIA MITCHELL** (Tape 2)

Chairman Hanley informed the Board of an incident at Hollin Hills Swimming Pool on June 25, 1999. While visiting the pool, Ms. Ursula Kotority realized a four-year-old was submerged and struggling to resurface. She reacted quickly by lifting the unconscious child out of the water and proceeded to perform resuscitation. Her heroic effort saved Sophia Mitchell.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to prepare and send a Certificate of Appreciation to Ms. Korority. Without objection, it was so ordered.

26. **HISPANIC HERITAGE MONTH IN FAIRFAX COUNTY** (Tape 2)

Chairman Hanley stated that September 15 through October 15 is traditionally recognized as Hispanic Heritage Month to recognize the history, contributions, concerns and achievements of Hispanic Americans. In conjunction with national observances, the Office of Equity Programs requests that the County observe Hispanic Heritage Month.

Chairman Hanley moved that the Board direct staff to invite representatives from the Office of Equity Programs and the Hispanic community to appear before the Board at the September 13, 1999, meeting to receive a proclamation declaring Hispanic Heritage Month in Fairfax County. Supervisor Connolly seconded the motion, which carried by unanimous vote.

27. **ARTICLE IN THE FAIRFAX JOURNAL ENTITLED "FEDS MAY MAKE CALL ON AREA CELL TOWERS"** (Tape 2)

Chairman Hanley called the Board's attention to an article in the *Fairfax Journal* entitled "Feds May Make Call on Area Cell Towers." Because of the possible impact on Fairfax County, Chairman Hanley moved that the Board direct staff to write a letter to the Congressional Delegation expressing the County's concerns on this issue. Supervisor Connolly seconded the motion, which carried by unanimous vote.

28. **CONSTRUCTION ESCROW FUNDS FOR TRAILS AND SIDEWALKS**

(Tapes 2-3)

Chairman Hanley informed the Board of an issue raised by Jim Hart, Chairman of the Countywide Non-Motorized (Trails) Transportation Committee, concerning how construction escrows for trails and sidewalks are determined and how those escrows compare with the actual cost of construction. There are 638 escrows total; 163 are for trails and sidewalks as of May 25, 1998. The first two cases that the Committee examined provide the following examples: the Green Trails Bridge in Sully District has an escrow fund of \$19,500 and the estimate for construction is \$98,000. The Kaiser ICF Trail in the Providence District has an escrow fund of \$12,600 and an estimated construction cost of about \$75,000. A third escrow, in Mount Vernon, is for \$50. The amount escrowed is not adequate for the actual cost of the facility.

Chairman Hanley moved that the Board direct staff to:

- Examine the County's methodology for establishing the amounts to be escrowed for trails and report its findings.
- Review the possibility of establishing a larger trail fund or funds that could be used to build trail projects on the Comprehensive Plan, rather than having almost 200 smaller accounts that must be held for a small specific section of trail.

Supervisor Gross seconded the motion.

Following discussion, Supervisor Dix moved to amend the motion to express the intent of the Board that funds derived for projects in a respective supervisor district be utilized for projects that are either in or that benefit the supervisor district for which the funds are derived. Supervisor McConnell seconded the motion.

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

The question was then called on the main motion, which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

29. **FAIRFAX AREA DISABILITY SERVICES BOARD REQUEST TO HOLD A PUBLIC FORUM** (Tape 3)

(BACs) Chairman Hanley called the Board's attention to a letter from the Fairfax Area Disability Services Board expressing its wish to hold or promote a public forum so members of the Board of Supervisors may hear firsthand about the problems being encountered by MetroAccess riders with disabilities.

Chairman Hanley asked unanimous consent that the Board direct staff to set up a public forum as requested by the Disability Services Board.

Supervisor Gross asked to amend the request to hold the forum in a place that is

more accessible to disabled persons, and this was accepted.

Supervisor Mendelsohn asked to amend the request to direct staff to attempt to coordinate the forum with Board Members' schedules to allow maximum participation, and this was accepted.

Chairman Hanley informed Board Members of two upcoming events that are currently being coordinated, one is the community meetings on Y2K and the other one is the meetings on the 20/20 plan from TCC.

Without objection, it was so ordered.

30. **CLASS ONE VEHICLE INSURANCE IN FAIRFAX COUNTY** (Tape 3)

Chairman Hanley stated that it has been called to her attention that there is a critical omission in the provisions that govern two Class One Vehicles in Fairfax County. These two vehicles are the only two that are assigned for personal use without restriction in the County's fleet. However, because the County is self-insured, the Department of Finance's Risk Management Division acts as the County's insurance agent in administering the County's insurance fund. Personal loss claims from these two vehicles are filed directly with Risk Management. She asserted that this needs to be corrected.

Therefore, Chairman Hanley moved that the Board require that there be separate insurance policies held by a third party insurer outside of the self-insurance fund for Class One Vehicles. This will eliminate the claim for loss of personal items being made to the self-insurance fund. Supervisor Connolly seconded the motion and it carried by unanimous vote.

31. **SCHEDULING OF PUBLIC HEARING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-H-065, REZONING APPLICATION RZ 1999-HM-011, AND FINAL DEVELOPMENT PLAN APPLICATION FDP 1999-HM-011** (Tape 3)

Supervisor Dix moved that the Board direct staff to schedule a public hearing on Proffered Condition Amendment Application PCA 94-H-065, Rezoning Application RZ 1999-HM-011, and Final Development Plan Application FDP 1999-HM-011 for **August 2, 1999 at 5:30 p.m.** Supervisor Connolly seconded the motion, which carried by unanimous vote.

32. **PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX TO PROHIBIT PARKING IN ALL DESIGNATED BUS STOPS** (Tape 3)

Supervisor Dix called the Board's attention to a number of complaints he received from citizens about motor vehicles parking either in areas designated as bus stops or in close proximity to those stops to prohibit busses from pulling into them. This creates an unsafe condition, particularly since the bus must stop in a travel lane and

citizens must walk into the street between cars to get on and off the bus.

Supervisor Dix stated his understanding that the Police Department is not ticketing vehicles that park in the bus stop areas used by the Connector and the Reston Internal Bus System (RIBS) busses because the Code of the County of Fairfax does not actually prohibit such parking. More specifically, Section 82-5-39 of the County Code prohibits parking in bus stops designated by the Washington Metropolitan Area Transit Authority (WMATA), but the County Code has no provision addressing the parking of motor vehicles in bus stops used by the Connector and RIBS busses. The language in the Code dates back to a time when WMATA was the only provider of bus service in the County. Further, the problem will only be compounded in the near future with the implementation of the Dulles Corridor Express Service that will add even more bus stops to neighborhood and major commuter routes in Reston and the surrounding area.

Supervisor Dix moved that the Board direct staff to review this situation and to prepare appropriate amendments to the Code of the County of Fairfax to prohibit parking in all County designated bus stops. Supervisor Connolly seconded the motion, which carried by unanimous vote.

33. **CONCURRENT PROCESSING OF SITE PLAN FOR WESTERRA PROJECT** (Tape 3)

Supervisor Dix informed the Board that Westerra Reston, L.L.C. recently obtained approval from the Board for Rezoning Application RZ 98-HM-063/Final Development Plan Application 98-HM-063 for office development at Monroe Street and Sunrise Valley Drive. Westerra is proceeding with the Site Plan and necessary subdivision to begin construction at this site, which will include the widening of Monroe Street to six lanes to complete an important missing transportation link in the area.

Supervisor Dix moved that the Board authorize the Director of the Department of Public Works and Environmental Services to accept the Subdivision Plat and the Site Plan for this Westerra project for concurrent processing. Supervisor McConnell seconded the motion, which carried by unanimous vote.

34. **DOG PARK IN RESTON** (Tape 3)

Supervisor Dix stated that he was contacted recently by a group of citizens who have formed in the Reston area and are interested in establishing a dog park in Reston. Accordingly, he asked unanimous consent that the Board direct staff to work with his office and the Reston Association to determine whether there is an appropriate location in the greater Reston community that might serve as a dog park. Without objection, it was so ordered.

There was a brief discussion on this issue.

35. **REQUEST FOR UPDATE ON AFFORDABLE DWELLING UNIT (ADU) OPTION** (Tape 3)

Supervisor Dix reminded the Board that several months ago he offered an option that might be considered regarding ADUs. This option was to allow an applicant to make a contribution that could be used for down payment funds, as opposed to the construction of ADU units in communities where there might be a non-compatible unit type. Accordingly, he asked unanimous consent that the Board direct staff to provide an update on this issue including whether it has been scheduled for any kind of review by committee. Without objection, it was so ordered.

36. **GIRLS' BASKETBALL TEAM** (Tape 3)

Supervisor Dix asked unanimous consent that the Board direct staff to invite the members of the Fairfax County Stars 11-year-old girls' AAU basketball team and their coaches to appear before the Board in recognition of their being the runner-up in the national championship held in Louisiana. Without objection, it was so ordered.

PMH:pmh

37. **VAN DORN STREET INTERCHANGE** (Tape 4)

Supervisor Kauffman referred to the issue he raised on April 26, 1999, regarding the Van Dorn Street interchange and how it ties into the Mixing Bowl and the Woodrow Wilson Bridge Project. He distributed to Board Members a letter from the Virginia Department of Transportation regarding the issue. He said that the letter indicates that this interchange is identified as a lower priority for improvement based on traffic volumes and incident statistics.

Supervisor Kauffman moved that the Board direct staff to review this issue and report with options the Board could take to expedite this project either in phases or the entire interchange. Chairman Hanley seconded the motion and it carried by unanimous vote.

38. **PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PLACES OF WORSHIP** (Tape 4)

Supervisor Bulova said that on July 15, 1999, the Planning Commission is scheduled to hold a public hearing to consider an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), that would allow the establishment of churches ("churches" should be understood to mean all "Places of Worship" - Synagogues, Mosques, Temples, Churches) "by-right" in some residential districts under certain conditions. It has been suggested that this amendment would help a very small number of churches to build with less difficulty. Under this proposal there would be no public hearing. What it would not do is reduce, waive, modify, or expedite the building development process.

Supervisor Bulova expressed concern that what has been advertised eliminates healthy community dialog and leaves the real issue unaddressed. She said that in her discussions with the Braddock faith community and from experience over the years with churches trying to build in Braddock District, it is her sense that it is the

process that is the underlying problem, not the public hearing. Under the current process, the Board of Zoning Appeals (BZA) has legislative authority to approve Group 3 Special Permits. The BZA, however, has very limited authority to modify the development process (approve waivers, allow concurrent review, interact with the Virginia Department of Transportation, etcetera. Additionally, members of the BZA are appointed by the Circuit Court (not elected) and do not represent individual districts. The public process of community meetings and land use task forces that provides a forum for ironing out differences and concerns is generally not part of the picture, unless a Supervisor or Planning Commissioner intervenes. Even then, the final decision is made by the BZA.

Supervisor Bulova noted that as Supervisor Dix stated in his February 22, 1999, Board Matter, Group 3 Institutional Use applications such as churches can have significant issues associated with them and might be better served if they were processed as special exceptions through the Planning Commission and the Board of Supervisors instead of the BZA. Staff has reviewed how this proposal would impact the workload and it was determined that it would not increase significantly.

Supervisor Bulova stated that she would like the public and the Board to consider an alternative to what has already been advertised that would include the following components:

- ⊘ To ensure that churches (as well as other community organizations) have a clear understanding of the process and what is going to be required of them, a pre-submission meeting would be required as part of the process.
- ⊘ To better facilitate community dialog and to provide flexibility for both the community and churches, church applications are processed as special exceptions through the Planning Commission and the Board of Supervisors rather than as Special Permit uses through the BZA. This would ensure that the faith communities' concerns were better addressed throughout the entire process, from development plat to occupancy permit.

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

- ⊘ Prepare an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), that would convert church uses to special exceptions. This amendment should come back to the Board on July 26, 1999, for authorization to advertise a public hearing in early fall.
- ⊘ Propose language for a Board Policy that would require a pre-submission meeting as a first step in the application process. In addition to representatives from the church and Zoning Evaluation, staff from the Department of Transportation, Building Plan Review and Site Development, Department of Public Works and Environmental Services, would also be required to participate as well

as other staff as needed such as Fire Marshal, System Engineering, etcetera.

- ⊘ Report with draft language for this Policy along with the advertisement above on July 26, 1999.
- ⊘ Seek other ways to streamline the entire process, especially for places of worship, homeowner associations and small community organizations that may be unfamiliar with the development process and have little technical and legal assistance.

Supervisor Frey seconded the motion.

Following discussion, with input from Jane W. Gwinn, Zoning Administrator, and James P. Zook, Director, Department of Planning and Zoning, the question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell voting "NAY."

39. **UNITED STATES (US) WORLD CHAMPION WOMEN'S SOCCER TEAM**
(Tape 4)

Supervisor Bulova noted that Mia Hamm of the US Women's World Champion Soccer Team graduated from Lake Braddock Secondary School and she asked unanimous consent that the Board direct staff to invite Ms. Hamm and her teammates to appear before the Board to be recognized for their accomplishment. Without objection, it was so ordered.

40. **RECOGNITION OF CHIEF GEORGE KRANDA, TOWN OF HERNDON, FOR YEARS OF SERVICE** (Tape 4)

Supervisor Mendelsohn announced that Chief George Kranda of the Town of Herndon Police Department has retired after over ten years of dedicated service to the citizens of Herndon. He established an exemplary record of community relations and protection during his tenure as police chief in Herndon and his previous 20 years of distinguished service with the Fairfax County Police Department, retiring as a major. Therefore, Supervisor Mendelsohn moved that the Board direct staff to invite Chief Kranda to appear before the Board on July 26, 1999, to be recognized for his years of service to the Town of Herndon and Fairfax County residents. Without objection, it was so ordered.

41. **CULMORE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)**
(Tape 4)

Supervisor Gross said that she has received completed petitions along with the application fees requesting expansion of the Culmore RPPD to include Gordon Street, from Lake Street to Columbia Pike, and Vista Drive, from Glenmore Drive to Nevius Street.

Supervisor Gross moved that the Board waive the requirement of 100 contiguous or

nearly contiguous parking spaces for both of these streets. This motion, the second to which was inaudible, carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

42. **WINTERSET/VARSITY PARK THRU-TRUCK TRAFFIC** (Tape 4)

Supervisor Gross said that she has been contacted by members of the Winterset/Varsity Park Civic Association concerning the unusual amount of thru-truck traffic in their neighborhood, specifically on Shelley Lane, Frost Way, and Winterset Drive. The civic association is interested in pursuing implementation of a ban on thru-trucks on the aforementioned streets.

Supervisor Gross moved that the Board direct staff to prepare an item for the Board meeting scheduled for August 2, 1999, authorizing a public hearing on this issue to be held this September. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

43. **BROOK HILLS THRU-TRUCK TRAFFIC** (Tape 4)

Supervisor Gross said that she has been contacted by the Brook Hills Civic Association concerning the unusual amount of thru-truck traffic in that neighborhood, specifically on Phillip and Greenfield Roads. The civic association is interested in pursuing implementation of a ban on thru-trucks on the aforementioned streets.

Therefore, Supervisor Gross moved that the Board direct staff to prepare an item for the August 2 Board Meeting, authorizing a public hearing on this issue to be held in September. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

44. **LAND USE RECORDS** (Tape 4)

Supervisor Gross said that the Board approved funding for the transfer of land records to a new technological system. She noted that the process of transferring the records is not proceeding expeditiously.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to provide a status report on this issue. Without objection, it was so ordered.

45. **TRANSPORTATION OF VARIOUS FORMS OF TRASH AND GARBAGE THROUGH FAIRFAX COUNTY** (Tape 4)

Jointly with Supervisor McConnell, Supervisor Gross said that over the past 14 months a disturbing trend has been developing in portions of Fairfax County that adversely affects the health, safety, and well being of persons living and working

within the County. The problem focuses directly on the transportation of various forms of trash and garbage through Fairfax County. Presently, there are several companies, headquartered out of State, which are picking up trash from the New York and the New Jersey area. These companies use tractor-trailers to transport the refuse down the east coast to landfills further south. Due to driver residences, and restrictions on the hours of driving for commercial vehicle operators, these trucks are being parked for one to three days in commercial and industrial areas within Fairfax County. While parked, on State maintained streets, these vehicles are routinely serviced, including oil changes and lubrication. The refuse, when transported on a flatbed trailer, is commonly covered with plastic webbing, or plastic wrapping. When transported in box trailers, the tops are open and the trash, while loosely covered, blows about. There are holes in both materials, which attracts and allows birds and rodents easy access to the bundles of trash. The trash bakes in the sun and begins to putrefy, causing liquid to flow onto the streets and into the soil or sewer systems. This process also creates a stench that has forced County warehouses and offices located nearby to send employees home.

When the problem first started, "No Parking" signs were posted by the Virginia Department of Transportation (VDOT). These signs were posted because the street conformed to the warrants normally used to restrict parking due to width and sight distance on the road. The posting of the streets for parking restrictions merely moved the problem to another area. Now the vehicles are parking on the street in commercial zones. VDOT has posted one street with "No Parking" signs to keep sight distance and driveways clear, but there is still ample space to park over 20 of these trucks.

VDOT states that it can only post "No Parking" signs for safety reasons and that the County would have to post the rest of the area. Because the street is used by employees of several commercial businesses during the day, there must be some parking on the street between 7 a.m. and 7 p.m., Monday through Friday. The Health Department has been to the site numerous times and issued Notice of Violations to the companies owning the vehicles; however, these companies ignore the citations, primarily because they are located outside of the County. The Police Department has taken the position that, since the vehicles are legally parked, they can take no enforcement action.

Research into the problem has shown that these vehicles are in violation of Code of the County of Fairfax, Chapter 46 (Health or Safety Menaces), Chapter 82 (Motor Vehicles and Traffic), and Chapter 109 (Solid Waste). Chapter 109 directly gives the Department of Public Works and Environmental Services (DPW&ES), the Health Department, and the Police Department jurisdiction to enforce the leaching of liquid from the trash onto streets and soil. The problem is, the Police do not know this, as they do not routinely enforce these Codes and the Health Department can merely cite the company. Clearly, there must be coordination between the various agencies.

The most expeditious manner to deal with the immediate problem is to post "No Parking" signs 7 p.m. to 7 a.m. on the streets currently affected. She noted that this is out of the normal policy, which is merely a policy, when posting "No Parking" signs. However, this is the only immediate remedy.

The permanent solution is a review and rewriting of Chapters 46, 82 and 109, so that they are cross-referenced and some ambiguities are clarified.

To protect citizens and workers in the affected areas from becoming ill, to deter the increasing rat problem which has been created by those vehicles, and to keep this problem from moving to other areas of the County, Supervisor Gross and Supervisor McConnell moved that the Board direct the County Executive to:

- ⊘ Direct the Department of Transportation to immediately commence the process to install the hour specific parking restrictions on Industrial Drive, Industrial Road, Electronic Drive, General Washington, General Greenway, Stephenson Way and adjacent streets, where needed. The Traffic Division of the Police Department can direct the actual placement.
- ⊘ Have representatives of the following departments: Health, Police, DPW&ES and Environmental Services, Transportation, Planning and Zoning and the County Attorney, meet as soon as possible to develop language changes that will permanently remedy this situation.

Supervisor Gross added that staff from her office and Supervisor McConnell's office are familiar with the problem with the Code of the County of Fairfax and are available to assist in this review.

Supervisor McConnell seconded the motion.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, and David P. Bobzien, County Attorney, Supervisor Kauffman asked to amend the motion to include a review of the issue of "overnight parking," and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

46. **FRAGMENTS MAGAZINE** (Tape 4)

Supervisor Gross announced that the current issue of *Fragments*, which is an art and literary magazine for all Fairfax County students, sponsored by the Fairfax County Association for the Gifted and assisted by a grant from the Arts Council of Fairfax County, was delivered to Board Members' offices last week.

NV:nv

47. **DEFERRAL OF PUBLIC HEARING ON REZONING APPLICATION RZ 1998-PR-027** (Tape 5)

Supervisor Connolly announced his intent to defer the public hearing on Rezoning Application RZ 1998-PR-027 until August 2, 1999, at 5 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#80.)

48. **CRAVEN'S NURSERY** (Tape 5)

Supervisor Connolly stated that Special Exception Application SE 98-P-064, the Craven's Nursery case in the name of Clifton Paul Craven and Nancy Craven, was scheduled for a public hearing before the Board on July 26, 1999. The Planning Commission deferred its recommendation on this application until July 29, 1999.

Accordingly, Supervisor Connolly moved that the Board defer the public hearing on Special Exception Application SE 98-P-064 until **September 13, 1999, at 4 p.m.** Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

49. **MITRETEK SYSTEMS, INCORPORATED** (Tape 5)

Supervisor Connolly stated that Mitretek Systems, Incorporated currently leases and occupies office space on Colshire Drive in McLean. Mitretek desires to maintain its presence in the County and has purchased a site in Fairview Park on which to locate and build its new headquarters. He said that Mitretek has a final development plan amendment (FDPA) pending with the Planning Commission to reconfigure the permitted development from two office buildings to one. The application includes a childcare center in the office building and clarifies the restriction on hours of operation in the development conditions.

Supervisor Connolly moved that the Board direct the Director of the Department of Public Works and Environmental Management to concurrently process the site plans and related engineering documents for the Mitretek Systems, Incorporated FDPA Application 78-P-130-06. He noted that this action does not prejudice the consideration of this review in any way. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

50. **BUREAU OF THE CENSUS SEEKING APPLICANTS FOR POSITIONS IN NEW FAIRFAX OFFICES FOR CENSUS 2000** (Tape 5)

Supervisor Connolly reminded the Board that on his motion on March 22, 1999, it directed the County Executive to work with the Bureau of the Census Complete Count Committee for Census 2000 in an effort to achieve an accurate population count in the County. He announced that the Bureau is about to open nine offices in Virginia, including one in Fairfax and one in Manassas. The Bureau is currently recruiting managers and automation technicians for each office and has asked the County to assist in publicizing these positions. Interested applicants who have either managerial or information technology experience should contact the Bureau's regional recruiters, Mr. Bob Gabbard or Mr. John Davis, at 703-344-6385 as soon as

possible for test scheduling, application instructions, and information.

Accordingly, Supervisor Connolly asked unanimous consent that the Board direct the Office of Public Affairs to publicize this information. Without objection, it was so ordered.

51. **OAKTON TRANSPORTATION TASK FORCE REPORT** (Tape 5)

Supervisor Connolly stated that in January of this year he convened the Oakton Transportation Task Force, comprised of representatives of over 20 neighborhood and business associations in the Oakton area. The group was charged with examining transportation conditions in Oakton and making recommendations for improvements. The group met regularly for the past six months and, with the support from both the County Department of Transportation and the Virginia Department of Transportation staff, developed a comprehensive set of recommendations to improve traffic flow and quality of life in Oakton. He distributed copies of the final report to the Board and noted that the information will be posted on his website. No action has been taken yet.

There was a brief discussion concerning this matter.

52. **HORI-OM APPLICATION TO BUILD A HOTEL IN CENTREVILLE**
(Tape 5)

Supervisor Frey stated that a company called Hori-Om has filed Proffered Condition Amendment Application PCA 87-S-053-4 and Special Exception Application SE 97-Y-067 to build a hotel on a piece of property adjacent to the building where his district office is located. This application was part of a trio of applications that involved the McDonald's and the property that the Department of Housing and Community Development is developing. A contract issue arose, which led to the separation of this application. The applicants have resolved the issue and are now prepared to proceed with the public hearings.

Supervisor Frey noted that the applications have been reviewed by staff and have received a favorable recommendation from the Planning Commission. Because of the time lapse since the public hearing, the application must be heard again by the Planning Commission. He said that the applicant has assured him that there are no changes to the plan.

Accordingly, Supervisor Frey moved that the Board direct staff from the Department of Planning and Zoning to schedule the public hearings for filed Proffered Condition Amendment Application PCA 87-S-053-4 and Special Exception Application SE 97-Y-067 to occur prior to November 1999. The applicant understands that this motion will not prejudice the consideration of the applications in any way. Supervisor Hyland seconded the motion, which carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

53. **DULLES INDOOR SPORTS COMPLEX, LLC** (Tape 5)

Supervisor Frey stated that the Dulles Indoor Sports Complex, LLC has filed a proffered condition amendment application and a special permit application for property located on the northwest corner of the intersection of Centreville Road and Barnsfield Road. In an effort to make the indoor courts available for the fall 2000 season, the applicant has requested concurrent processing of the site plans while the zoning applications are undergoing review.

Supervisor Frey stated that the applicants understand that the following motion will not prejudice the consideration of the applications in any way. Accordingly, he moved that the Board direct the staff of the Department of Public Works and Environmental Services to process the proffered condition amendment and special permit applications concurrently with the associated site plans. Supervisor Dix seconded the motion, which carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

54. **CLIFTON PINES** (Tape 5)

Supervisor Frey stated that Clifton Pines is a ten-lot subdivision located on Old Clifton Road. The property was rezoned in 1992 from R-1 to R-3 and the General Development Plan showed construction of nine homes and the preservation of an existing dwelling on the tenth lot. Through a miscommunication during the subdivision plan review process, the older home was demolished. The applicants are now proposing to construct a new house on the tenth lot and must pursue a proffered condition amendment application.

Because of the narrow scope of the application, Supervisor Frey stated that the applicant has requested that the public hearing be scheduled prior to the November moratorium on land use applications. Accordingly, he moved that the Board direct the:

- Department and Planning and Zoning staff to schedule a public hearing for this application prior to November.
- Department of Public Works and Environmental Services to accept the associated site and subdivision plans for concurrent review.

Supervisor Frey noted that the applicants understand that approval of this motion will not prejudice the consideration of the application in any way. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

55. **OUT-OF-TURN PLAN AMENDMENT TO CONSIDER PROFFERS FOR TRANSPORTATION, EDUCATION, AND RECREATION** (Tape 5)

Supervisor Frey said that the Board had a rezoning application scheduled for public hearing in the afternoon that was deferred because the proffers had been amended. The applicant proposed contributions to the Affordable Housing Trust Fund, but there were no contributions proffered for transportation or recreation. He asserted that the priority in western Fairfax is to solve transportation problems and provide

recreational amenities, particularly ball fields. The Comprehensive Plan mandates that any zoning case to be considered at the high end of density must include a contribution to the Affordable Housing Trust Fund, but there is no such language concerning transportation solutions, contributions for schools, or contributions toward recreational amenities.

Accordingly, Supervisor Frey moved that the Board direct staff to consider this issue and begin preparation of an out-of-turn plan amendment to consider language that would put transportation, education, and recreation issues on an equal basis in the Comprehensive Plan with the affordable housing solutions. Supervisor Dix seconded the motion.

Following a brief discussion, the question was called on the motion, which carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

56. **RETIREMENT OF ROBERT E. KOHNKE FROM THE NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT** (Tape 5)

Supervisor Hyland announced that after more than fourteen years, Robert E. Kohnke retired on June 30 from the Northern Virginia Soil and Water Conservation District. Jointly with Supervisor McConnell, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Kohnke to appear before the Board prior to the August 2, 1999, recess to receive the resolution as outlined in his written Board Matter on the subject. Without objection, it was so ordered.

57. **STAFFING AT THE MOUNT VERNON CENTER FOR COMMUNITY MENTAL HEALTH** (Tape 5)

With reference to a letter he had received from a mental health therapist, Supervisor Hyland stated that there is a concern about the staffing capacity at the Mount Vernon Center for Community Mental Health to deliver services to children on the Route One Corridor, described as a "high need" area with a diverse population. The letter writer believes that the County is not filling empty positions promptly and is removing clinical staff from direct services (treatment work) to other duties.

Supervisor Hyland stated that he was told that a waiting list exists for intake alone for children until September, after which there is a long wait for treatment. Further, the writer indicates that there are not psychologists or even psychology interns available to test these children. According to a local referral service, there are only three psychologists in private practice in Fairfax/Alexandria who will provide psychological testing for Medicaid recipients. Just as the School Board has determined that schools in the Richmond Highway area deserve additional resources, this mental health therapist believes that the area is in need of supplemental mental health services.

Supervisor Hyland asked unanimous consent that the Board refer this matter to staff for a response to the assumptions made in the letter and recommendations. Without objection, it was so ordered.

Supervisor McConnell noted that the school she operates has clinical psychologists on its staff and she asked unanimous consent that the Board direct the County Attorney to determine whether there was a way for these people to be approached outside of her purview because there is such a need. She indicated that she would like her chief psychologist to discuss the issue with the mental health center staff. Without objection, it was so ordered.

58. **PAYMENT OF COUNTY TAXES VIA CREDIT CARD EVOKES PUBLIC COMMENT** (Tape 5)

Supervisor Hyland stated that recently he has been receiving calls from residents who, upon receiving and reviewing their real estate tax bills, observed that paying by credit card would result in a surcharge of four percent of the tax bill. This fee, imposed by the credit card company, on a \$1,250 semi-annual tax bill amounts to \$50.

Supervisor Hyland asserted that the complaints are valid. Individuals who call are upset with the substantial increase over last year=s \$5 charge, the fact that a flat fee is not used, and finally, the fact that while the percentage fee is shown in a box on the front of the bill, there is no explanation as to *why* the charge has increased (in the cited case) from \$5 to \$50, a tenfold increase. Although there is no difference in processing methods, the individual who incurs a higher tax has a higher fee imposed on him or her than one who is paying a lesser amount.

Supervisor Hyland asked unanimous consent that the Board direct staff to refer this matter to staff so that a better way may be found to permit tax-paying citizens to make their payments via credit card without a forced, discriminatory fee charged for exactly the same services performed. At a minimum, he asked that a letter of explanation for the new four percent charge be included with all tax bills being sent.

Following a brief discussion, with input from Robert J. O'Neill, Jr., County Executive, without objection, the request was so ordered.

59. **OZONE** (Tape 5)

With reference to his written Board Matter on ozone, Supervisor Hyland moved that the Board direct the Chairman to write a letter to the Commonwealth of Virginia Secretary of Transportation to develop language to be used on the State's variable message sign in relation to the new educational project ENDZONE to:

- Highlight the code red and orange days.
- Encourage the public to use public transportation.
- Identify what exits to take to reach the Virginia Railway Express, the regional subway stations, and buses.
- Highlight the discounts being offered for public transportation.

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

60. **REQUEST FOR STATUS REPORT ON MASSAGE THERAPIST ORDINANCE** (Tape 5)

Supervisor Hyland asked unanimous consent that the Board direct staff to provide a status report on the issue of the massage therapist ordinance. Following a brief response from David P. Bobzien, County Attorney, regarding a meeting on this subject scheduled for 4 p.m. on Tuesday, July 20, without objection, the request was so ordered.

61. **HOUSE FOR CATS** (Tape 5)

Supervisor McConnell spoke about the possibility of seeking the donation of a house as a home for cats. She noted that this was done in another city and was very successful. People could adopt cats from the house. Accordingly, she asked unanimous consent that this matter be referred to staff. Without objection, it was so ordered.

62. **SARATOGA POOL** (Tape 5)

Supervisor McConnell stated that she recently visited the newly-renovated Saratoga Pool. She cited this pool as an example for other pools to follow that are in need of renovation.

63. **RECESS/CLOSED SESSION** (Tape 5)

At 12:55 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Chairman Hanley announced that the closed session would convene at 2:30 p.m.

NV:nv

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

ACTIONS FROM CLOSED SESSION

64. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 6)

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

65. **HCA HEALTH SERVICES OF VIRGINIA, INCORPORATED** (Tape 6)

Supervisor Hyland moved that the Board authorize the County Attorney to appeal *HCA Health Services of Virginia, Incorporated, et al. versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 173390, according to the terms and conditions outlined by the County Attorney in closed session, if further litigation results in the need for such appeal. Supervisor Bulova seconded the motion.

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

66. **MARTIN AND GASS, INCORPORATED** (Tape 6)

Supervisor Gross moved that the Board authorize the settlement of *Martin and Gass, Incorporated versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 180486, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion, which carried by unanimous vote.

67. **APPOINTMENT OF DIRECTOR OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT** (Tape 6)

Supervisor Gross moved the appointment of Ms. Paula C. Sampson as the Director of the Department of Housing and Community Development at an annual salary of \$112,000, effective September 8, 1999. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ADDITIONAL BOARD MATTER

68. **MONUMENT DRIVE ROAD EXTENSION** (Tape 6)

Supervisor Frey moved that the Board, solely in its proprietary capacity, enter into the Agreement for Design and Construction of Monument Drive Road Extension with Fairfax Center, L.L.C., Jack W. Carney, Trustee, Benjamin M. Smith, Jr., Trustee, and Webb Development, L.L.C. and authorize the County Executive to executive such Agreement on behalf of the Board. Supervisor McConnell seconded this motion and it carried by unanimous vote.

69. **A-3 - AGREEMENT FOR THE CONSTRUCTION OF STONECROFT BOULEVARD EXTENSION (SULLY DISTRICT)** (Tape 7)

(NOTE: Earlier in the meeting the Board deferred action on this item. See Clerk's Summary Item CL#14.)

Supervisor Frey moved to defer action on the agreement for the construction of Stonecroft Boulevard Extension until July 26, 1999. Supervisor Bulova seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

70. **3:30 P.M. - BOARD DECISION ON SPECIAL EXCEPTION APPLICATION SE 99-P-008 (WESTERRA MERRIFIELD, LLC) (PROVIDENCE DISTRICT)**
(Tape 7)

(NOTE: The Board held a public hearing on Special Exception Application SE 99-P-008 on June 28, 1999, and deferred decision until July 12, 1999.)

Supervisor Connolly moved approval of Special Exception Application SE 99-P-008, subject to the development conditions dated July 9, 1999. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

71. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-023 (NATIONAL CAPITAL LAND AND DEVELOPMENT COMPANY) (PROVIDENCE DISTRICT)** (Tape 7)

(O) Mr. Frank W. Stearns reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-PR-023 from the R-1 District to the PDH-4 District, subject to the execution of the proffers dated June 16, 1999.
- Modification of the trail requirement to permit an 8 foot wide

asphalt trail to be constructed in the general location of the existing 4 foot wide trail along Idylwood Road.

Supervisor Connolly clarified for the record one aspect to proffer number 16, Traffic Control Measures. The intent is to provide limited access along Tire Swing Road between the adjacent neighborhood, Shreve Hill, and the proposed new development. The developer should install this gate as soon as possible after constructing the street connection. However, the developer should also provide temporary traffic control measures prior to the gates' installation, which is sufficient to discourage general vehicular traffic between the two neighborhoods.

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

72. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-C-003 (L.S. INVESTMENTS, LLC) (HUNTER MILL DISTRICT)** (Tape 7)

On behalf of Supervisor Dix, Supervisor McConnell moved to defer indefinitely the public hearing on Proffered Condition Amendment Application PCA 88-C-003. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

73. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-067, PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-C-091-4, AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-C-076-5 (INOVA HEALTH CARE SERVICES) (SULLY DISTRICT)** (Tape 7)

(O) Ms. Susan K. Yantis reaffirmed the validity of the affidavit for the record.

Ms. Yantis 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 McConnell disclosed that she:

- Served as a member of the Board of Trustees for Inova
- Is on the Finance Committee of Inova
- Is a member on the Inova Health System Foundation Board

Supervisor Bulova disclosed that she is a trustee on the Health Care Services Board.

Supervisor Gross disclosed that she is a trustee on the Inova Health Care Services

Board.

Supervisor Connolly disclosed the following campaign contributions which he had received:

- In excess of \$200 from Dr. Edward H. Bersoff of Inova Health Systems Foundation
- In excess of \$200 from Mr. Dario O. Marquez, Jr. of Inova Health Care Services

- In excess of \$200 from Mr. Stephen M. Crumbie of Inova Health Systems

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

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

- In excess of \$200 from Mr. Dario O. Marquez, Jr.

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

- In excess of \$200 from Mr. Dario O. Marquez, Jr.

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 85-C-091-4, subject to the executed proffers dated June 24, 1999. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor Kauffman, and Supervisor Mendelsohn 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 1998-SU-067 be amended from the R-1 and WS Districts to the C-3 and WS Districts, subject to the execution of the proffers dated June 24, 1999. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Hyland, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved modification of the transitional screening requirement and waiver of the barrier requirements along the western and southern property boundaries of the land area subject to RZ 98-SU-067. Supervisor Connolly

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

Supervisor Frey moved approval of Special Exception Amendment Application SEA 84-C-076-5, subject to the development conditions dated June 21, 1999, with the following change:

- Add to Condition Seven the phrase, "In the event changes occur, prior to the layout of the building as shown on the SEA Plat."

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

Supervisor Frey moved that the Board reaffirm all previously approved transitional screening and barriers waivers and modifications. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

74. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) ARTICLE 1, AMENDING THE MERIT SYSTEM ORDINANCE AND APPROVAL OF PROPOSED REVISIONS TO THE PERSONNEL REVISIONS** (Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved approval of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), to amend the Merit System Ordinance and proposed revisions to the Personnel Regulations to authorize the County Executive to:

- ☐ Establish new job classes and change class titles.
- ☐ Regrade single position job classes.
- ☐ Delegate to agencies certain authority and responsibility for reviewing applications/resumes, including selected duties associated with the process of preparing certification lists.
- ☐ Incorporate the Procedural Memorandum entitled *Employees Advisory Council Review of Specified Administrative Actions by the County Executive*, as revised.

Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey,

Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

Discussion ensued with input from Robert J. O'Neill, Jr., County Executive, Peter J. Schroth, Director, Department of Human Resources, and Edward L. Long, Jr., Director, Department of Management and Budget.

75. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX H (CABLE TELEVISION FRANCHISES) TO EFFECT A TRANSFER OF THE NORTH AND SOUTH COUNTY CABLE TELEVISION FRANCHISES (COUNTYWIDE)**
(Tapes 7-9)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Discussion ensued with input from Ronald B. Mallard, Director of Telecommunications and Consumer Services, and Michael H. Long, Senior Assistant County Attorney.

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

- Defer decision on this matter until **July 26, 1999, at 3 p.m.**
- Direct staff to meet with Cox Communications for the purpose of discussing and possibly addressing the numerous consumer issues that have been raised today and any others that staff might deem appropriate, including, but not limited to, apartment owners' issues, converter boxes, dual cable, the recent price increase in basic and full service, and any other consumer issues of Fairfax Cable Access Corporation.

Supervisor Hyland 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 Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell voting "NAY."

76. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), TO EXPAND THE HERNDON RPPD, DISTRICT 26 (DRANESVILLE DISTRICT)** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, Supervisor Mendelsohn moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, RPPD, to expand the Herndon RPPD, District 26, to include Kingstream Circle (Route 6963) from Kingstream Drive (Route 6701) to Meadow Chase Drive (Route 7803). Supervisor Dix seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

77. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), TO EXPAND THE CULMORE RPPD, DISTRICT 9 (MASON DISTRICT)** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by six speakers, Supervisor Gross moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, RPPD, to expand the Culmore RPPD, District 9, to include Glenmore Drive (Route 980) from Vista Drive (Route 942) to Knollwood Drive (Route 943) and Vista Drive from Glenmore Drive to Freedom Place (Route 2940). Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross asked unanimous consent that the Board direct staff to complete the parking study for Freedom Place as quickly as possible and provide the results as soon as possible. Without objection, it was so ordered.

78. **4 P.M. - PH ON THE PROPOSED ABANDONMENT OF A ROADWAY FORMERLY DESIGNATED AS ROUTE 670 (HUNTER MILL DISTRICT)** (Tapes 9-10)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by five speakers, Supervisor Dix asked unanimous consent that the Board direct staff of the respective reviewing agencies to work with his office to schedule a meeting with citizens to address some

of the issues in a timely fashion. Without objection, it was so ordered.

Supervisor Dix moved to defer the proposed abandonment of a roadway formerly designated as Route 670 until **July 26, 1999, at 3:30 p.m.** Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

79. **4 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-015 (B&D PROPERTIES, LP AND LAFAYETTE PROPERTIES, LLC) (SULLY DISTRICT)** (Tape 10)

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

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

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-SU-015 be amended from the I-3, I-4, AN and WS Districts to the I-4, AN and WS Districts, subject to the execution of the proffers dated May 12, 1999. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor McConnell being out of the room.

80. **4 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-027 (HEARTHSTONE VANGUARD JOINT VENTURE) (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1998-PR-027 until **August 2, 1999, at 5 p.m.** This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

81. **4 P.M. - PH ON REZONING APPLICATION RZ 1998-BR-072 (BATAL BUILDERS) (BRADDOCK DISTRICT)** (Tape 10)

(O) Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Tracy Swagler, Staff Coordinator, Zoning Evaluation

Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-BR-072 be amended from the R-1 District to the R-3 District, subject to the execution of the proffers dated June 25, 1999. Supervisor Mendelsohn seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, Chairman Hanley voting "AYE," Supervisor Dix and Supervisor McConnell being out of the room.

82. **4 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-071 (BATAL BUILDERS, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

(O) Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-SU-071 be amended from the R-1 and WS Districts to the R-2 and WS Districts, subject to the execution of the proffers dated June 30, 1999. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting ""AYE," Supervisor McConnell being out of the room.

83. **4 P.M. - PH ON REZONING APPLICATION RZ 1999-DR-003 AND SPECIAL EXCEPTION APPLICATION SE 99-D-002 (VINSON HALL CORPORATION) (DRANESVILLE DISTRICT)** (Tape 10)

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

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

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

- In excess of \$200 from Mr. Robert Verhalen.

Supervisor Mendelsohn disclosed that he has acted as attorney and counsel to the firm of Verhalen and Associates, whose principal is Mr. Robert Verhalen, spouse of Vinson Hall Corporation Director Phyllis Verhalen.

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

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

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

Supervisor Mendelsohn moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-DR-003 from the R-1 District to the R-3 District, subject to the execution of the proffers dated July 12, 1999.
- Approval of Special Exception Application SE 99-D-002, subject to the development conditions dated May 20, 1999.
- Modification of the medical care facility additional standard number 3 to permit service vehicle access in the front of the facility.
- Modification of additional standard number 5 to provide setbacks of the structure as shown on the Generalized Development Plan/Special Exception plat.
- Modification of additional standard number 6 to permit a medical care facility on a lot which is 2.5 acres in area.
- Waiver of the service drive requirement on Old Dominion Drive.
- Waiver of the barrier requirement on the northern periphery.
- Modification of the transitional screening requirements on the northern and western periphery of the site.
- Waiver of the trail requirement along Old Dominion as added to proffer number five.

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

AM:am

(EDGEMOORE HOMES, LLC) (DRANESVILLE DISTRICT) (Tape 11)

Supervisor Mendelsohn moved to defer the public hearing on Rezoning Application RZ 1998-DR-035 until **August 2, 1999, at 4:30 p.m.** Supervisor Connolly seconded the motion and it carried by unanimous vote.

85. **4:30 P.M. - PH ON REZONING APPLICATION RZ 95-Y-056, PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 74-2-112, PCA 87-S-023-2, AND SPECIAL EXCEPTION APPLICATION SE 95-Y-071 (MOBIL OIL CORPORATION) (SULLY DISTRICT)** (Tape 11)

(O) Ms. Marie B. Travesky reaffirmed the validity of the affidavit for the record.

Ms. Travesky 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, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 74-2-112, subject to the executed proffers dated May 5, 1999. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-Y-056 from the I-5 and WS Districts to the C-8 and WS Districts, subject to the execution of the proffers dated May 5, 1999.
- Waiver of the minimum lot width requirement for the C-8 District.

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 87-S-023-2, subject to the executed proffers dated May 5, 1999. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved approval of Special Exception Application SE 95-Y-071, subject to the development conditions dated May 26, 1999. Supervisor McConnell

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

86. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-Y-006 (BELL ATLANTIC-VIRGINIA) (SULLY DISTRICT)** (Tape 11)

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

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

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

- In excess of \$200 from Bell Atlantic-Virginia.

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

Supervisor Frey moved:

- Approval of Special Exception Application SE 99-Y-006, subject to the development conditions dated July 8, 1999.
- Modification of the transitional screening requirement and waivers of the barrier requirements along the north, east, and south property boundaries in favor of that shown on the Special Exception Plat and as conditioned.

Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

87. **4:30 P.M. - PH REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE JEFFERSON FIRE STATION TO NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INCORPORATED (MASON DISTRICT)** (Tape 11)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, Supervisor Gross moved that the Board authorize the County Executive to execute a lease with Nextel Communications of the Mid-

Atlantic, Incorporated, for a portion of the property at the Jefferson Fire Station, 3101 Hodge Place, Tax Map Number 50-3((04))B, for the purpose of installing a cellular communications base station. Supervisor Mendelsohn seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Chairman Hanley being out of the room.

88. **4:30 P.M. - PH A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 2, SECTION 82-2-7, TRAFFIC LIGHT SIGNAL VIOLATION MONITORING SYSTEMS, ENFORCEMENT, AND PENALTY (COUNTYWIDE)** (Tape 11)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, Supervisor Gross moved adoption of a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 2, Section 82-2-7, traffic light signal violation monitoring systems, enforcement, and penalty, to remove the exemption given to leased vehicles and to change language in the existing statute to bring it into conformance with the *Code of Virginia*, as amended during the 1999 General Assembly. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn "AYE," Supervisor Dix, Supervisor Frey, and *Chairman Hanley being out of the room.

(NOTE: *Later in the meeting Chairman Hanley asked unanimous consent to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#91.)

89. **5 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S98-IV-S1 LOCATED GENERALLY IN THE NORTHWEST QUADRANT OF FRANCONIA-SPRINGFIELD PARKWAY/MANCHESTER BOULEVARD AND BEULAH STREET (LEE DISTRICT)** (Tape 11)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Chairman Hanley stated that even though this public hearing does not require disclosures she disclosed that three members of the Board serve on the INOVA Board.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S98-IV-S1 as recommended by the Planning Commission on June 17, 1999. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

ADDITIONAL BOARD MATTERS90. **REQUEST TO RESCHEDULE THE PUBLIC HEARING ON REZONING APPLICATION RZ 1998-LE-048** (Tape 11)

Supervisor Kauffman moved to reschedule the public hearing on Rezoning Application 1998-LE-048 from July 26, 1999, to **August 2, 1999, at 3:30 p.m.** Supervisor Dix seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

91. **REQUEST TO RECORD VOTE** (Tape 11)

Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent to be recorded as voting "AYE" on the Board's earlier motion regarding a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) Section 82-2-7, traffic light signal violation monitoring system enforcement. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

AGENDA ITEMS92. **5 P.M. - PH ON REZONING APPLICATIONS RZ 1998-SU-040, RZ 1998-SU-041, AND SPECIAL EXCPETION APPLICATION SE 98-Y-038 (JACK W. CARNEY AND BENJAMIN M. SMITH, JR., TRUSTEES); REZONING APPLICATION RZ 1998-SU-025 (CENTEX HOMES); REZONING APPLICATION RZ 1998-SU-057 (COSCAN WASHINGTON, INCORPORATED) (SULLY DISTRICT)** (Tapes 11-12)

(O) Ms. Susan K. Yantis reaffirmed the validity of the affidavit for the record on Rezoning Applications RZ 1998-SU-040 and RZ 1998-SU-041, Special Exception Application SE 98-Y-038.

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record on Rezoning Application RZ 1998-SU-025.

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

- In excess of \$200 from Centrex Commercial.

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record on Rezoning Application RZ 1998-SU-057.

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

- In excess of \$200 from Coscan Washington, Incorporated

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

- In excess of \$200 from Bowman Consulting Group

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

- \$250 from Steve Bannister, Carlyle Real Estate Services

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

- In excess of \$200 from Bowman Consulting Group

Ms. Yantis 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.

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.

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

Following the public hearing, Susan Johnson, 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 1998-SU-040 be amended from the PDH-5 and C-3 Districts to the C-6 District, subject to the execution of the proffers dated June 15, 1999. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved approval of Special Exception Application SE 98-Y-038, subject to the development conditions dated May 20, 1999. Supervisor Hyland

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

Supervisor Frey moved:

- Waiver of the requirement for the construction of a service drive along Route 29 in favor of an escrow of funds equal to the cost of construction.
- Modification of the transitional screening requirements and waiver of the barrier requirements along the north, east, west, and south property lines in favor of that shown on the Generalized Development Plan/Special Exception Plat.

Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Dix , Supervisor Kauffman, and Supervisor Mendelsohn 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 1998-SU-041 be amended from the PDH-5 District to the PDH-12 District, subject to the execution of the proffers dated June 17, 1999. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved:

- Waiver of the 600 foot maximum length of private streets.
- Waiver of the requirement for construction of a service drive along Route 29 in favor of an escrow of funds equal to the cost of construction.
- Modification of the transitional screening requirement and waiver of the barrier requirements along the southern property line in favor of that shown on the Conceptual Development Plan/Final Development Plan.
- Development of the neighborhood park to be generally in conformance with the sketch dated July 7, 1999.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn 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 1998-SU-025 be amended from the I-5 District to the PDH-12 District, subject to the execution of the proffers dated June 22, 1999. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE,"

Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved:

- Waiver of the 200 square foot privacy yard for the Mews Townhouse units.
- Waiver of the 600 foot maximum length of private streets.
- Waiver of the service drive requirement along Route 29 in favor of the escrow of funds equal to the cost of construction.
- Modification of the transitional screening requirement and waiver of the barrier requirements along the southern property line in favor of that shown on the Conceptual Development Plan/Final Development Plan.

Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn 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 1998-SU-057 be amended from the I-5 District to the PDH-12 District, subject to the execution of the proffers dated May 20, 1999. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved waiver of the 200 square foot privacy yard for the affordable dwelling units and waiver of the 600 foot maximum length of private streets. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to transmit a letter to the School Division indicating the approval of these applications and suggesting that because of the impact on the existing boundary configuration this area be reviewed immediately for possible administrative boundary adjustments or this action be recognized in the consideration of the location of the school proposed on the bond referendum.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

93. **5 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-050 (ROCKLAND VILLAGE, LC) (SULLY DISTRICT)** (Tape 12)

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

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

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

- In excess of \$200 from Mr. John Weidlein.
- In excess of \$200 from Bowman Consulting Group.

Following the public hearing, which included testimony by three speakers, Greg Russ, 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 1998-SU-050 be amended from the R-1, HC, and WS Districts to the PDH-20, HC, and WS Districts, and the Conceptual Development Plan, subject to the execution of the proffers dated May 25, 1999, and development conditions dated July 12, 1999. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Vice-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Frey moved:

- Modification of the transitional screening requirement along a portion of the north side of Dallas Street and southeast of multi-family building number six to that shown on the Conceptual Development Plan/Final Development Plan.
- Waiver of the barrier requirement along all multi-family structure boundaries that abut single family detached residential in the R-1 District.

- Waiver of the 600 foot maximum length of private streets.

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

94. **5 P.M. - PH ON A SPOT BLIGHT ABATEMENT ORDINANCE FOR 8850 HOOES ROAD [TAX MAP NUMBER 097-2-((01))-0010] (SPRINGFIELD DISTRICT)** (Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by one speaker, Supervisor McConnell moved adoption of the Spot Blight Abatement Ordinance to declare 8850 Hooes Road, Tax Map Number 097-2-((01))-0010, blighted and constituting a nuisance. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

95. **5 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 5009 MOUNT VERNON MEMORIAL HIGHWAY [TAX MAP NUMBER 110-3-((05))-(B)-003-A] (MOUNT VERNON DISTRICT)** (Tapes 12-13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by two speakers, Supervisor Hyland moved adoption of the Spot Blight Abatement Ordinance to declare 5009 Mount Vernon Memorial High, Tax Map Number 110-3-((05))-(B)-003-A, blighted and constituting a nuisance. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Mendelsohn being out of the room.

96. **5 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 14529 OLD MILL ROAD [TAX MAP NUMBER 065-1-((01))-0019] (SULLY DISTRICT)** (Tape 13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, Supervisor Frey moved adoption of the Spot Blight Abatement Ordinance to declare 14529 Old Mill Road, Tax Map Number 065-1-((01))-0019, blighted and constituting a nuisance. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Mendelsohn being out of the room.

97. **5 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 7213 HICKORY STREET [TAX MAP NUMBER 040-3-((10))-0013] (PROVIDENCE DISTRICT)** (Tape 13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved adoption of the Spot Blight Abatement Ordinance to declare 7213 Hickory Street, Tax Map Number 040-3-((10))-0013, blighted and constituting a nuisance. This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Mendelsohn being out of the room.

98. **5:30 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 5951 TELEGRAPH ROAD [TAX MAP NUMBER 082-4-((01))-0028] (LEE DISTRICT)** (Tape 13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved adoption of the Spot Blight Abatement Ordinance to declare 5951 Telegraph Road, Tax Map Number 082-4-((01))-0028, blighted and constituting a nuisance. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

99. **5:30 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE OR 2902 ROGERS DRIVE [TAX MAP NUMBER 050-3-((15))-0112] (PROVIDENCE DISTRICT)** (Tape 13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by six speakers, Supervisor Connolly moved adoption of the Spot Blight Abatement Ordinance to declare 2902 Rogers Drive, Tax Map Number 050-3-((15))-0112, blighted and constituting a nuisance. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting

"AYE," Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

100. **5:30 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 7701 RICHMOND HIGHWAY [TAX MAP NUMBERS 102-1-((07))-((07)-0025 AND 102-1-((01))-((07)-0026-A] (MOUNT VERNON DISTRICT)** (Tape 13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, Supervisor Hyland moved adoption of the Spot Blight Abatement Ordinance to declare 7701 Richmond Highway, Tax Map Number 102-1-((07))-((07)-0025 and 102-1-((01))-((07)-0026-A, blighted and constituting a nuisance. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Mendelsohn being out of the room.

101. **5:30 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 7645 FORDSON ROAD [TAX MAP NUMBERS 102-1-((01))-0084 AND 102-1-((01))-0084-C] (MOUNT VERNON DISTRICT)** (Tape 13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, Supervisor Hyland moved adoption of the Spot Blight Abatement Ordinance to declare 7645 Fordson Road, Tax Map Numbers 101-1-((01))-0084 and 102-1-((01))-0084-C, blighted and constituting a nuisance. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

102. **6 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 6627 CAVALIER DRIVE [TAX MAP NUMBER 093-1-((23))-(L)-009] (MOUNT VERNON DISTRICT)** (Tape 13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the

issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved adoption of the Spot Blight Abatement Ordinance to declare 6627 Cavalier Drive, Tax Map Number 093-1-((23))-L-0009, blighted and constituting a nuisance. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Mendelsohn being out of the room.

103. **6 P.M. - PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 10001 RICHMOND HIGHWAY [TAX MAP NUMBER 113-2-((01))-0072] (MOUNT VERNON DISTRICT)** (Tapes 13-14)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of June 24 and July 1, 1999.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved adoption of the Spot Blight Abatement Ordinance to declare 10001 Richmond Highway, Tax Map Number 113-2-((01))-0072, blighted and constituting a nuisance. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Mendelsohn being out of the room.

104. **BOARD ADJOURNMENT** (Tape 14)

At 10:25 p.m., the Board adjourned.