



# ***CLERK'S BOARD SUMMARY***

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

**MONDAY  
February 5, 2001**

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**01-03**

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**DS:ds**

The meeting was called to order at 9:35 a.m., with all Members being present, with the exception of Supervisor Frey and Supervisor Kauffman, and with Chairman Hanley presiding.

Supervisor Kauffman arrived at 9:40 a.m.

Supervisor Frey arrived at 9:45 a.m.

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

### **BOARD MATTER**

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

Supervisor Gross asked everyone to remember in thoughts and prayers her staff aide Fran Tunick, whose husband Hal, passed away suddenly this past Saturday morning. Mr. Tunick served in the Police Department as an Emergency Operations Clerk, then as a Fairfax County Park Police Officer, and retired as a supervisor for the Park Police.

### **AGENDA ITEMS**

2. **CERTIFICATE OF RECOGNITION PRESENTED TO  
MS. PAISLEY CALLOW** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Ms. Paisley Callow for her contribution to preserving the

history of the Town of Vienna through her artistic talent. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. CARLA PITTMAN** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to Ms. Carla Pittman upon her retirement from Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO CENTREVILLE HIGH SCHOOL WILDCATS** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to the Centreville High School Wildcats for winning the State football championship. Supervisor Bulova and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO COUNTY AGENCIES AND STAFF** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to County agencies and staff for their work resulting in national recognition and honors for the Geographic Information System program. Supervisor Connolly seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION TO RECOGNIZE CHAIRMAN HANLEY AND PROCLAIM FEBRUARY 5, 2001, AS "CHAIRMAN HANLEY DAY" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Hudgins moved approval of the Proclamation of Recognition presented to Chairman Hanley for being named Washingtonian of the Year 2000, and declared February 5, 2001, as "*Chairman Hanley Day*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

**AGENDA ITEMS**

7. **10 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES**  
(Tape 1)

Supervisor Connolly, Legislative Chairman, distributed to the Board copies of a memo and the Supplementary Document of the 2001 General Assembly Status Report dated February 5, 2001.

Following a brief outline of the report, Supervisor Connolly moved adoption of the Legislative Committee Report. Supervisor Hyland seconded the motion and it carried by unanimous vote.

**DAM:dam**

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

Supervisor Connolly moved approval of the Administrative Items. This motion, the second to which was inaudible, carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (PROVIDENCE DISTRICT)**

- (R) Approved the request that the streets listed below be accepted into the State Secondary System:

| <u>Subdivision</u>                 | <u>District</u> | <u>Street</u>   |
|------------------------------------|-----------------|---|
| Willow Creek Estates,<br>Section 2 | Providence      | Willow Creek Lane<br>Route 8844<br>Tradewind Drive<br>Route 7903<br>Apple Brook Lane<br>Miller Road<br>Route 663<br>Addl ROW Only |

**ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR PUBLIC FACILITY 2232 REVIEW APPLICATIONS (HUNTER MILL, MOUNT VERNON, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)**

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

- Application FS-S00-112 to April 17, 2001
- Application FS-H00-122 to April 19, 2001
- Application FS-P00-123 to April 26, 2001
- Application FS-Y99-41 to August 20, 2001

**ADMIN 3 – INSTALLATION OF "WATCH FOR CHILDREN"  
SIGN ON JORDAN LANE (DRANESVILLE DISTRICT)**

(R)

- Adopted the Resolution endorsing the installation a "Watch for Children" sign on Jordan Lane.
- Directed staff to request the Virginia Department of Transportation install these signs at the earliest possible date.

**ADMIN 4 – INSTALLATION OF MULTI-WAY STOP AT  
LAMPLIGHT DRIVE AND MISTY CREEK LANE (SULLY  
DISTRICT)**

- Endorsed the installation of a multi-way stop at Lamplight Drive and Misty Creek Lane (Sully District)
- Directed staff to request the Virginia Department of Transportation install this sign at the earliest possible date.

**ADMIN 5 – RECOMMENDATION OF STREETS TO BE  
INCLUDED IN THE TRAFFIC CALMING PILOT PROGRAM  
(TCPP)**

- Endorsed the selection of the following streets into the joint Fairfax County Department of Transportation/Virginia Department of Transportation (VDOT) TCPP:
  - Springbrook Drive (Braddock District)
  - Woodland Drive (Braddock District)
  - Kimberwicke Road (Dranesville District)
  - Woodley Drive (Springfield District)
  - Donset Drive (Springfield District)
- Directed staff to request VDOT to develop traffic calming plans in conjunction with each community, as soon as possible.

**ADMIN 6 – INSTALLATION OF "\$200 ADDITIONAL FINE FOR SPEEDING" SIGNS AT VARIOUS LOCATIONS**

(Rs)

- Adopted the Resolutions endorsing the installation of "\$200 Additional Fine for Speeding" signs at the following locations:
  - Burke Lake Road (northbound only) between Rolling Road and Braddock Road (Braddock District)
  - Woodford Road between Old Courthouse Road and Wolftrap Road (Providence District)
- Directed staff to request the Virginia Department of Transportation install these signs at the earliest possible date.

**ADMIN 7 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01054 FOR THE HEALTH DEPARTMENT'S WOMEN, INFANT AND CHILDREN (WIC) GRANT**

(SAR) Approved SAR AS 01054 in the amount of \$56,000 from the Virginia Department of Health to continue WIC Immunization services from January 1, 2001, to June 30, 2001. No local cash match is required.

**ADMIN 8 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01053 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT THE ANNUAL FIRE PROGRAMS AID TO LOCALITIES DISBURSEMENT FROM THE VIRGINIA DEPARTMENT OF FIRE PROGRAMS (VDFFP)**

(SAR) Approved SAR AS 01053 in the amount of \$1,117,963 for FRD to accept the annual Fire Programs Aid to Localities disbursement from VDFFP. This grant is to enhance FRD's fire suppression and prevention services. No local or in-kind match is required.

**ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01055 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) TO CONTINUE THE V-STOP SOMEPLACE SAFE PROGRAM**

(SAR) Approved SAR AS 01055 in the amount of \$53,963 for FCPD to accept a grant from DCJS for the continuation of the V-STOP Someplace Safe Program. This amount includes DCJS funding of \$42,573 and a local in-kind match of \$11,390. No additional County funding is required.

**ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 119 (GRASS OR LAWN AREA)**

- (A)(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Board on **March 5, 2001, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 119 (Grass or Lawn Area).

(NOTE: Later in the meeting, during Board Matters, the Board raised an additional issue concerning the Code of the County of Fairfax, Chapter 119 (Lawn or Grass Area). (See Clerk's Board Summary Item CL#30.)

**ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE FINAL SEGMENT OF SOUTH VAN DORN STREET (LEE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 5, 2001, at 3:30 p.m.** on the acquisition of interests in real property necessary for the construction of the final segment of South Van Dorn Street, Project 064134 - South Van Dorn III.

(NOTE: Later in the meeting, the Board mentioned this item. See Clerk's Board Summary Item CL#9.)

**ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LAND EXCHANGE OF COUNTY-OWNED PROPERTY KNOWN AS WILLIAM J. BURKHOLDER ADMINISTRATIVE CENTER TO THE FAIRFAX COUNTY SCHOOL BOARD**

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **February 26, 2001, at 3:30 p.m.** regarding the proposed land exchange to the Fairfax County School Board.
  - Directed staff to notify adjacent property owners of the public hearing by certified mail.

9. **ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE FINAL SEGMENT OF SOUTH VAN DORN STREET (LEE DISTRICT)**  
(Tape 2)

(NOTE: Earlier in the meeting the Board took action on this item. See Page 6.)

Supervisor Kauffman called the Board's attention to Admin 11 and expressed appreciation to staff for their efforts.

10. **A-1 – AUTHORIZATION TO REALLOCATE FUND 948, FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) PRIVATE FINANCING, SECTION 108 FUNDS IN THE AMOUNT OF \$50,000 FROM OLD MILL I (PROJECT: VA-1942) TO OLD MILL II (PROJECT: 013883) (LEE DISTRICT)** (Tape 2)

On motion of Supervisor Kauffman, the second to which was inaudible, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized reallocation of funds in the amount of \$50,000, from Project VA-1942 (Old Mill I) to Project 013883 (Old Mill II) for the purpose of providing preliminary development costs associated with amending both the proffered conditions and the Final Development Plan for Old Mill II.

11. **A-2 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO FORM A LIMITED LIABILITY COMPANY TO FACILITATE THE DEVELOPMENT OF A 60-BED ASSISTED LIVING FACILITY AND AN ADULT DAY CARE AND APPROVAL TO REIMBURSE REAL ESTATE TAXES TO BE PAID BY THE LIMITED LIABILITY COMPANY FOR LITTLE RIVER GLEN II, PHASE 1 (BRADDOCK DISTRICT)** (Tape 2)

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

- Formation by the FCRHA of a limited liability company to act as owner and lessor of the Little River Glen II site.
- Reimbursement of real estate taxes to be paid by the limited liability company for the Little River Glen II (Phase 1) project.

**ADDITIONAL BOARD MATTERS**

12. **"WORLD TUBERCULOSIS DAY" IN FAIRFAX COUNTY DESIGNATED AS MARCH 24, 2001** (Tape 2)

Chairman Hanley stated that World Tuberculosis (TB) Day is designated as March 24, 2001. To encourage all Fairfax County residents to recognize the importance of TB screenings, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the Health Department and a physician working closely with TB patients to appear before the Board at the March 19, 2001, meeting to receive a proclamation declaring March 24, 2001, as "*TB Awareness Day*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by unanimous vote.

13. **OFFICE OF EQUITY PROGRAMS AND THE FAIRFAX COUNTY GOVERNMENT EMPLOYEES VOLUNTEER PLANNING COMMITTEE FOR DIVERSITY MONTH ARE PLANNING EVENTS FOR APRIL** (Tape 2)

Chairman Hanley stated that the Office of Equity Programs and the Fairfax County Government Employees Volunteer Planning Committee for Diversity Month are planning a series of events for the month of April around the theme of "Fairfax County Employees: United Through Diversity." To recognize these efforts, she moved that the Board direct staff to invite representatives from the Office of Equity Programs and the Volunteer Planning Committee for Diversity month to appear before the Board at the March 19, 2001, meeting to receive a proclamation declaring April 2001 as "*Celebrate Diversity Month*" in Fairfax County. Supervisor Hyland seconded the motion, which carried by unanimous vote.

14. **"HEALTHY PEOPLE IN HEALTHY COMMUNITIES" IS THE THEME OF NATIONAL PUBLIC HEALTH WEEK TO BE CELEBRATED APRIL 2 - 8, 2001** (Tape 2)

Chairman Hanley stated that "Healthy People in Healthy Communities" is the theme of National Public Health Week to be celebrated nationally April 2 - 8, 2001. To coincide with the national observance, she moved that the Board direct staff to invite representatives from the Health Department and the Health Care Advisory Board to appear before the Board at the April 2, 2001, meeting to receive a proclamation declaring April 2 - 8, 2001, as "*Public Health Week*" in Fairfax County. Supervisor Connolly seconded the motion which carried by unanimous vote.



15. **FAIRFAX COUNTY CHOSEN TO BE INCLUDED IN THE FINANCE COMMUNITIES INCREASING RESOURCES FOR CHILDREN'S LEARNING EXPERIENCES (CIRCLE)** (Tape 2)

Chairman Hanley announced that Fairfax County has been chosen to be included in the Finance CIRCLE. The Finance CIRCLE is a national demonstration project, using five sites about the country to test out new ways to finance the early learning and after school time system. This study, whose participants also include Seattle, Minneapolis, the Kansas City area, and the Lakes region of New Hampshire, compares the funding sources of child care with those of higher education, and hopes to raise awareness of the importance of early learning and after school programs.

16. **LETTER FROM CAPITAL ONE SERVICES, INCORPORATED REGARDING FUNDING FOR THE WORKFORCE SERVICES PROGRAM** (Tape 2)

Chairman Hanley called the Board's attention to a letter from Capital One Services, Incorporated, regarding funding for the Workforce Services Program, and asked unanimous consent that it be referred to the Legislative Committee. Without objection, it was so ordered.

17. **NATIONAL ASSOCIATION OF COUNTIES (NACo) COUNTY NEWS ARTICLE REGARDING ADVERTISING ON COUNTY WEB SITES** (Tape 2)

Chairman Hanley called the Board's attention to an article in the NACo *County News* regarding advertising on county web sites.

18. **LETTER REGARDING THE INCREASE IN BUDGET SPENDING IN 1998 COMPARED TO 1975** (Tape 2)

Chairman Hanley announced that she was re-publicizing a letter written in 1997 to Arthur Purves, President, Fairfax County Taxpayers Alliance, regarding the increase of budget spending in 1998 compared to 1975. Chairman Hanley stated that the letter would serve as a clarification to the current Virginia General Assembly delegates and could be updated with current 2001 information if necessary.

19. **COUNTY NEWS ANNOUNCES THAT FAIRFAX COUNTY IS SECOND ON THE LIST OF HIGHEST RATES OF RETURNS FOR THE 2000 US CENSUS** (Tape 2)

Chairman Hanley said that *County News* "Quick Takes" announced that Fairfax County was second on the list of highest rates of returns for the 2000 US Census. The County's rate was 80%.

20. **NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD) ANNOUNCES ITS SEEDLING SALE**  
(Tape 2)

Chairman Hanley announced that the NVSWCD is having its annual seedling sale. Chairman Hanley and Supervisor Mendelsohn jointly asked unanimous consent that the Board direct the Office of Public Affairs to publicize the “blooms and berries” sale. Without objection, it was so ordered.

21. **REQUEST FOR INFORMATION FROM THE PLANNING COMMISSION REGARDING THE COUNTY COMPREHENSIVE PLAN** (Tape 2)

Chairman Hanley said that the Fairfax County Comprehensive Plan is undergoing its annual plan review. She asked unanimous consent that the Board allow her to request, in writing, an outline of the schedule and review process from the Chairman of the Planning Commission. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**DS:ds**

22. **LETTER FROM M. LAURENCE MILLSPAUGH REGARDING ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD** (Tape 3)

(BACs) Supervisor Mendelsohn called the Board's attention to a letter he received from M. Laurence Millspaugh, Chairman, Route 28 Highway Transportation Improvement District Advisory Board, requesting funds to assist in the review and response of two Public-Private Partnership Transportation Act proposals to complete Phase II improvements to Route 28.

Accordingly, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to respond to the request. Without objection, it was so ordered.

**PMH:pmh**

23. **ACCESSIBILITY AND AVAILABILITY OF HOUSING FOR THE DISABLED** (Tape 4)

Supervisor Hudgins said that a quadriplegic constituent, attempting to buy a home after relocating to Fairfax County, discovered that there were no available handicapped accessible properties and he was left with the option of constructing a new home.

Supervisor Hudgins noted that the Virginia Uniform Statewide Building Code provides guidelines for builders and architects to follow so as to be in compliance with handicap accessibility requirements. The Office of Building Code Services enforces those accessibility provisions, however, it seems that in this constituent's situation, there are some inconsistencies in the enforcement process.

Supervisor Hudgins pointed out that this constituent needs doorways with 36-inch openings due to the size of his wheelchair, but the minimum standard required by the Building Code is 32-inches, which is all that Fairfax County can enforce. The constituent had to pay out-of-pocket expenses to widen the doorways since the 36-inch doors were allowed, but not required by law. The constituent's doorway to the master bedroom was constructed at 32-inches wide while the doorway to the master bath was constructed at 36-inches wide.

Supervisor Hudgins said that the Human Rights Commission, through its Housing subcommittee, has addressed many housing issues, including the housing needs of persons with disabilities.

Therefore, Supervisor Hudgins moved that the Board direct the:

- Human Rights Commission to review both the accessibility and availability of housing for the disabled to ensure that these requirements are consistently and uniformly applied to all situations.
- Disability Services Board review the issues and report with its recommendations.

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

24. **PEDESTRIAN SAFETY** (Tape 4)

Supervisor Hudgins said that the Reston Town Center Association, being duly concerned about pedestrian safety, has drafted and adopted a policy resolution to improve pedestrian safety. The Reston Town Center District, a geographic section of Fairfax County, includes over 2,200 families and provides multiple services to the citizens of Reston.

The Reston Town Center Association operates LINK, a transportation management system for the Town Center District designed to reduce the dependence on vehicles. The vision for the Town Center was one of an urban environment, wherein, it would encourage walking, however, this is difficult because of a lack of concern on the part of motorists.

Supervisor Hudgins said that it is because of this lack of concern that the Reston Town Center Association felt compelled to introduce this resolution to ensure the safety of pedestrians who want to enjoy the Town Center atmosphere. The Association's resolution formally requests that the Virginia Department of Transportation: (1) make certain that all heavily trafficked areas have painted crosswalks; (2) install "walk lights" at the most dangerous intersections which allow pedestrians sufficient time to completely cross the street; and (3) construct sidewalks throughout this area where they do not presently exist.

Supervisor Hudgins said that at the December 11, 2000, Board meeting, she noted that Arlington County and the City of Alexandria were granted the authority, through General Assembly legislation, to install and maintain highway signs requiring motorists to yield the right-of-way to pedestrians in marked crosswalks. Violators not yielding the right-of-way can be fined between \$100 and \$500 dollars. The Board directed staff to review pedestrian safety and determine whether legislation was needed to allow Fairfax County to have similar legislation.

Therefore, Supervisor Hudgins moved that the Board direct staff, in addition to the earlier motion to review the need for legislation, to review pedestrian safety including the need for additional facilities such as painted crosswalks, "walk" lights and sidewalks to ensure the highest level of safety in Fairfax County. Chairman Hanley seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to include the Virginia Department of Transportation in the study, and it was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting the issue of pedestrian signals was discussed. See Clerk's Summary Item CL#28.)

25. **PINN COMMUNITY CENTER** (Tape 4)

Supervisor Bulova said that last July she attended a "Rededication Ceremony" of the refurbished tennis courts at the David R. Pinn Community Center, located on Zion Drive. The ceremony included a brief history of the Sideburn Civic Association and the African American families who made the Zion Drive community their home for generations.

Supervisor Bulova referred to her written Board Matters and briefly outlined the history of the Sideburn Association. She moved that the Board direct staff to invite Terri Williams, current president of the Sideburn Civic Association, and members of the Zion community, to

appear before the Board on February 26, 2001, to be congratulated for their rich history and contributions to the community. Supervisor Connolly seconded the motion and it carried by unanimous vote.

26. **EXPANSION OF THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD): WAIVER OF MINIMUM NUMBER OF PARKING SPACES AND THE FILING FEES** (Tape 4)

Supervisor Bulova said that student parking on residential streets around Robinson High School continues to be a serious problem and expansion of the Robinson RPPD is needed. She added that she has forwarded to the Department of Transportation (DOT) a petition for the expansion of the Robinson RPPD to Lister Court.

To proceed with the request, DOT needs Board approval to waive the minimum number of parking spaces and the filing fees. Therefore, Supervisor Bulova moved that the Board direct staff to waive the fees and to proceed as expeditiously as possible. Supervisor Connolly seconded the motion and it carried by unanimous vote.

27. **REZONING APPLICATION RZ 2000-MA-065 (BREN MAR ASSOCIATES)** (Tape 4)

Supervisor Gross said that 6315 Bren Mar Associates, LP has filed Rezoning Application RZ 2000-MA-065, for a change in zoning from the I-3 District to the I-4 District. The applicant has requested that the public hearings be expedited.

Therefore, Supervisor Gross moved that the Board direct staff to schedule a public hearing to be held before the Board on April 30, 2001, or on the next Board meeting date following the Planning Commission recommendation. Supervisor Connolly seconded the motion and it carried by unanimous vote.

28. **PEDESTRIAN SIGNALS** (Tape 4)

(NOTE: Earlier in the meeting the issue of pedestrian safety was discussed. See Clerk's Summary Item CL#24.)

Supervisor Gross said that the Board may be familiar with the new pedestrian signals located at some intersections in the cities of Fairfax and Alexandria, which display the number of seconds remaining to cross the street before the traffic light changes. Fairfax City has approximately 20 of the timed signals at downtown locations, and plans to purchase more due to their success.

Supervisor Gross moved that the Board refer this issue to staff, to research timed pedestrian signals with neighboring jurisdictions, discuss their feasibility with the Virginia Department of Transportation, and report with

recommendations. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

29. **AFFORDABLE HOUSING DESIGN** (Tape 4)

Supervisor Gross called the Board's attention to an article from *Inform Magazine*, which describes the grand prize winning entry in a competition to explore new design alternatives for affordable housing. The purpose of the initiative was to design an attractive three-bedroom house, with costs for materials not to exceed \$35,000. The competition was co-sponsored by the Virginia Foundation for Architecture, in cooperation with Richmond Metropolitan Habitat for Humanity, which will construct homes based on the winning design in Chesterfield County.

Supervisor Gross moved that the Board refer this article to staff to determine if such homes could be built in Fairfax County under the existing Zoning Ordinance. This motion, the second to which was inaudible, carried by unanimous vote.

30. **CODE OF THE COUNTY OF FAIRFAX, CHAPTER 119 (GRASS OR LAWN AREA)** (Tape 4)

[NOTE: Earlier in the meeting the Board authorized the advertisement of a public hearing to be held on proposed amendments to the Code of the County of Fairfax, Chapter 119 (Grass or Lawn Area). (See Page 6)

Supervisor Gross referred to the Code of the County of Fairfax, Chapter 119 (Grass or Lawn Area), and asked unanimous consent that the Board direct staff to determine if there is a need to amend the ordinance to address repeat offenders. Without objection, it was so ordered.

31. **COMMERCIAL TRUCK LOADING/UNLOADING** (Tape 4)

Supervisor Gross said that she has been contacted by a resident whose home is directly adjacent to a commercial property that has now moved its loading dock closer to the property line.

Supervisor Gross referred to the Code of the County of Fairfax, Chapter 108 (Noise), and asked unanimous consent that the Board direct staff to address the issue of the time that trucks using commercial loading docks are allowed to load or unload. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to also address the issue of proximity. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

32. **ENERGY CONSERVATION** (Tape 4)

Supervisor Gross expressed her appreciation to Merni Fitzgerald, Director of the Office of Public Affairs, and her staff for publicizing information regarding energy conservation and the energy assistance program.

33. **NO BOARD MATTERS FOR LEE DISTRICT SUPERVISOR KAUFFMAN** (Tape 4)

Supervisor Kauffman announced that he had no Board Matters to present today.

NV:nv

34. **NO BOARD MATTERS FOR PROVIDENCE DISTRICT SUPERVISOR CONNOLLY** (Tape 5)

Supervisor Connolly announced that he had no Board Matters to present today.

35. **REQUEST FOR CONCURRENT PROCESSING FOR REZONING APPLICATIONS IN THE CENTREVILLE FARMS AREA** (Tape 5)

Supervisor Frey stated that Pulte Homes Corporation and Winchester Homes have filed rezoning applications in the Centreville Farms area. Rezoning Applications RZ 2000-SU-029, RZ 2000-SU-042, and RZ 2000-SU-043 propose the construction of a new spine road through Centreville Farms that will improve traffic circulation in this area. He said that the applicants have road construction plans prepared and they are ready to be filed with the County. Because this new road will be of benefit to the general public, he stated his belief that it would be appropriate to authorize concurrent processing so that the County's Department of Public Works and Environmental Services (DPWES) can commence the review of these roads at the earliest possible date.

Therefore, Supervisor Frey moved that the Board approve concurrent processing by DPWES of construction plans pertaining to the properties, which are the subject of Rezoning Applications RZ 2000-SU-029, RZ 2000-SU-042, and RZ 2000-SU-043. He noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of the rezoning applications or future abandonment request in any way. Supervisor Bulova seconded the motion, which carried by unanimous vote.

36. **CENTEX HOMES – LEGATO ACRES** (Tape 5)

Supervisor Frey announced that Centex Homes is about to file a rezoning application on approximately 11.02 acres in the Legato Acres area, north of Route 29 and on the west side of Legato Road. The application proposes to rezone the subject property from R-1 to PDH-4. The proposed conceptual development plan/final development plan anticipates the abandonment of Deljo Drive (Route 6591). Consistent with staff policy, the rezoning application cannot be accepted for processing without the consent of the Board to allow the right-of-way to be included in the applications.

Accordingly, Supervisor Frey moved that the Board authorize the inclusion of the right-of-way of Deljo Drive, containing approximately 38.194 square feet, into the application area for the Dix-Cen-Gato Properties application by Centex Homes. He noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards and does not prejudice the consideration of the rezoning application or future abandonment request in any way. Supervisor Bulova seconded the motion, which carried by unanimous vote.

37. **VIRGINIA FESTIVAL OF THE BOOK** (Tape 5)

Supervisor Frey reminded the Board that over the last several years, he had asked the Board to recognize and help promote the Virginia Festival of the Book, which takes place in Charlottesville. From March 21-25, 2001, the Virginia Foundation for the Humanities (VFH) and Public Policy will hold its seventh annual Virginia Festival of the Book in Charlottesville. The VFH is a not-for-profit organization dedicated to developing and supporting research, education, and public programs in the humanities.

Supervisor Frey noted that the Virginia Festival of the Book has become the preeminent book festival in the Mid-Atlantic Region. In 2000, more than 13,000 people attended the festival. Accordingly, he moved that the Board direct the Office of Public Affairs to work in conjunction with the VFH and Fairfax County Libraries in publicizing this event as soon as possible given the impending festival dates. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

38. **WATER FOR LINCOLN-LEWIS-VANNOY AREA** (Tape 5)

Supervisor McConnell stated that several months ago she had asked the Board to help research the creation of a tax district to help people in the Lincoln-Lewis-Vannoy area to bring water into their homes. She showed a sample of the discolored water that was drawn from a homeowner's well



from that area this morning. She also said that many wells are running dry.

Supervisor McConnell stated that at a meeting held January 18, 2001, at the Mott Community Center, and attended by over 300 people, the community of Lewis Park overwhelming voted to approve the water supply district. She noted that the petition for a district is still being finalized in three other neighborhoods.

Supervisor McConnell stated that one problem identified at the meeting was that the monthly cost that these residents would have to pay could not be determined without a design of the system. However, the system cannot be designed until the funding is identified.

Accordingly, Supervisor McConnell moved that the Board direct staff to create a budget Consideration Item for the expense of about 10 percent of the estimated cost of the construction, not to exceed \$250,000, to be used by the Fairfax County Water Authority (FCWA) to design the water supply for areas desiring to be part of the aforementioned tax district.

Supervisor McConnell recognized the presence of many of the affected residents and welcomed them to the Board meeting.

Following discussion, with input from Robert J. Etris, Manager, Engineering Department, FCWA, and Anthony H. Griffin, County Executive, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to request the FCWA to proceed with the design and direct staff to develop a Consideration Item that allows the FCWA to be reimbursed. This was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, with input from Mr. Etris and Mr. Griffin, Supervisor McConnell asked unanimous consent that the Board request the FCWA to provide an analysis of the funds it holds in reserve. Without objection, it was so ordered.

Following discussion, with input from Mr. Griffin and David P. Bobzien, County Attorney, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the County Attorney's Office to review the public facilities issue to determine whether there are any restrictions on development the County can impose, given the cumulative impact of wells in a certain aquifer. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, Chairman Hanley restated the motion, as amended, as directing the FCWA to proceed with design of the water

system with costs not to exceed \$250,000. The question was called on the motion, as amended, which carried by unanimous vote.

(NOTE: Later in the meeting, the Board took further action regarding water for this area. Clerk's Summary Items CL#40 and CL#67.)

39. **REQUEST FOR JOINT MEETING WITH THE WATER AUTHORITY** (Tape 5)

(BACs) Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to schedule a joint meeting with the Water Authority to discuss issues of concern. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn announced that the Water Authority approved the contract for the new water intake pipe in the Potomac River.

40. **AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE CREATION OF A SMALL TAX DISTRICT FOR LINCOLN-LEWIS-VANNOY** (Tape 5)

(NOTE: Earlier in the meeting the Board discussed water issues for this area. See Clerk's Summary Item CL#38.)

With reference to a Board Matter she presented earlier, Supervisor McConnell stated that at a community meeting to ascertain interest for the creation of a small tax district for the Lincoln-Lewis-Vannoy neighborhoods, over 80 percent of the residents of Lewis Park signed a petition supporting the creation of a small tax district to supply water. She moved that the Board authorize the advertisement of a public hearing for the creation of a small tax district for the Lincoln-Lewis-Vannoy water tax district to be held on March 19, 2001, at such time as is convenient for the Board. Supervisor Frey seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, and Anthony H. Griffin, County Executive, regarding the fact that the boundaries for the proposed district have not been determined, Chairman Hanley stated that the Board would defer action on this issue until later in the meeting.

(NOTE: Later in the meeting, the Board took action on this issue. See Clerk's Summary Item CL#67.)

41. **HIGHLIGHTS OF THE MOUNT VERNON DISTRICT'S FOURTEENTH ANNUAL TOWN MEETING** (Tape 5)

Supervisor Hyland recapped the highlights of the Mount Vernon District's fourteenth annual town meeting held January 27, which attracted more than 400 people from the area. He announced that the meeting was taped and will be replayed on Cable Channel 16 at 8 p.m. on the following dates:

- Wednesday, February 14
- Monday, February 19
- Wednesday, February 28

Supervisor Hyland also noted that extra copies of the tape will be available for loan to citizens by the end of the week at Mount Vernon District libraries and at his office.

42. **RECOGNITION OF YEARS OF SERVICE FOR TWO BOARD MEMBERS** (Tape 5)

In recognition of their respective years of County service, Chairman Hanley presented:

- A chrome Cross pen to Supervisor Dana Kauffman for 10 years of service.
- A gold Cross pen to Supervisor Sharon Bulova for 15 years of service.

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

At 11:40 a.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.

Chairman Hanley announced that closed session would convene at 1:30 p.m.

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

SBE:sbe

At 3:05 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

**ACTIONS FROM CLOSED SESSION**

44. **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 open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

45. **CONSIDERATION OF THE CONTRACT OF SALE FOR THE PROPERTY LOCATED AT 268 SPRING STREET IN THE TOWN OF HERNDON REQUIRED FOR THE PURCHASE OF THE HERNDON BUS OPERATIONS CENTER** (Tape 6)

Supervisor Mendelsohn said that the Board had before it today the consideration of the Contract of Sale, for the property located at 268 Spring Street in the Town of Herndon required for the purchase of the Herndon Bus Operations Center.

Accordingly, Supervisor Mendelsohn moved that the Board approve the Contract of Sale and authorize the execution of said instrument by the County Executive. The approval of the Contract of Sale is conditioned upon final execution of special condition (F) by the seller. The property is located in the Dranesville District, known as Tax Map Parcel 016-2-02-0183-A, and owned by the Union Land and Management Company. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

46. **APPROVAL OF THE MODIFICATIONS TO THE COUNTY EXECUTIVE'S EMPLOYMENT CONTRACT** (Tape 6)

Supervisor Gross moved that the Board approve the modifications discussed in closed session with respect to the County Executive's employment contract effective February 10, 2001. Supervisor Hyland seconded the motion and it carried by unanimous vote.

47. **APPROVAL OF THE MODIFICATIONS TO THE COUNTY ATTORNEY'S COMPENSATION PACKAGE** (Tape 6)

Supervisor Gross moved approval of the modifications discussed in closed session with respect to the County Attorney's compensation package effective February 10, 2001. Supervisor Hyland seconded the motion and it carried by unanimous vote.

**AGENDA ITEMS**

48. **3 P.M. – BOARD DECISION ON A PROPOSAL TO ABANDON A PORTION OF HORSEPEN ROAD (ROUTE 605) (HUNTER MILL DISTRICT)** (Tape 6)

Supervisor Hudgins moved to defer decision on a proposal to abandon a portion of Horsepen Road (Route 605) until **February 26, 2001, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

49. **3 P.M. – PH ON A PROPOSAL TO VACATE A PORTION OF SOUTH RAILROAD STREET (PROVIDENCE DISTRICT)** (Tape 6)

(O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 18 and January 25, 2001.

Following the public hearing, Supervisor Connolly moved that the Board:

- Adopt the Ordinance vacating a portion of South Railroad Street.
- Authorize the County Executive to execute documents, as contained in the Memorandum to the Board dated February 5, 2001, that will facilitate the conveyance of portions of the right-of-way from two adjoining property owners to the Board for future park uses.

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

50. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-033 (RITA POWELL) (SULLY DISTRICT)** (Tape 6)

(O) Mr. Charles L. Shumate reaffirmed the validity of the affidavit for the record.

Mr. Shumate 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, William Mayland, 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 2000-SU-033, be amended from the I-3, AN, and WS Districts to the I-5, AN, and WS Districts, subject to proffers dated December 12, 2000. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

51. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-D-003 (COMMUNITY WIRELESS STRUCTURES II, LLC) (DRANESVILLE DISTRICT)** (No Tape)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#53.)

52. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 98-P-040 (SUN COMPANY, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 6)

Mr. David S. Houston reaffirmed the validity of the affidavit for the record.

Mr. Houston 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.

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

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

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

Supervisor Connolly moved:

- Approval of Special Exception Amendment Application SEA 98-P-040, subject to the development conditions dated February 2, 2001.
- Modification of the transitional screening requirement along the eastern boundary to that shown on the SEA plat.
- Waiver of the barrier requirement along the eastern property line.

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

53. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-D-003 (COMMUNITY WIRELESS STRUCTURES II, LLC) (DRANESVILLE DISTRICT)** (Tapes 6-7)

Ms. Michelle A. Rosati reaffirmed the validity of the affidavit for the record.

Ms. Rosati 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.

**ADDITIONAL BOARD MATTER**

**Good Afternoon to Former Dranesville District Supervisor Nancy Falck**

Chairman Hanley recognized the presence of former Dranesville District Supervisor Nancy Falck and warmly welcomed her to the Board Auditorium.

Following the public hearing, which included testimony by 18 speakers, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved that the Board defer decision on Special Exception Application SE 00-D-003 until **February 26, 2001, at 3 p.m.**, with the record remaining open for written comment. Supervisor

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

54. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-017 (ALD GROUP, INCORPORATED) (MOUNT VERNON DISTRICT)**  
(No Tape)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#59.)

55. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2000-PR-027 (CHRISTOPHER MANAGEMENT, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 2000-PR-027 until **February 26, 2001, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

56. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-LE-048 (MPE LLC) (LEE DISTRICT)**  
(No Tape)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#58.)

57. **3:30 P.M. – PH TO CONSIDER AN INTERGOVERNMENTAL AGREEMENT ON ZONING AND A BOUNDARY ADJUSTMENT RELATING TO PROPERTY NOW LYING PARTIALLY WITHIN THE CITY OF FAIRFAX AND PARTIALLY WITHIN THE COUNTY (PROVIDENCE DISTRICT)** (Tape 7)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 18 and January 25, 2001.

Following the public hearing, which included testimony by one speaker, Michael H. Long, Senior Assistant County Attorney, presented the staff report.

Supervisor Connolly moved to defer decision on an intergovernmental agreement on zoning and a boundary adjustment relating to property now lying partially within the City of Fairfax and partially within the County until **February 26, 2001, at 3 p.m.** Supervisor Mendelsohn seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room



58. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-LE-048 (MPE LLC) (LEE DISTRICT)**  
(Tape 7)

Ms. Barbara J. Fried reaffirmed the validity of the affidavit for the record.

Ms. Fried 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 the following campaign contribution which she had received:

- In excess of \$200 from Mr. B. Mark and Ms. Barbara J. Fried

Supervisor McConnell also disclosed that she is a tenant in one of the buildings of Mr. B. Mark and Ms. Barbara J. Fried.

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

- In excess of \$200 from Mr. B. Mark and Ms. Barbara J. Fried

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

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

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

- In excess of \$200 from Mr. B. Mark and Ms. Barbara J. Fried

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

Supervisor Kauffman moved approval of Proffered Condition Amendment Application PCA 1998-LE-048, subject to the updated executed proffers contained in Appendix 1 of the staff report. Supervisor Mendelsohn seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

59. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-017  
(ALD GROUP, INCORPORATED) (MOUNT VERNON DISTRICT)**  
(Tapes 7-8)

- (O) Mr. Robert W. Lawrence reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Acting-Chairman McConnell seconded the motion, and it carried by a vote of six, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Acting-Chairman McConnell voting "AYE," Supervisor Bulova, Supervisor Frey, Supervisor Hudgins, and Chairman Hanley being out of the room.

Supervisor Hyland moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-MV-017, be amended from the R-1 District to the R-8 District, subject to proffers dated January 22, 2001. Supervisor Mendelsohn seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn and Acting-Chairman McConnell voting "AYE," Supervisor Bulova, Supervisor Frey, Supervisor Hudgins, and Chairman Hanley being out of the room.

**ADDITIONAL BOARD MATTER**

60. **SENATOR SASLAW 'S BILL ON THE SALES TAX HAS PASSED  
THE SENATE** (Tape 8)

Supervisor Connolly stated that he had received a note announcing that Senator Saslaw's bill on the sales tax was moved to third reading this afternoon and has passed the Senate by a vote of 35 to 4.

**AGENDA ITEMS**

61. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE  
OF THE COUNTY OF FAIRFAX, CHAPTER 84.1-6-3(C), (PUBLIC  
TRANSPORTATION) RATES, FARES, AND CHARGES** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 18 and January 25, 2001.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 84.1-6-3(C), (Public Transportation) Rates, Fares, and Charges. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Connolly and Supervisor Mendelsohn being out of the room.

**DMB:dmb**

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

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the 4 p.m. public hearing on Proffered Condition Amendment Application PCA 91-C-014-2 and Special Exception Application SE 00-H-023 (Reston Hospital Center LLC).

63. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-HM-025 (DULLES CONSOLIDATION LLC) (HUNTER MILL DISTRICT)**  
(Tape 9)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#65.)

64. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-C-014-2 AND SPECIAL EXCEPTION APPLICATION SE 00-H-023 (RESTON HOSPITAL CENTER LLC) (HUNTER MILL DISTRICT)** (Tape 9)

Mr. John J. Bellaschi reaffirmed the validity of the affidavit for the record.

Mr. Bellaschi 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.

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

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

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

- In excess of \$200 from Mr. William H. Gordon

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

Supervisor Hudgins moved approval of the Proffered Condition Amendment Application PCA 91-C-014-2, subject to the proffers dated January 10, 2001. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved approval of Special Exception Application SE 00-H-023 subject to the development conditions dated January 11, 2001. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, Supervisor Mendelsohn being out of the room.

65. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-HM-025 (DULLES CONSOLIDATION LLC) (HUNTER MILL DISTRICT)**  
(Tape 9)

(O) (NOTE: Earlier in the meeting this public hearing was deferred. See Clerk's Summary Item CL#63.)

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

Mr. Riegle 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.

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, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Hudgins moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-HM-025, from the R-1 District to the PDH-12 District, subject to proffers dated February 5, 2001.

- Approval of the conceptual development plan, and conceptual development plan conditions dated February 5, 2001.

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

Supervisor Hudgins moved modification of the transitional screening and waiver of the barrier requirements along a portion of the north side of Fox Mill Road in favor of the treatment shown on the conceptual development plan and the final development plan. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Hudgins moved waiver of the 600-foot limitation on the maximum length of private streets. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Hudgins said that as this rezoning application proposes residential development at 12.69 dwelling units per acre and represents full consolidation of the Greg Roy Subdivision, which is in accordance with the recommendations of the existing Comprehensive Plan text, it is no longer necessary to proceed with the Out of Turn Plan Amendment filed to examine the appropriateness of a higher density for this site.

Therefore, Supervisor Hudgins moved to withdraw Out-of-Turn Plan Amendment OTPA S99-III-UP1. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

66.

**4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-H-028 (CATHOLIC DIOCESE OF ARLINGTON, THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VIRGINIA, AND HIS SUCCESSORS IN OFFICE) (HUNTER MILL DISTRICT)**  
(Tapes 9-12)

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

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

Following the public hearing, which included testimony by 47 speakers, Cathy Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following extensive discussion, Supervisor Hudgins moved to defer decision of Special Exception Application SE 00-H-028 until **February 26, 2001, at 3:30 p.m.** Supervisor Bulova seconded the motion.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the written record be left open for additional new information and/or comments and that staff provide the Board with the classification of the surrounding roads in the neighborhood with the book traffic volume projections and actual comparisons. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following additional discussion, the question was called on the motion and it carried by unanimous vote.

#### **ADDITIONAL BOARD MATTERS**

67. **AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE CREATION OF A SMALL TAX DISTRICT FOR LINCOLN-LEWIS-VANNOY CONSERVATION AREA** (Tape 12)

(A) (NOTE: Earlier in the meeting this issue was discussed. See Clerk's Summary Item CL#40.)

Supervisor McConnell moved that the Board authorize the advertisement of a public hearing to be held before the Board on March 19, 2001, to consider including the entire existing Lincoln-Lewis-Vannoy Conservation Area in the proposed sanitary district for public water, less and except those portions of the Lincoln-Lewis-Vannoy Conservation Area which are currently served by public water and Tax Map Number 66-4((1)) parcel 9. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

68. **APPOINTMENT TO THE SIGN TASK FORCE** (Tape 12)

(APPT) Supervisor Mendelsohn moved the appointment of Mr. Brice Eldridge to fill the unexpired term of Ms. Gloria Gordon as the Dranesville District Representative to the Sign Task Force. Supervisor Kauffman seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

**AGENDA ITEMS**

69. **7 P.M. – PH ON THE DRAFT CONSOLIDATED PLAN ONE YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2002** (Tape 13)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 18 and January 25, 2001.

Chairman Hanley announced that decision on the Draft Consolidated Plan One Year Action Plan for FY 2002 is scheduled for March 19, 2001.

Bruce A. LaVal, Director, Community Development Division, Department of Housing and Community Development, presented the staff report, which was followed by testimony by four speakers.

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

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

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