

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JANUARY 7, 2008**

AGENDA

- | | | |
|-------|-------------|---|
| 9:00 | Done | Presentations |
| 10:00 | Done | Board Organization and Appointments of Board Members to Various Regional and Internal Boards and Committees |
| 10:00 | Done | Items Presented by the County Executive |

ADMINISTRATIVE ITEMS

- | | | |
|----|-----------------|--|
| 1 | Approved | Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Advertising on Public Transit Passenger Shelters |
| 2 | Approved | Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Roadway Functional Classification |
| 3 | Approved | Extension of Review Periods for 2232 Review Applications (Lee and Mount Vernon Districts) |
| 4 | Approved | Additional Time to Commence Construction for Special Exception Amendment SEA 87-V-106-02, Ourisman Dodge, Inc. (Mount Vernon District) |
| 5 | Approved | Approval of Traffic Calming Measures, Multi-Way Stops and "Watch for Children" Signs as Part of the Residential Traffic Administration Program (Mason and Lee Districts) |
| 6 | Approved | Installation of "No Parking" Signs on the North Side of Maury Place from Reddick Avenue to Richmond Highway (Mount Vernon District) |
| 7 | Approved | Authorization to Advertise a Public Hearing to Establish the Potters Glen Community Parking District (Lee District) |
| 8 | Approved | Approval of Proposed Street Name Change for a Portion of Wesley Tyler Road to Redbird Ridge (Springfield District) |
| 9 | Approved | Streets into the Secondary System (Mason and Sully Districts) |
| 10 | Approved | Authorization to Advertise a Public Hearing on an Uncodified Ordinance that will Provide for up to a One Dollar Taxicab Fuel Surcharge until October 31, 2008 |

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**ADMINISTRATIVE ITEMS
(CONTINUED)**

- | | | |
|----|--|---|
| 11 | Approved | Adoption of a Resolution Approving the Economic Development Authority Issuance of Revenue Bonds for the Benefit of Ennstone, Inc. |
| 12 | Approved with 1 change; June 16th meeting moved to June 23rd | Board of Supervisors' Meeting Schedule for Calendar Year 2008 |
- ACTION ITEMS**

- | | | |
|---|-----------------------------|---|
| 1 | Approved | Appointment of Members to the Fairfax County Solid Waste Authority |
| 2 | Approved w/amendment | Allocation of Contributed Road Funds from the Tysons Fund Area for Transportation Improvements Identified by the Comprehensive Plan and the Tysons Land Use Task Force (Providence and Hunter Mill Districts) |

INFORMATION ITEMS

- | | | |
|-------|--------------|--|
| 1 | Noted | Contract Award – Spring Hill RECenter Improvements (Dranesville District) |
| 2 | Noted | Contract Award – Athletic Field Lighting and Related Electrical Work at Franconia Park (Lee District) |
| 3 | Noted | Contract Award - Interim Development Agreement for Lee Village at Silver Lake (Kingstowne Library PPEA) (Lee District) |
| 10:30 | Done | Matters Presented by Board Members |
| 11:20 | Done | Closed Session |

PUBLIC HEARINGS

- | | | |
|------|-----------------|---|
| 3:00 | Approved | Public Hearing on PCA 2003-DR-058 (NVR, Inc. D/B/A Ryan Homes) (Dranesville District) |
| 3:00 | Approved | Public Hearing on AR 83-D-005-03 (Ruth B. Cornfield, Revocable Living Trust) (Dranesville District) |

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**PUBLIC HEARINGS
(CONTINUED)**

3:00	Public hearing deferred to 1/28/08 at 3:30 p.m.	Public Hearing on SE 2006-MA-021 (Thakorlal Mistry et ux & Babubhai S. Mistry et ux) (Mason District)
3:00	Approved	Public Hearing on SEA 01-M-006-02 (Public Storage) (Mason District)
3:00	Public hearing deferred to 1/28/08 at 3:00 p.m.	Public Hearing on PCA 1998-BR-073 (Steuart-Burke Centre Shopping Center, L.L.C) (Braddock District)
3:00	Public hearing deferred to 1/28/08 at 3:00 p.m.	Public Hearing on PCA 75-8-036-02 (Steuart-Burke Centre Shopping Center, L.L.C.) (Braddock District)
3:00	Public hearing deferred to 1/28/08 at 3:00 p.m.	Public Hearing on DPA C-546-23 (Steuart-Burke Centre Shopping Center, L.L.C.) (Braddock District)
3:00	Public hearing deferred to 1/28/08 at 3:00 p.m.	Public Hearing on PRC C-546 (Steuart-Burke Centre Shopping Center, L.L.C.) (Braddock District)
3:30	Approved	Public Hearing on AR 91-Y-001-02 (Tom Van Richardson and Joan Johnson Richardson) (Sully District)
3:30	Approved	Public Hearing on PCA 2005-MA-005 (Goodwin House Incorporated) (Mason District)
3:30	Approved	Public Hearing on SEA 84-M-088-02 (Goodwin House Incorporated) (Mason District)
3:30	Approved	Public Hearing on SEA 92-L-005-02 (Exxon Mobil Corporation) (Lee District)
3:30	Approved	Public Hearing on a Proposal to Vacate, Abandon, and Discontinue Portions of Centreville Road (Route 657) (Hunter Mill District)
4:00	Approved	Public Hearing on SE 2007-MA-016 (Annandale Plaza, LLC) (Mason District)
4:00	Approved	Public Hearing to Consider Adopting an Ordinance Expanding the Chantilly Residential Permit Parking District, District 29 (Springfield District)

**FAIRFAX COUNTY
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**PUBLIC HEARINGS
(CONTINUED)**

4:00	Approved	Public Hearing to Consider Adopting an Ordinance Expanding the Oakton Residential Permit Parking District, District 19 (Providence District)
4:00	Approved	Public Hearing to Consider Adopting an Ordinance Expanding the Annandale Residential Permit Parking District, District 14 (Braddock District)
4:00	Approved	Public Hearing to Establish the Runnymede Community Parking District (Lee District)
4:30	Approved	Public Hearing on SE 2007-MA-019 (Motiva Enterprises, LLC) (Mason District)
4:30	Approved	Public Hearing on SEA 76-C-152-04 (Exxon Mobil Corporation) (Hunter Mill District)
4:30	Approved	Public Hearing on SE 2007-MV-017 (Nestle Waters North America Inc., Formerly Known As Great Spring Waters Of America Inc.) (Mount Vernon District)
4:30	Approved	Public Hearing to Expand the Hillside Community Parking District (Springfield District)
4:30	Approved	Public Hearing to Obtain Citizen Input for the Department of Community and Recreation Services' Grant Application to the Commonwealth of Virginia for Funding Under the Federal Transit Administration (FTA) Section 5310 Program for Three Replacement Vehicles
5:00	Board decision deferred to 1/28/08 at 3:00 p.m.	Public Hearing on PRC B-846 (JBG/RIC Retail LLC, JBG/RIC LLC) (Hunter Mill District)
5:00	Public hearing deferred to 2/11/08 at 3:30 p.m.	Public Hearing on SE 2007-SU-007 (Commerce Bank, N.A.) (Sully District)
5:00	Approved	Public Hearing on PCA 2003-HM-046-02 (Woodland Park Crossing Retail, L.L.C.) (Hunter Mill District)
5:00	Approved	Public Hearing on SEA 2002-PR-031 (The Mitre Corporation) (Providence District)



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Monday
January 7, 2008

9:00 a.m.

PRESENTATIONS

1. CERTIFICATE – To recognize the Braddock District Council of Community Associations, the Fairfax County Sheriff's Office and Delegate David Bulova for their efforts to improve the appearance and maintenance of Braddock Road. Requested by Supervisor Bulova.
2. CERTIFICATE – To commend James Martin for 25 years of safe service to the residents of Fairfax County. Requested by Chairman Connolly.
3. RESOLUTION – To recognize the Burke Centre Conservancy for hosting the first annual Doggie Dip in conjunction with its 30th anniversary. Requested by Supervisor Bulova.
4. PROCLAMATION – To designate January 2008 as Mentoring Month in Fairfax County. Requested by Chairman Connolly.
5. CERTIFICATE – To recognize the Westfield High School football team for its accomplishments this season and winning the 2007 Virginia State Championship. Requested by Supervisor Frey.

STAFF:

Merni Fitzgerald, Director, Office of Public Affairs
Bill Miller, Office of Public Affairs

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10:00 a.m.

Board Organization and Appointments of Board Members to Various Regional and Internal Boards and Committees

ENCLOSED DOCUMENTS:

Listing of Interjurisdictional Committees and Inter- and Intra- Governmental Boards and Committees for Calendar Year 2008

STAFF:

Nancy Vehrs, Clerk to the Board of Supervisors

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Board Agenda Item
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10:00 a.m.

Items Presented by the County Executive

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ADMINISTRATIVE - 1

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance
Amendment Re: Advertising on Public Transit Passenger Shelters

ISSUE:

Proposed Zoning Ordinance amendment to permit advertising on County owned public transit passenger shelters, including bus shelters, located outside of the Virginia Department of Transportation (VDOT) right-of-way (ROW).

RECOMMENDATION:

The County Executive recommends the authorization of the advertisement of the proposed amendment by adopting the resolution set forth in Attachment 1.

TIMING:

Board action is requested on January 7, 2008, to provide sufficient time to advertise the proposed Planning Commission public hearing on February 13, 2008, at 8:15 p.m. and proposed Board of Supervisors' public hearing on March 10, 2008, at 4:00 p.m.

BACKGROUND:

The proposed amendment is on the 2007 Priority 1 Zoning Ordinance Amendment Work Program and would permit advertising on County owned bus shelters located outside of VDOT ROW.

In 2003, the Virginia General Assembly amended the *Code of Virginia* to permit the display of advertisements on public transit passenger shelters (including bus shelters) owned by the County that are located in the VDOT ROW or that are within 15 feet of a highway. This State code amendment eliminated previous restrictions on advertisements in VDOT ROW and within 15 feet of a highway. While the Zoning Ordinance does not regulate activities within a road ROW, it does apply to private and County owned property, and bus shelter advertising on such property is considered to be an off-site sign, similar to a billboard and is not permitted. On February 5, 2007, the Board adopted a policy entitled "Guidelines for Advertising on Fairfax County Bus Shelters." The policy contains the specific information regarding the advertising standards and size, materials and placement of the advertising on bus shelters.

Although the *Code of Virginia* now allows advertising on bus shelters located within VDOT ROW and within 15 feet of such ROW, and the Board has adopted the bus

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shelter advertising policy, the Zoning Ordinance still prohibits such advertising on bus shelters located outside the VDOT ROW. The proposed Ordinance amendment furthers the implementation of the Board's advertising policy by allowing for such advertising on County owned bus shelters outside the ROW. A more detailed discussion of the proposed amendment is set forth in the Staff Report contained in Attachment 2.

REGULATORY IMPACT:

The proposed amendment will allow advertising on public transit passenger shelters located outside of VDOT ROW in accordance with Board adopted policy.

FISCAL IMPACT:

There is no fiscal impact associated with this Zoning Ordinance Amendment; however, if adopted, the number of bus shelters where the county could receive advertising revenue, will be increased.

ENCLOSED DOCUMENTS:

Attachment 1 – Resolution
Attachment 2 – Staff Report

STAFF:

Robert A. Stalzer, Deputy County Executive
James P. Zook, Director, Department of Planning and Zoning (DPZ)
Eileen M. McLane, Zoning Administrator, DPZ
Lorrie Kirst, Deputy Zoning Administrator for Amendments, DPZ
Cynthia E. Chambers, Senior Assistant to the Zoning Administrator, DPZ

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ADMINISTRATIVE - 2

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance
Amendment Re: Roadway Functional Classification

ISSUE:

The proposed Zoning Ordinance amendment updates the listing of roadways by functional classification in Appendix 8 with an updated listing of roadways by functional classification approved as part of Comprehensive Plan Amendment No. 2003 P-08 by the Board of Supervisors on July 10, 2006.

RECOMMENDATION:

The County Executive recommends the authorization of the advertisement of the proposed amendment by adopting the resolution set forth in Attachment 1.

TIMING:

Board action is requested on January 7, 2008, to provide sufficient time to advertise the proposed Planning Commission public hearing on February 20, 2008, at 8:15 p.m., and the proposed Board of Supervisors' public hearing on March 10, 2008, at 4:00 p.m.

BACKGROUND:

Appendix 8 of the Zoning Ordinance contains a listing of roadways by functional classification which includes both principal and minor arterials as they appeared in the 2000 Transportation Policy Plan of the Fairfax County Comprehensive Plan. The classification listing is used in determining whether a street constitutes a major thoroughfare, which factors into requests for height increases for noise barriers, the location and height for fences and walls, yard designations on reverse frontage lots, and in the administration of the sign regulations for commercial developments.

On July 10, 2006, the Board of Supervisors approved Comprehensive Plan Amendment No. 2003 P-08, which updated the Transportation section of the Policy Plan. As a part of this update, the functional roadway classifications were revised to reflect current travel demand forecasts for the next 20 to 25 years. As a result, the proposed Zoning Ordinance amendment updates the listing of roadways by functional classification in Appendix 8 of the Ordinance in accordance with the Comprehensive Plan.

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REGULATORY IMPACT:

Facilitates the identification of major thoroughfares, which factors into the determination of the height and location for certain fences and walls, as well as those provisions relating to reverse frontage lots and commercial signage.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Resolution
Attachment 2 – Staff Report

STAFF:

Robert A. Stalzer, Deputy County Executive
James P. Zook, Director, Department of Planning and Zoning (DPZ)
Eileen M. McLane, Zoning Administrator, DPZ
Andrew Hushour, Senior Assistant to the Zoning Administrator

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ADMINISTRATIVE – 3

Extension of Review Periods for 2232 Review Applications (Lee and Mount Vernon Districts)

ISSUE:

Extension of the review periods for specific 2232 Review applications to ensure compliance with the review requirements of *Section 15.2-2232* of the *Code of Virginia*.

RECOMMENDATION:

The County Executive recommends that the Board extend the review periods for applications FS-L07-61 and FS-V07-62 to June 30, 2008.

TIMING:

Board action is required on January 7, 2008, to extend the review periods of the applications noted above before their expirations.

BACKGROUND:

Subsection B of *Section 15.2-2232* of the *Code of Virginia* states: "Failure of the commission to act within sixty days of a submission, unless the time is extended by the governing body, shall be deemed approval." Subsection F states: "Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within ninety days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than sixty additional days."

The Board should extend the review periods for applications FS-L07-61 and FS-V07-62, which were accepted for review by the Department of Planning and Zoning on November 8, 2007, and November 15, 2007, respectively:

FS-L07-61	Fairfax County Park Authority Revision of Lee District Park master plan 6601 Telegraph Road Lee District
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FS-V07-62 Department of Public Works and Environmental Services
Expansion of Martha Washington Library
6614 Fort Hunt Road
Mount Vernon District

These applications are for public facilities, and thus are not subject to the State Code provision for extending the review periods by no more than sixty additional days.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
James P. Zook, Director, Department of Planning and Zoning (DPZ)
David B. Marshall, Planning Division, DPZ
David S. Jillson, Planning Division, DPZ

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ADMINISTRATIVE - 4

Additional Time to Commence Construction for Special Exception Amendment SEA 87-V-106-02, Ourisman Dodge, Inc. (Mount Vernon District)

ISSUE:

Board consideration of additional time to commence construction for SEA 87-V-106-02, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board approve thirty months additional time for SEA 87-V-106-02 to March 21, 2010.

TIMING:

Routine

BACKGROUND:

Under Section 9-015 of the Zoning Ordinance, if the use is not established or if construction is not commenced within the time period specified by the Board of Supervisors, an approved special exception amendment shall automatically expire without notice, unless additional time is approved by the Board. A request for additional time must be filed with the Zoning Administrator prior to the expiration date of the special exception. The Board may approve additional time if it determines that the use is in accordance with the applicable provisions of the Zoning Ordinance and that approval of additional time is in the public interest.

On March 21, 2005, the Board of Supervisors approved Special Exception Amendment SEA 87-V-106-02, subject to development conditions. The special exception amendment application was filed in the name of Ourisman Dodge, Inc., an existing vehicle sales, rental and ancillary service establishment, to permit the deletion of land area, addition of a parking structure, other site modifications and to allow uses in a floodplain pursuant to Section 9-606 of the Fairfax County Zoning Ordinance, on the property located at Tax Map 83-2 ((1)) 2C (see Locator Map in Attachment 1). SEA 87-V-106-02 was approved with a condition that the use be established or construction commenced and diligently prosecuted within thirty months of the approval date, unless the Board grants additional time. The development conditions and plat are included as part of the Clerk to the Board's letter in Attachment 2.

On August 9, 2007, the Department of Planning and Zoning (DPZ) received a letter dated August 8, 2007, from Jane Kelsey, agent for the applicant, requesting thirty months additional time to commence construction for the project (see Attachment 3). On December 4, 2007, supplemental information was submitted by Ms. Kelsey in support of the request. Ms. Kelsey

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states that the delay in implementing the special exception was due to litigation between the Virginia Department of Transportation (VDOT) and Ourisman Dodge regarding condemnation of land and property title for right-of-way. Pending disposition of the case, the applicant was unable to proceed with the filing of the site plan with the Department of Public Works and Environmental Services (DPWES). On October 19, 2007, the Circuit Court for the County of Fairfax entered an order that settled the case, as stated by the court documents provided with the applicant's request letter.

Staff has reviewed Special Exception Amendment SEA 87-V-106-02 and has determined that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to permit the deletion of land area, addition of a parking structure, other site modifications, and uses in the floodplain. Further, staff knows of no change in land use circumstances that affect the compliance of SEA 87-V-106-02 with the special exception standards applicable to this use or which should cause the filing of a new special exception application and review through the public hearing process. The Comprehensive Plan recommendation for this site has not changed since the SEA was approved. Finally, the conditions associated with the Board's approval of SEA 87-V-106-02 are still appropriate and remain in full force and effect. Staff has coordinated the review of this request for additional time with the Office of the County Attorney. Staff believes that approval of the request for thirty months additional time is in the public interest and recommends that it be approved.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Locator Map

Attachment 2: Letter dated March 31, 2005, to Jane Kelsey, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors, which sets forth the conditions for approval of SEA 87-V-106-02

Attachment 3: Letter dated August 8, 2007, from Jane Kelsey, agent for the applicant, with attachments, requesting thirty months additional time. Letter dated December 4, 2007, from Jane Kelsey, providing supplemental information for the request.

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Jan L. Brodie, Deputy County Attorney

Regina C. Coyle, Director, Zoning Evaluation Division (ZED), DPZ

Kevin Guinaw, Chief, Special Projects Applications/Management Branch, ZED, DPZ

Pamela Nee, Chief, Environment and Development Review Branch, PD, DPZ

Carrie Lee, Staff Coordinator, ZED, DPZ

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ADMINISTRATIVE - 5

Approval of Traffic Calming Measures, Multi-Way Stops and “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Mason and Lee Districts)

ISSUE:

Board endorsement of traffic calming measures, Multi-Way Stops and “Watch for Children” signs as part of the Residential Traffic Administration Program (R-TAP).

RECOMMENDATION:

The County Executive recommends that the Board endorse the following traffic calming measures (Attachment I):

- One speed table and one speed hump on Whispering Lane (Mason District)

Approve a multi-way stop at the following intersection:

- Walters Woods Drive and Lily Dhu Lane (Mason District)

Approve a resolution (Attachment II) for “Watch for Children” signs on the following street:

- Manchester Woods Drive (Lee District)

Finally, the County Executive recommends that the Virginia Department of Transportation (VDOT) be requested to install the approved measures as soon as possible.

TIMING:

Routine.

BACKGROUND:

As part of the R-TAP, roads are reviewed for traffic calming when requested by a Board member on behalf of a homeowners or civic association. Traffic calming employs the use of physical devices such as speed humps, speed tables, raised pedestrian

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crosswalks, chokers, median islands, or traffic circles to reduce the speed of traffic on a residential street. For Whispering Lane, a plan was approved by staff and VDOT, and the traffic calming plan was subsequently submitted for approval to residents of the petition area in the community. On December 5, 2007, the Department of Transportation received written verification from the appropriate local supervisor confirming community support.

The R-TAP allows for installation of multi-way stops in local residential neighborhoods at intersections consisting of a through cross street connected to adjacent intersections. In addition, the following criteria must be met, as contained in the Virginia Department of Transportation (VDOT) "Policy on Multi-way Stops in Residential Communities":

- The street has 100% residential frontage on both sides and is classified as a local or collector street.
- The street has a posted legal speed limit of 25 mph.
- No potential safety problems would be created.
- The intersection geometrics and spacing to adjacent intersections have been determined to be acceptable.
- There would be minimal impact on traffic flow for neighboring streets.

Staff and VDOT have authorized the multi-way stop requested. On November 29, 2007, the Department of Transportation received written verification from the appropriate local supervisor confirming community support for the multi-way stop at Walter Woods Drive and Lily Dhu Lane.

The Board should be aware, however, of the potential negative impacts of multi-way stops. These include delay in travel time, reduced motorist compliance with regulatory signs, difficulty of police enforcement, parking restrictions within 30 feet of stop signs, and increased air and noise pollution.

The R-TAP allows for installation of "Watch for Children" signs at the primary entrance to residential neighborhoods, or at a location with an extremely high concentration of children relative to the area, such as playgrounds, day care or community centers. In particular, Section 33.1-210.2 of the *Code of Virginia* provides that the Board may request, by resolution to the Commissioner of VDOT, signs alerting motorists that children may be at play nearby. VDOT reviews each request to ensure the proposed sign will be effectively located and will not be in conflict with any other traffic control devices. On October 30, 2007, the Department of Transportation received written verification from the appropriate local supervisor confirming community support for the referenced "Watch for Children" signs on Manchester Woods Drive.

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FISCAL IMPACT:

The estimated cost of \$14,000 is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Whispering Lane

Attachment II: Board Resolution for "Watch for Children" Signs

STAFF:

Robert A. Stalzer, Deputy County Executive

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)

Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT

Douglas W. Hansen, Senior Transportation Planner, FCDOT

Steven K. Knudsen, Transportation Planner, FCDOT

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ADMINISTRATIVE - 6

Installation of “No Parking” Signs on the North Side of Maury Place from Reddick Avenue to Richmond Highway (Mount Vernon District)

ISSUE:

Board approval for the County installation of “No Parking” signs on the north side of Maury Place from Reddick Avenue to Richmond Highway.

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached resolution (Attachment I) restricting parking on the above-referenced street. The County Executive further recommends that staff be directed to install these signs at the earliest possible date.

TIMING:

Routine.

BACKGROUND:

Mount Vernon District Supervisor’s Office has requested that “No Parking” signs be placed on the north side of Maury Place, a state secondary road, from Reddick Avenue to Richmond Highway. Residents are concerned that, among other things, litter and debris left on the street and their property by the dump trucks and other vehicles that are parked on the north side of Maury Place are damaging their property. Staff reviewed the roadway and determined that the parked vehicles along the north side of the road do create damage to the road and the businesses along north side of the road.

Section 82-5-37 of *The Code of the County of Fairfax, Virginia*, provides that the Board of Supervisors may designate, by resolution, areas for restricted parking upon any part of the secondary road system within the County if the Board finds that any of the following conditions exist:

1. That parking along any secondary road is damaging property/and or landscaping within the right-of-way limits; or
2. That parking along local residential streets is so restricting the primary purpose of the road as to interfere with that purpose; or

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3. That parking along any secondary road creates a safety hazard for pedestrians, cyclists, or motorists entering or exiting the roadway from driveways or for pedestrians, cyclists, or motorists traveling along that road; or
4. That statutory parking violations pursuant to Fairfax County Code section 82-5-1 occur with frequency in a particular location and compliance with section 82-5-1 will be facilitated by the installation of "No Parking" signs; or
5. That, in the case of any street which serves as a boundary between an area zoned for residential use and an area zoned for non-residential use on which parking is restricted on the residential side of the street pursuant to Fairfax County Code section 82-5-7, the prohibition of parking of commercial vehicles, as defined by section 82-5-7, on the side of that street which is zoned for a use other than residential would further the residential character of the abutting residential community, would facilitate the free and unrestricted vehicular travel along that street, and would promote the health, safety and general welfare of the abutting residential community.

In accordance with subsection (1) referenced above, staff believes that parking along the north side of Maury Place from Reddick Avenue to Richmond Highway is creating damage to the road and the businesses along north side of the road, and parking should be prohibited 24 hours a day.

FISCAL IMPACT:

The cost of installing the signs is estimated at \$270 to be paid out of Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Restricted Parking Resolution

STAFF:

Robert A. Stalzer, Deputy County Executive
Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT
Tad Borkowski, FCDOT
Hamid Majdi, FCDOT

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ADMINISTRATIVE - 7

Authorization to Advertise a Public Hearing to Establish the Potters Glen Community Parking District (Lee District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix M of *The Code of the County of Fairfax, Virginia* (Fairfax County Code) to establish the Potters Glen Community Parking District (CPD).

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for January 28, 2008, at 4:00 p.m. (Attachment III) to consider adoption of a Fairfax County Code amendment (Attachment I) to establish the Potters Glen CPD in accordance with current CPD restrictions.

TIMING:

The Board of Supervisors should take action on January 7, 2008, to provide sufficient time for advertisement of the public hearing on January 28, 2008, at 4:00 p.m.

BACKGROUND:

Fairfax County Code Section 82-5B-2 authorizes the Board to establish a CPD for the purpose of prohibiting or restricting the parking of watercraft; boat trailers; motor homes; camping trailers and any other trailer or semi-trailer; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers, including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4 on the streets in the district. No such Community Parking District shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such District for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip. Pursuant to Fairfax County Code Section 82-5B-3, the Board may establish a CPD if: (1) the Board receives a petition requesting

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such an establishment and such petition contains the names and signatures of petitioners who represent at least 60 percent of the addresses or other real property within the proposed district, and represent more than 50 percent of the eligible addresses on each block of the proposed district, (2) the proposed district includes an area in which 75 percent of each block within the proposed district is zoned, planned or developed as a residential area, and (3) the Board receives an application fee of \$10 for each petitioning property address in the proposed district.

Staff has verified that the requirements for a CPD have been satisfied.

The parking prohibition identified above for the Potters Glen CPD establishment is proposed to be in effect seven days per week, 24 hours per day.

FISCAL IMPACT:

The cost of sign installation is estimated at \$1000 to be paid out of Fairfax County Department of Transportation (FCDOT) funds. This assumes a one-time installation of CPD signs. No funding exists for future maintenance of the signs.

ENCLOSED DOCUMENTS:

Attachment I: Amendment to the Fairfax County Code, Appendix M (CPD Restrictions)
Attachment II: Area Map of Proposed Potters Glen CPD
Attachment III: Notice of Public Hearing

STAFF:

Robert A. Stalzer, Deputy County Executive
Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT
Tad Borkowski, FCDOT
Maria Turner, FCDOT

Board Agenda Item
January 7, 2008

ADMINISTRATIVE – 8

Approval of Proposed Street Name Change for a Portion of Wesley Tyler Road to Redbird Ridge (Springfield District)

ISSUE:

Board approval of a street name change in the Official Street Names and Property Numbering Atlas and the Master Addressing Repository for a portion of Wesley Tyler Road on Tax Map #075-4.

RECOMMENDATION:

The County Executive recommends that the Board approve the street name change to Redbird Ridge effective 30 days following Board approval, in accordance with Section 102-1-9 of *The Code of the County of Fairfax, Virginia*.

TIMING:

Routine.

BACKGROUND:

The Site Permits and Addressing Center has received a request from the property owners to change a portion of the street name from Wesley Tyler Road to Redbird Ridge. Department of Public Works and Environmental Services policy requires that the owners representing more than 51 percent of the properties addressed on the subject street concur in a request to change the street name. Five of the six affected property owners have indicated their agreement with the request to change the street name to Redbird Ridge. This request is in conformance with all county codes and policies. Staff recommends approval of the proposed name change to Redbird Ridge.

FISCAL IMPACT:

None. The costs will be incurred by Homeowner Marilyn Stoney.

ENCLOSED DOCUMENTS:

Attachment I – Vicinity Map

Board Agenda Item
January 7, 2008

STAFF:

Robert A. Stalzer, Deputy County Executive

Jimmie D Jenkins, Director, Department of Public Works and Environmental Services (DPWES)

Howard J. Guba, Deputy Director, DPWES

James W. Patteson, Director, Land Development Services, DPWES

Board Agenda Item
January 7, 2008

ADMINISTRATIVE – 9

Streets into the Secondary System (Mason and Sully Districts)

ISSUE:

Board approval of streets to be accepted into the State Secondary System.

RECOMMENDATION:

The County Executive recommends that the street(s) listed below be added to the State Secondary System.

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Lake Barcroft Cloisters, Section 2	Mason	Tennis Court
The Village at Mount Gilead	Sully	Wharton Lane (Route 1166) (Additional Right-of-Way (ROW) only) Mount Gilead Road (Route 670) (Additional ROW only)

TIMING:

Routine.

BACKGROUND:

Inspection has been made of these streets, and they are recommended for acceptance into the State Secondary System.

FISCAL IMPACT:

None.

Board Agenda Item
January 7, 2008

ENCLOSED DOCUMENTS:

Attachment 1: Street Acceptance Form

STAFF:

Robert A. Stalzer, Deputy County Executive

Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)

Howard J. Guba, Deputy Director, DPWES

James W. Patteson, Director, Land Development Services, DPWES

Board Agenda Item
January 7, 2008

ADMINISTRATIVE - 10

Authorization to Advertise a Public Hearing on an Uncodified Ordinance that will Provide for up to a One Dollar Taxicab Fuel Surcharge Until October 31, 2008

ISSUE:

Murphy Brothers, Inc., owner of Falls Church Yellow Cab and Red Top Cab, has requested that the Board of Supervisors (Board) enact temporary gasoline surcharge rate relief pursuant to Chapter 84.1 of the Fairfax County Code, Section 84.1-6-2 (Attachments 1 and 2). In order to mitigate the impact of current fuel prices on taxicab drivers, staff recommends that the Board consider authorization to advertise a public hearing on the adoption of an uncodified ordinance authorizing a temporary per trip fuel surcharge of up to one dollar (\$1.00), effective from February 1, 2008, until October 31, 2008 (Attachment 3).

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing for January 28, 2008, at 4:00 p.m., on the adoption of an uncodified ordinance to provide for a temporary per trip fuel surcharge of up to \$1.00, effective from February 1, 2008, until October 31, 2008.

TIMING:

Board adoption on January 7, 2008, of authorization to advertise a public hearing for January 28, 2008 on the adoption of an uncodified ordinance to provide for a temporary per trip fuel surcharge of up to \$1.00, effective from February 1, 2008, until October 31, 2008.

BACKGROUND:

This proposal responds to a request submitted on December 12, 2007 by Murphy Brothers, Inc. for a gasoline surcharge of \$1.00 per trip on taxicab rates to address continued high levels of gasoline prices.

Section 84.1-6-2 (c) of the Fairfax County Code (Code) provides for a biennial review of taxi rates in odd-numbered years upon petition by a certificate holder or a driver association. That petition must be filed by March 31 of the odd-numbered year. Section 84.1-6-2(g), however, provides for emergency rate relief when petitioners demonstrate dire financial needs as a result of circumstances beyond their control.

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Further, under Section 84.1-6-2(b), the Board may consider changes in rates, fares or charges upon recommendation of the Director of the Department of Cable Communications and Consumer Protection, or the Consumer Protection Commission.

Taxicab fare rates were last set in June 2005, based on average regular-grade gasoline prices in March 2005 of \$2.13 a gallon. Retail gasoline prices have experienced wide price swings since that time, resulting in the periodic approval of emergency and temporary fuel surcharges.

No biennial rate review was requested by the industry in 2007, largely because gasoline prices at that time (March) were not significantly above the March 2005 level of \$2.13. According to data reported by the American Automobile Association (AAA) (Attachment 4), per-gallon regular-grade gasoline prices in the area during the last quarter of 2006 and first quarter of 2007 averaged \$2.22 and \$2.33, respectively.

Shortly after the March 31, 2007 deadline passed, however, gasoline prices began escalating. By May 2007, regular-grade gasoline was averaging \$3.03 per gallon. In response to these rising gasoline costs, on May 30, 2007, Murphy Brothers, Inc. requested emergency rate relief. On June 18, 2007 the Board approved an emergency 60-day surcharge of \$1.00. On August 6, 2007, with gas prices averaging about \$3.03 for the three-month period May 2007 – July 2007, the Board approved a temporary surcharge of \$1.00. This temporary surcharge expires January 31, 2008.

Staff has analyzed the request for a temporary taxicab fuel surcharge and for the reasons set forth in the attached staff report has concluded that a \$1.00 per trip surcharge appears justified (Attachment 5). As staff's report notes, the Energy Information Administration anticipates that crude oil prices are expected to remain high and volatile during 2008 due to strong global demand, continuing problems for refineries in the United States and abroad, and ongoing geopolitical risks. As Table 3 in that report illustrates, a \$1.00 per trip fuel surcharge should offset gasoline costs up to about \$2.94 per gallon. Consequently, a \$1.00 surcharge should provide significant relief to current taxi drivers, who are suffering economic hardship as a result of high gasoline prices.

Among area jurisdictions, a \$1.00 per trip fuel surcharge is in effect in the District of Columbia and the City of Alexandria, while Prince George's County has adopted a \$2.00 surcharge. Montgomery County increased taxicab fares in February 2006, in part to offset the increased costs of gasoline. Its initial charge, or drop-fee, is now \$4.00, which is almost 50 percent higher than Fairfax County's drop-fee of \$2.75.

In response to a Board query regarding the frequency of enacting a taxicab gasoline surcharge, staff has recommended a longer period (nine months) for which the

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surcharge would be applied. Previous recommendations to enact a surcharge spanned an approximate six month period. An additional benefit to the surcharge being in effect through October 31, 2008 will be the ability to assess gasoline prices in a non-peak driving season period, and thus increase the likelihood that the surcharge could be lowered or removed if gasoline prices fall due to decreased demand.

The Consumer Protection Commission will hold a public hearing on the proposed temporary fuel surcharge on January 15, 2008.

ENCLOSED DOCUMENTS:

- Attachment 1 – Letter of Charles O. King, Vice President, Murphy Brothers Inc.
- Attachment 2 – Section 84.1-6-2
- Attachment 3 – Uncodified Ordinance to Impose a Temporary Fuel Surcharge
- Attachment 4 – Proposed Public Hearing Advertisement
- Attachment 5 – Local Gasoline Price Trends
- Attachment 6 – Staff Report

STAFF:

- David J. Molchany, Deputy County Executive
- Michael Liberman, Director, DCCCP
- Dave Reidenbach, Chief, Regulatory and Licensing Branch, DCCCP
- Steve Sinclair, Chief, Utilities Branch, DCCCP
- Susan Hafeli, Utility Analyst, DCCCP
- Cynthia Bailey, Assistant County Attorney

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Board Agenda Item
January 7, 2008

ADMINISTRATIVE - 11

Adoption of a Resolution Approving the Economic Development Authority Issuance of Revenue Bonds for the Benefit of Ennstone, Inc.

ISSUE:

Requesting that the Fairfax County Economic Development Authority issue up to \$10,000,000 revenue bonds pursuant to the plan of financing of Ennstone, Inc.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the attached resolution.

TIMING:

Board action is requested on January 7, 2008.

BACKGROUND:

The Fairfax County Economic Development Authority has received a request from Ennstone, Inc. (the "Borrower"), a Virginia corporation requesting that the Authority issue its revenue bonds to finance or refinance all or part of the following plan of financing for the benefit of the Borrower: (i) the acquisition and construction of a ready mix concrete manufacturing plant and ancillary vehicles located at 9426 Gunston Cove Road in Lorton, Fairfax County, Virginia; (ii) the acquisition of a dragline used in the manufacturing of sand and gravel aggregates located between routes 2 and 17 in Newpost, Spotsylvania County, Virginia; and (iii) certain other costs associated with the foregoing Plan of Financing, which may include, but may not be limited to, costs of issuance and credit enhancement costs and other eligible expenditures.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1 - Resolution of the Board of Supervisors

Attachment 2 - Certificate of Public Hearing with supporting documents

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STAFF:

Gerald L. Gordon, Director, Fairfax County Economic Development Authority

Thomas O. Lawson, Counsel to Fairfax County Economic Development Authority

Board Agenda Item
January 7, 2008

ADMINISTRATIVE – 12

Board of Supervisors' Meeting Schedule for Calendar Year 2008

ISSUE:

Board of Supervisors' adoption of a meeting schedule for January through December, 2008.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the meeting schedule for January through December, 2008.

TIMING:

The Board should take action on January 7, 2008.

BACKGROUND:

At the September 10, 2007, meeting of the Board of Supervisors, the Board adopted a meeting schedule for January through December.

The *Code of Virginia*, Section 15.2-1416, requires the governing body to establish the days, times and places of its regular meetings at the annual meeting, which is the first meeting of the year. Therefore, the schedule for the entire 2007 calendar is presented for Board approval. The section further states that "meetings shall be held on such days as may be prescribed by resolution of the governing body but in no event shall less than six meetings be held in each fiscal year."

Scheduled meetings may be adjourned and reconvened as the Board may deem necessary, and the Board may schedule additional meetings or adjust the schedule of meetings approved at the annual meeting, after notice required by Virginia law, as the need arises.

ENCLOSED DOCUMENTS:

January-December, 2008 Schedule for Board of Supervisors' Meetings

STAFF:

Catherine A. Chianese, Assistant County Executive

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Board Agenda Item
January 7, 2008

ACTION - 1

Appointment of Members to the Fairfax County Solid Waste Authority

ISSUE:

Board of Supervisors' appointment of members to the Fairfax County Solid Waste Authority.

RECOMMENDATION:

The County Executive recommends that the Board appoint the successors to the members of the Fairfax County Solid Waste Authority.

TIMING:

Immediate. The Articles of Incorporation require the Fairfax County Solid Waste Authority members to be appointed every four years.

BACKGROUND:

According to the Articles of Incorporation of the Fairfax County Solid Waste Authority, each member of the authority's board of directors (the Authority Board) shall be appointed by the Fairfax County Board of Supervisors for a term not exceeding four years. Members shall hold office until their successors have been appointed, and any member shall be eligible for reappointment to succeed him/herself. The term of any member who is also a member of the Board of Supervisors shall expire upon his or her ceasing to hold such a position.

The following members are recommended for reappointment to the Authority Board for a four-year term:

Mr. Gerald E. Connolly
Ms. Sharon Bulova
Mr. Michael R. Frey
Ms. Penelope A. Gross
Ms. Catherine M. Hudgins
Mr. Gerald W. Hyland
Ms. Linda Q. Smyth

Board Agenda Item
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The following new members of the Board of Supervisors are recommended for appointment to the Authority for a four-year term:

Mr. John W. Foust
Mr. Patrick S. Herrity
Mr. Jeffrey C. McKay

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)
Howard J. Guba, Deputy Director, DPWES
Joyce M. Doughty, Director, Division of Solid Waste Disposal and Resource Recovery

Board Agenda Item
January 7, 2008



ACTION -2

Allocation of Contributed Road Funds from the Tysons Fund Area for Transportation Improvements Identified by the Comprehensive Plan and the Tysons Land Use Task Force (Providence and Hunter Mill Districts)

ISSUE:

Board approval of the use of a maximum of \$8.1 million from the Fairfax County Contributed Roadway Funds, Tysons Fund Area, to address transportation improvements identified by the current Fairfax County Comprehensive Plan and the Tysons Land Use Task Force.

RECOMMENDATION:

The County Executive recommends that the Board approve allocation of \$8.1 million from the Fairfax County Contributed Roadway Funds, Tysons Fund Area, to address transportation improvements identified by the Fairfax County Comprehensive Plan and the Tysons Land Use Task Force.

TIMING:

There are a number of parcel assemblages occurring along the Route 7 corridor in Tysons Corner in anticipation of the completion of the Dulles rail project. To implement the extensions of Boone Boulevard and Greensboro Drive, private property will be required for the right-of-way. By developing roadway alignments and cross sections now, the County can coordinate with landowners and developers to obtain the land and to have portions of these roads constructed as part of the development. The Board of Supervisors should act on this item on January 7, 2008, to facilitate development of the roadway plans and cross sections.

BACKGROUND:

The Contributed Roadway Fund was created in 1982 to fund transportation improvements countywide. The purpose of this action is to conduct a number of conceptual design and engineering studies that will examine the implementation of road improvements contained in the transportation element of Fairfax County's current Comprehensive Plan, and to implement findings and recommendations of the Tysons Land Use Task Force.

Board Agenda Item
January 7, 2008

The first project is a result of the recommendations of the Comprehensive Plan to extend Boone Boulevard east and west from its current location and to extend Greensboro Drive west from its current location.

A conceptual engineering and design assessment study will be conducted to determine the ultimate cross section of these roads to include vehicular, pedestrian, and bike needs, and to determine impacts on property owners. The Boone Boulevard and Greensboro Drive extensions will serve to reduce traffic along Route 7 and accommodate growth anticipated by the current Comprehensive Plan. More detail is provided in Attachment I.

The second project will undertake the conceptual design and engineering of Route 7 from Route 123 to the Capital Beltway. This is being done to develop a design of Route 7 consistent with the cross section, lane configuration, and streetscape associated with the reconstruction of Route 7 as part of the Dulles Metrorail Project. The project is also consistent with the Comprehensive Plan which identified Route 7 as a four lane configuration (in each direction) and a boulevard streetscape throughout Tysons Corner. More detail is provided in Attachment II.

The third element will devote additional funds to further the recommendations of the Tysons Land Use Task Force when they are made. The initial effort will prioritize transportation improvements to accomplish the goals of the task force. The remaining funds will be encumbered, but set aside to conduct various feasibility, engineering and design, and traffic studies to implement the prioritized list of projects. More detail is provided in Attachment III.

The proposed use of the Tysons Fund Area is listed below:

Funding currently available: \$8.1 million

Use of funds:

▪ Conceptual Engineering and Design of Boone Boulevard and Greensboro Drive	\$ 800,000
▪ Design and Conceptual Engineering of Route 7 (Route 123 to Beltway)	1,000,000
▪ Tysons Corner Transportation and Urban Design Study Prioritization	300,000
▪ Feasibility and Engineering Design (as needed)	<u>6,000,000</u>
Grand Total	\$8,100,000

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FISCAL IMPACT:

The fund balance in Fund 301, Contributed Roadway Fund, Tysons Fund Area is \$13.7 million. This action will encumber \$8.1 million of these funds. The remaining \$5.6 million was proffered for specific projects and is not available for allocation.

ENCLOSED DOCUMENTS:

Attachment I: Conceptual Design and Engineering Assessment of Boone Boulevard and Greensboro Drive Extension

Attachment II: Conceptual Design and Engineering Assessment of Route 7 between Route 123 and the Capital Beltway.

Attachment III: Tysons Corner Transportation/Urban Design Study Phasing and Prioritization of Improvements

STAFF:

Robert A. Stalzer, Deputy County Executive

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)

Dan Rathbone, Chief, Transportation Planning Division, FCDOT

Leonard Wolfenstein, Transportation Planning Section, FCDOT

Richard Stevens, Dulles Corridor Rapid Transit Project Coordinator, FCDOT

Tom Biesiadny, Chief, Coordination and Funding Division, FCDOT

Carl Winstead, Coordination and Funding Division, FCDOT

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Board Agenda Item
January 7, 2008

INFORMATION - 1

Contract Award – Spring Hill RECenter Improvements (Dranesville District)

Three sealed bids were received and opened on Thursday, November 8, 2007, for Spring Hill RECenter Improvements in Project 475804, Building Renovation and Expansion in Fund 370, Park Authority Bond Construction. The project includes the construction of maintenance improvements to the heating, ventilation and air conditioning (HVAC) system.

This project is included in the FY 2008 - FY 2012 Adopted Capital Improvement Program.

The lowest responsive and responsible bidder is C. V. Carlson Company, Inc. Their bid of \$294,000 is \$84,000, or 40.0% above the Park Authority's pre-bid construction estimate of \$210,000. The second lowest bid of \$315,270 is \$21,270, or 7.2% above the low bid, and the highest bid of \$338,000 is \$44,000, or 15.0% above the low bid. In order to determine if the low bid was competitive, C.V. Carlson Company was asked to provide a bid cost breakdown for review. The design engineer has compared their pre-bid cost estimate with the bid breakdown provided by C.V. Carlson Company, Inc. and concluded that the low bid is competitive.

Based on their financial capability and construction experience, C. V. Carlson Company, Inc. is considered to be a responsible contractor and holds a Virginia Class A Contractor's license.

The Department of Tax Administration has verified that C. V. Carlson Company, Inc. has the appropriate Fairfax County Business, Professional, and Occupational License (BPOL).

On December 12, 2007, the Fairfax County Park Authority Board approved the contract award.

Unless otherwise directed by the Board of Supervisors, the Park Authority will proceed to award this contract to C. V. Carlson Company, Inc. in the amount of \$294,000.

FISCAL IMPACT:

Based on the post-bid update, funding in the amount of \$343,000 is necessary to award this contract and to fund the associated contingency, administrative costs and other project-related costs. Funds are currently appropriated in the amount of \$343,000 in

Board Agenda Item
January 7, 2008

Project 475804, Building Renovation/Expansion, Fund 370, Park Authority Bond Construction to award this contract and to fund the associated contingency, administrative costs and other project-related costs.

ENCLOSED DOCUMENTS:

Attachment 1: Bid Results
Attachment 2: Scope of Work
Attachment 3: Cost Estimate

STAFF:

Robert A. Stalzer, Deputy County Executive
Timothy K White, Acting Director, Fairfax County Park Authority

Board Agenda Item
January 7, 2008

INFORMATION – 2

Contract Award – Athletic Field Lighting and Related Electrical Work at Franconia Park (Lee District)

Five (5) sealed bids were received and opened on Thursday, November 8, 2007, for the Athletic Field Lighting and Related Electrical Work at Franconia Park in Project 474106, Athletic Fields/Synthetic Turf in Fund 370, Park Authority Bond Construction. The project includes installation of athletic field lighting and related electrical work on rectangular field #4 at Franconia Park.

This project is included in the FY 2008 – FY 2012 Adopted Capital Improvement Program.

The lowest responsible bidder is Dalton Electrical Service, Inc. Their bid of \$117,498 is \$107,502, or 47.8% below the Park Authority's pre-bid estimate of \$225,000. The second lowest bid of \$129,700 is \$12,202, or 10.4% above the lowest bid.

Based on their financial capability and construction experience, Dalton Electric Service, Inc. is considered to be a responsible contractor and holds a Virginia Class A Contractor's license.

The Department of Tax Administration has verified that Dalton Electric Service, Inc. has the appropriate Fairfax County Business, Professional and Occupational License (BPOL).

On December 12, 2007, the Fairfax County Park Authority Board approved the contract award.

Unless otherwise directed by the Board of Supervisors, the Park Authority will proceed to award this contract to Dalton Electric Service, Inc. in the amount of \$117,498.

FISCAL IMPACT:

Based on the post-bid update, funding in the amount of \$153,923 is necessary to award this contract and to fund the associated contingency, administrative costs, and other project related costs. Funds are currently appropriated in the amount of \$153,923 in Project 474106, Athletic Fields/Synthetic Turf, Fund 370, Park Authority Bond Construction, to award this contract and to fund the associated contingency, administrative costs and other project related costs.

Board Agenda Item
January 7, 2008

ENCLOSED DOCUMENTS:

Attachment 1: Bid Results
Attachment 2: Scope of Work
Attachment 3: Cost Estimate

STAFF:

Robert A. Stalzer, Deputy County Executive
Timothy K. White, Acting Director, Park Authority

Board Agenda Item
January 7, 2008

INFORMATION - 3

Contract Award - Interim Development Agreement for Lee Village at Silver Lake (Kingstowne Library PPEA) (Lee District)

Fairfax County received an unsolicited proposal under the Public-Private Educational Facilities and Infrastructure Act of 2002 (PPEA) from Lee Village at Silver Lake, LLC, on June 29, 2006. The proposal provides for a public/private partnership to provide land use planning, design and construction services, permitting, and financing for mixed-use development on the County's Kingstowne Regional Library site. The development components include a new County regional library, a joint use structured parking facility and residential housing on County-owned property located on Silver Lake Drive near the intersection of Beulah Street and Manchester Lakes Boulevard in Alexandria, Tax Map 91-3((9)) 8B (Site). In accordance with the PPEA and County procurement regulations, the County advertised receipt of the proposal and requested competing proposals in February 2007. No competing proposals were received.

On March 12, 2007, the Board of Supervisors authorized Lee Village at Silver Lake, LLC, to file land use applications for the Site on its behalf and requested expedited and concurrent processing of the Comprehensive Plan Amendment and other land use applications on the project.

On August 6, 2007, the Board of Supervisors authorized the County Executive and County staff to negotiate an Interim Development Agreement with Lee Village at Silver Lake, LLC, for the project.

County staff has completed interim negotiations with Lee Village LLC, and recommends entering into an interim agreement with Lee Village at Silver Lake, LLC, for the sharing of expenses pertaining to the rezoning of the site in anticipation of reaching a final comprehensive agreement for the project. Under the terms of the interim agreement, the County will reimburse Lee Village at Silver Lake, LLC, for 50% of its costs and expenses relating to the zoning for the entire site and for 100% of its costs and expenses relating to the planning and zoning of the library and the structured parking facility including, but not limited to, planning, architectural, engineering, and legal expenses, up to a maximum amount of \$480,000. In the event that a final, comprehensive development agreement is reached, staff anticipates that the cost of this interim agreement will be rolled forward into the overall project financing agreement.

Board Agenda Item
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In accordance with §56-575-17 (B) of the PPEA, the County advertised a public notice of the interim development agreement for a 30 day public comment period. The comment period closed on December 29, 2007, and no comments were received.

The total contract value is \$480,000.

Unless otherwise directed by the Board, the County Executive will proceed to award this contract to Lee Village at Silver Lake, LLC, in the amount of \$480,000.

FISCAL IMPACT:

Funding is currently available in fund 302, Library Construction, to advance funds for this agreement. In addition, an appropriate portion of the required funds will be paid from Housing and Community Development sources.

ENCLOSED DOCUMENTS:

Attachment 1: Map of Proposed Construction
(Copy of contract available in the Office of the Clerk to the Board)

STAFF:

Robert A. Stalzer, Deputy County Executive
Cathy A. Muse, Director, Department of Purchasing and Supply Management
Paula C. Sampson, Director, Department of Housing and Community Development
Edwin S. Clay III, Director, Fairfax County Public Library
Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)
Howard J. Guba, Deputy Director, DPWES

Board Agenda Item
January 7, 2008

10:30 a.m.

Matters Presented by Board Members

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January 7, 2008

11:20 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 - 1. *John Kestler v. T.W. Tilden, Carol Wilhite, and Board of Supervisors of Fairfax County*, Case No. 1:07-cv-00791 TSE/BRP (E.D. Va.)
 - 2. *David P. Mugan v. Maria Isabel Salas Guevara and Soudy Chamanara*, Case No. CL-2007-0001899 (Fx. Co. Cir. Ct.)
 - 3. *Henry Penn v. Fairfax County*, Case No. 1:06-cv-01449 (E.D. Va.)
 - 4. *Ryan Herold v. Richard Perl*, Case No. CL-2007-0010415 (Fx. Co. Cir. Ct.)
 - 5. *Eugenia B. White v. Fairfax County Department of Family Services*, Court No. 1:07-cv-00696 (E.D. Va.)
 - 6. *Carletta Alexander v. John T. Frey, et al.*, Court No. 1:07-cv-00556 (E.D. Va.)
 - 7. *Augusta E. Jackson v. Fairfax County Government*, Case No. 1:07-cv-00850 LMB/TRJ (E.D. Va.)
 - 8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gerson O. Camacho and Carmen S. Camacho*, Case No. CL-2007-0013773 (Fx. Co. Cir. Ct.) (Providence District)

9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. John Charles Lozinyak*, In Chancery No. 146692 (Fx. Co. Cir. Ct.) (Mason District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Angela Rivas*, Case No. CL-2007-0008621 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ana Caballero*, Case No. CL-2007-0001746 (Fx. Co. Cir. Ct.) (Providence District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Richard Dean Lucht*, Case No. CL-2007-0012235 (Fx. Co. Cir. Ct.) (Providence District)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. William K. Wilson and N. Bray Wilson*, Case No. CL-2007-0007571 (Fx. Co. Cir. Ct.) (Sully District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Paul F. Vayo and Genia Vayo*, Case No. CL-2007-0009676 (Fx. Co. Cir. Ct.) (Braddock District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Oscar Maranon and Maria E. Perez*, Case No. CL-2007-0009989 (Fx. Co. Cir. Ct.) (Providence District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dino Mitchell*, Case No. CL-2007-0008571 (Fx. Co. Cir. Ct.) (Providence District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nelson Hernandez and Reina Villalobos*, Case No. CL-2007-0012868 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Raimundo Guevara-Mendieta*, Case No. CL-2007-0012705 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
19. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Joseph L. Williams*, Case No. CL-2007-0012566 (Fx. Co. Cir. Ct.) (Mount Vernon District)

20. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Dorothy E. Young and Leon A. Young*, Case No. CL-2007-0010490 (Fx. Co. Cir. Ct.) (Mount Vernon District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilfredo Pena and Elsa Marina Lopez*, Case No. CL-2007-0012257 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Brian K. Fleck and Terri R. Fleck*, Case No. CL-2007-0011235 (Fx. Co. Cir. Ct.) (Providence District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Edson Hector Solis-Osinaga and Shelia Veronica Mendez Diaz*, Case No. CL-2007-0002904 (Fx. Co. Cir. Ct.) (Providence District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Syung D. Han and Young J. Byun*, Case No. CL-2007-0010842 (Fx. Co. Cir. Ct.) (Providence District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Eugenia Leus*, Case No. CL-2007-0005557 (Fx. Co. Cir. Ct.) (Dranesville District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ramiro Ventura*, Case No. CL-2007-0014562 (Fx. Co. Cir. Ct.) (Mount Vernon District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ada M. Evans*, Case No. CL-2007-0015191 (Fx. Co. Cir. Ct.) (Providence District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Youssef Achhal, aka Youssel Achhal and Marisol Ferrel*, Case No. CL-2007-0015033 (Fx. Co. Cir. Ct.) (Lee District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Esteban Maldonado*, Case No. CL-2007-0015031 (Fx. Co. Cir. Ct.) (Lee District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Norberto Diego Lopez Perez and Norma Rosa Fernandez*, Case No. CL-2007-0015311 (Fx. Co. Cir. Ct.) (Mason District)

31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jorge A. Lagarteria and Maria A. Lagarteria*, Case No. CL-2007-0014790 (Fx. Co. Cir. Ct.) (Mason District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lan Ngoc Phan, and Hon H. Luong*, Case No. CL-2007-0014491 (Fx. Co. Cir. Ct.) (Providence District)
33. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lewis M. Lipscomb, Jr., and Floy A. Lipscomb*, Case No. CL-2007-0014495 (Fx. Co. Cir. Ct.) (Mount Vernon District)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Young S. Joo and Mi J. Joo*, Case No. CL-2007-0014788 (Fx. Co. Cir. Ct.) (Braddock District)
35. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jorge L. Tello and Patty Pino*, Case No. CL-2007-0015313 (Fx. Co. Cir. Ct.) (Sully District)
36. *Eileen M. McLane, Fairfax County Zoning Administrator v. Joseph A. Ridgell and Jahel B. Ridgell*, Case No. CL-2007-0014496 (Fx. Co. Cir. Ct.) (Mount Vernon District)
37. *Eileen M. McLane, Fairfax County Zoning Administrator v. Billy E. Del-Cid Solis, Moises Marquez Del-Cid, and Maria A. Marquez*, Case No. CL-2007-0014482 (Fx. Co. Cir. Ct.) (Mount Vernon District)
38. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. David J. Frenier and Sandra K. Frenier*, Case No. CL-2007-0014733 (Fx. Co. Cir. Ct.) (Braddock District)
39. *Board of Supervisors of Fairfax County, Virginia v. ConocoPhillips Company, formerly Tosco Refining, L.P., and Safeco Insurance Company of America*, Case No. CL-2007-0001188 (Fx. Co. Cir. Ct.) (Sully District)
40. *Board of Supervisors of Fairfax County, Virginia v. Circle K Stores, Inc., et al.*, Case No. CL-2007-0002024 (Fx. Co. Cir. Ct.) (Springfield District)

Board Agenda Item
January 7, 2008

3:00 p.m.

Public Hearing on PCA 2003-DR-058 (NVR, Inc. D/B/A Ryan Homes) to Amend the Proffers for RZ 2003-DR-058 Previously Approved for Development of 20 Single Family Detached Homes at a Density of 1.67 Dwelling Units Per Acre to Permit Modifications to Proffer 15 (Architectural Modifications), Located on Approximately 11.99 Acres Zoned PDH-2, Dranesville District

The application property is located north of the terminus of Winterwood Place and south of the terminus of Fantasia Drive, Tax Map 10-4 ((1)) 1, 2A and 2B.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, November 15, 2007, the Planning Commission voted unanimously (Commissioners Alcorn and Lusk absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 2003-DR-058, subject to the executed proffers dated September 14, 2007; and
- Reaffirmation of the waiver of the maximum 600-foot private street length requirement and reaffirmation of the modification of the trail requirements to delete the stream valley trail south of Young Avenue, in accordance with the previously approved CDP/FDP.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Suzianna Battista, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

3:00 p.m.

Public Hearing on AR 83-D-005-03 (Ruth B. Cornfield, Revocable Living Trust) Local A&F District Renewal Application Authorized by Chapter 115 (County Code), Effective June 30, 1983, Located on Approximately 27.91 Acres Zoned R-E, Dranesville District

The application property is located at 9600 Arnon Chapel Road, Tax Map 8-3 ((1)) 7Z.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, October 25, 2007, the Planning Commission unanimously voted (Commissioners Alcorn and Hall absent from the meeting) to recommend that the Board of Supervisors approve AR-83-D-005-03 to renew the Cornfield Local Agricultural and Forestal District, subject to the Ordinance provisions dated October 18, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

3:00 p.m.

Public Hearing on SE 2006-MA-021 (Thakorlal Mistry et ux & Babubhai S. Mistry et ux) to Permit Uses in a Floodplain and a Waiver of the Minimum District Size, Located on Approximately 10,009 Square Feet Zoned R-3, Mason District

The application property is located at 3211 Hallran Road, Tax Map 61-2 ((4)) 14.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, November 7, 2007, the Planning Commission unanimously voted (Commissioner Hopkins not present for the vote; Commissioner Sargeant absent from the meeting) to recommend that the Board of Supervisors approve SE 2006-MA-021, subject to the Development Conditions dated October 22, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

3:00 p.m.

Public Hearing on SEA 01-M-006-02 (Public Storage) to Amend SE 01-M-006 Previously Approved for Mini-Warehousing and Waivers and Modifications in the CRD (Increase in FAR) to Permit the Addition of a Truck Rental Establishment, Located on Approximately 1.95 Acres Zoned C-8, CRD, HC and SC, Mason District

The application property is located at 6319 Arlington Boulevard, Tax Map 51-3 ((1)) 6A.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, November 28, 2007, the Planning Commission voted unanimously (Commissioners Hopkins, Murphy, and Sargeant absent from the meeting) to recommend that the Board of Supervisors approve SEA 01-M-006-02, subject to Development Conditions consistent with those dated November 14, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

3:00 p.m.

Public Hearing on PCA 1998-BR-073 (Steuart-Burke Centre Shopping Center, L.L.C.) to Amend the Proffers for RZ 1998-BR-073 Previously Approved for Commercial Development to Permit a Drive-In Bank and Associated Modifications to Site Design with an Overall Floor Area Ratio of 0.1, Located on Approximately 2.18 Acres Zoned PRC, Braddock District

and

Public Hearing on PCA 75-8-036-02 (Steuart-Burke Centre Shopping Center, L.L.C.) to Amend the Proffers for RZ 75-8-036 Previously Approved for Commercial Development to Permit a Drive-In Bank and Associated Modifications to Site Design with an Overall Floor Area Ratio of 0.24, Located on Approximately 11.0 Acres Zoned PRC, Braddock District

and

Public Hearing on DPA C-546-23 (Steuart-Burke Centre Shopping Center, L.L.C.) to Permit the 23rd Amendment of the Development Plan for RZ C-546 Previously Approved for Commercial Development to Permit a Drive-In Bank with an Overall Floor Area Ratio of 0.25 and Associated Modifications to Site Design, Located on Approximately 13.18 Acres Zoned PRC, Braddock District

and

Public Hearing on PRC C-546 (Steuart-Burke Centre Shopping Center, L.L.C.) to Approve the PRC Plan Associated with DPA C-546, Located on Approximately 13.18 Acres Zoned PRC, Braddock District

The application property is located approx. 500 feet east of the intersection of Ox Road and Burke Centre Parkway, Tax Map 77-1 ((1)) 63 and 64.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, November 7, 2007, the Planning Commission voted 10-0-1 (Commissioner Hall abstaining; Commissioner Sargeant absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of DPA C-546-23, subject to the Development Conditions dated November 7, 2007;
- Approval of PRC C-546;

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January 7, 2008

- Approval of PCA 1998-BR-073, subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report;
- Approval of PCA 75-8-036-02, subject to the execution of proffers consistent with those contained in Appendix 1 of the staff report; and
- Modification of the transitional screening requirement and waiver of the barrier requirement along the northern property boundary.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

Board Agenda Item
January 7, 2008

3:30 p.m.

Public Hearing on AR 91-Y-001-02 (Tom Van Richardson and Joan Johnson Richardson)
Local A&F District Renewal Application Authorized by Chapter 115 (County Code), Effective
June 30, 1983, Located on Approximately 40.0 Acres Zoned R-C and WS, Sully District

The application property is located at 6001 Bull Run Post Office Rd. Tax Map 42-4 ((1)) 15Z.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, December 6, 2007, the Planning Commission unanimously voted (Commissioners Alcorn, Murphy, and Sargeant absent from the meeting) to recommend that the Board of Supervisors approve AR 91-Y-001-02 to renew the Richardson Local Agricultural and Forestal District, subject to the Ordinance provisions dated November 21, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

3:30 p.m.

Public Hearing on PCA 2005-MA-005 (Goodwin House Incorporated) to Amend the Proffers for RZ 2005-MA-005 Previously Approved for Commercial Development to Permit an Additional Parking Structure and Modifications to Site Design with an Overall Floor Area Ratio (FAR) of 1.65, Located on Approximately 7.89 Acres Zoned C-4, CRD, HC and SC, Mason District

and

Public Hearing on SEA 84-M-088-02 (Goodwin House Incorporated) to Amend SE 84-M-088 Previously Approved for Housing for the Elderly, Medical Care Facility, Increase in Building Height, and Waivers and Modifications in a Commercial Revitalization District to Permit an Additional Parking Structure and Modifications to Site Design, Located on Approximately 7.89 Acres Zoned C-4, HC, CRD and SC, Mason District

The application property is located on the west side of South Jefferson Street immediately south of the Fairfax County/Arlington County boundary at 3440 South Jefferson Street, Tax Map 62-1 ((1)) 16G.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, November 28, 2007, the Planning Commission unanimously voted (Commissioners Hopkins, Murphy, and Sargeant absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 2005-MA-005, subject to the execution of proffers consistent with those dated November 9, 2007;
- Approval of SEA 84-M-088-02, subject to Development Conditions consistent with those dated November 14, 2007;
- Modification of the transitional screening requirement along the northern boundary in favor of that shown on the GDP/SE Plat;
- Modification of the Baileys Crossroads streetscape standard, in favor of that shown on the GDP/SE Plat; and
- Reaffirmation of the previously-approved modification of the loading space requirements, to allow three loading spaces instead of five loading spaces.

The Planning Commission voted 8-0-1 (Commissioner Harsel abstaining; Commissioners Hopkins, Murphy, and Sargeant absent from the meeting) to recommend that the Board

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approve Waiver 06194-WPFM-002-1, to allow the use of underground stormwater management in a residential development, subject to the Waiver Conditions dated October 22, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

Board Agenda Item
January 7, 2008

3:30 p.m.

Public Hearing on SEA 92-L-005-02 (Exxon Mobil Corporation) to Amend SE 92-L-005 Previously Approved for a Service Station with Quick Service Food Store to Permit a Quick Service Food Store, Car Wash, Service Station, Increase in Land Area and Site Modifications, Located on Approximately 1.33 Acres Zoned C-8, CRD and HC, Lee District

The application property is located at 7312 Richmond Highway, Tax Map 92-4 ((1)) 78C and 78D.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, December 6, 2007, the Planning Commission voted 6-1-2 (Commissioner Hall opposed; Commissioners Flanagan and Hart abstaining; Commissioners Alcorn, Murphy, and Sargeant absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SEA 92-L-005-02, subject to the Development Conditions dated December 6, 2007;
- Waiver of the service drive requirement along Richmond Highway; and
- Modification of the transitional screening requirement along the western property boundary in favor of that depicted on the SEA Plat.

The Planning Commission voted 5-2-2 (Commissioners Hall and Harsel opposed; Commissioners Flanagan and Hart abstaining; Commissioners Alcorn, Murphy, and Sargeant absent from the meeting) to recommend that the Board approve the request for a 20% parking reduction in the Commercial Revitalization District

The Commission voted 5-1-3 (Commissioner Hall opposed; Commissioners Flanagan, Harsel, and Hart abstaining; Commissioners Alcorn, Murphy, and Sargeant absent from the meeting) to recommend that the Board approve the requested modification of the Richmond Highway streetscape guidelines.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

3:30 p.m.

Public Hearing on a Proposal to Vacate, Abandon, and Discontinue Portions of Centreville Road (Route 657) (Hunter Mill District)

ISSUE:

Public hearing to consider the vacation, abandonment, and discontinuance of portions of Centreville Road (Route 657).

RECOMMENDATION:

The County Executive recommends that the Board take the following actions:

- a. Adopt the attached Ordinance (Attachment III) vacating portions of Centreville Road
- b. Adopt the attached Order (Attachment IV) abandoning a portion of Centreville Road
- c. Adopt the attached Resolution (Attachment V) discontinuing a portion of Centreville Road

TIMING:

The Board took action on December 3, 2007, to authorize a public hearing on this matter for January 7, 2008, at 3:30 p.m.

BACKGROUND:

The applicant, Batman Corporation, represented by H. Mark Goetzman of Walsh, Colucci, Lubeley, Emrich, and Walsh, PC, is requesting that a portion of the former alignment of Centreville Road consisting of prescriptive and dedicated right-of-way be vacated, abandoned, and discontinued. The subject roadway is included in the Virginia Department of Transportation (VDOT) Secondary System of Highways.

This application was originally submitted for staff review in 1996. At that time, staff was prepared to proceed on the application pending completion of several utility easements necessary within the right-of-way to be privatized. These easements were not completed prior to a proposal by the applicant in 2002 to rezone the adjoining property for commercial development. When that proposal was put forth, transportation staff deferred consideration of the privatization of the roadway to review access issues

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January 7, 2008

associated with the zoning request. This zoning (RZ 2003-HM-004) was approved by the Board of Supervisors in August 2003. At that time, reconsideration of the road privatization application was appropriate; however no further action was taken by the applicant to address issues identified in the previous review of the petition. With proposed changes to the development initially envisioned with the 2003 approval, the applicant was required to submit a Proffer Condition Amendment (PCA) in 2007. This action again withheld further consideration of a privatization of the roadway until the PCA application could be approved. Approval of PCA 2003-HM-004 by the Board of Supervisors took place on September 24, 2007.

The revised proffers negotiated and agreed to by the applicant in PCA 2003-HM-004 require several actions to take place prior to approval of a site plan for development on the property. As mandated by the proffers, vacation and abandonment of the subject rights-of-way must occur before site plan approval. This proposed action is necessary because the rights-of-way are to be incorporated within the development.

The status of the right-of-way and the actions to be taken to address the development proposed for the adjoining properties has presented challenges. Fee ownership of a portion of the right-of-way to be utilized for a private entrance to the development is vested in the Beacon Hill Baptist Church. Because this right-of-way was not included in the original rezoning application, this requires actions to ensure that access to the proposed development is not placed in legal jeopardy.

The underlying zoning for the portion of prescriptive right-of-way adjoining the church is residential in conformance with the zoning for that adjoining property. If this area was abandoned, the applicant would be required to seek approval of a Special Exception application to use this area as a commercial entrance. As an alternative, the applicant, after discussions with staff, proffered in the recent PCA to have the Beacon Hill Church dedicate the necessary area to the County. With this dedication and the proposed discontinuance of the right-of-way, the Virginia Department of Transportation (VDOT) has agreed to allow this area to be used as a commercial entrance to the property.

Additionally, with dedication of a portion of the prescriptive right-of-way to the County, and its subsequent discontinuance as proposed here, the County would have an unwanted liability for the dedicated area. The applicant committed in proffers associated with the PCA approval to formally accept maintenance and liability for the dedicated area to relieve the County of this burden. A maintenance agreement has been completed by the applicant and approved by the County.

Traffic Circulation and Access

The proposed actions within the subject area will have no impact on proposed vehicular circulation and access. The development approved with PCA 2003-HM-004 will have two points of access, a right-in, right-out entrance from Centreville Road and a planned

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full access from Coppermine Road. The ultimate design for these entrances is subject to further review and approval by the County and VDOT. Notwithstanding this approval, the vacation/abandonment/discontinuance request will not conflict with current design or potential changes to access anticipated in the proffers for the approved PCA.

Easements

Easements for Verizon, Dominion Virginia Power, and Fairfax Water have been executed. In addition, an agreement for maintenance and hold harmless for the area to be dedicated to the County is complete.

This proposal to vacate, abandon, and discontinue the subject right-of-way was circulated among the following agencies for review, none of which indicated any opposition to the proposal: Office of the County Attorney, Department of Public Works and Environmental Services, Fairfax Water, Fairfax County Park Authority, Washington Gas Light Company, Fairfax County School Board, Virginia Department of Transportation, Fairfax County Department of Transportation, Department of Planning and Zoning, Dominion Virginia Power, Fairfax County Department of Fire and Rescue, and Verizon.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

- Attachment I: Letter of Request and Justification
- Attachment II: Notice of Intent to Vacate and Abandon
- Attachment III: Ordinance of Vacation
- Attachment IV: Order of Abandonment
- Attachment V: Resolution of Discontinuance
- Attachment VI: Plat
- Attachment VII: Metes and Bounds Descriptions
- Attachment VIII: Vicinity Map (Tax Map 16-3)
- Attachment IX: Maintenance agreement

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Dan Rathbone, Chief, Transportation Planning Division, FCDOT
Angela K. Rodeheaver, Section Chief, Site Analysis Section, FCDOT
Michael A. Davis, FCDOT

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Board Agenda Item
January 7, 2008

4:00 p.m.

Public Hearing on SE 2007-MA-016 (Annandale Plaza, LLC) to Permit a Waiver of Certain Sign Regulations, Located on Approximately 42,784 Square Feet Zoned C-8, CRD, HC and SC, Mason District

The application property is located at 7326 and 7328 Little River Turnpike. Tax Map 71-1 ((1)) 80.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, November 15, 2007, the Planning Commission voted unanimously (Commissioners Alcorn and Lusk absent from the meeting) to recommend that the Board approve SE 2007-MA-016, subject to Development Conditions consistent with those dated November 1, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

4:00 p.m.

Public Hearing to Consider Adopting an Ordinance Expanding the Chantilly Residential Permit Parking District, District 29 (Springfield District)

ISSUE:

Proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Chantilly Residential Permit Parking District (RPPD), District 29.

RECOMMENDATION:

The County Executive recommends that the Board adopt an amendment (Attachment I) to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Chantilly RPPD, District 29.

TIMING:

On December 3, 2007, the Board authorized a Public Hearing to consider the proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to take place on January 7, 2008, at 4:00 p.m.

BACKGROUND:

Section 82-5A-4(b) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish an RPPD in any residential area of the County if: (1) the Board receives a petition requesting establishment or expansion of an RPPD that contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block face of the proposed District, (2) the proposed District contains a minimum of 100 contiguous on-street parking spaces, unless the subject area is to be added to an existing district, (3) 75 percent of the land abutting each block within the proposed District is developed residential, and (4) 75 percent of the total number of on-street parking spaces of the petitioning blocks are occupied, and at least 50 percent of those occupied spaces are occupied by nonresidents of the petitioning blocks, as authenticated by a peak-demand survey. In addition, an application fee of \$10 per address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

A petition requesting expansion of the RPPD was received on September 28, 2007.

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The proposed District expansion includes the following street block: Plaza Lane (Route 5412) from Poplar Tree Road (Route 4831) to Point Hollow Lane (Route 5413).

The signatures on the petition represent more than 60 percent of the eligible addresses of the proposed District expansion and represent more than 50 percent of the eligible addresses on each block face of the proposed District expansion, thereby satisfying Code petition requirements. More than 75 percent of the land abutting each block of the proposed District expansion is developed residential, thereby satisfying Code land use requirements. The required application fees were submitted on September 24, 2007 thereby satisfying Code fee requirements.

On September 20, 2007, staff conducted a peak parking demand surveys for Plaza Lane. This survey verified that more than 75 percent of the total number of on-street parking spaces of the petitioning block were occupied by parked vehicles, and more than 50 percent of those occupied spaces were occupied by nonresidents of the petitioning block, thereby satisfying Code parking requirements.

Therefore, it is recommended that the Board adopt the proposed amendment (Attachment I) to expand the Chantilly RPPD.

FISCAL IMPACT:

The cost of printing notices and letters, decals, and installing the RPPD signs is approximately \$900. These funds are currently available in the Department of Transportation's budget.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to *the Code of the County of Fairfax, Virginia*
Attachment II: Map Depicting Proposed Limits of RPPD Expansion

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT
Tad Borkowski, FCDOT
Hamid Majdi, FCDOT

Board Agenda Item
January 7, 2008

4:00 p.m.

Public Hearing to Consider Adopting an Ordinance Expanding the Oakton Residential Permit Parking District, District 19 (Providence District)

ISSUE:

Proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Oakton Residential Permit Parking District (RPPD), District 19.

RECOMMENDATION:

The County Executive recommends that the Board adopt an amendment (Attachment I) to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Oakton RPPD, District 19.

TIMING:

On December 3, 2007, the Board authorized a Public Hearing to consider the proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to take place on January 7, 2008, at 4:00 p.m.

BACKGROUND:

Section 82-5A-4(a) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish RPPD restrictions encompassing an area within 2,000 feet walking distance from the pedestrian entrances of a high school if: (1) the Board receives a petition requesting the establishment or expansion of such a District, (2) such petition contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block face of the proposed District, and (3) the Board determines that 75 percent of the land abutting each block within the proposed District is developed residential. In addition, an application fee of \$10 per address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

Petitions requesting expansion of the RPPD were received on September 14, 2007, and September 24, 2007. The proposed District expansion includes the following street block: Tipperary Pass (Route 5161) from Blake Lane (Route 655) to the end.

The signatures on the petitions represent more than 60 percent of the eligible

Board Agenda Item
January 7, 2008

addresses of the proposed District expansion and represent more than 50 percent of the eligible addresses on each block face of the proposed District expansion, thereby satisfying Code petition requirements. More than 75 percent of the land abutting each block of the proposed District expansion is developed residential, thereby satisfying Code land use requirements. The required application fees were submitted on September 14, 2007, and September 24, 2007, thereby satisfying Code fee requirements.

Therefore, it is recommended that the Board adopt the proposed amendment (Attachment I) to expand the Oakton RPPD.

FISCAL IMPACT:

The cost of printing notices and letters, decals, and installing the RPPD signs is approximately \$800. These funds are currently available in the Department of Transportation's budget.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to *the Code of the County of Fairfax, Virginia*
Attachment II: Map Depicting Proposed Limits of RPPD Expansion

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT
Tad Borkowski, FCDOT
Hamid Majdi, FCDOT

Board Agenda Item
January 7, 2008

4:00 p.m.

Public Hearing to Consider Adopting an Ordinance Expanding the Annandale Residential Permit Parking District, District 14 (Braddock District)

ISSUE:

Proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Annandale Residential Permit Parking District (RPPD), District 14.

RECOMMENDATION:

The County Executive recommends that the Board adopt an amendment (Attachment I) to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Annandale RPPD, District 14.

TIMING:

On December 3, 2007, the Board authorized a Public Hearing to consider the proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to take place on January 7, 2008, at 4:00 p.m.

BACKGROUND:

Section 82-5A-4(a) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish RPPD restrictions encompassing an area within 2,000 feet walking distance from the pedestrian entrances of a high school if: (1) the Board receives a petition requesting the establishment or expansion of such a District, (2) such petition contains signatures representing at least 60 percent of the eligible addresses of the proposed District and representing more than 50 percent of the eligible addresses on each block face of the proposed District, and (3) the Board determines that 75 percent of the land abutting each block within the proposed District is developed residential. In addition, an application fee of \$10 per address is required for the establishment or expansion of an RPPD. In the case of an amendment expanding an existing District, the foregoing provisions apply only to the area to be added to the existing District.

Petitions requesting expansion of the RPPD were received on September 13, 2007, and September 27, 2007. The proposed District expansion includes the following street blocks: Heritage Drive (Route 2630) from Killebrew Drive (Route 2797) to Erie Street (Route 2629) and Maris Court (Route 3623) from Heritage Drive to the end.

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The signatures on the petitions represent more than 60 percent of the eligible addresses of the proposed District expansion and represent more than 50 percent of the eligible addresses on each block face of the proposed District expansion, thereby satisfying Code petition requirements. More than 75 percent of the land abutting each block of the proposed District expansion is developed residential, thereby satisfying Code land use requirements. The required application fees were submitted on October 3, 2007, thereby satisfying Code fee requirements.

Therefore, it is recommended that the Board adopt the proposed amendment (Attachment I) to expand the Annandale RPPD.

FISCAL IMPACT:

The cost of printing notices and letters, decals, and installing the RPPD signs is approximately \$1300. These funds are currently available in the Department of Transportation's budget.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to *the Code of the County of Fairfax, Virginia*
Attachment II: Map Depicting Proposed Limits of RPPD Expansion

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT
Tad Borkowski, FCDOT
Hamid Majdi, FCDOT

Board Agenda Item
January 7, 2008

4:00 p.m.

Public Hearing to Establish the Runnymede Community Parking District (Lee District)

ISSUE:

Public hearing to consider a proposed amendment to Appendix M of *The Code of the County of Fairfax, Virginia* (Fairfax County Code) to establish the Runnymede Community Parking District (CPD).

RECOMMENDATION:

The County Executive recommends that the Board adopt the amendment to the Fairfax County Code shown in Attachment I to establish the Runnymede CPD in accordance with existing CPD restrictions.

TIMING:

The public hearing was authorized on December 3, 2007, for January 7, 2008, at 4:00 p.m.

BACKGROUND:

Fairfax County Code Section 82-5B-2 authorizes the Board to establish a CPD for the purpose of prohibiting or restricting the parking of watercraft; boat trailers; motor homes; camping trailers and any other trailer or semi-trailer; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers, including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4 on the streets in the district. No such Community Parking District shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such District for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip. Pursuant to Fairfax County Code Section 82-5B-3, the Board may establish a CPD if: (1) the Board receives a petition requesting such an establishment and such petition contains the names and signatures of petitioners who represent at least 60 percent of the addresses or other real property

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within the proposed district, and represent more than 50 percent of the eligible addresses on each block of the proposed district, (2) the proposed district includes an area in which 75 percent of each block within the proposed district is zoned, planned or developed as a residential area, and (3) the Board receives an application fee of \$10 for each petitioning property address in the proposed district.

Staff has verified that the requirements for a CPD have been satisfied.

The parking prohibition identified above for the Runnymede CPD establishment is proposed to be in effect seven days per week, 24 hours per day.

FISCAL IMPACT:

The cost of sign installation is estimated at \$1000 to be paid out of Fairfax County Department of Transportation (FCDOT) funds. This assumes a one-time installation of CPD signs. No funding exists for future maintenance of the signs.

ENCLOSED DOCUMENTS:

Attachment I: Amendment to the Fairfax County Code, Appendix M (CPD Restrictions)
Attachment II: Area Map of Proposed Runnymede CPD Establishment

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Ellen Gallagher, Division Chief, Capital Projects and Operations, FCDOT
Tad Borkowski, FCDOT
Maria Turner, FCDOT

Board Agenda Item
January 7, 2008

4:30 p.m.

Public Hearing on SE 2007-MA-019 (Motiva Enterprises, LLC) to Permit a Service Station in a Highway Corridor Overlay District and Waiver of the Minimum Open Space Requirement. Located on Approximately 1.01 Acres Zoned I-5 and HC, Mason District

The application property is located at 5533 Backlick Road, Tax Map 80-2 ((7)) Z1 and Z2.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, November 15, 2007, the Planning Commission voted unanimously (Commissioners Alcorn and Lusk absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2007-MA-019, subject to Development Conditions consistent with those dated November 1, 2007, with the addition of two new conditions to read:
 - “7. Right-of-way for public use sufficient for future installation of a trail on both Backlick Road and Industrial Road, at a minimum width of 10 feet, within a 12-foot easement shall be dedicated upon demand and at no cost to the County in fee simple to the Board of Supervisors in a form reviewed and approved by the County Attorney’s Office and a location/site approved by the Department of Public Works and Environmental Services.”
 - “8. Any improvements which encroach within the future trail right-of-way on Backlick Road and Industrial Road shall be removed at no expense to the County prior to the dedication of the right-of-way.”
- Direct the Director of the Department of Public Works and Environmental Services to waive the requirement for construction of the trail in favor of the right-of-way dedication, subject to the proposed Development Conditions, as amended.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

William O’Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
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4:30 p.m.

Public Hearing on SEA 76-C-152-04 (Exxon Mobil Corporation) to Amend SE 76-C-152 Previously Approved for a Service Station to Permit a Service Station, Car Wash, Quick Service Food Store and Associated Modifications to Site Design, Located on Approximately 1.07 Acres Zoned I-5, Hunter Mill District

The application property is located at 1818 Wiehle Avenue, Tax Map 17-4 ((5)) 4.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, November 15, 2007, the Planning Commission unanimously voted (Commissioners Alcorn and Lusk absent from the meeting) to recommend that the Board of Supervisors approve SEA 76-C-152-04, subject to the Development Conditions contained in the staff report dated November 1, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

4:30 p.m.

Public Hearing on SE 2007-MV-017 (Nestle Waters North America Inc., Formerly Known as Great Spring Waters of America Inc.) to Permit a Food and Beverage Manufacturing and Processing Establishment, Located on Approximately 1.68 Acres Zoned I-4, Mount Vernon District

The application property is located at A&B 7225 Telegraph Square Drive, Tax Map 108-1 ((10)) 7225A and B.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, November 15, 2007, the Planning Commission unanimously voted (Commissioners Alcorn and Lusk absent from the meeting) to recommend that the Board of Supervisors approve SE 2007-MV-017, subject to the Development Conditions contained in Appendix 1 of the staff report dated October 31, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

4:30 p.m.

Public Hearing to Expand the Hillside Community Parking District (Springfield District)

ISSUE:

Public hearing to consider a proposed amendment to Appendix M of *The Code of the County of Fairfax, Virginia* (Fairfax County Code) to expand the Hillside Community Parking District (CPD).

RECOMMENDATION:

The County Executive recommends that the Board adopt the amendment to the Fairfax County Code shown in Attachment I to expand the Hillside CPD in accordance with existing CPD restrictions.

TIMING:

The public hearing was authorized on December 3, 2007, for January 7, 2008, at 4:30 p.m.

BACKGROUND:

Fairfax County Code Section 82-5B-2 authorizes the Board to expand a CPD for the purpose of prohibiting or restricting the parking of watercraft; boat trailers; motor homes; camping trailers and any other trailer or semi-trailer; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers, including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4 on the streets in the district. No such Community Parking District shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such District for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip. Pursuant to Fairfax County Code Section 82-5B-3, the Board may expand a CPD if: (1) the Board receives a petition requesting such an expansion and such petition contains the names and signatures of petitioners who represent at least 60 percent of the addresses or other real property within the

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proposed district, and represent more than 50 percent of the eligible addresses on each block of the proposed district, (2) the proposed district includes an area in which 75 percent of each block within the proposed district is zoned, planned or developed as a residential area, and (3) the Board receives an application fee of \$10 for each petitioning property address in the proposed district.

Staff has verified that the requirements for a CPD have been satisfied.

The parking prohibition identified above for the Hillside CPD expansion is proposed to be in effect seven days per week, 24 hours per day.

FISCAL IMPACT:

The cost of sign installation is estimated at \$700 to be paid out of Fairfax County Department of Transportation (FCDOT) funds. This assumes a one-time installation of CPD signs. No funding exists for future maintenance of the signs.

ENCLOSED DOCUMENTS:

Attachment I: Amendment to the Fairfax County Code, Appendix M (CPD Restrictions)
Attachment II: Area Map of Proposed Hillside CPD Expansion

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Ellen Gallagher, Division Chief, Capital Projects and Operations, FCDOT
Tad Borkowski, FCDOT
Maria Turner, FCDOT

Board Agenda Item
January 7, 2008

4:30 p.m.

Public Hearing to Obtain Citizen Input for the Department of Community and Recreation Services' Grant Application to the Commonwealth of Virginia for Funding Under the Federal Transit Administration (FTA) Section 5310 Program for Three Replacement Vehicles

ISSUE:

To obtain citizen input regarding the Board of Supervisors' approval for the Department of Community and Recreation Services (CRS) to apply to and accept funding, if received, from the Virginia Department of Rail and Public Transportation (VDRPT) in the amount of \$156,000. If the application is approved, funds will be used to purchase three wheelchair lift-equipped replacement vehicles. The total cost of the vehicles including needed options is estimated at \$156,000. Of this total, the grant will provide 80 percent funding, or \$124,800. The balance of 20 percent, or \$31,200, in required Local Cash Match will be absorbed within the budget for CRS. No additional county funding is required. The Board of Supervisors authorized the advertisement of a public hearing on December 3rd, 2007, as a public hearing is a requirement of the application process.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize CRS to apply for FTA section 5310 grant funds in the amount of \$156,000 and accept funding, if received, from VDRPT. Award of the grant will allow FASTRAN to replace three high-mileage vehicles at a substantially reduced cost to the County.

TIMING:

Board action is requested on January 7, 2008, as the public hearing was authorized for advertisement on December 3, 2007.

BACKGROUND:

The county has the opportunity to apply for FTA Section 5310 funds, through the Commonwealth of Virginia, to purchase three wheelchair lift-equipped vehicles to replace high-mileage FASTRAN vehicles at a total estimated cost of \$156,000. Of this total, the county will receive \$124,800 in funding to cover 80 percent of the cost of the vehicles. The remaining 20 percent, or \$31,200, in required Local Cash Match will be absorbed within the budget for CRS. No additional county funding is necessary. These vehicles will be used to provide an estimated 19,291 annual rides for senior citizens and

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people with disabilities. Since 1994, the county has purchased 27 replacement vehicles through this grant program.

The current FASTRAN authorized bus fleet inventory totals 115 buses. The expected operating life for these vehicles is 8-10 years. Factoring this life cycle into replacement planning efforts, the FASTRAN Division anticipates the need to replace 11-15 buses each year. The factors utilized to determine the need to replace buses include age, mileage, and historical maintenance records.

Funding for replacement of FASTRAN buses is contained within Fund 503, the Department of Vehicle Services. FASTRAN (through the General Fund) contributes to Fund 503 on an annual basis to maintain the ability to purchase replacement buses as needed. The Federal Transportation Administration (FTA) Section 5310 grant from the Virginia Department of Rail and Public Transportation provides FASTRAN the opportunity to purchase three replacement buses (of the 11-15 needed each year) at a significantly reduced net cost to the County. The award of this grant will allow the FASTRAN replacement fund to save \$124,800. Previous year grant awards have resulted in similar savings to the County and have allowed FASTRAN to keep its annual contributions to the replacement fund at a manageable level.

FISCAL IMPACT:

If the application is approved, the FTA grant will provide 80 percent funding, or \$124,800 of the total purchase of \$156,000. The balance of 20 percent, or \$31,200, in required Local Cash Match will be absorbed within the budget for CRS. No additional County funding is required.

ENCLOSED DOCUMENTS:

Attachment 1: Excerpt of FTA Section 5310 - General Program Information

Attachment 2: Advertisement of a Public Hearing and Review and Comment on the Proposed Use of Funds Received under the Federal Transit Administration Section 5310 Grant Program.

STAFF:

Patricia D. Franckewitz, Director, CRS

Matthew A. Spruill, Supervisor, FASTRAN, CRS

Al-Hassan Koroma, Transportation Planner, FASTRAN, CRS

Board Agenda Item
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5:00 p.m.

Public Hearing on PRC B-846 (JBG/RIC Retail LLC, JBG/RIC LLC) to Approve the PRC Plan Associated with DP B-846 to Permit High Density Residential, Minor Commercial and Office Service Center Development, Located on Approximately 9.96 Acres Zoned PRC, Hunter Mill District

The application property is located at 11800 Sunrise Valley Drive, Tax Map 17-3 ((3)) 1C and 1D.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, November 28, 2007, the Planning Commission unanimously voted (Commissioner Koch not present for the votes; Commissioners Hopkins, Murphy, and Sargeant absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PRC B-846, subject to the Development Conditions set forth in Attachment 1 of the staff report addendum dated November 20, 2007; and
- Modification of the transitional screening requirements between the proposed residential uses and the non-residential uses.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

John Thompson, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
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5:00 p.m.

Public Hearing on SE 2007-SU-007 (Commerce Bank, N.A.) to Permit a Drive-In Bank in a Highway Corridor Overlay District and Waiver of the Minimum Lot Size Requirements, Located on Approximately 38,399 Square Feet Zoned C-8, I-3, HC and WS, Sully District

The application property is located at 13921 Lee Jackson Memorial Highway, Tax Map 34-4 ((1)) 53A.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, November 28, 2007, the Planning Commission unanimously voted (Commissioner Hart recusing; Commissioners Hopkins, Murphy, and Sargeant absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2007-SU-007, subject to Development Conditions consistent with those dated November 26, 2007;
- Waiver of the loading space requirement; and
- Waiver of a portion of the service drive along Route 50 in favor of that shown on the SE Plat.

The Planning Commission voted 5-0-3 (Commissioners Flanagan, Hall, and Harsel abstaining; Commissioner Hart recusing; Commissioners Hopkins, Murphy, and Sargeant absent from the meeting) to recommend that the Board of Supervisors waive the on-road bicycle lane requirement on Route 50.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 7, 2008

5:00 p.m.

Public Hearing on PCA 2003-HM-046-02 (Woodland Park Crossing Retail, L.L.C.) to Amend the Proffers for RZ 2003-HM-046 Previously Approved for Mixed Use Development to Permit Flexibility in the Mix and Location of Uses and Associated Modifications to Site Design with an Overall Floor Area Ratio of 0.70, Located on Approximately 5.66 Acres Zoned PDC, Hunter Mill District

The application property is located in the northwest quadrant of the intersection of Sunrise Valley Drive and Woodland Pointe Avenue Tax Map 16-4 ((23)) C.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, November 29, 2007, the Planning Commission unanimously voted (Commissioners Hopkins and Murphy absent from the meeting) to recommend that the Board of Supervisors approve PCA 2003-HM-046-02, subject to the executed proffers dated November 29, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

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5:00 p.m.

Public Hearing on SEA 2002-PR-031 (The Mitre Corporation) to Amend SE 2002-PR-031 Previously Approved for a Wavier of Certain Sign Regulations to Permit One Additional Freestanding Directional Sign and Associated Modifications to Site Design and Development Conditions, Located on Approximately 19.6 Acres Zoned C-3 and HC, Providence District

The application property is located at 7515 and 7525 Colshire Drive, Tax Map 30-3 ((28)) 3A1 and 4A3.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, November 29, 2007, the Planning Commission voted 9-0-1 (Commissioner Hall abstaining; Commissioners Hopkins and Murphy absent from the meeting) to recommend that the Board of Supervisors approve SEA 2002-PR-031, subject to the Development Conditions dated November 27, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Suzanne Lin, Staff Coordinator, Zoning Evaluation Division, DPZ

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