

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
JULY 13, 2009**

**AGENDA**

8:30	<b>Done</b>	Fairfax Long Term Care Coordinating Council Reception Reception Area
9:15	<b>Done</b>	Signing of a Memorandum of Understanding on Sisterhood Relationship Between Songpa-gu, Seoul, Korea, and Fairfax County in the Board Conference Room
9:30	<b>Done</b>	Presentations
10:00	<b>Referred recommendations to County Executive and Legislative Committee</b>	Report by the Oversight Committee on Drinking and Driving
10:10	<b>Done</b>	Presentation of the Transportation Advisory Commission (TAC) 2008 Transportation Achievement Award
10:20	<b>Done</b>	Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
10:20	<b>Done</b>	Items Presented by the County Executive

**ADMINISTRATIVE  
ITEMS**

1	<b>Approved</b>	Board Approval of the Distribution of a Plain English Information Statement for the 2009 School Bond Referendum
2	<b>Approved</b>	Streets into the Secondary System (Dranesville, Lee, Mason, Providence, and Sully Districts)
3	<b>Approved</b>	Extension of Review Periods for 2232 Review Applications (Braddock, Dranesville, Hunter Mill, Lee, and Springfield Districts)
4	<b>Approved</b>	Approval of Traffic Calming Measures and “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Dranesville, Mount Vernon and Springfield Districts)
5	<b>Approved</b>	Supplemental Appropriation Resolution AS 10017 for the Fairfax County Economic Development Authority to Accept Grant Funding from the Commonwealth of Virginia – Governor’s Opportunity Fund for the Hilton Hotels Corporation (Providence District)

**ACTION ITEMS**

1	<b>Approved</b>	Approval of a Special Use Permit for Storage of Explosives (Mount Vernon District)
---	-----------------	---

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
JULY 13, 2009**

**ACTION ITEMS**  
(continued)

- |   |                 |   |
|---|-----------------|---|
| 2 | <b>Approved</b> | Endorsement of Design Plans to Widen Mulligan Road from Richmond Highway to Pole Road Including Improvements at the Richmond Highway/Mount Vernon Memorial Highway Intersection, and to Widen Telegraph Road from Beulah Street to Leaf Road (Lee and Mount Vernon Districts) |
| 3 | <b>Approved</b> | Designation of Virginia Department of Transportation FY 2010 Revenue Sharing Program Funds and Matching Fairfax County Funds (Springfield and Sully Districts)  |
| 4 | <b>Approved</b> | Approval of a Resolution to Request Issuance of Fairfax County Redevelopment and Housing Authority (FCRHA) Bonds, Series 2009, to Provide Permanent Financing for Wedgewood Apartments (Braddock District)  |
| 5 | <b>Approved</b> | Approval of the Consolidated Community Funding Advisory Committee Recommendations for the FY 2011 and FY 2012 Funding Priorities for the Consolidated Community Funding Pool  |
| 6 | <b>Approved</b> | Approval to Reallocate Federal HOME Funds Within Fund 145, HOME Investment Partnerships Program, to Finance a Rehabilitation Project at Hopkins Glen Apartments (Providence District)   |
| 7 | <b>Approved</b> | Endorsement of Revised Transportation Funding Allocations for Commercial and Industrial (C&I) Tax Revenues and Other Transportation Funding Sources   |

**INFORMATION  
ITEMS**

- |   |              |  |
|---|--------------|--|
| 1 | <b>Noted</b> | Contract Award – Traffic Signalization Design Services, Task Order Contracts   |
| 2 | <b>Noted</b> | Quarterly Status Report on the Board's Second Four-Year Transportation Program   |
| 3 | <b>Noted</b> | Work Plan Agreement Between the Natural Resources Conservation Service, the Northern Virginia Soil and Water Conservation District, and Fairfax County for the Rehabilitation of Pohick Creek Dam Site Number 2, Lake Barton (Braddock District) |

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
JULY 13, 2009**

**INFORMATION  
ITEMS**

(continued)

4	<b>Noted</b>	Planning Commission Action on Application 2232-S09-6, Cricket Communications and T-Mobile Northeast, LLC (Springfield District)
5	<b>Noted</b>	Contract Award – Employee Benefits Consulting Services
6	<b>Noted</b>	Contract Award – Enterprise Resource Planning Software
10:50	<b>Done</b>	Matters Presented by Board Members
11:40	<b>Done</b>	Closed Session

**PUBLIC  
HEARINGS**

3:00	<b>Approved</b>	Public Hearing on RZ 2008-PR-009 (INOVA Health Care Services) (Providence District)
3:00	<b>Approved</b>	Public Hearing on SEA 80-P-078-15 (INOVA Health Care Services) (Providence District)
3:00	<b>Approved</b>	Public Hearing on PCA 87-P-038-04 (INOVA Health Care Services) (Providence District)
3:00	<b>Public hearing deferred to 8/3/09 at 3:00 p.m.</b>	Public Hearing on SEA 85-L-059-06 (BSI Incorporated t/a Browne Academy) (Lee District)
3:00	<b>Approved</b>	Public Hearing on PCA 2006-SU-025 (Commonwealth Centre Investors, LLC and Commonwealth Centre Investors II, LLC) (Sully District)
3:00	<b>Public hearing deferred to 8/3/09 at 3:00 p.m.</b>	Public Hearing on RZ 2005-HM-028 (Pedro & Carmen M. Toscano, Jr.) (Hunter Mill District)
3:00	<b>Public hearing deferred to 8/3/09 at 3:00 p.m.</b>	Public Hearing on SE 2007-HM-023 (Pedro & Carmen M. Toscano, Jr.) (Hunter Mill District)
3:00	<b>Approved</b>	Public Hearing on SE 2007-DR-025 (Mr. Mostafa And Dr. Lily Nadimi) (Dranesville District)
3:00	<b>Approved</b>	Public Hearing on SEA 85-S-109-02 (Medical Facilities of America XXIX (29) LP) (Braddock District)

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
JULY 13, 2009**

**PUBLIC  
HEARINGS**

(continued)

3:30	<b>Public hearing deferred to 8/3/09 at 3:00 p.m.</b>	Public Hearing on RZ 2008-PR-017 (Merrifield Garden Center Corporation) (Providence District)
3:30	<b>Public hearing deferred to 8/3/09 at 3:00 p.m.</b>	Public Hearing on SE 2006-PR-018 (Merrifield Garden Center Corporation) (Providence District)
3:30	<b>Approved</b>	Public Hearing on SE 2009-BR-003 (Bourj, Ltd.) (Braddock District)
3:30	<b>Approved</b>	Public Hearing on SEA 01-H-027-02 (One Reston Co LLC and Two Reston Co LLC) (Hunter Mill District)
3:30	<b>Approved</b>	Public Hearing on RZ 2007-LE-007 (Franconia Two LP) (Lee District)
4:00	<b>Approved</b>	Public Hearing on Spot Blight Abatement Ordinance for 11307 Stuart Mill Road (Hunter Mill District)
4:00	<b>Approved</b>	Public Hearing on Spot Blight Abatement Ordinance for 2703 Groveton Street (Mount Vernon District)
4:00	<b>Approved</b>	Public Hearing on Spot Blight Abatement Ordinance for 9310 Gunston Cove Road (Mount Vernon District)
4:30	<b>Approved</b>	Public Hearing on Proposed Area Plans Review (APR) Item 08-II-4V, Located South of the Vienna Transit Station and Saintsbury Drive, West of Hunter's Branch Condominiums, and East of the Planned Extension of Vaden Drive (Providence District)
4:30	<b>Approved</b>	Public Hearing on Proposed Area Plans Review (APR) Item 08-III-13UP, Located on Georgetown Pike, East of Leesburg Pike and West of Difficult Run (Dranesville District)
4:30	<b>Approved</b>	Public Hearing on Proposed Area Plans Review (APR) Item 08-III-15UP, Area Generally Bounded by the Potomac River; Difficult Run; Leesburg Pike and Loudoun County (Dranesville District)
4:30	<b>Approved</b>	Public Hearing on Proposed Area Plans Review (APR) Item 08-III-19UP, for the Great Falls Area Which Includes Planning Sectors UP1, UP2 and UP3 (Dranesville District)

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
JULY 13, 2009**

**PUBLIC  
HEARINGS**  
(continued)

- |      |                 |   |
|------|-----------------|---|
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-20UP, Area Generally Bounded by the Potomac River to the North; Lee Jackson Memorial Highway to the South; Vale Road and Portions of Difficult Run and Towlston Road to the East; Loudoun County and Route 28 to the West (Dranesville District) |
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-21UP, Area Generally Bounded by Potomac River, Towlston Road, Difficult Run, Dulles Toll Road, Hunter Mill Road, Leesburg Pike, and Loudoun County (Dranesville District)  |
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-4UP, Consisting of the Reston Community Planning Sector (UP5) and the Reston-Herndon Suburban Center's Land Units C Through I (Hunter Mill District)   |
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-5UP, Consisting of Land Units A and B of the Reston Herndon Suburban Center (Hunter Mill and Dranesville Districts)  |
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-14UP, Located Northwest of the Sunrise Valley Drive and Reston Parkway Intersection (Hunter Mill District)   |
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-2BR, Located Southeast of the Centreville Road and New Braddock Road Intersection (Sully District)   |
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-3DS, Located South of Horse Pen Run and North of McLearn Road, Between Sully Road and Centreville Road (Sully District)  |
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-4DS, Located Southeast of the Lee Jackson Memorial Highway and Elmwood Street Intersection (Sully District)  |
| 4:30 | <b>Approved</b> | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-5DS, Located Northeast of the Sully Road and Willard Road Intersection (Sully District)  |

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
JULY 13, 2009**

**PUBLIC  
HEARINGS**  
(continued)

- |      |   |   |
|------|---|---|
| 4:30 | <b>Approved</b>                               | Public Hearing on Proposed Area Plans Review (APR) Item 08-III-7DS, Located East of the Loudoun County Line, South of Dulles International Airport, North of Lee Jackson Memorial Highway and West of Stonecroft Boulevard (Sully District) |
| 4:30 | <b>Approved</b>                               | Public Hearing on Proposed Plan Amendment S08-III-FC1, Located Northwest of the Lee Jackson Memorial Highway and Fair Ridge Drive Intersection (Sully District)   |
| 5:00 | <b>Approved</b>                               | Public Hearing on a Proposal to Vacate Laurel Road (Mount Vernon District)  |
| 5:00 | <b>Approved</b>                               | Public Hearing to Expand the Newgate Community Parking District (Sully District)  |
| 6:00 | <b>Decision deferred to 8/3/09 at 3:00 pm</b> | Public Hearing on SE 2008-SP-025 (Islamic Saudi Academy) (Springfield District)   |



*Fairfax County, Virginia*  
**BOARD OF SUPERVISORS**  
**AGENDA**

**Monday**  
**July 13, 2009**

---

9:30 a.m.

**PRESENTATIONS:**

1. **CERTIFICATE** – To recognize Brian Hull, principal at Colin Powell Elementary School, for being named Virginia's National Distinguished Teacher. Requested by Supervisor Frey.
2. **PROCLAMATION** – To designate September 2009 as Direct Support Professionals Appreciation Month in Fairfax County. Requested by Chairman Bulova.
3. **RESOLUTION** – To recognize the Department of Community and Recreation Services for its 50th anniversary. Requested by Chairman Bulova.
4. **CERTIFICATE** – To recognize the South County Secondary School Girls Softball Team for winning the Northern Region championship. Requested by Supervisor Hyland.
5. **CERTIFICATE** – To recognize the South Lakes High School Boys Track and Field Team for winning the Northern Region championship. Requested by Supervisor Hudgins.

**STAFF:**

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

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

10:00 a.m.

Report by the Oversight Committee on Drinking and Driving

ENCLOSED DOCUMENTS:

Status of the Impaired Driving Problem in Fairfax County 2008, Executive Summary,  
Separate from Package.

PRESENTED BY:

James C. Fell, Chairman

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

10:10 a.m.

Presentation of the Transportation Advisory Commission (TAC) 2008 Transportation  
Achievement Award

ENCLOSED DOCUMENTS:  
None

PRESENTED BY:  
Ms. Janyce Hedetniemi, Chair, Transportation Advisory Commission

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

10:20 a.m.

Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard July 13, 2009

Attachment 2: Résumé of Jessica S. Burmester, Fairfax-Falls Church Community Services Board Nominee

STAFF:

Nancy Vehrs, Clerk to the Board of Supervisors

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

10:20 a.m.

Items Presented by the County Executive

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

ADMINISTRATIVE - 1

Board Approval of the Distribution of a Plain English Information Statement for the 2009 School Bond Referendum

ISSUE:

Board approval of the preparation and printing of an explanatory statement on the forthcoming referendum on whether the County can issue bonds in the maximum aggregate principal amount of \$232,580,000 for the Fairfax County Public Schools. If approved by the Board, staff plans to make this explanatory statement available at County polling places for absentee voters prior to the referendum and for all other voters on Election Day.

RECOMMENDATION:

The County Executive recommends that the Board authorize the preparation and printing of a plain English statement for the school bond referendum.

TIMING:

Early Board action also is recommended to provide time for the printing and distribution of these explanations to citizens prior to the election.

BACKGROUND:

On April 23, 2009, the School Board of the Fairfax County Public Schools adopted a resolution asking the Board of Supervisors to petition the Fairfax County Circuit Court to order a referendum on whether the Board of Supervisors shall be authorized to contract a debt and issue bonds in the maximum aggregate principal amount of \$232,580,000 in order to provide funds for public school improvements. On May 5, 2009, the Board of Supervisors considered the request from the School Board and then adopted a resolution asking the Circuit Court to order such a referendum on Tuesday, November 3, 2009. The County Attorney then petitioned the Circuit Court for such an order, and on May 7, 2009, Chief Circuit Court Judge Dennis J. Smith entered an order for the referendum as requested.

Subsequently, the County Attorney submitted the proposed referendum to the United States Department of Justice for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended. Since then, County staff received a letter from the Department of Justice stating that the Department had no objection to the proposed referendum, so the referendum may be conducted as planned on November 3, 2009.

Board Agenda Item  
July 13, 2009

Virginia Code § 24.2-687 permits the governing body of any county or city to provide for the preparation of an explanation of each referendum question. Such explanation shall contain the ballot question and a statement of not more than 500 words. Such explanations shall be written in plain English, and they shall be prepared by the attorney for the county or city.

The Board has authorized the preparation of such statements in past bond referenda, and staff recommends that the Board authorize the printing and distribution of such a plain English statement for this referendum in sufficient copies to make it available to voters at County polling places for absentee voters prior to the general elections and at all polling places during the general elections on November 3, 2009. If the Board authorizes the distribution of this plain English statement, the explanation will be printed on distinctive yellow paper so that it will be readily recognizable to poll workers and voters.

In the past, the Board has asked that such explanations be translated into other common languages, and staff will prepare such explanations for interested citizens. However, given that Virginia Code § 24.2-687 only permits the distribution of "plain English" explanations within the polling places, these translations will be made available at places other than polling places.

FISCAL IMPACT:

The cost of translating and printing a plain English explanation is estimated at \$986, and that cost can be met by existing Board appropriations.

ENCLOSED DOCUMENTS:

Attachment 1 – Virginia Code § 24.2-687

Attachment 2 – Draft Explanatory Statement for School Bonds

STAFF:

Edward L. Long, Jr., Deputy County Executive

Leonard P. Wales, County Debt Manager

Michael Long, Senior Assistant County Attorney

Board Agenda Item  
July 13, 2009

ADMINISTRATIVE – 2

Streets into the Secondary System (Dranesville, Lee, Mason, Providence, 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>
McLean Village	Dranesville	Park Avenue (Route 1803) (Additional Right-of-Way (ROW) Only)  Buena Vista Avenue (Route 1802) (Additional ROW Only)  Ingleside Avenue (Route 1813) (Additional ROW Only)
Highgrove Estates Section 3	Lee	Deer Ridge Trail
Bailey's Estates	Mason	Brill Court
Linden Tree Estates	Providence	Avon Lane (Route 3451)
The Dulles Gateway Center	Sully	Park Center Road (Route 3865)

TIMING:

Routine.

Board Agenda Item  
July 13, 2009

BACKGROUND:

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

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Street Acceptance Forms

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  
July 13, 2009

ADMINISTRATIVE – 3

Extension of Review Periods for 2232 Review Applications (Braddock, Dranesville, Hunter Mill, Lee, and Springfield 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 the following applications: application FS-H09-24 to September 11, 2009; application 2232-L08-2 to September 17, 2009; application FS-S09-26 to September 19, 2009; and applications 2232-D09-2 and FS-B09-29 to September 27, 2009.

TIMING:

Board action is required on July 13, 2009, 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 2232-L08-2, 2232-D09-2, FS-H09-24, FS-S09-26, and FS-B09-29, which were accepted for review by the Department of Planning and Zoning between April 14, 2009, and April 30, 2009. These applications are for telecommunications facilities, and thus are subject to the State Code provision that the Board may extend the time required for the Planning Commission to act on these applications by no more than sixty additional days.

Board Agenda Item  
July 13, 2009

- 2232-L08-2            T-Mobile Northeast LLC  
120-foot (flagpole) monopole  
7101 Sheridonna Lane  
Lee District
- 2232-D09-2            NewPath Networks LLC and New Cingular Wireless PCS LLC  
Distributed Antenna System (DAS)  
Georgetown Pike, and Seneca, Beach Mill, River Bend, Walker,  
Springvale, and Utterback Store Roads  
Dranesville District
- FS-H09-24            New Cingular Wireless PCS LLC  
Antenna colocation on existing transmission pole  
11975 Lake Newport Road  
Hunter Mill District
- FS-S09-26            Cricket Communications  
Antenna colocation on existing light pole  
4201 Stringfellow Road (Chantilly High School)  
Springfield District
- FS-B09-29            Verizon Wireless  
Antenna colocation on existing tower  
9801 Braddock Road  
Braddock District

The need for the full time of these extensions may not be necessary, and is not intended to set a date for final action.

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

Board Agenda Item  
July 13, 2009

ADMINISTRATIVE - 4

Approval of Traffic Calming Measures and “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Dranesville, Mount Vernon and Springfield Districts)

ISSUE:

Board endorsement of a Traffic Calming plan and Watch for Children Signs as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends that the Board endorse the traffic calming plans for Birch Road (Attachment I), and Mount Zephyr Drive/ Mohawk Lane/ Quisenberry Drive/ Nalls Road (Attachment II) consisting of the following:

- One speed hump and one multi-way stop on Birch Road (Dranesville District)
- Two speed tables on Mount Zephyr Drive (Mount Vernon District)
- One speed hump on Mohawk Lane (Mount Vernon District)
- One speed hump on Quisenberry Drive (Mount Vernon District)
- One speed table on Nalls Road (Mount Vernon District)

The County Executive further recommends approval of a resolution (Attachment III) for a “Watch for Children” sign on the following street:

- Arley Drive (Springfield District)

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

TIMING:

Board action is requested on July 13, 2009.

BACKGROUND:

Traffic calming employs the use of physical devices such as speed humps, speed tables, raised pedestrian crosswalks, chokers, median islands, or traffic circles to reduce the speed of traffic on a residential street. For Birch Road; and also for Mount

Board Agenda Item  
July 13, 2009

Zephyr Drive, Mohawk Lane, Quisenberry Drive and Nalls Road, plans were approved by staff and the Virginia Department of Transportation (VDOT). The traffic calming plans were subsequently submitted for approval to residents of the petition area in each community. On June 15, 2009, (Mount Zephyr Drive, Mohawk Lane, Quisenberry Drive and Nalls Road), and June 16, 2009, (Birch Road), the Department of Transportation received written verification from the appropriate local supervisor confirming community support.

The RTAP 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 June 2, 2009, the Department of Transportation received written verification from the appropriate local supervisor confirming community support for the referenced "Watch for Children" sign.

FISCAL IMPACT:

The estimated cost of \$35,000 for traffic calming measures is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Birch Road

Attachment II: Traffic Calming Plan for Mount Zephyr Drive, Mohawk Lane, Quisenberry Drive and Nalls Road

Attachment III: Board Resolution for a "Watch for Children" Sign

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

Selby J. Thannikary, Chief, Traffic Operations Section, FCDOT

William P. Harrell, Transportation Planner, FCDOT

Steven K. Knudsen, Transportation Planner, FCDOT

Board Agenda Item  
July 13, 2009

ADMINISTRATIVE - 5

Supplemental Appropriation Resolution AS 10017 for the Fairfax County Economic Development Authority to Accept Grant Funding from the Commonwealth of Virginia – Governor’s Opportunity Fund for the Hilton Hotels Corporation (Providence District)

ISSUE:

Board approval of Supplemental Appropriation Resolution AS 10017 for the Fairfax County Economic Development Authority (FCEDA) to accept grant funding in the amount of \$1,000,000 from the Commonwealth of Virginia as part of the Governor’s Opportunity Fund for the relocation of the headquarters for the Hilton Hotels Corporation to Fairfax County. No Local Cash Match is required. However, Fairfax County has committed to provide pedestrian infrastructure improvements in Tysons Corner, proximate to Hilton’s location at 7930 Jones Branch Drive, McLean, Virginia.

RECOMMENDATION:

The County Executive recommends that the Board approve Supplemental Appropriation Resolution AS 10017 for the FCEDA to accept grant funding in the amount of \$1,000,000 as part of the Governor’s Opportunity Fund for the relocation of the headquarters for the Hilton Hotels Corporation.

TIMING:

Board approval is requested on July 13, 2009.

BACKGROUND:

Fairfax County competed with other jurisdictions for the relocation of the headquarters for Hilton Hotels Corporation’s headquarters. As part of the negotiations, the Commonwealth of Virginia is supporting the relocation of the corporation to Fairfax County with a Governor’s Opportunity Fund grant. The grant is a performance grant and a performance agreement has been executed to ensure, on behalf of Fairfax County and the Commonwealth of Virginia, that certain projected performance metrics occur. As part of the Governor’s Opportunity Fund grant, Fairfax County has committed to provide pedestrian infrastructure improvements proximate to the firm’s location. These pedestrian infrastructure improvements in Tysons Corner were already planned and funded.

In addition, as stated in the Performance Agreement, the Commonwealth will provide the following incentives. Please note these do not pass through the County nor require a County match.

Board Agenda Item  
July 13, 2009

- Funding of \$2,500,000 from Virginia Economic Development Incentive Grant;
- Estimated funding of \$162,500 from Virginia Jobs Investment Program; and
- Estimated funding of \$225,000 for a Major Business Facilities Job Tax Credit.

FISCAL IMPACT:

Supplemental Appropriation Resolution AS 10017 in the amount of \$1,000,000 has been provided to Fairfax County to be made available to Hilton Hotels Corporation to off-set some of its relocation costs at 7930 Jones Branch Drive. There is no Local Cash Match required. However, Fairfax County has committed to provide pedestrian infrastructure improvements proximate to the firm's location.

If Hilton Hotels Corporation does not achieve its performance metrics as described in the Performance Agreement executed between Fairfax County and Hilton Hotels Corporation, then Hilton Hotels Corporation is responsible for paying that portion of the grant it did not achieve back to Fairfax County. Fairfax County in turn will then refund to the Commonwealth of Virginia the funds received from Hilton Hotels Corporation. Fairfax County will not be held responsible for financial shortfalls associated with performance metrics not met. The FCEDA will monitor the performance metrics and will provide to the Office of the County Executive information annually on the number of jobs and capital investment achieved during that time.

CREATION OF NEW POSITIONS:

No positions will be created by this grant.

ENCLOSED DOCUMENTS:

Attachment 1: Supplemental Appropriation Resolution AS 10017

Attachment 2: Hilton Hotels Performance Agreement

Attachment 3: Notification of award from the Commonwealth of Virginia

STAFF:

David J. Molchany, Deputy County Executive

Gerald L. Gordon, President, Fairfax County Economic Development Authority (FCEDA)

Catherine Riley, Vice President, FCEDA

Anita Grazer, National Marketing Director, FCEDA

Board Agenda Item  
July 13, 2009

ACTION - 1

Approval of a Special Use Permit for Storage of Explosives (Mount Vernon District)

ISSUE:

Board authorization to allow a code modification of Chapter 62, Section 3304.1 for the issuance of a Special Use Permit pursuant to Chapter 62, Section 3304.1 of the Code of the County of Fairfax, Virginia (County Code), to allow Covanta of Fairfax, Inc., storage of up to 600 pounds of explosive materials (i.e., detonating cord and blasting caps).

RECOMMENDATION:

The County Executive recommends that the Board issue a Special Use Permit pursuant to County Code Chapter 62, Section 3304.1.

TIMING:

Routine

BACKGROUND:

Chapter 62, Section 3304.1 of the County Code states that the Board of Supervisors is to approve a Special Use Permit to permit the overnight storage of explosive or blasting materials and a modification of the section if the storage occurs in a Zoning District other than I-6. Covanta of Fairfax, Inc., operates a resource recovery facility that is zoned to the R-C District (Residential-Conservation District, One Dwelling Unit/Five Acres). In support of Fairfax County resource recovery operations, Covanta is engaged in the production of electricity through the recovery of heat produced during incineration of solid waste. Pursuant to County Code Chapter 62, Section 3304.1, Covanta has made application for a Special Use Permit to allow the storage of up to 600 pounds of explosives (i.e., detonating cord and blasting caps) at this facility. According to Covanta, this material will be stored on site only when it is necessary for use of explosives to remove hardened ash and soot from furnaces within the facility. In total, Covanta anticipates this storage to occur approximately 16 days per year. A copy of Covanta's request dated September 16, 2008, is incorporated hereto as Attachment I.

An inspection of the Covanta facility by the Fairfax County Fire Marshal's Office has concluded the amount of material and the use of ATF-approved storage containers has minimal risk to occupants and no risk to the surrounding business and residential structures. In addition, the location is a secure facility with restricted access and all

Board Agenda Item  
July 13, 2009

explosives are to be stored under 24-hour guard within an additional secure enclosure. Accordingly, pursuant to Chapter 62, Section 106.5, the Fire Official has determined that Covanta of Fairfax's facility presents an appropriate modification of Section 3304.1 (permitting overnight storage in the I-6 District only) as the proposed storage of limited quantities of explosive materials within a secure industrial facility meets the spirit and intent of the Code to ensure the health, safety, and welfare of the public.

The Fire Marshal's Office seeks Board approval and the issuance of a Special Use Permit to allow Covanta to store up to 600 pounds of explosives at its facility.

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Letter from Covanta of Fairfax, Inc.

Attachment II: Tax Map 107-3 with Explosives Storage Distances

STAFF:

Robert A. Stalzer, Deputy County Executive

Ronald L. Mastin, Chief, Fire and Rescue Department

Board Agenda Item  
July 13, 2009

ACTION - 2

Endorsement of Design Plans to Widen Mulligan Road from Richmond Highway to Pole Road Including Improvements at the Richmond Highway/Mount Vernon Memorial Highway Intersection, and to Widen Telegraph Road from Beulah Street to Leaf Road (Lee and Mount Vernon Districts)

ISSUE:

Board endorsement of the Federal Highway Administration (FHWA) and Virginia Department of Transportation (VDOT) design plans to widen Mulligan Road (Route 619) from Richmond Highway (Route 1) to Pole Road (Route 622), including improvements at the Richmond Highway/Mount Vernon Memorial Highway (Route 235 South) Intersection, and to Widen Telegraph Road (Route 611) from Beulah Street (Route 613) to Leaf Road.

RECOMMENDATION:

The County Executive recommends that the Board endorse FHWA and VDOT design plans, as presented at the May 26, 2009, public hearing, to widen Mulligan Road (Route 619) from Richmond Highway (Route 1) to Pole Road (Route 622), including improvements at its intersection with Richmond Highway/Mount Vernon Memorial Highway (Route 235 South), and to widen Telegraph Road from Beulah Street to Leaf Road. The design plans for Mulligan Road include two 11-foot inside travel lanes, two 15-foot wide curb lanes to accommodate bicycles on-road, curb without gutter on the north side, curb with gutter pan on the south side, a raised median, and 5-foot concrete sidewalks on both sides of the road. The design plans for Telegraph Road include four 12-foot travel lanes, 4-foot wide on-road bicycle lanes on both sides of the road, curb and gutter, a raised median, and a 10-foot shared use path on the west side of the road. The Mulligan Road design plans include the realignment of Mount Vernon Memorial Highway (Route 235) at its intersection with Richmond Highway (Route 1) and additional turn lanes and a raised median on Richmond Highway and Mount Vernon Memorial Highway.

The County Executive recommends that, as part of its endorsement of the plans, the Board request that FHWA and VDOT:

- Continue coordination with the Home Owners Association (HOA) and the residents of the Alden Hill Community regarding the location and finish of the sound walls, screening, landscaping, and the potential provision for closed drainage instead of open ditch drainage in the vicinity of the Alden Hill Community.
- Continue evaluation of posting the speed limit on Telegraph Road at 35 mph.

Board Agenda Item  
July 13, 2009

- Continue coordination with Hilltop Sand and Gravel Co., Inc., regarding the size and location of the stormwater management ponds.
- Provide public sewer hook up for Kingstowne Fire and Rescue # 37 as part of the Telegraph Road construction.
- Consider providing a public sewer stubout to the Woodlawn Plantation property as part of the Mulligan Road construction.
- Continue coordination with the Airspace Data Facility – East (ADF-E) (formerly known as DCEETA/Ft. Belvoir) regarding the feasibility of a median opening at their Remote Delivery Facility (RDF) entrance to ADF-E.

TIMING:

The Board should take action on this matter as soon as possible to allow VDOT to proceed with final approval of the design plans by the Chief Engineer.

BACKGROUND:

Following the events of September 11, 2001, Woodlawn Road and Beulah Street were closed to public traffic through Fort Belvoir. The closure of the road resulted in the loss of a major east-west artery in this area of Fairfax County. In a cooperative effort, the U.S. Army at Fort Belvoir, FHWA, VDOT, and Fairfax County are constructing a replacement road named Mulligan Road. This road will begin at Richmond Highway on the existing two-lane portion previously named Old Mill Road. The Fairfax County Board of Supervisors re-named this portion of Old Mill Road, and the extension through Fort Belvoir to Telegraph Road “Mulligan Road”. Construction is ongoing on Mulligan Road through Fort Belvoir (from Pole Road to Telegraph Road). Anticipating the congestion on Telegraph Road to increase significantly with the opening of Mulligan Road unless Telegraph Road is widened and improved, Fairfax County initiated a cooperative alliance to widen and improve a segment of Telegraph Road from Beulah Street to Leaf Road. FHWA is managing the design, and will manage the construction of both Mulligan Road and this segment of Telegraph Road. Mulligan Road will not open to traffic until Telegraph Road from Beulah Street to Leaf Road is widened and improved.

Initial design plans have been coordinated with Fort Belvoir, National Trust for Historic Preservation, Woodlawn Plantation, Fairfax County Fire and Rescue and Fairfax County Police. The plans for Mulligan Road and Telegraph Road, as well as the Richmond Highway/ Mount Vernon Memorial Highway realigned intersection, were presented at the Design Public Hearing held on Tuesday, May 26, 2009, at Hayfield Secondary School.

A copy of the public hearing brochure is attached.

Board Agenda Item  
July 13, 2009

### Environmental Considerations

An Environmental Assessment (EA) was prepared by FHWA and resulted in a Finding of No Significant Impact (FONSI) for the Telegraph Road project and the entire length of Mulligan Road, including the portion under construction that is entirely within Fort Belvoir (from Pole Road to Telegraph Road). A noise analysis was performed for the project in accordance with FHWA regulations and the VDOT State Noise Abatement Policy. Noise impact was identified and noise mitigation was evaluated where warranted and feasible.

The Telegraph Road project will impact 0.68 acres of wetlands which will be mitigated with the project. The Mulligan Road project will impact 0.18 acres of wetlands and the Historic Woodlawn Plantation. A Section 106 Memorandum of Agreement that provides for mitigation of these impacts has been executed between the parties involved. The signatories include the National Trust for Historic Preservation, the owner of Woodlawn Plantation. As a part of mitigating the loss of some of Woodlawn Plantation property, 2.5 acres of Fort Belvoir property will be transferred to Woodlawn Plantation. This parcel of land is adjacent to the southern boundary of Woodlawn Plantation and includes the existing stub of Woodlawn Road, which will be reconfigured as the entrance into Woodlawn Plantation.

### Public Hearing Comments

A Public Hearing was held on Tuesday, May 26, 2009, from 5 pm to 8 pm. A total of 68 people attended the hearing. Written comments were received from 26 people (including letters from Alden Hill HOA and ADF-E); one person submitted oral comments. Out of the 27 comments received, 14 indicated support of the project as proposed, 9 indicated support for the project with modifications, and 4 indicated opposition to the project.

Major concerns expressed are as follows:

- Speed and Safety – Several comments expressed concerns with the design speed, and that the design features associated with it may encourage speeding, particularly with the wider roadway section.
- Access - Several residents requested that left turns be allowed to and from the apartment complex, new hotel, and Roy Rogers on Mulligan Road. One concern was expressed with a median on Richmond Highway. One concern was expressed regarding the accessibility of the Exxon station on Mount Vernon Highway by fuel tankers.
- Right-of-Way Impacts – Several residents requested that right-of-way impacts be reduced by eliminating on road bike lanes or reducing width of shared use path.
- On-Road Bicycle Accommodations – Several comments supported the full 14-foot wide curb lanes for bicycles. One requested “shared lane markings”. Several

Board Agenda Item  
July 13, 2009

approved of the bicycle accommodations and one comment did not approve of the on-road bicycle accommodations.

- Alden Hill Community Concerns - Residents of the Alden Hill Community in their letter requested relocation of the sound walls closer to Telegraph Road to save the trees on HOA property; replacement of the open ditch with a closed pipe to save the trees; relocation of the overhead utilities to the Fort Belvoir side; provision of screening from the lights and sounds of the Telegraph Road/Mulligan Road intersection; and provision of full access to the subdivision.
- General – Other issues mentioned in the comments received are provide a signal at the Mulligan Road/Pole Road intersection; upgrade Old Telegraph Road and use it as a one-way street; construct an interchange at the Richmond Highway/Mulligan Road intersection; construct the segment of Telegraph Road between South Van Dorn Street and South Kings Highway before constructing this project.

Project Cost and Schedule

The current estimated project cost is \$40.9 million, which includes design, right-of-way acquisition, utility relocation, and construction. The latest anticipated schedule is:

Final Design – Spring – Fall 2009  
Right-of-Way Acquisition – Fall 2009  
Construction Initiation – Summer 2010  
Open to Traffic – Summer 2012

FISCAL IMPACT:

This project is fully funded through a combination of Defense Access Road (DAR) Program, County Commercial and Industrial Tax for Transportation, and other federal and state funds.

ENCLOSED DOCUMENTS:

Attachment I: Location and Design Public Hearing Handout

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  
Karyn L. Moreland, Chief, Capital Projects Section, FCDOT  
Jane Rosenbaum, Senior Transportation Planner, FCDOT

Board Agenda Item  
July 13, 2009

ACTION - 3

Designation of Virginia Department of Transportation FY 2010 Revenue Sharing Program Funds and Matching Fairfax County Funds (Springfield and Sully Districts)

ISSUE:

Board approval of the application for and use of a maximum of \$1,000,000 in FY 2010 Virginia Department of Transportation (VDOT) Revenue Sharing Program funds to partially pay for the widening of Stringfellow Road.

RECOMMENDATION:

The County Executive recommends that the Board approve the attached resolution (Attachment 1) designating a maximum of \$1,000,000 in FY 2010 VDOT Revenue Sharing Program funds to partially pay for the widening of Stringfellow Road.

TIMING:

The Board of Supervisors should act on this item on July 13, 2009. VDOT has requested a response prior to August 14, 2009.

BACKGROUND:

Section 33.1-23.05, the *Code of Virginia*, enables the County to designate County funds for improvements to the primary and secondary roadway systems, with these funds to be equally matched, up to \$1,000,000, by VDOT funds, limited to a maximum of \$50,000,000 in matching VDOT funds statewide in FY 2010. This program is commonly referred to as the Revenue Sharing Program, and provides that VDOT match the County funds as a priority before allocating monies to its road systems. Therefore, the use of these funds results in a net increase of state funds available for transportation projects in the County.

On December 4, 2006, and again on July 21, 2008, the Board approved the use of Revenue Sharing funds for the Stringfellow Road project, and the County received the full \$1,000,000 in Revenue Sharing funds on both occasions. On February 28, 2005, and as part of the Board's Four Year Transportation Plan, the Board approved a total of \$16,000,000 in transportation bond funds for this project. These funds will be used to match the maximum of \$1,000,000 in the FY 2010 VDOT Revenue Sharing Program.

Board Agenda Item  
July 13, 2009

The attached May 28, 2009, letter from VDOT (Attachment 2) specifies that the County must notify VDOT by August 14, 2009, of its intent to apply for FY 2010 Revenue Sharing Program Funds. Based on the revisions to the program approved by the General Assembly, the highest priority for FY 2010 projects are those in which the locality is implementing the project. The second highest priority is for projects where the jurisdiction over-matches the Revenue Sharing request. Consideration is also given to projects previously funded under the Revenue Sharing program. To increase the County's chances of securing the full \$1,000,000, staff is recommending that the County use \$2,000,000 previously allocated to the Stringfellow Road widening project to over-match the requested funds.

FISCAL IMPACT:

Funds previously approved for the widening of Stringfellow Road will be used to pay the total \$2,000,000 match for the VDOT Revenue Sharing funds. There is no fiscal impact on the County for this project. If these funds are approved, there will be an additional \$1,000,000 for the project.

ENCLOSED DOCUMENTS:

Attachment 1: Resolution: Designation of FY 2010 Revenue Sharing Program Funds  
Attachment 2: Letter from VDOT Regarding FY 2010 Revenue Sharing Program  
Attachment 3: Designation of Funds Forms for FY 2010 Revenue Sharing Program

STAFF:

Robert A. Stalzer, Deputy County Executive  
Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)  
Tom Biesiadny, Chief, Coordination and Funding Division, FCDOT  
Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT  
Jay Guy, FCDOT

Board Agenda Item  
July 13, 2009

ACTION - 4

Approval of a Resolution to Request Issuance of Fairfax County Redevelopment and Housing Authority (FCRHA) Bonds, Series 2009, to Provide Permanent Financing for Wedgewood Apartments (Braddock District)

ISSUE:

Approval by the Board of Supervisors of a resolution (Attachment 1) to request a Public Sale by the FCRHA for bonds to permanently finance the previous bond anticipation notes issued for the benefit of Wedgewood Apartments.

RECOMMENDATION:

The County Executive recommends approval of the attached resolution (Attachment 1) relating to the issuance of Fairfax County Redevelopment and Housing Authority (FCRHA) bonds (Affordable Housing Acquisition) Series 2009 per the schedule shown on Attachment 2. The Board resolution authorizes the following actions:

- Request the FCRHA issue bonds for the purpose of providing permanent financing and pay off the principal amount of the outstanding note issued to finance the acquisition of Wedgewood Apartments which matures on October 1, 2009 (2008 BANs). The principal amount of the Series 2009 bonds shall not exceed \$100,000,000.
- Approve the form of a Notice of Sale calling for bids for the purchase of the Bonds. (Attachment 3)
- Approve the form, execution, and delivery of the Payment Agreement between Fairfax County and the FCRHA. (Attachment 4)
- Approve the form of the Assignment Agreement from FCRHA and acknowledged by the County. (Attachment 5)
- Approve the form, execution, and delivery of the Lease Agreement between Fairfax County and the FCRHA. (Attachment 6)
- Approve the form, execution and delivery of a Continuing Disclosure Agreement. (Attachment 7)
- Approve the form of the Bonds. (Attachment 8)
- Approve the form of the Preliminary Official Statement and the delivery of a final Official Statement to the winning bidder of the Bonds. (Attachment 9)

TIMING:

Approval by the Board is requested on July 13, 2009.

Board Agenda Item  
July 13, 2009

BACKGROUND:

Wedgewood Apartments, built between 1962-1967, is a garden-style multifamily rental community located on Little River Turnpike and McWhorter Road in Annandale, Virginia, on 34.8 acres of land. In total, there are 672 units in three phases- Wedgewood Manor – 125 units; Wedgewood West – 424 units; and Wedgewood East – 123 units.

Wedgewood Apartments has one, two and three bedroom units and 15 townhomes. Property amenities include tot lots, swimming pool and a community building. The property is adjacent to Annandale Terrace Elementary School and Ossian Hall Park. Annandale High School is also nearby. Wedgewood Apartments has excellent access to transportation; the property is located less than one mile from the Capital Beltway and bus service can be accessed at Little River Turnpike. Furthermore, retail, grocers and other services are located within easy distance of the property on Little River Turnpike.

Although the project is more than 40 years old, it was well maintained and was in good condition when purchased. No major rehabilitation has taken place since the initial purchase of the project by the Board of Supervisors in 2007. Plans are being developed by architects for accessibility modifications; it is anticipated that 25 units at Wedgewood West and the community center can be retrofitted to be handicap accessible. These modifications will be undertaken as funding becomes available. It is expected that rehabilitation of the property as it relates to capital needs and these modifications will occur over time using reserves and property income.

Fairfax County purchased the Wedgewood Apartment complex on November 28, 2007 for \$107,500,000. Financing for the purchase of Wedgewood Apartments was provided through the FCRHA issuance of Bond Anticipation Notes (BANs) in the amount of \$105,485,000 at an interest rate of 3.625% and \$5,000,000 from Fund 319, the Penny for Affordable Housing (Penny Fund). The Penny Fund paid for a portion of the acquisition cost and cost of issuance, relocation, and reserves. The BANs matured on October 9, 2008. On October 9, 2008, the FCRHA refinanced the outstanding BANs by issuing new BANs in the amount of \$104,105,000 and with an interest rate of 4.00% per annum. The new BANs will be due and payable on October 1, 2009. Board approval is requested to refinance the BANs with permanent financing prior to when the BANs mature on October 1, 2009.

The County entered into an agreement with the FCRHA to operate the property. The FCRHA has hired a private property management firm to handle day-to-day management. For continuity, initially, FCRHA entered into an agreement with BoBud to manage the property for a period of one year which was subsequently renewed for one more year. BoBud is the management arm of the seller. Currently, the FCRHA is in the process of evaluating responses to an RFP for the management of Wedgewood Apartments.

Board Agenda Item  
July 13, 2009

### Relocation

During the first year after acquisition, HCD certified the income of the 672 households at Wedgewood Apartments. However, a few households moved before providing income information. HCD completed the certification by the end of July 2008 at which time the 120-day notice letter was sent to all households with income exceeding 100% AMI and to households that had not responded to the request for income certification. A total of 198 120-day notices were sent. This ensured that all households residing in Wedgewood Apartments had income not exceeding the maximum income limits established for Wedgewood by November 2008, a year from the date of purchase and were legal residents.

A total of 47 households were relocated because they were over income or had not responded to the request for income certification. Relocation payments for qualified households totaled \$52,697 in accordance to the Fairfax County Relocation Guidelines.

### Affordability

The projected affordability for Wedgewood Apartments will be provided to households based on the following distribution of income levels as a percentage of Area Median Income (AMI):

- 10 units at or below 20% of AMI, Housing First
- 3 units at or below 30% of AMI, extremely low income
- 122 units at or below 50% of AMI, very low income
- 403 units at or below 60% of AMI, low income
- 134 units at or below 80% of AMI, moderate income

At the Housing committee meeting on June 15, 2009, a question was raised as to the financial impact of serving more households at lower incomes. If the mix of incomes was changed to increase the number of households served at or below 50% of AMI (very low and extremely low income) from 20% to 50%, decrease the number of households served at or below 60% of AMI (low income) from 60% to 40%; and decrease the number of households served at or below 80% of AMI (moderate income) from 20% to 10%, the cash reimbursement to the County from the project operations would be reduced from \$4 million annually to \$3.0 - \$3.5 million annually.

### Permanent Financing

The FCRHA has financed similar housing transactions with Private Activity Bonds, tax credits and other sources of financing and would have preferred to refinance the current BANs with these financing instruments. However, over the past year, the bond market for housing bonds, in particular, has gone through wide fluctuations with the tax-exempt yields rising above the taxable yields. Additionally, the low income housing tax credit market has been extremely volatile with the pricing per tax credit dollar plunging from \$.95 per tax credit dollar in areas like Fairfax County to \$.75 per tax credit dollar now,

Board Agenda Item  
July 13, 2009

thereby creating large funding gaps in transactions. The markets for the housing bonds in general and tax credits remain volatile. While the market for Government Bonds has seen fluctuations as well during the same time period, the market for these bonds has stabilized in the recent months and some transactions have been financed at favorable interest rates. Given the current market conditions, the best option will be to refinance the current BANs with Government Bonds issued by the FCRHA with the debt service on these bonds being paid by the County.

The financing proposal for Wedgewood Apartments anticipates using approximately \$93,000,000 in financing from Government Bonds issued by the FCRHA, along with Penny Fund, Housing Trust funds, and income from operations of the project.

It is estimated that the Government Bonds will have a fixed interest rate of between 5.0% and 5.3% with a 30-year maturity. The bonds will be structured with a 10-year call and an Extraordinary Mandatory Redemption feature. The Extraordinary Mandatory Redemption will allow the County to redeem the bonds earlier than the 10-year call period and refinance the whole transaction should the interest rates become more favorable in the next few years.

The annual debt service is approximately \$6 million which, subject to annual appropriations, will be paid from Fund 319, the Penny for Affordable Housing Fund. The County and the FCRHA will enter into a Payment Agreement in which the County pledges to pay for the debt service on the bonds using the Penny Fund. Such payment agreements have been used for the previously issued BANs. While the County will pledge to pay the entire \$6 million in debt service using the Penny Fund, it is anticipated that the property will contribute up to \$4 million annually from project revenues. The project contribution will be used to reimburse the Penny Fund with a net impact of \$2 million to the Penny Fund on an annual basis. This \$4 million will be available to fund new housing activity.

Although \$6 million in the Penny Fund is currently anticipated for annual debt service, it is difficult to estimate what the exact interest rate will be at the time of final bond sizing. Should the interest rate increase above the 5% used in these projections, every attempt will be made to minimize the annual debt service by providing additional upfront equity, to the extent possible, from other available sources. If there are not sufficient funds available from other sources, the annual debt service on the bonds may increase from \$6 million to \$6.5 million should the interest increase to 5.75%. Should market conditions result in a higher interest rate, resulting in higher annual debt service, staff will examine available options for mitigating program adjustments and return to the Board and the FCRHA prior to the development of the FY 2011 budget with recommendations.

The sources and uses for the refinancing of the project are:

<b>PERMANENT FINANCING</b>	
<b>SOURCES</b>	
Bonds proceeds – Par Amount	\$92,555,000
Bonds proceeds – Premium	1,006,884
Penny Fund - Fund 319	10,914,480
Housing Trust Fund – Fund 144	1,900,000
Cash from Operations	2,500,000
Capital Reserves	2,500,000
<b>Total Sources</b>	<b>\$111,376,364</b>
<b>USES</b>	
Pay-Off of BANs	\$104,105,000
Interest Payment - BANs	4,106,364
Capital Reserves	2,500,000
Cost of Issuance	200,000
Financing	465,000
<b>Total Uses</b>	<b>\$111,376,364</b>

The financing documents for the Government Bonds will be structured in a similar manner to the BANs. The County and the FCRHA will sign an Amended and Restated Ground Lease Agreement giving the FCRHA the right to lease the land from the County. The County and the FCRHA will execute a Payment Agreement and an Assignment Agreement that provides that the County will pay to the FCRHA from the Penny Fund, subject to annual appropriations, an amount that is sufficient to pay the debt service on the Government Bonds.

**FISCAL IMPACT:**

The funding for the Project will be a combination of many sources. Funding in the amount of up to \$9,835,000 will be reallocated within Fund 319, The Penny for Affordable Housing to Project 014268, Wedgewood Apartments, from the following projects: \$1,600,000 from Project 014046, Olley Glen subject to the loan repayment anticipated August 2009; \$1,000,000 from Project 014275 Silver Lining Initiative; \$185,000 Project 014237, Yorkville; and \$7,050,000 from Project 014196 Affordable/Workforce Housing.

Funding in the amount of up to \$1,900,000 will be reallocated within Fund 144, The Housing Trust Fund, to Project 014268, Wedgewood Apartments, from the following projects: \$1,350,000 from Project 014116 AHPP Tier 3; and \$550,000 from Project 013906 Undesignated.

Board Agenda Item  
July 13, 2009

A total of \$6.7 million has been reserved in Fund 319, the Penny for Affordable Housing for debt service payments in FY 2010. Ongoing debt service from the Penny Fund, in the amount of \$6.2 million per year is anticipated assuming an interest cost of 5.29 percent. Approximately \$4.0 million per year is expected to be available from net operating income to defray costs for a net impact of \$2.2 million per year. It is anticipated that the sale will occur on or around August 4, 2009 in order to meet the October 1, 2009 maturity date deadline for the 2008 BANs.

ENCLOSED DOCUMENTS:

Attachment 1 – Board Resolution

Attachment 2 – Critical Path Events

Attachment 3 – Notice of Sale

Attachment 4 – Payment Agreement

Attachment 5 – Assignment Agreement

Attachment 6 – Lease Agreement

Attachment 7 – Continuing Disclosure Agreement

Attachment 8 – Form of Note

Attachment 9 – Preliminary Official Statement (Separate from package. Complete file is in the Office of the Clerk to the Board)

STAFF:

Anthony H. Griffin, County Executive

Edward L. Long, Jr., Deputy County Executive

Verdia L. Haywood, Deputy County Executive

Paula C. Sampson, Director, Department of Housing and Community Development, HCD

Leonard P. Wales, County Debt Manager

Aseem K. Nigam, Director, Real Estate Finance and Grants Management Division, HCD

Board Agenda Item  
July 13, 2009

ACTION – 5

Approval of the Consolidated Community Funding Advisory Committee  
Recommendations for the FY 2011 and FY 2012 Funding Priorities for the Consolidated  
Community Funding Pool

ISSUE:

Board of Supervisors' approval of the FY 2011 and FY 2012 funding Priorities for the Consolidated Community Funding Pool, as recommended by the Consolidated Community Funding Advisory Committee (CCFAC).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the FY 2011 and FY 2012 Funding Priorities for the Consolidated Community Funding Pool (CCFP) as recommended by the CCFAC.

TIMING:

The decision on the funding priorities for CCFP funding is requested in July to allow time to prepare the next Request for Proposals for the CCFP for release in late September 2009.

BACKGROUND:

The Board has charged the CCFAC with the responsibility for overseeing the Consolidated Community Funding Pool. As part of that responsibility, the CCFAC recommends funding priorities for the funding pool for each funding cycle. In July 2001, the Board approved the continuation of multi-year funding, which has now continued in the FY 2005-2006, FY 2007-2008, and current FY 2009-2010 cycles. The CCFAC's recommended priorities are for the FY 2011 and FY 2012 funding pool awards.

The CCFAC maintains a regular process to receive and review both data and community input to inform decisions on which funding and priority recommendations are based. Community input processes include a variety of citizen and provider input activities conducted throughout the year. The data that the CCFAC considers includes information for the County's Consolidated Plan submitted to the U.S. Department of Housing and Urban Development, studies and other analyses prepared for the county and for citizens, and information reported from CCFP providers.

Board Agenda Item  
July 13, 2009

Several specific activities factored into the needs assessment and development of the priority recommendations. These included the following:

- A formal public hearing was held on November 18, 2008, to hear from providers and citizens about needs that could be addressed through the funding pool and the Consolidated Plan and to gather input or ideas on what categories of programs and services represent the greatest needs for individuals and families.
- Because of the extensive public input and comment obtained during the FY 2010 county budget development process, the CCFAC reviewed the key themes from the community meetings in the budget held in the fall of 2008 and the comments made to the Board of Supervisors in the budget hearings on March 30, 31, and April 1, 2009.
- The CCFAC received briefings on several county initiatives, including preventing and ending homelessness, preventing gang involvement, and improving mental health services.
- Several reports and analyses have been made available during the past year, including performance and changes in demand in existing CCFP programs, and the results of the Survey of Fairfax County Basic Needs Providers: Trends in Participation, Demand and Services Levels between fourth quarter 2007 and fourth quarter 2008.
- Based on this variety of input, the CCFAC circulated draft proposed priorities to several hundred organizations and individuals in the community. At its meeting on June 9, 2009, the CCFAC received comment and discussion from nonprofit agencies and other citizens which resulted in language changes and inclusion of additional service examples in the attached recommendation to the Board.

For the next two-year funding cycle in FY 2011 and FY 2012, the CCFAC recommends that the CCFP priorities reflect the changing needs of county residents. The fluid state of the economy, growing diversity, an aging population, and increasing capacity to collaborate within the service provider community are important considerations. The significant and steady rise in demand for emergency services and the sustainability challenges facing nonprofits in the current economy are especially notable. The CCFAC recommends continuing the strong focus on measurable outcomes for individuals, families, neighborhoods, and communities rather than types of services or target populations. The value of programs serving neighborhoods (geographically defined) and communities (shared interests, not bound to one location) is explicitly recognized. The CCFAC also believes that this approach advances the Fairfax County human services goal adopted by the Board and supports several of the Board's county-wide initiatives.

The CCFAC is again recommending four outcome-focused priorities which reflect an important and necessary continuum of stability and self-sufficiency opportunities based

Board Agenda Item  
July 13, 2009

on the need, condition, and potential among those to be served. The CCFAC believes that these outcome-focused priorities will support a number of Board and county initiatives and will enhance efforts to *prevent* conditions or behaviors that undermine health, stability, growth and development, or independent living in the community. The CCFAC's recommendation continues the basic approach taken in the FY 2009-2010 CCFP funding priorities but with clarification of definitions and outcome statements, revision of target funding percentage ranges, and inclusion of a few additional service examples.

The table that follows summarizes the CCFAC's recommended priorities and target percentage ranges for dollar allocations to each priority. Based on the data reviewed and the public input received, the CCFAC is recommending increases in the target percentages for crisis intervention and ongoing assistance, with corresponding decreases in the target percentages for prevention and self-sufficiency. The attached document provides the specific outcome and action statements for each priority and the proposed target funding percentage ranges and includes examples of the types of services and activities that would support each priority.

Priority	Outcome Statement	Target Funding Percentages
I. PREVENTION	Families and individuals remain independent and have the tools and resources to prevent dependence; communities increase their ability to develop and provide preventive services.	10% to 20%
II. CRISIS INTERVENTION	Individuals, families, or communities in crisis overcome short-term problems and quickly move back to independence.	15% to 25%
III. SELF-SUFFICIENCY	Families, individuals, neighborhoods, and communities address multiple needs to attain self-sufficiency.	45% to 55%
IV. ONGOING ASSISTANCE	People, neighborhoods, and communities that have continuing and long-term needs achieve or maintain healthy, safe, and independent lives to the maximum extent possible.	10% to 20%

**CCFAC Recommendation**

Based on the review of available data and information on community needs, and in consideration of comments and input received, the CCFAC recommends that the Board of Supervisors approve the four priorities and the target percentage allocation ranges for CCFP funds as shown above and in the attachment for FY 2011 and FY 2012.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment A: Recommended Priorities for the Consolidated Community Funding Pool for Fiscal Years 2011-2012.

STAFF:

Verdia L. Haywood, Deputy County Executive

Kenneth P. Disselkoen, Director, Department of Systems Management for Human Services

Paula C. Sampson, Director, Department of Housing and Community Development

Nannette M. Bowler, Director, Department of Family Services

W. Ken Garnes, Director, Department of Administration for Human Services

William Macmillan, Service Integration Manager, DSMHS

Board Agenda Item  
July 13, 2009

ACTION – 6

Approval to Reallocate Federal HOME Funds Within Fund 145, HOME Investment Partnerships Program, to Finance a Rehabilitation Project at Hopkins Glen Apartments (Providence District)

ISSUE:

Approval is requested to reallocate up to \$427,764 within Fund 145, HOME Investment Partnerships Program (HOME) from the FY 2009 Partnership for Permanent Housing Program (\$327,764) and the FY 2009 Elderly Tenant Based Rental Assistance Program (\$100,000) to finance a rehabilitation project involving the major systems at the Hopkins Glen multifamily property, which is owned by the Fairfax County Redevelopment and Housing Authority (FCRHA).

RECOMMENDATION:

The County Executive recommends Board approval of the reallocation of \$427,764 in project funds within Fund 145, HOME Investment Partnerships Program to Project 014191, Rehabilitation of FCRHA Properties.

TIMING:

Board approval on July 13, 2009 is requested in order to enable the Department of Housing and Community Development to commit the HOME funds to this project by the July 31, 2009 commitment deadline and commence the rehabilitation work.

BACKGROUND:

Hopkins Glen is a 90-unit affordable multifamily property owned by FCRHA. It is located off of Route 29/Lee Highway near the Merrifield intersection of Lee Highway and Gallows Road in the Falls Church section of the County.

The property was constructed in 1969. The FCRHA acquired the property with a U.S. Department of Housing and Urban Development (HUD) below-market interest rate (BMIR) loan in 1993. Property maintenance staff has made repairs and minor improvements to heating, cooling and plumbing systems over the years. However, basic maintenance is no longer sufficient to keep these systems viable.

In order to determine the breadth and scope of the work needed to modernize and replace the aging Hopkins Glen systems, an engineering consultant was hired to

Board Agenda Item  
July 13, 2009

conduct a mechanical and electrical systems inspection and evaluation of the property. Property deficiencies identified in the report include:

1. Poor distribution of heating and cooling water;
2. Corrosion of copper piping;
3. HVAC piping problems related to condensation during the cooling season; and
4. An inability to provide individual control and utility metering for each apartment.

HOME funds would be used to pay a portion of the cost to upgrade the HVAC and plumbing systems, which are starting to fail. In addition to the HOME funds proposed to be reallocated to ensure adequate funding to cover final costs, an additional \$86,891 in FY 2010 HOME funds will be budgeted for this work. These funds have already been approved under the FCRHA FY 2010 Strategic Plan Action Plan (Rehabilitation of FCRHA Properties) and will be requested for reallocation as part of the *FY 2009 Carryover Review*.

FISCAL IMPACT:

Funding in the amount of \$427,764 is proposed to be reallocated within Fund 145, HOME Investment Partnerships Program, from Project 014265, Partnership for Permanent Housing (\$327,764, Program Year 2009) and Project 013971, Tenant Based Rental Assistance (\$100,000), to Project 014191, Rehabilitation of FCRHA Properties. As of June 30, 2009, Project 014265, Partnership for Permanent Housing had an available balance of \$327,764 in Program Year 2009, and Project 013971, Tenant Based Rental Assistance had an available balance of \$218,199.

ENCLOSED DOCUMENTS:

None

STAFF:

Verdia L. Haywood, Deputy County Executive  
Paula C. Sampson, Director, Department of Housing and Community Development (HCD)  
John Payne, Deputy Director, Real Estate, HCD  
Aseem Nigam, Director, Real Estate Finance and Grants Management (REF&GM), HCD  
Audrey Spencer-Horsley, Associate Director, REF&GM, HCD  
Douglass Lynott, Senior Program Manager, REF&GM, HCD

ACTION – 7

Endorsement of Revised Transportation Funding Allocations for Commercial and Industrial (C&I) Tax Revenues and Other Transportation Funding Sources

ISSUE:

Board approval of funding strategies, revised project lists, and revised funding allocations for several sources of transportation funding.

RECOMMENDATION:

The County Executive recommends that the Board take the actions below. These actions will ensure that major County transportation projects remain fully funded and on track towards implementation.

1. Approve the revised transportation project list and funding allocations (shown in Attachment I) for anticipated revenues from the County's Commercial and Industrial (C&I) Real Estate Tax for Transportation and planned issuance between FY2010 and FY2012 of \$50 million in Fairfax County Economic Development Authority (EDA) transportation contract revenue bonds to be paid by C&I tax revenues.
2. Approve the request to reallocate funds as follows and shown in Attachment II:
  - a. Franconia-Springfield Parkway – I-95 (SOV) Interchange: reallocate \$3.7 million in Northern Virginia Transportation District (NVTD) bonds to Telegraph Road widening and \$1.1 million to Route 7 widening
  - b. Franconia Road – South Van Dorn Street: reallocate \$6 million in Regional Surface Transportation Program (RSTP) funds to Telegraph Road widening
  - c. Bike Racks, Lockers and Amenities: reallocate \$200,000 in Congestion Mitigation and Air Quality (CMAQ) funds to Gallows Road On-Road Bike Lanes
  - d. Richmond Highway Bus Priority Project: reallocate \$500,000 in CMAQ funds to Gallows Road On-Road Bike Lanes
  - e. Backlick Road Park-and-Ride Lot: reallocate \$1.14 million in CMAQ funds to I-66/Vienna Metrorail Accessibility Improvements project and \$300,000 to Seven Corners Transit Center

Board Agenda Item  
July 13, 2009

3. Approve reallocation of approximately \$1.9 million in project cost savings from the Centreville Road widening (Metrotech Drive to McLearen Road) project to the Stringfellow Road widening (Fair Lakes Boulevard to Route 50) project at an appropriate quarterly budget review. Both projects are currently funded by general obligation bonds authorized by the County's 2004 and 2007 Transportation Bond Referenda (shown in Attachment II).
4. Authorize the use of up to \$1 million dollars from the Fairfax Center Area Fund for the Route 29 widening project freeing up \$1 million in C&I revenues for other transportation projects (shown in Attachment II).
5. Direct County staff to prepare applications for federal CMAQ and RSTP funds for FY2011 and FY2012 for the following projects and direct staff to return to the Board in September 2010 and September 2011 for specific endorsement of CMAQ and RSTP funding requests (Attachment II):
  - a. Route 29/Gallows Road Intersection Improvements: \$16 million for FY2011 RSTP grants
  - b. I-66/Vienna Metrorail Accessibility Improvements: \$5 million for FY2011 CMAQ/RSTP grants
  - c. Columbia Pike Streetcar Project: \$20 million for FY2012 CMAQ/RSTP grants

TIMING:

The Board should act on this item on July 13, 2009, so staff can continue to move forward with implementation of projects as expeditiously as possible.

BACKGROUND:

The current nationwide economic downturn has resulted in significant cuts in County transportation projects included in the Virginia Department of Transportation's (VDOT) Six-Year Improvement Plan. The American Recovery and Reinvestment Act (ARRA – the federal economic stimulus program) has mitigated some, but not all, of these cuts. In response to these events, County staff prepared a memorandum to the Board on May 21, 2009, with recommendations for transportation funding allocations that the Board influences (Attachment III). The recommendations would ensure that major County projects would remain fully funded, despite significant cuts in VDOT's Six-Year Plans for FY2009 and FY2010. Following the release of the memorandum, County staff briefed Board members on the recommendations at a June 15, 2009, Board Transportation Committee meeting (Attachment IV). After receiving the Board's input,

Board Agenda Item  
July 13, 2009

County staff prepared revised recommendations on funding allocations and project lists for Board approval for the following transportation funding sources:

1. Fairfax County Commercial and Industrial (C&I) Real Estate Tax for Transportation
2. Fairfax County 2004 and 2007 General Obligation Bond Referenda for Transportation
3. Fairfax Center Area developer contributions
4. NVTB bonds and federal CMAQ and RSTP funds

The following summarizes the key changes staff recommends for these sources.

Fairfax County C&I Revenues

The Board previously endorsed funding allocations and a project list for C&I revenues on May 5, 2008, for FY2009 through FY2011. The action directed staff to begin implementation of an estimated \$52 million annually in C&I tax revenues and \$50 million in one-time revenues from the issuance of Fairfax County Economic Development Authority (EDA) bonds. This totaled approximately \$206 million in estimated revenues for FY2009 through FY2011. Since the May 5, 2008, action, revenue projections for the C&I tax have been reduced, funding needs for other projects have arisen, and federal economic stimulus funding has been added to several projects. The revised project list in Attachment I reflects these events and also extends the funding plan from FY2011 to FY2012.

The following are additions to the May 5, 2008, C&I revenues project list:

- Stringfellow Road Widening: \$6 million to cover anticipated cost increases -- This project was originally fully funded with general obligation bonds from the 2004 and 2007 transportation bond referenda.
- Route 29 at Gallows Road Intersection Improvements: \$14 million -- This project was originally fully funded in VDOT's Six-Year Plan. C&I revenues are now needed to offset cuts in the VDOT Six-Year Plan.
- Tysons Dulles Toll Road Connections Operational Study, Conceptual Design, and Engineering: \$2.3 million -- This project focuses on proposed ramps that would connect Tysons Corner with the Dulles Toll Road. The project will include an operational analysis of the ramps and preliminary engineering to determine right-of-way requirements.
- Telegraph Road Widening (South Kings Street to South Van Dorn Street): \$10 million for design and construction of this BRAC-related project.

Board Agenda Item  
July 13, 2009

- Local Cash Match Reserve: \$3.2 million reserved for matches of state and/or federal grants.
- Dulles Rail Support: \$8 million reserved to support Dulles Rail project needs.
- Wiehle Avenue Station Parking Garage Design: \$8.6 million for design and other pre-construction activities associated with the Wiehle Avenue Station Parking Garage and joint development. Garage construction is to be funded through bonds.
- Richmond Highway Widening, Design Only (Mulligan Road/Route 235 South to Fairfax County Parkway Tentatively Set as Project Limits): \$3 million for design of this BRAC-related project.

The following are modifications to the May 5, 2008, C&I tax revenues project list:

- Other BRAC and Secondary Road Project Development and Implementation: Revised funding allocation from C&I tax revenues for transportation from about \$39 million (between FY2009 and FY2011) to about \$23 million (between FY2009 and FY2012). This modification reflects the proposed transfer and use of a variety of funds from other projects and sources, including grants, previously allocated state and federal funds, and 2007 transportation bond funding, thereby freeing up C&I funding for other needs. Full funding is available for the following BRAC-related projects, supported in part or in full by C&I tax revenues:
  - Central Springfield Park-and-Ride Facility, Land Acquisition (design and construction funding currently anticipated from other sources)
  - Telegraph Road Widening (from Beulah Street to Leaf Road)
  - Mulligan Road (Old Mill Road Extended): Replacement for Woodlawn Road as a four-lane roadway
  - Telegraph Road Widening (South Kings Street to South Van Dorn Street)
  - Richmond Highway Widening, Design Only (Tentative Limits from Mulligan Road/Route 235 South to Fairfax County Parkway)
- Spot, Pedestrian, Bike, and Bus Stop Programs: Overall C&I funding for these programs has been increased from \$7 million between FY2009 and FY2011 to over \$19 million between FY2009 and FY2012. These funds will in part be used to pay for small scale projects for which there is no longer funding in the VDOT Six-Year Secondary Program. A small number of additional spot, pedestrian, bike, and bus stop projects, now being identified by Board members, the Transportation Advisory Commission, and staff, will be funded from this higher amount.

Board Agenda Item  
July 13, 2009

- Columbia Pike Streetcar: \$16 million in additional funding (\$18 million total) for anticipated design, right-of-way, and construction costs. See “Other Transportation Funding Sources” section below for additional recommended funding for this project.
- Fairfax County Parkway Interchange with Fair Lakes Parkway and Monument Drive: ARRA funds allow for adjustment.
- Richmond Highway Public Transportation Initiative: Sufficient federal CMAQ funding eliminates need for additional C&I funding at this time.
- Franconia-Springfield Parkway/Neuman Street Interchange Preliminary Engineering: \$2 million in C&I revenues was allocated to this project. There is no foreseeable funding available to construct this interchange; therefore, staff has recommend reprogramming design funding to other projects on the C&I project list.

Fairfax County 2004 and 2007 General Obligation Bond Referenda for Transportation

- Stringfellow Road Widening: There is an anticipated \$1.9 million in cost savings from the Centreville Road widening project between Metrotech Drive and McLearen Road. This project was part of the 2004 transportation bond referendum. Staff recommends using this cost savings to help offset anticipated cost increases to the Stringfellow Road widening project which is also part of the 2004 and 2007 transportation bond referenda. The estimated \$1.9 million is in conjunction with approximately \$6 million identified from the C&I tax.

Fairfax Center Area Developer Contributions

- Route 29 Widening – Centreville to Fairfax City: Approximately \$7.8 million had been identified in C&I revenues for this project. Staff recommends using approximately \$1 million instead from developer contributions to the Fairfax Center Area Fund.

Other Transportation Funding Sources

Staff recommends a number of changes to funds previously awarded to the County by other state and federal sources. These changes are needed in order to fully fund projects and allow C&I revenues to be used for other projects. The following are key recommendations for previously awarded funds:

Board Agenda Item  
July 13, 2009

- Franconia-Springfield Parkway I-95 (SOV) Interchange: \$4.8 million in NVTD bonds are currently allocated to this project. There are no foreseeable sources to fully fund this project; therefore, staff recommends reallocating this money to partially offset funding cuts by VDOT on the Route 7 widening project and on the Telegraph Road widening project. See following recommendation and the C&I project list for other recommended sources for remaining gap for the Telegraph Road widening project.
- Franconia Road – South Van Dorn Street Interchange: \$6 million in RSTP funding was allocated to this project. There are no foreseeable sources to fully fund this project; therefore, staff recommends reallocating this money to partially offset funding cuts by VDOT on the Telegraph Road widening project. Sufficient funding remains, however, to complete design of the interchange. See previous recommendation and the C&I project list for other recommended sources for remaining gap.

Staff also recommends applying for the following projects and allocations for FY2011 and FY2012 CMAQ and RSTP funds:

- Route 29 at Gallows Road Intersection Improvements: This project is currently under funded, due to cuts in VDOT's Six-Year Plan. Recommended C&I revenue allocations will partially cover this shortfall. To cover the remaining, staff recommends submitting an application for \$16 million in FY2011 RSTP funds.
- I-66/Vienna Metrorail Accessibility and Capacity Improvements (Vaden Ramp): Request \$5 million from anticipated CMAQ or RSTP funding in FY2011.
- Columbia Pike Streetcar: Request for \$20 million from anticipated CMAQ funding in FY2012 for anticipated design, right-of-way, and construction costs. This is addition to recommended \$18 million in C&I revenues mentioned previously.

FISCAL IMPACT:

Recommended changes to the funding allocations and project list for C&I revenues have no impact to the General Fund. Projects funded by C&I revenue are appropriated in Fund 124, County and Regional Transportation Projects. The majority of funding is appropriated to a capital projects reserve. As projects progress towards implementation and require payments, funding will be appropriated from the reserve to individual projects.

Board Agenda Item  
July 13, 2009

Projects funded through the County's transportation bond program are appropriated in Fund 304, Transportation Improvements. The recommended action would transfer the approximately \$1.9 million in cost savings from the Centreville Road widening project to the Stringfellow Road widening project at an appropriate quarterly budget review.

Fairfax Center Area developer contributions are appropriated in Fund 301, Contributed Roadway Improvement Fund. The recommended action would authorize staff to spend approximately \$1 million from the Fairfax Center Area fund to Route 29 widening within the boundaries of the Fairfax Center Area.

CMAQ and RSTP funds are federal funds and do not impact the General Fund.

ENCLOSED DOCUMENTS:

Attachment I: Recommended Funding Allocations and Project List – Fairfax County C&I Revenues FY2009 – FY2012

Attachment II: Recommended Revisions to Other Transportation Funding Sources

Attachment III: May 21, 2009, Transportation Funding Update Memorandum to the Board

Attachment IV: June 15, 2009, Transportation Funding Update briefing to the Board Transportation Committee

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Tom Biesiadny, Chief, Coordination and Funding Division, FCDOT

Jay Guy, Senior Transportation Planner, Coordination and Funding Division, FCDOT

Otto Clemente, Senior Transportation Planner, Coordination and Funding Division, FCDOT

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

## INFORMATION – 1

### Contract Award – Traffic Signalization Design Services, Task Order Contracts

Consultant engineering services are needed to provide Traffic Signalization Design Services on various Fairfax County projects, which are being designed by County staff and/or when these services are not part of a design contract with an outside firm. The Request for Qualifications indicated that two task order contracts would be awarded. The contracts will be for a one year period, with an annual ceiling of \$2,500,000 and a maximum value of \$1,000,000 per project. The contract term is for a 12-month period with an option to renew for up to two years.

The engineering firms of Vanasse Hangen Brustlin, Inc. (VHB) and Kimley-Horn and Associates, Inc. (KHA) were selected in accordance with the Fairfax County Purchasing Resolution. The Department of Tax Administration has verified that VHB and KHA have the appropriate Fairfax County Business, Professional and Occupational License.

Unless otherwise directed by the Board of Supervisors, the Department of Public Works and Environmental Services will proceed to award this contract to VHB and KHA in the amount of \$2,500,000 each. The contract will be renewable for two additional years.

#### FISCAL IMPACT:

Funding for this contract will be available from the applicable projects for which the engineering service is required. The Department of Public Works and Environmental Services will authorize individual task orders as they are identified.

#### ENCLOSED DOCUMENTS:

Attachment 1 - List of Awardees and other firms interviewed  
(Copy of contracts available in Office of the Clerk to the Board)

#### 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

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

## INFORMATION - 2

### Quarterly Status Report on the Board's Second Four-Year Transportation Program

On October 15, 2007, the Board of Supervisors approved their Second Four-Year Transportation Program for FY 2008 through FY 2011. Supported by the \$110 million Transportation Bond approved by voters in November 2007, the Second Four-Year Plan is multi-modal and includes projects for major roadways, pedestrian and spot improvements, and transit. The Plan also includes innovative project design and delivery and programs designed to serve special populations. In addition to the 2007 Transportation Bond Projects, the Second Four-Year Plan also includes a number of projects funded through partnerships with State, Federal, and Regional agencies. The Second Four-Year Transportation Plan is designed to enhance mobility, promote safety, and create choices for the commuting public. The Plan seeks to follow an ambitious schedule to implement these projects and programs within a four-year timeframe.

This report has been compiled by Fairfax County Department of Transportation (FCDOT) staff in consultation with their implementation partners in the Department of Public Works and Environmental Services (DPWES) and the Virginia Department of Transportation (VDOT) Northern Virginia District.

Staff provides a status update every quarter for the Four-Year Program and an annual report in the winter on all active transportation projects. The status reports are posted on the FCDOT website following the Board's review.

#### ENCLOSED DOCUMENTS:

Attachment 1: June 2009 Status Report on the Fairfax County Board of Supervisors' Four-Year Transportation Program for FY 2008 Through FY 2011

#### 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  
Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)  
Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT  
Karyn L. Moreland, Chief, Capital Projects Section, FCDOT  
Brent Payne, Capital Projects Section, FCDOT

**THIS PAGE INTENTIONALLY LEFT BLANK**

INFORMATION – 3

Work Plan Agreement Between the Natural Resources Conservation Service, the Northern Virginia Soil and Water Conservation District, and Fairfax County for the Rehabilitation of Pohick Creek Dam Site Number 2, Lake Barton (Braddock District)

Pohick Creek Dam Site Number 2, known locally as Lake Barton, was constructed in 1978. The project was a joint effort between the Soil Conservation Service, now the Natural Resources Conservation Service (NRCS), the Northern Virginia Soil and Water Conservation District (NVSWCD), and Fairfax County. The Lake Barton dam does not meet current NRCS or Virginia Division of Dam Safety standards for performance of its auxiliary spillway.

In November of 2000, the “Small Watershed Rehabilitation Amendments of 2000” revised Public Law 83-566 to establish a cost-share rehabilitation program whereby a sponsoring community having dams constructed by the NRCS could receive federal assistance for the rehabilitation of these facilities. Under this program, the NRCS provides up to 65% of the total project cost, with the sponsoring community contributing 35% of the total cost.

A draft rehabilitation plan for Lake Barton was completed by the NRCS in May 2009, and the final plan is expected to be complete by August 2009. The NRCS also advised the County and NVSWCD in May 2009 that it had received funds under the American Recovery and Reinvestment Act to provide technical and financial assistance for the rehabilitation of Lake Barton.

The rehabilitation plan for Lake Barton recommends constructing a reinforced concrete cutoff wall across the auxiliary spillway at the end of the level section, and a concrete secant wall near the end of the outlet section. Additional required changes to the facility to meet NRCS and state standards include extending the earthen training dikes to protect the dam embankment, regrading a small section of the dam embankment near the auxiliary spillway, raising the auxiliary spillway crest by 0.5 feet, and minor modifications to the principal spillway.

In order to meet NRCS requirements for cost-sharing, a minimum 50-year reservoir sediment storage capacity is required. NRCS has estimated that the sediment storage pool for Lake Barton currently only has a capacity of 42 years. The preferred alternative identified in the rehabilitation plan to meet the sediment storage capacity is to raise the normal pool elevation by 0.8 feet. However, the County has the option to dredge approximately 15,000 cubic yards of sediment to meet the 50-year sediment storage capacity requirements. Dredging costs are not included in the agreement, but the

Board Agenda Item  
July 13, 2009

County continues to seek any federal cost-sharing opportunities for dredging that may be available.

The final design for this project is expected to be completed by Spring 2010, and construction is projected to begin in the Summer of 2010, subject to obligation of the necessary funding by NRCS. The rehabilitated structure will have a projected life expectancy of 50 years after construction is complete. The NRCS identifies 192 residential properties, and 41 industrial, commercial, and public sites potentially in the dam breach inundation zone. Additionally, three major roads and a railroad are also in the inundation zone.

Unless otherwise directed by the Board of Supervisors, the County Executive, on behalf of the County, will sign the Work Plan Agreement with the Natural Resources Conservation Service and the Northern Virginia Soil and Water Conservation District for the rehabilitation of Pohick Creek Dam Site Number 2.

FISCAL IMPACT:

The estimated cost-shareable amount of the project is \$2,660,000. The NRCS will pay 65% of the cost (\$1,729,000), with the County required to fund 35% (\$931,000). This project will be funded through Fund 318, which currently has a balance of approximately \$12 million.

ENCLOSED DOCUMENTS:

Attachment 1: Work Plan Agreement

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

Board Agenda Item  
July 13, 2009

INFORMATION - 4

Planning Commission Action on Application 2232-S09-6, Cricket Communications and T-Mobile Northeast, LLC (Springfield District)

On Thursday, June 25, 2009, the Planning Commission voted unanimously (Commissioners Alcorn, Donahue and Hall absent from the meeting) to approve 2232-S09-6.

The Commission noted that the application met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia.

Application 2232-S09-6 sought approval to construct a telecommunications facility on a replacement monopole/light pole at Centreville High School, 6001 Union Mill Road in Clifton. The 120 foot tall structure will replace the existing 65' tall light pole, with lights mounted on the new pole at the same height as the current light pole. (Tax Map 66-1 ((1))12A, 12B).

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts from 6/25/09 Commission meeting

Attachment 2: Vicinity maps

STAFF:

Robert A. Stalzer, Deputy County Executive

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

David B. Marshall, Assistant Director, Planning Division, DPZ

Barbara J. Lippa, Executive Director, Planning Commission Office

**THIS PAGE INTENTIONALLY LEFT BLANK**

INFORMATION - 5

Contract Award – Employee Benefits Consulting Services

The Department of Human Resources (DHR) offers a wide variety of benefit programs to approximately 12,500 eligible employees and 3,500 retirees. DHR continues to examine the County's benefits programs and provide the most viable and cost effective options available for the County employees and retirees with the assistance of a benefits and actuarial services consultant.

In order to establish a contract, the Department of Purchasing and Supply Management issued a Request for Proposal (RFP09-114429-32) for the provision of Employee Benefits Consulting Services on February 25, 2009.

Tasks required to be performed under the contract for benefits consulting and actuarial services include, at a minimum:

- a. Review of and consulting related to Point of Service Managed Care; Preferred Provider Organization and Open Access Health plans to include design;
- b. Actuarial review of health cost incurred to include IBNR (incurred but not reported) and projection of future claims and related changes to premiums;
- c. Actuarial valuation of GASB 45 liabilities (other post-employment benefits)
- d. Review of and consulting related to Deferred Compensation {(IRC Section 457(b)} plan design, fund selection, and fund performance review;
- e. Consulting and advisory services related to Investment Policy Review and Revision;
- f. Review of and development of requests for proposals for Dental Insurance, Long Term Disability Insurance and Life Insurance;
- g. Review of and consulting related to Vision Benefits;

Board Agenda Item  
July 13, 2009

The solicitation notice was sent to approximately 2,369 firms. Five offerors responded with proposals by the closing date of March 27, 2009. The Selection Advisory Committee (SAC), appointed by the County Purchasing Agent, evaluated the proposals in accordance with the criteria established in the RFP. Upon completion of the final evaluation of the proposals, the SAC negotiated with the top-rated offerors and recommended contract award to Aon Consulting, as the firm offering the best overall proposal.

Aon Consulting, one of the largest employee benefits consulting and risk management firms in the area, offers services in the areas of human capital, health and benefits, retirement, outsourcing and compensation. Combined with the strength of the national resources, Aon Consulting is committed to being accessible to the County's needs and will offer services out of their Washington, DC/Baltimore office.

The Department of Tax Administration verified that Aon Consulting is not required to have a Fairfax County Business, Professional and Occupational License (BPOL).

Unless otherwise directed by the Board of Supervisors, the Purchasing Agent will proceed to award this contract to Aon Consulting. This contract will begin on date of award and terminate on May 31, 2014. The contract is a five year contract with five (5) one-year renewal options. The total annual estimated amount of this contract is \$250,000.

FISCAL IMPACT:

The Department of Human Resources, in conjunction with Agency 89, Employee Benefits, has approximately \$250,000 budgeted in Fiscal Year 2010 for employee benefit-related consulting services.

ENCLOSED DOCUMENTS:

Attachment 1: List of Offerors

STAFF:

Edward Long, Deputy County Executive

Cathy A. Muse, Director, Department of Purchasing and Supply Management

Board Agenda Item  
July 13, 2009

## INFORMATION - 6

### Contract Award – Enterprise Resource Planning (ERP) Software

Fairfax County continues to be one of the best-managed counties in the United States and is a nationwide model for academic excellence. However, many of the technology applications that are core to running government and school operations are well beyond their useful lifecycle, are technologically obsolete, and do not have capabilities that are available in current technology, which has advanced dramatically in the areas of financial and human resource management.

The Fairfax County government and school system have embarked on a multi-year, joint initiative that will modernize the portfolio of enterprise systems that support finance (FAMIS), human resources (government: PRISM/schools: LAWSON), budget (BPREP), procurement (CASPS) and related administrative applications with an integrated approach that has the flexibility to meet our current and future requirements. This is referred to by the marketplace as an Enterprise Resource Planning (ERP) system. The project seeks to mitigate the risk that antiquated and disjointed systems pose for system failure, administrative inefficiencies, and inferior data utility.

A governance body of senior officials of the government and school system stakeholder agencies was created early in the project lifecycle to form a project Steering Committee. Additionally, a joint project team comprised of County and School employees was selected to provide the necessary core resources to lead the projects efforts and the Government Finance Officer's Association (GFOA) was retained to provide expertise during the planning and procurement phases of the project. During the early research and planning phases of the project, these stakeholders analyzed the ERP vendor marketplace and reviewed various procurement options for the purchase of the system. It was unanimously decided to pursue the purchase of the software separately from the consultant resources required to implement the system. In addition, the stakeholders determined it was in the best interest of the County to pursue the purchase of the software from the General Services Administration (GSA) schedules.

In accordance with the County's policy on the use of GSA schedules, the Department of Purchasing and Supply Management issued a Competitive Negotiation Invitation (CNI) on November 14, 2008, to selected software companies that have proven experience in Enterprise Resource Planning systems for large governmental and K-12 educational entities. The scope of the system includes: General Ledger; Budget; Accounts Payable; Accounts Receivable; Fixed Assets; Grant Accounting; Project Accounting; Inventory; Purchasing; Treasury Management; Personnel Administration; Benefits Administration; Risk Management; Time and Attendance; Payroll; and Training Administration.

Board Agenda Item  
July 13, 2009

Three firms responded to the solicitation by the closing date of December 12, 2008. The Selection Committee, comprised of Fairfax County government department directors and Fairfax County Public Schools Assistant Superintendents, evaluated the proposals in accordance with the criteria established in the CNI. Upon completion of the final evaluation of the proposals, the Selection Committee recommended that negotiations commence with the two top-ranked offerors. Negotiations were entered into with the two top-ranked offerors and an agreement was reached with SAP Public Services, Inc. The Selection Committee unanimously recommended to the Director of Purchasing and Supply Management that the contract be awarded to SAP Public Services, Inc.

Since 1998, GFOA has been assisting public sector organizations during the ERP software selection process. In that same timeframe, GFOA has negotiated multiple software contracts with many vendors, including the Offerors noted in Attachment 1. GFOA believes the software procurement process Fairfax followed and the due diligence of the dedicated negotiating team brought outstanding results, not only in much lower costs for the County, but also much-improved contract terms and conditions along with commitments from the vendor that the County will benefit from for the next ten years.

The Fairfax County Business, Professional and Occupational License (BPOL) is not required for this contract.

Unless otherwise directed by the Board of Supervisors, the Purchasing Agent will proceed to award the contract to SAP Public Services, Inc. The total estimated amount of this contract is \$4,698,150.

FISCAL IMPACT:

The total fiscal impact to the County for FY 2010 for the ERP contract is \$4,698,150. Funds are currently available in the *FY 2010 Revised Budget Plan* within Fund 104, Information Technology, IT0079, Legacy Systems Replacement Project to cover this cost.

The first year acquisition cost of the ERP contract is \$4,698,150 which is approximately 49 percent less than the second rated Offeror; the ten year cost is estimated to be \$13,856,775 or approximately 41 less than the second rated Offeror.

ENCLOSED DOCUMENTS:

Attachment 1 - List of Offerors for CNI09-101130-10

STAFF:

Edward L. Long, Jr., Deputy County Executive  
Cathy Muse, Director, Department of Purchasing and Supply Management  
Wanda Gibson, Chief Technology Officer

Board Agenda Item  
July 13, 2009

10:50 a.m.

Matters Presented by Board Members

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

11:40 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. *Authorization to Petition the General District Court for a Subpoena on Behalf of the Fairfax County Human Rights Commission in Kimberly Evans v. Chesapeake Bay Seafood House d/b/a Chili's Grill and Bar* (Mason District)
  - 2. *Shirley Ann Stewart v. Court Services Division, et al.*, Case No. 09-0255 (Va. Sup. Ct.)
  - 3. *DeCarlo Enterprises, Inc. t/a Fairfax Propane v. Fairfax County, et al.*, Case No. CL-2009-0007414 (Fx. Cir. Ct.) (Hunter Mill District)
  - 4. *Glenn S. Ovrevik, Mary R. Ovrevik, and James H. Wessels v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2009-0005160 (Fx. Co. Cir. Ct.) (Lee District)
  - 5. *Eileen M. McLane, Fairfax County Zoning Administrator v. Esteban Maldonado*, Case No. CL-2007-0015031 (Fx. Co. Cir. Ct.) (Lee District)
  - 6. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. David Strohl and Pamela L. Strohl*, Case No. CL-2008-0016691 (Fx. Co. Cir. Ct.) (Lee District)

7. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Juan C. Justiniano, Case No. CL-2008-0015614 (Fx. Co. Cir. Ct.) (Lee District)*
8. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Edward L. Miller and Virginia P. Miller, Case No. CL-2008-0010203 (Fx. Co. Cir. Ct.) (Lee District)*
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sergio E. Ayala and Laura Sanchez, Case No. CL-2008-0016939 (Fx. Co. Cir. Ct.) (Lee District)*
10. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Susan W. Butler, Case No. CL-2008-0015767 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
11. *Jimmie D. Jenkins, Director, Fairfax County Department of Public Works and Environmental Services v. Raj Mehra and Urvashi Mehra, Case No. CL-007-0011679 (Fx. Co. Cir. Ct.) (Dranesville District)*
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jose A. Munoz, Case No. CL-2009-0003770 (Fx. Co. Cir. Ct.) (Lee District)*
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Judith Rae Evans, Case No. CL-2007-0012671 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
14. *Board of Supervisors of Fairfax County, Virginia, and Eileen M. McLane, Fairfax County Zoning Administrator v. Board of Zoning Appeals of Fairfax County, Virginia, and Hermilio Machicao, Case No. CL-2008-0010800 (Fx. Co. Cir. Ct.); Eileen M. McLane, Fairfax County Zoning Administrator v. Hermilio Machicao and J.A.M. Homes, Inc., Case No. CL-2008-0016138 (Fx. Co. Cir. Ct.) (Lee District)*
15. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. 9140 Backlick, LLC, Case No. CL-2008-0010724 (Fx. Co. Cir. Ct.) (Mount Vernon District)*

16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Teodoro Rojas, Rosa Amanda Rojas, and Mario T. Rojas*, Case No. CL-2009-0005033 (Fx. Co. Cir. Ct.) (Lee District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Weiwen Gu, Lin Qi, Weijiang Gu, and Jimei Xiao*, Case No. CL-2009-0004250 (Fx. Co. Cir. Ct.) (Hunter Mill District) (Strike Team Case)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mouhammad A. Kassar, Amine M. Kassar, and Samy A. Kassar*, Case No. CL-2009-0004611 (Fx. Co. Cir. Ct.) (Lee District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. William S. French, III, and Ann R. French*, Case No. CL-2008-0016979 (Fx. Co. Cir. Ct.) (Dranesville District)
20. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Janine R. Perky*, Case No. CL-2009-0005395 (Fx. Co. Cir. Ct.) (Providence District)
21. *Jimmie D. Jenkins, Director, Fairfax County Department of Public Works and Environmental Services v. Matthew Q. Pugsley and Barbara T. Pugsley*, Case No. CL-2009-0005807 (Fx. Co. Cir. Ct.) (Springfield District)
22. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Angel A. Contreras*, Case No. CL-2009-0005034 (Fx. Co. Cir. Ct.) (Mount Vernon District) (Strike Team/BNV Case)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tania Soto-Yapura*, Case No. CL-2009-0005284 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
24. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Porfirio H. R. Bonilla and Gloria Alvarez Diaz*, Case No. CL-2009-0003062 (Fx. Co. Cir. Ct.) (Springfield District) (Strike Team Case)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Abdelkrim Elmouhib*, Case No. CL-2009-0008424 (Fx. Co. Cir. Ct.) (Providence District)

26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gilbert Rojas, a/k/a Gilberto Rojas*, Case No. CL-2009-0008425 (Fx. Co. Cir. Ct.) (Lee District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ronald F. Tropea and Mary Jane Tropea*, Case No. CL-2009-0008545 (Fx. Co. Cir. Ct.) (Sully District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Larry Joe Thompson and Marlene K. Hattermann-Thompson*, Case No. CL-2009-0008544 (Fx. Co. Cir. Ct.) (Providence District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Power Fuel & Transport Real Estate Holding Company, L.L.C.*, Case No. CL-2009-0008478 (Fx. Co. Cir. Ct.) (Mount Vernon District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jaime R. Rueda*, Case No. CL-2009-0008709 (Fx. Co. Cir. Ct.) (Mason District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Son Tran and Dung H. Tran*, Case No. CL-2009-0008760 (Fx. Co. Cir. Ct.) (Providence District)
32. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. David Boies*, Case No. CL-2009-0008761 (Fx. Co. Cir. Ct.) (Springfield District)
33. *Eileen M. McLane, Fairfax County Zoning Administrator v. James C. Benton*, Case No. CL-2009-0008759 (Fx. Co. Cir. Ct.) (Lee District)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Muhammad Aziz and Shahnaz Aziz*, Case Nos. 09-0012874 and 09-0012875 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jahanza Khan and Shabana Khan*, Case Nos. 09-0015430 and 09-0015431 (Fx. Co. Gen. Dist. Ct.) (Lee District)
36. *Eileen M. McLane, Fairfax County Zoning Administrator v. Kathleen M. Ward Ciccotelli*, Case Nos. 09-0015620 and 09-0015621 (Fx. Co. Gen. Dist. Ct.) (Lee District)

Board Agenda Item  
July 13, 2009

3:00 p.m.

Public Hearing on RZ 2008-PR-009 (INOVA Health Care Services) to Rezone from R-1 and R-12 to C-3 to Permit an Expansion of Existing Medical Care Facilities (Hospital and Accessory Uses) and Public Uses with an Overall Floor Area Ratio of 0.8, Located on Approximately 65.46 Acres, Providence District

and

Public Hearing on SEA 80-P-078-15 (INOVA Health Care Services) to Amend SE 80-P-078 Previously Approved for Medical Care Facilities (Hospital and Accessory Uses) and Increase in Building Height to Permit Increase in Land Area, Building Additions, Site Modifications and Associated Modifications to Site Design and Development Conditions, Located on Approximately 65.46 Acres Proposed to be Zoned C-3, Providence District

and

Public Hearing on PCA 87-P-038-04 (INOVA Health Care Services) to Amend the Proffers for RZ 87 P-038 as Amended Previously Approved for an Assisted Living Facility and Office Uses to Permit Commercial Development and Public Uses and Associated Modifications to Proffers and Site Design with an Overall Floor Area Ratio of 0.7, Located on Approximately 16.14 Acres Zoned C-3, Providence District.

The application property for RZ 2008-PR-009 is located in the northwest quadrant of the intersection of Woodburn Road and Gallows Road. Tax Map 49-3 ((1)) 136C and 136C1; 059-2 ((1)) 1A pt., 1B, 1C, 1D and 1E.

The application property for SEA 80-P-078-15 is located at 3300-3312 Gallows Road and 3300-3340 Woodburn Road. Tax Map 49-3 ((1)) 136C and 136C1; 059-2 ((1)) 1A pt., 1B, 1C, 1D and 1E.

The application property for PCA 87-P-038-04 is located in the southeast quadrant of the intersection of Arlington Boulevard and Williams Drive, Tax Map 49-3 ((1)) 141.

**PLANNING COMMISSION RECOMMENDATION:**

On Thursday, June 25, 2009, the Planning Commission voted 6-0-2 (Commissioner Sargeant recused; Commissioners Harsel and Murphy abstaining; Commissioners Alcorn, Donahue, and Hall absent from the meeting) to recommend the following actions to the Board of Supervisors:

Board Agenda Item  
July 13, 2009

- Approval of RZ 2008-PR-009, subject to the execution of proffers consistent with those dated June 23, 2009;
- Approval of SEA 80-P-078-15, subject to the Development Conditions dated June 23, 2009, and subject also to Board approval of RZ 2008-PR-009;
- Modification of the transitional screening requirements and waiver of the barrier requirements in favor of that shown on the GDP/SEA Plat;
- Approval of PCA 87-P-038-04, subject to the execution of proffers consistent with those dated June 23, 2009;
- Reaffirmation of the modification of the transitional screening requirement and waiver of the barrier requirement along the south and east property lines in favor of that shown on the GDP;
- Reaffirmation of the waiver of the service drive requirement along Route 50 (Arlington Boulevard); and
- Modification of the loading space requirement for office uses to permit a maximum of three loading spaces per building shown on the GDP.

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

Board Agenda Item  
July 13, 2009

3:00 p.m.

Public Hearing on SEA 85-L-059-06 (BSI Incorporated t/a Browne Academy) to Amend SE 85-L-059 Previously Approved for a Private School of General Education, Nursery School, Child Care Center, Uses in a Floodplain and RPA Exception to Permit an Increase in Land Area and Associated Modifications to Site Design and Development Conditions, Located on Approximately 11.59 Acres Zoned R-4, Lee District

Also under the Board's Consideration will be the applicant's Chesapeake Bay Resource Protection Area Encroachment Exception Request # 6562-WRPA-002-1 under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance (Chapter 118) of the Code of the County of Fairfax and a related Water Quality Impact Assessment. The applicant proposes to construct a playground, parking and vehicular access within a Resource Protection Area.

The application property is located at 5909, 5917 and 5923 Telegraph Road, Tax Map 82-4 ((1)) 31A, 32 and 33.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing will be held on July 8, 2009. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)  
Kelli-Mae Goddard-Sobers, Staff Coordinator, Zoning Evaluation Division, DPZ

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

3:00 p.m.

Public Hearing on PCA 2006-SU-025 (Commonwealth Centre Investors, LLC and Commonwealth Centre Investors II, LLC) to Amend the Proffers for RZ 2006-SU-025 Previously Approved for Mixed Use Development to Permit Site Modifications with an Overall Floor Area Ratio of 0.32, Located on Approximately 100.81 Acres Zoned PDC and WS, Sully District

The application property is located in the north quadrant of the intersection of Sully Road and Westfields Boulevard, Tax Map 44-1 ((1)) 6, 6B, 6C, 6D and 6E.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 11, 2009, the Planning Commission voted unanimously (Commissioners Alcorn and Hall absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 2006-SU-025, subject to the execution of proffers consistent with those dated May 20, 2009; and
- Reaffirmation of the waiver of the service drive requirement along Sully Road (Rt. 28).

The Planning Commission also voted unanimously (Commissioners Alcorn and Hall absent from the meeting) to approve FDPA 2006-SU-025, subject to the Development Conditions dated May 28, 2009, and subject also to Board approval of PCA 2006-SU-025.

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

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

3:00 p.m.

Public Hearing on RZ 2005-HM-028 (Pedro & Carmen M. Toscano, Jr.) to Rezone from R-1 to R-2 to Permit Residential Development at a Density of 1.2 Dwelling Units Per Acre Located on Approximately 1.67 Acres, Hunter Mill District

and

Public Hearing on SE 2007-HM-023 (Pedro & Carmen M. Toscano, Jr.) to Permit a Waiver of the Minimum Lot Width Requirement, Located on Approximately 1.67 Acres Zoned R-2, Hunter Mill District

**Public hearing on RZ 2005-HM-028 SE 2007-HM-023 are TO BE DEFERRED to August 3, 2009, at 3:00 p.m.**

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

3:00 p.m.

Public Hearing on SE 2007-DR-025 (Mr. Mostafa and Dr. Lily Nadimi) to Permit a Waiver of the Minimum Lot Width Requirement, Located on Approximately 5.0 Acres Zoned R-E, Dranesville District

The application property is located at 8325 Old Dominion Drive, Tax Map 20-3 ((2)) 2.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, May 28, 2009, the Planning Commission voted unanimously (Commissioners Harsel and Murphy absent from the meeting) to recommend that the Board of Supervisors approve SE 2007-DR-025, subject to the Development Conditions dated May 28, 2009.

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

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

3:00 p.m.

Public Hearing on SEA 85-S-109-02 (Medical Facilities of America XXIX (29) LP) to Amend SE 85-S-109 Previously Approved for a Medical Care Facility to Permit a Building Addition and Associated Modifications to Site Design and Development Conditions, Located on Approximately 7.66 Acres Zoned R-1, Braddock District

The application property is located at 9640 Burke Lake Road, Tax Map 78-3 ((1)) 12A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, May 28, 2009, the Planning Commission voted 9-0-1 (Commissioner Litzenberger abstaining; Commissioners Harsel and Murphy absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SEA 85-S-109-02, subject to the Development Conditions dated May 20, 2009;
- Modification of the requirement in Part 3 of Article 9 that no freestanding nursing facility be established except on a parcel of land fronting on and with direct access to an existing or planned collector or arterial street;
- Modification of the 100-foot setback requirement between the medical care facility and adjacent land zoned R-1;
- Modification of the parking of vehicles near R-District lot lines, as required in Sect. 9-609;
- Waiver of the 600-foot maximum private street length; and
- Modification of the transitional screening requirement for the southeastern property line to allow landscaping as shown on the SEA Plat.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

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

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

3:30 p.m.

Public Hearing on RZ 2008-PR-017 (Merrifield Garden Center Corporation) to Rezone from R-3 and HC to C-8 and HC to Permit Retail Sales Establishment with an Overall Floor Area Ratio of 0.32 and a Waiver of the Minimum Lot Size, Located on Approximately 10,155 Square Feet, Providence District

and

Public Hearing on SE 2006-PR-018 (Merrifield Garden Center Corporation) to Permit a Plant Nursery, Located on Approximately 3.91 Acres Zoned I-5 and HC, Providence District

The application property is located east of Gallows Road and north of Lee Highway at 8112 Lee Highway, Tax Map 49-2 ((1)) 28A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 25, 2009, the Planning Commission voted unanimously (Commissioners Alcorn, Donahue, and Hall absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2008-PR-017, subject to the execution of proffers consistent with those dated June 12, 2009;
- Waiver of the minimum lot size requirement;
- Approval of SE 2006-PR-018, subject to Development Conditions consistent with those dated June 25, 2009;
- Modification of Standard 9 (Parking) of the Additional Standards for Plant Nurseries in favor of that shown on the SE Plat and as conditioned;
- Waiver of the service drive requirement along Lee Highway;
- Modification of frontage improvements along Lee Highway in favor of that shown on the SE Plat in accordance with VDOT project 0029-029-119; and
- Waiver of Sect. 2-504 of the Zoning Ordinance to permit outdoor storage and sales in a required yard and of Sect. 5-505(3) to permit outdoor storage and sales in a front yard.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

Board Agenda Item  
July 13, 2009

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  
July 13, 2009

3:30 p.m.

Public Hearing on SE 2009-BR-003 (Bourj, Ltd.) to Permit a College/University, Located on Approximately 1.94 Acres Zoned C-3, HC and SC, Braddock District

The application property is located at 7611 Little River Turnpike. Tax Map 70-2 ((1)) 10.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing will be held on July 9, 2009. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

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

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

3:30 p.m.

Public Hearing on SEA 01-H-027-02 (One Reston Co LLC and Two Reston Co LLC) to Amend SE 01-H-027 Previously Approved for an Increase in Building Heights to Permit Increase in Land Area, Additional Increase in Building Height from 75 Feet up to a Maximum of 127 Feet, Increase in Floor Area Ratio from .50 up to .70 and Associated Modifications to Site Design and Development Conditions, Located on Approximately 36.08 Acres Zoned I-4, Hunter Mill District

The application property is located at 12000 and 12010 Sunrise Valley Drive Tax Map 17-3 ((8)) 1A1 and 1B.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on June 25, 2009 and the Commission deferred decision to July 8, 2009. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

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

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

3:30 p.m.

Public Hearing on RZ 2007-LE-007 (Franconia Two LP) to Rezone from C-7, C-8, HC and SC to PDC, HC and SC to Permit Mixed Use Development with an Overall Floor Area Ratio of 1.71, Located on Approximately 78.52 Acres, Lee District

The application property is located south of Franconia Road, east of Loisdale Road, west of Frontier Drive, and north of Spring Mall Road, Tax Map 90-2 ((1)) 81A, 98 and 90-2 ((13)) 1, 2, 3, 4A1, 5A1 and 6.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, February 12, 2009, the Planning Commission voted 8-0-1 (Commissioner Hart abstaining; Commissioners Alcorn, Hall, and Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2007-LE-007, subject to the execution of proffers consistent with those dated February 11, 2009, and the CDP Development Conditions dated February 12, 2009;
- Modification of the required number of loading spaces, as required by the Zoning Ordinance;
- Modification of the minimum eight-foot planting width requirement for trees, as required by the Public Facilities Manual;
- Waiver of the transitional screening yard and barrier requirements between uses on the site;
- Modification of the peripheral parking lot landscaping requirement to that shown on the CDP/FDP;
- Waiver of the interior parking lot landscaping requirement for all existing parking structures;
- Modification of the trail requirement per the Comprehensive Plan for the perimeter of the site;
- Waiver of the 600-foot maximum length requirement for private streets; and
- Modification of the 50 percent limitation on residential as a secondary use in the PDC District.

Board Agenda Item  
July 13, 2009

The Planning Commission voted 8-0-1 (Commissioner Hart abstaining; Commissioners Alcorn, Hall, and Harsel absent from the meeting) to request that the Board review and consider alterations to the Development Conditions, relative to both height and square footage.

The Commission also voted 8-0-1 (Commissioner Hart abstaining; Commissioners Alcorn, Hall, and Harsel absent from the meeting) to approve FDP 2007-LE-007, subject to Board approval of RZ 2007-LE-007 and the Conceptual Development Plan.

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

Board Agenda Item  
July 13, 2009

4:00 p.m.

Public Hearing on Spot Blight Abatement Ordinance for 11307 Stuart Mill Road (Hunter Mill District)

ISSUE:

Public hearing by the Board to consider adoption of a Spot Blight Abatement Ordinance for 11307 Stuart Mill Road, Oakton, VA 22142 (Tax Map No. 036-2-((01))-0019) (Property) and approval of a blight abatement plan for the Property.

RECOMMENDATION:

The County Executive recommends that the Board adopt an ordinance to declare 11307 Stuart Mill Road blighted, constituting a nuisance, and approve the blight abatement plan for the Property.

TIMING:

On May 18, 2009, the Board authorized advertisement of this public hearing to be held Monday, July 13, 2009, at 4:00 p.m.

BACKGROUND:

Va. Code Ann. § 36.49.1:1 (Supp. 2008) (Spot Blight Abatement Statute) allows the Board, by ordinance, to declare a blighted property a nuisance, thereby enabling abatement in accordance with Va. Code Ann. § 15.2-900 (2003) or Va. Code Ann. § 15.2-1115 (Supp. 2007) (Abatement of Nuisance Statutes). The Abatement of Nuisance Statutes permit the County to compel the abatement or removal of nuisances. If, after reasonable notice, the owner(s) fails to abate or obviate the nuisance, the County may abate the nuisance in which event the property owner(s) may then be charged for the costs of abatement, which may be collected from the property owner(s) in any manner provided by law for the collection of state or local taxes.

Properties are considered "blighted" under the Spot Blight Abatement Statute if they meet the definition for "Blighted property" established under Va. Code Ann. 36-3 (Supp. 2008) which defines a blighted property as "any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted pursuant to § 36-49.1:1, under the process for determination of 'spot blight.'"

Board Agenda Item  
July 13, 2009

In November 1996, the Board authorized the implementation of a Blight Abatement Program using the Spot Blight Abatement Statute to address citizen concerns about specific properties in their communities which were abandoned, dilapidated, or otherwise kept in an unsafe state. Under guidelines established by the Board, a property can be considered "blighted" for purposes of a County Abatement Ordinance under the Spot Blight Abatement Statute if it meets the definition for of "Blighted property" under Va. Code Ann. 36-3 (Supp. 2008) and if it meets all of the following conditions:

1. It has been vacant and/or boarded up for at least one year.
2. It has been the subject of complaints.
3. It is no longer being maintained for useful occupancy.
4. It is in a dilapidated condition or lacks normal maintenance or upkeep.

The property located at 11307 Stuart Mill Road was referred to the Blight Abatement Program (BAP) on June 11, 2008. Located on the subject property is old farmhouse, a barn with a standing seam metal roof, and several other outbuildings, one of which has a collapsed roof and the others in various states of disrepair. Some of the structures are open and unsecured. Additionally the property is littered with debris and the old farmhouse has been vandalized and tagged with graffiti. The property owner after receiving Notice, advised he was going to demolish the structures within 30 days but to date this has not occurred.

The two story residential structure was constructed sometime in 1900 according to Fairfax County Tax Records. The dwelling has been vacant since at least September 7, 2006, when the present owner acquired the property.

Due to the age and condition of the dwelling staff feels that it is not economically feasible to repair it and recommends demolition. Staff also recommends the removal of the accessory structures as part of the demolition effort.

On March 25, 2009, the Neighborhood Enhancement Task Force (NETF) found that the subject property met the blighted property guidelines, and the property received a preliminary blight determination. Certified notice was sent to the owner advising him of this determination and this Notice was received and signed for. To date the owner of record has not responded with an abatement plan. BAP staff continue to receive multiple complaints regarding this property and the negative visual impact it has on the adjacent properties and the surrounding community.

In accordance with the Spot Blight Abatement Statute, the Board, by ordinance, may declare the Property to be blighted, and to constitute a nuisance, and approve abatement of blight as allowed under the Va. Code Ann. § 15.2-1115 (Supp. 2007).

State code requires that the Board provide notice concerning adoption of such an ordinance. Notice was published on June 25, 2009, and July 2, 2009. Although the County will continue to seek cooperation from the owner to eliminate the

Board Agenda Item  
July 13, 2009

blighted conditions on the Property, it is requested that a public hearing, in accordance with the Spot Blight Abatement Statute, be held to adopt an Ordinance declaring the property to be blighted and to constitute a nuisance. At the public hearing, the County will also request authorization to contract for demolition of the blighted structures on the site pursuant to Va. Code Ann. §15.2-1115 (Supp. 2007) as authorized under the Spot Blight Abatement Statute. If the owner fails to abate the blighted conditions within thirty days after notification to the Property owner of the Board's action, the County will proceed with demolition of the structures. The County is also asking that the Board of Supervisors direct the Department of Public Works and Environmental Services staff to provide for an expedited processing of the items necessary for the demolition permit. This action will reduce the time it takes for the review of the grading plan and other items that are part of the permit process. The County will incur the cost, expending funds that are available in Project 014048, Revitalization Spot Blight Abatement, within Fund 340, Housing Assistance Program. The County will then pursue reimbursement from the owner who is ultimately liable for all abatement costs incurred. A lien will be placed on the Property and recorded in the County land and judgment records.

FISCAL IMPACT:

In the event that the blighted conditions are not eliminated by the owner, the County will use monies from Project 014048, Revitalization Spot Blight Abatement, within Fund 340, Housing Assistance Program, to demolish the structures. The balance in this project as of May 21, 2009, is \$220,156. It is estimated that the cost of demolition of the structures will be approximately \$50,000. It is anticipated that all of the costs (including direct County administrative costs) of the blight abatement will be recovered from the Property owner. Funds recovered will be allocated to the Blight Abatement Program in order to carry out future blight abatement plans.

ENCLOSED DOCUMENTS:

Attachment 1: Property Photographs

Attachment 2: Ordinance for 11307 Stuart Mill Road (Hunter Mill District)

Attachment 3: Blighted Property Technical Report and Abatement Plan

STAFF:

Jeff Blackford, Operations Section Chief, Enhanced Code Enforcement Strike Team, DPWES  
Captain K.R. McClellan, Deputy Chief Operations/Logistics, Enhanced Code Enforcement Strike Team, Sheriff's Office  
Christina M. Sadar, Blight Abatement Program Coordinator, Enhanced Code Enforcement Strike Team, HCD

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

4:00 p.m.

Public Hearing on Spot Blight Abatement Ordinance for 2703 Groveton Street (Mount Vernon District)

ISSUE:

Public hearing by the Board to consider adoption of a Spot Blight Abatement Ordinance for 2703 Groveton Street, Alexandria, VA 22306 (Tax Map No. 093-1-((18H))-0306) (Property) and approval of a blight abatement plan for the Property.

RECOMMENDATION:

The County Executive recommends that the Board adopt an ordinance to declare 2703 Groveton Street blighted, constituting a nuisance, and approve the blight abatement plan for the Property.

TIMING:

On May 18, 2009, the Board authorized advertisement of this public hearing to be held Monday, July 13, 2009, at 4:00 p.m.

BACKGROUND:

Va. Code Ann. § 36.49.1:1 (Supp. 2008) (Spot Blight Abatement Statute) allows the Board, by ordinance, to declare a blighted property a nuisance, thereby enabling abatement in accordance with Va. Code Ann. § 15.2-900 (2003) or Va. Code Ann. § 15.2-1115 (Supp. 2007) (Abatement of Nuisance Statutes). The Abatement of Nuisance Statutes permit the County to compel the abatement or removal of nuisances. If, after reasonable notice, the owner(s) fails to abate or obviate the nuisance, the County may abate the nuisance in which event the property owner(s) may then be charged for the costs of abatement, which may be collected from the property owner(s) in any manner provided by law for the collection of state or local taxes.

Properties are considered “blighted” under the Spot Blight Abatement Statute if they meet the definition for “Blighted property” established under Va. Code Ann. 36-3 (Supp. 2008) which defines a blighted property as “any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or

Board Agenda Item  
July 13, 2009

improvement previously designated as blighted pursuant to § 36-49.1:1, under the process for determination of 'spot blight.'"

In November 1996, the Board authorized the implementation of a Blight Abatement Program using the Spot Blight Abatement Statute to address citizen concerns about specific properties in their communities which were abandoned, dilapidated, or otherwise kept in an unsafe state. Under guidelines established by the Board, a property can be considered "blighted" for purposes of a County Abatement Ordinance under the Spot Blight Abatement Statute if it meets the definition for of "Blighted property" under Va. Code Ann. 36-3 (Supp. 2008) and if it meets all of the following conditions:

1. It has been vacant and/or boarded up for at least one year.
2. It has been the subject of complaints.
3. It is no longer being maintained for useful occupancy.
4. It is in a dilapidated condition or lacks normal maintenance or upkeep.

The property located at 2703 Groveton Street was referred to the Blight Abatement Program (BAP) on July 23, 2007. Located on the subject property are the remains of a house and a large open pit that contains a new basement foundation. This construction project was abandoned in 2006.

On March 25, 2009, the Neighborhood Enhancement Task Force (NETF) found that the subject property met the blighted property guidelines, and the property received a preliminary blight determination. Certified notice was sent to the owner advising him of this determination. Notice was received and signed for. On April 17, 2009, the owner's engineer filed a revised grading plan for county review. The owner's intent is to obtain a permit to demolish the existing structural remains and fill in the open pit as he does not have the finances to complete the project as originally planned.

In accordance with the Spot Blight Abatement Statute, the Board, by ordinance, may declare the Property to be blighted, and to constitute a nuisance, and approve abatement of blight as allowed under the Va. Code Ann. § 15.2-1115 (Supp. 2007).

State code requires that the Board provide notice concerning adoption of such an ordinance. Notice was published on June 25, 2009, and July 2, 2009.

Although the County will continue to seek cooperation from the owner to eliminate the blighted conditions on the property, it is requested that a public hearing, in accordance with the Spot Blight Abatement Statute, be held to adopt an Ordinance declaring the Property to be blighted and to constitute a nuisance. At the public hearing, the County will also request authorization to contract for demolition of the blighted structure on the

Board Agenda Item  
July 13, 2009

site pursuant to Va. Code Ann. §15.2-1115 (Supp. 2007) as authorized under the Spot Blight Abatement Statute. If the owner fails to abate the blighted conditions within thirty days after notification to the Property owner of the Board's action, the County will proceed with demolition of the structure. The County is also asking that the Board of Supervisors direct the Department of Public Works and Environmental Services staff to provide for an expedited processing of the items necessary for the demolition permit. This action will reduce the time it takes for the review of the grading plan and other items that are part of the permit process. The County will incur the cost, expending funds that are available in Project 014048, Revitalization Spot Blight Abatement, within Fund 340, Housing Assistance Program. The County will then pursue reimbursement from the owner who is ultimately liable for all abatement costs incurred. A lien will be placed on the Property and recorded in the County land and judgment records.

FISCAL IMPACT:

In the event that the blighted conditions are not eliminated by the owner, the County will use monies from Project 014048, Revitalization Spot Blight Abatement, within Fund 340, Housing Assistance Program, to demolish the structure. The balance in this project as of May 21, 2009, is \$220,156. It is estimated that the cost of demolition of the structures will be approximately \$15,000. It is anticipated that all of the costs (including direct County administrative costs) of the blight abatement will be recovered from the Property owner. Funds recovered will be allocated to the Blight Abatement Program in order to carry out future blight abatement plans.

ENCLOSED DOCUMENTS:

Attachment 1: Property Photograph

Attachment 2: Ordinance for 2703 Groveton Street (Mount Vernon District)

Attachment 3: Blighted Property Technical Report and Abatement Plan

STAFF:

Jeff Blackford, Operations Section Chief, Enhanced Code Enforcement Strike Team, DPWES  
Captain K.R. McClellan, Deputy Chief Operations/Logistics, Enhanced Code Enforcement Strike Team, Sheriff's Office  
Christina M. Sadar, Blight Abatement Program Coordinator, Enhanced Code Enforcement Strike Team, HCD

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

4:00 p.m.

Public Hearing on Spot Blight Abatement Ordinance for 9310 Gunston Cove Road (Mount Vernon District)

ISSUE:

Public hearing by the Board to consider adoption of a Spot Blight Abatement Ordinance for 9310 Gunston Cove Road, Lorton VA 22079 (Tax Map No. 107-4-((01))-0009B) (Property) and approval of a blight abatement plan for the Property.

RECOMMENDATION:

The County Executive recommends that the Board adopt an ordinance to declare 9310 Gunston Cove Road blighted, constituting a nuisance, and approve the blight abatement plan for the Property.

TIMING:

On May 18, 2009, the Board authorized advertisement of this public hearing to be held Monday, July 13, 2009, at 4:00 p.m.

BACKGROUND:

Va. Code Ann. § 36.49.1:1 (Supp. 2008) (Spot Blight Abatement Statute) allows the Board, by ordinance, to declare a blighted property a nuisance, thereby enabling abatement in accordance with Va. Code Ann. § 15.2-900 (2003) or Va. Code Ann. § 15.2-1115 (Supp. 2007) (Abatement of Nuisance Statutes). The Abatement of Nuisance Statutes permit the County to compel the abatement or removal of nuisances. If, after reasonable notice, the owner(s) fails to abate or obviate the nuisance, the County may abate the nuisance in which event the property owner(s) may then be charged for the costs of abatement, which may be collected from the property owner(s) in any manner provided by law for the collection of state or local taxes.

Properties are considered "blighted" under the Spot Blight Abatement Statute if they meet the definition for "Blighted property" established under Va. Code Ann. 36-3 (Supp. 2008) which defines a blighted property as "any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted pursuant to § 36-49.1:1, under the process for determination of 'spot blight.'"

In November 1996, the Board authorized the implementation of a Blight Abatement Program

Board Agenda Item  
July 13, 2009

using the Spot Blight Abatement Statute to address citizen concerns about specific properties in their communities which were abandoned, dilapidated, or otherwise kept in an unsafe state. Under guidelines established by the Board, a property can be considered “blighted” for purposes of a County Abatement Ordinance under the Spot Blight Abatement Statute if it meets the definition for of “Blighted property” under Va. Code Ann. 36-3 (Supp. 2008) and if it meets all of the following conditions:

1. It has been vacant and/or boarded up for at least one year.
2. It has been the subject of complaints.
3. It is no longer being maintained for useful occupancy.
4. It is in a dilapidated condition or lacks normal maintenance or upkeep.

The property located at 9310 Gunston Cove Road was referred to the Blight Abatement Program (BAP) on December 30, 2003. Located on the subject property is an abandoned, dilapidated two story dwelling. The structure has been vandalized and it is covered with graffiti. Additionally the property contains evidence that it is being used as a racing track for all terrain vehicles by local youth. Large piles of debris litter the property and this property and structure pose an attractive nuisance to the community.

The residential structure was constructed in 1900 according to Fairfax County Tax Records. The dwelling has been vacant since at least December 2003, when the blight program received its first complaint. On October 8, 2004, the Neighborhood Enhancement Task Force (NETF) found that the subject property met the blighted property guidelines, and the property received a preliminary blight determination. Certified notice was sent to the owners advising them of this determination. Numerous times BAP staff has attempted to contact the owners and advise them of the blight determination to no avail. Finally on April 9, 2009, BAP once again notified the property owners and this time they were successful. The owners advised that they would pursue demolition. BAP staff continue to have concerns about this property; the negative visual impact and potential safety impact to the surrounding community.

State code requires that the Board provide notice concerning adoption of such an ordinance. Notice was published on June 25, 2009, and July 2, 2009.

Although the County will continue to seek cooperation from the owners to eliminate the blighted conditions on the Property, it is requested that a public hearing, in accordance with the Spot Blight Abatement Statute, be held to adopt an Ordinance declaring the Property to be blighted and to constitute a nuisance. At the public hearing, the County will also request authorization to contract for demolition of the blighted structure on the site pursuant to Va. Code Ann. §15.2-1115 (Supp. 2007) as authorized under the Spot Blight Abatement Statute. If the owners fail to abate the blighted conditions within thirty days after notification to the Property owners of the Board’s action, the County will proceed with demolition of the structure. The County is also asking that the Board of Supervisors direct the Department of Public Works and Environmental Services staff to provide for an expedited processing of the

Board Agenda Item  
July 13, 2009

items necessary for the demolition permit. This action will reduce the time it takes for the review of the grading plan and other items that are part of the permit process. The County will incur the cost, expending funds that are available in Project 014048, Revitalization Spot Blight Abatement, within Fund 340, Housing Assistance Program. The County will then pursue reimbursement from the owners who are ultimately liable for all abatement costs incurred. A lien will be placed on the Property and recorded in the County land and judgment records.

FISCAL IMPACT:

In the event that the blighted conditions are not eliminated by the owners, the County will use monies from Project 014048, Revitalization Spot Blight Abatement, within Fund 340, Housing Assistance Program, to demolish the structure. The balance in this project as of May 21, 2009, is \$220,156. It is estimated that the cost of demolition of the structures will be approximately \$30,000. It is anticipated that all of the costs (including direct County administrative costs) of the blight abatement will be recovered from the Property owners. Funds recovered will be allocated to the Blight Abatement Program in order to carry out future blight abatement plans.

ENCLOSED DOCUMENTS:

Attachment 1: Property Photographs

Attachment 2: Ordinance for 9310 Gunston Cove Road (Mount Vernon District)

Attachment 3: Blighted Property Technical Report and Abatement Plan

STAFF:

Jeff Blackford, Operations Section Chief, Enhanced Code Enforcement Strike Team, DPWES  
Captain K.R. McClellan, Deputy Chief Operations/Logistics, Enhanced Code Enforcement Strike Team, Sheriff's Office

Christina M. Sadar, Blight Abatement Program Coordinator, Enhanced Code Enforcement Strike Team, HCD

**THIS PAGE INTENTIONALLY LEFT BLANK**

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-II-4V, Located South of the Vienna Transit Station and Saintsbury Drive, West of Hunter's Branch Condominiums, and East of the Planned Extension of Vaden Drive (Providence District)

ISSUE:

Area Plans Review (APR) 08-II-4V addresses the approximately 23-acre core area of Land Unit C within the Vienna Transit Station Area (TSA) and a five to six acre area, generally considered the western portion of Land Unit C, for a total of approximately 29 acres. The core area is planned with an option for mixed-use, transit-oriented development. In this option, the additional five to six acre area would transfer density to the core area. The nomination proposes to replace up to 700,000 square feet (SF) of planned residential use with up to 700,000 SF office use in the core area. The overall intensity would not change and has already been determined in the adopted Plan to be an intensity that is appropriate for a redevelopment within ¼ mile of the Vienna transit station.

Staff recommended the adoption of the nomination with a condition related to the location of the office replacement. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Task Force recommended the adoption of the staff alternative with a modification that would add language regarding the non-degradation of vehicular level of service. Staff concurs with their modification. The Providence District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the staff alternative with Commission modifications dated June 10, 2009 that would support the nomination as proposed and add language about the maximum residential units, transportation impact, and location of uses. The Planning Commission verbatim for this item is found as Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV. Staff concurs with this recommendation.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission alternative. The proposed alternative would recommend an option for a conversion of up to 700,000 SF of office use for at least an equal amount of planned,

Board Agenda Item  
July 13, 2009

residential use in the Metro-oriented option. The conversion would allow for the implementation of additional office space near the transit station that could accommodate anticipated growth in the County, while taking advantage of the reverse commuting patterns.

TIMING:

Planning Commission public hearing – May 20, 2009  
Planning Commission mark-up session – June 10, 2009  
Board of Supervisors public hearing – July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as the years to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-II-4V  
Attachment II: Providence District APR Task Force Recommendation for APR Item 08-II-4V  
Attachment III: Planning Commission Verbatim and Recommendation  
Attachment IV: Planning Commission Revised Text

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)  
Fred R. Selden, Director, Planning Division (PD), DPZ  
Marianne R. Gardner, Chief, Policy and Plan Development Branch, PD, DPZ  
Meghan D. Van Dam, Planner III, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-13UP, Located on Georgetown Pike, East of Leesburg Pike and West of Difficult Run (Dranesville District)

ISSUE:

Area Plans Review (APR) 08-III-13UP addresses the portion of Georgetown Pike located within the Great Falls area. The nomination proposes to add Plan text that acknowledges Georgetown Pike's designation as a Virginia Byway, and the determination of the Pike's eligibility for listing on the Virginia Landmarks Register and the Nation Register of Historic Places. The nomination also proposes that Fairfax County should limit densities on the land abutting Georgetown Pike running in a band on both sides of the road to a depth of 100 to 150 feet beyond the right-of-way in order to protect the aesthetic character of the Pike. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Dranesville District Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009 the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend to the Board of Supervisors approval of the staff alternative. The alternative proposes to modify the adopted Plan text to add language that acknowledges the determination of Georgetown Pike as eligible for listing on the Virginia Landmarks Register and the National Register of Historic Places. This recommendation and the Planning Commission verbatim for this item are found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV. Staff concurs with this recommendation.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the staff alternative as shown on page 6 of the Staff Report, Attachment I.

TIMING:

Planning Commission public hearing – May 20, 2009  
Planning Commission mark-up session – June 10, 2009  
Board of Supervisors public hearing – July 13, 2009

Board Agenda Item  
July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as years to evaluate recommendations contained in the Comprehensive Plan for the northern part of the County. This item was submitted for evaluation as a part of that process.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-13UP

Attachment II: Dranesville District APR Task Force Report for APR Item 08-III-13UP

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission June 10, 2009

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Marianne Gardner, Chief, Policy and Plan Development Branch, PD, DPZ

Aaron Klibaner, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-15UP, Area Generally Bounded by the Potomac River; Difficult Run; Leesburg Pike and Loudoun County (Dranesville District)

ISSUE:

Area Plans Review (APR) 08-III-15UP addresses all of Community Planning Sectors UP1 and UP2 and the portion of UP3 north of Leesburg Pike. The nomination proposes to add Plan text to the Environment section of the Overview of the Upper Potomac Planning District that is intended to encourage locating utilities underground, and the protection of Heritage Trees and significant treescapes. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Dranesville District Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend to the Board of Supervisors approval of the staff recommendation. The recommendation would encourage utility wire burial and protection of Heritage Trees. This recommendation and the Planning Commission verbatim for this item are found in Attachment III. The proposed Plan Text recommended by the Planning Commission is found in Attachment IV. Staff concurs with this recommendation.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the staff recommendation as shown on Pages 4-5 of the Staff Report, Attachment I.

TIMING:

Planning Commission public hearing – May 20, 2009  
Planning Commission mark-up session – June 10, 2009  
Board of Supervisors public hearing – July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as years to evaluate recommendations contained in the Comprehensive Plan for the northern part of the County. This item was submitted for evaluation as part of that process.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-15UP

Attachment II: Dranesville District APR Task Force Report for APR Item 08-III-15UP

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission June 10, 2009

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Marianne Gardner, Chief, Policy and Plan Development Branch, PD, DPZ

Aaron Klibaner, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-19UP, for the Great Falls Area Which Includes Planning Sectors UP1, UP2 and UP3 (Dranesville District)

ISSUE:

Area Plans Review (APR) 08-III-19UP addresses the Great Falls area, which consists of the Riverfront Community Planning Sector (UP1), Springvale Community Planning Sector (UP2), and Hickory Community Planning Sector (UP3). This APR nomination proposes to add Plan text to encourage the use of pervious materials for paved areas. The nomination does not propose any changes to adopted planned land uses and intensities/densities. The staff analysis and recommendation are found in the Staff Report in Attachment I. The Dranesville District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend to the Board of Supervisors approval of the nomination, consistent with the staff and Task Force recommendations, that include editorial changes to clarify the proposed Plan text. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV. Staff concurs with this recommendation.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation for APR Item 08-III-19UP, which is consistent with the staff and Task Force recommendation.

TIMING:

Planning Commission public hearing – May 20, 2009  
Planning Commission mark-up session – June 10, 2009  
Board of Supervisors' public hearing – July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as the years to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County. This item was submitted for evaluation as part of that process.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-19UP

Attachment II: Dranesville District APR Task Force Report for APR Item 08-III-19UP

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan text Recommended by the Planning Commission

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Marianne Gardner, Chief, Policy and Plan Development Branch, PD, DPZ

Clara Quintero Johnson, Planner III, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-20UP, Area Generally Bounded by the Potomac River to the North; Lee Jackson Memorial Highway to the South; Vale Road and Portions of Difficult Run and Towlston Road to the East; Loudoun County and Route 28 to the West (Dranesville District)

ISSUE:

Area Plans Review (APR) 08-III-20P addresses the entire Upper Potomac Planning District. The nomination proposes to update the Environment section of the Overview for the Upper Potomac Planning District by rewriting the description of the area to accurately reflect watersheds within its boundaries, and to reflect more current Environmental Policy. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Dranesville District Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the staff alternative with modifications, which propose to update the Environment sections of the Upper Potomac Planning District Overview and incorporate current Policy Plan guidance. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV. Staff concurs with this recommendation.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation.

TIMING:

Planning Commission public hearing – May 20, 2009  
Planning Commission mark-up session – June 10, 2009  
Board of Supervisors public hearing – July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as years to evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-20UP

Attachment II: Dranesville District APR Task Force Report for APR Item 08-III-20UP

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan text recommended by the Planning Commission, June 10, 2009

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Marianne Gardner, Chief, Policy and Plan Development Branch, PD, DPZ

Aaron Klibaner, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-21UP, Area Generally Bounded by Potomac River, Towlston Road, Difficult Run, Dulles Toll Road, Hunter Mill Road, Leesburg Pike, and Loudoun County (Dranesville District)

ISSUE:

Area Plans Review (APR) 08-III-21P addresses Community Planning Sectors UP1, UP2 and UP3 of the Upper Potomac Planning District. The nomination proposes to add Plan text to the Public Facilities section of the Overview of the Upper Potomac Planning District to encourage exploring possible sites for a community center. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Dranesville District Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the nomination as submitted. This recommendation and the Planning Commission verbatim for this item are found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV. Staff concurs with this recommendation.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation.

TIMING:

Planning Commission public hearing – May 20, 2009  
Planning Commission mark-up session – June 10, 2009  
Board of Supervisors public hearing – July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as years to evaluate recommendations contained in the Comprehensive Plan for the northern part of the County. This item was submitted for evaluation as part of this process.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-21UP

Attachment II: Dranesville District APR Task Force Report for APR Item 08-III-21UP

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission, June 10, 2009

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Marianne Gardner, Chief, Policy and Plan Development Branch, PD, DPZ

Aaron Klibaner, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-4UP, Consisting of the Reston Community Planning Sector (UP5) and the Reston-Herndon Suburban Center's Land Units C Through I (Hunter Mill District)

ISSUE:

Area Plans Review (APR) 08-III-4UP addresses the Reston Community Planning Sector (UP5) and the Reston-Herndon Suburban Center's Land Units C, D, E, F, G, H and I. The nomination proposes to incorporate text regarding public art within the Reston-Herndon Suburban Center's Development Review Guidelines section as well as within the Reston Community Planning Sector's (UP5) recommendations. The nomination's proposed Plan text was generally supported by staff except for a few minor points. Staff met with the nominator to discuss these points and, in collaboration with the nominator, formulated alternative text for consideration. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Hunter Mill District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the staff alternative. The staff alternative recognizes the significance of public art in Reston and its significance in the future. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the staff alternative as recommended by the Planning Commission.

TIMING:

Planning Commission public hearing - May 20, 2009

Planning Commission mark-up session - June 10, 2009

Board of Supervisors public hearing - July 13, 2009

Board Agenda Item  
July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008 – 2009 as the years to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-4UP

Attachment II: Hunter Mill District APR Task Force Report for APR Item 08-III-4UP

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ

Faheem Darab, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-5UP, Consisting of Land Units A and B of the Reston Herndon Suburban Center (Hunter Mill and Dranesville Districts)

ISSUE:

Area Plans Review (APR) 08-III-5UP is a staff nomination and proposes editorial changes to Land Units A and B of the Reston-Herndon Suburban Center. Current Land Unit A is proposed for deletion because in 2005 planning and zoning responsibilities were transferred from Fairfax County to the Town of Herndon. In addition the nomination proposes to update out-of-date Plan guidance in Land Unit B. The staff analysis and recommendation are found in the Staff Report, Attachment I. Both the Hunter Mill and Dranesville District APR Task Force recommendations are found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the nomination as submitted. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the nomination as recommended by the Planning Commission.

TIMING:

Planning Commission public hearing - May 20, 2009  
Planning Commission mark-up session - June 10, 2009  
Board of Supervisors public hearing - July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008 – 2009 as the years to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-5UP

Attachment II: Hunter Mill and Dranesville District APR Task Force Reports for APR Item 08-III-5UP

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ

Faheem Darab, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-14UP, Located Northwest of the Sunrise Valley Drive and Reston Parkway Intersection (Hunter Mill District)

ISSUE:

Area Plans Review (APR) 08-III-14UP is a staff nomination which proposes to add text that was inadvertently left out of a previously adopted Plan Amendment. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Hunter Mill District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the nomination as submitted. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the nomination as recommended by the Planning Commission.

TIMING:

Planning Commission public hearing - May 20, 2009

Planning Commission mark-up session - June 10, 2009

Board of Supervisors public hearing - July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008 – 2009 as the years to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

FISCAL IMPACT:

None

Board Agenda Item  
July 13, 2009

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-14UP

Attachment II: Hunter Mill District APR Task Force Report for APR Item 08-III-14UP

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ

Faheem Darab, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-2BR, Located Southeast of the Centreville Road and New Braddock Road Intersection (Sully District)

ISSUE:

Area Plans Review (APR) 08-III-2BR addresses approximately one acre located southeast of the Centreville Road and New Braddock Road intersection. The nomination proposes changes to the Plan designation from low-intensity office use up to .20 FAR to private open space with an option for residential use at 5-8 dwelling units per acre. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Sully District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve an alternative to add Plan text indicating that the property may be needed as Right-of-Way for a future interchange. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation for APR 08-III-2BR.

TIMING:

Planning Commission public hearing - May 20, 2009  
Planning Commission mark-up session - June 10, 2009  
Board of Supervisors public hearing - July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as the timeframe to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-2BR

Attachment II: Sully District APR Task Force Report for APR Item 08-III-2BR

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ

Bernard S. Suchicital, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-3DS, Located South of Horse Pen Run and North of McLearen Road, Between Sully Road and Centreville Road (Sully District)

ISSUE:

Area Plans Review (APR) 08-III-3DS addresses approximately 265 acres located northwest of the corner of the Centreville Road and McLearen Road intersection, east of Sully Road and south of Horse Pen Run. The nomination proposes updates to the Plan Map and text to reflect current land uses, as well as replans Parcel 24-4((1))11B from industrial use to office use with a maximum of .50 FAR. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Sully District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the nomination as submitted. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation for APR 08-III-3DS.

TIMING:

Planning Commission public hearing - May 20, 2009  
Planning Commission mark-up session - June 10, 2009  
Board of Supervisors public hearing - July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as the timeframe to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-3DS  
Attachment II: Sully District APR Task Force Report for APR Item 08-III-3DS  
Attachment III: Planning Commission Verbatim and Recommendation  
Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)  
Fred R. Selden, Director, Planning Division (PD), DPZ  
Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ  
Bernard S. Suchicital, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-4DS, Located Southeast of the Lee Jackson Memorial Highway and Elmwood Street Intersection (Sully District)

ISSUE:

Area Plans Review (APR) 08-III-4DS addresses a half-acre parcel located southeast of the Lee Jackson Memorial Highway and Elmwood Street intersection. The nomination proposes the removal of conflicting intensity guidance. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Sully District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the staff recommendation. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation for APR 08-III-4DS.

TIMING:

Planning Commission public hearing - May 20, 2009  
Planning Commission mark-up session - June 10, 2009  
Board of Supervisors public hearing - July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as a year to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

FISCAL IMPACT:

None

Board Agenda Item  
July 13, 2009

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-4DS

Attachment II: Sully District APR Task Force Report for APR Item 08-III-4DS

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ

Bernard S. Suchicital, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-5DS, Located Northeast of the Sully Road and Willard Road Intersection (Sully District)

ISSUE:

Area Plans Review (APR) 08-III-5DS addresses approximately 51 acres located northeast of the Sully Road and Willard Road intersection. The nomination proposes an increase of development intensity from .50 FAR to .70 FAR for a mixed-use office, retail, exhibition center and hotel uses. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Sully District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the Task Force alternative with modifications. This alternative supports the nomination's proposed intensity increase to .70 FAR but adds Plan text addressing site design and traffic impacts. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

Since the subject property still retains a significant amount of unrealized mixed-use development potential, and the nomination does not address transportation issues, nor does the nominator's concept plan present a unified development plan for the property as put forth in the nominator's statement of justification, the County Executive recommends to deny the nomination and to retain the adopted Plan.

TIMING:

Planning Commission public hearing - May 20, 2009  
Planning Commission mark-up session - June 10, 2009  
Board of Supervisors public hearing - July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as the timeframe to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-5DS  
Attachment II: Sully District APR Task Force Report for APR Item 08-III-5DS  
Attachment III: Planning Commission Verbatim and Recommendation  
Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)  
Fred R. Selden, Director, Planning Division (PD), DPZ  
Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ  
Bernard S. Suchicital, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Area Plans Review (APR) Item 08-III-7DS, Located East of the Loudoun County Line, South of Dulles International Airport, North of Lee Jackson Memorial Highway and West of Stonecroft Boulevard (Sully District)

ISSUE:

Area Plans Review (APR) 08-III-7DS addresses approximately 265 acres located east of the Loudoun County line, south of Dulles International Airport, and north of Lee Jackson Memorial Highway and west of Stonecroft Boulevard. The nomination proposes allowing I-5 zoning district uses up to .50 FAR throughout Land Unit F-1. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Sully District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the staff and Task Force alternative. This alternative adds Plan text that indicates construction-related and heavy industrial uses up to .35 FAR may be appropriate in the area east of the EQC and generally north of Murdock Street. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the staff and Task Force alternative as recommended by the Planning Commission for APR 08-III-7DS.

TIMING:

Planning Commission public hearing - May 20, 2009  
Planning Commission mark-up session - June 10, 2009  
Board of Supervisors public hearing - July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as the timeframe to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item 08-III-7DS  
Attachment II: Sully District APR Task Force Report for APR Item 08-III-7DS  
Attachment III: Planning Commission Verbatim and Recommendation  
Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)  
Fred R. Selden, Director, Planning Division (PD), DPZ  
Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ  
Bernard S. Suchicital, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

4:30 p.m.

Public Hearing on Proposed Plan Amendment S08-III-FC1, Located Northwest of the Lee Jackson Memorial Highway and Fair Ridge Drive Intersection (Sully District)

ISSUE:

Plan Amendment S08-III-FC1 addresses approximately 28 acres located northwest of the Lee Jackson Memorial Highway and Fair Ridge Drive intersection. The nomination proposes changes to the Plan designation to replace planned office use with 100 units of elderly housing at the overlay level. The staff analysis and recommendation are found in the Staff Report, Attachment I. The Sully District APR Task Force recommendation is found in Attachment II.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 10, 2009, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors approve the nomination with modifications. This alternative provides an option for 100 units of elderly housing at the overlay level. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the staff and Task Force alternative as recommended by the Planning Commission for APR S08-III-FC1.

TIMING:

Planning Commission public hearing - May 20, 2009  
Planning Commission mark-up session - June 10, 2009  
Board of Supervisors public hearing - July 13, 2009

BACKGROUND:

The Board of Supervisors designated 2008-2009 as the timeframe to review and evaluate recommendations contained in the Comprehensive Plan for the northern part of the County.

Board Agenda Item  
July 13, 2009

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for APR Item S08-III-FC1

Attachment II: Sully District APR Task Force Report for APR Item S08-III-FC1

Attachment III: Planning Commission Verbatim and Recommendation

Attachment IV: Plan Text Recommended by the Planning Commission

STAFF:

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

Fred R. Selden, Director, Planning Division (PD), DPZ

Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ

Bernard S. Suchicital, Planner II, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item  
July 13, 2009

5:00 p.m.

Public Hearing on a Proposal to Vacate Laurel Road (Mount Vernon District)

ISSUE:

Public hearing on a proposal to vacate Laurel Road.

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached ordinance (Attachment III) for vacation of the subject right-of-way.

TIMING:

On June 1, 2009, the Board authorized the public hearing to consider the proposed vacation for July 13, 2009 at 5:00 p.m.

BACKGROUND:

The applicants, Patrick and Teresa Stanek Rea, are requesting Laurel Road adjacent to Old Mount Vernon Road be vacated. Laurel Road is not in the Virginia Department of Transportation (VDOT) State Secondary System.

The request is being made in conjunction with a minor subdivision plat for one additional single-family house. The right-of-way would become open space; it is not actually necessary that the right-of-way be vacated for the subdivision to occur. Part of the right-of-way is used for access by the Fairfax County Park Authority for the adjacent Woodley Hills Park – this issue has been addressed with an ingress-egress easement and no other transportation use of the right-of-way exists.

Traffic Circulation and Access

The vacation will have no long-term impact on vehicle circulation and access. The only existing access use will be protected by the ingress-egress easement. Pedestrian access to park components will be maintained by a trail easement.

Easements

Public easement needs have been identified by the Fairfax County Park Authority (ingress-egress, trail, and conservation). Dominion Virginia Power has also identified facilities within the area to be vacated. The applicants have provided easements and

Board Agenda Item  
July 13, 2009

agreements in forms acceptable to this agency & company. No other easement needs were identified.

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

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Statement of Justification  
Attachment II: Notice of Intent to Vacate  
Attachment III: Ordinance of Vacation  
Attachment IV: Vacation Plat  
Attachment V: Metes and Bounds Description  
Attachment VI: Vicinity Map

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)  
Michael A. Davis, FCDOT  
Donald Stephens, FCDOT

Board Agenda Item  
July 13, 2009

5:00 p.m.

Public Hearing to Expand the Newgate Community Parking District (Sully 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 Newgate 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 Newgate CPD in accordance with existing CPD restrictions.

TIMING:

The public hearing was authorized on June 22, 2009, for July 13, 2009, at 5:00 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 CPD.

No such CPD 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 CPD for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip or (iv) restricted vehicles that are temporarily parked on a public street within any such CPD for use by federal, state, or local public agencies to provide services.

Board Agenda Item  
July 13, 2009

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 within the proposed CPD, and represent more than 50 percent of the eligible addresses on each block of the proposed CPD, (2) the proposed CPD includes an area in which 75 percent of each block within the proposed CPD 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 CPD. The proposed expansion of Newgate CPD shall encompass Awbrey Patent Drive from Stone Road to Rocky Run Drive (Attachment II).

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

The parking prohibition identified above for the Newgate 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 \$200 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:

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

STAFF:

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)  
Ellen Gallagher, Division Chief, Capital Projects and Operations Division, FCDOT  
Selby Thannikary, Section Chief, Traffic Operations Section, FCDOT  
Maria Turner, Sr. Transportation Planner, FCDOT  
Janet Nguyen, Transportation Planner, FCDOT

Board Agenda Item  
July 13, 2009

6:00 p.m.

Public Hearing on SE 2008-SP-025 (Islamic Saudi Academy) to Permit Building Additions and Associated Modifications to Site Design and Development Conditions to an Existing Private School of General Education, Located on Approximately 34.05 Acres Zoned R-C and WS, Springfield District

The application property is located at 11101, 11115, 11121, 11123 Popes Head Road. Tax Map 68-3 ((1)) 61, 62, 63 and 64.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 11, 2009, the Planning Commission voted unanimously (Commissioners Alcorn and Hall absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2008-SP-025, subject to the Development Conditions dated May 14, 2009;
- Modification of the transitional screening requirement to allow the use of existing vegetation;
- Waiver of the barrier requirement;
- Waiver of the Comprehensive Plan trail requirement, as conditioned; and
- Waiver of the interparcel access requirement.

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

**THIS PAGE INTENTIONALLY LEFT BLANK**