

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
JUNE 22, 2010**

**AGENDA**

9:00	<b>Held</b>	Reception for A. Heath Onthank Award Recipients Conference Center Reception Area
9:30	<b>Done</b>	Presentations
10:30	<b>Done</b>	Presentation of the A. Heath Onthank Award
10:45	<b>Done</b>	Presentation of the Transportation Advisory Commission (TAC) 2009 Transportation Achievement Award
11:00	<b>Done</b>	Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
11:00	<b>Done</b>	Items Presented by the County Executive

**ADMINISTRATIVE ITEMS**

1	<b>Approved</b>	Approval for Installation of "\$200 Additional Fine for Speeding" Signs, and "Watch for Children" Signs as Part of the Residential Traffic Administration Program (Braddock and Hunter Mill Districts)
2	<b>Approved</b>	Designation of Plans Examiner Status Under the Expedited Land Development Review Program
3	<b>Approved</b>	Extension of Review Periods for 2232 Review Applications (Braddock and Dranesville Districts)
4	<b>Approved</b>	Streets into the Secondary System (Providence, Springfield, and Sully Districts)

**ACTION ITEMS**

1	<b>Approved</b>	Approval of 2010 Zoning Ordinance Amendment Work Program
2	<b>Approved</b>	Approval of Metro Capital Funding Agreement

**CONSIDERATION ITEMS**

1	<b>Supervisor Hyland - Delegate Supervisor Gross – Alternate</b>	National Association of Counties' Annual Conference
2	<b>Approved</b>	Approval of New Charter and Bylaws for the Fairfax County Small Business Commission

**FAIRFAX COUNTY  
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**INFORMATION ITEMS**

1	<b>Noted</b>	Contract Award – Enterprise Resource Planning (ERP) System Implementation Services
2	<b>Noted</b>	Planning Commission Action on Application 2232-V10-11, Department of Public Works and Environmental Services (Mount Vernon District)
11:30	<b>Done</b>	Matters Presented by Board Members
12:20	<b>Done</b>	Closed Session

**PUBLIC HEARINGS**

3:30	<b>Public hearing deferred to 7/13/10 at 3:30 p.m.</b>	Public Hearing on RZ 2009-SU-024 (Sully East L.C.) (Sully District)
3:30	<b>Public hearing deferred to 7/13/10 at 3:30 p.m.</b>	Public Hearing on PCA 2003-SU-035 (Sully East L.C.) (Sully District)
3:30	<b>Public hearing deferred to 7/13/10 at 3:30 p.m.</b>	Public Hearing on SEA 2003-SU-023 (Sully East L.C.) (Sully District)
3:30	<b>Public hearing deferred to 7/27/2010 at 3:00 p.m.</b>	Public Hearing on RZ 2009-MV-018 (Scannell Properties # 117, LLC and Scannell Properties #82, LLC) (Mount Vernon District)
4:00	<b>Approved</b>	Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Project W00400 (W4130) - Florence Lane Walkway (Lee District)
4:00	<b>Approved</b>	Public Hearing on a Proposal to Prohibit Through Truck Traffic on Florence Lane, Shaffer Drive and School Street as Part of the Residential Traffic Administration Program (Lee District)
4:00	<b>Approved</b>	Public Hearing to Expand the Signal Hill Community Parking District (Braddock District)
4:30	<b>Approved</b>	Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic, Section 82-1-6, Adoption of State Law

**FAIRFAX COUNTY  
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**PUBLIC HEARINGS**  
(continued)

4:30	<b>Done</b>	Public Comment from Fairfax County Citizens and Businesses on Issues of Concern
4:30	<b>Approved with follow-on motions</b>	Public Hearing on Proposed Plan Amendment ST05-CW-1CP, Tysons Corner Urban Center (Providence & Hunter Mill Districts)
4:30	<b>Approved with amendment and follow-on motions</b>	Public Hearing on a Proposed Zoning Ordinance Amendment Re: Establishment of Planned Tysons Corner Urban District (PTC)



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

**Tuesday**  
**June 22, 2010**

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9:30 a.m.

**PRESENTATIONS:**

1. PROCLAMATION – To designate June 20-26, 2010, as Fire and EMS Safety, Health and Survival Week in Fairfax County. Requested by Chairman Bulova.
2. CERTIFICATE – To recognize the Odyssey of the Mind Teams from Lake Braddock Secondary School and the Nysmith School. Requested by Chairman Bulova.
3. RESOLUTION – To congratulate Laurel Ridge Elementary School for its 40th anniversary. Requested by Supervisor Cook.
4. CERTIFICATE – To recognize the Madison High School Girls and Boys Crew Teams for their accomplishments in 2010. Requested by Supervisor Hudgins.
5. CERTIFICATE – To recognize the Robinson Secondary School Girls Crew Team for winning the Virginia Scholastic Association Championship. Requested by Supervisor Cook.
6. CERTIFICATE – To recognize the South Lakes High School Boys Track Team for its 2010 championship titles. Requested by Supervisor Hudgins.
7. PROCLAMATION – To designate June 25, 2010, as Korean War Remembrance Day in Fairfax County. Requested by Supervisor Cook.
8. PROCLAMATION – To designate June 26, 2010, as Hepatitis Awareness Day in Fairfax County. Requested by Chairman Bulova.

**STAFF:**

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

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10:30 a.m.

Presentation of the A. Heath Onthank Awards

ENCLOSED DOCUMENTS:

None

PRESENTED BY:

Tom Garnett, Commissioner, Civil Service Commission  
Kerrie Wilson, Onthank Award Committee Chairman  
Sharon Bulova, Chairman, Board of Supervisors  
Anthony Griffin, County Executive

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10:45 a.m.

Presentation of the Transportation Advisory Commission (TAC) 2009 Transportation Achievement Award

ENCLOSED DOCUMENTS:

None

PRESENTED BY:

Ms. Janyce Hedetniemi, Chair, Transportation Advisory Commission

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11:00 a.m.

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

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard June 22, 2010

Attachment 2: Résumé of Ms. Diane Tomasini Hofstadt, nominee as the Sully District Representative to the Fairfax-Falls Church Community Services Board

STAFF:

Nancy Vehrs, Clerk to the Board of Supervisors

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11:00 a.m.

Items Presented by the County Executive

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ADMINISTRATIVE – 1

Approval for Installation of “\$200 Additional Fine for Speeding” Signs, and “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Braddock and Hunter Mill Districts)

ISSUE:

Board endorsement of “\$200 Additional Fine for Speeding” signs, and “Watch for Children” sign, as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends that the Board approve a resolution (Attachments I and II) for the installation of “\$200 Additional Fine for Speeding” signs on the following road:

- Wakefield Chapel Road between Braddock Road and Little River Turnpike (Braddock District).

The County Executive further recommends approval for a “Watch for Children” sign on the following street:

- Bridge Hill Lane (Hunter Mill 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 June 22, 2010.

BACKGROUND:

Section 46.2-878.2 of the *Code of Virginia* permits a maximum fine of \$200, in addition to other penalties provided by law, to be levied on persons exceeding the speed limit on appropriately designated residential roadways. Also, these residential roadways must have a posted speed limit of 35 mph or less. In addition, to determine that a speeding problem exists, staff performs an engineering review to ascertain that additional speed and volume criteria are met. Wakefield Chapel Road between Braddock Road and Little River Turnpike meets the RTAP requirements for posting of the “\$200 Additional Fine for Speeding” signs. On May 3, 2010, the Department of Transportation received

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written verification from the 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 May 13, 2010, FCDOT received written verification from the appropriate local supervisor confirming community support for the referenced "Watch for Children" sign.

FISCAL IMPACT:

The estimated cost of \$1000 is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: \$200 Fine for Speeding Signs Resolution – Wakefield Chapel Road

Attachment II: Area Map of Proposed \$200 Fine for Speeding Signs – Wakefield Chapel 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)

Eric M. Teitelman, Chief, Capital Projects and Operations Division, FCDOT

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

William P. Harrell, Transportation Planner, FCDOT

ADMINISTRATIVE – 2

Designation of Plans Examiner Status Under the Expedited Land Development Review Program

ISSUE:

Board of Supervisors' action to place nine individuals into inactive status. These individuals have elected not to pursue their continuing education requirements, pursuant to the adopted criteria and recommendation of the Advisory Plans Examiner Board.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (the Board) take the following actions:

- Designate the following nine individuals, identified with their registration numbers, as inactive Plans Examiners:

Marius Burdubus	269
Lucelle Marie Sacdalan Espine	285
Arun G. Gan	10 (Retired)
Laura Miller	259
Gregory L. Rodgers	167
Basant K. Sood	115 (Retired)
Jessica G. Strother	158
Alester Sturdivant Jr.	282
Owen B. Yumang	236

TIMING:

Routine.

BACKGROUND:

On August 7, 1989, the Board adopted Chapter 117 (Expedited Land Development Review) of *The Code of the County of Fairfax, Virginia*, (The Code) establishing a Plans Examiner Program under the auspices of an Advisory Plans Examiner Board (APEB). The purpose of the Plans Examiner Program is to expedite the review of site and subdivision plans submitted by certain specially qualified applicants, i.e., Plans

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Examiners, to the Land Development Services, Department of Public Works and Environmental Services.

The Code requires that the Board designate an individual's status under the Expedited Land Development Review Program.

Inactive Status: Chapter 117 requires Plans Examiners to participate in the Board adopted Continuing Education Program. Consonant with the requirements of Section 117-1-3(a), and subject to Board approval, the APEB will recommend designation of inactive status for individuals electing not to pursue the continuing education program. This status designation continues until and if they wish to reactivate their Designated Plans Examiner (DPE) status by completing the continuing education requirements. An inactive status makes these individuals ineligible to participate in the expedited plan process procedure. At the time they are placed in inactive status, individuals are provided with information concerning requirements for reinstatement as an active DPE.

In a letter dated May 6, 2010, from the Chairman of the APEB, nine individuals were identified that have elected not to pursue the continuing education requirements. The APEB recommends that their status become inactive until and if they wish to reactivate their status as a DPE by completing their continuing education requirement.

Staff concurs with these recommendations as being in accordance with Chapter 117 and the Board-adopted criteria.

FISCAL IMPACT:  
None.

ENCLOSED DOCUMENTS:  
Attachment I – One letter dated May 6, 2010, from the Chairman of the APEB to the Chairman of the Board of Supervisors.

STAFF:  
Robert A. Stalzer, Deputy County Executive  
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)  
Howard J. Guba, Deputy Director, DPWES  
Michelle Brickner, Acting Director, Land Development Services (LDS), DPWES

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ADMINISTRATIVE – 3

Extension of Review Periods for 2232 Review Applications (Braddock and Dranesville 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-B10-15 to September 2, 2010; and application 2232-D09-36 to September 9, 2010.

TIMING:

Board action is required on June 22, 2010, to extend the review periods of the applications noted above before their expirations.

BACKGROUND:

Subsection F of *Section 15.2-2232* of the *Code of Virginia* 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-D09-36 and FS-B10-15, which were accepted for review by DPZ on April 5, 2010 and April 12, 2010. 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.

The review periods for the following applications should be extended:

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- 2232-D09-36      New Cingular Wireless PCS LLC / T-Mobile Northeast LLC  
115-foot monopole (tree pole)  
2000 Westmoreland Street (Longfellow Middle School)  
Dranesville District
- FS-B10-15      T-Mobile Northeast LLC  
Antenna colocation on existing tower  
7171 Wimsatt 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

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ADMINISTRATIVE – 4

Streets into the Secondary System (Providence, Springfield, 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.

<b><u>Subdivision</u></b>	<b><u>District</u></b>	<b><u>Street</u></b>
Oakton Green	Providence	Leigh Jillion Court
		Hunter Mill Road (Route 674) (Additional Right-of-Way (ROW) Only)
Camden Monument Place Parcel A & A-1	Springfield	Fair Lakes Parkway (Route 7700) (Additional ROW Only)
Fairwood Estates Tract 21	Sully	Stonecroft Boulevard (Route 607) (Additional ROW Only)
		Murdock Street (Route 10513) (Additional ROW Only)
Orchard Glen	Sully	Orchard Glen Court
		Oxon Road (Route 764) (Additional ROW Only)
		Oxon Road (Route 764) (Additional ROW Only)

TIMING:

Routine.

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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

James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)

Howard J. Guba, Deputy Director, DPWES

Michelle Brickner, Acting Director, Land Development Services, DPWES

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ACTION – 1

Approval of 2010 Zoning Ordinance Amendment Work Program

ISSUE:

Approval of the 2010 Zoning Ordinance Amendment Work Program.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the 2010 Zoning Ordinance Amendment Work Program as recommended by the Development Process Committee, and as set forth in Attachments 2, 3 and 4.

TIMING:

Board action is requested on June 22, 2010.

BACKGROUND:

The Zoning Ordinance Amendment Work Program contains requests for amendments to the Zoning Ordinance, which originate from the Board of Supervisors (Board), the Planning Commission, the Board of Zoning Appeals, staff, citizens, and industry representatives.

Enclosed as Attachments 1 and 2 are reference summary charts of the status of the 2009 Priority 1 Work Program and those items proposed for the 2010 Priority 1 Work Program, respectively. Attachment 3 is the 2010 Priority 1 list with a description of the amendment items proposed to be addressed over the next year. Attachment 4 is the 2010 Priority 2 list, which includes items that will be retained for future Priority 1 consideration. Attachment 5 contains a list of new amendment requests that have been made since the adoption of the 2009 Work Program, and Attachment 6 is the Planning Commission's recommendation on the proposed 2010 Work Program.

With regard to the status of the 2009 Priority 1 Work Program, 22 items were originally approved by the Board, and 9 were added during the course of the year, for a total of 32 items. 13 items have been addressed, including 7 items that have been adopted, 4 authorized for public hearings, and 2 were addressed without requiring an amendment.

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With regard to the proposed 2010 Work Program, on April 14, 2010, the Planning Commission's Policy and Procedures Committee reviewed the proposed 2009 Work Program. The Committee and subsequently the full Planning Commission on April 14, 2010, endorsed the staff recommended 2010 Work Program.

At its June 1, 2010 meeting, the Board's Development Process Committee reviewed the proposed 2010 Work Program and recommended the Work Program as proposed with the following changes for approval by the full Board on June 22, 2010. It is noted that the attached Work Program has been amended to reflect the Development Process Committee's changes:

1. Add a new item to Priority 1 to review the zoning application fees and to consider adding an application fee for reviews pursuant to Sect. 15.2-2232 of the Code of Virginia. [This item is listed as Item #2 on Priority 1 (Page 3)].
2. Add a new item to Priority 1 to consider allowing business sponsors of youth sports teams to place banners on outfield fences. [This item is listed as Item #22 on Priority 1 (Page 7)].
3. Delete the item pertaining to servant's quarters from Priority 1 as this issue has been addressed by interpretation. Staff will formalize the interpretation with a memorandum to the Board.
4. Reschedule the proposed riding/boarding stable amendment for a public hearing before the Board, and coordinate with the County Attorney's Office regarding the ability to impose a greater setback for proposed structures associated with a riding/boarding stable, than is imposed for existing structures. [This item is listed as Item #21 on Priority 1 (Page 7).]
5. A tentative date of January, 2011 has been added for action to be taken on the item regarding dancing and/or live entertainment in eating establishments. [This item is listed as Item #4 on Priority 1 (Page 3)].

As recommended by the Development Process Committee, a total of 28 amendment items are included on the 2010 Priority 1 list. This includes 4 items that have been authorized, 17 items are carryover from the 2009 Work Program, and there are 7 new items.

FISCAL IMPACT:

None. The 2010 Work Program can be addressed using existing staff and resources.

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ENCLOSED DOCUMENTS:

Attachment 1 - Summary Chart of the Status of 2009 Priority 1 Work Program  
Attachment 2 - Summary Chart of the Proposed 2010 Priority 1 Work Program  
Attachment 3 – Proposed 2010 Priority 1 Zoning Ordinance Work Program  
Attachment 4 - Proposed 2010 Priority 2 Zoning Ordinance Work Program  
Attachment 5 - New Requests Since March 2009  
Attachment 6 – Planning Commission Recommendation

STAFF:

Robert A. Stalzer, Deputy County Executive  
James P. Zook, Director, Department of Planning and Zoning (DPZ)  
Eileen M. McLane, Zoning Administrator, DPZ  
Lorrie Kirst, Deputy Zoning Administrator, Ordinance Administration Branch, DPZ

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ACTION – 2

Approval of Metro Capital Funding Agreement

ISSUE:

Board of Supervisors' approval of an agreement with the Washington Metropolitan Area Transit Authority (WMATA) and other jurisdictions to fund Fairfax County's share of the WMATA Capital Improvement Program (CIP). This six year capital funding agreement addresses system rehabilitation, and the purchase of new rail cars and buses. It is designed to keep the system in a "state of good repair".

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve, in substantial form and subject to the final approval of the agreement by the Metro Board of Directors, the attached funding agreement to support the WMATA CIP, and designate the County Executive as the County's authorized representative for execution of the agreement and for the purpose of dispute resolution.

TIMING:

The Board should act on this item at its June 22, 2010 meeting, because the WMATA Board of Directors is scheduled to approve this agreement at their June 24, 2010, meeting, and the agreement is expected to begin on July 1, 2010.

BACKGROUND:

In FY 2005, WMATA began the Metro Matters program which provided \$1.5 billion in urgent capital funding to maintain the Metro transit system and responded to the increasing ridership demands for transit services in our region through FY 2010. The \$1.5 billion plan included maintenance of the rolling stock and facilities, as well as 120 new railcars, 185 new buses, and the ancillary facilities associated with operating and maintaining these vehicles.

The proposed Metro Capital Improvement Program (CIP) consists of a list of capital projects to be funded over a six year period, including useful life projections for each project. The first six year period of the CIP will be from FY 2011 to FY 2016. The CIP will be updated for each successive six year period, similar to the County CIP. The Metro Capital Funding Agreement includes the purchase of 300 new rail cars, 507 new buses, new bus garage facilities, several rail line rehabilitations, and new transit police facilities.

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WMATA is now billing its capital program on an expenditure basis instead of an obligation basis. This allows the jurisdictions to fund a project as it progresses, and not have to fully fund a project before it begins. It also means that projects started near the end of the six year period may require funding after FY 2016 to complete them. At the end of the six year term, this Capital Funding Agreement can be renewed or continued at the discretion of the jurisdictions, or a new agreement will be negotiated.

Debt financing payments will also continue after the agreement expires in FY 2016. Each jurisdiction has the option of paying cash, issuing its own debt, or having WMATA issue debt on its behalf to fund its share of the Metro CIP. In the past, the County has issued its own debt, because the County could issue debt at a lower interest rate than WMATA. It is recommended that the County continue to issue its own debt. If approved by the voters, the County bond referendum this Fall will provide \$120 million to help fund the Metro Capital Funding Agreement requirements.

The total program cost of the Metro FY 2011-FY 2016 CIP is estimated to be \$5.0 billion, including the dedicated funding from the federal government and the corresponding non-federal match. As part of the County's past comments to the annual WMATA budget, the Board of Supervisors requested that WMATA continue to work with County staff and other stakeholders to identify funding sources for future years of the growing CIP needs. The attached agreement addresses this request.

The major aspects of the Metro Capital Funding Agreement include:

- The current Metro Matters agreement expires on July 1, 2010. This Capital Funding Agreement supersedes the Metro Matters funding agreement, and includes any capital expenditures carried over from the Metro Matters Agreement.
- The Capital Funding Agreement includes billing the jurisdictions on an expenditure basis rather than an obligation basis. This will continue to reduce the amount of capital funds held by WMATA.
- The signatories of the Metro Capital Funding Agreement agree to use all reasonable efforts to secure funding for the CIP.
- If there is a shortfall in overall revenue for the program, WMATA will develop a recovery plan, to be approved by the WMATA Board of Directors, which could include: use of interim funding sources; project redesign; project rescheduling; project deferrals; and, subject to agreement of the jurisdictions, increased contributions.
- If federal or other revenue is greater than what is anticipated, then WMATA will use the excess revenue to fund any unfunded portions of the CIP, or apply the funds to any outstanding indebtedness, thereby reducing the allocated contribution of the

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jurisdictions. This provision also applies to funds received under the Metro Matters Funding Agreement.

- WMATA will perform quarterly analysis and update the Annual Work Plan. The CIP will be reconciled annually and updated for the next six years.
- The jurisdictions have the ability to audit WMATA.
- Each jurisdiction's obligation is contingent on participation by all jurisdictions.

FISCAL IMPACT:

Approving the Metro Capital Funding Agreement commits Fairfax County to funding its share of Metro's Annual Work Plan (Capital Budget), and to planning for its share of the Metro FY2011-FY2016 CIP, which is estimated to be \$143 million plus debt service on approximately \$62.8 million in Metro bonds (unless the County pays cash or issues its own debt). The County intends to use the proceeds of the \$120 million transportation bond referendum (if approved on November 2, 2010), State funding, and General Funds to meet these obligations. The Department of Management and Budget has reviewed the cash flow requirement for this period and has included this funding in the County's CIP.

ENCLOSED DOCUMENT:

Attachment I – Metro Capital Funding Agreement

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Leonard Wales, County Debt Manager, Department of Management and Budget

Ellen F. M. Posner, Assistant County Attorney

Tom Biesiadny, Chief, Coordination and Funding Section, FCDOT

Todd Wigglesworth, Coordination and Funding Section, FCDOT

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CONSIDERATION – 1

National Association of Counties' Annual Conference

ISSUE:

Board designation of a voting and alternate delegate to represent the County at the National Association of Counties' (NACo) Annual Conference.

TIMING:

NACo has requested notification of Board action by June 30, 2010.

BACKGROUND:

NACo's 75<sup>th</sup> Annual Conference will be held in Washoe County, Nevada, July 16- 20, 2010. The NACo staff is preparing credentials for that conference, and the County has been requested to notify NACo of the names of the County's voting delegate and alternate voting delegate.

ENCLOSED DOCUMENTS:

None

STAFF:

Catherine A. Chianese, Assistant County Executive

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## CONSIDERATION – 2

### Approval of New Charter and Bylaws for the Fairfax County Small Business Commission

#### ISSUE:

Board approval of a new charter and bylaws for the Fairfax County Small Business Commission to expand the role of the Commission, to clarify how the members are appointed, to emphasize the requirements of the Virginia Freedom of Information Act and the Virginia Conflict of Interests Act, and to make several minor clarifications. The composition and terms of its current members would not be changed.

#### TIMING:

Board consideration is requested on June 22, 2010.

#### BACKGROUND:

On April 25, 1994, the Board created a ten-member Board-appointed Program Advisory Board for the County Small and Minority Business Enterprise Program. Later, that entity was reconstituted as the twelve-member Fairfax County Small Business Commission ("Commission"). The Department of Purchasing and Supply Management generally has provided staff support to the Commission. The Board approved the present Charter and Bylaws of the Commission on June 17, 2002.

The Commission has been involved with County procurement issues of primary interest to small businesses, but it now seeks a broader role. In order to achieve such a role, the Commission requests that the Board approve an amended Charter and Bylaws. More specifically, the Commission requests that the Board adopt a revised Charter and Bylaws that would broaden its scope to include other issues of concern to small businesses in the County, to advise the Board and County staff on such issues, and to emphasize its interest in promoting and assisting small businesses generally, but especially with respect to minority-owned and emerging businesses to establish themselves and to improve their vendor relations with the County government.

Meanwhile, the Clerk to the Board prepared model bylaws for use by County boards, authorities, and commissions, and that model emphasizes several routine administrative aspects of such bodies. The proposed new charter and bylaws takes advantage of those provisions, and the proposed new charter and bylaws emphasizes appropriate elements of the Virginia Freedom of Information Act and Virginia Conflict of Interests

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Act. Meanwhile, it is important to emphasize that the composition of the Commission and the terms of the members would remain unchanged.

Finally, while the Commission seeks a greater role in advocating on behalf of small businesses, the Commission would remain advisory in nature. It would not have an independent legal personality, and for that reason, the Commission could not become a party in proceedings involving the interests of particular small businesses, e.g., a procurement award, a tax matter, or a zoning appeal affecting an individual business.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Proposed Commission Charter and Bylaws

STAFF:

Edward L. Long, Jr. Deputy County Executive

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

Michael Long, Deputy County Attorney

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## INFORMATION – 1

### Contract Award – Enterprise Resource Planning (ERP) System Implementation Services

Fairfax 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 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 in 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 project's effort 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 solutions marketplace and reviewed various procurement options for the purchase of the system and implementation services. It was unanimously decided to pursue the purchase of the software separately from the consultant resources required to implement the system. The software purchase was completed last summer and the award was made to SAP Software.

The Department of Purchasing and Supply Management issued a Request for Proposals (RFP) on August 5, 2009 for the implementation services. Four firms responded to the Systems Implementation solicitation by the closing date of September 25, 2009. The Selection Committee, comprised of Fairfax County government department directors, Deputy County Executive and Fairfax County Public Schools Assistant Superintendents, evaluated the proposals in accordance with the criteria established in the RFP. Upon completion of an interim evaluation of the proposals which included reference checking, the Selection Committee recommended the County

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continue the remaining phases of the evaluation process with only three of the four firms. Upon completion of the final evaluation of the proposals, which included week-long on-site interviews, 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. ("SAP Consulting"). The Selection Committee unanimously recommended to the Purchasing Agent that the contract be awarded to SAP Consulting.

As a result of our extensive examination process which included interviews, reference checks, etc., staff believes that SAP Consulting will be an outstanding business partner in this project. SAP Consulting selectively pursues software implementation engagements, setting out to ensure a successful project from day one. Additionally, the firm is noted for 'rescuing' other implementation firms who have attempted, but fallen short of successfully implementing SAP software for clients. SAP Consulting demonstrated that they are the most knowledgeable of the SAP software solution and its capabilities.

Their ability to successfully lead an SAP software implementation is evidenced by numerous previous engagements in major local governments and K-12 organizations, with cities such as Houston, TX and Portland, OR and the Orange County, FL K-12 school district.

SAP Consulting's superior approach and methodology to implementing SAP software was unmatched by their competitors. They have designed a project plan that maximizes resources without compromising on project goals or scope.

SAP Consulting demonstrated a comprehensive understanding of the complexity of implementing the integrated software as one system for both the County government and school system, and the understanding that Fairfax expects to maximize the capabilities of the software to ensure that its needs are completely met. SAP Consulting displayed their tight integration with and ability to reach into the SAP software development organization to ensure that Fairfax's project requirements will be in line with the roadmap of future SAP software enhancements.

The SAP Consulting team assigned to Fairfax brings superior skill sets and competencies to the project. The team has deep product knowledge, strong technical skills and has worked together on many recent projects to include several of the reference customer projects noted above. Their approach in leading an organization through an implementation is a highly desirable quality. In terms of pricing and schedule, SAP Consulting offered a complete, non-protracted project plan with the most advantageous use of Fairfax resources and provided optimal pricing for the effort.

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Taking proactive action to ensure a successful implementation, SAP Consulting has pledged to make Fairfax a premier customer. Recognizing that even with the utmost effort invested into planning, projects of this size and magnitude will likely require changes to the agreed upon scope of work. SAP Consulting has shown that they have flexibility built into both their process and their offer to allow for minor scope adjustments without impact on overall cost.

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 system implementation 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 many years to come.

SAP Public Services, Inc. is in the process of applying for The Fairfax County Business, Professional and Occupational License (BPOL).

Also attached for the Board's information are the Ten Guiding Principles for the project (Attachment 2).

Unless otherwise directed by the Board of Supervisors, the Purchasing Agent will proceed to award the contract to SAP Public Services, Inc. The total fixed price of this contract is \$35,325,590.

#### FISCAL IMPACT:

The total fiscal impact to the County for the ERP System Implementation, including contingency requirements, is approximately \$40.6 million. This joint County and School project is estimated to be completed in various phases over the next three years. Based on funds currently available in the *FY 2010 Revised Budget Plan* within Fund 104, Information Technology, IT0079, Legacy Systems Replacement Project, three additional funding adjustments of between \$8 to \$9 million each will need to be made during scheduled quarterly reviews or the annual budget process over the next three years to ensure that milestone payments are met and support infrastructure and training obligations are adequately addressed.

As is the policy with all Fund 104 projects, funding requirements will be carefully reviewed at the completion of each project phase to ensure that only funds that are absolutely necessary are obligated.

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ENCLOSED DOCUMENTS:

Attachment 1 - List of Offerors for RFP10-125118-10

Attachment 2 – FOCUS 10 Guiding Principles

STAFF:

Edward L. Long, Jr., Deputy County Executive

Cathy Muse, Director, Department of Purchasing and Supply Management

Wanda Gibson, Chief Technology Officer

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INFORMATION - 2

Planning Commission Action on Application 2232-V10-11, Department of Public Works and Environmental Services (Mount Vernon District)

On Wednesday, June 2, 2010, the Planning Commission voted unanimously (Commissioner Murphy absent from the meeting) to approve 2232-V10-11.

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-V10-11 sought approval to construct approximately 14,600 linear feet of 20-inch and 1,625 linear feet of 36-inch pipeline for a reclaimed water pipeline system from the Noman Cole Treatment Plant to the Covanta Waste to Energy Facility, running generally underground along or near Pohick River Drive, Lorton Road, and Furnace Road, connecting the facilities. (Tax Maps 107-3 ((1)) 19, 20; 107-4 ((1)) 8B, 10, 15A, 24; 107-4 ((4)) 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28; 108-3 ((1)) 23; 113-1 ((1)) 14; and portions of roads rights-of-way on Tax Maps 107-4 and 107-3).

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts from 6/2/10 Commission meeting

Attachment 2: Vicinity map

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. Lipka, Executive Director, Planning Commission Office

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11:30 a.m.

Matters Presented by Board Members

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12:20 p.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. *Keisha Carr v. Fairfax County Department of Family Services*, Record No. 0351-10-4 (Va. Ct. App.); *Linda Saifi v. Fairfax County Department of Family Services*, Record No. 0736-10-4 (Va. Ct. App.)
  - 2. *Najib Gerdak v. County of Fairfax and Jane Doe*, Case No. CL-2010-0006041 (Fx. Co. Cir. Ct.)
  - 3. *Victoria Insurance Company as Subrogee of Donnita Nicholas v. Fairfax County Police Department and M. G. Richa*, Case No. GV10-010700 (Fx. Co. Gen. Dist. Ct.)
  - 4. *Kenneth R. Andersen v. Zoning Administrator of Fairfax County*, Case No. CL-2010-0006912 (Fx. Co. Cir. Ct.) (Hunter Mill District)
  - 5. *Kevin M. Ferguson and C. Nicole Ferguson v. Board of Zoning Appeals of Fairfax County, Virginia*, Case No. CL 2010-0007746 (Fx. Co. Cir. Ct.) (Mount Vernon District)
  - 6. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Frank G. Eubank, Jr., Trustee of the Frank G. Eubank, Jr., Trust*, Case No. CL-2009-0014688 (Fx. Co. Cir. Ct.) (Dranesville District) (Strike Team/BNV Case)

7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Michael Shen*, Case No. CL-2009-0010971 (Fx. Co. Cir. Ct.) (Providence District)
8. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Faleh A. M. Al Hogbani*, Case No. CL-2009-0016717 (Fx. Co. Cir. Ct.) (Mason District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gary C. Smith and Carolyn W. Smith, Trustees of the Smith Living Trust*, Case No. CL-2009-0004848 (Fx. Co. Cir. Ct.) (Dranesville District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. ARPA Enterprises, Inc.*, Case No. CL-2008-0015529 (Fx. Co. Cir. Ct.) (Providence District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jaime R. Rueda*, Case No. CL-2009-0008709 (Fx. Co. Cir. Ct.) (Mason District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dino Mitchell*, Case No. CL-2007-0008571 (Fx. Co. Cir. Ct.) (Providence District)
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ronald Tonstad*, Case No. CL-2009-0013132 (Fx. Co. Cir. Ct.) (Mason District)
14. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Leo S. Morrison, Jr.*, Case No. CL-2008-0012787 (Fx. Co. Cir. Ct.) (Dranesville District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Olumuyiwa Olaseinde and Wuraola Olaseinde*, Case No. CL-2009-0015549 (Fx. Co. Cir. Ct.) (Lee District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Scott W. Pruitt*, Case No. CL-2009-0013751 (Fx. Co. Cir. Ct.) (Springfield District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gualtar Antonio Ramos*, Case No. CL-2008-0007170 (Fx. Co. Cir. Ct.) (Providence District)

18. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Adeen S. Ibrahim, Jr.*, CL-2008-0005850 (Fx. Co. Cir. Ct.) (Lee District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Arturo Castellon*, Case No. CL-2008-0004426 (Fx. Co. Cir. Ct.) (Springfield District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Brian Richard Bartunek and Sharon C. Bartunek*, Case No. CL-2010-0005678 (Fx. Co. Cir. Ct.) (Springfield District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mirna G. Rubio and Manuel R. Perez*, Case No. CL-2010-0000611 (Fx. Co. Cir. Ct.) (Lee District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nasir Ahmad and Wosai Ahmadi*, Case No. CL-2010-0000725 (Fx. Co. Cir. Ct.) (Mason District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sue Baek and Seong J. Kim*, Case No. CL-2010-0000726 (Fx. Co. Cir. Ct.) (Mason District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Henry Wilson and Mary R. Wilson*, Case No. 2010-0007946 (Fx. Co. Cir. Ct.) (Mount Vernon District)
25. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Guillermo Renato Garcia and Lenny Quiroz*, Case No. CL-2010-0007947 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team/BNV Case)
26. *James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. SCI Virginia Funeral Services, Inc.*, Case No. CL-2010-0008134 (Fx. Co. Cir. Ct.) (Providence District)
27. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. James W. Lewis*, Case No. CL-2010-0008214 (Fx. Co. Cir. Ct.) (Mason District)

28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert Moreno and Angel R. Moreno*, Case Nos. 10-0011208 and 10-0011209 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Memorial Venture, LLC*, Case Nos. 10-0010997 and 10-0010998 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ala Motlagh and Denise C. Motlagh*, Case Nos. 10-014401 and 10-014402 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Claude A. Wheeler, II*, Case Nos. 10-014477 and 10-014478 (Fx. Co. Gen. Dist. Ct.) (Lee District)

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3:30 p.m.

Public Hearing on RZ 2009-SU-024 (Sully East L.C.) to Rezone from PDC, I-5, PDH-16, HD and WS to PDC, HD and WS to Permit Commercial Development with an Overall Floor Area Ratio (FAR) of .35 and Approval of the Conceptual and Final Development Plans, Located on Approximately 76.60 Acres, Sully District

and

Public Hearing on PCA 2003-SU-035 (Sully East L.C.) to Amend the Proffers, Conceptual and Final Development Plans for RZ 2003-SU-035 Previously Approved for Mixed Use Development to Permit Reduction in Land Area and Associated Modifications to Proffers and Site Design with an Overall Floor Area Ratio (FAR) of .35, Located on Approximately 68.80 Acres Zoned PDC, PDH-16, HD and WS, Sully District

and

Public Hearing on SEA 2003-SU-023 (Sully East L.C.) to Amend SE 2003-SU-023 Previously Approved for an Increase in Building Height to Permit Increase in Land Area. Located on Approximately 25.24 Acres Zoned PDC, PDH-16, HD and WS, Sully District

(Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Barnsfield Road to proceed under Sections 33.1-151 and 15.2-2270(2) of the Code of Virginia).

The application property RZ 2009-SU-024 is located in the southeast quadrant of the Sully Road and Air & Space Museum Parkway interchange, west of Centreville Road and south of Historic Sully Way Tax Map 34-2 ((1)) 2 pt., 3A, 7, 8, 10A, 27 pt. and 35 pt. and a portion of Barnsfield Road right-of-way to be vacated and/or abandoned.

The application property PCA 2003-SU-035 is located in the southeast quadrant of the intersection of Sully Road and Air & Space Museum Parkway and west side of Centreville Road, Tax Map 34-2 ((1)) 2 pt., 3A pt. 10A pt., 27 pt. and 35 pt. and a portion of Barnsfield Road right-of-way to be vacated and/or abandoned.

The application property SEA 2003-SU-023 is located at 13800, 13850, 13900 and 13950 Barnsfield Road and 3318 Centreville Road.

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PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearings will be held on Thursday, June 17, 2010. The Commission's recommendations 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)  
Suzianne Zottl, Staff Coordinator, Zoning Evaluation Division, DPZ

Board Agenda Item  
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3:30 p.m.

Public Hearing on RZ 2009-MV-018 (Scannell Properties # 117, LLC and Scannell Properties #82, LLC) to Rezone from R-1 and I-6 to I-5 to Permit Industrial Development with an Overall Floor Area Ratio (FAR) of 0.09, Located on Approximately 117.42 Acres, Mount Vernon District

**Public Hearing on RZ 2009-MV-018 (Scannell Properties # 117, LLC and Scannell Properties #82, LLC) is TO BE DEFERRED to JULY 27, 2010 at 3:00 p.m.**

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4:00 p.m.

Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Project W00400 (W4130) - Florence Lane Walkway (Lee District)

ISSUE:

Public Hearing on the acquisition of certain land rights necessary for the construction of Project W00400 (W4130) - Florence Lane Walkway, Fund 307, Pedestrian Walkway Improvements.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (Board) adopt the attached resolution authorizing the acquisition of the necessary land rights.

TIMING:

On May 25, 2010, the Board authorized advertisement of a public hearing to be held on June 22, 2010, commencing at 4:00 p.m.

BACKGROUND:

The County is planning to construct approximately 550 linear feet of 5-foot concrete sidewalk, curb and gutter, roadway widening with new full depth pavement, and to provide adequate storm drainage along the east side of Florence Lane between Candlelight Court and Beech Tree Drive.

Land rights for these improvements are required on three properties. Dedications for public street purposes, a Fairfax County Water Authority easement, grading, and temporary construction easements are needed to facilitate this construction.

Negotiations are in progress with the owners of these properties; however, one of the affected properties is an out lot parcel (Tax Map #082-4-33-0000-B) owned by Robert Kato and Gale Davis. Mr. Kato is deceased and Ms. Davis does not have a known address. Therefore, Ms. Davis is considered an "unknown owner" of this property and condemnation is required to obtain title to the affected property.

Negotiations are proceeding with the property owned by Karl and Gretchen Duff and Stony Hill Properties (Tax Map #082-4-01-0025); and the property owned by Fatima M. Ast and Jay Howard Heltzer (Tax Map #082-4-35-0005-A). However, since resolution of these acquisitions is not imminent, it may become necessary for the Board to utilize quick-take

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eminent domain powers to commence construction of this project on schedule. These powers are conferred upon the Board by statute, namely, VA. Code Ann. §15.2-1904 and 15.2-1905 (2008). Pursuant to these provisions, a public hearing is required before property interests can be acquired in such an accelerated manner.

FISCAL IMPACT:

Funding is available in Project W00400 (W4130) - Florence Lane Walkway Improvements, Fund 307, and Project 009471 (WT003) - Florence Lane Walkway Improvements, Fund 303. These projects are included in the FY 2011-FY 2015 Adopted Capital Improvement Program. No additional funding is being requested from the Board at this time for land acquisition; however, funds may be required in the future to complete the project.

ENCLOSED DOCUMENTS:

Attachment A - Project Location Map

Attachment B - Resolution with Fact Sheets on the affected parcels with plats showing interests to be acquired (Attachments 1 through 3A).

STAFF:

James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)  
Howard J. Guba, Deputy Director, DPWES

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4:00 p.m.

Public Hearing on a Proposal to Prohibit Through Truck Traffic on Florence Lane, Shaffer Drive and School Street as Part of the Residential Traffic Administration Program (Lee District)

ISSUE:

Public hearing for the purpose of endorsing the following roads to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction:

- Florence Lane, Shaffer Drive and School Street between Telegraph Road and North Kings Highway

RECOMMENDATION:

The County Executive recommends that the Board approve the attached resolution endorsing these roads to be included in the RTAP for a through truck traffic restriction.

TIMING:

On May 25, 2010, the Board authorized advertisement of a public hearing scheduled for June 22, 2010, 4:00 p.m.

BACKGROUND:

In a memorandum dated November 18, 2009, Supervisor McKay requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Florence Lane, Shaffer Drive and School Street due to continuing safety concerns of residents regarding through trucks utilizing Florence Lane, Shaffer Drive and School Street as a shortcut between Telegraph Road and North Kings Highway. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is via Telegraph Road to North Kings Highway, from the intersection of Telegraph Road and Florence Lane to the intersection of North Kings Highway and School Street (Attachment II).

Section 46.2-809, of the *Code of Virginia* requires a local jurisdiction to hold a duly advertised public hearing on any proposal to restrict through truck traffic on a primary or secondary road. Further, a resolution pertaining to prohibiting through truck traffic on these roads (Attachment I) has been prepared for adoption and transmittal to VDOT, which will conduct the formal engineering study of the through truck restriction request.

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FISCAL IMPACT:  
None.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Resolution to Restrict Through Truck Traffic on Florence Lane, Shaffer Drive and School Street

Attachment II: Area Map of Proposed Through Truck Traffic Restriction

STAFF:

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

Eric M. Teitelman, 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

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4:00 p.m.

Public Hearing to Expand the Signal Hill Community Parking District (Braddock 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 Signal Hill 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 Signal Hill CPD in accordance with existing CPD restrictions.

TIMING:

The public hearing was authorized on May 25, 2010, for June 22, 2010, at 4:00 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.

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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.

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

The parking prohibition identified above for the Signal Hill 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 \$600 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 Signal Hill 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

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4:30 p.m.

Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic, Section 82-1-6, Adoption of State Law

ISSUE:

Public hearing to amend Chapter 82, Motor Vehicles and Traffic. These amendments adopt actions of the 2010 General Assembly into Chapter 82 of the *Code of the County of Fairfax, Virginia*.

RECOMMENDATION:

The County Executive recommends that the Board adopt the proposed amendments to Chapter 82.

TIMING:

Board of Supervisors authorized the advertisement of a public hearing on the proposed amendments on May 25, 2010; Board of Supervisors' public hearing scheduled for June 22, 2010 at 4:30 p.m. If approved, the provisions of these amendments will become effective July 1, 2010.

BACKGROUND:

As a housekeeping measure to update Chapter 82, portions of Section 82-1-6 (Adoption of State Law) have been amended to reflect changes made to the *Code of Virginia* by the 2010 General Assembly. A summary of all changes, which become effective July 1, 2010, is provided in Attachment 2.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 - Proposed Amendments to Chapter 82, Motor Vehicles and Traffic  
Attachment 2 - Summary of 2010 General Assembly Amendments Affecting Chapter 82, Motor Vehicles and Traffic

STAFF:

Colonel David M. Rohrer, Chief of Police  
Karen L. Gibbons, Senior Assistant County Attorney

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4:30 p.m.

Public Comment from Fairfax County Citizens and Businesses on Issues of Concern

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4:30 p.m.

Public Hearing on Proposed Plan Amendment ST05-CW-1CP, Tysons Corner Urban Center  
(Providence & Hunter Mill Districts)

ISSUE:

Plan Amendment (PA) ST05-CW-1CP involves the 2,100 acres of the Tysons Corner Urban Center. Tysons has been the subject of a special transportation and urban design study conducted under the direction of County staff and a Tysons Land Use Task Force appointed by the Fairfax County Board of Supervisors. The Tysons Corner Urban Center Plan amendment sets forth a vision and implementation approach, areawide recommendations for land use, transportation, environmental stewardship, public facilities and urban design. The Plan amendment contains district recommendations for the four new Metrorail stations that are part of Metrorail's Silver Line (Tysons East, Tysons Central 123, Tysons Central 7, and Tysons West); these districts are referred to as Transit Oriented Development areas (TODs). Four districts are identified as Non-TOD districts with recommendations that provide a transition between the higher intensities planned near the stations and the surrounding communities.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended that the Board of Supervisors adopt PA ST05-CW-1CP as shown in Attachment I. The Planning Commission recommendations include Intensity Alternative 3A from the March 24, 2010 draft Plan Amendment. This provides that the intensity of redevelopment projects within ¼ mile of the Metro stations do not have a specified maximum Floor Area Ratio (FAR). The appropriate level of intensity in these areas should be determined through the rezoning process.

The Planning Commission also recommended that, to implement the first 20 year increment of the ultimate vision for Tysons, the total amount of office uses built and approved in the entire urban center should not exceed an initial development level of 45 million square feet. This amount is the office component of the high forecast for the year 2030 prepared for Fairfax County in 2008 by George Mason University's Center for Regional Analysis.

The initial development level focuses on office uses because they represent the majority of existing uses and have high peak period vehicle trip generation characteristics. New uses other than offices that have a significant impact on peak period trips should also be managed carefully and may be counted toward the initial office development level.

To encourage new housing development in Tysons, residential uses may be rezoned at levels above the 2030 forecast for housing. Uses such as neighborhood retail, hotels, and

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arts/civic space may also be rezoned at levels above the 2030 forecast if they do not have a significant impact on peak period vehicle trips.

The Planning Commission recommends that the amount of development and the performance of the transportation system at Tysons be monitored on an annual basis, and that the following criteria be considered when determining an increase in the initial development level for office uses:

- Progress achieved toward the realization of the vision for Tysons;
- Market demand for office space, as demonstrated by new building construction, vacancy rates, and revised forecasts;
- Balance between land use and transportation, including the provision of infrastructure and achievement of vehicle trip reduction levels identified for the year 2030; and
- Funding arrangements for transportation improvements and programs, so that timely completion of improvements identified for the period beyond 2030 can confidently be expected.

In addition to the recommended Plan text in Attachment I, the Planning Commission Verbatim is included as Attachment II. The Planning Commission also provided 16 follow-on motions which may be found in Attachment III. These address very important aspects of Plan implementation such as funding for transit and other infrastructure, plan policy changes, incentives for green buildings, monitoring, and adoption of official maps of streets and public facilities.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation. The 18-month review of this very important Comprehensive Plan amendment by the Planning Commission Tysons' Committee provided an opportunity for a full discussion and consideration of all issues. The Staff Report Addendum, Attachment V, describes how several key issues have been resolved through the consideration of public testimony and interaction between the Planning Commission and staff. In particular, Staff supports the intensity alternative adopted by the Planning Commission and the approach they have recommended for allocating the first 20-year increment of planned Tysons growth. The Planning Commission also approved a series of follow-on motions for the Board's consideration that staff supports. These motions support activities that are critical to the successful implementation of the proposed new Comprehensive Plan for Tysons.

The County Executive also recommends that the Board adopt the workforce housing policy, entitled "Board of Supervisors' Tysons Corner Urban Center Workforce Dwelling Unit Administrative Policy Guidelines," set forth as Attachment IV.

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TIMING:

Planning Commission public hearing– April 21, 2010  
Planning Commission markup – May 27, 2010  
Board of Supervisors’ public hearing – June 22, 2010

BACKGROUND:

The Planning Commission and Board of Supervisors designated 2004 as an Area Plan Review (APR) year for the northern half of the county. In Tysons Corner twenty APR nominations were submitted as part of this process. Due to the number of nominations, the Planning Commission, at the Board of

Supervisors’ request, deferred all rail-related APR nominations. Following deferral, the Board authorized a Special Study to evaluate the area’s transportation system and review Tysons Corner rail-related Plan nominations.

The Board recognized that the outcome of the study would not be successful without public involvement and an identifiable group to spearhead the study. In March 2005, the Board established the Tysons Land Use Task Force to recommend updates to the Comprehensive Plan and coordinate public outreach and input. The Task Force held 45 public workshops and outreach sessions between 2006 and 2008.

The Board also authorized funding for “world class” consultants in land use, especially transit-oriented development, and transportation to assist the Task Force. The consulting team engaged in three rounds of analysis which formed the basis for the land use and transportation recommendations in the proposed Plan Amendment. Hundreds of citizens participated in three rounds of workshops focusing on the planning alternatives and scenarios developed by the consultants and staff, working with the Task Force.

In September 2008 the Task Force presented its report entitled, “Transforming Tysons: Vision and Area Wide Recommendations,” to the Board of Supervisors. The Board directed staff to develop Plan text based on the Task Force report, on the GMU forecast of population and employment, and analyses of land use, transportation, public facilities and fiscal impacts.

In October 2008 the Planning Commission formed a five-member Tysons Committee. This committee held 41 formal meetings between its formation and the end of May 2010. Among these meetings were five listening sessions with Fairfax County citizens and with property owners at Tysons. Between February 2009 and May 2010, the Planning Commission Tysons Committee worked with staff to flesh out Plan text on a number of issues, including affordable and workforce housing, green buildings, consolidation, building height, and stormwater management.

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With regard to the proposed Board's Administrative Policy Guidelines on workforce housing, Attachment IV sets forth staff's proposal to establish the preferred administrative tools for the long term administration of proffered workforce dwelling units in the Tysons Corner Urban Center. As administrative policy guidelines, a rezoning applicant could proffer to comply with this Board policy, such that proffered workforce dwelling units throughout the Plan area could be uniformly administered.

FISCAL IMPACT:

Information on the fiscal impacts of the Comprehensive Plan and associated Zoning Ordinance amendments is provided under separate cover in a memorandum to the Board from James P. Zook, dated June 11, 2010.

ENCLOSED DOCUMENTS:

Attachment I – Planning Commission Recommendation (Under separate cover and also found at

[http://www.fairfaxcounty.gov/dpz/tysonscorner/drafts/tysons\\_draft\\_plan\\_05272010.pdf](http://www.fairfaxcounty.gov/dpz/tysonscorner/drafts/tysons_draft_plan_05272010.pdf))

Attachment II– Planning Commission Verbatim, May 27, 2010 (also found at

[http://www.fairfaxcounty.gov/dpz/tysonscorner/bos\\_att2\\_pcverbatim.pdf](http://www.fairfaxcounty.gov/dpz/tysonscorner/bos_att2_pcverbatim.pdf))

Attachment III – Planning Commission Follow-on Motions (also found at

[http://www.fairfaxcounty.gov/dpz/tysonscorner/bos\\_att3\\_pcmotions.pdf](http://www.fairfaxcounty.gov/dpz/tysonscorner/bos_att3_pcmotions.pdf))

Attachment IV – Board of Supervisors' Tysons Corner Urban Center Workforce Dwelling Unit Administrative Policy Guidelines (also found at

[http://www.fairfaxcounty.gov/dpz/tysonscorner/bos\\_att4\\_housingguidelines.pdf](http://www.fairfaxcounty.gov/dpz/tysonscorner/bos_att4_housingguidelines.pdf))

Attachment V - Staff Report Addendum for Proposed Plan Amendment ST05-CW-1CP

STAFF:

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4:30 p.m.

Public Hearing on a Proposed Zoning Ordinance Amendment Re: Establishment of Planned Tysons Corner Urban District (PTC)

ISSUE:

The proposed amendment establishes a new P District, the PTC District, to implement the Comprehensive Plan recommendations proposed for the Tysons Corner Urban Center.

PLANNING COMMISSION RECOMMENDATION:

On May 27, 2010, the Planning Commission voted unanimously (Commissioner Hall absent from the meeting) to recommend that the Board of Supervisors (Board) adopt the proposed Zoning Ordinance Amendment to establish the PTC – Planned Tysons Corner Urban District, as set forth in the Staff Report dated March 23, 2010 with a number of revisions, which are described below. The full text of the Tysons Zoning Ordinance Amendment as recommended by the Planning Commission is set forth in Attachment 1.

RECOMMENDATION:

The County Executive concurs with the Planning Commission's recommendation as set forth as Attachment 1. Further, the County Executive recommends that the Board adopt the trip generation guidelines, entitled "Board of Supervisors' Guidelines for Vehicle Trip Generation Analysis for Rezoning Applications to the Tysons PTC District", set forth as Attachment 3.

TIMING:

Board authorization to advertise – March 23, 2010; Planning Commission public hearing – April 21, 2010, Planning Commission decision deferred to May 27, 2010; Board public hearing – June 22, 2010 at 4:30 p.m.

BACKGROUND:

The proposed Zoning Ordinance amendment provides the implementation mechanism for the transformation of Tysons into the transit oriented, urban center, as set forth in the proposed Tysons Comprehensive Plan amendment (Comprehensive Plan). On January 12, 2010, the Board directed staff to draft an amendment to the Zoning Ordinance to be heard concurrently with the public hearings scheduled for the proposed

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Comprehensive Plan so that the County is immediately prepared to receive and process development proposals upon adoption of the two amendments. As such, the Zoning Ordinance amendment establishes a new P District specifically for Tysons, entitled "PTC - Planned Tysons Corner Urban District", which will be required for properties within Tysons where the redevelopment option set forth in the Comprehensive Plan is being sought.

On May 27, 2010, the Planning Commission voted to recommend that the Board adopt the proposed Zoning Ordinance amendment to establish the PTC District, as set forth in the Staff Report dated March 23, 2010, with revisions. The full text of the proposed amendment as recommended by the Planning Commission is set forth as Attachment 1 and the specific revisions (with page number of revision noted in parenthesis) are as follows:

- With regard to cellar space, the Planning Commission recommended Option 2, as set forth in the March 23, 2010 Staff Report, which provides that cellar space be counted as gross floor area and included in the calculation of the floor area ratio (FAR) in the PTC District, except for mechanical equipment with structural headroom of less than 6 feet 6 inches and areas designated for storage and/or accessory uses. The Planning Commission further modified this provision to also exempt cellar space that is used for primarily unmanned datacenter equipment. (Attachment 1, Page 8, Lines 33-41)
- With regard to inoperative vehicles, the Planning Commission recommended clarifying text pertaining to the limitation on the outdoor storage of inoperative vehicles associated with service stations and vehicle light service establishments. The need for clarification was raised by the Board at the time of authorization of the proposed amendment. (Attachment 1, Page 10, Lines 24-27)
- With regard to parking, the Planning Commission recommended in the Non-TOD, as applicable, the parking minimum be reduced from 85% to 75% of the current minimum specified rate in Article 11. Given that within a Community Revitalization District (CRD), the parking minimum is based on 80% of the specified rate set forth in Article 11; it is believed to be appropriate that in Tysons, which will have access to Metro rail that a greater reduction be allowed. (Attachment 1, Page 16, Line 11)
- With regard to open space, the Planning Commission recommended adding text to allow the Board to modify the limitation that not more than 50% of publicly accessible open space can be located above the street level, if such modification is to accommodate active recreation facilities. This revision is to address the concern that the advertised text may have the unintended consequence of

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restricting the provision of rooftop athletic fields. (Attachment 1, Page 14, Lines 10-11)

- With regard to FAR, the Planning Commission recommended intensity changes to reflect the Comprehensive Plan's intensity recommendation being forwarded to the Board. (Attachment 1, Page 13, Lines 8-46)
- In accordance with the FAR intensities the Planning Commission also recommended establishing a new Category 6 Special Exception Use to permit an increase in FAR within ¼ mile of a Metro Station for office and those uses which generate more AM and PM peak hour vehicle trips than hotel use. (Pages 22-24)

It is noted that all of the revised text recommended by the Planning Commission is within the scope of the amendment as advertised.

Staff has developed guidelines to be used in preparing the trip generation analysis for determining the applicable FAR for a use in the PTC District. These guidelines are set forth as Attachment 2, and if adopted, will be included as part of the PTC District rezoning application package and posted on the County's internet website. The Planning Commission did not make a recommendation on the proposed guidelines as there is no requirement that they do so. Additionally, set forth as Attachment 4 is the Staff Report which was authorized for advertisement by the Board on March 23, 2010.

REGULATORY IMPACT:

To implement the intensities, mix of uses and parking rates, among other items, recommended in the proposed Comprehensive Plan amendment for Tysons, the proposed amendment establishes a new P District for Tysons and two new Category 6 special exception uses for an increase in parking and an increase in FAR.

FISCAL IMPACT:

Information on the fiscal impacts of the Zoning Ordinance and associated Comprehensive Plan amendments is provided under separate cover in a memorandum from James P. Zook to the Board dated June 11, 2010.

ENCLOSED DOCUMENTS:

Attachment 1 – Tysons Zoning Ordinance Amendment as Recommended by the Planning Commission on May 27, 2010 (Also found at

<http://www.fairfaxcounty.gov/dpz/zoning/tysonszoa/>)

Attachment 2 - Planning Commission Verbatim

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Attachment 3 – Board of Supervisors’ Guidelines for Vehicle Trip Generation Analysis for Rezoning Applications to the Tysons PTC District (Also found at <http://www.fairfaxcounty.gov/dpz/zoning/tysonsoa/>)

Attachment 4 – Staff Report dated March 23, 2010 (Also found at <http://www.fairfaxcounty.gov/dpz/zoning/tysonsoa/>)

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