

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JULY 26, 2011**

AGENDA

9:30	Done	Presentations
10:30	Done	Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
10:45	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Approval of "Watch for Children" Signs as Part of the Residential Traffic Administration Program (Springfield District)
2	Approved	Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (Springfield District)
3	Approved	Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Northbourne Drive and Cabells Mill Drive as Part of the Residential Traffic Administration Program (Sully District)
4	Approved	Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Backlick Road as Part of the Residential Traffic Administration Program (Mount Vernon District)
5	Approved w/amendment	Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Independent Living Facilities for Low Income Residents and a Modification to the Definitions of "Dwelling Unit" and "Independent Living Facility"
6	Approved	Streets into the Secondary System (Hunter Mill, Lee, Mount Vernon and Springfield Districts)
7	Approved	Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the FY 2012 Revised Budget Plan
8	Approved	Authorization to Advertise a Public Hearing on Proposed Amendments to the Jefferson Manor Conservation Plan (Lee District)
9	Approved	Additional Time to Establish the Use for Special Exception SE 2006-SP-011, Virginia Electric and Power Company (Springfield District)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JULY 26, 2011**

**ADMINISTRATIVE
ITEMS**

(continued)

- | | | |
|----|-----------------|--|
| 10 | Approved | Authorization to Advertise a Public Hearing on the Interim Agreement (Laurel Hill) Between the Board of Supervisors and The Alexander Company, Under the Provisions of the Public-Private Education and Infrastructure Act of 2002 |
| 11 | Approved | Authorization to Advertise a Public Hearing to Consider the Local Property Tax Exemption of NOVACO Pursuant to Article 27, Chapter 4, of the Fairfax County Code |
| 12 | Approved | Authorization for the Fairfax County Fire and Rescue Department to Apply for and Accept Assistance to Firefighters Grant from the U.S. Department of Homeland Security |

ACTION ITEMS

- | | | |
|---|-----------------|--|
| 1 | Approved | Authorization of Funding from the Route 28 Highway Transportation Improvement District Project Completion Fund for Spot Widening Projects |
| 2 | Approved | Approval of a Parking Reduction for Mosaic District – Parcels I & J of the Merrifield Town Center (Providence District) |
| 3 | Approved | Approval of an Amended Parking Reduction for Reston Town Center Urban Core – Phase I (Hunter Mill District) |
| 4 | Approved | Fence Height Modification for the McLean Police and Governmental Center Renovation and Expansion Project (Dranesville District) |
| 5 | Approved | Approval of Supplemental Appropriation Resolution AS 12006 and Approval of a Standard Project Administration Agreement for the Department of Transportation to Accept Congestion Mitigation and Air Quality Program Funding for the Dulles Corridor Bicycle and Pedestrian Improvements (Dranesville, Hunter Mill, and Providence Districts) |
| 6 | Approved | Adoption of an Amendment to Section 6-1-2.1 of the Code of the County of Fairfax, Relating to Pneumatic Guns |
| 7 | Approved | Approval of FY 2011 Year-End Processing |
| 8 | Approved | Authorization to File Comments Regarding Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting (WC Docket No. 11-59) |

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JULY 26, 2011**

ACTION ITEMS

(continued)

- | | | |
|---|-----------------|--|
| 9 | Approved | Board Endorsement of the Strategy Outlined by the U.S. Secretary of Transportation Related to Dulles Corridor Metrorail Project Phase II and Authorization of the County Executive to Act as the Board's Agent in Negotiating a Phase II Project Memorandum of Understanding |
|---|-----------------|--|

**CONSIDERATION
ITEM**

- | | | |
|---|---|---|
| 1 | Overtaken the Proffer Interpretation | Appeal by Metro Park 6, LLC, of a Proffer Interpretation for RZ 1998-LE-048, PCA 98-LE-048-3, and FDPA 1998-LE-048-1-3 (Lee District) |
|---|---|---|

**INFORMATION
ITEMS**

- | | | |
|-------|--------------|---|
| 1 | Noted | Quarterly Status Report on the Board's Second Four-Year Transportation Program |
| 2 | Noted | BRAC/South County Service Plan for the FAIRFAX CONNECTOR Routes to be Implemented in September 2011 |
| 3 | Noted | Contract Awards and Approval of Street Acceptance Items During Board of Supervisors' Recess |
| 11:00 | Done | Matters Presented by Board Members |
| 11:50 | Done | Closed Session |

**PUBLIC
HEARINGS**

- | | | |
|------|-----------------|--|
| 3:00 | Approved | Public Hearing on SE 2010-MA-032 (Hillbrook Real Estate Holdings, LLC) (Mason District) |
| 3:00 | Approved | Public Hearing on SE 2010-MA-031 (Hillbrook Real Estate Holdings, LLC) (Mason District) |
| 3:00 | Approved | Public Hearing on SE 2010-MA-028 (Washington Metropolitan Area Transit Authority (WMATA)) (Mason District) |
| 3:30 | Approved | Public Hearing on SE 2010-DR-030 (Shelter Development, LLC) (Dranesville District) |
| 3:30 | Approved | Public Hearing on RZ 2011-SU-004 (INOVA Health Care Services) (Sully District) |

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JULY 26, 2011**

**PUBLIC
HEARINGS**

(continued)

3:30	Approved	Public Hearing on PCA 2000-SU-032-03 (INOVA Health Care Services) (Sully District)
3:30	Approved	Public Hearing on SEA 84-C-076-09 (INOVA Health Care Services) (Sully District)
3:30	Approved	Public Hearing on PCA 2005-PR-041-02 (Eskridge (E&A), LLC) (Providence District)
3:30	Public hearing deferred to 9/13/11 at 3:30 p.m.	Public Hearing on RZ 2010-MV-011 (Memorial Venture, LLC) (Mount Vernon District)
3:30	Approved	Public Hearing on PCA 87-P-038-05 (Fairfax County Board of Supervisors (Contract Purchaser)) (Providence District)
4:00	Approved	Public Hearing on SE 2011-PR-003 (Grant 1651 Old Meadow Road, LLC) (Providence District)
4:00	Public hearing deferred to 9/13/11 at 3:30 p.m.	Public Hearing on RZ 2010-MA-017 (UPIA, LLC) (Mason District)
4:00	Approved	Public Hearing on SEA 82-V-012-06 (INOVA Health Care Services) (Mount Vernon District)
4:00	Approved	Public Hearing to Amend Articles 2 and 3 of Chapter 3 RE: Uniformed and Employees' Retirement Systems – Change in Social Security Offset to Service-Connected Disability Benefits
4:30	Approved	Public Hearing on Proposed Amendments to Chapter 104 (Erosion and Sedimentation Control), Chapter 112 (Zoning Ordinance), and Appendix Q (Land Development Services Fee Schedule) of <i>The Code of the County of Fairfax, Virginia</i> RE: Conservation Plan for Land Disturbing Activities 2,500 – 5,000 sq. ft.
4:30	Approved	Public Hearing to Consider Creating Fairfax County Code Section 82-5-37.1 Restricted Parking in Non-Residential Areas
4:30	Board took on action; directed staff to prepare a new ordinance	Public Hearing to Consider Creating Fairfax County Code 82-13 (Golf Cart Usage) Related to Operation of Golf Carts on Public Highways

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JULY 26, 2011**

**PUBLIC
HEARINGS**

(continued)

5:00	Approved	Public Hearing on RZ 2011-MV-001(Summit Oaks Section 2, LLC) (Mount Vernon District)
5:00	Approved	Public Hearing on PCA 2002-MV-020 (Summit Oaks Section 2, LLC) (Mount Vernon District)
5:00	Approved	Public Hearing on PRC 85-C-088-02 (South of Market Lot 16 LLC) (Hunter Mill District)
5:00	Approved	Public Hearing on RZ 2010-LE-018 (WV/B Palisades Development LLC) (Lee District)
5:00	Approved	Public Hearing on SEA 94-P-040 (RP MRP Tysons, LLC) (Providence District)
5:00	Approved	Public Hearing to Convey Board-Owned Property to the Fairfax County Park Authority
5:00	Approved	Public Hearing to Consider Two Ordinances Amending Fairfax County Code Chapter 7 Relating to Election Precincts
5:00	No speakers	Public Comment from Fairfax County Citizens and Businesses on Issues of Concern



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Tuesday
July 26, 2011

9:30 a.m.

PRESENTATIONS

SPORTS/SCHOOLS

- CERTIFICATE – To recognize the numerous accomplishments of the South County Secondary School Baseball Team. Requested by Supervisor Hyland.
- CERTIFICATE – To recognize the McLean High School Girls Soccer Team for winning the Virginia Group AAA state championship. Requested by Supervisor Foust.
- CERTIFICATE – To recognize the Langley High School Boys Lacrosse Team for winning the Virginia High School League state tournament. Requested by Supervisor Foust.

RECOGNITIONS

- CERTIFICATE – To recognize the Mount Vernon District Visioning Task Force for its service and report providing a vision of where the district should be in 25 years. Requested by Supervisor Hyland.
- CERTIFICATE – To recognize Paola and Robert Pizzano for their contribution from the Joey Pizzano Memorial Foundation to assist with funding for the Our Special Harbor spraypark and the Make a Splash program. Requested by Supervisor McKay.

— more —

Board Agenda Item
July 26, 2011

- CERTIFICATE – To recognize John Ariail for his vision, dedication, leadership and significant contributions to the Lorton Arts Foundation Workhouse Arts Center and Fairfax County. Requested by Supervisor Herrity.
- RESOLUTION – To recognize John Monsul and the crew of “Communicating Today” — a program seen on Fairfax Public Access Cable Channel 10 — for the 600th broadcast of the program. Requested by John Foust.
- CERTIFICATE – To recognize Nancy Mercer and Jill Eglè for their years of service at The Arc of Northern Virginia for residents of Fairfax County. Requested by Supervisor Cook

DESIGNATIONS

- PROCLAMATION – To designate September 2011 as Direct Support Professionals Appreciation Month in Fairfax County. Requested by Chairman Bulova.

STAFF:

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

Board Agenda Item
July 26, 2011

10:30 a.m.

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

ENCLOSED DOCUMENTS:

Attachment 1 - Appointments to be heard July 26, 2011
(An updated list will be distributed at the Board meeting.)

STAFF:

Nancy Vehrs, Clerk to the Board of Supervisors

THIS PAGE INTENTIONALLY LEFT BLANK

APPOINTMENTS TO BE HEARD JULY 26, 2011
 (ENCOMPASSING VACANCIES PROJECTED THROUGH AUGUST 31, 2011)
 (Unless otherwise noted, members are eligible for reappointment)

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Mark S. Ingraio (Appointed 1/03 by Mendelsohn; 5/05 by DuBois) Term exp. 5/09	Citizen Representative		By Any Supervisor	At-Large
VACANT (Formerly held by James Francis Carey; appointed 2/95-5/02 by Hanley; 5/06 by Connolly) Term exp. 5/10 <i>Resigned</i>	Lending Institution Representative		By Any Supervisor	At-Large

AIRPORTS ADVISORY COMMITTEE (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Barbara Kreykenbohm; appointed 1/09 by Gross) Term exp. 1/11 <i>Resigned</i>	Mason District Representative		Gross	Mason

ATHLETIC COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Michael Champness (Appointed 2/05&3/07 by DuBois; 3/09 by Foust) Term exp. 3/11	Dranesville District Principal Representative		Foust	Dranesville
Jennifer Beausoliel (Appointed 1/06-6/09 by Gross) Term exp. 6/11	Mason District Alternate Representative		Gross	Mason

**BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE
(1 year)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Lilyan Spero; appointed 6/04-6/09 by Connolly; 6/10 by Bulova) Term exp. 6/11 <i>Deceased</i>	At-Large Chairman's Representative		Bulova	At-Large Chairman's
William Hanks (Appointed 2/10&6/10 by Cook) Term exp. 6/11	Braddock District Representative		Cook	Braddock
VACANT (Formerly held by Judy Seiff; appointed 9/10 by Foust) Term exp. 6/11 <i>Resigned</i>	Dranesville District Representative		Foust	Dranesville

Continued on next page

**BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE
(1 year)
Continued**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Regina Jordan; appointed 6/04&6/09 by Hudgins) Term exp. 6/10 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill
Rachel Rifkind (Appointed 5/09-6/09 by Gross) Term exp. 6/11	Mason District Representative		Gross	Mason
John R. Byers (Appointed 6/09-6/10 by Hyland) Term exp. 6/11	Mount Vernon District Representative		Hyland	Mt. Vernon
VACANT (Formerly held by Robert McDaniel; appointed 9/10 by Herrity) Term exp. 6/11 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield

**CHESAPEAKE BAY PRESERVATION ORDINANCE
EXCEPTION REVIEW COMMITTEE
(4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Michael Fraser; appointed 11/08 by Smyth) Term exp. 9/11 <i>Resigned</i>	Providence District Representative		Smyth	Providence

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION
(4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Roger Wilson; appointed 7/09 by Smyth) Term exp. 1/13 <i>Resigned</i>	Providence District Representative		Smyth	Providence

**COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP
(2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Michael Webb (Appointed 4/07 by Bulova; 5/09 by Cook) Term exp. 4/11	Braddock District Representative		Cook	Braddock

**CONSUMER PROTECTION COMMISSION
(3 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Michael Roark (appointed 1/08&10/08 by Hyland) Term exp. 7/11	Fairfax County Resident #2 Representative		By Any Supervisor	At-Large
Dirck Hargraves (Appointed 10/06 by Kauffman; 10/08 by McKay) Term exp. 7/11	Fairfax County Resident #5 Representative	Dirck Hargraves (McKay)	By Any Supervisor	At-Large

ECONOMIC DEVELOPMENT AUTHORITY (EDA) (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Mark Lowham (Appointed 12/09 by Bulova) Term exp. 7/1/11	At-Large #6 Citizen Representative	Mark Lowham (Bulova)	By Any Supervisor	At-Large

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Edmund P. Foster; appointed 1/09&12/09 by Herrity) Term exp. 11/12 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield

FAIRFAX AREA DISABILITY SERVICES BOARD
(3 years- limited to 2 full consecutive terms per MOU, after initial term)

[NOTE: Persons may be reappointed after being off for 3 years. State Code requires that membership in the local disabilities board include at least 30 percent representation by individuals with physical, visual or hearing disabilities or their family members. For this 15-member board, the minimum number of representation would be 5.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Thomas Choman (Appointed 5/02 by Hanley; 11/04&1/08 by Connolly) Term exp. 11/10	At-Large Fairfax County Representative		By Any Supervisor	At-Large
Ann Pimley (Appointed 9/03&11/06 by Frey) Term exp. 11/09 <i>Not eligible for reappointment (need 3 year lapse)</i>	Sully District Representative		Frey	Sully

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL
(2 years)**

Incumbent History Requirement Nominee Supervisor District

CONFIRMATIONS NEEDED:

- Ms. Dawn Kaye as a Long Term Care Provider Representative

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD
(3 years – limited to 3 full terms)**

[NOTE: In accordance with *Virginia Code* Section 37.2-502, "**prior to making any appointment, the appointing authority shall disclose and make available to the public the names of those persons being considered for appointment.** The appointing authority shall also make information on the candidates available to the public, if such information is available to the appointing authority." **Members can be reappointed after 3 year break from initial 3 full terms. VA Code 37.2-502]**

Incumbent History Requirement Nominee Supervisor District

Renee Alberts (Appointed 8/01-5/02 by Hanley; 6/05-6/08 by Connolly) Term exp. 6/11 *Not eligible for reappointment)	At-Large #3 Representative		By Any Supervisor	At-Large
---	-------------------------------	--	----------------------	----------

Lynne Schlaaf- Crammer (Appointed 9/05&6/08 by Connolly) Term exp. 6/11	At-Large #4 Representative	Lynne Schlaaf- Crammer (Bulova) (Nomination announced on June 21)	By Any Supervisor	At-Large
---	-------------------------------	---	----------------------	----------

Lori Stillman (Appointed 10/05 by McConnell; 6/08 by Herrity) Term exp. 6/11	Springfield District Representative	Lori Stillman (Nomination announced on June 21)	Herrity	Springfield
--	--	---	---------	-------------

HEALTH SYSTEMS AGENCY BOARD
(3 years - limited to 2 full terms, may be reappointed after 1 year lapse)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Carol Ann Coryell (Appointed 6/05-6/08 by Frey) Term exp. 6/11 <i>(Not eligible for reappointment. Must have 1 year lapse)</i>	Consumer #6 Representative		By Any Supervisor	At-Large
Stephen Goldberger (Appointed 7/04-6/06 by Kauffman; 7/09 by McKay) Term exp. 6/11 <i>(Not eligible for reappointment. Must have 1 year lapse)</i>	Provider #3 Representative		By Any Supervisor	At-Large

HUMAN SERVICES COUNCIL (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Kevin Bell (Appointed 6/95-6/99 by Hanley; 7/03-7/07 by Connolly) Term exp. 7/11	At-Large #1 Chairman's Representative		Bulova	At-Large Chairman's
Jennifer Bishop (Appointed 7/10 by Bulova) Term ext. 7/11	Braddock District Representative		Cook	Braddock
Virginia Norton (Appointed 1/97-7/03 by Mendelsohn; 7/07 by DuBois) Term exp. 7/11	Dranesville District Representative		Foust	Dranesville

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)
(3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by William Young; appointed 3/02-12/09 by Hudgins) Term exp. 12/12 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL
(2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Melissa Smarr; appointed 6/06&1/08 by Smyth) Term exp. 1/10 <i>Resigned</i>	Providence District Representative		Smyth	Providence

LIBRARY BOARD
(4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Charles Fegan (Appointed 3/09 by Bulova) Term exp. 7/11	At-Large Chairman's Representative	Charles Fegan	Bulova	At-Large Chairman's

**SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL
(2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Lawrence Bussey; appointed 3/05-3/09 by Hudgins) Term exp. 3/11 <i>Resigned</i>	Fairfax County #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Patrick Kane; appointed 3/07&3/09 by Hudgins) Term exp. 3/12 <i>Resigned</i>	Fairfax County #7 Representative		By Any Supervisor	At-Large

TRAILS AND SIDEWALKS COMMITTEE (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Kala Quintana; appointed 10/09/10 by Bulova) Term exp. 1/12 <i>Resigned</i>	At-Large Chairman's Representative		Bulova	At-Large Chairman's

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

10:45 a.m.

Items Presented by the County Executive

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ADMINISTRATIVE - 1

Approval of “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Springfield District)

ISSUE:

Board endorsement of “Watch for Children” signs, as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends the Board approve a resolution (Attachment I) for the installation of “Watch for Children” signs on the following roads:

- Harwood Place (Springfield District)
- Jansen Drive (Springfield District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to schedule the installation of the approved measures as soon as possible.

TIMING:

Board action is requested on July 26, 2011.

BACKGROUND:

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 centers, 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 Highways, signs alerting motorists that children may be at play nearby. FCDOT reviews each request to ensure the proposed signs will be effectively located and will not be in conflict with any other traffic control devices. On June 14, 2011, FCDOT received written verification from the appropriate local supervisor confirming community support for the referenced “Watch for Children” signs.

Board Agenda Item
July 26, 2011

FISCAL IMPACT:

The estimated cost of \$500.00 is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: Board Resolution for a "Watch for Children" Signs

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Acting 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

RESOLUTION

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
WATCH FOR CHILDREN SIGNS
Harwood Place (Springfield District)
Jansen Drive (Springfield District)

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia on Tuesday, July 26, 2011, at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, "Watch for Children" signs are available to local communities as part of the Fairfax County Department of Transportation Residential Traffic Administration Program (RTAP); and

WHEREAS, Section 33.1-210.2, of the *Code of Virginia*, enables the Board of Supervisors to request by resolution to the Commissioner of Highways, signs alerting motorists that children may be at play nearby; and

WHEREAS, the Virginia Department of Transportation has indicated a willingness to install "Watch for Children" signs on the above-referenced streets;

NOW THEREFORE BE IT RESOLVED, that "Watch for Children" signs are endorsed for these streets;

AND FURTHER, the Virginia Department of Transportation is requested to install the "Watch for Children" signs at the earliest possible date, and to maintain same, with the cost of such signs to be funded from the Virginia Department of Transportation's countywide traffic services fund in the Fairfax County secondary road construction budget.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ADMINISTRATIVE - 2

Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (Springfield District)

ISSUE:

Board endorsement of traffic calming measures as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends that the Board endorse traffic calming measures for Poplar Tree Road (Attachment I), consisting of the following:

- Three speed tables on Poplar Tree Road (Springfield District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to schedule the installation of the approved measures as soon as possible.

TIMING:

Board action is requested on July 26, 2011.

BACKGROUND:

As part of the RTAP, roads are reviewed for traffic calming when requested by a Board member on behalf of homeowners or homeowners/civic associations. 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. Staff performed engineering studies documenting the attainment of qualifying criteria for Poplar Tree Road. A task force was formed with the community to develop a traffic calming plan to reduce the speed of traffic. Once a plan for all the roads under review was adopted and approved by staff, the plan was submitted for approval to residents of the ballot area in the adjacent community. On June 21, 2011, the Department of Transportation received verification from the local supervisor confirming community support for the referenced traffic calming plan.

Board Agenda Item
July 26, 2011

FISCAL IMPACT:

The estimated cost of \$21,000 for traffic calming measures is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Poplar Tree Road

STAFF:

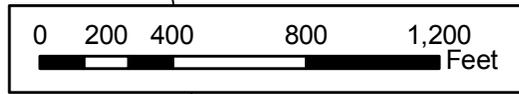
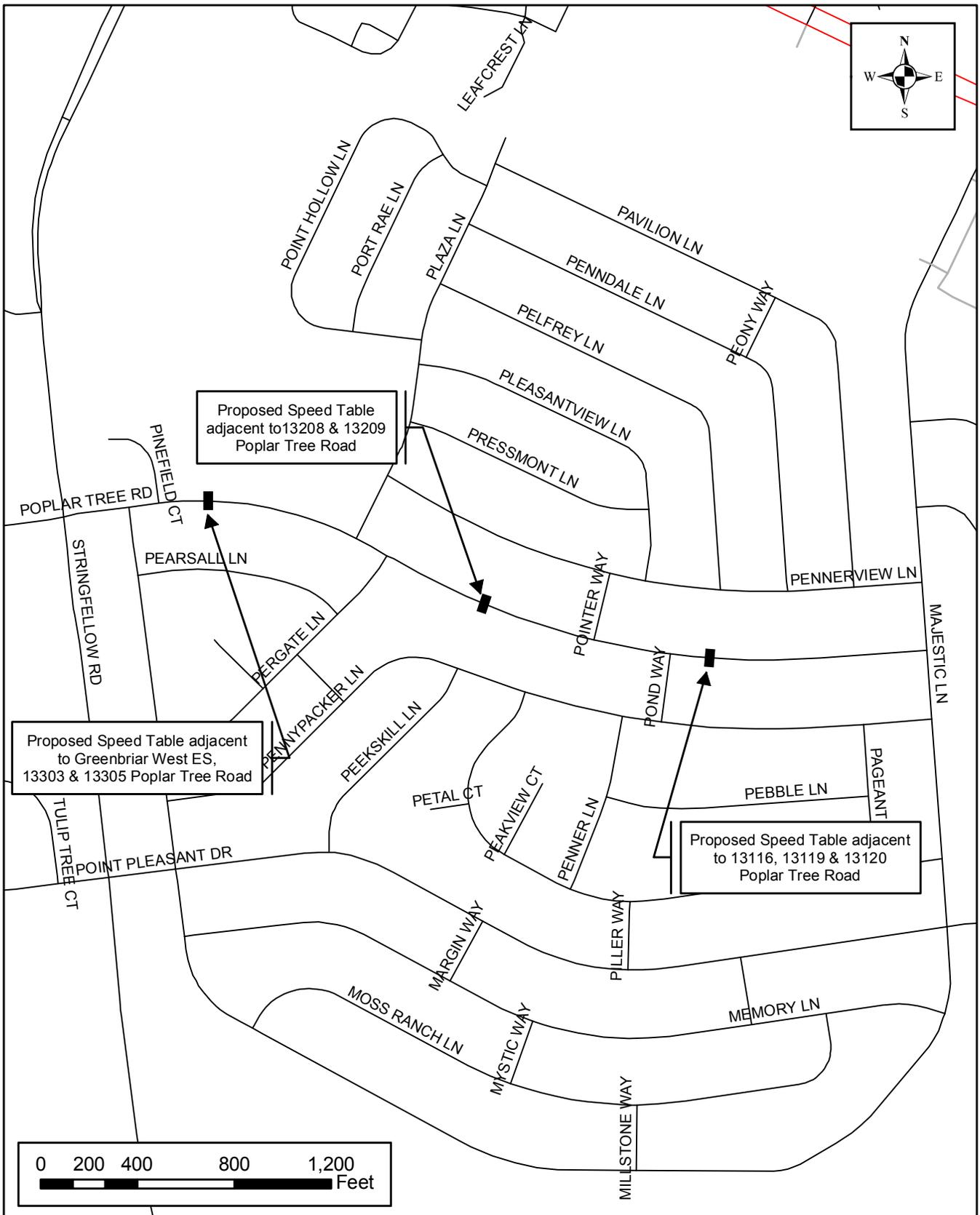
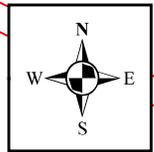
Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Acting 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



Fairfax County Department of Transportation
Residential Traffic Administration Program (RTAP)
TRAFFIC CALMING PLAN
POPLAR TREE ROAD
Springfield District



TAX MAP: 45-1, 45-3

6/28/2011

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ADMINISTRATIVE - 3

Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Northbourne Drive and Cabells Mill Drive as Part of the Residential Traffic Administration Program (Sully District)

ISSUE:

Board authorization to advertise a public hearing to be held on Tuesday, September 13, 2011, 4:00 p.m., for the purpose of endorsing the following roads to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction:

- Northbourne Drive and Cabells Mill Drive between Stringfellow Road and Walney Road

RECOMMENDATION:

The County Executive recommends the Board authorize advertisement of a public hearing for the purpose of endorsing Northbourne Drive and Cabells Mill Drive between Stringfellow Road and Walney Road, to be included in the RTAP for a through truck traffic restriction.

TIMING:

The Board should take action on July 26, 2011, to provide sufficient time for advertisement of the proposed public hearing scheduled for September 13, 2011, 4:00 p.m. (Attachment I).

BACKGROUND:

In a memorandum dated February 12, 2010, Supervisor Frey requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Northbourne Drive and Cabells Mill Drive due to continuing safety concerns of residents regarding through trucks utilizing Northbourne Drive and Cabells Mill Drive as a shortcut between Stringfellow Road and Walney Road. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is via Stringfellow Road to Route 29 and then to Route 28, from the intersection of Northbourne Drive and Stringfellow Road to the intersection of Stringfellow Road and Route 29 and then to the intersection of Route 29 and Route 28 and then onto the intersection of Route 28 and Walney Road (Attachment II).

Board Agenda Item
July 26, 2011

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 a portion of these roads (Attachment III) has been prepared for adoption and transmittal to VDOT, which will conduct the formal engineering study of the through truck restriction request.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Area Map of Proposed Through Truck Traffic Restriction

Attachment II: Proposed Resolution to Restrict Through Truck Traffic Northbourne Drive and Cabells Mill Drive

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Acting 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)

RESOLUTION

**FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
THROUGH TRUCK TRAFFIC RESTRICTION
NORTHBOURNE DRIVE AND CABELLS MILL DRIVE
SULLY DISTRICT**

WHEREAS, the residents who live along Northbourne Drive and Cabells Mill Drive have expressed concerns regarding the negative impacts associated with through truck traffic on these roads; and

WHEREAS, a reasonable alternate route has been identified via Stringfellow Road to Route 29 and then to Route 28, from the intersection of Northbourne Drive and Stringfellow Road to the intersection of Stringfellow Road and Route 29 and then to the intersection of Route 29 and Route 28 and then onto the intersection of Route 28 and Walney Road; and

WHEREAS, it is the intent of the Fairfax County Board of Supervisors to ensure that the proposed through truck restriction be enforced by the Fairfax County Police Department; and

WHEREAS, a public hearing was held pursuant to Section 46.2-809 of the *Code of Virginia*;

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, has determined that in order to promote the health, safety, and general welfare of the citizens of Fairfax County, it is beneficial to prohibit through truck traffic on Northbourne Drive and Cabells Mill Drive between Stringfellow Road and Walney Road, as part of the County's Residential Traffic Administration Program (RTAP).

FURTHER BE IT RESOLVED, that the Commonwealth Transportation Board is hereby formally requested to take necessary steps to enact this prohibition.

ADOPTED this 13th day of September, 2011.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

Board Agenda Item
July 26, 2011

ADMINISTRATIVE - 4

Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Backlick Road as Part of the Residential Traffic Administration Program (Mount Vernon District)

ISSUE:

Board authorization to advertise a public hearing to be held on Tuesday, September 13, 2011, 4:00 p.m., for the purpose of endorsing the following road to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction:

- Backlick Road between Fairfax County Parkway and Richmond Highway

RECOMMENDATION:

The County Executive recommends the Board authorize advertisement of a public hearing for the purpose of endorsing Backlick Road between Fairfax County Parkway and Richmond Highway, to be included in the RTAP for a through truck traffic restriction.

TIMING:

The Board should take action on July 26, 2011, to provide sufficient time for advertisement of the proposed public hearing scheduled for September 13, 2011, 4:00 p.m. (Attachment I).

BACKGROUND:

In a memorandum dated February 28, 2011, Supervisor Hyland requested staff to work with the Virginia Department of Transportation (VDOT) to implement through truck traffic restrictions on Backlick Road due to continuing safety concerns of residents regarding through trucks utilizing Backlick Road as a shortcut between Fairfax County Parkway and Richmond Highway. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is via Fairfax County Parkway to Richmond Highway, from the intersection of Backlick Road and Fairfax County Parkway to the intersection of Fairfax County Parkway and Richmond Highway and then onto the intersection of Backlick Road and Richmond Highway (Attachment II).

Board Agenda Item
July 26, 2011

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 a portion of this road (Attachment III) has been prepared for adoption and transmittal to VDOT, which will conduct the formal engineering study of the through truck restriction request.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Area Map of Proposed Through Truck Traffic Restriction

Attachment II: Proposed Resolution to Restrict Through Truck Traffic on Backlick Road

STAFF:

Robert A. Stalzer, Deputy County Executive

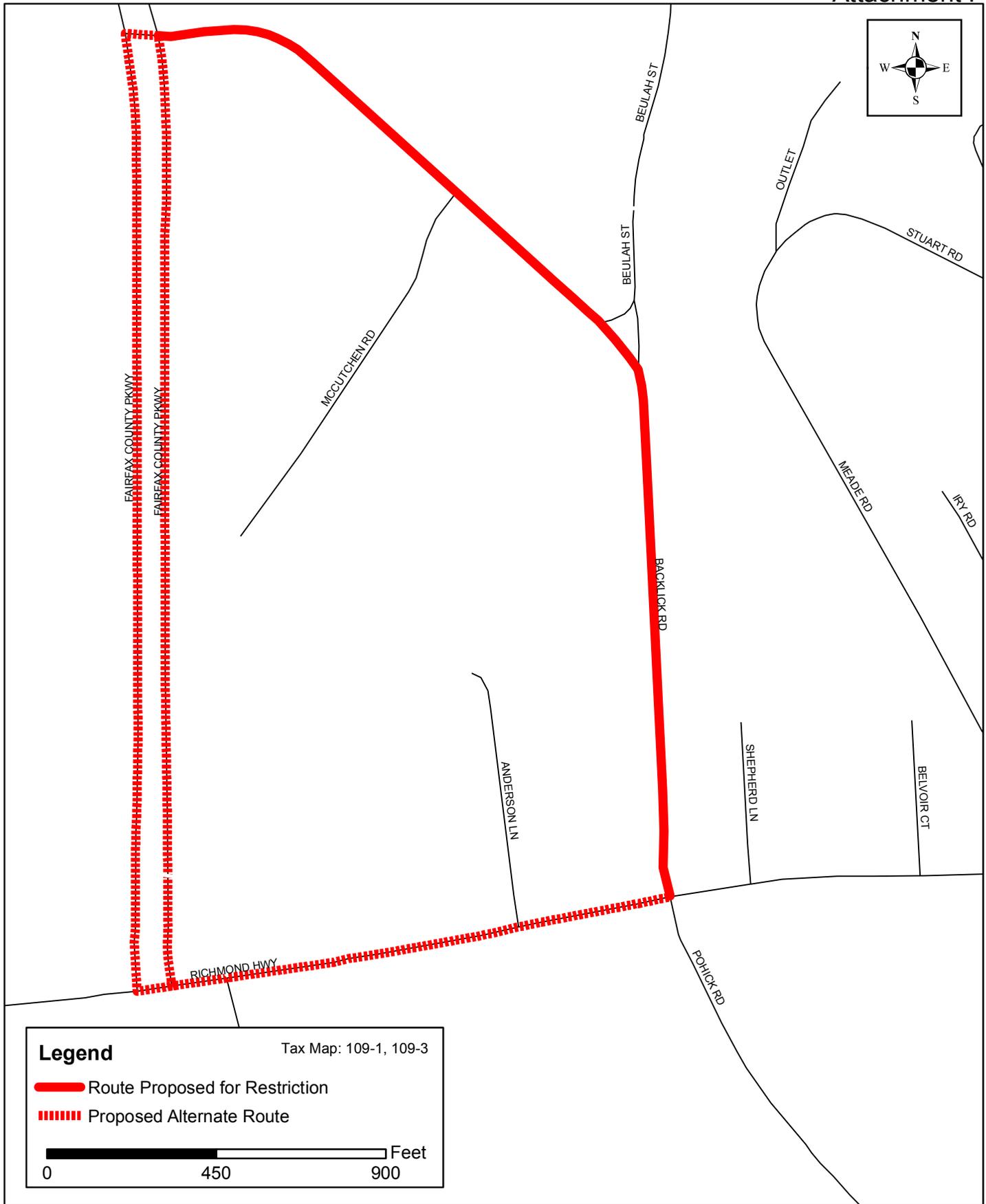
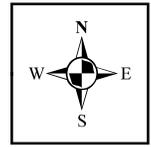
Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

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)



Fairfax County Department of Transportation
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
PROPOSED THROUGH TRUCK RESTRICTION
BACKLICK ROAD
 Mount Vernon District



RESOLUTION

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
THROUGH TRUCK TRAFFIC RESTRICTION
BACKLICK ROAD
MOUNT VERNON DISTRICT

WHEREAS, the residents who live along Backlick Road have expressed concerns regarding the negative impacts associated with through truck traffic on this road; and

WHEREAS, a reasonable alternate route has been identified via Fairfax County Parkway to Richmond Highway, from the intersection of Backlick Road and Fairfax County Parkway to the intersection of Fairfax County Parkway and Richmond Highway and then onto the intersection of Backlick Road and Richmond Highway; and

WHEREAS, it is the intent of the Fairfax County Board of Supervisors to ensure that the proposed through truck restriction be enforced by the Fairfax County Police Department; and

WHEREAS, a public hearing was held pursuant to Section 46.2-809 of the *Code of Virginia*;

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, has determined that in order to promote the health, safety, and general welfare of the citizens of Fairfax County, it is beneficial to prohibit through truck traffic on Backlick Road between Fairfax County Parkway and Richmond Highway, as part of the County's Residential Traffic Administration Program (RTAP).

FURTHER BE IT RESOLVED, that the Commonwealth Transportation Board is hereby formally requested to take necessary steps to enact this prohibition.

ADOPTED this 13th day of September, 2011.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

ADMINISTRATIVE - 5

Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment Re: Independent Living Facilities for Low Income Residents and a Modification to the Definitions of “ Dwelling Unit ” and “ Independent Living Facility ”

ISSUE:

The proposed Zoning Ordinance amendment will create a new subset of the current independent living facility use to serve low income occupants with handicaps/disabilities and/or who are 62 years of age and older. As proposed, a 25% density bonus will be available provided not less than 80% *[NOTE: advertised to allow down to 70%]* of the units shall be provided for occupants with an annual income of not more than 50% of the Area Median Income (AMI) for the Washington Metropolitan Statistical Area (WMSA) and not more than 20% *[NOTE: advertised to allow up to 30%]* of the units shall be provided for occupants with an annual income of not more than 70% of AMI for the WMSA. The amendment includes additional standards to ensure compatibility and appropriateness of the use at a proposed location. The amendment will also modify the definition of dwelling unit to delete the reference to “permanent” when referring to provisions for living, sleeping, eating, cooking and sanitation within the dwelling unit. The amendment also modifies the definition of “Independent Living Facility” by adding the word “disabilities” to be more current with preferred terminology.

RECOMMENDATION:

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

TIMING:

Board action is requested on July 26, 2011, to provide sufficient time to advertise the proposed Planning Commission public hearing on September 15, 2011, at 8:15 p.m., and proposed Board of Supervisors’ public hearing on October 18, 2011, at 4:00 p.m.

BACKGROUND:

The proposed amendment, which creates an independent living facility use for low income occupants with handicaps/disabilities and/or who are 62 years of age and older, addresses the Board’s affordable/workforce housing goals and the Board’s initiative to end homelessness within a ten year time period. The proposed use will serve low income persons who are 62 years of age and older (sometimes reduced by the Board to age 55), and/or those adults who meet the Federal Fair Housing Amendments Act of

1988's definition of "handicapped." The independent living facility units are required to be individual, complete dwelling units. The provision of complete dwelling units furthers the Board's implementation strategy to establish a housing product that embraces the "Housing First" concept for providing permanent housing opportunities to those persons who are formerly homeless. In addition, the proposed use can provide housing to anyone who meets the age and/or handicap/disability standards and income limitations, as defined by 80% [or 70%, as advertised] of the units serving an income population that is not more than 50% of AMI and 20% [or 30%, as advertised] of the units serving an income population that is not more than 70% of AMI.

The amendment also deletes the word "permanent" from the definition of a dwelling unit, with reference to living, cooking, eating and sleeping facilities. This will help alleviate past misinterpretations of what features constitute the establishment of a separate dwelling unit within a dwelling. The amendment also modifies the definition of independent living facility to add the word "disabilities" where "handicap" is currently used to incorporate preferred terminology.

A more detailed discussion of the proposed amendment is set forth in the Staff Report enclosed as Attachment 2.

REGULATORY IMPACT:

The proposed amendment would create the new subset of the existing independent living facility special exception for low income residents with handicaps/disabilities and/or who are 62 years of age and older, subject to certain additional standards, including limits on resident's income, lease and renewal terms, monitoring for compliance and recordation of a covenant in the land records.

FISCAL IMPACT:

Staff is proposing that the independent living facility use include an application fee of \$1,100, regardless of whether the independent living facility for low income residents use is established through approval of a new special exception, in conjunction with an amendment to a previously approved special permit or special exception, or as an amendment to an existing development plan and/or proffered condition. Staff notes, however, that the amendment has been advertised to allow the Board to adopt any application fee between \$0 and \$16,375.

The cost recovery rate for special exception uses at the \$16,375 rate is approximately 75% of actual costs, so a fee of \$1,100 represents a recovery rate of approximately 5%. While it is not anticipated that this new use will generate a large volume of new applications, each one will not include sufficient fees to cover the cost of staff processing. However, it is anticipated that the majority of these applications will be requested by non-profit entities in the business of providing housing for low income

Board Agenda Item
July 26, 2011

individuals. In an effort to establish an application fee that is not so high that would dissuade development of independent living facilities and in light of the public benefit of providing appropriate housing for individuals at the proposed income levels, staff believes the proposed fee is appropriate.

ENCLOSED DOCUMENTS:

Attachment 1 – Resolution

Attachment 2 – Staff Report (Available at:

<http://www.fairfaxcounty.gov/dpz/zoningordinance/proposed/>)

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred R. Selden, Acting Director, Department of Planning and Zoning (DPZ)

Eileen M. McLane, Zoning Administrator, DPZ

Michelle O'Hare, Deputy Zoning Administrator, DPZ

Donna Pesto, Senior Assistant to the Zoning Administrator, DPZ

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center Building, Fairfax, Virginia, on July 26, 2011, at which meeting a quorum was present and the following resolution was adopted:

WHEREAS, the current Zoning Ordinance does not currently include a specific subcategory of the independent living facility use that is designed to serve residents of low income with handicaps/disabilities and/or who are 62 years of age and older; and

WHEREAS, limited housing opportunities exist in Fairfax County for all persons with an income under 70 percent of the Area Median Income (AMI) for the Washington Metropolitan Statistical Area, and particularly for those persons with an income under fifty percent of AMI; and

WHEREAS, it may be appropriate to create such a use and to allow it to be developed in various residential and commercial districts by special exception approval, subject to certain standards; or in a planned development district in conjunction with a development plan associated with a rezoning or a special exception; and

WHEREAS, the current Zoning Ordinance definition of a dwelling unit should be modified as it provides for one or more rooms intended for use as a complete, independent living facility with permanent provisions for living, sleeping, eating, cooking, and sanitation. The use of the word "permanent" has created misinterpretations of what comprises a complete dwelling unit; and

WHEREAS, the definition of "Independent Living Facility" should be modified to add the word "disabilities" to be current with preferred terminology; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require consideration of the proposed revisions to Chapter 112 (Zoning Ordinance) of the County Code.

NOW THEREFORE BE IT RESOLVED, for the foregoing reasons and as further set forth in the Staff Report, the Board of Supervisors authorizes the advertisement of the proposed Zoning Ordinance amendment as recommended by staff.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

Board Agenda Item
July 26, 2011

ADMINISTRATIVE – 6

Streets into the Secondary System (Hunter Mill, Lee, Mount Vernon and Springfield 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>
Butler Property Lot 1 (1916 Beulah Road)	Hunter Mill	Beulah Road (Route 675) (Additional Right-of-Way (ROW) Only)
Fairfax County Redevelopment and Housing Authority (Mondloch House No. 1)	Lee	Lockheed Boulevard (Route 723) (Additional ROW Only)
Rolling Oaks	Mt. Vernon	Oak Field Court Rolling Road (Route 638) (Additional ROW Only)
Land Master Corp. (Hill Street Property)	Springfield	Hill Street (Route 720) (Additional ROW Only)

TIMING:

Routine.

BACKGROUND:

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

Board Agenda Item
July 26, 2011

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)
Michelle Brickner, Deputy Director, DPWES, Land Development Services

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

<p>FAIRFAX COUNTY BOARD OF SUPERVISORS FAIRFAX, VA</p> <p>Pursuant to the request to inspect certain streets in the subdivisions as described, the Virginia Department of Transportation has made inspections, and recommends that same be included in the secondary system.</p>	<p>VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA</p> <p>REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.</p> <p>PLAN NUMBER: 4571-SP-02</p> <p>SUBDIVISION PLAT NAME: FCRHA - Mondloch House No. 1</p> <p>COUNTY MAGISTERIAL DISTRICT: Lee District</p> <p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: 04/29/2011</p>			
<p>ENGINEERING MANAGER:</p> <p>BY: <i>Nadia Alphonso</i></p>				
STREET NAME	LOCATION	FROM	TO	LENGTH MILE
Lockheed Boulevard (Route 723) (Additional Right-of-Way Only)	200' W to Section Line	632' W CL Fairchild Drive (Route 1689)		0.0
NOTES:				TOTALS:
170' of 4' Concrete Sidewalk on North Side to be maintained by VDOT.				0.0

Board Agenda Item
July 26, 2011

ADMINISTRATIVE – 7

Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the FY 2012 Revised Budget Plan

ISSUE:

Board approval of an advertisement to increase the FY 2012 appropriation level. The advertisement encompasses both the County and the Schools' *FY 2011 Carryover Reviews*. Section 15.2 – 2507 of the Code of Virginia requires that a public hearing be held prior to Board Action.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to publish the advertisement for a public hearing to be held on September 13, 2011 at 10:45 a.m.

TIMING:

Board action is requested on July 26, 2011.

BACKGROUND:

As the *FY 2011 Carryover Review* includes potential increases in appropriation greater than \$500,000, a public hearing is required prior to Board action. In addition, the Code of Virginia requires that a synopsis of proposed changes be included in the advertisement for a public hearing.

Details of the proposed changes shown in the advertisement are provided to the Board in the enclosed *FY 2011 Carryover Review* documents. As stated in the advertisement, copies of these documents will be made available for citizen review at governmental centers, libraries and the Government Center.

The School Board funding adjustments included in the advertisement are based on staff's recommendations to the School Board, which were presented to the School Board on July 14, 2011, with action to be taken by the School Board on July 28, 2011. Any changes by the School Board to staff recommendations on July 28, 2011 will be incorporated into the Carryover advertisement for the public hearing on September 13, 2011.

Board Agenda Item
July 26, 2011

DOCUMENTS TO BE DELIVERED UNDER A SEPARATE COVER:

These attachments will be delivered to Board offices on Monday, July 25, 2011.

Attachment A: Proposed advertisement for public hearing

Attachment B: July 26, 2011 Memorandum to the Board of Supervisors from Anthony H. Griffin, County Executive, with attachments, transmitting the County's *FY 2011 Carryover Review* with appropriate resolutions

Attachment C: Fairfax County School Recommended FY 2011 Final Budget Review and Appropriation Resolutions

STAFF:

Anthony H. Griffin, County Executive

Susan Datta, Chief Financial Officer

Board Agenda Item
July 26, 2011

ADMINISTRATIVE – 8

Authorization to Advertise a Public Hearing on Proposed Amendments to the Jefferson Manor Conservation Plan (Lee District)

ISSUE:

Board authorization to advertise a public hearing on the proposed amendments to the Jefferson Manor Conservation Plan.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing on the proposed amendments to the Jefferson Manor Conservation Plan to be held at 4:00 p.m. on Tuesday, September 27, 2011.

TIMING:

Board authorization on July 26, 2011 to advertise the public hearing is requested in order to proceed in a timely manner with required public notification and to maintain the schedule for approval of the amended Jefferson Manor Conservation Plan.

BACKGROUND:

The Jefferson Manor Conservation Plan was adopted by the Board on June 17, 1991, after the required public hearings before the Board of Supervisors on that date. The 1991 Conservation Plan did not provide for a means to incorporate future changes in the Fairfax County Zoning Ordinance, Land Use Map or County Comprehensive Plan into the Plan. Instead, the 1991 Conservation Plan limited comprehensive planning land use development to the standards and limits specifically contained in the 1991 Land Use Map, Zoning Ordinance and Comprehensive Plan. As a result, the current Jefferson Manor development standards and regulations are out of date and do not reflect the standards and policies contained in the current County Comprehensive Plan, Land Use Map or Zoning Ordinance.

The Jefferson Manor community and the Fairfax County Department of Planning and Zoning (DPZ) have requested changes to the Plan to provide the means to keep the Jefferson Manor Conservation Plan current with County zoning regulations, land uses and comprehensive plan. DPZ met with the Jefferson Manor Community Association on five different occasions between December 15, 2009 through January 19, 2011 to

Board Agenda Item
July 26, 2011

discuss the amendments to the Conservation Plan. The proposed Plan amendment will provide the means to keep the Conservation Plan current with Fairfax County Land Use Map, Zoning Regulations and the County Comprehensive Plan. The amendment will also clarify the role of the Conservation Plan in the Fairfax County land use and regulatory processes, including the Zoning and Comprehensive Plan amendment processes. The amendment will also make other minor changes and updates to the Plan text.

Section XII of the Jefferson Manor Conservation Plan, "Procedure for Plan Amendment," stipulates that all proposed amendments will be subject to two public hearings in Fairfax County: one hearing each before the Fairfax County Redevelopment Housing Authority (FCRHA) and the Board. The FCRHA public hearing on the proposed revisions was held on June 16, 2011, and the FCRHA approved the Plan Amendments at that meeting. The Board is scheduled to hold a public hearing on the proposed amendments on September 27, 2011.

FISCAL IMPACT:

None. The Jefferson Manor Neighborhood Improvement Program and Conservation Plan is for planning purposes only and any specific facilities or improvements would require Board of Supervisors approval, through the budget, Capital Improvement Program (CIP), or other appropriate action.

ENCLOSED DOCUMENTS:

Attachment 1: Public Hearing Notice

Attachment 2: Amended Jefferson Manor Conservation Plan, showing proposed changes since adopted on June 17, 1991 by the Fairfax County Board of Supervisors

STAFF:

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

John Payne, Deputy Director, Real Estate, HCD

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

Robert C. Fields, Interim Associate Director, Grants Management, Real Estate Finance and Grants Management Division, HCD

NOTICE OF
PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE
JEFFERSON MANOR CONSERVATION PLAN

The Fairfax County Board of Supervisors will hold a public hearing on Tuesday, September 27, 2011 at 4:00 p.m. in the Board Room of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on proposed amendments to the Jefferson Manor Conservation Plan (Plan).

The proposed Plan amendment requested by the Fairfax County Department of Planning and Zoning and the Jefferson Manor community is to revise language to clarify the role of the Plan in the Fairfax County land use and regulatory processes, including the Zoning and the Comprehensive Plan Amendment processes.

Following is a summary of the major proposed changes to the Jefferson Manor Plan as approved by the Board of Supervisors on June 17, 1991:

- Section VII Relationship to Local Objectives:
 - Designates the Huntington Transit Station area as a special planning area in the Fairfax County Comprehensive Plan;
 - Deletes the Plan recommendation to develop the four acre parcel adjacent to the Huntington Gardens at a density of 16-20 dwelling units;
 - Updates the Existing Land Use Map from 1991 to the current land use and deletes references to the 1991 Land Use Map and 1991 Comprehensive Plan.
- Section XI.B Development Review:
 - Amends the Plan to delete the word “shall” and adds the word “may” to state that the FCRHA may review and comment on development issues; and
 - Revises the Section XI.D: Duration of Controls, Regulations and Standards.
- Section XI.C - Specific Regulations: Subsection 2.a - Land Use:
 - Ties land use and intensity of development to the Fairfax County Comprehensive Plan and deletes the attachment of same to the Conservation Plan and County Zoning Map;
 - Specifies that all land uses within the boundaries of the Jefferson Manor Conservation Area shall conform with regulations enumerated in the Zoning Ordinance of the Code of Fairfax County;
 - Deletes conditions for the development of the 4 acre Huntington Gardens site and redevelopment of Huntington Station Shopping Center and other, smaller sized parcels from the Jefferson Manor Conservation Plan; and
 - Removes the expiration date for the Plan and controls imposed on disposition documents relating to properties acquired by the FCRHA.

Additional minor changes were made to update the text of the Plan.

The draft revised Jefferson Manor Conservation Plan is available at the Sherwood Hall Regional Library and also on the Fairfax County Redevelopment and Housing Authority's website at www.fairfaxcounty.gov/rha/. For additional information, contact Robert Fields in the Department of Housing and Community Development at 703-246-5277, or TTY 703-385-3578.

Persons desiring to speak at the public hearing should call 703-246-5170. Written comments may be submitted to the Department of Housing and Community Development, in care of Robert Fields, DHCD, 3700 Pender Drive, Fairfax, Virginia 22030 or at the public hearing.

Fairfax County is committed to a policy of nondiscrimination in all County programs, services, and activities and will provide reasonable accommodations upon request. To request special accommodations call 703-246-5006, or TTY 703-385-3578. Please allow 48 hours in advance of the hearing in order to make the necessary arrangements.



Equal Housing Opportunity



DRAFT

JEFFERSON MANOR CONSERVATION PLAN
(As Amended)



A Publication of Fairfax County, VA

Prepared by the
Fairfax County Department of Housing and Community Development

Adopted by the Fairfax County Redevelopment and Housing Authority – May 30, 1991

Adopted by the Fairfax County Board of Supervisors on June 17, 1991

Revised: _____

(Proposed revisions appear in underline or strikethrough text)

**Jefferson Manor Conservation Plan
Table of Contents**

	<u>Page</u>
I. Foreword	4
II. Background	4
III. Boundaries of the Conservation Area	5
IV. Conditions	8
V. Goals and Objectives for Jefferson Manor	9
VI. Undertakings of a Conservation Plan	10
VII. Relationship to Local Objectives	11
VIII. Property Acquisition	13
IX. Relocation Policy	13
X. Procedure for Rehabilitation	13
XI. Regulations and Standards	15
XII. Procedure for Plan Amendment	19
XIII. Time Limitations	21
XIV. Program Funding	21
 APPENDICES:	 22
Appendix 1	
Appendix 2	
 MAPS	
Vicinity Map	3
Boundary Map	6
Existing Land Use Map	14
Zoning Map	20

Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable accommodations will be provided upon request. For information, call 703-246-5101, TTY 703-385-3578.



Equal Housing Opportunity





 JEFFERSON MANOR

Planning Area Boundary 

Planning District Boundary 



NORTH

0 1 2 3 4 miles
SCALE

I. FOREWORD

The Jefferson Manor Conservation Plan is a general guide that includes recommended policies and procedures for future development and improvement of the Jefferson Manor neighborhood. The requirements and provisions of the Jefferson Manor Conservation Plan will be carried out by the Fairfax County Redevelopment and Housing Authority (FCRHA) as provided under Title 36 of the Code of Virginia, as amended.

The basic goal of the Jefferson Manor Conservation Plan is to preserve the Jefferson Manor area as a stable residential community, to prevent the area from further deterioration, and to provide for its improvement in the future. The Jefferson Manor Conservation Plan is consistent with the goals of the Fairfax County Community Development Program which are (1) to produce, retain and improve low and moderate income housing in Fairfax County; (2) to eliminate conditions of slums, blight and deterioration and disorderly growth throughout the County; (3) to improve and preserve existing low and moderate income communities through the provision of public facilities and services; and (4) to maintain an ongoing comprehensive planning and citizen participation process to meet the aforementioned goals.

The Fairfax County Department of Housing and Community Development (HCD), under the auspices of the FCRHA, undertook a study of existing conditions in the Jefferson Manor area in the summer of 1990. This document, the Jefferson Manor Summary of Existing Conditions, was submitted to the FCRHA and the Fairfax County Board of Supervisors in the fall of 1990. Based on the information contained in the Summary of Existing Conditions, the FCRHA and the Board of Supervisors concluded that Jefferson Manor is a community which meets the criteria for the establishment of a conservation area, and would benefit from the adoption of a conservation plan. Accordingly, on December 10, 1990, the Board of Supervisors directed the FCRHA to prepare a conservation plan for Jefferson Manor in accordance with Title 36 of the Code of Virginia, as amended. The Jefferson Manor Neighborhood Improvement and Conservation Plan was subsequently adopted by the Fairfax County Board of Supervisors on June 17, 1991.

~~The Jefferson Manor Conservation Plan is presented on the following pages. The Conservation Plan could not have been developed without the assistance and continued support of the residents of Jefferson Manor, Lee District Supervisor Joseph Alexander, and the FCRHA. Their interest in the future of the neighborhood makes the conservation of Jefferson Manor possible.~~

II. BACKGROUND

Jefferson Manor is located in the southeastern portion of Fairfax County between North Kings Highway and Telegraph Road. The community is located directly across North Kings Highway from the Huntington Metro Station.

Built in the late 1940's, the Jefferson Manor community was part of the post-World War II housing development in Fairfax County. It is a community of 555 duplex housing units

developed over a two-year period between 1947 and 1949. Although there are three single family detached homes and two apartment complexes (consisting of 178 Apartment units) within the boundaries of the conservation area, the predominant housing type is the duplex. Since its development Jefferson Manor has continued to be a stable neighborhood. Approximately 65% of the 555 duplex units in Jefferson Manor are owner occupied. Jefferson Manor also includes a 13 acre park and the Huntington Station Shopping Center, a small community oriented shopping center on North Kings Highway across from the Huntington Metro Station. Since the opening of the Metro Station in 1983, this small shopping area has been refurbished.

In the spring of 1990, the Jefferson Manor Civic Association requested that the County prepare a Conservation Plan for Jefferson Manor. One of the many goals of the Jefferson Manor Civic Association was to maintain the stable residential character of the community. Over the years housing and public facilities in Jefferson Manor had begun to deteriorate.

The Jefferson Manor community identified conditions inhibiting a quality living environment for the existing residents. On April 30, 1990, the Fairfax County Board of Supervisors directed the FCRHA to survey the existing conditions in Jefferson Manor to determine if the area may be eligible for conservation in accordance with Title 36 of the Code of Virginia of 1950, as amended. Subsequently, the Department of Housing and Community Development undertook a comprehensive survey of existing conditions in Jefferson Manor based on a community questionnaire, data gathered from other County agencies, a windshield survey of public facilities and housing, analyses of data on housing and property values, and attendance at community meetings and discussions with residents. The more detailed description of conditions in the Jefferson Manor area is found in the Jefferson Manor Summary of Existing Conditions, prepared by the Department of Housing and Community Development in October 1990. Conditions in Jefferson Manor are briefly summarized later in the Conservation Plan. The two major conditions identified in the report were (1) the need for improvement of the majority of the housing stock, and (2) that most of the streets in Jefferson Manor were in need of repair.

III. BOUNDARIES OF THE CONSERVATION AREA

The Jefferson Manor Conservation Area is located in the Lee Magisterial District of Fairfax County. It is generally bounded by Jefferson Drive on the north, Fairhaven Avenue on the south, North Kings Highway on the east, and Telegraph Road on the west. The conservation area boundary is described as follows:

BEGINNING at the point of intersection of the western right-of-way of North Kings Highway (Route 241) with the northern boundary of lot 24B Tax map 83-1, Double Circle Six, Single Circle Eleven, on Fairfax County, Virginia, Real Property Identification Map (hereafter referred to as Tax Map);

THENCE, from said point, running in a generally southward direction along said right-of-way to its intersection with the southern boundary of lot B Tax Map 83-3, Double Circle Two, Single Circle Five;

JEFFERSON MANOR CONSERVATION AREA BOUNDARY



0 250 500 1,000 Feet

Fairfax County Department of Planning and Zoning
Aerial Imagery, Copyright 2002, Commonwealth of Virginia



CREATED BY THE DEPT. OF PLANNING AND ZONING, JANUARY 2011

THENCE, from said point, running in a generally westward direction along the southern boundary of lots B, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, on Tax Map 83-3, Double Circle Two, Single Circle Five, continuing along the southern boundary of lot A on Tax Map 83-3, Double Circle Two, Single Circle Seven (also known as Jefferson Gardens Apartments) and continuing along the southern boundary of lots C1 and C Tax Map 83-3, Double Circle Two, Single Circle Seven (having no street address) to a point intersecting the western boundary line of said lot C;

THENCE, from said point, running in a generally northward direction along the western boundary of lots C, B, 25A, 25B, 26A, 26B, 27A, 27B, 28A, 28B, 29A, 29B Tax Map 83-3, Double Circle Two, Single Circle Seven, to the intersection of the northern property line of lot 29B Tax Map 83-3, Double Circle Two, Single Circle Seven;

THENCE, from said point, running in a northwestern direction along the western boundary of lots 16B, 16A and 15B Tax Map 83-3, Double Circle Two, Single Circle Six to a point intersecting the western boundary of lot 15B Tax Map 83-3, Double Circle Two, Single Circle Six;

THENCE, from said point, running in a northern direction along the western boundary of lots 15B, 15A, 14B, 14A, 13B, 13A, 12B, 12A, 11B, 11A, 10B, 10A, 9B Tax Map 83-3, Double Circle Two, Single Circle Six, to a point intersecting the southern boundary of lot 15, Tax Map 83-1, Double Circle One (also known as Jefferson Manor Park);

THENCE, from said point, running in a western direction along the southern boundary of said lot 15 to a point intersecting the eastern right-of-way of Telegraph Road (Route 611);

THENCE, from said point, running in a northeastern direction along said right-of-way to a point of intersection with the southern right-of-way of Farmington Drive (Route 1616);

THENCE, from said point, running in an eastern direction along said right-of-way to a point opposite the western boundary of lot 1 Tax Map 83-1, Double Circle Nineteen.

THENCE, from said point, running in a northern direction crossing Farmington Drive and continuing in a northern direction along the western boundary of said lot 1 to a point intersecting the northern boundary of said lot 1;

THENCE, from said point, running in a generally eastern direction along the northern boundary of said Lot 1 and Lot 2, Tax Map 83-1, Double Circle Nineteen to a point intersecting the western boundary of lot 5A Tax Map 83-1, Double Circle Six, Single Circle Eleven;

THENCE, from said point running in a northern direction across the western boundary of said Lot 5 and Lot 5B Tax Map 83-1, Double Circle Six, Single Circle Eleven to a point intersecting the northeastern boundary of said Lot 5B;

THENCE, from said point, running in an eastern direction along the northern boundary of lots 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 10A, 11B, 12A, 12B, 13A, 13B, 14A, 14B, 15A, 15B, 16A, 16B, 17A, 17B, 18A, 18B, 19A, 19B, 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 24B Tax Map 83-1, Double Circle Six, Single Circle Eleven to the point of BEGINNING.

The following properties are included in the boundaries of and shall be part of the Jefferson Manor Conservation Area:

- Tax Map 83-1 ((6)) (6), (8), (9), (10), (11), (12), all parcels
- Tax Map 83-1 ((1)) parcel 15, 87
- Tax Map 83-1 ((19)) all parcels
- Tax Map 83-3 ((2)) (1), (2), (3), (4A), (4B), (5), (6), (7), (8), (9),(13)
- Tax Map 83-3 ((3)) all parcels

IV. EXISTING CONDITIONS

On December 10, 1990, the Board of Supervisors directed the FCRHA to prepare a Conservation Plan for the Jefferson Manor community. This directive was based upon identified conditions which substantiated the fact that Jefferson Manor was physically deteriorating and in need of conservation through appropriate public action.

These conditions, which were in accordance with the standards set forth in Section 36-48.1 of Title 36 of the Code of Virginia, as amended, are outlined below and are covered more extensively in the Summary of Existing Conditions submitted to the Board of Supervisors on December 10, 1990.

Housing

When compared to duplexes in Fairfax County as a whole, those in Jefferson Manor are older, smaller in size, and of lower appraised value. Due to the age of the housing stock, many of the homes were showing signs of deterioration. A windshield survey of housing conditions was conducted in the spring of 1990. The survey revealed that approximately 90% of the homes in Jefferson Manor are in need of improvement. An estimated 20% need major rehabilitation such as roof replacement and foundation work. The majority of respondents to a community needs questionnaire mailed to all residents and non-resident owners in Jefferson Manor cited homes in need of repair, and the general appearance of the community as two of the most pressing problems which the community needed to address.

Public Facilities

Most of the streets in Jefferson Manor were in need of repair. Narrow streets characterized by uneven pavement, pot holes, and cracked asphalt were more common. Sidewalks, curbs, and gutters were in poor condition. Sidewalks were broken and cracked throughout the community. The effectiveness of curbs and gutters had been compromised due to the construction of non-standard driveways by property owners; in many cases storm water run-off is no longer channeled to storm sewer inlets.

These conditions impeded automobile and pedestrian circulation and caused widespread drainage problems throughout the community. The sanitary sewer lines in Jefferson Manor were constructed in the late 1940's to early 1950's and they were in very poor condition.

Many respondents to the community questionnaire noted traffic problems, especially cut-through traffic traveling to and from the Huntington Metro Station. Inadequate parking was also noted by many respondents as an area of concern.

Other Problems

While the need for improvements in housing and public facilities were the top priorities of the community, other areas cited for improvement included open dumping, reducing crime, expansion of recreational facilities at Jefferson Manor Park, and the provision of organized programs for youth within the community.

These conditions of deteriorated and deteriorating private and public facilities which are a detriment to the health, safety, and welfare of the community, warranted a comprehensive improvement program that directs both public and private resources toward alleviating these problems.

V. GOALS AND OBJECTIVES FOR JEFFERSON MANOR

The basic goal of the Jefferson Manor Conservation Plan is to preserve the Jefferson Manor area as a stable residential community, to prevent the area from deteriorating, and to provide for its improvement in the future. The specific objectives to accomplish this goal are to:

- Conserve and improve the Jefferson Manor neighborhood and the affordable housing stock, and provide for new residential development at densities compatible with the community and consistent with the Conservation Plan.
- Stimulate the private rehabilitation of existing dwellings and ensure that the improvements are enduring and of high quality.
- Develop a program to provide for the improvement of streets, sidewalks, and other public facilities in areas of need as identified by residents, and to minimize cut-through traffic.
- Work with the Virginia Department of Transportation to improve the conditions and safety of the road system.
- Improve the storm water drainage system to provide for the efficient removal of surface water and to prevent any adverse flooding, erosion or ponding problems.
- Stimulate the development and improvement of commercial properties.

- Discourage trash dumping on vacant land and provide for the removal and clean-up of areas where there is litter and trash.
- Encourage local citizen leadership and participation in the upgrading of the area and in the decision-making process of the public improvement program.
- Ensure that all citizens in the area are compensated within the requirements of Federal and State law for any public actions concerning their property or household.
- Promote programs to ensure the protection and safety of the residents and their property.
- Ensure public and private improvements are planned, designed and coordinated in a manner which contributes to the aesthetic quality of Jefferson Manor and does not adversely impact existing traffic and parking conditions of the community.
- Ensure that the Fairfax County Comprehensive Plan is consistent with and promotes the purpose of the Jefferson Manor Conservation Plan.
- Develop and evaluate implementation strategies on an on-going basis to achieve the goals and objectives of the Conservation Plan.

VI. UNDERTAKINGS OF A CONSERVATION PLAN

A. General Requirements (as described in 1991, with amendments proposed in 2011)

This Conservation Plan shall be implemented by the FCRHA after it is approved and adopted by the Board of Supervisors. The FCRHA may delegate certain undertakings and action under the Conservation Plan to appropriate County agencies. The FCRHA and the Board of Supervisors shall each conduct a public hearing prior to approval of the Conservation Plan. All undertakings and actions under the power of eminent domain authorized in this Conservation Plan shall be deemed to be public uses as stipulated in Title 36 of the Code of Virginia, as amended. Under this Plan, the exercise of eminent domain by the FCRHA shall be made only in those instances where efforts to acquire land for public use through voluntary conveyance have failed. This Plan has been prepared in accordance with the requirements of the Code of Virginia, as amended.

B. Authorized Undertakings

Within the Conservation Area, the powers of the FCRHA to carry out the work or undertakings called for in the Conservation Plan include the following:

Acquisition of Land - It is anticipated that acquisition by the FCRHA of property for public use will be limited to the acquisition of dedications and/or easements as

necessary for the construction of public improvements. The FCRHA may acquire other property through private purchase for the purpose of rehabilitation. The FCRHA may also acquire property designated as commercial and high density residential consistent with the Fairfax County Comprehensive Plan on the Conservation Plan Land Use Map to facilitate the redevelopment of this area.

Disposition of Land - The FCRHA may sell, lease, or otherwise convey any property acquired by the FCRHA under this Plan to public agencies or to private non-profit or profit entities for development in accordance with the provisions of this Plan, provided that it shall (1) use the land for the purpose designated in this Plan, (2) begin the building of improvements within a reasonable period of time, (3) comply with such other conditions as are necessary to carry out the purposes of this Plan.

Provision of Public Facilities - The FCRHA may provide for the installation, construction, or reconstruction of streets, utilities, parks, parking facilities, playgrounds, public buildings, and other site improvements, essential to the conservation or rehabilitation planned. A detailed master plan will be developed to outline specific public improvements in Jefferson Manor such as streets, traffic patterns, storm drainage, sidewalks, curbs and gutters, street lighting, and parking.

Financial Assistance - The FCRHA may provide financial assistance in accordance with the provisions of Title 36 of the Code of Virginia, as amended, for the planning, development, construction, repair, rehabilitation, or maintenance of residential or commercial buildings in the Conservation Area. The Jefferson Manor Conservation Area may benefit from FCRHA financing programs which include the Home Improvement Loan Program and the multi-family tax exempt bond program. Other financing sources may be used to assist rehabilitation and development in Jefferson Manor as they are available.

Other Actions - The FCRHA may undertake other actions in accordance with the provisions of Title 36 of the Code of Virginia to further the purposes of this Plan, after approval of the Fairfax County Board of Supervisors.

C. Cooperation with County Agencies

Fairfax County and local agencies and authorities shall aid and cooperate with the FCRHA under the powers of the Code of Virginia, as amended, for the purpose of assisting the development and administration of the Conservation Plan.

VII. RELATIONSHIP TO LOCAL OBJECTIVES

The Jefferson Manor Conservation Plan is consistent with the policies, goals and objectives of the Countywide Comprehensive Plan. The Fairfax County Comprehensive Plan divides the County into four planning areas, which are divided into planning districts that are further divided into community planning sectors. Some areas of the County are designated as special planning areas, such as the Huntington Transit Station Area. According to the Comprehensive Plan, the Jefferson Manor community is located in ~~Planning Area IV, Mount Vernon Planning District, Huntington Community~~

Planning Sector, in the Huntington Transit Station Area. The Comprehensive Plan discusses the Jefferson Manor community in conjunction with the Huntington Metro Station Area. The Comprehensive Plan generally It describes Jefferson Manor as "a stable neighborhood of primarily duplex units that is planned for a density of 8-12 dwelling units per acre". Specific recommendations for Jefferson Manor discussed in the Comprehensive Plan include:

- Improve pedestrian facilities to provide better access to the Huntington Metro Station.
- Discourage non-local cut-through traffic.
- ~~○ Develop the vacant 4 acre site adjacent to the Huntington Gardens Apartments at a density of 16-20 dwelling units per acre taking the necessary measures to minimize the potential heavy traffic impact on adjacent communities.~~
- Redevelop the Huntington Station Shopping Center and the adjacent block of residential properties bounded by ~~Jefferson Drive, Farmington Drive Monticello Road, Fort Drive and North Kings Highway~~ with a mix of retail and high-density residential units uses as described in the Comprehensive Plan. The redevelopment should be coordinated with the Washington Metropolitan Area Transit Authority to ensure compatibility with the Huntington Metro Station.
- A density of 8-12 dwelling units per acre is planned for the remaining large area of duplex housing in Jefferson Manor.

~~The Existing Land Use Map and the Conservation Plan Land Use Map are~~ is included on the following pages. ~~The Conservation Plan Land Use Map incorporates the recommended land use for Jefferson Manor as previously discussed in reference to the Comprehensive Plan.~~

The Jefferson Manor Conservation Plan also supports definite local goals and objectives with respect to the Fairfax County Community Development Program. The Jefferson Manor Conservation Plan is consistent with the following objectives of the Community Development Program.

- To identify areas of the County in need of neighborhood revitalization and to seek adoption by the Board of Supervisors of redevelopment and/or conservation plans under Title 36 of the Code of Virginia, as amended, or general neighborhood improvement plans, thereby allowing a comprehensive approach to meeting community development needs.
- To provide and improve housing and public facilities in accordance with implementation schedules.
- To correct health, safety and welfare violations in the County's low and moderate income communities.
- To provide support for the production of new housing for low and moderate income persons and the retention and improvement of existing low and moderate income housing.

In addition to the above, the Jefferson Manor community is a part of the Route One Rehabilitation District, which was adopted by the Board of Supervisors on November 22, 1982. The Conservation Plan is consistent with the goals of the Rehabilitation District. This district, established under Section 36-52.3 of the Code of Virginia, as amended, designates this area as one that, if not rehabilitated, is likely to deteriorate into an area of blight and confers on the FCRHA certain powers to finance improvements to property within the boundaries of the Rehabilitation District.

Coordination and Responsibilities of Public Agencies

The County and all of its agencies, authorities, boards, and commissions will cooperate with and assist the FCRHA in the implementation of the Jefferson Manor Conservation Plan. Overall coordination of the implementation of the Conservation Plan, including coordination with the State and its agencies, shall be the responsibility of the County Executive who is Secretary/Executive Director of the FCRHA. They shall work under the direction of the Board of Supervisors and the FCRHA through the Department of Housing and Community Development.

VIII. PROPERTY ACQUISITION

Although substantial acquisition of property is not anticipated, acquisition of easements may be necessary for the construction of public improvements. The FCRHA is empowered to acquire properties within the Conservation Area by purchase or eminent domain pursuant to law for a public purpose. The FCRHA may also acquire other properties through voluntary sale for rehabilitation. Acquisition under the Conservation Plan shall be carried out, where applicable, consistent with the regulations of the Virginia Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1973, as amended, and the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Title 36 of the Code of Virginia, as amended.

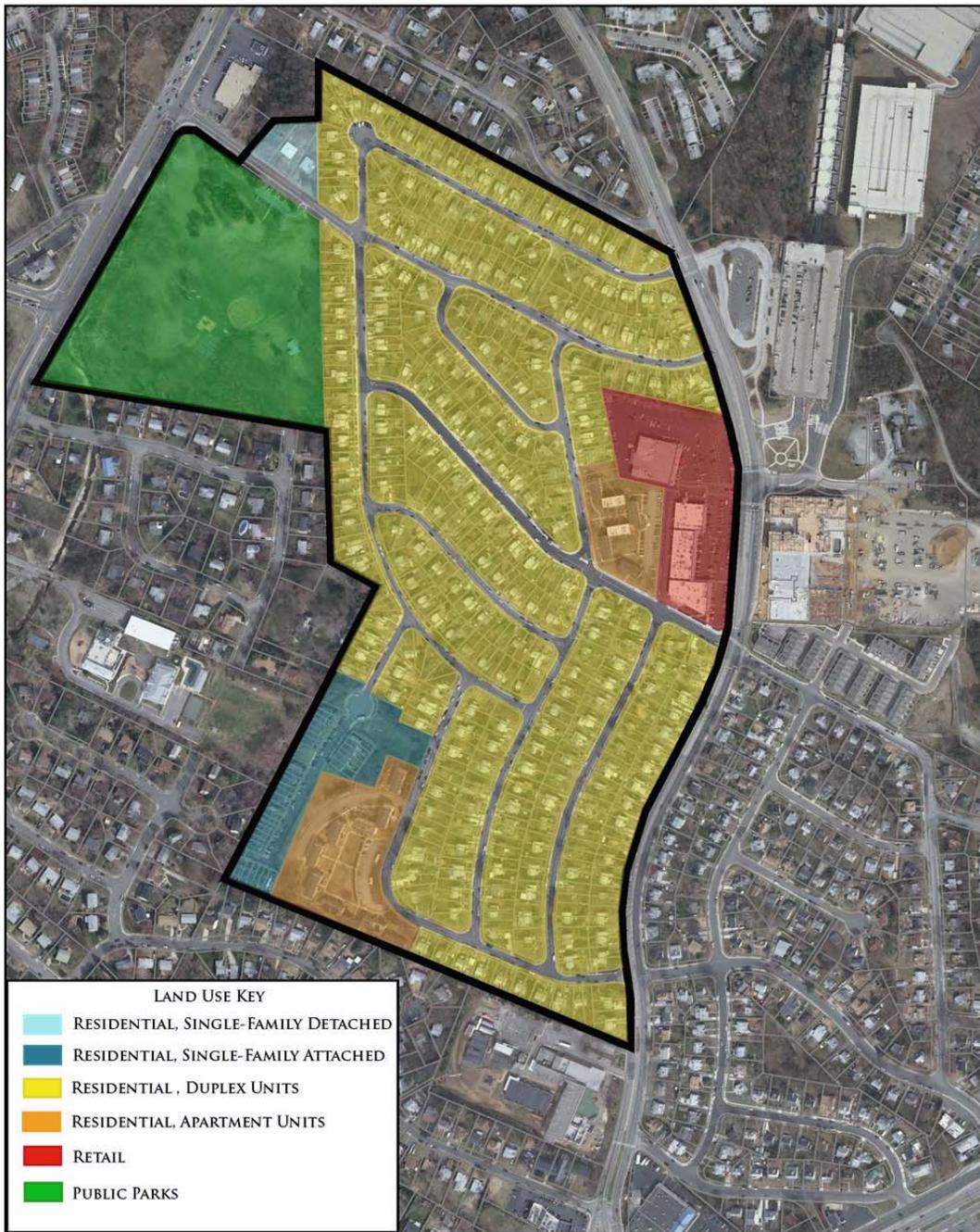
IX. RELOCATION POLICY

Any displacement of persons or businesses located within the Conservation Area resulting from the acquisition and development of property by the FCRHA under this Plan shall be carried out in compliance with all applicable provisions of the Virginia Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1973, as amended, and, if applicable, the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Section 104(d) of the Housing and Community Development Act of 1974, as amended, or relocation policies and procedures as approved by the FCRHA and the Fairfax County Board of Supervisors.

X. PROCEDURES FOR REHABILITATION

The Home Improvement Loan Program is administered by the FCRHA to assist property owners within the Conservation Area in upgrading their properties. The program may be financed by both public and private funds.

JEFFERSON MANOR CONSERVATION AREA: EXISTING LAND USE



0 250 500 1,000 Feet

Fairfax County Department of Planning and Zoning
Aerial Imagery, Copyright 2002, Commonwealth of Virginia



AERIAL PHOTO FROM 2009. MAP CREATED BY THE DEPT. OF PLANNING AND ZONING, JANUARY 2011

Property owners in the Jefferson Manor Conservation Area may be eligible to apply for a home improvement loan through the FCRHA Home Improvement Loan Program. Loans may be made on a sliding scale of interest rate, based upon the FCRHA's policies and procedures for loan underwriting.

After rehabilitation, properties must be in compliance with the Conservation Plan, and housing hygiene and building codes applicable in Fairfax County, unless waived as provided for in Section XI, C, 2, b, of this Plan. The waivers shall apply only to recipients of home improvement loans and shall be used only in limited cases to allow for the economic rehabilitation of existing dwelling units without requiring unnecessary or excessive alterations or repairs.

The FCRHA may acquire properties through private purchase which are offered to it by the owners. Upon acquisition of such property, the FCRHA may, at its option: rehabilitate each structure according to accepted standards and then sell or lease it; or dispose of such property under conditions obligating the purchaser to rehabilitate the property within a period of eighteen months after transfer of title.

In order to ensure that the rehabilitation of FCRHA-acquired properties that are subsequently sold to private individuals is completed and that the property will be used in a manner which is consistent with the objectives of this Plan, the disposition documents shall contain the appropriate restrictions running with the land. Such restrictions shall be imposed as covenants running with the land for the duration of the Conservation Plan or the term of the loan, whichever is greater.

XI. REGULATIONS AND STANDARDS

A. General Provisions

The following controls and regulations covering land use and building requirements provide guidelines for the Conservation Area. Maximum ingenuity and freedom of design consistent with the objectives of the Conservation Plan are encouraged for any improvement or new development. Unless otherwise stated below, all capital improvement and development projects will be constructed or improved in accordance with the Conservation Plan and with all applicable local, state and federal regulations, statutes, ordinances and codes, including the Comprehensive Plan.

B. Development Review

Upon adoption of the Conservation Plan, all of the following requests, plans, and proposals shall be forwarded by the County to the FCRHA to the Jefferson Manor Citizens Association for review. All regulations, limitations, and time schedules of the County shall be followed in reviewing and commenting on said documents. HCD shall work with a committee designated by the Jefferson Manor Civic Association in carrying out all such reviews as called for in this section of the Conservation Plan. The committee shall also have responsibility for keeping the community informed of such reviews including residents of the apartment complexes within Jefferson Manor.

1. Zoning Actions - The HCD, with the committee, shall review and comment on all new or pending zoning actions in the Conservation Area. All rezoning requests for properties that are wholly or partially within the Conservation Area boundaries shall be submitted to the committee at the same time as they are submitted to the County of Fairfax. All such requests will be reviewed with respect to their conformance with the objectives of the Conservation Plan.
2. Comprehensive Planning Actions - The HCD, with the committee, ~~shall~~ may review and comment on all proposed Comprehensive Plan amendments to ~~the Area IV and Countywide Plans~~ pertaining to the Conservation Area. All ~~such amendments shall be submitted to the HCD at the same time as they are submitted to the Planning Commission.~~
3. Development and Site Plans - The HCD, with the committee, ~~shall~~ may review and comment on all development and site plans for property in the Conservation Area. This review shall be coordinated with ~~the Department of Environmental Management~~ Department of Public Works and Environmental Services and will include, but not be limited to, site planning, architectural layout, materials to be used in construction, landscaping, access, advertising and identification signs, parking, vehicular circulation, and street and sidewalk improvements.

All proposed subdivision plans and all proposed development and site plans for projects that are wholly or partially within the Conservation Area boundaries shall be submitted to HCD for review and comment with the committee at the same time as they are submitted to the County of Fairfax.

4. Public Improvements - All public and quasi-public agencies which propose projects within the Conservation Area boundaries will be required to submit preliminary and final working drawings or site plans and building elevations plans in sufficient detail to show access, layout, landscaping, and construction to HCD for review and comment with the committee prior to the start of construction.

C. Specific Regulations

1. Regulations Applicable to All Properties

- a. Statement of Purpose - A basic purpose of this Plan, in promoting rehabilitation and conservation within Jefferson Manor, is to provide standards for improvements which will serve the goals and objectives of the community. All improvements shall reflect quality in design, materials, and techniques. None of the regulations contained herein shall be construed to release any developer, owner, or other individual from required conformance to all applicable County regulations, controls, and ordinances.

b. Dedications/Easements –

1. No building shall be erected on or over any utility easement, unless expressly agreed to by all necessary parties.
 2. No building, improvements, fence, or another barrier shall be erected on any pedestrian pathway easement.
 3. Dedications/easements for a public purpose may be granted by property owners.
- c. Street Standards - Waivers should be considered on standard street widths due to building setbacks and existing topographical conditions. Private service and access drives will be wide enough to handle the particular function assigned and shall comply with Fairfax County codes and ordinances. Design and traffic control provisions should be made to prohibit through-trucks from entering the Conservation Area. All newly constructed public or private streets shall be developed with curbs and gutters. Private entrances should conform to the Virginia Department of Transportation standards and the Fairfax County Public Facilities Manual.

The development of all streets should address the following objectives:

1. Adequate vehicular and pedestrian circulation into and through the Conservation Area;
 2. Separation of pedestrian and vehicular traffic, where feasible;
 3. Reasonable access to and egress from all land uses in an efficient manner;
 4. Minimum obstruction to efficient traffic flow on all streets in the Conservation Area; and
 5. The use of curb cuts to facilitate bicycle and handicapped movement.
- d. Garbage and Rubbish - The following regulations shall apply to the removal of garbage, rubbish, and litter by property owners:

It shall be unlawful for the owner of any property, after having been notified by the Fairfax County Health Director, to fail to remove any and all garbage, rubbish, litter, or any other substance which have caused the premise to become unclean, unsightly, ~~insanitary~~ unsanitary, obnoxious, or blight to the community. When the County Health Director has determined that a violation exists, he/she shall notify the owner of the land or lot(s) in accordance with the Fairfax County Code. If such garbage, rubbish, litter or other substances are

not removed, the Fairfax County Director of Public Works shall cause removal and assess the cost and expense against the owner of such property, as provided in the County Code.

2. Regulations Applicable to Residential Areas

a. Land Use – The land uses and intensity of development ~~maximum density and use of the land within the Conservation Area boundaries shall conform to the guidance of the Fairfax County Comprehensive Plan, as amended be the same as that specified on the Conservation Plan Land Use Map.~~ All uses shall conform with regulations which are enumerated in the Zoning Ordinance of the Code of Fairfax County, Virginia, as amended. ~~The recommendations of the Comprehensive Plan are consistent with and have been incorporated into the proposed Conservation Plan Land Use Map for Jefferson Manor previously referenced.~~ These Land use recommendations are listed as follows:

- Improve pedestrian facilities to provide better access to the Huntington Metro Station.
- Discourage non-local cut-through traffic.
- ~~○ Develop the vacant 4 acre site adjacent to the Huntington Gardens Apartments at a density of 16-20 dwelling units per acre taking the necessary measures to minimize the potential heavy traffic impact on adjacent communities.~~
- ~~○ Redevelop the Huntington Station Shopping Center and the adjacent block of residential properties bounded by Jefferson Farmington Drive, Monticello Road, Fort Drive and North Kings Highway with a mix of retail and high density residential units uses as described in the Comprehensive Plan. The redevelopment should be coordinated with the Washington Metropolitan Area Transit Authority to ensure compatibility with the Huntington Metro Station.~~
- A density of 8-12 dwelling units per acre is planned for the remaining large area of duplex housing in Jefferson Manor.

b. Home Improvement Loan Recipients - Those property owners receiving loans from the FCRHA for the rehabilitation of their properties shall upgrade such properties to conform to housing hygiene and building codes applicable in Fairfax County, unless waived by the appropriate County body pursuant to applicable laws and regulations; and to conform to the Fairfax County Home Improvement Loan Program Policy and Procedures Manual.

3. Regulations Applicable to Residential and Non-Residential Mixed-Use Areas and Neighborhood Commercial Uses and Institutional Facilities.

~~The land uses and intensity of development intensity of land use for residential, non-residential and mixed use areas within the Conservation Area boundaries should shall conform to the guidance of that specified in the Official Zoning Map of Fairfax County the Fairfax County Comprehensive Plan, as amended. Current zoning in Jefferson Manor is illustrated on the following page. Commercial development will be limited to~~

~~that portion of the Conservation Area so designated on the Conservation Plan Land Use Map. Only those uses permitted in the commercial districts of the zoning ordinances of Fairfax County shall be permitted in the Conservation Area. All uses shall conform with regulations which are enumerated in the Zoning Ordinance of the Code of Fairfax County, Virginia, as amended.~~

The following objectives shall be met by any ~~commercial or institutional~~ development:

- a. Redevelop the Huntington Station Shopping Center and the peripheral residential properties as described in the Comprehensive Plan. The redevelopment should be coordinated with the Washington Metropolitan Area Transit Authority to ensure compatibility with the Huntington Metro Station;
- b. The structures, signing, and lighting shall be innovatively designed to be compatible in scale and character with the neighborhood;
- c. ~~The commercial and institutional~~ uses shall be arranged in such a manner that they will not adversely affect other uses;
- d. Surface parking lots of five spaces or more shall be screened from a public road or street by walls or solid landscaping material at least five feet in height;
- e. Adequate and safe pedestrian access to the commercial, mixed use or institutional development shall be available from within the community; and,
- f. Current best standards for storm water management shall be encouraged in any mixed-use or commercial or institutional development within the Conservation Plan area.

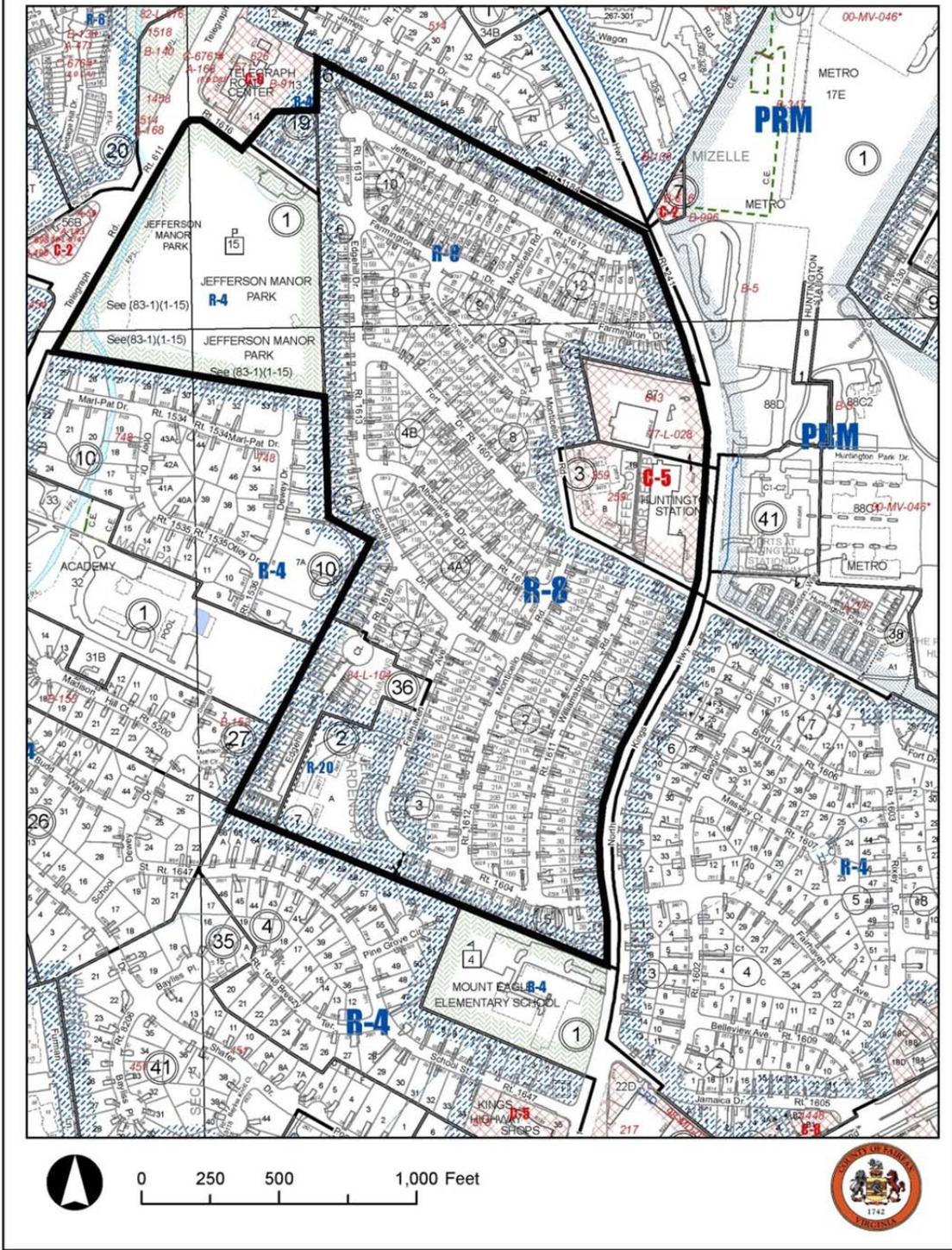
D. ~~Duration~~ of Controls, Regulations and Standards

The controls set out in the Plan are compatible with existing County Codes. Rehabilitation and new construction within the Conservation Area will, ~~for a period of twenty-five years from the date of approval of this Plan by the Fairfax County Board of Supervisors,~~ be subject to these controls, regulations and standards, and to any more restrictive provisions which may be contained in this Plan. ~~Any controls imposed in disposition documents relating to those properties acquired by the FCRHA will run for their stated time period.~~

XII. PROCEDURE FOR PLAN AMENDMENT

All proposed amendments to the Conservation Plan shall be submitted to the FCRHA for the purpose of holding a public hearing to provide the opportunity for residents of the Conservation Area and all other affected parties to voice their views on the proposal. The FCRHA shall then submit the amendment and its recommendation to the Board of Supervisors for approval. Any Conservation Plan amendments that require an amendment of the Comprehensive Plan shall further require the approval by the Planning Commission of the amendment and the Comprehensive Plan change.

JEFFERSON MANOR EXISTING ZONING MAP



CREATED BY THE DEPT. OF PLANNING AND ZONING, JANUARY 2011

XIII. TIME LIMITATIONS

There is no stated limitation on the length of time within which the program activities must be completed.

XIV. PROGRAM FUNDING

Funding from all sources allowable under Virginia law will be sought to finance approved program activities. The implementation of public improvements will be contingent on the availability of funds.

APPENDICES

1991 RESOLUTIONS FROM THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY AND THE BOARD OF SUPERVISORS ADOPTING THE JEFFERSON MANOR CONSERVATION PLAN

1. Fairfax County Redevelopment and Housing Authority Item – May 20, 1991
2. Board of Supervisors Resolution – June 17, 1991

FCRHA Agenda Item
May 30, 1991

ACTION – A1

RESOLUTION NUMBER 29-91: APPROVAL OF THE JEFFERSON MANOR CONSERVATION PLAN (LEE DISTRICT)

ISSUE:

Approval by the FCRHA of the Jefferson Manor Conservation Plan and authorization by the FCRHA to forward the Jefferson Manor Conservation Plan to the Fairfax County Board of Supervisors with the recommendation that the Plan be adopted by the Board of Supervisors.

RECOMMENDATION:

At its meeting on May 22, 1991, the FCRHA Community Development Committee recommended adoption of Resolution Number 29-91 approving the Jefferson Manor Conservation Plan and forwarding the Plan to the Board of Supervisors with the recommendation that the Plan be adopted by the Board of Supervisors.

TIMING:

Action should be taken as soon as possible in order to forward the Jefferson Manor Conservation Plan to the Board of Supervisors prior to their public hearing on the Plan scheduled for June 17, 1991.

BACKGROUND:

In the spring of 1990, the Jefferson Manor Civic Association requested that the County prepare a Conservation Plan for Jefferson Manor. On April 30, 1990, the Board of Supervisors directed the FCRHA to survey the existing conditions in Jefferson Manor to determine if the area met the criteria for conservation in accordance with Title 36 of the Code of Virginia of 1950, as amended.

The Fairfax County Department of Housing and Community Development, on behalf of the FCRHA, undertook a study of existing conditions in the Jefferson Manor area in the summer of 1990. This document, the Jefferson Manor Summary of Existing Conditions, was submitted to the FCRHA and the Board of Supervisors in the fall of 1990.

Based on the information contained in the Summary of Existing Conditions, the FCRHA and the Board of Supervisors concluded that Jefferson Manor is a community which meets the criteria for the establishment of a conservation area, and would benefit from the adoption of a conservation plan. On December 10, 1990, the Board of Supervisors directed the FCRHA to prepare a conservation plan for Jefferson Manor in accordance with Title 36 of the Code of Virginia, as amended.

FCRHA Agenda Item
May 30, 1991

The Department of Housing and Community Development, on behalf of the FCRHA, has held several meetings with the community and has prepared a conservation plan for Jefferson Manor. The Jefferson Manor Conservation Plan is a general guide that includes recommended policies and procedures for future development and improvement of the Jefferson Manor neighborhood. The requirements and provisions of the Jefferson Manor Conservation Plan will be carried out by the FCRHA as provided under Title 36 of the Code of Virginia, as amended. The Plan has been reviewed by the staff of the Lee District Supervisor, the County Attorney, and the Department of Environmental Management, the Office of Comprehensive Planning, the Department of Public Works, and the Virginia Department of Transportation. The Jefferson Manor Civic Association has reviewed the Conservation Plan and supports the adoption of the Plan by the FCRHA.

The goal of the Jefferson Manor Conservation Plan is to preserve the Jefferson Manor area as a stable residential community, to prevent the area from further deterioration, and to provide for its improvement in the future. The Jefferson Manor Conservation Plan is consistent with the goals of the Fairfax County Community Development Program which are (1) to produce, retain and improve low and moderate income housing in Fairfax County; (2) to eliminate conditions of slums, blight and deterioration and disorderly growth throughout the County; (3) to improve and preserve existing low and moderate income communities through the provision of public facilities and services; and (4) to maintain an ongoing comprehensive planning and citizen participation process to meet the aforementioned goals.

Through approval of Resolution 29-91 the FCRHA approves the Jefferson Manor Conservation Plan and transmits the Plan to the Board of Supervisors with a recommendation that the Board adopt the plan. A public hearing by the Board of Supervisors is scheduled for June 17, 1991, at 4:00 p.m. Section 36-49.1 of the Code of Virginia of 1950, as amended, requires the Board of Supervisors to conduct a public hearing prior to approval of a conservation plan.

ENCLOSED DOCUMENTS:

Attachment 1: Resolution Number 29-91

Attachment 2: Jefferson Manor Conservation Plan

STAFF:

Walter D. Webdale, Director, Department of Housing and Community Development (HCD);

Bruce A. LaVal, Director, Community Development Division, HCD;

Audrey Spencer-Horsley, Chief Planner, Community Development Division, HCD; Deidre M. Ricks, Community Program Coordinator, Community Development Division, HCD.

RESOLUTION NUMBER 29-91

APPROVAL OF THE JEFFERSON MANOR CONSERVATION PLAN
(LEE DISTRICT)

WHEREAS, past and current studies and analyses have documented the serious problems and deteriorating conditions in the Jefferson Manor Area, including the need to upgrade housing and public facilities; and

WHEREAS, the Fairfax County Redevelopment and Housing Authority (hereinafter called the "Authority") and the Board of Supervisors have investigated the Jefferson Manor Area and have found such area feasible for conservation; and

WHEREAS, on December 10, 1991, Board of Supervisors directed the Authority to prepare a Conservation Plan in accordance with Title 36 of the Code of Virginia, as amended; and

WHEREAS, the Department of Housing and Community Development, on behalf of the Authority, has met with residents of Jefferson Manor and prepared the Conservation Plan dated May 1991;

WHEREAS, the Authority is specifically empowered to carry out the work or undertakings as called for in the Conservation Plan under Title 36 of the Code of Virginia, as amended; and

WHEREAS, the Authority held a public hearing on the Jefferson Manor Conservation Plan on May 30, 1991.

NOW THEREFORE, BE IT RESOLVED THAT the Authority approves the Jefferson Manor Conservation Plan and transmits said Plan to the Fairfax County Board of Supervisors for its consideration with the recommendation that it be approved and adopted.

**BOARD OF SUPERVISORS' RESOLUTION
June 17, 1991**

APPROVAL OF THE JEFFERSON MANOR CONSERVATION PLAN

WHEREAS, past and current analyses have documented the serious problems and deteriorating conditions in the Jefferson Manor neighborhood, including the need to upgrade housing and public facilities; and

WHEREAS, on December 10, 1990, the Board of Supervisors requested that the Fairfax County Redevelopment and Housing Authority (hereafter called the "Authority") investigate the Jefferson Manor neighborhood and, if feasible, to delineate such area and prepare a Conservation Plan in accordance with Section 36-49.1 of the Code of Virginia, as amended; and

WHEREAS, the Authority has investigated the Jefferson Manor neighborhood and has found such an area feasible for conservation; such area being that described in the boundaries of the **Jefferson Manor Conservation Plan**; and

WHEREAS, the Authority, after meeting with citizen groups, has prepared the **Jefferson Manor Conservation Plan**, dated May 1991; and

WHEREAS, after its public hearing on May 30, 1991, the Authority duly approved by Resolution No. 29-91 transmittal of said **Jefferson Manor Conservation Plan**, to the Board of Supervisors for its consideration; and

WHEREAS, the Authority is specifically empowered to carry out the work or undertakings as called for in the **Jefferson Manor Conservation Plan** under Section 36-49.1 of the Code of Virginia, as amended; and

WHEREAS, the Jefferson Manor Conservation Plan has been prepared in accordance with the requirements of Section 36-49.1 of the Code of Virginia, as amended; and

WHEREAS, the **Jefferson Manor Conservation Plan** is consistent with all other provisions of Title 36 of the Code of Virginia, as amended, and with the Cooperation Agreement of May 14, 1973, between the Fairfax County Board of Supervisors and the Redevelopment and Housing Authority, as amended; and

WHEREAS, the Board of Supervisors has considered said **Jefferson Manor Conservation Plan**;

NOW, THEREFORE, BE IT RESOLVED, that

1. The Board of Supervisors of Fairfax County, Virginia, does hereby approve and adopt said **Jefferson Manor Conservation Plan**, and
2. **The Jefferson Manor Conservation Plan**, as adopted, is applicable in that area described as the boundaries of such Plan; and
3. **The Jefferson Manor Conservation Plan**, as adopted, shall be implemented in accordance with the Cooperation Agreement of May 14, 1973, between the Fairfax County Board of Supervisors and the Redevelopment and Housing Authority, as amended; and
4. The County staff shall forward any and all requests, plans and proposals concerning zoning, subdivision and development, and public improvements within the Jefferson Manor Conservation Area to the Authority for its review and comment prior to final County agency action.

Board Agenda Item
July 26, 2011

ADMINISTRATIVE - 9

Additional Time to Establish the Use for Special Exception SE 2006-SP-011, Virginia Electric and Power Company (Springfield District)

ISSUE:

Board consideration of additional time to establish the use for SE 2006-SP-011, pursuant to the provisions of Sect. 9-015 of the Zoning Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board approve the request for twelve months of additional time for SE 2006-SP-011 to July 1, 2012.

TIMING:

Routine.

BACKGROUND:

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

On November 20, 2006, the Board of Supervisors approved Special Exception SE 2006-SP-011, subject to development conditions. The application was filed in the name of Virginia Electric and Power Company to delete a 1.35 acre portion of the 3.81 acre site, to maintain an existing substation on the remaining 2.46 acres of land, pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance for the property described as Tax Map 106-1 ((1)) 23A pt. and 106-2 ((1)) 47A pt. (see Locator Map in Attachment 1). The 1.35 acres was included in a by-right residential subdivision. SE 2006-SP-011 was approved with a condition that the use be established or construction commenced and diligently prosecuted within thirty (30) months of the approval date unless the Board grants additional time. The expiration date would have been May 20, 2009, however it was extended to July 1, 2011, by § 15.2-2288.4, *Code of Virginia*. The development conditions are included as part of the Clerk to the Board's letter (see Attachment 2).

Board Agenda Item
July 26, 2011

On June 5, 2011, the Department of Planning and Zoning (DPZ) received a letter dated June 6, 2011, from Paul J. Gauthier requesting twelve months additional time to establish the use for the project (see Attachment 3). The request for additional time was received prior to the date on which the approval would have expired; therefore, the special exception will not expire pending the Board's action on the request for additional time. The applicant states the additional time is needed to complete the planting of the landscape screening along the common property line per development condition #4, which requires the planting of evergreen shrubbery among the existing vegetation to provide an effective year round visual screen between the residential uses and the existing substation. Due to the downturn in the residential market, development of the residential subdivision was delayed. The developer is now commencing the plan approval process through the County with the Lake Hills Estates RPA Delineation Plan #1902-RPA-001, currently under County review. The applicant anticipates permit approvals for commencement of construction of the residential subdivision and to establish the use with completion of the provision for transitional screening. The applicant requests the additional time to allow a spring planting schedule, which is more conducive to the plant survival for the required screening.

Staff has reviewed Special Exception SE 2006-SP-011 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to permit deletion of land area for the SE use. Further, staff knows of no change in land use circumstances which affect the compliance of SE 2006-SP-011 with the special exception standards applicable to this use or which should cause the filing of a new special exception application and review through the public hearing process. The Comprehensive Plan recommendation for this site has not changed since the SE was approved. Finally, the conditions associated with the Board's approval of SE 2006-SP-011 are still appropriate and remain in full force and effect. Staff believes that approval of the request for twelve months additional time is in the public interest and recommends that it be approved. The additional time would begin from the prior specified expiration date and would result in a new expiration date of July 1, 2012.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Locator Map

Attachment 2: Letter dated November 28, 2006, to John L. McBride, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors, which sets forth the conditions for approval of SE 2006-SP-011

Attachment 3: Letter dated June 6, 2011, from Paul J. Gauthier, requesting additional time

Board Agenda Item
July 26, 2011

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred R. Selden, Acting Director, Department of Planning and Zoning (DPZ)

Barbara C. Berlin, Director, Zoning Evaluation Division (ZED), DPZ

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

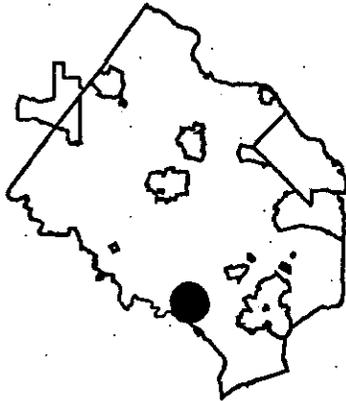
Pamela Nee, Chief, Environment and Development Review Branch, Planning Division, DPZ

Carrie Lee, Staff Coordinator, ZED, DPZ

THIS PAGE INTENTIONALLY LEFT BLANK

Special Exception

SE 2006-SP-011



Applicant: VIRGINIA ELECTRIC AND POWER COMPANY;
JIMMY H. GHADBAN

Accepted: 04/28/2006

Proposed: ELECTRIC SUBSTATION

Area: 3.81 AC OF LAND; DISTRICT - SPRINGFIELD

Zoning Dist Sect: 03-0104

Art 9 Group and Use: 1-01

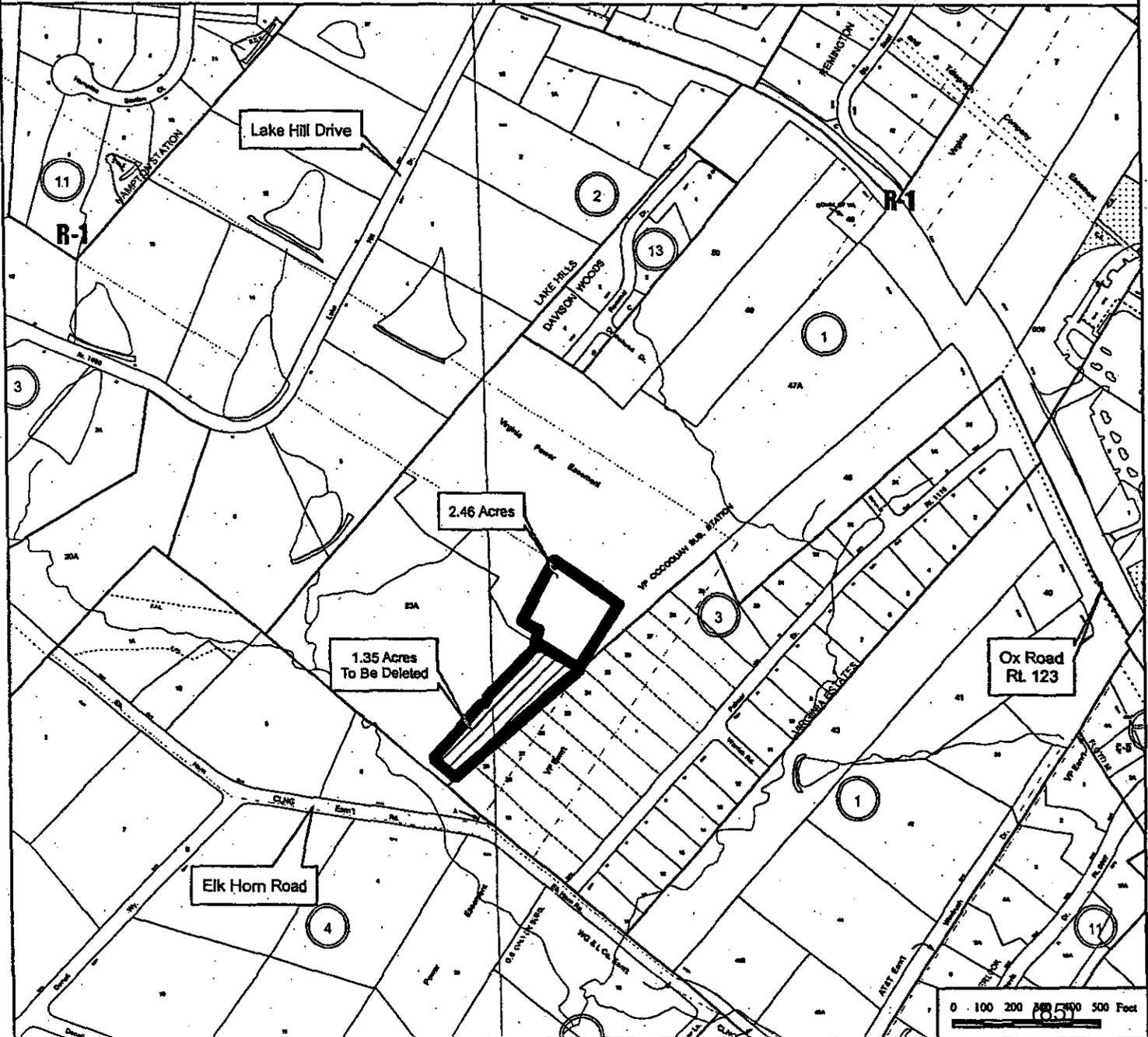
Located: 8906 OX ROAD

Zoning: R-1

Plan Area: 3,

Overlay Dist: WS

Map Ref Num: 106-1-/01/ /0023A Pt.
106-2-/01/ /0047A Pt.





County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

November 28, 2006

John L. McBride
 Vanderpool, Frostick, & Nishanian, PC
 9200 Church St. Suite 400
 Manassas, VA 20110

Re: Special Exception Application Number SE 2006-SP-011

Dear McBride:

At a regular meeting of the Board of Supervisors held on November 20, 2006, the Board approved Special Exception Application Number SE 2006-SP-011 in the name of Virginia Electric and Power Company located at 8906 Ox Road on approximately 3.81 acres of land zoned R-1 and WS (Tax Map 106-1 ((1)) 23A pt. and 106-2 ((1)) 47A pt.). The Board's approval deletes 1.35 acres and allows for the maintenance of an electric substation on 2.46 acres of land pursuant to Section 3-104 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. Other by-right Special Exception, or Special Permit uses may be allowed on the site without amending this Special Exception, so long as the proposed use is in substantial conformance with the SE Plat.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception Plat – Virginia Electric and Power Company (VEPCO)" prepared by Burgess and Niple, consisting of two sheets dated April 20, 2006, with revisions to Sheet 1 dated August 8, 2006 and Sheet 2 dated August 25, 2006, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

Office of Clerk to the Board of Supervisors
 12000 Government Center Parkway, Suite 533
 Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
 Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

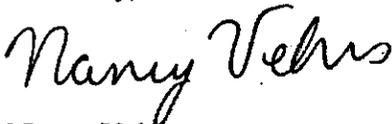
4. Existing healthy vegetation shall be preserved along the common property line between Tax Map Parcel 106-1 ((1)) 23A and Tax Map Parcel 106-2 ((1)) 47A and outside of the "Danger Tree Restriction Area" easement recorded among the Land Records in Deed Book 17084 at page 173, as shown on Sheet 2 of the Special Exception Plat. Prior to the issuance of a Non-RUP, the Applicant or its assigns shall, to the satisfaction of Urban Forest Management, install a mixture of evergreen shrubbery (e.g. inkberry, hybrid holly and arborvitae) among the existing vegetation in a manner which (i) provides an effective year round visual screen between the residential uses proposed on Parcel 23A and the existing substation located upon Parcel 47A, and (ii) does not violate the terms of the "Danger Tree Restriction Area" easement recorded among the Land Records in Deed Book 17084 at page 0173. Said plantings shall be of a type and number approved by Urban Forest Management. Said plantings shall be installed for the purpose of screening views of any single family homes which may be constructed on Parcel 23A.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

If you have questions regarding the expiration of this Special Exception or filing a request for additional time, they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/cwb

SPECIAL EXCEPTION PLAT VIRGINIA ELECTRIC AND POWER COMPANY ELECTRIC SUBSTATION

SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
APRIL, 2006
REVISED JULY, 2006
REVISED AUGUST, 2006

ZONING REQUIREMENTS R-1 DISTRICT

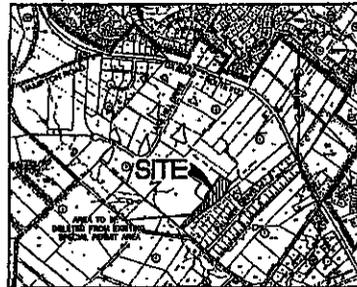
AS APPLICABLE TO CATEGORY 1 SPECIAL EXCEPTION USES:

MAXIMUM BUILDING HEIGHT:	NO REQUIREMENT - (NOT APPLICABLE)
MINIMUM YARD REQUIREMENTS:	NO REQUIREMENT - (NOT APPLICABLE)
MAXIMUM FLOOR AREA RATIO:	NO REQUIREMENT - (NOT APPLICABLE)
OPEN SPACE:	NO REQUIREMENT - (NOT APPLICABLE)

* PER SECTION 8-104-1 OF THE ZONING ORDINANCE

TABULATION:

SITE AREA (AREA SUBJECT TO SPECIAL EXCEPTION): 2.48 ACRES
FOR INFORMATION PURPOSES ONLY:
AREA OF ORIGINAL SUBSTATION SITE SUBJECT TO SPECIAL PERMIT (SP #886): 3.81 ACRES
AREA OF LAND BEING REMOVED FROM THE EXISTING SPECIAL PERMIT APPROVAL SITE FOR THE SUBSTATION: 1.33 ACRES



VICINITY MAP
SCALE: 1" = 1,000'

NOTES:

1. THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON ASSESSMENT MAP NO. 106-2 AS ((1))PART OF PARCEL 47A.
2. ZONE: R-1, RESIDENTIAL DISTRICT AND WATER SUPPLY PROTECTION OVERLAY DISTRICT.
3. EXISTING USE: ELECTRIC SUBSTATION ON 3.81 ACRES.
4. PROPOSED USE: ELECTRIC SUBSTATION ON 2.48 ACRES.
5. NO NEW CONSTRUCTION OR STRUCTURES ARE PROPOSED WITH THIS APPLICATION, THE SOLE PURPOSE OF WHICH IS TO DELETE 1.33 ACRES OF LAND FROM THE SUBSTATION SITE AND THE LAND AREA CURRENTLY SUBJECT TO A SPECIAL PERMIT FOR THE SUBSTATION (SP #886).
6. OWNER: VIRGINIA ELECTRIC AND POWER COMPANY (AKA: DOMINION VIRGINIA POWER)
O.R. 17084, PG. 173
7. APPLICANTS: VIRGINIA ELECTRIC AND POWER COMPANY AND JIMMY ORNDORF
8. TOPOGRAPHIC INFORMATION SHOWN HEREON COMPILED FROM PHOTOGRAMMETRIC MAPPING AND COUNTY SOURCES. PHOTOGRAMMETRIC CONTOUR INTERVAL IS 2 FEET AND IS BASED ON ROAD 600' COUNTY CONTOUR INTERVAL IS 5 FEET.
9. THE BOUNDARY INFORMATION SHOWN HEREON IS TAKEN FROM INFORMATION OF RECORD.
10. NO NEW CONSTRUCTION IMPROVEMENTS, OR INCREASE IN IMPERVIOUS AREA, ARE BEING PROPOSED WITH THIS APPLICATION, AND STORM WATER DETENTION AND/OR BEST MANAGEMENT PRACTICE FACILITIES WILL NOT BE REQUIRED.
11. SOLID WASTE DISPOSAL IS NOT REQUIRED FOR THIS SITE.
12. THERE ARE NO BURIAL OR GRAVE SITES KNOWN TO EXIST ON THIS PROPERTY.
13. THERE IS NO 100-YEAR FLOOD PLAIN OR ENVIRONMENTAL QUALITY CORRIDOR LOCATED ON THE LAND AREA SUBJECT TO THE SPECIAL EXCEPTION, ALL OF WHICH IS LOCATED WITHIN A RESOURCE MANAGEMENT AREA.
14. WITH THE EXCEPTION OF PRODUCTS AND MATERIALS NORMALLY ASSOCIATED WITH OR USED BY AN ELECTRIC SUBSTATION, NO HAZARDOUS OR TOXIC SUBSTANCES WILL BE GENERATED, UTILIZED, STORED, TREATED AND/OR DISPOSED OF ON THIS SITE.
15. THIS USE DOES NOT REQUIRE WATER OR SANITARY SEWER SERVICES.
16. THE EXISTING SUBSTATION ON THE SITE WAS ORIGINALLY CONSTRUCTED CIRCA 1934, AND IS PROPOSED TO REMAIN.
17. THERE ARE NO PARKING OR LOADING SPACES EXISTING OR PROPOSED ON THIS SITE.

SHEET INDEX

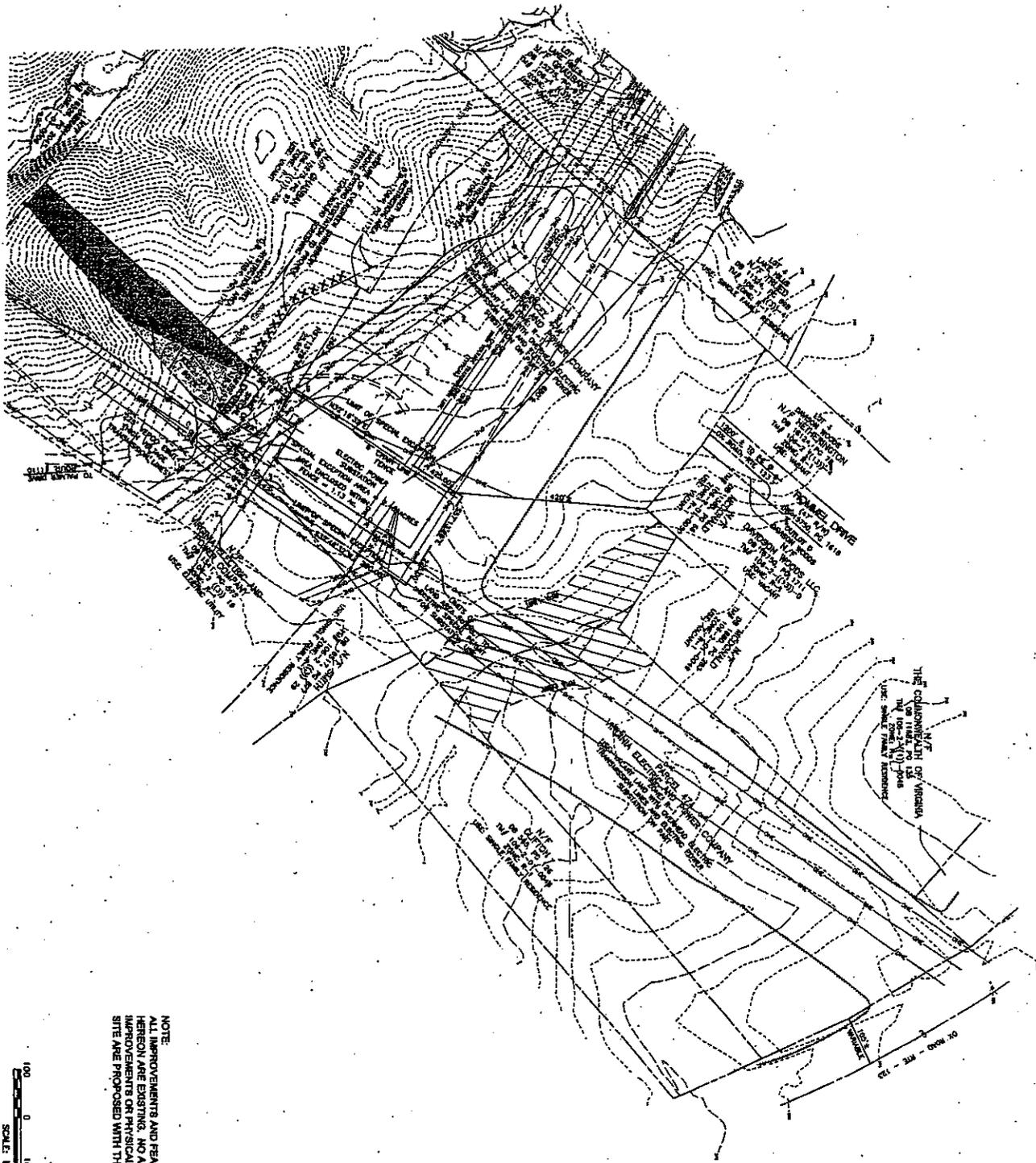
1. COVER SHEET
2. SPECIAL EXCEPTION PLAT



BURGESS & NIPLE
4150 PLEASANT WALLEY ROAD, CHANTILLY, VA 20151-1526
PH: (703) 631-9530 FAX: (703) 631-9611

JOB: 020040 W/S: 32192 SHEET 1 OF 2

C-4542



NOTE:
 ALL IMPROVEMENTS AND FEATURES SHOWN
 HEREON ARE EXISTING. NO ADDITIONAL
 IMPROVEMENTS OR PHYSICAL CONSTRUCTION
 TO THIS
 SITE ARE PROPOSED WITH THIS APPLICATION.



DATE: 08/28/06
SCALE: 1" = 100'
SHEET 1 OF 1
BY: [Signature]
CHECKED: [Signature]
DESIGNED: [Signature]
APP. NO. 02-04-06



SPECIAL EXCEPTION PLAT
VIRGINIA ELECTRIC
AND POWER COMPANY
 DISTRICT
 IV, VIRGINIA

COUNTY COMMENTS	8/28/06
COUNTY COMMENTS	6/2/06
ADD DANGER TREE RESTRICTION	7/25/06
REVISIONS	DATE

BURGESS & NIPLE
 1400 PLEASANT VALLEY ROAD, CHARLISSE, VA 22626
 PH (703) 631-8630 FAX (703) 631-8631



VANDERPOOL, FROSTICK & NISHANIAN, P.C.

Where Business Goes®

RECEIVED
Dept. of Planning & Zoning

JUN 5 2011

Zoning Administration Div.

2011-0634

VIA HAND DELIVERY

June 6, 2011

Eileen M. McLane
Zoning Administrator
Zoning Administration Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 250
Fairfax, Virginia 22035

Re: SE 2006-SP-011 Request for Extension of Time
Lake Hills, Fairfax County Special Exception
Tax Map Ref: 106-1-((1))23A and 106-2-((1))47A pt.

VFN 3702-29

Dear Ms. McLane:

Vanderpool, Frostick & Nishanian, P.C. represents the applicants in this special exception matter. Under § 15.2-2288.4 of the Code of Virginia, the above-referenced approved special exception was extended to, and will expire on, July 1, 2011. The attached letter from the Zoning Permit Review Branch dated May 12, 2011 confirms this fact.

The applicants hereby request an extension of approved special exception SE 2006-SP-011 until July 1, 2012 to accomplish the planting of the landscape screening required by the Special Exception Development Condition #4.

The applicants in this matter are:

SYG Associates, Inc.
7196 Costner Court
Warrenton, VA 20187

Dominion Virginia Power
701 East Cary Street
Richmond, VA 23219

As a point of clarification, this approved special exception SE 2006-SP-011 shrinks the area of land around a Dominion Virginia Power substation and releases the excess land for residential use. The substation use was established in 1951, but the residential use has not yet commenced. The substation was authorized by a previous Special Permit #4898 on September 18, 1951 and the substation use has been existing, continuous, and ongoing since that date. Special exception SE 2006-SP-011 deleted 1.35 acres from the original 3.81 acres.

Because the substation is an existing operation, Dominion Virginia Power has applied for the NRUP on the reduced acreage property covered by the approved special exception.

Eileen M. McLane
Zoning Administrator
Request for Extension of Time
Lake Hills, Fairfax County Special Exception
SE 2006-SP-011
June 6, 2011
Page { PAGE } of { NUMPAGES }

However, SYG Associates, Inc. has not proceeded with the anticipated residential development on the residential land portion of the approved special exception SE 2006-SP-011 due to the severe downturn in the residential market.

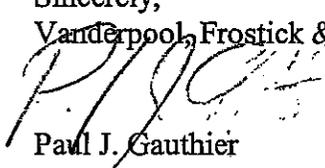
It is our understanding that on May 18, 2009, Dominion Virginia Power was instructed by your office that implementation of special exception SE 2006-SP-011 Development Condition #4 is necessary as a prerequisite to the issuance of the NRUP to Dominion Virginia Power and to establish the residential use. Development Condition #4 requires the preservation of existing healthy vegetation and the planting of additional vegetation in order to screen the future residential lots from the existing substation. This landscape screening will be planted on the area planned for future residential lots and released by special exception SE 2006-SP-011. This released land is owned by SYG and not by Dominion Virginia Power.

This extension is requested due to the severe downturn in the residential housing market which has delayed the development of this residential property. SYG Associates, Inc. is only now commencing the County plan approval process for the anticipated residential development on the residential land portion of the approved special exception. The Lake Hills Estates RPA Delineation Plan #1902-RPA-001 is currently under County review.

The applicants do not want the special exception to expire at this eleventh hour. Dominion Virginia Power continues to operate its substation and SYG Associates, Inc. intends to go forward with the residential development as soon as economically feasible. If necessary, SYG will provide the planting required by special exception SE 2006-SP-011 Development Condition #4 in advance of building the homes. However, the spring planting season is over and SYG Associates, Inc. prefers to plant this screening at a season that is conducive to survival of the vegetation. Because there is no residential development to be screened, the landscape screening is not necessary immediately.

I have attached a copy of the approved special exception and an aerial photo for your reference. Please contact me if you have any questions, and your assistance in this matter is greatly appreciated.

Sincerely,
Vanderpool, Frostick & Nishanian, P. C.


Paul J. Gauthier

Enclosures

cc: SYG Associates, Inc.
Dominion Virginia Power

{FILENAME}\p}

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ADMINISTRATIVE - 10

Authorization to Advertise a Public Hearing on the Interim Agreement (Laurel Hill) Between the Board of Supervisors and The Alexander Company, Under the Provisions of the Public-Private Education and Infrastructure Act of 2002

ISSUE:

Board authorization to advertise a public hearing, to consider the Interim Agreement between the County and The Alexander Company for the purpose of The Alexander Company pursuing Land Use Entitlement Approvals for the Adaptive Reuse of the Lorton Reformatory and Penitentiary, per the “Master Plan for the Laurel Hill Adaptive Reuse Site” approved by the Board in May 2010.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing, to consider signing the proposed Interim Agreement.

TIMING:

The Board should take action on July 26, 2011, to advertise a public hearing for September 13, 2011, at 4:30 p.m.

BACKGROUND:

On August 31, 2007, the Department of Purchasing and Supply Management (DPSM) issued Request for Proposal 08-943415-40 soliciting qualified firms to enter into a Public-Private Partnership contract for the planning and development of the Former Lorton Reformatory and Penitentiary, also known as the Laurel Hill Adaptive Reuse Area. In accordance with the provisions of the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA), DPSM sought qualified developers to prepare Phase I – the Master Plan. The contract was awarded to The Alexander Company of Madison, Wisconsin, a development firm with experience in historic preservation and adaptive reuse. On May 11, 2010, the Board approved the Adaptive Reuse Master Plan of the former Lorton Reformatory and Penitentiary, and authorized staff to proceed with Phase II of the planning process, developer negotiations. Phase II negotiations commenced in June 2010, between County staff and The Alexander Company.

The proposed Interim Agreement authorizes The Alexander Company to commence with certain design, engineering, and zoning activities and further determine the financial costs, and financial gap, of the project. The Alexander Company is responsible for all costs associated with the Land Use Entitlement process (estimated at \$1.3M).

Board Agenda Item
July 26, 2011

In the event of termination during the Interim Agreement, the County will reimburse The Alexander Company for its actual costs expended toward certain deliverables, up to a cap of \$700,000. A post-termination reimbursement request must be accompanied by documentation and a tangible deliverable (work product). Legal fees are not reimbursable. The Alexander Company assigns all rights and work products to the County under a termination.

All parties agree to pursue negotiations of a Master Development Agreement during the Interim Agreement time period. The Interim Agreement stipulates an approval of the Master Development Agreement prior to the rezoning of the property. The Master Development Agreement will describe, among other things:

- a. Project phasing
- b. Ownership/leasing structure
- c. Funding mechanisms for public improvements
- d. County contribution, if any
- e. Final budget
- f. Identification of possible other parties

The County and The Alexander Company must reach agreement on a Master Development Agreement by March 31, 2013, unless mutually extended to a later date, or the Interim Agreement automatically terminates. The Interim Agreement, under the provisions of the PPEA, requires a 30-day comment period prior to execution.

FISCAL IMPACT:

In the event of termination during the Interim Agreement, the County will reimburse The Alexander Company for its actual costs expended toward certain deliverables, up to a cap of \$700,000.

ENCLOSED DOCUMENTS:

Attachment I: Interim Agreement (Laurel Hill)

STAFF:

Anthony Griffin, County Executive
Leonard Wales, Department of Management and Budget
Alan Weiss, County Attorney's Office
Ryan Wolf, County Attorney's Office
Fred Selden, Acting Director, Department of Planning and Zoning, DPZ
Chris Caperton, (DPZ)

INTERIM AGREEMENT
(Laurel Hill)

This Interim Agreement ("Agreement") is entered into as of the _____ day of _____, 2011, by and between the BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia in its proprietary capacity, and not in its governmental or regulatory capacity (the "County") and THE ALEXANDER COMPANY, INC., a Wisconsin corporation ("Alexander").

RECITALS

R-1 On July 11, 2002, the County acquired approximately 2,323 acres of land located in Fairfax County, Virginia (such land, the "Master Deed Land"), pursuant to that certain Quitclaim Deed executed by the United States General Services Administration ("GSA") and the County and recorded among the land records of Fairfax County, Virginia in Deed Book 13112, Page 2170 (the "Master Deed").

R-2 The future development of the Master Deed Land is governed by, inter alia, (a) various restrictive covenants contained in the Master Deed itself, (b) the Fairfax County Reuse Plan, adopted on July 26, 1999 and as amended to date (the "Reuse Plan"), and (c) that certain Memorandum of Agreement dated June 29, 2001 by and between GSA, the County, the Bureau of Land Management, the Fairfax County Park Authority, Fairfax County Public Schools, the Federation of Lorton Communities, the Lorton Heritage Society, the Northern Virginia Regional Park Authority, the Virginia Department of Historic Resources, and the Advisory Council of Historic Preservation (the "MOA"). The Reuse Plan is reflected in the Fairfax County, Virginia Comprehensive Plan (the "Comprehensive Plan").

R-3 As reflected on the Reuse Plan, the Master Deed Land includes an adaptive re-use site, identified as Fairfax County Tax Map Number 107-1-((1))-9 and being further described on Exhibit A attached hereto (the "Property"), on which is situated a former reformatory and penitentiary. The Master Deed, the Reuse Plan, and the MOA require the County to adaptively re-use these prison structures as part of any County development of the Property.

R-4 The County contracted with Alexander to prepare a development plan for the Property in accordance with the Reuse Plan, in which Alexander, potentially together with one or more other developers, would be primarily responsible for the construction of new residential, commercial, and retail uses as well as the adaptive re-use of historic structures for residential, commercial, and retail uses (such proposed development, the "Project"). This work culminated in a master plan for the Property showing desired land use, budget and densities (the "Master Plan"). The Master Plan was approved by the Board of Supervisors on May 11, 2010. Such Master Plan identified the need to explore options for financing the public improvements related to the Project, including, for example and without limitation, private equity, tax revenue including possible special district taxes, tax increment financing, or a combination thereof.

R-5 Following the adoption of the Master Plan, Alexander has entered into an arrangement with Elm Street Development/Elm Street Communities ("Elm Street") whereby Elm

Street will assist Alexander in the planning and rezoning processes described hereinbelow and, in the event the County eventually enters into an MDA (as defined below) with respect to the Project, be responsible for the construction of portions of the new market rate residential portions of the project.

R-6 The County, Alexander and Elm Street have been working together to further refine the Master Plan as it applies to the Property and have been discussing possible structures for the Project.

R-7 Given the complexity of the potential development of the Property and the need to commence certain design- and zoning-related work and obtain various approvals before the parties can obtain a more accurate estimate of the cost of the Project, the parties hereby agree that it is necessary to file the necessary applications for zoning and land use approvals prior to execution of a final agreement for the Project.

R-8 Notwithstanding that the parties do not have a final agreement regarding the Project and with full recognition that the parties may be unsuccessful in concluding a final agreement regarding the Project, the County has agreed to allow Alexander the exclusive right to pursue the Land Use Entitlement Approvals (as defined herein) with respect to the Property and the Project in accordance with the terms hereof.

NOW, THEREFORE, in consideration of the Recitals, which are hereby incorporated into this Agreement by reference, the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Term of Agreement. This Agreement shall commence on the date hereof and, unless otherwise terminated in accordance with the terms of Section 5 below, shall terminate upon the execution by the parties hereto of the MDA (as defined below).

2. Designation of Alexander as Agent.

a. The County hereby designates Alexander as its agent for the limited purpose of pursuing the Land Use Entitlement Approvals with respect to the Property and the Project, subject to the terms and conditions set forth in this Agreement, and Alexander hereby accepts such designation.

b. The County hereby acknowledges and agrees that Alexander, as the County's agent, is hereby authorized to commence land use planning, design, and other work activities necessary to obtain the following with respect to the Property and the Project (collectively, the "Land Use Entitlement Approvals"):

- i. An amendment to the Comprehensive Plan;
- ii. A Conceptual Development Plan and Final Development Plan;

- iii. A rezoning of the Property in connection with the Project;
- iv. GSA's approval of the Project in connection with the Reuse Plan;
- v. Any approvals required under the terms of the MOA; and
- vi. Any other approvals necessary in connection with (i) through (iii) above.

c. Alexander hereby acknowledges and agrees that the agency created hereby is temporary and shall immediately terminate upon any termination of this Agreement in accordance with the terms of Section 5 below. Upon such termination of the agency created hereby, Alexander shall immediately cease all work with respect to the Land Use Entitlement Approvals and, thereafter, Alexander shall have no further duty or obligation to pursue the Land Use Entitlement Approvals on behalf of the County.

3. Agreement Regarding Land Use Entitlement Approval Process.

a. Alexander shall consult and coordinate with the County regarding the design of the Project and regarding all submissions to be made in connection with the Land Use Entitlement Approvals. Unless otherwise waived or modified in writing by the County Executive, or his designee, Alexander shall provide the County, in its proprietary capacity, a copy of all submissions to be made in connection with the Land Use Entitlement Approvals for the County's review and approval fifteen (15) business days prior to Alexander's anticipated filing with or submission of the same to the applicable governmental agencies. Approval of such submission shall be in the County's sole discretion; provided, however, that the County's approval of any and all such submissions shall not be unreasonably withheld on the basis of County comments that do not reasonably reflect refinement of the scope and substance of prior approved submissions, unless such comments are in response to issues or questions raised by the County, in its governmental / regulatory capacity, as part of the Land Use Entitlement Approval process. If the County fails to notify Alexander in writing of either its approval or disapproval of any such submissions within fifteen (15) business days after its receipt of the same from Alexander, then Alexander may proceed with the submission of the same; however it shall be understood that such submission shall not be deemed to be approved by the County. Any County approval of submissions by Alexander shall be in the County's capacity as land owner, and shall not be construed to imply approval as a regulator.

b. The County shall be obligated to diligently pursue any consent of the Board of Supervisors that may be required in connection with the Land Use Entitlement Approvals and to otherwise cooperate with Alexander in the pursuit of the Land Use Entitlement Approvals.

c. It is further acknowledged and understood that the rezoning of the Property will require execution of proffered conditions by Alexander and the County. The County and Alexander shall consult and coordinate as to the substance of such proffered conditions. The County's approval and execution of the proffered conditions shall be in the

County's sole discretion; provided, however, that such approval and execution shall not be unreasonably withheld with respect to proffered conditions that (i) are reasonably related to elements of Land Use Entitlement Approval submissions previously approved by the County, in its proprietary capacity, and (ii) otherwise reflect the obligations of this Agreement.

d. In performing its obligations hereunder, Alexander shall at all times comply with, and cause its submissions in connection with the Land Use Entitlement Approvals to comply with, the requirements of the Master Deed, the MOA, and, to the extent possible, the Master Plan.

e. Alexander shall be responsible for all costs associated with the Land Use Entitlement Approvals (such costs, less those costs identified in Section 3(f) below as "County Costs", the "Alexander Costs"). A preliminary budget for the Alexander Costs is attached hereto as Exhibit B (the "Preliminary Budget").

f. During the term of this Agreement, the County shall be responsible for those costs identified on Exhibit C attached hereto (collectively, the "County Costs").

g. During the term of this Agreement, Alexander and its agents may access the Property upon reasonable advance notice to the County in order to conduct such activities as Alexander reasonably determines are necessary or appropriate in connection with the Land Use Entitlement Approvals process. Alexander shall, and shall cause any of its employees or agents entering onto the Property to, deliver to the County certificates of insurance listing the County as an additional insured and evidencing general liability insurance coverage in the amount of \$1,000,000.00. Alexander shall further (i) repair and restore any damage to the Property or the improvements thereon caused by Alexander's activities (or those of its employees or agents) under this Section 3(g), and (ii) indemnify, defend, and hold the County harmless from and against any and all liability, cost, or expense, including any damage to the Property or the improvements thereon, resulting or arising from Alexander's activities (or those of its employees or agents) under this Section 3(g), except to the extent caused by the negligence or willful act or omission of the County, its agents, or employees. Notwithstanding anything herein to the contrary, neither this Section 3(g), nor any portion thereof, nor any other provision in this Agreement shall constitute a waiver of the County's sovereign immunity.

4. Pursuit of Master Development Agreement.

a. The parties agree to pursue negotiations, diligently and in good faith, of a master development agreement (an "MDA") to fully provide for the development of the Project, with the expectation of concluding negotiations by March 31, 2013, unless such date should be extended by the mutual agreement of the parties. The parties further agree that execution of the MDA, by all parties, and the approval of the MDA by the Board of Supervisors of Fairfax County, Virginia are both to occur prior to the rezoning of the Property. The MDA will provide, inter alia, a comprehensive agreement for the rights and responsibilities of each party regarding the entire development of the Project, including, without limitation:

i. The phasing of the Project and the projected timing of completion of each development phase;

ii. The resulting ownership structure of each phase of the Project and the transactions necessary in connection therewith are anticipated to be long term (99 year) leases for Property occupied by historic structures and fee simple transfer of other Property, or other ownership approaches that may be in the mutual interest of the parties and reflected in the MDA;

iii. Funding mechanism(s) for the public improvements necessary for the Project;

iv. A proposed budget for all phases of the Project (the "Final Budget"), including an allocation of Project costs among the parties, the parties acknowledging that the County's contribution shall be a capped amount to be mutually agreed upon by the parties (the "County Contribution"); and

v. Financing or projected financing arrangements for each phase of the Project.

vi. The possible addition of other parties to the MDA, and/or provisions for Alexander to later assign all or a portion of its obligations thereunder to other parties to best facilitate development of the Project, subject to County approval, such approval to be based on reasonable criteria and not to be unreasonably withheld, conditioned, or delayed.

b. If the parties reach agreement upon the terms and conditions of the MDA by the date set forth in Section 4(a) above, then the County's gap contribution set forth in the Master Plan shall be reduced in the Final Budget by the aggregate reduction in (i) those County Costs actually incurred by the County during the Land Use Entitlement Approvals process; (ii) any agreement by the County to reduce and/or waive any fees customarily charged by the County, acting in its governmental capacity, in connection with the Land Use Entitlement Approvals process or in connection with the subsequent permitting processes for the Project; and (iii) any reduction in typically proffered costs imposed as part of the Land Use Entitlement Approvals process.

c. Until the Board of Supervisors shall have approved the MDA, Alexander shall have the right to withdraw the rezoning application from consideration for final approval by the Board of Supervisors.

5. Termination.

a. In the event the parties are unable to reach agreement upon the terms and conditions of the MDA by 11:59 p.m. eastern time on March 31, 2013 (or such later date as may be mutually agreed upon, in writing, by the parties), this Agreement shall automatically terminate as of such date and the parties hereto shall have no further rights or obligations hereunder, except as otherwise expressly provided herein. Alexander may also terminate this Agreement at an earlier date if it reasonably determines that the project is infeasible based on the

inability to obtain approvals for its intended reuse and provides the County with written notice describing in detail the basis for such determination. In the event of such termination, the County shall, within fifteen (15) business days thereafter, pay to Alexander an amount equal to the sum of those Alexander Costs actually incurred by Alexander during the Land Use Entitlement Approvals process, subject to the following:

- With respect to any given line item / deliverable described in the Preliminary Budget, the County shall reimburse Alexander Costs pertaining to such line item / deliverable up to, but, absent prior written approval of the County, not in excess of, the amount set forth on the Preliminary Budget (it being understood and agreed that any Alexander Cost reimbursable under this Section 5(a) must pertain to a Preliminary Budget line item / deliverable); provided, however, that (i) such reimbursement shall be contingent upon Alexander assigning to the County all of its rights and interests to, and providing the County with, the deliverable(s) described in such line item, and (ii) with respect to line item / deliverables with a "1 / 2" appearing in the Notes column of the Preliminary Budget, the County shall reimburse up to the amount set forth for such line item / deliverable less any amounts expended by the County in connection therewith;

- The County shall not reimburse Alexander for any Alexander Costs pertaining to any Preliminary Budget line item / deliverable with a "3" appearing by such line item in the "Notes" column; and

- The total amount reimbursable by County pursuant to this Section 5(a) shall not exceed \$700,000.00.

The parties hereto acknowledge and agree that such amount shall represent fair and just compensation to Alexander for the work performed by Alexander during the Land Use Entitlement Approvals process, and, simultaneously with Alexander's receipt of such payment from the County, Alexander shall (i) provide documentation supporting its claimed amount of reimbursable Alexander Costs, as reasonably requested by the County, (ii) assign all of its rights and interests (if any) in and to any obtained Land Use Entitlement Approvals to the County, and (iii) assign to the County all of its rights and interests to, and provide the County with, any and all work product produced by Alexander and its contractors and consultants associated with the Project, including any market studies pertaining to the Project, together with any third-party consents necessary therefor. The foregoing obligations of the County and Alexander shall survive the termination of this Agreement.

Thereafter, the parties hereto shall have no further rights or obligations hereunder, except as otherwise expressly provided herein; provided, however, that Alexander shall not be entitled to reimbursement under this Section 5(b) in connection with any termination of this Agreement pursuant to this Agreement under Section 5(a) hereof, or (ii) termination by the County pursuant to Section 5(c) hereof.

b. In the event of any breach of this Agreement by the County which is not cured within thirty (30) days after the County's receipt of written notice of such breach from Alexander, Alexander shall have the right to either (i) terminate this Agreement and obtain

reimbursement from the County for those Alexander Costs actually incurred by Alexander through the date of such termination, including the direct time and expense of Alexander and its agents and assigns incurred in connection with efforts to obtain the Land Use Entitlement Approvals, or (ii) pursue any and all other remedies available to Alexander at law or in equity.

c. In the event of any breach of this Agreement by Alexander which is not cured within thirty (30) days after Alexander's receipt of written notice of such breach from the County, the County shall have the right to either (i) terminate this Agreement or (ii) pursue any and all other remedies available to the County at law or in equity.

6. Notice. Any notices required or permitted to be given hereunder shall be deemed to have been properly given when received or refused if sent by United States certified or registered mail, return receipt requested; national overnight courier service; or delivered in hand; in each case as follows:

If to the County:

Board of Supervisors of Fairfax County, Virginia
Attention: County Executive
12000 Government Center Parkway
Fairfax, Virginia 22035-0064

With copies to:

Department of Planning and Zoning, Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035
Attention: Chris Caperton

And:

Office of the County Attorney
12000 Government Center Parkway, Suite 549
Fairfax, Virginia 22035
Attention: County Attorney

If to Alexander:

David Vos
The Alexander Company
145 E. Badger Road, Suite 200
Madison, Wisconsin 53713

7. Miscellaneous.

a. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors, and their permitted assigns. No party hereto may assign its rights or delegate its obligations hereunder without the prior written consent of each of the other parties hereto, which may be withheld in such party's sole and absolute discretion.

b. Failure by either party to insist upon or enforce any of its rights hereto shall not constitute a waiver thereof. This Agreement shall not be modified, amended, or altered except by a written agreement signed by each of the parties hereto.

c. This Agreement shall be governed by and construed under the laws of the Commonwealth of Virginia.

d. This Agreement may be executed in two or more counterpart originals, in which case each counterpart original shall be for all purposes considered an original of this Agreement.

e. Any and all of the County's financial obligations under this Agreement are subject to appropriations by the Fairfax County Board of Supervisors.

f. During the term of this Agreement, the County covenants and agrees not to solicit the development of the Property or any portion thereof with any third parties and not to accept any offer to develop or acquire the Property or any portion thereof from any third parties.

[Signatures appear on the following pages.]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first written above.

COUNTY:

BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, acting in its proprietary capacity and not in its governmental or regulatory capacity

By: _____

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

Subscribed and sworn to before me this ____ day of _____, 2011, by _____.

Notary Public

My Commission Expires: _____

Registration Number: _____

[Additional signatures appear on the following pages.]

ALEXANDER:

ALEXANDER DEVELOPMENT COMPANY, a

By: _____

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

Subscribed and sworn to before me this ____ day of _____, 2011, by
_____.

Notary Public

My Commission Expires: _____

Registration Number: _____

[Additional signatures appear on the following pages.]

EXHIBIT C – COUNTY COSTS

1. Costs of obtaining boundary and topographic surveys of the Property or any portion thereof.
2. Costs of obtaining tree surveys and wetlands delineations.
3. Costs of demolishing any buildings and structures on the Property identified for demolition by the County, plus the costs of removing all debris associated with such demolition.
4. Costs of routine maintenance and stabilization of the Property and any and all buildings and structures located thereon during the term of this Agreement.
5. Any payments due and owing to the GSA in connection with the Project.
6. Amounts toward any other line item / deliverable on the Preliminary Budget with a "1 / 2" in the "Notes" column thereon, at the County's election, until the sum of County and Alexander expenditures with respect to such line item / deliverable equal the amount set forth in such line item / deliverable.



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

DESCRIPTION OF THE REMAINDER OF PARCEL "D"
 LORTON CORRECTIONAL COMPLEX (LCC)
 PLAT OF DIVISION, D.B. 13116, PG. 2200
 TAX MAP # 107-1 ((1)) 9, FAIRFAX COUNTY, VIRGINIA

Commencing at the intersection of Lorton Road – Rt. 642 and Silverbrook Road – Rt. 600, thence $\pm 2800'$ in northerly direction along the westerly line of the Right of Way of Silverbrook Road to the line common with Parcel A, Laurel Crest (formerly Gunston Corner), D.B. 12207, PG. 1394; the Point of Beginning being the eastern most corner of the land herein described. Said Point of Beginning being in the westerly prescriptive Right of Way of Silverbrook Road and $6.8'$ from the North-Westerly corner of Laurel Crest.

From the Point of Beginning, departing the prescriptive Right of Way of Silverbrook Road, coincident with the common line of Laurel Crest; S $12^{\circ} 08' 05''$, W $394.75'$ to a concrete monument found;

Thence N $63^{\circ} 26' 55''$ W, $297.76'$ to a concrete monument found;

Thence S $27^{\circ} 10' 53''$ W, $520.17'$ to a concrete monument found in the line common with The Highland at Gunston Corner a Condominium, D.B. 8835, PG. 1869;

Thence S $26^{\circ} 55' 00''$ E, $126.83'$ to an iron pipe found in the line common with Parcel E, Lorton Correctional Complex (LCC), D.B. 13116, PG. 2200;

Thence departing the common line of The Highland at Gunston Corner a Condominium; coincident with Parcel E, Lorton Correctional Complex (LCC) the following courses and distances:

S $58^{\circ} 04' 10''$ W, $442.96'$ to an iron pipe found;
 N $29^{\circ} 07' 44''$ W, $234.63'$ to a nail found;
 S $72^{\circ} 03' 48''$ W, $196.32'$ to an iron pipe found;
 S $84^{\circ} 22' 57''$ W, $460.26'$ to an iron pipe found;
 S $88^{\circ} 52' 06''$ W, $612.83'$ to an iron pipe found;
 N $78^{\circ} 11' 51''$ W, $131.58'$ to an iron pipe found;
 N $69^{\circ} 26' 38''$ W, $197.09'$ to a nail found;
 N $21^{\circ} 32' 02''$ W, $382.32'$ to a nail found;
 N $08^{\circ} 54' 59''$ W, $471.88'$ to the line common with Spring Hill Senior Campus, Phase 1, D.B. 16822, PG. 1709;

Thence departing Parcel E, Lorton Correctional Complex (LCC) coincident with Spring Hill Senior Campus, Phase 1 the following courses and distances:

N 55° 51' 37" E, 587.21';
S 81° 13' 06" E, 378.98';
S 08° 46' 54" W, 95.71';
S 81° 13' 06" E, 447.56';
N 08° 28' 57" E, 958.10';
N 49° 13' 35" E, 60.86';
S 80° 57' 53" E, 197.44';
N 50° 14' 14" E, 311.17' to the Right of Way of Silverbrook Road, as recorded at D.B. 16722, PG. 1059;

Thence defining the Right of Way of Silverbrook Road, 4.40' along the arc of a curve to the left, whose radius is 857.00', chord bearing and distance are, S 44° 48' 49" E, 4.40' to the point of reverse curvature;

Thence departing Silverbrook Road, defining the Right of Way of White Spruce Way, 68.62' along the arc of a curve to the right, whose radius is 40.00', chord bearing and distance are, S 04° 11' 12" W, 60.51' to the point of compound curvature;

Thence 120.92' along the arc of a curve to the right, whose radius is 507.00', chord bearing and distance are, S 60° 10' 00" W, 120.64' to the point of compound curvature;

Thence 13.98' along the arc of a curve to the right, whose radius is 25.00', chord bearing and distance are, S 83° 01' 03" W, 13.80' to the point of tangency;

Thence the following courses and distances:

N 80° 57' 53" W, 26.15';
S 09° 02' 07" W, 84.00';
S 80° 57' 53" E, 6.32' to the point of curvature;

Thence 17.28' along the arc of a curve to the right, whose radius is 25.00', chord bearing and distance are, S 61° 09' 52" E, 16.94' to the point of reverse curvature;

Thence 137.96' along the arc of a curve to the left, whose radius is 55.00', chord bearing and distance are, N 66° 46' 44" E, 104.53' to the point of reverse curvature;

Thence 28.72' along the arc of a curve to the right, whose radius is 25.00', chord bearing and distance are, N 27° 49' 44" E, 27.16' to the point of reverse curvature;

Thence 108.86' along the arc of a curve to the left, whose radius is 563.00', chord bearing and distance are, N 55° 11' 47" E, 108.69' to the point of reverse curvature;

Thence 57.22' along the arc of a curve to the right, whose radius is 39.85', chord bearing and distance are, S 89° 12' 28" E, 52.43' to the point of tangency in the Right of Way of Silverbrook Road as recorded at D.B. 13400, PG. 1422;

Thence S 48° 17' 19" E, 6.68' to the point of curvature;

Thence 365.05' along the arc of a curve to the right, whose radius is 755.00', chord bearing and distance are, S 34° 36' 11" E, 361.50' to the point of tangency;

Thence S 20° 45' 06" E, 467.10' to the point of curvature;

Thence 248.14' along the arc of a curve to the left, whose radius is 865.00', chord bearing and distance are, S 28° 58' 12" E, 247.29' to the point of tangency;

Thence the following courses and distances:

S 23° 10' 34" E, 56.69' to the South-Westerly line of the prescriptive Right of Way of Silverbrook Road;

S 31° 55' 18" E, 53.00';

S 44° 40' 55" E, 50.33';

S 57° 25' 33" E, 46.67';

S 66° 42' 48" E, 15.52' to the Point of Beginning.

Encompassing 78.532 acres of land.

The Metes and Bounds described herein are resulting from a boundary survey prepared under my supervision. All bearings recited herein are based on the VCS 1983 North Zone.

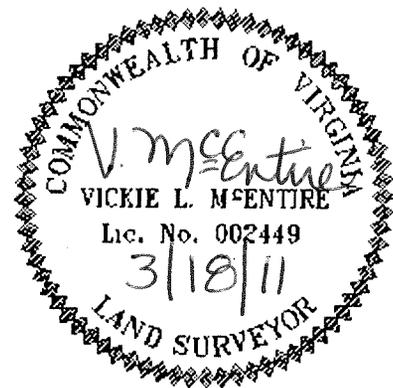


Exhibit - 'B'
Preliminary Budget

Civil Engineering Services

	Cost Estimate	Notes:
Utility, Stormwater, Grading, and related Plans and Designs	\$ 45,000.00	1
Tree Preservation Plan, Existing Vegetation Map	\$ 30,000.00	1 / 2
Boundary & Topography Survey Services	\$ 45,000.00	1 / 2
CDP/FDP/CPA	\$ 105,000.00	1
Meetings	\$ 20,000.00	3
Reimbursables	\$ 15,000.00	3
Sub-Total	\$ 260,000.00	

Traffic Engineering Services

VDOT 527 Traffic Impact Study	\$ 35,100.00	1 / 2
Miscellaneous Analysis	\$ 10,000.00	3
Sub-Total	\$ 45,100.00	

Geotechnical Engineering Services

Preliminary Geotechnical Testing and Reports	\$ 35,000.00	1 / 2
Sub-Total	\$ 35,000.00	

Structural Engineering Services

Preliminary Structural Plans and Designs	\$ 15,000.00	1
Sub-Total	\$ 15,000.00	

Architectural Services

Elevations, Renderings, Models	\$ 50,000.00	1
Reimbursables	\$ 10,000.00	3
Sub-Total	\$ 60,000.00	

Tax Credit Services

Historic Preservation Tax Credit Part 1 and Part 2 Plans & Submittals	\$ 240,000.00	1 / 5
Reimbursables	\$ 10,000.00	3
Sub-Total	\$ 250,000.00	

Wetland/RPA Services

Wetland, RPA and Environmental Plans & Reports	\$ 55,000.00	1 / 2
Reimbursables	\$ 4,000.00	3
Sub-Total	\$ 59,000.00	

Dry Utility Design Services (Electric & Communications)

Preliminary Design Plans and Plats	\$ 35,000.00	1
Reimbursables	\$ 5,000.00	3
Sub-Total	\$ 40,000.00	

Landscape Architect Services

Landscape & Hardscape Designs & Plans	\$ 30,000.00	1
Meetings	\$ 5,000.00	3
Reimbursables	\$ 5,000.00	3
Sub-Total	\$ 40,000.00	

Land-Use Counsel

Legal fees	\$ 195,000.00	3
Reimbursable expenses	\$ 5,000.00	3
Sub-Total	\$ 200,000.00	

Developer Overhead Expenses

Internal Costs and Expenses	\$ 300,000.00	3
-----------------------------	---------------	---

TOTAL SERVICES \$ 1,304,100.00

Fairfax County Rezoning Application Fee

P-District Rezoning concurrent with CDP/FDP: \$26,460 + (\$1,305/ac x 79ac) =	\$ 129,735.00	4
---	---------------	---

GRAND TOTAL \$ 1,433,835.00

Notes:

1. Activity, or portion of activity, performed by Developer and eligible for reimbursement under termination conditions.
2. Activity, or portion of activity, potentially performed by County, or paid for by County, and credited towards County contribution. Portions paid for by the Developer are treated as a "1".
3. Activity, or expenses, not eligible for reimbursement by the County.
4. Fee, or portion of fee, potentially waived by BOS and credited towards County contribution. If the fee or portion of the fee is paid by the Developer it is treated as a "1".
5. Part 1 (Evaluation of Significance) Deliverables
 - Up to seven (7) Part 1 Applications; one for each of the anticipated lots containing historic structures
 - Floor plans with photo keys and labeled photos for each structure
 - Research documentation indicating each building's contribution and significance to the historic district and period of significance
 - Survey and description of the remaining contributing historic fabric and existing noncontributing alterations for each structure
- Part 2 (Description of Rehabilitation) Deliverables
 - Up to seven (7) Part 2 Applications; one for each of the anticipated lots containing historic structures
 - Building surveys to determine location and time period of historic fabric
 - Schematic floor plans, elevations sections and specifications detailing the proposed rehabilitation of each structure
 - Detailed site plans indicating hard-scapes, landscaping and exterior lighting and signage
 - Floor plans with photo key plan and labeled photos for each structure

EXHIBIT C – COUNTY COSTS

1. Costs of obtaining boundary and topographic surveys of the Property or any portion thereof.
2. Costs of obtaining tree surveys and wetlands delineations.
3. Costs of demolishing any buildings and structures on the Property identified for demolition by the County, plus the costs of removing all debris associated with such demolition.
4. Costs of routine maintenance and stabilization of the Property and any and all buildings and structures located thereon during the term of this Agreement.
5. Any payments due and owing to the GSA in connection with the Project.
6. Amounts toward any other line item / deliverable on the Preliminary Budget with a "1 / 2" in the "Notes" column thereon, at the County's election, until the sum of County and Alexander expenditures with respect to such line item / deliverable equal the amount set forth in such line item / deliverable.

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ADMINISTRATIVE – 11

Authorization to Advertise a Public Hearing to Consider the Local Property Tax Exemption of NOVACO Pursuant to Article 27, Chapter 4, of the Fairfax County Code

ISSUE:

Board authorization to advertise a public hearing to consider exempting NOVACO from local property taxes as they are a non-profit entity providing affordable housing.

RECOMMENDATION:

The County Executive recommends that the Board advertise a public hearing to consider the attached Appendix S exempting NOVACO pursuant to Article 27, Chapter 4, of the Fairfax County Code, contingent on certification from the Department of Housing and Community Development (HCD). HCD's review is anticipated prior to the Board Meeting on July 26, 2011.

TIMING:

Board action is requested on July 26, 2011, in order to advertise a public hearing on the proposed exemption at 4:30 p.m. on Tuesday, September 13, 2011.

BACKGROUND:

On June 21, 2011, the Board adopted Article 27, Chapter 4, of the Fairfax County Code. This ordinance addressed a limitation under existing law in that non-profit affordable housing properties currently with tax exempt status would lose their existing tax exemption if the property were conveyed to another non-profit entity. With the adoption of Article 27, the new non-profit entity can likewise benefit from tax exempt status and thus promote continuation of existing affordable housing offered by the private sector. The Northern Virginia Coalition (NOVACO) has made application to the Department of Tax Administration (DTA) to obtain tax exempt status on five condominiums:

<u>Address</u>	<u>District</u>	<u>Tax Map #</u>
8509 Barrington Ct., Apt. R, Springfield	Braddock	079-1-1304-R
5811 Cove Landing Rd., #304, Burke	Braddock	077-2-16-06-0304-A
10204 Bushman Dr., #302, Oakton	Providence	047-4-16-12-0302
3320 Woodburn Village Dr., #T2, Annandale	Providence	059-1-29-18-0002
12103 Greenwood Ct., #144, Fairfax County (mailing address #102)	Providence	046-3-15-0144

Board Agenda Item
July 26, 2011

These parcels were all conveyed on July 5, 2011 to NOVACO from the Lutheran Social Services of the National Capital Areas, Inc. (LSS). LSS was granted tax exempt status on these properties at the 2002 Session of the Virginia General Assembly. These properties have been exempt from Fairfax County real estate taxes since that time. LSS has now conveyed the properties to NOVACO, and NOVACO desires to continue operating these properties as affordable housing for survivors of domestic abuse, thus providing a bridge from homelessness to self-sufficiency.

NOVACO was first incorporated in 2002 and holds a non-profit designation from the Internal Revenue Service. All documents required by Section 4-27-4 (2) – (13) have been submitted, are in order and support the requested exemption. The last requirement under the ordinance is for the applicant to obtain HCD's certification that their operation qualifies as "Affordable Housing." NOVACO has submitted the pertinent rent information to HCD, and HCD is in the process of reviewing the data. A certification response is anticipated prior to the July 26, 2011, Board Meeting. Staff will advise the Board as soon as the results are available, but the present exemption recommendation is being submitted in anticipation of approval in order to facilitate NOVACO's desire to hold the public hearing on September 13, 2011. Should certification not be obtained by July 26th, staff will recommend that the Board pass the item by at that meeting.

FISCAL IMPACT:

None. There is no additional fiscal impact as a result of the Board granting NOVACO tax exempt status on these five parcels. These properties have been tax exempt under LSS and by the Board's adoption of Appendix S these parcels will remain tax exempt under NOVACO, as of their acquisition date of July 5, 2011. It is estimated that the effective annual tax liability for these five condominiums would total approximately \$9,634. This equates to just under 2% of NOVACO's annual revenue from grants and donations. NOVACO presently has no business personal property tax liability.

ENCLOSED DOCUMENTS:

Attachment 1: Proposed Appendix S of the Fairfax County Code, Exempting NOVACO

STAFF:

Patricia D. Harrison, Deputy County Executive
Kevin C. Greenlief, Director, Department of Tax Administration
Paula C. Sampson, Director, Department of Housing and Community Development
Corinne N. Lockett, Assistant County Attorney

1 ATTACHMENT 1

2
3 **ORDINANCE TO ADD A NEW APPENDIX S RELATING TO THE EXEMPTION**
4 **FROM PROPERTY TAXES ON FIVE CONDOMINIUMS OWNED BY THE**
5 **NORTHERN VIRGINIA COALITION (NOVACO) AND USED TO PROVIDE**
6 **AFFORDABLE HOUSING**
7

8 AN ORDINANCE to amend the Fairfax County Code by adding a new Appendix S relating to
9 the classification and designation of certain property as being exempt from real and personal
10 property taxes.

11
12 Be it ordained by the Board of Supervisors of Fairfax County:

13
14 **1. That the Fairfax County Code is hereby amended to add Appendix S as follows:**

15
16 **APPENDIX S**

17
18 **Section 1 - Exempt Entities.**

19
20 (a) NOVACO. The Northern Virginia Coalition (NOVACO) is hereby exempt from Real
21 and Personal Property taxes that may be assessed on the following properties:

- 22
23 (1) 8509 Barrington Ct., Apt. R, Springfield (079-1-1304-R)
24 (2) 5811 Cove Landing Rd., #304, Burke (077-2-16-06-0304-A)
25 (3) 10204 Bushman Dr., #302, Oakton (047-4-16-12-0302)
26 (4) 3320 Woodburn Village Dr., #T2, Annandale (059-1-29-18-0002)
27 (5) 12103 Greenwood Ct., #144, Fairfax County (046-3-15-0144) (mailing address
28 #102)

29
30 (b) The effective date of this exemption is July 5, 2011 (date of acquisition).
31 (c) This exemption shall be effective as long as NOVACO continues to hold an Internal
32 Revenue Code non-profit designation of 501(C)(3) and uses the properties in
33 accordance with the provisions of this ordinance.
34
35
36

37
38
39
40
41
42
43
44

2. That this ordinance amendment shall become effective on adoption.

Given under my hand this _____ day of _____, 2011

Nancy Vehrs
Clerk to the Board of Supervisors

Board Agenda Item
July 26, 2011

ADMINISTRATIVE - 12

Authorization for the Fairfax County Fire and Rescue Department to Apply for and Accept Assistance to Firefighters Grant from the U.S. Department of Homeland Security

ISSUE:

Board approval for the Fairfax County Fire and Rescue Department (FRD) to apply for and accept funding, if received, from the U.S. Department of Homeland Security (DHS) FY 2011 Assistance to Firefighters Grant Program in the amount of \$293,876, including the required 20 percent Local Cash Match of \$58,775. The program period is typically one year from the date of the award. If the actual award received or the Local Cash Match is significantly different from the application amount, another item will be submitted to the Board requesting appropriation of grant funds. Otherwise, staff will process the award administratively per Board policy.

RECOMMENDATION:

The County Executive recommends that the Board authorize the Fire and Rescue Department to apply for and accept funding, if received, from the DHS FY 2011 Assistance to Firefighters Grant Program in the amount of \$293,876, including the required 20 percent Local Cash Match of \$58,775.

TIMING:

Board approval is requested on July 26, 2011. The application period is expected to open in July 2011.

BACKGROUND:

The Assistance to Firefighters Grant (AFG) program was originally authorized under the Defense Authorization Bill of 2001, Public Law 106-398, which amended Section 33 of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. 2201 et seq. This program supports the country's national preparedness goal to prevent, protect, respond, and recover from both terrorist attacks and catastrophic natural disasters. Congress appropriated \$810 million to carry out the activities of the FY 2010 AFG programs.

Funding of \$293,876 is requested for two projects:

Funding in the amount of \$184,116 is requested to purchase a gas-fired fire training prop, flashover and flare-up effect systems, and a tiling and heat monitoring system for

Board Agenda Item
July 26, 2011

the Class B Burn Building at the Fairfax County Fire and Rescue Department Training Academy. The federal share, if awarded, is \$147,293 and the required 20 percent Local Cash Match for this project is \$36,823.

The Class B Burn Building offers a variety of residential and commercial layouts similar to those found throughout Fairfax County. Three props were installed as part of the initial build and Fairfax County Fire and Rescue has been awarded two other props for the Burn Building through the Assistance to Firefighter Grant program. The building has the ability to house 12 different gas-fired burn props. If this funding is awarded, the Fire and Rescue Department would purchase a twin bed gas-fueled live fire training simulator, flashover/rollover effect unit, flare-up effect unit, and a tiling and heat monitoring system for this simulator. This prop would complement the current residential props and provide recruits and incumbent field personnel with practical experience in a realistic and safe training environment in fighting routine fires similar to those encountered throughout Fairfax County.

In addition, funding in the amount of \$109,760 is requested for purchase and installation of interactive projectors for use in implementing a training matrix in 37 fire stations. The federal share, if awarded, is \$87,808 and the required 20 percent Local Cash Match for this project is \$21,952. This equipment will allow personnel to review areas and structures using web-based applications, accommodate the sharing of information and training across departments and industries, integrate incident videos and radio recordings, and contribute to community fire safety education. The projectors will be connected to existing station computers, thus incurring no additional cost for full implementation of the project. This will allow delivery of associated training in a group setting available through both intranet and internet applications.

FISCAL IMPACT:

The total amount of the 2011 Assistance to Firefighters Grant proposal is \$293,876, including \$58,775 in required Local Cash Match. If this proposal is successful, the Fire and Rescue Department will receive \$235,101 in federal funding. This action does not increase the expenditure level in Fund 102, Federal/State Grant Fund, as funds are held in reserve for anticipated grant awards in FY 2012.

The Local Cash Match requirement for fire departments serving populations over 50,000 is 20 percent of project costs. All non-federal matching funds must be in cash; in-kind contributions are not acceptable. The total anticipated Local Cash Match is \$58,775. The Local Cash Match is available from the Local Cash Match Reserve in Fund 102, Federal/State Grant Fund.

Board Agenda Item
July 26, 2011

CREATION OF NEW POSITIONS:

No new positions will be created by this grant.

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
Chief Ronald L. Mastin, Fire and Rescue Department
Assistant Chief John J. Caussin, Jr., Fire and Rescue Department
Assistant Chief John A. Burke, Fire and Rescue Department
Cathy Maynard, Grants Coordinator, Fire and Rescue Department

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ACTION - 1

Authorization of Funding from the Route 28 Highway Transportation Improvement District Project Completion Fund for Spot Widening Projects

ISSUE:

Board approval to release \$6,000,000 from the Route 28 Highway Transportation Improvement District (Route 28 District) Project Completion Fund, authorized under the Route 28 Highway Transportation Improvements District agreements, for the preparation of final design plans for four priority sections of Route 28 widening, including: Priority 1 – Route 28 southbound between Sterling Boulevard and the Dulles Toll Road; Priority 2 – the Route 28 southbound bridge over the Dulles Toll Road; Priority 3 – Route 28 northbound between McLearen Road and the Dulles Toll Road; and Priority 4 – Route 28 southbound between the Dulles Toll Road and Route 50. This action has been requested by the Route 28 District Commission.

RECOMMENDATION:

The County Executive recommends that the Board approve the release of \$6,000,000 from the Route 28 District Project Completion Fund for the preparation of final design plans for four priority sections of Route 28 widening.

TIMING:

Board action is requested on July 26, 2011, to allow the preparation of final design plans for four priority sections of Route 28 widening.

BACKGROUND:

On November 16, 2009, the Fairfax County Board of Supervisors endorsed the Route 28 Tax District Commission's motion to use \$1,075,000 in funding from the Route 28 Tax District Project Completion Fund for 30% design plans to widen four sections of Route 28:

- Route 28 southbound between Sterling Boulevard and the Dulles Toll Road;
- Route 28 southbound bridge over the Dulles Toll Road;
- Route 28 northbound between McLearen Road and the Dulles Toll Road; and
- Route 28 southbound between the Dulles Toll Road and Route 50.

Board Agenda Item
July 26, 2011

Since that time, the 30% design plans have been completed. At a March 24, 2011, meeting at which a quorum was present, the Route 28 District Commission considered the use of a portion of the Route 28 District Project Completion Fund in the amount of \$6,000,000 to prepare final design plans for these four sections. The Commission members present voted to recommend approval of this action.

In order to authorize a change order with the Route 28 PPTA design team, VDOT is requesting endorsement of the Route 28 District Commission's recommendation from the Loudoun and Fairfax Boards of Supervisors. If approved, this action will keep the design moving forward.

Staff also notes that based on the 30% design plans, the estimated cost for the right of way, utility relocation and construction of the four sections is \$48,101,970. The County staffs were directed to report back to the Commission on funding options for the construction of the widening at a future meeting.

The Loudoun County Board of Supervisors approved this request on June 7, 2011.

FISCAL IMPACT:

There is no impact to the County as a result of this request. All funds will be funded from the Route 28 District Project Completion Fund which is funded from excess Route 28 District tax revenues not required to pay debt service, or to replenish the Rate Stabilization Fund. As of March 24, 2011, the Project Completion Fund balance is \$19.9 million.

ENCLOSED DOCUMENTS:

Attachment 1: Route 28 Tax District Commission Draft Minutes

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)
Leonard Wales, Financing Advisor
Todd Wigglesworth, Acting Chief, Coordination and Funding Division, FCDOT
Noelle Dominguez, Coordination and Funding Division, FCDOT

MINUTES

MEETING OF THE ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT DISTRICT COMMISSION

MARCH 24, 2011

A meeting of the Route 28 Highway Transportation Improvement District Commission was held on Thursday, March 24, 2011, at the Route 28 Public-Private Transportation Act (PPTA) Offices, 45240 Business Court, Suite 100, Dulles, VA 20166.

Members Present: John W. Foust, Chairman; Stevens Miller; Scott K. York; Michael R. Frey; Andrea McGimsey, Vice Chair; Sharon Bulova, Lori Waters, and John W. Lawson (VDOT Chief Financial Officer).

Member Absent: Catherine M. Hudgins, Secretary.

Others Present: John DeBell, Chair, Route 28 Highway Transportation Improvement District Advisory Board (DAB), Ted Lewis (DAB), William H. Keech, Jr. (DAB), Jack W. Burkart (DAB), and Garrett Moore (VDOT Northern Virginia District Administrator).

- 1. Call To Order:** Chairman Foust called the meeting to order at 1:05 p.m. He made a correction to the title of Agenda Item 8, to read as follows: "Adoption of the FY 12 Tax Resolution, ~~2011~~ **2012** District Advisory Board Budget request; Approval of FY 10 Audit and Payment for Audit Expenses, Adoption of the FY ~~11~~ **12** District Commission Budget including Authorization for FY 11 Audit Fees." The correction was accepted unanimously.
- 2. Approval Of The May 24, 2010, Minutes:** On a motion from Ms. Bulova, seconded by Mr. Miller, the minutes of the May 24, 2010, meeting were approved. The vote on the motion was 8-0 (Voting Yes – Mr. Miller, Mr. York, Mr. Frey, Mr. Foust, Ms. McGimsey, Ms. Bulova, Ms. Waters, and Mr. Lawson. Voting No – None).
- 3. Update On The Route 28 PPTA Project And Future Phases Of Route 28 –** Susan Shaw, VDOT Route 28 PPTA Project Manager, and Jon Harman, Route 28 LLC, provided an update on the status of the interchanges and other project improvements that are elements of the Route 28 PPTA project. The construction of Interchanges of Route 28 at Willard Road and Route 28 at Frying Pan Road is completed. Final right-of-way (ROW) cost at Willard Road was reduced from \$4.5 million to \$3.9 million after negotiations, pending attorney fees. Last year, there was a project funding gap of \$12.9 million out of which the tax district funded \$9.3 million. Atlantic Boulevard is a 100 percent federally funded project, and it is now at 30 percent completion. Construction of Atlantic Boulevard is underway and planned to be opened to traffic at the end of 2011. There are two existing access points at Steeple Chase that need to be resolved and completed in conjunction with the completion of Atlantic Boulevard project.

Mr. York stated that the Loudoun County Board recently approved \$9 million to resolve the issues associated with the Cedar Green development.

The Route 28 Tax District provided \$1.25 million for the study of Hot Spots and the study is now completed.

Mr. Harman provided updates on the preliminary design and estimated costs for the widening of four segments of Route 28 between Route 50 and Sterling Boulevard. He also described the preliminary financial analysis and explained in detail the four areas in which the project is divided.

Jeff Clark further explained the financial analysis. He described various financial options, including the Virginia Transportation Infrastructure Bank recently approved by the General Assembly that will become effective on July 1, 2011.

Len Wales, Fairfax County Debt Manager, said the project completion fund currently has a balance of \$19.9 million, and deducting the \$3 million owed to VDOT, which will be paid within the next year, the fund will still have a balance of about \$16 million. He said that one option is to use \$10 million and finance any additional funds through the Infrastructure Bank. The construction cost and interest rates are near historic low (average interest rate is around three percent). If the tax rate were to increase to 20 cents, in FY13, the full \$54 million project is potentially feasible. He cautioned that debt service may exceed revenue during the time period. Mr. Wales also provided details of various scenarios of 18-cent and 19-cent tax rates. He advised against implementing the full project immediately since the economy has not fully recovered and suggested waiting for the establishment of the Infrastructure Bank. He added that developers will typically wait for the economy to stabilize before they resume development activities.

Mr. York asked if Mr. Wales would advise the District Commission to proceed with one option or combination of options.

Mr. Wales suggested using \$6 million to implement the next step to fund the design of road widening, complete necessary planning and design review processes, and then wait for the appropriate time when it would be feasible to start construction.

Mr. York then suggested that the District Commission approve the \$6 million now and reevaluate the situation in a year.

Ms. Waters asked about the feasibility of soliciting funding through the Infrastructure Bank.

Mr. Wales said the tax district may only be able to secure partial funding from the Infrastructure Bank and may have to borrow more money depending on the interest rate.

Mr. York made a motion that the District Commission approve the use of \$6 million from the Project Completion Fund for the design process, seconded by Mr. Frey, and the motion was approved. The vote on the motion was 8-0 (Voting yes: Mr. York, Ms. Bulova, Mr. Foust, Ms. McGimsey, Mr. Miller, Mr. Frey, Ms. Waters, and Mr. Lawson; Voting no – None).

Mr. York asked Mr. DeBell about the position of the tax district land owners (District Advisory Board) on the matter.

Mr. DeBell responded that the Advisory Board did not make a decision on the matter at its March 15, 2011, meeting, but expressed personal comfort with the Tax District Commission's decision and believed that the District Advisory Board (DAB) would support the motion just passed. Mr. DeBell also suggested that increasing the District's tax rate, at this time, may not be a good idea.

4. **Update on January 1, 2011, Assessment Information from Loudoun and Fairfax Counties** – Mr. Wales reported that, while assessed value for properties increased in Fairfax County, it decreased slightly in Loudoun County. However, the assessments between both counties broke even.
5. **Presentation of the FY10 Audit** – Mr. Wales indicated there are no issues with the FY10 Audit. There were no management issues raised in the audit. He concluded that the FY 2010 audit is a simple statement of revenues and liabilities.
6. **Presentation of the Financial Reports** – Mr. Wales pointed attention to pages 6-1 to 6-4 of the handouts as containing the relevant financial information. At the bottom of page 6-4, the project completion fund shows a balance of about \$19.9 million. The 75 / 25 percent local / state split is reviewed yearly. Currently, the tax district is \$19 million behind in its obligations (about 74.4 percent), and as tax district makes contributions to the Route 28 widening project, the financial gap will be closed. The tax district may have to fund the entire \$54 million project without addition contributions from the Commonwealth of Virginia.
7. **Report of the Route 28 Tax District Advisory Board (DAB)** – Mr. John DeBell, Chair, District Advisory Board (DAB), announced that he has stepped down as the Chair of the DAB and welcomed newly elected Board Chairman, Mr. Ted Lewis, from Loudoun County. Mr. DeBell also introduced other members of the DAB in attendance (Vice Chairman Bill Ketch, Jr., and Jack Burkhart). Mr. DeBell stated that their terms will expire next year, and ballots for the new election will be mailed out in the fall of this year (2011). He recommended keeping the tax rate at 18 cents per \$100 of assessed fair market value. He asked the District Commission to approve the FY 2012 DAB budget request of \$20,000. He also informed the District Commission that the DAB reviewed the Peterson Company's refund request but decided not to take a position.

8. **Adoption of the FY12 Tax Resolution, 2011 District Advisory Board Budget Request; Approval of FY10 Audit and Payment for Audit Expenses, Adoption of the FY11 District Commission Budget including Authorization for FY11 Audit Fees** – Mr. York made the motion, seconded by Ms. Bulova, and the motion was passed unanimously.

The vote on the motion was 8-0 (Voting yes: Mr. York, Ms. Bulova, Mr. Foust, Ms. McGimsey, Mr. Miller, Mr. Frey, Ms. Waters, and Mr. Lawson. Voting no – None).

9. **Request by The Peterson Companies for a reimbursement of \$344,778.20 from Route 28 Highway Transportation Improvement District funds to recover a portion of a payment made by Peterson in 2007 for a change in zoning that put its property into a class not subject to the District tax, because of a subsequent change of zoning in 2010 that put the property back into a class subject to the District tax.** - Mr. James McGettrick, Assistant County Attorney, Fairfax County, explained the history behind this request. Any property in the Tax District needs to pay for “buy out” if it is rezoned non-commercial. The “buy out” is the amount calculated by the Tax District to pay for the “loss” incurred by the Tax District, by not being able to tax a particular property at the commercial tax rate. The Peterson Company’s property was rezoned as residential at its request in 2003 and paid \$500,000. Three years later, the Peterson Company requested to be included back into the Tax District, but with a different zoning category. The request was approved. Now the company is requesting a partial “refund” on the “buy out”. The Peterson Company characterized it as a “tax refund”, but staff rejected that characterization. Staff’s position is that the “buy out” is not a “tax”, but a “fee” paid to get something. Mr. McGettrick made reference to a state law that gives the Route 28 District Commission the discretion to grant the request or deny it. Kevin Greenlief, Fairfax County Department of Tax Administration, recommended that the District Commission approve the request. The District Advisory Board (DAB) took no position on the matter at its March 15, 2011, meeting. Mr. McGettrick also stated that the Peterson Company made its request for refund directly to Fairfax County; but the funds from which the refund will be paid belong to the Route Tax District, not Fairfax County. Fairfax County staff coordinated the review of the request with Loudoun County staff and there was mutual concurrence that the refund request be granted.

Mr. Frey stated that the purpose of “buy out” was to compensate the Tax District and it has been done many times, but the current request is the first time an entity that previously bought out, is making a request to return to the Tax District. Mr. Frey made the motion to approve the request, seconded by Ms. Bulova.

Ms. Waters asked why the DAB did not make a decision on this issue.

Mr. DeBell explained that the DAB believes that the Peterson Company “benefited” during the rezoning process.

Ms. Waters asked if the Peterson Company asked for more density during the rezoning process.

Mr. DeBell responded that the Peterson Company did not ask for more density. In fact, the rezoning resulted in less density.

Mr. Miller expressed concern about the potential precedent to be created with approval of the request. He added that it may potentially result in other entities in the Tax District requesting a “buy out” and coming back to ask for a refund after the Tax District might have expended all construction funds.

Mr. McGettrick responded that it is entirely a discretionary decision by the District Commission, after examining all the factors to see if the Tax District can afford it, and if it does not adversely affect the Tax District.

Mr. Miller stated that he was “leery” of the request, and asked for clarification of the amount.

Messrs. Greenlief and McGettrick confirmed that the requested amount did not include interest.

Mr. Miller then said that he supported the request based on the “principle” involved.

Mr. Wales stated that Peterson’s obligation to pay the district tax will still remain.

Mr. Frey stated that the property is in private hands, and the Federal government did not buy it.

Mr. Greenlief informed the District Commission that the Peterson Company raised the issue of “double taxation” in support of its request, but staff disagreed with that premise and continue to believe that the payment is not a “tax,” but a “fee”.

Mr. Foust asked if there has ever been a similar situation.

Mr. McGettrick responded that he was not aware of any similar situation to the Peterson Company’s request.

Ms. Waters suggested amending the resolution by adding the following paragraph: “WHEREAS, this is a discretionary decision by the District Commission, and shall not be construed to bind future decisions of the District Commission,”

The motion was adopted as amended with unanimous vote.

The vote on the motion was 8-0 (Voting yes: Mr. York, Ms. Bulova, Mr. Foust, Ms. McGimsey, Mr. Miller, Mr. Frey, Ms. Waters, and Mr. Lawson; Voting no – None).

10. **Election of Officers** – Mr. Foust opened the floor for nominations.

Ms. Waters nominated Mr. York as Chairman, Mr. Frey seconded and the election carried unanimously.

Mr. Frey nominated Ms. Hudgins as Vice Chairman, Mr. Foust seconded and the election carried unanimously.

Mr. York nominated Ms. McGimsey as Secretary, Ms. Bulova seconded and the election carried unanimously.

Mr. Foust closed the nominations.

The vote on the motion was 8-0 (Voting yes: Mr. York, Ms. Bulova, Mr. Foust, Ms. McGimsey, Mr. Miller, Mr. Frey, Ms. Waters, and Mr. Lawson; Voting no – None).

11. Adjournment – There being no further business to come before the District Commission, with a motion by Mr. York, seconded by Ms. Bulova, the meeting was adjourned at 2:10 p.m.

ACTION – 2

Approval of a Parking Reduction for Mosaic District – Parcels I & J of the Merrifield Town Center (Providence District)

ISSUE:

Board approval of a 20.0 percent reduction or 60 fewer parking spaces in required parking for Mosaic District – Parcels I & J of the Merrifield Town Center, Tax Map # 49-3 ((37)) F (portion of), G (portion of), further identified as Parcels I, and J in RZ 2005-PR-041 (Merrifield Mixed Use, LLC), Providence District.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (Board) approve a parking reduction of 20.0 percent (60 fewer parking spaces) in required parking for Mosaic District – Parcels I & J of the Merrifield Town Center, pursuant to paragraph 5, Section 11-102 of Chapter 112 (Zoning Ordinance) of *The Code of the County of Fairfax, Virginia*, based on an analysis of the parking requirements for each use on the site and a parking reduction study, #0561-PKS-02-1, on condition that:

1. A minimum of 243 parking spaces must be maintained on site at all times.
 - The uses permitted per this parking reduction are 112 townhomes

Any additional uses must be parked at code and these uses must not exceed the approved F.A.R.

2. Implementation of the Transportation Demand Management (TDM) program proffered in conjunction with the approval of RZ 2005-PR-041 (Merrifield Mixed Use, LLC).
3. The current owners, their successors or assigns of the parcels identified as Fairfax County Tax Map No. 49-3 ((37)) F (portion of), G (portion of), further identified as Parcels I and J in RZ 2005-PR-041 (Merrifield Mixed Use, LLC), shall submit a parking space utilization study for review and approval by the Board at any time in the future that the Zoning Administrator so requests. Following review of that study, or if a study is not submitted within 90 days after being requested, the Board may rescind this parking reduction or require alternative measures to satisfy parking needs, which may include requiring all

Board Agenda Item
July 26, 2011

uses to comply with the full parking space requirements as specified in Article 11 of the Zoning Ordinance.

4. All parking utilization studies prepared in response to a request by the Zoning Administrator shall be based on applicable requirements of *The Code of the County of Fairfax, Virginia*, and the Zoning Ordinance in effect at the time of said parking utilization study submission.
5. Shared parking with any additional use(s) shall not be permitted without the submission of a new parking study prepared in accordance with the applicable requirements of the Zoning Ordinance and shall be subject to the Board's approval.
6. All parking provided shall be in accordance with the applicable requirements of Article 11 of the Zoning Ordinance and the Fairfax County Public Facilities Manual, including the provisions referencing the Americans with Disabilities Act (ADA).
7. Each townhome with a single-car garage shall be assigned one on-street parking space. The remaining on-street parking spaces required to meet the parking requirements for the parking reduction conditions shall not be restricted or reserved except that they may be designated for the use of residents and visitors only.
8. The conditions of approval of this parking reduction shall be recorded in the Fairfax County land records in a form acceptable to the County Attorney.

TIMING:

Board action is requested on July 26, 2011.

BACKGROUND:

Mosaic District – Parcels I and J is a 3.9 acre site, zoned Planned Development Commercial (PDC) and Planned Residential Mixed-Use (PRM), that is a part of the Merrifield Town Center mixed use development. The proposed development for this site consists of 112 single-family attached garage style townhomes, 92 with two-car garages and 20 with single-car garages. The site is in the “Merrifield Commercial Revitalization Area” and within $\frac{3}{4}$ - 1 mile of the Dunn Loring-Merrifield metrorail station. The site is bounded by North Street, Penny Lane (a.k.a. Park Street), South Cinema Drive, and Eskridge Road. The site is governed by the rezoning associated with the 31.4 acre Merrifield Town Center development, RZ 2005-PR-041, approved by the

Board Agenda Item
July 26, 2011

Board on October 15, 2007. The parking reduction request is associated with PCA/FDPA 2005-PR-041-2 scheduled for public hearing before the Board today.

Proffer V.3 permits future parking reductions or shared parking agreements pursuant to Article 11 of the Zoning Ordinance and as may be approved by the Board. Proffer V.5 indicates that the applicant may provide parallel parking spaces along Festival Street, North Street, Strawberry Lane, and South Theatre Drive and may restrict those spaces that are not required to satisfy minimum parking requirements. If approved, PCA/FDPA 2005-PR-041-2 will amend proffer V.5 to include the private streets proposed as part of this development. Proffer IX requires establishment of a Transportation Demand Management (TDM) program to encourage the use of transit Metrorail and bus, other multiple occupant vehicle commuting modes, walking, biking and tele-working by employees, customers and residents who work and/or live in the buildings located on the property. The TDM Plan goal was to reduce residential trips by a minimum of 7% in Phase I (Pre-shuttle Phase) and 30% at Phase 4 (Post-shuttle Phase). Office trips would be reduced by a minimum of 9% in Phase I (Pre-build out) and 30% in Phase 2 (Post-build out).

Under the Zoning Ordinance, the Code requirement for the 112 proposed townhomes would be 303 parking spaces or 2.7 spaces per unit. The applicant is seeking a 20.0% reduction (60 fewer parking spaces) resulting in a minimum of 243 parking spaces or 2.17 spaces per unit. The proposed parking supply consists of 204 garage/driveway spaces and 39 parallel parking spaces along private streets. The basis for the requested reduction is proximity to mass transit. The Zoning Ordinance does not specify the maximum distance for a site to be considered proximate to mass transit nor does it specify acceptable ranges for required parking supply. Generally, past practice has been that the farthest point of the site must be within one mile of the entrance to a metrorail station and staff has been using the established standards for the Tysons Urban District for comparison purposes. As stated above, the proposed townhomes are within $\frac{3}{4}$ - 1 mile of the Dunn Loring-Merrifield metrorail station. The parking reduction study contains an analysis of 2010 census tract data for areas located approximately one (1) mile from the Dunn Loring-Merrifield and Vienna/Fairfax-GMU metrorail stations to determine the average vehicles per household. Based on this analysis, the applicant is proposing 2 spaces per unit with a total of 17 visitors spaces. The staff supports the applicant's request for a 20.0 percent parking reduction subject to the conditions listed above and compliance with all proffers associated with this site.

The recommended parking reduction reflects a coordinated review by the Department of Public Works and Environmental Services, the Department of Planning and Zoning, the Department of Transportation, and the Office of the County Attorney.

Board Agenda Item
July 26, 2011

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I – Parking reduction request dated June 9, 2011, from Kevin R. Fellin,
Senior Associate, Wells and Associates.

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michelle A. Brickner, Deputy Director, DPWES



June 9, 2011

Mr. John Friedman, P.E.
Code Analysis Division
Department of Public Works & Environmental Services
12055 Government Center Parkway
Fairfax, Virginia 22035-5503

SUBJECT: Parking Code Reduction for Mosaic District – Parcels I and J
RZ 2005-PR-041, PCA 2005-PR-041-2

Dear Mr. Friedman:

Herein is an executive summary for a parking reduction submission for Parcels I and J within the “Mosaic District.” A check made payable to the County of Fairfax was submitted with this application in the amount of \$6,140.00. A full size plan of the Mosaic District including the subject Parcels I and J was included with the parking reduction study. A compact disc is attached to the back cover of the parking reduction study that includes electronic copies of this letter, the reduction study, and the overall plan reference above. The subject residential site **[Tax Map 49-3 ((37)) F (Portion of) and G (portion of)]** would be developed with 112 townhomes on approximately 3.9-acres partially zoned Planned Development Commercial (PDC) and Planned Residential Mixed-Use (PRM). The Mosaic District is located in the “Merrifield Commercial Revitalization Area” within one (1) mile from the Dunn Loring-Merrifield metrorail station. Specifically, the subject parcels are bisected by District Avenue and located between Penny Lane (formerly known as Park Street) and Eskridge Road in the Providence Magisterial District.

This parking reduction assessment evaluates a plan for the following uses on Parcels I and J:

- 112 single-family attached (townhome) dwelling units

Residential Parking Reduction. The code requirement for the proposed residential townhome uses is 303 parking spaces. A residential parking reduction of **60 fewer parking spaces, or approximately 20.0%**, was requested for the uses on Parcels I and J. The proposal would provide a minimum of 243 parking spaces to support the proposed residential uses at build out in townhome garage spaces and on-street spaces. Based on final design and layout of the parking areas, the applicant would reserve the right to provide additional parking spaces beyond the requested required minimum. Any additional uses would be parked to code and these uses would not exceed the approved F.A.R.

In order to permit a reduction in the number of parking spaces, a parking reduction is hereby requested on behalf of the Mosaic District – Parcels I and J.

Article 11, Section 102.4 provides for the requested reduction in the number of residential parking spaces.

Please contact me with any questions and/or comments you might have and thank you again for your assistance on this important project.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin R. Fellin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin R. Fellin
Senior Associate

Board Agenda Item
July 26, 2011

ACTION – 3

Approval of an Amended Parking Reduction for Reston Town Center Urban Core – Phase I (Hunter Mill District)

ISSUE:

Board approval of:

- A reduction of 28.0 percent (1,126 fewer parking spaces) in required parking for the existing uses prior to commencement of construction of the proposed office building on Block 4 and Parcel 1, Section 91A Reston
- A temporary reduction of 32.0 percent (1,288 fewer parking spaces) in required parking for the existing uses during construction of the proposed office building on Block 4 and Parcel 1, Section 91A Reston
- A reduction of 29.7 percent (1,385 fewer parking spaces) in required parking for the uses existing upon completion of construction of the proposed office building on Block 4 and Parcel 1, Section 91A Reston

for Reston Town Center Urban Core – Phase I, Tax Map # 17-1 ((16)) 1, 4, 5, 9A, and 10 and # 17-1 ((10)) 6, 7, and 8A1, Hunter Mill District.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (Board) approve:

- A reduction of 28.0 percent (1,126 fewer parking spaces) in required parking for the existing uses prior to commencement of construction of the proposed office building on Block 4 and Parcel 1, Section 91A Reston
- A temporary reduction of 32.0 percent (1,288 fewer parking spaces) in required parking for the existing uses during construction of the proposed office building on Block 4 and Parcel 1, Section 91A Reston
- A reduction of 29.7 percent (1,385 fewer parking spaces) in required parking for the uses existing upon completion of the proposed office building on Block 4 and Parcel 1, Section 91A Reston

for Reston Town Center Urban Core – Phase I, pursuant to paragraph 4(B), Section 11-102 of Chapter 112 (Zoning Ordinance) of *The Code of the County of Fairfax, Virginia*, based on an analysis of the parking requirements for each use on the site and a parking reduction study, on condition that:

Board Agenda Item
July 26, 2011

1. The following minimum number of parking spaces must be maintained on site at all times:
 - 2,895 parking spaces for the existing uses prior to commencement of construction of the proposed office building on Block 4 and Parcel 1, Section 91A Reston
 - 2,733 parking spaces for the existing uses during construction of the proposed office building on Block 4 and Parcel 1, Section 91A Reston
 - 3,286 parking spaces for the uses existing upon completion of construction of the proposed office building on Block 4 and Parcel 1, Section 91A Reston

In the event the proposed office building on Block 4 is constructed to less than 250,000 gross square feet (GSF), the total number of parking spaces required to serve the property upon completion of construction may be reduced below 3,286 parking spaces as determined by the Director of the Department of Public Works and Environmental Services (Director) and approved by the Board.

2. The Construction Period shall be limited to the earlier of (a) thirty-six (36) months following commencement of construction of the Proposed Office Building or (b) the issuance of a Nonresidential Use Permit (or its equivalent) for the parking facilities to be constructed as part of the Proposed Office Building, as more particularly shown on the approved site plan for such building. For purposes of this Agreement, the "commencement of construction" means (i) the issuance of a County permit for land disturbing activities associated with an approved Site Plan for construction of the Proposed Office Building; and (ii) the general contractor has, in fact, mobilized at the Property to undertake and proceed with construction of the Proposed Office Building.
3. The uses included in this parking reduction are:
 - 121,647 GSF of shopping center retail uses
 - 62,032 GSF of movie theatre uses with 2,918 seats
 - 781, 653 GSF of office uses (531,653 existing GSF and 250,000 GSF proposed)
 - 395,576 GSF of hotel uses with 515 guest rooms and an additional 24,500 GSF of space for hotel functions
 - 89,314 GSF of eating establishment (restaurant) uses with 2,648 seats and 330 employees
4. Notwithstanding the provisions of Condition 3 above, except for the period of construction of the proposed office building the owners may implement and the Director may approve future modifications to the mix and square footage of uses

within the property, including the addition of new uses or the subtraction of existing uses (such as the replacement of the cinema use with another use) as may be permitted by the current zoning regulations and the Town Center proffers, provided that (a) the total square footage of non-residential development established on the Property (irrespective of the allocation of such square footage among uses) does not increase; and (b) a new parking generation study prepared by the owner(s) proposing the change and using the same methodology (latest edition of the Urban Land Institute (ULI) Shared Parking model) as the shared parking study (each a "Parking Modification Request") demonstrates to the satisfaction of the Director that (i) the synergy among the proposed uses is comparable to that set forth in the shared parking study; and (ii) the percentage reduction in the required parking set forth in the shared parking study is not increased. Upon receipt of the Parking Modification Request, the Director may also require the requesting owner to submit a parking utilization study if it is determined to be needed to evaluate the existing parking condition at the time of the Parking Modification Request. Subject to the foregoing qualifications, the Parking Modification Request may be implemented without Board approval, as determined by the Director. Any additional uses not meeting the above requirements must be parked at rates required by the then-current Zoning Ordinance unless a new or amended parking reduction is approved by the Board.

5. The current owners, their successors or assigns of the parcels identified as Fairfax County Tax Map No. Tax Map # 17-1 ((16)) 1, 4, 5, 9A, and 10 and # 17-1 ((10)) 6, 7, and 8A1, shall submit a parking space utilization study for review and approval by the Board at any time in the future that the Zoning Administrator so requests. Following review of that study, or if a study is not submitted within 90 days after being requested, the Board may rescind this parking reduction or require alternative measures to satisfy parking needs, which may include requiring all uses to comply with the full parking space requirements as specified in Article 11 of the Zoning Ordinance.
6. All parking utilization studies prepared in response to a request by the Zoning Administrator shall be based on applicable requirements of *The Code of the County of Fairfax, Virginia*, and the Zoning Ordinance in effect at the time of said parking utilization study submission.
7. All parking provided shall be in accordance with the applicable requirements of Article 11 of the Zoning Ordinance and the Fairfax County Public Facilities Manual, including the provisions referencing the Americans with Disabilities Act (ADA).

Board Agenda Item
July 26, 2011

8. No parking spaces required to meet the shared parking requirements for the parking reduction conditions shall be restricted or reserved except for those required to meet the parking requirements of the Americans with Disabilities Act (ADA).
9. The attached agreement, incorporating the conditions of approval of this parking reduction, shall be recorded in the Fairfax County land records.

TIMING:

Board action is requested on July 26, 2011.

BACKGROUND:

The 84-acre Reston Town Center Urban Core is part of the 449-acre Town Center Study area which was rezoned to PRC (Planned Residential Community) pursuant to RZ-C-088, RZ 86-C-119, RZ 86-C-121 and RZ 89-C-025. Phase I of Reston Town Center Urban Core covers approximately 42 acres. Proffer Number 6, under Part F on Page 21 of the proffers dated February 27, 1987, states in part:

Parking will be provided in accordance with Fairfax County Zoning Ordinance requirements. Applicant may seek reductions in parking consistent with the Zoning Ordinance, Applicant's TSM (Transportation System Management) program and subject to the Board of Supervisors' approval.

Subsequent proffer condition amendment applications expressly maintained the exact language of the February 27, 1987, proffers except as specifically amended by the application. Proffer Number 6 was not affected by the amendments. Pursuant to Proffer Number 6, Reston Town Center Urban Core – Phase I received a 32.75 percent parking reduction from the Board on February 29, 1988. The Board approved a revision to the parking reduction on April 17, 1989, to reflect a change in the mix of uses resulting in a 24.7 percent parking reduction. The Board approved a second revision to the parking reduction on October 31, 1994, resulting in a 31.1 percent reduction. This last reduction is currently in effect.

Reston Town Center Urban Core – Phase I is built-out except for Block 4 and Parcel 1, Section 91A. A 250,000 sq. ft. office building with an underground garage is proposed on this site. An amended parking reduction is being requested to incorporate the new office use and additional existing uses, currently parked at the full code requirement, within Reston Town Center Urban Core – Phase I that are not included in the current reduction. The additional existing uses not included in the current reduction are referred to as "excess uses" in the shared parking analysis and the proposed parking

Board Agenda Item
July 26, 2011

agreement. The requested reduction addresses the existing parking demand, parking supply during construction of the proposed office building, and parking demand on completion of the proposed office building.

Parking demand was analyzed based on Fairfax County Zoning Ordinance requirements utilizing a standard methodology from ULI *Shared Parking 2nd* edition. The current analysis considers hourly peak parking demand, synergy between the eating establishment uses and the office uses, and the TSM program. The code requirement for the existing uses is 4,021 parking spaces. The number of parking spaces required under the current reduction is 2,800 spaces plus 95 spaces for the excess uses parked at the full code requirement. The current parking supply is 2,910 spaces. The shared parking analysis supports a larger reduction than the currently required 2,895 parking spaces. However, because the parking spaces already exist and to preserve the parking supply for future conditions, the current requirement will remain in effect until construction of the new office building begins. This results in a 28.0 percent reduction for the existing uses. The site of the proposed office building is currently occupied by a surface parking lot with 251 parking spaces. Construction of the office building will reduce the parking supply below 2,895 spaces. Based on the shared parking analysis, a minimum of 2,685 parking spaces are needed during construction of the proposed office building to serve the existing uses and the applicant proposes to maintain a minimum of 2,733 spaces. In order to provide 2,733 parking spaces, a temporary surface parking area of up to 100 spaces may be constructed on the site of the proposed office building. During construction, the reduction in parking supply will create a 32.0 percent reduction. After completion of the proposed office building, the code requirement for the uses will be 4,671 parking spaces. The parking supply at build-out will be 3,286 spaces which equates to a 29.7 percent reduction. It is noted that proposed Condition 3 provides flexibility for the Director to approve, within strict parameters, future modifications to the mix and square footage of uses within Reston Town Center Urban Core – Phase I to accommodate business turnover in the Town Center.

The recommended parking reduction reflects a coordinated review by the Department of Public Works and Environmental Services, the Department of Planning and Zoning, the Department of Transportation, and the Office of the County Attorney.

FISCAL IMPACT:

None.

Board Agenda Item
July 26, 2011

ENCLOSED DOCUMENTS:

Attachment I – Parking Reduction Request from Kevin R. Fellin, Senior Associate, Wells and Associates.

Attachment II – Amended and Restated Parking Agreement

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michelle A. Brickner, Deputy Director, DPWES

**WELLS + ASSOCIATES**

March 31, 2011

Mr. John Friedman, P.E.
Cod Analysis Division
Department of Public Works & Environmental Services
12055 Government Center Parkway, 6th Floor
Fairfax, Virginia 22035-5503

Subject: Request for a Revised Shared Parking Study for "Reston Town Center – Phase I"
Plan # 7067-PKS-006-1.1

Re: Reston Town Center – Phase I
Section 91A,
Tax Map 17-1 ((16)) 4, 5A, 9A, 10 and
Tax Map 17-3 ((10)) 1, 6, 7, 8A1, 8B
Hunter Mill District

Dear Mr. Friedman:

Enclosed herein please find two (2) bound copies and one (1) unbound copy of the most recent revision to the Reston Town Center – Phase I Shared Parking Study dated April 8, 2008 as revised through March 31, 2011. A compact disc is attached to the back cover of the bound parking reduction study that includes electronic copies of this letter, implementation of fee parking letter (also included in the reduction study appendices), the reduction study, and the ULI 2nd edition spreadsheets.

The subject mixed-use site [**Section 91A; Tax Map 17-1 ((16)) 4, 5A, 9A, 10; and Tax Map 17-3 ((10)) 1, 6, 7, 8A1, 8B**] is currently developed with the following:

- 62,032 gross square feet (GSF) of movie theatre uses with 2,918 seats
- 121,647 GSF of shopping center retail uses
- 531,653 GSF of office uses
- 2,416 table seats of eating establishment (restaurant uses)
- 232 counter seats of eating establishment (restaurant uses)
- 330 employees of eating establishment (restaurant uses)
- 515 guest rooms of hotel uses
- 24,500 GSF of hotel function area

The code requirement for existing uses is 4,021 parking spaces. A parking reduction of approximately **32.0% (or 1,288 fewer parking spaces)** from the Fairfax County Zoning Ordinance requirement is requested. A minimum number of 2,733 parking spaces would be required to serve the existing mixed-uses today and during the Block 4 construction period.

The proposed mixed-use development would include a new 250,000 GSF office building on Block 4. The proposed mix-use site development would then include the following uses at build out:

- 62,032 gross square feet (GSF) of movie theatre uses with 2,918 seats
- 121,647 GSF of shopping center retail uses
- 781,653 GSF of office uses
- 2,416 table seats of eating establishment (restaurant uses)
- 232 counter seats of eating establishment (restaurant uses)
- 330 employees of eating establishment (restaurant uses)
- 515 guest rooms of hotel uses
- 24,500 GSF of hotel function area

The code requirement for the proposed uses is 4,671 parking spaces. A parking reduction of approximately **29.7% (or 1,385 fewer parking spaces)** from the Fairfax County Zoning Ordinance requirement is requested. A minimum number of 3,286 parking spaces would be required to serve the proposed uses.

Any additional uses would be parked to code and these uses would not exceed the approved F.A.R.

It is our understanding an additional fee will not be required for the evaluation of this revision request.

Should you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



Kevin R. Fellin, P.E.
Senior Associate

Cc: Mr. Andrew Moore, Beacon Capital Partners, LLC
Mr. Jeff Kovach, Beacon Capital Partners, LLC
Mr. Mark Looney, Cooley Godward Kronish, LLC
Supervisor Catherine M. Hudgins, Hunter Mill District

Encl.

AMENDED AND RESTATED PARKING AGREEMENT

THIS AMENDED AND RESTATED PARKING AGREEMENT (“Agreement”) is made and entered into as of this ___ day of _____, 2011 by and among RESTON TOWN CENTER PROPERTY LLC, a Delaware limited liability company (“RTC”); RESTON SIGNATURE PROPERTY LLC, a Delaware limited liability company (“Signature”); HMC RESTON, LLC, _____ a _____ (“Host”) and THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, a body corporate and politic (the “Board”).

RECITALS

R-1. On February 29, 1988, the Board approved a parking reduction for the Property (as hereinafter defined) upon the request of Reston Land Corporation (“RLC”), prior owner of the Property (“Resolution”).

R-2. On April 17, 1989, the Board revised the Resolution for the Property (“First Revised Resolution”).

R-3. On October 31, 1994, the Board amended the Resolution and First Revised Resolution for the Property (the “Second Revised Resolution”).

R-4. Reston Town Center Phase I Associates (“Associates”); Property Investments, Inc. (“Property Investments”); Courtland L. Traver, Trustee (“Trustee”); and the Board entered into that certain Agreement dated July 7, 1995 (the “Original Phase I Parking Agreement”) and recorded in Deed Book 9707 at Page 0645 in which certain provisions of the Second Revised Resolution were memorialized. Prior to the date of this Agreement, parking for uses and structures within the Reston Town Center Urban Core – Phase I (as hereinafter defined) have been governed by the Original Phase I Parking Agreement, except for the Excess Uses (hereinafter defined).

R-5 By Amendment to the Declaration of Covenants, Conditions and Restrictions for the Reston Urban Core Association (the “Association”) dated July 12, 1996, RLC, Associates, Property Investments and the Association granted each owner of the Property (as hereinafter defined) and their respective employees, guests and invitees, among other things, the right to use all parking areas and parking structures established on the Property for the purpose of pedestrian and vehicular access and parking (the “Parking Easement”).

R-6 RTC is a successor in interest to Associates. RTC is the owner of land located in Fairfax County, Virginia, known as BLOCKS 5A, 7, 8A-1, 8B, 9A and 10, SECTION 91A, RESTON (hereinafter collectively referred to as the “RTC Property”), having acquired the same by Deed recorded in Deed Book 19275 Page 1919.

R-7 Signature is a successor in interest to Associates. Signature is the owner of land located in Fairfax County, Virginia, known as BLOCK 4 and PARCEL 1, SECTION 91A,

RESTON (hereinafter referred to as the “Signature Property”), having acquired the same by Deed recorded in Deed Book 19275 Page 2026.

R-8. Host is a successor in interest to Property Investments. Host is the owner of land located in Fairfax County, Virginia, known as BLOCK 6, SECTION 91A, RESTON (hereinafter referred to as the “Host Property”), having acquired the same by Deed recorded in Deed Book 10737 Page 1545.

R-9. The RTC Property, the Signature Property and the Host Property together constitute the “Reston Town Center Urban Core – Phase I” or the “Property”. A copy of the Plat delineating the Reston Town Center Urban Core – Phase I is attached hereto and incorporated herein as Exhibit A.

R-10. The Original Phase I Parking Agreement contemplates the following mix of uses for the Property: 531,653 gross square feet of office space; 118,153 gross square feet of retail space; eating establishments with a total of 2,450 seats (including indoor table, counter and outdoor seats); a hotel with a total of 515 rooms (395,576 gross square feet not including hotel function space); hotel function rooms containing 24,500 gross square feet and a 62,032 gross square foot multiplex cinema facility with 2,918 seats. The Original Phase I Parking Agreement requires a supply of 2,800 parking spaces for the mix of uses within the Original Phase I Parking Agreement.

R-11. Block 7 of the Property contains 3,494 gross square feet of retail uses and eating establishments with 198 seats (“Excess Uses”) that are currently not covered by the Original Phase I Parking Agreement and utilize 95 parking spaces (the “Block 7 Excess Uses Spaces”) of the total of 514 parking spaces contained in the parking structure on Block 7 of the Property. The Block 7 Excess Use Spaces are required for the Excess Uses pursuant to Article 11 of the Fairfax County Zoning Ordinance.

R-12. The Property, which includes the mix of uses within the Original Phase I Parking Agreement together with the Excess Uses, is currently constructed to the following program: 530,320 gross square feet of office space; 121,647 gross square feet of retail uses; eating establishments with a total of 2,648 seats served by 330 employees and containing 89,314 gross square feet; a hotel with a total of 515 rooms (395,576 gross square feet not including hotel function space); hotel function rooms containing 24,500 gross square feet and a 62,032 gross square foot multiplex cinema facility with 2,918 seats.

R-13. According to 7067-PKS-008-1 approved for the Property by Fairfax County, the total number of parking spaces currently required for the Property under the Original Phase I Parking Agreement for the uses therein and under Article 11 of the Fairfax County Zoning Ordinance (for the Excess Uses) is 2,895 (the “Required Spaces”). The existing supply of parking spaces available to the Property is 2,910 (the “Existing Parking Spaces”).

R-14. Signature intends to construct 250,000 gross square feet of space for office uses on the Signature Property (the “Proposed Office Building”). Construction activities associated with the construction of the Proposed Office Building are expected to temporarily displace

approximately 251 surface parking spaces on the Property, as well as create additional parking requirements for the Property.

R-15. RTC and Signature engaged Wells + Associates, Inc. (“Consultant”) to perform a Shared Parking Study for the Property (the “Shared Parking Study”). The Shared Parking Study was prepared in accordance with the Fairfax County Zoning Ordinance and the Urban Land Institute (ULI) Sharing Parking model 2nd edition, and submitted to the Department of Public Works and Environmental Services (the “Department”). The Study, 7067-PKS-006-02, dated March 31, 2011, is attached hereto as Exhibit B.

R-16. RTC, Signature, Host and the Board desire hereby to amend and restate the Original Phase I Parking Agreement in its entirety in order to, (a) incorporate the Excess Uses within the Agreement; (b) address and accommodate the temporary displacement of existing surface lot spaces during construction of the Proposed Office Building, (c) incorporate the new mix of uses within the Property effected by the addition of the Proposed Office Building within this Agreement, and (d) facilitate the tenant and use changes inherent in the retail environment of Reston Town Center, as may be necessary from time to time.

NOW THEREFORE, from and after the date hereof, RTC, Signature, Host and the Board agree that the Original Phase I Parking Agreement shall be, and hereby is, amended and restated in its entirety to read as set forth in this Agreement, and RTC, Signature, Host and the Board hereby declare, covenant and agree as follows:

AGREEMENT

1. The Recitals set forth above are hereby made a part of this Agreement as if set forth in full in this Section 1.

INCORPORATION OF BLOCK 7 EXCESS USES WITHIN THE AGREEMENT AND CURRENT MIX OF USES WITHIN THE PROPERTY

2. The 3,494 gross square feet of retail uses and eating establishments with 198 restaurant seats on Block 7 that constitute the Excess Uses are hereby incorporated within this Agreement, and the Block 7 Excess Uses Spaces are hereby brought within the total parking supply for the Property under this Agreement.

3. The incorporation of the Excess Uses within the provisions of this Agreement results in the following allowed existing mix of uses for the Property subject to this Agreement: up to 531,653 gross square feet of office space; 121,647 gross square feet of shopping center; eating establishments with a total of 2,648 seats served by 330 employees and containing 89,314 gross square feet; a hotel with a total of 515 rooms (395,576 gross square feet not including hotel function space); hotel function rooms containing 24,500 gross square feet; and a 62,032 gross square foot multiplex cinema facility with 2,918 seats. Under Article 11 of the Fairfax County Zoning Ordinance, the parking requirement for this mix of uses would be 4,021 parking spaces.

4. Based on the conclusions set forth in the Shared Parking Study, and except as set forth in Sections 7 and 8 herein, RTC, Signature and Host (each an “Owner” and, collectively, the “Owners”) agree to ensure that a minimum of 2,895 parking spaces shall remain available to serve the Property for the mix and square footage of uses listed in Section 3 above.

5. Notwithstanding the provisions of Sections 3 and 4 above and except as set forth in Sections 9 and 10 herein, the Owners may implement and the Director of the Department (the “Director”) may approve future modifications to the mix and square footage of uses within the Property, including the addition of new uses or the subtraction of existing uses (such as the replacement of the cinema use with another use) as may be permitted by the current zoning regulations and the Town Center proffers, provided that (a) the total square footage of non-residential development established on the Property (irrespective of the allocation of such square footage among uses) does not increase; and (b) a new parking generation study prepared by the Owner(s) proposing the change and using the same methodology (latest edition of the ULI Shared Parking model) as the Shared Parking Study (each a “Parking Modification Request”) demonstrates to the satisfaction of the Director that (i) the synergy among the proposed uses is comparable to that set forth in the Shared Parking study; and (ii) the percentage reduction in the required parking set forth in the Shared Parking Study is not increased. Upon receipt of the Parking Modification Request, the Director may also require the requesting Owner to submit a parking utilization study if it is determined to be needed to evaluate the existing parking condition at the time of the Parking Modification Request. Subject to the foregoing qualifications, the Parking Modification Request may be implemented without Board approval, as determined by the Director. Any additional uses not meeting the above requirements must be parked at rates required by the then-current Zoning Ordinance unless a new or amended parking reduction is approved by the Board.

6. If at any time the Zoning Administrator may have reason to believe that parking on the Property is insufficient to serve the uses and square footage then-existing on the Property, then the Zoning Administrator may require the Owners to submit a new parking study to the Board for review and approval (the “New Parking Study”) within ninety (90) days of a written request from the Zoning Administrator. Following review of such New Parking Study, or if the New Parking Study is not timely submitted, the Board may require the Owners to implement alternative measures to satisfy the parking requirements for the Property, as approved by the Director, or rescind the parking reduction granted to the Owners with this Agreement, which may result in all uses having to comply with the full parking requirements of Article 11 of the Zoning Ordinance. All parking utilization studies prepared in response to a request by the Zoning Administrator shall be based on the applicable requirements of the County Code and the Zoning Ordinance in effect at the time of said parking utilization study submission.

INTERIM PARKING REQUIREMENTS FOR PERIOD OF CONSTRUCTION OF PROPOSED OFFICE BUILDING

7. Should Signature proceed with construction of the Proposed Office Building, then, during the period of such construction (the “Construction Period”), the Owners agree to ensure that a minimum of 2,733 parking spaces shall remain available to serve the Property. Signature may construct a temporary 100-space surface parking area on the Signature Property in

furtherance of this Section 7. The Construction Period shall be limited to the earlier of (a) thirty-six (36) months following Signature's commencement of construction of the Proposed Office Building or (b) the issuance of a Nonresidential Use Permit (or its equivalent) for the parking facilities to be constructed as part of the Proposed Office Building, as more particularly shown on the approved site plan for such building. For purposes of this Agreement, the "commencement of construction" means (i) the issuance of a County permit for land disturbing activities associated with an approved Site Plan for construction of the Proposed Office Building; and (ii) the general contractor has, in fact, mobilized at the Property to undertake and proceed with construction of the Proposed Office Building.

8. In the event that, during the Construction Period, the Director determines that 2,733 parking spaces is an insufficient number of spaces for the uses then-existing on the Property, the parties agree that Signature shall promptly implement alternative measures, as approved by the Director, to satisfy the parking needs for the Property during the Construction Period of the Proposed Office Building. Such measures may be implemented without Board approval.

PARKING REQUIREMENTS FOR MIX OF USES WITHIN THE PROPERTY AFTER PROPOSED OFFICE BUILDING CONSTRUCTION

9. After construction of the Proposed Office Building, the mix of uses for the Property subject to this Agreement shall be as follows: up to 781,653 gross square feet of office space; 121,647 gross square feet of shopping center; eating establishments with a total of 2,648 seats served by 330 employees and containing 89,314 gross square feet; a hotel with a total of 515 rooms (395,576 gross square feet not including hotel function space); hotel function rooms containing 24,500 gross square feet; and a 62,032 gross square foot multiplex cinema facility with 2,918 seats. Under Article 11 of the Fairfax County Zoning Ordinance, the parking requirement for this mix of uses would be 4,671 parking spaces.

10. Commencing upon the expiration of the Construction Period, the Owners agree to ensure that a minimum of 3,286 parking spaces shall remain available to serve the Property. Signature shall construct new parking facilities on the Signature Property that shall contain the additional number of parking spaces required for the Property under this Agreement necessitated by the construction of the Proposed Office Building. In the event Signature constructs the Proposed Office Building to a lesser square footage than that set forth in R-14, then the total number of parking spaces required to serve the Property upon expiration of the Construction Period may be reduced below 3,286 parking spaces as determined by the Director and approved by the Board.

11. Notwithstanding the provisions of Sections 9 and 10 above, following construction of the Proposed Office Building the Owners may implement and the Director may approve future modifications to the mix and square footage of uses within the Property, including the addition of new uses or the subtraction of existing uses (such as the replacement of the cinema use with another use) as may be permitted by the current zoning regulations and the Town Center proffers, provided that (a) the total square footage of non-residential development established on the Property (irrespective of the allocation of such square footage among uses)

does not increase; and (b) a new parking generation study prepared by the Owner(s) proposing the change and using the same methodology (latest edition of the ULI Shared Parking model) as the Shared Parking Study (each a “Parking Modification Request”) demonstrates to the satisfaction of the Director that (i) the synergy among the proposed uses is comparable to that set forth in the Shared Parking Study; and (ii) the percentage reduction in the required parking set forth in the Shared Parking Study is not increased. Upon receipt of the Parking Modification Request, the Director may also require the requesting Owner to submit a parking utilization study if it is determined to be needed to evaluate the existing parking condition at the time of the Parking Modification Request. Subject to the foregoing qualifications, the Parking Modification Request may be implemented without Board approval, as determined by the Director. Any additional uses not meeting the above requirements must be parked at rates required by the then-current Zoning Ordinance unless a new or amended parking reduction is approved by the Board.

12. If at any time the Zoning Administrator has reason to believe that parking on the Property is insufficient to serve the uses and square footage then-existing on the Property, then the Zoning Administrator may require the Owners to submit a New Parking Study to the Board for review and approval within ninety (90) days of a written request from the Zoning Administrator. Following review of such New Parking Study, or if the New Parking Study is not timely submitted, the Board may require the Owners to implement alternative measures to satisfy the parking requirements for the Property, as approved by the Director, or rescind the parking reduction granted to the Owners with this Agreement, which may result in all uses having to comply with the full parking requirements of Article 11 of the Zoning Ordinance. All parking utilization studies prepared in response to a request by the Zoning Administrator shall be based on the applicable requirements of the County Code and the Zoning Ordinance in effect at the time of said parking utilization study submission.

13. In the event that future development, construction and/or renovation is undertaken by one or more of the Owners on the Property and such development, construction and/or renovation causes the displacement of required parking spaces under this Agreement, the parties agree that non-standard parking arrangements, including, but not limited to, attendant parking and off-Property parking, may be utilized on an interim basis during such displacement to satisfy the parking requirements contained herein, subject to the Director’s approval.

GENERAL REQUIREMENTS

14. No parking spaces required by this Agreement shall be restricted or reserved except for those required to meet the parking requirements of the Americans with Disabilities Act (“ADA”).

15. All parking shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and the Fairfax County Public Facilities Manual, including the provisions referencing the Americans with Disabilities Act.

RECORDATION

16. This Agreement shall be recorded among the land records of Fairfax County and shall run with title to the Property. The terms and conditions of this Agreement shall be binding upon the parties' successors and assigns.

[Signatures Appear on the Following Pages]

Cooley LLP
DRAFT

IN WITNESS WHEREOF, this Agreement is entered into as of the day and year first written above.

RTC:

RESTON TOWN CENTER PROPERTY LLC, a
Delaware limited liability company

By: _____
Name: _____
Title: _____

COMMONWEALTH/STATE OF _____)

CITY/COUNTY OF _____) to-wit:

I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that _____, as _____ of Reston Town Center Property LLC, whose name is signed to the foregoing Agreement, has acknowledged the same before me in the jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2011.

_____[SEAL]
Notary Public

My Commission Expires: _____

Cooley LLP
DRAFT

SIGNATURE:

RESTON SIGNATURE PROPERTY LLC, a
Delaware limited liability company

By: _____
Name: _____
Title: _____

COMMONWEALTH/STATE OF _____)

CITY/COUNTY OF _____) to-wit:

I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that _____, as _____ of Reston Signature Property LLC, whose name is signed to the foregoing Agreement, has acknowledged the same before me in the jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2011.

_____[SEAL]
Notary Public

My Commission Expires: _____

Cooley LLP
DRAFT

HOST:

HMC RESTON, LLC, a _____
limited liability company

By: _____

Name: _____

Title: _____

COMMONWEALTH/STATE OF _____)

CITY/COUNTY OF _____) to-wit:

I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that _____, as _____ of HMC RESTON, LLC, whose name is signed to the foregoing Agreement, has acknowledged the same before me in the jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2011.

_____[SEAL]
Notary Public

My Commission Expires: _____

Cooley LLP
DRAFT

Cooley LLP
DRAFT

APPROVED AS TO FORM:

Assistant County Attorney
Fairfax County, Virginia

BOARD:

BOARD OF SUPERVISORS OF FAIRFAX
COUNTY, VIRGINIA

By: _____
Name: _____
Title: _____

COMMONWEALTH/STATE OF _____)

CITY/COUNTY OF _____) to-wit:

I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that _____, as _____ of the Board of Supervisors of Fairfax County, Virginia, whose name is signed to the foregoing Agreement, has acknowledged the same before me in the jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2011.

_____[SEAL]
Notary Public

My Commission Expires: _____

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ACTION - 4

Approval of a Fence Height Modification for the McLean Police and Governmental Center Renovation and Expansion Project (Dranesville District)

ISSUE:

The McLean Police Station and Governmental Center, located at 1437 Balls Hill Road, McLean VA, 22101 is currently in design for its planned renovation and expansion. The project includes the expansion and reconfiguration of the secured police parking lot. An eight-foot, non-climbable, security chain link fence is proposed to replace the existing, six-foot, standard chain link fence that currently surrounds the secured parking area and runs along Dolley Madison Boulevard. An eight-foot, standard chain link fence is also proposed to replace the existing six-foot, standard chain link fence that runs along the northern property line adjacent to Langley School.

The Zoning Ordinance restricts the heights of these fences to four feet for a front yard (Dolley Madison Blvd.) and seven feet for all other yards. The increased fence height is requested to provide additional security at the secured parking area.

RECOMMENDATION:

The County Executive recommends that pursuant to Par. 3G of Section 10-104 of the Zoning Ordinance, the Board approve the additional height of the proposed security fence that will surround the secured police parking area of the McLean Police Station and Governmental Center and the additional height of the standard chain link fence that runs along the property line adjacent to Langley School.

TIMING:

Board action is requested on July 26, 2011, to allow for the processing of the site permit.

BACKGROUND:

The renovation and expansion of the McLean Police Station was approved as part of the 2006 Public Safety Bond Referendum and is included in the FY 2012 – FY 2016 Adopted Capital Improvement Program.

Currently a six-foot, standard chain link fence surrounds the secured police parking area located behind the police station adjacent to Dolley Madison Boulevard. A six-foot,

Board Agenda Item
July 26, 2011

standard chain link fence runs along the northern property line adjacent to Langley School.

The project includes the expansion and reconfiguration of the secured police parking area. An eight-foot, non-climbable, security chain link fence is proposed to replace the existing six-foot fence. A fence height of eight-feet is proposed for increased security at the secured parking lot verses the current six-foot fence. The fence will extend from the southeast corner of the building and run to the back of the secured parking lot where it will turn and run between the secured parking lot and Dolley Madison Boulevard to the corner at the Langley School property. The security fence will run along the Langley School property line for approximately 225 feet to the soccer field where it will turn back and terminate at the corner of the building. A standard, eight-foot chain link fence is proposed to continue to run along the Langley School property line and terminate at the property corner at Balls Hill Road, replacing the current six-foot tall chain link fence that has fallen in disrepair. A fence height of eight-feet is requested to provide a consistent fence height along this property line.

Per the Zoning Ordinance, the maximum allowable fence height in a front yard is four feet and the maximum allowable fence height in all other yards is seven feet. The Zoning Ordinance (Par. 3G of Section 10-104) allows for a fence, in conjunction with a public use, to be of such height and location as approved by the Board of Supervisors.

Per the Zoning Ordinance, the property line along Dolley Madison Boulevard is considered a front yard. This modification would permit the fence height along Dolley Madison to be increased from the zoning required four-foot to eight-foot. This modification will also permit an increase from seven-foot to eight-foot, along the side yard next to Langley School for both the security and the standard chain link fence.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Site Plan

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services
Ronald N. Kirkpatrick, Deputy Director, Department of Public Works and Environmental Services, Capital Facilities

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ACTION - 5

Approval of Supplemental Appropriation Resolution AS 12006 and Approval of a Standard Project Administration Agreement for the Department of Transportation to Accept Congestion Mitigation and Air Quality Program Funding for the Dulles Corridor Bicycle and Pedestrian Improvements (Dranesville, Hunter Mill, and Providence Districts)

ISSUE:

Board approval of Supplemental Appropriation Resolution AS 12006 for the Department of Transportation to accept funding in the amount of \$9,800,000, including \$1,160,000 in Local Cash Match, and for the Department of Transportation to execute a Standard Project Administration Agreement with the Virginia Department of Transportation (VDOT) to administer the design and construction of the Dulles corridor bicycle and pedestrian improvements project. The total project cost is estimated to be \$9,800,000. Funding of \$8,640,000 is currently available in Congestion Mitigation and Air Quality (CMAQ) funding. The Local Cash Match of \$1,160,000 will be met using either Fund 102, Federal/State Grant Fund, or Fund 124, County and Regional Transportation Projects, based on available fund balances.

RECOMMENDATION:

The County Executive recommends that the Board approve the Standard Project Administration Agreement (Attachment 1), in substantial form, between the Department of Transportation and VDOT and Supplemental Appropriation Resolution 12006 for the Department of Transportation to accept funding from VDOT to administer the Dulles corridor bicycle and pedestrian improvements project. The total funding of \$9,800,000 consists of \$8,640,000 in CMAQ funding and a required Local Cash Match of \$1,160,000. The Local Cash Match will be met using either Fund 102, Federal/State Grant Fund, or Fund 124, County and Regional Transportation Projects, based on available fund balances.

TIMING:

Board approval is requested on July 26, 2011, so that the project can proceed.

BACKGROUND:

As part of prior CMAQ allocation programs, the Board approved the use of funds for bicycle and pedestrian safety, and access improvements along the Dulles Rail corridor.

Board Agenda Item
July 26, 2011

In December 2009, VDOT approved the administration of these improvements by Fairfax County. Staff has identified the top priority improvements needed along the corridor based on safety concerns, missing links, and access to activity generators and Metrorail stations along the corridor.

To participate in the CMAQ program, a Standard Project Administration Agreement for the development and administration of the proposed projects must be executed with VDOT before work on the projects can be initiated. This agreement (Attachment 1) stipulates the guidelines and requirements that the County must adhere to during the design, land acquisition, and construction of the proposed project. As part of the FY 2011 Appropriation Act, the General Assembly included additional regulations in concurrence with Federal guidelines, requiring that CMAQ funds be expended within 48 months of obligation by the Commonwealth Transportation Board. These time requirements are reflected in the agreement.

A similar project agreement was approved by the Board of Supervisors on March 29, 2011. Since then, staff and VDOT have identified the need to amend the agreement to include the required Local Cash Match. The attached agreement reflects all necessary changes.

FISCAL IMPACT:

The Board of Supervisors previously endorsed submitting this project for the CMAQ program, and in December 2009, VDOT approved the administration of this project by the County. The total amount of this award is \$9,800,000, including \$8,640,000 in CMAQ funds and a Local Cash Match of \$1,160,000. The required Local Cash Match will be met using either Fund 102, Federal/State Grant Fund, or Fund 124, County and Regional Transportation Projects, based on available fund balances. Upon approval, budget appropriation for the grant will be requested in Fund 102, Federal/State Grant Fund, as part of a quarterly review. This grant does not allow for the recovery of indirect costs.

CREATION OF POSITIONS:

No positions will be created through this grant award.

ENCLOSED DOCUMENTS:

Attachment 1: Project Agreement for Dulles Corridor Bicycle and Pedestrian Improvements

Attachment 2: Supplemental Appropriation Resolution AS 12006

Attachment 3: Resolution to Execute Agreement

Board Agenda Item
July 26, 2011

STAFF:

Robert A. Stalzer, Deputy County Executive

Ellen F. M. Posner, Assistant County Attorney

Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

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

Todd Minnix, Chief, Transportation Design Division, FCDOT

Todd Wigglesworth, Acting Chief, Coordination and Funding Division, FCDOT

Chris Wells, Pedestrian Program Manager, FCDOT

Jay Guy, Coordination and Funding Division, FCDOT

THIS PAGE INTENTIONALLY LEFT BLANK

STANDARD PROJECT ADMINISTRATION AGREEMENT
Federal-aid Projects

Project Number	UPC	Local Government
9999-029-847 P101	93146	Fairfax County

THIS AGREEMENT, made and executed in triplicate this ____ day of _____, 2011, by and between the County of Fairfax, Virginia, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT.

WHEREAS, the LOCALITY has expressed its desire to administer the work described in Appendix A, and such work for each improvement shown is hereinafter referred to as the Project; and

WHEREAS, the funds shown in Appendix A have been allocated to finance each Project; and

WHEREAS, the LOCALITY is committed to the development and delivery of each Project described in Appendix A in an expeditious manner; and;

WHEREAS, both parties have concurred in the LOCALITY's administration of the phase(s) of work for the respective Project(s) listed in Appendix A in accordance with applicable federal, state, and local law and regulations.

NOW THEREFORE, in consideration of the mutual premises contained herein, the parties hereto agree as follows:

1. The LOCALITY shall:
 - a. Be responsible for all activities necessary to complete the noted phase(s) of each Project shown in Appendix A, except for activities, decisions, and approvals which are the responsibility of the DEPARTMENT, as required by federal or state laws and regulations or as otherwise agreed to, in writing, between the parties. Each Project will be designed and constructed to meet or exceed current American Association of State Highway and Transportation Officials standards or supplementary standards approved by the DEPARTMENT
 - b. Meet all funding obligation and expenditure timeline requirements in accordance with all applicable federal and state laws and regulations, and Commonwealth Transportation Board and DEPARTMENT policies and as identified in Appendix A to this Agreement. Noncompliance with this requirement can result in deallocation of the funding, rescinding of state funding match and/or termination of this Agreement

- c. Receive prior written authorization from the DEPARTMENT to proceed with preliminary engineering, right-of-way acquisition and utility relocation, and construction phases of each Project.
- d. Administer the project(s) in accordance with guidelines applicable to Locally Administered Projects as published by the DEPARTMENT.
- e. Maintain accurate and complete records of each Project's development and documentation of all expenditures and make such information available for inspection or auditing by the DEPARTMENT. Records and documentation for items for which reimbursement will be requested shall be maintained for no less than three (3) years following acceptance of the final voucher on each Project.
- f. No more frequently than monthly, submit invoices with supporting documentation to the DEPARTMENT in the form prescribed by the DEPARTMENT. The supporting documentation shall include copies of related vendor invoices paid by the LOCALITY and an up-to-date project summary and schedule tracking payment requests and adjustments. A request for reimbursement shall be made within 90 days after any eligible project expenses are incurred by the Locality. For federally funded projects and pursuant to the Code of Federal Regulations, Title 49, Section 18.43, violations of the provision may result in the imposition of sanctions including but not limited to possible denial or delay of payment of all or a part of the costs associated with the activity or action not in compliance.
- g. Reimburse the DEPARTMENT all Project expenses incurred by the DEPARTMENT if, due to action or inaction solely by the LOCALITY, federally funded Project expenditures incurred are not reimbursed by the Federal Highway Administration (FHWA), or reimbursements are required to be returned to the FHWA, or in the event the reimbursement provisions of Section 33.1-44 or Section 33.1-70.01 of the Code of Virginia, 1950, as amended, or other applicable provisions of federal, state, or local law or regulations require such reimbursement.
- h. On Projects that the LOCALITY is providing the required match to state or federal funds, pay the DEPARTMENT the LOCALITY's match for eligible Project expenses incurred by the DEPARTMENT in the performance of activities set forth in paragraph 2.a.
- i. Administer the Project in accordance with all applicable federal, state, or local laws and regulations. Failure to fulfill legal obligations associated with the project may result in forfeiture of federal or state-aid reimbursements
- j. Provide certification by a LOCALITY official that all LOCALITY administered Project activities have been performed in accordance with all federal, state, and local laws and regulations. If the locality expends over \$500,000 annually in federal funding, such certification shall include a copy

of the LOCALITY's single program audit in accordance with Office of Management and Budget Circular A-133.

- k. If legal services other than that provided by staff counsel are required in connection with condemnation proceedings associated with the acquisition of Right-of-Way, the LOCALITY will consult the DEPARTMENT to obtain an attorney from the list of outside counsel approved by the Office of the Attorney General. Costs associated with outside counsel services shall be reimbursable expenses of the project.
 - l. For Projects on facilities not maintained by the DEPARTMENT, provide, or have others provide, maintenance of the Project upon completion, unless otherwise agreed to by the DEPARTMENT.
 - m. Ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964, regulations of the United States Department of Transportation (USDOT), Presidential Executive Orders and the Code of Virginia relative to nondiscrimination.
2. The DEPARTMENT shall:
- a. Perform any actions and provide any decisions and approvals which are the responsibility of the DEPARTMENT, as required by federal and state laws and regulations or as otherwise agreed to, in writing, between the parties and provide necessary coordination with the FHWA as determined to be necessary by the DEPARTMENT.
 - b. Upon receipt of the LOCALITY's invoices pursuant to paragraph 1.f., reimburse the LOCALITY the cost of eligible Project expenses, as described in Appendix A. Such reimbursements shall be payable by the DEPARTMENT within 30 days of an acceptable submission by the LOCALITY.
 - c. If appropriate, submit invoices to the LOCALITY for the LOCALITY's share of eligible project expenses incurred by the DEPARTMENT in the performance of activities pursuant to paragraph 2.a.
 - d. Audit the LOCALITY's Project records and documentation as may be required to verify LOCALITY compliance with federal and state laws and regulations.
 - e. Make available to the LOCALITY guidelines to assist the parties in carrying out responsibilities under this Agreement.
3. Appendix A identifies the funding sources for the project, phases of work to be administered by the LOCALITY, and additional project-specific requirements agreed to by the parties. There may be additional elements that, once identified, shall be addressed by the parties hereto in writing, which may require an amendment to this Agreement.

4. If designated by the DEPARTMENT, the LOCALITY is authorized to act as the DEPARTMENT's agent for the purpose of conducting survey work pursuant to Section 33.1-94 of the Code of Virginia, 1950, as amended.
5. Nothing in this Agreement shall obligate the parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. In the event the cost of a Project is anticipated to exceed the allocation shown for such respective Project on Appendix A, both parties agree to cooperate in providing additional funding for the Project or to terminate the Project before its costs exceed the allocated amount, however the DEPARTMENT and the LOCALITY shall not be obligated to provide additional funds beyond those appropriated pursuant to an annual or other lawful appropriation.
6. Nothing in this Agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.
7. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either party, in their individual or personal capacity for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.
8. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between the either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing, receive a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.
9. This Agreement may be terminated by either party upon 30 days advance written notice. Eligible Project expenses incurred through the date of termination shall be reimbursed in accordance with paragraphs 1.f, 1.g., and 2.b, subject to the limitations established in this Agreement and Appendix A. Upon termination, the DEPARTMENT shall retain ownership of plans, specifications, and right of way, unless all state and federal funds provided for the Project have been reimbursed to the DEPARTMENT by the LOCALITY, in which case the LOCALITY will have

ownership of the plans, specifications, and right of way, unless otherwise mutually agreed upon in writing.

10. Prior to any action pursuant to paragraphs 1.b or 1.g of this Agreement, the DEPARTMENT shall provide notice to the LOCALITY with a specific description of the breach of agreement provisions. Upon receipt of a notice of breach, the LOCALITY will be provided the opportunity to cure such breach or to provide a plan to cure to the satisfaction to the DEPARTMENT. If, within sixty (60) days after receipt of the written notice of breach, the LOCALITY has neither cured the breach, nor is diligently pursuing a cure of the breach to the satisfaction of the DEPARTMENT, then upon receipt by the LOCALITY of a written notice from the DEPARTMENT stating that the breach has neither been cured, nor is the LOCALITY diligently pursuing a cure, the DEPARTMENT may exercise any remedies it may have under this Agreement.

THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any party.

THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors, and assigns.

THIS AGREEMENT may be modified in writing by mutual agreement of both parties.

IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

County of Fairfax, VIRGINIA:

Anthony H. Griffin

Typed or printed name of signatory

County Executive _____ Date _____
Title _____

Signature of Witness _____ Date _____

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this Agreement.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

Commonwealth Transportation Commissioner _____ Date _____
Commonwealth of Virginia
Department of Transportation

Signature of Witness _____ Date _____

Attachments

Appendix A (UPC 93146)

Appendix A

Project Number: 9999-029-847 P101

UPC: 93146

Locality: Fairfax County

Project Location ZIP+4:22031-6023	Locality DUNS# 074873626	Locality Address (incl ZIP+4): 4050 Legato Road Suite 400 Fairfax, VA 22033-2867
-----------------------------------	-----------------------------	--

Project Narrative

Scope: Dulles Corridor Bicycle And Pedestrian Access

From: Reston

To: Tyson's

Locality Project Manager Contact info: Chris Wells; Chris.Wells@fairfaxcounty.gov 703-877-5772

Department Project Coordinator Contact Info: Hamid Misaghian; H.Misaghian@vdot.virginia.gov 703-259-1795

Project Costs and Reimbursement

Phase	Estimated Project Costs	Estimated Eligible Project Costs	Estimated Eligible VDOT Project Expenses	Estimated Reimbursement to Locality
Preliminary Engineering	\$9,800,000	\$9,800,000	\$140,000	\$9,660,000
Right of Way & Utilities				\$0
Construction				\$0
Total Estimated Cost	\$9,800,000	\$9,800,000	\$140,000	\$9,660,000

Total Maximum Reimbursement / Payment by Locality to VDOT

Total Maximum Reimbursement by VDOT to Locality

\$8,640,000

Project Financing

A	B	C	D	E
CMAQ	CMAQ State match	Local Project Contribution	<fund source D>	Aggregate Allocations
\$7,840,000	\$800,000	\$1,160,000		\$9,800,000

Program and project specific Funding Requirements

- This project shall be administered in accordance with VDOT's Locally Administered Projects Manual
- This is a limited funds project. Fairfax County shall be responsible for any additional funding in excess of allocations.
- This project is funded with federal-aid Congestion Mitigation Air Quality (CMAQ) program funds. These funds must be obligated within 24 months of allocation and expended within 48 months of the obligation.
 - Previous \$9,800,000 Allocation by the CTB, **Obligation deadline 7/1/2012, Expenditure deadline 7/1/2016**

This attachment is certified and made an official attachment to this document by the parties to this agreement

Authorized Locality Official and date

Authorized VDOT Official
Recommendation and Date

Typed or printed name of person signing

Typed or printed name of person signing

SUPPLEMENTAL APPROPRIATION RESOLUTION AS 12006

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax Virginia on July 26, 2011, at which a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that in addition to appropriations made previously for FY 2012, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

Appropriate to:

Agency:	40, Department of Transportation	\$9,800,000
Fund:	102, Federal/State Grant Fund	
Grant:	40029G, Dulles Corridor Bike & Ped Improvements	

Reduce Appropriation to:

Agency:	87, Unclassified Administrative Expenses	\$9,800,000
Fund:	102, Federal/State Grant Fund	
Grant:	87107G, Unclassified Administrative Expenses	

Source of Funds:	Virginia Department of Transportation	\$8,640,000
	Local Cash Match from either	\$1,160,000
	Fund 102, Federal/State Grant Fund, or	
	Fund 124, County and Regional Transportation Projects,	
	based on available fund balances	

A Copy - Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center of Fairfax, Virginia on Tuesday, July 26, 2011, at which meeting a quorum was present and voting, the following resolution was adopted.

AGREEMENT EXECUTION RESOLUTION

WHEREAS, in accordance with Virginia Department of Transportation project agreement procedures, it is necessary that a resolution be received from the local government authorizing execution of an agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Fairfax County, Virginia, authorizes County staff to execute on behalf of the County of Fairfax a Project Administration Agreement with the Virginia Department of Transportation for the Dulles Corridor Bicycle and Pedestrian Improvements by the County of Fairfax.

Adopted this ____ day of _____, 2011, Fairfax, Virginia

ATTEST _____
Nancy Vehrs
Clerk to the Board of Supervisors

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ACTION – 6

Adoption of an Amendment to Section 6-1-2.1 of the Code of the County of Fairfax,
Relating to Pneumatic Guns

ISSUE:

Board adoption of an amendment to Section 6-1-2.1, relating to pneumatic guns.

RECOMMENDATION:

The County Executive recommends that the Board adopt an amendment to Section 6-1-2.1 that would repeal the prohibition on traversing a public school ground or a public park while in possession of a pneumatic gun.

TIMING:

On July 12, 2011, the Board authorized staff to advertise the Board's intention to propose the passage of the ordinance on July 26, 2011. If adopted, the amendment will become effective immediately.

BACKGROUND:

On June 21, 2011, after providing notice as required by law, the Board held a public hearing to consider amendments to Fairfax County Code Chapter 6 (Weapons) and Appendix J (Ordinance Designating Where Firearms May Not Be Shot). County staff had prepared those amendments to update the County ordinances pertaining to the regulation of firearms and pneumatic guns in response to changes to the applicable state enabling legislation that supported such County restrictions. During that public hearing, Board members raised a number of questions with staff concerning the background of these requirements, including the provision in Section 6-1-2.1 that prohibits persons from traversing a public school ground or a public park while in possession of a pneumatic gun. The Board then adopted the amendments to Chapter 6 as recommended by staff, except that the Board declined to repeal the prohibition on traversing public schools and parks while in possession of a pneumatic gun. Instead, the Board asked the County Attorney for legal advice about that prohibition for the Board's further consideration. The County Attorney subsequently provided the information as requested.

Board Agenda Item
July 26, 2011

On July 12, 2011, the Board authorized staff to advertise the Board's intention to adopt an ordinance on July 26, 2011, that would repeal the "traverse" provision as proposed by staff on June 21, 2011.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Proposed Amendment to Section 6-1-2.1

STAFF:

Michael Long, Deputy County Attorney

Erin Ward, Assistant County Attorney

**AN ORDINANCE AMENDING
SECTION 6-1-2.1 OF THE FAIRFAX COUNTY CODE,
RELATING TO PNEUMATIC GUNS**

Draft of July 12, 2011

AN ORDINANCE to amend the Fairfax County Code by amending and readopting 6-1-2.1, relating to pneumatic guns.

Be it ordained by the Board of Supervisors of Fairfax County:

1. That Section 6-1-2.1 of the Fairfax County Code is amended and readopted as follows:

Section 6-1-2.1. - Discharge of pneumatic guns in certain places prohibited; exceptions.

~~No person shall traverse a public school ground, or a public park while in possession of a pneumatic gun.~~

(a) It shall be unlawful for any person to shoot a pneumatic gun in any areas of the County that are so heavily populated as to make such conduct dangerous to the inhabitants thereof, which areas are designated in Appendix J to the Fairfax County Code. Notwithstanding the foregoing, the following acts are not prohibited by this Section:

- (1) Use of pneumatic guns at facilities approved for shooting ranges;
- (2) Use of pneumatic guns on other property where firearms may be discharged;
- (3) Use of pneumatic guns on or within private property with the permission of the owner or legal possessor thereof when conducted with reasonable care to prevent a projectile from crossing the bounds of the property;
- (4) Shooting or discharge of a pneumatic gun by any law enforcement officer acting in the performance of the duties of a law enforcement agency. For the purposes of this Section the term "law enforcement officer" includes any person defined as a law enforcement officer pursuant to Virginia Code § 9.1-101 and any animal control officer acting in the performance of his or her duty; and
- (5) Shooting or discharge of a pneumatic gun by any representative of the Virginia Department of Game and Inland Fisheries in the performance of duty for scientific collection or wildlife management purposes.

(b) Whenever any minor below the age of 16 uses any pneumatic gun, the minor must be supervised by a parent, guardian, or other adult supervisor approved by the minor's parent or guardian. Any minor using any pneumatic gun shall be responsible for obeying all laws, regulations and restrictions governing such use at all times. Violation of this Section shall constitute a Class 3 misdemeanor.

2. That this ordinance shall take effect upon adoption.

GIVEN under my hand this _____ day of _____ 2011.

Nancy Vehrs
Clerk to the Board of Supervisors

Board Agenda Item
July 26, 2011

ACTION - 7

Approval of FY 2011 Year-End Processing

ISSUE:

Board approval to allow staff to process payment vouchers for items previously approved and appropriated in FY 2011. In addition, this item is to inform the Board that one County fund and one School Board fund require an additional appropriation for FY 2011.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the following actions:

- Authorize staff to process payment vouchers for items previously approved and appropriated in FY 2011 for the interim period from July 1 until the Board approves the *FY 2011 Carryover Review*, which is scheduled for action on September 13, 2011.
- Supplemental Appropriation Resolution AS 11155 for the one County and one School Board fund requiring an additional appropriation for FY 2011.

Since these adjustments do not increase the actual total expenditure level for all funds, a public hearing is not required.

TIMING:

Board approval is required on July 26, 2011 since the *FY 2010 Carryover Review* is not scheduled for Board action until September 13, 2011.

BACKGROUND:

The *FY 2011 Carryover Review* is scheduled for final action on September 13, 2011 following a public hearing. In the interim, Board approval is requested to allow staff to process payment vouchers for items previously approved and appropriated in FY 2011 such as capital construction projects, grant-funded programs, and capital equipment purchases for the period of July 1 to September 13, 2011 or until final action is taken on the *FY 2011 Carryover Review*. Similar action has been taken in prior years as part of the year-end closeout.

Board Agenda Item
July 26, 2011

It should be emphasized that only one County fund exceeded its appropriation authority in FY 2011. This is directly attributable to the outstanding efforts of all department heads in managing their approved allocation. Fund 501, County Insurance, exceeded its expenditure authority by \$5,914,898 due to an increase in the accrued liability as calculated in the latest actuarial valuation. As the valuation was not completed until June, an adjustment could not be made as part of the *FY 2011 Third Quarter Review*.

In addition, one School Board fund, Fund 692, School OPEB Trust Fund, exceeded its expenditure authority in FY 2011 by \$773,757 as a result of required benefit payments to retirees for Other Post Employment Benefits. It should be noted that the fund experienced higher than anticipated revenues to offset this increase.

FISCAL IMPACT:

Approval of Supplemental Appropriation Resolution AS 11155 will result in no net increase in FY 2011 total expenditures for all funds. In addition, this item relates to funding for previously appropriated items approved in FY 2011 and carried forward to FY 2012 for payment.

ENCLOSED DOCUMENTS:

Attachment 1 - Supplemental Appropriation Resolution AS 11155

STAFF:

Susan Datta, Chief Financial Officer

SUPPLEMENTAL APPROPRIATION RESOLUTION AS 11155

At a regular meeting of the Board Of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax Virginia on July 26, 2011, at which a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that in addition to appropriations made previously for FY 2011, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

Appropriate to:**County Funds**

Fund 501, County Insurance

Operating Expenditures	<u>\$5,914,898</u>
Total	\$5,914,898

Schools Funds

Fund 692, School OPEB Trust Fund

Operating Expenditures	<u>\$773,757</u>
Total	\$773,757

This action reflects year-end adjustments. It does not result in an increase in total expenditures.

A Copy - Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

ACTION – 8

Authorization to File Comments Regarding Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting (WC Docket No. 11-59)

ISSUE:

Authorization to file comments with the Federal Communications Commission (“FCC”) opposing potential federal regulations that would limit local revenues and regulatory authority over public rights-of-way and wireless sites.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to file comments with the FCC explaining the benefits of the County’s practices in encouraging broadband deployment and opposing industry proposals for federal preemption of local authority over local government property.

TIMING:

Initial comments in this rulemaking had to be filed with the FCC by July 18, 2011. Staff anticipates that many of the comments from other entities may propose changes that would adversely affect local governments, including Fairfax County. Reply comments must be filed by August 30, 2011.

BACKGROUND:

On April 7, 2011, the FCC released a Notice of Inquiry in WC Docket No. 11-59, document FCC 11-51 (“NOI”), in which the FCC seeks comments on “expanding the reach and reducing the cost of broadband deployment by improving government policies for access to rights of way and wireless facilities siting.” See the attached FCC press release summarizing the NOI.

Current federal law excludes the FCC from any role in regulating the authority of a state or local government to manage the public rights-of-way or require fair and reasonable compensation for their use, or to make decisions regarding the placement, construction, and modification of personal wireless service facilities. However, the FCC seeks as a matter of national policy to promote the expansion of broadband service. Typically, the communications industry has encouraged the FCC to see fees, taxes, or permitting

Board Agenda Item
July 26, 2011

requirements for use of state or local government property as barriers to deployment of their systems. Staff expects the industry's initial comments to make those arguments in this proceeding and will need to be able to prepare rebuttal comments to meet the August 30 deadline.

If the FCC uses this regulatory proceeding to impose federal limitations on state or local fees or taxes or to impose limitations on regulatory authority over facilities used to deliver broadband services, then substantial County revenues and the ability to protect County residents could be affected. Additional revenues come from leasing County sites for wireless antennas and towers. In addition, the state's Public Rights-of-Way Use Fee provides funding that supports transportation bonds issued by the Commonwealth Transportation Board that have funded numerous transportation projects in Fairfax County and Northern Virginia. All of these revenues could be threatened if the FCC were to take an impermissibly broad reading of its authority to regulate right-of-way or wireless facility siting charges. Moreover, federal interference in local zoning, siting, and construction matters could prevent the County from protecting its residents and their legitimate interests. The Board has already recognized this federal regulatory threat in other contexts. For example, the attached letter from Chairman Bulova to Senator Warner regarding the provisions proposed by the wireless industry in S. 911 points out that the County had to exercise its zoning authority in one case to prevent an applicant from increasing the height of a transmission pole to tower over the tree canopy on a scenic byway. One-size-fits-all federal rules could interfere with such location-specific determinations.

The County's comments would note that the County and other local communities have every interest in promoting, not preventing, broadband deployment. The County's past and current policies encourage deployment. The County's cable franchising program has enabled three cable operators to provide broadband service; when Verizon finishes its build-out, almost every home in the County will have access to two cable providers. The County has also authorized wireless facilities that provide essentially full coverage throughout the County. In a recent court case, a federal district court praised the County's record of approval for wireless antenna sites. In Fairfax County, reasonable fees and right-of-way and site management policies have fostered broadband deployment and competition.

FCC interference in these local approval processes is both unnecessary and prohibited by law. The FCC may, however, be able to play a role in requiring wireless carriers and other providers to follow best practices to accelerate and streamline the application process. The County may be able to draw upon its experience to suggest ways the FCC can use its authority to control applicant practices that delay the approval process.

Board Agenda Item
July 26, 2011

The Virginia Association of Counties and national organizations, such as the National Association of Counties, have asked local governments to file comments with the FCC to protect local communities' interests. Upon approval of this request by the Board, staff will work with these organizations to draft comments that detail the preceding points. Staff will provide a copy of the comments to the Board as soon as they are filed.

FISCAL IMPACT:

The County's comments will be drafted by staff.

ENCLOSED DOCUMENTS:

Attachment 1 – FCC's press release announcing the Notice of Inquiry (dated April 7, 2011)
Attachment 2 – Letter from Chairman Sharon Bulova to Senator Mark Warner (dated June 21, 2011)

STAFF:

Michael Long, Deputy County Attorney
Erin Ward, Assistant County Attorney

THIS PAGE INTENTIONALLY LEFT BLANK



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
April 7, 2011

NEWS MEDIA CONTACT:
Mark Wigfield, 202-418-0253
Email: mark.wigfield@fcc.gov

FCC PROMOTES ROBUST, AFFORDABLE BROADBAND BY REDUCING COSTS & DELAYS IN ACCESS TO INFRASTRUCTURE

Reforms Pole Attachment Rules to Improve Efficiency While Protecting Safety & Reliability; Launches Inquiry on Broader Reform

Washington, D.C. – Taking another important step forward in its Broadband Acceleration Initiative, the Federal Communications Commission today reformed its pole attachment rules to streamline access and reduce costs for attaching broadband lines and wireless antennas to utility poles across America - a key component of broadband infrastructure. Based on successful models in a number of states, the FCC's Pole Attachments Order balances the need for timely access to poles with the need to ensure the safety of workers and the reliability of our electric grid.

The FCC also opened an inquiry into how the Commission can work with other government entities and the private sector to improve policies for access to other physical spaces where wired and wireless broadband can be deployed, including roadways and other rights of way, and locations for wireless facilities. This sets the stage for further acceleration of broadband deployment in the future.

The cost of deploying broadband networks to consumers and businesses depends significantly on the time and expense service providers must incur to access poles and other essential infrastructure. As part of its strategy to expand access to robust, affordable broadband, the National Broadband Plan recommended that the FCC take steps to reduce the cost and time required for network providers to access utility poles and rights of way.

Pole Attachments

The FCC found that the lack of timelines for access to poles, the resulting potential for delay in attaching broadband equipment to poles, and the absence of adequate mechanisms to resolve disputes creates uncertainty that deters investment in broadband networks. In addition, widely varying and inefficiently high pole rental rates – from an average of \$7 per foot per year for cable companies to \$20 or more for some telephone companies – further discourages broadband deployment.

To address these concerns, the FCC adopted an Order comprehensively reforming its pole attachment rules for the first time since the 1990s. The rules fairly compensate utility pole owners for use of their poles and toughen penalties for unauthorized attachments, which will deter potentially dangerous, unauthorized attachments on poles.

The revised FCC rules:

- Set a maximum timeframe of 148 days for utility companies to allow pole attachments in the communications space, with a maximum of 178 days allowed for attachments of wireless antennas on pole tops, and an extra 60 days for large orders;
- Set the rate for attachments by telecommunications companies at or near the rate paid by cable companies;
- Confirm that wireless providers are entitled to the same rate as other telecommunications carriers;
- Allow ILECs, which are not covered by the rate schedule, to file complaints with the FCC for relief from unreasonable rates, terms, and conditions;
- Clarify that the denial by a utility of a request for attachment must explain the specific capacity, safety, reliability, or engineering concern;
- Encourage negotiated resolution of disputes and pre-planning and coordination between pole owners and attachers, which will be taken into account in any enforcement action; and
- Remove the cap on penalties for unauthorized attachments.

The FCC's oversight of utility poles stems from Section 224 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, which directs the FCC to ensure that rates, terms, and conditions for pole attachments by cable television systems and providers of telecommunications services are just and reasonable.

Accelerating Broadband Deployment Inquiry

In a separate but related matter, the FCC launched a comprehensive inquiry into how it can work with its state, local, Tribal, and federal partners to improve policies for access to rights of way and for wireless facility siting. The broad Notice of Inquiry seeks comment and data regarding challenges and best practices, dispute mediation, and educational efforts, and examines the need for policy guidelines or rules.

The FCC's Notice of Inquiry builds on the record begun during the FCC's February 9 Broadband Acceleration Conference and the work of the Commission's Technological Advisory Council. Other FCC efforts to accelerate broadband deployment include streamlining access to utility poles, speeding wireless tower siting with a "shot clock," and unleashing more spectrum for broadband.

Pole Attachments: Action by the Commission, April 7, 2011, by Order (FCC 11-50). Chairman Genachowski, Commissioners Copps, McDowell, Clyburn and Baker. Separate Statements issued by Chairman Genachowski, Commissioners Copps, McDowell, Clyburn and Baker.

Docket Nos.: 07-245, 09-51.

Staff contacts: Jonathan Reel at 202-418-0637 or Marvin Sacks at 202-418-2017.

Accelerating Broadband Deployment Inquiry: Action by the Commission, April 7, 2011, by Notice of Inquiry (FCC 11-51). Chairman Genachowski, Commissioners Copps, McDowell, Clyburn and Baker. Separate Statements issued by Chairman Genachowski, Commissioners Copps, McDowell, Clyburn and Baker.

Docket No: 11-59

Staff contact: Claudio Pabo at 202-418-1595.



SHARON BULOVA
CHAIRMAN

COMMONWEALTH OF VIRGINIA
County of Fairfax
BOARD OF SUPERVISORS

SUITE 530
12000 GOVERNMENT CENTER PKWY
FAIRFAX, VIRGINIA 22035-0071

TELEPHONE: 703/324-2321
FAX: 703/324-3955
TTY: 711

chairman@fairfaxcounty.gov

June 21, 2011

The Honorable Mark Warner
United States Senate
SR-459A Russell Senate Office Building
Washington, D.C. 20510-4605

Dear Senator Warner:

On behalf of the Fairfax County Board of Supervisors, I am writing to you about an issue of great importance to the County – S. 911, the Public Safety Spectrum and Wireless Innovation Act.

As you know, this legislation would deploy a nationwide, interoperable broadband network for first responders, one of the last major recommendations of the 9/11 Commission. There is much in this bill that would be helpful to the County's public safety agencies, and the Board has been on record in support of allocating an additional portion of the spectrum for public in order to build a nationwide broadband network. This would assist in the County's efforts to achieve interoperability for our first responders.

However, one particular provision in the bill is of concern to the County. Section 528 of the bill essentially says that state and local governments must approve any eligible facilities request for a modification of an existing wireless tower that does not substantially change the physical dimensions of the tower. An "eligible facilities request" would include proposals to collocate new transmission equipment on an existing wireless tower. Such a change would be a significant deviation from the careful balance between the exercise of local zoning authority and federal oversight in current federal law, included in the Telecommunications Act of 1996. That law explicitly preserved local zoning authority over telecommunications facilities, while providing for federal court review to ensure that the exercise of local zoning authority: is supported by substantial evidence; does not have the effect of prohibiting personal wireless service; and does not discriminate among service providers. Local governments believe that the new language in S. 911 would eliminate a portion of our traditional zoning authority and negate federal court review of the exercise of that authority in a manner that is at odds with the Telecommunications Act.

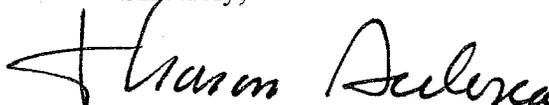
Additionally, the language in S. 911 does not define the phrase "substantially change the physical dimensions of the tower." In a Fairfax County case currently before the U.S. Court of Appeals for the Fourth Circuit, *T-Mobile Northeast, LLC v. Board of Supervisors*, T-Mobile argued that a 10-foot increase in the height of an existing 100-foot transmission pole was a collocation and did not result in any substantial change to the existing pole. The U.S. District Court for the Eastern District of Virginia found that the Board of Supervisors justifiably denied this zoning application because the pole at issue was located in the midst of established

neighborhoods on a scenic byway, and that a 10-foot increase in height would result in the transmission pole towering over the tree canopy, rather than blending into it in the manner called for by the County's Comprehensive Plan. S. 911, as currently written, could be construed as abolishing local government's authority to make these types of fact-specific determinations in the interests of the County's residents.

Finally, the justification for this preemption of local land use authority in S. 911 remains unclear. In Fairfax County, we have a strong record of approving zoning applications for wireless service facilities, as the U.S. District Court noted in the above-referenced case. In a five year period, the County approved over 550 such applications. Further, such decisions are rendered on an expedited basis under the Code of Virginia, which requires a decision on telecommunications facility zoning applications within 90 days, unless the time is extended by the governing body for a period of no more than 60 days. The exercise of local zoning authority over these types of facilities is, quite simply, working well in Fairfax County and elsewhere in the country. The wireless industry has not shown that local zoning authority is being abused, and as a result, there is no reason to enact the language in Section 528. Additionally, it is the County's ability to address constituent concerns over these types of siting issues that is at the heart of our interest in removing such a provision from S. 911.

Please feel free to contact me or have your staff contact Claudia Arko, Legislative Liaison, at (703) 324-2647, or Beth Teare, Senior Assistant County Attorney, at (703) 324-2421 if you have questions or need additional information about the County's concerns and the potential local land use implications of these provisions. I look forward to working with you as this bill goes through the legislative process. Thank you for your time and attention to these critical matters.

Sincerely,



Sharon Bulova
Chairman, Fairfax County Board of Supervisors

cc: The Honorable James H. Webb, United States Senate
The Honorable James P. Moran, United States House of Representatives
The Honorable Frank R. Wolf, United States House of Representatives
The Honorable Gerald E. Connolly, United States House of Representatives
Members, Fairfax County Board of Supervisors
Anthony H. Griffin, County Executive
David P. Bobzien, County Attorney
Susan E. Mittereder, Legislative Director
Claudia Arko, Legislative Liaison
Beth Teare, Senior Assistant County Attorney

ACTION – 9

Board Endorsement of the Strategy Outlined by the U.S. Secretary of Transportation Related to Dulles Corridor Metrorail Project Phase II and Authorization of the County Executive to Act as the Board's Agent in Negotiating a Phase II Project Memorandum of Understanding

ISSUE:

Board endorsement of the major provisions of a Dulles Corridor Metrorail Project (the Project) Phase II scope reduction strategy as proposed by the U. S. Secretary of Transportation (the Proposal) to reduce project cost from approximately \$3.83 billion to approximately \$2.805 billion. The Proposal includes shifting some project elements to Fairfax County and Loudoun County for full funding and the Metropolitan Washington Airports Authority (MWAA) agreeing to an aerial station at Dulles International Airport. In accordance with the Proposal a Draft Memorandum of Understanding (MOU) was provided to the funding partners by the U.S. Department of Transportation on July 20, 2011, that sets forth a certain understanding, expectations, and commitments concerning the completion of the Project.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors endorse the principal provisions of the Proposal strategy with the following conditions:

1. Regarding funding of the Route 28 station, Fairfax County will make every reasonable effort to assemble a funding option for the Route 28 Station and two parking garages in Fairfax County (Herndon-Monroe and Route 28) that is sufficient to shift the cost of the station and garages out of the Project. However, any Project costs shifting to Fairfax County must be contingent upon securing adequate financing through available options, including a sufficient Transportation Infrastructure Finance and Innovation Act (TIFIA) loan from USDOT, to mitigate the financial impact to Fairfax County. Accordingly, construction costs of the Route 28 Station and the Route 28 and Herndon-Monroe garages should remain in the overall Project budget pending Fairfax County's success in securing financing alternatives such as an adequate TIFIA loan. If Fairfax County is unable to secure an adequate financing alternative then the costs to construct the Route 28 Station and the Route 28 and Herndon-Monroe garages should remain in the Project and shared by all funding parties.
2. Fairfax County, USDOT, the Commonwealth of Virginia, MWAA, and Loudoun County negotiate in good faith a MOU to allow the Project to move forward in a

Board Agenda Item
July 26, 2011

way that does not require Fairfax County to fund an inequitable share of Project costs.

3. Loudoun County accepts the principal provisions of the USDOT Proposal.
4. MWAA accepts the principal provisions of the USDOT Proposal, including the aerial station.
5. The final MOU must recognize that any funding commitments by the County are subject to certain contingencies similar to those set forth in the Funding Agreement between the County, MWAA, and Loudoun pertaining to the availability of funds from the Phase II Dulles Rail Transportation Improvement District, constitutional requirements for annual appropriations if and as applicable, and the right to approve funding participations up to 90 days following receipt of the cost estimate for Phase II and based on the 100 percent preliminary engineering.

The County Executive also recommends to the Board that he act as the Board's agent in further negotiations concerning the MOU on these outstanding issues subject to the Board's approval of a final MOU prior to execution.

TIMING:

Board action is requested on July 26, 2011.

BACKGROUND:

The Dulles Corridor Metrorail Project (DCMP) Phase II is an extension of Metrorail from the Reston-Wiehle Avenue Station along the Dulles International Airport Access Highway (DIAAH), and terminating in Loudoun County at the Route 772 Station, as generally described in the Federal Transit Administration Record of Decision, as amended on November 17, 2006 (the ROD).

At its July 12, 2011 meeting, the Board received a presentation by Federal Transit Administrator Peter Rogoff on proposed USDOT scope reductions and cost sharing for Phase II. These reductions are intended to reduce the cost of Phase II from \$3.83 billion to \$2.805 billion and provide some relief to the toll road rates. The Board did not take any formal action on the proposal. Since then the MWAA and Loudoun County boards have met and voted on the USDOT proposal. Both the MWAA and Loudoun County boards voted to accept the recommendations offered by Secretary Ray LaHood with modifications or conditions that would be required for them to support the proposal.

The Secretary's Proposal included a number of provisions that impact all of the funding partners. These include:

Board Agenda Item
July 26, 2011

- Fairfax County to fund the cost of the Route 28 Station, currently estimated to be \$83 million
- Fairfax County to fund the cost of the Route 28 Station parking garage, currently estimated to be \$ 53.5 million
- Fairfax County to fund the cost of the Herndon Monroe Station parking garage, currently estimated to be \$51.4 million
- Loudoun County to fund the cost of the three parking garages for the Loudoun stations, currently estimated to be \$130.3 million
- MWAA to accept an aerial alignment for the Dulles Airport Station

On July 20, 2011, the project partners met with USDOT Secretary LaHood and FTA Administrator Rogoff. At that meeting USDOT provided a framework to move the project forward through a Draft Memorandum of Understanding (MOU). The MOU would set forth a mutual understanding between the Project Partners for completion of Phase II. It was also discussed at that meeting that the Commonwealth of Virginia has agreed to provide \$150 million to support the project and MWAA has agreed to accept the aerial station at Dulles International Airport.

FISCAL IMPACT:

The cost for the Route 28 Station is estimated at \$83 million, the Route 28 Station garage at \$53.5 million, and the Herndon Monroe garage at \$51.4 million. These costs could be reduced with the revenue generated by the garages and Federal assistance through the TIFIA loan program. Under the Project Funding Agreement Fairfax County is responsible for 16.1% of these cost, therefore Fairfax would assume 100% of these cost under the USDOT strategy.

ENCLOSED DOCUMENTS:

Attachment I: Metropolitan Washington Airports Authority Metrorail Project Motion July 20, 2011

Attachment II: County of Loudoun, Virginia Motion July 19, 2011

Attachment III: Federal Transit Agency, White Paper Regarding Secretary LaHood's Proposed Scope Reductions

Attachment IV: USDOT's Draft Memorandum of Understanding

Board Agenda Item
July 26, 2011

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

Mark Canale, FCDOT

Jim McGettrick, Office of the County Attorney

Len Wales, Department of Management and Budget

Metrorail Project Motion - July 20 2011

Mr. Chairman, I move that the Board approve the following:

First, that the Board concurs with the modifications proposed by the U.S. Secretary of Transportation to the scope and design plan for Phase 2 of Metrorail Project to include the aerial station adjacent to the North Parking Garage at Dulles International Airport on the condition that the Memorandum of Understanding include the conditions set forth in the following paragraph;

Second, that the Board believes that, before it and other Project partners can reach a final agreement on all of the proposed Phase 2 modifications, a number of related matters need to be resolved, including but not necessarily limited to the following:

1. A commitment from Loudoun and Fairfax Counties that they will assume the funding of the parking garages at the Herndon-Monroe and the Routes 28, 606 and 772 Metrorail stations and for the funding of the Route 28 station itself;
2. A commitment and clarification of the TIFIA assistance that will be made available to MWAA in the event Loudoun and Fairfax Counties are unable to unconditionally assume responsibility for the funding of the parking garages and the Route 28 station;
3. A commitment that the additional \$150 million financial contribution by the Commonwealth of Virginia will be designated for the rail project specifically; and
4. That the partners understand that there are legal restraints imposed on MWAA that prevent it from donating airport owned land that does not serve an airport purpose. Therefore, a resolution to such legal restraints must be resolved in order to build the Route 606 parking garage.
5. A commitment of Federal funding to offset toll rates and to allow for minority contracting, DBE, LDBE targeted goals that exceed the goals established in the Phase 1 project.

Third, that the Board commits to working with its Project partners in developing a memorandum of understanding or similar document that will clarify the matters presented by the Airports Authority, as well as matters presented by the partners, and will succinctly set out the Phase 2 scope, design and finance plan modifications to which the parties have agreed; further, it is the desire of the Board that such a document be prepared within the next seven to ten days and be presented for consideration by the Board at its August 3, 2011, meeting.

DRAFT MOTIONS:

1. I move that the Board of Supervisors accept the Compromise Proposal with the following conditions:
 - a. Loudoun will make a reasonable and best effort to assemble a financial option for the three (3) Loudoun garages, thereby taking the cost of the garages out of the project.
 - b. This reduced project scope is contingent upon either a private sector partner and/or the Commonwealth guaranteeing and backing the cost of these garages or other alternative financing options that require no local tax funding support, as well as the realization of TIFIA financing. Staff recommends that the garage costs be kept as an allowance in the overall project cost pending Loudoun working through a potential transaction with the private sector and the Commonwealth. If Loudoun is successful, then the costs are removed from the project. If not, then they remain a project cost shared by all parties.
 - c. The Airports Authority accepts the amended compromise proposal, including the Aerial Station.
 - d. Fairfax County accepts the amended compromise proposal.
 - e. The Commonwealth accepts the amended compromise proposal.
 - f. MWAA donates the land for the parking garage at the Route 606 station.
 - g. Consideration be given by WMATA in regards to reducing their standards for parking garages at Metro stations and considering alternate parking fees for the garages in Loudoun County.

-AND-

- h. I move that the Board of Supervisors again reject the offer of the Airports Authority to maintain an underground station by financing the differential for only Loudoun and Fairfax Counties, but not reducing the burden on the Dulles Toll Road users.

-or-

2. I move an alternate motion.



U.S. Department
of Transportation
**Federal Transit
Administration**

Administrator

1200 New Jersey Ave., S.E.
Washington, DC 20590

MEMORANDUM

To: Dulles Metrorail Phase 2 Project Stakeholders

From: Peter M. Rogoff *PMR*
Administrator

Re: White Paper Regarding Secretary LaHood's Proposed Scope Reductions

Date: July 3, 2011

- Pursuant to the direction of the Secretary as articulated during our stakeholder meeting of June 30, I have prepared the attached White Paper discussing the details of his final proposal for scope reductions to the Metrorail Phase 2 project. The paper also discusses some associated financing issues as well as the process that gave rise to his proposal.
- Please note that the table of scope reductions included in the White Paper differs from the one discussed at our June 30 meeting in only one respect. I believe it was widely agreed upon at the meeting that the potential opportunity for reducing the number of railcars necessary for the Silver Line service should remain an option to be considered upon WMATA completing its railcar fleet plan. As such, I added this option at the end of the table. The FTA expects to receive WMATA's draft plan later this month.
- Please do not hesitate to contact me or the Secretary's Chief Financial Officer, Chris Bertram, if we can provide additional information.
- I hope you and your families all have a very safe and enjoyable Independence Day holiday.

Dulles Rail Phase 2 Cost Reduction Efforts

Convening of Stakeholders

On June 1, 2011, U.S. Transportation Secretary Ray LaHood convened the first of five meetings of the principal stakeholders and funding partners of the Dulles Metrorail Phase 2 project, including the Metropolitan Washington Airports Authority (MWAA), Fairfax County, Loudoun County, the Washington Metropolitan Transportation Authority (WMATA), and the Commonwealth of Virginia.

Secretary LaHood convened these stakeholders for the purpose of establishing a common agreed-upon design and finance plan for the Phase 2 project so that it could get back on a path to successful implementation without further delay.

At the inaugural meeting, Secretary LaHood articulated his desire to complete an agreement in principle within 30 days – one that will ensure the deployment of a viable and beneficial regional transit link but at a significantly reduced cost so as to lessen the financial burden on the funding partners, local taxpayers, and the users of the Dulles Toll Road.

Criteria for Scope Reductions

The Secretary hosted five separate meetings over the 30-day period during which all participants were invited to propose project scope reductions. The Federal Transit Administration (FTA) contracted with its own Project Management Oversight Contractor (PMOC) to independently evaluate the cost and operational impact of each cost mitigation proposal for the benefit of all participants.

Over the ensuing 30 days, stakeholders discussed and debated the merits of each proposal with the technical assistance of FTA's PMOC. The Secretary sought to focus attention on scope reductions that:

- Offered significant cost savings;
- Maintained a cost effective approach to project construction;
- Maintained project performance goals;
- Sustained expected ridership; and
- Minimized significant delays associated with wholesale redesigns or substantial new environmental review requirements.

Secretary's LaHood's Proposal

At the June 30 meeting, Secretary LaHood presented a final proposal that, in the view of the USDOT, best achieves these objectives. Importantly, given the depth of feelings on the part of many stakeholders, the Secretary's proposal also sought to ensure "shared sacrifice" on the part of the major funding partners. Concessions needed to be made by all.

Taken together, the Secretary's final proposal reduces the estimated cost of the Phase 2 by \$1.058 billion below that of the original locally preferred alternative (LPA). This new cost estimate of \$2.767 billion could be reduced by as much as another \$200 million depending on the outcome of analysis of some additional potential scope reductions during July and August. The Secretary's proposed scope reductions are outlined below. A more detailed description of each adjustment is included as an appendix.

	Cost Estimate of Original LPA	\$3.825B
	Initial Project Cost Savings	Identified Cost Savings
1	Construct an Aerial Dulles Airport station near North Garage	-\$562M
2	Provide additional station amenities (windscreens, weatherization) for aerial station	+\$10M
3	Reduce Yard and Shop facilities to Dulles Phase 2 level	-\$81M
4	Transfer Responsibility for Route 28 Station to Fairfax County	-\$136M
5	Transfer Responsibility for 5 parking facilities to Fairfax and Loudoun Counties	-\$235M
6	Reduce canopy design to Phase 1 requirements	-\$15M
7	Utilize steel structures in lieu of concrete	-\$35M
8	Modify Station Finishes	-\$4M
	Initial New Cost Estimate	\$2.767B
	Later Cost Savings Opportunities (July-August)	
9	Value Engineering by MWAA	Up to -\$75M
10	Donation of Property to Project in lieu of ROW Purchase	Up to -\$53M
11	Reduce the number of Traction Power Substations (TPSS) by two (awaits WMATA simulation)	-\$34M
12	Estimating error in SCC50 (TPSS)	-\$15M
13	Reduce number of railcars (awaits WMATA Rail Fleet Plan)	Up to -\$24M

Further Governmental Assistance

The USDOT's Transportation Infrastructure Finance and Innovation Act (TIFIA) program provides credit assistance for surface transportation projects including highway, transit, railroad, intermodal freight, and port access projects. Eligible applicants include state and local governments, transit agencies, railroad companies, special authorities, special districts, and private entities. The TIFIA program is designed to fill market gaps and leverage substantial private co-investment. The program has been highly successful in bringing private sector capital into traditionally public sector investments.

In allocating TIFIA assistance, the USDOT must work within a very limited amount of credit subsidy made available annually by Congress. While the amount of credit subsidy required for each loan depends in part on the size of the loan, an even larger determinant is the overall creditworthiness of the project. In recent years, the popularity of the TIFIA program has grown exponentially.

In March of 2010, MWAA submitted a letter of interest for a TIFIA loan totaling \$1.73 billion for the Dulles Rail project. The MWAA request was one of almost 40 such requests which together sought loan assistance in excess of \$12.5 billion. The MWAA request was by far the largest of any request received for 2010, totaling well more than five times the average request for that year. Moreover, the estimated credit subsidy requirement for MWAA's loan would have absorbed all of the credit subsidy available for that year for all potential TIFIA projects across the nation.

In determining how USDOT's very limited TIFIA resources might assist in the Phase 2 project, Secretary LaHood has focused on using TIFIA to assist Loudoun and Fairfax counties in enticing public-private investment and helping defray the costs associated with the assumption of the Phase 2 parking facilities and Route 28 station. Given the difference in creditworthiness between the counties and MWAA, the limited amount of TIFIA subsidy available can go a great deal farther in lowering Phase 2 costs if directed to these project elements. Nothing in the decision would preclude MWAA from applying for Phase 2 assistance at some future time from the TIFIA program.

In the course of the recent stakeholder meetings, both Virginia Transportation Secretary Sean Connaughton and VDRPT Director Thelma Drake have discussed the possibility of the Commonwealth providing further assistance to the Phase 2 project. Such assistance could include extending the terms of the toll road lease to MWAA and providing direct credit assistance through the Commonwealth's recently-enacted State Infrastructure Bank. Both of these mechanisms hold the potential for easing the financing requirements of the project and the burden on toll road users.

Appendix:

Detailed Description of Cost Adjustments

1. Construct an aerial Dulles Airport station near the North Garage. The North Garage Aerial option would result in an aerial alignment with a station located adjacent to the existing North parking garage. In addition to a lower cost, this option reduces the construction duration. It will require further Federal environmental and historic preservation reviews. Access from the North parking garage to the airport terminal is currently provided by an underground pedestrian passageway and a regular bus shuttle service. FTA's PMOC estimates that this option would reduce the project cost by approximately \$562 million.
2. Provide additional station amenities for aerial Airport station. Windscreens could be installed on the platform, while the stairs and escalators can be built to provide for enhanced protection from the weather. Climate controlled enclosures on the platform will be available for waiting passengers. FTA's PMOC estimates that this change would reduce the savings estimated above by approximately \$10 million.
3. Reduce Yard and Shop facilities to Dulles Phase 2 level. The vehicle yard and repair shops were designed for 250 rail cars. The Dulles Phase 2 project only requires facilities to service 184 rail cars. FTA's PMOC consulted with WMATA to determine the type and size of the facilities and equipment required for this project and determined that the scope of the yard could be reduced. FTA's PMOC estimates that reductions to the size of the maintenance yard would achieve cost savings of approximately \$81 million.
4. Transfer responsibility for the Route 28 Station to Fairfax County. While constructed along with the Phase 2 project, Fairfax County would be responsible for paying the cost of constructing the Route 28 Station. FTA's PMOC estimates the cost of the station to be approximately \$136 million.
5. Transfer responsibility for five parking facilities to Fairfax and Loudoun Counties. There are five new parking garages planned for the Phase 2 project. Under this option, Fairfax and Loudoun Counties would assume the responsibility to acquire property, design, build, construct and operate these parking facilities. This could be accomplished through a Public-Private Partnership or other type of joint development. Parking revenue would accrue to the counties or their project partner – not to WMATA. FTA's PMOC estimates the cost of each parking garage as shown:

<u>Garage Location</u>	<u># Spaces</u>	<u>Estimated Cost</u>
Herndon-Monroe Station	1949	\$51.4 M
Route 28 Station	2027	\$53.5 M
Route 606 Station	1965	\$51.9 M
Route 772 Station (North)	1434	\$37.8 M
Route 772 Station (South)	1540	\$40.6 M
Total Savings	8915	\$235.3 M

6. Reduce station canopy design to be consistent with Phase 1 requirements. The current design of the Phase 2 station platform canopies is 600 feet long to cover the entire platform. This proposed change would reduce the canopy length to a minimum of 300 feet and simplify the design to match the canopies being constructed for Phase 1. FTA's PMOC estimates the cost savings for this change to be approximately \$15 million.
7. Utilize steel structures in lieu of concrete. The current project design incorporates pre-cast segmental concrete girders similar to Phase 1 to support the aerial guideway in Phase 2. There are some locations where less expensive steel girders could be used while still maintaining the structural integrity of the guideway. FTA's PMOC estimates the cost savings of this change to be approximately \$35 million.
8. Modify station finishes. This change calls for less costly roofing, flooring ceiling, interior and exterior wall surfaces and handrails on platforms, mezzanines, pedestrian bridges, and pavilions. FTA's PMOC estimates the savings of this change to be approximately \$4 million.
9. Value Engineering by MWAA. MWAA will undertake a value engineering exercise through a third-party consultant. FTA's PMOC estimates potential cost savings opportunities through this effort could be as much as \$75 million.
10. Donation of Property to Project in lieu of right-of-way purchase. Most of the property required for the project may already be owned by MWAA, Fairfax County, or Loudoun County. In addition, the Dulles Toll Road and the Dulles Greenway median is reserved for the Phase 2 project. Thus, the cost of much of the project right-of-way could be removed from the budget if the counties and MWAA donate the property to the project. MWAA will have to complete an analysis of the ownership and value of the associated parcels in the project budget to fully estimate potential cost savings. This savings could be as high as \$53 million.
11. Reduce the number of Traction Power Substations (TPSS). WMATA's new design standard calls for the Traction Power Substations, which provide electricity to run its trains, to accommodate a 120-second service frequency. However, WMATA has agreed that the Phase 2 project may use the same 135-second frequency as being built for Phase 1. FTA's PMOC believes that this is too stringent a requirement given the 7-minute service frequency called for in WMATA's operating plan for the "Silver Line". The PMOC recommends a 180-second standard, which would allow the deletion of two substations. WMATA disagrees with this proposed option unless a simulation study shows otherwise. FTA's PMOC estimates the savings of this change to be approximately \$34 million.
12. Estimating error in TPSS cost. In its review, FTA's PMOC discovered a discrepancy between the 95% preliminary engineering cost estimate and the design drawings regarding the number of traction power substations for the Dulles Phase 2 Line and the rail yard and shops. FTA's PMOC estimates the correction of this error would reduce the project cost by approximately \$15 million.

13. Reduce number of railcars. The current Dulles Phase 2 project budget calls for the purchase of 64 rail cars. The required number of railcars is based on a 2004 WMATA Operating Plan for 2025 and a 2007 WMATA Rail Fleet Management Plan (RFMP). WMATA is currently updating the RFMP to reflect their current and future system-wide fleet requirements and expects to deliver the draft Plan for review by FTA in July. The 7000 Series rail cars will be manufactured in sets of 4 cars, which are estimated to cost approximately \$12 million each. If two sets of vehicles can be eliminated from the project budget, the resulting savings is estimated by FTA's PMOC to be approximately \$24 million.

DRAFT

**MEMORANDUM OF UNDERSTANDING
BETWEEN
UNITED STATES DEPARTMENT OF TRANSPORTATION,
COMMONWEALTH OF VIRGINIA,
FAIRFAX COUNTY,
LOUDOUN COUNTY,
THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, AND
THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY**

1.0 Introduction

On this 20th day of July, 2011, the United States Department of Transportation (US DOT), the Commonwealth of Virginia (Virginia), Fairfax County (Fairfax), Loudoun County (Loudoun), the Washington Metropolitan Area Transit Authority (WMATA), and the Metropolitan Washington Airports Authority (MWAA) (collectively, the Parties) hereby enter into this MEMORANDUM OF UNDERSTANDING (MOU) to set forth their mutual understandings, expectations, and commitments concerning the completion of a Dulles Metrorail Phase 2 project.

2.0 Recitals

WHEREAS, US DOT, Virginia, Fairfax, Loudoun, WMATA and MWAA seek to enhance transportation service by bringing Metrorail service to Tysons Corner, Dulles International Airport, and the Dulles Airport Corridor through to Loudoun;

WHEREAS, on July 19, 2007, Fairfax, Loudoun, and the MWAA entered into an Agreement to Fund the Capital Cost of Construction of Metrorail in the Dulles Corridor;

WHEREAS, pursuant to its Funding Agreement with Fairfax and Loudoun, MWAA is constructing a project consisting of an extension of Metrorail from the existing Orange Line near the West Falls Church Station, through Tysons Corner, along the Dulles Corridor from Tysons Corner to the boundary of Fairfax, into Dulles International Airport, and terminating at Route 772 in Loudoun (the Project);

WHEREAS, for purposes of obtaining one or more Federal grants, construction of the Project has been divided into two phases, with Phase 1 of the Project

(Phase 1) described generally as that portion of the Project from the Metrorail Orange Line near the West Falls Church Station to and including the Wiehle Avenue Station, and Phase 2 of the Project (Phase 2) described generally as that portion of the Project west of the Wiehle Avenue Station to the terminus of the Project at the Route 772 Station in Loudoun County;

WHEREAS, on March 10, 2009, US DOT, through the Federal Transit Administration (FTA), entered into a Full Funding Grant Agreement (FFGA) with MWAA to support the construction of Phase 1;

WHEREAS, the estimated capital cost of Phase 2 project is now \$3.825 billion, up from \$2.5 billion in June 2005;

WHEREAS, the Parties to this MOU recognize the need to modify the design and finance plan for Phase 2 to reduce costs to a level as close to the original \$2.5 billion cost as possible;

WHEREAS, on June 1, 2011, Secretary of Transportation Ray LaHood convened the first of five meetings between the Parties to this MOU for the purpose of establishing a common, agreed-upon design and finance plan for Phase 2, and with the goal of completing the Project at a significantly reduced cost so as to lessen the financial burden on the Parties, local taxpayers, and the users of the Dulles Toll Road; and

WHEREAS, during five meetings over the course of 30 days, the Parties to this MOU discussed and debated the merits of scope reductions that offer significant cost savings, maintain a cost effective approach to project construction and performance goals, sustain expected ridership, and minimize delays in implementing the project.

3.0 Agreement

NOW THEREFORE, US DOT, Virginia, Fairfax, Loudoun, WMATA, and MWAA agree as follows:

3.1 Adjustments to Project Alignment and Design

- a. The Phase 2 project Metrorail Station at Dulles International Airport shall be an aerial station adjacent to the North Garage. The station shall be augmented with amenities for the purpose of providing

passengers with climate controlled spaces including climate controlled waiting areas at the platform level.

- b. The yard and shop facilities at the "Y-15" site shall be reduced to that necessary to support the service provided by the Dulles Phase 2 project. WMATA may build more extensive facilities at this site for the benefit of the entire WMATA network but the costs of such expansion shall not be part of the Dulles Metrorail Phase 2 project.
- c. The size of station canopies shall be reduced to consistent with Phase 1 project requirements and the finishes designed and installed at such stations shall be economized.
- d. Where possible, cost savings will be implemented through the use of steel structures in lieu of concrete.

3.2 Assumption of Responsibility

- a. The design, construction and operation of the parking facilities at the Herndon-Monroe Station and the Route 28 Station shall be assumed by Fairfax County.
- b. The costs of construction of the Route 28 station shall be assumed by Fairfax County.
- c. The design, construction and operation of the parking facility at the Route 606 Station and the two parking facilities at the Route 772 Station shall be assumed by Loudoun County.

3.3 Flexibility and Cooperation

- a. WMATA shall be flexible in its application of standards for the location, design, and construction of the parking facilities and the Route 28 Station to maximize the opportunity for joint use development and/or public private financing of those facilities.

- b. Parking rates at the Phase 2 project parking facilities shall be determined by the counties that are responsible for their operation with the revenue from the parking facilities being retained by the counties.
- c. Each county shall construct at a minimum the same number of parking spaces for Metrorail users as is called for under the environmental impact statement governing the project.
- d. MWAA shall guarantee access to Loudoun County for the design, construction, and operation of any part of the parking facilities at Route 606 Station that may be located on property controlled by MWAA.

3.4 Further Cost Savings Opportunities

Over the course of the next few months, further cost reductions shall be considered by the Advisory Committee created under by Section 3.8 of this MOU, below. Such further cost reductions may include:

- a. Savings resulting from the value engineering efforts conducted by MWAA;
- b. The donation of property to the project by the Parties in lieu of right-of-way purchases;
- c. A reduction in the number of Traction Power Substations (TPSS) and the associated re-estimating of TPSS costs; and
- d. A reduction in the number of railcars purchased for the purpose of the Phase 2 project.

3.5 Credit Assistance

Through its Transportation Infrastructure Finance and Innovation Act (TIFIA) program, US DOT will provide credit assistance, in the form of a Federal credit instrument, to Fairfax, Loudoun, and/or their partners, for a project that meets TIFIA's statutory and regulatory requirements. The form of TIFIA credit assistance is to encompass several project components, which may include the costs associated with the assumption of responsibility for the Phase 2 parking facilities and Route 28 Station.

Nothing in this agreement would preclude MWAA from applying for TIFIA credit assistance under a future notice of funding availability.

3.6 Financial Assistance

- a. Virginia shall contribute an additional amount of not less than \$150 million toward the Project through the Virginia State Infrastructure Bank. This assistance will be structured in a manner to minimize the tolls paid by toll road users for the Phase 2 project.
- b. In addition, Virginia shall extend the terms of the lease of the toll road to MWAA to further extend the period over which the Phase 2 project can be financed and, in so doing, shall further reduce the exposure of toll road users to the costs of the Phase 2 project.

3.7 Financial Commitment

Virginia, Fairfax, Loudoun, and MWAA shall memorialize their renewed financial commitments to the Project by entering into an intergovernmental agreement, or similar contract, by the _____ day of _____, 2011. Said intergovernmental agreement shall be cited within amended environmental documents prepared by the FTA and in the TIFIA credit assistance documents.

3.8 Advisory Committee

Virginia, Fairfax, Loudoun, WMATA and MWAA agree to establish a Dulles Metrorail Project Advisory Committee (Advisory Committee).

The purpose of the committee will be to implement the terms of this MOU and regularly monitor progress of planning, design, and construction of the Phase 2 project to ensure that the project is successfully deployed at minimal cost and in a manner satisfactory to all of the Parties to this MOU.

The Advisory Committee shall be comprised of the MWAA President/CEO, Virginia Secretary of Transportation, Fairfax County Executive, Loudoun County Administrator, and WMATA General Manager/CEO, or their designees. The Advisory Committee shall be chaired by the MWAA President in his/her continuing role of the project sponsor of the Dulles Metrorail Phase 2 project.

The Advisory Committee shall meet regularly upon the call of its Chairman but no less frequently than once per month.

4.0 Miscellaneous Provisions

4.1 Effective Date

This MOU is effective as of the date first written above.

4.2 Construction of this MOU

This MOU is intended by the Parties to be construed as whole and indivisible and its meaning is to be ascertained from the entire instrument. All parts of the MOU are to be given effect with equal dignity, including but not limited to the recitals at the beginning of this MOU, and all such parts, including the recitals, are to be given full force and effect in construing this Agreement. No provision of any recital shall be construed as being controlled by or having less force than any other part of this MOU because the provision is set forth in a recital.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date entered herein.

FOR THE UNITED STATES DEPARTMENT OF TRANSPORTATION

Name:
Title:
DATE: _____

FOR THE COMMONWEALTH OF VIRGINIA

Name:
Title:
DATE: _____

FOR THE COUNTY OF FAIRFAX

Name:
Title:
DATE: _____

FOR THE COUNTY OF LOUDOUN

Name:
Title:
DATE: _____

FOR THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Name:
Title:
DATE: _____

FOR THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

Name:
Title:
DATE: _____

Board Agenda Item
July 26, 2011

CONSIDERATION - 1

Appeal by Metro Park 6, LLC, of a Proffer Interpretation for RZ 1998-LE-048, PCA 98-LE-048-3, and FDPA 1998-LE-048-1-3 (Lee District)

ISSUE:

Board consideration of an appeal of a proffer interpretation that determined the proposed remote child care center play area to be located adjacent to a parking garage was not in substantial conformance with the governing proffers and Conceptual Development Plan Amendment/Final Development Plan Amendment.

TIMING:

The appeal was filed on June 23, 2011.

BACKGROUND:

On August 2, 1999, the Board of Supervisors (Board) approved Rezoning RZ 1998-LE-048 on 37.17 acres of land to the PDC (Planned Development Commercial) District subject to proffers to allow a mixed use development with office, retail, hotel/retail and a freestanding child care center (See Locator Map in Attachment 1).

On September 15, 2003, the Board approved Proffered Condition Amendment PCA 1998-LE-048-2 subject to proffers on 29.23 acres of land amending the easternmost portion of the site where a hotel/retail building and freestanding child care center had been originally approved to allow the consolidation of the child care center and office into a single building (Building 8). The related Final Development Plan Amendment, FDPA 1998-LE-048-1-2, was approved by the Planning Commission on July 24, 2003, subject to the Board of Supervisors' approval of PCA 1998-LE-048-2. The approved CDPA/FDPA showed Building 8 to be developed with a child care center with an adjacent outdoor play area located in a triangular area of open space at the southeast corner of the building. The PCA proffers included commitments to the following: (1) development in substantial conformance with the CDPA/FDPA; (2) permitted uses (#3); (3) a limitation on the gross floor area (GFA) to 10,000 square feet and the maximum daily enrollment of the child care center to 150 (#2); (4) the provision of a six-foot-tall acoustically solid fence as shown on the CDPA/FDPA around all sides of the outdoor play area for the child care center (#37); (5) reservation of a minimum of ten parking spaces closest to the entrance of the child care center to facilitate the drop-off and pick-up of children (#38); and (6) a limitation on the number of children allowed in the play area at any one time to 50 (#39). On April 28, 2009, in response to the appellant's request, a determination was issued by Regina C. Coyle, Director, Zoning Evaluation Division, DPZ, acting as the duly authorized

Board Agenda Item
July 26, 2011

agent of the Zoning Administrator, that the establishment of a full service restaurant in Building 8 where the child care center had originally been shown was in substantial conformance with the proffers and the CDPA/FDPA. A subsequent determination was issued on July 17, 2009, in response to the appellant's second request on this issue, which stated that the replacement of the outdoor play area for the child care center with an outdoor dining patio adjacent to the eating establishment was in substantial conformance with the proffers and the CDPA/FDPA. Prior to issuing this determination, staff inquired as to how the outdoor play area for a child care center would otherwise be provided and was informed that no child care center was planned.

On February 23, 2010, the Board approved PCA 1998-LE-048-3 subject to proffers to permit an increase in the proffered building height of Building 6 for the installation of a photovoltaic (PV) array (solar panels) upon a metal support grid in order to pursue LEED Platinum certification. The accepted proffers revised Par. 2 of the September 5, 2003, proffers to reflect a revised CDPA/FDPA that incorporated changes made by interpretation, modified Proffer 12 to reflect the increased building height of Building 6, and added a new Proffer 40 to permit public art and/or sculptures in certain areas. The Planning Commission had previously approved FDPA 1998-LE-048-1-3 on January 28, 2010, subject to the Board's approval of the PCA. Sheet 3B of the CDPA/FDPA showed Building 8 as an office building and labeled the adjacent open space area as a patio area of 2,800 square feet or a fenced 5,000-square-foot child care outdoor recreation area. No other area on the site was delineated as a possible child care outdoor play area even though the July 17, 2009, interpretation had determined that the substitution of a restaurant and outdoor dining area in lieu of a child care center and outdoor play area at Building 8 would be in substantial conformance with the proffers and the CDPA/FDPA.

Copies of the Clerk to the Board's letter and the proffers are contained in Attachment 2. A reduction of the proffered CDPA/FDPA is presented in Attachment 3.

On April 11, 2011, a request for interpretation was submitted by Ms. Inda Stagg of Walsh, Colucci, Lubeley, Emrich & Walsh, P.C., requesting a determination that the operation of a child care center within Metro Park Building 6 and the location of a play area at the southwest corner of the central parking garage would be in substantial conformance with proffers and the CDPA/FDPA.

On May 25, 2011, in response to Ms. Stagg's request, an interpretation was issued by Barbara C. Berlin, AICP, Director, Zoning Evaluation Division, DPZ, acting as the duly authorized agent of the Zoning Administrator, that the proposed child care center use to be located in Building 6 was in substantial conformance with the proffers and the CDPA/FDPA; however, the proposed remote play area for the child care center was determined not to be in substantial conformance with the proffers and the CDPA/FDPA. A revised letter dated June 20, 2011, which updated the chronology of zoning approvals governing the property was subsequently issued. It is this determination that is subject to

Board Agenda Item
July 26, 2011

appeal (Attachment 4).

Appeal Application IA 1998-LE-048 was filed on June 23, 2011, by Metro Park 6, LLC. (Attachment 5).

ZONING ADMINISTRATOR'S POSITION: The appellant argues that the proposed remote child care center play area should be considered a minor modification and therefore should be deemed to be in substantial conformance with proffers and the CDPA/FDPA governing the Metro Park Development.

The subject property is located at TM 91-1 ((31)) 4B1 and is zoned PDC (Planned Development Commercial). The development of the property is governed by Rezoning RZ 1998-LE-048, Proffered Condition Amendment PCA 98-LE-048-3, and Final Development Plan Amendment 1998-LE-048-1-3.

Par. 5 of Section 18-204 of the Zoning Ordinance provides that minor modifications to proffered conditions may be permitted when it is determined by the Zoning Administrator that such are in substantial conformance with the proffered conditions. Similar provisions are contained in Par. 4 of Section 16-403 for minor modifications to an approved final development plan (Attachment 6).

Substantial conformance is defined by the Zoning Ordinance as follows:

Substantial conformance shall be as determined by the Zoning Administrator upon consideration of the record and shall mean that conformance which leaves a reasonable margin for modification provided that:

- such modification is consistent with and does not materially alter the character of the approved development including the uses, layout and relationship to adjacent properties depicted on the approved special permit plat, special exception plat, conceptual development plan, final development plan, development plan, or proffered generalized development plan;

- such modification is consistent with any proffered or imposed conditions that govern development of the site; and,

- such modification is in accordance with the requirements of this Ordinance.

According to the Zoning Ordinance, when it is determined by the Zoning Administrator that a proposed modification is not in substantial conformance with proffered conditions or an approved final development plan, such modification shall require the resubmission and amendment of the proffered conditions and/or the final development plan.

Board Agenda Item
July 26, 2011

The June 20, 2011, determination letter by Barbara C. Berlin, acting as the agent of the Zoning Administrator, states "it is my determination that the proposed establishment of a child care center use in Building 6 would be in substantial conformance with the proffers and the CDPA/FDPA, provided all proffered limitations and requirements are met; however, the proposed outdoor play area for the child care center located behind the central parking garage is not in substantial conformance with the proffers and the CDPA/FDPA."

In the determination letter, a recommendation was also made that "if a child care center is to be provided in Building 6, an alternative more suitable open space area be designed and located on the north side of Building 6 for the outdoor play area."

In the determination letter, it is noted that the relationship between the proposed child care center in Building 6 and the associated play area at the southwest corner of the parking garage is not comparable or equivalent to that shown on the approved CDPA/FDPA for the location of a child care center in Building 8 in terms of the proximity of the play area to the center, design and character.

A child care center or nursery school located in the PDC District is subject to the standards for such uses specified in Article 9 of the Zoning Ordinance. Further, pursuant to Sect. 6-203 of the Zoning Ordinance, child care centers are permitted secondary uses in the PDC District "only when such uses are presented on an approved final development plan prepared in accordance with the provisions of Article 16; and subject to the use limitations set forth in Sect. 206 below." Sect. 206 states that when a use presented in Sect. 201 as a Group or Category use is being considered for approval as a special exception use, the use shall be subject to the provisions of Article 9.

The proposed remote child care center play area behind the central parking garage was not shown on the CDPA/FDPA as required; therefore, there was no opportunity for it to be evaluated against the Sect. 9-309 Additional Standards for Child Care Centers and Nursery Schools. Specifically, Par.1 C. of Sect. 9-309 states that an outdoor play area shall be limited to "only that area which is developable for active outdoor recreation purposes." The area proposed as a play area for a child care center in Building 6 in the interpretation request is shown on the CDPA/FDPA as an area to be developed with 10 parking spaces and foundation plantings between the parking garage and the service drive, not as useable open space. Staff does not believe the area is suitable for outdoor recreation use due to its location between the parking garage and service drive. In addition, there is no buffer or pedestrian pathway between that area and the service drive, which would further preclude it from being a reasonable location for any sort of active outdoor recreation. Furthermore, the distance between the child care center and the play area (approximately 400 feet) creates potential health and safety concerns because the play area is not visible from the center, and children would need to cross an entrance from the service drive into the parking garage and then walk along the service road in

Board Agenda Item
July 26, 2011

order to reach the play area. There is no buffer between the proposed walkway and the service drive, which creates a potentially dangerous situation when vehicles are travelling on the service road while children are walking alongside. The January 28, 2011, letter from Martha M. Pauley of the Virginia Department of Social Services states that a detailed safety plan for staff covering the route to be taken, the items to be taken (such as the first aid kits), and a means of communication would be required for that agency to consider the play area acceptable.

Staff proposed an alternative location for the play area on the north side of Building 6 in the landscaped open space. This location was suggested to the appellant numerous times and was always rejected because of the belief that a child care center play area in the front of the building would negatively impact the development. It was suggested that a well landscaped and enclosed area could be creatively designed and integrated into the overall site design. The landscaped area on the north side of Building 6 could be designed to provide a quality and beneficial play environment. Furthermore, this location would not present the safety concerns of that proposed and would provide a more logical relationship between the child care center and the play area more consistent with that shown on the CDPA/FDPA at Building 8 and could be considered a minor modification. On June 20, 2011, in a telephone discussion with staff, Ms. Pauley of the Department of Social Services stated that such a location would definitely be preferable to that proposed.

The Metro Park development is located in a PDC District. The purpose and intent of the PDC Zoning District is to promote high standards in the layout, design and construction of commercial developments. The rezoning of Metro Park to the PDC District was approved based upon its satisfaction of specific General and Design standards. The proposed location of the child care play area cannot be construed to demonstrate high standards in design or layout. In addition, the evaluation of a child care center use in the PDC District is to be guided by the Additional Standards for Child Care Centers set forth in Section 9-309 of the Zoning Ordinance. A well designed and landscaped play area on the north side of Building 6 could meet the purpose and intent of the PDC District and satisfy the Additional Standards.

The Locational Guidelines for Child Care Facilities contained in Appendix 3 of the 2011 Edition of the Policy Plan states that "in Fairfax County, as in other areas of the country, there is an increasing need for high-quality child care facilities. Such facilities should be encouraged throughout the County to the extent that they can be provided consistently with the following criteria," as contained in Attachment 7. Of particular relevance to this proposed facility are Criteria 2, and 4. Criterion 2 states that "Child care facilities should be located and designed to ensure the safety of children." Criterion 4 states that "Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians." The Zoning Administrator does not believe that the

Board Agenda Item
July 26, 2011

proposed child care center play area satisfies Criteria 2 and 4 because of its location and the inherent danger associated with walking children along a service road to reach the area.

In the appeal filed on June 23, the appellant cites five reasons for why it believes the proposed play area should be allowed without an amendment to the approved zoning.

First, the Appellant argues that child care centers within office parks are one of the more effective ways to cut vehicular trips, and the provision of an additional child care center would be well received in this area of Springfield.

The appellant's statement of policy does not provide justification for a determination that the remote play area is in substantial conformance with the approved zoning.

Second, the appellant states that child care uses are permitted within any building of Metro Park, as acknowledged by the interpretation, and that it is reasonable to assume that outdoor play areas would be requested for any child care uses established within Metro Park, even if they were not shown on the CDPA/FDPA. Neither the proffers nor the CDPA/FDPA require that the play areas be "comparable" to the optional play area shown specifically for Building 8, and even if they did, there are no standards to gauge what would be "comparable."

Note 5 on the CDPA/FDPA states that child care centers, among other listed uses, "may" be established in each of the buildings. It does not state that they are "permitted." Par. 10 of Sect. 16-402 of the Zoning Ordinance states that "once a final development plan has been approved, all subsequent approvals, uses and structures shall be in substantial conformance with the approved final development plan and any development conditions associated with such approval." A substantial conformance determination must be consistent with the approved CDPA/FDPA and proffers, and must be in accordance with the Zoning Ordinance. As previously discussed, the approved FDPA did not show a play area in the proposed location, or any location, except that shown on the approved CDPA/FDPA. Even though an interpretation had been issued to permit a restaurant with outdoor dining patio to locate in Building 8, the subsequently approved CDPA/FDPA continued to show the child care center play area adjacent to Building 8. No alternative location for a play area was indicated on the development plan or in the proffers.

Third, the appellant argues that the proposed play area location is in accordance with the Additional Standards for Child Care Centers set forth in Sect. 9-303 of the Zoning Ordinance, including that the 3,178 square foot proposed play area is developable for recreational purposes because the 10 surface parking spaces that would be removed are not required, are superfluous, and the property will continue to be well parked.

The area proposed as a play area was shown as an area of parking and foundation

Board Agenda Item
July 26, 2011

plantings between the parking garage and service road. The appellant has previously contended that the area is developable for recreational purposes because a play area is proposed to be developed in it; however, that is tautologous reasoning and does not alter the fact that the area was not shown as developable open space on the CDPA/FDPA, likely because its location between a parking garage and service road without pedestrian access would normally preclude such use as a play area for small children.

Fourth, the appellant argues that the proposed play area meets the criteria for a minor modification pursuant to Par. 4 of Sect. 16-403.

Under the Zoning Ordinance, the approval of a minor modification to an approved rezoning requires a determination by the Zoning Administrator that such modification is in substantial conformance with the approved rezoning. As previously noted above, the Director of ZED, as a duly authorized agent of the Zoning Administrator, determined that the proposed play area is not in conformance with the governing proffers and CDPA/FDPA. This determination is reasonable, and it was lawfully made under the Zoning Ordinance Sections 18-204 and 16-403. The mere fact that the appellant disagrees with the determination does not constitute evidence that the determination is erroneous or plainly wrong.

Fifth, the appellant argues that the Department of Social Services has determined that the location of the play area is adequate as stated in its letter.

According to Martha M. Pauly, Licensing Inspector, Virginia Department of Social Services, in a phone conversation with staff on June 20, 2011, there is no specific formula for evaluating child care center play areas. Each facility is evaluated individually. Ms. Pauley further stated that normally when a play area is not adjacent to the child care center, it is located in a public park. When the play area is not adjacent to the child care center, safety is a primary consideration, and therefore more supervision of children and a plan for safety and emergencies is required. She further indicated that the proposed location is not optimal or preferred but that the basic standards of adequate space per child and safety requirements were met, subject to the implementation of a safety plan. The standards for approving a child care center and play area are minimum standards. She further opined that a play area located on the north side of the building would be a better option.

It should be noted that the appellant's argument ignores the fact that this is a zoning issue and not a licensing issue. The parameters of the approved zoning (the proffers and the CDPA/FDPA), the PDC District General and Design Standards, the Additional Standards for Child Care Centers, and the Locational Guidelines for Child Care Facilities contained in the Policy Plan dictate a higher than minimum evaluation standard for the design of the project and for the safety of children.

Board Agenda Item
July 26, 2011

In conclusion, the appellant's arguments for a determination that the proposed child care center play area location is a minor modification that should be administratively approved has no merit. Such a determination can only be made by the Zoning Administrator or her authorized agent under the Zoning Ordinance. The Zoning Administrator, through her authorized agent, has already made the determination that the proposed location of the proposed remote child care center play area is not in substantial conformance with the proffers and the CDPA/FDPA. This determination is reasonable, the Zoning Administrator was legally authorized to make it, and there is no evidence that it is wrong. Therefore, for the reasons set forth above, the Zoning Administrator respectfully requests that the Board uphold the Zoning Administrator's determination as set forth in the June 20, 2011, letter by Barbara C. Berlin, AICP.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:

Attachment 1: Locator Map

Attachment 2: Proffers for PCA 1998-LE-048-3, PCA 1998-LE-048-2

Attachment 3: Reduction of the CDPA/FDPA

Attachment 4: June 20, 2011 Proffer Interpretation

Attachment 5: Application for Appeal

Attachment 6: Applicable Zoning Ordinance Provisions

Sections 16-403, 18-204, 6-201, 6-203, 6-206, 16-101, 16-102, 9-309

Attachment 7: Locational Guidelines for Child Care Facilities

STAFF:

Robert A. Stalzer, Deputy County Executive

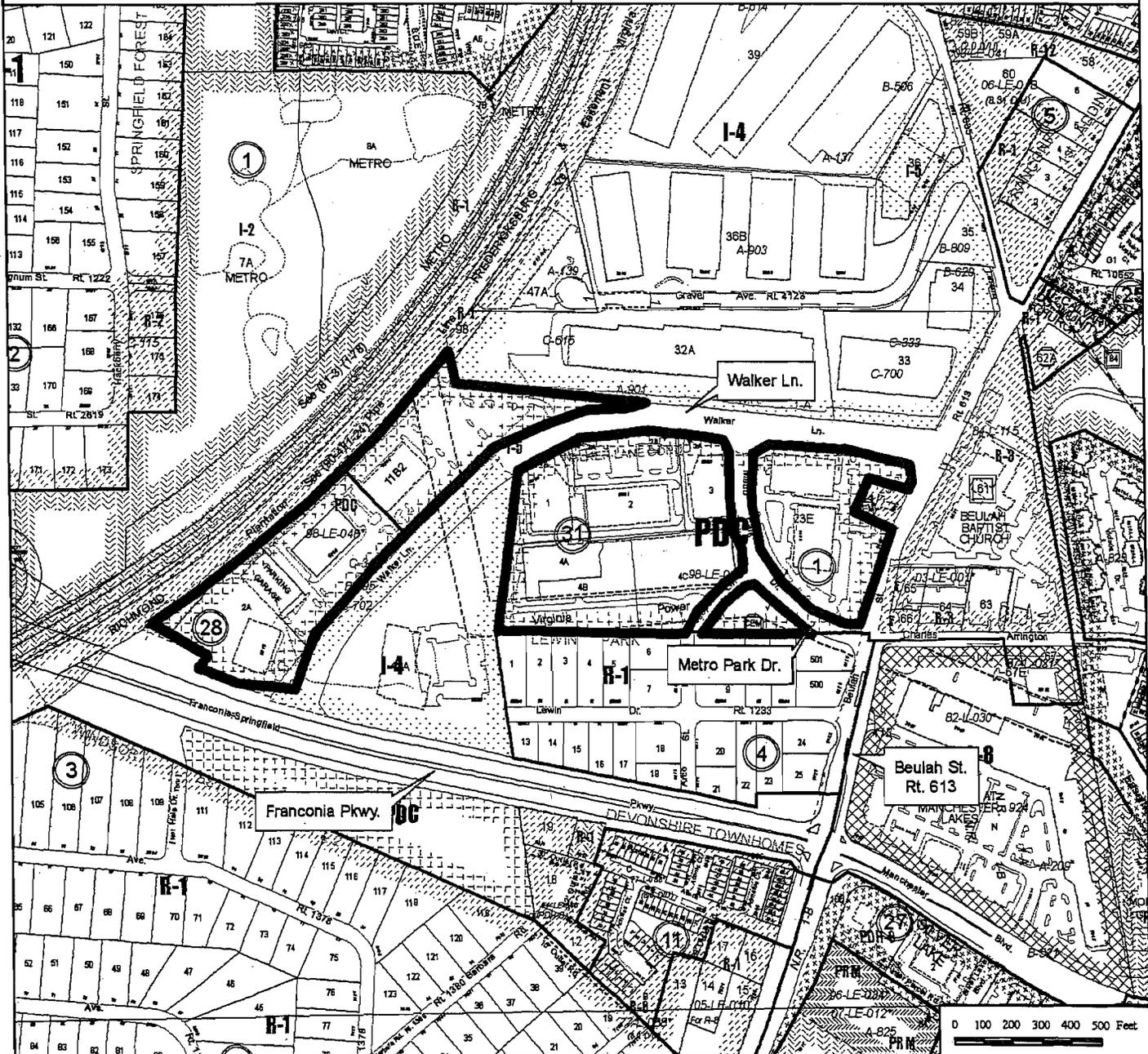
Fred R. Selden, Acting, Director, Department of Planning and Zoning (DPZ)

Barbara C. Berlin, Director, Zoning Evaluation Division (ZED), DPZ

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

Mary Ann Godfrey, Senior Staff Coordinator, ZED, DPZ

Final Development Plan Amendment		Proffered Condition Amendment	
FDPA 1998-LE-048-01-03		PCA 1998-LE-048-03	
Applicant:	CSHV METRO PARK LLC	Applicant:	CSHV METRO PARK LLC
Accepted:	10/27/2009	Accepted:	10/27/2009
Proposed:	AMEND RZ 1998-LE-048 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT INCREASE PROFFERED BUILDING HEIGHT	Proposed:	AMEND RZ 1998-LE-048 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT INCREASE PROFFERED BUILDING HEIGHT
Area:	29.09 AC OF LAND; DISTRICT - LEE	Area:	29.09 AC OF LAND; DISTRICT - LEE
Located:	SOUTHEAST AND SOUTHWEST QUADRANT OF WALKER LANE AND WEST SIDE OF WALKER LANE	Located:	SOUTHEAST AND SOUTH WEST QUADRANT OF INTERSECTION OF WALKER LANE AND METRO DRIVE AND WEST SIDE OF WALKER LANE
Zoning:	PDC	Zoning:	PDC
Map Ref Num:	091-1- /01/ /0011B2 /01/ /0023E /28/ /0001 /28/ /0002A /31/ /0001 /31/ /0001A /31/ /0002 /31/ /0002A /31/ /0002B /31/ /0003 /31/ /0003A /31/ /0003B /31/ /0004A /31/ /0004B /31/ /0004C	Map Ref Num:	091-1- /01/ /0011B2 /01/ /0023E /28/ /0001 /28/ /0002A /31/ /0001 /31/ /0001A /31/ /0002 /31/ /0002A /31/ /0002B /31/ /0003 /31/ /0003A /31/ /0003B /31/ /0004A /31/ /0004B /31/ /0004C





County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

February 24, 2010

Inda E. Stagg
Walsh, Colucci, Lubeley, Emrich and Walsh, P.C.
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

RE: Proffered Condition Amendment Application PCA 1998-LE-048-03

Dear Ms. Stagg:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on February 23, 2010, approving Proffered Condition Amendment Application PCA 1998-LE-048-03 in the name of CSHV Metro Park LLC. The Board's action amends the proffers for Rezoning Application RZ 1998-LE-048, previously approved for commercial development to permit an increase in proffered building height and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.62. The subject property is located in the southeast and southwest quadrants of the intersection of Walker Lane and Metro Drive and on the west side of Walker Lane on approximately 29.09 acres of land, zoned PDC [Tax Map 91-1 ((1)) 11B2 and 23E; 91-1 ((28)) 1 and 2A; 91-1 ((31)) 1, 1A, 2, 2A, 2B, 3, 3A, 3B, 4A, 4B and 4C], in the Providence District and is subject to the proffers dated January 28, 2010.

Please note that on January 28, 2010, the Planning Commission approved Final Development Plan Amendment FDPA 1998-LE-048-1-3.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>
(218)

The Board also:

- Modified the transitional screening yard and barrier requirements along the southern and eastern boundaries and within Metro Park, in favor of that shown on the Conceptual Development Plan Amendment and referenced in the proffers.
- Approved a variance, pursuant to Section 16-401 of the Zoning Ordinance, to allow a seven-foot tall wall in a front yard with regard to the proffered fence along the southern boundary of the site.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ph

Cc: Chairman Sharon Bulova
Supervisor Jeffrey McKay, Lee District
Janet Coldsmith, Director, Real Estate Division. Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Denise James, Office of Capital Facilities/Fairfax County Public Schools
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

Proffered Condition Amendment

Metro Park

PCA 1998-LE-048-3/FDPA 1998-LE-048-1-3

January 28, 2010

Pursuant to Section 15.22303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in the Proffer Condition Amendment application hereby reaffirm that the development of the parcels under consideration are now shown in the Fairfax County Tax Maps as TM 91-1 ((1)) 11B2 and 23E; 91-1 ((28)) 1 and 2A; and 91-1 ((31)) 1 – 4C (collectively the "Property") and will be in accordance with the proffered conditions accepted by the Board of Supervisors in the approval of RZ/FDP 1998-LE-048 dated July 30, 1999, and the undated proffers accepted in PCA 1998-LE-048 and FDPA 1998-LE-048, and the proffers accepted by the Board of Supervisors in the approval of PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2 dated September 5, 2003 except as qualified below. In the event this application is denied, these proffers shall be null and void. The Owners and the Applicant (hereinafter the "Applicant"), for themselves, their successors and assigns, reaffirms all previous proffers except as specifically modified herein and agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with the applicable County and State statutory procedures. The Applicant hereby amends the approved CDPA/FDPA and makes the additions and/or revisions to the proffered conditions accepted in RZ 1998-LE-048 and PCA/FDPA 1998-LE-048 and PCA 1998-LE-048-2/ FDPA 1998-LE-048-1-2 and are listed below.

The second paragraph of the September 5, 2003 proffers that were accepted pursuant to PCA1998-LE-048-2/FDPA 1998-LE-048-1-2 is deleted, and the following substituted:

The Applicant agrees that the development shall be in substantial conformance with the submitted CDPA/FDPA, which was prepared by VIKA and is dated December 11, 2009 (the "Plan"). In accordance with the provisions of Sections 18-204 and 16-403 of the Zoning Ordinance, the Applicant reserves the right to make minor modifications to the approved development plan in order to address engineering and architectural issues at the time of final site plan approval.

Proffers 1 – 11 are hereby reaffirmed.

Proffer Number 12, previously revised pursuant to PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2, is hereby reaffirmed, as stated below, and the following language is added to the end of this proffer (underlined):

Buildings shall not exceed the height shown on the Plan except that the building identified as Phase 7 shall not exceed 55 feet as shown on the Plan. (Provided, however, the calculation of building height shall exclude parapet walls and all other structures specified in Section 2-506 of the Zoning Ordinance). The height of the parking structures shall not exceed 60 feet.

The height of the building identified as Phase 6 shall be permitted to increase by up to 20 feet (for a maximum of 165 feet in height) for the installation of a photovoltaic ("PV") array (solar panels) upon a metal support grid only. If the PV array and solar panels are constructed, then the physical roof of Phase 6 shall continue to be limited to 145 feet in height as measured from the average grade; however, structures that are excluded from maximum height regulations pursuant to Sect. 2-506 of the Ordinance prior to installation of the PV array and grid; shall be excluded after installation of the PV array and grid.

Proffers 13 – 39 are hereby reaffirmed.

Add Proffer 40 (underlined):

Public art and/or sculptures may be installed within select common areas of the Property as generally shown on the attached graphic; however, public art and/or sculptures may not be installed within any area that may obstruct site distance, as regulated by Sect. 2-505 of the Ordinance, *Use Limitations on Corner Lots*.

[SIGNATURES BEGIN ON NEXT PAGE]

Applicant/Title Owner of Tax Map 91-1 ((31)) 2, 4B

CSHV METRO PARK, LLC,
a Delaware limited liability company

By: **INGCal Tactical, LLC,**
a Delaware limited liability company,
its Sole Member

By: **ING Tactical Manager, LLC,**
a Delaware limited liability company,
its Manager

By: **ING Clarion Partners, LLC,**
a New York limited liability company,
its Sole Member

By: 

Marc C. DeLuca
Authorized Signatory

[SIGNATURES CONTINUE ON NEXT PAGE]

Title Owner of Tax Map 91-1 ((1)) 11B2; 91-1 ((28)) 1;
91-1 ((31)) 1, 1A, 2A, 2B, 3, 3A, 3B, 4A, 4C

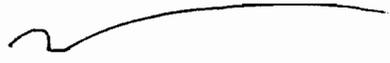
METROPARK 2345 LLC
a Delaware limited liability company,

By: CSHV Metro Park, LLC,
a Delaware limited liability company
its Sole Member

By: INGCAL Tactical, LLC,
a Delaware limited liability company,
its Sole Member

By: ING Tactical Manager, LLC,
a Delaware limited liability company,
its Manager

By: ING Clarion Partners, LLC,
a New York limited liability company,
its Sole Member

By: 

Marc C. DeLuca
Authorized Signatory

[SIGNATURES CONTINUE ON NEXT PAGE]

Title Owner of Tax Map 91-1 ((28)) 2A

METROPARK 7 LLC,
a Delaware limited liability company,

By: CSHV Metro Park, LLC,
a Delaware limited liability company,
its Sole Member

By: INGCAL Tactical, LLC,
a Delaware limited liability company,
its Sole Member

By: ING Tactical Manager, LLC,
a Delaware limited liability company,
its Manager

By: ING Clarion Partners, LLC,
a New York limited liability company,
its Sole Member

By: 

Marc C. DeLuca
Authorized Signatory

[SIGNATURES CONTINUE ON NEXT PAGE]

Title Owner of Tax Map 91-1 ((1)) 23E

METROPARK 8 LLC,
a Delaware limited liability company

By: CSHV Metro Park, LLC,
a Delaware limited liability company,
its Sole Member

By: INGCAL Tactical, LLC,
a Delaware limited liability company,
its Sole Member

By: ING Tactical Manager, LLC,
a Delaware limited liability company,
its Manager

By: ING Clarion Partners, LLC,
a New York limited liability company,
its Sole Member

By: 

Marc C. DeLuca
Authorized Signatory

[SIGNATURES END]



FAIRFAX COUNTY

2ED
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

Tel: 703-324-3151 • Fax: 703-324-3926 • TTY: 703-324-3903

V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm

Email: clerktothebos@fairfaxcounty.gov

October 22, 2003

Carson Lee Fifer, Jr., Esquire
McGuire, Woods, L.L.P.
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102-4215

RE: Proffered Condition Amendment
Number PCA 1998-LE-048-2

Dear Mr. Fifer:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on September 15, 2003, approving Proffered Condition Amendment PCA 1998-LE-048-2 in the name of MPW, LLC, to amend proffers for RZ 1998-LE-048 previously approved for mixed use development to permit office use and a child care center in lieu of the previously approved hotel and child care center on a portion of the site with an overall Floor Area Ratio (FAR) of 0.85, located on the west side of Beulah Street, north of the Franconia Springfield Parkway, Tax Map 91-1 ((1)) 11B2 and 23C; 91-1 ((18)) 1 and 2, subject to the proffers dated September 5, 2003, consisting of approximately 29.23 acres located in Lee District.

The Conceptual Development Plan Amendment was approved; the Planning Commission having previously approved Final Development Plan FDPA 98-LE-048-1-2 on July 24, 2003, subject to the Board's approval of PCA 1998-LE-048-2.

The Board also:

- **Modified the transitional screening yard requirement and barrier requirement along the southern and eastern boundaries and within Metro Park in favor of that shown on the Conceptual/Final Development Plan Amendment and referenced in the proffers.**

PCA 1998-LE-048-2
October 22, 2003

- 2 -

- **Granted a variance pursuant to Section 164-01 of the Zoning Ordinance to allow a seven foot tall wall in a front yard with regard to the proffered fence along the southern boundary.**

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ns

cc: Chairman Katherine K. Hanley
Supervisor Kauffman, Lee District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Enforcement Branch
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transprt'n. Planning Div.
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Department of Highways - VDOT
Land Acq. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES
Barbara J. Lippa, Director Planning Commission
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 15th day of September, 2003, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 1998-LE-048-2**

WHEREAS, MPW, LLC filed in the proper form an application to amend the proffers for RZ 1998-LE-048 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

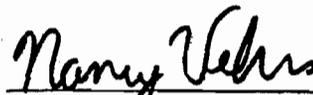
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Lee District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 15th day of September, 2003.



Nancy Veltus

Clerk to the Board of Supervisors

PROFFER CONDITION AMENDMENT

METRO PARK

PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2

Date: September 5, 2003

Pursuant to Section 15.2-2303(a) of the Code of Virginia, 1950, as amended, the property owners and Applicant in this Proffer Condition Amendment application hereby reaffirm that the development of the parcels under consideration are now shown on the Fairfax County Tax Maps as Tax Map Reference Nos. as 91-1-((1))-23C and 11-B2 and Tax Map Reference 91-1-((28))-1 and 2 (hereinafter referred to collectively as the "Property") and will be in accordance with the proffered conditions accepted by the Board of Supervisors in the approval of RZ/FDP 1998-LE-048 dated July 30, 1999, and the undated proffers accepted in PCA 1998-LE-048 and FDPA 1998-LE-048, except as qualified below. In the event this application is denied, these proffers shall be null and void. The Owners and the Applicant (hereinafter the "Applicant"), for themselves, their successors and assigns, reaffirms all previous proffers except as specifically modified herein and agree that these proffers shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. The Applicant hereby amends the approved CDPA/FDPA and makes the additions and/or revisions to the proffered conditions accepted in RZ 1998-LE-048 and PCA/FDPA 1998-LE-048 and are listed below.

The second paragraph of the July 30, 1999 proffers, which was amended by the third paragraph of the undated Partial Proffered Condition Amendment accepted pursuant to PCA 1998-LE-048 and FDPA 1998-LE-048, are both deleted, and the following substituted:

The Applicant agrees that the development will be in substantial conformance with the submitted CDPA/FDPA/PCA dated March 2002 and revised through July 8, 2003 (the "Plan"). Subject to the proffers and the provisions of Sections 18-204 and 16-403 of the Zoning Ordinance, the Applicant reserves the right to make minor modifications to the approved development plan in order to address engineering and architectural issues at the time of final site plan approval.

1. Proffer numbered 1, dated July 30, 1999, is hereby reaffirmed.

September 5, 2003

2. Proffer numbered 2, dated July 30, 1999, is hereby deleted and the following substituted:

[Proffer 2] The Property will be developed at a floor ratio (FAR) not to exceed 0.60 for office uses. The combined FAR for all uses as shown on the Plan and as defined below shall not exceed 0.62. Office uses shall not exceed 1,075,270 gross floor area (GFA), and the child care use shall not exceed 10,000 GFA. The maximum daily enrollment of the child care center shall not exceed 150. The total FAR of .62 includes density credit for dedication of right of way and Parcel 11C as set forth in Proffer #1 dated July 30, 1999.

3. Proffer numbered 3, dated July 30, 1999, is hereby deleted and the following substituted:

[Proffer 3] Accessory uses shall be permitted within the office buildings as said term is defined in Section 20-300 of the Zoning Ordinance. In addition to the uses shown for each of the buildings, Applicant may establish all, any, or any other combination of the uses set forth in Note 5 on the Plan.

4. Proffers numbered 4 through 11, both inclusive, and dated July 30, 1999, are hereby reaffirmed.

5. Proffer numbered 12, originally dated July 30, 1999, and amended in the Partial Proffered Condition Amendment accepted pursuant to PCA 1998-LE-048 and FDPA 1998-LE-048, is hereby deleted and the following substituted:

[Proffer 12] Buildings shall not exceed the height shown on the Plan except that the building identified as Phase 7 shall not exceed 55 feet as shown on the Plan. (Provided, however, the calculation of building height shall exclude parapet walls and all other structures specified in Section 2-506 of the Zoning Ordinance). The height of the parking structures shall not exceed 60 feet.

6. Proffers numbered 13 through 29, both inclusive, and dated July 30, 1999, are hereby reaffirmed.

7. Proffer numbered 30, dated July 30, 1999, is hereby deleted and the following substituted:

[Proffer 30] To provide the residents of Lewin Park with access to Beulah Street, a road connection from Jasper Lane to Arco Street in

Lewin Park, as shown on the Plan, shall be required and its construction will occur concurrently with construction of the next office building, which will be any one of the buildings labeled on the Plan as Phases 5 through 8. This road connection shall connect to Metropark Drive. Compliance with this proffer shall be based upon the date of these proffers.

8. Proffer numbered 31, dated July 30, 1999, is hereby deleted and the following substituted:

[Proffer 31] A road connection to Lewin Park will be allowed at two locations. The Jasper Lane/Arco Street connection is described in Proffer 30 above, and the cost of its construction will be at the expense of the Applicant, its successors or assigns. A second connection from Metro Park Drive has not been determined, and the cost of its construction, including removal of any portion of the wall constructed pursuant to Proffer Number 9, shall be at the expense of the developer of Lewin Park.

9. Proffers numbered 32 through 34, both inclusive, and dated July 30, 1999, are hereby reaffirmed.

10. Proffer numbered 35, subsections (1) through (4), originally dated July 30, 1999, is hereby reaffirmed. Subsection (5) of proffer 35 is hereby deleted and the following substituted:

[Proffer 35(5)] Upon achieving a total occupancy level on the Property of 1,075,270 GFA of development (as evidenced by the issuance of Non-RUPS), the Applicant or assigns shall cause a traffic study to be undertaken to assess the accuracy of the total peak hour vehicle trip generation projections for the property based upon the ITE Trip Rates used to generate the estimated volume counts contained on Table 2 of the Traffic Impact Study prepared by Wells & Associates dated May 5, 1999. The study shall be submitted to the Fairfax County Department of Transportation.

11. Proffer numbered 36 is hereby reaffirmed.

With approval of PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2, the following new proffers are hereby added and numbered sequentially with the previously accepted proffers dated July 30, 1999:

September 5, 2003

37. A six foot tall, board-on-board acoustically solid fence as shown on the CDPA/FDPA shall be provided around all sides of the outside play area for the child care center.

38. A minimum of ten parking spaces that are the closest to the entrance of the child care center shall be reserved for use by the child care center, so as to facilitate drop off and pick up of the children. Signs that state that the spaces are reserved shall be provided. The staff of the child care center shall be prohibited from parking in these spaces.

39. The number of children in the play area at any one time shall not exceed 50. This proffer does not limit the daily enrollment of the child care center. Proffer #2 addresses daily enrollment.

[SIGNATURE PAGES ATTACHED]

PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2
September 5, 2003

OWNER OF FAIRFAX COUNTY TAX MAP: 91-1-((1))-
23C

MPW LLC, a Virginia limited liability company

By: Metro Park Associates LLC,
a Virginia limited liability
company, sole member

By: 
B. Mark Fried, Manager

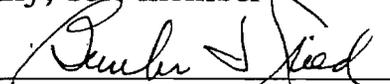
PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2
September 5, 2003

OWNER OF FAIRFAX COUNTY TAX MAP: 91-1-((1))-
23C

MPW LLC, a Virginia limited liability company

By: Metro Park Associates LLC,
a Virginia limited liability
company, sole member

By:



Barbara J. Fried, Manager

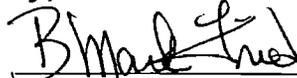
PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2
September 5, 2003

OWNER OF FAIRFAX COUNTY TAX MAP:
91-1-((28))-1, 2 and 91-1-((1))-11B2

MPE LLC, a Virginia limited liability company

By: Metro Park Associates LLC,
a Virginia limited liability
company, sole member

By:



B. Mark Fried, Manager

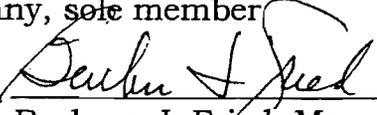
PCA 1998-LE-048-2/FDPA 1998-LE-048-1-2
September 5, 2003

OWNER OF FAIRFAX COUNTY TAX MAP:
91-1-((28))-1, 2 and 91-1-((1))-11B2

MPE LLC, a Virginia limited liability company

By: Metro Park Associates LLC,
a Virginia limited liability
company, sole member

By:


Barbara J. Fried, Manager

\\REA\133585.6



SUBJECT OF CONCEPTUAL/
FINAL DEVELOPMENT PLAN
AMENDMENT

EXISTING WAREHOUSES

SUBJECT OF CONCEPTUAL/
FINAL DEVELOPMENT PLAN
AMENDMENT



FUTURE INTERPARK ACCESS TO
INDUSTRIAL PROPERTY (BY OTHERS)

CHURCH
USE

METRO
STATION

NOT INCLUDED IN APPLICATION

EXISTING SINGLE FAMILY DETACHED RESIDENTIAL

SHOPPING CENTER

EXISTING TOWNHOUSE
RESIDENTIAL

THE
ENGINEERING GROUP, INC.
1000 S. GARDNER BLVD. SUITE 100
WOODBRIDGE, VIRGINIA 22192
703-670-0985

DATE	
COUNTY REVISION	

PROFFERED CONDITION AMENDMENT CDPA/FDPA
METRO PARK
FAIRFAX COUNTY, VIRGINIA

VIVA
DESIGNED BY PLANNERS & ARCHITECTS ASSOCIATES, INC. (P&A)
1400 BRIDGEMAN BLVD., SUITE 200
DUBLIN, VA 22024
TEL: (703) 670-0985 FAX: (703) 670-0986



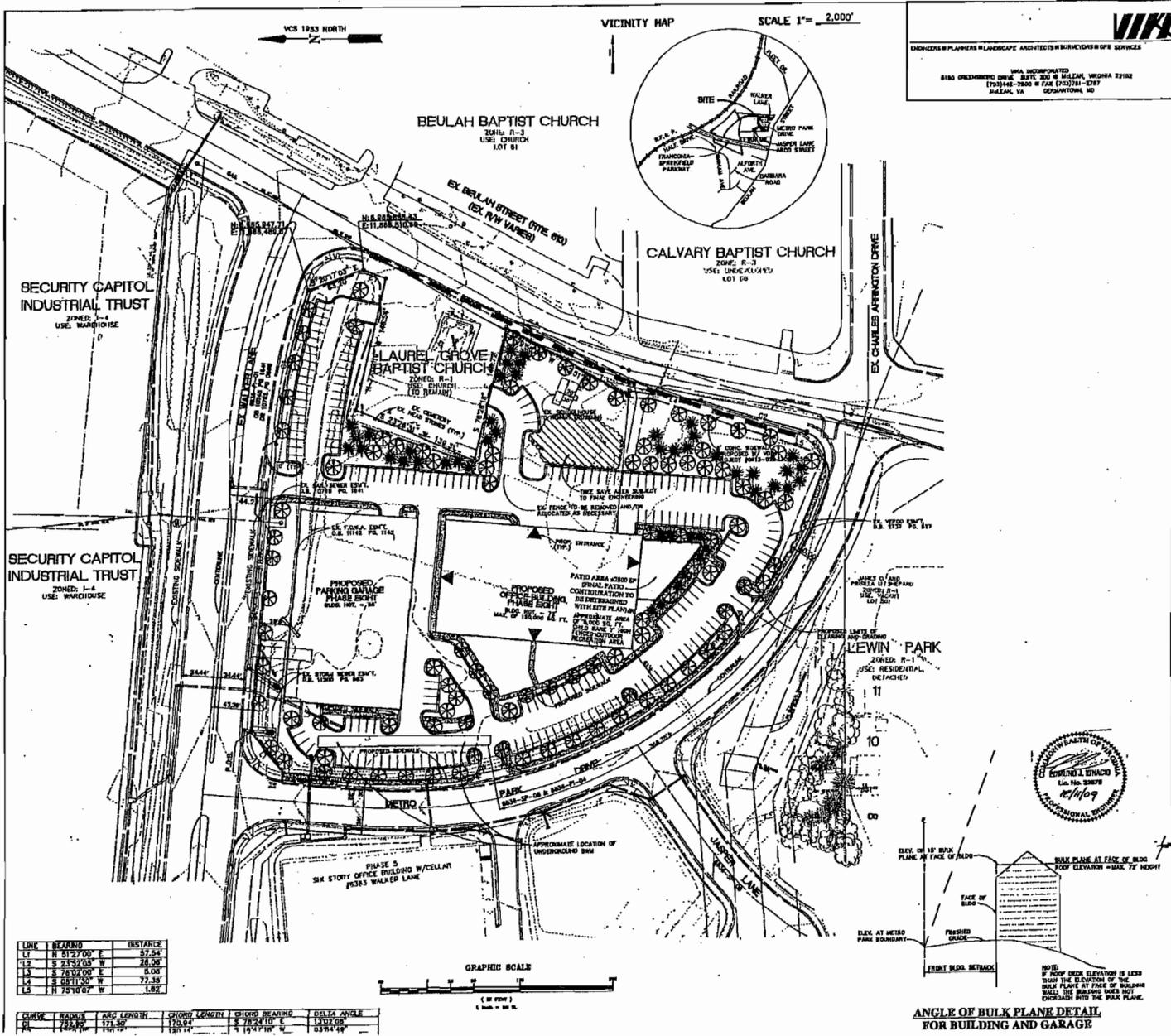
SHEET 3A OF 8

ENGINEERING GROUP	PROJECT STATUS	DATE
PLANNERS & ARCHITECTS ASSOCIATES, INC.	PROFFERED CONDITION AMENDMENT CDPA/FDPA	JULY 2007
SCALE	1" = 100'	
DESIGNED BY	EDWARD J. KNACKO	
CHECKED BY	EDWARD J. KNACKO	
DATE	11/1/09	



- LEGEND:**
- EXISTING SANITARY SEWER
 - - - PROPOSED SANITARY SEWER
 - EXISTING WATER MAIN
 - - - PROPOSED WATER MAIN
 - ⊙ PROPOSED SHADE/STREET TREES
 - PROPOSED ORNAMENTAL TREE
 - PROPOSED EVERGREEN TREE
 - PROPOSED SIDEWALKS
 - PROPOSED LIMITS OF CLEARING AND GRADING
 - POSSIBLE TREE SAVE
- EXISTING SINGLE FAMILY
DETACHED RESIDENTIAL

NOTE:
1. THE STREETScape ALONG WALKER LANE WILL BE
CONSISTENT WITH PROPPER #11.



VIVA
OWNERS+PLANNERS+LANDSCAPE ARCHITECTS+SURVEYORS+ENGINEERS

1104 INCORPORATED
8180 OAKHURST DRIVE SUITE 300 W MALL, WICHITA 67212
(781)442-2800 W FAX (781)442-2787
MALL, VA DEPARTMENT, MD

PLANT KEY

LARGE DECIDUOUS TREES
SMALLER TREES
ENHANCEMENT TREES

NOTES

1. TREES ARE TO BE PLANTED A MINIMUM OF 6' FROM UTILITY EASEMENTS.
2. THE STREETSCAPE ALONG WALKER LANE WILL BE CONSISTENT WITH PROPOSED #1.

INTERIOR PARKING LOT	LANDSCAPING
AREA OF PARKING LOT	14,000 S.F.
LANDSCAPE REQUIRED (840)	8,728 S.F.
LANDSCAPE PROVIDED	8,400 S.F.

PERIPHERAL PARKING LOT	LANDSCAPING
ADJUTING RIGHT-OF-WAY 5000 LINEAR FT.	28 FT
LANDSCAPE REQUIRED: (1 TREE PER EACH 40 FT.)	34 TREES
LANDSCAPE PROVIDED	33 TREES

TREE COVER CALCULATIONS	
GROSS SITE AREA	218,107 S.F.
ADJUSTED SITE AREA	187,000 S.F.
TREE COVER REQUIRED (10%)	18,700 S.F.
TREE COVER PROVIDED	28,000 S.F.

SITE TABULATION	
EXISTING ZONE	RUC
GROSS SITE AREA	8,027 AC.
AREA	OFFICE, CHILD CARE, WAREHOUSE
MAXIMUM BUILDING HEIGHT PROPOSED	28 FT
OPEN SPACE REQUIRED (10%)	32,089 SF
OPEN SPACE PROVIDED (11%)	32,868 SF

PARKING TABULATION AS OFFICE AND DAY CARE	
PARKING PROVIDED	188 SPACES
OFFICE 2.5 SPACES PER 1000 SF (MAX. OF 10,000 S.F.)	25 SPACES
CHILD CARE (150 CHILDREN) 0.5/CHILD (MAX. OF 10,000 S.F.)	75 SPACES
EXISTING WAREHOUSE (800,000 S.F.)	312 SPACES
TOTAL PARKING PROVIDED	548 SPACES
LOADING PROVIDED	8 SPACES
OFFICE	1 SPACE
1 SPACE PER FIRST 10,000 S.F.	1 SPACE
1 SPACE PER BALANCE FRACTION OF 50,000 S.F. THEREAFTER	7 SPACES
LOADING PROVIDED: (20-11-20-10)	8 SPACES

PARKING TABULATION AS ALL OFFICE	
PARKING PROVIDED	312 SPACES
OFFICE 2.5 SPACES PER 1000 SF (MAX. OF 10,000 S.F.)	25 SPACES
EXISTING WAREHOUSE (800,000 S.F.)	312 SPACES
TOTAL PARKING PROVIDED	649 SPACES
LOADING PROVIDED	8 SPACES
OFFICE	1 SPACE
1 SPACE PER FIRST 10,000 S.F.	1 SPACE
1 SPACE PER BALANCE FRACTION OF 50,000 S.F. THEREAFTER	7 SPACES
LOADING PROVIDED: (20-11-20-10)	8 SPACES

ANGLE OF BULK PLANE DETAIL FOR BUILDING AND GARAGE

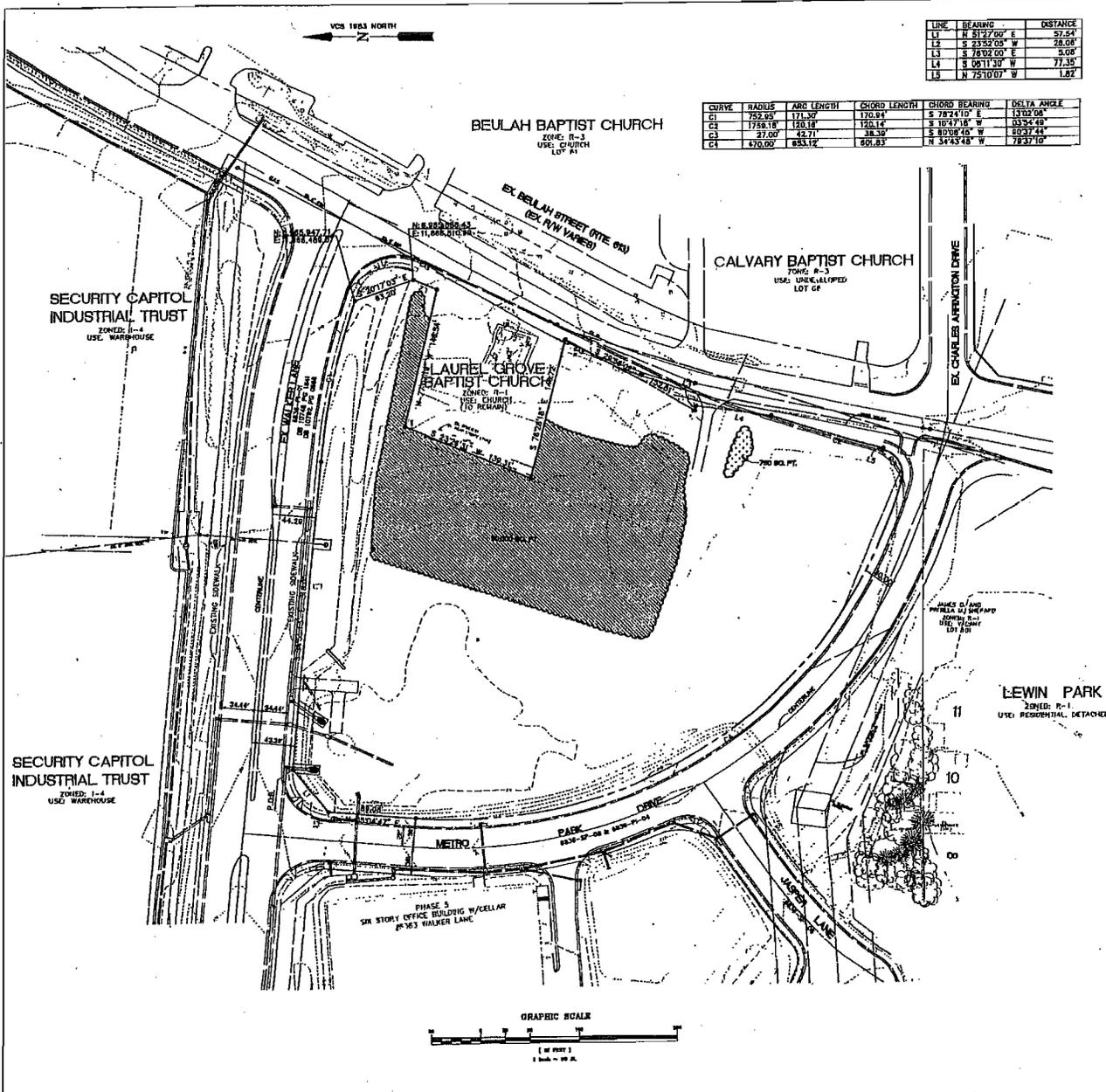
PRIVACY FENCE SECTION NOT TO SCALE

ENGINEERING GROUP'S PROJECT STATUS

DATE: MARCH 2002
SCALE: 1" = 80'
DRAWN BY: [Signature]
CHECKED BY: [Signature]

THE ENGINEERING GROUP, INC.
OFFICE: 2000 W. 10TH ST., SUITE 100
WICHITA, KS 67202
PHONE: 781-442-2800
FAX: 781-442-2787

METRO PARK
LEE DISTRICT
FAIRFAX, VA



VCS 1983 NORTH
N

LINE	BEARING	DISTANCE
L1	N 81°27'00" E	57.24'
L2	S 23°32'00" W	28.08'
L3	S 78°02'00" E	5.08'
L4	S 06°11'30" W	77.35'
L5	N 75°10'07" W	1.82'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	752.85	171.50'	170.84'	S 78°47'07" E	132°08'
C2	1728.18	125.18'	125.14'	S 10°47'18" W	03°54'48"
C3	27.00	42.71'	38.30'	S 80°06'40" W	60°07'44"
C4	470.00	853.12'	501.83'	N 34°43'48" W	78°20'10"

LEGEND

- OPEN FIELD
- UPLAND FOREST (PRIMARYLY OAKS, GOOD CONDITION)
- OLD FIELD (LOCUST, OAKS CONDITION)

VISA
CONSULTING ENGINEERS & ARCHITECTS SERVICES

1100 W. UNIVERSITY BLVD.
SUITE 200
FARMINGTON, MISSISSIPPI 38242

THE ENGINEERING GROUP, INC.
10025 OFFICE BLVD., SUITE 101
WOODBRIDGE, VIRGINIA 22192
703-670-0885 703-670-7768 (FAX)

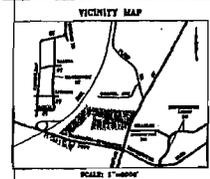
NO.	DATE	COUNTY REVISIONS

EXISTING VEGETATION MAP
METRO PARK
PARK
FARMINGTON, MISSISSIPPI



SHEET 5 OF 6

ENGINEERING GROUP	PROJECT STATUS	DATE	JULY 2009
SCALE	1" = 50'		
DESIGNED BY		DRAWN BY	
CHECKED BY		DATE	



THE ENGINEERING GROUP, INC.
 10525 OFFICE PLACE, SUITE 101
 WOODBRIDGE, VIRGINIA 22192 (202) 703-6700-6885
 703-670-1768 (FAX)

DATE	
COUNTY	FAIRFAX
WARD	

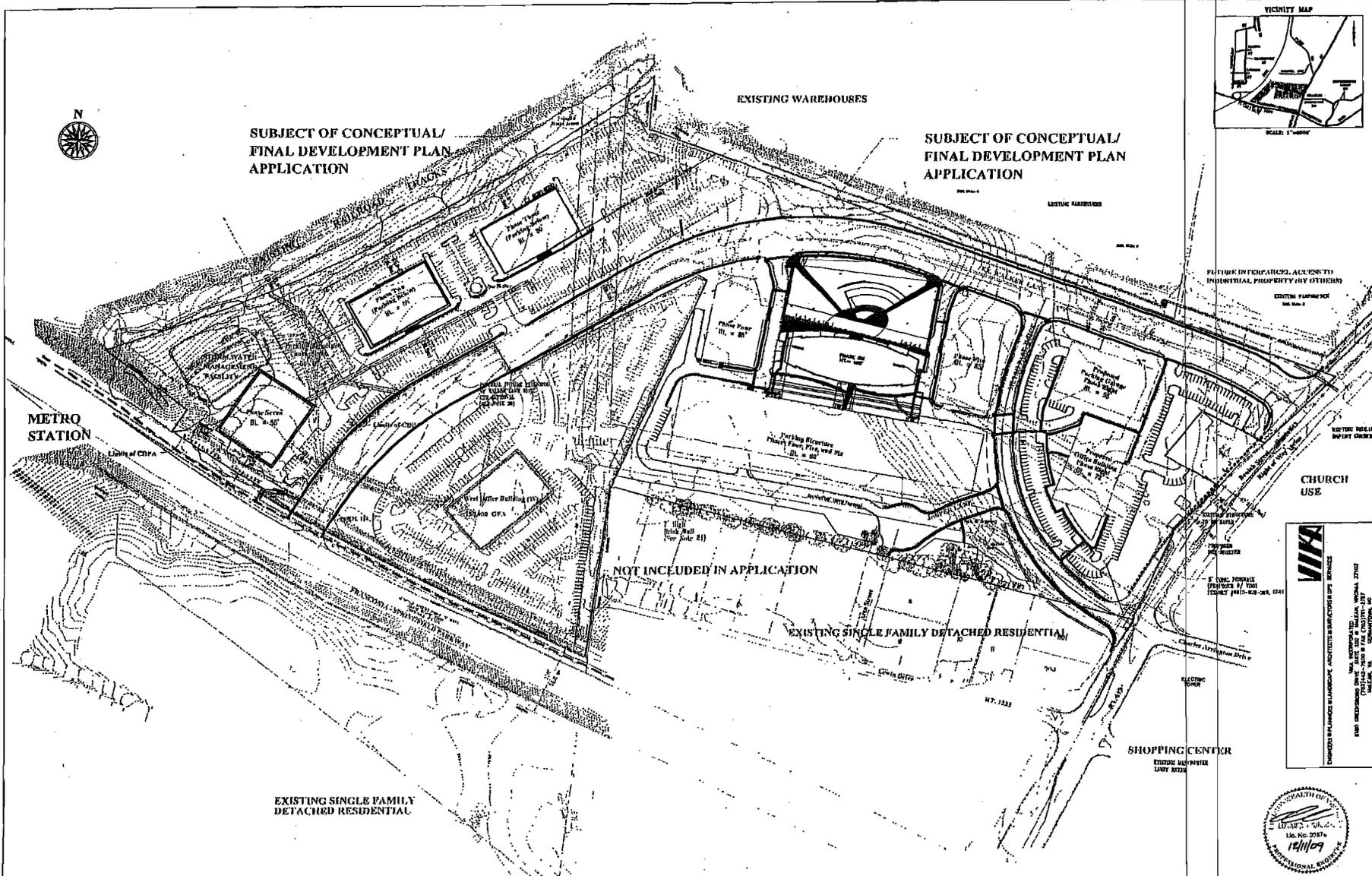
**PEDESTRIAN CIRCULATION PLAN
 METRO PARK**
 LEE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

VFA
 VIRGINIA FLEXIBLE ARCHITECTS
 1000 COMMONWEALTH DRIVE, SUITE 200, FALLS CHURCH, VIRGINIA 22046
 (703) 441-1100



SHEET 7 OF 8

ENGINEERING GROUP	PROJECT STATUS	DATE	JULY 2008
FAIRFAX COUNTY		SCALE	1" = 100'
FAIRFAX COUNTY		DESIGNER	LD
FAIRFAX COUNTY		DRAWN BY	LD
FAIRFAX COUNTY		CHECKED BY	LD
FAIRFAX COUNTY		FILE NO.	P-018



SUBJECT OF CONCEPTUAL/
 FINAL DEVELOPMENT PLAN
 APPLICATION

SUBJECT OF CONCEPTUAL/
 FINAL DEVELOPMENT PLAN
 APPLICATION

METRO
 STATION

EXISTING WAREHOUSES

NOT INCLUDED IN APPLICATION

EXISTING SINGLE FAMILY DETACHED RESIDENTIAL

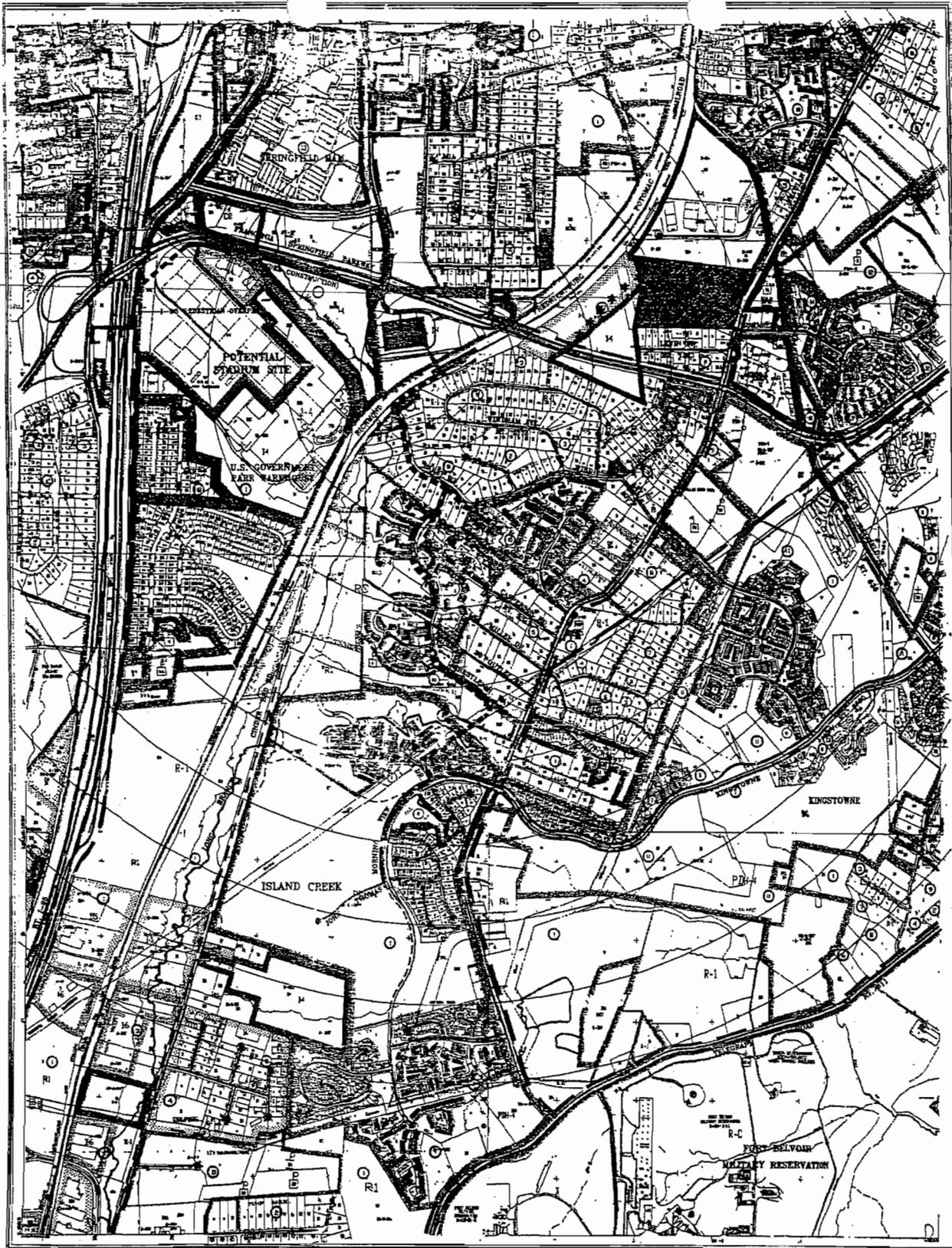
EXISTING SINGLE FAMILY
 DETACHED RESIDENTIAL

SHOPPING CENTER

CHURCH
 USE

LEGEND:
 ——— PROPOSED SIDEWALKS
 - - - - - EXISTING PLANNED BICYCLE/TYPE 1 (ASPHALT TRAIL) AS
 OPTICED ON THE FAIRFAX COUNTY TRAILS PLAN.

EXISTING TOWNHOUSE
 RESIDENTIAL



THE ENGINEERING GROUPE, INC.
 13625 OFFICE PLACE, SUITE 101
 WOODBRIDGE, VIRGINIA 22192
 703-670-0985 (FAX) 703-670-7769

FOR INFORMATION ONLY
REGIONAL PEDESTRIAN TRAIL ACCESS
TO
FRANCONIA-SPRINGFIELD TRANSPORTATION CENTER
AND
SURROUNDING COMMUNITIES

NOTE: BASE DATA COMPILED FROM FAIRFAX COUNTY TAX & ZONING MAPS, DATED 1994.
VIVA
 ENGINEERS & PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS & GPS SERVICES

LEGEND

- EXISTING VEHICULAR ROUTE
- EXISTING MASS TRANSIT ROUTE (RAIL)
- PLANNED BICYCLE/TRAIL (ASPHALT TRAIL) AS DEPICTED ON THE FAIRFAX COUNTY TRAILS PLAN DATED 1993-1994.
- CONSTRUCTED BICYCLE/TRAIL (ASPHALT TRAIL) PER THE FAIRFAX COUNTY TRAILS PLAN DATED 1993-1994.
- BICYCLE/TRAIL (ASPHALT TRAIL) UNDER CONSTRUCTION (FOOT)
- PLANNED PEDESTRIAN TRAIL AS DEPICTED ON THE FAIRFAX COUNTY TRAILS PLAN DATED 1993-1994.
- EXISTING CEMENT / CONCRETE SIDEWALK (GOOD CONDITION)
- PROPOSED CEMENT / CONCRETE SIDEWALK
- PROPOSED PEDESTRIAN TRAIL ALIGNMENT LINKING THE ISLAND CREEK COMMUNITY AND OTHER NEIGHBORHOODS NEAR THE FRANCONIA-SPRINGFIELD TRANSPORTATION CENTER (APPROX. 1.25 MILES)
- PROPOSED MAJOR TRAIL IMPROVEMENTS TO BE CONSTRUCTED AT ISLAND CREEK.
- PROPOSED MAJOR TRAIL IMPROVEMENTS COMPLETED IF THE ISLAND CREEK COMMUNITY
- ADDITIONAL PLANNED PEDESTRIAN TRAILS



REDUCTION COPIES NOT TO SCALE

DATE: SEPTEMBER 27, 1995

© Development & Design
 246

8 10 9 LEVENS
 810-4



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

June 20, 2011
(Revised)

Ms. Inda E. Stagg
Walsh, Colucci, Lubeley, Emrich & Walsh
2200 Clarendon Blvd., Thirteenth Floor
Arlington, VA 22201-3359

Re: Interpretation for RZ 1998-LE-048, PCA 98-LE-048-3, FDPA 1998-LE-048-1-3, Metro Park:
Building 6 Child Care Center

Dear Ms. Stagg,

This letter supersedes my previous correspondence dated May 25, 2011, to revise and update the chronology of zoning approvals governing the property. It is in response to your letters of February 10, 2011, and April 11, 2011, requesting an interpretation of the proffers and the Conceptual Development Plan Amendment (CDPA) accepted by the Board of Supervisors and the Final Development Plan Amendment (FDPA) approved by the Planning Commission in conjunction with the approval of the above-referenced applications. As I understand it, the question is whether the establishment of a child care center in Building 6 of the Metro Park development would be in substantial conformance with the above-referenced approvals. This determination is based on your letters, a Memorandum to Mary Ann Godfrey dated April 11, 2011, an intersection sight distance exhibit prepared by VIKA, and two color exhibits entitled "Proposed Play Area" and "Proposed Play Area for Day Care" prepared by Kling Stubbins, dated April 5, 2011. Copies of your letters and relevant exhibits are attached.

On August 2, 1999, the Board of Supervisors approved Rezoning RZ 1998-LE-048 on 37.17 acres of land to the PDC (Planned Development Commercial) District, subject to proffers, to allow a mixed use development with office, retail, hotel/retail and a freestanding child care center. Subsequently, on September 15, 2003, the Board of Supervisors approved Proffered Condition Amendment PCA 1998-LE-048-2, subject to proffers, on 29.23 acres of land amending the easternmost portion of the site where a hotel/retail building and freestanding child care center had been originally approved to allow the consolidation of the child care center and office into a single building (Building 8). The related Final Development Plan Amendment, FDPA 1998-LE-048-1-2, was approved by the Planning Commission on July 24, 2003, subject to the Board of Supervisors approval of PCA 1998-LE-048-2. The approved CDPA/FDPA showed Building 8 to be developed with a child care center with an adjacent outdoor play area located in a triangular area of open space at the southeast corner of the building. The PCA proffers included commitments to the following: development in substantial conformance with the CDPA/FDPA; permitted uses (#3); a limitation on the gross floor area (GFA) to 10,000 square feet and the maximum daily enrollment of the child care center to 150 (#2); the provision of a six foot tall acoustically solid fence as shown on the CDPA/FDPA around all sides of the outdoor play area for the child care center (#37); reservation of

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703 324-3924
www.fairfaxcounty.gov/dpz/



DEPARTMENT OF
**PLANNING
& ZONING**

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

(247)

a minimum of ten parking spaces closest to the entrance of the child care center to facilitate the drop-off and pick-up of children (#38); and a limitation on the number of children allowed in the play area at any one time to 50 (#39).

On April 28, 2009, in response to your request, a determination was issued by Regina C. Coyle, Director, Zoning Evaluation Division, DPZ, that the establishment of a full service restaurant in Building 8 where the child care center had originally been shown was in substantial conformance with the proffers and the CDPA/FDPA. A subsequent determination was issued on July 17, 2009, in response to your second request on this issue, which stated that the replacement of the outdoor play area for the child care center with an outdoor dining patio adjacent to the eating establishment was in substantial conformance with the proffers and the CDPA/FDPA. Prior to issuing this determination, staff inquired as to how the outdoor play area for a child care center would otherwise be provided and was informed that no child care center was planned.

On February 3, 2010, the Board of Supervisors approved PCA 1998-LE-048-3 to permit an increase in the proffered building height of Building 6 for the installation a photovoltaic (PV) array (solar panels) upon a metal support grid in order to pursue LEED Platinum certification. The accepted proffers revised Par. 2 of the September 5, 2003, proffers to reflect a revised CDPA/FDPA that incorporated changes made by interpretation, modified Proffer 12 to reflect the increased building height of Building 6, and added a new Proffer 40 to permit public art and/or sculptures in certain areas. The Planning Commission had previously approved FDPA 1998-LE-048-1-3 on January 28, 2010. Sheet 3B of the FDPA showed Building 8 as an office building and labeled the adjacent open space area as a patio area of 2,800 square feet or a fenced 5,000 square foot child care outdoor recreation area.

According to your letters, you are now proposing to locate a child care center in the lower level of Building 6. An outdoor play area is proposed to be located on the southwest side of the central parking garage approximately 400 feet from the proposed child care center in Building 6. Access to the outdoor play area would require following a pathway along the service road that crosses an entrance into the parking garage and around the side of the parking garage. The proposed play area is shown adjacent to the southwestern wall of the parking garage with a service road on two sides. Adjacent to the play area on the north is an area designed to house generators.

You reference Note 5 on Sheet 2 of the CDPA/FDPA, which lists child care centers and nursery schools with an enrollment of less than 150 children among those uses that "may be established in each of the buildings." You opine that Note 5 permits a child care center in Building 6. You believe that the proposed child care center and outdoor play area addresses the applicable standards for child care centers contained in Article 9 of the Zoning Ordinance. You also have submitted a letter from the Department of Social Services that states "it appears that the size and location of the playground is adequate and can accommodate up to 34 children." The letter also states that "you will need to make a detailed safety plan for staff covering the route to be taken, the items to be taken such as the First Aid kit and a means of communication, etc."

The purpose and intent of the PDC Zoning District is to promote high standards in the layout, design and construction of commercial developments. The rezoning of Metro Park to the PDC District was approved based upon its satisfaction of specific General and Design standards. In addition, the evaluation of a child care center use in the PDC District is to be guided by the Additional Standards for Child Care Centers set forth in Section 9-303 of the Zoning Ordinance.

The PCA proffers and Note 5 on the CDPA/FDPA allow a child care center use to be established in any of the buildings in Metro Park. The proposed child care center in Building 6 and outdoor play area located behind the parking garage were not however shown on the approved CDPA/FDPA. The proposed play area is not comparable in any way to what was shown on the CDPA/FDPA for the location of a child care center use in Building 8 in terms of the proximity of the play area to the center, design and character.

Par.1. C. of the Section 9-303 of the Zoning Ordinance states that an outdoor play area shall be limited to "only that area which is developable for active outdoor recreation purposes." The area proposed as the play area is shown on the CDPA/FDPA as an area to be developed with 10 parking spaces and foundation plantings between the parking garage and the service drive, not as useable open space. In addition to the character of the open space, there is a concern about the separation between the play area and the center, and the safety considerations such separation would engender, as noted in the correspondence submitted by the Department of Social Services. Staff has recommended that, if a child care center is to be provided in Building 6, an alternative more suitable open space area be designed and located on the north side of Building 6 for the outdoor play area.

Therefore, it is my determination that the proposed establishment of a child care center use in Building 6 would be in substantial conformance with the proffers and the CDPA/FDPA, provided all proffered limitations and requirements are met; however, the proposed outdoor play area for the child care center located behind the central parking garage is not in substantial conformance with the proffers and the CDPA/FDPA.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator and address only those issues discussed herein. If you have any questions regarding this interpretation, please feel free to contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,



Barbara C. Berlin, AICP, Director
Zoning Evaluation Division, DPZ

O:\BCB\mgodf2\Proffer Interpretations PIMetro Park (PCA & FDP 1998-LE-048) Child Care Center Changes Final.doc

Attachments: A/S

cc: Jeffrey C. McKay, Supervisor, Lee District
James T. Migliaccio, Planning Commissioner, Lee District
Diane Johnson-Quinn, Deputy Zoning Administrator, Zoning Permit Review Branch, DPZ
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Kenneth Williams, Plan Control, Land Development Services, DPWES
Kevin J. Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: RZ 1998-LE-048, PCA 1998-LE-048-3, FDPA 1998-LE-048-1-3, PI 11 02 022,
Imaging, Reading File

Please type or
Print in Black Ink



COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
APPLICATION FOR APPEAL

APPLICATION NO. _____
(Assigned by Staff)

NAME OF APPELLANT: Metro Park 6 LLC

NATURE OF THE APPEAL:

Appeal of an interpretation issued by Ms. Barbara C. Berlin, Director, Zoning Evaluation Division, that the proposed play area for a child care center located to the side of the central parking garage is not in substantial conformance with the proffers and the CDPA/FDPA. The grounds for the appeal are detailed in the attached statement.

DATE OF ORDER, REQUIREMENT, DECISION, DETERMINATION OR NOTICE OF VIOLATION WHICH IS SUBJECT TO THE APPEAL May 25, 2011

HOW IS THE APPELLANT AN AGGRIEVED PERSON?:

The Appellant is the owner of the property which is the subject of the interpretation issued by Barbara Berlin on June 20, 2011 (revised)

IF APPEAL RELATES TO A SPECIFIC PROPERTY, PROVIDE THE FOLLOWING INFORMATION:

POSTAL ADDRESS OF PROPERTY: _____

TAX MAP DESCRIPTION: TM 91-1 ((31)) 4B1

The undersigned has or has not (circle one) the authority to allow and does or does not (circle one) authorize Fairfax County staff representatives on official business to enter on the subject property as necessary to process the application.

Inda E. Stagg, Agent
Type or Print Name of Appellant or Agent

Inda E. Stagg
Signature of Appellant or Agent WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, PC
2200 Clarendon Boulevard, Suite 1300, Arlington, VA 22201
Address

Telephone No. _____ Home _____ Work (703) 528-4700, ext. 5423

Please provide name and phone number of contact person if different from above.

istagg@arl.thelandlawyers.com

DO NOT WRITE IN THIS SPACE

Subdivision Name: _____

Total Area (Acres/Square Feet): _____

Present Zoning: _____

Supervisor District: _____

Date application received: _____ Application Fee Paid: \$ _____

Date application accepted: _____



Inda E. Stagg
Senior Land Use Planner
(703) 528-4700 Ext. 5423
istagg@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

June 23, 2011

Via Hand Delivery

Eileen M. McLane
Zoning Administrator
Fairfax County Zoning Administration
12055 Government Center Parkway, Suite 807
Fairfax, VA 22035

Nancy Vehrs, Clerk
Fairfax County Board of Supervisors
12000 Government Center Parkway; Suite 533
Fairfax, Virginia 22035

Re: Appeal of Interpretation for RZ 1998-LE-048 (the "Rezoning"),
PCA 98-LE-048-3 (the "PCA"), FDPA 1998-LE-048-1-3 (the "FDPA")
(together, the "Approvals")
TM 91-1 ((31)) 2C (the "Subject Property")
Metro Park Outdoor Play Area for Child Care Center

Dear Ms. McLane and Ms. Vehrs:

Please accept this letter as a request for an appeal of an interpretation for the Approvals, which was written by Barbara Berlin, Director of the Zoning Evaluation Division and dated June 20, 2011 (Revised) (the "Interpretation"). The Appellant, Metro Park 6, LLC, is the owner of both the Subject Property and Metro Park's Building 6. As the owner of the Subject Property, the Appellant is an aggrieved party as a result of the Interpretation. At issue is whether a child care play area located on the west side of the parking garage associated with Metro Park's Building 6 is in substantial conformance with the Approvals.

A copy of the Interpretation (Exhibit 1), the Interpretation Request dated February 10, 2011 (Exhibit 2) and the follow up Interpretation Memorandum dated April 11, 2011 (Exhibit 3), TM 91-1 with the boundary of Metro Park outlined in red and the location of Building 6 and the proposed play area highlighted in yellow (Exhibit 4A), an enlargement of TM 91-1 with Building 6 and the proposed play area highlighted (Exhibit 4B), and a site plan of Metro Park and a photo rendering of Building 6 on one sheet (Exhibit 5) have been attached for reference.

Generally, the Interpretation states, that although the proffers and CDPA/FDPA Note #5 allow child care centers and nursery schools with an enrollment of less than 150

PHONE 703 528 4700 | FAX 703 525 3197 | WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA | 2200 CLARENDON BLVD., THIRTEENTH FLOOR | ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 | PRINCE WILLIAM OFFICE 703 680 4664

(251)

children within any Metro Park building; the proposed location of play area for a child care center in Building 6 is not in substantial conformance with the approvals because the proposed location is not shown on the approved CDPA/FDPA, the proposed location is not comparable to what was shown on the CDPA/FDPA for the location of a child care center use in Building 8, that the proposed play area is not shown on the CDPA/FDPA as usable open space, and that there is a safety concern about the separation between the play area and the center as noted in the correspondence submitted by the Department of Social Services. The Interpretation recommended that if a child care center was provided in Building 6, an alternative, more suitable open space area be designed and located on the north side of Building 6 for the outdoor play area.

In response to the Interpretation's rationale, the Appellant contends:

- (1) That child care centers within office parks are one of the more effective ways to cut vehicular trips, and that the provision of an additional child care center would be well received in this area of Springfield;
- (2) That child care uses are permitted within any building of Metro Park, as acknowledged by the Interpretation, and that it is reasonable to assume that outdoor play areas would be requested for any child care use established within Metro Park, even if these play areas were not shown on the CDPA/FDPA. Neither the proffers nor the CDPA/FDPA require that the play areas be "comparable" to the optional play area shown specifically for Building 8, and even if they did, there are no standards to gauge what would be "comparable";
- (3) That the proposed play area location is in accordance with the Additional Standards for Child Care Centers set forth in Section 9-303 of the Zoning Ordinance including that the 3,178 square foot proposed play area is developable for recreational purposes because the 10 surface parking spaces that would be removed are not required, are superfluous, and the property will continue to be well parked with 2,333 parking space when only 1,645 parking spaces are required;
- (4) That the proposed play area meets the criteria for a minor modification to the FDPA pursuant to Par. 4 of Sect. 16-403 because it does not permit a more intensive use than that approved pursuant to the FDPA, that it does not result in an increased parking requirement, that the outdoor play area is clearly an accessory use to the permitted child care center use, that the amount of open space is not reduced with this request, that the location of the play area will not adversely impact the relationship of the development to the adjacent property, and that the play area will not result in an increase in the amount of clearing and/or grading for a stormwater management facility; and,

- (5) That the Department of Social Services, the entity that regulates whether day care uses and their associated play areas are safe and appropriate, has determined that the location of the play area is adequate as stated in their letter submitted with the interpretation request. Following up on Staff's interpretation of this letter, I spoke to Social Services. I was told, (A) that it is not unusual for play areas to be located in areas not attached to a building in which the child care occurs (B) It is not unusual to cross streets, etc. to get to a playground (C) It is not unusual to request a safety plan to ensure communication and the availability of a first aid kit, and (D) that a detailed safety plan would be required even if the play area was in staff's preferred location on the north side of the Building.

In summary, the Appellant contends that the proposed location of the play area meets all Ordinance standards, that the location of the proposed play area for Building 6 is not required by the proffers or FDPA to be "comparable" to that shown specifically for Building 8 and that the proposed play area meets the Additional Standards for Child Care Centers set forth in Section 9-303 and the standards for a Minor Modification pursuant to Par. 4 of Sect. 16-403 of the Ordinance. Finally, the Appellant contends that the Department of Social Services has determined that the proposed play area location is safe and appropriate. For these reasons, I hereby request that this appeal be accepted and scheduled for a public hearing before the Board of Supervisors at your earliest convenience. I reserve the right to enter additional materials into the record both prior to and during the public hearing in furtherance of the positions stated herein. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Inda E. Stagg
Senior Land Use Planner

Enclosures

cc: Jeffrey McKay
Barbara Berlin
Marc DeLuca
James Evans
Martin D. Walsh



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County



June 20, 2011
(Revised)

Ms. Inda E. Stagg
Walsh, Colucci, Lubeley, Emrich & Walsh
2200 Clarendon Blvd., Thirteenth Floor
Arlington, VA 22201-3359

Re: Interpretation for RZ 1998-LE-048, PCA 98-LE-048-3, FDPA 1998-LE-048-1-3, Metro Park:
Building 6 Child Care Center

Dear Ms. Stagg,

This letter supersedes my previous correspondence dated May 25, 2011, to revise and update the chronology of zoning approvals governing the property. It is in response to your letters of February 10, 2011, and April 11, 2011, requesting an interpretation of the proffers and the Conceptual Development Plan Amendment (CDPA) accepted by the Board of Supervisors and the Final Development Plan Amendment (FDPA) approved by the Planning Commission in conjunction with the approval of the above-referenced applications. As I understand it, the question is whether the establishment of a child care center in Building 6 of the Metro Park development would be in substantial conformance with the above-referenced approvals. This determination is based on your letters, a Memorandum to Mary Ann Godfrey dated April 11, 2011, an intersection sight distance exhibit prepared by VIKA, and two color exhibits entitled "Proposed Play Area" and "Proposed Play Area for Day Care" prepared by Kling Stubbins, dated April 5, 2011. Copies of your letters and relevant exhibits are attached.

On August 2, 1999, the Board of Supervisors approved Rezoning RZ 1998-LE-048 on 37.17 acres of land to the PDC (Planned Development Commercial) District, subject to proffers, to allow a mixed use development with office, retail, hotel/retail and a freestanding child care center. Subsequently, on September 15, 2003, the Board of Supervisors approved Proffered Condition Amendment PCA 1998-LE-048-2, subject to proffers, on 29.23 acres of land amending the easternmost portion of the site where a hotel/retail building and freestanding child care center had been originally approved to allow the consolidation of the child care center and office into a single building (Building 8). The related Final Development Plan Amendment, FDPA 1998-LE-048-1-2, was approved by the Planning Commission on July 24, 2003, subject to the Board of Supervisors approval of PCA 1998-LE-048-2. The approved CDPA/FDPA showed Building 8 to be developed with a child care center with an adjacent outdoor play area located in a triangular area of open space at the southeast corner of the building. The PCA proffers included commitments to the following: development in substantial conformance with the CDPA/FDPA; permitted uses (#3); a limitation on the gross floor area (GFA) to 10,000 square feet and the maximum daily enrollment of the child care center to 150 (#2); the provision of a six foot tall acoustically solid fence as shown on the CDPA/FDPA around all sides of the outdoor play area for the child care center (#37); reservation of

Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703 324-1290
FAX 703-324-3924
www.fairfaxcounty.gov/dpz (254)



a minimum of ten parking spaces closest to the entrance of the child care center to facilitate the drop-off and pick-up of children (#38); and a limitation on the number of children allowed in the play area at any one time to 50 (#39).

On April 28, 2009, in response to your request, a determination was issued by Regina C. Coyle, Director, Zoning Evaluation Division, DPZ, that the establishment of a full service restaurant in Building 8 where the child care center had originally been shown was in substantial conformance with the proffers and the CDPA/FDPA. A subsequent determination was issued on July 17, 2009, in response to your second request on this issue, which stated that the replacement of the outdoor play area for the child care center with an outdoor dining patio adjacent to the eating establishment was in substantial conformance with the proffers and the CDPA/FDPA. Prior to issuing this determination, staff inquired as to how the outdoor play area for a child care center would otherwise be provided and was informed that no child care center was planned.

On February 3, 2010, the Board of Supervisors approved PCA 1998-LE-048-3 to permit an increase in the proffered building height of Building 6 for the installation a photovoltaic (PV) array (solar panels) upon a metal support grid in order to pursue LEED Platinum certification. The accepted proffers revised Par. 2 of the September 5, 2003, proffers to reflect a revised CDPA/FDPA that incorporated changes made by interpretation, modified Proffer 12 to reflect the increased building height of Building 6, and added a new Proffer 40 to permit public art and/or sculptures in certain areas. The Planning Commission had previously approved FDPA 1998-LE-048-1-3 on January 28, 2010. Sheet 3B of the FDPA showed Building 8 as an office building and labeled the adjacent open space area as a patio area of 2,800 square feet or a fenced 5,000 square foot child care outdoor recreation area.

According to your letters, you are now proposing to locate a child care center in the lower level of Building 6. An outdoor play area is proposed to be located on the southwest side of the central parking garage approximately 400 feet from the proposed child care center in Building 6. Access to the outdoor play area would require following a pathway along the service road that crosses an entrance into the parking garage and around the side of the parking garage. The proposed play area is shown adjacent to the southwestern wall of the parking garage with a service road on two sides. Adjacent to the play area on the north is an area designed to house generators.

You reference Note 5 on Sheet 2 of the CDPA/FDPA, which lists child care centers and nursery schools with an enrollment of less than 150 children among those uses that "may be established in each of the buildings." You opine that Note 5 permits a child care center in Building 6. You believe that the proposed child care center and outdoor play area addresses the applicable standards for child care centers contained in Article 9 of the Zoning Ordinance. You also have submitted a letter from the Department of Social Services that states "it appears that the size and location of the playground is adequate and can accommodate up to 34 children." The letter also states that "you will need to make a detailed safety plan for staff covering the route to be taken, the items to be taken such as the First Aid kit and a means of communication, etc."

The purpose and intent of the PDC Zoning District is to promote high standards in the layout, design and construction of commercial developments. The rezoning of Metro Park to the PDC District was approved based upon its satisfaction of specific General and Design standards. In addition, the evaluation of a child care center use in the PDC District is to be guided by the Additional Standards for Child Care Centers set forth in Section 9-303 of the Zoning Ordinance. (255)

Inda E. Stagg
Page 3

The PCA proffers and Note 5 on the CDPA/FDPA allow a child care center use to be established in any of the buildings in Metro Park. The proposed child care center in Building 6 and outdoor play area located behind the parking garage were not however shown on the approved CDPA/FDPA. The proposed play area is not comparable in any way to what was shown on the CDPA/FDPA for the location of a child care center use in Building 8 in terms of the proximity of the play area to the center, design and character.

Par.1. C. of the Section 9-303 of the Zoning Ordinance states that an outdoor play area shall be limited to "only that area which is developable for active outdoor recreation purposes." The area proposed as the play area is shown on the CDPA/FDPA as an area to be developed with 10 parking spaces and foundation plantings between the parking garage and the service drive, not as useable open space. In addition to the character of the open space, there is a concern about the separation between the play area and the center, and the safety considerations such separation would engender, as noted in the correspondence submitted by the Department of Social Services. Staff has recommended that, if a child care center is to be provided in Building 6, an alternative more suitable open space area be designed and located on the north side of Building 6 for the outdoor play area.

Therefore, it is my determination that the proposed establishment of a child care center use in Building 6 would be in substantial conformance with the proffers and the CDPA/FDPA, provided all proffered limitations and requirements are met; however, the proposed outdoor play area for the child care center located behind the central parking garage is not in substantial conformance with the proffers and the CDPA/FDPA.

These determinations have been made in my capacity as the duly authorized agent of the Zoning Administrator and address only those issues discussed herein. If you have any questions regarding this interpretation, please feel free to contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,



Barbara C. Berlin, AICP, Director
Zoning Evaluation Division, DPZ

O:\BCB\mgodf2\Proffer Interpretations PIMetro Park (PCA & FDP 1998-LE-048) Child Care Center Changes Final.doc

Attachments: A/S

cc: Jeffrey C. McKay, Supervisor, Lee District
James T. Migliaccio, Planning Commissioner, Lee District
Diane Johnson-Quinn, Deputy Zoning Administrator, Zoning Permit Review Branch, DPZ
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES
Kenneth Williams, Plan Control, Land Development Services, DPWES
Kevin J. Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: RZ 1998-LE-048, PCA 1998-LE-048-3, FDPA 1998-LE-048-1-3, PI 11 02 022,
Imaging, Reading File

(256)



Inda E. Stagg
Land Use Coordinator
(703) 528-4700 Ext. 5423
istagg@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC



April 11, 2011

Via Hand Delivery

Barbara C. Berlin
Director, Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Interpretation Request – Child Care Center within Metro Park Building 6 and
Associated Outdoor Play Area (Revised)
Tax Map 91-1 ((1)) 11B2 and 23E; 91-1 ((28)) 1 and 2A; 91-1 ((31)) 1-4C
PCA 98-LE-048-3 and FDPA 1998-LE-048-1-3 (the “Approvals”)

Dear Ms. Berlin:

Please accept this letter as a request for an interpretation of the applicable proffers and final development plan associated with the approvals for Metro Park. Specifically, the question is whether the operation of a child care center within Metro Park 6 and the location of the Child Care Play Area as indicated on the attached graphics are in substantial conformance with the Approvals.

On February 23, 2010, the Board of Supervisors approved Proffered Condition Amendment Application PCA 1998-LE-048-03 in the name of CSHV Metro Park LLC subject to proffers dated January 28, 2010, which made revisions and or additions to those proffers approved pursuant to RZ 1998-LE-048, PCA 1998-LE-048 and PCA 1998-LE-038-2 (the “Proffers”). On January 28, 2010, the Planning Commission approved Final Development Plan Amendment FDPA 1998-LE-048-1-3. The FDPA was prepared by VIKA and is dated December 11, 2009 (the “FDPA”). A copy of all applicable proffers, a reduction of the applicable FDPA and additional graphics are attached for your consideration which are:

- (1) A pedestrian circulation plan with the location of the proposed outdoor play area indicated in blue and the pedestrian walkways indicated in orange;
- (2) A view of Building 6 and associated parking garage indicating the location of the child care center within the building in blue, the seven designated parking spaces for that use in blue, the play area in blue, and the pedestrian walkways in orange;
- (3) A close-up of the proposed play area indicating the entrance gate, plantings, walkway and fencing; and
- (4) A letter from the Department of Social Services indicating that the location of the play area is adequate.

PHONE 703 528 4700 | FAX 703 525 3197 | WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA | 2200 CLARENDON BLVD., THIRTEENTH FLOOR | ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 | PRINCE WILLIAM OFFICE 703 680 4664

Although specifically indicated as a use within Building 8 on the FDPA and restrictions regarding Child Care use are generally noted in Proffer 2 and specific to Building 8 are noted in Proffers 37, 38 and 39 (see proffers for PCA 1998-LE-048-2), Plan Note #5 states,

“The primary use of each building will be represented in the tabulation under proposed development program. It is to be understood that the following principal and secondary uses may also be established in each of the proposed buildings before establishment of such uses, parking will be provided in accordance with Article 11 of the Zoning Ordinance...

*Child care centers and nursery schools which have an enrollment of 150 or less students daily...

A child care center is not currently proposed within Building 8. The location indicated on the FDPA for the child care center in Building 8 has been permitted to be used for an eating establishment with outdoor patio seating pursuant to a separate interpretation. The owner considers that the establishment of a child care center within Metro Park is beneficial and that the location of a child care center within Building 6 would be most central to the entire development. Establishment of a child care center use is permitted within Building 6 pursuant to FDPA Note #5 and the owner would appreciate confirmation that, if the child care center has an enrollment of 150 or less students daily, it will be in substantial conformance with the approved proffers and FDPA.

Child care centers in the PDC District are generally guided by certain guidelines. In accordance with these guidelines a minimum of 100 square feet of usable outdoor recreation area should be provided for each child that may use the space at any one time, this usable outdoor recreation area should not be covered by buildings or be located upon required off-street parking spaces, this area should be located outside the limits of the minimum required front yard unless specifically approved by the Board in commercial and industrial districts only, the play area should be located only in that area which is developable for active outdoor recreation purposes, and it should be located within an area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards. For the purposes of this request, an approximately 3,178 square foot play area is proposed to be located on the western side of the parking structure associated with Building 6 as indicated on the attached graphics by Kling Stubbins. In accordance with Fairfax County guidelines, this play area could accommodate as many as 31 children at any one time. This play area is not covered by buildings nor is it located within an area required for off-street parking, it is not located within a required front yard, and it is located on a flat and usable area that is developable for active outdoor recreation purposes. Finally, this relatively small 3,178 square foot area does not come close to occupying more than 80% of the combined

rear and side yards of Metro Park. We are confident that the proposed location is in general conformance with the child care guidelines for outdoor play areas.

In support of this, the potential operator of the child care center has obtained a letter from Martha M. Pauly, Licensing Inspector for the Department of Social Services, stating that "it appears that the size and location of the playground is adequate and can accommodate up to 34 children." By this limitation on the number of children that the area may accommodate, it appears that the Department of Social Services has different criteria for play area per child than Fairfax County. Regardless, the location was deemed appropriate and the operator understands that they must obtain both Fairfax County and Virginia approvals prior to commencement of operations, that there may be conflicting requirements between the two authorities, and that the most restrictive requirement imposed must be the requirement followed.

In accordance with Par. 4 of Sect. 16-403, the following information is offered in support of the request:

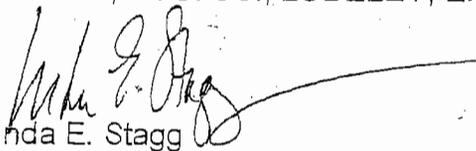
1. The child care use is permitted pursuant to Note #5 on the FDPA; therefore, the play area does not permit a more intensive use than that approved pursuant to the FDPA, and there are no conflicts with any applicable proffers or development conditions.
2. The use does not result in an increased parking requirement; although, seven (7) parking spaces will be designated for this use in a location closest to the entrance of Building 6. In addition, ten (10) parking spaces will be eliminated; however, those spaces are superfluous and the property will continue to be well parked. There are currently 2,343 spaces, where 1,645 are required. If these spaces are permitted to be eliminated, there would be 2,333 spaces remaining where are 1,645 required.
3. The Child Care Use was designated on the FDPA and is not an additional use. The outdoor play area is clearly an accessory use to the permitted Child Care Use.
4. No transitional screening was previously located in the area contemplated for the outdoor play area, nor was specific landscaping. Shade trees and ornamental trees continue to be proposed as indicated on the attached graphics. The outdoor area is considered open space; therefore, the amount of open space is not reduced with this request.
5. A six foot high board on board fence is proposed around the play area for safety; however, due to its location, we do not consider that it will adversely impact the relationship of the development or part thereof to adjacent property.

6. Finally, the play area will not result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot.

I appreciate your attention to these questions. Please do not hesitate to contact me if you should have any questions or require further information in order to make your determination.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Linda E. Stagg
Land Use Coordinator

Enclosures

cc: Jim Evans



WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

Inda E. Stagg
Land Use Coordinator
(703) 528-4700 Ext. 5423
istagg@arl.thelandlawyers.com



RECEIVED
Department of Planning & Zoning

APR 12 2011

Zoning Evaluation Division

MEMORANDUM

TO: Mary Ann Godfrey
FROM: Inda E. Stagg 
DATE: April 11, 2011
RE: MetroPark - Building 6 Day Care + Play Area

On March 22, 2011, we met to discuss the February 10, 2011 interpretation request for a day care center within Metro Park 6 and its associated play area. You stated that Staff agrees that a day care center could be located within Metro Park 6 pursuant to the approved proffers and Final Development Plan (it is understood that this position is not official until an interpretation letter is issued); but that staff did not agree that the proposed location of the play area was appropriate. I have discussed your concerns with my client and submit the following information for your consideration.

- **Graphics** - The graphics associated with the play area have been revised to depict the reduction in the size of the play area to accommodate site distance, to depict stop bars and signs at the corner near the play area, and to depict the location of the trash and recycling area and landscaping.
- **Safety and Distance from Primary Building** - The Fairfax Area Office of the Division of Licensing Programs for the Department of Social Services for the Commonwealth of Virginia, the entity that regulates whether day care uses and their associated play areas are safe and appropriate, has determined that the location of the play area is adequate as stated in their letter submitted with the interpretation request. In that letter, Ms. Pauly acknowledged that the operator would need to make a detailed safety plan for staff covering the route to be taken, the items to be taken such as the first aid kit and a means of communication. This plan will be vetted through the Department of Social Services. I respectfully submit that these types of safety concerns are the purview of the Department of Social Services, and not of the Department of Planning and Zoning.

PHONE 703 528 4700 | FAX 703 525 3197 | WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA | 2200 CLARENDON BLVD., THIRTEENTH FLOOR | ARLINGTON, VA 22201-3359

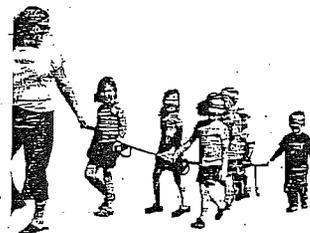
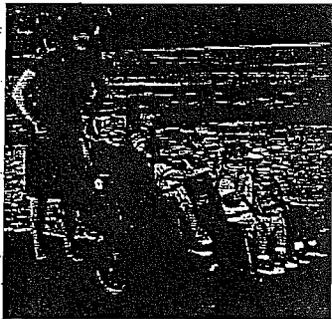
LOUDOUN OFFICE 703 737 3633 | PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

(261)

The operator assures me that the ratio of staff to children while at the play area will be at a minimum the same as it is inside the building. The staff-to-child ratio for licensing requirements is for children younger than 16 months 1:4, children 16 months to 24 months 1:5, children 24 to 36 months 1:8, children 36 months to kindergarten age 1:10. All staff will be carrying cell phones, and contact between staff at the play area and staff inside the building in the event of an emergency should pose no problem.

We can assure you that that a first aid kit will be present, and that that the children will either be shuttled to the play area in a buggy or will be lead holding a walking rope as they walk to and from the play area. Photographs that depict a similar buggy and walking rope that will be used by staff are inserted into this memorandum below.



You asked about the statement in the letter, "The Scheme 01 plan seems more appropriate." This statement refers to the interior layout of the daycare center itself. This layout divided the children into age groups as described in that paragraph. It did not refer to the play area.

- **Heat** – You inferred that the location of the playground would be very hot due to its proximity to pavement and the parking garage. We disagree. I have spoken to the operator who assures me that there will be shade at the playground. According to the Standards for Licensed Child Day Centers (22 VAC 15-30-410.F), "Licensing standards require a shady area be provided on playgrounds during the months of June, July, and August." The shady area can be provided by trees, a temporary structure such as a tent-like gazebo, or a permanent structure such as a canopy. Since it will take a while to grow trees, a canopy will be provided. Again, the operation of the day care will be regulated by DSS, who will ensure that these standards are met.
- **Site Distance** – We agree that the previous exhibits located a fence at the 90° curb of an internal driveway, which created a site distance concern. This fence line has been moved and certain traffic controls are proposed to ensure adequate site distance. I have attached a memorandum from Ed Ignacio at VIKA that certifies that the addition of two stop signs and two stop bars at the southern

approach and the western approach to the 90 degree bend of the service drive will provide adequate site distance. In his memo, Mr. Ignacio quotes the American Association of State Highway and Transportation Officials (AASHTO) "A. Policy on Design of Geometric of Highways and Streets" – Chapter 9 – Intersections with All-way Stop Control, "At intersections with all-way stop control, the first stopped vehicle on one approach should be visible to the drivers of the first stopped vehicles on each of the other approaches. There are no other site distance criteria applicable to intersections will all-way stop control..." We believe that these revisions and a condition requiring the All-Way Stop Control will ensure adequate site distance at this corner.

- **Trash and Recycling** – You are correct in that a "Trash and Recycling" area is indicated on the FDPA; however, this area is located approximately 50 feet away, and across the service road from the proposed play area. It does not abut the proposed play area and is not in immediate proximity to the proposed play area. We believe that this clarification of the Trash and Recycling location resolves this concern.
- **Generators** – As you correctly noted, the fenced in area adjacent to the proposed play area is new and contains generators. These generators are accessory to the government contractor offices that are located within Building 6. They will only be running in the rare event of a power outage; therefore, we do not believe that the proximity of the generators is of concern.
- **Developable for Recreational Purposes** – At our meeting you questioned whether the location of the play area would be considered "developable for recreational purposes." This area is designated as open space on the approved site plan. We submit that this open space is developable for recreational purposes because it is "designed for recreational purposes" as defined in the definition of "Open Space, Usable." The recreational area measures approximately 48 feet by 88 feet, contains approximately 3,178 square feet (which is much larger than the approximately 400 square foot tot lot that was approved for recreational purposes within my Fairfax County subdivision) and as stated previously, meets the definition for "Open Space, Usable", as inserted below.

"OPEN SPACE, USABLE: That open space within the boundaries of a given lot that is designed for recreational purposes, to include but not to be limited to such uses as ball fields, multi-purpose courts, swimming pools, tennis courts, golf courses, play lots and playgrounds, boating docks, walking, bicycle or bridle trails, and shuffleboard courts."

The owner of Metro Park has reviewed alternative locations and has determined that this proposed location is preferable for many reasons. We submit that the owner's proposed location of the play area meets the State's criteria for safety, is in accordance

with Par. 4 of Sect. 16-403 of the Ordinance and meets the general guidelines for establishment of child care centers within PDC districts; therefore, we request that a determination be made that the location of the child care center's play area is in substantial conformance with the proffers and FDPA for Metro Park.



Inda E. Stagg
Land Use Coordinator
(703) 528-4700 Ext. 5423
istagg@arl.thelandlawyers.com

WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

February 10, 2011

RECEIVED
Department of Planning & Zoning
FEB 11 2011
Zoning Evaluation Division

Via Hand Delivery

Barbara C. Berlin
Director, Fairfax County Department of Planning & Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: Interpretation Request – Child Care Center within Metro Park Building 6 and
Associated Outdoor Play Area
Tax Map 91-1 ((1)) 11B2 and 23E; 91-1 ((28)) 1 and 2A; 91-1 ((31)) 1-4C
PCA 98-LE-048-3 and FDPA 1998-LE-048-1-3 (the "Approvals")

Dear Ms. Berlin:

Please accept this letter as a request for an interpretation of the applicable proffers and final development plan associated with the approvals for Metro Park. Specifically, the question is whether the operation of a child care center within Metro Park 6 and the location of the Child Care Play Area as indicated on the attached graphics are in substantial conformance with the Approvals.

On February 23, 2010, the Board of Supervisors approved Proffered Condition Amendment Application PCA 1998-LE-048-03 in the name of CSHV Metro Park LLC subject to proffers dated January 28, 2010, which made revisions and or additions to those proffers approved pursuant to RZ 1998-LE-048, PCA 1998-LE-048 and PCA 1998-LE-038-2 (the "Proffers"). On January 28, 2010, the Planning Commission approved Final Development Plan Amendment FDPA 1998-LE-048-1-3. The FDPA was prepared by VIKA and is dated December 11, 2009 (the "FDPA"). A copy of all applicable proffers, a reduction of the applicable FDPA and additional graphics are attached for your consideration which are:

- (1) A pedestrian circulation plan with the location of the proposed outdoor play area indicated in blue and the pedestrian walkways indicated in orange;
- (2) A view of Building 6 and associated parking garage indicating the location of the child care center within the building in blue, the seven designated parking spaces for that use in blue, the play area in blue, and the pedestrian walkways in orange;
- (3) A close-up of the proposed play area indicating the entrance gate, plantings, walkway and fencing; and
- (4) A letter from the Department of Social Services indicating that the location of the play area is adequate.

PHONE 703 528 4700 | FAX 703 525 3197 | WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA # 2200 CLARENDON BLVD., THIRTEENTH FLOOR # ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 | PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

(265)

Although specifically indicated as a use within Building 8 on the FDPA and restrictions regarding Child Care use are generally noted in Proffer 2 and specific to Building 8 are noted in Proffers 37, 38 and 39 (see proffers for PCA 1998-LE-048-2), Plan Note #5 states,

"The primary use of each building will be represented in the tabulation under proposed development program. It is to be understood that the following principal and secondary uses may also be established in each of the proposed buildings before establishment of such uses, parking will be provided in accordance with Article 11 of the Zoning Ordinance...

*Child care centers and nursery schools which have an enrollment of 150 or less students daily...

A child care center is not currently proposed within Building 8. The location indicated on the FDPA for the child care center in Building 8 has been permitted to be used for an eating establishment with outdoor patio seating pursuant to a separate interpretation. The owner considers that the establishment of a child care center within Metro Park is beneficial and that the location of a child care center within Building 6 would be most central to the entire development. Establishment of a child care center use is permitted within Building 6 pursuant to FDPA Note #5 and the owner would appreciate confirmation that, if the child care center has an enrollment of 150 or less students daily, it will be in substantial conformance with the approved proffers and FDPA.

Child care centers in the PDC District are generally guided by certain guidelines. In accordance with these guidelines a minimum of 100 square feet of usable outdoor recreation area should be provided for each child that may use the space at any one time, this usable outdoor recreation area should not be covered by buildings or be located upon required off-street parking spaces, this area should be located outside the limits of the minimum required front yard unless specifically approved by the Board in commercial and industrial districts only, the play area should be located only in that area which is developable for active outdoor recreation purposes, and it should be located within an area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards. For the purposes of this request, an approximately 4,154 square foot play area is proposed to be located on the western side of the parking structure associated with Building 6 as indicated on the attached graphics by Kling Stubbins. In accordance with Fairfax County guidelines, this play area could accommodate as many as 41 children at any one time. This play area is not covered by buildings nor is it located within an area required for off-street parking, it is not located within a required front yard, and it is located on a flat and usable area that is developable for active outdoor recreation purposes. Finally, this relatively small 4,154 square foot area does not come close to occupying more than 80% of the combined

rear and side yards of Metro Park. We are confident that the proposed location is in general conformance with the child care guidelines for outdoor play areas.

In support of this, the potential operator of the child care center has obtained a letter from Martha M. Pauly, Licensing Inspector for the Department of Social Services, stating that "it appears that the size and location of the playground is adequate and can accommodate up to 34 children." By this limitation on the number of children that the area may accommodate, it appears that the Department of Social Services has different criteria for play area per child than Fairfax County. Regardless, the location was deemed appropriate and the operator understands that they must obtain both Fairfax County and Virginia approvals prior to commencement of operations, that there may be conflicting requirements between the two authorities, and that the most restrictive requirement imposed must be the requirement followed.

In accordance with Par. 4 of Sect. 16-403, the following information is offered in support of the request:

1. The child care use is permitted pursuant to Note #5 on the FDPA; therefore, the play area does not permit a more intensive use than that approved pursuant to the FDPA, and there are no conflicts with any applicable proffers or development conditions.
2. The use does not result in an increased parking requirement; although, seven (7) parking spaces will be designated for this use in a location closest to the entrance of Building 6.
3. The Child Care Use was designated on the FDPA and is not an additional use. The outdoor play area is clearly an accessory use.
4. No transitional screening was previously located in the area contemplated for the outdoor play area, nor was landscaping. The outdoor area is considered open space; therefore, the amount of open space is not reduced with this request.
5. A six foot high board on board fence is proposed around the play area for safety; however, due to its location, we do not consider that it will adversely impact the relationship of the development or part thereof to adjacent property.
6. Finally, the play area will not result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot.

Interpretation Request – Metro Park Child Care
February 10, 2011
Page 4 of 4

I appreciate your attention to these questions. Please do not hesitate to contact me if you should have any questions or require further information in order to make your determination.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.



Linda E. Stagg
Land Use Coordinator

Enclosures

cc: Jim Evans

DEPARTMENT OF LICENSING PROGRAMS
CHILD ABUSE OFFICE
1001 PARKWAY DRIVE, SUITE 200
ALEXANDRIA, VIRGINIA 22304



COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

January 28, 2011

Ms. Para Signori
4044 Handy Drive
McLean, Va 22101

Dear Ms. Signori:

This letter will confirm that based on a review of the information you submitted, it appears that the size and location of the playground is adequate and can accommodate up to 34 children. You will need to make a detailed safety plan for staff covering the route to be taken, the items to be taken such as the First Aid kit and a means of communication, etc.

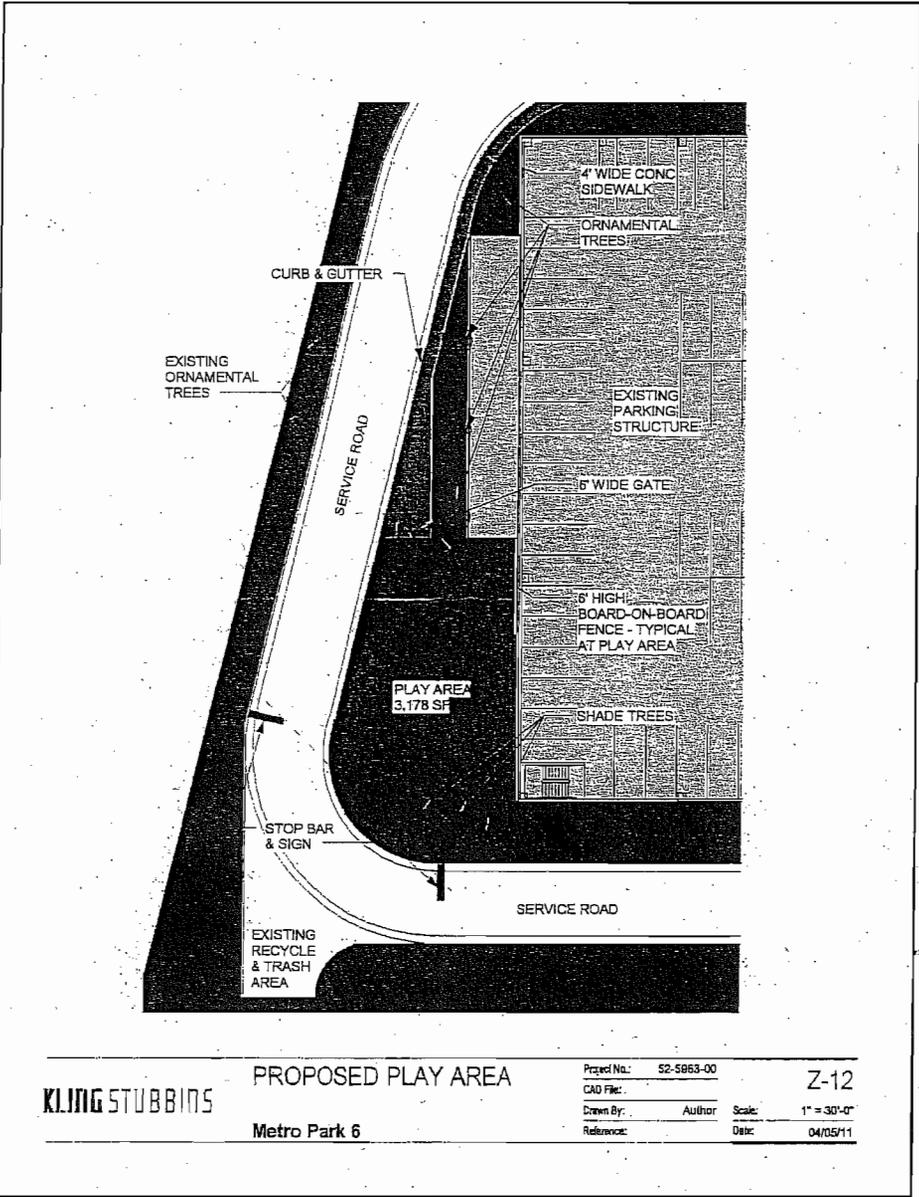
The Scheme 01 plan seems more appropriate. The division of age groups lends itself to more age based learning. In addition, smaller group size has been shown to directly impact the quality of care.

There are two toilets and one sink in the Boys and Girls bathrooms. The second toilet in each bathroom can only be counted if a second sink is also available in each bathroom. The current number of toilets will limit you to a capacity of 40.

If you have any questions, please call me.

Sincerely,

Martha M. Pauly
Licensing Inspector
Phone: (703) 594-6786

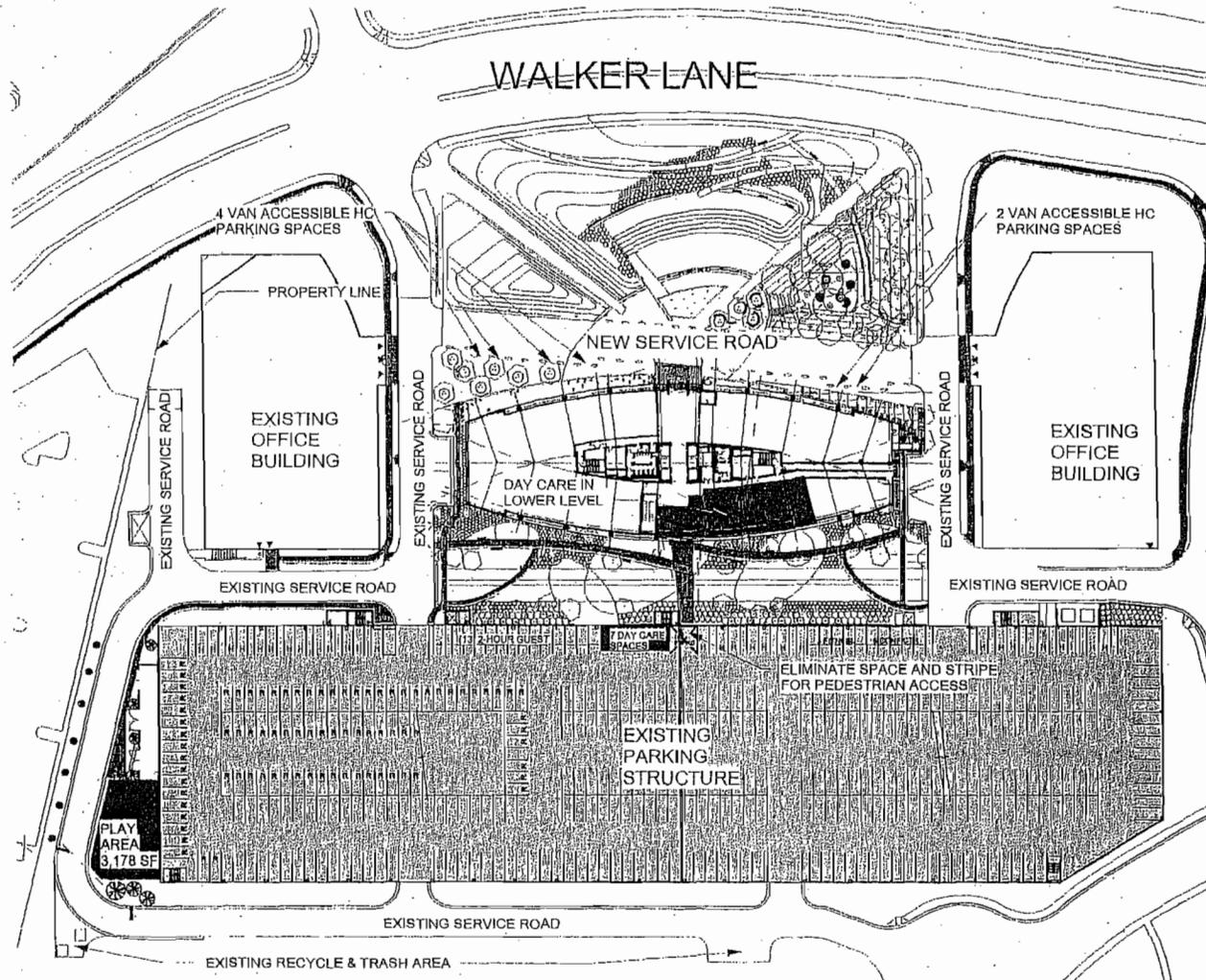


KLING STUBBINS

PROPOSED PLAY AREA

Metro Park 6

Project No.:	S2-5863-00	Z-12
CAD File:		
Drawn By:	Author	Scale: 1" = 30'-0"
Reference:	Date:	04/05/11



KLING STUBBINS

PROPOSED PLAY AREA FOR DAY CARE

Metro Park 6

Project No:	52-5983-00	Z-13
CAD File:		
Drawn By:	Author	Scale:
Reference:	Date	04/06/11

MEMORANDUM

TO: Inda E. Stagg - Walsh, Colucci, Lubeley, Emrich, & Walsh, PC
FROM: Edmund J. Ignacio, PE - VIK A, Inc.
DATE: April 4, 2011
RE: **Metro Park - Building 6 Day Care Play Area Sight Distance**
VIKA #V7253A

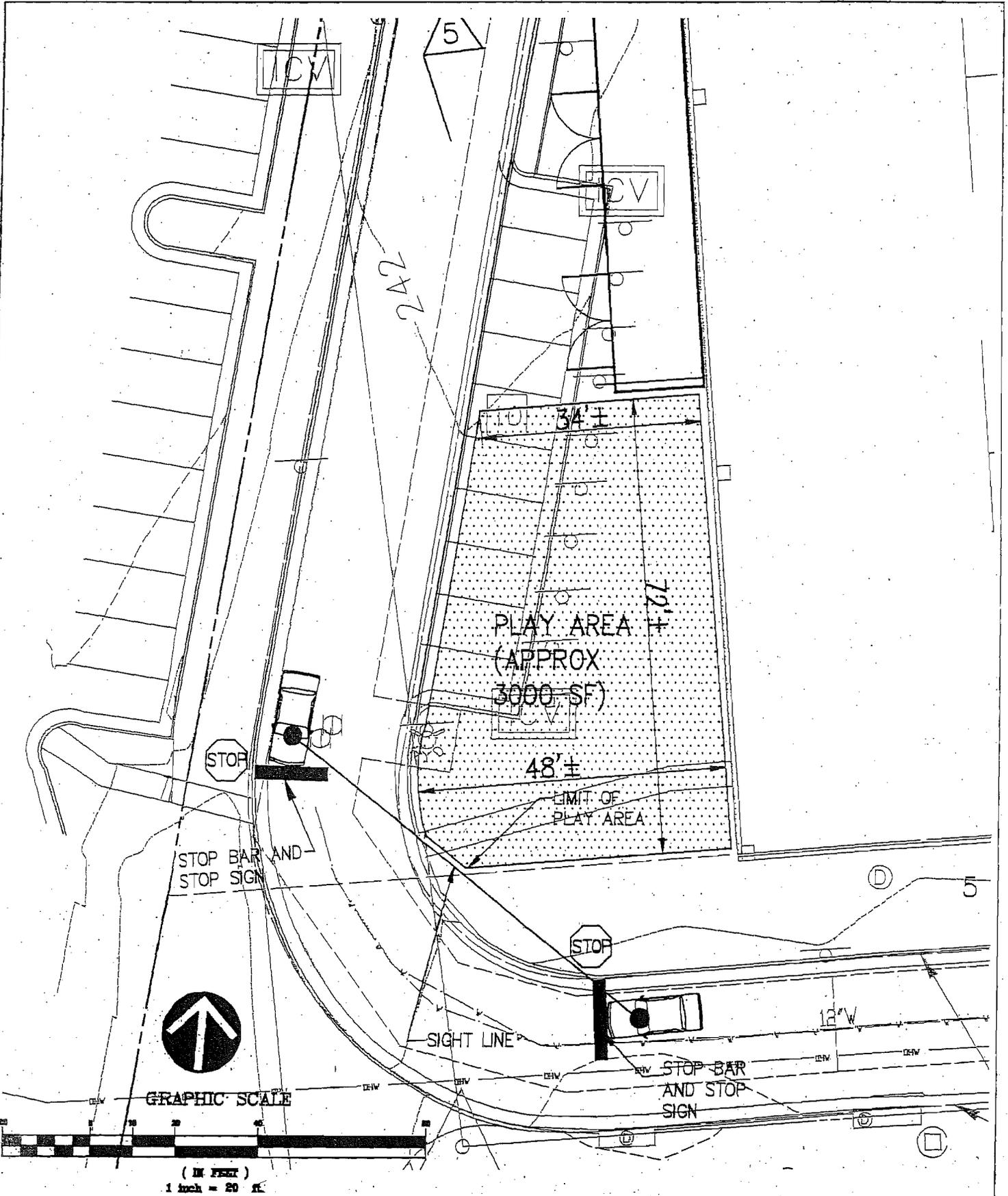
As requested VIK A, Inc. has reviewed the location of the proposed play area at the southwest corner of the existing parking structure that serves Metro Park buildings 4, 5 and 6. In particular, we have evaluated the impact of the proposed fence line to the sight distance to the 90 degree bend in the existing private road located to the south and west of the proposed play area.. We propose the addition of two stop signs and two stop bars at the southern approach and the western approach to this bend to create an "intersection" with an all-way stop control condition. In accordance with the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Design of Geometric of Highways and Streets" - Chapter 9 - Intersections, Intersection Control, Case E - Intersections with All-way Stop Control, -

"At intersections with all-way stop control, the first stopped vehicle on one approach should be visible to the drivers of the first stopped vehicles on each of the other approaches. There are no other sight distance criteria applicable to intersections with all-way stop control..."

The placement of the stops signs and stop bars in conjunction with minor modifications to the limits of the play area and fence as shown on the attached exhibit will provide the sight distance for proposed drivers in accordance with AASHTO guidelines.

Enc: Sight Distance Exhibit

X:\DATA\7000-9000\V7253A\Memo\Metro Park Play Area Sight Distance.doc



REPORT NO. 1 OF 1	PROJECT/FILE NO.	DATE	SCALE	VIA REVISIONS

**INTERSECTION SIGHT
DISTANCE EXHIBIT**

**METRO PARK PHASE SIX
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA**

PLANNING & LANDSCAPE ARCHITECTS & ENGINEERS SERVICES
(273)
W&A INCORPORATED
8140 GREENGROVE DRIVE, SUITE 300 B WALEN, VIRGINIA 22152
(703)462-7400 FAX (703)781-2787
ALEXANDRIA, VA BOWLING GREEN, MD

Site Plan of Metro Park:

The proposed child care use is located in Building 6 (VI). The proposed play area is located adjacent to the parking garage on its western façade. (Note that this exhibit shows "North" to the bottom, which makes "West" to the right.)

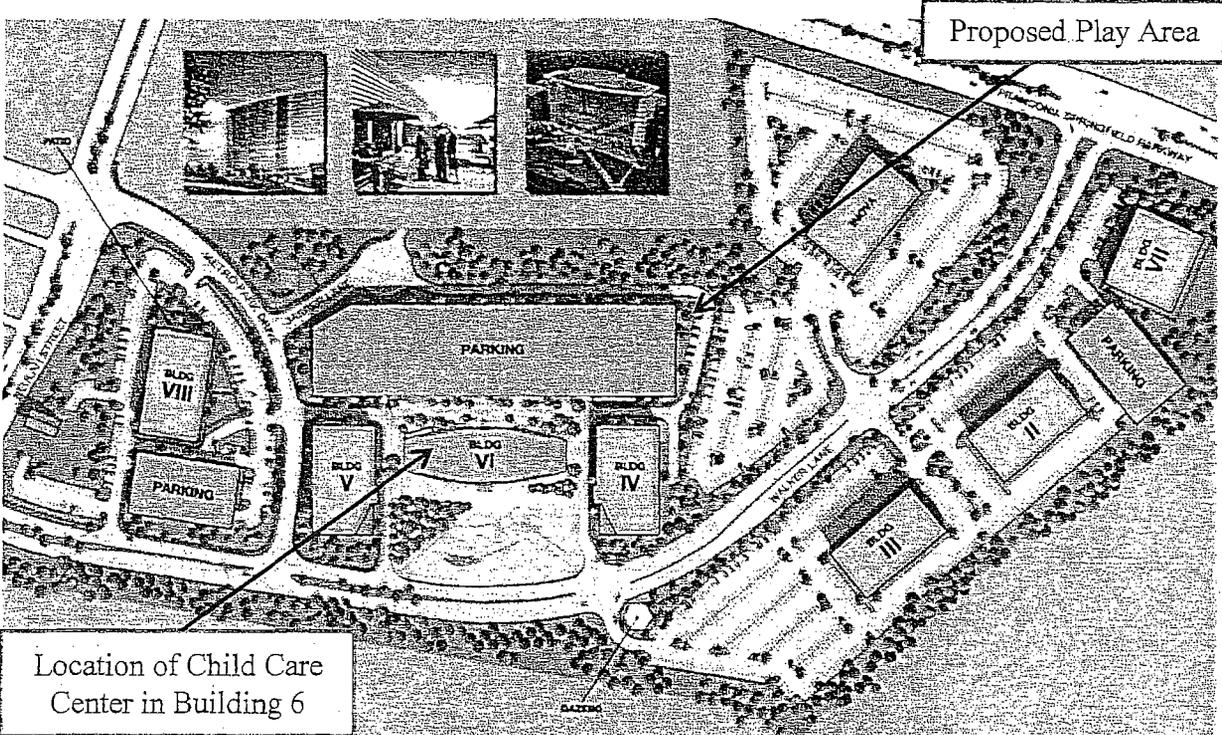
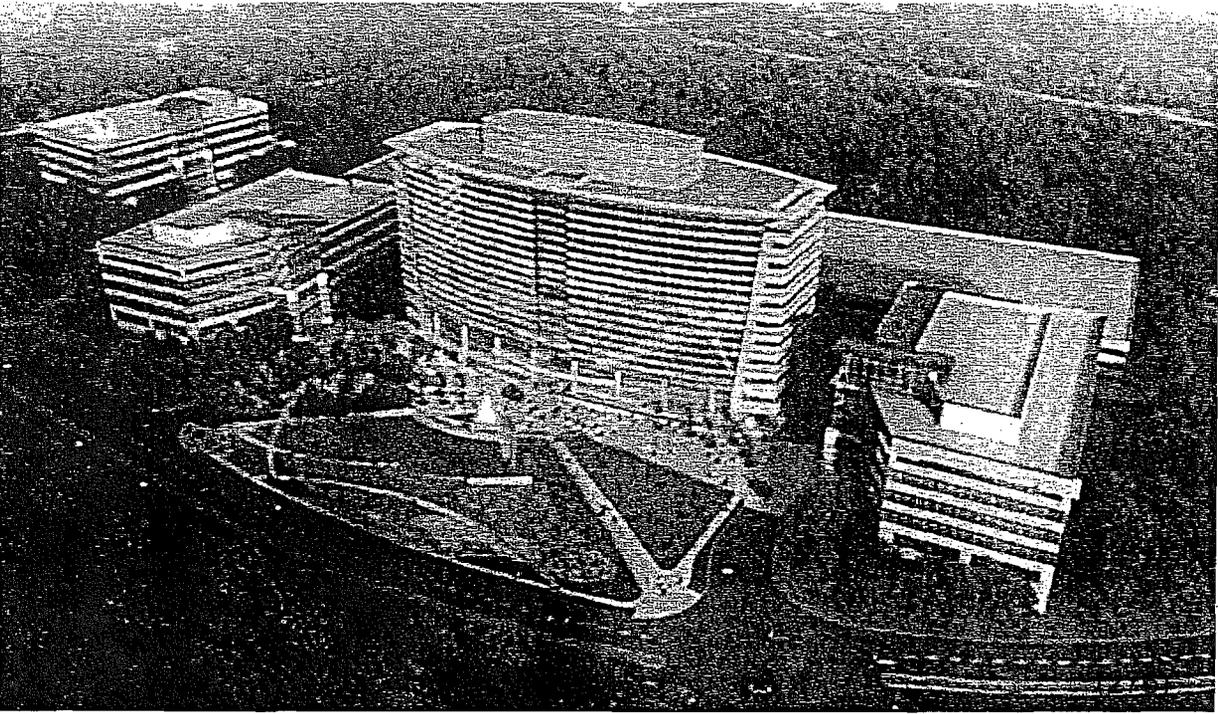


Photo Rendering:

Showing Metro Park 6 in the center of the rendering and its associated parking garage in the background. Building 8 is depicted on the far left of the rendering.



16-403

Site Plan/Subdivision Plat Preparation, Building Permit, Residential Use Permit and Non-Residential Use Permit

Approval of a final development plan shall be a prerequisite and shall constitute authority for the applicant to prepare a site plan or a subdivision plat. Approval of site plans or subdivision plats and the issuance of Building Permits, Residential and/or Non-Residential Use Permits shall be in substantial conformance with the final development plan, and in accordance with the provisions of this Ordinance and Chapter 101 of The Code, The Subdivision Ordinance, and the following:

1. Separate site plans or subdivision plats shall be submitted for each section of the planned development in accordance with the approved final development plan. For development within the PTC District subject to a phasing plan, each site plan or subdivision plat shall provide a statement in tabular form indicating the amount of gross floor area, FAR and/or number of dwelling units approved for each specific phase and the overall development subject to the rezoning to the PTC District and shall also include the amount of gross floor area, FAR and/or number of dwelling units constructed within each phase and for the overall development as of the date of the submission of the site plan or subdivision plat.
2. Except in the PTC District, when a planned development is to be constructed in sections, the total area of open space provided at any stage of development shall bear substantially the same relationship to the total open space to be provided in the entire planned development as the sections completed or under development bear to the entire planned development.
3. Minor deviations from the provisions of this Ordinance and Chapter 101 of The Code, The Subdivision Ordinance, may be permitted, but only where such deviations are indicated on the approved final development plan.
4. Minor modifications to an approved final development plan may be permitted when it is determined by the Zoning Administrator that such are in substantial conformance with the approved final development plan and that such: are in response to issues of topography, drainage, underground utilities, structural safety, layout, design, vehicular circulation, or requirements of the Virginia Department of Transportation or Fairfax County; or are accessory uses; or are accessory structures or minor building additions as permitted by Par. 4A(7) or 4(B)7 below.
 - A. For approved final development plans for all uses, other than churches, chapels, temples, synagogues and other such places of worship (hereinafter places of worship) and places of worship with a child care center, nursery school or private school of general or special education, the modifications shall, in no event:
 - (1) Permit a more intensive use than that approved pursuant to the approved conceptual development plan, final development plan or any applicable proffers or development conditions; or
 - (2) Result in an increased parking requirement, except for any additional parking which may be required for any building additions or modifications permitted under Par. 4A(7) below; or
 - (3) Permit additional uses other than those approved pursuant to the approved conceptual development plan, final development plan, or any

applicable proffers or development conditions, except that accessory uses in accordance with this paragraph may be permitted; or

- (4) Reduce the effectiveness of approved transitional screening, buffering, landscaping or open space; or
- (5) Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or
- (6) Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or
- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use and minor additions to buildings may be permitted, provided that the sum total of all such structures or additions shall not exceed the following:
 - (a) five (5) percent of the approved gross floor area or 500 square feet of gross floor area, whichever is less, when the total gross floor area shown on the approved final development plan is less than 50,000 square feet; or
 - (b) one (1) percent of the approved gross floor area when the total gross floor area shown on the approved final development plan is 50,000 square feet or more; or
 - (c) 250 square feet of gross floor area of accessory storage structure uses when the total gross floor area shown on the approved final development plan is 10,000 square feet or less; and
 - (d) the land area designated for commercial uses in the PDH District or the maximum FAR provisions in the PDC, PRM and PTC Districts; or
 - (e) the maximum permitted density.

B. For approved final development plans for places of worship and places of worship with a child care center, nursery school or private school of general or special education, the modifications shall, in no event:

- (1) Permit an expansion of the hours of operation from that approved pursuant to the approved conceptual development plan, final development plan or any applicable proffers or development conditions; or
- (2) Permit an increase in the number of seats, parking spaces or students, if applicable, which exceeds more than ten (10) percent of the amount approved pursuant to the conceptual development plan, final development plan or any applicable proffers or development conditions; or

- (3) Permit uses other than those approved pursuant to the conceptual development plan, final development plan, or any applicable proffers or development conditions, except that accessory uses in accordance with this paragraph may be permitted; or
- (4) Reduce the effectiveness of approved transitional screening, buffering, and landscaping or open space; or
- (5) Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or
- (6) Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or
- (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
 - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
 - (b) the maximum permitted FAR for the zoning district shall not be exceeded.

C. For all approved final development plans, any request for an addition shall require the provision of written notice by the requester in accordance with the following:

- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
- (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the approved final development plan, such modification shall require the resubmission and amendment of the final development plan in accordance with Sect. 402 above.

5. Notwithstanding the above, any modification to an approved final development plan to provide an accessibility improvement shall be permitted and shall not require approval of an amendment to the final development plan.
6. Notwithstanding the above, any alteration to a single family dwelling unit shall be governed by the regulations of that R zoning district which most closely characterizes the given development as determined by the Zoning Administrator. If, however, the desired alteration is not in substantial conformance with the approved final development plan, such alteration shall be allowed only after amendment of the final development plan in accordance with the provisions set forth in Sect. 402 above.

Proffered Condition Regulations

Proffered conditions shall include written statements, development plans, profiles, elevations, and/or other demonstrative materials proffered in accordance with the provisions of Par. 4 of Sect. 203 above and approved by the Board in conjunction with the approval of an amendment to the Zoning Map. Proffered conditions shall be subject to the following procedures and regulations:

1. Once conditions to be proffered are signed and made available, and the public hearing before the Board has commenced, no change or modification to any condition shall be made and no additional conditions shall be proffered at that public hearing. If modified or additional conditions are proposed, a second public hearing before the Board shall be held before the application and the modified or additional conditions can be approved. Such application may also be the subject of a second public hearing before the Planning Commission.
2. If the amendment to the Zoning Map is adopted subject to the conditions proffered by the applicant as set forth above, then the property in question shall be appropriately annotated on the Zoning Map and all other land records referencing the conditions as adopted.
3. Such proffered conditions shall become a part of the zoning regulations applicable to the property in question, unless subsequently changed by an amendment to the Zoning Map, and such conditions shall be in addition to the specific regulations set forth in this Ordinance for the zoning district in question.
4. Upon approval, any site plan, subdivision plat or development plan thereafter submitted for the development of the property in question shall be in substantial conformance with all proffered conditions and no development shall be approved by any County official in the absence of said substantial conformance.
5. Notwithstanding the provisions of Part 4 of Article 1, minor modifications to the proffered conditions may be permitted when it is determined by the Zoning Administrator that such are in substantial conformance with the proffered conditions and that such: are in response to issues of topography, drainage, underground utilities, structural safety, layout, design, vehicular circulation, or requirements of the Virginia Department of Transportation or Fairfax County; or are accessory uses; or are accessory structures or minor building additions as permitted by Par 5A(7) or 5B(7) below.
 - A. For proffered rezonings for all uses, other than churches, chapels, temples, synagogues and other such places of worship (hereinafter places of worship) or places of worship with a child care center, nursery school or private school of general or special education, the modifications shall, in no event:
 - (1) Change the amount of land area or permit a more intensive use from that approved pursuant to the proffered conditions; or

- (2) Result in an increased parking requirement, except for any additional parking which may be required for any building additions or modifications permitted under Par. 5A(7) below; or
 - (3) Permit uses other than those approved pursuant to the proffered conditions, except that accessory uses in accordance with this paragraph may be permitted; or
 - (4) Reduce the effectiveness of approved transitional screening, buffering, landscaping or open space; or
 - (5) Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or
 - (6) Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or
 - (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use and minor additions to buildings may be permitted, provided that the sum total of all such structures or additions shall not exceed the following:
 - (a) five (5) percent of the approved gross floor area or 500 square feet of gross floor area, whichever is less, when the total gross floor area shown on the proffered development plan is less than 50,000 square feet; or
 - (b) one (1) percent of the approved gross floor area when the total gross floor area shown on the proffered development plan is 50,000 square feet or more; or
 - (c) 250 square feet of gross floor area of accessory storage structure uses when the total gross floor area shown on the proffered development plan is 10,000 square feet or less; and
 - (d) the maximum permitted density; or
 - (e) the maximum permitted FAR for the zoning district in which located.
- B. For proffered rezonings for places of worship and places of worship with a child care center, nursery school or private school of general or special education, the modifications shall, in no event:
- (1) Permit an expansion of the hours of operation from that approved pursuant to the proffered conditions; or

- (2) Permit an increase in the number of seats, parking spaces or students, if applicable, which exceeds more than ten (10) percent of the amount approved pursuant to the proffered conditions; or
 - (3) Permit uses other than those approved pursuant to the proffered conditions, except that accessory uses in accordance with this paragraph may be permitted; or
 - (4) Reduce the effectiveness of approved transitional screening, buffering, and landscaping or open space; or
 - (5) Permit changes to bulk, mass, orientation or location which adversely impact the relationship of the development or part thereof to adjacent property; or
 - (6) Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance roads, that reduces non-stormwater management open space, tree save and/or landscaping area on the lot; or
 - (7) Include the addition of any building or additions to buildings except that accessory structures clearly subordinate to the use, and minor additions to buildings may be permitted, provided that:
 - (a) the sum total of all such structures or additions shall not exceed the greater of 500 square feet of gross floor area, or five (5) percent of the approved gross floor area up to a maximum of 2500 square feet of gross floor area; and
 - (b) the maximum permitted FAR for the zoning district shall not be exceeded.
- C. For all proffered rezonings, any request for an addition shall require the provision of written notice by the requester in accordance with the following:
- (1) the notice shall include the letter of request with all attachments as submitted to the Zoning Administrator, a statement that the request has been submitted, and where to call for additional information; and
 - (2) the notice shall be sent to the last known address of the owners, as shown in the real estate assessment files of the Department of Tax Administration, of all property abutting and across the street from the site, or portion thereof, which is the subject of the request, and shall be delivered by hand or sent by certified mail, return receipt requested.

The request for an addition submitted to the Zoning Administrator shall include: an affidavit from the requester affirming that the required notice has been provided in accordance with the above; the date that the notice was delivered or sent; the names and addresses of all persons notified; and the Tax

Map references for all parcels notified. No request for an addition shall be considered by the Zoning Administrator unless the affidavit has been provided in accordance with this paragraph.

When it is determined by the Zoning Administrator that a modification is not in substantial conformance with the proffered conditions, such modification shall require the resubmission and amendment of the proffered conditions in accordance with the provisions of Par. 6 below.

Notwithstanding the above, any modification to a proffered condition to provide an accessibility improvement shall be permitted and shall not require approval of a proffered condition amendment.

PLANNED DEVELOPMENT DISTRICT REGULATIONS

PART 2 6-200 PDC PLANNED DEVELOPMENT COMMERCIAL DISTRICT

6-201 Purpose and Intent

The PDC District is established to encourage the innovative and creative design of commercial development. The district regulations are designed to accommodate preferred high density land uses which could produce detrimental effects on neighboring properties if not strictly controlled as to location and design; to insure high standards in the lay-out, design and construction of commercial developments; and otherwise to implement the stated purpose and intent of this Ordinance.

To these ends, rezoning to and development under this district will be permitted only in accordance with a development plan prepared and approved in accordance with the provisions of Article 16.

6-202 Principal Uses Permitted

The following principal uses shall be permitted subject to the approval of a final development plan prepared in accordance with the provisions of Article 16, and subject to the use limitations set forth in Sect. 206 below.

1. Business service and supply service establishments.
2. Eating establishments.
3. Establishments for scientific research, development and training where assembly, integration and testing of products in a completely enclosed building is incidental to the principal use of scientific research, development and training.
4. Exposition halls and facilities to house cultural or civic events or conventions of political, industrial, fraternal or similar associations, with a minimum gross floor area of 100,000 square feet.
5. Financial institutions.
6. Garment cleaning establishments.
7. Hotels, motels.
8. Offices.
9. Personal service establishments.
10. Public uses.
11. Repair service establishments.
12. Retail sales establishments.
13. Theatres.

FAIRFAX COUNTY ZONING ORDINANCE

6-203 Secondary Uses Permitted

The following secondary uses shall be permitted only in a PDC District which contains one or more principal uses; only when such uses are presented on an approved final development plan prepared in accordance with the provisions of Article 16; and subject to the use limitations set forth in Sect. 206 below.

1. Accessory uses, accessory service uses and home occupations as permitted by Article 10.
2. Affordable dwelling unit developments.
3. Automated teller machines, located within a multiple family dwelling.
4. Commercial and industrial uses of special impact (Category 5), limited to:
 - A. Amusement arcades
 - B. Automobile-oriented uses
 - C. Car washes
 - D. Drive-in financial institutions
 - E. Drive-through pharmacies
 - F. Fast food restaurants
 - G. Golf courses, country clubs
 - H. Golf driving ranges
 - I. Marinas, docks and boating facilities, commercial
 - J. Mini-warehousing establishments
 - K. Quick-service food stores
 - L. Retail sales establishments-large, limited by the provisions of Sect. 9-533
 - M. Service stations
 - N. Service station/mini-marts
 - O. Vehicle light service establishments
 - P. Vehicle sale, rental and ancillary service establishments, limited by the provisions of Sect. 9-518.
5. Commercial recreation uses (Group 5), limited to:

PLANNED DEVELOPMENT DISTRICT REGULATIONS

- A. Billiard and pool halls
 - B. Bowling alleys
 - C. Commercial swimming pools, tennis courts and similar courts
 - D. Health clubs
 - E. Indoor firing ranges, archery ranges, fencing and other similar indoor recreational uses
 - F. Miniature golf courses
 - G. Skating facilities
 - H. Any other similar commercial recreation use
- 6. Community uses (Group 4).
 - 7. Dwellings.
 - 8. Institutional uses (Group 3).
 - 9. Kennels, limited by the provisions of Sect. 206 below.
 - 10. Light public utility uses (Category 1).
 - 11. New vehicle storage, limited by the provisions of Sect. 206 below.
 - 12. Parking, commercial off-street, as a principal use.
 - 13. Quasi-public uses (Category 3), limited to:
 - A. Alternate uses of public facilities
 - B. Child care centers and nursery schools
 - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
 - D. Colleges, universities
 - E. Conference centers and retreat houses, operated by a religious or nonprofit organization
 - F. Congregate living facilities
 - G. Cultural centers, museums and similar facilities

FAIRFAX COUNTY ZONING ORDINANCE

- H. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
 - I. Independent living facilities
 - J. Medical care facilities
 - K. Private clubs and public benefit associations
 - L. Private schools of general education
 - M. Private schools of special education
 - N. Quasi-public parks, playgrounds, athletic fields and related facilities
14. Transportation facilities (Category 4), limited to:
- A. Bus or railroad stations
 - B. Electrically-powered regional rail transit facilities
 - C. Heliports
 - D. Helistops
 - E. Regional non-rail transit facilities
15. Vehicle transportation service establishments.
16. Veterinary hospitals.

6-204

Special Permit Uses

For specific Group uses, regulations and standards, refer to Article 8.

- 1. Group 8 - Temporary Uses.
- 2. Group 9 - Uses Requiring Special Regulation, limited to:
 - A. Accessory dwelling units

6-205

Special Exception Uses

- 1. Subject to the use limitations presented in Sect. 206 below, any use presented in Sect. 203 above as a Group or Category use may be permitted with the approval of a special exception when such use is not specifically designated on an approved final development plan.

PLANNED DEVELOPMENT DISTRICT REGULATIONS

2. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
 - A. Commercial off-street parking in Metro Station areas as a temporary use
 - B. Fast food restaurants

6-206

Use Limitations

1. All development shall conform to the standards set forth in Part 1 of Article 16.
2. All uses shall comply with the performance standards set forth in Article 14.
3. When a use presented in Sect. 203 above as a Group or Category use is being considered for approval on a final development plan, the standards set forth in Articles 8 or 9 shall be used as a guide.

When a use presented in Sect. 203 above as a Group or Category use is being considered for approval as a special exception use, pursuant to Sect. 205 above, the use shall be subject to the provisions of Article 9 and the special permit standards of Article 8, if applicable. Provided that such use is in substantial conformance with the approved conceptual development plan and any imposed development conditions or proffered conditions and is not specifically precluded by the approved final development plan, no final development plan amendment shall be required.

In either of the above, all Category 3 medical care facility uses shall be subject to the review procedures presented in Part 3 of Article 9.
4. All uses permitted pursuant to the approval of a final development plan shall be in substantial conformance with the approved final development plan as provided for in Sect. 16-403.
5. Secondary uses shall be permitted only in a PDC District which contains one or more principal uses. Unless modified by the Board in conjunction with the approval of a conceptual development plan in order for further implementation of the adopted comprehensive plan, the gross floor area devoted to dwellings as a secondary use shall not exceed fifty (50) percent of the gross floor area of all principal uses in the development, except that the floor area for affordable and market rate dwelling units which comprise the increased density pursuant to Part 8 of Article 2 shall be excluded from this limitation. The gross floor area of all other secondary uses shall not exceed twenty-five (25) percent of the gross floor area of all principal uses in the development.

The floor area for dwellings shall be determined in accordance with the gross floor area definition except the following features shall not be deemed gross floor area: balconies, porches, decks, breezeways, stoops and stairs which may be roofed but which have at least one open side; or breezeways which may be roofed but which have two (2) open ends. An open side or open end shall have no more than fifty (50) percent of the total area between the side(s), roof and floor enclosed with railings, walls, or architectural features.
6. Secondary uses shall be designed so as to maintain and protect the character of adjacent properties, and shall be conducted entirely within an enclosed building, with no outside display, except those uses which by their nature must be conducted outside a building.

ARTICLE 16

DEVELOPMENT PLANS

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS

16-101 General Standards

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional zoning

FAIRFAX COUNTY ZONING ORDINANCE

district which most closely characterizes the particular type of development under consideration. In the PTC District, such provisions shall only have general applicability and only at the periphery of the Tysons Corner Urban Center, as designated in the adopted comprehensive plan.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

Additional Standards for Child Care Centers and Nursery Schools

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.
 For the purpose of this provision, usable outdoor recreation area shall be limited to:
 - A. That area not covered by buildings or required off-street parking spaces.
 - B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only.
 - C. Only that area which is developable for active outdoor recreation purposes.
 - D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

2. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons	Street Type
1-75	Local
76-660	Collector
660 or more	Arterial

3. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.

4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

APPENDIX 3**LOCATIONAL GUIDELINES FOR CHILD CARE FACILITIES**

In Fairfax County, as in other areas of the country, there is an increasing need for high-quality child care facilities. Such facilities should be encouraged throughout the County to the extent that they can be provided consistently with the following criteria:

1. Child care facilities should have sufficient open space to provide adequate access to sunlight and suitable play areas, taking into consideration the size of the facility.
2. Child care facilities should be located and designed to ensure the safety of children.
3. Child care facilities should be located and designed to protect children from excessive exposure to noise, air pollutants, and other environmental factors potentially injurious to health or welfare.
4. Child care facilities should be located and designed to ensure safe and convenient access. This includes appropriate parking areas and safe and effective on-site circulation of automobiles and pedestrians.
5. Child care facilities in Suburban Neighborhoods should be located and designed to avoid creating undesirable traffic, noise, and other impacts upon the surrounding community. Therefore, siting child care facilities in the periphery of residential developments or in the vicinity of planned community recreation facilities should be considered.
6. Child care facilities should be encouraged in employment centers to provide locations convenient to work places. However, these locations should make provisions for a safe and healthful environment in accord with the guidelines listed above.

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

INFORMATION - 1

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.

Enclosed is a quarterly status report on the Board's Four-Year Transportation Program and other active transportation projects. 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.

The information provided in the attached June 2011 report is an update to the March 2011 quarterly status report, which was provided to the Board on April 26, 2011.

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 2011 Status Report on the Fairfax County Board of Supervisors' Four-Year Transportation Program for FY 2008 through FY 2011

Board Agenda Item
July 26, 2011

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Tom Biesiadny, Acting Director, Fairfax County Dept. of Transportation (FCDOT)

Ronald N. Kirkpatrick, Deputy Director, Capital Facilities, DPWES

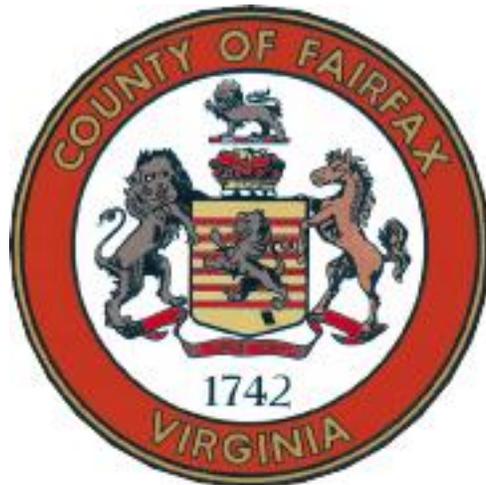
W. Todd Minnix, Chief, Transportation Design Division, FCDOT

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

Karyn L. Moreland, Chief, Capital Projects Section, FCDOT

Brent Payne, Capital Projects Section, FCDOT

Status Report
on the
Fairfax County Board of Supervisors’
Second Four-Year Transportation
Program
FY 2008 Through FY 2011



Prepared by:
Department of Transportation
Capital Projects and Operations Division



June 2011

June 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from April through June 2011

Capital Program Highlights

- Four (4) projects were completed in the second quarter of 2011:
 - **West Ox Road/Fairfax County Parkway** (Hunter Mill)
 - **Mason Neck Trail 2A Walkway** (Mount Vernon)
 - **Tyler Street Walkway** (Mason District)
 - **Westmoreland St. Walkway** from Temple Rodef Shalom to Chesterbrook Presbyterian Church (Dranesville District)

(Tyler Street Walkway - photo courtesy of Fairfax County DPWES)



- Twenty-four (24) projects are under construction:
 - **I-495 Capital Beltway HOT Lanes** (Countywide)
 - **I-66 Pavement Rehabilitation** (Providence, Springfield)
 - **I-95 Fourth-Lane Widening** (Lee, Mount Vernon)
 - **Woodrow Wilson Bridge**, Telegraph Road Interchange (Lee, Mount Vernon)
 - **Route 29 @ Gallows Road** (Providence)
 - **Georgetown Pike/Swinks Mill Road** Flashing Beacon (Dranesville)
 - **Centreville Road Trail at Dulles Toll Road**, Phase II (Hunter Mill)
 - **Fairfax County Parkway EPG** (Lee, Mount Vernon, Springfield)
 - **Fairfax County Pkwy/Fair Lakes Blvd/Monument Dr. Interchange** (Springfield, Sully)
 - **Poplar Tree Road** (Sully District)
 - **Silverbrook Road @ Hoes Road** (Mount Vernon)
 - **Zion Drive** (Braddock District)
 - **Dulles Rail (Phase I)** (Dranesville, Providence, Hunter Mill)
 - **Seven Corners Transit Transfer Center** (Mason)
 - **Vienna Metrorail Staircase** (Providence)
 - **Backlick Road Walkway** from Wilburdale to Braddock Road (Mason)
 - **Beulah Road Trail**, Segment D (Hunter Mill)

June 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from April through June 2011

- **Burke Center Parkway Walkway** (Braddock)
- **Columbia Pike Walkway Phase II** (Mason)
- **Fox Mill Road Walkway** (Hunter Mill)
- **Franconia Road Walkway**, South Side, Governor's Hill Dr. to Telegraph Rd. (Lee)
- **Lincolnia Road Walkway** (Mason)
- **Pohick Stream Valley Trail** (Braddock)
- **Prosperity Ave/Hilltop Drive** Pedestrian Improvements (Providence)

➤ **Capital Beltway HOT Lanes PPTA**

- Overall construction is approximately 63% complete
- Work to build the new HOT Lanes in the center of the Beltway is in progress.
- The new W&OD and Wakefield Park bridges opened to pedestrian and bicycle traffic in June 2011.
- A portion of Jones Branch Drive is closed at night time only, for sewer line relocation

(Westpark DR. HOT Lanes Ramp - photo courtesy of VDOT MegaProjects)



- The Beltway HOT Lanes are scheduled for completion in December 2012
- For further information, <http://www.vamegaprojects.com/>

➤ **I-95/I-395 HOT Lanes PPTA**

- In February, the Governor put forward a revised I-95/I-395 HOT Lanes plan, to facilitate the project moving forward
- The revised project includes:
 - Constructing 2 new HOV/HOT lanes from Garrisonville Road in Stafford County to Dumfries
 - Widening 2 existing HOV lanes to 3 HOV/HOT lanes from Prince William Parkway to Edsall Road
 - Constructing a new HOV/Transit ramp to Seminary Road near Mark Center

June 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from April through June 2011

- Transit improvements, including Park-and-Ride Lots

➤ **Dulles Rail**

- Construction activities are underway along the entire 11-mile alignment of Phase 1 of the Dulles Corridor Metrorail Project from the West Falls Church Metrorail Station to the Dulles Connector Road, through Tysons and west to Wiehle Avenue in Reston.
- Construction is 35% complete

(photo courtesy of VDOT MegaProjects)



- The SB Route 123 ramp to Route 7 is open to WB Route 7 only. This new pattern will be in effect for approximately three years.
- The right lane of SB Route 123 from Scotts Crossing Road to the I-495 Beltway Inner Loop is closed, and will remain so for approximately two years.
- Construction continues in the Dulles International Airport Access Highway median
- For further information, <http://www.dullesmetro.com/>

➤ **Reston – Wiehle Ave Station**

- The Reston East Park-and-Ride lot closed to commuters on April 2, 2011, to make way for the new 2,300 space garage for the Reston-Wiehle Ave. Station
- On November 29, 2010, two bus routes and approximately 300 passengers were shifted to the Reston North Park-and-Ride
- Bus service was enhanced at the Reston South Park-and-Ride via Route 585
- 50 parking spaces for commuters were allocated at Baron Cameron Park
- The new Sunset Hills Interim Park-and-Ride lot, located on the corner of Sunset Hills Road and Town Center Parkway, opened on April 3.
- New Route 555 began operating on April 3, 2011, and provides service between the Sunset Hills lot and West Falls Church Metrorail Station. Additional service will be provided on Route 505.

June 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from April through June 2011

Special Programs Highlights

➤ **Pedestrian Program**

- **Pedestrian Access and Safety**

- FCDOT staff continued reconciling major issues such as Fairfax County-DOJ ADA Settlement and changing FHWA and VDOT Design Standards.
- FCDOT coordinates with groups such as the Trails and Sidewalks Committee, the Hunter Mill District Transportation Advisory Council, and the Burke Centre Parkway Task Force
- FCDOT provided outreach at special events such as the Lee HS Special Education Conference, and the Live Well Employee Health & Fitness Day.

- **Street Smart**

- FCDOT worked with regional partners on the April 2011 Street Smart Pedestrian and Bicycle Safety Campaign
- The twice-yearly campaigns utilize television, radio, print and bus advertising to promote safety awareness and responsibilities of drivers and pedestrians in both English and Spanish.
- Safety brochures are also distributed in English, Spanish, Korean, Vietnamese, Chinese and Amharic.

- **Yield to Pedestrians Fine Signs**

- Fairfax County designates certain crosswalks for Yield to Pedestrians in Crosswalk \$100 - \$500 Violation Fine signs.
- As of 2011, FCDOT has installed and maintains over 1,800 of these signs at over 450 intersections.

- **Trail/Bike Lane/Sidewalk Waivers**

- FCDOT processes and coordinates waivers with the Trails and Sidewalks Committee, DPWES and DPZ.

➤ **Bicycle Program**

- **On-Road Bike Lane Initiative**

- FCDOT and VDOT are developing new bike lane projects as part of the 2011 summer repaving program.
- Routes under consideration include: Soapstone Drive, Sleepy Hollow Road, Lewinsville Road, Sully Park Drive, and Route 123 (Dolly Madison Drive).
- Plans for Gallows Road Phase II Bike Lanes, funded by 2007 County Bonds, were finalized and construction is anticipated in late 2011.

- **Increase and Enhance Bicycle Parking**

- 150 new bicycle racks and 30 new bicycle lockers were purchased and are currently being installed countywide.
- In coordination with Comstock Partners, FCDOT is designing a "state of the industry" secure bicycle parking room at the proposed Reston-Wiehle Ave. Station including 200 spaces, bicycle retail use, and future bicycle sharing.
- Stringfellow Road Park-and-Ride Lot expansion is under design, including secure, covered bicycle parking for over 100 bikes and enhanced trail and sidewalk connections.
- Fairfax County bicycle parking guidelines, standards, and specifications will be released soon, providing guidance to developers and government agencies.

- **Bicycle Master Plan**

June 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from April through June 2011

- Phase I focuses on the greater Tysons area including segments of McLean, Merrifield, and Vienna, and will go before the PC and BOS in late 2011.
- Phase II will encompass the rest of Fairfax County. Work began in April 2011, with a study duration of 18 months.
- **Bobann Drive Bikeway**
 - One mile of paved, 10-foot wide shared use path from Wharton Lane to Stringfellow Road, providing access to the expanded Stringfellow Road Park-and-Ride Lot.
- **Bike the Sites Map**
 - FCDOT is creating a family-friendly bicycle route map centered around historic sites in the western area of the County.
 - Funded with a Federal Transportation Enhancement grant, the project is scheduled for completion in 2011.
- **Bicycle Route Signage**
 - Routes include three locations in the Dranesville District, the Fairfax County Parkway, and the GMU-Fairfax City-Vienna Metrorail Station Bike Route
- **Outreach, Education and Events**
 - FCDOT, with private sector and County agencies, continues to sponsor the region's "Bike to Work Day" with nine pit stop locations within the County.
- **Traffic Operations (TOS)**
 - The Traffic Management Plan (TMP) for the Capital Beltway HOT Lanes and other Northern Virginia Megaprojects aims to reduce congestion during construction
 - Safety Service Patrollers assist motorists and law enforcement/emergency personnel with incident management
 - Public outreach provides real-time traffic information, and promotes transit options and subsidies
 - The VDOT Operations Center proactively manages incidents within construction work zones
 - County staff has studied approximately 15 intersections and roadway segments for signals, signage, marking, traffic control devices or other improvements
 - County staff is working with VDOT on potential I-66 Active Traffic Management (ATM) solutions to address the heavy congestion that routinely occurs
 - TOS continues to work with VDOT and WMATA on the development of a Parking Occupancy Sign project to collect parking occupancy data at the Vienna Metrorail Station and display the information along I-66.
 - TOS has assembled a task force to participate more actively with VDOT on the development of project applications for HSIP funds. The HSIP program is intended to identify projects for locations with a history of accidents.
 - The Board requested an amendment to County Code to develop guidelines for the operation of golf carts on public roadways within residential areas. 82-13 is scheduled for public hearing on July 26, 2011.
 - **Traffic Calming Program**
 - Seven traffic calming projects were initiated for study: Camden Street, Cherry Tree Drive, Colvin Forest Drive, Dunn Meadow Road, Washington Avenue, Manchester Lakes Drive, and Garland Drive
 - One project was approved by the Board for installation: Dominion Way
 - One "\$200 Fine for Speeding" sign request was received: Donegal Lane

June 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from April through June 2011

- Four "Watch for Children" sign requests were received: Donegal Lane, Fairfax Station Road, Myterra Way, and Hardwood Place
- Six "Watch for Children" signs were approved by the Board for installation: Briar Ridge Court, Franklin Park Road, Kirby Road, North Chambliss Street, Park Road, and Valley Wood Road
- One Through Truck Restriction request was received for study: Reston Avenue
- **Signage, CPD and RPPD Programs, and General Parking**
 - One inquiry and one request for a community parking district (CPD), and one public hearing for a CPD
 - 330 CPD signs have been eliminated throughout the County, most within large area CPDs, in an effort to reduce future maintenance costs.
 - The Residential Permit Parking District (RPPD) program received 14 inquiries, conducted seven parking studies, and three petitions were issued.
 - The RPPD program issued more than 5,800 renewal permits/passes in May/June in addition to issuances for new residents throughout the County.
 - Launched enhanced RPPD web information pages and online form for 24/7 RPPD permit applications.
 - Under general parking, eight new requests and three field reviews were conducted on roadways requesting parking changes.
 - The Board requested an amendment to County Code to impose parking restrictions in non-residential areas. 82-5-37.1 is scheduled for public hearing on July 26, 2011.
 - BRAC 133's parking study is complete in preparation for Mark Center occupation and possible temporary to permanent RPPD requests.
 - The County's annual sign inventory program has been completed.

Tysons Corner Planning Studies

- The Tysons Corner Comprehensive Plan Amendment was approved by the BOS on June 22, 2010. By 2050, the plan envisions Tysons as home to up to 100,000 residents and 200,000 jobs. Since the plan was designed to take advantage of the four new Metro stations coming to Tysons Corner in 2013, 75 percent of future growth will be within a half mile of these stations.
- Tysons Corner will be transformed into a walkable, green, urban center based on the plan approved by the BOS and the associated Zoning Ordinance for Tysons. The Board also adopted 20 follow-on motions to guide implementation of the plan. These follow-on motions included direction to conduct several studies, noted below, that have been or soon will be initiated.
- The Tysons Circulator Study, which will examine how the circulator system envisioned in the plan could be implemented, is currently underway. An RFP was issued in December 2010 and the contract was awarded in March 2011. Peer system review is underway, and Goals and Objectives have been developed.
- The Dulles Toll Road (DTR) Ramps Study will look at ramp connections between the DTR and Tysons that will help move traffic in and out of Tysons Corner. A contract was awarded, and data collection is underway for operational and preliminary design study.
- The Grid of Streets study will look at how Tysons can be transformed into a walkable urban center through redevelopment of land and a corresponding grid of streets that would offer alternative streets for travel within Tysons. A planning level study is complete and further study of operations and preliminary design is planned to follow the DTR Ramps Study.

June 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from April through June 2011

- The Tysons Metrorail Station Access Management Study (TMSAMS) hosted four public meetings in March 2011. Recommendations will be forthcoming in the 3rd quarter of 2011 and a final public meeting will be held.

Transit

➤ **Bus Stop Improvement Program**

- A comprehensive inventory and study of all bus stops in Fairfax County identified undesirable bus stop conditions for priority action.
- The Board identified \$2.5 million from the general fund and \$7.75 million in the 2007 Transportation Bond for improvements to the priority stops identified in the study.
- 127 sites have been completed since implementing the bus stop improvement program. There are currently 15 sites in project development, 66 in design, 13 in land acquisition and 27 under construction.

➤ **Bus Shelter Advertising Program**

- FCDOT is engaged in a public/private partnership to improve bus stops, which is expected to raise revenues through the sale of advertising space on bus shelters. The contractor will sell advertising space to subsidize construction, maintenance, and operation of bus shelters, and will share a percentage of the surplus revenues with the County. The contract was awarded in July 2010.
- FCDOT recently received permits for 33 locations, to retrofit existing shelters with advertising. Of these, 30 retrofits have been completed.

➤ **Fairfax Connector Bus**

- Fairfax Connector has added 139 new "Clean Diesel" transit vehicles to the fleet, which are low-floor and more easily accessible than the older vehicles
- 24 older buses have been re-built, so that additional service life can be realized.
- Fairfax Connector has ordered 19 expansion buses to be used for BRAC and Transit Development Plan-related service changes. Fairfax Connector ordered 12 buses which will replace existing buses that have reached their retirement age in FY2012. All 31 buses are Mini-Hybrid buses.
- In 2011, Fairfax Connector will complete a retrofit of the heating system at West Ox to utilize methane gas from the I-66 landfill to heat 66 percent of the facility.

➤ **Transit Studies**

- The Countywide Transit Network Study will plan a long-term efficient, high-quality transit system for the County's growing population and employment. An RFP was advertised in June 2011 and it is anticipated that a consultant will be on board in Fall.
- FCDOT is studying locations along the Route 1 corridor for a transit transfer center. The transit center would incorporate Route 1 revitalization area enhancements, and could include a community amenity.

Marketing and TDM

➤ **Telework and Outreach**

- The Fairfax County government telework program currently has 1,423 employee participants.

June 2011 Status Report on the Board's Four-Year Transportation Program for FY2008 Through FY2011

Summary of Highlights from April through June 2011

- The Fairfax County Transportation Services Group (FCTSG) partners with major employers, developers and multi-family complexes to promote and encourage alternative commute options. To date approximately 430 employers have implemented trip reduction programs (or indicated interest in), which can include alternative work schedules, shuttles to transit stations, formal and informal telework programs, transit subsidies (including pre-tax), providing free or premium parking to carpools and vanpools, or comprehensive bike/walk programs. FCTSG maintains a database of over 200 residential communities to whom it provides marketing support and assists with TDM program implementation and monitoring.
 - FCTSG also supports the Congestion Mitigation Programs for BRAC, Dulles Rail and HOT Lanes construction by coordinating employer and community outreach with regional partners, including MWCOG (Commuter Connections), VDRPT, VDOT, DATA, TyTran and TAGS.
- **Special Populations Transportation (SPOT)**
- Seniors On-The-Go! and TaxiAccess are two user-side subsidy taxicab programs managed by FCDOT's Special Populations Transportation programs (SPOT).
 - Seniors On-the-Go! has over 5,100 registrants since the program's inception in 2001. More than 734 coupon booklets were sold during the final quarter of FY2011 with a street value of \$ 24,222.
 - TaxiAccess has 618 registrants since the program's inception in 2007. 114 coupon booklets were sold during the final quarter of FY2011, with a street value of \$ 3,762.
 - The SPOT staff also continued distributing free Senior SmarTrip cards to older adults for use on the local fixed route transit system (bus and rail). Since inception, Senior SmarTrip cards have been distributed free to over 634 seniors.
 - These programs have been transferred to Neighborhood & Community Services, so FCDOT will remove them from the next quarterly report.
- **Transportation Demand Management (TDM) and Mixed-Use Development**
- The County has integrated TDM strategies into the land development process and is working to formalize this program. TDM proffers promote alternatives to single occupant vehicle trips. These proffers contain commitments to provide TDM services, goals for percentage trip reduction, and remedies or penalties for non-attainment of proffered goals.
 - A consultant study on integrating TDM into the land use and approval process is near completion: data collection, research and draft reports have been completed, and recommendations for TDM and parking in transit areas were presented to the PC and BOS transportation committees in November 2010. Application of the study recommendations will lead to more effective TDM strategies and formalized arrangements for TDM proffers.
 - Preliminary findings from the TDM study were used to inform staff recommendations for the TDM and Parking sections of the draft Comprehensive Plan text prepared for the Tyson's Corner Committee of the Planning Commission.

Completed Projects List

June 2011

Rt	Project Description	District	Completion Date
0001	Richmond Highway Public Transp. Initiative (Phase 1)	MV, LE	Oct-07
0007	Leesburg Pike/Glen Carlyn Road	MA	Apr-10
0007	Leesburg Pike/Magarity Road	DR, PR	Apr-10
0007	Leesburg Pike/Dranesville Road	DR	Apr-10
0007	Leesburg Pike @ Magarity Road	DR, PR	Nov-08
0028	Route 28 @ New Braddock Road	SU	Sep-09
0028	Route 28 @ Willard Road PPTA	SU	Dec-09
0028	Route 28 @ Frying Pan Road PPTA	HM, SU	Dec-09
0050	Lee Jackson Highway Walkway	SP	Apr-10
0050	Arlington Boulevard/Olin Drive	MA	Apr-10
0050	Route 50 Pedestrian Bridge	MA	Jun-09
0123	Dolley Madison Boulevard/Great Falls Street/Lewinsville Ro	DR	Apr-10
0123	Dolley Madison Boulevard @ Ingleside Avenue	DR	Dec-09
0123	Route 123 @ Waverly Way	DR	Aug-10
0193	Georgetown Pike/Walker Road	DR	Dec-09
0193	Georgetown Pike Stone Rubble Masonry Signs	DR	Jul-10
0193	Georgetown Pike Walkway (Phase I)	DR	Jul-10
0236	Route 236 @ Beauregard Street	MA	Jan-09
0236	Route 236 from Lake Drive to Pickett Road	MA, BR, PR	Jun-08
0236	Route 236 @ Braddock Road WB	MA	Nov-09
0236	Route 236 @ Braddock Road EB	MA	Nov-09
0236	Little River Turnpike/Backlick Road	MA	Apr-10
0242	Mason Neck Trail 2A	MV	May-11
0244	Columbia Pike Walkway	MA	May-09
0608	West Ox Road @ Monroe Street	HM	Apr-08
0608	West Ox Road from Penderbrook Drive to Ox Trail	SU, PR	Jul-08
0613	South Van Dorn Sidewalk	LE	Apr-09
0620	Braddock Road at Thomas Jefferson HSS&T	MA	Jun-09
0620	Braddock Road/Guinea Road	BR	May-11
0620	Braddock Road @ Route 236	MA	Sep-08
0620	Braddock Road/Wakefield Chapel Road	BR	Oct-10
0620	Braddock Road @ Route 123	SP	Jun-09
0630	Quander Road Walkway	MV	Aug-09
0633	South Kings Highway @ Harrison Lane	LE	Aug-10
0643	Burke Centre Parkway at Roberts Parkway	BR	Jul-10

Rt	Project Description	District	Completion Date
0651	Guinea Road @ Falmead Road	BR	Sep-10
0653	Roberts Road Walkway	BR	Apr-10
0657	Centreville Road from West Ox Road to Frying Pan Road	HM, SU	Jun-10
0657	Centreville Road Trail at Dulles Toll Road	HM, DR	Feb-08
0662	Stone Road from Route 29 to Awbrey Patent Drive	SU	Apr-08
0668	McLearen Road Walkway	HM	Apr-10
0674	Hunter Mill Road Walkway	PR	Aug-09
0676	Clarks Crossing Road Walkway	HM	Jul-09
0681	Walker Road Trail (Walkway)	DR	Jul-10
0684	Spring Hill Road from Route 7 to International Drive	PR, HM	Aug-10
0693	Westmoreland Street Walkway	DR	Jun-11
0693	Westmoreland On-Road Bike Lanes	DR	Aug-08
0694	Lewinsville Road/Balls Hill Road	DR	Apr-10
0696	Wolftrap Road Walkway	PR	Apr-10
0701	Sutton Road Walkway	PR	Oct-10
0783	Edgelea Road Walkway	PR	Oct-10
0795	Tyler Street Walkway	MA	Apr-11
0824	Tuttle Road Trail	SP	Dec-09
1332	Huntington Avenue @ Fenwick Drive	MV	Aug-08
1723	Jefferson Avenue Walkway	PR	Apr-10
1898	Beverly Road @ Fleetwood Road	DR	Aug-09
3664	Lido Place Walkway	PR	Aug-09
4701	Colts Neck Road Walkway (South Lakes Drive to Winterthu	HM	Oct-10
4720	Soapstone Drive Walkway (Sweetbay Lane to Glade Drive)	HM	Jul-09
7100	Fairfax County Parkway @ West Ox Road	HM, SU	Apr-11
7100	Fairfax County Parkway @ Sunrise Valley Drive	HM	Mar-11
7702	Tall Timbers Drive	SP	Oct-07
XXXX	Burke Centre VRE Parking Expansion	BR	Nov-08
XXXX	West Falls Church Bus Canopy	DR	Jan-10
XXXX	West Ox Bus Operations Center	SP	Oct-08
XXXX	Huntington Metro Parking Expansion	MV	Aug-08

FCDOT Staff

CL = Caijun Luo
CWS = Charlie Strunk
DPWES = Dept. of Public Works & Env. Services
EAI = Beth Iannetta
GM = Guy Mullinax
JYR = Jane Rosenbaum
KLM = Karyn Moreland
KPR = Kinnari Radadiya
SAN = Seyed Nabavi
SLC = Smitha Chellappa
SSS = Sung Shin
TB = Tad Borkowski
WPH = Bill Harrell

Status

Bid Ad
Complete
*Construction**
Design
Inactive
On Going
On Hold
Project Initiation
ROW = Land Acquisition
Study
Terminated
Utilities = Utility Relocation

** Construction phase begins when design and ROW are complete, and may include pre-advertisement activities, bid advertisement, and contract award.*

Funding Source

ARRA = American Recovery & Reinvestment Act of 2009
C & I = Commercial and Industrial Tax
CMAQ = Congestion Mitigation & Air Quality
County Bonds = Fairfax County 4-Year Transportation Plan
GCRP = Governor's Congestion Relief Program
HSIP = Highway Safety Improvement Program (formerly HES)
NVTC = Northern Virginia Transportation Commission
NVTD Bonds = Northern Virginia Transportation District Bonds
OPN Funds = Open Container Program
Primary = Primary 6-Year Program
RSTP = Regional Surface Transportation Program
Secondary = Secondary 6-Year Program
TAC Spot = Transportation Advisory Commission Spots
TIIF/WMATA = Transit Investment & Infrastructure Fund
VNDIA = Virginia National Defense Industrial Authority

Other

CIM = Community Information Meeting
CMD = Construction Management Division
COG = Council of Governments
CTB = Commonwealth Transportation Board
DTR = Dulles Toll Road
FHWA = Federal Highway Administration
FY = Fiscal Year
MOA = Memorandum of Agreement
N/A = Not Available, or Not Applicable
N/R = Not Required
NTP = Notice to Proceed
PFI = Preliminary Field Inspection
PNR = Park-and-Ride
PPTA = Public-Private Transportation Act
RFP = Request for Proposal
VDOT = Virginia Department of Transportation

**June 2011 Status Report on the Board's Four-Year Transportation Program for
FY 2008 Thru FY 2011**

Status Key: ☺=Complete; ⌚=On Schedule; 🕒=Behind Schedule; ⚠=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern										
Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Page Number	District	Project Description	Lead Agency	Total Project Cost	Amt in BOS's 4-Yr Plan	All Other Funds	Phase	Start Date	End Date	Status
				(\$ in Millions)						
<i>Interstate & Primary Road Projects (listed numerically by route number)</i>										
1	BR, MA, PR, DR	I-495, Capital Beltway HOT Lanes (PPTA Project): Install 2 HOV/HOT lanes each direction from Springfield Interchange to the Dulles Toll Road	VDOT	\$1,654.397		\$1,654.397	D	Apr-05		🕒
							R			
							U	Mar-08		🕒
							C	May-08	Dec-12	🕒
1	PR, SP	I-66 from Capital Beltway to Route 50: Pavement rehabilitation	VDOT	\$48.000		\$70.000	D	Jun-09	Dec-10	☺
							R	N/A	N/A	
							U			
							C	Apr-11	Nov-12	🕒
2	HM, PR, SP, SU	I-66 from I-495 Capital Beltway to Route 15 in Haymarket: I-66 Multi-modal Transportation and Environmental Study	VDOT	\$20.300		\$20.300	D	Dec-10 to May-11	Jun-13 to Dec-12	🕒 ⚠
							R	N/A	N/A	
							U	N/A	N/A	
							C	N/A	N/A	
2	PR	Vienna Metro Enhanced Transit Access (I-66 Bus Ramp): Construct bus ramp to increase accessibility to Vienna Metrorail Station for transit vehicles	VDOT	\$34.082		\$17.079	D	Nov-05	Dec-11	🕒
							R	TBD	TBD	
							U	TBD	TBD	
							C	2013	TBD	
3	LE, MV	I-95 from Newington Interchange to Prince William County Line: Construct a fourth lane in both directions	VDOT	\$122.411		\$122.411	D	Oct-00	Jun-02	☺
							R	Dec-05	Dec-06	☺
							U	Dec-05	Dec-06	☺
							C	Sep-07	Sep-11	🕒
3	LE, MV	I-95 Woodrow Wilson Bridge & Interchanges: Design, right-of-way acquisition, environmental mitigation and construction of new drawbridge (bascule) span over the Potomac River including reconstruction of 7.5 miles of the Capital Beltway (I-95/I-495) and 4 interchanges, 2 in VA and 2 in MD	VDOT, MDSHA, FHWA	\$2,444.000		\$2,444.000	D		Sep-96	☺
							R			☺
							U			☺
							C	2001	2012	🕒
4	LE, MA	I-95/I-395/495 Interchange Modifications Phase VIII (Mixing Bowl): Construct HOV/HOT connections between I-95/I-395/I-495	VDOT	\$128.085		\$128.085	D		Jun-97	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	May-08	Dec-12	🕒
4	LE, MV, MA	I-95/I-395 HOT Lanes: Add one HOV/HOT lane (3 total) from Edsall Road to Prince William Pkwy, extend 2 HOV/HOT lanes to Stafford County, Construct HOV/transit ramp at Seminary Road, Construct new Park and Ride Lots	VDOT	\$1,000.000		\$1,000.000	D	Feb-11	TBD	🕒
							R	TBD	TBD	
							U	TBD	TBD	
							C	2012	TBD	
5	LE, MV	Richmond Highway Public Transportation Initiative (Phase 2): Route 1 (Richmond Hwy) corridor improvements from Fort Belvoir to the Huntington Metro Station, to support enhanced BRT bus service including pedestrian access improvements, bus shelters and sidewalks	COUNTY	\$54.500	\$7.500	\$28.574	D	Mar-06	TBD	🕒
							R	Jul-10	TBD	🕒
							U	TBD	TBD	
							C	TBD	TBD	
5	DR	Leesburg Pike @ Towlston Road: Add a left turn lane from NB Towlston Road to WB Route 7 (Leesburg Pike)	COUNTY	\$0.750	\$0.750		D	Nov-08	Aug-11 to Nov-11	🕒 ⚠
							R	May-14 to Sep-11	Jan-12 to Mar-12	⚠
							U	TBD	TBD	
							C	Mar-12 to Jun-12	Dec-12 to Mar-13	⚠
6	SP, SU, BR	Route 29: Widen to 3 lanes on NB Route 29 from Legato Road to Shirley Gate Road	COUNTY	\$4.000	\$4.000		D	Dec-08	Mar-12 to Mar-13	🕒 ⚠
							R	May-14 to Nov-11	Jan-12 to Jun-12	⚠
							U	TBD	TBD	
							C	May-12 to May-13	Jul-13 to May-14	⚠
6	PR	Route 29 @ Gallows Road: Widen Route 29 to 6 lanes from I-495 to Merrilee Drive, and widen Gallows Road to 6 lanes from Gatehouse Road to Providence Forest Drive	VDOT	\$132.188	\$23.000	\$132.810	D	Feb-04	Dec-07	☺
							R	Jan-07	Oct-08	☺
							U	May-08	Jun-11	🕒
							C	Mar-11	Jun-13	🕒
7	SP, BR	Route 29 from Stevenson Street to Forum Drive: Construct segments of a new shared-use path and provide connection to existing trail on the west side of Route 29	COUNTY	\$4.400		\$3.415	D	Nov-06	Jul-11	🕒
							R	Apr-11	Nov-11	🕒
							U	TBD	TBD	
							C	Dec-11	Feb-13	
7	MA	Arlington Boulevard @ Graham Road: Install a 4-foot wide raised median on Graham Road	COUNTY	\$0.750		\$0.750	D	Oct-09	Oct-11 to Mar-12	🕒 ⚠
							R	TBD	TBD	
							U	TBD	TBD	
							C	Dec-14 to May-12	Feb-12 to Aug-12	⚠

**June 2011 Status Report on the Board's Four-Year Transportation Program for
FY 2008 Thru FY 2011**

Status Key: ☺=Complete; ⌚=On Schedule; 🕒=Behind Schedule; ⚠=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern										
Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Page Number	District	Project Description	Lead Agency	Total Project Cost	Amt in BOS's 4-Yr Plan	All Other Funds	Phase	Start Date	End Date	Status
8	PR	Route 123 @ Jermantown Road: Construct right turn lane from SB Route 123 onto WB Jermantown Road	COUNTY	\$0.900		\$0.900	D	Nov-10	Dec-11	📅
							R	May-11 to Sep-11	Dec-11 to Apr-12	⚠
							U	TBD	TBD	
							C	Jan-12 to Jun-12	Nov-12 to Apr-13	⚠
8	DR	Georgetown Pike/Swinks Mill Road: Install flashing beacon warning signal	VDOT	\$0.001		\$0.001	D	May-10	Jan-11	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Feb-11	Jun-11	
<i>Secondary Road Projects (listed alphabetically by project name)</i>										
9	MA	Braddock Road @ Backlick Road: Install additional second left turn lane on WB Braddock Road	COUNTY	\$0.500		\$0.500	D	Mar-08	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
9	HM	Centreville Road Trail @ Dulles Toll Road (Phase II): Install pedestrian improvements and traffic signal modifications to cross Centreville Road at the Dulles Toll Road Interchange	COUNTY	\$0.250		\$0.250	D	Aug-08	Aug-10	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Mar-11	Jul-11	🕒
10	MV	Cinder Bed Road @ Newington Road: Intersection Improvements	COUNTY	\$5.000		\$5.000	D	Jul-08	May-12	🕒
							R	Aug-11	Mar-12	🕒
							U	TBD	TBD	
							C	May-12	Aug-13	
10	HM	Colts Neck Road from South Lakes Drive to Hunters Woods Shopping Center: Construct sidewalk on west side of Colts Neck Road	COUNTY	\$0.366		\$0.366	D	Jul-05	Dec-10	☺
							R	Mar-06	Sep-06	☺
							U	Jun-11	Jul-11	🕒
							C	May-11 to Aug-11	Aug-11 to Dec-11	⚠
11	BR	Danbury Forest Drive/Braddock Road/Wakefield Chapel Road Intersection Study: Study feasibility of intersection improvements	COUNTY	\$0.200		\$0.200	D	Jan-10	Apr-11 to Jul-11	🕒⚠
							R	N/A	N/A	
							U	N/A	N/A	
							C	N/A	N/A	
11	SP, MV, LE	Fairfax County Parkway (EPG): Construct 4-lane divided, limited access highway within 6-lane ROW from Rolling Road/Franconia-Springfield Parkway to Fullerton Road, including 4 interchanges	FHWA	\$177.450		\$177.450	D	Mar-00	Feb-04	☺
							R	Jun-10	Oct-10	☺
							U	Oct-10	Jan-11	☺
							C	Nov-08	Jul-12	🕒
12	SP, SU	Fairfax County Parkway / Fair Lakes Boulevard / Monument Drive Interchange: Construct interchange and intersection improvements from I-66 to Route 50	VDOT	\$69.660		\$89.726	D	Oct-01	Jun-10	☺
							R	Sep-05	Dec-10	☺
							U	Mar-07	Dec-10	☺
							C	May-10	Oct-13	🕒
12	SP	Fairfax County Parkway from Route 29 to Braddock Road: Add SB auxiliary lane	COUNTY	\$1.000		\$1.000	D	Feb-11	Feb-13	🕒
							R	TBD	TBD	
							U	TBD	TBD	
							C	Apr-13	Jan-14	
13	HM	Fox Mill Road/Monroe Street: Install right turn lane on WB Fox Mill Road and add pedestrian improvements	COUNTY	\$0.850		\$0.850	D	Nov-10	Feb-12	🕒
							R	Apr-12	Dec-12	
							U	TBD	TBD	
							C	Apr-13	Dec-13	🕒
13	MV, SP	Gambrell Road/Pohick Road: Install right turn lane on SB Gambrell Road	COUNTY	\$0.500		\$0.500	D	Mar-10	Sep-11 to Nov-11	🕒⚠
							R	TBD	TBD	
							U	TBD	TBD	
							C	Oct-11 to Dec-11	Aug-12 to Oct-12	⚠
14	BR	Guinea Road Culvert: Replace culvert over Long Branch	VDOT	\$2.419		\$2.626	D	Jul-10	May-11 to Jun-11	🕒⚠
							R	N/A	N/A	
							U			
							C	Jul-11 to Aug-11	Dec-11	⚠
14	PR	Hunter Mill Road/Mystic Meadow Way: Reconfigure intersection with roundabout and new pedestrian/bicycle facilities	COUNTY	\$0.800		\$0.800	D	Aug-10	Nov-12	🕒
							R	Jan-12	Sep-12	
							U	TBD	TBD	
							C	Jan-13	Sep-13	

**June 2011 Status Report on the Board's Four-Year Transportation Program for
FY 2008 Thru FY 2011**

Status Key: ☺=Complete; ⌚=On Schedule; ⌚=Behind Schedule; Δ=Change Since Previous Report; ⚠=Schedule Concern; \$=Funding Concern										
Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Page Number	District	Project Description	Lead Agency	Total Project Cost	Amt in BOS's 4-Yr Plan	All Other Funds	Phase	Start Date	End Date	Status
15	SU	Lee Road Culvert: Extend existing drainage structure and widen pavement from 500' S of culvert to Penrose Place	VDOT	\$4.541		\$2.294	D	Jun-10	TBD	⌚
							R	Dec-12 to Jul-11	2013 to 2011	Δ
							U	2013	2014	
							C	2014	TBD	
15	MV	Lorton Road/Furnace Road from Silverbrook Road to Route 123: Widen to 4 lane divided section including on-road bike lanes, shared use path, low impact development practices, bridge crossings and wide median in Laurel Hill area	COUNTY	\$40.000			D	Feb-08	Jan-14 to Mar-12	⌚Δ
							R	May-14 to Jul-11	Dec-14 to Mar-12	Δ
							U	Mar-14 to Aug-11	Dec-14 to Sep-12	Δ
							C	Feb-12 to Sep-12	Oct-13 to Jun-14	Δ
16	LE, MV	Mulligan Road from Route 1 to Telegraph Road: Construct/widen to 4 lanes and extend from Route 1 to Telegraph Rd (Woodlawn Rd replacement & Old Mill Rd Extension); Widen Telegraph Rd to 4 lanes from Beulah St to Leaf Rd	FHWA	\$80.000		\$80.000	D	Mar-07	May-11	☺
							R	Sep-10	May-11	
							U	Feb-11	TBD	⚠
							C	Jun-11	Jul-13	
16	DR	Old Dominion Drive @ Spring Hill Road: Extend shoulder and relocate/modify ditch	COUNTY	\$0.050		\$0.050	D	May-10	Jan-11	⌚
							R	TBD	TBD	
							U	TBD	TBD	
							C	Jun-11	Jul-11	\$
17	DR	Old Dominion Drive @ Towlston Road: Extend shoulder and relocate/modify ditch	COUNTY	\$1.500		\$0.050	D	TBD	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
17	SU	Poplar Tree Road from Braddock Ridge Drive to Sequoia Farms Drive: Widen to 4 lanes	COUNTY	\$6.500		\$5.500	D	May-07	Nov-10	☺
							R	Mar-10	Oct-10	☺
							U	Dec-10	May-11	⌚
							C	Feb-11	Jun-12	⌚
18	MV	Saratoga Park-N-Ride Facility: Develop park-n-ride facility	VDOT	\$3.000		\$3.000	D	Sep-10	Jun-11	⌚
							R	N/A	N/A	
							U	TBD	TBD	
							C	Jun-12	Dec-12	⌚
18	MV	Silverbrook Road @ Hoops Road: Intersection Improvements to configure turn lanes on WB Silverbrook Road approach	COUNTY	\$0.350		\$0.350	D	Aug-07	Jan-11	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Apr-11	Nov-11	⌚
19	PR, HM	Spring Hill Road from Route 7 to International Drive: Widen to 4 lanes	COUNTY	\$10.900		\$10.900	D	Jul-02	Sep-03	☺
							R	Dec-03	Oct-05	☺
							U	Mar-06	Oct-07	☺
							C	Dec-08	Aug-10	☺
19	SU, SP	Stringfellow Road from Route 50 to Fair Lakes Boulevard: Widen to 4 lanes	VDOT	\$69.924		\$37.000	D	Jul-04	Dec-10	☺
							R	Apr-10	Jul-11	⌚
							U	Jul-09	TBD	⌚
							C	Jul-12	Dec-13	
20	LE	Telegraph Road from South Van Dorn Street to South Kings Hwy: Widen to 4 lanes and add pedestrian improvements	VDOT	\$10.500		\$10.000	D	Sep-09	Dec-12	⌚
							R	Jun-10	TBD	⌚
							U	TBD	TBD	
							C	Jan-13	Dec-13	
20	PR, HM	Tysons Priority Access Improvement Projects: Sites 1-7 & 9: Construct missing links in the pedestrian circulation systems at eight locations in Tysons Corner	VDOT	\$3.370		\$1.300	D	Mar-04	Dec-08	☺
							R	Dec-08	Jun-11	⌚
							U	TBD	TBD	
							C	Sep-11	Nov-11	
21	DR	Walker Road: Install road diet features and access lanes at business district intersections south of Georgetown Pike	COUNTY	\$0.900		\$0.400	D	Jul-10	Aug-11 to Nov-11	⌚Δ
							R	TBD	TBD	
							U	TBD	TBD	
							C	Nov-14 to Feb-12	Apr-12 to Jun-12	⚠Δ
21	DR	Westmoreland Street @ Haycock Road: Install right turn lane and concrete sidewalk along the west side of Westmoreland Street from Haycock Road to Temple Rodef Shalom	COUNTY	\$0.880		\$0.880	D	Nov-08 to Mar-11	Jan-12 to Sep-12	⌚Δ
							R	TBD to Jan-12	TBD to Nov-12	Δ
							U	TBD	TBD	
							C	TBD to Dec-12	TBD to Sep-13	Δ

**June 2011 Status Report on the Board's Four-Year Transportation Program for
FY 2008 Thru FY 2011**

Status Key: ☺=Complete; ⌚=On Schedule; ⌚=Behind Schedule; Δ=Change Since Previous Report; ⚠=Schedule Concern; \$=Funding Concern										
Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Page Number	District	Project Description	Lead Agency	Total Project Cost	Amt in BOS's 4-Yr Plan	All Other Funds	Phase	Start Date	End Date	Status
				(\$ in Millions)						
22	BR	Zion Drive: Improve the horizontal curve at Zion Baptist Church	COUNTY	\$1.700	\$1.000		D	Apr-08	Mar-11	☺
							R	Jul-10	Feb-11	☺
							U	May-11	Jun-11	⌚
							C	Apr-11	Mar-12	⌚
<i>Transit Projects (listed alphabetically by project name)</i>										
22	DR, PR, HM	Dulles Rail (Phase I): Improvements from West Falls Church Station to Wiehle Avenue	MWAA	\$2,740.000		\$2,740.000	D	Apr-05	Jun-10	☺
							R	Jan-08	Nov-08	☺
							U	Feb-08	Jan-10	☺
							C	Jan-09	Jul-13	⌚
23	DR, HM	Fairfax Connector - Herndon Bus Garage Facility Rehab (Phase 2): Rehabilitation and repair to upgrade the existing bus garage	COUNTY	\$6.000	\$6.000		D	N/A	N/A	
							R	N/A	N/A	
							U	N/A	N/A	
							C	Mar-08	Sep-11	⌚
23	BR, SP	George Mason University Transit Center: Construct transit center with up to 10 bus bays and amenities such as shelters and lighted kiosks	COUNTY	\$1.000	\$1.000		D	TBD	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
24	BR	Northern Virginia Community College Transit Center: Construct transit center with up to 4 bus bays and amenities such as shelters and lighted kiosks	COUNTY	\$1.000	\$1.000		D	TBD	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
24	MA	Seven Corners Transit Transfer Center: Construct transit transfer center at the Seven Corners Shopping Center; Improvements to existing bus stops	COUNTY	\$1.182	\$1.000	\$1.510	D	Jan-07	Oct-10	☺
							R	N/A	N/A	
							U	Jun-10	Dec-10	☺
							C	May-11 to Mar-11	Dec-11	⌚ Δ
25	SU	Stringfellow Road Bus Transfer Facility: Provide 3 additional bus bays (total of 6) and a transit center facility, with bicycle facilities	COUNTY	\$1.500	\$1.500		D	Apr-08	TBD	⌚
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
25	SU	Stringfellow Road Park & Ride Lot Expansion: Construct an additional 300 spaces north of the existing 387 space facility	COUNTY	\$4.000	\$4.000		D	Apr-08	TBD	⌚
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
26	PR	Vienna Metrorail Staircase: Add new staircase from platform to mezzanine at Vienna Metro Station	WMATA	\$2.000	\$2.000		D	Jun-09	Feb-11	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Apr-11	Oct-11	⌚
			Program Totals	\$8,898.56	\$121.980	\$8,792.22				

I-495 I-495, Capital Beltway HOT Lanes (PPTA Project)

Construction

Install two HOV/HOT lanes in each direction from the Springfield Interchange to the Dulles Toll Road

District(s): BR, DR, HM, LE, MA, PR

FCDOT Staff: WPH

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
VDOT	68805			Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	267.142		Apr-05	👍
N/A		Land Acquisition				
Type of Funding:		Utility Relocation			Mar-08	👍
Private, Interstate, State		Construction	1387.255		May-08	👍
		Total	1654.397	1654.397	Dec-12	👍

Activity Highlights:

Design-build project; Construction is 63% complete; Lane and ramp closures at night and during off peak travel times continue; 12 interchanges are under construction from Springfield Interchange bridges to just north of Dulles Toll Road overpasses; The W&OD and Wakefield Park bridges opened to pedestrian and bicycle traffic in June 2011; Construction activity details are posted at www.virginiahotlanes.com or www.vamegaprojects.com

I-66 I-66 from Capital Beltway to Route 50

Construction

Pavement Rehabilitation

District(s): BR, HM, PR, SP

FCDOT Staff: CL

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
VDOT	93002			Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design			Jun-09	Dec-10	😊
N/A		Land Acquisition	0.000		N/A	N/A	
Type of Funding:		Utility Relocation			N/A	N/A	
ARRA		Construction	48.000		Apr-11	Nov-12	👍
		Total	48.000	70.000			

Activity Highlights:

VDOT is patching the existing concrete pavement on I-66; Following concrete patching, an asphalt overlay will be provided; Construction completion is scheduled for late 2012; All repairs and lane closures occur from 8:30 PM to 5:00 AM; Project updates are posted at http://www.virginiadot.org/projects/northernvirginia/i-66_pavement_rehabilitation.asp

I-66 I-66 from I-495 Capital Beltway to Route 15 in Haymarket Study

I-66 Multimodal Transportation and Environmental Study (Study only)

District(s): BR, HM, PR, SP, SU
FCDOT Staff: SSS

Implementing Agency:	
VDOT	54911
Amount in Board's 4-Year Plan: (\$ in Millions)	
N/A	
Type of Funding:	
Interstate	

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design	20.300		Dec-10 May-11	Jun-13 Dec-12	👍 ⚠️
Land Acquisition			N/A	N/A	
Utility Relocation			N/A	N/A	
Construction			N/A	N/A	
Total	20.300	20.300			

Activity Highlights:

In June 2010, VDOT project management transferred from VDOT's Northern Virginia District office to Richmond; Participating agency scoping meeting and Citizen information meeting held in early June 2011; Completion of Tier 1 draft EIS is anticipated by May 2012 and Tier 1 final EIS by December 2012

I-66 Vienna Metro Enhanced Transit Access (I-66 Bus Ramp) Design

Construct bus ramp to increase accessibility to Vienna Metrorail Station for transit vehicles

District(s): PR
FCDOT Staff: CL

Implementing Agency:	
VDOT	81009
Amount in Board's 4-Year Plan: (\$ in Millions)	
N/A	
Type of Funding:	
CMAQ, RSTP	

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design	2.700		Nov-05	Dec-11	👍
Land Acquisition			TBD	TBD	
Utility Relocation			TBD	TBD	
Construction	31.382		2013	TBD	
Total	34.082	17.079			

Activity Highlights:

Preferred alternative is a flyover ramp from I-66 EB HOV lane to/from Vaden Drive; VDOT is preparing an Interchange Modification Report (IMR) to FHWA; Design PH is anticipated in Fall 2011; On May 5, 2011, FCDOT & VDOT met with WMATA to discuss access to the South garage

I-95 I-95 from Newington Interchange to Prince William County Line Construction

Construct a fourth lane in both directions from Newington Interchange to Route 123

District(s): LE, MV
FCDOT Staff: EAI

Implementing Agency:	
VDOT	57017
Amount in Board's 4-Year Plan: (\$ in Millions)	
N/A	
Type of Funding:	
Interstate	

	Project Cost	Project Funding	Schedule		Status
			Start	End	
	(\$ in Millions)				
Design	9.779		Oct-00	Jun-02	😊
Land Acquisition	0.551		Dec-05	Dec-06	😊
Utility Relocation			Dec-05	Dec-06	😊
Construction	112.080		Sep-07	Sep-11	👍
Total	122.411	122.411			

Activity Highlights:

One of VDOT's "mega-projects"; The final piece, adding a fourth lane to the Occoquan Bridge, will be completed in summer 2011; Construction is 87% complete; Ribbon-cutting ceremony is scheduled for July 14, 2011; Additional details found at www.vamegaprojects.com

I-95 I-95, Woodrow Wilson Bridge and Interchanges Construction

Design, ROW, env. mitigation, construction of new drawbridge over Potomac River incl. reconstruct 7.5 miles of Beltway (I-95/495) and 4 interchanges, two in VA and two in MD

District(s): LE, MV
FCDOT Staff: CWS

Implementing Agency:	
VDOT, MDSHA, FHWA	18136, 18138
Amount in Board's 4-Year Plan: (\$ in Millions)	
N/A	
Type of Funding:	
Interstate	

	Project Cost	Project Funding	Schedule		Status
			Start	End	
	(\$ in Millions)				
Design				Sep-96	😊
Land Acquisition					😊
Utility Relocation					😊
Construction			2001	2012	👍
Total	2444.0	2444.0			

Activity Highlights:

Project continues on-time and on-budget; Reconstruction of the Telegraph Road interchange is the final phase of the Woodrow Wilson Bridge Project; Work includes widening a two-and-a-half mile section of the Capital Beltway, extending the new thru and local lane configuration from the bridge, building new elevated ramps connecting the Beltway to Telegraph Road, Eisenhower Ave., Huntington Ave., and North Kings Highway and improvements to Telegraph Road; Additional details found at www.wilsonbridge.com or www.vamegaprojects.com

I-95 I-95/395/495 Interchange Modifications Phase VIII (Mixing Bowl) Construction

Construct HOV/HOT connections between I-95/I-395/I-495

District(s): LE, MA
FCDOT Staff: WPH

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
VDOT	14682			Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	21.192		Jun-97	😊
N/A		Land Acquisition		N/A	N/A	
Type of Funding:		Utility Relocation		N/A	N/A	
Interstate		Construction	106.892	May-08	Dec-12	👍
		Total	128.085	128.085		

Activity Highlights:

Design was completed as part of the Springfield Interchange project, but construction was deferred; Construction in progress as part of the I-495 Beltway HOT Lanes project; 7 bridges under construction at the Springfield Interchange; Most steel and deck bridge structures were completed in 2010; All bridge work for the Springfield Interchange is scheduled to be completed by the end of 2011; Additional details found at www.virginiahotlanes.com or www.vamegaprojects.com

I-95 I-95/I-395 HOT Lanes (PPTA Project) Project Initiation

Add one HOV/HOT lane (3 total) from Edsall Road to Prince William Pkwy, extend 2 HOV/HOT lanes to Stafford County, Construct HOV/Transit ramp at Seminary Road, Construct new Park and Ride Lots

District(s): LE, MA, MV
FCDOT Staff: SAN

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
VDOT				Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Feb-11	TBD	👍
N/A		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
Private, Interstate		Construction		2012	TBD	
		Total	1000.00	1000.00		

Activity Highlights:

As of February 3, 2011, the revised project includes: Construct 2 new HOV/HOT lanes for 9 miles from Garrisonville Road in Stafford County to Dumfries; Widen HOV/HOT lanes from 2 to 3 lanes from Prince William Pkwy to Edsall Road; Construct new HOV/Transit ramp to Seminary Road near Mark Center; Construct park-and-ride lots; VDOT has begun environmental review and expects to hold citizen meetings in late 2011

0001 Richmond Hwy Public Transportation Initiative (Phase 2) Design

Route 1 corridor improvements from Fort Belvoir to Huntington Metro, to support enhanced BRT bus service incl. pedestrian access improvements, bus shelters and sidewalks

District(s): LE, MV
FCDOT Staff: CL

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
COUNTY				Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Mar-06	TBD	👍	
7.500				Jul-10	TBD	👍	
Type of Funding:				Utility Relocation	TBD	TBD	
Federal, State, Local				Construction	TBD	TBD	
				Total	54.500	28.574	

Activity Highlights:

Phase 1 (five walkways and a REX bus stop shelter) complete; Phase 2 includes intersection improvements at Frye Rd. and Kings Hwy, 9 walkways - 1.25 miles, and 6 additional intersections; Preparing construction package for Kings Hwy and Frye Rd; Land acquisition completed on two of seven walkway projects; For additional details see DPWES report http://www.fairfaxcounty.gov/dpwes/construction/cap_quarter.htm

0007 Leesburg Pike @ Towlston Road Design

Add a left turn lane from northbound Towlston Road to westbound Route 7

District(s): DR
FCDOT Staff: KPR

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status	
COUNTY				Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Nov-08	Aug-11 Nov-11	👍 ⚠️	
0.750				May-11 Sep-11	Jan-12 Mar-12	⚠️	
Type of Funding:				Utility Relocation	TBD	TBD	
2007 County Bonds				Construction	Mar-12 Jun-12	Dec-12 Mar-13	⚠️
				Total	0.750	0.750	

Activity Highlights:

Intermediate Design distributed for review in January 2011; Schedule revised to address preliminary plan comments; Signal design is in progress

0029 Route 29 **Design**

Widen to 3 lanes on NB Route 29 from Legato Road to Shirley Gate Road

District(s): BR, SP, SU
FCDOT Staff: JYR

Implementing Agency:	
COUNTY	
Amount in Board's 4-Year Plan: (\$ in Millions)	
4.000	
Type of Funding:	
2007 County Bonds	

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design			Dec-08	Mar-12 Mar-13	
Land Acquisition			May-11 Nov-11	Jan-12 Jun-12	
Utility Relocation			TBD	TBD	
Construction			May-12 May-13	Jul-13 May-14	
Total	4.000	4.000			

Activity Highlights:

Scope of project revised to include improvements to Route 29/Shirley Gate Rd intersection; Intermediate design is in progress; Project now in Braddock District; Briefing with Supervisor Cook held June 9, 2011; Meeting with Garden Center is being coordinated; Public Information meeting is expected in late September 2011

0029 Route 29 @ Gallows Road **Utilities**

Widen Rt. 29 to 6 lanes from I-495 to Merrilee Drive, and widen Gallows Road to 6 lanes from Gatehouse Road to Providence Forest Drive

District(s): PR
FCDOT Staff: SAN

Implementing Agency:	
VDOT	11395, 88600
Amount in Board's 4-Year Plan: (\$ in Millions)	
23.000	
Type of Funding:	
Federal, State, Primary 6-Year	

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design	9.958		Feb-04	Dec-07	
Land Acquisition	71.880		Jan-07	Oct-08	
Utility Relocation			May-08	Jun-11	
Construction	50.350		Mar-11	Jun-13	
Total	132.188	132.810			

Activity Highlights:

Project costs include the roadway, building demolition and waterline relocation projects; Utility relocations are complete; Construction bids opened April 27, 2011; Pre-construction meeting held June 21, 2011; Providence District has asked VDOT to schedule a Pardon-Our-Dust meeting

0029 Route 29 from Stevenson Street to Forum Drive Design

Construct segments of a new shared-use path and provide connection to existing trail on the west (SB) side of Route 29

District(s): BR, SP
FCDOT Staff: JYR

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
COUNTY	59094			Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Nov-06	Jul-11	👍
N/A		Land Acquisition		Apr-11	Nov-11	👍
Type of Funding:		Utility Relocation		TBD	TBD	
Revenue Sharing		Construction		Dec-11	Feb-13	
		Total	4.400			

Activity Highlights:

VDOT authorized land acquisition package in October 2010; Project scope revised to utilize existing trail on Ellipse property; Project is now in Braddock District

0050 Arlington Boulevard @ Graham Road Design

Install a 4 foot wide raised median on Graham Road

District(s): MA
FCDOT Staff: TB

Implementing Agency:		Project Cost (\$ in Millions)	Project Funding	Schedule		Status
COUNTY				Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Oct-09	Oct-11 Mar-12	👎 Δ
N/A		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
C & I		Construction		Dec-11 May-12	Feb-12 Aug-12	Δ
		Total	0.750			

Activity Highlights:

Scope revised to allow better alignment and minimize project impacts on adjacent property

0123 Route 123 @ Jermantown Road **Design**

Construct right turn lane from SB Route 123 onto westbound Jermantown Road

District(s): PR
FCDOT Staff: JYR

Implementing Agency:	
COUNTY	
Amount in Board's 4-Year Plan: (\$ in Millions)	
N/A	
Type of Funding:	
C & I	

	Project Cost	Project Funding	Schedule		Status
	(\$ in Millions)		Start	End	
Design			Nov-10	Dec-11	☺
Land Acquisition			May-11 Sep-11	Dec-11 Apr-12	⚠
Utility Relocation			TBD	TBD	
Construction			Jan-12 Jun-12	Nov-12 Apr-13	⚠
Total	0.900	0.900			

Activity Highlights:

C & I funding approved by BOS in March 2010; Intermediate design distributed for review in April 2011; Minor scope modification may delay final design

0193 Georgetown Pike/Swinks Mill Road **Construction**

Install flashing beacon warning signal

District(s): DR
FCDOT Staff: TB

Implementing Agency:	
VDOT	
Amount in Board's 4-Year Plan: (\$ in Millions)	
N/A	
Type of Funding:	
VDOT	

	Project Cost	Project Funding	Schedule		Status
	(\$ in Millions)		Start	End	
Design	N/A		May-10	Jan-11	☺
Land Acquisition	N/A		N/A	N/A	
Utility Relocation			N/A	N/A	
Construction	0.001		Feb-11	Jun-11	
Total	0.001	0.001			

Activity Highlights:

Construction underway

0620 Braddock Road @ Backlick Road On Hold

Install dual left turn lane on WB Braddock Road

District(s): MA
FCDOT Staff: KPR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Mar-08	TBD	
0.500		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
2007 County Bonds		Construction		TBD	TBD	
		Total	0.500	0.500		

Activity Highlights:

Project on hold; Analysis of possible roundabout is underway by county staff

0657 Centreville Road Trail at Dulles Toll Road (Phase II) Construction

Install pedestrian improvements and traffic signal modifications to cross Centreville Road at the Dulles Toll Road Interchange

District(s): HM
FCDOT Staff: JYR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Aug-08	Aug-10	😊
		Land Acquisition		N/A	N/A	
Type of Funding:		Utility Relocation		N/A	N/A	
TAC Spot, C&I		Construction		Mar-11	July-11	👍
		Total	0.250	0.250		

Activity Highlights:

Phase I, construct pedestrian walkway under Dulles Toll Road, was completed in February 2008; Phase II is under construction

0637 Cinder Bed Road @ Newington Road **Design**

Intersection Improvements, including relocating intersection 450 to the north, reconstruction of Cinder Bed Road, sidewalk, and culvert at Long Branch Creek.

District(s): MV
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Jul-08	May-12	👍
5.000		Land Acquisition		Aug-11	Mar-12	👍
Type of Funding:		Utility Relocation		TBD	TBD	
2007 County Bonds		Construction		May-12	Aug-13	
		Total	5.000	5.000		

Activity Highlights:

Intermediate design in progress

4701 Colts Neck Road from South Lakes Drive to Hunters Woods Shopping Center **Construction**

Construct sidewalk on west side of Colts Neck Road

District(s): HM
FCDOT Staff: KPR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Jul-05	Dec-10	😊
N/A		Land Acquisition		Mar-06	Sep-06	😊
Type of Funding:		Utility Relocation		Jun-11	Jul-11	👍
TAC Spot		Construction		May-11 Aug-11	Aug-11 Dec-11	⚠️
		Total	0.366	0.366		

Activity Highlights:

VDOT permit received; Utility relocation is in progress

3806 Danbury Forest Dr/Braddock Rd/Wakefield Chapel Rd Study Study

Feasibility study of various intersection improvements and future roadway realignment

District(s): BR
FCDOT Staff: EAI

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
C & I

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design	0.200		Jan-10	Apr-11 Jul-11	
Land Acquisition			N/A	N/A	
Utility Relocation			N/A	N/A	
Construction			N/A	N/A	
Total	0.200	0.200			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; A second Advisory Group meeting and a Community Information Meeting were both held in June 2011 to review the design alternative analysis; Consultant to provide an executive summary of the findings and provide recommendations

7100 Fairfax County Parkway (EPG) Construction

Construct 4-lane divided, limited access highway within 6-lane ROW from Rolling Road/Franconia-Springfield Parkway to Fullerton Road, including 4 interchanges

District(s): LE, MV, SP
FCDOT Staff: TB

Implementing Agency:
FHWA
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
Federal, State, RSTP

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design			Mar-00	Feb-04	
Land Acquisition			Jun-10	Oct-10	
Utility Relocation			Oct-10	Jan-11	
Construction			Nov-08	Jul-12	
Total	177.450	177.45			

Activity Highlights:

Project will be completed in four phases; Phase 1 & 2 complete and open to traffic in September 2010; Phase 3 and 4 construction in progress; Fullerton Road was opened to traffic November 2010; I-95 SB exit to parkway opened December 28, 2010; Phase 4 completion December 2011; Phase 3 completion July 2012

7100 Fairfax County Parkway / Fair Lakes Parkway / Monument Drive Interchange

Construction

Construct interchange and intersection improvements from I-66 to Route 50

District(s): SP, SU

FCDOT Staff: JYR

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
VDOT	(\$ in Millions)				
Amount in Board's 4-Year Plan: (\$ in Millions)	Design	8.905	Oct-01	Jun-10	☺
N/A	Land Acquisition	2.585	Sep-05	Dec-10	☺
Type of Funding:	Utility Relocation		Mar-07	Dec-10	☺
RSTP, ARRA	Construction	58.170	May-10	Oct-13	👍
	Total	69.660			
		89.726			

Activity Highlights:

Project partially funded by ARRA; Construction in progress; Work is underway on the 4 future ramps that will run alongside the Fairfax County Parkway; Beginning July 6, thru traffic on Fair Lakes Parkway prohibited; Detour in effect

7100 Fairfax County Parkway from Route 29 to Braddock Road

Design

Add SB auxiliary lane

District(s): SP

FCDOT Staff: SSS

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
COUNTY	(\$ in Millions)				
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		Feb-11	Feb-13	👍
1.000	Land Acquisition		TBD	TBD	
Type of Funding:	Utility Relocation		TBD	TBD	
2007 County Bonds	Construction		Apr-13	Jan-14	
	Total	1.000			
		1.000			

Activity Highlights:

Fairfax County is administering the project; Survey is complete; Preliminary design in progress

0665 Fox Mill Road/Monroe Street **Design**

Install right turn lane on WB Fox Mill Road, and add pedestrian improvements

District(s): HM
FCDOT Staff: TB

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
C & I

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design	0.12		Nov-10	Feb-12	👍
Land Acquisition			Apr-12	Dec-12	
Utility Relocation			TBD	TBD	
Construction			Apr-13	Dec-13	👍
Total	0.850	0.850			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Intermediate design in progress

0640 Gambrill Road/Pohick Road **Design**

Install right turn lane on SB Gambrill Road

District(s): MV, SP
FCDOT Staff: SSS

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
C & I

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design			Mar-10	Sep-11 Nov-11	👎 Δ
Land Acquisition			TBD	TBD	
Utility Relocation			TBD	TBD	
Construction			Oct-11 Dec-11	Aug-12 Oct-12	Δ
Total	0.500	0.500			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Pre-final design in progress; Addressing comments, including curb and gutter design, to minimize impact on trees; Task order has been requested for pavement recommendations

0651 Guinea Road Culvert **Design**

Replace culvert over Long Branch

District(s): BR
FCDOT Staff: KPR

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
VDOT	(\$ in Millions)		Jul-10	May-11 Jun-11	👍 ⚠️
Amount in Board's 4-Year Plan: (\$ in Millions)	Design	0.270			
N/A	Land Acquisition	0.050	N/A	N/A	
Type of Funding:	Utility Relocation				
Secondary 6-Year	Construction	2.099	Jul-11 Aug-11	Dec-11	⚠️
	Total	2.419	2.626		

Activity Highlights:

Emergency replacement of failed culverts with Conspan arch bridge; Funding allocated in VDOT 6-year program; CIM held May 30, 2011; Bid ad anticipated in July 2011

0674 Hunter Mill Road/Mystic Meadow Way **Design**

Reconfigure intersection with roundabout and new pedestrian/bicycle facilities

District(s): PR
FCDOT Staff: SSS

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
COUNTY	(\$ in Millions)		Aug-10	Nov-12	👍
Amount in Board's 4-Year Plan: (\$ in Millions)	Design				
N/A	Land Acquisition		Jan-12	Sep-12	
Type of Funding:	Utility Relocation		TBD	TBD	
C & I	Construction		Jan-13	Sep-13	
	Total	0.800	0.800		

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; Advance pre-final design was received and is under review; Preparing scope revision sketches for sidewalk extension to Lewis Knolls Drive

0661 Lee Road Culvert **Design**

Extend existing drainage structure and widen pavement from 500' S of culvert to Penrose Place

District(s): SU
FCDOT Staff: KPR

Implementing Agency:
VDOT
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
C & I, Proffers, RSTP

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design			Jun-10	TBD	👍
Land Acquisition			Dec-12 Jul-11	2013 2011	⚠
Utility Relocation			2013	2014	
Construction			2014	TBD	
Total	4.541	2.294			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on October 19, 2009; VDOT will post willingness in July 2011; Utilities are being identified

0642 Lorton Road/Furnace Road from Silverbrook Road to Route 123 **ROW**

Widen to 4 lane divided section including on-road bike lanes, shared use path, low impact development practices, bridge crossings and wide median in Laurel Hill area

District(s): MV
FCDOT Staff: SAN

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
20.000
Type of Funding:
2007 County Bonds, C&I

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design			Feb-08	Jan-12 Mar-12	👍 ⚠
Land Acquisition			May-11 Jul-11	Dec-11 Mar-12	⚠
Utility Relocation			Mar-11 Aug-11	Dec-11 Sep-12	⚠
Construction			Feb-12 Sep-12	Oct-13 Jun-14	⚠
Total	60.000	50.000			

Activity Highlights:

Pre-final design plans (ROW plans) distributed for review in March 2011; 4 design waivers approved; Utility relocation plans and plats are under review; Preliminary project plats submitted to Land Acquisition in June 2011

0619 Mulligan Road from Route 1 to Telegraph Road Design

Construct/widen to 4 lanes and extend from Route 1 to Telegraph Rd (Woodlawn Road replacement & Old Mill Road Extension); Widen Telegraph Road to 4 lanes from Beulah Street to Leaf Road

District(s): LE, MV
FCDOT Staff: JYR

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
FHWA	(\$ in Millions)		Mar-07	May-11	☺
Amount in Board's 4-Year Plan: (\$ in Millions)	Design	8.350	Sep-10	May-11	
N/A	Land Acquisition	3.500	Feb-11	TBD	📄
Type of Funding:	Utility Relocation	6.777	Jun-11	Jul-13	
DAR, State, RSTP, C&I	Construction	56.373			
	Total	80.000			

Activity Highlights:

Phase II land acquisition is in progress; Construction will begin on portions of project where land rights are already cleared; RFP advertised March 16, 2011; Bids received and under evaluation; Notice to proceed to construction is expected in July 2011

0738 Old Dominion Drive @ Spring Hill Road On Hold

Restripe Spring Hill Rd to improve sight lines and turning radii (Phase 1); Relocate utility pole, extend shoulder and relocate/modify ditch (Phase 2)

District(s): DR
FCDOT Staff: TB

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
COUNTY	(\$ in Millions)		May-10	Jan-11	👍
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		TBD	TBD	
N/A	Land Acquisition		TBD	TBD	
Type of Funding:	Utility Relocation		Jun-11	Jul-11	\$
C & I	Construction				
	Total	0.050			

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on 10/19/09; Phase 1 restriping project completed May 2011; Phase 2 to follow when funds are available

0738 Old Dominion Drive @ Towlston Road

On Hold

Extend shoulder and relocate/modify ditch

District(s): DR
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		TBD	TBD	
N/A		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
C & I		Construction		TBD	TBD	
		Total	1.500	0.050		

Activity Highlights:

Project on hold; Coordinating with Supervisor's office to determine scope, level of interest/need

7021 Poplar Tree Road from Braddock Ridge Drive to Sequoia Farms Drive

Construction

Widen to 4 lanes

District(s): SU
FCDOT Staff: KPR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		May-07	Nov-10	😊
5.500		Land Acquisition		Mar-10	Oct-10	😊
Type of Funding:		Utility Relocation		Dec-10	May-11	👍
2007 County Bonds		Construction		Feb-11	Jun-12	👍
		Total	6.500	5.500		

Activity Highlights:

Project is under construction; Poplar Tree Rd. closed between Braddock Ridge Dr. and Sully Park Dr. from June 2011 to September 2011

7900 Saratoga Park-and-Ride Facility

Design

Construct approx. 535 spaces with transit, pedestrian, and bicycle accommodations

District(s): MV

FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
VDOT		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	0.300		Sep-10	Jun-11	👍
N/A		Land Acquisition			N/A	N/A	
Type of Funding:		Utility Relocation			TBD	TBD	
CMAQ		Construction	2.700		Jun-12	Dec-12	👍
		Total	3.000	3.000			

Activity Highlights:

Final design in progress; CIM held in April 2011

0600 Silverbrook Road @ Hooes Road

Construction

Intersection improvements to configure turn lanes on the westbound approach of Silverbrook Road

District(s): MV

FCDOT Staff: JYR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
COUNTY		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design			Aug-07	Jan-11	😊
N/A		Land Acquisition			N/A	N/A	
Type of Funding:		Utility Relocation			N/A	N/A	
TAC Spot		Construction			Apr-11	Nov-11	👍
		Total	0.350	0.350			

Activity Highlights:

Bid opening was held on 5/18/11; Construction contract awarded by BOS 6/21/11

0684 Spring Hill Road from Route 7 to International Drive Complete

Widen to 4 lanes

District(s): PR, HM
 FCDOT Staff: JYR

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
N/A
Type of Funding:
Secondary 6-Year

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design	0.950		Jul-02	Sept-03	☺
Land Acquisition	3.650		Dec-03	Oct-05	☺
Utility Relocation			Mar-06	Oct-07	☺
Construction	6.300		Dec-08	Aug-10	☺
Total	10.900	10.900			

Activity Highlights:

Construction substantially completed August 2010; Addressing concrete median and illegal left and U-turn issues; Median to be extended beyond fire station; Processing change order for construction of median

0645 Stringfellow Road from Route 50 to Fair Lakes Boulevard ROW

Widen to 4 lanes

District(s): SU, SP
 FCDOT Staff: JYR

Implementing Agency:
VDOT
Amount in Board's 4-Year Plan: (\$ in Millions)
37.000
Type of Funding:
2004 & 2007 Bonds, Revenue Sharing, C&I

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design	6.000		Jul-04	Dec-10	☺
Land Acquisition	25.315		Apr-10	Jul-11	👍
Utility Relocation			Jul-09	TBD	👍
Construction	29.628		Jul-12	Dec-13	
Total	60.943	54.000			

Activity Highlights:

ROW acquisition and utility relocation are in progress.

0611 Telegraph Road from South Van Dorn Street to South Kings Highway **Design**

Widen to 4 lanes and add pedestrian improvements

District(s): LE
FCDOT Staff: JYR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
VDOT		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	1.500		Sep-09	Dec-12	👍
N/A		Land Acquisition	2.950		Jun-10	TBD	👍
Type of Funding:		Utility Relocation			TBD	TBD	
C & I		Construction	8.000		Jan-13	Dec-13	
		Total	10.500	10.000			

Activity Highlights:

VDOT is administering the project; PH held September 23, 2010; Coordination with FCPA and environmental agencies is ongoing

XXXX Tysons Priority Access Improvement Projects: Sites 1-7 & 9 **ROW**

Construct missing links in the pedestrian circulation systems at eight locations in Tysons Corner

District(s): PR, HM
FCDOT Staff: EAI

Implementing Agency:		Project Cost	Project Funding	Schedule		Status	
VDOT		(\$ in Millions)		Start	End		
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	0.269		Mar-04	Dec-08	😊
N/A		Land Acquisition	2.203		Dec-08	Jun-11	👍
Type of Funding:		Utility Relocation			TBD	TBD	
Federal JARC Grant		Construction	0.898		Sep-11	Nov-11	
		Total	3.370	1.300			

Activity Highlights:

Project consisted of eight locations for pedestrian improvements but only four to be constructed; VDOT/FCDOT project team has secured the ROW for Sites 1, 5, and 7; Once ROW for Site 6 is complete, the sidewalks will be built under Special Advertisement & Award Process (SAAP) contracts

0681 Walker Road **Design**

Install road diet features and access lanes at business district intersections south of Georgetown Pike

District(s): DR
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Jul-10	Aug-11 Nov-11	
N/A		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
C & I		Construction		Nov-11 Feb-12	Apr-12 Jun-12	
		Total	0.900	0.400		

Activity Highlights:

Part of the C&I Project Program endorsed by the BOS on 10/19/09; Intermediate plans distributed for review in March 2011; Scope being revised; Additional funding will be required based upon final scope

0693 Westmoreland Street @ Haycock Road **Design**

Install right turn lane and concrete sidewalk along the west side of Westmoreland Street from Haycock Road to Temple Rodef Shalom

District(s): DR
FCDOT Staff: TB

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design	0.200	Nov-08 Mar-11	Jan-12 Sep-12	
0.230		Land Acquisition		Jan-11 Jan-12	Oct-11 Nov-12	
Type of Funding:		Utility Relocation		TBD	TBD	
2007 Bond, C & I		Construction		TBD Dec-12	TBD Sep-13	
		Total	0.880	0.880		

Activity Highlights:

Preliminary design including revised project scope showing impacts to school Kiss and Ride received; Survey complete; Schedule revised to reflect new project scope

0654 Zion Drive

Construction

Improve the horizontal curve at Zion Baptist Church

District(s): BR

FCDOT Staff: TB

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
COUNTY	(\$ in Millions)				
Amount in Board's 4-Year Plan: (\$ in Millions)	Design	0.3	Apr-08	Mar-11	😊
1.000	Land Acquisition	0.1	Jul-10	Feb-11	😊
Type of Funding:	Utility Relocation	0.2	May-11	Jun-11	👍
2007 County Bonds	Construction	1.1	Apr-11	Mar-12	👍
	Total	1.700			

Activity Highlights:

Construction underway; Zion Dr. now closed to thru traffic from 6/22/11 to 9/2/11; Detour in place

XXXX Dulles Rail (Phase 1)

Construction

Improvements from West Falls Church Station to Wiehle Avenue

District(s): DR, PR, HM

FCDOT Staff: SAN

Implementing Agency:	Project Cost	Project Funding	Schedule		Status
			Start	End	
MWAA	(\$ in Millions)				
Amount in Board's 4-Year Plan: (\$ in Millions)	Design		Apr-05	Jun-10	😊
N/A	Land Acquisition		Jan-08	Nov-08	😊
Type of Funding:	Utility Relocation		Feb-08	Jan-10	😊
Federal, State, Local, Tax District, MWAA	Construction		Jan-09	Jul-13	👍
	Total	2740.000			

Activity Highlights:

Construction is 35% complete; Construction in progress on all 5 stations; Tunnel from Route 123 to Route 7 is nearly complete; Track work underway in the DIAAH median; The right lane of SB Rte. 123 is closed from Scotts Crossing to I-495 for approx. 2 years; For further information, <http://www.dullesmetro.com>

XXXX Fairfax Connector - Herndon Bus Garage Facility Rehab

Construction

Rehabilitation and repairs to upgrade the existing bus garage

District(s): DR, HM
FCDOT Staff: EAI

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		N/A	N/A	
6.000		Land Acquisition		N/A	N/A	
Type of Funding:		Utility Relocation		N/A	N/A	
NVTC, County Bonds		Construction		Mar-08	Sep-11	👍
		Total	6.000	6.000		

Activity Highlights:

Phase 1 funded at \$3 M through NVTC; Phase 1 construction in progress includes new bus wash bay, 2 new oil separators, updated plumbing/electrical for bus wash, new roof, remove canopy, emergency generator, and pavement patching; Phase 1 completion scheduled for Sep. 2011; Phase 2 is anticipated to include additional office and storage space, training rooms, additional entry/exit security gate, and pavement reinforcement; Phase 2 will begin design after Phase 1 is complete

XXXX George Mason University Transit Center

Project Initiation

Construct transit center with up to 10 bus bays and amenities such as shelters and lighted kiosks

District(s): BR, SP
FCDOT Staff: SAN

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
COUNTY		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		TBD	TBD	
1.000		Land Acquisition		TBD	TBD	
Type of Funding:		Utility Relocation		TBD	TBD	
2007 County Bonds		Construction		TBD	TBD	
		Total	1.000	1.000		

Activity Highlights:

3 possible locations on campus identified; GMU has submitted a proposal and cost associated with each location; County will draft a funding agreement; GMU will administer the contract

XXXX Northern Virginia Community College Transit Center Project Initiation

Construct transit center with up to 4 bus bays and amenities such as shelters and lighted kiosks

District(s): BR
FCDOT Staff: CL

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
1.000
Type of Funding:
2007 County Bonds

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design			TBD	TBD	
Land Acquisition			TBD	TBD	
Utility Relocation			TBD	TBD	
Construction			TBD	TBD	
Total	1.000	1.000			

Activity Highlights:

FCDOT continues discussions with NVCC to select transit center location on campus

XXXX Seven Corners Transit Transfer Center Construction

Construct transit transfer center at the Seven Corners Shopping Center; Improvements to existing bus stops

District(s): MA
FCDOT Staff: TB

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
1.000
Type of Funding:
CMAQ

	Project Cost (\$ in Millions)	Project Funding	Schedule		Status
			Start	End	
Design			Jan-07	Oct-10	😊
Land Acquisition			N/A	N/A	
Utility Relocation			Jun-10	Dec-10	😊
Construction			Feb-11 Mar-11	Jun-12 Dec-11	👍⚠️
Total	1.182	1.510			

Activity Highlights:

Pre-construction meeting held 6/29/11; Project under construction

XXXX Stringfellow Road Bus Transfer Facility **Design**

Provide 3 additional bus bays (total of 6) and a transit center facility, with bicycle facilities

District(s): SU
FCDOT Staff: EAI

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
1.500
Type of Funding:
2007 County Bonds

	Project Cost	Project Funding	Schedule		Status
	(\$ in Millions)		Start	End	
Design			Apr-08	TBD	👍
Land Acquisition			TBD	TBD	
Utility Relocation			TBD	TBD	
Construction			TBD	TBD	
Total	1.500	1.500			

Activity Highlights:

Project combined with the Park and Ride Expansion; Building design concepts under review by FCDOT staff;

XXXX Stringfellow Road Park & Ride Lot Expansion **Design**

Construct an additional 300 spaces north of the existing 387 space facility

District(s): SU
FCDOT Staff: EAI

Implementing Agency:
COUNTY
Amount in Board's 4-Year Plan: (\$ in Millions)
4.000
Type of Funding:
2007 County Bonds

	Project Cost	Project Funding	Schedule		Status
	(\$ in Millions)		Start	End	
Design			Apr-08	TBD	👍
Land Acquisition			TBD	TBD	
Utility Relocation			TBD	TBD	
Construction			TBD	TBD	
Total	4.000	4.000			

Activity Highlights:

Project combined with the Bus Transfer Facility; Overall site plan under review by VDOT and FCDOT; Coordination and review meeting scheduled June 2011

XXXX Vienna Metrorail Staircase

Construction

Add new staircase from platform to mezzanine at Vienna Metro Station

District(s): PR

FCDOT Staff: KPR

Implementing Agency:		Project Cost	Project Funding	Schedule		Status
WMATA		(\$ in Millions)		Start	End	
Amount in Board's 4-Year Plan: (\$ in Millions)		Design		Jun-09	Feb-11	☺
2.000		Land Acquisition		N/A	N/A	
Type of Funding:		Utility Relocation		N/A	N/A	
2007 County Bonds		Construction		Apr-11	Nov-11	👍
		Total	2.000	2.000		

Activity Highlights:

Design completed and approved; Construction is 18% complete; Completion is anticipated in late fall 2011

June 2011 Summary Chart for Pedestrian Bicycle Projects

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0649	PR	Annandale Road Walkway Install 190 lf concrete sidewalk along the east side of Annandale Road from Brice Street to the Falls Church City line County Proj#: 4YP201-PB033	COUNTY	ROW	0.070	0.070	D	Aug-08	Aug-11	🕒⚠
							R	Jan-10	Jul-11	🕒⚠
							U	TBD	TBD	
							C	Sep-11	Dec-11	⚠
0749	SU	Ashburton Avenue Walkway Install 250 lf concrete sidewalk and stream crossing along the west side of Ashburton Avenue at Cedar Run County Proj#: 4YP201-PB022	COUNTY	Design	0.476	0.476	D	May-08	Jul-11	🕒⚠
							R	Apr-10	Aug-10	☺
							U	Sep-11	Dec-11	⚠
							C	Aug-11	Apr-12	
0617	MA	Backlick Road Walkway (east side) Install concrete sidewalk along the east side of Backlick Road opposite the Wilburdale community County Proj#: 4YP201-PB025	COUNTY	On Hold	0.150	0.150	D	Feb-08	Sep-10	☺
							R	Jul-09	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
0617	MA	Backlick Road Walkway (west side) Install concrete sidewalk along the west side of Backlick Road from Wilburdale Drive to Braddock Road County Proj#: 4YP201-PB024	COUNTY	Construction	0.150	0.150	D	Feb-08	Mar-11	☺
							R	May-10	Nov-10	☺
							U	Jan-11	Apr-11	👍
							C	Apr-11	Sep-11	👍
0675	HM	Beulah Road Walkway Install asphalt sidewalk and crosswalks on alternate sides of Beulah Road from Abbotsford Drive to Coral Crest Lane and along Clarks Crossing Road County Proj#: 4YP201-PB009	COUNTY	Design	1.000	1.000	D	Nov-08	Apr-12	🕒⚠
							R	Sep-11	Apr-12	⚠
							U	Sep-11	Apr-12	⚠
							C	Jun-12	Feb-13	⚠
4720	HM	Bicycle Pavement Marking Plan - Soapstone Drive Prepare pavement marking and signage plan to include on-road bicycle facilities on Soapstone Drive from the deadend to Sunrise Valley Drive, approximately 2.65 miles County Proj#: PBFP01-00200	COUNTY	Design	0.016	N/A	D	Feb-11	Jun-11	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Jul-11	Sep-11	

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
XXXX	CW	Bicycle Racks and Lockers - Countywide Purchase and install 150 inverted "U" bicycle racks and 60 bicycle lockers at locations throughout Fairfax County County Proj#:	COUNTY	On Going	0.200	N/A	D	Jun-09	Jan-10	☺
							R			
							U			
							C	Jun-10	Sep-11	⚠️
0620	BR	Braddock Road/Guinea Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01400	COUNTY	Complete	0.150	N/A	D	Dec-08	Sep-10	☺
							R	Nov-09	Jun-10	☺
							U	Apr-10	May-10	☺
							C	Dec-10	May-11	☺
0643	BR	Burke Center Parkway Walkway Add sidewalk from Pond Spice Lane to Terra Centre Elementary School County Proj#: PPTF01-02100	COUNTY	Construction	0.250	N/A	D	Jan-10	Aug-11	👍
							R	Aug-10	May-11	☺
							U	Jun-11	Jul-11	👍⚠️
							C	Sep-11	Jun-12	⚠️
6493	BR	Burke Commons Road Walkway Add sidewalk from Merridith Circle to Roberts Parkway along north side County Proj#: PPTF01-02200	COUNTY	Design	0.230	N/A	D	Feb-10	Dec-11	👍
							R	Jul-11	Feb-12	⚠️
							U	TBD	TBD	
							C	Mar-12	Oct-12	⚠️
3547	DR	Chain Bridge Road/Tennyson Drive Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02800	COUNTY	ROW	0.250	N/A	D	Mar-10	Sep-11	👍
							R	Feb-11	Sep-11	👍
							U	N/A	N/A	
							C	Nov-11	Apr-12	
0007	MA	Columbia Pike Interchange (Rte. 7 Ped. Init) Install sidewalk along both ramps from Columbia Pike to Leesburg Pike and along the service Road from Seminary Road to Leesburg Pike. County Proj#: 4YP201-PB050	COUNTY	Design	0.800	0.800	D	Oct-10	Jun-12	👍⚠️
							R	Sep-11	Apr-12	⚠️
							U	TBD	TBD	
							C	Aug-12	Jun-13	⚠️
0244	MA	Columbia Pike Walkway Install concrete sidewalk along the south side of Columbia Pike from Downing Street to Lincolnia Road County Proj#: 4YP201-PB026	COUNTY	ROW	0.430	0.430	D	May-08	Aug-11	👍
							R	Aug-10	Jun-11	👍
							U	TBD	TBD	
							C	Oct-11	May-12	

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ▲=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0244	MA	Columbia Pike Walkway Install concrete sidewalk along the south side of Columbia Pike from Gallows Road to the Annandale Methodist Church County Proj#: 4YP201-PB028	COUNTY	ROW	0.190	0.190	D	Aug-09	Oct-11	👍
							R	Apr-11	Nov-11	👍▲
							U	TBD	TBD	
							C	Dec-11	Aug-12	▲
0244	MA	Columbia Pike Walkway Install concrete sidewalk along the north side of Columbia Pike from Maple Court to Blair Road County Proj#: 4YP201-PB027	COUNTY	ROW	0.200	0.200	D	Jan-08	Oct-11	👍▲
							R	Apr-10	Aug-11	👍▲
							U	TBD	TBD	
							C	Nov-11	Mar-12	▲
0244	MA	Columbia Pike Walkway Phase II 600 LF of 8-foot wide walkway along south side from entrance to Holmes Run Stream Valley Park to Powell Lane; install bus shelter on Columbia Pike at Powell Lane County Proj#: 26008G-07002	DPWES	Construction	0.902	0.500	D	Nov-08	Jan-11	☺
							R	Jun-02	Nov-06	☺
							U	Nov-10	Feb-11	☺
							C	Mar-11	Nov-11	👍
0673	PR	Courthouse Road Walkway Install 410 lf asphalt sidewalk along the north side of Courthouse Road from Chain Bridge Road to Oakton Plantation Lane County Proj#: 4YP201-PB034	COUNTY	Utilities	0.130	0.130	D	Feb-08	Jun-11	👍▲
							R	Feb-09	Jun-11	☺▲
							U	Jul-11	Aug-11	▲
							C	Aug-11	Nov-11	▲
0007	MA	Culmore Shopping Center to Church Street (Rte. 7 Ped. Init) Install 1600' of sidewalk along the frontage of several shopping centers north of Columbia Pike. County Proj#: 4YP201-PB049	COUNTY	Design	0.750	0.750	D	Aug-10	Mar-12	👍
							R	Jul-11	Mar-12	▲
							U	TBD	TBD	
							C	Jun-12	Apr-13	▲
0123	DR	Dolley Madison Boulevard/Churchill Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02400	COUNTY	Design	0.250	N/A	D	Mar-10	Sep-11	👍
							R	Dec-10	Mar-11	☺
							U	N/A	N/A	
							C	Jan-12	Apr-12	
2248	MA	Elmdale Road Walkway Add sidewalk from Braddock Road to Old Columbia Pike along south side County Proj#: PPTF01-03000	COUNTY	Design	0.525	N/A	D	Jan-10	Jun-12	👍▲
							R	Nov-11	Jul-12	▲
							U	TBD	TBD	
							C	Oct-12	Jun-13	▲

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0007	MA	First Christian Church of Falls Church (Rte. 7 Ped. Init.) 6' asphalt walkway across church property and adding a bus pad to the existing bus stop. County Proj#: 4YP201-PB053	COUNTY	ROW	0.230		D	Jun-10	Aug-11	👍
							R	Dec-10	Jul-11	👍
							U	TBD	TBD	
							C	Oct-11	Jun-12	
1825	DR	Fleetwood Road Bicycle Route Add "bike route" signage from Elm Street to Chain Bridge Road County Proj#:	COUNTY	Design	0.005	N/A	D	Dec-09	Aug-11	👍
							R	N/A	N/A	
							U	N/A	N/A	
							C	Jul-11	Aug-11	👍
0665	HM	Fox Mill Road Walkway Install asphalt sidewalk along the south side of Fox Mill Road from Fairfax County Parkway to Mill Heights Drive County Proj#: 4YP201-PB011	COUNTY	Construction	0.100	0.100	D	Aug-08	Nov-10	☺
							R	Jun-09	Mar-10	☺
							U	N/A	N/A	
							C	Jun-11	Oct-11	👍⚠
0644	LE	Franconia Road Walkway (north side) Install asphalt sidewalk along the north side of Franconia Road from Governor's Hill Drive to Telegraph Road County Proj#: 4YP201-PB041	COUNTY	ROW	0.090	0.090	D	Sep-08	Jun-11	☺⚠
							R	Jul-10	Jul-11	👍⚠
							U	Jan-11	Apr-11	☺⚠
							C	Jul-11	Sep-11	⚠
0644	LE	Franconia Road Walkway (south side) Install concrete sidewalk along south side of Franconia Road from Governor's Hill Drive to Telegraph Road County Proj#: 4YP201-PB044	DPWES	Construction	0.270	0.270	D	Oct-06	Aug-07	☺
							R	Aug-08	Jan-09	☺
							U	Dec-10	Jun-11	☺⚠
							C	Jun-11	Sep-11	👍⚠
0650	PR	Gallows On-Road Bike Lanes Tysons Corner area to the W&OD Trail; W&OD Trail to Dunn Loring Metrorail Station; Dunn Loring Metrorail Station to Merrifield CBC County Proj#:	VDOT	Design	1.100	3.000	D	Sep-08	Aug-09	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Dec-11	TBD	
0193	DR	Georgetown Pike Walkway (Phase II) Construct 1,000 LF walkway from Utterback Store Road (Krop Property) to Falls Manor Court County Proj#: W00200-W202B	DPWES	ROW	0.400	N/A	D	Oct-08	Aug-11	👍
							R	Feb-11	Oct-11	👍
							U	Nov-11	Mar-12	
							C	Apr-12	Oct-12	

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0193	DR	Georgetown Pike/Balls Hill Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02500	COUNTY	Design	0.250	N/A	D	Mar-10	Jun-11	🕒⚠️
							R	N/A	N/A	
							U	N/A	N/A	
							C	Aug-11	Nov-11	⚠️
4721	HM	Glade Drive Walkway Install concrete sidewalk along the north side of Glade Drive from Colts Neck Road to Shire Court County Proj#: 4YP201-PB012	COUNTY	Construction	0.110	0.110	D	Dec-07	Jun-11	☺️⚠️
							R	Oct-09	May-11	☺️⚠️
							U	N/A	N/A	
							C	Jul-11	Dec-11	⚠️
0007	MA	Gorham Street to S. Fourteenth Street (Rte. 7 Ped. Init.) Install 2 smaller segments of walkways that total 500 feet. County Proj#: 4YP201-PB051	COUNTY	Design	0.250	0.250	D	Jun-10	May-12	🕒⚠️
							R	Jul-11	Mar-12	⚠️
							U	TBD	TBD	
							C	Jul-12	Dec-12	⚠️
0694	DR	Great Falls Street/Haycock Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02600	COUNTY	Construction	0.250	N/A	D	Nov-09	Jun-11	☺️⚠️
							R	N/A	N/A	
							U	N/A	N/A	
							C	Jun-11	Sep-11	👍
0674	HM	Hunter Mill Road/Sunrise Valley Drive Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-03100	COUNTY	Project Initiation	0.150	N/A	D	TBD	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	
6945	SP	Hunter Village Drive Shoulder Widening Add pedestrian improvements from Old Keene Mill Road to Painted Daisy Drive County Proj#: PPTF01-03200	COUNTY	Design	0.800	N/A	D	Mar-10	Sep-11	🕒⚠️
							R	Jul-11	May-12	⚠️
							U	TBD	TBD	
							C	Jun-12	Mar-13	⚠️
1816	DR	Kurtz Road - Calder Road Bicycle Route Add "bike route" signage on Kurtz Rd. from Dolley Madison Blvd to Calder Road and on Calder Rd. from Kurtz Rd. to Brawner Street. County Proj#:	COUNTY	Design	0.003	N/A	D	Dec-09	Aug-11	👍
							R	N/A	N/A	
							U	N/A	N/A	
							C	Jul-11	Aug-11	

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0645	SU	Lees Corner Road Trail Add trail from Lee Jackson Highway to Bokel Drive along west side County Proj#: PPTF01-03300	COUNTY	Design	0.325	N/A	D	Apr-10	Jan-12	👍
							R	TBD	TBD	
							U	TBD	TBD	
							C	Feb-12	Aug-12	
0007	DR, HM	Leesburg Pike/Baron Cameron Avenue/Sprinvale Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01600	COUNTY	Design	0.200	N/A	D	Jan-09	TBD	
							R	TBD	TBD	
							U	N/A	N/A	
							C	TBD	TBD	
0007	DR	Leesburg Pike/Colvin Run Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01800	COUNTY	Design	0.600	N/A	D	Oct-10	Nov-11	👍⚠️
							R	N/A	N/A	
							U	TBD	TBD	
							C	Feb-12	Aug-12	⚠️
0007	DR	Leesburg Pike/Lewinsville Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02700	COUNTY	Design	0.150	N/A	D	Sep-10	Nov-11	👍
							R	N/A	N/A	
							U	TBD	TBD	
							C	Mar-12	Jun-12	
0007	MA	Leesburg Pike/Patrick Henry Drive Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01700	COUNTY	Design	0.500	N/A	D	Jun-07	Jul-11	👍⚠️
							R	Feb-10	Dec-10	☺️
							U	N/A	N/A	
							C	Aug-11	Feb-12	⚠️
0694	DR	Lewinsville Road Median Install a pedestrian safety median on Lewinsville Road at Spring Hill Elementary School County Proj#: 4YP201-PB003	COUNTY	Design	0.150	0.150	D	Jun-08	Apr-12	👍⚠️
							R	Aug-11	Mar-12	⚠️
							U	TBD	TBD	
							C	Jun-12	Nov-12	⚠️
0694	DR	Lewinsville Road Walkway Phase I Construct walkway along north side from Windy Hill Road to Scotts Run Road County Proj#: PPTF01-03600	COUNTY	Design	0.300	N/A	D	Apr-10	Dec-11	👍
							R	Jul-11	Jan-12	⚠️
							U	TBD	TBD	
							C	Apr-12	Jan-13	⚠️

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0694	DR	Lewinsville Road Walkway Phase II Construct walkway along south side from Snow Meadow Lane to Elsinore Avenue County Proj#: PPTF01-03500	COUNTY	Design	0.500	N/A	D	Apr-10	Apr-12	🕒⚠️
							R	Jul-11	Feb-12	⚠️
							U	TBD	TBD	
							C	May-12	May-13	⚠️
0694	DR	Lewinsville Road Walkway Phase III Construct walkway along south side from Altamira Court to Woodhurst Boulevard Drive County Proj#: PPTF01-03400	COUNTY	ROW	0.250	N/A	D	Feb-10	Jul-11	👍
							R	Oct-10	Jun-11	👍
							U	TBD	TBD	
							C	Aug-11	Apr-12	
0613	MA	Lincolnia Road Walkway Install concrete sidewalk along the north side of Lincolnia Road from Deming Avenue to North Chambliss Street County Proj#: 4YP201-PB030	COUNTY	Construction	0.050	0.050	D	Mar-08	Mar-11	☺️⚠️
							R	Feb-10	Sep-10	☺️
							U	Jan-11	May-11	☺️⚠️
							C	Apr-11	Jul-11	👍⚠️
2244	MA	Montrose Street Walkway Install and upgrade concrete sidewalk along the west side of Montrose Street from Braddock Road to Grafton Street County Proj#: 4YP201-PB031	COUNTY	Construction	0.090	0.090	D	May-08	May-11	☺️
							R	Mar-10	Sep-10	☺️
							U	N/A	N/A	
							C	Jul-11	Nov-11	⚠️
0235	MV	Mt. Vernon Highway Walkway Add sidewalk from Richmond Highway (Rte 1) to retail north of Sunny View Drive along west side County Proj#: PPTF01-03900	COUNTY	Design	0.500	N/A	D	Mar-10	Oct-11	👍
							R	Oct-11	Jun-12	⚠️
							U	TBD	TBD	
							C	Jul-12	Feb-13	⚠️
0241	LE	North Kings Highway Median Add median from Fort Drive to North Metro Entrance County Proj#: RSPI01-00900	COUNTY	Design	0.250	N/A	D	Mar-10	Oct-11	🕒⚠️
							R	N/A	N/A	
							U	N/A	N/A	
							C	Dec-11	May-12	⚠️
0769	PR	Oak Street Walkway Install concrete sidewalk along the south side of Oak Street from Sandburg Street to west of Morgan Lane County Proj#: 4YP201-PB038	COUNTY	On Hold	0.090	0.090	D	Jun-08	TBD	
							R	TBD	TBD	
							U	TBD	TBD	
							C	TBD	TBD	

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0738	DR	Old Dominion Drive/ Whittier Avenue Add signalized pedestrian crosswalks on all four legs County Proj#: PPTF01-04000	COUNTY	Design	0.300	N/A	D	Nov-09	Jul-11	🕒⚠️
							R	N/A	N/A	
							U	N/A	N/A	
							C	Nov-11	Mar-12	
0623	MV	Old Mill Road Walkway Add 150 lf sidewalk from Falkstone Lane to McNair Drive County Proj#: PPTF01-04100	COUNTY	ROW	0.200	N/A	D	Mar-10	Dec-11	👍
							R	Apr-11	Nov-11	👍
							U	TBD	TBD	
							C	Jan-12	Jun-12	
XXXX	BR	Pohick Stream Valley Trail Install asphalt trail along Pohick Stream Valley from Burke Centre VRE to Burke Village County Proj#: 4YP201-PB001	FCPA	Construction	1.400	1.400	D	Jul-08	Nov-10	☺
							R	Nov-10	Jan-11	☺
							U	N/A	N/A	
							C	April-11	Mar-12	🕒⚠️
2833	DR	Powhatan Street Walkway Construct walkway from Orland Street to Overbrook Street County Proj#: PPTF01-03700	COUNTY	Design	0.200	N/A	D	Mar-10	Jan-12	🕒⚠️
							R	Jul-11	Feb-12	⚠️
							U	TBD	TBD	
							C	Mar-12	Sep-12	⚠️
0699	PR	Prosperity Avenue/Hilltop Drive Pedestrian Improvements County Proj#: PPTF01-04200	COUNTY	Construction	0.080	N/A	D	May-09	Apr-10	☺
							R	Mar-10	Mar-11	☺
							U	N/A	N/A	
							C	Mar-11	Sep-11	🕒⚠️
1879	DR	Raymond Avenue Walkway Construct walkway along east side from Churchill Road to Capital View Drive County Proj#: PPTF01-03800	COUNTY	Design	0.150	N/A	D	Mar-10	Jan-12	🕒⚠️
							R	Jul-11	Feb-12	⚠️
							U	TBD	TBD	
							C	Mar-12	Sep-12	⚠️
0602	HM	Reston Avenue Walkway Install asphalt sidewalk along the west side of Reston Avenue from Southington Lane to Shaker Drive County Proj#: 4YP201-PB015	COUNTY	Design	0.110	0.110	D	Dec-07	Jul-11	🕒⚠️
							R	Jun-09	Mar-11	☺
							U	TBD	TBD	
							C	Aug-11	Jan-12	⚠️

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0007	MA	Rio Drive to Glenmore Drive (Rte. 7 Ped. Init.) Install 2 segments of walkway, one on the east side and one on the west side, from the south side of Rio Drive to Glenmore Drive. Curb and gutter will be added for most of the 1800' section. County Proj#: 4YP201-PB048	COUNTY	Design	0.750	0.750	D	Aug-10	May-12	👍
							R	Aug-11	Mar-12	
							U	TBD	TBD	
							C	Jun-12	Apr-13	
0603	DR	River Bend Road-Beach Mill Road Bicycle Route Add "Share the Road" and "Bike Route" signs on River Bend Road from Old Dominion Drive to Beach Mill Road and on Beach Mill Road from River Bend to the County Line County Proj#:	COUNTY	Construction	0.015	N/A	D	Dec-09	Jun-10	☺
							R	N/A	N/A	
							U	N/A	N/A	
							C	Jul-11	Sep-11	
0638	BR, SP	Rolling Road/Burke Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-02000	COUNTY	Design	0.150	N/A	D	Oct-10	Feb-12	👍
							R	TBD	TBD	
							U	TBD	TBD	
							C	Mar-12	Dec-12	
0007	MA	Row Street (Rte. 7 Ped. Init.) Install a 400' segment of walkway and curb on the east side of Rte. 7 on the north side of Row Street. County Proj#: 4YP201-PB047	COUNTY	Design	0.225	0.225	D	Aug-10	Jan-12	👍
							R	Jul-11	Jan-12	⚠️
							U	TBD	TBD	
							C	Feb-12	Aug-12	
0007	MA	Seven Corners to Juniper Lane (Rte. 7 Ped. Init.) 3 intersection improvements at Seven Corners, Thorne Rd and Seven Corners Center. Mostly handicap ramps and modifications to existing signals to accommodate ped crossings. County Proj#: 4YP201-PB052	COUNTY	Design	0.800	0.800	D	Aug-10	Apr-12	👍
							R	Jul-11	Mar-12	
							U	TBD	TBD	
							C	Jul-12	Apr-13	
0600	MV	Silverbrook Road Walkway Install 820 lf asphalt sidewalk along the north side of Silverbrook Road from Southrun Road to Monacan Road County Proj#: 4YP201-PB018	COUNTY	ROW	0.060	0.060	D	May08	Aug-11	👍⚠️
							R	May-10	Aug-11	👍⚠️
							U	N/A	N/A	
							C	Oct-11	Jan-12	⚠️
0600	MV, SP	Silverbrook Road Walkway Install 650 lf asphalt sidewalk along the north side of Silverbrook Road from Silverthorn Road to Bayberry Ridge Road County Proj#: 4YP201-PB020	COUNTY	ROW	0.220	0.220	D	May-08	Jun-11	☺
							R	Feb-09	Feb-11	☺
							U	N/A	N/A	
							C	Aug-11	Nov-11	⚠️

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
4720	HM	Soapstone Drive Walkway Add sidewalk along west side from Sunrise Valley Drive to Hunters Green Court County Proj#: PPTF01-04300	COUNTY	ROW	0.100	N/A	D	Jan-10	Nov-11	👍
							R	Mar-11	Oct-11	👍
							U	TBD	TBD	
							C	Dec-11	Jul-12	
0684	DR	Spring Hill Road Walkway Install asphalt sidewalk along the east side of Spring Hill Road from Old Dominion Drive to Pettit Court County Proj#: 4YP201-PB004	COUNTY	ROW	0.480	0.480	D	May-08	Aug-11	👍⚠️
							R	Dec-09	Jun-11	☺️⚠️
							U	TBD	TBD	
							C	Sep-11	Jan-12	⚠️
0675	HM	Sunset Hills Road Walkway Install concrete sidewalk along the north side of Sunset Hills Road from the W&OD Trail to Michael Faraday Court County Proj#: 4YP201-PB017	COUNTY	ROW	0.240	0.240	D	Dec-07	Sep-11	👍⚠️
							R	Nov-10	Sep-11	👍⚠️
							U	Apr-11	TBD	👍
							C	Nov-11	Apr-12	⚠️
0640	SP	Sydenstricker Road Walkway Install asphalt sidewalk along the north side of Sydenstricker Road from Briarcliff Drive to Galgate Drive County Proj#: 4YP201-PB021	COUNTY	Design	0.180	0.180	D	May-08	Oct-11	👍
							R	May-10	Sep-11	👍⚠️
							U	TBD	TBD	
							C	Nov-11	Jul-12	
0611	LE	Telegraph Road Walkway Install asphalt sidewalk along east side of Telegraph Road from South Kings Highway to Lee District Park County Proj#: 4YP201-PB023	COUNTY	On Hold	0.800	0.800	D	TBD	TBD	
							R	TBD	TBD	⚠️
							U	TBD	TBD	⚠️
							C	TBD	TBD	⚠️
7541	DR	Turner Avenue Walkway Install concrete sidewalk along the east side of Turner Avenue from Williamsburg Pond Court to Haycock Road County Proj#: 4YP201-PB005	COUNTY	ROW	0.050	0.050	D	Dec-08	Jul-11	👍⚠️
							R	Dec-09	Jul-11	👍⚠️
							U	TBD	TBD	
							C	Aug-11	Dec-11	⚠️
0795	MA	Tyler Street Walkway Install concrete sidewalk along the east side of Tyler Street from Columbia Pike to Lake Street County Proj#: 4YP201-PB032	COUNTY	Complete	0.140	0.140	D	Aug-08	Nov-10	☺️
							R	Dec-09	Sep-10	☺️
							U	N/A	N/A	
							C	Feb-11	Apr-11	☺️⚠️

Status Key: ☺=Complete; 🕒=OnSchedule; 🕒=Behind Schedule; ⚠️=Change Since Previous Report; 📅=Schedule Concern; 💰=Funding Concern Phase Key: D=Design; R=Right-of-Way Acquisition; U=Utility Relocation; C=Construction(includes pre-ad, bid ad, and contract award)										
Route Number	District	Project Description	Lead Agency	Overall Status	Total Project Cost	Amt in BOS's 4-Yr Plan	Phase	Start Date	End Date	Status
0672	HM	Vale Road/Flint Hill Road Add signalized pedestrian crosswalks, signage, striping, and modify signal operations County Proj#: PPTF01-01200	COUNTY	Utilities	0.113	N/A	D	Jan-10	Jun-11	☺⚠️
							R	Jul-10	Dec-10	☺
							U	Jun-11	Aug-11	🕒⚠️
							C	Jul-11	Sep-11	⚠️
0693	DR	Westmoreland Street @ Old Chesterbrook Road Re-align intersection, new storm drainage, crosswalks on Westmoreland St. from entrance to McLean High School to Old Chesterbrook Rd County Proj#: PPTF01-04400	COUNTY	Design	0.150	N/A	D	Jan-10	May-12	🕒⚠️
							R	Jul-11	Apr-12	⚠️
							U	TBD	TBD	
							C	Jun-12	Dec-12	⚠️
0693	DR	Westmoreland Street Walkway Install concrete sidewalk along the west side of Westmoreland Street from Temple Rodef Shalom to Chesterbrook Presbyterian Church County Proj#: 4YP201-PB008	COUNTY	Complete	0.150	0.150	D	Oct-08	Nov-10	☺
							R	Dec-09	Aug-10	☺
							U	Dec-10	Jan-11	☺
							C	Mar-11	Jun-11	☺⚠️
0828	HM	Wiehle Avenue Walkway Phase II Add sidewalk along east side from Chestnut Grove Square to North Shore Drive County Proj#: PPTF01-04500	COUNTY	Design	0.350	N/A	D	Apr-10	Sep-11	🕒⚠️
							R	Aug-11	Mar-12	⚠️
							U	TBD	TBD	
							C	Jun-12	Sep-12	⚠️



County of Fairfax
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, Virginia 22033
Phone: (703) 877-5600 Fax: (703) 877-5723

INFORMATION – 2

BRAC/South County Service Plan for the FAIRFAX CONNECTOR Routes to be Implemented in September 2011

This is to notify the Board that the Fairfax County Department of Transportation (FCDOT) intends to make several schedule and/or routing changes to FAIRFAX CONNECTOR routes as outlined below. These changes are intended to address the impacts of the Base Realignment and Closure Commission (BRAC) recommendations.

Route 159 (Lee, Mount Vernon District): Revised weekday peak-direction schedule on existing Route 159 from local service to limited-stop service. Route 159 provides peak-direction service from the Engleside and Sequoyah neighborhoods to the Huntington Metrorail Station via Richmond Highway. Revised schedule would provide local service to all bus stops in the Engleside and Sequoyah neighborhoods and would service only Richmond Highway Express (REX) stops along Richmond Highway, providing a faster connection to Metrorail. Frequent local service along Richmond Highway would be maintained via enhanced Route 171 service (see below) (Attachment 1).

Route 171 (Lee, Mount Vernon Districts): Modified the existing routing and revised the schedule accordingly. Revised routing begins at the Huntington Metrorail Station and travels along Richmond Highway, Fort Belvoir at the Defense Logistics Agency (DLA), Telegraph Road, Pohick Road, and Lorton Station Boulevard to the southern terminal at the Lorton Virginia Railway Express (VRE) Station. The weekday schedule has been adjusted improving service to 20 minute headways in the peak period and 30 minute headways during the midday, evening and on weekends. Route 171 provides a connection between Fort Belvoir at DLA and the Lorton VRE Station. Service is complimented by a new Route 371 from the Lorton VRE Station to the Franconia – Springfield Metrorail Station which was previously part of the Route 171 (see below) (Attachment 2).

Route 305 (Lee, Mount Vernon and Springfield District): Modified the existing routing to provide bi-directional service to the Newington Forest, Silverbrook, Laurel Hill and Lorton communities and Lorton VRE Station during weekday peak periods. The proposed route is the combination of existing routes 305 and 307 and will provide Newington Forest, Silverbrook, and Laurel Hill riders with direct service to Metrorail at the Franconia-Springfield Station on the north end of the route or VRE at the Lorton Station at the south end of the route. The proposed

Board Agenda Item
July 26, 2011

route will also continue to serve the Gambrill and Sydenstricker Park-and-Ride Lots in the peak direction (Attachment 3).

Route 310 (Lee, Springfield Districts): Revised the schedule to increase service to 20 minute headways in the peak period and 30 minute headways in the base period. There are no changes being proposed to the routing.

Route 333/334 (Lee, Mount Vernon Districts): Modified exiting routes 331 and 332 to shift service to the south of Springfield Community Business Center (CBC) to facilitate better connections between various large employment sites, neighborhoods and the Franconia-Springfield Metrorail Station. The proposed routes provide circulator service to the Loisdale Road, Newington, Gateway 95, Ft. Belvoir-DLA, and Boston Boulevard areas on weekdays only. New routes 333 and 334 are based on restructured routes 331 and 332 service; route numbers 331 and 332 will be eliminated with this change. Coverage to the Springfield CBC area will be provided via routes 310, 401 and 402 (Attachment 4 & 5).

Route 335 (Lee, Mount Vernon Districts): New route 335 is proposed as bi-directional direct service from the Franconia – Springfield Metrorail Station to the new hospital on Fort Belvoir via Beulah Street, Telegraph Gate, John J. Kingman Road, Gunston Road, 12th Street and Belvoir Road. This route will provide an efficient option for travel between Fort Belvoir Main Post and the Franconia-Springfield Metrorail and VRE Stations to help accommodate the influx of new personnel moving to the main post due to the BRAC action (Attachment 8).

Route 371 (Lee, Springfield Districts): New route 371 is proposed to provide bi-directional service between Patriot Ridge, Fullerton Road, Saratoga Center, the Lorton VRE Station, Laurel Hill, Lorton and the Franconia-Springfield Metrorail Station. Route 371 is proposed to serve as the western component of the proposed route 171 route, providing complementary service to the I-95 corridor and providing direct service between Lorton and the Metrorail system. Route 371 would connect with proposed route 171 at the Lorton VRE Station and the routes would be timed to facilitate transfer activity as much as possible (Attachment 6).

Route 395 (Lee, Springfield Districts): Route 395 is the permanent route number for the existing route 380D. No changes are being proposed to routing or schedule. Route 395 will continue to provide peak direction service between the Pentagon Metrorail Station and the Gambrill Road and Backlick North Park-and-Ride Lots via the I-95/395 High Occupancy Vehicle (HOV) lanes (Attachment 7).

BACKGROUND:

This service plan is being implemented to improve transportation options and relieve projected traffic congestion in the South County when the BRAC personnel movements scheduled for Fort Belvoir are made in September 2011. The proposed service plan reflects recommendations from the FAIRFAX CONNECTOR Transit Development Plan (TDP), staff evaluation and public input.

BRAC is the process the U.S. Department of Defense uses to reorganize its military installations to adapt to changing circumstances. The 2005 BRAC law will nearly double Fort Belvoir's employment by transferring 19,300 workers to its campuses, 11,900 of which will work in Fairfax County – 8,500 to the NGA in Springfield and 3,400 to the main post at Fort Belvoir by September 15, 2011. The service area for this corridor runs roughly parallel to I-95 south of the Capital Beltway through the communities of Springfield, Newington and Lorton. Six Connector routes currently operate in this area either along I-95 or a parallel road, including Backlick, Loisdale and Lorton Roads. The area is expected to experience explosive growth as planned residential developments come on-line in Lorton and the Department of Defense plans to expand two military installations when they are completed in late 2011. Traffic congestion on and parallel to I-95 is at an all-time high and is expected to get worse with this shift in personnel.

During the month of June 2011, FCDOT conducted three public meetings to gather public input on the proposed service plan. Additionally, staff solicited comments through the website, email and via coordinated efforts with regional BRAC partners. The plan, as submitted to the Board, incorporates the majority of comments received during the public input process (Attachment 9).

Unless otherwise directed by the Board, the Department of Transportation will implement these service changes in September 2011.

FISCAL IMPACT:

The estimated annual operating cost of the full BRAC/South County Service plan is \$4,150,609. As previously mentioned, the plan includes: adjustments to the 159; combining the 307 with the 305; modifications to the 171, which includes the creation of the 371 and increases service hours; and the modification and renumbering of the 331/332 to the 333/334. This plan expands service by 23,300 annual revenue hours at an annual cost of \$2,825,591. The plan also expands service to the 310 by 6,112 annual revenue hours at an annual cost of \$741,202. Finally, the plan creates a direct route, the 335 that expands service by approximately 4,814 annual revenue hours at an annual cost of \$583,816.

Board Agenda Item
July 26, 2011

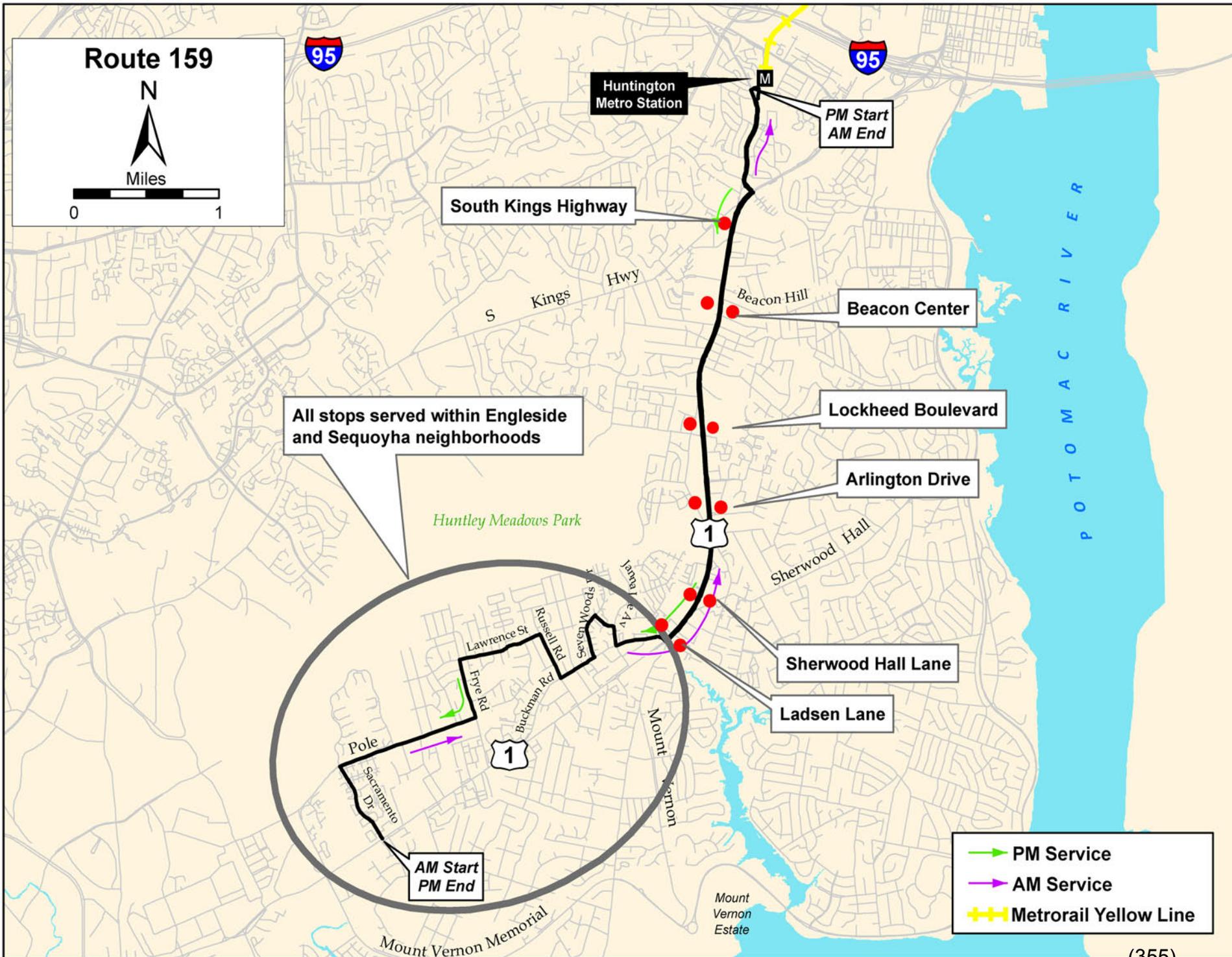
Since the planned implementation of the new service will begin in September 2011, only partial year operating funding is needed. Based on an assumption of three quarters of a year of operation, a total of \$3,112,957 is required in FY 2012. Funding has been included in the FY 2012 Adopted Budget Plan in Fund 100, County Transit Systems.

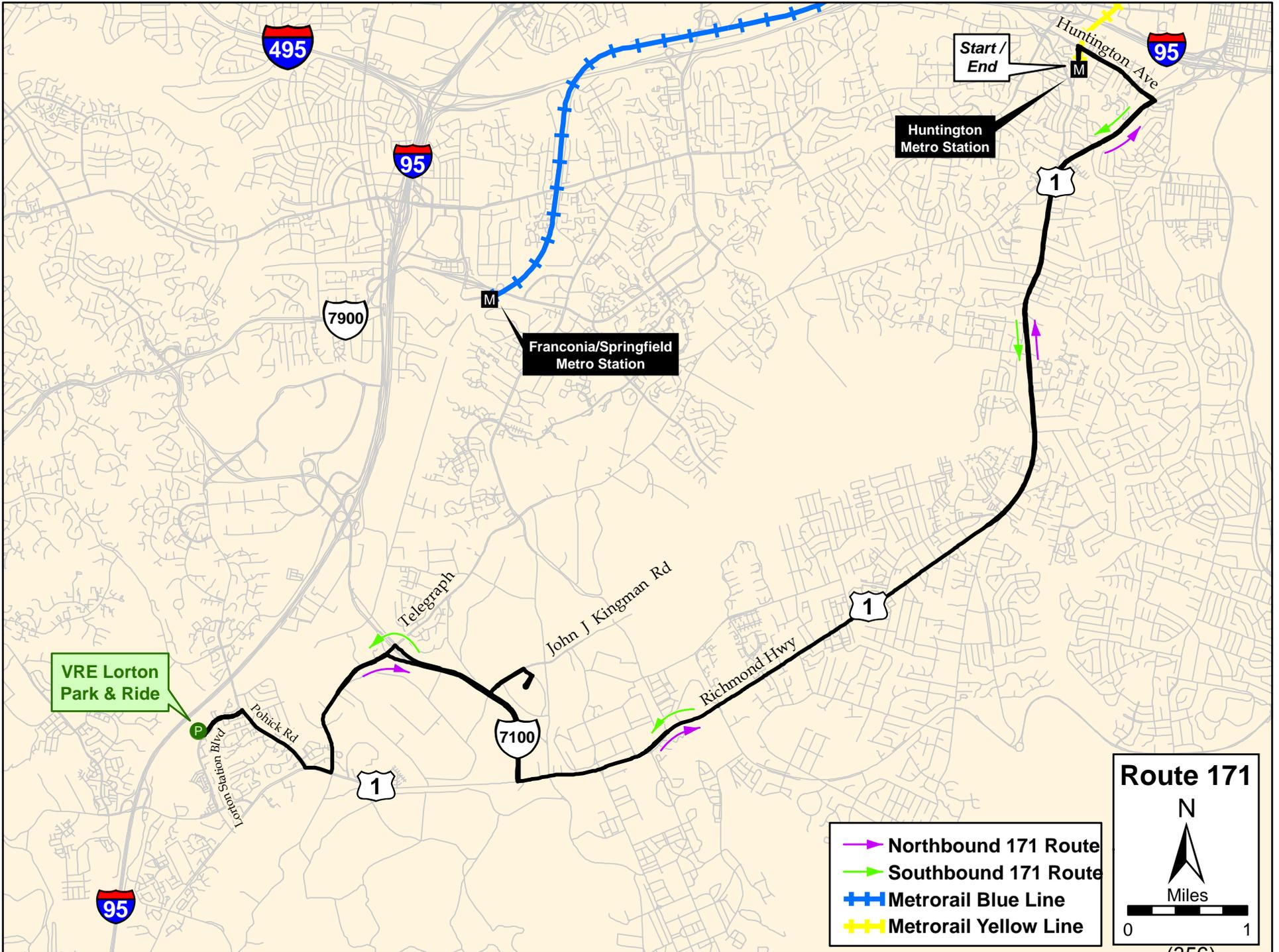
ENCLOSED DOCUMENTS:

Attachment 1: Route 159
Attachment 2: Route 171
Attachment 3: Route 305
Attachment 4: Route 333
Attachment 5: Route 334
Attachment 6: Route 395
Attachment 7: Route 371
Attachment 8: Route 335
Attachment 9: Public Comments Received

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)
Rollo Axton, Chief, Transit Services Division, FCDOT
Christin Wegener, Chief, Fairfax Connector Section, FCDOT
Paul Mounier, Fairfax Connector Section, FCDOT





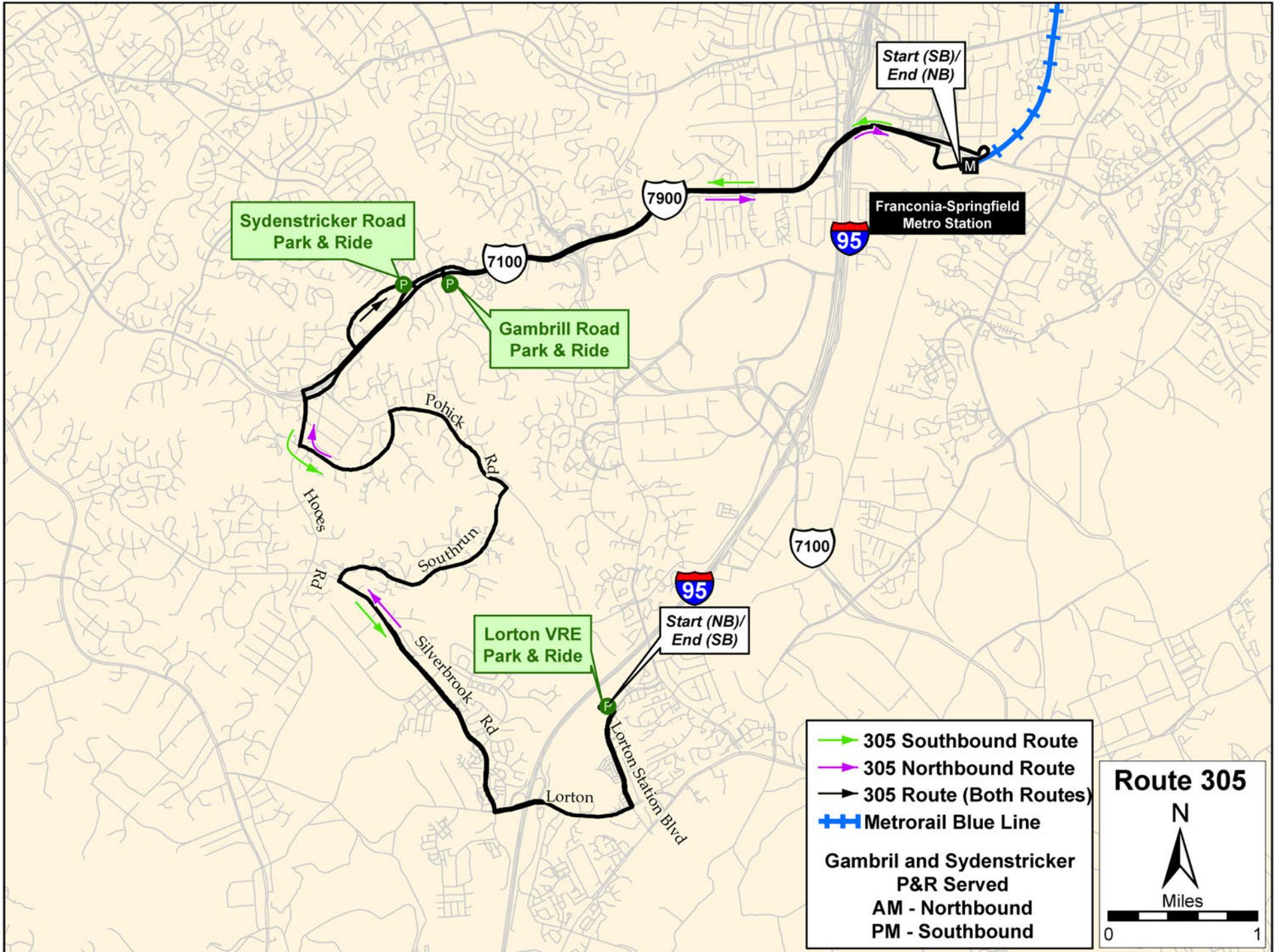
Northbound 171 Route
Southbound 171 Route
Metrorail Blue Line
Metrorail Yellow Line

Route 171

N

Miles

0 1



→ 305 Southbound Route
→ 305 Northbound Route
→ 305 Route (Both Routes)
+ + Metrorail Blue Line
**Gambril and Sydenstricker
 P&R Served**
AM - Northbound
PM - Southbound

Route 305

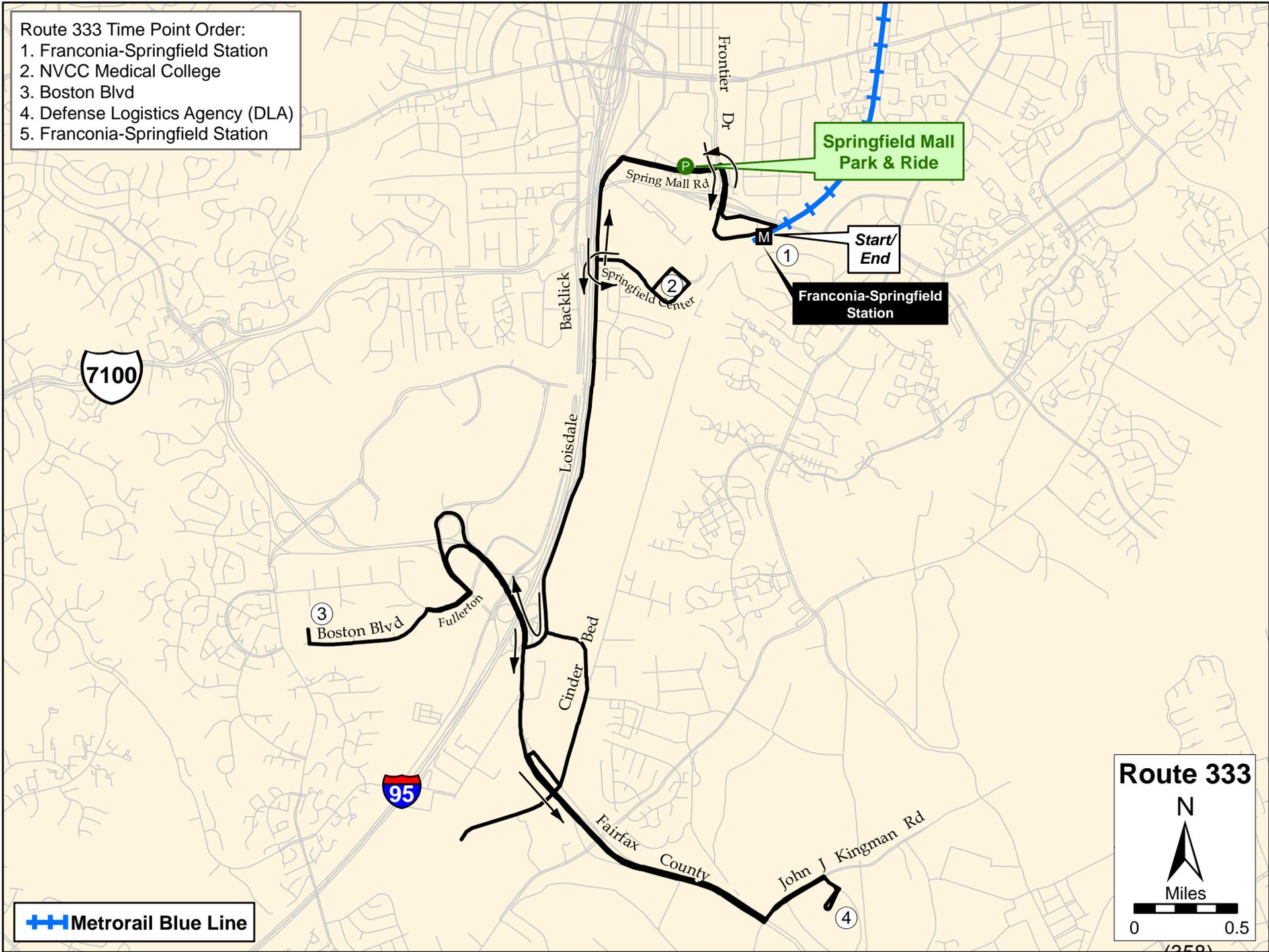
N

Miles

0 1

Attachment 4

- Route 333 Time Point Order:
1. Franconia-Springfield Station
 2. NVCC Medical College
 3. Boston Blvd
 4. Defense Logistics Agency (DLA)
 5. Franconia-Springfield Station



Route 333

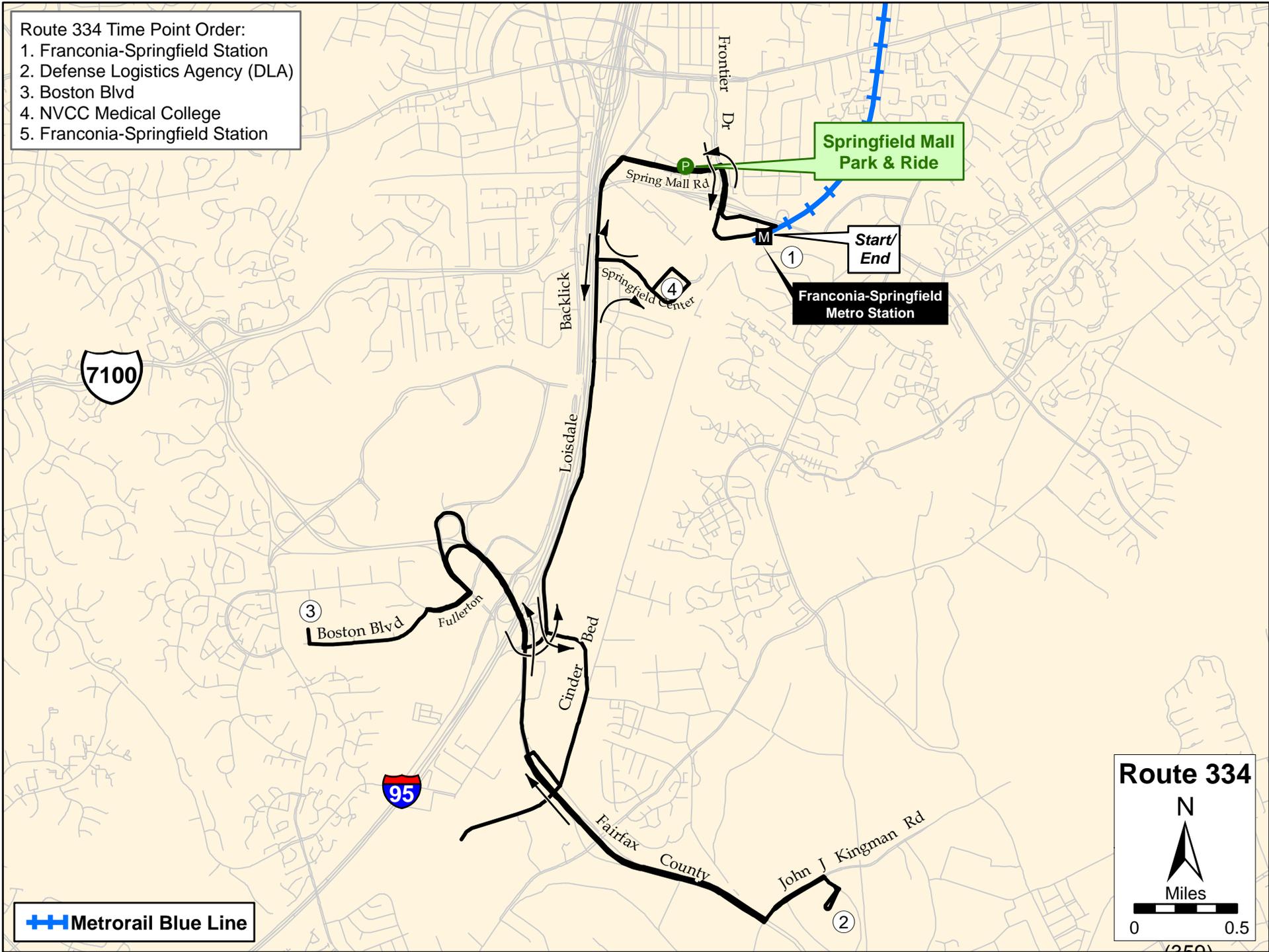
N

Miles

0 0.5

Attachment 5

- Route 334 Time Point Order:
1. Franconia-Springfield Station
 2. Defense Logistics Agency (DLA)
 3. Boston Blvd
 4. NVCC Medical College
 5. Franconia-Springfield Station

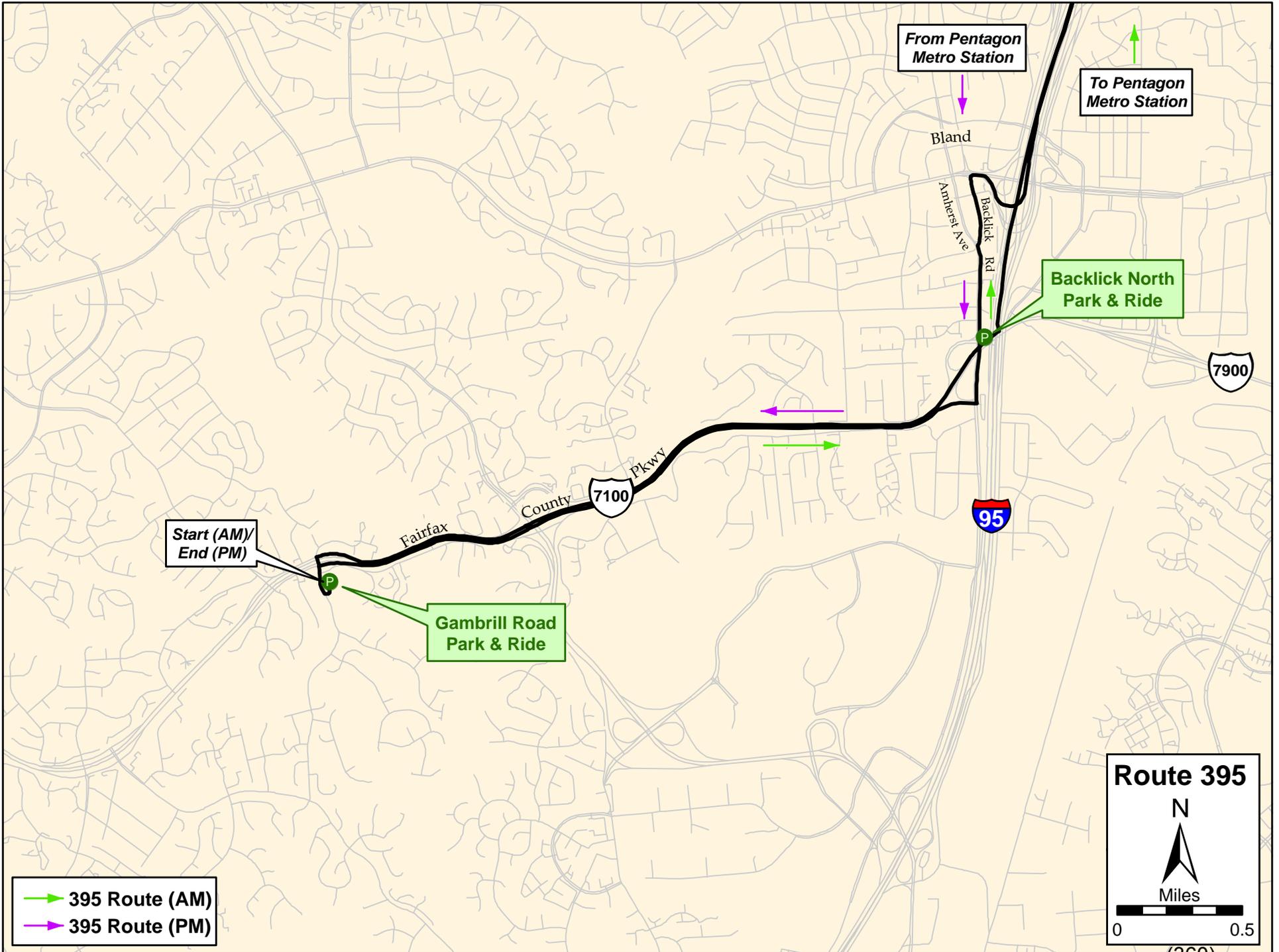


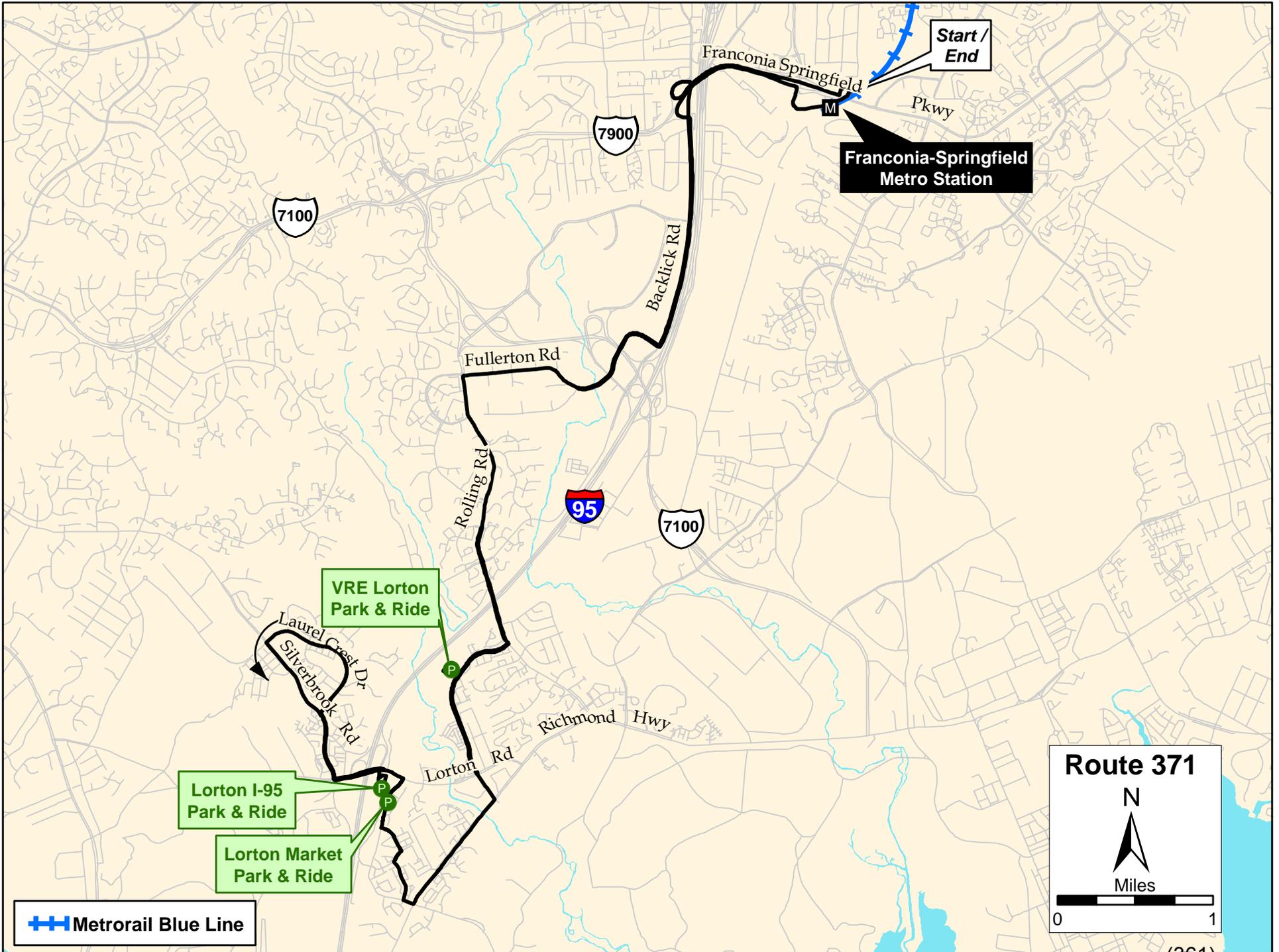
Route 334

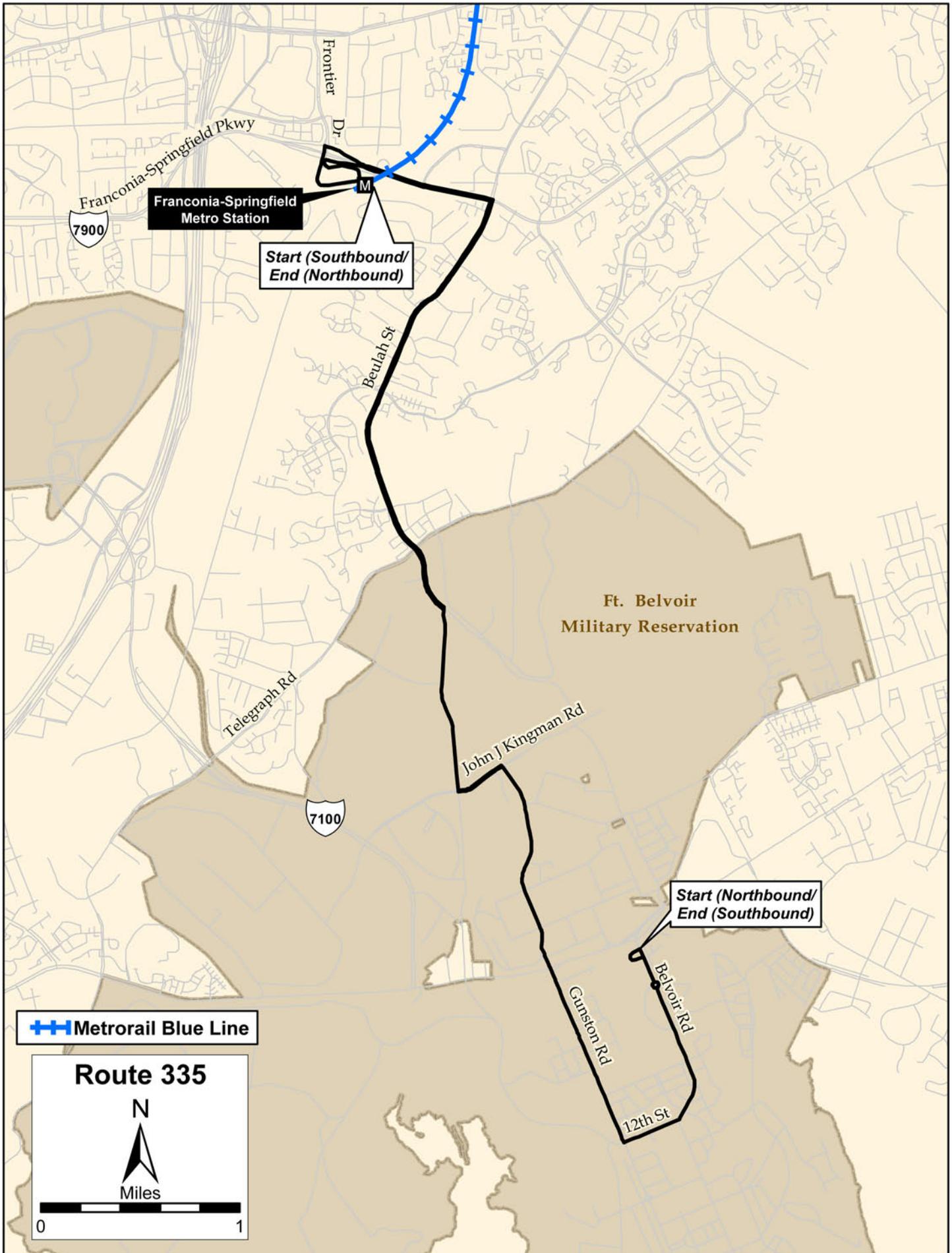
N

Miles

0 0.5







BRAC/South County Service Plan Comments from Public Outreach

<p>I live in the southern portion of Route 1/near Pohick Road/Lorton and the 171 is being cut at the Lorton VRE, which mean I cannot directly get to Franconia – Springfield Metro Station.</p>	<p>The route had to be cut at the Lorton VRE to make service more reliable. Staff has coordinated the 371/171 trips at the Lorton VRE to facilitate trips through the VRE to make connections to Franconia-Springfield Metro. Staff increased service from 30 minute headways to 20 minute headways to offset the increased travel time.</p>
<p>It is going take more time for me to travel from Lorton VRE to Franconia – Springfield Metro.</p>	<p>Traffic congestion is anticipated to increase dramatically with the BRAC movements, and schedules have not been adjusted in five years. Therefore, realistic trip timing will increase the reliability schedule but makes the trip longer. We have increased the number of trips by decreasing the headways from 30 minutes to 20 minutes meaning instead of two buses per/hour there will be three buses per hour. This will give riders more trip options.</p>
<p>Use the 371 to serve Boston Boulevard instead of the 333/334.</p>	<p>This is under consideration for possible implementation at a future time.</p>
<p>Why aren't you using I-95?</p>	<p>Traffic congestion is anticipated to increase dramatically, and is an unknown. Staff anticipates avoiding I-95 will mean more reliable service.</p> <p>This will also allow for service to new BRAC developments such as the future Patriot Ridge site and additional service to the Saratoga community and seven-day-a-week service to residents along lower Silverbrook Rd and the future INOVA hospital site at Lorton Rd and Silverbrook Rd.</p> <p>To offset the increase in travel time, service frequency was increased from the existing 30 minute service during peak periods to 20 minute service during peak periods to provide riders with more travel options and more trips during rush hours.</p>

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

INFORMATION – 3

Contract Awards and Approval of Street Acceptance Items During Board of Supervisors' Recess

Current Board policy requires that the County Executive obtain Board authorization to award construction, professional and consultant contracts in excess of \$100,000 unless a severe emergency occurs (flood, sewer main breaks, etc.). Since December 15, 1980, the Board of Supervisors has authorized the County Executive or the appropriate Deputy County Executive to award miscellaneous construction and professional and consultant contracts during the period of August and the first meeting in September. In addition, since September 24, 1984, the Board also has authorized the County Executive or the appropriate Deputy to approve requests for roads to be accepted into the State Secondary System, and similar matters without Board action during this period.

Unless otherwise directed, the County Executive or the appropriate Deputy County Executive will continue to approve street acceptance items and award contracts during the period between the July meeting and the first meeting in September. Whenever a contract exceeds the estimate by 10 percent, it will be discussed with the Board Member in whose district the project is located and the Chairman of the Board before action is taken. The Board will receive notification of all contracts awarded.

ENCLOSED DOCUMENTS:

None

STAFF:

Catherine A. Chianese, Assistant County Executive

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

11:00 a.m.

Matters Presented by Board Members

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

11:50 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. *Mary Getts Bland v. Fairfax County, Virginia*, Case No.1:10cv01030 (E.D. Va.)
 - 2. *Application of Washington Gas Light Company*, PUE-2010-00139 (Va. State Corp. Comm'n) (County-wide)
 - 3. *Jermaine Ridgley v. Fairfax County Department of Family Services*, Record No. 110201 (Va. Sup. Ct.)
 - 4. *Diana Konadu v. Fairfax County Department of Family Services*, Case No. 0760-11-4 (Va. Ct. App.)
 - 5. *Louise Root v. Pamela Schmoll, Michel Bodart, Sue Gilbert, John Colwell, and County of Fairfax*, Case No. CL-2008-0005303 (Fx. Co. Cir. Ct.)
 - 6. *MR Commons LLC v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2010-0015905 (Fx. Co. Cir. Ct.) (Dranesville District)
 - 7. *Eileen M. McLane, Fairfax County Zoning Administrator v. SCI Virginia Funeral Services, Inc.*, Case No. CL-2010-0004119 (Fx. Co. Cir. Ct.) (Providence District)

8. *Norma Bostick Hartwell, Elizabeth Ann Bostick, Warren E. Bostick, and Wycliffe on the Potomac Homeowners Association, Inc. v. The County of Fairfax and the Board of Supervisors of Fairfax County, Case No. CL-2011-0003349 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mariano C. Evangelista and Armida A. Evangelista, Case No. CL-2008-0014600 (Fx. Co. Cir. Ct.) (Mason District)*
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Idalia Cruz and Nelzar Gallo, Case No. CL-2010-0014776 (Fx. Co. Cir. Ct.) (Hunter Mill District)*
11. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Carolyn Jones, Case No. CL-2009-0011791 (Fx. Co. Cir. Ct.) (Lee District)*
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Farah Sharifi, Case No. CL-2010-0017146 (Fx. Co. Cir. Ct.) (Mason District)*
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Donna K. Stone and Loudean Chrisman, Case No. CL-2011-0002381 (Fx. Co. Cir. Ct.) (Mason District)*
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Syed Sharafat Ali and Syed Parveen Ali, Case No. CL-2011-0003808 (Fx. Co. Cir. Ct.) (Mason District)*
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mohammad E. Azim, Case No. CL-2011-0003524 (Fx. Co. Cir. Ct.) (Lee District)*
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Joseph E. Slattery and Ida L. Slattery, Case No. CL-2011-0008871 (Fx. Co. Cir. Ct.) (Sully District)*
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Eduardo Severich and Maria A. Severich, Case No. CL-2011-0009177 (Dranesville District)*
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. James J. Hodges, Case No. CL-2011-0009176 (Providence District)*

19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Philip W. Bradbury*, Case No. CL-2011-0009319 (Fx. Co. Cir. Ct.) (Mount Vernon District)
20. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Su Yong Kong and Kyung N. Kong*, Case No. CL-2011-0009508 (Fx. Co. Cir. Ct.) (Providence District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mark Bailey and Gemma Bailey*, Case No. CL-2011-0009565 (Fx. Co. Cir. Ct.) (Dranesville District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Leonel Arias, Bertila Arias, and Manfredo Ayala*, Case No. CL-2011-0009566 (Fx. Co. Cir. Ct.) (Mason District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nahid Amiri*, Case No. CL-2011-0009631 (Fx. Co. Cir. Ct.) (Mount Vernon District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Milton R. Ortega*, Case No. CL-2011-0009857 (Fx. Co. Cir. Ct.) (Providence District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Long Phi Van and Trang Thi Nguyen*, Case Nos. GV11011794 and GV11011795 (Fx. Co. Gen. Dist. Ct.) (Mason District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Chung Kim and Hyunkil H. Kim*, Case Nos. GV11007714 and GV11007715 (Fx. Co. Gen. Dist. Ct.) (Mason District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Miriam Yvette Sullivan*, Case Nos. GV11009792 and GV11009793 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

3:00 p.m.

Public Hearing on SE 2010-MA-028 (Washington Metropolitan Area Transit Authority (WMATA)) to Permit Vehicular Parking and Other Outdoor Storage at an Existing Parking Area, Located on Approximately 9.45 Acres Zoned R-2, R-3, I-2, I-6 and HC, Mason District

The application property is located 6851-6853 Industrial Road, Tax Map 80-2 ((1)) 32.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 2, 2011, the Planning Commission voted unanimously (Commissioners Harsel and Murphy absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2010-MA-028, subject to the development conditions consistent with those dated May 19, 2011; and,
- Modification of the interior and peripheral parking lot landscaping requirements to that shown on the SE Plat.

In a related action, on Thursday, July 7, 2011, the Planning Commission voted unanimously (Commissioner Alcorn absent from the meeting) to approve 2232-M11-2, as meeting the criteria of location, character, and extent as specified in section 15.2-2232 of the *Code of Virginia* and in substantial accord with the provisions of the Comprehensive Plan.

ENCLOSED DOCUMENTS:

Attachment 1 – Verbatim from June 2, 2011 PC meeting
Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4350319.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

SE 2010-MA-028 – WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
2232-M11-2* – WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

After Close of the Public Hearing

Vice Chairman Alcorn: Close the public hearing; recognize Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman. Pollen, I think from outside. Application SE 2010-MA-028, which is concurrent with 2232-M11-2*, in the Mason District. The applicant, Washington Metropolitan Area Transit Authority - - Authority, better known as WMATA, has a very straightforward case that enjoys the support of the Mason District Land Use [Committee]. It is for a regional non-rail transit facility that includes vehicle parking and rail inventory storage on an existing parking lot in an industrial area. With that, Mr. Chairman, I move that the Planning Commission find the facility proposed under 2232-M11-2*, does satisfy the criteria of location, character, and extent, as specified in Section 15.2-2232 of the *Code of Virginia*, and is substantially in accord with the provisions of the Comprehensive Plan [sic].

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Actually before we vote on this, at the beginning of this public hearing, I did not announce the 2232. Does that need to be announced before? It does. Okay. Can we - - can we move on to the other motions, and we'll come back to the 2232?

Commissioner Hall: Well, of course we can.

Vice Chairman Alcorn: So, WITHOUT OBJECTION, WE'LL TABLE THAT MOTION FOR NOW. Yes, thank you, Commissioner Hall.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2010-MA-028, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED MAY 19, 2011.

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Any discussion of that motion? All those in favor of recommending approval of SE 2010-MA-028, subject to development conditions dated May 19, 2011, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Hall.

Commissioner Hall: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE INTERIOR AND PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENTS TO THAT SHOWN ON THE SE PLAT.

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Any discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Okay. And now we're going to take a step backwards, I'm going to announce the 2232 case, as we'll need to do another waiver of the staff report. So, let me just go ahead and announce, so we don't lose this. This case, it is 2232-M11-2*, in the Mason District, in the name of the Washington Metropolitan Area Transit Authority. Is there anyone here who would like to speak in opposition to this case? Anyone at all? Seeing none, waive the staff report; close the public hearing; recognize Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman. You may remember this application; we talked about it a minute ago. I MOVE THAT THE PLANNING COMMISSION FIND THAT THE FACILITY PROPOSED UNDER 2232-M11-2*, DOES SATISFY THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN [sic].

Commissioner de la Fe: Second.

Vice Chairman Alcorn: Seconded by Commissioner de la Fe. Any discussion of that motion? All those in favor of the motion as articulated by Commissioner Hall, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. All right. Anything else on this?

Commissioner Hall: No, that's it.

Vice Chairman Alcorn: Thank you very much.

//

(The motions carried unanimously with Commissioners Harsel and Murphy absent from the meeting.)

(*Note: It was later determined that 2232-M11-2 would need to be reheard on July 7, 2011 due to an advertisement error.)

KAD

Board Agenda Item
July 26, 2011

3:00 p.m.

Public Hearing on SE 2010-MA-032 (Hillbrook Real Estate Holdings, LLC) to Permit a Driveway in a Commercial District, Located on Approximately 6,969 Square Feet Zoned R-2 and HC, (Mason District)

and

Public Hearing on SE 2010-MA-031 (Hillbrook Real Estate Holdings, LLC) to Permit Enlargement and Increase in Intensity of an Existing Service Station in a Highway Corridor Overlay District and Modification in the Yard Requirements for Commercial Off-Street Parking Spaces, Located on Approximately 22,651 Square Feet Zoned C-5 and HC, (Mason District)

The application property is located at 6701 Little River Turnpike, Tax Map 71-2 ((1)) 32 pt.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 2, 2011 the Planning Commission voted unanimously (Commissioners Harsel and Murphy absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2010-MA-031, subject to the development conditions dated June 1, 2011;
- Approval of SE 2010-MA-032, subject to the development conditions dated June 1, 2011;
- Modification of the transitional screening and a waiver of the barrier requirements to the south, in favor of the treatment depicted on the SE Plat, and as conditioned;
- Modification of the trail requirements on Little River Turnpike, in favor of the right-of-way dedication, and as conditioned.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4350288.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

SE 2010-MA-031 – HILLBROOK REAL ESTATE HOLDINGS, LLC
SE 2010-MA-032 – HILLBROOK REAL ESTATE HOLDINGS, LLC

After Close of the Public Hearing

Vice Chairman Alcorn: Close the public hearing; recognize Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman. The application, SE 2010-MA-031 and SE 2010-MA-032, Hillbrook Real Estate Holdings, is an application that has been reviewed and has the support of the Mason District Land Use [Committee]. It also has the support of the surrounding community because all of the existing conditions, as well as the new ones, have been included in the staff report. With that, Mr. Chairman, I recommend or I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2010-MA-031, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 1, 2011.

Commissioner Litzenberger: Second.

Vice Chairman Alcorn: Seconded by Commissioner Litzenberger. Any discussion on that motion? All those in favor of recommending approval of SE 2010-MA-031, subject to the development conditions consistent with those dated July 1, 2011 [sic], please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman.

William O'Donnell, Zoning Evaluation Division, Department of Planning and Zoning:
Commissioner Alcorn, I believe you said, "July." The development conditions are JUNE 1ST.

Commissioner Hall: JUNE 1ST.

Vice Chairman Alcorn: Oh, okay. WITHOUT OBJECTION, LET THE RECORD REFLECT, "JUNE 1ST." Thank you. Ms. Hall.

Commissioner Hall: Okay, now get ready because June 1st is coming up again.

Vice Chairman Alcorn: All right. Got it, got it.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2010-MA-032, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 1, 2011.

Commissioner Litzenberger: Second.

Vice Chairman Alcorn: Seconded by Commissioner Litzenberger. Any discussion of that motion? All those in favor of recommending to the Board of Supervisors approval of SE 2010-MA-032, subject to development conditions consistent with those dated June 1, 2011, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: Opposed? That motion carries. Commissioner Hall.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENTS TO THE SOUTH, IN FAVOR OF THE TREATMENT DEPICTED ON THE SE PLAT, AND AS CONDITIONED.

Commissioner Litzenberger: Second.

Vice Chairman Alcorn: Seconded by Commissioner Litzenberger. Any discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries.

Commissioner Hall: And finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRAIL REQUIREMENTS ON LITTLE RIVER TURNPIKE, IN FAVOR OF THE RIGHT-OF-WAY DEDICATION, AS CONDITIONED.

Commissioner Litzenberger: Second.

Vice Chairman Alcorn: Seconded by Commissioner Litzenberger. Any discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed? That motion carries. Thank you. Commissioner Hall.

Commissioner Hall: Thank you, Mr. Chairman. I would just like to thank Mr. O'Donnell, who did an outstanding job on both applications while he was expecting his first child, who's absolutely gorgeous, and he will not charge you to take a look at the photographs he carries around with him. Thank you, Mr. Chairman.

Vice Chairman Alcorn: All right. Oh, there you go. Very nice. Very nice. All right.

Commissioner Hall: He picked out the hat.

Commissioner Lawrence: Mr. Chairman?

Vice Chairman Alcorn: Mr. Lawrence.

Commissioner Lawrence: I understand there'll be tape at 11.

Vice Chairman Alcorn: Tape at 11.

Commissioner Hall: Yes.

Vice Chairman Alcorn: All right. Thank you, Mr. O'Donnell.

//

(The motions carried unanimously with Commissioners Harsel and Murphy absent from the meeting.)

KAD

Board Agenda Item
July 26, 2011

3:30 p.m.

Public Hearing on SE 2010-DR-030 (Shelter Development, LLC) to Permit Medical Care Facility and Increase in FAR from .5 to .7 (on the C-8 portion), Located on Approx.3.56 Acres Zoned C-8 and R-1, Dranesville District

The application property is located at 10200 Colvin Run Rd. Tax Map 12-4 ((1)) 32.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, May 11, 2011, the Planning Commission voted 9-0-1 (Commissioner Harsel abstaining; Commissioners Alcorn and Hall absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2010-DR-030, subject to the Development Conditions dated May 11, 2011, with the following revisions:
 - Delete condition 8 concerning road dedication;
 - Add a new Development Condition to read, "All sidewalks and/or trails shown on the SE Plat shall be maintained by the applicant."
 - Add a new Development Condition to read, "At the time of site plan approval, a public access easement shall be provided in a form approved by the County Attorney for the purpose of providing access to the sidewalks along the Colvin Run Road frontage in the approximate location shown on the SE Plat."
 - Add a new Development Condition to read, "The applicant shall install a detectable surface across the driveway entrance to connect the proposed pedestrian path, subject to review and approval by VDOT."
- Modification of the transitional screening requirement for the northern property line and a portion of the western property lines to allow the existing and supplemental landscaping as shown on the SE Plat;
- Waiver of the minimum lot size for the R-1 District, as required by Sect. 9-304.1 of the Zoning Ordinance;
- Waiver of the barrier requirements on the northern, southern and eastern property lines and modification of the barrier requirement on the western property line, in favor of that described in the Development Conditions; and

Board Agenda Item
July 26, 2011

- Modification of Additional Standard 5, which states that no building shall be located closer than 45 feet to any street line or closer than 100 feet to any lot line which abuts an R-A through R-4 street.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4349502.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Suzianne Zottl, Staff Coordinator, Zoning Evaluation Division, DPZ

SE 2010-DR-030 – SHELTER DEVELOPMENT, LLC

Decision Only During Commission Matters
(Public Hearing held on March 23, 2011)

Commissioner Donahue: Thank you, Mr. Chairman. Mr. Chairman, a few weeks ago we held a public hearing on SE 2010-DR-030, Shelter Development. I would - - since that time we had one or maybe two deferrals I guess, and I think one of the main reasons for those deferrals, frankly, were trying to get the community to talk with one another and maybe try to come to some consensus over this - - over this application. I would like to report to you tonight that we did, but I can't. We haven't really gotten to a consensus. Nonetheless, Mr. Chairman, I will be recommending approval of this application this evening because I believe it meets the requirements of the Zoning Ordinance and Comprehensive Plan, and that it is a good land-use project. The proposal's opponents have raised legitimate issues and they raised them very well and very intelligently and very civilly, but I don't believe they justify a denial, either individually or collectively. Yes, this project's not going to help the traffic situation, no question about it. But at the same time, I don't think the incremental increase in traffic associated with this project is enough to deny this Special Exception. They raised questions about noise and deliveries and the problems with headlights, and again some legitimate problems there, but I think the applicant has worked with the community and I think they've come up with some pretty good resolutions of those potential problems. There are waivers and modifications concerning lot - - lot size and concerning additional standards, particularly 5 and 6, but as staff has suggested, particularly concerning Standard 6, which requires a five - - five-acre lot for this type of project, those are intended to address facilities that are normally much larger than this one is and to ensure adequate buffering. And I believe the buffering that we have now established, I believe the buffering standards are met and I think we're okay on that. One of the complaints also had to do with demonstrated need. As I think we've said a number of times, that's simply not a discussion that this Commission really gets into. Whether or not the project will work or will not work is going to be up to the marketing strategy of the applicant and how well they carry out that marketing strategy. The application has been endorsed by the Friends of Colvin Run and the Great Falls Citizens Association. We - - I know we have a petition circulating by the opponents that has many, many signatures, and I think we're probably going to hear from them again. But nonetheless, I and we have to make our decision according to land-use standards, Comprehensive Plan, as well as the Zoning Ordinance, and I think the application passes on all those fronts. Therefore, Mr. Chairman, I'm going to MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2010-DR-030, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 11, 2011, WITH THE FOLLOWING CONDITIONS ADDED: NUMBER 26, "ALL SIDEWALKS AND/OR TRAILS SHOWN ON THE SE PLAT SHALL BE MAINTAINED BY THE APPLICANT."

Commissioners de la Fe and Lawrence: Second.

Chairman Murphy: Seconded by Mr. de la Fe and Mr. Lawrence.

Commissioner Donahue: Oh, we got a couple - - a couple more.

Chairman Murphy: Oh, okay.

Commissioner Donahue: Unless you want to go one at a time, I don't know.

Chairman Murphy: No, no. Go ahead, Mr. Donahue.

Commissioner Donahue: Okay. NUMBER 27 IS "AT THE TIME OF SITE PLAN APPROVAL, A PUBLIC ACCESS EASEMENT SHALL BE PROVIDED IN A FORM APPROVED BY THE COUNTY ATTORNEY FOR THE PURPOSE OF PROVIDING ACCESS TO THE SIDEWALKS ALONG THE COLVIN RUN ROAD FRONTAGE IN THE APPROXIMATE LOCATION SHOWN ON THE SE PLAT." AND NUMBER 28, "THE APPLICANT SHALL INSTALL A DETECTABLE SURFACE ACROSS THE DRIVEWAY ENTRANCE TO CONNECT THE PROPOSED PEDESTRIAN PATH, SUBJECT TO REVIEW AND APPROVAL BY VDOT." In addition to that, Mr. Chairman, I would MOVE WE STRIKE CONDITION 8, CONCERNING THE DEDICATION OF ROAD.

Commissioner Lawrence: Still second.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. Lawrence and Mr. de la Fe. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2010-DR-030, subject to the proposed development conditions, as amended by Mr. Donahue this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Harsel: Abstain. I wasn't here for the public hearing.

Chairman Murphy: Ms. Harsel abstains. Mr. Donahue.

Commissioner Donahue: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT FOR THE NORTHERN AND A PORTION OF THE WESTERN PROPERTY LINES TO ALLOW THE EXISTING AND SUPPLEMENTAL LANDSCAPING, AS SHOWN ON THE SE PLAT.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstention.

Commissioner Donahue: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER TO THE MINIMUM LOT SIZE FOR R-1 DISTRICTS, AS REQUIRED BY ZONING ORDINANCE SECTION 9-304.1.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Harsel abstains.

Commissioner Harsel: Abstain, yes. I'm going to abstain on all of them.

Chairman Murphy: Okay. Mr. Donahue.

Commissioner Donahue: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE BARRIER REQUIREMENT ON THE NORTHERN, SOUTHERN, AND EASTERN PROPERTY LINES, AND A MODIFICATION OF THE BARRIER REQUIREMENT ON THE WESTERN PROPERTY LINE, IN FAVOR OF THAT DESCRIBED IN THE DEVELOPMENT CONDITIONS.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstention.

Commissioner Donahue: And thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF ADDITIONAL STANDARD 5, WHICH STATES THAT NO BUILDING

SHALL BE LOCATED CLOSER THAN 45 FEET TO ANY STREET LINE OR CLOSER THAN 100 FEET TO ANY LOT LINE, WHICH ABUTS AN R-A THROUGH R-4 STREET.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Harsel: I'm going to vote "no" on this one.

Chairman Murphy: You can't vote "no" on the waiver if you didn't vote for the application, can you?

Commissioner Harsel: Well, I'm just making a statement. I'm afraid we're going to be buying retirement homes 45 feet.

Chairman Murphy: Same abstention.

Commissioner Harsel: I'm voting "no."

Commissioner Donahue: Thank you, Mr. Chairman. I want to once again thank Suzi Zottl, who once again did a fantastic job as far as the application is concerned. I do want to thank the opponents for coming out and making yourselves heard. As I said to Joe earlier than this evening, I think when people come out like that and - - and have a - - have a hand in the way their community is developed, I think that's a strength, not a weakness. I don't mind it. It's not an inconvenience. It's the way we should run the County. It's the way we run the planning hearing - - the public hearing process. So, thank you very much.

//

(The motions carried by votes of 9-0-1 with Commissioner Harsel abstaining; Commissioners Alcorn and Hall absent from the meeting.)

KAD

Board Agenda Item
July 26, 2011

3:30 p.m.

Public Hearing on RZ 2011-SU-004 (INOVA Health Care Services) to Rezone from R-1 to C-3 to Permit Commercial Development with an Overall Floor Area Ratio of 0.35, Located on Approximately 1.09 Acre, Sully District

and

Public Hearing on PCA 2000-SU-032-03 (INOVA Health Care Services) to Amend the Proffers for RZ 2000-SU-032 Previously Approved for Commercial Development to Permit Building Additions and Associated Modifications to Site Design with an Overall Floor Area Ratio of 0.35, Located on Approximately 62.91 Acres Zoned C-3, Sully District

and

Public Hearing on SEA 84-C-076-09 (INOVA Health Care Services) to Amend SE 84-C-076 Previously Approved for a Medical Care Facility to Permit an Increase in Land Area, Building Additions and Associated Modifications to Site Design and Development Conditions, Located on Approximately 62.91 Acres Zoned C-3, Sully District

The application property RZ 2011-SU-004 is located on the S.E. side of Ox Trail approx. 1,200 ft. W. of its intersection with West Ox Rd. Tax Map 45-2 ((2)) 51A1.

The application property PCA 2000-SU-032-03 is located on the S.E. side of Ox Trail approx. 1,200 ft. W. of its intersection with West Ox Rd. Tax Map 45-2 ((1)) 41B1, 41L, 41L3, 41L4, 41L5; 45-2 ((2)) 38, 39A, 39B, 46A1 and 51A1.

The application property SEA 84-C-076-09 is located at 3575, 3600, 3620 and 3750 Joseph Siewick Dr.; 3801 and 3807 Rugby Rd. and 12603 Ox Trail Tax Map 45-2 ((1)) 41B1, 41L, 41L3, 41L4, 41L5; 45-2 ((2)) 38, 39A, 39B, 46A1 and 51A1

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 23, 2011, the Planning Commission voted unanimously (Commissioners Donahue and Sargeant absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2011-SU-004, subject to the execution of proffers consistent with those dated June 6, 2011;
- Approval of PCA 2000-SU-032-03, subject to the execution of proffers consistent with those dated June 6, 2011;

Board Agenda Item
July 26, 2011

- Approval of SEA 84-C-076-09, subject to the development conditions consistent with those dated June 22, 2011;
- Reaffirmation of the modification of the transitional screening requirements and a waiver of the barrier requirement in favor of that shown on the GDP/SEA Plat and further described in the proffers;
- Reaffirmation of the modification of the loading space requirement in favor of that shown on the GDP/SEA Plat.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4353753.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

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

RZ 2011-SU-004/SEA 84-C-076-09/PCA 2000-SU-032-03 – INOVA HEALTH CARE SERVICES

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. Litzenberger, please.

Commissioner Litzenberger: Thank you, Mr. - Chairman Murphy. And for Commissioner Harsel, I believe the phone number is 703-814-7100.

Commissioner Harsel: Slowly.

Commissioner Litzenberger: Okay.

Commissioner Hall: It's for easy reference.

Commissioner Litzenberger: I have five motions on this application. First, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2011-SU-004, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JUNE 6TH, 2011.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2011-SU-004, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Litzenberger.

Commissioner Litzenberger: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA 2000-SU-032-03, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED JUNE 6TH, 2011.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor of the motion to recommend to the Board of Supervisors approval of PCA 2000-SU-032-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Litzenberger: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 84-C-076-09, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 22ND, 2011.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 84-C-076-09, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Litzenberger: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A REAFFIRMATION OF THE MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS AND A WAIVER OF THE BARRIER REQUIREMENT IN FAVOR OF THAT SHOWN ON THE GDP/SEA PLAT AND FURTHER DESCRIBED IN THE PROFFERS.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Litzenberger: Finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A REAFFIRMATION OF THE MODIFICATION OF THE LOADING SPACE REQUIREMENT IN FAVOR OF THAT SHOWN ON THE GDP/SEA PLAT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motions carried unanimously with Commissioners Donahue and Sargeant absent from the meeting.)

JN

Board Agenda Item
July 26, 2011

3:30 p.m.

Public Hearing on PCA 2005-PR-041-02 (Eskridge (E&A), LLC) to Amend the Proffers and Conceptual Development Plan for RZ 2005-PR-041 Previously Approved for Mixed Use Development to Permit Single-Family Attached Dwellings and Associated Modifications to Site Design and Development Conditions with an Overall Floor Area Ratio of 1.90 in the PDC and 1.93 in the PRM. FAR for the Entire Rezoning Property Remains 1.39 Including Bonus Density Associated with ADUs and Workforce Housing, Located on Approximately 21.99 Acres Zoned PDC and PRM, Providence District

The application property is located on the east side of Eskridge Road approx. 350 feet north of its intersection with Williams Dr. and south side of Rt. 29 Tax Map 49-3 ((37)) C, D, F, G and J.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, July 7, 2011, the Planning Commission voted unanimously (Commissioner Alcorn absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 2005-PR-041-02, subject to the execution of proffers consistent with those dated July 7, 2011;
- Approval of CDPA 2005-PR-041-02, subject to the development conditions dated June 22, 2011;
- Approval of FDPA 2005-PR-041-02, subject to the development conditions dated June 22, 2011, and to the Board's approval of the concurrent PCA application;
- Reaffirmation of all previously approved waivers and modifications associated with RZ/FDP 2005-PR-041 and PCA/FDPA 2005-PR-041 for the current applications;
- Modification of the PDC standards to permit residential uses to exceed 50 percent of the total gross floor area;
- Modification of the 200-square-foot minimum privacy yard requirement for single-family attached dwellings, in favor of that shown on the CDPA/FDPA.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4353748.PDF>

Board Agenda Item
July 26, 2011

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

PCA/FDPA 2005-PR-041-02 – ESKRIDGE (E&A) LLC

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. May I request, without objection, that I pull motions on previously approved waivers and modifications? That will materially reduce the number of motions I have to make.

Chairman Murphy: WITHOUT OBJECTION, I would prefer the Reader's Digest version if it's legal.

William O'Donnell, Zoning Evaluation Division, Department of Planning and Zoning: Yes.

Chairman Murphy: Go right ahead.

Commissioner Lawrence: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PCA 2005-PR-041-02, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JULY 7, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 2005-PR-041-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF CDPA 2005-PR-041-02 SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 22, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve CDPA 2005-PR-041-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 2005-PR-041-02, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 22, 2011, AND TO THE BOARD'S APPROVAL OF THE CONCURRENT PCA APPLICATION.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to approve FDPA 2005-PR-041-02 subject to the Board's approval of the PCA and the Conceptual Development Plan say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION REAFFIRM ALL PREVIOUSLY APPROVED WAIVERS AND MODIFICATIONS ASSOCIATED WITH RZ/FDP 2005-PR-041 AND PCA/FDPA 2005-PR-041 FOR THE CURRENT APPLICATIONS.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE PDC STANDARDS TO PERMIT RESIDENTIAL USES TO EXCEED 50 PERCENT OF THE TOTAL GROSS FLOOR AREA.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I move, finally Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE 200-SQAURE-FOOT MINIMUM PRIVACY YARD REQUIREMENT FOR SINGLE-FAMILY ATTACHED DWELLINGS, IN FAVOR OF THAT SHOWN ON THE CDPA/FDPA.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motions carried unanimously with Commissioner Alcorn absent from the meeting.)

JLC

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

3:30 p.m.

Public Hearing on RZ 2010-MV-011 (Memorial Venture, LLC) to Rezone from PRM, CRD and HC to C-8, CRD and HC to Permit Commercial Development with an overall Floor Area Ratio of 0.11 and Modifications and Waivers in a CRD, Located on Approximately 1.23 Acres, Mount Vernon District

The application property is located at the southeast quadrant of the intersection of East Lee Avenue and Richmond Hwy. Tax Map 93-1 ((18)) (D) 117, 126, 130 and 138.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on Thursday, June 23, 2011 and decision was deferred to Wednesday, July 20, 2011. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4352515.PDF>

STAFF:

Barbara Berlin, 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 26, 2011

3:30 p.m.

Public Hearing on PCA 87-P-038-05 (Fairfax County Board of Supervisors (Contract Purchaser)) to Amend the Proffers for RZ 87-P-038 Previously Approved for Office and/or Public Uses to Permit Modifications to Proffers, Site Design and Development Conditions with an Overall Floor Area Ratio of 0.70, Located on Approximately 16.14 Acres Zoned C-3, Providence District

The application property is located in the southeast quadrant of the intersection of Arlington Blvd. and Williams Dr. Tax Map 49-3 ((1)) 141.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing will be held on Wednesday, July 20, 2011. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4355553.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

4:00 p.m.

Public Hearing on SE 2011-PR-003 (Grant 1651 Old Meadow Road, LLC) to Permit a College/University, Located on Approximately 3.35 Acres Zoned C-3 and HC, Providence District

The application property is located at 1651 Old Meadow Rd, Tax Map 29-4 ((6)) 102.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, July 7, 2011, the Planning Commission voted unanimously (Commissioner Alcorn absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2011-PR-003, subject to the development conditions dated July 1, 2011;
- Modification of the transitional screening and barrier requirements along the project's eastern boundary line, in favor of that depicted on the SE Plat dated June 16, 2011;
- Modification of the loading space requirement in favor of that depicted on the SE Plat dated June 16, 2011;
- Waiver of the interior peripheral parking lot landscaping requirements, in favor of the existing landscaping depicted on the SE Plat dated June 16, 2011;
- Modification of the tree cover requirements, in favor of the existing landscaping depicted on the SE Plat dated June 16, 2011.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4354039.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Nicolas Rogers, Staff Coordinator, Zoning Evaluation Division, DPZ

SE 2011-PR-003 – GRANT 1651 OLD MEADOW ROAD, LLC

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2011-PR-003, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JULY 1, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2011-PR-003, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE PROJECT'S EASTERN BOUNDARY LINE, IN FAVOR OF THE EXISTING CONDITIONS DEPICTED ON THE SE PLAT DATED JUNE 16, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE LOADING SPACE REQUIREMENT IN FAVOR OF THE LOADING SPACE DEPICTED ON THE SE PLAT DATED JUNE 16, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAVIER OF THE INTERIOR PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENTS, IN FAVOR OF THE EXISTING LANDSCAPING DEPICTED ON THE SE PLAT DATED JUNE 16, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Lastly, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE TREE COVER REQUIREMENTS, IN FAVOR OF THE EXISTING LANDSCAPING DEPICTED ON THE SE PLAT DATED JUNE 16, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The five motions carried unanimously with Commissioner Alcorn absent from the meeting.)

JLC

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

4:00 p.m.

Public Hearing on RZ 2010-MA-017 (UPIA, LLC) to Rezone from R-2 and R-5 to PDH-5 to Permit Residential Development at a Density of 4.7 Dwelling Units Per Acre (du/ac) and Approval of the Conceptual Development Plan, Located on Approximately 3.17 Acres, Mason District

The application property is located on the east side of Backlick Rd. opposite its intersection with Beverly St. Tax Map 71-1 ((1)) 125 and 126; 71-1 ((40)) 1-6 and A.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing will be held on Wednesday, July 20, 2011. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4355554.PDF>

STAFF:

Barbara Berlin, 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 26, 2011

4:00 p.m.

Public Hearing on SEA 82-V-012-06(INOVA Health Care Services) to Amend SE 82-V-012 for Expansion of an Existing Medical Care Facility and Medical Office Uses and Associated Modifications of Development Conditions, Located on Approximately 26.37 Acres Zoned C-3, Mount Vernon District

The application property is located at 2501 Parkers Lane, Tax Map 102-1 ((1)) 4 pt.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on Thursday, July 7, 2011 and decision was deferred to Wednesday, July 20, 2011. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4355019.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Erin Grayson, Staff Coordinator, Zoning Evaluation Division, DPZ

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

4:00 p.m.

Public Hearing to Amend Articles 2 and 3 of Chapter 3 RE: Uniformed and Employees' Retirement Systems – Change in Social Security Offset to Service-Connected Disability Benefits

ISSUE:

Board approval of amendments to Articles 2 and 3 of Chapter 3, County Employees. These changes to the Uniformed and Employees' Retirement Systems revise service-connected disability retirement benefits by changing the reduction based on Social Security benefits from 30% to 25% of Social Security benefits.

RECOMMENDATION:

The County Executive recommends that the Board approve amendments to the Uniformed and Employees' Retirement Systems for the purpose of changing the level of service-connected disability benefits.

TIMING:

Board action is requested on July 26, 2011. Public Hearing was authorized for advertisement on June 21, 2011.

BACKGROUND:

The current service-connected disability benefit provisions for the Uniformed and Employees' Retirement Systems are summarized below.

For the Uniformed Retirement System: For those retired prior to December 9, 1996, the benefit level is two-thirds (66 2/3%) of salary. If retired after December 8, 1996, there are two possible levels of benefit. The standard benefit is 40% of salary and a severe service-connected disability benefit is 90% of salary.

All three levels of benefits are offset to some extent by Social Security benefits. There is a 30% offset of disability benefits provided by Social Security. This offset occurs regardless of age unless the Social Security benefit is based on a disability other than that for which the employee was retired. If the retiree is not eligible for Social Security disability benefits and is eligible to receive a Social Security benefit based on age, for those with a 66 2/3% or a 90% benefit, there is a 30% offset of the age-based Social Security benefit that occurs at age 62, the first date of eligibility for Social Security benefits.

Board Agenda Item
July 26, 2011

For the Employees' Retirement System: The service-connected disability benefit is two-thirds (66 2/3%) of salary. This benefit is reduced by 30% of Social Security disability benefits received at any age, or, at age 62, by 30% of the age-based Social Security benefit.

Benefits in both Systems are also offset by any workers' compensation benefits that are being received.

Proposed Revisions

The proposed amendments would enhance service-connected disability retirement benefits by reducing the Social Security offsets from 30% of the Social Security benefit to 25%, effective August 1, 2011.

FISCAL IMPACT:

Reduction of the offset provisions from 30% to 25% would increase the unfunded liability of the Uniformed and Employees' Retirement Systems. A large component of the cost is due to the unfunded liability created by applying new provisions to past years of service. Following established retirement funding policy, the increase in unfunded liability would be amortized over 15 years. The impact on the employer contribution rates is an increase of 0.06% for the Uniformed System and 0.01% for the Employees' System. In accordance with Fairfax County Code, these increases to the employer contribution rates will be effective beginning in FY 2013. Funding will be set aside as part of the *FY 2011 Carryover Review*, to be held in reserve in anticipation of the FY 2013 impact of these changes. Based on FY 2012 budgeted payroll levels, the first year General Fund impact of reducing the 30% offset to a 25% offset is estimated at \$83,098 for the Uniformed System and \$31,189 for the Employees' System.

ENCLOSED DOCUMENTS:

- Attachment 1: Amendment to Chapter 3, Section 3-2-36
- Attachment 2: Amendment to Chapter 3, Section 3-3-37
- Attachment 3: Amendment to Chapter 3, Section 3-3-37.3
- Attachment 4: Letter from Fiona Liston, Consulting Actuary, Cheiron, to Robert Mears dated May 27, 2011

STAFF:

Susan W. Datta, Chief Financial Officer
Robert L. Mears, Executive Director, Fairfax County Retirement Systems

AN ORDINANCE TO AMEND AND REENACT SECTION 3-2-36 OF THE CODE OF THE COUNTY OF FAIRFAX

BE IT ORDAINED that:

I. Section 3-2-36 of the Code of the County of Fairfax is hereby amended and reenacted to read as follows:

Section 3-2-36. Service-connected disability retirement allowance.

(a) Upon retirement under the provisions of Section 3-2-35, a member shall receive an annual retirement allowance, payable monthly and during his lifetime and continued disability, consisting of an amount equal to sixty-six and two-thirds percent (66 2/3%) of his average final compensation. However, the allowance shall be reduced by ~~thirty percent (30%)~~ twenty-five percent (25%) of the amount of any primary Social Security benefit to which said member is entitled under any Federal Social Security Act, and the amount of any compensation paid to the member under the Virginia Workers' Compensation Act ("the Act") for temporary total or partial incapacity.

(b) When the amount of a member's primary Social Security benefit has once been determined for purpose of applying the ~~thirty percent (30%)~~ twenty-five percent (25%) reduction described above, the amount of the reduction shall not thereafter be increased on account of cost-of-living increases awarded under any Federal Social Security Act. However, the amount of the reduction shall be increased by award of a cost-of-living increase to a member's compensation for temporary total or partial incapacity under the Act. When the member is no longer entitled to receive payments for temporary total or partial incapacity under the Act because of the limits in the Act as to the total amount of such compensation or as to the period of time that the member is entitled to receive such compensation, the amount of such payments shall no longer be used to reduce the retirement allowance, and, accordingly, subsequent monthly payments of the allowance shall be determined as if the original allowance had been computed without the reduction for such payments.

(c) If a member receives his compensation for temporary total or partial incapacity under the Act in the form of a lump sum payment, he shall receive no monthly retirement allowance otherwise payable under this Section until such time as the amounts he would have received equal the amount of his lump sum benefit under the Act; provided, however, neither a lump sum payment or portion thereof representing compensation for permanent total or partial loss or disfigurement under the Act nor a lump sum payment or portion thereof representing compensation for periods of temporary total or partial incapacity which occurred prior to the effective date of the member's retirement under Section 3-2-35 shall be offset against the member's allowance under this Section; and, provided further that in the event that a member receives a lump sum settlement of benefits that he is or may be entitled to in the future under the Act, and said settlement does not specify how much of the sum represents settlement of his entitlement to temporary total or partial incapacity, as opposed to other benefits, the Board shall determine the portion of such sum which in its judgment represents compensation for such benefits.

2. The effective date of this Ordinance amending Section 3-2-36 is August 1, 2011. The reduction of the offset for any primary Social Security benefit from 30% to 25% is to be applied to the calculation of the retirement allowance due to members who are receiving an allowance for service-connected disability under Section 3-2-35 on or after the effective date of this Ordinance. This change is prospective in application and is not retroactive. The Board of Trustees of the System and the staff of the Retirement Administration Agency are hereby authorized and directed to make all necessary changes in the calculation of a member's allowance to implement this amendment.

AN ORDINANCE TO AMEND AND REENACT SECTION 3-3-37 OF THE CODE OF THE COUNTY OF FAIRFAX.

BE IT ORDAINED that:

1 Section 3-3-37 of the Code of the County of Fairfax is hereby amended and reenacted to read as follows:

Section 3-3-37. Service-connected disability retirement allowance.

(a) Any member who is receiving, or has been approved by the Board to receive, service-connected disability retirement, or who has applied for service-connected disability retirement, or whose employer has submitted as application for service-connected disability retirement for such employee as of December 9, 1996, under the provisions of Section 3-3-36, shall receive an annual retirement allowance, payable monthly during his lifetime and continued disability, consisting of an amount equal to 662/3 percent of the salary the member received at the time of retirement. This allowance shall be reduced by ~~thirty percent (30%)~~twenty-five percent (25%) of the amount of any primary Social Security benefit to which the member is entitled under any Federal Social Security Act and by the amount of any compensation awarded under the Virginia Workers' Compensation Act ("the Act") to the member for temporary total or partial incapacity; provided, however, that no reduction shall be made to a member's service-connected disability retirement allowance due to the member's entitlement to Social Security disability benefits in whole or in part as the result of a disability other than the disability that served as the basis for the award of service-connected disability retirement.

(b) Any member who submits an application for service-connected disability retirement, or for whom his employer submits such application under the provisions of Section 3-3-36 on or after December 9, 1996, shall receive an annual retirement allowance, payable monthly during his lifetime and continued disability, consisting of an amount equal to forty percent (40%) of the salary the member received at the time of retirement. However, this allowance shall be reduced by ~~thirty percent (30%)~~twenty-five percent (25%) of the amount of any primary Social Security disability benefit to which the member is entitled under any Federal Social Security Act and by the amount of any compensation awarded under the Virginia Workers' Compensation Act ("the Act") to the member for temporary total or partial incapacity.

(c) When the amount of a member's primary Social Security benefit has once been determined for purposes of applying the ~~thirty percent (30%)~~twenty-five percent (25%) reduction described in paragraphs (a) and (b) above, the amount of the reduction shall not thereafter be increased on account of cost-of-living increases awarded under any Federal Social Security Act. However, the amount of the reduction shall be increased by an award of a cost-of-living increase to the member's compensation for temporary total or partial incapacity under the Act. When the member is no longer entitled to receive payments for temporary total or partial incapacity under the Act because of the limits in the Act as to the total amount of such compensation or as to the period of time that the member is entitled to receive such compensation, the amount of such payments shall no longer be used to reduce the retirement allowance and, accordingly, subsequent

monthly payments of the allowance shall be determined as if the original allowance had been computed without the reduction for such payments.

(d) If a member receives his compensation for temporary total or partial incapacity under the Virginia Workers' Compensation Act in the form of a lump sum payment, he shall receive no monthly retirement allowance otherwise payable under this Section until such time as the amounts he would have received equal the amount of his lump sum benefit under the Act; provided, however, neither a lump sum payment or portion thereof representing compensation for permanent total or partial loss or disfigurement under the Act nor a lump sum payment or portion thereof representing compensation for periods of temporary total or partial incapacity which occurred prior to the effective date of the member's retirement under [Section 3-3-36](#) shall be offset against the member's allowance under this Section; and, provided further that in the event the member receives a lump sum settlement of benefits that he is or may be entitled to in the future under the Act, and said settlement does not specify how much of the sum represents settlement of his entitlement to temporary total or partial incapacity, as opposed to other benefits, the Board shall determine the portion of such sum which in its judgment represents compensation for such benefits.

2. The effective date of this Ordinance amending Section 3-3-37 is August 1, 2011. The reduction of the offset for any primary Social Security benefit from 30% to 25% is to be applied to the calculation of the retirement allowance due to members who are receiving an allowance for service-connected disability under Section 3-3-36 on or after the effective date of this Ordinance. This change is prospective in application and is not retroactive. The Board of Trustees of the System and the staff of the Retirement Administration Agency are hereby authorized and directed to make all necessary changes in the calculation of a member's allowance to implement this amendment.

AN ORDINANCE TO AMEND AND REENACT SECTION 3-3-37.3 OF THE CODE OF THE COUNTY OF FAIRFAX.

BE IT ORDAINED that:

I. Section 3-3-37.3 of the Code of the County of Fairfax is hereby amended and reenacted to read as follows:

Section 3-3-37.3. Severe service-connected disability retirement allowance.

(a) Any member who retires pursuant to the provisions of Section 3-3-37.2 shall receive an annual retirement allowance, payable monthly during his lifetime, consisting of an amount equal to 90 percent of the salary the member was entitled to receive at the time of his retirement. This allowance shall be reduced by ~~thirty percent (30%)~~ twenty-five percent (25%) of the amount of any primary Social Security benefit to which the member is entitled under any Federal Social Security Act and by the amount of any compensation awarded under the Virginia Workers' Compensation Act ("the Act") to the member for temporary total or partial incapacity.; provided, however, that no reduction shall be made to a member's service-connected disability retirement allowance due to the member's entitlement to Social Security disability benefits in whole or in part as the result of a disability other than the disability that served as the basis for the award of service-connected disability retirement.

(b) When the amount of a member's primary Social Security disability benefit has once been determined for purposes of applying the ~~thirty percent (30%)~~ twenty-five percent (25%) reduction described in paragraph (a) above, the amount of the reduction shall not thereafter be increased on account of cost-of-living increases awarded under any Federal Social Security Act. However, the amount of the reduction shall be increased by an award of a cost-of-living increase to the member's compensation for temporary total or partial incapacity under the Act. When the member is no longer entitled to receive payments for temporary total or partial incapacity under the Act because of the limits in the Act as to the total amount of such compensation or as to the period of time that the member is entitled to receive such compensation, the amount of such payments shall no longer be used to reduce the retirement allowance and, accordingly, subsequent monthly payments of the allowance shall be determined as if the original allowance had been computed without the reduction for such payments.

(c) If a member receives his compensation for temporary total or partial incapacity under the Virginia Workers' Compensation Act in the form of a lump sum payment, he shall receive no monthly retirement allowance otherwise payable under this Section until such time as the amounts he would have received equal the amount of his lump sum benefit under the Act; provided, however, neither a lump sum payment or portion thereof representing compensation for permanent total or partial loss or disfigurement under the Act nor a lump sum payment or portion thereof representing compensation for periods of temporary total or partial incapacity which occurred prior to the effective date of the member's retirement under Section 3-3-37.2 shall be offset against the member's allowance under this Section; and, provided further that in the event the member receives a lump sum settlement of benefits that he is or may be entitled to in the future under the Act, and said settlement does not specify how much of the sum represents

settlement of his entitlement to temporary total or partial incapacity, as opposed to other benefits, the Board shall determine the portion of such sum which in its judgment represents compensation for such benefits.

2. The effective date of this Ordinance amending Section 3-3-37.3 is August 1, 2011. The reduction of the offset for any primary Social Security benefit from 30% to 25% is to be applied to the calculation of the retirement allowance due to members who are receiving an allowance for service-connected disability under Section 3-3-37.2 on or after the effective date of this Ordinance. This change is prospective in application and is not retroactive. The Board of Trustees of the System and the staff of the Retirement Administration Agency are hereby authorized and directed to make all necessary changes in the calculation of a member's allowance to implement this amendment.



Classic Values. Innovative Advice

May 27, 2011

Mr. Robert Mears
 Executive Director
 Fairfax County Retirement Systems
 10680 Main Street, Suite 280
 Fairfax, Virginia 22030-3812

Re: Adjustments to Service-Connected Disability Benefits

Dear Bob:

As requested, we have estimated the cost of reducing the 30% offset of Social Security benefits for employees who retired or will retire from the Employees' or Uniformed Retirement System on service-connected disability to a 25% offset. The cost impact is shown below for each of the Systems.

Employees' Retirement System

	Valuation (30% Offset)	Study (25% Offset)	Change
Normal Cost	5.95%	5.95%	0.00%
UAL Amortization	1.47%	1.48%	0.01%
Corridor Adjustment	9.13%	9.13%	0.00%
Expenses	<u>0.15%</u>	<u>0.15%</u>	<u>0.00%</u>
Total Budgeted Rate	16.70%	16.71%	0.01%
Unfunded Liability (in Millions)	\$1,135.0	\$1,135.7	\$0.7

Uniformed Retirement System

	Valuation (30% Offset)	Study (25% Offset)	Change
Normal Cost	19.33%	19.34%	0.01%
UAL Amortization	6.88%	6.93%	0.05%
Corridor Adjustment	6.53%	6.53%	0.00%
Expenses	<u>0.25%</u>	<u>0.25%</u>	<u>0.00%</u>
Total Budgeted Rate	32.99%	33.05%	0.06%
Unfunded Liability (in Millions)	\$332.5	\$333.4	\$0.9



Mr. Robert Mears
May 27, 2011
Page 2

The valuation data does not provide the Social Security offset unless the benefit is currently being offset. For those whose offset was listed, we used the offset amount as if it were calculated as of the retirement date. This means, to restore the offset, we adjusted the amount listed for COLA increases from the individuals retirement date through the valuation date. We had to make assumptions for those inactive members for whom no offset is listed. For inactive members under age 62, we estimated an offset (based on 30% of a projected PIA amount) to commence at age 62. For those older than 65, we assumed no offset. Below is a breakdown of the data into the groups described above:

<u>System</u>	<u>Currently Offset</u>	<u>Offset Estimated Under 62</u>	<u>No Offset Over 65</u>
ERS	117	34	5
URS	80	79	1

These estimates were prepared as of July 1, 2010, using the same actuarial assumptions and methods as described in our July 1, 2010 actuarial valuation reports. The employee data used in this analysis was that provided for the 2010 valuation. The results are applicable only for the 2012 Fiscal Year.

We hereby certify that, to the best of our knowledge, this letter and its contents, which are work products of Cheiron, Inc., are complete and accurate and have been prepared in accordance with generally recognized and accepted actuarial principles and practices which are consistent with the Code of Professional Conduct and applicable Actuarial Standards of Practice set out by the Actuarial Standards Board. Furthermore, as credentialed actuaries, we meet the Qualification Standards of the American Academy of Actuaries to render the opinion contained in this report. This report does not address any contractual or legal issues. We are not attorneys and our firm does not provide any legal services or advice.

Please call if you have any questions or comments.

Sincerely,
Cheiron



Fiona E. Liston, FSA
Principal Consulting Actuary

cc: Christian E. Benjaminson, FSA



Board Agenda Item
July 26, 2011

4:30 p.m.

Public Hearing on Proposed Amendments to Chapter 104 (Erosion and Sedimentation Control), Chapter 112 (Zoning Ordinance), and Appendix Q (Land Development Services Fee Schedule) of *The Code of the County of Fairfax, Virginia* RE: Conservation Plan for Land Disturbing Activities 2,500 – 5,000 sq. ft.

ISSUE:

Board adoption of proposed amendments to Chapter 104 (Erosion and Sedimentation Control), Chapter 112 (Zoning Ordinance), and Appendix Q (Land Development Services Fee Schedule) of *The Code of the County of Fairfax, Virginia* (County Code). The proposed amendments address issues related to requirements for land disturbing activities greater than 2,500 sq. ft. and equal to or less than 5,000 sq. ft.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, July 7, 2011, the Planning Commission voted unanimously (Commissioner Alcorn absent from the meeting) to recommend that the Board of Supervisors adopt the proposed amendments to the Erosion and Sedimentation Control Ordinance, Zoning Ordinance, and Appendix Q of the County Code as set forth in the Staff Report dated June 7, 2011.

RECOMMENDATION:

The County Executive recommends that the Board adopt the proposed amendments to the Erosion and Sedimentation Control Ordinance, Zoning Ordinance, and Appendix Q of the County Code as recommended by the Planning Commission and that the proposed amendments become effective at 12:01 a.m. on July 27, 2011.

The proposed amendments have been prepared by Department of Public Works and Environmental Services and coordinated with the Department of Planning and Zoning and the Office of the County Attorney.

TIMING:

Board action is requested on July 26, 2011. On June 7, 2011, the Board authorized advertising of public hearings. The Planning Commission held a public hearing on July 7, 2011. The proposed amendments will become effective at 12:01 a.m. on July 27, 2011.

BACKGROUND:

A grading plan is a drawing of a site showing existing and proposed topography, erosion and sediment controls, existing and proposed vegetation, demolition, existing and proposed improvements to the land, engineering calculations, and other information necessary for the review of proposed construction and issuance of required permits. A grading plan incorporates all of the elements of the grading plan required under Article 2 of the Zoning Ordinance, the plat required for issuance of a Building Permit under Article 18 of the Zoning Ordinance, and the conservation plan (a.k.a. erosion and sediment control plan) required under the Erosion and Sedimentation Control Ordinance. It also satisfies the requirement in the Chesapeake Bay Preservation Ordinance for a “plan of development” for development or redevelopment within Chesapeake Bay Preservation Areas. Currently, a grading plan is required for any land disturbing activity greater than 2,500 sq. ft. It was set at that square footage in 1993 because of requirements in the newly adopted Chesapeake Bay Preservation Ordinance, mandated by state regulations, that require compliance with Erosion and Sediment Control Regulations, water quality controls for projects with 18% impervious area or more, and the submission of a “plan of development” for any development or redevelopment disturbing greater than 2,500 sq. ft. in Chesapeake Bay Preservation Areas.

Over the course of time, with changes to federal, state, and County requirements, the complexity and cost of preparing grading plans have increased. Also, with increased infill development/redevelopment, problems with building on small lots have been magnified. At the direction of the Board, staff reviewed the requirements for grading plans as applied to additions to existing single family homes and other relatively small-scale land-disturbing activities to develop possible alternatives to the current grading plan requirement for such activities. Staff discussed the issues with industry representatives and presented the substance of the proposed amendments to the Board’s Development Process Committee on November 23, 2010. The Committee directed staff to prepare amendments for authorization.

The proposed amendments only apply to the demolition of a single family dwelling, demolition of an accessory structure to a single family dwelling, construction of an addition to a single family dwelling as currently defined in Chapter 61 of the County Code, or construction of an accessory structure to a single family dwelling, that results in a disturbed area of 5,000 square feet or less and does not require the installation of water quality controls (required if controls were not installed with the original subdivision and the impervious area is equal to or greater than 18%) or other drainage improvements. If these conditions are met, such projects may be permitted in accordance with a plat certified by a land surveyor, engineer, landscape architect or architect, meeting the requirements of Part 6 of Article 18 of the Zoning Ordinance, and which plat includes erosion and sediment control (E & S) measures in conformance with Chapter 104 of The Code. In order to demonstrate compliance with the requirements of

Chapter 104, in addition to the display of the E & S controls, an adequate outfall certification and responsible land disturber certification is required. In order to demonstrate compliance with the 5,000 sq. ft. and water quality control limitations, computations of disturbed area and total impervious area will be needed. If the impervious area is equal to or greater than 18%, there would still be the possibility of obtaining a water quality control waiver. A fee of \$980 is proposed to cover E & S inspections. The standard conservation deposit for maintenance of the E & S controls and final stabilization and payment of pro-rata share based on the increase in impervious area also are required. This new plan using a certified plat as its base will be called a Conservation Plan. This will not affect the current requirements or processes for obtaining building permit approval for projects that disturb less than 2,500 sq. ft. of land.

During preparation of the amendments for use of a Conservation Plan in lieu of a grading plan, it was determined that there was a need to clarify the review standards and enforcement provisions in the Erosion and Sedimentation Control Ordinance and update the related plat requirements in the Zoning Ordinance to collect needed information. Amendments addressing these items are included in this package.

PROPOSED AMENDMENTS:

The proposed amendments to the Zoning Ordinance include provisions that:

- Allow a new plat certified by a land surveyor, engineer, landscape architect or architect that includes siltation and erosion control measures in conformance with Chapter 104 of The Code to be used in lieu of a grading plan for the demolition of a single family dwelling, demolition of an accessory structure to a single family dwelling, construction of an addition to a single family dwelling as defined in Chapter 61 of the County Code, or construction of an accessory structure to a single family dwelling, that results in a disturbed area of 5,000 square feet or less and does not require the installation of water quality controls or other drainage improvements.
- Requires that various existing easements, any mapped floodplain boundary, and distances to certain features demonstrating compliance with minimum yard requirements be delineated on plats submitted in conjunction with building permit approval when no site plan is required.
- Clarify and add additional requirements for the information required to be shown on the as-built house location survey plat required to be submitted to the Zoning Administrator within 30 days of the issuance of the Residential Use Permit for a single family detached dwelling.

The proposed amendment to the Erosion and Sedimentation Control Ordinance include provisions that:

Board Agenda Item
July 26, 2011

- Allow the conservation plan to be incorporated into a new plat certified by a land surveyor, engineer, landscape architect or architect in lieu of a grading plan for the demolition of a single family dwelling, demolition of an accessory structure to a single family dwelling, construction of an addition to a single family dwelling as defined in Chapter 61 of the County Code, or construction of an accessory structure to a single family dwelling, that results in a disturbed area of 5,000 square feet or less and does not require the installation of water quality controls or other drainage improvements.
- Clarify the standards to be used in reviewing conservation plans.
- Make the provisions relating to penalties, injunctions and other legal actions applicable to all of Chapter 104 not just Sections 104-1-2 and 104-1-5.

The proposed amendment to Appendix Q of the County Code incorporates a fee of \$980 for the Conservation Plan:

REGULATORY IMPACT:

The proposed amendments are intended to address the costs to applicants applying for permits to construct additions to existing single family dwellings and accessory structures to single family dwellings or demolition of such structures by providing a lower cost alternative to a grading plan for projects that disturb between 2,500 sq. ft. and 5,000 sq. ft. A rough estimate is that 20% of grading plans for additions, accessory structures, and demolitions fall within the above range. In addition to the cost difference, the review of a conservation plan based on a certified plat should take much less time than review of a grading plan. Without the topography displayed on a grading plan, there is some possibility of unforeseen impacts on adjoining properties and waterways. However, in complying with the requirements of the Erosion and Sedimentation Control Ordinance, the preparer of the plat must certify that, in their professional opinion, there will be no adverse impacts. Additionally, the County will be performing inspections for compliance with the approved conservation plan. The proposed amendments also will have some impact on how violations of the Erosion and Sedimentation Control Ordinance are remedied. For land disturbing activities greater than 2,500 sq. ft. without a permit, the remedy for the violation will include either a conservation plan or a grading plan depending on the amount of disturbance and impact on drainage. The remedy for a violation of the approved conservation plan that results in a disturbed area of greater than 5,000 sq. ft. or that substantively alters drainage will include submission of a grading plan.

FISCAL IMPACT:

None on County staff or the budget. The cost for preparation of a conservation plan is estimated at \$1,000 to \$2,000 versus \$8,000 to \$15,000 for a grading plan. The County

Board Agenda Item
July 26, 2011

fee for the conservation plan will be \$980 to cover inspections versus \$1,640 for the first submission of a grading plan to cover review and inspections.

ENCLOSED DOCUMENTS:

Attachment I - Staff Report (Available online at
http://www.fairfaxcounty.gov/dpwes/publications/pfm/sr_conservationplan.pdf)
Attachment II – Planning Commission Verbatim

STAFF:

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

THIS PAGE INTENTIONALLY LEFT BLANK

Fairfax County Code Plan Amendment (Conservation Plan for Land Disturbing Activities)

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Hart, please.

Commissioner Hart: Thank you, Mr. Chairman. First, let me thank our staff for their usual excellent preparation and let me thank Mr. Friedman and Ms. Brickner for coming out tonight. This is a straightforward proposal which has staff support with which I concur. It should reduce the financial burden on homeowners making additions to their homes. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE BOARD ADOPT THE PROPOSED AMENDMENTS TO THE EROSION AND SEDIMENTATION CONTROL ORDINANCE, ZONING ORDINANCE, AND APPENDIX A [SIC] OF THE COUNTY CODE, AS SET FORTH IN THE STAFF REPORT DATED JUNE 7, 2011.

Commissioners Lawrence and Sargeant: Second.

John Friedman, Code Analysis Division, Department of Public Works and Environmental Services: Commissioner Hart?

Chairman Murphy: Seconded by Mr. Lawrence, Mr. Sargeant, and the Chair also seconds the motion.

Mr. Friedman: Commissioner Hart?

Commissioner Hart: Yes?

Mr. Friedman: That's APPENDIX Q.

Commissioner Hart: Oh, I'm reading off this and it's got Appendix A on it. But if it's-

Mr. Friedman: My apologies.

Commissioner Hart: It's supposed to be Q?

Mr. Friedman: Yes sir.

Commissioner Hart: Make it Q. WITHOUT OBJECTION.

Chairman Murphy: No, that's fine. That's fine. All those in favor of the motion to recommend to the Board of Supervisors that it adopt the Fairfax County Code Plan Amendment on Conservation Plan for Land Disturbing Activities, as articulated by Mr. Hart, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried unanimously with Commissioner Alcorn absent from the meeting.)

JLC

Board Agenda Item
July 26, 2011

4:30 p.m.

Public Hearing to Consider Creating Fairfax County Code Section 82-5-37.1 Restricted Parking in Non-Residential Areas

ISSUE:

Public hearing to consider the proposed Section 82-5-37.1 of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to restrict parking in non-residential areas.

RECOMMENDATION:

The County Executive recommends that the Board adopt the proposed amendment (Attachment I) to the Fairfax County Code.

TIMING:

The public hearing was authorized on June 21, 2011, for July 26, 2011, at 4:30 p.m.

BACKGROUND:

On March 29, 2011, the Board directed County staff to prepare an amendment to Fairfax County Code to address the issue of long term parking on public roadways adjacent to non-residential areas.

The long-term parking of vehicles in non-residential areas has long been an issue resulting in diminished capacity for long periods of time in some locations. The proposed Section 82-5-37.1 would allow for the regulation of parking on a street-by-street basis in non-residential areas by restricting the length of time and/or time of the day parking will be permitted. Restrictions will be based on the individual needs of the affected area, will be enacted individually, and will be located in Appendix R of the Fairfax County Code.

FISCAL IMPACT:

The recommended changes should have minimal fiscal impact.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to Fairfax County Code Section 82-5-37.1

Board Agenda Item
July 26, 2011

STAFF:

Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)
Corinne N. Lockett, Assistant County Attorney
Robert Otten, Traffic Enforcement Supervisor, Fairfax County Police Department
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Selby Thannikary, Chief, Traffic Operations Section, FCDOT
Maria Turner, FCDOT

Section 82-5-37.1 Restricted Parking in Non-Residential Areas.

(a) It shall be unlawful for any person to park a vehicle in any non-residential area in violation of any ordinance set forth in Appendix R that restricts the long term parking of vehicles, under the terms of the ordinance, on non-residential streets which diminish the capacity of on-street parking for other uses. The Fairfax County Police Department and law enforcement officers of that Department shall enforce this requirement and shall issue citations to those persons who violate the provisions of this Article or Appendix R shall be subject to a fine of not more than fifty dollars (\$50.00) for each violation. Vehicles parked in violation of these provisions may be towed at the owner's expense.

(b) The Director of the Department of Finance shall collect and account for all uncontested payments of parking citation penalties under this Article. Any contest by any person of any parking citation shall be certified by said Director in writing on an appropriate form to the Fairfax County, General District Court. The Director of the Department of Finance shall cause complaints, summons, or warrants to be issued for delinquent parking citations.

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

4:30 p.m.

Public Hearing to Consider Creating Fairfax County Code 82-13 (Golf Cart Usage)
Related to Operation of Golf Carts on Public Highways

ISSUE:

Public hearing to consider creating Section 82-13 of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to include criteria for the operation of golf carts on public highways in residential areas.

RECOMMENDATION:

The County Executive recommends that the Board adopt the proposed amendments (Attachment I) to the Fairfax County Code.

TIMING:

On June 21, 2011, the Board authorized a public hearing for July 26, 2011, at 4:30 p.m.

BACKGROUND:

On May 25, 2010, the Board directed County staff to investigate what procedures should be adopted by the County to authorize golf cart usage on designated public highways. The matter was discussed at the Board Transportation Committee meeting on September 21, 2010, where staff was directed to proceed with the development of guidelines, conditions, and enforcement procedures for County adoption of a limited ordinance change.

Per direction from the Board, the guidelines developed include a requirement that an adjacent jurisdiction must already have adopted a similar code authorizing golf cart usage on designated public highways.

The proposed changes to the Fairfax County Code, Chapter 82, Article 13 are shown in Attachment I.

FISCAL IMPACT:

The recommended changes should have minimal fiscal impact.

Board Agenda Item
July 26, 2011

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to Fairfax County Code Section 82-13.

STAFF:

Tom Biesiadny, Acting Director, Fairfax County Department of Transportation (FCDOT)

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

Selby Thannikary, Chief, Traffic Operations Section, FCDOT

Section 82-13. Golf Cart Usage

Section 1.1 – Operation of golf carts on public highways.

It shall be unlawful for any person to operate a golf cart on or over any public highway in the County, except as provided in this article.

Section 1.2 – Definitions.

For the purposes of this article, the following words and phrases shall have the meanings given herein:

(a) *Golf cart* means a self-propelled vehicle that is designed to transport persons playing golf and their equipment on a golf course.

(b) *Petition Area* means:

(1) Addresses within the community requesting golf cart usage on public roadways, and

(2) Addresses which are on private streets within 100 feet of proposed golf cart usage area.

(c) *Petitioner* means the current owner or lessee of property within the golf cart usage area or designated representative of the residents within the golf cart usage area.

(d) *Highway* means the entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys, and, for law-enforcement purposes, (i) the entire width between the boundary lines of all private roads or private streets that have been specifically designated "highways" by an ordinance adopted by the Board of Supervisors and (ii) the entire width between the boundary lines of every way or place used for purposes of vehicular travel on any property owned, leased, or controlled by the United States government and located in the Commonwealth.

Section 1.3 - Designation of public highways of the County for golf cart operation.

(a) No portion of the public highway may be designated for use by golf carts unless the Board of Supervisors has reviewed and approved such highway usage.

(b) The Board of Supervisors may authorize by ordinance, the operation of golf carts on designated public highways within the County as set forth in Appendix Q after (i) considering the speed, volume, and character of motor vehicle traffic using such highways, and (ii) determining that golf cart operation on particular

highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy.

(c) No public highway of the County shall be designated for use by golf carts if such golf cart operations will impede the safe and efficient flow of motor vehicle traffic.

(d) Any public highway of the County designated for golf cart operations shall be posted with signs indicating this designation in accordance with Section 1.10 of this Article.

(e) Any Petition Area with public highways proposed to be designated for golf cart operations under this Article shall be contiguous with an adjoining jurisdiction or municipality that has already adopted an ordinance, pursuant to § 46.2-916.2 of the Virginia Code, for the usage of golf carts on public highway(s) that connect to the public highway(s) within the proposed Petition Area.

Section 1.4 - Limitations

Golf cart operations on designated public highways of the County shall be in accordance with the following limitations:

(a) No person shall operate a golf cart on a public highway of the County unless that highway is designated for golf cart operations and is posted with the signage required by Sects. 1.3(d) and 1.10 of this Article.

(b) A golf cart may be operated only on designated public highways where the posted speed limit is twenty-five (25) miles per hour or less. No golf cart shall be driven across any public highway at an intersection where the highway being crossed has a posted speed limit of more than twenty-five (25) miles per hour.

(c) No person shall operate any golf cart on any designated public highway of the County unless he has in his possession a valid driver's license.

(d) No golf cart shall be operated on any designated public highway of the County without displaying a slow-moving vehicle emblem in conformity with Virginia Code § 46.2-1081.

(e) No person shall operate any golf cart on any designated public highway of the County between sunset and sunrise, unless equipped with lights as required in Article 3 (§ 46.2-1010 et seq.) of Chapter 10 of the Virginia Code.

(f) Golf carts operating on designated public highways of the County pursuant to this Article shall be insured by a policy of liability insurance with coverage of not less than three hundred thousand dollars (\$300,000) per accident. In lieu of coverage provided by an insurance policy, the owner of such golf cart may self-insure the liability coverage if the Commissioner of the Virginia Department of

Motor Vehicles has issued a certificate of self-insurance pursuant to § 46.2-368 of the Virginia Code.

Section 1.5 - Exceptions

The limitations set forth in Sect.1.4 above shall not apply to golf carts being operated as follows:

(a) To cross a highway from one (1) portion of a golf course to another portion thereof or to another adjacent golf course; or to travel between a person's home and golf course if (i) the trip would not be longer than one-half ($\frac{1}{2}$) mile in either direction, and (ii) the speed limit on the road is no more than thirty-five (35) miles per hour;

(b) To the extent necessary for County employees and County contractors to fulfill a governmental purpose, or as otherwise authorized by the Board of Supervisors or his designee, provided the golf cart is not operated on a public highway of the County with a posted speed limit over thirty-five (35) miles per hour;

(c) As necessary by employees of public or private two-year or four-year institutions of higher education if operating on highways within the property limits of such institutions, provided the golf cart is being operated on highways with speed limits of thirty-five (35) miles per hour or less.

Golf carts shall travel in the proper travel lane with the direction of the traffic flow, and shall obey all traffic signs and signals on such public highways.

Section 1.6 - Criteria for the establishment or modification of public highways designated for golf cart use.

The Board of Supervisors may designate a public highway for golf cart usage, in accordance with Sect. 1.3 above, upon a determination that:

(a) A pre-application and formal application form has been submitted to the applicable member of the Board of Supervisors by the Petitioner along with a complete subdivision illustration or plat for the proposed Petition Area indicating the public highways being requested for golf cart usage; and

(b) A Petition, as set forth in Sect. 1.7 below, has been submitted to the Fairfax County Department of Transportation containing signatures of Petitioners representing at least seventy-five (75) percent or more of the households within the Petition Area supporting the use of golf carts on public highways; and

(c) A golf cart usage traffic impact analysis conducted by a licensed transportation consulting firm or individual has been satisfactorily completed and submitted to the Fairfax County Department of Transportation.

Section 1.7 – Submission Requirements

Every Petition, as required by Sect. 1.6, shall be submitted to the Fairfax County Department of Transportation on forms provided by the Fairfax County Department of Transportation and shall include the following:

- (a) The legible name, address, and signature of the Petitioner(s), one signature per address.
- (b) A complete subdivision illustration or plat for the Petition Area indicating the public highways being requested for golf cart usage.

Every golf cart traffic impact analysis, as required by Section 1.6, shall be submitted to the Fairfax County Department of Transportation and include the following:

- (1) The zoning designation of each property within the Petition Area.
- (2) Identification of each access point into the Petition Area.
- (3) Daily, peak hour and weekend traffic volume data of each public highway within the Petition Area. Average Daily Traffic Volume on qualifying public highways should not exceed 10 trips per residential household on any public highway within the Petition Area.
- (4) Identification of destination locations for golf carts within the Petition Area.
- (5) Virginia Department of Transportation (VDOT) classification of public highways within the Petition Area. Eligible public highways must be classified by VDOT as local or collector streets.
- (6) Posted speed limits and 85th percentile speeds of each public highway within the Petition Area. The posted speed limit shall not exceed twenty-five (25) miles per hour and the 85th percentile speed shall be no greater than thirty-three (33) miles per hour.
- (7) Existing travel lane widths on each public highway within the Petition Area. The existing travel lane width of each public highway must be a minimum of ten (10) feet with either a parking lane or shoulder.
- (8) Sight distance measurements on each public highway within the Petition Area. Adequate sight distance measurements should be based upon the measured 85th percentile speed of each public highway.

(9) Identification of any and all open ditches along a public highway within the Petition Area. Open ditches immediately adjacent to a travel lane are deemed an unsafe condition for the operation of golf carts.

(10) A review of the horizontal and/or vertical curves that impact sight line or vertical paths within the Petition Area.

(11) Review of a minimum 3-years of accident history for each public roadways within the Petition Area.

(12) A summary and recommendation by a licensed transportation consulting firm or individual on the usage of golf carts for each public highway within the Petition Area, including the signature and seal of a professional engineer registered in the Commonwealth of Virginia.

Section 1.8 – Procedures for the establishment of public highways permitting golf cart usage

(a) Upon receipt of any Petition, the Petition addresses shall be validated by the Fairfax County Department of Transportation using parcel ownership information. If it is determined that the Petition does not meet the standards set forth in Section 1.6 and 1.7 above, the Petition shall not be deemed to be accepted and shall be returned to the Petitioner.

(b) Upon validation of the Petition addresses, the Fairfax County Department of Transportation shall review the entire submission to determine if the provisions of Sections 1.6 and 1.7 are met.

(c) All requests for golf cart usage on a public highway which are accepted as meeting the submission requirements of Section 1.6 and 1.7 above shall be the subject of a public hearing before the Board of Supervisors in accordance with the provisions below:

(1) A public notice of the proposed ordinance shall be published in a local newspaper having general circulation within the County in accordance with Virginia Code § 15.2-1427.

(2) The County shall, simultaneously with the advertisement specified in Paragraph (1) above, post on the land involved in any application a notice of the public hearing. Said notice(s) should be removed no later than seven days after the conclusion of the last hearing to which they pertain. Said notice shall be posted at reasonable intervals in the proposed golf cart usage area. Said notice shall contain the date, location and time of the public hearing, a description of the application, and such other information as may be necessary to provide adequate identification of the application, and additionally, where further information on the application

may be obtained. With the permission of the owner, said notice may be placed on private property if such is necessary to provide adequate posting.

(3) In addition to the advertisement, the County shall send written notice to all residences within the Petition Area. Such written notices shall set forth the date, time, place and subject matter of the hearing.

Following a public hearing, the Board of Supervisors shall consider the recommendations of the Fairfax County Department of Transportation, the testimony presented at the public hearing, the factors set forth in Sect. 1.3(b), and the general merits of the Petition in making its determination.

Section 1.9 – Adoption and effective date.

Upon approval by the Board of Supervisors of any public highway for golf cart usage, the usage of golf carts on the designated public highway shall be deemed to be adopted and shall become effective in accordance with the following provisions:

(a) A permit shall be requested by the Fairfax County Department of Transportation from VDOT to allow the placement of signs designating the usage of golf carts on those certain public highways within the Virginia Secondary System of State Highways.

(b) Upon receipt of an approved VDOT permit, the Fairfax County Department of Transportation shall send notification to the Petitioner. Such notification shall include:

- (1) Notice that approval for the usage of golf carts on the designated public highways has been given;
- (2) The date upon which golf cart usage will be effective;
- (3) The specific rules and regulations for golf cart usage.

Section 1.10 – Signs.

All signs to designate a public highway for golf cart usage shall be in conformance with the applicable VDOT regulations and shall be of such design and character as to readily inform the operators of vehicles on the public highway of the presence of golf carts. The County shall be responsible for the installation and continuing maintenance of any signs pertaining to the operation of golf carts. The cost of the installation and continued maintenance of the signs on designated public highways shall be the responsibility of the Petitioner. All costs incurred by the County for the installation and maintenance of the signs shall be assessed to and recovered from the Petitioner.

Section 1.11 – Enforcement and Penalties.

Any person violating any provision of this Article or Appendix Q shall be subject to a fine of \$50.00 for each violation. The Fairfax County Police Department shall enforce the provisions regulating golf cart usage and shall issue a summons against those persons who violate the provisions of this Article or the provisions of Appendix Q.

Appendix Q - Public highways designated for golf cart use

Notwithstanding any other provision of the County Code to the contrary, the following public highways or portions of public highways in the County are designated for use by golf carts in accordance with the provisions of this article and state law:

(1) [LIST OF QUALIFIED STREETS]

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

5:00 p.m.

Public Hearing on RZ 2011-MV-001(Summit Oaks Section 2, LLC) to Rezone from R-3 and HD to PDH-3 and HD to Permit Residential Development at a Density of 2.55 Dwelling Units Per Acre and Approval of the Conceptual Development Plan, Located Approximately 11.75 Acres, Mount Vernon District

and

Public Hearing on PCA 2002-MV-020 (Summit Oaks Section 2, LLC) to Amend the Proffers for RZ 2002-MV-020 Previously Approved for Residential, Church and School Uses to Permit Deletion of Land Area of 11.75 ac. zoned R-3 and HD to incorporate into RZ 2011-MV-001, Located on Approximately 11.75 Acres, Mount Vernon District

The application property is located on the south side of Richmond Hwy. approx. 400 ft. east of its intersection with Lorton Rd. on Tax Map 108-3 ((1)) 16A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 16, 2011 the Planning Commission voted unanimously (Commissioner Hall and Hart absent from the meeting) to recommend the following to the Board of Supervisors:

- Approval of PCA 2002-MV-020, as stipulated in the draft proffers dated June 7, 2011;
- Approval of RZ 2011-MV-001 and the associated conceptual development plan, subject to the draft proffers dated June 7, 2011;
- Approval of FDP 2011-MV-001, subject to the development conditions dated June 2, 2011, and Board approval of RZ 2011-MV-001 and the associated conceptual development plan;
- Waiver of the on-road bike route along the property's Richmond Highway frontage;
- Waiver of the service drive along Richmond Highway

The Commission also voted 9-0-1 (Commissioner Harsel abstaining; Commissioners Hall and Hart absent from the meeting) to recommend that the Board of Supervisors waive the major paved trail along the property's Richmond Highway frontage.

Board Agenda Item
July 26, 2011

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4351549.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Bob Katai, Staff Coordinator, Zoning Evaluation Division, DPZ

PCA 2002-MV-020 – SUMMIT OAKS SECTION 2, LLC
RZ/FDP 2011-MV-001 – SUMMIT OAKS SECTION 2, LLC

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Flanagan.

Commissioner Flanagan: Yes, thank you, Mr. Chairman. First of all, I'd like to thank Mr. Primm for coming and testifying. I was going to, at the beginning, ask to poll the audience to see if there was any objections to this application, but anybody who can travel all the way from Lorton to this meeting room deserves to be heard. And I'm glad that all the people who traveled out here were willing to take the time to attend this meeting. So it gives me great pleasure to MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA 2002-MV-020, AS STIPULATED IN THE DRAFT PROFFERS DATED JUNE 7, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 2002-MV-020, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: And I have an additional five motions to run through here.

Chairman Murphy: Be my guest.

Commissioner Flanagan: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2011-MV-001 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE DRAFT PROFFERS DATED JUNE 7, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2011-MV-001, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Flanagan.

Commissioner Flanagan: And I should - - I don't know whether you pointed it out - - that the South County Federation was unanimous in supporting this application as well. So for my third motion, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2011-MV-001, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 2, 2011, AND THE BOARD'S APPROVAL OF RZ 2011-MV-001 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to approve FDP 2011-MV-00, subject to the Board's approval of the rezoning and the Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Next, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE MAJOR PAVED TRAIL ALONG THE PROPERTY'S RICHMOND HIGHWAY FRONTAGE.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Harsel: Abstain; number three.

Chairman Murphy: Mrs. Harsel abstains; number three. Mr. Flanagan.

Commissioner Flanagan: I MOVE, next, THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE ON-ROAD BIKE ROUTE ALONG THE PROPERTY'S RICHMOND HIGHWAY FRONTAGE.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor , say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Lastly, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE WAIVER OF THE SERVICE DRIVE ALONG RICHMOND HIGHWAY.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(All but Motion 4 carried unanimously with Commissioners Hall and Hart absent from the meeting.)

(Motion 4 carried by a vote of 9-0-1 with Commissioner Harsel abstaining from the vote; Commissioners Hall and Hart absent from the meeting.)

JN

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

5:00 p.m.

Public Hearing on PRC 85-C-088-02 (South of Market Lot 16 LLC) to Approve the PRC plan Associated with RZ 85-C-088 to Permit a 15-Story Residential Building Containing 359 Multi-Family Dwelling Units at a Density of 35.26 du/ac and 29,145 Square Feet of Ground Floor Commercial Use, Located on Approximately 2.51 Acres Zoned PRC, Hunter Mill District

The application property is located in the NW quadrant of the intersection of Bluemont Way and Explorer St. Tax Map 17-3 ((10)) 16.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 16, 2011 the Planning Commission voted unanimously (Commissioners Hall and Hart absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PRC 85-C-088-02, subject to the development conditions set forth in Appendix 1 of the staff report, with the following modification:
 - Change Development Condition 5 to reflect the distribution of the workforce housing as contained in PRC Plan Note 36 and agreed to by the applicant.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4352585.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Erin Grayson, Staff Coordinator, Zoning Evaluation Division, DPZ

PRC 85-C-088-02 – SOUTH OF MARKET LOT 16 LLC

After the Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. de la Fe.

Commissioner de la Fe: Thank you, Mr. Chairman. This PRC case involves replacing the previously approved PRC plan for development of this site with a development changes that – that changes the configuration of what is to be built, but does not change the number of residential units or general retail space available. From my perspective, the major difference in the configuration currently being considered from the previously approved one is the parking garage. Previously, the parking was to be located completely below grade. Now we are presented with what I would call a traditional parking deck. Though I personally would prefer the below-grade parking, the applicant has made a number of design changes to the - - to the parking garage to mitigate its overall appearance and, as you heard tonight, promised to continue to work with the Reston Arts group to try to further mitigate the visual impact of what is left to be seen of the parking garage. The Reston Planning and Zoning Committee, after much discussion of the parking structure, recommended approval. As a PRC plan this case is not subject to the parameters that we generally expect to be met in a rezoning or a special exception. The applicant is already bound by the proffers associated with the Reston Town Center rezonings. Nevertheless, the applicant has agreed to a request concerning affordable housing. The applicant has committed to meet the overall 12 percent workforce housing County goal. This commitment, because of the existing residential limitations on this site, does not provide for the bonus units envisioned in the general policy. Additionally, the workforce housing units will be the same as the market units. As we discussed during the public hearing, Note 36 on the PRC Plan will be changed to reflect a distribution of the units at 3 percent each for the tiers at 80 and 100 AMI and 6 percent at 120. I hate to raise this one, but I will, because it was raised in the staff report. Although it was not an issue raised before and it was not raised here, since it was mentioned in the staff report, I would like to address a school contribution, because in most cases I believe that the school contribution is very important. As I stated before, this is not a rezoning; however, I noticed that in the School Analysis Memorandum there is a figure for Anticipated Number of Students to be produced by this development. The Analysis does not go on to indicate the number of students that would be produced under current zoning. Under the normal application in a rezoning, the school memorandum requests a contribution based on the additional students over and above existing zoning. Since in fact the number of students produced under this plan is not in excess of what the current zoning would yield, I do not believe that a school contribution would be requested or, therefore required. The staff recommends approval and so does the Reston Planning and Zoning Committee. I agree. Therefore Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PRC 85-C-088-02, SUBJECT TO THE DEVELOPMENT CONDITIONS SET FORTH IN APPENDIX 1 OF THE STAFF REPORT, WITH THE CHANGE TO DEVELOPMENT CONDITION 5 TO REFLECT THE DISTRIBUTION OF

THE WORKFORCE HOUSING AS CONTAINED IN PRC PLAN NOTE 36 AS AGREED TO TONIGHT BY THE APPLICANT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PRC 85-C-088-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried unanimously with Commissioners Hall and Hart absent from the meeting.)

JN

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

5:00 p.m.

Public Hearing on RZ 2010-LE-018 (WV/B Palisades Development LLC) to Rezone from R-1 to PDH-4 to Permit Residential Development at a Density of 2.53 Dwelling Units Per Acre (du/ac) and Approval of the Conceptual Development Plan, Located on Approximately 3.95 Acres, Lee District

The application property is located on the east side of Hayfield Rd. approx. 600 ft. north of its intersection with Kingstowne Village Pkwy Tax Map 91-3 ((1)) 73.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 16, 2011 the Planning Commission voted unanimously (Commissioners Hall and Hart absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2010-LE-018, subject to the proffers consistent with those dated May 25, 2011;
- Approval of FDP 2010-LE-018, subject to the Board of Supervisors' approval of RZ 2010-LE-018 and the related Conceptual Development Plan.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4351082.PDF>

STAFF:

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

RZ/FDP 2010-LE-018 – WV/B PALISADES DEVELOPMENT, LLC

After the close of the public hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Migliaccio.

Commissioner Migliaccio: Thank you, Mr. Chairman. Tonight, we have a pretty simple, straightforward application with no waivers or modifications. As a rezoning of 3.95 acres from R-1 to PDH-4 to allow 10 single-family homes to be built, these 10 homes will be in character with the neighboring Kingstowne community. The application enjoys the support of staff and the Lee District Land Use Committee, including Kingstowne. Therefore, Mr. Chairman, I have two motions to make tonight. The first: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2010-LE-018, SUBJECT TO THE PROFFERS consistent – CONSISTENT WITH THOSE DATED MAY 25TH, 2011.

Commissioners Lawrence and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Lawrence and Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2010-LE-018, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2010-LE-018, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2010-LE-018.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of the motion to approve FDP 2010-LE-018, subject to the Board's approval of the rezoning and associate - - associated Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motions carried unanimously with Commissioners Hall and Hart absent from the meeting.)

JN

Board Agenda Item
July 26, 2011

5:00 p.m.

Public Hearing on SEA 94-P-040 (RP MRP Tysons, LLC) to Amend SE 94-P-040 Previously Approved for Increase in Building Height, Radio and Television Broadcasting Facilities, Microwave Facilities, Satellite Earth Stations and Helistop and Waiver of Certain Sign Regulations to Permit a Hotel, Additional Uses and Associated Modifications to Site Design and Development Conditions, Located on Approximately 7.67 Acres Zoned C-3, Providence District

The application property is located at 7940 Jones Branch Dr. Tax Map 29-2 ((15)) C2.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 16, 2011 the Planning Commission voted 8-0-2 (Commissioners Hall and Hart absent from the meeting; Commissioners Harsel and Murphy abstaining) to recommend the following actions to the Board of Supervisors:

- Approval of SEA 94-P-040, subject to the development conditions consistent with those dated June 15, 2011;
- Waiver of the front yard bulk standards for section 2-418 along all front yards to that shown on the SEA Plat;
- Waiver of the transitional screening and barrier requirements, in favor of what is shown on the SEA Plat;
- Waiver of the trail depicted in the Comprehensive Plan along the Dulles International Airport Access Highway;
- Direct the Director of DPWES to permit a deviation from the tree preservation target, as identified in the Public Facilities Manual;
- Modification of the loading space requirement that is shown on the SEA Plat.

ENCLOSED DOCUMENTS:

Attachment 1 - Verbatim

Staff Report previously furnished and available online at

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4350810.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Suzanne Linn, Staff Coordinator, Zoning Evaluation Division, DPZ

SEA 94-P-040 – RP MRP TYSONS, LLC

Decision Only During Commission Matters
(Public Hearing held on June 2, 2011)

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA 94-P-040, SUBJECT TO DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED JUNE 15, 2011.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 94-P-040, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. And again the Chair abstains; not present for the public hearing.

Commissioner Harsel: Oh, I abstain too. I wasn't here then. I was at my grandson's graduation.

Chairman Murphy: I hope – okay, we all know now.

Commissioner Harsel: That was more exciting than this.

Chairman Murphy: Not to Mr. Lawrence. Not to Mr. Lawrence.

Commissioner Lawrence: Nevertheless, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE FRONT YARD BULK STANDARDS FOR SECTION 2-418 ALONG ALL FRONT YARDS TO THAT SHOWN ON THE SEA PLAT.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstentions.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE TRANSITIONAL

SCREENING AND BARRIER REQUIREMENTS, IN FAVOR OF WHAT IS SHOWN ON THE SEA PLAT.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstentions.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS WAIVE THE TRAIL DEPICTED IN THE COMPREHENSIVE PLAN ALONG THE DULLES INTERNATIONAL AIRPORT ACCESS HIGHWAY.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstentions.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF DPWES TO PERMIT A DEVIATION FROM THE TREE PRESERVATION TARGET, AS IDENTIFIED IN THE PUBLIC FACILITIES MANUAL.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstentions.

Commissioner Lawrence: Finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS MODIFY THE LOADING SPACE REQUIREMENT THAT'S SHOWN ON THE SEA PLAT.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of that motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Same abstentions.

//

(All motions carried by votes of 8-0-2 with Commissioners Harsel and Murphy abstaining; Commissioners Hall and Hart absent from the meeting.)

JLC

Board Agenda Item
July 26, 2011

5:00 p.m.

Public Hearing to Convey Board-Owned Property to the Fairfax County Park Authority

ISSUE:

Public hearing to convey certain Board-owned properties to the Fairfax County Park Authority (Park Authority).

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to convey certain Board-owned properties to the Park Authority.

TIMING:

On July 12, 2011, the Board authorized the advertisement of a public hearing to convey County-owned property to the Park Authority.

BACKGROUND:

The Park Authority Board requested from the Board of Supervisors the transfer of certain Board-owned properties that the Park Authority believed were suitable for park use. The Board directed the County Executive to work with the Park Authority to determine which County-owned parcels of land were available for transfer to the Park Authority and report back to the Board with a recommendation.

Staff reviewed the County Real Estate Inventory and examined the parcels as to their viability for other purposes such as affordable housing and public facilities. The list of potential parcels was shared with all County agencies, including the Department of Planning and Zoning, Department of Public Works and Environmental Sciences, Department of Housing and Community Development, and the Department of Transportation, for further review. Ultimately, 25 parcels comprising a total of approximately 315.6347 acres were identified as suitable for transfer to the Park Authority

If the transfer is approved, approximately 9.2% percent of the County's land mass will be held by the Park Authority. It is the Board's goal to set aside 10 percent of the County's land mass as Park Authority parkland. After the transfer, an additional 2,073 acres will need to be acquired by the Park Authority to achieve the 10 percent goal.

Board Agenda Item
July 26, 2011

Several of these parcels are subject to the existing Land Bank Agreement between the Board and the Park Authority. The purpose of the Land Bank Agreement is to ensure that the Board, and thereby Fairfax County taxpayers, will not have to pay for the same parcel of land twice. This "double payment" may occur because the Park Authority cannot make gifts, and it therefore cannot convey property to the Board without receiving fair market value for the property. As a result, if the Board were to pay fair market value for a parcel of property and then convey it to the Park Authority for free, and if the property were later conveyed back to the Board by the Park Authority, in such a case, the Board would have to pay the Park Authority the fair market value of the property, and the Board would thereby pay for the same property twice.

Under the Land Bank Agreement, the Board receives a credit equal to the current tax-assessed value of certain properties the Board conveys to the Park Authority if the conveyance is made for little or no consideration. This credit may be used, if the Park Authority agrees, as consideration for any future conveyance of real property from the Park Authority to the Board. This would enable the Board to receive conveyances of real property from the Park Authority without having to pay money to the Park Authority for the conveyance. Real property that is obtained by the Board by proffer, special exception condition, subdivision, site plan, or other means for parks, recreation, or open space and is restricted by deed to parks, recreation, or open space uses are excluded from the Land Bank Agreement.

Of the 25 parcels that are recommended to be conveyed to the Park Authority, 17 parcels (or 275 acres), with a tax-assessed value of \$26,771,400, would be included in the Land Bank, and the remaining 8 parcels would not.

Staff recommends that the conveyance of the properties to the Park Authority be subject to the condition that the parcels must be used for public park purposes. Staff further recommends that the conveyances be made subject to the County's reserving unto itself and having the right to assign to public entities, public utilities, or telecommunications or cable television providers the right to design, lay out, construct, utilize and maintain anywhere on the parcels, rights-of-way, streets, sidewalks and trails, utility lines, conduits, poles, facilities, and other improvements for the purpose of providing for, including but not limited to, sanitary sewer, storm sewer, water, telephone, gas, electric, cable, television service and other utilities. Staff recommends that any public utilities located on these properties that are owned and maintained by County agencies, such as sanitary sewers and storm water management facilities and structures, continue to be owned and maintained by the County. Staff recommends that the Park Authority prepare all documents and pay all fees associated with the conveyance of any parcels that require a division or subdivision before transfer.

Board Agenda Item
July 26, 2011

After the parcels are transferred, the Park Authority will include the properties in their inventory and maintain them in accordance with the adopted Park Authority Maintenance Standards.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:

Attachment A: Resolution
Attachment B: List of properties to be conveyed by Supervisor District
Attachment C: Location Maps
Attachment D: Land Bank Agreement
Attachment E: Interim Use Agreement

STAFF:

Jose A. Comayagua, Director, Facilities Management Department
John W. Dargle, Jr., Director, Fairfax County Park Authority

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, July 26, 2011, at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, the Board of Supervisors owns certain properties more particularly described on the attached list,

WHEREAS, the Board of Supervisors finds that it would be in the best interest of the citizens of Fairfax County to convey the properties to the Fairfax County Park Authority,

NOW, THEREFORE, upon public hearing duly advertised according to law, it is **RESOLVED** that the County Executive or Deputy County Executive is hereby authorized to execute all documents necessary for the conveyance of the County-owned properties described on the attached list to the Fairfax County Park Authority.

A Copy Teste:

Nancy Vehrs
Clerk to the Board of Supervisors

**REAL PROPERTY OWNED BY THE BOARD OF SUPERVISORS
TO BE TRANSFERRED TO THE
FAIRFAX COUNTY PARK AUTHORITY**

BRADDOCK DISTRICT

1. Tax Map No. 69-3 ((6)) P, 13.0848 acres, Lake Braddock Elementary School Site

DRANESVILLE DISTRICT

1. Tax Map No. 20-1 ((1)) 16A, 10.4630 acres, Old Dominion Secondary School Site
2. Tax Map No. 20-1 ((10)) B, 3.4065 acres, Old Dominion Secondary School Site
3. Tax Map No. 29-2 ((1)) 1D, 24.3911 acres, Spring Hill Secondary School Site

HUNTER MILL DISTRICT

1. Tax Map No. 11-4 ((1)) 5, 60.0000 acres, Baron Cameron (Reston Secondary School Site)

LEE DISTRICT

1. Tax Map No. 90-1 ((1)) 63, 9.5441 acres, Greenspring Village
2. Tax Map No. 90-1 ((1)) 63A, 0.9462 acres, Greenspring Village
3. Tax Map No. 90-1 ((1)) 63D, 4.8314 acres, Greenspring Village
4. Tax Map No. 90-1 ((1)) 63E, 2.9412 acres, Greenspring Village
5. Tax Map No. 90-1 ((1)) 63F, 6.7782 acres, Greenspring Village
6. Tax Map No. 91-4 ((1)) 30A, 48.1698 acres, Hayfield
7. Tax Map No. 91-4 ((1)) 30B, 5.0300 acres, Hayfield
8. Tax Map No. 100-2 ((2)) D2, 2.2803 acres, Hayfield Farm

9. Tax Map No. 100-2 ((2)) G, 13.7012 acres, Hayfield Farm
10. Tax Map No. 100-2 ((2)) G1, 0.4529 acres, Vacated Portion of Hayfield Road
11. Tax Map No. 100-2 ((2)) K, 6.1197 acres, Hayfield Farm

MASON DISTRICT

1. Tax Map No. 81-1 ((1)) 9C, 12.7802 acres, Bren Mar Office Park

MOUNT VERNON DISTRICT

No parcels from this district will be transferred at this time.

PROVIDENCE DISTRICT

1. Tax Map No. 29-4 ((6)) 107, 0.6780 acres, Westgate Industrial Park

SPRINGFIELD DISTRICT

1. Tax Map No. 55-3 ((1)) 26, 38.1069 (approx. 24 acres to be transferred; approx. 18 acres directly north of Autumn Willow Drive and approx. 6 acres directly north of Lee Highway), Autumn Willow
2. Tax Map No. 66-2 ((1)) 4B, 14.7741 acres (approx. 9.5 acres of northern part of parcel to be transferred), Lincoln Lewis Vannoy
3. Tax Map No. 66-2 ((1)) 4D, 31.9724 acres, Lincoln Lewis Vannoy
4. Tax Map No. 79-3 ((1)) 5, 6.500 acres, Fairfax Park Elementary School Site
5. Tax Map No. 79-3 ((17)) A, 6.500 acres, Fairfax Park Elementary School Site

SULLY DISTRICT

1. Tax Map No. 45-1 ((1)) 7, 20.9669 acres (approx. 9 acres of southern part of parcel to be transferred), Chantilly Library
2. Tax Map No. 54-4 ((14)) B, 2.5637 acres, Walney Glen

**REAL PROPERTY OWNED BY THE BOARD OF SUPERVISORS
THAT IS PROPOSED TO BE TRANSFERRED TO THE
FAIRFAX COUNTY PARK AUTHORITY**

BRADDOCK DISTRICT

1. Tax Map No. 69-3 ((6)) P, 13.0848 acres, Lake Braddock Elementary School Site*#

DRANESVILLE DISTRICT

1. Tax Map No. 20-1 ((1)) 16A, 10.4630 acres, Old Dominion Secondary School Site*#
2. Tax Map No. 20-1 ((10)) B, 3.4065 acres, Old Dominion Secondary School Site*#
3. Tax Map No. 29-2 ((1)) 1D, 24.3911 acres, Spring Hill Secondary School Site*+

HUNTER MILL DISTRICT

1. Tax Map No. 11-4 ((1)) 5, 60.0000 acres, Baron Cameron (Reston Secondary School Site)*#

LEE DISTRICT

1. Tax Map No. 90-1 ((1)) 63, 9.5441 acres, Greenspring Village
2. Tax Map No. 90-1 ((1)) 63A, 0.9462 acres, Greenspring Village
3. Tax Map No. 90-1 ((1)) 63D, 4.8314 acres, Greenspring Village
4. Tax Map No. 90-1 ((1)) 63E, 2.9412 acres, Greenspring Village
5. Tax Map No. 90-1 ((1)) 63F, 6.7782 acres, Greenspring Village
6. Tax Map No. 91-4 ((1)) 30A, 48.1698 acres, Hayfield*
7. Tax Map No. 91-4 ((1)) 30B, 5.0300 acres, Hayfield*
8. Tax Map No. 100-2 ((2)) D2, 2.2803 acres, Hayfield Farm*

9. Tax Map No. 100-2 ((2)) G, 13.7012 acres, Hayfield Farm*
10. Tax Map No. 100-2 ((2)) G1, 0.4529 acres, Vacated Portion of Hayfield Road*
11. Tax Map No. 100-2 ((2)) K, 6.1197 acres, Hayfield Farm*

MASON DISTRICT

1. Tax Map No. 81-1 ((1)) 9C, 12.7802 acres, Bren Mar Office Park

MOUNT VERNON DISTRICT

No parcels from this district will be transferred at this time.

PROVIDENCE DISTRICT

1. Tax Map No. 29-4 ((6)) 107, 0.6780 acres, Westgate Industrial Park

SPRINGFIELD DISTRICT

1. Tax Map No. 55-3 ((1)) 26, 38.1069 (approx. 24 acres to be transferred; approx. 18 acres directly north of Autumn Willow Drive and approx. 6 acres directly north of Lee Highway), Autumn Willow*
2. Tax Map No. 66-2 ((1)) 4B, 14.7741 acres (approx. 9.5 acres of northern part of parcel to be transferred), Lincoln Lewis Vannoy*
3. Tax Map No. 66-2 ((1)) 4D, 31.9724 acres, Lincoln Lewis Vannoy*
4. Tax Map No. 79-3 ((1)) 5, 6.500 acres, Fairfax Park Elementary School Site*#
5. Tax Map No. 79-3 ((17)) A, 6.500 acres, Fairfax Park Elementary School Site*#

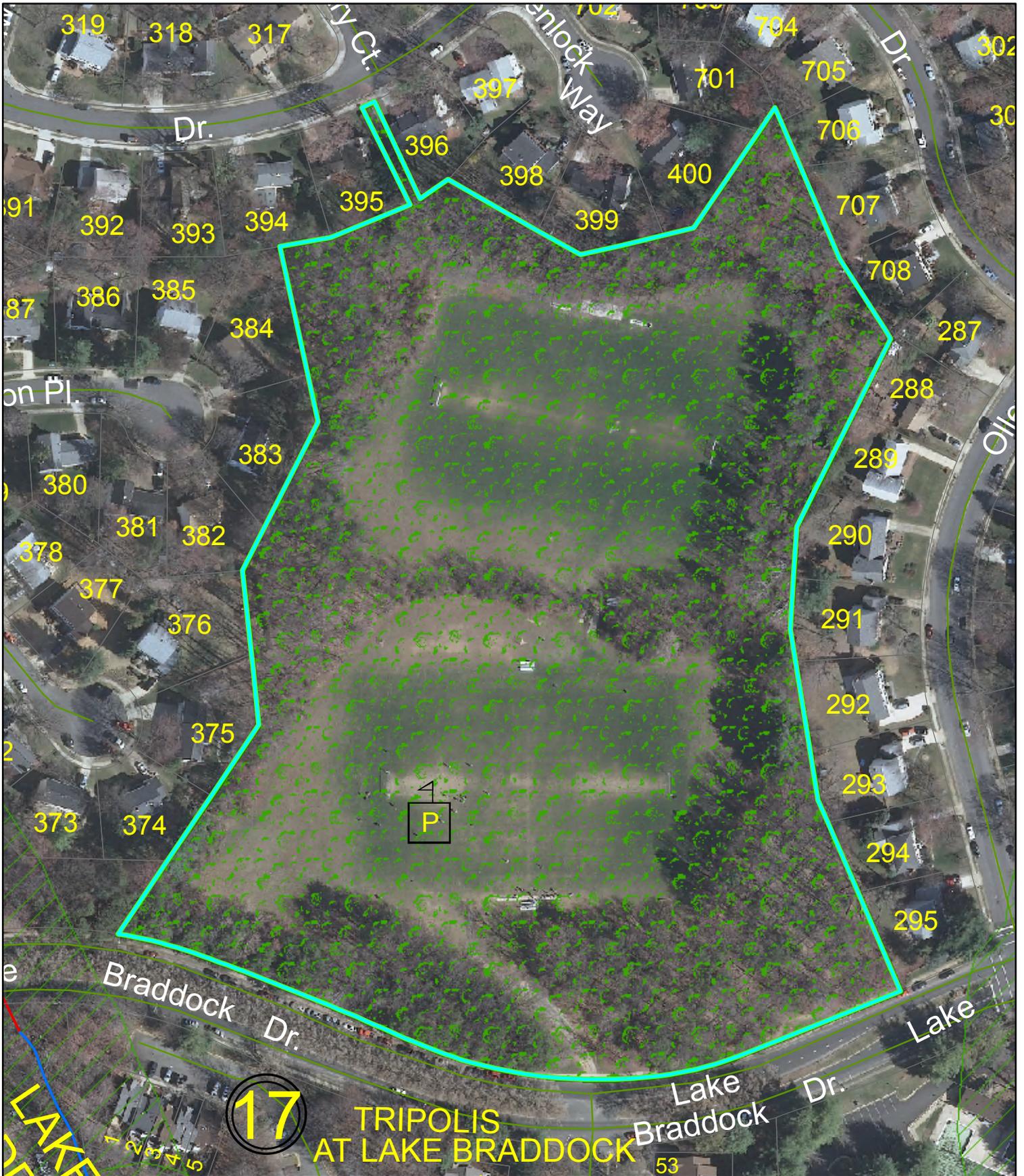
SULLY DISTRICT

1. Tax Map No. 45-1 ((1)) 7, 20.9669 acres (approx. 9 acres of southern part of parcel to be transferred), Chantilly Library*
2. Tax Map No. 54-4 ((14)) B, 2.5637 acres, Walney Glen

* Subject to the Land Bank Agreement.

Subject to the Interim Use Agreement.

+ Leased to Park Authority.



Parcel ID: 0693 06 P
 Supervisor District: BRADDOCK

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 139 feet (467)





Parcel ID: 0201 01 0016A

LAND BANK

Supervisor District: DRANESVILLE

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

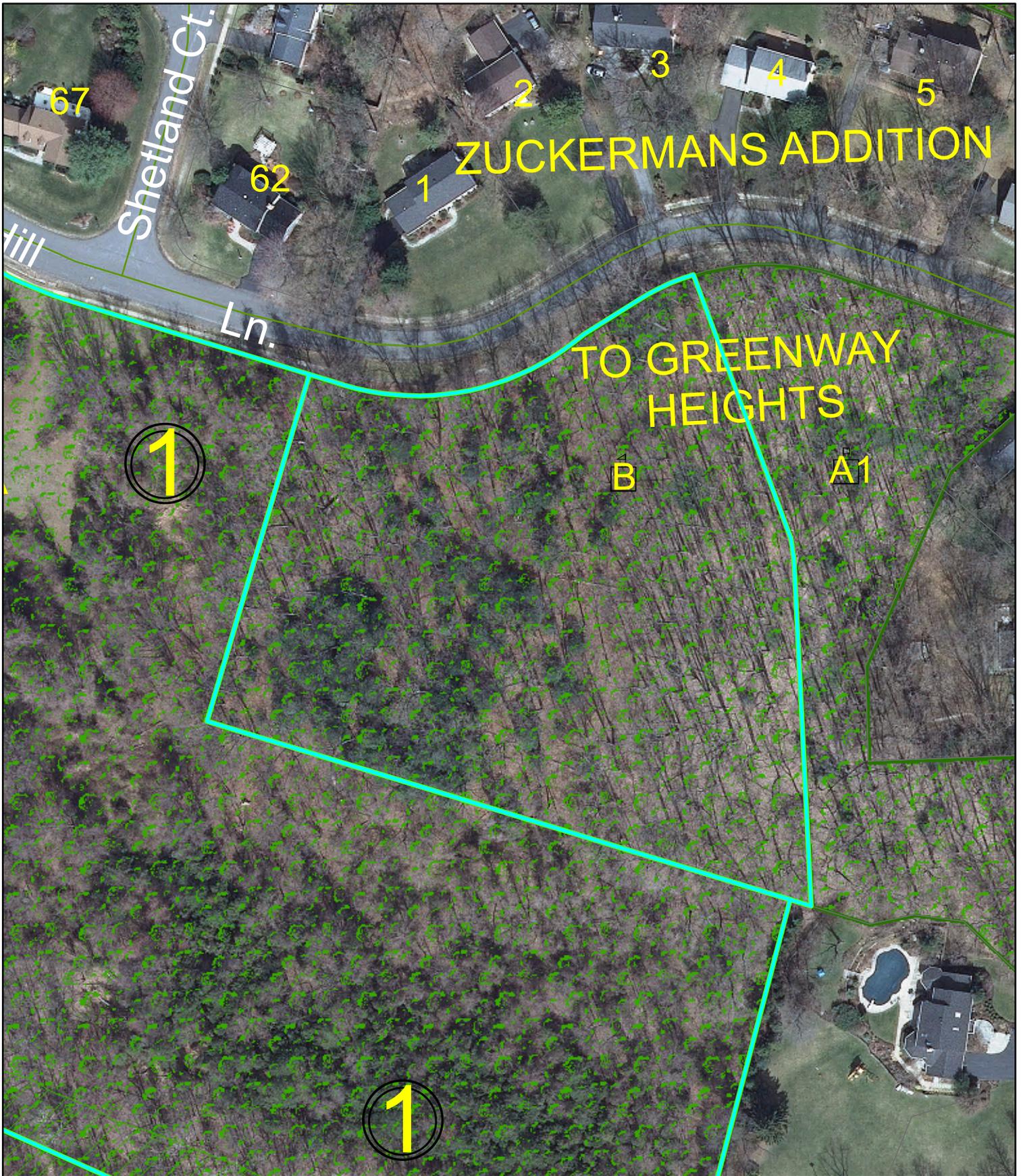
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 161 feet (468)





Parcel ID: 0201 10 B
 Supervisor District: DRANESVILLE

LAND BANK

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 100 feet (469)





Parcel ID: 0292 01 0001D

Supervisor District: DRANESVILLE

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 172 feet (470)





Parcel ID: 0114 01 0005

Supervisor District: HUNTER MILL

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

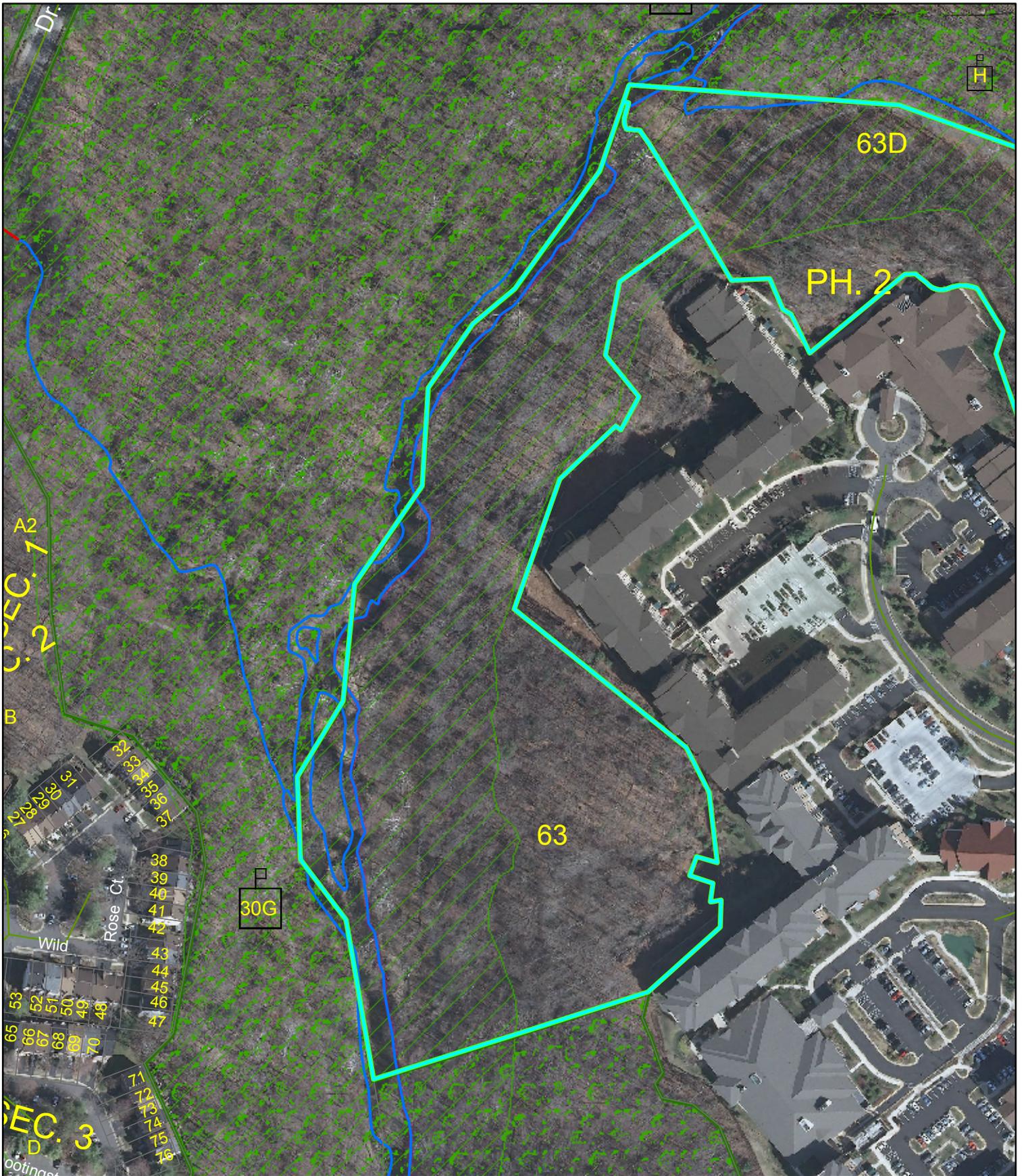
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 299 feet (471)





Parcel ID: 0901 01 0063
 Supervisor District: LEE SPRINGFIELD

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

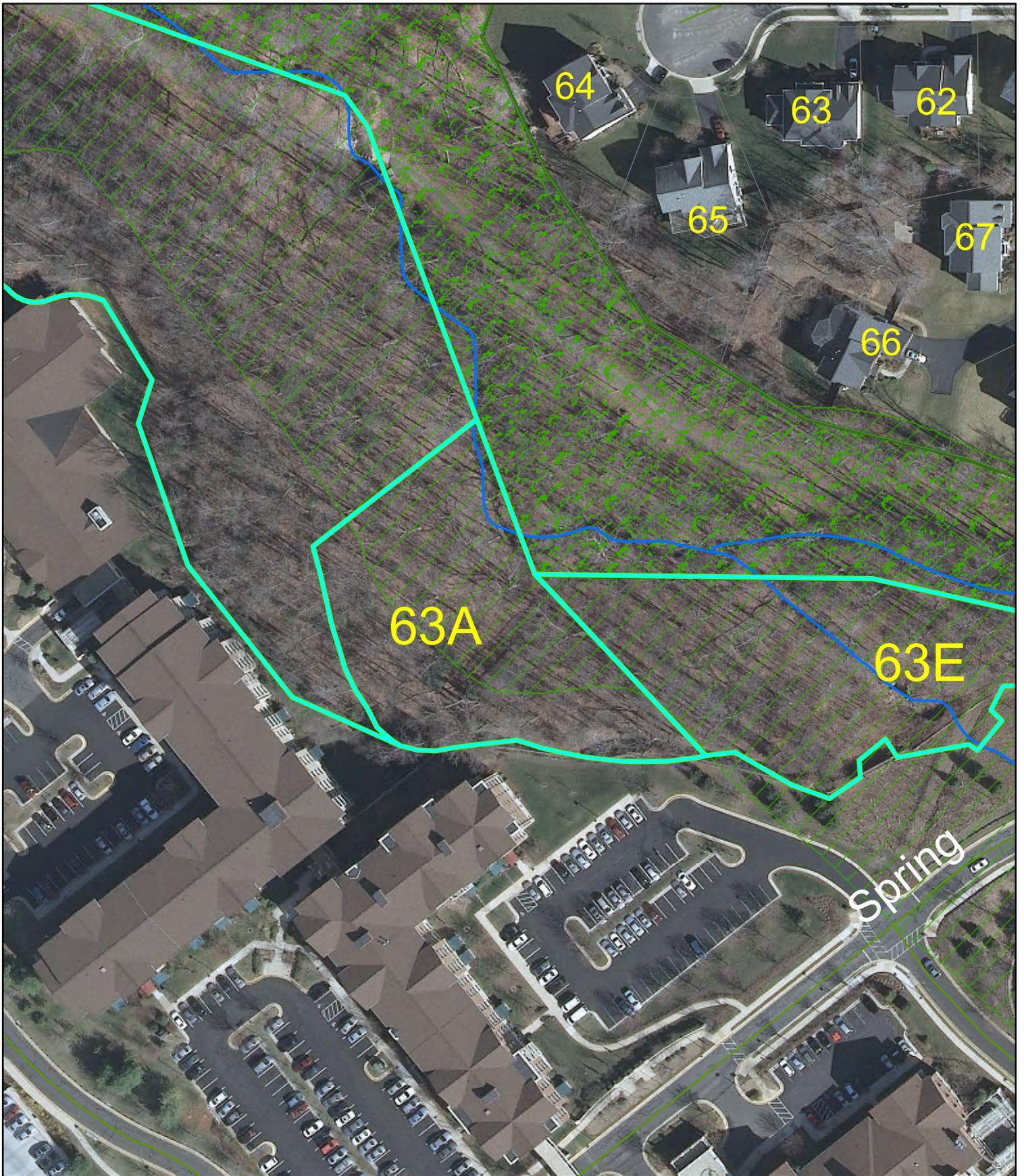
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 188 feet (472)





Parcel ID: 0901 01 0063A

Supervisor District: LEE

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

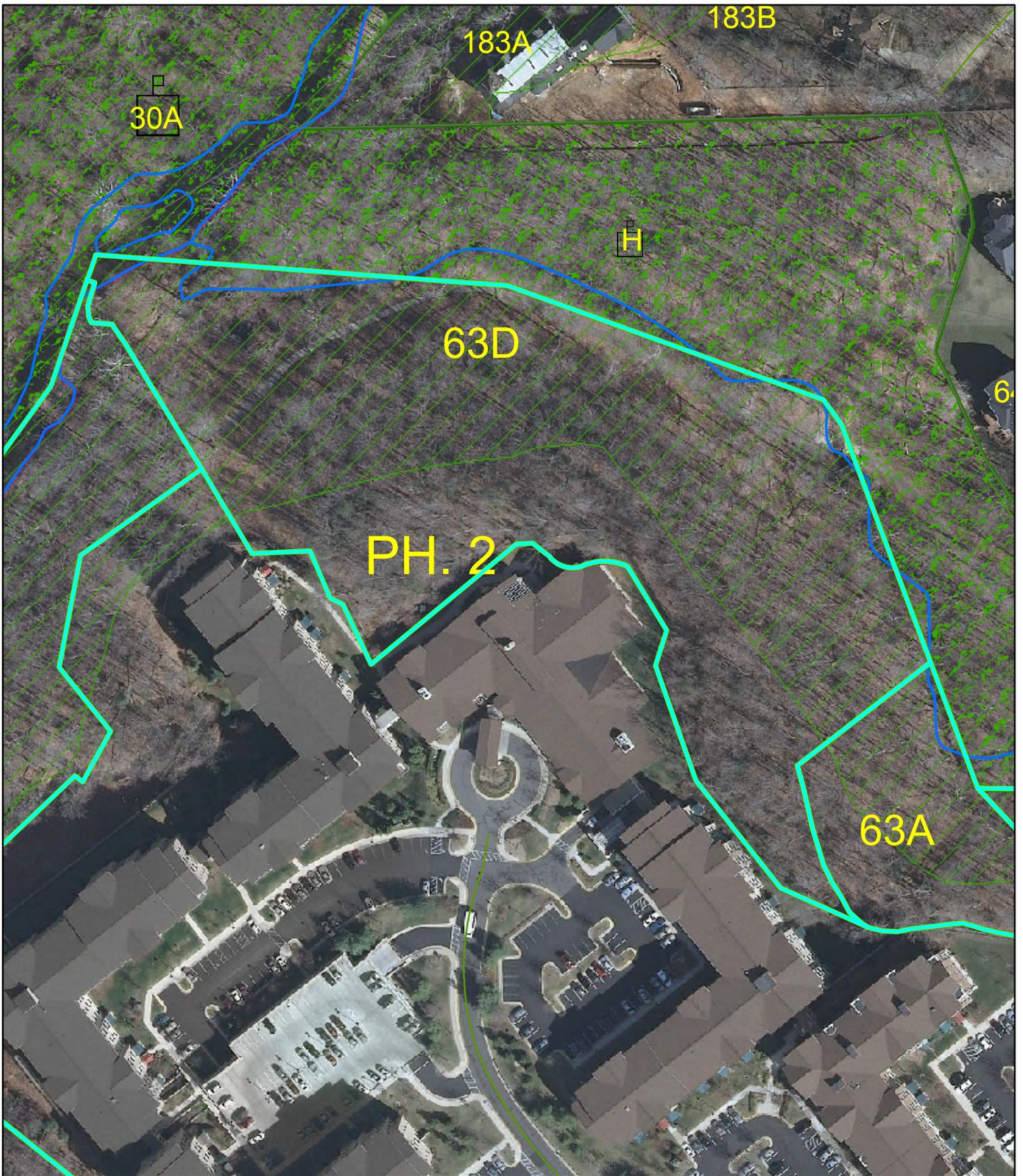
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 100 feet (473)





Parcel ID: 0901 01 0063D
 Supervisor District: LEE SPRINGFIELD

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

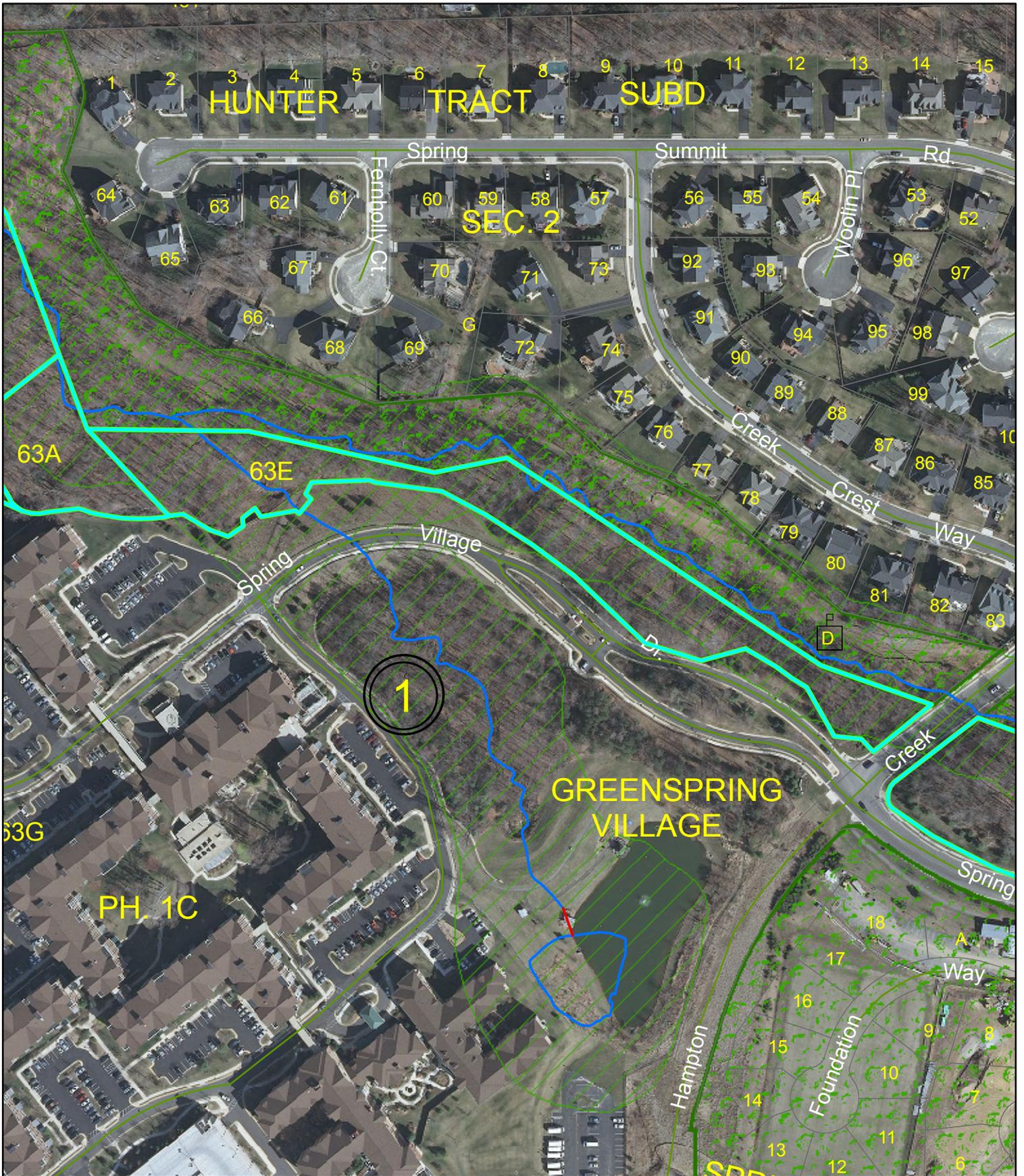
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 123 feet (474)





Parcel ID: 0901 01 0063E

Supervisor District: LEE

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

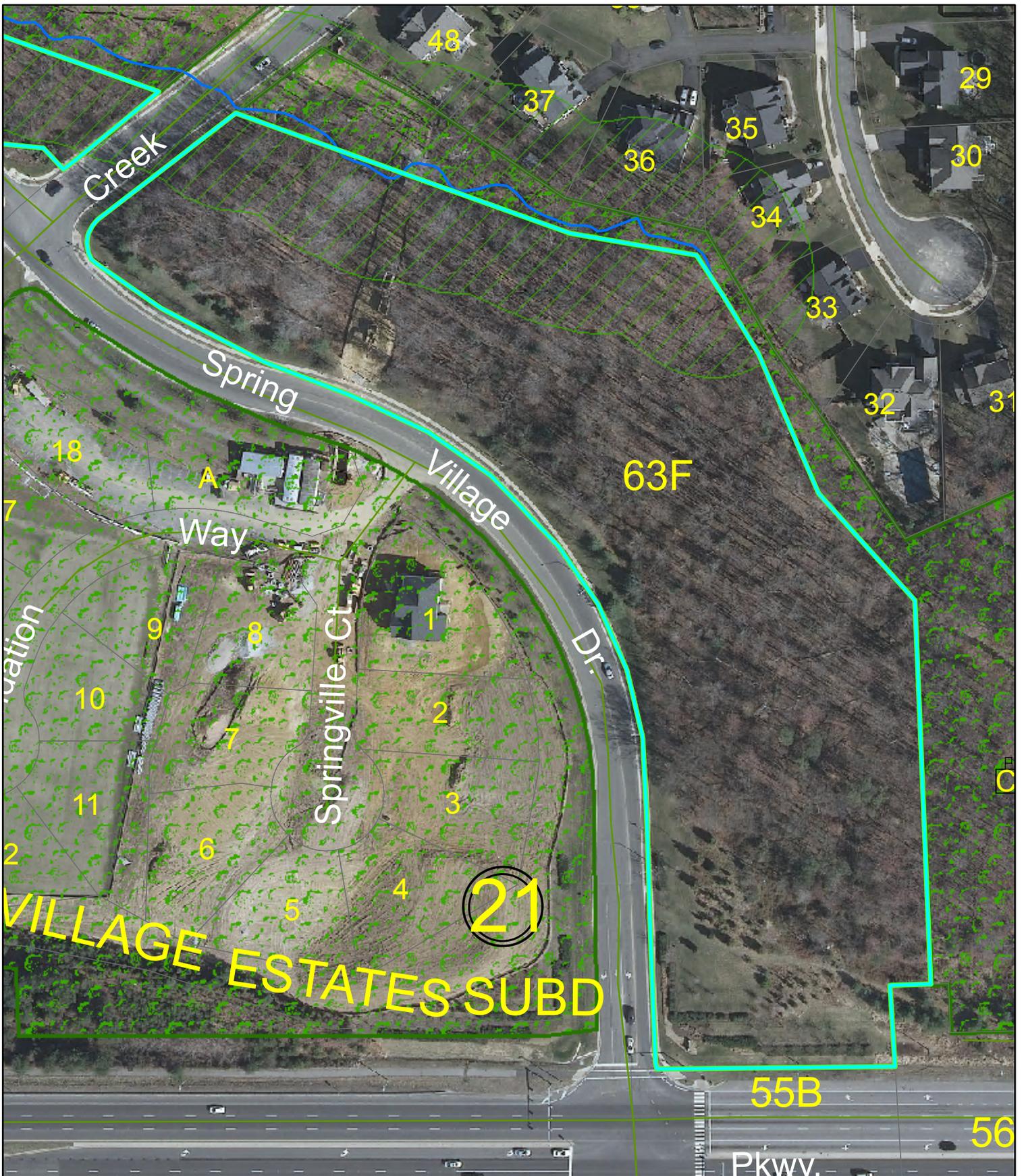
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 209 feet (475)





Parcel ID: 0901 01 0063F

Supervisor District: LEE

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

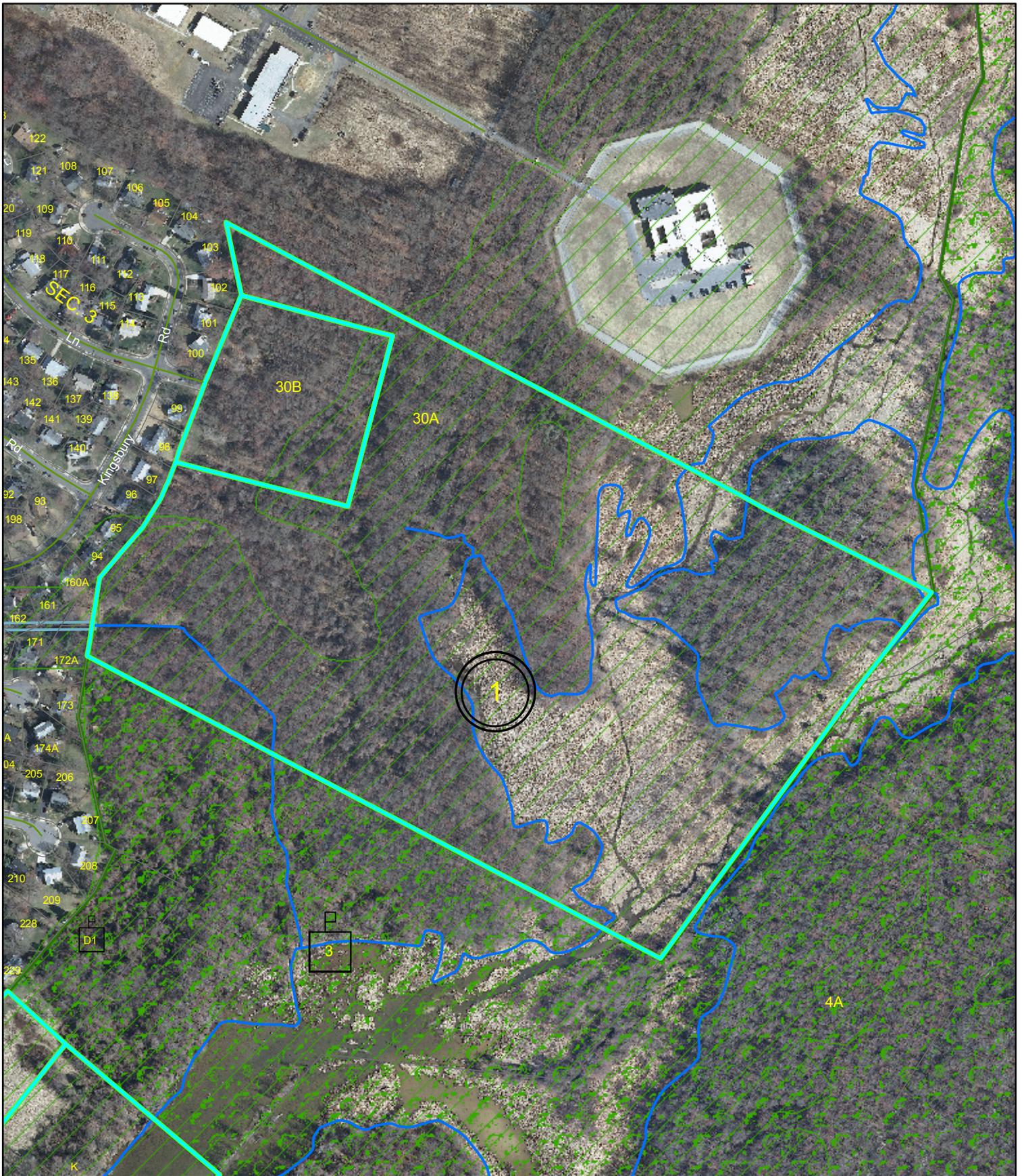
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 126 feet (476)





Parcel ID: 0914 01 0030A

Supervisor District: LEE

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 349 feet (477)





Parcel ID: 0914 01 0030B
 Supervisor District: LEE

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011
 1 inch = 100 feet (478)





Parcel ID: 1002 02 D2
 Supervisor District: LEE

Ortho Imagery, © 2009,
 Commonwealth of Virginia

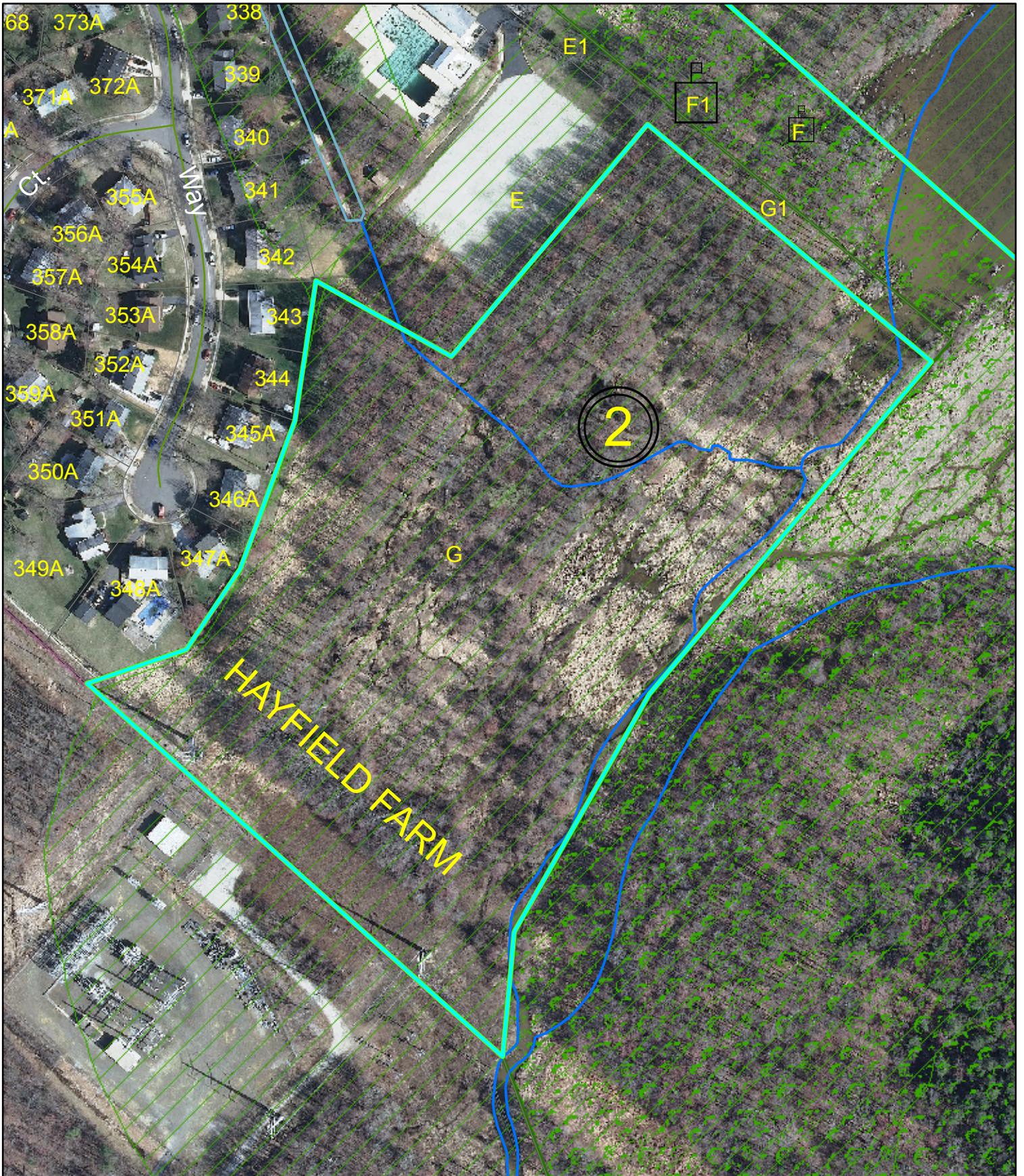
Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011
 1 inch = 100 feet (479)





Parcel ID: 1002 02 G
 Supervisor District: LEE MOUNT VERNON

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

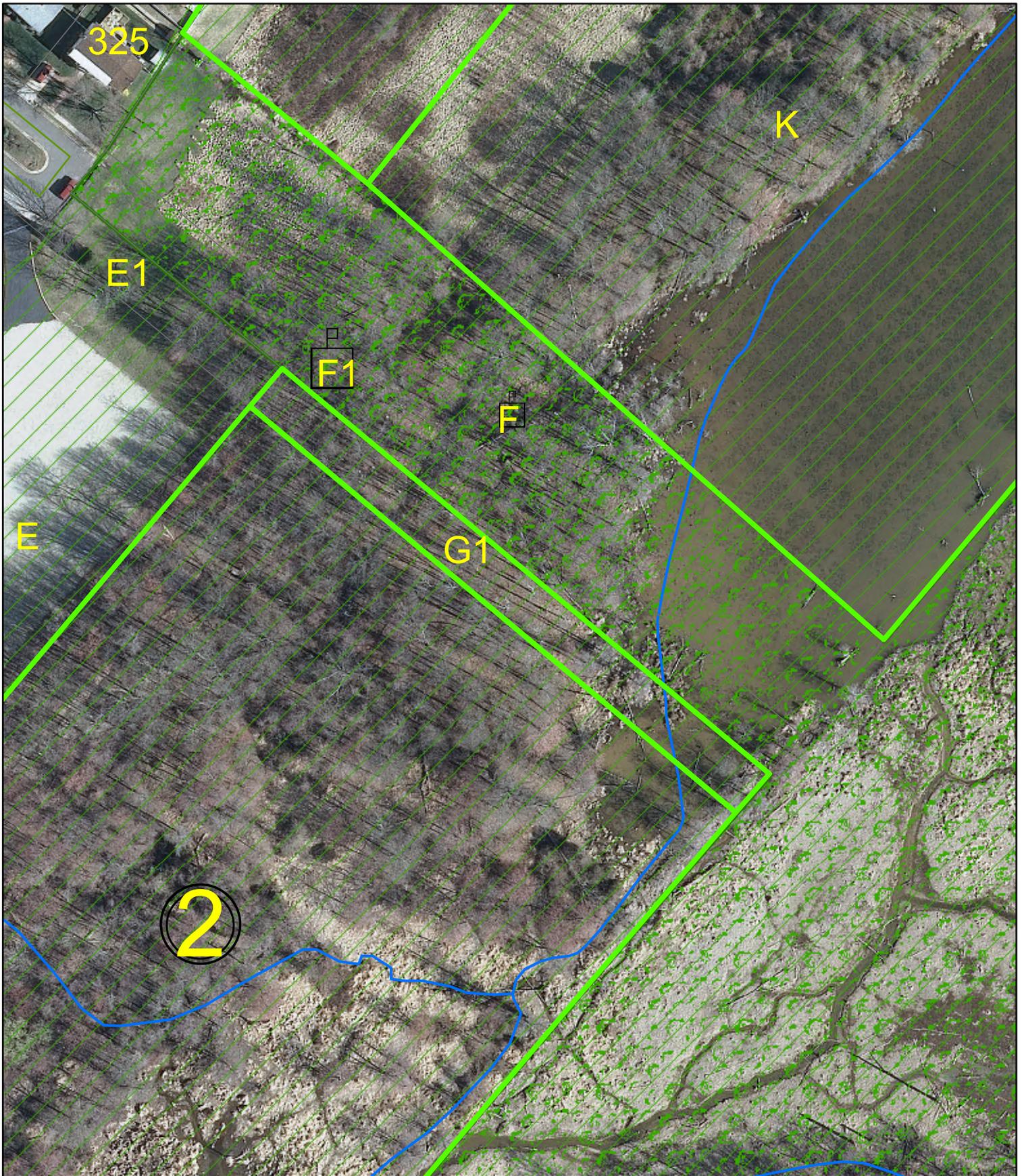
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 171 feet (480)





Parcel ID: 1002 02 G1

Supervisor District: LEE

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

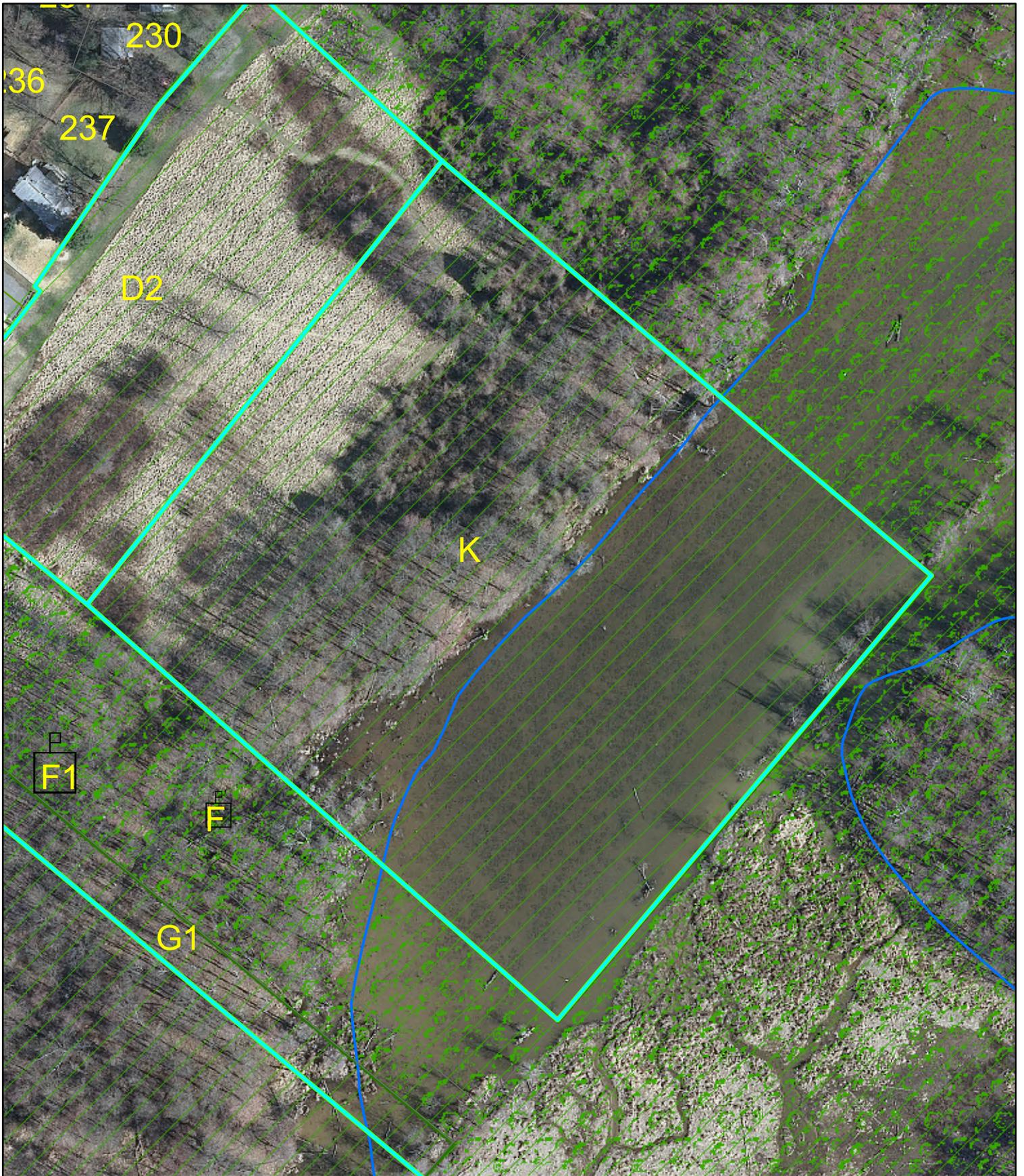
-  Parks - FCPA
-  CBPA Areas



02/15/2011

1 inch = 100 feet (481)





Parcel ID: 1002 02 K

Supervisor District: LEE

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 110 feet (482)





Parcel ID: 0811 01 0009C
 Supervisor District: MASON

Ortho Imagery, © 2009,
 Commonwealth of Virginia

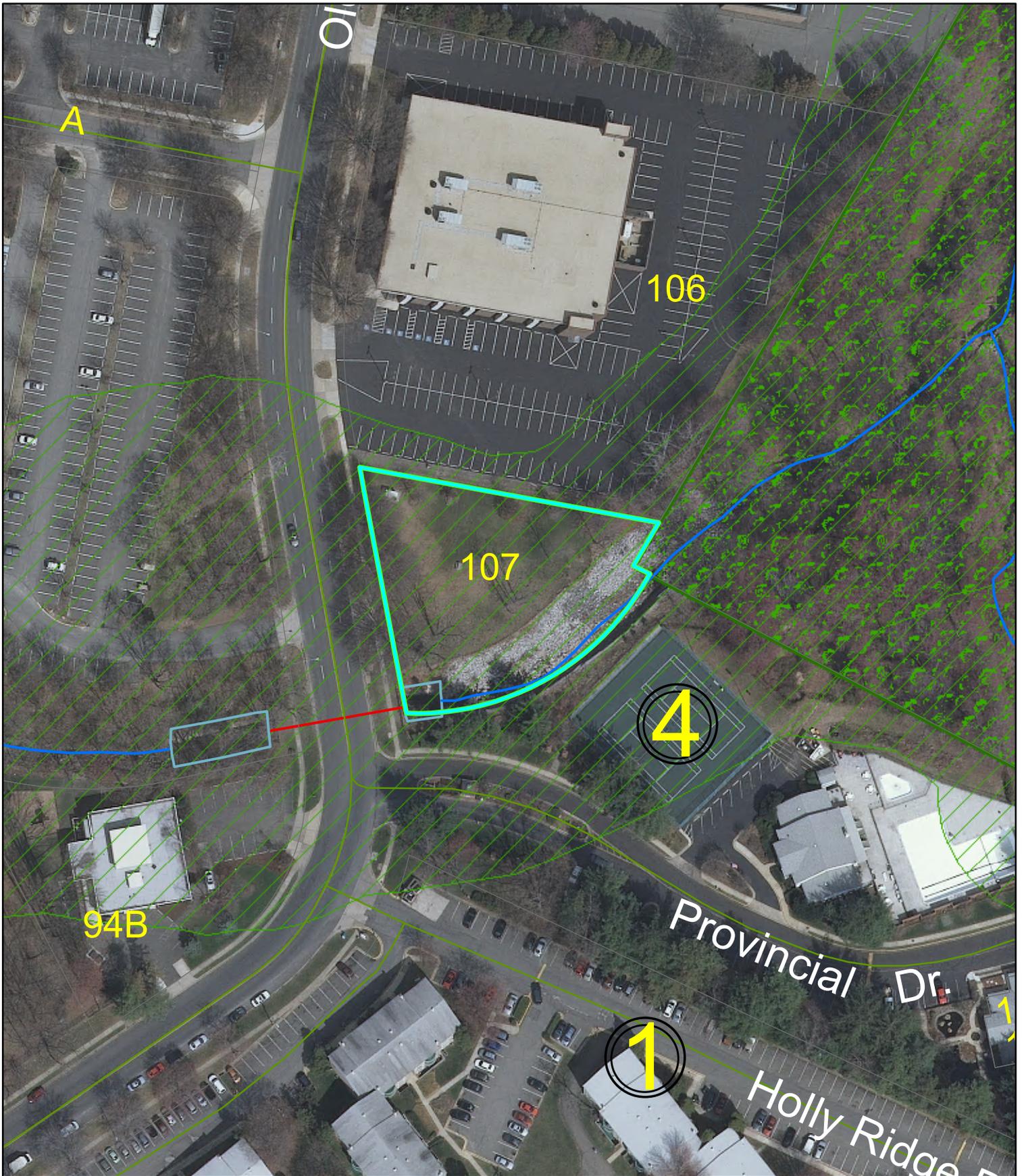
Legend

-  Parks - FCPA
-  CBPA Areas



1 inch = 300 feet (483)





Parcel ID: 0294 06 0107
 Supervisor District: PROVIDENCE

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

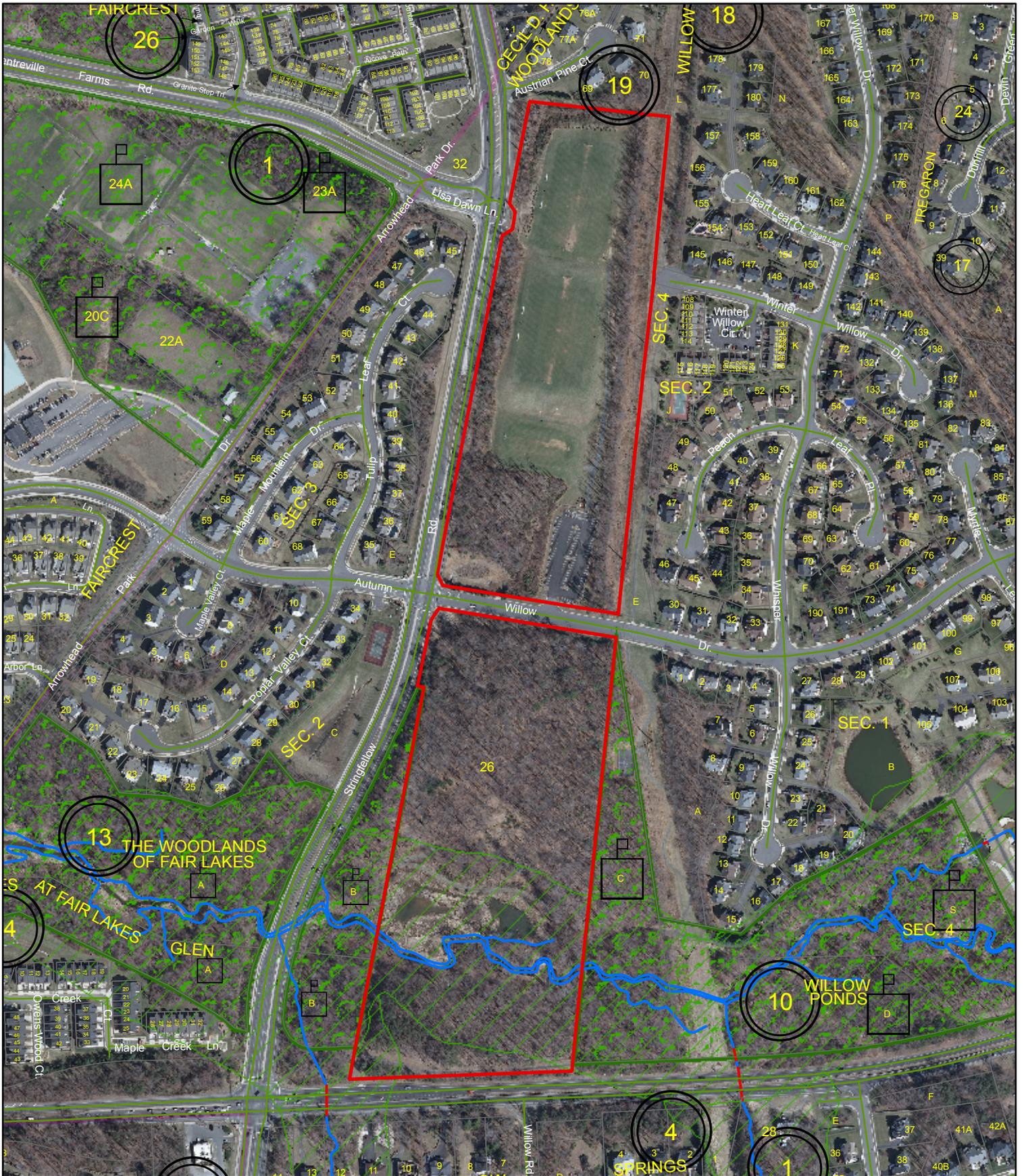
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 100 feet (484)





Parcel ID: 0553 01 0026

Supervisor District: SULLY
SPRINGFIELD

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 398 feet (485)





Parcel ID: 0662 01 0004B

Supervisor District: SPRINGFIELD

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

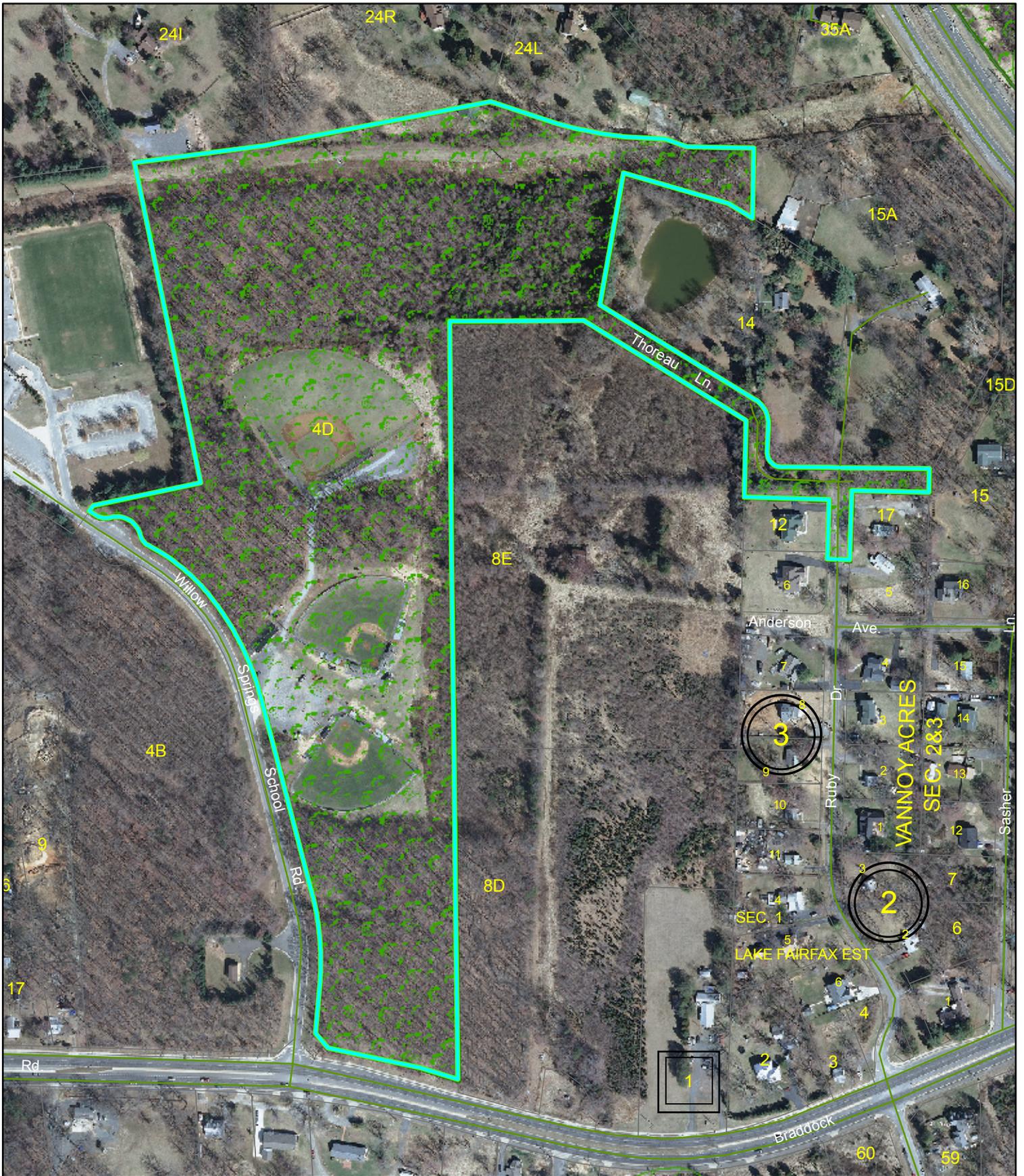
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 174 feet (486)





Parcel ID: 0662 01 0004D
 Supervisor District: SPRINGFIELD

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011
 1 inch = 303 feet (487)





Parcel ID: 0793 01 0005

LAND BANK

Supervisor District: SPRINGFIELD

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

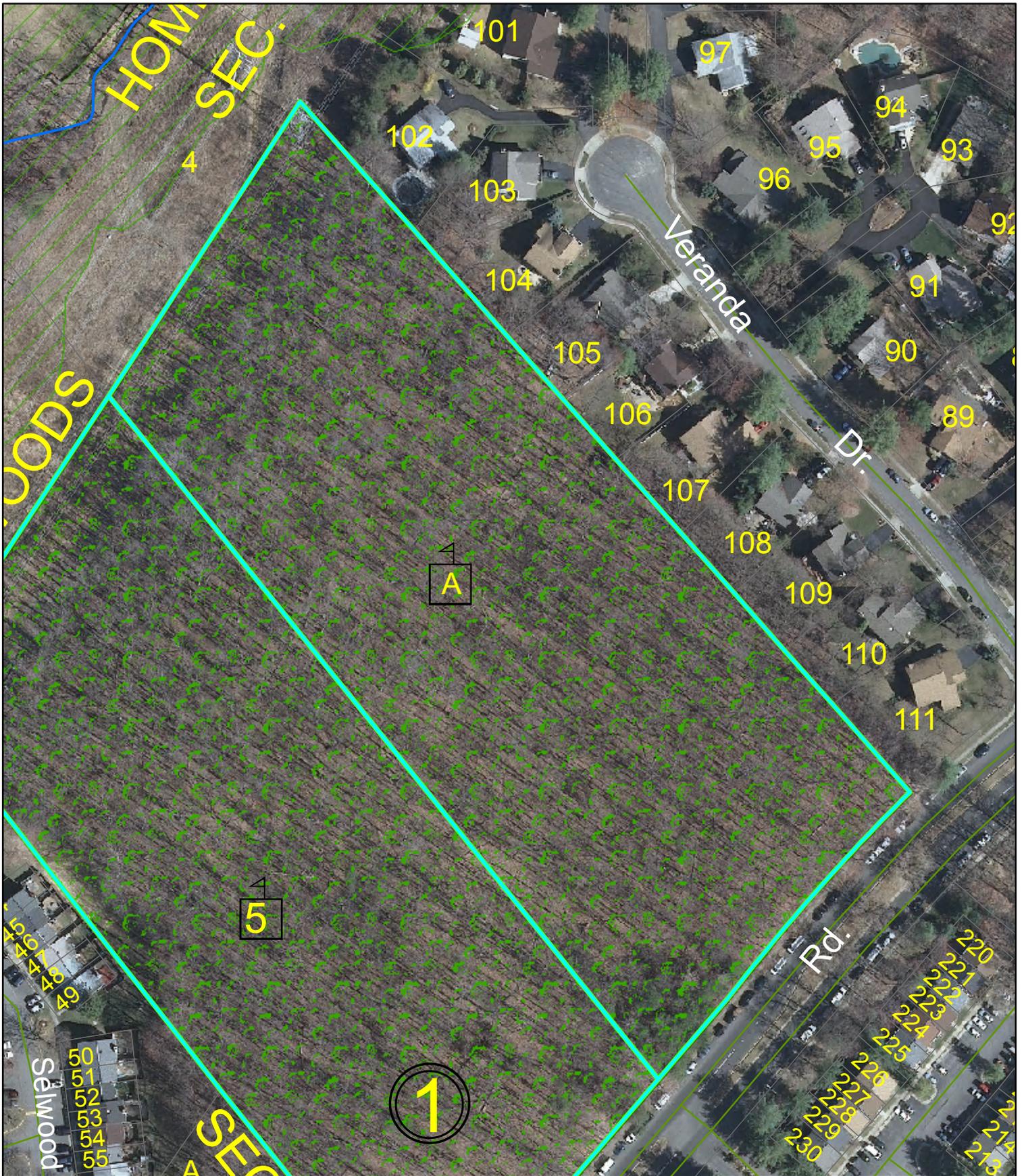
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 122 feet (488)





Parcel ID: 0793 17 A
 Supervisor District: SPRINGFIELD

LAND BANK

Ortho Imagery, © 2009,
 Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 125 feet (489)





Parcel ID: 0451 01 0007

Supervisor District: SULLY
SPRINGFIELD

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

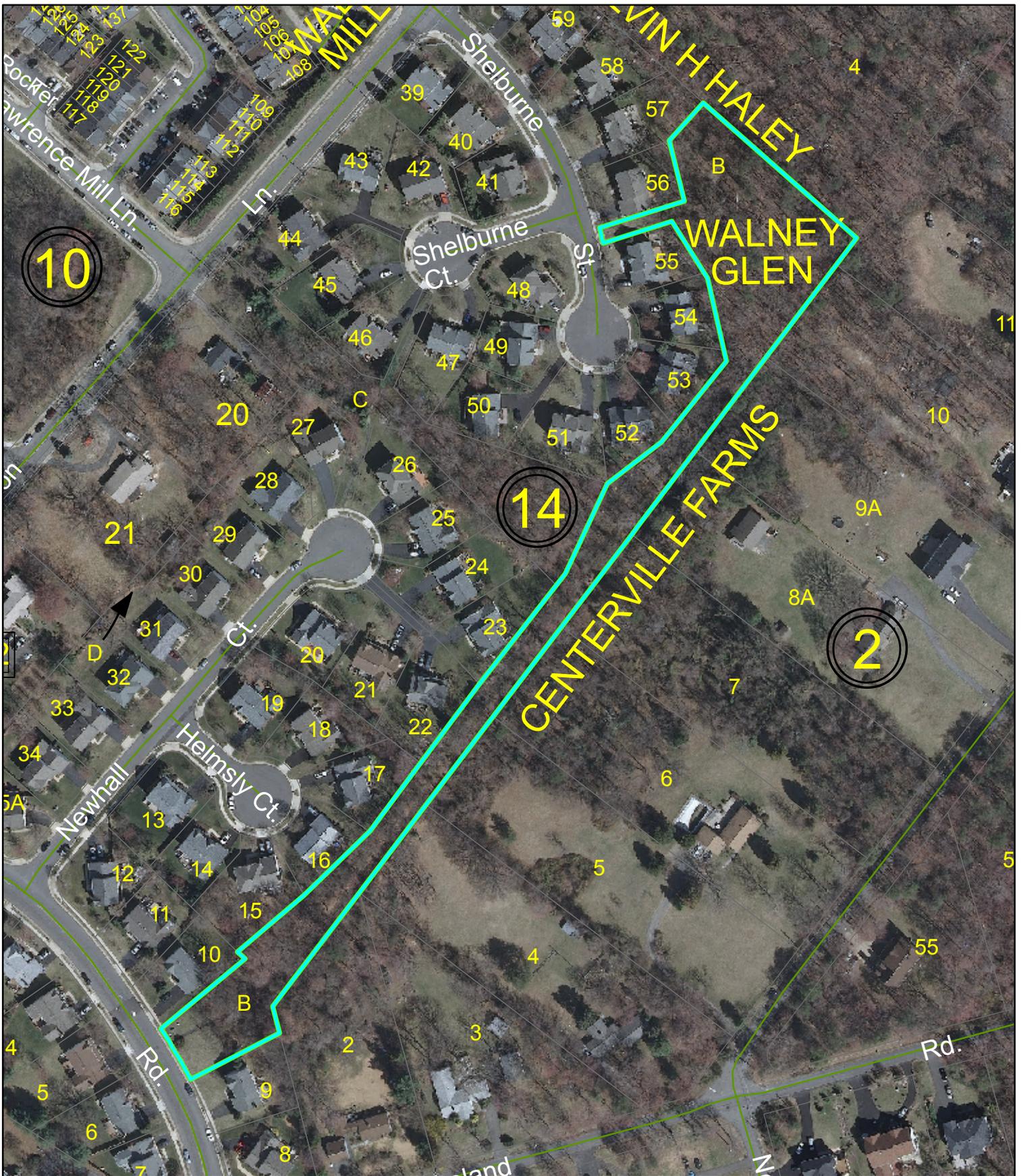
-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 276 feet (490)





Parcel ID: 0544 14 B

Supervisor District: SULLY

Ortho Imagery, © 2009,
Commonwealth of Virginia

Legend

-  Parks - FCPA
-  CBPA Areas



02/08/2011

1 inch = 171 feet (491)



AGREEMENT

THIS AGREEMENT is made this 14th day of November 2007, by and between the **BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA**, a body politic and corporate ("the Board"), and the **FAIRFAX COUNTY PARK AUTHORITY**, a body politic and corporate ("the Park Authority").

WHEREAS, the parties hereto mutually agree that in some cases the Board should receive consideration for the real property it conveys to the Park Authority in accordance with the provisions of this agreement; and

WHEREAS, the parties hereto mutually agree that the real property that is obtained by the Board by proffer, special exception condition, subdivision, site plan, or other means, for parks, recreation, or open space and is restricted by deed to parks, recreation, or open space uses should be excluded from this Agreement.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Board and the Park Authority hereby agree as follows:

1. Unless the Board decides otherwise, if the Board conveys a parcel of real property to the Park Authority without receiving any substantial consideration from the Park Authority for the conveyance, as consideration for such conveyance, the Board shall receive a credit for the tax-assessed value of the parcel in effect at the time of the conveyance, and such credit shall be reflected in an account (the "Land Bank") maintained by the Fairfax County Facilities Management Department or its successor agency.

2. Unless otherwise agreed to by the parties hereto, if the Park Authority conveys a parcel of real property to the Board without receiving any substantial

consideration from the Board for the conveyance, as consideration for such conveyance, the Board's credit balance in the Land Bank shall be reduced by the amount of the tax-assessed value of such parcel in effect at the time of the conveyance from the Park Authority to the Board. The Board may only reduce its credit balance by transfer of real property as approved by the Park Authority.

3. If the Board's credit balance in the Land Bank exceeds the amount of the tax-assessed value of any parcel conveyed by the Park Authority to the Board immediately before the conveyance, other than the reduction in the Board's credit balance as described in paragraph 2 above, the Park Authority shall receive no additional compensation from the Board for the conveyance.

4. If the Board's credit balance in the Land Bank is less than the amount of the tax-assessed value of any parcel conveyed by the Park Authority to the Board immediately before the conveyance, the Board's credit balance will be reduced to zero and the Board will provide consideration to the Park Authority equal to the difference between the parcel's tax-assessed value immediately before the conveyance and the Board's credit balance in the Land Bank immediately before the conveyance.

5. The total amount of the Board's credit balance in the Land Bank shall be adjusted annually on March 1st of each year to reflect the current tax-assessed values of the parcels in the Land Bank. For purposes of determining what parcels are in the Land Bank in order to make the annual adjustment, the parcels that are first included in the Land Bank shall be the first removed from the Land Bank when the Park Authority makes a conveyance to the Board that reduces the credit balance in the Land Bank. If only a portion of a parcel's tax-assessed value immediately before an annual adjustment remains

in the Land Bank, such portion of the parcel's tax-assessed value shall be adjusted by dividing it by the tax-assessed value of the entire parcel before adjustment and then multiplying the resulting percentage by the adjusted tax assessed value of the entire parcel.

6. For purposes of this agreement, if a parcel of real property does not have a tax-assessed value at the time it is conveyed to the Park Authority or the Board, the Fairfax County Department of Tax Administration or its successor shall determine what the tax-assessed value of the property would be at the time of the conveyance if the property were owned by a taxable person or entity at the time of the conveyance, and such value shall then be used to increase or decrease the credit balance in the Land Bank pursuant to the provisions of this agreement. For purposes of making the annual adjustment to the credit balance in the Land Bank as required by paragraph 5 above, if a parcel in the Land Bank does not have a tax-assessed value, the Fairfax County Department of Tax Administration shall determine on March 1st of each year, at the time the annual adjustment is made to the credit balance in the Land Bank, what the tax-assessed value of the parcel would be for the year (i.e., what the tax-assessed value of the parcel would be as of January 1st of that year) if the parcel were owned by a taxable person or entity, and such value shall then be used to determine the Land Bank credit balance for that year.

7. This agreement is governed by the laws of the Commonwealth of Virginia and is binding upon the parties and their successors and assigns.

8. This agreement shall not be amended or modified except by an agreement in writing by the parties. If any provision of this agreement is found to be invalid by a court of competent jurisdiction, such provision shall be severed from this agreement and all remaining provisions shall remain in full force and effect.

9. This agreement shall constitute the entire agreement between the parties hereto concerning the terms of the Land Bank, and any prior understanding or representation of any kind with respect to the Land Bank that precedes the date of this agreement shall not be binding upon the parties except to the extent incorporated in this agreement.

WITNESS the following signatures:

[SIGNATURES APPEAR ON FOLLOWING PAGE]

BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA

Executed on behalf of the Board of
Supervisors by authority granted by said
Board.

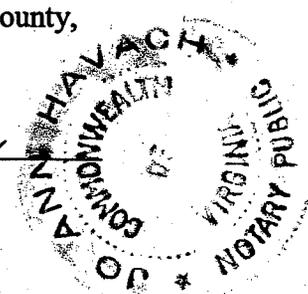
By: *A. Griffin*
Anthony H. Griffin
County Executive

COMMONWEALTH OF VIRGINIA)
COUNTY OF FAIRFAX) to-wit:

The foregoing Agreement was signed before me this 14 day of
NOVEMBER 2007 by Anthony H. Griffin, County Executive of Fairfax County,
Virginia.

My Commission Expires: JULY 31, 2008
NOTARY REGISTRATION NO.: 178038

JoAnn Hawach
Notary Public



FAIRFAX COUNTY
PARK AUTHORITY

Executed on behalf of the Board of the
Fairfax County Park Authority by
authority granted by said Board.

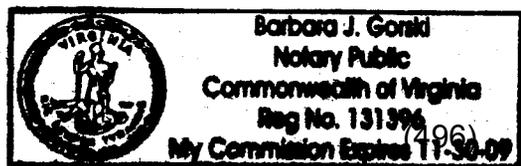
By: *T. White*
Timothy K. White, Acting Director
Fairfax County Park Authority

COMMONWEALTH OF VIRGINIA)
COUNTY OF FAIRFAX) to-wit:

The foregoing Agreement was signed before me this 6th day of November
2007 by Timothy K. White, Acting Director, Fairfax County Park Authority.

My Commission Expires: 11-30-2009

Barbara J. Gorski
Notary Public



AGREEMENT

This Agreement, made and entered into this the 24 day of SEPTEMBER 2007, by and between the **BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA** ("County"), a body corporate and politic, and the **FAIRFAX COUNTY PARK AUTHORITY** ("Authority"), a body corporate and politic, recites and provides:

RECITALS

A. The County is the owner of various tracts of real property situate in Fairfax County, Virginia, by virtue of a deed from the Fairfax County School Board ("School Board") dated September 6, 2006, and recorded in Deed Book 18742, at Page 675 among the land records of Fairfax County, Virginia. Certain of these tracts are enumerated as Item Nos. 1-8 on the attached Exhibit A (collectively, the "Properties," individually, the "parcel" or "parcels"). Some of the parcels are unimproved while other parcels include various athletic fields and/or other types of recreation areas.

B. The Properties were formerly subject to an Interim Use Agreement dated July 1, 2004 ("IUA"), between the School Board and the Authority whereby the Authority was authorized to use the Properties for park purposes and was responsible for maintaining certain facilities located thereon.

C. The IUA expired on February 9, 2007, for the first seven parcels listed on Exhibit A, and on March 7, 2007, for the Reston Secondary School Site, which is the last parcel identified on Exhibit A.

D. It is the desire of the County and the Authority to continue substantially the same landlord/tenant relationship with regard to the Properties as had existed between the School Board and the Authority under the IUA.

TERMS AND CONDITIONS

NOW, THEREFORE, for and in consideration of foregoing recitals, the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Right to Use the Properties.** The County hereby grants to the Authority, together with its agents, employees, licensees, and invitees, the right to use the Properties for park purposes.

2. **Term.**

(a) The term of this Agreement shall be deemed to have commenced on the date of expiration of the IUA for each parcel, which dates are set forth in Paragraph C above, and shall expire on March 7, 2017, unless renewed or terminated pursuant to the terms of this Agreement.

(b) If the Authority fails to comply with its obligations hereunder, the County may notify the Authority in writing of such alleged breach and shall describe the nature of the alleged breach. If the Authority fails to remedy the alleged breach within 30 days after receipt of written notification of the alleged breach, then the County shall have the right to terminate this Agreement by providing to the Authority 30 days prior written notice of its intention to terminate. This right of termination is in addition to any and all other rights and remedies the County may have in law or in equity.

(c) If the County fails to comply with its obligations hereunder, the Authority may notify the County in writing of such alleged breach and shall describe the nature of the alleged breach. If the County fails to remedy the alleged breach within 30 days after receipt of written notification of the alleged breach, then the Authority shall have the right to terminate this Agreement by providing to the County 30 days prior written notice of its intention to terminate. This right of termination is in addition to any and all other rights and remedies the Authority may have in law or in equity.

(d) This Agreement shall automatically extend for 2 additional terms of 5 years each (for a total, with the initial approximately 10-year term, of 20 years) unless, not less than 6 months before the date of expiration of either the ten-year term or the initial 5-year extension term, the Authority provides to the County written notice of its intention to exercise its right to terminate the Agreement as of the expiration of such term.

3. **Removal of Parcels.** Should the County desire (i) to dispose of one or more of the parcels, or portion(s) thereof, in any manner other than by conveyance to the Authority, or (ii) to use one or more of the parcels, or portion(s) thereof, for purposes inconsistent with the Authority's use of such parcels under this Agreement, the County may do so at any time during the term of this Agreement by providing 6 months prior written notice to the Authority of the removal of such parcel(s) from the scope of this Agreement. Such removal shall serve to terminate the applicability of this Agreement to the parcel(s) so removed and the parties shall have no further obligation with respect to such parcel(s) under this Agreement unless specifically provided herein. Should the County convey one or more of the parcels to the Authority, such conveyance shall serve to immediately terminate this Agreement as to the parcel(s) so conveyed. This Agreement shall remain in full force and effect for any remaining parcel(s).

4. **Facilities Not Constructed by the Authority.** For those facilities constructed on the Properties, but not constructed by the Authority, the County expressly retains the right to use such facilities and the Authority's right to use such facilities shall

be subject to their availability during times when the County is not using such facilities for public purposes. The Authority agrees to coordinate its use of such facilities with the County, and if the Authority's use conflicts with any use of such facilities by the County, the County's use shall have priority.

5. **Facilities Constructed by the Authority.** The County may use Authority-constructed facilities located on a parcel provided such use shall be subject to their availability during times when the Authority is not using such facilities for Authority purposes and the County follows the policies and practices governing other users of Authority-constructed facilities. The County agrees to coordinate its use of such facilities with the Department of Community and Recreation Services, and agrees that if the County's use conflicts with the Authority's use of such facilities, the Authority's use shall have priority.

6. **Maintenance.** During the term of this Agreement or any extension thereof, the Authority is responsible for all maintenance of the Properties. Such maintenance shall be consistent with typical Authority maintenance standards or, if there are no such standards, consistent with the standards of reasonable property maintenance. By way of example, and not limitation or augmentation, there currently are located on the Blake Lane School Site certain recycling containers. In the event that such containers require servicing, it shall be the responsibility of the Authority, and not the responsibility of the Facilities Management Department of the County, to coordinate the servicing of such containers with the Solid Waste Collection & Recycling Division of the Department of Public Works & Environmental Services.

7. **Construction of Athletic and/or Recreation Facilities by the Authority.** The County hereby grants to the Authority, together with its agents and employees, subject to the following terms and conditions, the right to construct athletic and/or recreational and/or other park facilities ("Improvement Right") on the Properties.

(a) **Matters Covered by the Improvement Right.** The Improvement Right shall include the right to construct permanent and temporary improvements on the Properties and the right to make alterations and modifications to a field or its supporting structures or amenities, and any other improvements that the Authority may request.

(b) **Improvement Proposals.** The Authority shall not exercise the Improvement Right upon any of the parcels without the prior written consent of the County, which consent shall not be unreasonably withheld and which consent shall be obtained on the following terms and conditions:

(1) **Authority's Proposal.** From time to time during the term of this Agreement, the Authority may submit an improvement proposal ("Improvement Proposal") to the County, which Improvement Proposal shall describe the proposed improvement, including a general plan for the timing of the improvement, the site conceptual development plan for the improvement, and any request that the County share

in the cost of the improvement. All Improvement Proposals shall originate from the Director of the Authority.

(2) County's Response. The County shall in writing, within 90 days after receipt of the Improvement Proposal (i) approve the Improvement Proposal; (ii) request additional information; or (iii) disapprove of the Improvement Proposal. If the County fails to act upon an Improvement Proposal within 90 days after receipt, the Improvement Proposal shall be deemed accepted and approved as presented, except that any request that the County share in the cost of the improvement shall not be deemed accepted and approved by the failure of the County to act upon an Improvement Proposal within such 90-day period. Such deemed approval shall not relieve the Authority from its obligation to comply with all federal, state, and County laws and regulations that apply to such Improvement Proposal. If the County requests additional information or disapproves the Improvement Proposal, then the parties shall endeavor to resolve the matter on or before the date that is 90 days after the date on which the County received the Improvement Proposal. If the County and the Authority are unable to agree upon the resolution of the Improvement Proposal, then the Authority may, in its discretion, elect to remove the parcel that forms the subject of the Improvement Proposal from the scope of this Agreement. In such event, this Agreement shall remain in full force and effect as to the remaining parcels. The decision of the County regarding any Improvement Proposal shall be final.

(c) Design and Construction of Improvement. After the County has approved the Improvement Proposal, a representative from the County shall be designated as a member of the Authority's Project Team during the design and construction stages of the improvement.

(d) Improvement Costs. Unless otherwise agreed to by the parties, all costs of any improvement undertaken by the Authority or its agents or employees pursuant to this Agreement shall be the sole responsibility of the Authority.

(e) County Development Standards. All improvements undertaken in accordance with this section by the Authority shall meet or exceed the County's development standards. The Authority shall perform all construction in a workmanlike manner and shall obtain all necessary permits and approvals and comply with all applicable laws, regulations, and policies.

(f) Ownership of Improvements. The parties understand and agree that any and all improvements that constitute fixtures installed by the Authority on the Properties shall become the property of the fee owner of the respective parcels upon the termination of this Agreement. All non-fixture improvements installed by the Authority on the Properties shall remain the property of the Authority, provided the Authority removes such non-fixture improvements within 30 days of the termination of this Agreement as to the parcel(s) on which they are located and restores such property to its original condition to the extent reasonably practicable.

(g) Removal of Improvements. Upon termination of this Agreement or the removal of any of the parcels pursuant to Paragraph No. 3 of this Agreement, if the County requests, the Authority, at its sole expense, shall remove any facilities or improvements installed by the Authority and shall restore the subject property to its original condition to the extent reasonably practicable.

8. Authority's Obligations.

(a) The Authority shall (i) obtain, maintain and comply with the terms and conditions of any governmental licenses, permits, or approvals required for the activities of the Authority on the Properties, and (ii) comply with all applicable laws, statutes, ordinances, and regulations including, without limitation, zoning ordinances and building codes applicable to such activities.

(b) If the County reasonably believes that the Authority's exercise of its rights hereunder has caused damage to a parcel (excluding ordinary wear and tear), then the County shall notify the Authority in writing of the alleged damage. If, within 15 days after receipt of such written notification the Authority has not commenced the necessary repairs, then the County shall have the right to access the parcel(s) to perform such repairs. If, in the County's sole discretion, the damage represents a safety hazard, then the Authority will repair the damage immediately. In the event the damage was caused by the Authority's exercise of its rights hereunder (excluding ordinary wear and tear) and if the County repairs such damage, the Authority shall promptly reimburse the County for any and all actual costs reasonably incurred by the County in the repair of such damage.

(c) The Authority shall be responsible for keeping the Properties free of trash and debris resulting from the use of the Properties.

9. Access. The County reserves the right of unlimited access to and from the Properties, as necessary. If it is determined by the County that such access may impact the Authority, the County will verbally notify the Authority prior to accessing the Properties.

10. No Liens. The Authority shall not enter into any contract or arrangement with any person, firm, or corporation or do any act, or omit to do any act, that might give rise to or result in the filing of any lien or encumbrance against any of the parcels. If any notice of lien shall be filed against any of the parcels, or if any lien or encumbrance shall be applicable thereto or any part thereof as a result of any such act or omission of the Authority, the Authority shall take such action (at its sole cost and expense) as shall be required to cause such lien to be discharged promptly.

11. Condemnation or Casualty. In the event that all or any part of the Properties shall be taken or condemned by a public authority or damaged by fire or any other casualty, and as a result any of the Properties are not fit or available for use by the

Authority, this Agreement shall automatically terminate as of the date of such taking or casualty, while remaining in full force and effect as to all other parcels. Neither party shall have any obligation to the other party to repair or restore that parcel or any part thereof. The Authority shall have no right or claim to any condemnation award as a result of any such condemnation.

12. **Entire Agreement.**

(a) The terms, conditions, and covenants herein constitute the entire agreement between the parties hereto with respect to the subject matter hereof and supersede all prior discussions, understandings, agreements, and negotiations between the parties hereto with respect to the Authority's use of the Properties.

(b) This Agreement may be modified only by a written instrument duly executed by the parties hereto, except that the County may remove any of the parcels from this Agreement by providing the notice required by Paragraph No. 3 above, and the Authority may remove any of the parcels from this Agreement as provided in Paragraph No. 7(b)(2) above, without obtaining a written instrument signed by both parties.

13. **Governing Law.** This Agreement shall be governed by and construed and interpreted in accordance with the laws of the Commonwealth of Virginia, without regard to principles of conflicts of laws.

14. **Severability.** If any term, covenant or condition of this Agreement, or the application thereof to any person or circumstance, shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition to other persons or circumstances, shall not be affected thereby, and each term, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

15. **Time of the Essence.** Time is of the essence with regard to each and every term herein to which time is an element.

16. **Requests, Proposals, Notices.** All requests, proposals, notices and other communication hereunder shall be in writing unless otherwise specified herein and shall be sent or delivered by certified mail, return receipt requested, to the address set forth below (or such other address as may be hereafter specified in writing):

To the County: Board of Supervisors of Fairfax County, Virginia
 Facilities Management Department
 12000 Government Center Parkway, Suite 424
 Fairfax, Virginia 22035-0011
 Attn: Director, FMD

To the Authority: Director, Fairfax County Park Authority
12055 Government Center Parkway, Suite 927
Fairfax, Virginia 22035-1118

WITNESS the following signatures and seals:

BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

Approved and executed on behalf of the Board of Supervisors of Fairfax County, Virginia, by the authority granted by said Board.

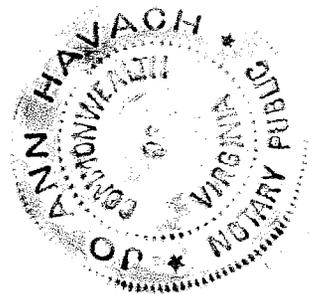
By: *AH Griffin*
Anthony H. Griffin, County Executive
Fairfax County, Virginia

Commonwealth of Virginia:
County of Fairfax, to wit:

The foregoing Deed of Easement was acknowledged before me by Anthony H. Griffin, County Executive, on behalf of the Board of Supervisors of Fairfax County, Virginia, this 4TH day of OCTOBER 2007.

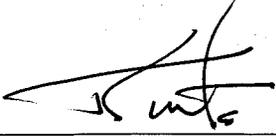
 Jo Ann Havach
Notary Public
My commission expires: July 31, 2008

Notary Registration Number: 178038



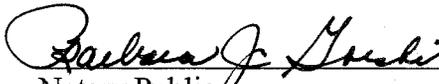
FAIRFAX COUNTY PARK AUTHORITY

Approved and executed on behalf of the Fairfax County Park Authority, by the authority granted by the Park Authority Board.

By: 
Timothy K. White, Acting Director
Fairfax County Park Authority

Commonwealth of Virginia:
County of Fairfax, to wit:

The foregoing Deed of Easement was acknowledged before me by Timothy K. White, Acting Director, on behalf of the Fairfax County Park Authority, this 1st day of October 2007.


Notary Public
My commission expires: 11-30-09

Notary Registration Number: 131396

s:\oakley\agmt bos fcpa surplus properties interim use june 2007 version d.doc

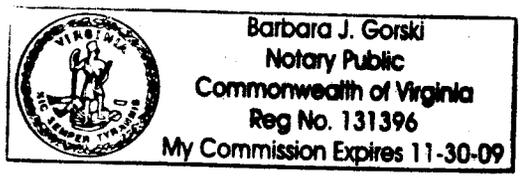


EXHIBIT A

1. Blake Lane School Site—Tax Map Nos. 047-2-01-0123; 047-2-17-B
2. Fairfax Park School Site—Tax Map Nos. 079-3-01-0005; 079-3-17-A
3. Hickory Run School Site—Tax Map Nos. 012-4-07-N
4. Lake Braddock School Site—Tax Map No. 069-3-06-P
5. Lawyers Road School Site—Tax Map No. 037-2-15-A
6. Old Dominion School Site—Tax Map Nos. 020-1-01-0016A; 020-1-10-B
7. Rolling Woods School Site—Tax Map Nos. 089-4-06-D; 098-2-06-D9
8. Reston Secondary School Site (also known as the Baron Cameron Site)
—Tax Map No. 011-4-01-0005

Board Agenda Item
July 26, 2011

5:00 p.m.

Public Hearing to Consider Two Ordinances Amending Fairfax County Code Chapter 7
Relating to Election Precincts

ISSUE:

Two ordinances that propose to amend Chapter 7 of the Fairfax County Code relating to election precincts. The first proposed ordinance would be effective for the August 23, 2011, primary election and will adjust the Skyline precinct boundary and permanently move the polling place for the Skyline precinct in Mason District. The second proposed ordinance would be effective for the November 8, 2011, general election and will (1) create 15 new precincts, (2) rename 13 existing precincts (3) adjust the boundaries of 65 precincts, (4) abolish 8 existing precincts through consolidations, and (5) move 10 polling places to new locations. These proposed changes will conform the precinct boundaries to the boundaries of the newly adopted election districts for the Virginia Senate and House of Delegates that were enacted by the General Assembly and signed by the Governor on April 29, 2011, and for the newly adopted Supervisor Districts.

RECOMMENDATION:

The County Executive recommends adoption of the two ordinances.

TIMING:

The Board authorized this public hearing on July 12, 2011. Board action on July 26, 2011, is necessary to provide sufficient time to complete the federal preclearance process in advance of the August 23, 2011, primary elections and the November 8, 2011, general election.

BACKGROUND:

The decennial reapportionments of Virginia General Assembly and Fairfax County election districts have been completed and the United States Department of Justice has completed the preclearance review required by Section 5 of the Federal Voting Rights Act of 1965, as amended. As a result of these reapportionments, the Office of Elections is recommending adjustments to a number of voting precincts in order to conform them to the new district boundaries adopted by the General Assembly and the Board of Supervisors.

Board Agenda Item
July 26, 2011

Virginia Code allows the governing body of each county and city to establish, by ordinance, as many precincts as it deems necessary with one polling place for each precinct. Each governing body is authorized to increase or decrease the number of precincts and alter precinct boundaries and polling place locations subject to the requirements of Virginia Code Sections 24.2-305, 24.2-307, 24.2-310 and 24.2-310.1. However, precincts and polling places cannot be changed within the 60 days preceding a general election. The Virginia Code requires that each of these election districts and precincts have clearly defined and observable boundaries.

The Office of Elections, with the assistance of the County's Geographic Information Services (GIS), has conducted a review of existing precincts, and staff recommends the following changes to ensure conformity of the precinct boundaries to the new district boundaries and to establish convenient, accessible facilities for polling places. In making the following recommendations, the Office of Elections has attempted to minimize the number of voters relocated while trying to optimize use of available facilities, voting equipment, and election officers.

As required by the Virginia Code, the General Registrar will send new Virginia Voter Information Cards to all active registered voters who are affected by any change in their polling places or voting districts. The Office of Elections will be asking the assistance of the Office of Public Affairs, Channel 16, local news agencies, the political parties, neighborhood associations and other organizations to publicize these mailings.

It should be noted that additional precinct boundary adjustments may be necessary after the General Assembly completes the redistricting process for the U. S. House of Representatives.

Attachment 3 contains a summary of the proposed changes and Attachment 4 contains maps of the present and proposed boundaries and polling places, as well as the descriptions of the affected precincts in the following Supervisor districts:

Braddock District recommendations:

(1) Divide Kings Park precinct to conform to the new boundary between the 35th and 37th Senate Districts and create a new precinct to be named "Danbury." The polling place for Danbury precinct will be established at the Kings Glen Elementary School located at 5401 Danbury Forest Drive, Springfield. The polling place for Kings Park precinct will remain at Kings Park Elementary school.

(2) Divide Lake Braddock precinct to conform to the new boundary between the 34th and 37th Senate Districts and the 39th and 41st Delegate Districts. The 180 voters in the 34th Senate and 41st Delegate Districts will be moved into Olley precinct and the 268 voters in the 34th Senate and 39th Delegate Districts will be moved into Long Branch precinct.

Board Agenda Item
July 26, 2011

The polling place for Lake Braddock precinct will remain at Lake Braddock Secondary School. The Olley and Long Branch precincts are recommended for consolidation in items (4) and (5) below.

(3) Divide the Woodson precinct to conform to the new boundary between the 37th and 41st Delegate Districts and create a new precinct from the western portion of Woodson precinct to be named "University." The polling place for University precinct would be established at George Mason University's University Hall located at 4441 George Mason Boulevard, Fairfax.

(4) Consolidate the eastern portion of Woodson precinct with Olley and Olde Creek precincts. Olley precinct will be abolished and the reconfigured Olde Creek precinct will be renamed "Little Run." The polling place for the reconfigured Little Run precinct will be established at the Little Run Elementary School located at 4511 Olley Lane, Fairfax, and the reconfigured Woodson precinct will continue to vote at Woodson High School.

(5) Combine Long Branch and Oak Hill precincts into one precinct to conserve resources. Oak Hill precinct will be renamed "Canterbury" and Long Branch precinct will be abolished. The Canterbury precinct polling place will remain at the Canterbury Woods Elementary School which previously served as the polling place for both Long Branch and Oak Hill precincts.

Hunter Mill District recommendations:

(1) Divide Flint Hill precinct to conform to the new boundary between the 32nd and 34th Senate and the 35th and 36th Delegate Districts and create a new precinct to be named "Madison." The polling place for Madison precinct will be established at Madison High School located at 2500 James Madison Drive, Vienna. The polling place for Flint Hill precinct will remain at Flint Hill Elementary School.

Dranesville District recommendation:

(1) Divide Salona precinct to conform to the new boundary between the 34th and 48th Delegate Districts. Salona will be renamed "Salona #1" and the new precinct will be named "Salona #2". The polling place for Salona #2 will be established at the Franklin Sherman Elementary School located at 6630 Brawner Street, McLean, which also serves as the polling place for Salona #1.

Lee District recommendations:

(1) Reconfigure the boundaries between Hayfield and Rose Hill precincts to conform to the boundary between the 30th and 36th Senate and the 43rd and 44^h Delegate Districts and realign boundaries with Villages precinct. The reconfigured Hayfield, Rose Hill and

Board Agenda Item
July 26, 2011

Villages precincts will continue to vote at Hayfield Elementary School, Rose Hill Elementary School and Hayfield Secondary School, respectively.

(2) Divide Wilton precinct to conform to the boundary between the 30th and 36th Senate Districts and consolidate precincts. The eastern portion of Wilton will be combined with Mount Eagle precinct, the western portion of Wilton will be combined with Virginia Hills precinct and Wilton will be abolished. Mount Eagle and Virginia Hills precincts will continue to vote at the Mount Eagle Elementary School and the Virginia Hills Center, respectively.

(3) Divide Groveton precinct to conform to the boundary between the 30th and 36th Senate Districts and create a new precinct to be named "Hybla Valley." The polling place for Hybla Valley precinct will be established at the Hybla Valley Elementary School located at 3415 Lockheed Boulevard, Alexandria. The polling place for the Groveton precinct will be moved from Hybla Valley Elementary School to Groveton Elementary School located at 6900 Harrison Lane, Alexandria.

(4) Reconfigure the boundaries of Fairfield precinct and Pinewood precinct to balance the sizes of the precincts. Both Fairfield and Pinewood precincts will continue to vote at Mount Vernon Woods Elementary School.

(5) Move the polling place for Van Dorn precinct from Franconia Elementary School to Key Middle School located at 6402 Franconia Road, Springfield. The new location will provide a larger parking area and additional space for voters.

(6) Move the polling place for Franconia precinct from the Snyder Center (a private community center) to Edison High School located at 5801 Franconia Road, Alexandria. The new location will provide a larger parking area and additional space for voters.

Mason District recommendations:

(1) Divide Sleepy Hollow precinct to conform to the boundary between the 35th and 37th Senate Districts and reconfigure the Sleepy Hollow, Barcroft, Masonville and Ravenwood boundaries. The reconfigured Sleepy Hollow, Barcroft, Masonville and Ravenwood precincts will continue to vote at Beech Tree Elementary School, Sleepy Hollow Elementary School, Westminster School (private) and Stuart High School, respectively.

(2) Consolidate and reconfigure Edsall, Leewood and Weyanoke precincts to conserve resources. Leewood precinct will be abolished. The reconfigured Edsall and Weyanoke precincts will continue to vote at Saint John's United Methodist Church and Holmes Middle School, respectively.

Board Agenda Item
July 26, 2011

(3) Combine Whittier, Walnut Hill #1 and Walnut Hill #2 into one precinct to conserve resources. Walnut Hill #1 will be renamed "Walnut Hill" and Whittier and Walnut Hill #2 will be abolished. The Walnut Hill polling place will be located at the Alan Leis Center at Walnut Hill located at 7423 Camp Alger Avenue, Falls Church, which previously has served as the polling place for both Walnut Hill #1 and Walnut Hill #2 precincts.

(4) Combine Glen Forest #1 and Glen Forest #2 precincts and adjust the boundary with Skyline precinct. Glen Forest #1 will be renamed "Glen Forest" and Glen Forest #2 will be abolished. The polling place for Glen Forest will remain at the Glen Forest Elementary School located at 5829 Glen Forest Drive, Falls Church. The polling place Skyline precinct will move from the National Association of Power Engineers building, which is no longer available, to the Goodwin House Bailey's Crossroads located at 3440 South Jefferson Street, Falls Church. The Skyline polling place move and boundary adjustment with Glen Forest #1 will be effective for the August 23, 2011, primary election, however, the boundary adjustment consolidating Glen Forest #1 and Glen Forest #2 will not take effect until September 1, 2011.

(5) Combine Holmes #1 and Holmes #2 precincts to conserve resources. The Holmes #1 precinct will be renamed "Holmes" and Holmes #2 will be abolished. The polling place for Holmes precinct will remain at Bailey's Elementary School, located at 6111 Knollwood Drive, Falls Church.

Mount Vernon District recommendations:

(1) Reconfigure the boundary between the Belle Haven and Belleview precincts to conform to the boundary between the 44th and 45th Delegate Districts. The reconfigured Belle Haven and Belleview precincts will continue to vote at West Potomac High School and Belle View Elementary School, respectively.

(2) Change the name of Whitman precinct to "Riverside" to coincide with the name of its polling place located at the Riverside Elementary School.

(3) Reconfigure the boundary between Hollin Hall and Sherwood precincts to reunite the community. The reconfigured Hollin Hall and Sherwood precincts will continue to vote at Hollin Hall Center and Whitman Middle School, respectively.

(4) Reconfigure the boundary between Grosvenor and Huntington precincts to conform to the boundary between the 43rd and 45th Delegate Districts. The reconfigured Grosvenor and Huntington Precincts will continue to vote at the Huntington Community Center and the Fairhaven Community Center, respectively.

(5) Reconfigure the boundary between Fort Hunt and Stratford precincts to conform to the boundary between the 30th and 36th Senate Districts. The reconfigured Fort Hunt

Board Agenda Item
July 26, 2011

and Stratford precincts will continue to vote at Fort Hunt Elementary School and Stratford Landing Elementary School, respectively.

(6) Reconfigure the boundary between Gunston and Westgate precincts to conform to the boundary between the 30th and 36th Senate Districts. The reconfigured Gunston and Westgate precincts will continue to vote at Gunston Elementary School and Washington Mill Elementary School, respectively.

Providence District recommendations:

(1) Divide the Mosby precinct to conform to the new boundary between the 35th and 37th Delegate Districts and create a new precinct to be named "Hunters Branch." The polling place for Hunters Branch will be established at the Mosby Woods Elementary School located at 9819 Five Oaks Road, Fairfax. The polling place for Mosby precinct will remain at the Mosby Woods Elementary School.

(2) Move the polling place for Tysons precinct from The Fountains of McLean to the Providence Committee Meeting Room located at 7921 Jones Branch Road, McLean. The new location will provide a larger parking area and better accessibility for voters.

(3) Reconfigure the boundary between Greenway and Fort Buffalo precincts to reunite a neighborhood. The reconfigured Greenway and Fort Buffalo precincts will continue to vote at Timber Lane Elementary School and the James Lee Community Center, respectively.

Springfield District recommendations:

(1) Divide the Centerpointe precinct to conform to the new boundary between the 34th and 37th Delegate Districts and create a new precinct to be named "Cedar Lake." The polling place for Cedar Lake will be established at the Centerpointe Church located at 4104 Legato Road, Fairfax. The polling place for Centerpointe precinct will remain at the Centerpointe Church, also.

(2) Reconfigure Willow Springs precinct to conform to the boundary between the 37th and 40th Delegate Districts and combine the northern portion of the divided Willow Springs with Fair Oaks precinct. The reconfigured Willow Springs and Fair Oaks precincts will continue to vote at Willow Springs Elementary School and the Fair Oaks Church Rec Center, respectively.

(3) Divide the Popes Head precinct to conform to the new boundary between the 34th and 37th Senate Districts and create a new precinct to be named "Colchester." The polling place for Colchester precinct will be established at the Mott Community Center

Board Agenda Item
July 26, 2011

located at 12111 Braddock Road, Fairfax. The polling place for Popes Head precinct will remain at Living Savior Church.

(4) Reconfigure the boundaries of Fairfax Station, Woodyard, Silverbrook and South Run precincts to conform to the new boundaries between the 37th and 39th Senate Districts and the 40th and 42nd Delegate Districts. Move the polling place for Fairfax Station precinct from the Antioch Baptist Church to the St. Peters in the Woods Church located at 5911 Fairview Woods Drive, Fairfax Station, and move the polling place for Woodyard precinct from the Virginia Korean Baptist Church to the Antioch Baptist Church located at 6531 Little Ox Road, Fairfax Station. The reconfigured Silverbrook and South Run precincts will continue to vote at Silverbrook Elementary School and the South Run Recreation Center, respectively.

(5) Divide the Pohick and Hunt precincts to conform to the new boundaries between the 41st and 42nd Delegate Districts and create a new precinct to be named "Hunt Valley." The polling place for Hunt Valley will be established at the Hunt Valley Elementary School located at 7107 Sydenstricker Road, Springfield. The reconfigured Pohick and Hunt precincts will continue to vote at Saint Andrews Episcopal Church and the Hunt Valley Elementary School, respectively.

(6) Move the polling place for Clifton precinct from the Clifton Elementary School to the Clifton Presbyterian Church located at 12748 Richards Lane, Clifton.

Sully District recommendations:

(1) Divide the Vale precinct to conform to the new boundary between the 36th and 67th Delegate Districts, create a new precinct to be named "Difficult Run" and reconfigure the boundaries between Waples Mill and Vale precincts. The polling place for Difficult Run precinct will be established at the Church of the Good Shepherd located at 2351 Hunter Mill Road, Vienna. The polling place for Vale precinct will be moved from the Church of the Good Shepherd to the Crossfield Elementary School located 2791 Fox Mill Road, Herndon. The Waples Mill precinct will continue to vote at Waples Mill Elementary School.

(2) Divide Kinross precinct to conform to the boundary between the 67th and 86th Delegate Districts. Kinross precinct will be renamed "Kinross East" and a new precinct will be created named "Kinross West." The polling place for Kinross West will be established at Oak Hill Elementary School located at 3210 Kinross Circle, Herndon, which also serves as the polling place for Kinross East.

(3) Move the polling place for Lees Corner East precinct from Lees Corner Elementary School to Chantilly High School, located at 4201 Stringfellow Road, Chantilly, and change the name of the precinct to "Chantilly."

Board Agenda Item
July 26, 2011

(4) Divide the Lees Corner West precinct to conform to the new boundary between the 67th and 86th Delegate Districts. Lees Corner West will be renamed "Lees Corner #1" and a new precinct will be created named "Lees Corner #2." The polling place for Lees Corner #2 be established at the Lees Corner Elementary School located at 13500 Hollinger Avenue, Fairfax. Lees Corner #1 will continue to vote at Lees Corner Elementary School, also.

(5) Divide Franklin precinct to conform to the new boundary between the 67th and 86th Delegate Districts and create a new precinct to be named "Carson." The polling place for Carson precinct will be established at the Carson Middle School located at 13618 McLearn Road, Herndon. The Franklin precinct polling place will remain at Franklin Middle School.

(6) Divide the Stone precinct to conform to the new boundary between the 37th and 67th Delegate Districts. Stone precinct will be renamed "Stone North" and a new precinct to be named "Stone South" will be created. The polling place for Stone South will be established at the Stone Middle School located at 5500 Sully Park Drive, Centreville. Stone North will continue to vote and Stone Middle School, also.

(7) Divide Green Trails precinct to conform to the new boundary between the 37th and 39th Senate Districts and create a new precinct to be named "Compton." The polling place for Compton precinct will be established at the Centreville Elementary School located at 14330 Green Trails Boulevard, Centreville. Green Trails precinct will continue to vote at Centreville Elementary School, also.

(8) Reconfigure the London Towne East and London Towne West precincts to conform to the new boundary between the 37th and 40th Delegate Districts. London Towne East precinct will be renamed "London Towne #1" and London Towne West precinct will be renamed London Towne #2. The polling places for London Towne #1 and London Towne #2 will remain at the London Towne Elementary School located at 6100 Stone Road, Centreville.

FISCAL IMPACT:

The General Registrar estimates a cost of \$400,000 to process, print and mail new Voter Information Cards to all registered voters affected by the new state and local district and precinct changes. The new precincts will require additional election officers, voting equipment, facilities and supplies. Since these expenses were anticipated in the FY 2012 Adopted Budget Plan, no additional funding is required at this time.

Board Agenda Item
July 26, 2011

ENCLOSED DOCUMENTS:

Attachment 1 – Virginia Code Pertaining to Precincts and Polling Places
Attachment 2 – Summary of 2011 State and Local Redistricting
Attachment 3 – Summary of Proposed Precinct Boundary and Polling Place Changes
Attachment 4 – Draft Ordinance 1
Attachment 5 – Map and Descriptions of Proposed Changes for Ordinance 1
Attachment 6 – Draft Ordinance 2
Attachment 7 – Maps and Descriptions of Proposed Changes for Ordinance 2
Attachments available online at
http://www.fairfaxcounty.gov/eb/3precinctchangesjuly13_2011_rev.pdf

STAFF:

Edgardo Cortés, General Registrar
Judy Flaig, Election Manager
Michael Long, Deputy County Attorney
Erin C. Ward, Assistant County Attorney

THIS PAGE INTENTIONALLY LEFT BLANK

§ 24.2-305. Composition of election districts and precincts.

A. Each election district and precinct shall be composed of compact and contiguous territory and shall have clearly defined and clearly observable boundaries.

B. A "clearly observable boundary" shall include (i) any named road or street, (ii) any road or highway which is a part of the federal, state primary, or state secondary road system, (iii) any river, stream, or drainage feature shown as a polygon boundary on the TIGER/line files of the United States Bureau of the Census, or (iv) any other natural or constructed or erected permanent physical feature which is shown on an official map issued by the Virginia Department of Transportation, on a United States Geological Survey topographical map, or as a polygon boundary on the TIGER/line files of the United States Bureau of the Census. No property line or subdivision boundary shall be deemed to be a clearly observable boundary unless it is marked by a permanent physical feature that is shown on an official map issued by the Virginia Department of Transportation, on a United States Geological Survey topographical map, or as a polygon boundary on the TIGER/line files of the United States Bureau of the Census.

(1986, c. 593, § 24.1-40.7; 1990, c. 500; 1992, c. 425; 1993, c. 641; 2001, c. [614](#).)

§ 24.2-307. Requirements for county and city precincts.

The governing body of each county and city shall establish by ordinance as many precincts as it deems necessary. Each governing body is authorized to increase or decrease the number of precincts and alter precinct boundaries subject to the requirements of this chapter.

At the time any precinct is established, it shall have no more than 5,000 registered voters. The general registrar shall notify the governing body whenever the number of voters who voted in a precinct in an election for President of the United States exceeds 4,000. Within six months of receiving the notice, the governing body shall proceed to revise the precinct boundaries, and any newly established or redrawn precinct shall have no more than 5,000 registered voters.

At the time any precinct is established, each precinct in a county shall have no fewer than 100 registered voters and each precinct in a city shall have no fewer than 500 registered voters.

Each precinct shall be wholly contained within any election district used for the election of one or more members of the governing body or school board for the county or city.

The governing body shall establish by ordinance one polling place for each precinct.

(Code 1950, §§ 24-45, 24-46; 1954, c. 375; 1956, c. 378; 1962, cc. 185, 536; 1970, c. 462, §§ 24.1-36, 24.1-37; 1971, Ex. Sess., c. 119; 1976, c. 616; 1977, c. 30; 1978, c. 778; 1980, c. 639; 1992, c. 445; 1993, c. 641; 1999, c. [515](#).)

§ 24.2-310. Requirements for polling places.

A. The polling place for each precinct shall be located within the county or city and either within the precinct or within one mile of the precinct boundary. The polling place for a county precinct may be located within a city if the city is wholly contained within the county election district served by the precinct. The polling place for a town precinct may be located within one mile of the precinct and town boundary. For town elections held in November, the town shall use the polling places established by the county for its elections.

B. The governing body of each county, city, and town shall provide funds to enable the electoral board to provide adequate facilities at each polling place for the conduct of elections. Each polling place shall be located in a public building whenever practicable. If more than one polling place is located in the same building, each polling place shall be located in a separate room or separate and defined space.

C. Polling places shall be accessible to qualified voters as required by the provisions of the Virginians with Disabilities Act (§ [51.5-1](#) et seq.), the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. § 1973ee et seq.), and the Americans with Disabilities Act relating to public services (42 U.S.C. § 12131 et seq.). The State Board shall provide instructions to the local electoral boards and general registrars to assist the localities in complying with the requirements of the Acts.

D. If an emergency makes a polling place unusable or inaccessible, the electoral board shall provide an alternative polling place and give notice of the change in polling place, including to all candidates, or such candidate's campaign, appearing on the ballot to be voted at the alternative polling place, subject to the prior approval of the State Board. The electoral board shall provide notice to the voters appropriate to the circumstances of the emergency. For the purposes of this subsection, an "emergency" means a rare and unforeseen combination of circumstances, or the resulting state, that calls for immediate action.

E. It shall be permissible to distribute campaign materials on the election day on the property on which a polling place is located and outside of the building containing the room where the election is conducted except (i) as specifically prohibited by law including, without limitation, the prohibitions of § [24.2-604](#) and the establishment of the "Prohibited Area" within 40 feet of any entrance to the polling place or (ii) upon the approval of the local electoral board, inside the structure where the election is conducted, provided that a reasonable person would not observe any campaigning activities while inside the polling place. The local electoral board may approve campaigning activities inside the building where the election is conducted pursuant to clause (ii) when an entrance to the building is from an adjoining building, or if establishing the 40-foot prohibited area outside the polling place would hinder or delay a qualified voter from entering or leaving the building.

F. Any local government, local electoral board, or the State Board may make monetary grants to any non-governmental entity furnishing facilities under the provisions of § [24.2-307](#) or [24.2-308](#) for use as a polling place. Such grants shall be made for the sole purpose of meeting the accessibility requirements of this section. Nothing in this subsection shall be construed to obligate any local government, local electoral board, or the State Board to appropriate funds to any non-governmental entity.

(Code 1950, §§ 24-45, 24-46, 24-171, 24-179 through 24-181; 1954, c. 375; 1956, c. 378; 1962, cc. 185, 536; 1970, c. 462, §§ 24.1-36, 24.1-37, 24.1-92, 24.1-97; 1971, Ex. Sess., c. 119; 1976, c. 616; 1977, c. 30; 1978, c. 778; 1980, c. 639; 1981, c. 425; 1984, c. 217; 1985, c. 197; 1986, c. 558; 1992, c. 445; 1993, cc. 546, 641; 1994, c. [307](#); 2003, c. [1015](#); 2004, c. [25](#); 2005, c. [340](#); 2008, cc. [113](#), [394](#); 2010, cc. [639](#), [707](#).)

§ 24.2-310.1. Polling places; additional requirement.

The requirement stated in this section shall be in addition to requirements stated in §§ [24.2-307](#), [24.2-308](#), and [24.2-310](#), including the requirement that polling places be located in public buildings whenever practical. No polling place shall be located in a building which serves primarily as the headquarters, office, or assembly building for any private organization, other than an organization of a civic, educational, religious, charitable, historical, patriotic, cultural, or similar nature, unless the State Board has approved the use of the building because no other building meeting the accessibility requirements of this title is available.

(1993, c. 904, § 24.1-37.1; 1993, c. 641.)

FAIRFAX COUNTY REDISTRICTING		VA SENATE		DELEGATE		BOARD OF SUPERVISORS	
PCT NO		OLD	NEW	OLD	NEW	OLD	NEW
OLD / NEW	PRECINCT	DISTRICT	DISTRICT	DISTRICT	DISTRICT	DISTRICT	DISTRICT
104	CHAPEL	35	37	39	39	BRADDOCK	BRADDOCK
105	FAIRVIEW	37	37	41	41	BRADDOCK	BRADDOCK
106	HERITAGE	35	37	39	38	BRADDOCK	BRADDOCK
108	KINGS PARK	35	35 / 37	39	39	BRADDOCK	BRADDOCK
109	OLDE CREEK	34	34	37	41	BRADDOCK	BRADDOCK
110	NO. SPRINGFIELD #1	35	35	39	39	BRADDOCK	BRADDOCK
111	NO. SPRINGFIELD #2	35	35	39	39	BRADDOCK	BRADDOCK
113	OAK HILL	34	34	39	39	BRADDOCK	BRADDOCK
115	RAVENSWORTH	35	35	39	39	BRADDOCK	BRADDOCK
116	WAKEFIELD	35	34	39	39	BRADDOCK	BRADDOCK
117	WOODSON	34	34	37	37 / 41	BRADDOCK	BRADDOCK
118	LAKE BRADDOCK	34	34 / 37	41	39 / 41	BRADDOCK	BRADDOCK
119	LAUREL	34	34	41	41	BRADDOCK	BRADDOCK
120	SIDEBURN	37	34	37	37	BRADDOCK	BRADDOCK
121	VILLA	34	34	37	37	BRADDOCK	BRADDOCK
122	LONG BRANCH	34	34	39	39	BRADDOCK	BRADDOCK
123	ROBINSON	34	34	37	41	BRADDOCK	BRADDOCK
124	OLLEY	34	34	39	41	BRADDOCK	BRADDOCK
125	SIGNAL HILL	34	37	41	41	BRADDOCK	BRADDOCK
126	BONNIE BRAE	37	34	37	41	BRADDOCK	BRADDOCK
127	BURKE CENTRE	37	37	41	41	BRADDOCK	BRADDOCK
128	CARDINAL	39	35	42	42	BRADDOCK	BRADDOCK
129	KEENE MILL	39	35	42	42	BRADDOCK	BRADDOCK
130	TERRA CENTRE	37	37	41	41	BRADDOCK	BRADDOCK
852 / 132	MONUMENT	37	37	35	37	SPRINGFIELD	BRADDOCK
853 / 131	EAGLE VIEW	37	37	35	37	SPRINGFIELD	BRADDOCK
202	FLINT HILL	34	32 / 34	35	35 / 36	HUNTER MILL	HUNTER MILL
203	FLORIS	33	32	86	86	HUNTER MILL	HUNTER MILL
208	RESTON #1	32	32	36	36	HUNTER MILL	HUNTER MILL
209	RESTON #2	32	32	36	36	HUNTER MILL	HUNTER MILL
213	VIENNA #1	34	34	35	35	HUNTER MILL	HUNTER MILL
214	VIENNA #2	34	34	35	35	HUNTER MILL	HUNTER MILL
216	VIENNA #4	34	34	35	35	HUNTER MILL	HUNTER MILL
218	VIENNA #6	34	34	35	35	HUNTER MILL	HUNTER MILL
219	WESTBRIAR	34	32	35	34	HUNTER MILL	HUNTER MILL
220	DOGWOOD	32	32	36	36	HUNTER MILL	HUNTER MILL
221	HUNTERS WOODS	32	32	36	36	HUNTER MILL	HUNTER MILL
222	RESTON #3	32	32	36	36	HUNTER MILL	HUNTER MILL
223	GLADE	32	32	36	36	HUNTER MILL	HUNTER MILL
224	SOUTH LAKES	32	32	36	36	HUNTER MILL	HUNTER MILL
225	TERRASET	32	32	36	36	HUNTER MILL	HUNTER MILL
226	WOLFTRAP	34	32	35	34	HUNTER MILL	HUNTER MILL
227	SUNRISE VALLEY	34	32	36	36	HUNTER MILL	HUNTER MILL
229	FOX MILL	33	32	36	86	HUNTER MILL	HUNTER MILL
233	NORTH POINT	32	32	36	36	HUNTER MILL	HUNTER MILL
234	ALDRIN	32	32	36	36	HUNTER MILL	HUNTER MILL
235	FRYING PAN	33	33	86	36	HUNTER MILL	HUNTER MILL
236	STUART	32	32	86	86	HUNTER MILL	HUNTER MILL
237	MCNAIR	33	33	86	36	HUNTER MILL	HUNTER MILL
238	CAMERON GLEN	32	32	36	36	HUNTER MILL	HUNTER MILL
330 / 240	COLVIN	34	31	34	34	DRANESVILLE	HUNTER MILL
301	CHAIN BRIDGE	32	31	34	34	DRANESVILLE	DRANESVILLE
302	CHESTERBROOK	32	31	34	48	DRANESVILLE	DRANESVILLE
303	CHURCHILL	32	31	34	34	DRANESVILLE	DRANESVILLE
304	COOPER	32	31	34	34	DRANESVILLE	DRANESVILLE
305	EL NIDO	32	32	34	48	DRANESVILLE	DRANESVILLE

PCT NO		OLD	NEW	OLD	NEW	OLD	NEW
OLD / NEW	PRECINCT	DISTRICT	DISTRICT	DISTRICT	DISTRICT	DISTRICT	DISTRICT
306	GREAT FALLS	32	31	34	34	DRANESVILLE	DRANESVILLE
307	HAYCOCK	32	32	53	48	DRANESVILLE	DRANESVILLE
309	KENMORE	32	31	34	34	DRANESVILLE	DRANESVILLE
310	KIRBY	32	32	53	48	DRANESVILLE	DRANESVILLE
311	LANGLEY	32	31	34	34	DRANESVILLE	DRANESVILLE
312	LONGFELLOW	32	32	53	48	DRANESVILLE	DRANESVILLE
314	MCLEAN	32	32	53	48	DRANESVILLE	DRANESVILLE
315	PIMMIT	32	32	53	53	DRANESVILLE	DRANESVILLE
316	SALONA	32	31	34	34 / 48	DRANESVILLE	DRANESVILLE
317	WESTHAMPTON	32	32	53	53	DRANESVILLE	DRANESVILLE
318	WESTMORELAND	32	32	53	48	DRANESVILLE	DRANESVILLE
319	HERNDON #1	32	33	86	86	DRANESVILLE	DRANESVILLE
320	HERNDON #2	32	33	86	86	DRANESVILLE	DRANESVILLE
321	CLEARVIEW	32	31	34	86	DRANESVILLE	DRANESVILLE
322	FORESTVILLE	32	31	34	34	DRANESVILLE	DRANESVILLE
323	SHOUSE	34	31	34	34	DRANESVILLE	DRANESVILLE
324	HERNDON #3	32	33	86	86	DRANESVILLE	DRANESVILLE
325	HUTCHISON	32	33	86	86	DRANESVILLE	DRANESVILLE
327	SUGARLAND	32	31	34	86	DRANESVILLE	DRANESVILLE
328	HICKORY	32	31	34	34	DRANESVILLE	DRANESVILLE
329	SENECA	32	31	34	34	DRANESVILLE	DRANESVILLE
331	SPRING HILL	32	31	34	34	DRANESVILLE	DRANESVILLE
239 / 332	COATES	33	33	86	86	HUNTER MILL	DRANESVILLE
401	BUSH HILL	39	39	43	43	LEE	LEE
402	CAMERON	39	30	45	43	LEE	LEE
404	FRANCONIA	39	36	43	43	LEE	LEE
405	GROVETON	30	30 / 36	44	44	LEE	LEE
406	HAYFIELD	36	30 / 36	43	43 / 44	LEE	LEE
408	MOUNT EAGLE	30	30	45	43	LEE	LEE
409	PIONEER	39	39	43	39	LEE	LEE
410	ROSE HILL	39	30 / 39	43	43	LEE	LEE
411	VIRGINIA HILLS	36	30 / 36	43	43	LEE	LEE
413	FAIRFIELD	30 / 36	36	44	44	LEE	LEE
415	CRESTWOOD	39	35	39	39	LEE	LEE
417	GARFIELD	39	39	39	39	LEE	LEE
418	LYNBROOK	39	35	39	39	LEE	LEE
419	LANE	39	39	43	39 / 43	LEE	LEE
420	VILLAGES	36	30 / 36	43	43	LEE	LEE
421	KINGSTOWNE	39	39	43	43	LEE	LEE
422	VAN DORN	39	39	43	43	LEE	LEE
423	CLERMONT	39	30	43	43	LEE	LEE
424	HUNTLEY	36	36	43	43	LEE	LEE
425	WILTON	30	30 / 36	43	43	LEE	LEE
426	GREENSPRING	39	39	39	39	LEE	LEE
427	ISLAND CREEK	39	39	43	43	LEE	LEE
428	PINEWOOD	36	36	44	44	MOUNT VERNON	LEE
501	BAILEYS	31	35	49	38 / 49	MASON	MASON
502	BARCROFT	31	35	38	38	MASON	MASON
503	BELVEDERE	35	37	38	38	MASON	MASON
102 / 504	BRISTOW	35	37	39	38	BRADDOCK	MASON
505	GLEN FOREST #1	31	35	49	49	MASON	MASON
506	HOLMES #1	31	35	49	38	MASON	MASON
507	LINCOLNIA	35	35	38	38	MASON	MASON
508	MASONVILLE	35	37	38	38	MASON	MASON
510	PARKLAWN	35	35	38	38	MASON	MASON
511	RAVENWOOD	31	35	38	38	MASON	MASON
512	SLEEPY HOLLOW	35	35 / 37	38	38	MASON	MASON
513	SAINT ALBANS	35	37	38	38	MASON	MASON
515	WESTLAWN	35	35	38	38	MASON	MASON

PCT NO		OLD	NEW	OLD	NEW	OLD	NEW
OLD / NEW	PRECINCT	DISTRICT	DISTRICT	DISTRICT	DISTRICT	DISTRICT	DISTRICT
516	WEYANOKE	35	35	38	38 / 39	MASON	MASON
517	WILLSTON	31	35	38	49	MASON	MASON
518	COLUMBIA	35	37	39	38	MASON	MASON
519	HUMMER	34	37	39	38	MASON	MASON
520	SKYLINE	31	35	46	49	MASON	MASON
521	BROOK HILL	35	35	39	38	MASON	MASON
522	CAMELOT	34	34	37	39 / 53	MASON	MASON
523	POE	35	35	38	38	MASON	MASON
524	WHITTIER	35	35	38	53	MASON	MASON
525	WALNUT HILL #1	35	35	53	53	MASON	MASON
526	BREN MAR	35	35	38	39	MASON	MASON
527	EDSALL	35	35	38	39	MASON	MASON
528	RIDGELEA	34	34	37	39	MASON	MASON
529	GLEN FOREST #2	31	35	38	49	MASON	MASON
530	HOLMES #2	31	35	38	38	MASON	MASON
531	LEEWOOD	35	35	39	39	MASON	MASON
728 / 532	WALNUT HILL #2	35	35	53	53	PROVIDENCE	MASON
601	BELLE HAVEN	30	30	44	44 / 45	MOUNT VERNON	MOUNT VERNON
602	BELLEVIEW	30	30	45	45	MOUNT VERNON	MOUNT VERNON
604	BUCKNELL	36	36	44	44	MOUNT VERNON	MOUNT VERNON
605	FORT HUNT	36	30	44	44	MOUNT VERNON	MOUNT VERNON
606	HOLLIN HALL	36	30 / 36	44	44	MOUNT VERNON	MOUNT VERNON
607	HUNTINGTON	30	30	44	43 / 45	MOUNT VERNON	MOUNT VERNON
608	KIRKSIDE	36	36	45	44	MOUNT VERNON	MOUNT VERNON
609	MARLAN	30	30	45	44	MOUNT VERNON	MOUNT VERNON
610	SHERWOOD	36	36	44	44	MOUNT VERNON	MOUNT VERNON
611	STRATFORD	36	30 / 36	44	44	MOUNT VERNON	MOUNT VERNON
612	WAYNEWOOD	36	30	44	44	MOUNT VERNON	MOUNT VERNON
613	WESTGATE	36	30	44	42	MOUNT VERNON	MOUNT VERNON
614	WHITMAN	36	30	44	44	MOUNT VERNON	MOUNT VERNON
615	WOODLEY	36	30 / 36	44	44	MOUNT VERNON	MOUNT VERNON
616	GUNSTON	36	30 / 36	42	42	MOUNT VERNON	MOUNT VERNON
617	LORTON	39	39	42	42 / 43	MOUNT VERNON	MOUNT VERNON
618	NEWINGTON	39	39	42	42	MOUNT VERNON	MOUNT VERNON
619	BELVOIR	36	36 / 39	43	43 / 44	MOUNT VERNON	MOUNT VERNON
621	GROSVENOR	30	30	45	45	MOUNT VERNON	MOUNT VERNON
622	LORTON STATION	36	39	42	43	MOUNT VERNON	MOUNT VERNON
623	ALBAN	39	39	39	39	MOUNT VERNON	MOUNT VERNON
625	LORTON CENTER	36	36	43	43	MOUNT VERNON	MOUNT VERNON
626	SARATOGA	39	39	42	39	MOUNT VERNON	MOUNT VERNON
627	WOODLAWN	36	36	44	44	MOUNT VERNON	MOUNT VERNON
628	LAUREL HILL	39	39	42	42	MOUNT VERNON	MOUNT VERNON
629	SOUTH COUNTY	39	39	42	42	MOUNT VERNON	MOUNT VERNON
700	FAIRFAX COURT	34	34	37	37	PROVIDENCE	PROVIDENCE
701	BLAKE	34	34	35	35	PROVIDENCE	PROVIDENCE
703	FORT BUFFALO	31	35	38	53	PROVIDENCE	PROVIDENCE
704	FREEDOM HILL	34	32	35	35	PROVIDENCE	PROVIDENCE
705	GRAHAM	35	35	38	53	PROVIDENCE	PROVIDENCE
706	GREENWAY	35	35	38	53	PROVIDENCE	PROVIDENCE
707	MANTUA	34	34	37	41	PROVIDENCE	PROVIDENCE
708	MARSHALL	32	35	53	53	PROVIDENCE	PROVIDENCE
709	MOSBY	34	34	37	35 / 37	PROVIDENCE	PROVIDENCE
710	PINE SPRING	35	35	53	53	PROVIDENCE	PROVIDENCE
711	PRICE	34	34	37	41	PROVIDENCE	PROVIDENCE
712	SHREVE	35	35	53	53	PROVIDENCE	PROVIDENCE
713	TIMBER LANE	35	35	53	53	PROVIDENCE	PROVIDENCE
714	WALKER	34	34	53	53	PROVIDENCE	PROVIDENCE
717	WOODBURN	35	37	53	53	PROVIDENCE	PROVIDENCE
718	PINE RIDGE	34	34	37	53	PROVIDENCE	PROVIDENCE

PCT NO		OLD	NEW	OLD	NEW	OLD	NEW
OLD / NEW	PRECINCT	DISTRICT	DISTRICT	DISTRICT	DISTRICT	DISTRICT	DISTRICT
719	STENWOOD	34	34	53	35	PROVIDENCE	PROVIDENCE
720	THOREAU	34	34	53	35	PROVIDENCE	PROVIDENCE
721	MERRIFIELD	35	35	53	53	PROVIDENCE	PROVIDENCE
726	MAGARITY	32	32	34	35	PROVIDENCE	PROVIDENCE
727	OAKTON	34	34	35	35	PROVIDENCE	PROVIDENCE
729	NOTTOWAY	34	34	35	35	PROVIDENCE	PROV/ HUN MILL
730	PENDERBROOK	34	34	35	35	PROVIDENCE	PROVIDENCE
731	TYSONS	32	32	34	35	PROVIDENCE	PROVIDENCE
732	OAK MARR	34	34	35	35	PROVIDENCE	PROVIDENCE
733	KILMER	34	34	35	35	PROVIDENCE	PROVIDENCE
801	BURKE	37	37	41	41	SPRINGFIELD	SPRINGFIELD
803	CLIFTON	39	39	40	40	SPRINGFIELD	SPRINGFIELD
805	FAIRFAX STATION	39	37 / 39	40	40	SPRINGFIELD	SPRINGFIELD
624 / 806	HUNT	39	37 / 39	42	42	MOUNT VERNON	SPRINGFIELD
811	POHICK	37	37	41	41 / 42	SPRINGFIELD	SPRINGFIELD
812	VALLEY	37	37	42	42	SPRINGFIELD	SPRINGFIELD
815	WOODYARD	39	39	41	40 / 42	SPRINGFIELD	SPRINGFIELD
824	ORANGE	37	37	41	42	SPRINGFIELD	SPRINGFIELD
825	CHERRY RUN	37	37	41	41	SPRINGFIELD	SPRINGFIELD
827	IRVING	39	35	42	42	SPRINGFIELD	SPRINGFIELD
833	WHITE OAKS	37	37	41	41	SPRINGFIELD	SPRINGFIELD
838	SANGSTER	37	37	41	42	SPRINGFIELD	SPRINGFIELD
839	SILVERBROOK	39	39	42	42	SPRINGFIELD	SPRINGFIELD
840	WEST SPRINGFIELD	39	39	42	42	SPRINGFIELD	SPRINGFIELD
841	POPES HEAD	37	34 / 37	40	40	SPRINGFIELD	SPRINGFIELD
842	PARKWAY	37	37	41	41	SPRINGFIELD	SPRINGFIELD
843	FAIR LAKES	37	37	67	67	SPRINGFIELD	SPRINGFIELD
844	CENTERPOINTE	37	34 / 37	67	35	SPRINGFIELD	SPRINGFIELD
845	FOUNTAINHEAD	39	39	42	42	SPRINGFIELD	SPRINGFIELD
846	GREENBRIAR EAST	37	34	67	67	SPRINGFIELD	SPRINGFIELD
847	GREENBRIAR WEST	37	34	67	67	SPRINGFIELD	SPRINGFIELD
848	FAIR OAKS	37	37	35	37	SPRINGFIELD	SPRINGFIELD
849	NEWGATE NORTH	39	39	40	40	SPRINGFIELD	SPRINGFIELD
850	SOUTH RUN	37	39	42	42	SPRINGFIELD	SPRINGFIELD
851	WILLOW SPRINGS	37	37	40	37 / 40	SPRINGFIELD	SPRGFLD / SULLY
854	NEWGATE SOUTH	39	39	40	40	SPRINGFIELD	SPRINGFIELD
901	CENTRE RIDGE	37	37	40	40	SULLY	SULLY
902	BROOKFIELD	37	33	67	67	SULLY	SULLY
903	CUB RUN	37	34	67	67	SULLY	SULLY
904	DULLES	37	37	67	67	SULLY	SULLY
905	FRANKLIN	33	32 / 33	86	67 / 86	SULLY	SULLY
908	KINROSS	33	32	36	67 / 86	SULLY	SULLY
910	LONDON TOWNE EAST	37	37	67	37	SULLY	SULLY
911	NAVY	33	32	67	67	SULLY	SULLY
913	ROCKY RUN	37	34	67	67	SULLY	SULLY
914	VALE	34	32	35	36 / 67	SULLY	SULLY
915	VIRGINIA RUN	37	37	40	40	SULLY	SULLY
916	WAPLES MILL	34	32	67	67	SULLY	SULLY
917	STONE	37	34	67	37 / 67	SULLY	SULLY
918	CENTREVILLE	37	37	40	40	SULLY	SULLY
919	GREEN TRAILS	37	37 / 39	40	40	SULLY	SULLY
920	LEES CORNER EAST	33	32	67	67	SULLY	SULLY
921	DEER PARK	37	34	40	40	SULLY	SULLY
923	BULL RUN	37	37	40	40	SULLY	SULLY
924	LONDON TOWNE WEST	37	37	40	37 / 40	SULLY	SULLY
925	OLD MILL	37	37	40	40	SULLY	SULLY
926	POWELL	37	37	40	37	SULLY	SULLY
927	LEES CORNER WEST	33	32	67	67 / 86	SULLY	SULLY
928	POPLAR TREE	37	34	67	67	SULLY	SULLY

2011 REDISTRICTING
PROPOSED PRECINCT BOUNDARY and POLLING PLACE CHANGES

SUPERVISOR DISTRICT	EXISTING PRECINCT(S)	REG. VOTERS*	EXISTING POLLING PLACE(S)	PROPOSED PRECINCT(S)	PROJECTED REG. VOTERS	PROPOSED POLLING PLACE(S)	NOTES ON PROPOSED CHANGES
BRADDOCK	KINGS PARK	3,135	Kings Park Elem. School	KINGS PARK "DANBURY"	2,431 704	Kings Park Elem. School Kings Glen Elem. School	Divide Kings Park to conform to boundary between the 35 th and 37 th Senate Districts.
BRADDOCK	LAKE BRADDOCK OLLEY LONG BRANCH	4,544 1,887 1,666	Lake Braddock Secondary Little Run Elem. School Canterbury Woods Elem.	LAKE BRADDOCK OLLEY LONG BRANCH	4,096 2,067 1,934	Lake Braddock Secondary Little Run Elem. School Canterbury Woods Elem.	Divide Lake Braddock to conform to boundaries between the 34 th and 37 th Senate and the 39 th and 41 st Delegate Districts.
BRADDOCK	WOODSON (western portion)	826	Woodson High School	"UNIVERSITY"	826	GMU-University Hall	Divide Woodson to conform to boundary between the 37 th and 41 st Delegate Districts.
BRADDOCK	WOODSON (east) OLLEY OLDE CREEK	2,281 2,067 2,489	Woodson High School Little Run Elem. School Olde Creek Elem. School	WOODSON "LITTLE RUN"	3,328 3,509	Woodson High School Little Run Elem. School	Consolidate and realign precincts to conserve resources.
BRADDOCK	LONG BRANCH OAK HILL	1,934 2,314	Canterbury Woods Elem. Canterbury Woods Elem.	"CANTERBURY"	4,248	Canterbury Woods Elem.	Consolidate precincts to conserve resources.
HUNTER MILL	FLINT HILL	4,170	Flint Hill Elementary School	FLINT HILL "MADISON"	3,242 928	Flint Hill Elementary School Madison High School	Divide Flint Hill to conform to boundary between the 32 nd and 34 th Senate and the 35 th and 36 th Delegate Districts.
DRANESVILLE	SALONA	2,721	Franklin Sherman Elem.	"SALONA #1" "SALONA #2"	994 1,727	Franklin Sherman Elem. Franklin Sherman Elem.	Divide Salona to conform to boundary between the 34 th and 48 th Delegate Districts.
LEE	HAYFIELD VILLAGES ROSE HILL	3,000 3,875 4,464	Hayfield Elem. School Hayfield Secondary School Rose Hill Elem. School	HAYFIELD VILLAGES ROSE HILL	2,461 4,399 4,479	Hayfield Elem. School Hayfield Secondary School Rose Hill Elem. School	Divide Hayfield and Rose Hill to conform to the boundary between the 30 th and 36 th Senate and the 43 rd and 44 th Delegate Districts and realign with Villages.
LEE	MOUNT EAGLE WILTON VIRGINIA HILLS	1,471 1,955 1,329	Mount Eagle Elem. School Mount Eagle Elem. School Virginia Hills Center	MOUNT EAGLE VIRGINIA HILLS	2,599 2,156	Mount Eagle Elem. School Virginia Hills Center	Divide Wilton to conform to the boundary between the 30 th and 36 th Senate Districts and consolidate precincts.

LEE	GROVETON	5,433	Hybla Valley Elem. School	GROVETON "HYBLA VALLEY"	2,116 3,317	Groveton Elem. School Hybla Valley Elem. School	Divide Groveton to conform to the boundary between the 30 th and 36 th Senate Districts.
LEE	FAIRFIELD PINEWOOD	5,146 503	Mount Vernon Woods Elem. Mount Vernon Woods Elem.	FAIRFIELD PINEWOOD	2,067 3,582	Mount Vernon Woods Elem. Mount Vernon Woods Elem.	Realign Fairfield and Pinewood precincts to balance the sizes of the precincts.
LEE	VAN DORN	3,902	Franconia Elem. School	VAN DORN	3,902	Key Middle School	Move polling place to a more suitable location.
LEE	FRANCONIA	3,564	Snyder Center	FRANCONIA	3,564	Edison High School	Move polling place to a more suitable location and rename precinct.
MASON	BARCROFT MASONVILLE SLEEPY HOLLOW RAVENWOOD	2,983 2,009 1,473 1,626	Sleepy Hollow Elem. School Westminster School (private) Beech Tree Elem. School Stuart High School	BARCROFT MASONVILLE SLEEPY HOLLOW RAVENWOOD	2,212 2,633 984 2,262	Sleepy Hollow Elem. School Westminster School (private) Beech Tree Elem. School Stuart High School	Divide Sleepy Hollow to conform to boundary between the 35 th and 37 th Senate Districts and reconfigure precincts.
MASON	EDSALL LEEWOOD WEYANOKE	1,709 942 2,431	St. John's UM Church St. John's UM Church Holmes Middle School	EDSALL WEYANOKE	1,615 1,690 1,777	St. John's UM Church Holmes Middle School	Consolidate and reconfigure precincts to conserve resources.
MASON	WALNUT HILL #1 WALNUT HILL #2 WHITTIER	838 816 1,866	Alan Leis Center Alan Leis Center	WALNUT HILL	3,520	Alan Leis Center	Consolidate precincts to conserve resources.
MASON	GLEN FOREST #1 GLEN FOREST #2 SKYLINE	1,873 1,720 3,711	Glen Forest Elem. School Glen Forest Elem. School Assn of Power Engineers	GLEN FOREST SKYLINE	2,720 4,584	Glen Forest Elem. School Goodwin House	Consolidate precincts and adjust boundaries to conserve resources.
MASON	HOLMES #1 HOLMES #2	707 1,807	Bailey's Elem. School Stuart High School	HOLMES	2,514	Bailey's Elem. School	Consolidate precincts to conserve resources.
MOUNT VERNON	BELLE HAVEN BELLVIEW	2,415 2,518	West Potomac High School Belle View Elem. School	BELLE HAVEN BELLVIEW	2,239 2,694	West Potomac High School Belle View Elem. School	Divide Belle Haven to conform to the boundary between the 44 th and 45 th Delegate Districts.
MOUNT VERNON	WHITMAN	2,147	Riverside Elem. School	"RIVERSIDE"	2,147	Riverside Elem. School	Change precinct name to coincide with polling place name.
MOUNT VERNON	HOLLIN HALL SHERWOOD	1,919 3,070 1,389	Hollin Hall Center Whitman Middle School	HOLLIN HALL SHERWOOD	3,966 2,412	Hollin Hall Center Whitman Middle School	Realign precinct boundaries to reunite neighborhood.

MOUNT VERNON	GROSVENOR HUNTINGTON	1,981 4,171	Huntington Community Ctr Fairhaven Community Center	GROSVENOR HUNTINGTON	2,325 3,827	Huntington Community Ctr Fairhaven Community Center	Divide Huntington to conform to the boundary between the 43 th and 45 th Delegate Districts.
MOUNT VERNON	FORT HUNT STRATFORD	2,156 3,441	Fort Hunt Elem. School Stratford Landing Elem. School	FORT HUNT STRATFORD	2,421 3,176	Fort Hunt Elem. School Stratford Landing Elem. School	Divide Stratford to conform to the boundary between the 30 th and 36 th Senate Districts.
MOUNT VERNON	GUNSTON WESTGATE	3,549 3,348	Gunston Elem. School Washington Mill Elem. School	GUNSTON WESTGATE	2,328 4,569	Gunston Elem. School Washington Mill Elem. School	Divide Gunston to conform to the boundary between the 30 th and 36 th Senate Districts.
PROVIDENCE	MOSBY	5,205	Mosby Wood Elem. School	MOSBY "HUNTERS BRANCH"	3,468 1,737	Mosby Wood Elem. School Mosby Wood Elem. School	Divide Mosby to conform to boundary between the 35 th and 37 th Delegate Districts.
PROVIDENCE	TYSONS	3,317	The Fountains at McLean	TYSONS	3,317	Providence Committee Meeting Room	Move polling place to a more suitable location.
PROVIDENCE	GREENWAY FORT BUFFALO	1,769 1,904	Timber Lane Elem. School James Lee Community Cntr	GREENWAY FORT BUFFALO	1,965 1,708	Timber Lane Elem. School James Lee Community Cntr	Realign precinct boundaries to reunite neighborhood.
SPRINGFIELD	CENTERPOINTE	4,457	Centerpointe Church	CENTERPOINTE "CEDAR LAKE"	3,193 1,264	Centerpointe Church Centerpointe Church	Divide Centerpointe to conform to the boundary between the 34 th and 37 th Delegate Districts.
SPRINGFIELD	WILLOW SPRINGS FAIR OAKS	4,702 1,585	Willow Springs Elem. School Fair Oaks Rec Center	WILLOW SPRINGS FAIR OAKS	3,027 3,260	Willow Springs Elem. School Fair Oaks Rec Center	Divide Willow Springs to conform to the boundary between the 37 th and 40 th Delegate Districts and realign boundary with Fair Oaks..
SPRINGFIELD	POPES HEAD	3,488	Living Savior Church	POPES HEAD "COLCHESTER"	1,764 1,724	Living Savior Church Mott Community Center	Divide Popes Head to conform to the boundary between the 34 th and 37 th Senate Districts.
SPRINGFIELD	FAIRFAX STATION WOODYARD SOUTH RUN SILVERBROOK	3,619 2,487 1,578 3,632	Antioch Baptist Church Va. Korean Baptist Church South Run Rec Center Silverbrook Elem. School	FAIRFAX STATION WOODYARD SOUTH RUN SILVERBROOK	2,618 2,161 2,905 3,632	St. Peters in the Woods Antioch Baptist Church South Run Rec Center Silverbrook Elem. School	Divide Fairfax Station and Woodyard precincts to conform to the boundaries between the 37 th and 39 th Senate and the 40 th and 42 nd Delegate Districts, respectively. Realign boundaries with South Run and Silverbrook.

SPRINGFIELD	POHICK HUNT	3,890 3,810	St. Andrews Church Hunt Valley Elem. School	POHICK HUNT "HUNT VALLEY"	1,793 3,356 2,551	St. Andrews Church Hunt Valley Elem. School Hunt Valley Elem. School	Divide Pohick and Hunt precincts to conform to the boundaries between the 41 st and 42 nd Delegate and the 37 th and 39 th Senate Districts, respectively. Create a new precinct and realign boundaries.
SPRINGFIELD	CLIFTON	4,403	Clifton Elem. School	CLIFTON	4,403	Clifton Presbyterian Church	Move polling place due to closing of Clifton Elementary.
SULLY	VALE WAPLES MILL	3,280 4,463	Church of Good Shepherd Waples Mill Elem. School	"DIFFICULT RUN" VALE WAPLES MILL	913 2,848 3,982	Church of Good Shepherd Crossfield Elem. School Waples Mill Elem. School	Divide Vale to conform to boundary between the 36 th and 67 th Delegate Districts and realign precinct boundaries.
SULLY	KINROSS	4,747	Oak Hill Elementary School	"KINROSS EAST" "KINROSS WEST"	2,734 2,013	Oak Hill Elementary School Oak Hill Elementary School	Divide Kinross to conform to boundary between the 67 th and 86 th Delegate Districts.
SULLY	LEES CORNER EAST	2,893	Lees Corner Elem. School	"CHANTILLY"	2,893	Chantilly High School	Move polling place to reduce crowding at Lees Corner Elementary School.
SULLY	LEES CORNER WEST	3,687	Lees Corner Elem. School	LEES CORNER #1 LEES CORNER #2	1,624 2,593	Lees Corner Elem. School Lees Corner Elem. School	Divide Lees Corner West to conform to boundary between the 67 th and 86 th Delegate Districts.
SULLY	FRANKLIN	3,432	Franklin Middle School	FRANKLIN "CARSON"	2,544 888	Franklin Middle School Carson Middle School	Divide Franklin to conform to boundary between the 67 th and 86 th Delegate Districts.
SULLY	STONE	3,885	Stone Middle School	"STONE NORTH" "STONE SOUTH"	2,061 1,824	Stone Middle School Stone Middle School	Divide Stone to conform to boundary between the 37 th and 67 th Delegate Districts.
SULLY	GREEN TRAILS	4,923	Centreville Elem. School	GREEN TRAILS "COMPTON"	3,584 1,339	Centreville Elem. School Centreville Elem. School	Divide Green Trails to conform to boundary between the 37 th and 39 th Senate Districts.
SULLY	LONDON TOWNE EAST LONDON TOWNE WEST	1,700 2,878	London Towne Elem. London Towne Elem.	"LONDON TOWNE #1" "LONDON TOWNE #2"	3,857 721	London Towne Elem. London Towne Elem.	Divide London Towne West to conform to boundary between the 37 th and 40 th Delegate Districts.

THIS PAGE INTENTIONALLY LEFT BLANK

Board Agenda Item
July 26, 2011

5:00 p.m.

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

THIS PAGE INTENTIONALLY LEFT BLANK