



Fairfax County, Virginia
BOARD OF SUPERVISORS
DRAFT AGENDA

Tuesday
March 29, 2011

Note: This draft agenda is produced two weeks prior to the Board Meeting and is subject to change. A final agenda is available for review in the Office of the Clerk to the Board, in regional libraries and at <http://www.fairfaxcounty.gov/government/board/meetings/2010/> by the Friday prior to each Tuesday meeting.

9:30 Presentations
10:30 Appointments
10:30 Items Presented by the County Executive
10:45 Matters Presented by Board Members
11:35 Closed Session

2:30 p.m. Public Hearing on RZ 2010-LE-013 (WPPI Springfield HS, LLC) RZ Appl. to rezone from C-6, CRD, HC and SC to PDC, CRD, HC and SC to permit commercial development with an overall Floor Area Ratio (FAR) of 1.68 and approval of the conceptual development plan. Located in the N.W. quadrant of the intersection of Old Keene Mill Rd. and Amherst Ave. on approx. 1.63 ac. of land. Comp. Plan Rec: Retail & Other w/ option for Hotel use. Lee District. Tax Map 80-4 ((9)) 4, 5 and 6.

2:30 p.m. Public Hearing on RZ 2010-LE-009 (MR. Lewin Park Capital, LLC) RZ Appl. to rezone from R-1 to PDC to permit commercial development with an overall Floor Area Ratio (FAR) of 1.5 and approval of the conceptual development plan. Located in the N.W. quadrant of the intersection of Franconia-Springfield Parkway and Beulah St. on approx. 13.45 ac. of land. Comp. Plan Rec: 1-2 du/ac with option for office and/or hotel. Lee District. Tax Map 91-1 ((4)) 1-11, 13-25, 500 and 501

2:30 p.m. Public Hearing on SEA 84-M-121-03 (Westminster School, Inc.) SEA Appl. under Sect(s). 3-304 of the Zoning Ordinance to amend SE 84-M-121 previously approved for a private school of general education to permit the addition of a nursery school and child care center; to increase enrollment from 318 to 360 children; an increase in land area; and modifications of site design and development conditions. Located at 3801, 3811 and 3825 Gallows Rd. on approx. 6.84 ac. of land zoned R-3. Mason District. Tax Map 60-3 ((24)) 3, 4, 5 and 5A.

2:30 p.m. Public Hearing on RZ 2010-PR-010 (Neighborhoods, VI, LLC) RZ Appl. to rezone from R-2 to R-5 to permit residential development at a density of 4.84 dwelling units per acre (du/ac). Located on the N E. side of Blake La. approx. 300 ft. S.E. of its intersection with Chain Bridge Rd. on approx. 7.44 ac. of land. Comp. Plan Rec: 2-3 du/ac and 4-5 du/ac. Providence District. Tax Map 47-2 ((1)) 66, 67A and 70A.

2:30 p.m. Public Hearing on SE 2008-PR-021 (James W. Jackson) SE Appl. under Sect(s). 3-104 of the Zoning Ordinance to permit a child care center and nursery school with a maximum daily enrollment of up to 150 children. Located at 2701 Chain Bridge Rd. on approx. 1.29 ac. of land zoned R-1. Providence District. Tax Map 48-1 ((1)) 50.

3:00 p.m. A public hearing on proposed amendments to Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), Section 2. Pursuant to the authority of the Virginia Code, Title 15.2., Chapter 21 (including, without limitation, Sections 15.2 - 2111, 2119, and 2122), the Board of Supervisors of Fairfax County, Virginia, proposes to amend Section 67.1-10-2 to change all references to the unit cost of sewer service, and Section 67.1-10-2 to revise the connection charges for residential, commercial and all other users desiring to connect to the County sanitary sewer facilities and Sections 67.1-10-2, and 67.1-10-5 to revise the availability fee rate schedule for residential, commercial and all other users desiring to connect to the County sanitary sewer facilities. A listing of all the rate changes appeared in the Washington Times newspaper on March 4 and March 11, 2011.

3:00 p.m. A public hearing on the matter of amendments to Chapters 2, 61, 101, 104, and 112 of *The Code of the County of Fairfax, Virginia*, (County Code). Pursuant to authority granted by Virginia Code Sections 15.2-107, 15.2-2204, 15.2-2241(9), 15.2-2286(A)(6), 10.1-562(I), and 36-105(A), the amendments propose to increase fees charged under Chapter 2, Art. 1, Sec. 2-1-4 (Property Under County Control), Chapter 61, Art. 1, Sec. 61-1-3 (Building Provisions), Chapter 101, Art. 2, Sec. 101-2-9 (Subdivision Ordinance), Chapter 104, Art. 1, Sec. 104-1-3 (Erosion and Sedimentation Control), and Chapter 112, Art. 17, Part 1, Sec. 17-109 (Zoning Ordinance) of the County Code for the review of plans, processing of permits, and performing site and building inspections.

The fee amendments increase all fees charged by LDS by generally 3.1% with some fees increasing by up to 3.8% due to rounding, with the following exceptions: the base permit fee, the plan resubmission fee, the fee for failure to obtain a building permit prior to beginning work (non-permitted work) and the fee for each discipline taking part in a team inspection, should the inspection not involve all disciplines will increase from \$85 to an even \$90 (a 5.9% increase).

The re-inspection permit fee will increase from \$83 to match the base fee of \$90 (an 8.4% increase). Permit fees remain constant for an amendment to a permit, multiple permits, permits requiring no inspections, permits for interior alterations to an existing building, permits for an addition or exterior alterations to an existing residential structure (class R-3, R-4 and R-5 structures), permits for accessory structures on a residential property (class R-3, R-4 and R-5 structures), amusement devices and carnival rides, household appliances, home improvement contractor licenses and vertical transportation equipment. The Fire Marshal fees are not being adjusted at this time.

The calculation of the review fee for site and subdivision plans is being restructured to separate first and second submission fees, to increase the maximum fee charged for first and second submissions combined from \$11,130 to \$12,900 for subdivisions, and to apply a charge of \$88 for substitute sheets inserted into first submission plans. The fees for parking reductions requiring Board approval are being restructured. The break points between the fee tiers are being increased by 100 parking spaces. In addition, separate categories for parking reductions based on proximity to a mass transit station and a Transportation Demand Management Program are being created with the fees set at \$2,280 each.

Regulatory initiatives are being proposed to simplify and standardize how fees are determined including replacing metric units of measurements with English equivalents, relocating the site and building fee schedules into a single source and clarifying that the site inspection fee accompanying bond extensions shall be calculated based on one-half of the site's disturbed area for those projects that have reduced their disturbed area by at least one-half. The proposed 50

percent reduction applies to projects with a current agreement and a performance bond in good standing.

3:00 p.m. A public hearing on the matter of an amendment to Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows: Pursuant to authority granted by §§ 15.2-107 and 15.2-2286(A)(6), of the *Code of Virginia*, the amendment increases the application fees for variances, special permits, special exceptions, rezonings, PRC Plans, comprehensive sign plans, and amendments thereto by approximately 3.1% rounded to the nearest \$5.00 increment. The amendment also increases fees for zoning compliance letters, modifications to the affordable dwelling unit program, interpretations of approved zoning applications and deferral of public hearings for affidavit related errors by approximately 3.1% rounded to the nearest \$5.00 increment, with fees for non-residential use permits, sign permits and zoning compliance letters for single family dwellings increased by \$5.00. For the convenience of the public, access to the full text will also be available for review at the County's website, www.fairfaxcounty.gov/dpz under the Zoning heading by clicking on Pending Zoning Ordinance Amendments.

3:30 p.m. A public hearing on an effective tax rate increase.

3:30 p.m. A public hearing on the matter of the adoption of an ordinance providing for a special assessment to be levied on real property within the Mosaic District Community Development Authority (the "Mosaic CDA") as provided in Sections 15.2- 2404, -2405, and -5158(A)(5) of the Code of Virginia, as amended.

The proposed Ordinance would amend Appendix P to the Code of the County of Fairfax, Virginia, by adding the following language:

§ 3D. Special assessments to pay the costs of public improvements to be provided within the Mosaic District are established and apportioned in accordance with the Rate and Method of Apportionment of Special Assessments attached as an exhibit to the amended and restated Memorandum of Understanding approved by the Board of Supervisors on March 29, 2011, and also as an exhibit to the Special Assessment Agreement and Declaration of Notice of Special Assessments approved by the Board of Supervisors on the same date (the "Rate and Method"). These special assessments shall become effective upon the date that the Special Assessment Agreement and Declaration of Notice of Special Assessment is caused by the Mosaic District Community Development Authority to be recorded in the Circuit Court of Fairfax County, Virginia, against the taxable real property in the Mosaic District, and shall be payable as determined in accordance with the Rate and Method. The Mosaic District Community Development Authority shall cause notice of the special assessments to be reported to the County's Department of Tax Administration. The special assessments shall be liens on the taxable real property in the Mosaic District in accordance with the provisions of Sections 15.2-2404 *et seq.* of the Code of Virginia.

3:30 p.m. Public Hearing on RZ 2010-SP-012 (Westbrook Property, LLC) RZ Appl. to rezone from R-1 and WS to PDH-2 and WS to permit residential development at a density of 1.93 dwelling units per acre (du/ac) and approval of the conceptual development plan. Located at the E. terminus of Autumn Willow Dr. approx. 2,300 ft. E. of Stringfellow Rd. on approx. 7.27 ac. of land. Comp. Plan Rec: Fairfax Center Area: 2 du/ac at Overlay Level. Springfield District. Tax Map 55-4 ((3)) R7.

3:30 p.m. Public Hearing on SE 2010-DR-024 (Discovery Woods Learning Community, LLC) SE Appl. under Sect(s). 3-104 of the Zoning Ordinance to permit a child care center and private school of general education with a total enrollment of 26 students. Located at 9224 and 9232 Leesburg Pk. on approx. 1.48 ac. of land zoned R-1. Dranesville District. Tax Map 19-4 ((1)) 6 and 11.

4:00 p.m. A public hearing on the acquisition of certain land rights necessary for the construction of Project 4YP201 (PB015) – Reston Avenue Walkway Improvements (Hunter Mill District). The County is planning to complete pedestrian improvements along the west side of Reston Avenue, from Southington Lane to Shaker Drive. These improvements consist of the construction of approximately 700 linear feet of six-foot wide asphalt sidewalk that ties into the existing trail. Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, Suite 457, Fairfax, Virginia 22035.

4:00 p.m. A public hearing on the acquisition of certain land rights necessary for the construction of Project X00828 (10003) – Colewood Street Sanitary Sewer E & I (Sully District). The County is planning to install approximately 785 linear feet of sanitary sewer force main to serve properties on Colewood Street and Bennett Road. Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, Suite 457, Fairfax, Virginia 22035.

4:30 p.m. A public hearing on the Proposed Consolidated Plan One-Year Action Plan for FY 2012. The Consolidated Community Funding Advisory Committee (CCFAC) is the citizen advisory group that oversees the preparation of the Proposed One-Year Action Plan for FY 2012 and Five-Year Consolidated Plan. The FY 2012 Action Plan covers the second year of the County’s Five-Year Consolidated Plan for Fiscal Years 2011-2015.

The Proposed One-Year Action Plan for FY 2012 identifies the proposed use of funds for the four federal programs with an estimated amount of \$9.8 million: Community Development Block Grant (CDBG - \$6,463,133), HOME Investment Partnerships Program (HOME - \$2,692,612), Emergency Shelter Grant (ESG - \$262,768), and Housing Opportunities for Persons with AIDS (HOPWA - \$380,000). The funding levels used reflect the funding levels of FY 2011 until HUD notification of FY 2012 grant awards. It is estimated that there will be approximately \$230,000 in CDBG program income and \$30,000 in HOME program income.

The Proposed Action Plan also proposes a reallocation of CDBG funds carried over from prior years. The Proposed Action Plan proposes using CDBG funds totaling \$1,257,151 and HOME funds totaling \$2,974,969 and reallocating them as follows:

<u>CDBG Funds</u>	<u>Reallocated Prior Year Funds</u>
Fair Housing	\$ 75,000
<i>From: Completed Public Improvements in Conservation Areas</i>	(\$ 61,000)
<i>Revitalization</i>	(\$ 14,000)
Non-Profit Affordable Housing Project – Blueprint	\$ 500,000
<i>From: Affordable Housing Fund (Prior Year CCFP)</i>	(\$ 417,865)
<i>Completed Public Improvements in Conservation Areas</i>	(\$ 82,135)
Senior/Disabled/Homeless Housing	\$ 112,915
<i>From: Contingency</i>	(\$ 68,205)
<i>Revitalization</i>	(\$ 25,000)
<i>Housing Development Corporation</i>	(\$ 19,710)
North Hill Project	\$ 569,236
<i>From: Accessibility Modifications/FCRHA Properties</i>	(\$ 500,000)
<i>Completed Public Improvements in Conservation Areas</i>	(\$ 69,236)
<u>HOME Funds</u>	<u>Reallocated Prior Year Funds</u>
Non-Profit Affordable Housing Project – Blueprint	\$1,579,594
<i>From: Silver Lining Initiative</i>	(\$1,579,594)

TBRA – Homeless Prevention, Partnership for Permanent Housing and Non-elderly Disabled	\$ 376,673
<i>From: TBRA – Partnership for Permanent Housing and Homeless</i>	(\$ 376,673)
Rehabilitation of FCRHA Properties	\$ 950,000
<i>From: Silver Lining Initiative</i>	(\$ 950,000)
Senior/Disabled/Homeless Housing	\$ 68,702
<i>From: HOME Development Costs</i>	(\$ 68,702)

The Proposed One-Year Action Plan for FY 2012 also includes the second year of the two-year funding cycle for the Consolidated Community Funding Pool (CCFP) for FY 2011-2012. It identifies funding (an estimated \$11.1 million in federal, State, and local funds, which includes \$2.1 million of CDBG funds) to be made available to nonprofit organizations for community-based programs that are recommended for awards. The awards are based on the recommendations from the Selection Advisory Committee appointed to review the proposals received through the competitive CCFP solicitation process for FY 2011-2012. However, final awards for FY 2012 are subject to appropriations by the Fairfax County Board of Supervisors, to be decided through the County budget approval process in April 2011.

In addition, the Proposed Consolidated Plan One-Year Action Plan for FY 2012 identifies: (1) various public and private resources available for housing and community development activities; (2) the goals and objectives for the Five-Year Consolidated Plan; and (3) the FY 2011-2012 CCFP funding priorities.

The Proposed Consolidated Plan One-Year Action Plan for FY 2012 also contains a policy recommendation applicable to the Rehabilitation of Fairfax County Redevelopment and Housing Authority (FCRHA) Properties project. In prior years, restrictions had been placed on the use of these funds, limiting them to the rehabilitation of housing and facilities only for persons with physical or mental disabilities. Many of the FCRHA properties contain a mixture of residents who may or may not have a disability. Because those properties do not contain 100% of residents with disabilities, prior year funds designated under the Rehabilitation of FCRHA Properties project could not be used on needed improvements at various FCRHA properties. Further, these unused funds impact the required timely expenditure of funds under CDBG and HOME. Lifting the restriction on the use of these funds provides the FCRHA with more flexibility to address improvement needs at FCRHA properties and will enable more timely expenditure of HUD funds. It is recommended that the restrictions be lifted for the funds used for this project/activity for an estimated \$821,438. Citizens are also invited to express their views on housing, community development, fair housing, homelessness and community service needs in Fairfax County, as well as comment on Fairfax County's community development performance. The public is encouraged to provide information concerning changes in housing and community service trends since the last Board public hearing on the Consolidated Plan in April 2010.

To Obtain Copies of the Proposed Consolidated Plan One-Year Action Plan for FY 2012:

Copies of the Proposed Consolidated Plan One-Year Action Plan for FY 2012 are available for review on line at <http://www.fairfaxcounty.gov/rha>, at the Citizen Information Desk located on the lobby level of the Government Center, and at the information desk of all branches of the Fairfax County Public Library system. Copies may be obtained at the Fairfax County Department of Housing and Community Development, 3700 Pender Drive, Suite 300, Fairfax, Virginia 22030. All of the above mentioned locations are accessible to persons with disabilities.



To Submit Written Comments:

Citizens wishing to comment on the Proposed Consolidated Plan One-Year Action Plan for FY 2012 may also do so by writing to the attention of Stephen Knippler, Senior Program Manager, at the Department of Housing and Community Development, 3700 Pender Drive, Fairfax, Virginia 22030. The deadline for receipt of written comments on the Proposed One-Year Action Plan for FY 2012 will be 4 p.m. on Monday, March 28, 2011.

For additional information on the Proposed Consolidated Plan One-Year Action Plan for FY 2012, contact the Department of Housing and Community Development at 703-246-5170, TTY: 703-385-3578.

6:00 p.m. A public hearing on the proposed adoption of the County Executive's proposed FY 2012 Budget Plan and proposed tax rates and the Capital Improvement Program (CIP) for the Fiscal Years 2012 – 2016 (with Future Fiscal Years to 2021) will be held before the Board of Supervisors at 6 p.m. on March 29, and at 3 p.m. on March 30, and March 31, 2011. At the same time a public hearing will be held to amend the current appropriation level in the FY 2011 Revised Budget Plan.

All persons wishing to present their views on these subjects may call the Office of the Clerk to the Board at 703-324-3151 to be placed on the Speakers List, or may appear and be heard. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia. For the convenience of the public, copies may also be distributed to the County's Regional and Community Public Libraries.

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 the Office of the Clerk to the Board, (703) 324-3151 (VOICE) or (703) 324-3903 (TTY). Please allow seven working days in advance of the event in order to make the necessary arrangements.