

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
April 30, 2013**

AGENDA

9:30	Done	Presentations
10:30	Done	Appointments
10:40	Adopted	Board Adoption of FY 2014 Budget Plan
10:40	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Streets into the Secondary System (Hunter Mill, Lee and Mount Vernon Districts)
2	Approved	Extension of Review Periods for 2232 Review Applications (Sully, Providence, Mount Vernon, and Mason Districts)
3	Approved	Additional Time to Establish the Use for Special Exception Amendment SEA 2006-PR-019, Virginia International University (Providence District)

ACTION ITEMS

1	Approved	Approval of the Proposed Consolidated Plan One-Year Action Plan for FY 2014
2	Approved	Approval of a Parking Reduction for Reston Block 16 (Hunter Mill District)
3	Approved	Authorization to File Comments in Response to the Federal Communications Commission Notice of Proposed Rulemaking to Improve 9-1-1 Reliability

**INFORMATION
ITEMS**

1	Noted	Planning Commission Action on Application 2232-B12-9, Fairfax County Park Authority (Braddock District)
2	Noted	International Building Safety Month

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
April 30, 2013**

10:50	Done	Matters Presented by Board Members
11:40	Done	Closed Session
PUBLIC HEARINGS		
3:30	Approved	Public Hearing on PCA C-108 (Arlington Boulevard Development, LLC) (Providence District)
3:30	Approved	Public Hearing on SE 2012-PR-005 (Arlington Boulevard Development, LLC) (Providence District)
3:30	Deferred to 5/14/13 at 3:30 p.m.	Public Hearing on RZ 2012-MA-022 (CG Peace Valley LLC) (Mason District)
3:30	Approved	Public Hearing on RZ 2010-HM-008 (RBP & M LLC, Section 913, LP and Bozzuto Development Company) (Hunter Mill District)
4:00	Approved	Public Hearing on Proposed Plan Amendment S12-CW-2CP (Mobile and Land-Based Services Policy Plan Amendment) to Revise the Mobile and Land Based Telecommunication Provisions and Review Processes
4:00	Deferred to 7/9/13 at 4:00 p.m.	Public Hearing to Consider Fairfax Forward Planning Process and Associated Pilot Comprehensive Plan Amendment Work Program
4:00	Approved	Public Hearing on Proposed Amendments to the Public Facilities Manual and Chapters 101 (Subdivision Ordinance) and 112 (Zoning Ordinance) of the Code of the County of Fairfax, Virginia Re: Editorial Changes to the Fire Regulations, Manhole Plate References, and Vertical Datum Requirements
4:00	Approved	Public Hearing on a Proposed Amendment to the Public Facilities Manual Re: Tysons Corner Urban Center
4:30	Approved	Public Hearing to Consider Adopting an Ordinance Expanding the Dunn Loring Residential Permit Parking District, District 3 (Providence District)
4:30	Deferred to 6/4/13 at 4:30 p.m.	A Joint Public Hearing for the Virginia Department of Transportation's Fiscal Year 2014 – Fiscal Year 2019 Secondary Six-Year Program and the Fiscal Year 2014 Budget
5:00	Held	Public Comment



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Tuesday
April 30, 2013

9:30 a.m.

PRESENTATIONS

DESIGNATIONS

- PROCLAMATION – To designate May 12-18, 2013, as Police Week and May 15 as Peace Officers' Memorial Day in Fairfax County.
- PROCLAMATION – To designate May 5-11, 2013, as Child Care Professionals Week in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate May 2013 as Older Americans Month in Fairfax County. Requested by Supervisor Herry.
- PROCLAMATION – To designate May 6-10, 2013, as Teacher Appreciation Week in Fairfax County. Requested by Supervisor Herry.
- PROCLAMATION – To designate May 2013 as Parents Who Host Lose the Most Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate May 2013 as Foster Care and Foster Family Recognition Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate May 2013 as Lyme Disease Awareness Month in Fairfax County. Requested by Supervisor Herry.
- PROCLAMATION – To designate May 6-12, 2013, as Nurses Week in Fairfax County. Requested by Chairman Bulova.

— more —

Board Agenda Item
April 30, 2013

- PROCLAMATION – To designate May 2013 as Asian/Pacific American Heritage Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate May 2013 as Building Safety Month in Fairfax County. Requested by Supervisor Frey.

STAFF:

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

Board Agenda Item
April 30, 2013

10:30 a.m.

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

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard April 30, 2013

(An updated list will be distributed at the Board meeting.)

Attachment 2: Résumé of Nominee to Fairfax-Falls Church Community Services Board

STAFF:

Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors

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NOTE: A revised list will be distributed immediately prior to the Board meeting.

APPOINTMENTS TO BE HEARD APRIL 30, 2013
(ENCOMPASSING VACANCIES PROJECTED THROUGH APRIL 30, 2013)
(Unless otherwise noted, members are eligible for reappointment)

ADVISORY PLANS EXAMINER BOARD
(4 years)

CONFIRMATIONS NEEDED:

- Mr. Shahab Baig as the County Employee Representative
- Mr. James H. Scanlon as the Professional Engineer/Surveyor #3 Representative
- Mr. Jack E. Rinker as the Professional Engineer/Surveyor #1 Representative

ADVISORY SOCIAL SERVICES BOARD
(4 years – limited to 2 full consecutive terms)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Sosthenes Klu; Appointed 12/05-9/08 by Frey) Term exp. 9/12 <i>Resigned</i>	Sully District Representative		Frey	Sully

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Mark S. Ingrao; appointed 1/03 by Mendelsohn; 5/05 by DuBois) Term exp. 5/09 <i>Resigned</i>	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
VACANT (Formerly held by Thomas T. Coyle; appointed 6/09-2/12 by Hyland) Term exp. 1/15 <i>Resigned</i>	Mount Vernon District Business Representative		Hyland	Mount Vernon

ANIMAL SERVICES ADVISORY COMMISSION (2 years)

[Note: In addition to attendance at Commission meetings, members shall volunteer at least 24 hours per year in some capacity for the Animal Services Division.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Michelle Hupp; appointed 1/01-2/12 by Gross) Term exp. 2/14 <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>
Gregory Beckwith (Appointed 7/10-5/11 by Foust) Term exp. 3/13	Dranesville District Alternate Representative		Foust	Dranesville
Michael Champness (Appointed 2/05&3/07 by DuBois; 3/09 by Foust) Term exp. 3/11	Dranesville District Principal Representative		Foust	Dranesville
Michael Rodgers (Appointed 5/09-4/11 by McKay) Term exp. 4/13	Lee District Principal Representative		McKay	Lee
Mark Heilbrun (Appointed 12/10-4/11 by Herrity) Term exp. 4/13	Springfield District Representative		Herrity	Springfield
Ralph Wills (Appointed 10/00-3/11 by Frey) Term exp. 3/13	Sully District Alternate Representative		Frey	Sully

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Rachel Rifkind (Appointed 5/09-6/09 by Gross) Term exp. 6/11	Mason District Representative		Gross	Mason
VACANT (Formerly held by John Byers; appointed 6/09-1/12 by Hyland) Term exp. 6/12 <i>Deceased</i>	Mount Vernon District Representative		Hyland	Mount Vernon
VACANT (Formerly held by Robert McDaniel; appointed 9/10 by Herrity) Term exp. 6/11 <i>Resigned</i>	Springfield District Representative		Herrity	Springfield

**BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS
(4 years)**
(No official, technical assistant, inspector or other employee of the DPWES, DPZ, or FR shall serve as a member of the board.)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Paul Kraucunas; appointed 9/98-2/09 by Bulova) Term exp. 2/13 <i>Resigned</i>	Design Professional #1 Representative		By Any Supervisor	At-Large

CHILD CARE ADVISORY COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Tammy K. Derenak; appointed 7/02-9/05 by Kauffman; 2/08-9/11 by McKay) Term exp. 9/13 <i>Resigned</i>	Lee District Representative		McKay	Lee
VACANT (Formerly held by Karen Hecker; appointed 10/03-9/09 by Hyland) Term exp. 9/11 <i>Resigned</i>	Mount Vernon District Representative		Hyland	Mt. Vernon
VACANT (Formerly held by Joan C. Holtz; appointed 5/09 by Smyth) Term exp. 9/11 <i>Resigned</i>	Providence District Representative		Smyth	Providence

**CITIZEN CORPS COUNCIL, FAIRFAX COUNTY
(2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Jean Zettler (appointed 11/08-5/10 by Smyth) Term exp. 5/12	Providence District Representative		Smyth	Providence

COMMISSION FOR WOMEN (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Diane Hoyer; appointed 4/05 by DuBois; 10/06-10/12 by Foust) Term exp. 10/15 <i>Resigned</i>	Dranesville District Representative		Foust	Dranesville
VACANT (Formerly held by Kari Wright Warren; Appointed 9/10 by Hyland) Term exp. 10/13 <i>Resigned</i>	Mount Vernon District Representative		Hyland	Mount Vernon

**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 Benjamin Gibson; appointed 4/11 by McKay) Term exp. 1/15 <i>Resigned</i>	Lee District Representative		McKay	Lee
David Hess-Linkous (Appointed 7/11 by Smyth) Term exp. 1/13	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>
Janyce Hedetniemi (Appointed 4/07 by Connolly; 4/09-4/11 by Bulova) Term exp. 4/13	At-Large #1 Chairman's Representative		Bulova	At-Large Chairman's
Robert E. Simon (Appointed 4/09-4/11 by Bulova) Term exp. 4/13	At-Large #2 Chairman's Representative		Bulova	At-Large Chairman's
Jorge E. Reyna (Appointed 9/11 by Cook) Term exp. 4/13	Braddock District Representative		Cook	Braddock
Elizabeth Morton (Appointed 4/09-4/11 by Foust) Term exp. 4/13	Dranesville District Representative		Foust	Dranesville
Loren C. Bruce (Appointed 6/11 by Hudgins) Term exp. 4/13	Hunter Mill District Representative		Hudgins	Hunter Mill
Kyle S. Talente (Appointed 4/07 by Kauffman; 4/09-4/11 by McKay) Term exp. 4/13	Lee District Representative		McKay	Lee
Frank Sellers (Appointed 4/07-4/11 by Gross) Term exp. 4/13	Mason District Representative		Gross	Mason
Sylvester Berdux (Appointed 9/12 by Hyland) Term exp. 4/13	Mount Vernon District Representative		Hyland	Mount Vernon

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COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP

(2 years)

Continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Robert Mortensen (Appointed 5/09-4/11 by Smyth) Term exp. 4/13	Providence District Representative	Robert Mortensen	Smyth	Providence
Michael DeLoose (Appointed 4/07 by McConnell; 4/09-4/13 by Herrity) Term exp. 4/13	Springfield District Representative		Herrity	Springfield
Dominic Taddeo (Appointed 1/08-4/11 by Frey) Term exp. 4/13	Sully District Representative		Frey	Sully

CONFIRMATION NEEDED:

- Mr. John N. Jennison as the Federation of Citizens Associations Representative

CONSUMER PROTECTION COMMISSION

(3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Samiah Bahhur; appointed 10/06 by McConnell; 7/09-7/12 by Herrity) Term exp. 7/15 <i>Resigned</i>	Fairfax County Resident #12 Representative		By Any Supervisor	At-Large

CRIMINAL JUSTICE ADVISORY BOARD (CJAB) (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly Held by Theo L. Vaughan; appointed 12/09 by Cook) Term exp. 11/12 <i>Resigned</i>	Braddock District Representative		Cook	Braddock
VACANT (Formerly held by Rose Miles Robinson; appointed 7/06-2/09 by Hudgins) Term exp. 2/12 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill
Andrew Hunter (Appointed 4/04-2/09 by Gross) Term exp. 2/12	Mason District Representative		Gross	Mason
Glen Robinson (Appointed 11/09 by Smyth) Term exp. 8/12	Providence District Representative		Smyth	Providence
VACANT (Formerly held by Michael Birch; appointed 1/08-4/10 by Frey) Term exp. 4/13 <i>Resigned</i>	Sully District Representative		Frey	Sully

**DULLES RAIL TRANSPORTATION IMPROVEMENT
DISTRICT ADVISORY BOARD, PHASE II (4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Ernest Wittich; appointed 1/10-1/12 by Bulova) Term exp. 1/16 <i>Resigned</i>	At-Large #4 Representative	Robert J. Elliott (Bulova)	By Any Supervisor	At-Large
VACANT (Formerly held by Michael S. Paukstutus; appointed 1/10-1/12 by Bulova) Term exp. 1/16 <i>Resigned</i>	At-Large #5 Representative	Todd S. Rich (Bulova)	By Any Supervisor	At-Large

ENGINEERING STANDARDS REVIEW COMMITTEE (3 years)

CONFIRMATIONS NEEDED:

- Mr. Bryan Layman as the Association of Builders and Contractors Representative
- Mr. Mark Liberati as the Virginia Association of Surveyors Representative

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 Marie Flanagan; appointed 1/10 by Smyth) Term exp. 1/13 <i>Resigned</i>	Providence District Representative		Smyth	Providence

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>
Barbara Lawrence (Appointed 2/09-11/09 by McKay) Term exp. 11/12	Lee District Representative		McKay	Lee
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-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]**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Mattie Palmore; appointed 1/06-6/10 by Hyland) Term exp. 6/13 <i>Resigned</i>	Mount Vernon District Representative	Paul V. Luisada (Résumé attached) (Hyland) <i>(Nomination announced on March 19, 2013)</i>	Hyland	Mount Vernon
VACANT (Formerly held by Lisa Lynne Kania; appointed 10/11 by Frey) Term exp. 6/13 <i>Resigned</i>	Sully District Representative		Frey	Sully

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>
VACANT (Formerly held by David Braun; appointed 10/06-6/09 by Smyth) Term exp. 6/12 <i>Resigned</i>	Consumer #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Carol Ann Coryell; appointed 6/05-6/08 by Frey) Term exp. 6/11 <i>Resigned</i>	Consumer #6 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Samuel Jones; appointed 12/09 by Gross) Term exp. 6/12 <i>Resigned</i>	Provider #1 Representative		By Any Supervisor	At-Large

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>
Michael McClanahan (Appointed 12/05-1/07 by Connolly; 2/09-5/11 by Bulova) Term exp. 1/13	At-Large Chairman's Representative		Bulova	At-Large Chairman's

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Eileen Nelson; appointed 3/04-6/07 by Connolly; 6/10 by Bulova) Term exp. 6/13 <i>Resigned</i>	At-Large Chairman's Representative		Bulova	At-Large Chairman's
VACANT (Formerly held by Adam Parnes; appointed 9/03-6/12 by Hudgins) Term exp. 6/15 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Braddock
VACANT (Formerly held by Ronald Miner; appointed 8/02-6/11 by Frey) Term exp. 6/14 <i>Resigned</i>	Sully District Representative		Frey	Sully

**REDEVELOPMENT AND HOUSING AUTHORITY
(4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Helen C. Kyle (Appointed 5/00-3/01 by Hanley; 4/04-4/08 by Connolly; 5/12 by Bulova) Term exp. 4/13	At-Large #2 Representative		Bulova	At-Large
Richard Kennedy (Appointed 8/09 by Hudgins) Term exp. 4/13	Hunter Mill District Representative		Hudgins	Hunter Mill
Elisabeth Lardner (Appointed 2/01-4/09 by Hyland) Term exp. 4/13	Mount Vernon District Representative		Hyland	Mount Vernon
John E. Betts (Appointed 3/11 by Herrity) Term exp. 4/13	Springfield District Representative		Herrity	Springfield

ROAD VIEWERS BOARD (1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Stephen E. Still; appointed 6/06-12/11 by Smyth) Term exp. 12/12 <i>Resigned</i>	At-Large #4 Representative		By Any Supervisor	At-Large

SMALL BUSINESS COMMISSION, FAIRFAX COUNTY (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Margaret Schottler; appointed 9/09-12/12 by Bulova) Term exp. 12/15 <i>Resigned</i>	At-Large #3 Representative		By Any Supervisor	At-Large

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
C. Denver Lovett (Appointed 1/10-3/11 by Hudgins) Term exp. 3/13	Fairfax County #4 Representative		By Any Supervisor	At-Large
Linda Diamond (Appointed 3/07-3/11 by Hudgins) Term exp. 3/13	Fairfax County #8 Representative		By Any Supervisor	At-Large

TENANT LANDLORD COMMISSION (3 years)

[NOTE: Per County Code Section 12-2-1, each member of this commission must be a County resident. Tenant Members: shall be a person who, prior to the time of his/her appointment, and throughout his/her term, shall be the lessee of and reside in a dwelling unit. Landlord Members: shall be a person who owns and leases, or serves as a manager for four (4) or more leased dwelling units in Fairfax County or is employed by a real estate management firm that manages more than four (4) rental units. Citizen Members: shall be anyone who is neither a lessee nor lessor of any dwelling unit in Fairfax County.]

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by H. Lillian Vogl; appointed 3/10-1/11 by Herrity) Term exp. 1/14 <i>Resigned</i>	Citizen Member #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Michael Kiffney; appointed 5/08-12/12) Term exp. 12/15 <i>Resigned</i>	Citizen Member #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Kevin Denton; appointed 4/10&1/11 by Smyth) Term exp. 1/14 <i>Resigned</i>	Tenant Member #3 Representative		By Any Supervisor	At-Large

TREE COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Marie Flanagan; appointed 12/09 by Smyth) Term exp. 10/11 <i>Resigned</i>	Providence District Representative		Smyth	Providence

TRESPASS TOWING ADVISORY BOARD (3 years)

[NOTE: Advisory board created effective 7/1/06 to advise the Board of Supervisors with regard to the appropriate provisions of Va. Code Section 46.2-1233.2 and Fairfax County Code 82.5-32.]

Membership: Members shall be Fairfax County residents. A towing representative shall be defined as a person who, prior to the time of his or her appointment, and throughout his or her term, shall be an operator of a towing business in Fairfax County.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Ronald P. Miner; appointed 6/06 by Connolly; 9/09 by Bulova) Term exp. 9/12 <i>Resigned</i>	Citizen Alternate Representative		By Any Supervisor	At-Large

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Paul V. Luisada, M.D., F.A.P.A.
2616 Sherwood Hall Lane
Alexandria, Virginia 22306

EDUCATION:

Cornell University, Ithaca, N.Y.: A.B. Chemistry, 1966
Chicago Medical School, Chicago, Ill.: M.D., 1971

POSTGRADUATE EDUCATION:

Internship:

National Institute of Mental Health
St. Elizabeths Hospital
Washington, DC 20032
July, 1971 to June, 1972

Psychiatric Residency:

National Institute of Mental Health
St. Elizabeths Hospital
Washington, DC 20032
July, 1971 to June, 1974

SPECIALTY BOARD CERTIFICATION:

Certified in Psychiatry by the American Board of Psychiatry and Neurology, Inc.,
April, 1976

MEDICAL LICENSURE:

National Board of Medical Examiners, Certificate No. 118855
(Issued 1972)

Virginia Medical License No. 0101-024658
(Issued 1974) Current license expires October 31, 2014

Paul V. Luisada, M.D.

Drug Enforcement Administration

Controlled Substances Registration Certificate, with additional certificate to prescribe for treatment of narcotic abuse.

Registration numbers furnished upon request.

OTHER GRADUATE EDUCATION:

Administrative Psychiatry
Washington School of Psychiatry,
Washington, DC
September, 1974 to June, 1975

Psychiatry
Georgetown University Medical School, Washington, DC
January, 1975 to April, 1975

Neurology
Georgetown University Medical School, Washington, DC
January, 1975 to April, 1975

AWARDS:

1969	Illinois Psychiatric Association:	Annual award for best paper.
1971	Chicago Medical School:	Cardiology Award.
1971	Chicago Medical School:	Quarterly Award.
1974	Medical Society of St. Elizabeths Hospital:	William A. White Award

APPOINTMENTS AND SERVICES AS CONSULTANT:

Board Agenda Item
April 30, 2013

10:40 a.m.

Board Adoption of the FY 2014 Budget Plan

ENCLOSED DOCUMENTS:

To be delivered under separate cover.

STAFF:

Edward L. Long, Jr. County Executive

Susan W. Datta, Chief Financial Officer & Director, Department of Management and Budget

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Board Agenda Item
April 30, 2013

10:40 a.m.

Items Presented by the County Executive

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ADMINISTRATIVE – 1

Streets into the Secondary System (Hunter Mill, Lee and Mount Vernon 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>
Browns Mill Forest	Hunter Mill	Westford Drive (Route 3859) Wynhurst Lane Browns Mill Road (Route 675) (Additional Right-of-Way (ROW) Only)
Reston Section 904 Block 1 (Reston Crescent)	Hunter Mill	Reston Parkway (Route 602) (Additional ROW Only) Sunrise Valley Drive (Route 5320) (Additional ROW Only)
South County Center	Lee	Richmond Highway (Route 1) (Additional ROW Only) Richmond Highway (Route 1) (Additional ROW Only) Buckman Road (Route 836) (Additional ROW Only) Buckman Road (Route 836) (Additional ROW Only)

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<u>Subdivision</u>	<u>District</u>	<u>Street</u>
John Leary Subdivision	Mt. Vernon	Virginia Terrace
		Haines Drive
		Haywood Avenue
		Ox Road (Old Alignment) (Route 10549) (Additional ROW Only)
		Ox Road (Old Alignment) (Route 10549) (Additional ROW Only)
		Ox Road (Old Alignment) (Route 10549) (Additional ROW Only)

TIMING:
Routine.

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

FISCAL IMPACT:
None.

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

Print Form

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>ENGINEERING MANAGER: Terry L. Yates, P.E. BY: <i>Nedra Alford</i></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: 6621-SD-01</p> <p>SUBDIVISION PLAT NAME: Browns Mill Forest</p> <p>COUNTY MAGISTERIAL DISTRICT: Hunter Mill</p> <p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: 01/11/2013</p>			
STREET NAME	LOCATION	FROM	TO	LENGTH MILE
Westford Drive (Route 3859)	Existing Westford Drive (Route 3859) - 873' SE CL Blandfield Drive (Route 3860)		274' SE to CL Wynhurst Lane	0.05
Wynhurst Lane	CL Westford Drive (Route 3859) - 1,147' SE CL Blandfield Drive (Route 3860)		1,178' N to End of Cul-de-Sac and 1,077' S to End of Cul-de-Sac Total = 2,255'	0.43
Browns Mill Road (Route 675) (Additional Right-of-Way Only)	1,300' SE CL Crowell Road (Route 3858)		1,632' SE to Section Line	0.0
NOTES:				TOTALS:
Browns Mill Road: 6' Stone Dust Trail on North Side to be maintained by Fairfax County.				0.48

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: 8001-SP-02</p>	
<p>SUBDIVISION PLAT NAME: Reston Section 904 Block 1 (Reston Crescent)</p>	
<p>COUNTY MAGISTERIAL DISTRICT: Hunter Mill</p>	

ENGINEERING MANAGER: Terry L. Yates, P.E.

BY: *Terry L. Yates*

FOR OFFICIAL USE ONLY

DATE OF VDOT INSPECTION APPROVAL: 01/29/2013

STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Reston Parkway (Route 602) (Additional Right-of-Way Only)	45' NE CL Sunrise Valley Drive (Route 5320)	43' NE to Section Line	0.0
Sunrise Valley Drive (Route 5320) (Additional Right-of-Way Only)	60' NW CL Reston Parkway (Route 602)	41' NW to Section Line	0.0
NOTES:			TOTALS:
Reston Parkway: 8' Asphalt Trail on West Side to be maintained by Fairfax County			0
Sunrise Valley Drive: 8' Asphalt Trail on North Side to be maintained by Fairfax County			

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>ENGINEERING MANAGER: Terry L. Yates, P.E. BY: <i>Terry L. Yates</i></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: 0516-SP-01</p> <p>SUBDIVISION PLAT NAME: South County Center</p> <p>COUNTY MAGISTERIAL DISTRICT: Lee</p> <p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>DATE OF VDOT INSPECTION APPROVAL: 01/23/2013</p>			
STREET NAME	LOCATION	FROM	TO	LENGTH MILE
Richmond Highway (Route 1) (Additional Right-of-Way Only)		362' NE CL Radford Avenue (Route 888)	211' NE to Section Line	0.0
Richmond Highway (Route 1) (Additional Right-of-Way Only)		475' SW CL Gregory Drive (Route 2144)	460' SW to Section Line	0.0
Buckman Road (Route 836) (Additional Right-of-Way Only)		518' NE CL Richmond Highway (Route 1)	313' NE to Section Line	0.0
Buckman Road (Route 836) (Additional Right-of-Way Only)		463' SW CL Main Street (Route 3127)	154' SW to Section Line	0.0
NOTES:				TOTALS:
Richmond Highway: 10' Asphalt Trail on North Side to be maintained by Fairfax County				0
Buckman Road: 4' Concrete Sidewalk on East Side to be maintained by VDOT				

Street Acceptance Form For Board Of Supervisors Resolution - June 2005

FAIRFAX COUNTY BOARD OF SUPERVISORS
FAIRFAX, VA
 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.

VIRGINIA DEPARTMENT OF TRANSPORTATION - OFFICE OF THE ENGINEERING MANAGER, FAIRFAX, VIRGINIA
 REQUEST TO THE ENGINEERING MANAGER, FOR INCLUSION OF CERTAIN SUBDIVISION STREETS INTO THE STATE OF VIRGINIA SECONDARY ROAD SYSTEM.

ENGINEERING MANAGER: Terry L. Yates, P.E.
 BY: *Nelia Apperant*

PLAN NUMBER: 0091-PI-01
SUBDIVISION PLAT NAME: John Leary Subdivision
COUNTY MAGISTERIAL DISTRICT: Mount Vernon

FOR OFFICIAL USE ONLY
DATE OF VDOT INSPECTION APPROVAL: 01/30/2013

STREET NAME	LOCATION		MILE LENGTH
	FROM	TO	
Virginia Terrace	CL Ox Road (Old Alignment) (Route 10549) - 546' S CL Hooes Road (Route 636)	891' NE to CL Haines Drive	0.17
Haines Drive	CL Virginia Terrace - 891' NE CL Ox Road (Old Alignment) (Route 10549)	614' NW to End of Cul-de-Sac and 203' SE to End of Cul-de-Sac Total = 817'	0.16
Haywood Avenue	CL Haines Drive - 400' NW CL Virginia Terrace	777' SW to End of Cul-de-Sac	0.15
Ox Road (Old Alignment) (Route 10549) (Additional Right-of-Way Only)	30' S CL Hooes Road (Route 636)	122' S to Section Line	0.0
Ox Road (Old Alignment) (Route 10549) (Additional Right-of-Way Only)	295' S CL Hooes Road (Route 636)	68' S to Section Line	0.0
Ox Road (Old Alignment) (Route 10549) (Additional Right-of-Way Only)	478' N CL Hollymeade Drive (Route 10223)	237' S to Section Line	0.0
NOTES:			TOTALS: 0.48

Virginia Terrace: 4' Concrete Sidewalk on Both Sides to be maintained by VDOT.
 Haines Drive: 4' Concrete Sidewalk on Both Sides to be maintained by VDOT.
 Haywood Avenue: 4' Concrete Sidewalk on Both Sides to be maintained by VDOT.

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ADMINISTRATIVE – 2

Extension of Review Periods for 2232 Review Applications (Sully, Providence, Mount Vernon, and Mason Districts)

ISSUE:

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

RECOMMENDATION:

The County Executive recommends that the Board extend the review period for the following applications: Application 2232-Y13-1, 2232-P12-6, 2232A-V00-36-1, FS-P12-35, and FSA-M00-106-5.

TIMING:

Board action is required on April 20, 2013, to extend the review period of the applications noted above before they expire.

BACKGROUND:

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

The Board is asked to extend the review period for these 2232/FS applications which were accepted for review by DPZ between January 31, 2013 - February 12, 2013. These applications are for telecommunications public facilities and thus, are subject to the State Code provision that the Board may extend the time required for the Planning Commission to act on these applications by no more than sixty additional days. The review period for the following applications should be extended as follows:

2232-Y13-1	Milestone Communications, Inc., and Verizon Wireless/Tree Pole Ormond Middle School, 5500 Sully Park Drive, Centreville, Virginia Sully District Extend to July 1, 2013
------------	--

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- 2232-P12-6 Milestone Communications, Inc./Clock Tower/Monopole
Graham Road Community Building (former Graham Road
Elementary School) 3036 Graham Road, Falls Church, Virginia
Providence District
Extend to July 1, 2013
- FS-P12-35 NextNav, LLC/Existing Structure
1800 Tysons Blvd., McLean, Virginia
Providence District
Extend to July 11, 2013
- FSA-M00-106-5 Sprint/Existing Building Rooftop
5881 Leesburg Pike, Falls Church, Virginia
Mason District
Extend to July 12, 2013

The Board is asked to extend the review period for application 2232A-V00-36-1, accepted for review on March 11, 2013. This application is for a non-telecommunications public facility, and thus, is not subject to the State Code provision for extending the review period by no more than sixty (60) additional days. The review period for 2232A-V00-36-1 should be extended as follows:

- 2232A-V00-36-1 Fairfax County Department of Public Works on behalf of Fairfax
(Non-Telecom) County Department of Transportation
Bus Maintenance Facility Expansion
8101 Cinder Bed Road, Newington, Virginia
Mount Vernon District
Extend to July 10, 2013

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

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
Fred R. Selden, Director, Department of Planning and Zoning, DPZ
Chris B. Caperton, Chief, Facilities Planning Branch, Planning Division, DPZ
Connie A. Maier, Planner, Facilities Planning Branch, Planning Division, DPZ

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ADMINISTRATIVE - 3

Additional Time to Establish the Use for Special Exception Amendment SEA 2006-PR-019, Virginia International University (Providence District)

ISSUE:

Board consideration of additional time to establish the use for SEA 2006-PR-019, pursuant to the provisions of Sect. 9-015 of the Zoning Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board approve additional time for SEA 2006-PR-019 to July 29, 2013.

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 specified by the Board of Supervisors, an approved special exception shall automatically expire without notice unless the Board approves additional time. 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 August 3, 2009, the Board of Supervisors approved Special Exception Amendment SEA 2006-PR-019, subject to development conditions. The application was filed in the name of Virginia International University to permit modifications to site design and development conditions for the previously approved college/university, pursuant to Section 5-404 of the Fairfax County Zoning Ordinance, for the property at 3953 and 3957 Pender Drive, Tax Map 57-1 ((1)) 10 (see Locator Map in Attachment 1). SEA 2006-PR-019 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 development conditions for SEA 2006-PR-019 are included as part of the Clerk to the Board's letter (see Attachment 2).

On June 19, 2012, the Board of Supervisors approved six (6) months additional time to

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commence construction for SEA 2006-PR-019 until August 3, 2012. A copy of the Clerk to the Board's letter stating the approval of additional time is attached (Attachment 3).

On October 16, 2012, the Board of Supervisors approved six (6) months additional time to commence construction for SEA 2006-PR-019 until February 3, 2013. A copy of the Clerk to the Board's letter stating approval of additional time is attached (Attachment 4).

On January 18, 2013, the Department of Planning and Zoning (DPZ) received a letter dated January 15, 2013, from Sue Ann Myers, Vice President of Business Affairs, Virginia International University (VIU), requesting six (6) months of additional time (see Attachment 5). The approved Special Exception Amendment will not expire pending the Board's action on the request for additional time.

Ms. Myers states the request is due to a delay in the submittal and approval of the required parking tabulation. Development Condition 9 requires the submission of a parking tabulation to the Department of Public Works and Environmental Services (DPWES) prior to the issuance of a Non-Residential Use Permit (Non-RUP). In addition, Development Condition 10 requires coordination with the Fairfax County Department of Transportation (FCDOT) to revise the Transportation Demand Management (TDM) Program. On February 8, 2013, DPZ received a supplemental letter dated February 4, 2013, from Ms. Myers to clarify the reason for the delay (see Attachment 5). According to the letter, DPWES deemed the originally submitted parking tabulations as incomplete. Since that time, VIU hired an engineer to assist in their efforts to comply with the requirements of the SEA for parking tabulations and parking management. Ms. Myers indicates the additional time is requested to complete the review of the parking tabulations and coordinate with FCDOT to update and revise the TDM plan. According to the supplemental letter dated February 18, 2012 (see Attachment 5), Ms. Myers states the engineer has provided certification to DPWES of adequate accessible parking spaces as dimensioned, striped, and signed; has submitted the required parking tabulations for review; and will coordinate with FCDOT to update the TDM Program. As of this date, according to Zoning Permit Review, Zoning Administration Division, the parking tabulations have been approved by DPWES and the applicant is in the process of addressing revisions required in the TDM plan by FCDOT.

Staff has reviewed Special Exception Amendment SEA 2006-PR-019 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to permit a college/university. Further, staff knows of no change in land use circumstances that affects compliance of SEA 2006-PR-019 with the special exception standards applicable to this use, or which should cause the filing of a new special exception amendment application and review through the public hearing process. The Comprehensive Plan recommendation for the property has not changed since approval of the Special Exception Amendment. Finally, the conditions associated with the

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Board's approval of SEA 2006-PR-019 are still appropriate and remain in full force and effect. Staff believes that approval of the request for additional time is in the public interest.

Staff notes that this is the applicant's third request for additional time and, if the additional time is approved, approximately four (4) years will have passed since approval of the SEA. Staff recommends that additional time to establish the use be granted to July 29, 2013. Staff believes this should be sufficient time to complete the requirements of the SEA approved by the Board of Supervisors on August 3, 2009.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Locator Map

Attachment 2: Letter dated August 4, 2009, to Michael M. Pavlovich

Attachment 3: Letter dated June 20, 2012, to Michael M. Pavlovich

Attachment 4: Letter dated October 17, 2012, to Sue Ann Myers

Attachment 5: Letters dated January 15, February 4, and February 18, 2013, to Leslie B. Johnson

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred R. Selden, 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

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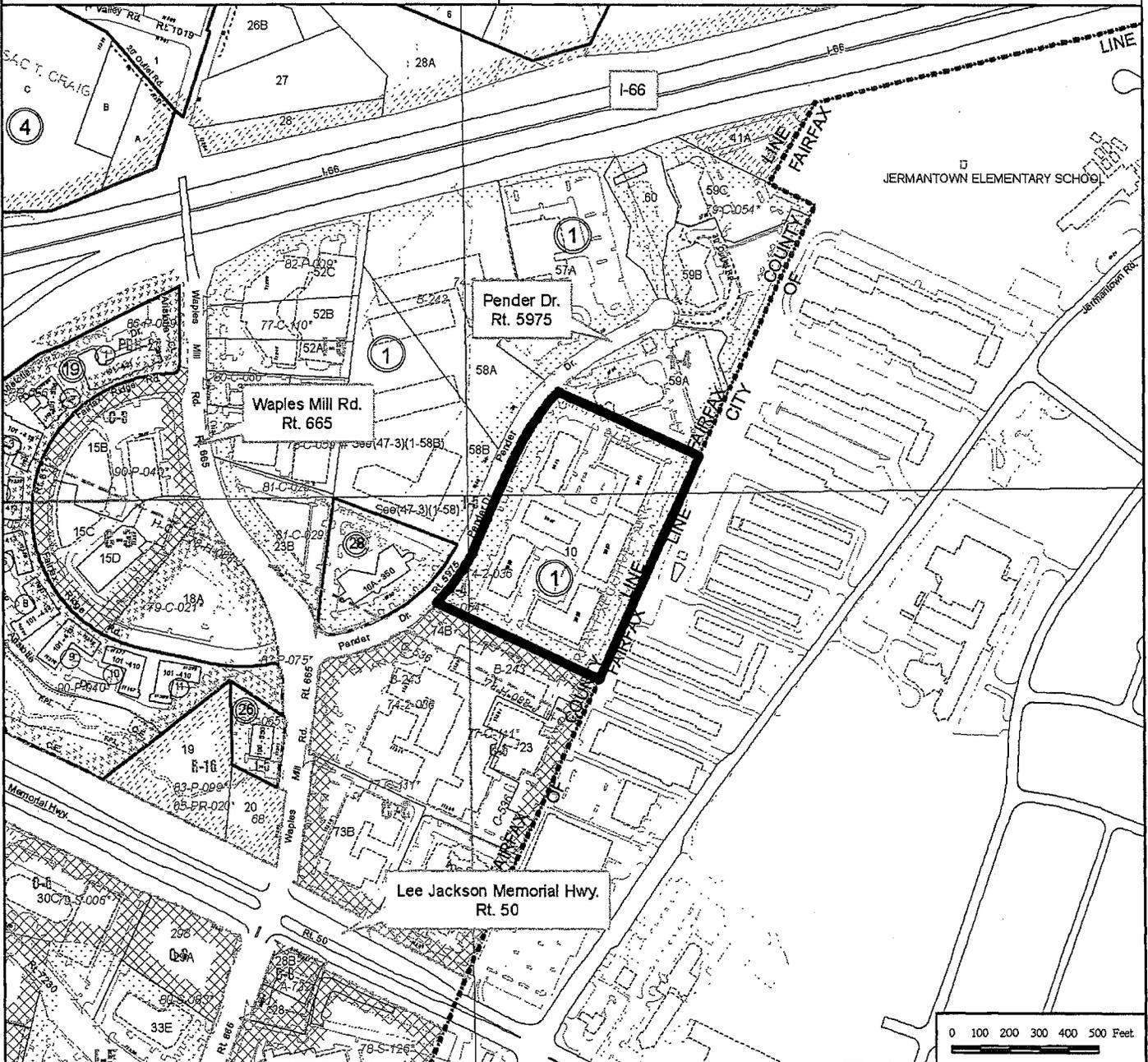
Special Exception Amendment

SEA 2006-PR-019



Applicant: VIRGINIA INTERNATIONAL UNIVERSITY
 Accepted: 04/02/2009
 Proposed: AMEND SE 2006-PR-019 PREVIOUSLY APPROVED FOR COLLEGE/UNIVERSITY TO PERMIT SITE MODIFICATIONS

Area: 11 AC OF LAND; DISTRICT - PROVIDENCE
 Zoning Dist Sect: 05-0404
 Art 9 Group and Use: 3-01
 Located: 3957 PENDER DRIVE
 Zoning: I-4
 Plan Area: 2,
 Overlay Dist:
 Map Ref Num: 057-1- /01/ /0010





County of Fairfax, Virginia

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

August 4, 2009

Michael M. Pavlovich
Westberg Croessmann & Warren, P.C.
1220 N. Fillmore Street, Suite 310
Arlington, Virginia 22201

RE: Special Exception Amendment Application SEA 2006-PR-019

Dear Mr. Pavlovich:

At a regular meeting of the Board of Supervisors held on August 3, 2009, the Board approved Special Exception Amendment Application SEA 2006-PR-019 in the name of Virginia International University. The subject property is located at 3953 and 3957 Pender Drive on approximately 11.0 acres of land zoned I-4 in the Providence District [Tax Map 57-1 ((1)) 10]. The Board's action amends Special Exception Application SE 2006-PR-019, previously approved for a college/university to permit modifications to site design and development conditions pursuant to Section 5-404 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous conditions (those conditions carried forward from previous approval are marked with an asterisk*):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment 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 Permitted 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 and all Zoning Ordinance requirements have been met.*

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>

3. This Special Exception Amendment 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 As Built Site Plan: Fairfax Executive Park, prepared by Patton, Harris, Rust and Guy, consisting of 1 sheets dated December, 1980 as revised through October 10, 1985, 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.
4. The amount of gross floor area devoted to the university use on the subject property shall be limited to a total of 13,000 square feet.
5. The maximum daily enrollment shall be limited to 400 students.
6. In no event shall more than 225 students be permitted to attend classes during the day before 6:00 p.m.
7. The maximum number of parking spaces for university employees and faculty members shall be limited to 40.
8. There shall be no dorms or dedicated eating establishments on the portions of the site devoted to university use.*
9. Prior to the issuance of a Non-Residential Use Permit (Non-Rup), the applicant shall provide a parking tabulation sheet to DPWES.
10. Prior to NonRUP, the applicant shall work with Fairfax County Department of Transportation (FCDOT) to revise and continue the existing Transportation Demand Management (TDM) program that serves transportation needs of the students, employees and faculty while reducing the number of vehicular trips to and from the site. This TDM Program shall include:
 - i. Transportation Coordinator. Upon approval of this Special Exception, an individual shall be designated to act as the Transportation Coordinator (TC), whose responsibility will be to implement the TDM strategies with on-going coordination with Fairfax County Department of Transportation (FCDOT). Written notice shall be provided to FCDOT of the appointment of the TC within thirty (30) days of such appointment, and thereafter, within thirty (30) days of any change in such appointment.
 - ii. TDM Plan. Sixty (60) days after the appointment of the TC, an updated TDM Plan for the Property shall be submitted to FCDOT for review and approval. The TDM Plan and any amendments thereto shall include, at a minimum, the following measures:

- i. Information Dissemination. Transit maps and schedules, ridesharing and other relevant information shall be made available to students, employees and faculty in an easily-accessible location and by electronic means such as websites, email and social networking media.
- ii. SmarTrip Cards. Transit fare media, pre-loaded with fare value, will be provided to students, employees and faculty each academic year to encourage use of non-SOV transportation options. The amount of fare value and number of cards distributed each year will be determined in consultation with FCDOT.
- iii. Ride Matching. Coordination and assistance with vanpool and carpool formation programs, ride matching services, and established guaranteed ride home programs shall be provided to employees and faculty;
- iv. Bicycle Storage. Adequate bicycle racks for all users and visitors to the Property shall be provided. The location and design of the bicycle racks shall be determined in consultation with FCDOT.
- v. Preferential Parking. Coordination with the property owner shall be performed to establish preferential parking spaces for carpools/vanpools.

Other measures may be included as determined by FCDOT. If FCDOT has not responded with any comments to the TC within sixty (60) days of receipt of the TDM Plan, the TDM Plan shall be deemed approved.

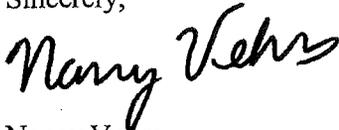
- iii. Mode Share Goal. The objective of the TDM Plan shall be to increase the non-Single Occupant Vehicle (non-SOV) mode share (as measured by the Annual Survey) from year to year.
- iv. Annual Surveys & Coordination with FCDOT. Within thirty (30) days following the first day of classes of each calendar year, the TC shall conduct a survey of students, employees and faculty designed to evaluate the effectiveness of the TDM measures and to evaluate the need for changes to the TDM measures then in place. The TC shall coordinate the draft survey materials and the methodology with FCDOT at least thirty (30) days prior to each year's Survey. The survey content shall include at a minimum:
 - i. A description of the TDM measures in effect for the survey period and a description of how such measures have been implemented;
 - ii. The number of students, employees and faculty surveyed and the number who responded;

- iii. The results of the survey (including number of individuals participating in the TDM programs, displayed by category and mode of use); and,
- iv. An evaluation of the effectiveness of the TDM program elements in place, and, if necessary, proposed modifications to meet the Mode Share Goal, above.

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.

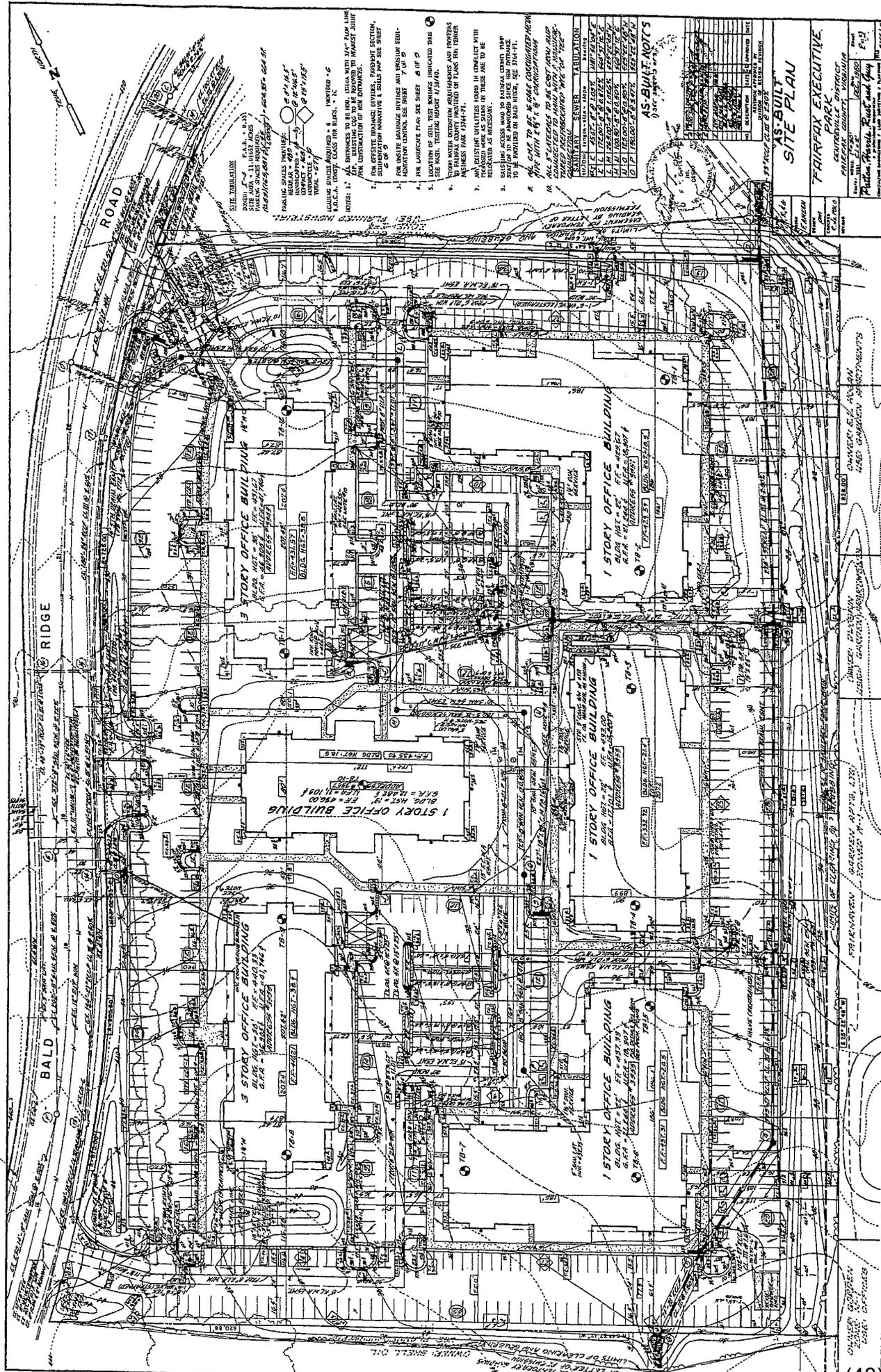
Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established. The Board of Supervisors may grant additional time to establish the use or to commence construction 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.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/dms

Cc: Chairman Sharon Bulova
Supervisor Linda Smyth, Providence 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
Barbara J. Lippa, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



SITE INFORMATION

STREETS: 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

AS-BUILT SITE PLAN

FAIRFAX EXECUTIVE PARK

FAIRFAX COUNTY, VIRGINIA

PROJECT: FAIRFAX EXECUTIVE PARK

DATE: 11/15/00

SCALE: AS SHOWN

DESIGNED BY: [Redacted]

DRAWN BY: [Redacted]

CHECKED BY: [Redacted]

APPROVED BY: [Redacted]

AS-BUILT NOTES

1. ALL DIMENSIONS TO BE TO FACE UNLESS OTHERWISE NOTED.
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County of Fairfax, Virginia

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

June 20, 2012

Michael M. Pavlovich
Westberg Croessmann & Warren, P.C.
1220 N. Fillmore Street, Suite 310
Arlington, VA 22201

RE: Special Exception Amendment Application SEA 2006-PR-019

Dear Mr. Pavlovich:

At a regular meeting of the Board of Supervisors held on June 19, 2012, the Board approved six months additional time to commence construction for Special Exception Amendment Application SEA 2006-PR-019 in the name of Virginia International University until August 3, 2012, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

Sincerely,

Catherine A. Chianese
Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova
Supervisor Lynda Smyth, Providence District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation, Planning Division
Capital Projects and Operations Div., Dept. of Transportation
Audrey Clark, Director, Building Plan Review, DPWES
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways - VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Gordon Goodlett, Development Officer, DHCD/Design Development Division
Planning Commission
Jose Comayagua, Director, Facilities Management
Gary Chevalier, Office of Capital Facilities/Fairfax County Public Schools
Kevin Guinaw, Chief, Special Projects Applications/Management Branch, ZED, DPZ

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>



County of Fairfax, Virginia

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

October 17, 2012

Sue Ann Myers
 Vice president of Business Affairs
 Virginia International University
 11200 Waples Mill Road, #360
 Fairfax, VA 22030

RE: Special Exception Amendment Application SEA 2006-PR-019

Dear Ms. Myers:

At a regular meeting of the Board of Supervisors held on October 16, 2012, the Board approved six months additional time to commence construction for Special Exception Amendment Application SEA 2006-PR-019 in the name of Virginia International University until February 3, 2013, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

Sincerely,

Catherine A. Chianese
 Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova
 Supervisor Linda Smyth, Providence District
 Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
 Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
 Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
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 Gordon Goodlett, Development Officer, DHCD/Design Development Division
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 12000 Government Center Parkway, Suite 533
 Fairfax, Virginia 22035

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 Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>



VIRGINIA INTERNATIONAL UNIVERSITY

"Let's build the future together"

January 15, 2013

Ms. Leslie B. Johnson
Zoning Administrator
Department of Planning and Zoning
Zoning Administration Division
Zoning Permit Review Branch
12055 Government Center Parkway, Suite 250
Fairfax, Virginia 22035-5508



2013-0119

RECEIVED
Department of Planning & Zoning

JAN 18 2013

Re: Special Exception Amendment SEA 2006-PR-019 - Virginia International University
3953 & 3957 Pender Drive
Tax Map Ref: 057-1 ((1)) 10
Zoning District: 1-4

Dear Ms. Leslie B. Johnson,

In response to your letter dated December 12, 2012, Virginia has submitted all the documents to get an approval for the special exemption certificate. However, there is a delay in the approval due to an inconsistency on the Parking Study. Therefore, the University submits this letter to request another extension of 6 months to establish the use.

If you have any questions, please feel free to give us a call at (703) 591-7042.

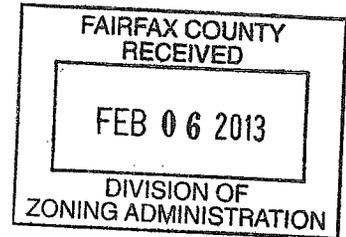
Sincerely,

Sue Ann Myers
Vice President, Business Affairs
Virginia International University
11200 Waples Mill Road, #360
Fairfax, VA 22030



VIRGINIA INTERNATIONAL UNIVERSITY

"Let's build the future together"



2013-0215

RECEIVED
Department of Planning & Zoning

FEB 08 2013

Zoning Evaluation Division

February 4, 2013

Ms. Leslie B. Johnson
Zoning Administrator
Department of Planning and Zoning
Zoning Administration Division
Zoning Permit Review Branch
12055 Government Center Parkway, Suite 250
Fairfax, Virginia 22035-5508

Re: Special Exception Amendment SEA 2006-PR-019 - Virginia International University
3953 & 3957 Pender Drive
Tax Map Ref: 057-1 ((1)) 10
Zoning District: 1-4

Dear Ms. Johnson,

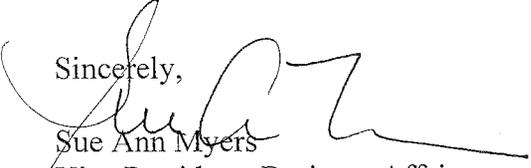
This letter is a supplement to VIU's original request for an extension dated January 15, 2013. Our confusion about this issue is due solely to our ignorance about parking tabulations and zoning requirements. VIU hired an architect who was also affiliated with the university, Mr. Ron Hubbard, to complete the work of the parking tabulation about a year ago. He indicated that he could readily take care of this for VIU. Apparently when he submitted his work to the county it was based on office use not school use. Unbeknownst to us, he was not aware of the differences in zoning requirements. We were not as well.

We decided to hire someone else to complete the work and did so when we realized we were denied the special exception. On Friday February 1, 2013 I spoke with Ms. Carrie Lee and she stressed that we really needed a Traffic Consultant to do this type of work. Immediately I canceled the services of the second architect and hired GJB Engineering, Inc. to finally complete the tabulation for us. Mr. Gregory J. Budnik, President of GJB met with Mr. Park our Business Manager on February 1, 2013 and was extremely helpful and knowledgeable. He said it would likely take him until February 18, 2013 to complete the job.

I understand the county has been more than patient with VIU about this issue and I do apologize. We are being diligent at this time about getting this done. I would greatly appreciate your consideration of this matter on our behalf. I assure you, it will be completed, correctly if we are granted this last extension. I am more than happy to answer any questions or concerns you have at this point.

Thank you for your consideration.

Sincerely,



Sue Ann Myers

Vice President, Business Affairs
Virginia International University
11200 Waples Mill Road, #360
Fairfax, VA 22030
samyers@viu.edu



VIRGINIA INTERNATIONAL UNIVERSITY

"Let's build the future together"

RECEIVED
Department of Planning & Zoning

FEB 19 2013

Zoning Evaluation Division

February 18, 2013

Ms. Leslie B. Johnson
Zoning Administrator
Department of Planning and Zoning
Zoning Administration Division
Zoning Permit Review Branch
12055 Government Center Parkway, Suite 250
Fairfax, Virginia 22035-5508

Re: Special Exception Amendment SEA 2006-PR-019 - Virginia International University
3953 & 3957 Pender Drive
Tax Map Ref: 057-1 ((1)) 10
Zoning District: 1-4

Dear Ms. Leslie B. Johnson,

In response to your letter dated February 4, 2013, Virginia International University submitted a letter explaining the reason why we were unable to complete the parking tabulation as well as our efforts to complete it as soon as we can. The date for submission on the letter quoted from our engineer was February 18, 2013, which today. Unfortunately, we are unable to submit by February 18, 2013 for the following reasons:

The parking study has been completed, however, cannot be certified until it meets the state/local laws which require an immediate action from our leasing company, PS Business Parks. The law states a requirement of adequate, properly signed, properly dimensioned and striped accessible parking spaces for the handicapped. However, when our engineer did the filed review, the requirement was not met. We already contacted the leasing company to raise this issue and are waiting for their action on this part. This is the only hold up on the parking study submission and it is solely up to the leasing company to ensure that these spaces are in compliance. Our engineer has informed us that this should not take more than a couple of weeks for PS Business Parks to bring the spaces into compliance. Once this requirement has been met, we will be able to submit the complete parking tabulation.

Please consider this letter as our status report to you and as a request for you to allow us more time to complete the parking tabulation.

If you have any questions, please feel free to give us a call at (703) 591-7042.

Sincerely,

Sue Ann Myers
Vice President, Business Affairs
Virginia International University
11200 Waples Mill Road, #360
Fairfax, VA 22030

ACTION - 1

Approval of the Proposed Consolidated Plan One-Year Action Plan for FY 2014

ISSUE:

Final action by the Fairfax County Board of Supervisors on the Proposed Consolidated Plan One-Year Action Plan for FY 2014 as issued by the Consolidated Community Funding Advisory Committee (CCFAC).

RECOMMENDATION:

The County Executive recommends that the Board (1) adopt the Proposed Consolidated Plan One-Year Action Plan for FY 2014 as issued by the CCFAC with funding allocations outlined below; and (2) authorize signature of the Consolidated Plan Certifications and Federal funding application forms (SF424s) required by the U.S. Department of Housing and Urban Development (HUD) by May 13, 2013.

TIMING:

Board action is requested on April 30, 2013, in order to maintain the schedule for the Consolidated Plan process, which is included as Appendix C in the revised Proposed Consolidated Plan One-Year Action Plan for FY 2014, and to ensure timely submission of the Plan to HUD.

BACKGROUND:

The revised Proposed Consolidated Plan One-Year Action Plan for FY 2014 (One-Year Action Plan for FY 2014) has been issued by the CCFAC for approval by the Board of Supervisors. The One-Year Action Plan for FY 2014 contains the proposed uses of funding for programs to be implemented in the fourth year of the Five-Year Consolidated Plan for FY 2011-2015. An annual action plan is required by HUD for the four federal programs: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). In addition, the document describes the Continuum of Care for homeless services and programs in the Fairfax community, and the Consolidated Community Funding Pool (CCFP). The One-Year Action Plan for FY 2014 will include the second year of the two-year FY 2013-2014 funding cycle for the CCFP. The CCFP was established by the Board and provides funding for community-based programs by nonprofit organizations through a competitive solicitation process.

Board Agenda Item
April 30, 2013

The One-Year Action Plan for FY 2014 also includes the public and private resources available for housing and community development activities, and the CCFP funding priorities adopted by the Board. In accordance with federal requirements, the One-Year Action Plan for FY 2014 contains several certifications, including drug-free workplace, affirmatively furthering fair housing, prohibition of excessive force, and lobbying requirements, which will be signed by the County Executive following Board approval of the Plan.

The funding levels incorporated in the One-Year Action Plan for FY 2014 were based on the funding levels of FY 2013 since formal notification from HUD of actual grant levels has not been received. Total entitlement funding anticipated of \$6,740,208 has been recommended in this item: for CDBG (\$4,414,224), HOME (\$1,418,376), ESG (\$469,222), and HOPWA (\$438,386). In addition, a total of \$2,330,356 in CDBG and HOME funds is recommended to be carried forward at this time (\$1,619,194 CDBG and \$711,162 HOME). Total estimated CDBG program income of \$350,000 and HOME program income of \$281,456 will also be programmed through this item.

It should be noted that the anticipated HOME and CDBG allocations may be subject to reductions depending on the continuing negotiations regarding the Federal budget. In January 2013, Congress enacted the American Taxpayer Relief Act of 2012 to mitigate the effects of "fiscal cliff" created by the Budget Control Act of 2011. As a part of this action, the cuts to discretionary funding in Federal Fiscal Year 2013 provided for in the Budget Control Act – "sequestration" – were delayed. Based on available information, it is anticipated that Fairfax County's federally-funded affordable housing programs - including CDBG and HOME - would experience significant reductions should sequestration take place. Such reductions would be in addition to the deep cuts enacted in recent years.

As was done in FY 2012, if significant funding cuts are made to these programs (in excess of 10%), the CCFAC understands that staff would assess the impact on the proposed funding. The CCFAC would then reconsider its recommendations, reactivate the CCFAC/FCRHA Working Advisory Group (which developed funding recommendations for consideration by both the CCFAC and the FCRHA), and work with the FCRHA to propose revised CCFAC recommendations to the Board. Last year, the WAG recommended that the Board consider funding the gap for federal reductions in future fiscal years to the greatest extent possible. Any recommended adjustments would be brought back to the Board for review and approval. In any case, the Board, CCFAC and FCRHA will be advised as to the actual funding levels once they become available from HUD, even if reductions are less than 10 percent; actual funding levels will be incorporated into the budget at Carryover.

The Proposed One-Year Action Plan for FY 2014 was made available and was circulated for review and comment by citizens, service providers and other interested parties during the formal public comment period which ended with a public hearing at the Board of Supervisors on March 19, 2013. Following the public hearing and the public comment

Board Agenda Item
April 30, 2013

period, the CCFAC considered all comments received on the Proposed One-Year Action Plan for FY 2014 and hereby forwards its recommendation to the Board in this item for final action on April 30, 2013.

FISCAL IMPACT:

Funds identified in the *Proposed Consolidated Plan One-Year Action Plan for FY 2014* include CDBG (\$4,414,224), HOME (\$1,418,376), ESG (\$469,222), and HOPWA (\$438,386) funds. In addition, a total of \$2,330,356 in CDBG and HOME funds is recommended to be carried forward at this time (\$1,619,194 CDBG and \$711,162 HOME). Total estimated CDBG program income of \$350,000 and HOME program income of \$281,456 will also be programmed through this item.

ENCLOSED DOCUMENTS:

None. The Proposed One-Year Action Plan for FY 2014 is available on line at <http://www.fairfaxcounty.gov/rha>

STAFF:

Patricia D. Harrison, Deputy County Executive
Paula C. Sampson, Director, Department of Housing and Community Development
John Payne, Deputy Director, Real Estate and Development, HCD
Aseem K. Nigam, Director, Real Estate Finance and Grants Management Division, HCD
Robert C. Fields, Interim Associate Director, Grants Management, HCD
David P. Jones, Senior Program Manager, Grants Management, HCD

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ACTION – 2

Approval of a Parking Reduction for Reston Block 16 (Hunter Mill District)

ISSUE:

Board approval of a 15.3 percent reduction or 88 fewer parking spaces in required parking for Reston Block 16, Tax Map No. 17-3 ((10)) 0016, Hunter Mill District.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (Board) approve a parking reduction of 15.3 percent (88 fewer parking spaces) in required parking for Reston Block 16, 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 the use on the site and a parking study, #7067-PKS-010-1, on condition that:

1. A minimum of 487 parking spaces must be maintained on site at all times for the residential uses and shall be distinguished from the parking spaces available to the site's other uses by either a separate garage or by another physical barrier/separation. The site plan must note how the residential parking spaces will be differentiated.
2. The residential uses permitted per this parking reduction are 359 multi-family dwelling units. Any additional uses must be parked at Code and these uses must not exceed the approved floor area ratio.
3. The following mix of residential dwelling units is permitted per this parking reduction for the minimum 487 parking spaces:
 - 221 studio and one-bedroom units,
 - 133 two-bedroom units, and
 - 5 three-bedroom units.

In the event the mix of units changes, one additional parking space shall be provided for every 3.5 additional bedrooms or fraction thereof.

4. Implementation of the Transportation Demand Management (TDM) program conditioned in conjunction with the approval of PRC 85-C-088-2 (South of Market Lot 16, LLC).

Board Agenda Item
April 30, 2013

5. A crosswalk across Explorer Street at Bluemont Way shall be striped as approved by the Virginia Department of Transportation. The median island in Explorer Street may need to be adjusted to accommodate the crosswalk as approved by the Director during site plan review.
6. The current owners, their successors or assigns of the parcels identified as Fairfax County Tax Map No. 17-3 ((10)) 0016, the subject of PRC 85-C-088-02 (South of Market Lot 16, 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 uses to comply with the full parking space requirements as specified in Article 11 of the Zoning Ordinance.
7. 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.
8. 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.
9. 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).
10. 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.
11. Unless an extension has been approved by the Board, this parking reduction shall expire without notice 6 months from the date of Board approval if Condition #10 has not been satisfied.

TIMING:

Board action is requested on April 30, 2013.

BACKGROUND:

Reston Block 16 is a 2.51-acre parcel zoned Planned Residential Development (PRC) within Reston Town Center's Section 91A. The proposed mixed-use development consists of 359 multi-family dwelling units in a 15-story building with 26,500 square feet of shopping center and restaurant uses on the ground floor. A 6-level parking garage, attached to the primary structure and partially below grade, would serve as the sole supply of off-street parking for the development. The site is approximately 600 feet from the Reston Town Center Transit Station. The future Reston Town Center Metrorail Station will be constructed about a ½ mile away. The site is located north of Bluemont Way, east of Explorer Street, south of Town Square and west of Saint Francis Street. The site is governed by the development conditions placed on the parcel in 2011 under PRC 85-C-088-02 approved by the Board on July 26, 2011. Development Condition 8 of the Board's PRC approval requires establishment of a Transportation Demand Management (TDM) program.

Under the Zoning Ordinance, the Code requirement for the 359 proposed multi-family dwelling units would be 575 parking spaces or 1.6 spaces per dwelling unit. The Code-required parking for the 5,705 square feet of shopping center use is 25 parking spaces. The Code-required parking for 500 table seats and 214 counter seats in eating establishments with a total of 50 employees is 257 parking spaces. The development would require 857 parking spaces by Code.

The applicant is seeking a 15.3 percent reduction of the parking spaces required for the residential uses (88 fewer parking spaces) resulting in a minimum of 487 parking spaces for the residential uses. The applicant proposes to provide the Code-required parking for the other uses on the site.

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 Planned Tysons Corner Urban District (PTC District) for comparison purposes. As stated above, the site is 600 feet from the Reston Town Center Transit Station and about a ½ mile from the future Reston Town Center Metrorail station.

The Department of Transportation has recommended the following conditions for the request:

- the TDM program must be implemented,
- a crosswalk should be striped across Explorer Street, a private street, at its intersection with Bluemont Way as shown on Figure 2 of the parking study and
- the development should be limited to type and number of units cited in the study.

Board Agenda Item
April 30, 2013

The applicant has requested a reduction of the residential parking to a rate of 1.36 parking spaces per dwelling unit. If this project were located in Tysons Corner's Non-Transit-Oriented Design (Non-TOD) District, the parking requirement would be 1.1 to 1.4 parking spaces per studio or one-bedroom unit, 1.35 to 1.7 parking spaces per two-bedroom unit and 1.6 to 2.0 parking spaces per three-bedroom unit. The proposed development includes 221 studio and one-bedroom units, 133 two-bedroom units and 5 three-bedroom units resulting in an overall requirement of 1.20 to 1.52 parking spaces per dwelling unit. The 1.36 parking spaces per dwelling unit resulting from this methodology is exactly the mid-point of the range of the parking requirement for a similar development in the Tysons Corner Non-TOD District.

Staff believes the parking analysis indicates it is reasonable for all the uses on the site to be served with a limited reduction in parking spaces. Therefore, staff supports the applicant's request for a 15.3 percent parking reduction subject to the conditions listed above and compliance with the development conditions associated with this site. The recommended parking reduction reflects a coordinated review by the Department of Public Works and Environmental Services, the Department of Transportation, the Department of Planning and Zoning and the Office of the County Attorney.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Parking reduction request dated August 9, 2012, and a parking study w/o attachments dated August 9, 2012, from William F. Johnson, P.E., Wells and Associates.

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Michelle Brickner, Deputy Director, DPWES, Land Development Services



August 9, 2012

Ms. Beth Forbes, P.E.
Code Development and Compliance Division
Department of Public Works &
Environmental Services
12055 Government Center Parkway
Fairfax, Virginia 22035-5503

SUBJECT: Parking Reduction for Reston Block 16
7067-SPV-019-A
Tax Map # 17-3 ((10)) 16; Hunter Mill Magisterial District
Fairfax County, Virginia

Dear Ms. Forbes:

Enclosed please find a parking reduction study for the Reston Block 16 site. The subject site is identified as Tax Map 17-3 ((10)) 16 and is located within Land Unit D of the Reston-Herndon Suburban Center within the Fairfax County Comprehensive Plan. The site is located north of Bluemont Way, east of St. Francis Street and west of Explorer Street.

The subject site is zoned PRC (Planned Residential Community) and is undeveloped. Based on the recently approved Site Plan Revision #7067-SPV-019-A, the site is planned for a mixed-use development consisting of 359 multifamily dwelling units and approximately 26,500 gross square feet (GSF) of commercial/retail/restaurant uses in harmony with the existing surrounding Reston Town Center. To date, a building permit has been issued to advance the construction of the subject development.

Presently, the site owner/developer is investigating the possibility of incorporating restaurant uses within the proposed retail space to provide additional restaurant options within the Reston Town Center. For purposes of this analysis, the following site development scenario is proposed:

- 359 multifamily residential dwelling units,
- 26,500 GSF retail or restaurant uses.

Because restaurant uses could require more parking in accordance with the ZO requirements, a reduction in the residential parking requirement based on the proximity to transit is hereby requested to accommodate potential restaurant uses within the mixed-use development.

As reflected in the enclosed parking study, a total of 575 parking spaces would be required to accommodate the residential program proposed based on a strict application of the Fairfax County Zoning Ordinance. A total of 487 spaces are proposed to serve the site's residential uses. Based on a residential parking supply of 487 parking spaces, the applicant is requesting a 15.3% reduction (or 88 fewer spaces) of the number of residential spaces that would be required by a strict application of the

Ordinance. The basis for such a request is the provision as established in the Ordinance, "The site's proximity to a mass transit station" (Section 11-102.5). All commercial uses would be parked per the Fairfax County Zoning Ordinance.

Thank you for you for your help with this matter. It is, as always, greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "William F. Johnson".

William F. Johnson, P.E.
Senior Associate

Enclosures: a/s



WELLS + ASSOCIATES

MEMORANDUM

TO: Beth Forbes, P.E.
Code Development and Compliance Division
Fairfax County Department of Public Works and Environmental Services

FROM: William F. Johnson, P.E.
Lester E. Adkins, E.I.T.

SUBJECT: Tax Map 17-3 ((10)) 16; Reston Block 16
7067-SPV-019-A
Fairfax County, Virginia

RE: Parking Reduction

DATE: August 9, 2012

Introduction

This memorandum presents the results of a parking reduction analysis conducted in conjunction with the development of a proposed mixed-use development in Fairfax County, Virginia referred to as “Reston Block 16”. The approximate 2.5-acre property is identified as Tax Map 17-3 ((10)) 16 and is located in Land Unit D of the Reston-Herndon Suburban Center within one-half mile of the future proposed WMATA Reston Parkway Metrorail station and approximately 600 feet from the existing Reston Town Center Transit Station. Specifically, the subject site is located north of Bluemont Way, east of St. Francis Street and west of Explorer Street as shown on Figure 1.

The subject site is zoned PRC (Planned Residential Community) and is undeveloped. Based on the recently approved Site Plan Revision #7067-SPV-019-A, the site is planned for a mixed-use development consisting of 359 multifamily dwelling units and approximately 26,500 gross square feet (GSF) of commercial/retail/restaurant uses in harmony with the existing surrounding Reston Town Center. To date, a building permit has been issued to advance the construction of the subject development.

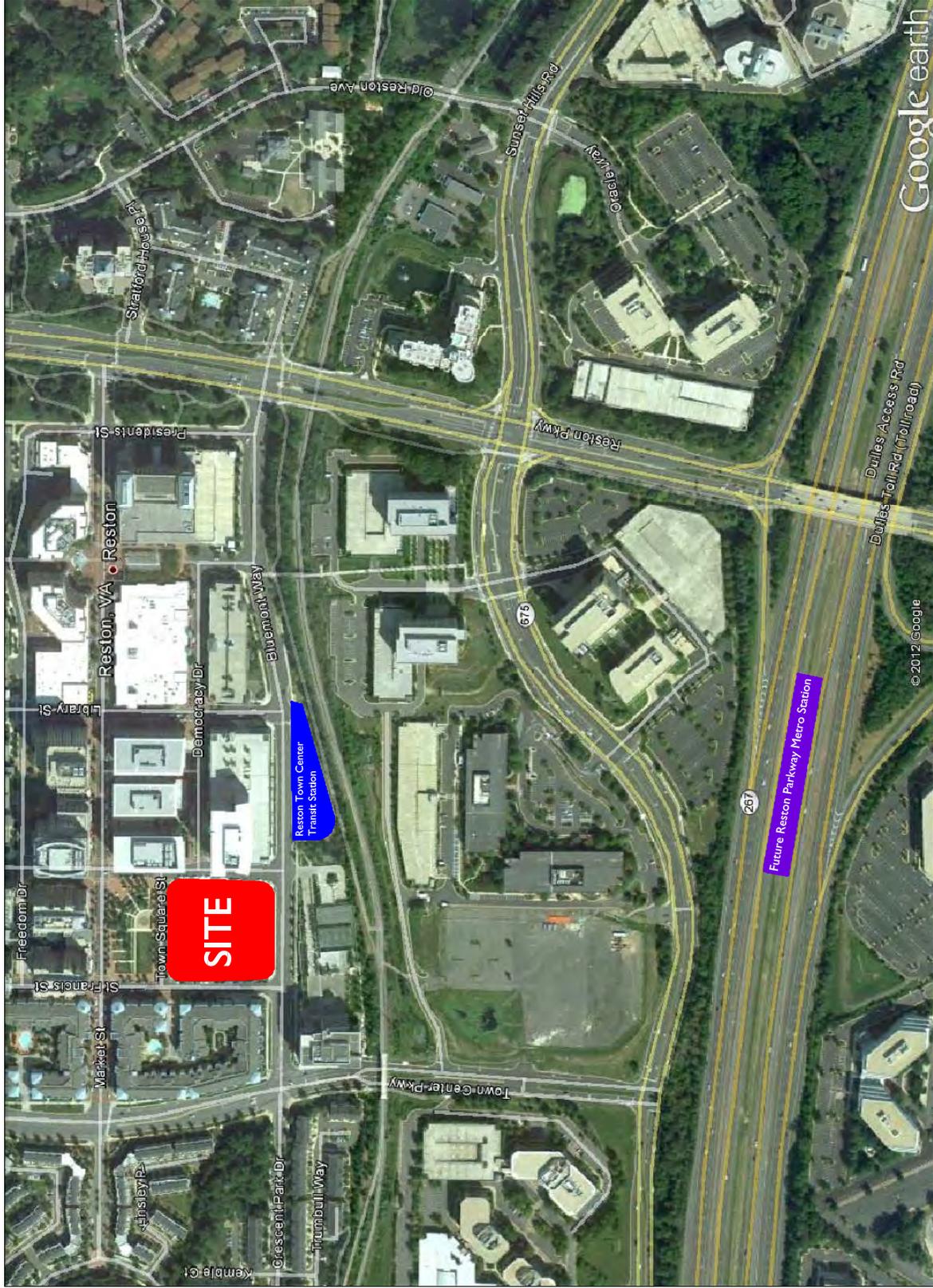


Figure 1
Site Location



Background

As stated above, the Reston Block 16 site is proposed to be developed with 359 multifamily dwelling units as well as approximately 26,500 GSF of commercial/retail uses. As shown on the approved site plan #7067-SPV-019-A, the proposed site development would provide parking sufficient to accommodate the Fairfax County Zoning Ordinance (ZO) requirements for the uses described above.

Presently, the site owner/developer is investigating the possibility of incorporating restaurant uses within the proposed retail space to provide additional restaurant options within the Reston Town Center. For purposes of this analysis, the following site development scenario is proposed:

- 359 multifamily residential dwelling units,
- 26,500 GSF retail or restaurant uses.

Because restaurant uses could require more parking in accordance with the ZO requirements, a reduction in the residential parking requirement based on the proximity to transit is hereby requested to accommodate potential restaurant uses within the mixed-use development.

Proposed Parking Supply

A total of 487 spaces are intended to serve the site's residential uses. All commercial uses would be parked per the Fairfax County Zoning Ordinance. A reduction of the site plan is provided for reference as Figure 2. A full size plan is included as Attachment I

Fairfax County Parking Requirements

Article 11 of the Fairfax County Zoning Ordinance establishes parking requirements for various land uses by providing parking rates per unit of land use (i.e., per residential dwelling unit, per 1,000 GSF of retail uses, etc.). According to the Ordinance, all required parking spaces shall be located on the same lot as the structure or uses to which they are accessory or on a lot contiguous thereto which has the same zoning classification, and is either under the same ownership, or is subject to arrangements satisfactory to the Director that will ensure the permanent availability of such spaces. A copy of the relevant Ordinance text is provided herein as Attachment II. Table I summarizes the number of parking spaces required for the development under a strict interpretation of the Zoning Ordinance.

Residential. Article 11, Section 11-103 of the Ordinance outlines the parking requirements for residential uses as follows:

Dwelling, Multiple Family – “One and six-tenths (1.6) spaces per unit”

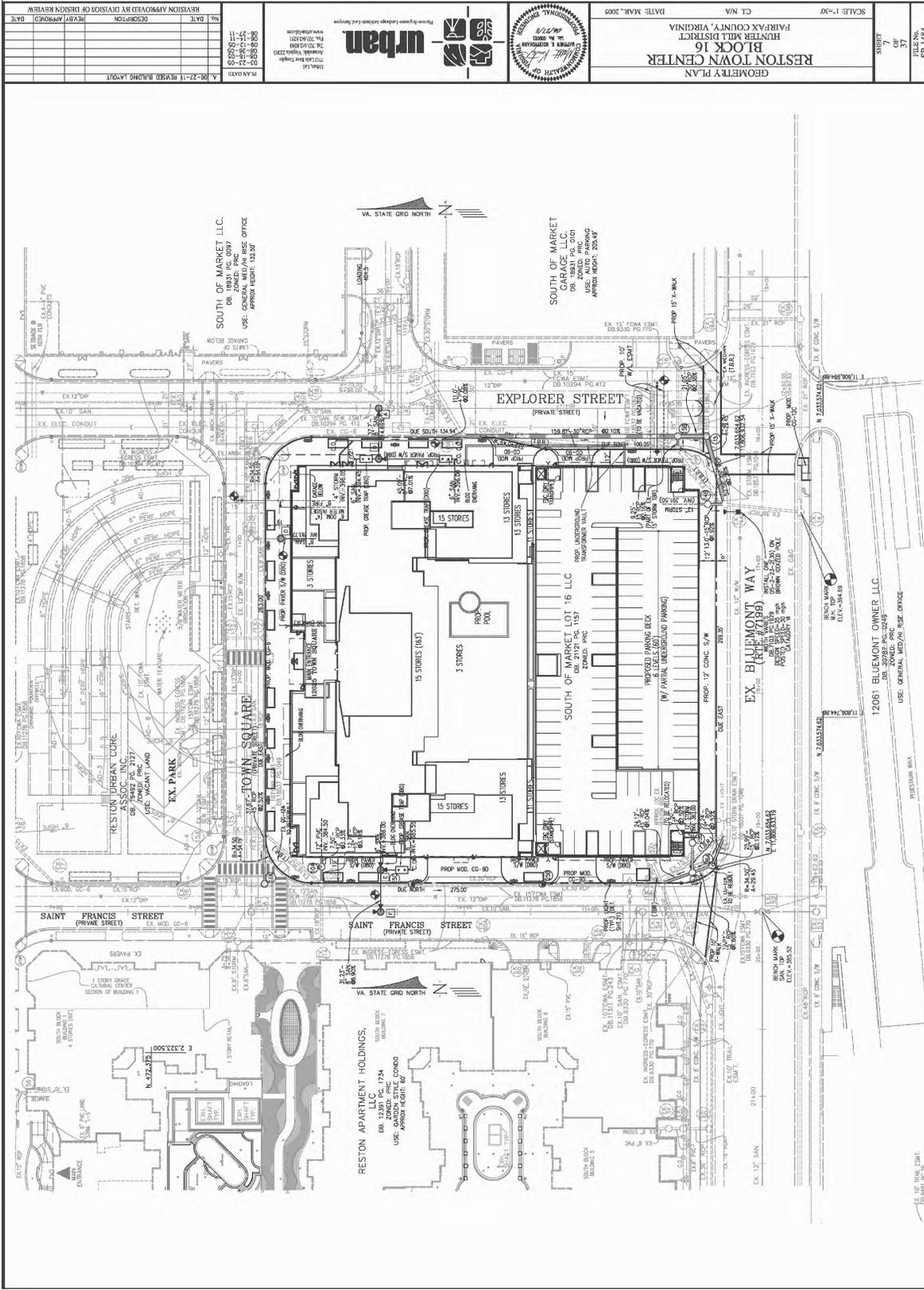


Figure 2 (68) Site Plan Reduction



As stated above and reflected on Table I, based on a strict application of the Zoning Ordinance, 575 parking spaces would be required to accommodate the parking demand associated with the proposed residential program.

Requested Parking Reduction

As reflected in Table I, the proposed ultimate residential development program would require 575 parking spaces to meet the Ordinance. The applicant is requesting a 15.3% reduction (or 88 fewer spaces) of the number of spaces that would be required by a strict application of the Ordinance. This proposed reduction would require a minimum of 487 residential parking spaces. The basis for such a request is the provision as established in the Ordinance, “The site’s proximity to a mass transit station” (Section 11-102.5).

The following sections evaluate the requested parking reduction with respect to this provision. Copies of the relevant Ordinance text are also included in Attachment II.

Table I
 Reston Block 16 Parking Study
 Fairfax County Zoning Ordinance Parking Requirement (Residential Uses)

Land Use	Amount	Units ⁽¹⁾	Code Requirement ⁽²⁾	Required Parking by Code
Dwelling, Multiple Family	359	DU	"One and six-tenths (1.6) spaces per unit"	575
Total Residential Parking Required				575

Note(s):

(1) DU = Residential Dwelling Unit

(2) Code requirements from the Fairfax County Zoning Ordinance (Article 11).

PROVISION: PROXIMITY TO MASS TRANSIT

Overview

The Fairfax County Zoning Ordinance provides for a reduction in required off-street parking for sites located in close proximity to transit. Article 11, Section 11-102.5 states:

“Within the area in proximity to a mass transit station, which station either exists or is programmed for completion within the same time frame as the completion of the subject development, or along a corridor served by a mass transit facility, which facility is conveniently accessible to the proposed use and offers a regular scheduled service, the Board may, subject to conditions it deems appropriate, reduce the number of off-street parking spaces otherwise required by the strict application of the provisions of this Part. Such reduction may be approved when the applicant has demonstrated to the Board’s satisfaction that the spaces proposed to be eliminated are unnecessary based on the projected reduction in the parking demand resulting from the proximity of the transit station or mass transit facility and such reduction in parking spaces will not adversely affect the site or the adjacent area.”

As reflected on Figure 1, the Reston Block 16 property is located within 600 feet from the Reston Town Center Transit Station located at 12051 Bluemont Way. The station is served by four (4) Fairfax Connector bus routes and five (5) Reston Intracity Bus Service (RIBS) routes. These routes are listed as follows:

- Fairfax Connector
 - Route 505 – Reston Town Center (service to West Falls Church metrorail)
 - Route 574 – Tysons Corner-Reston
 - Route 605 – Fair Oaks-Reston
 - Route 950 – Herndon-Reston
- Reston Intracity Bus Service (RIBS)
 - Route 1 – Lake Anne-Hunters Woods
 - Route 2 – South Lakes Drive
 - Route 3 – Hunters Woods-Lake Anne
 - Route 4 – North Point
 - Route 5 – Herndon

It is also important to note that the site is located within one-half mile of the future planned WMATA Reston Parkway Metrorail station. This station is part of the Phase II extension of the proposed “Silver Line” to Dulles Airport and Loudoun County. The projected completion of this extension is currently 2017, which is beyond the build-out horizon of Reston Block 16. For this reason, the potential impact of the site’s proximity to this future rail station to parking demand reduction was not used as a basis for this reduction request. However, it is extremely likely that the presence of rail service in the subject site’s proximity would be a significant factor in the future reduction of on-site parking demand.

Fairfax County already recognizes that the proximity of mass transit influences parking demand as evidenced in the Comprehensive Plan recommendations for the Tysons Corner Urban Center. The Plan has established recommended parking *maximums* for those developments closest to transit facilities.

As an example, for 0-1 bedroom multifamily dwelling units, these maximums range from 13% to 19% less than the Zoning Ordinance requirements for the parking of multifamily dwelling units. For 2 bedroom multifamily dwelling units, the maximums are generally similar to the Zoning Ordinance minimum requirements for the parking of multifamily dwelling units. The Reston Block 16 site is comparable in its proximity to future metrorail to the planned Tysons Corner transit oriented development (TOD) areas referenced in the Plan.

PARKING DEMAND FOR SIMILAR PROJECTS

In order to evaluate whether the proposed parking reduction is appropriate, parking occupancy counts were conducted at two similar residential developments. These projects were selected because of their location in relationship to a Metro Station and the number of residential units:

- Avalon at Rock Spring is located on Rock Forest Drive in Bethesda, Maryland, as shown on Figure 3. Avalon at Rock Spring was selected because it is located outside of a walkable distance to a Metro Station, but it is located near the County's Ride-On Bus service that provides service to the Grosvenor Metro Station. The Avalon at Rock Springs provides a parking supply of 1.73 spaces per unit, including 625 spaces in two above-grade parking garages, eight spaces in a surface lot adjacent to leasing office, and 33 on-street parking spaces proximate to the project.
- The Metropolitan at Town Center apartments is located in Reston Town Center just south of New Dominion Parkway, as shown on Figure 4. The Metropolitan is located within walking distance of Block 16 and has similar demographics to that expected at Block 16. The Metropolitan houses 259 residential units with 472 parking spaces, or 1.82 spaces per unit.

According to the Institute of Transportation Engineers (ITE), the peak parking demand associated with a residential land use generally occurs between 10:00 PM and 6:00 AM. Therefore, parking occupancy counts were conducted at hourly intervals between 9:00 AM and 11:00 PM on an average weekday and Saturday in order to provide a more comprehensive look at parking demand. Counts were conducted at the following times for the two locations:

- The parking occupancy for Avalon at Rock Spring was conducted on Tuesday, February 23, 2010 and Saturday, February 20, 2010. Counts for this location were conducted between 9:00 AM and 11:00 PM. The peak parking demand on Tuesday occurred at 11:00 PM when 444 parking spaces, or 1.15 parking spaces per unit, were occupied. Sixty-seven percent of available parking spaces were occupied at this time. The peak parking demand on Saturday occurred at 11:00 PM when 407 parking spaces, or 1.05 parking spaces per unit, were occupied. Sixty-one percent of available parking spaces were occupied at this time.
- The parking occupancy for The Metropolitan was conducted over a two day period on Tuesday, December 13, 2011 and Saturday, December 17, 2011. Counts for this location were conducted between 9:00 AM and 11:00 PM. The peak parking demand occurred on Tuesday at 11:00 PM when 307 parking spaces were occupied, or 1.19 parking spaces per unit, were occupied. Sixty-five percent of available parking spaces were occupied at this time. The peak parking demand on Saturday occurred at 11:00 PM when 278 parking spaces, or 1.07 parking spaces per unit, were occupied. Fifty-nine percent of available parking spaces were occupied at this time.

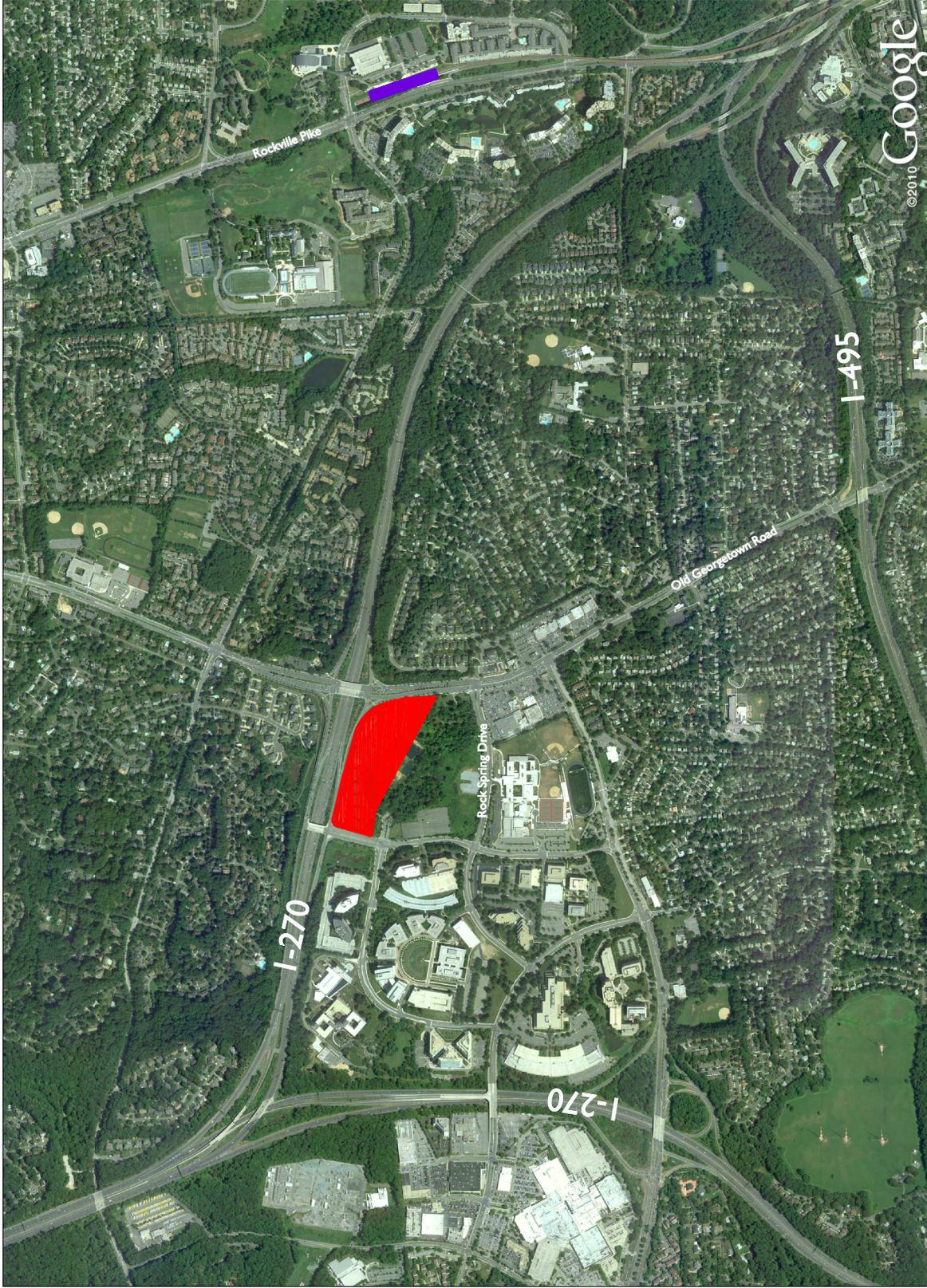


Figure 3
 (73) Avalon at Rock Spring Location

- Avalon at Rock Spring
- Grosvenor Metro Station





Figure 4
 Metropolitan at Town Center Location
 (74)



The Metropolitan at Town Center



North

Table 2 summarizes the parking supply and demand for the two different developments. The parking occupancy counts are included as Attachment III.

Table 2
 Parking Summary
 Comparable Site

	Number of Units	Number of Parking Spaces	Parking Supply Ratio	Maximum Number of Occupied Parking Spaces	Peak Parking Demand Ratio
Avalon at Rock Spring					
Saturday, February 20, 2010	386	666	1.73	407	1.05
Tuesday, February 23, 2010	386	666	1.73	444	1.15
The Metropolitan					
Tuesday, December 13, 2011	259	472	1.82	307	1.19
Saturday, December 17, 2011	259	472	1.82	278	1.07

AUTO OWNERSHIP

In harmony with the transit-related nature of the Reston Block 16 development, the residential units will be target marketed toward a demographic inclined to use transit on a regular basis. While the Reston Block 16 site does not fit the definition of a “Transit-Oriented Development” (TOD) in the absence of the future Reston Parkway Metrorail station, certain elements of the plan would serve to make the project “transit related.” Therefore, a certain degree of transit usage (vs. auto-oriented usage) would be anticipated according to a body of research conducted at similar developments as described as follows.

Dr. Robert Cervero of the University of California at Berkley has conducted extensive research over the past decade or more on residents of TOD’s (primarily in California) and their travel behavior. Among Cervero’s primary findings were the following:

- Most TOD residents are young professionals, singles, retirees, childless households, and immigrants from foreign countries.
- These groups tend to require less housing space than traditional “nuclear families”, and are more likely to live in attached housing units for financial and convenience reasons, regardless of where the units are located.

- Most TOD residents tend to work downtown and in other locations that are well served by transit.

Cervero's findings in California were further supported by a study of vehicle ownership in TOD's in British Columbia. In this study, Bunt and Associates Engineering surveyed households are six "Skytrain" transit stations. Primary findings from this study found:

- Households located near Skytrain stations use transit much more often than more distant households (i.e., residential sorting is occurring).
- Households near stations generally owned 10% fewer vehicles than more distant households. Frequent users of Skytrain, however, owned 29% fewer vehicles than households using Skytrain less frequently. The difference in Skytrain use translates directly to lower car ownership rates.
- Other factors were found to affect car ownership in addition to transit proximity. These are: household income; number of people in a household; and the size of dwelling units (which was assumed to be correlated with the other two factors).

Locally, Wells + Associates completed similar surveys in June 2001 to assess the impact of transit proximity on parking demands associated with high-rise multifamily projects. The scope of that study was developed in close consultation with staff from the Department of Public Works & Environmental Services (DPW&ES) and the Fairfax County Department of Transportation. Steps undertaken in that study included, but were not limited to the following:

- Nine comparable sites were identified and parking demand counts conducted on a series of typical weekdays and Saturdays
- Demographic data was collected for each of the comparable sites in terms of number and type of units, tenant characteristics, auto ownership, parking spaces provided, availability of off-site parking and local ordinance requirements
- A description of parking controls/operations were provided, if available, for each of the comparable sites
- A review of national and local data sources to determine the impact of mass transit on area parking requirements

The results of our study were generally consistent with the findings of Cervero et al. Specifically, the data indicated auto ownership at high-rise multifamily developments was lower than other types of residential units, especially proximate to transit facilities. The data collected by Wells + Associates in 2001 was supplemented with demographic data from the Development – Related Ridership Survey II prepared by JHK + Associates for WMATA. Both the Development – Related Ridership Survey II and the 2005 Development – Related Ridership Survey assessed the impact of auto-ownership and metro ridership. Both reports found locating residential units in proximity to transit services resulted in reduced auto ownership and increased mode splits.

Auto ownership, as measured in the Wells study taken together with the Ridership Survey II data, ranged from a low of 0.25 vehicles per unit to a high of 1.87 vehicles per unit (as measured at Fairfax Towers, a non-TOD product). Average auto ownership was calculated at 1.07 vehicles per unit. Based on the information collected in 2001 with regard to average auto ownership, the projected number of vehicles associated with the proposed 359 units at Reston Block 16 would be 384. In addition to auto ownership, parking demand counts were collected at a number of metro and non-metro related sites. The results of the report supported a 15.3% reduction in parking from the County's Ordinance requirements. Excerpts from the June 2001, Wells study are included as Attachment IV.

The Block 16 location within the Reston Town Center is precisely the type of mixed-use (future) TOD environment where residents are far more likely to use transit and less likely to drive. As a mixed-use center, the patrons of Reston Town Center often visit more than one use in a single trip. This naturally occurring synergy further reduces reliance on site oriented parking and overall parking demand.

Auto ownership for the area was determined based on data from the U.S. Census Bureau.¹ Data from the 2000 Census for the census block encompassing the subject site and the immediate surrounding area indicate that the average auto ownership for rental units in the area in 2000 was 1.20 vehicles per household. The census data are summarized in Table 3.

Table 3
U.S. Census Bureau Data
Journey to Work

Number of Households	Total	Percent
	1,694	100%
Renter Occupied		
No vehicle Available	265	15.7%
1 Vehicle Available	895	52.9%
2 Vehicles Available	470	27.7%
3 Vehicles Available	60	3.5%
4 Vehicles Available	4	0.2%
≥ 5 Vehicles Available	0	0%
Total	1,694	100%
Average Auto Ownership		1.20

To further enhance and promote the use of transit, Reston Block 16 has committed to coordinate with Fairfax County to develop and implement transportation demand management (TDM) strategies per the development conditions approved in conjunction with the approval of PRC 85-C-088-02. The development conditions, dated July 26, 2011, are included in Attachment V. Condition #8 includes, among other TDM strategies, to provide information related to Car Sharing (ZipCar, FlexCar, etc.) as well as provide preferential parking for carpools.

¹ U.S. Census Bureau [<http://factfinder2.census.gov>] Census Tract 4822, Fairfax County, Virginia / HCT032 Tenure by Vehicles Available

CONCLUSIONS

Based on the documentation provided herein, the following can be concluded:

1. Under a strict application of the Zoning Ordinance, 575 parking spaces would be required to accommodate the mixed-use development's proposed residential uses.
2. The applicant is seeking a **parking reduction of 15.3% (88 fewer parking spaces)** for a total of 487 parking spaces to serve the site's residential uses.
3. The location of the site in proximity to the Reston Town Center Transit Station will serve to reduce parking demand and attract residents who will be inclined to choose non-auto modes of travel.
4. The site's location to adjacent existing mass transit and proximate to a future metrorail station support the proposed parking reduction.
5. The site's parking supply after the requested reduction would still lend to a higher residential parking ratio than
 - What is currently recommended in the Comprehensive Plan for the Tysons Corner Urban Center, and
 - Actual parking ratios collected at comparable residential projects.
6. The non-residential uses would be parked in accordance with Zoning Ordinance requirements.

ACTION – 3

Authorization to File Comments in Response to the Federal Communications Commission Notice of Proposed Rulemaking to Improve 9-1-1 Reliability

ISSUE:

Authorization to file comments with the Federal Communications Commission (FCC) regarding proposed approaches to implement the major recommendations in the report issued by the Commission's Public Safety and Homeland Security Bureau about the 9-1-1 outage caused by the June 29, 2012, derecho storm.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to file comments with the FCC advocating that the FCC impose reliability requirements and require reporting and certification regarding audits of 9-1-1 circuits to ensure sufficient circuit diversity, adequate backup power for central offices, and robust monitoring capabilities. The comments also propose stronger rules regarding service provider notification to Public Safety Answering Points (PSAPs) about outages.

TIMING:

Board action is requested on April 30, 2013, because comments are due no later than May 13, 2013.

BACKGROUND:

As the Board will recall, shortly after the derecho storm on June 29, 2012, caused the longest and most severe 9-1-1 outage in the County's history, the FCC issued a Public Notice soliciting public comment on the background, causes, and restoration efforts related to facilities and services that are used to provide 9-1-1 service. In August 2012, the County filed extensive comments in response to the Public Notice. In January 2013, the FCC's Public Safety and Homeland Security Bureau issued a report titled *Impact of the June 2012 Derecho on Communications Networks and Services; Report and Recommendations* (the *Derecho Report*). The County's August 2012 comments, as well as reports by the Metropolitan Washington Council of Governments and the Virginia State Corporation Commission, figured prominently in the *Derecho Report* and formed the basis for many of the Bureau's recommendations to the Commission. The *Derecho Report* recommended that the Commission consider action to ensure (1) routine 9-1-1 circuit auditing, (2) adequate central office backup power, (3) robust network monitoring capabilities, and (4) improved notification to PSAPs when service provider outages affect 9-1-1 service.

On March 20, 2013, the FCC adopted a Notice of Proposed Rulemaking that proposes four possible ways of implementing the findings and recommendations in the *Derecho Report* and solicits public comments on those proposals. The proposed implementation approaches are: (1) reporting, (2) certification, (3) reliability requirements, and (4) FCC compliance reviews and inspections of service provider facilities. Additionally, the FCC proposed amendments to an existing federal regulation that requires service providers to notify PSAPs, among others, in the event of certain outages.

The attached draft comments advocate that 9-1-1 service providers be required to meet specific reporting and certification standards as well as minimum reliability requirements across the four substantive recommendation areas. The specific requirements for reporting, certification and minimum standards require a consideration of public safety as a foremost priority. The draft comments address the general needs Fairfax County sees as paramount to ensuring that adequate and reliable 9-1-1 service is available to the public. The comments also support the FCC's proposed amendments to the rule requiring service providers to notify PSAPs of outages, but advocate additional amendments to further strengthen and clarify the rule.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

- Attachment 1: Proposed Comments of Fairfax County in Response to
Notice of Proposed Rulemaking in *In the Matter of Improving 9-1-1
Reliability; Reliability and Continuity of Communications Networks,
Including Broadband Technologies*
- Attachment 2: FCC Public Notice released March 20, 2013

STAFF:

David M. Rohrer, Deputy County Executive
Steve Souder, Director, Department of Public Safety Communications
Steve McMurrer, 9-1-1 Systems Administrator, Department of Public Safety
Communications
Erin C. Ward, Senior Assistant County Attorney

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Improving 9-1-1 Reliability

PS Docket No. 13-75

Reliability and Continuity of Communications
Networks, Including Broadband Technologies

PS Docket No. 11-60

COMMENTS OF FAIRFAX COUNTY, VIRGINIA

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April __, 2013

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SUMMARY

In its January 2013 report titled *Impact of the June 2012 Derecho on Communications Networks and Services; Report and Recommendations (Derecho Report)*, the Public Safety and Homeland Security Bureau (the PS&HSB or Bureau) recommended that the Commission take actions to ensure (1) improved 9-1-1 circuit auditing, (2) adequate central office backup power, (3) diversity of monitor and control links, and (4) improved Public Safety Answering Point (PSAP) notification when outages potentially affect 9-1-1 service. The Commission's Notice of Proposed Rulemaking (NPRM) proposes four possible approaches to implementing each recommendation: (1) reporting, (2) certification, (3) reliability requirements, and (4) compliance reviews and inspections. The NPRM also proposes amendments to 47 C.F.R. § 4.9, which requires service providers to notify PSAPs, among others, in the event of certain outages that potentially affect 9-1-1 facilities.

The derecho-related 9-1-1 outages prove that relying solely on 9-1-1 service providers' voluntarily compliance with industry best practices is not sufficient. Therefore, Fairfax County supports the imposition of more specific requirements for circuit diversity and diversity auditing, central office backup power, and network monitoring. Fairfax County would look to entities such as the Communications Security, Reliability, and Interoperability Council (CSRIC), which includes not only industry but also public safety groups like the National Emergency Number Association (NENA) and the Association of Public-Safety Communications Officials (APCO), or the Alliance for Telecommunications Industry Solutions (ATIS) Network Reliability Steering Committee (NRSC) to develop additional, or stronger, best practices upon which the Commission can base such requirements, although we suggest some minimum standards. The County also supports requirements that service providers report and certify. The Commission

may wish to utilize site inspections or compliance reviews on a limited basis as an additional tool to independently validate and verify compliance with requirements or best practices regarding 9-1-1 circuit auditing, central office backup power, and route diversity. Site inspections and compliance reviews, used in a judicious and limited manner, should be used as a monitoring process if the expense is cost justified and beneficial to the public's interests.

Finally, Fairfax County supports the Commission's proposed amendments to the rule requiring service providers to notify PSAPs of outages, but we advocate additional amendments to clarify the rule and ensure that PSAPs are notified without delay.

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Improving 9-1-1 Reliability

Reliability and Continuity of Communications
Networks, Including Broadband Technologies

PS Docket No. 13-75

PS Docket No. 11-60

COMMENTS OF FAIRFAX COUNTY, VIRGINIA

The County of Fairfax, Virginia, submits these comments in response to the Notice of Proposed Rulemaking to ensure the reliability and resiliency of the communications infrastructure necessary for continued availability of the Nation's 9-1-1 system, particularly during times of major disaster. The NPRM proposed four possible approaches to implement the PS&HSB's *Derecho Report* recommendations as well as amendments to 47 C.F.R. § 4.9, which requires service providers to notify PSAPs, among others, in the event of certain outages.

I. NEED FOR COMMISSION ACTION.

The 9-1-1 outage Fairfax County experienced after the June 2012 derecho was the longest and most severe 9-1-1 outage since Fairfax County implemented Enhanced 9-1-1 in 1988. For a seven-hour period beginning at 7:36 a.m. on Saturday, June 30, 2012, Fairfax County's 1.1 million residents had no access to 9-1-1. On the afternoon of June 30, sporadic, *incomplete* service was restored. Three days passed before 9-1-1 service was fully restored at 11:30 a.m. on Tuesday, July 3, 2012.

The one thing that the Bureau's *Derecho Report* made irrefutably clear is that relying solely on 9-1-1 service providers' voluntarily compliance with industry best practices is not good enough. It is vitally important that the Commission supplement the current voluntary approach with mandates that will improve the reliability of 9-1-1 services. The Bureau found in the *Derecho Report* that "[t]he proper implementation of CSRIC best practices could have prevented many of the derecho's most serious effects on communications networks, including 9-1-1 service outages."¹ Those CSRIC best practices were developed "on the basis of widespread industry participation" which the Bureau, reasonably, believed created a "strong presumption that providers would be inclined to implement them."² The presumption proved to be too optimistic. "[M]any providers failed to implement crucial best practices throughout the area affected by the derecho, which includes the densely populated National Capital Region."³ In fact, the Commission issued a number of public notices *before* the derecho struck, emphasizing the need for service providers to comply with those *industry-led* best practices.⁴ Nonetheless, lack of 9-1-1 circuit auditing, inadequate central office backup power capabilities and maintenance processes, and lack of diverse control and monitoring links, coupled with human error, directly led to the complete 9-1-1 outage in Fairfax County. While most of these areas of failure have "already been addressed in vital CSRIC best practices"⁵, it is manifestly clear that additional emphasis on applying lessons learned from the derecho to enhance and mandate certain CSRIC best practices is necessary. Relying solely on voluntary compliance does not work.

¹ *Derecho Report*, § 7.2, at p. 41.

² *Id.*

³ *Id.*

⁴ *Derecho Report* § 7.1, at p. 39.

⁵ *Id.*

II. ROUTINE 9-1-1 CIRCUIT AUDITING.

The *Derecho Report* found that “a diversity audit by Verizon, as called for in CSRIC best practice 8-7-0532, might have identified [certain] single points of failure and prevented the loss of service to the Fairfax County PSAP through additional redundant connectivity.”⁶ Therefore, Fairfax County strongly supports the imposition of requirements related to routine 9-1-1 circuit auditing. While existing best practices provide some general guidance on doing diversity audits, it is apparent that if left as an entirely voluntary approach, the undertaking of such audits by network operators will be seen as being of secondary importance and probably not take place on a regular periodic basis. As noted in the NPRM, Verizon has pledged to take corrective action to audit 9-1-1 circuits.⁷ Voluntary pledges, however laudable, should not affect whether the Commission mandates additional action. Fairfax County appreciates Verizon’s response to the *derecho* 9-1-1 outage and its commitment to audit its 9-1-1 network and to effect remediation of the network to improve diversity and eliminate single points of failure. However, the *derecho* outage vividly demonstrated the fallibility of relying on entirely voluntary approaches.

Network operators/service providers should be required to conduct such audits. International Standard Organization (ISO) 9001, an international standard for quality standard management, can lend some guidance to any Commission-directed efforts related to audits (using ISO STD 8.2.2 Internal Audit for a baseline). ISO 9001 does not establish specific frequencies of audits, rather “an audit shall be planned, taking into consideration the status and importance of the processes and areas to be audited.” As a general rule, 9-1-1 circuit routes will be relatively stable once a thorough diversity audit and any remediation to fix diversity issues is

⁶ *Derecho Report* § 5.4.1, at p. 29.

⁷ NPRM at ¶ 36.

undertaken. Given the relative stability of the circuit routes after any remediation, and assuming service provider process controls are in place to establish “lock downs” on the circuit routes (per service provider certification statements signed by a company officer), a suggested reasonable schedule for the frequency of diversity audits is every two years.

Several models for how to conduct diversity audits exist from which requirements specific to 9-1-1 circuit audits could be tailored. The experiences of organizations such as ATIS⁸ and the experience the Federal Aviation Administration has with its Leased Interfacility National Air Space Communications System (LINCS) network might shed additional light on best practice solutions or improved processes for assuring route diversity. ATIS has often applied its expertise in examining new processes and procedures to provide diversity assurance certification of routing in a more real-time manner for the telecommunications and financial industry environments. Independent audit firms to assist in assuring network diversity may be appropriate in certain circumstances. At a minimum, the audits need to cover 9-1-1 trunks to PSAPs and associated ANI/ALI (Automatic Number Identification/Automatic Location Information) links which serve the PSAP function.

Detailed information from the audits needs to be shared with the PSAP to which the information relates. An appropriate, understandable and complete level of detail showing an end-to-end route path at a summary level (a relatively simple block diagram can suffice) would enable the PSAP management officials to track route diversity at a summary level. The detail must allow the PSAP to have confidence that single points of failure do not exist within the 9-1-1 call/message routing pathways between the network operator and the PSAP delivery point.

⁸ <http://www.atis.org/>

Fairfax County agrees that such detailed network configuration information should be required to be treated by all parties as sensitive and confidential information.

Fairfax County also supports requiring the network operator to certify the results of the audit as a formal step in making the audit results available to the Commission. The scheme used for Consumer Proprietary Network Information under 47 C.F.R. § 64.2009(e) of the Commission's rules provides a reasonable model that could be adapted to this purpose. An officer of the telecommunications provider should be required to sign and file the certification including a statement that the officer has "personal knowledge" that the audit has been conducted in accordance with specified rules established by CSRIC or some other appropriate body, and that the service provider's operating procedures will ensure it remains in compliance with the rules or best practices the Commission establishes for such 9-1-1 diversity audits.

Finally, at a more fundamental level, network operators and service providers should be required to maintain a minimum specified level of physical diversity for their 9-1-1 circuits. CSRIC Best Practice 8-7-0532, which states: "*Diversity Audit: Network Operators should periodically audit the physical and logical diversity called for by network design and take appropriate measures as needed,*" provides a starting point, but additional details need to be added to this and other CSRIC best practices to provide more measureable standards for what comprises acceptable network diversity as well as an acceptable diversity audit.

III. ADEQUATE CENTRAL OFFICE BACKUP POWER.

Adequate central office backup power, specifically backup power systems that fully come online and support 9-1-1 call processing as outlined in the *Derecho Report*, is manifestly important to the ability to continue providing 9-1-1 service when commercial power is disrupted

during a storm or other natural or man-made disaster. Verizon has acknowledged that generator failures in its Arlington and Fairfax central offices after the loss of commercial power were the primary causes of the 9-1-1 network failures in Northern Virginia.⁹ The backup power arrangement in Verizon's Arlington central office contravened CSRIC best practice 8-7-5281.¹⁰ Moreover, Verizon failed to comply with its own maintenance and testing procedures for its generators "for at least several months."¹¹

In many cases, Verizon had significant backup power capabilities at central offices in terms of battery backup power that lasted for approximately eight hours. However, the first level of backup resources, primarily generators, had numerous problems with maintenance, load sizing and various other factors.¹² Mandating backup power equipment testing and maintenance, along with supporting documentation of same, is the most logical way to improve 9-1-1 reliability and provide an ongoing level of assurance that the appropriate best practices are being implemented and carried through on a routine basis.

Fairfax County cannot specify required standards for backup power, but it supports an active effort to establish a realistic standard that safeguards the public's interests. For instance, a redundancy standard of N+1, where components (N) have at least one independent backup component (+1) might be a minimum standard. N+1 redundancy would ensure system availability in the event of a component N failure. Alternatively, the standard could be expressed in terms of inherent availability (Ai), commonly represented as a percentage of availability of mission time (i.e., 99.67% availability). This could be stated in terms of whether multiple paths

⁹ *Derecho Report*, § 4.1.1, at p. 16.

¹⁰ *Derecho Report*, § 4.1.1.1, at p. 16.

¹¹ *Derecho Report* § 4.1.1.1, at p. 18.

¹² *Derecho Report* §§ 4.1.1.1 through 4.1.1.3, at pp. 16-20.

for cooling and power are required and even whether specific levels of fault tolerance (resistance to failure) such as the Uptime Institute's Tier I, II, III or IV definitions should be applied (which range from the lowest, Tier I, at 99.67% availability, to the highest, Tier IV, at 99.99% availability).

Fairfax County also supports the imposition of reporting and certification requirements regarding backup power. Network operators or service providers should be required to report and certify to the Commission, on an annual basis, the results of generator tests at central office sites or the equivalent mobile switching center (MSC) operations site for wireless carriers.

IV. ROBUST NETWORK MONITORING CAPABILITIES.

As outlined in the *Derecho Report*, visibility of the status of Verizon's network equipment throughout the National Capital Region was compromised, in part, by a single point of failure because the backup power source for the equipment monitoring capabilities was reliant on the same backup power resources provided by the central office.¹³ When the backup power systems in Verizon's Arlington central office failed, its network monitoring facilities also failed and Verizon's ability to ascertain the status of its network was severely compromised.

The Commission should require that network monitoring capabilities avoid or eliminate single points of failure and be supplied with adequate diverse backup power systems that are not reliant on the same backup power resources that are committed to the operation of the central office equipment. Problem determination and problem isolation are critical tasks during the early stages of any disaster. The ability to ascertain the health of the network (which components are operating or not operating) must be supported by implementing physically

¹³ *Derecho Report* § 4.1.1.1, at p. 18.

diverse monitoring links and reliable backup power capabilities to sustain the network monitoring until commercial power is restored. Fairfax County supports reporting and certification by an officer of the network operator or service provider on whether the monitoring links are robust and physically diverse and, if specific standards are imposed, that they meet the standard.

V. IMPROVED PSAP NOTIFICATION WHEN OUTAGES AFFECT 9-1-1 SERVICE.

As clearly stated in the *Derecho Report*, timely, clear, and appropriately targeted communications between 9-1-1 service providers and PSAPs is a key consideration during any disruption of 9-1-1 service. Communication to the PSAPs is paramount, as the public and elected officials turn to the PSAPs for immediate information on how best to respond to an emergency. Having recognized that communications with and to the PSAPs was significantly below expectations during the *derecho*, the Commission has proposed more detailed rules consistent with the recommendation about notice that the 9-1-1 Directors in the Metropolitan Washington Council of Governments (MWCOC) region adopted immediately after the *derecho*.¹⁴ Fairfax County supports the proposed amendments to 47 C.F.R. § 4.9 to require service providers to notify PSAPs immediately with all available information that may be useful to mitigate an outage and to deliver that information by telephone and in writing by electronic means.

However, to the extent the proposed amendments can be read to allow a service provider to withhold notification to the PSAP until the service provider has every element of the

¹⁴ See *Derecho Report* at Appendix B.

minimum information identified above (nature of outage, estimated number of users affected, etc.), the rule could be counterproductive. The initial notification needs to communicate *immediately*, based on the best available information, the impact of the outage on the PSAP (i.e., what is the problem the PSAP is likely facing based on the network problem that is occurring). The remaining minimum information should be provided as soon as possible, but the *best known broad brush picture of the situation should be communicated immediately* to the PSAP. The PSAPs understand that the initial reports might be vague and not entirely accurate, but getting some level of information immediately (but not in cryptic, jargon-filled phrasing) is better than not receiving any information. For example a message might only say “9-1-1 trunks are unavailable from the ABC tandem for an unknown reason. Investigation is underway to determine the extent of the outage.” Subsequent communications could fill in details as soon as more facts are known.

Additionally, the already-existing structure of the rule creates ambiguity about *when* the service provider must notify the PSAP of an outage. Service providers are required to notify the PSAP “as soon as possible” (which the Commission proposes in the NRPM to change to “immediately”), but in each case that obligation is expressed as a subsidiary to the requirement to notify the Commission within a specified period of time. For example, cable communications providers, satellite operators, wireless and wireline providers must notify the Commission within 120 minutes of discovering an outage that meets or exceeds the reporting thresholds. Interconnected VoIP service providers must notify the Commission within 240 minutes of discovering an outage that meets or exceeds the reporting thresholds. Fairfax County interprets the rule to require service providers to notify the PSAP as soon as possible (or, if the rule is

amended as proposed, immediately) *upon discovery of the outage*, not as soon as possible, or immediately, *after the Commission is notified*.

Accordingly Fairfax County suggests that in addition to the amendments proposed in the NPRM, the regulation should be further amended as follows with respect to each type of communications provider that is subject to the rule:

***** Potentially affects a 911 special facility (as defined in paragraph (e) of § 4.5), in which case they also shall notify, immediately upon discovering the outage, by telephone and in writing via electronic means, any official who has been designated by the management of the affected 911 facility as the provider's contact person(s) for communications outages at that facility. ~~and they~~ They shall convey all available information that may be useful to the management of the affected facility in mitigating the effects of the outage on callers to that facility as soon as such information is available, but unavailability of any piece of information shall not delay the requirement to provide immediate notification. This information shall include, at a minimum, the nature of the outage, the estimated number of users affected or potentially affected, the location of those users, the actions being taken by provider to address the outage, the estimated time at which service will be restored, recommended actions the impacted 911 special facility should take to minimize disruption of service, and the sender's name, telephone number and email address at which the sender can be reached.*****

Finally, as noted in the *Derecho Report*, the 9-1-1 directors in the MWCOG region have been working with Verizon on how it should provide notice of interruptions and potential interruptions of 9-1-1 service to any or all PSAPs in the Washington metropolitan area.¹⁵ The MWCOG jurisdictions want to receive notice that exceeds what is required by 47 C.F.R. § 4.9, including, for example, notice when Verizon's central offices are operating on battery power. Verizon has worked cooperatively with the MWCOG jurisdictions to provide notice beyond what the law requires and Fairfax County expects that discussions with Verizon about enhanced notice for the MWCOG jurisdictions will continue independent of amendments to the rule.

¹⁵ See *Derecho Report*, Appendix B, item 2.

VI. CONCLUSION.

Fairfax County supports the Commission in its efforts to improve the reliability of 9-1-1 service by implementing more specific requirements for 9-1-1 circuit auditing, adequate central office backup power, and improved diversity of monitoring links, and by clarifying details on when and what level of detail must be communicated to PSAPs in the event of outages or potential outages. Fairfax County's service provider, Verizon, has taken measurable steps to address many problems that were encountered during the derecho. Verizon has implemented improved processes and procedures for reporting and backup power for central offices and network monitoring capabilities. Even so, the County considers it prudent for the Commission to articulate reliability standards and reporting and certification requirements for service providers and network operators to follow to sustain the momentum of the improvements the providers have undertaken. Ultimately, the deployment of Next Generation 9-1-1 is the best approach to improving 9-1-1 redundancy and reliability, but interim improvements are needed in the meantime. Fairfax County looks forward to continued involvement in these endeavors and opportunities to improve 9-1-1 reliability by providing further input to the Commission in all of its efforts.

Respectfully submitted,

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April __, 2013

NEWS

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

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. Cir. 1974).

FOR IMMEDIATE RELEASE:

March 20, 2013

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FCC TAKES ACTION TO ENSURE RELIABILITY OF CALLS TO 9-1-1 DURING TIMES OF EMERGENCY; ADOPTS KEY RECOMMENDATIONS FROM INQUIRY INTO WIDESPREAD 9-1-1 FAILURES DURING 2012 DERECHO STORM

WASHINGTON, D.C. – The Federal Communications Commission today proposed action to improve the reliability and resiliency of America's 9-1-1 communications networks, especially during disasters, by ensuring that service providers implement vital best practices in network design, maintenance, and operation. The Commission also proposed amending its rules to clarify how service providers can more effectively and uniformly notify 9-1-1 call centers of communications outages and cooperate to restore service as quickly as possible.

In a Notice of Proposed Rulemaking adopted today, the Commission moved forward to implement four key recommendations for strengthening 9-1-1 service made by the FCC's Public Safety and Homeland Security Bureau. The Bureau's recommendations, contained in a January 2013 report, resulted from an in-depth inquiry into the widespread 9-1-1 service failures that occurred after a derecho storm hit portions of the Midwest and Mid-Atlantic in June 2012.

A significant number of 9-1-1 systems and services were partially or completely down for several days after the derecho – from isolated breakdowns in Ohio, New Jersey, Maryland, and Indiana to systemic failures in northern Virginia and West Virginia. In all, 77 9-1-1 call centers serving more than 3.6 million people in these six states lost some degree of connectivity, including vital information on the location of 9-1-1 calls. Seventeen 9-1-1 call centers, mostly in northern Virginia and West Virginia, lost service completely, leaving more than 2 million residents unable to reach emergency services for varying periods of time.

Unlike hurricanes and superstorms, which are generally well-forecast, derechos are more like earthquakes, tornados, and man-made events for which there is little-to-no advance notice and opportunity to prepare. As a result, the derecho put a portion of the Nation's communications infrastructure to an unexpected test, revealing significant vulnerabilities in the design and maintenance of 9-1-1 networks. The Bureau found that most of the failures would have been avoided if the network providers that route calls to 9-1-1 call centers had fully implemented industry best practices and available industry guidance.

With today's action, the Commission is seeking comment on the most effective approaches for implementing the recommendations in the Bureau's report. Specifically, the Commission is seeking the best ways to ensure that service providers:

- **Periodically audit 9-1-1 circuits for physical diversity**, which will improve network reliability and resiliency by helping to identify and correct single points of failure;

- **Maintain adequate central office backup power**, such as generators and battery backup systems, supported by appropriate maintenance, testing, and records retention; and
- **Maintain reliable and resilient network monitoring systems** to provide accurate situational awareness during communications outages.

The Commission put forth a range of possible approaches for implementing these recommendations, including:

- **Reporting** – where the Commission would require service providers to periodically report on the extent to which they are voluntarily implementing critical best practices or complying with standards established by advisory bodies or requirements established by the Commission;
- **Certification** – where the Commission would require providers to certify periodically that their 9-1-1 network service and facilities meet specified criteria;
- **Reliability requirements** – where the Commission would specify minimum requirements for 9-1-1 communications reliability; and
- **Compliance reviews and inspections** conducted by the Commission to verify that 9-1-1 service providers are following certain practices or adhering to certain requirements.

The Commission also posed a range of questions regarding the extent to which 9-1-1 service providers implement existing best practices, the incentives most likely to ensure that they do so in the future, and the costs and benefits of ensuring that best practices are implemented in each area. Whatever approach is ultimately adopted must account for differences in service providers' networks and support the ongoing transition from today's legacy 9-1-1 system to a Next Generation 9-1-1 (NG9-1-1) system, the Commission said.

In addition, the Commission is considering clarifying its current rule that requires service providers to notify 9-1-1 call centers of significant communications outages. To provide service providers with greater specificity about their obligation, the proposed rule would require them to notify 9-1-1 call centers of outages immediately, by telephone and in writing via electronic means, with critical information.

Today's action builds on prior Commission efforts to ensure that the public has access to a reliable, state-of-the-art 9-1-1 communications system. Most notably, the Commission is working to promote the deployment of NG9-1-1, which offers greater resiliency during disasters and enables public safety responders to receive more information – text, photos, video, and data – to help them assess and respond to emergencies. The Commission has also taken action to spur the uniform availability of text-to-9-1-1, a major milestone in the transition to NG9-1-1.

Action by the Commission March 20, 2013, by Notice of Proposed Rulemaking (FCC 13-33). Chairman Genachowski, Commissioners McDowell, Clyburn, Rosenworcel and Pai. Separate statements issued by Chairman Genachowski, Commissioners McDowell, Clyburn, Rosenworcel and Pai.

PS Docket No. 13-75

—FCC—

For more news and information about the FCC please visit: www.fcc.gov

Board Agenda Item
April 30, 2013

INFORMATION - 1

Planning Commission Action on Application 2232-B12-9, Fairfax County Park Authority (Braddock District)

On Wednesday, April 3, 2013, the Planning Commission voted unanimously (Commissioner Hedetniemi having recused; Commissioner Hall absent from the meeting) to approve 2232-B12-9.

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

Application 2232-B12-9 sought approval to establish new public recreation uses and an Off Leash Dog Area at Monticello Park located on approximately 6.2 acres along Guinea Road, between Burke Road and Bronte Drive (Tax Map 69-3 ((6)) E). The conceptual uses in the Park's Master Plan include active and passive recreation elements within Monticello Park, including the off leash dog area, playground, multi-use area, skate activity area, and loop trail with expanded parking lot.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts from 4/3/13 Commission meeting

Attachment 2: Vicinity map

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Chris Caperton, Public Facilities Branch Chief, Planning Division, DPZ

Barbara J. Lippa, Executive Director, Planning Commission Office

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2232-B12-9 – FAIRFAX COUNTY PARK AUTHORITY

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Ms. Hurley.

Commissioner Hurley: Thank you, Mr. Chairman. I will disclose that I have a small beagle myself and I am looking forward to giving her some socialization time in the small park. I'll also disclose that as the former Fields Director of Braddock Road Youth Soccer – if it had been a little wider, I would have loved to have turned this field into a synthetic turf field for soccer. However, it's a bizarre, odd, unusual little piece of land, long and narrow. I think this really is the best possible use or mixed uses for it. And what hasn't been mentioned enough – and you mentioned it's right between two high schools – but it's also right along a fairly major road so that it is under close observation. There won't – it's not like any hidden little corners are in there at all. So it's a very public spot. And I want to compliment Ms. Mays and her group that have been working since 2007. This is how we like to see it happen in Braddock District – that people work together, have lots of meetings, work out the issues, and find the best solution. This has been unanimously approved by the Land Use Committee and having said all that, I concur with the staff's conclusion that the proposal by the Fairfax County Park Authority to develop Monticello Park, located at 5315 Guinea Road, Burke, Virginia, satisfies the criteria of location, character, and extent as specified in *Virginia Code* Section 15.2-2232, as amended. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FIND THE SUBJECT APPLICATION, 2232-B12-9, AS AMENDED, SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Flanagan and Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio and Mr. Flanagan or is – is that Mr. Lawrence?

Commissioner Flanagan: It was me.

Chairman Murphy: Okay – and Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to approve 2232-B12-9, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

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Planning Commission Meeting
April 3, 2013
2232-B12-9

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(The motion carried unanimously with Commissioner Hedetniemi having recused herself;
Commissioner Hall absent from the meeting.)

JLC

PLANNING DETERMINATION

Section 15.2 -2232 of the Code of Virginia

Number: 2232-B12-9

Acreage: 6.2 Ac.

District: Braddock

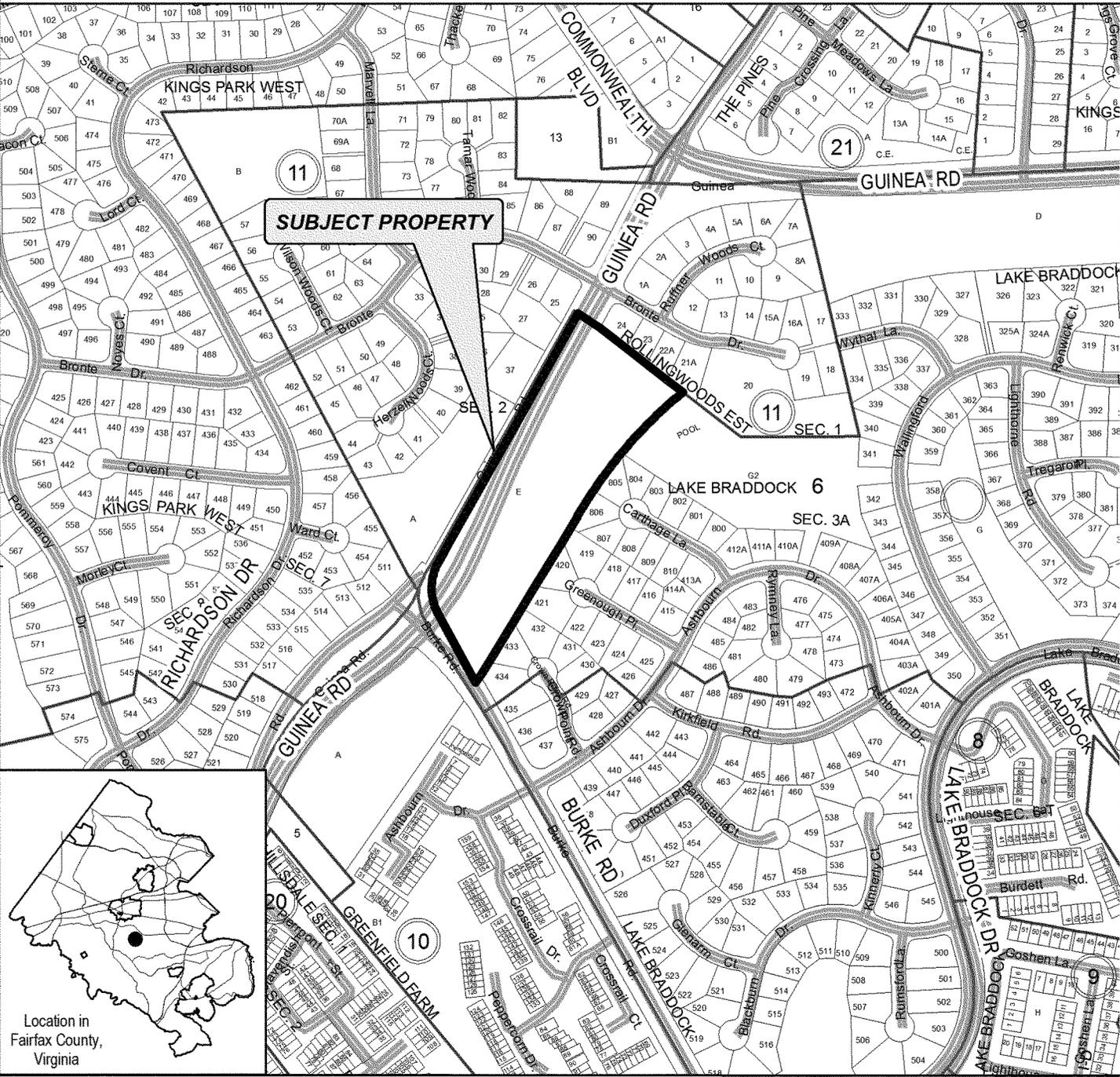
Subject Property: 69-3 ((6)) E

Address: 5315 Guinea Rd.
Burke, VA 22015

Planned Use: Public Parks

Applicant: Fairfax County Park Authority

Proposed Use: Local Park (Off leash dog area, playground, multi-use area, skate activity area, and loop trail with expanded parking lot)



500 FEET

PREPARED BY THE DEPARTMENT OF PLANNING AND ZONING
USING FAIRFAX COUNTY GIS



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INFORMATION - 2

International Building Safety Month

In observance of International Building Safety Month, May 2013, the Department of Public Works and Environmental Services (DPWES) is conducting a campaign to promote public awareness of building safety in Fairfax County. This is in keeping with DPWES' mission to enforce building codes and related County ordinances in order to ensure the construction of safe buildings in the County.

As has been the practice in previous years, staff is working in collaboration with several local hardware stores including Home Depot stores at Seven Corners Center, Fairfax Circle, Alexandria, and Reston, to set up building safety information booths at store entrances during Building Safety Month. Staff from neighboring local government jurisdictions who participated in last year's effort have expressed their satisfaction with last year's joint effort, and indicated their desire to continue their participation. As a result, this year, on May 4 and 5, in another regional collaborative effort, the booths will be staffed jointly by engineers and inspectors from Fairfax County DPWES and Code Enforcement Agencies from Arlington County, the Cities of Alexandria, Fairfax, and Falls Church, and the Town of Herndon. Customers and visitors will have the opportunity to ask building code-related questions. Building equipment and safety appliances-such as carbon monoxide alarms, smoke detectors, fire extinguishers, and radon test kits-will be displayed. Information brochures on building and elevator safety, as well as permit process information, will be available to all customers and visitors. This outreach program is designed to educate regional residents on the provisions of the building codes, increase the level of awareness on building safety, and save lives. Since initiating the community outreach visits over seventeen years ago, citizen response has continued to be very positive, and staff reports an increasing level of interest from customers shopping at these stores.

On Thursday, May 2, beginning at 10:00 AM, a kickoff brunch presentation and press conference on the theme "Site work Development Safety and Disaster Mitigation" will be held at the Arlington Central Library, 1015 N. Quincy Street, Arlington, Virginia 22201. This year's event, organized jointly by the Counties of Fairfax and Arlington, the Cities of Alexandria, Fairfax, and Falls Church, and the Town of Herndon, is designed to focus the public's attention on Disaster Safety and Mitigation, and the importance of site work development on building safety. The featured presentations will be given by two distinguished speakers – U.S. Fire Administrator, Chief Ernest Mitchell, Jr., of the Federal Emergency Management Agency (FEMA); and Allyn Kilsheimer, Founder and President of KCE Structural Engineers, PC.

As part of today's ceremony recognizing Building Safety Month, DPWES will present its Building Safety Community Partnership Award. This award recognizes private or corporate residents for their contributions toward the advancement of DPWES' mission of ensuring building and construction safety in Fairfax County. This is the sixteenth year for this award, and this year's recipient is the Reston Accessibility Committee.

Board Agenda Item
April 30, 2013

The Reston Accessibility Committee (RAC) was created by the Reston Citizens Association in early 2008 to advocate for barrier-free access for persons with physical disabilities. The emphasis is to secure safe and comfortable access to a variety of establishments for customers and residents with mobility impairments. RAC focuses their efforts on community outreach working with Reston retail and service establishments to discover where access could be improved and where exemplary examples of accessibility are already in place. The RAC contacts owners and property managers of Reston retail and service businesses, to discuss ways in which specific aspects of their premises can be modified to facilitate access by a wider range of customers. Their philosophy is unique, as they follow the three G's, good will, good faith and the common good, which means that it is much easier to work with an owner or property manager as a partner than as an adversary.

Beginning in 2011 RAC joined the House Joint Resolution 648 (HJR 648) committee which was formed by the Virginia Department of Housing and Community Development (DHCD) and Department of Rehabilitative Services (DRS) to study the appropriateness of modifying the Uniform Statewide Building Code (USBC) to allow for accessible routes to existing buildings and incentives to promote universal design for single family dwellings. The Departments invited representatives from an array of stakeholder organizations to serve on a work group. Participants encompassed potentially affected business groups, the building and construction community, design professionals, local governments, and representatives of the disability community. After numerous meetings, the group proposed seven changes to the 2012 version of the USBC. The public hearings for the proposed code changes continue through July of this year and while not all of the proposed will move forward, a number will be part of the 2012 Code. RAC members provided testimony during the USBC public hearing process and have followed through with their time and dedication to the code change process. For their efforts to provide safe access for all, the Reston Accessibility Committee is richly deserving of this special recognition.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, DPWES
Michelle Brickner, Director, Land Development Services, DPWES

Board Agenda Item
April 30, 2013

10:50 a.m.

Matters Presented by Board Members

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11:40 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
 - (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
 - (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
-
- 1. *Professional Foreclosure Corporation of Virginia, Substitute Trustee, and Federal National Mortgage Association v. Fairfax County Redevelopment and Housing Authority, the Board of Supervisors of Fairfax County, Prospero M. Torres, and Maria C. Torres, Case No. CL-2012-0017567 (Fx. Co. Cir. Ct.) (Providence District)*

Equity Trustees, Substitute Trustee, and DLJ Mortgage Capital, Inc. v. Fairfax County Redevelopment and Housing Authority, the Board of Supervisors of Fairfax County, and Alaaedien M. Imam, Case No. CL-2013-0000520 (Fx. Co. Cir. Ct.) (Sully District)
 - 2. *Kristin L. Burns, OBO Emma S. Burns-Sullivan, OBO Liam P. Burns-Sullivan v. Kenneth W. Sullivan, Kathryn D. Leckey, FCPD, CPS, FCPS, The Morgan Center, FCSO, Domestic Relations, Farrell Pediatrics, Reston Pediatrics, INOVA, Jennie McKinnie of the Arbor Center, Fairfax County Office of the Clerk, Restons Pediatrics Case No. 2013-0003528 (Fx. Co. Cir. Ct.)*
 - 3. *Suli Wang and Renni Zhao v. Board of Supervisors of Fairfax County, Virginia, Case No. CL-2012-0011367 (Fx. Co. Cir. Ct.) (Providence District)*
 - 4. *In Re: February 13, 2013, Decision of the Fairfax County Board of Zoning Appeals; Trang P. Mai v. Fairfax County Department of Planning and Zoning, Case No. CL-2013-0005213 (Fx. Co. Cir. Ct.) (Mason District)*
 - 5. *Board of Supervisors of Fairfax County, Virginia v. Lakewood Hills No. 1 Community Association, Case No. CL-2012-0018227 (Fx. Co. Cir. Ct.) (Springfield District)*

6. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Clyde E. Nishimura*, Case No. CL-2012-0005565 (Fx. Co. Cir. Ct.) (Lee District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ruben R. Nunez and Lucila N. Nunez*, Case No. CL-2012-0013470 (Fx. Co. Cir. Ct.) (Braddock District)
8. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Milagro Velasquez Romero*, Case No. CL-2012-0006600 (Fx. Co. Cir. Ct.) (Mount Vernon District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Gary C. Smith and Carolyn W. Smith, Trustees of the Smith Living Trust*, Case No. CL-2009-0004848 (Fx. Co. Cir. Ct.) (Dranesville District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Freddie L. Gaskins and Sandra M. Gaskins*, Case No. CL-2010-0002572 (Fx. Co. Cir. Ct.) (Providence District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Otis Perry and Elcetia L. Perry*, Case No. CL-2008-0005923 (Fx. Co. Cir. Ct.) (Providence District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rotonna L. Mullen*, Case No. CL-2012-0008992 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jorge A. Ayala and Olimpia T. Amaya, a/k/a Olimpia T. Ayala*, Case No. CL-2011-0004001 (Fx. Co. Cir. Ct.) (Springfield District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Satish Amin*, Case No. CL-2010-0011816 (Fx. Co. Cir. Ct.) (Mason District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Patrick McAlee and Barbara McAlee*, Case No. CL-2012-0010063 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *Jane W. Gwinn, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Steven L. Kohls and Virginia L. Kohls*, Case No. CL-2011-0003175 (Fx. Co. Cir. Ct.) (Mount Vernon District)

18. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Helen Bartlett*, Case No. CL-2012-0014136 (Fx. Co. Cir. Ct.) (Mason District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ibrahim I. Abdullah and Amany Abdullah*, Case No. CL-2012-0008578 (Fx. Co. Cir. Ct.) (Mason District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John Hicks, Betty Pearson-Pavone, Dallas Hicks, Harold E. Pearson, Alice Hicks, and Edward Hicks*, Case No. CL-2012-0013536 (Fx. Co. Cir. Ct.) (Providence District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Edward E. Ankers, Jr., and Edward E. Ankers, III*, Case No. CL-2006-0010511 (Fx. Co. Cir. Ct.) (Hunter Mill District)
22. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Rajendra Bernard Edwards*, Case No. CL-2012-0008576 (Fx. Co. Cir. Ct.) (Hunter Mill District/Town of Vienna)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lawrence G. Rich and Vanessa C. Rich*, Case No. CL-2011-0000231 (Fx. Co. Cir. Ct.) (Providence District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lubna F. Ahmed*, Case No. CL-2012-0015342 (Fx. Co. Cir. Ct.) (Dranesville District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Juan Carlos Cadima*, Case No. CL-2012-0018955 (Fx. Co. Cir. Ct.) (Mason District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Randal S. Cordes*, Case No. CL-2013-0000441 (Fx. Co. Cir. Ct.) (Dranesville District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Muhammad Shafiq and Rubina Shafiq*, Case No. CL-2013-0005293 (Fx. Co. Cir. Ct.) (Mount Vernon District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ida Medina and Jesus Medina*, Case No. CL-2012-0013482 (Fx. Co. Cir. Ct.) (Lee District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Freddie L. Gaskins and Sandra M. Gaskins*, Case No. CL-2013-0002780 (Fx. Co. Cir. Ct.) (Providence District)

30. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Deutsche Bank National Trust Company as Trustee for BCAP 2007-AA4*, Case No. CL-2013-0000442 (Fx. Co. Cir. Ct.) (Mason District)
31. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Donald M. Douglas and Louise L. Douglas*, Case No. CL-2013-0003838 (Fx. Co. Cir. Ct.) (Springfield District)
32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Great World Plaza, LLC, and 7031 JK, Inc.*, Case No. CL-2013-0000348 (Fx. Co. Cir. Ct.) (Mason District)
33. *Board of Supervisors of Fairfax County, Virginia v. Kenan Yamaner and Stacy Yamaner*, Case No. CL-2012-0018217 (Fx. Co. Cir. Ct.) (Mount Vernon District)
34. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tai Jang Chiao and Nancy Chiao*, Case No. CL-2012-0012779 (Fx. Co. Cir. Ct.) (Springfield District)
35. *Leslie B. Johnson, Fairfax County Zoning Administrator v. MBK Properties, LLC*, Case No. CL-2012-0017865 (Fx. Co. Cir. Ct.) (Dranesville District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kim Mai*, Case No. CL-2012-0019077 (Fx. Co. Cir. Ct.) (Providence District)
37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Delfin Farfan and Maria I. Farfan*, Case No. CL-2013-0005662 (Fx. Co. Cir. Ct.) (Providence District)
38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Saul Llamas and Claudia K. Ramos*, Case No. CL-2013-0005664 (Fx. Co. Cir. Ct.) (Mason District)
39. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David Joseph Moore and Sterling E. Moore*, Case No. CL-2013-0005661 (Fx. Co. Cir. Ct.) (Mason District)
40. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Naiquing Dong*, Case No. CL-2013-0005660 (Fx. Co. Cir. Ct.) (Dranesville District)
41. *Leslie B. Johnson, Fairfax County Zoning Administrator v. King Tyree Lodge 292, et al.*, Case No. CL-2013-0005715 (Fx. Co. Cir. Ct.) (Providence District)
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Talat Hassanein and Kariman Hassanein*, Case No. CL-2013-0005717 (Fx. Co. Cir. Ct.) (Lee District)

43. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lilian H. Lopez*, Case No. CL-2013-0005807 (Fx. Co. Cir. Ct.) (Mason District)
44. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jean E. Riggs, Trustee, or Successor Trustee(s), as Trustee(s) of The Jean E. Riggs Trust 16SEP10*, Case No. CL-2012-0006045 (Fx. Co. Cir. Ct.) (Providence District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. The Seoane Limited Partnership*, Case No. CL-2013-0006043 (Fx. Co. Cir. Ct.) (Providence District)
46. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Carlos E. Perdomo and Stella Perdomo*, Case No. CL-2013-0006078 (Fx. Co. Cir. Ct.) (Mount Vernon District)
47. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ibrahim I. Abdullah and Amany Abdullah*, Case No. CL-2013-0006294 (Fx. Co. Cir. Ct.) (Mason District)
48. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Guido Uriona and Beatrix Nogales*, Case No. CL-2013-0006349 (Fx. Co. Cir. Ct.) (Mason District)
49. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Abdul B. Jahani and Masooma Jahani*, Case No. CL-2013-0006606 (Fx. Co. Cir. Ct.) (Braddock District)
50. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kam Saykhamphone and Thong B. Saykhamphone*, Case No. CL-2013-0007059 (Fx. Co. Cir. Ct.) (Braddock District)
51. *Manuel J. Sandoval v. Fairfax County, Virginia and Officer J. Luety*, Case No. GV12018761-00 (Fx. Co. Gen. Dist. Ct.)
52. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Candace K. Noonan*, Case No. GV12-014862 (Fx. Co. Cir. Ct.) (Hunter Mill District)
53. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Maximiliano M. Saavedra and Marie F. Saavedra*, Case Nos. GV13-003200 and GV13-003299 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
54. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Judy V. Marshall*, Case No. GV13-003197 (Fx. Co. Gen. Dist. Ct.) (Providence District)

55. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Juan Antonio Vigil Cruz, Case Nos. GV12-0028029 and GV12-0028029 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
56. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Adam J. Kimmich, Case No. GV13-005796 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*
57. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jeanne Rovics Mexic, Case No. GV13-005628 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)*
58. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Gang Wang and Di Fan, Case No. GV13-005795 (Fx. Co. Gen. Dist. Ct.) (Providence District)*
59. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Khaisy Vonarath, Case No. GV13-003213 (Fx. Co. Gen. Dist. Ct.) (Providence District)*
60. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mirtha Tapia, Case No. GV13-005797 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
61. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Peggy Shannon Bryant Starke Trust, and Peggy Shannon Bryant Starke, Trustee of the Peggy Shannon Bryant Starke Trust, Case Nos. GV13-006880, GV13-006881 (Fx. Co. Gen. Dist. Ct.) (Braddock District)*
62. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Christopher Bao Le, Case No. GV13-006989 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)*
63. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Raj B. Samtani and Pushma Raj Samtani, Case No. GV13-006988 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*
64. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Henry A. Novak and Shirley L. Novak, Case No. GV13-007103 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
65. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ronald L. Brown, Case No. GV13-007102 (Fx. Co. Gen. Dist. Ct.) (Sully District)*
66. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Negash Tsigie, Hirut Hailegiorgis, and Dong Kim, Case Nos. GV13-007294 and GV-2013-007295 (Fx. Co. Gen. Dist. Ct.) (Lee District)*

67. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Kenneth L. Mobley and Magnolia M. Mobley, Case No. GV13-007301 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)*
68. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Laura C. Menez and Don Ernani Menez, Case No. GV13-007298 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*
69. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Edgar Molina, Case No. GV13-007302 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)*
70. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eileen Ludden, Case Nos. GV13-007292 and GV13-007293 (Fx. Co. Gen. Dist. Ct.) (Braddock District)*
71. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jaime W. Zambrana, Case No(s). GV13-007296 and GV13-007297 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
72. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Phyllis A. Murphy, Case No. GV13-007299 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*
73. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Larissa Omelchenko Taran, Case No. GV-2013-007300 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)*
74. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Norma Guerrero and Leslie Jeninne Huertas, Case No. GV13-007303 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*
75. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jose N. Del Cid and Vilma Del Cid, Case No. GV13-007340 (Fx. Co. Gen. Dist. Ct.) (Providence District)*
76. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jerry Komorowski, Case No. GV13-007341 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*

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Board Agenda Item
April 30, 2013

3:30 p.m.

Public Hearing on PCA C-108 (Arlington Boulevard Development, LLC) to Amend the Proffers, Conceptual and Final Development Plans for RZ C-108 Previously Approved for Office Development to Permit 174 Multi-Family Units, 14 Single-Family Attached Units, Retail Uses with Modifications to Site Design at an Overall Floor Area Ratio of 2.02 with ADU and WDU Bonuses, Located on Approximately 2.58 Acres of Land Zoned PDC, CRD, HC and SC (Providence District)

and

Public Hearing on SE 2012-PR-005 (Arlington Boulevard Development, LLC) to Permit a Fast Food Restaurant and Waivers and Modifications in the CRD, Located on Approximately 2.58 Acres of Land Zoned PDC, CRD, HC and SC (Providence District)

This property is located on the North side of Arlington Boulevard approximately 500 Feet East of its intersection with South Street. Tax Map 51-3 ((1)) 1D.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, April 18, 2013, the Planning Commission voted unanimously (Commissioner de la Fe not present for the votes; Commissioners Hall and Migliaccio absent from the meeting) to recommend the follow actions to the Board of Supervisors:

- Approve PCA C-108, subject to the execution of proffers consistent with those dated April 9, 2013, with the addition of proffers related to the following issues prior to the Board of Supervisors' public hearing, as agreed upon by the applicant:
 - Language specifying the responsibilities of the homeowners association regarding the operation, accessibility, and maintenance of the proposed pocket parks and courtyard;
 - Language that would require the applicant to survey residents to determine the need for specified hours of operation for the proposed courtyard; and
 - As necessary, expansion of the existing parking agreement with the neighboring office development to reserve additional capacity during off-hours for residents of the proposed development.
- Approval of SE 2012-PR-005, subject to development conditions consistent with those found in Appendix 2 of the staff report dated April 3, 2013;
- Waiver to allow the total length of a group of single-family attached dwellings to measure 245 feet where a maximum of 240 feet is permitted;

Board Agenda Item
April 30, 2013

- Waiver of frontage improvements along Arlington Boulevard in favor of the frontage improvements shown on the CDPA/FDPA/SE Plat;
- Modification of the trail requirements along Arlington Boulevard and South Street in favor of the sidewalks shown on the CDPA/FDPA/SE Plat;
- Modification of loading space requirements in favor of the loading space shown on the CDPA/FDPA/SE Plat;
- Reaffirmation of the increase in FAR above 1.5 in the PDC district;
- Waiver of the privacy yard requirements for single-family attached dwellings in the PDC district in favor of the open space shown on the CDPA/FDPA/SE Plat;
- Modifications and waivers of the transitional screening and barrier requirements in favor of the plantings shown on the CDPA/FDPA/SE Plat;
- Approval of the modification of the PFM requirements at the time of site plan approval to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8) subject to the waiver conditions contained in Attachment A of Appendix 15 (Waiver number 24549-WPFM-001-1);
- Modification of the Tree Preservation Target Area requirement in favor of the plantings shown on the CDPA/FDPA/SE plat; and
- Modification of the PFM for drive aisles and parking space geometrics to allow structural columns to extend by no more than four percent into the required stall area in parking structures and to allow 22-foot-wide aisles and ramps in areas indicated with no parking in the CDPA/FDPA/SE plat.

In a related action, the Commission also voted unanimously (Commissioner de la Fe not present for the votes; Commissioners Hall and Migliaccio absent from the meeting) to approve Approval of FDPA C-108-4.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4413867.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Brent Krasner, Planner, DPZ

PCA C-108 – ARLINGTON BOULEVARD DEVELOPMENT, LLC
FDPA C-108-04 – ARLINGTON BOULEVARD DEVELOPMENT, LLC
SE 2012-PR-005 – ARLINGTON BOULEVARD DEVELOPMENT, LLC

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. Lawrence.

Commissioner Lawrence: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA C-108, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED APRIL 9, 2013, AND WITH THE ADDITION OF THOSE DISCUSSED THIS EVENING.

Commissioners Flanagan and Hart: Second.

Chairman Murphy: Seconded by Mr. Flanagan and Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA C-108, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA C-108-04.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2012-PR-005, SUBJECT TO DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED APRIL 9, 2013.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2012-PR-005, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A WAIVER TO ALLOW THE TOTAL LENGTH OF A GROUP OF SINGLE-FAMILY ATTACHED DWELLINGS TO MEASURE 245 FEET WHERE A MAXIMUM OF 240 FEET IS PERMITTED.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF FRONTAGE IMPROVEMENTS ALONG ARLINGTON BOULEVARD IN FAVOR OF THE FRONTAGE IMPROVEMENTS SHOWN ON THE CDPA/FDPA/SE PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A MODIFICATION OF THE TRAIL REQUIREMENTS ALONG ARLINGTON BOULEVARD AND SOUTH STREET IN FAVOR OF THE SIDEWALKS SHOWN ON THE CDP/FDPA/SE (sic) PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A MODIFICATION OF LOADING SPACE REQUIREMENTS IN FAVOR OF THE LOADING SPACE SHOWN ON THE CDP/FDPA/SE (sic) PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Lawrence: I move that the Planning Commission – I'm sorry.

Chairman Murphy: Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A REAFFIRMATION OF THE INCREASE IN FAR ABOVE 1.5 IN THE PDC DISTRICT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF THE PRIVACY YARD REQUIREMENTS FOR SINGLE-FAMILY ATTACHED DWELLINGS IN THE PDC DISTRICT IN FAVOR OF THE OPEN SPACE SHOWN ON THE CDP/FDPA/SE (sic) PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND MODIFICATIONS AND WAIVERS OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS IN FAVOR OF THE PLANTINGS SHOWN ON THE CDP/FDPA/SE (sic) PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE PFM REQUIREMENTS AT THE TIME OF SITE PLAN APPROVAL TO LOCATE UNDERGROUND STORMWATER MANAGEMENT FACILITIES IN A RESIDENTIAL AREA (PFM SECTION 6-0303.8) SUBJECT TO THE WAIVER OF CONDITIONS CONTAINED IN ATTACHMENT A OF APPENDIX 15 (WAIVER NUMBER 24549-WPFM-001-1).

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. 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 A MODIFICATION OF THE TREE PRESERVATION TARGET AREA REQUIREMENT IN FAVOR OF THE PLANTINGS SHOWN ON THE CDPA/FDPA/SE PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND A MODIFICATION OF THE PFM FOR DRIVE AISLES AND PARKING SPACE GOVERNANCE (sic) TO ALLOW STRUCTURAL COLUMNS TO EXTEND BY NO MORE THAN FOUR PERCENT INTO THE REQUIRED STALL AREA IN PARKING STRUCTURES AND TO ALLOW 22-FOOT-WIDE AISLES AND RAMPS IN AREAS INDICATED WITH NO PARKING IN THE CDPA/FDPA/SE PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion?

Commissioner Hart: Mr. Chairman, on that one I did have a discussion. I think the word was “geometrics” in mine instead of “governance” – in the second line.

Chairman Murphy: Brent?

Commissioner Lawrence: Let the record show –

Commissioner Hart: Is that right?

Brent Krasner, Zoning Evaluation Division, Department of Planning and Zoning: It is geometrics.

Chairman Murphy: It is geometrics.

Commissioner Lawrence: Let the record show GEOMETRICS. Thank you.

Chairman Murphy: WITHOUT OBJECTION, the motion carries.

Commissioner Hart: We didn't vote yet.

Chairman Murphy: We didn't? Okay, does anybody want to vote? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motions carried unanimously with Commissioner de la Fe not present for the votes; Commissioners Hall and Migliaccio absent from the meeting.)

JLC

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Board Agenda Item
April 30, 2013

3:30 p.m.

Public Hearing on RZ 2012-MA-022 (CG Peace Valley LLC) to Rezone from R-3 and HC to PDH-4 and HC to Permit Residential Development with an Overall Density of 3.71 Dwelling Units Per Acre and Approval of the Conceptual Development Plan, Located on Approximately 1.89 Acres of Land (Mason District)

This property is located at 3236 Peace Valley Lane, Falls Church, 22044, on the West side of Peace Valley Lane, approximately 500 feet South of its intersection with Leesburg Pike. Tax Map 61-1 ((1)) 7.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on Thursday, April 25, 2013 and decision was deferred to Thursday, May 2, 2013. 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/4414718.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Planner, DPZ

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Board Agenda Item
April 30, 2013

3:30 p.m.

Public Hearing on RZ 2010-HM-008 (RBP & M LLC, Section 913, LP and Bozzuto Development Company) to Rezone from 1-4 to PRM to Permit Mixed Use Development with a Floor Area Ratio of 2.5 on the Northern Portion and a 0.42 FAR on the Southern Portion, Excluding Bonus Density Associated with ADU and WDU, Approval of the Conceptual Development Plan and a Waiver #2615-WPFM-003-01 to Permit the Location of Underground Storm Water Management Facilities, Located on Approximately 5.507 Acres of Land (Hunter Mill District)

This property is located North of Rt. 267, South of Sunset Hills Road and West of Wiehle Avenue. Tax Map 17-4 ((19)) 1-4, 5A and 6A; 17-4 ((24)) 4B.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, March 27, 2013, the Planning Commission voted unanimously (Commissioners Flanagan and Hall absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2010-HM-008 and the associated Conceptual Development Plan subject to the execution of proffers consistent with those dated March 4, 2013;
- Modification to paragraph 1 of Section 16-102 of the Zoning Ordinance for yard regulations, setbacks, bulk regulations, and building heights, in favor of that shown on the CDP/FDP;
- Modification of the transitional screening and a waiver of the barrier requirements, in favor of that shown on the CDP/FDP;
- Modification of the loading requirement, in favor of the loading spaces depicted on the CDP/FDP;
- Modification to paragraph 4 of Section 17-201 of the Zoning Ordinance for the widening of Sunset Hills Road, in favor of that shown on the CDP/FDP and as proffered;
- Approval of a deviation from the tree preservation target percentage, in favor of the proposed landscaping shown on the CDP/FDP and as proffered;
- Waiver of paragraph 1(b) of Section 2-414 to permit the existing office building to be set back approximately 70 feet from the Dulles Toll Road; and
- Waiver to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to the conditions dated October 9, 2012, for waiver number 2615-WPFM 003-1.

Board Agenda Item
April 30, 2013

As part of its action on RZ 2010-HM-008, the Commission also requested that the applicant meet with staff prior to the scheduled Board public hearing to clarify Proffer 33 and the commitment about not having additional levels taller than the parking garage.

In a related action, the Planning Commission also voted unanimously (Commissioners Flanagan and Hall absent from the meeting) to approve FDP 2010-HM-008, subject to the Board's approval of RZ 2010-HM-008.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report previously furnished and available online at:

<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4409946.PDF> and
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4411070.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Planner

Planning Commission Meeting
March 27, 2013
Verbatim Excerpt

RZ/FDP 2010-HM-008 – RPB & M, LLC AND BOZZUTO DEVELOPMENT COMPANY

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. de la Fe.

Commissioner de la Fe: Thank you, Mr. Chairman. This is the first rezoning in – related to Wiehle other than the County garage and the Comstock property. And as we have seen, it has taken almost three years – almost as much as some of the larger Tysons cases for this relatively small unit. But I think we have been able to come up with a package that is worthy of the first one to – in this transit area at Wiehle. So, Mr. Chairman – and this has received the approval of both staff and the Reston Planning and Zoning Committee, which reviewed it numerous times in the last three years. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2010-HM-008 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MARCH 4, 2013.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion?

Commissioner Hart: Mr. Chairman?

Chairman Murphy: Yes, Mr. Hart.

Commissioner Hart: I would just ask, AS A FRIENDLY AMENDMENT, BETWEEN NOW AND THE BOARD, THAT THEY SPEAK WITH STAFF ABOUT PROFFER 33 AND THE COMMITMENT ABOUT NOT HAVING ADDITIONAL LEVELS TALLER THAN THE PARKING GARAGE.

Chairman Murphy: All right.

Commissioner Hart: In between now and the Board.

Commissioner de la Fe: Is – you're shaking your head, yes?

Chairman Murphy: Do you want to come up since that is part of the proffer?

Commissioner de la Fe: Come and say yes.

Chairman Murphy: Yes, don't be shy.

Brian Winterhalter, Esquire, Cooley LLP: Yes, we would be happy to have that conversation with staff.

Chairman Murphy: Thank you very much.

Commissioner de la Fe: There is no Board date yet so –

Chairman Murphy: Okay. All those in favor of the motion to recommend to the Board of Supervisors to approve RZ 2010-HM-008, subject to the proffers as articulated by Mr. de la Fe and the amendment by Mr. Hart, say aye.

Commissioners: Aye:

Chairman Murphy: Opposed? Motion carries. Mr. de la Fe.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2010-HM-008, SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT REZONING APPLICATION.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to approve FDP 2010-HM-008, subject to the Board's approval of the Rezoning and Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF PARAGRAPH 1 OF SECTION 16-102 OF THE ZONING ORDINANCE FOR YARD REGULATIONS, SETBACKS, BULK REGULATIONS, AND BUILDING HEIGHTS, IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND A WAIVER OF THE BARRIER REQUIREMENTS, IN FAVOR OF THAT SHOWN ON THE CDP/FDP.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE LOADING REQUIREMENT, IN FAVOR OF THE LOADING SPACES DEPICTED ON THE CDP/FDP.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF PARAGRAPH 4 OF SECTION 17-201 OF THE ZONING ORDINANCE FOR THE WIDENING OF SUNSET HILLS ROAD, IN FAVOR OF THAT SHOWN ON THE CDP/FDP AND IN THE PROFFERS.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A DEVIATION FROM THE TREE PRESERVATION TARGET PERCENTAGE, IN FAVOR OF THE PROPOSED LANDSCAPING SHOWN ON THE CDP/FDP AND AS PROFFERED.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I move that the planning – I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF PARAGRAPH 1(B) OF SECTION 2-414 TO PERMIT THE EXISTING OFFICE BUILDING TO BE SET BACK APPROXIMATELY 70 FEET FROM THE DULLES TOLL ROAD.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Mr. Chairman, I finally – I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER TO LOCATE UNDERGROUND STORMWATER MANAGEMENT FACILITIES IN A RESIDENTIAL AREA (PFM SECTION 6-0303.8), SUBJECT TO WAIVER NUMBER 2615-WPFM 003-1 CONDITIONS DATED OCTOBER 9, 2012.

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 de la Fe: Thank you, Mr. Chairman. That, I believe, are all the motions that we needed.

Chairman Murphy: And then some.

Commissioner de la Fe: Thank you very much.

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(The motions carried unanimously with Commissioners Flanagan and Hall absent from the meeting.)

JLC

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Board Agenda Item
April 30, 2013

4:00 p.m.

Public Hearing on Proposed Plan Amendment S12-CW-2CP (Mobile and Land-Based Services Policy Plan Amendment) to Revise the Mobile and Land Based Telecommunication Provisions and Review Processes

ISSUE:

Plan Amendment (PA) S12-CW-2CP proposes to amend the Mobile and Land Based Telecommunication Services section of the Comprehensive Plan Policy Plan to revise the provisions and review processes as recommended by the Planning Commission's Telecommunication Committee. The amendment proposes to provide improved direction and incentive for locating telecommunication facilities with minimal visual impact; and improve the clarity and organization of objectives and policies that are related to wireless telecommunication uses.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, April 18, 2013, the Planning Commission voted unanimously (Commissioner Sargeant having recused; Commissioners Hall and Migliaccio absent from the meeting) to recommend that the Board of Supervisors approve the changes to the Policy Plan text as recommended in the staff report for S12-CW-2CP, with the following modifications:

- Amend Objective 44, Policy a, Bullet 4 on page 5 to read: "...Institutional and quasi-public property (as defined under Section 2-514 of the Zoning Ordinance";
- Amend Objective 44, Policy b, Bullet 3, first insert, on page 6 to read: ... "or the antennas are omni-directional (whips) that either extend no more than 4 feet above the top of the pole and are limited to 3 in number or extend no more than 8.5 feet above the top of the pole and are limited to 1 in number"; and
- Amend Objective 44, Policy c, Bullet 7, on page 8 to read: ... "Whip antennas with minimal visual impact and an overall height of 5 feet or less and a diameter of 2.5 inches or less."

RECOMMENDATION:

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

Board Agenda Item
April 30, 2013

TIMING:

Planning Commission public hearing – March 27, 2013
Planning Commission decision – April 18, 2013
Board of Supervisors' public hearing – April 30, 2013

BACKGROUND:

On November 20, 2012, the Board of Supervisors authorized Plan Amendment S12-CW-2CP to consider providing additional Policy Plan guidance for locating telecommunication facilities. The proposed Comprehensive Plan amendment is the result of the Planning Commission's Telecommunications Committee's work to review the current Policy Plan provisions concerning mobile and land-based telecommunications facilities. The primary emphasis of this effort includes: providing a definition of the term "telecommunications facility"; providing an appropriate reference to the 1996 Telecommunications Act; facilitating the placement of distributed antennas systems (DAS), if feasible; clarifying that public lands are a preferred location for siting

facilities; clarifying that proposed facilities should avoid areas of environmental sensitivity; expanding the mitigation measures to be taken for reducing or eliminating negative visual impacts of proposed telecommunications facilities; expanding the location of telecommunications facilities to include PTC zoning districts; clarifying right-of-way easement setback requirements; allowing provisions for whip antenna approvals as a feature shown of the Comprehensive Plan if they do not pose visual impacts; and providing administrative review requirements that reflect current zoning regulations; and expanding administrative review conditions.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/amendments/s12-cw-2cp.pdf>

STAFF:

Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Marianne R. Gardner, Director, Planning Division (PD), DPZ
Chris Caperton, Public Facilities Branch Chief, PD, DPZ

Planning Commission Meeting
April 18, 2013
Verbatim Excerpt

S12-CW-2CP – COMPREHENSIVE PLAN AMENDMENT (TELECOMMUNICATIONS
POLICY PLAN UPDATE)

Decision Only During Commission Matters
(Public Hearing held on March 27, 2013)

Commissioner Murphy: Mr. Chairman, I will have a motion on an Out-of-Turn Plan Amendment we had a public hearing on a couple weeks ago, Plan Amendment S12-CW-2CP, which is the Plan Amendment dealing with updating the Policy Plan, Objective 42, and the following – regarding telecommunication. Just as a few preliminary remarks – first, I want to thank Chris Caperton for the outstanding job he did not only during the public hearing and after with some follow-on actions, but for coming to all the Planning Commission Telecommunication Panel Committee meetings and getting us through this. This is a – this is a Plan Amendment that moves us forward. And I think after we had the Planning Commission seminar with the industry, we don't have to have something to knock us between the eyes all the time to tell us that we need to keep current with the trends in the industry and they're moving very rapidly. And in order to do that, we have to constantly review our Comprehensive Plan that's in the Policy Plan of the County to ensure that we have the right language in the Plan to support the motions we're going to make on individual applications, whether it's through the 2232 process or whether it's through the joint process of the 2232 and the Special Exception. Just to show you how important this is for the County – in a report by the Fairfax County Economic Advisory Commission a couple years, one of their strategies – and I'll read it – is, "Fairfax County should maintain and enhance its diverse economy for long-term economic health. The County should adopt policies conducive to attracting and retaining business." And one of those actions is to support public and private efforts to improve wired and wireless communication networks in the County that match or exceed industry standards for speed and reliability. In order to do that, we need the right language in the Plan to address that. But, moreover, since the Economic Development Authority is primarily discussing this in the context of business and commercial endeavors in the County, this also applies now to what is needed in the residential parts of the County as the proliferation of these electronic devices grows and grows and grows by the day. And just come out with a new i-4 or 5 and look at the lines on M-Street in Washington. They're ready to take a right up the next street to open the store at seven o'clock in the morning to buy the new iPad. And now in the residential homes many of them are now giving up their landlines and relying solely on wireless communication. And in order to do that we need to set up a network now that not only supports the industrial and the commercial need, but also supports the residential need as we boldly continue to move into the 21st century. There is a handout that, I believe, has been circulated around the horseshoe. And basically the motion is based on three inserts that you will find regarding the Plan Amendment S11-IV-MV1 (sic) regarding the institutional and quasi-public property language that was brought up during the public hearing – also, an objective that deals with omni-directional whips to keep residential and commercial criteria concentrated in this are regarding whips – whip antennas consistent with one another – with the commercial language

Planning Commission Meeting
April 18, 2013
S12-CW-2CP

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and with the residential language – and also on whip antennas, something that deals with the minimal visual impact and an overall height of 3 feet or less than a diameter of 1.5 inches or less. And I understand that when I get to the motion, one of my colleagues will introduce a friendly motion that I plan to accept if there's no objection. So having said that, Mr. Chairman, I WOULD MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT S12-CW-2CP, WITH THE MODIFICATIONS SHOWN IN MY HANDOUT DATED APRIL 18, 2013. And this modification is based on the adopted Plan by the Planning Commission's Telecommunications Committee and ratified by the Planning Commission and passed onto the Board of Supervisors.

Vice Chairman de la Fe: Is there a second?

Commissioners Flanagan and Litzenberger: Second.

Vice Chairman de la Fe: Seconded by Mr. Flanagan and Mr. Litzenberger.

Commissioner Litzenberger: I have a FRIENDLY AMENDMENT.

Vice Chairman de la Fe: Mr. Litzenberger.

Commissioner Litzenberger: Thank you, Mr. Chairman. Objective 44, Policy c, bullet 7, on page 8 – it reads, "Whip antennas with minimal visual impact and an overall height of 3 feet-" I WOULD LIKE TO AMEND THAT TO 5 FEET OR LESS, "-and a diameter of 1.5 inches," which I WOULD LIKE TO AMEND TO 2.5 INCHES OR LESS. This is keeping in the spirit of intent – spirit and intent of keeping up with the latest technological advances.

Commissioner Flanagan: Second.

Commissioner Murphy: I have no –

Vice Chairman de la Fe: It's a friendly – it's a friendly amendment.

Commissioner Murphy: Yes, I have no objection. I ACCEPT THAT.

Vice Chairman de la Fe: Do you accept that?

Commissioner Murphy: Yes, I accept that.

Planning Commission Meeting
April 18, 2013
S12-CW-2CP

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Vice Chairman de la Fe: Okay. Mr. Hart, you look like you want to say something.

Commissioner Hart: Well, I do, Mr. Chairman. I have a question and I'm sorry this is on the verbatim, but in tonight's handout we started out with S12-CW-2CP –

Commissioner Murphy: Yes, I just noticed that. Thank you.

Mr. Caperton: That's an error. I apologize.

Commissioner Murphy: Yes.

Mr. Caperton: IT SHOULD READ, AS IN THE MOTION, S12-CW-2CP.

Commissioner Hart: Take out the other numbers - that was my question.

Mr. Caperton: Yes.

Commissioner Murphy: Yes, thank you. I just – I read that one and I thought that's not MV. I suppose I was thinking of Mount Vernon. I had good thoughts, Earl.

Vice Chairman de la Fe: Okay, you are correct and THAT AMENDMENT WILL BE NOTED SO THAT WE ARE VOTING ON PLAN AMENDMENT S12-CW-2CP –

Commissioner Hart: Thank you.

Vice Chairman de la Fe: -based on the motion made by Commissioner Murphy with the friendly amendment accepted by Commissioner Litzenberger. Any further discussion? All those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries.

Commissioner Murphy: Just one final word. I do also want to thank the citizens who came in and testified and also, included in that, the citizens who are also members of the telecommunications industry. And they have been joining us, as we have – all our meetings are open to the public. Many members of the industry have been joining us at our Committee meetings and all are most welcome to do so.

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Planning Commission Meeting
April 18, 2013
S12-CW-2CP

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(The motions carried unanimously with Commissioner Sargeant having recused; Commissioners Hall and Migliaccio absent from the meeting.)

JLC

Board Agenda Item
April 30, 2013

4:00 p.m.

Public Hearing to Consider Fairfax Forward Planning Process and Associated Pilot Comprehensive Plan Amendment Work Program

ISSUE:

Fairfax Forward proposes a new method for conducting planning studies that will increase public participation and produce better planning outcomes. Specific goals of the process include expanded public outreach, involvement and education; enhanced comprehensive impact analyses; and opportunity to review all parts of the Comprehensive Plan. The initial effort establishes studies for the first three years and is a pilot that will undergo full evaluation of the process, study status and work program in the second year. A multi-year calendar lists planning activities contemplated to begin beyond the three year work program. This listing will help inform review of the overall work program as it suggests an approach to complete a complete review of the Comprehensive Plan.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, April 3, 2013, the Planning Commission unanimously voted (Commissioner Hall absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Adopt the revised Comprehensive Plan review process outlined in the Fairfax Forward staff report dated February 20, 2013, and subsequent addendum dated April 3, 2013, which uses a Comprehensive Plan Amendment Work Program to schedule future planning studies;
- Adopt the pilot Comprehensive Plan Amendment Work Program dated February 28, 2013, as a formal test of program operations;
- After two years, staff should evaluate the efficiency, effectiveness, accessibility, and impact of the new process and the pilot work program. Measurement criteria should be developed by staff in concert with the Planning Commission and the Board of Supervisors, allowing for public review and comment, and should be assessed utilizing surveys, interviews, or other methods to reach all parties involved. The evaluation should conclude with recommendations to the Planning Commission and the Board of Supervisors on modifications and improvements; and

Board Agenda Item
April 30, 2013

- Rescind the outstanding Area Plans Review nominations listed on Attachment VII of the staff report dated February 20, 2013, and rescind the outstanding Board authorized amendments listed within the same document.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation as shown in Attachment I.

TIMING:

Planning Commission public hearing (cancelled due to weather) – March 6, 2013
Board of Supervisors' public hearing (deferred) – March 19, 2013
Planning Commission public hearing (rescheduled) – March 27, 2013
Planning Commission decision – April 3, 2013
Board of Supervisors' public hearing – April 30, 2013

BACKGROUND:

In early 2012, at the direction of the Planning Commission, Department of Planning and Zoning (DPZ) staff began Fairfax Forward, an effort to develop a new means to review the Comprehensive Plan. Fairfax Forward proposes a Comprehensive Plan Amendment Work Program for scheduling the review of the Area Plans, Policy Plan, and related maps. This schedule is meant to ensure that guidance remains up-to-date and relevant based on current and future needs. The initial work program for Years 2013-2015 is considered the "Pilot Comprehensive Plan Amendment Work Program" to emphasize that the first cycle will be a formal test to the work program, which will be evaluated in two years.

Fairfax Forward also proposes a new approach for conducting planning studies to provide more focused study parameters, greater community outreach, and a more organized approach to the overall Plan review. State requirements for Comprehensive Plan review will be met through the regular evaluation and update of the work program, and the option for Board-authorized amendments, which will be retained. After two years, this approach also will be evaluated with recommendations for improvements made to the Planning Commission and the Board of Supervisors.

A number of Board-authorized amendments have been deferred indefinitely or remain pending, despite no recent work on these items. Many of these amendments were either superseded by other amendments or determined to be no longer warranted as the issue at hand was resolved. No additional work is anticipated in the future on these amendments. These items are not listed on the work program and recommended to be

Board Agenda Item
April 30, 2013

rescinded in order to avoid carrying forward amendments that are no longer in progress as part of Fairfax Forward.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim Excerpt

Staff Report (February 20, 2013) previously furnished and available online at:

<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/amendments/fairfaxforward.pdf>

Staff Report Addendum (April 3, 2013) previously furnished and available online at:

<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/amendments/fairfaxforwardaddendum.pdf>

STAFF:

Fred R. Selden, Director, DPZ

Marianne R. Gardner, Director, Planning Division (PD), DPZ

Meghan D. Van Dam, Chief, Policy and Plan Development Branch II, PD, DPZ

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Planning Commission Meeting
April 3, 2013
Verbatim Excerpt

FAIRFAX FORWARD WORK PROGRAM

Decision Only During Commission Matters
(Public Hearing held on March 27, 2013)

Commissioner Lawrence: Thank you, Mr. Chairman. I have a couple of decisions to do. I would like to do Fairfax Forward first, if I may. And before we go on verbatim to make the motion – with your permission, I have a couple things I need to say.

Chairman Murphy: Sure.

Commissioner Lawrence: On Fairfax Forward, we received today – it's dated April 3rd – an addendum from staff to the staff report. It's a very brief one and on the cover page it gives a summary of what the addendum contains and what changes were made. They're pretty straightforward. I'm going to move approval of this program tonight, but as we'll be seeing in the motions that I'm going to make, it will be approved – we will recommend that it be approved for operation as a pilot program in an evaluation phase of operation. And we're timing that to come out with the first evaluation of the Work Program itself so that the process we're working with and the Program that is being worked on will get evaluated at the same time, according to a specific set of criteria. So what that motion means is that it's time to find out about this thing by doing it. There is only so much we can do prospectively and I think we've done – with the great work of staff – all that can be done about it. Therefore, Mr. Chairman – now I'm ready for verbatim – I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE REVISED COMPREHENSIVE PLAN REVIEW PROCESS OUTLINED IN THE FAIRFAX FORWARD STAFF REPORT DATED FEBRUARY 20, 2013, AND SUBSEQUENT ADDENDUM DATED APRIL 3, 2013, WHICH USES A COMPREHENSIVE PLAN AMENDMENT WORK PROGRAM TO SCHEDULE FUTURE PLANNING STUDIES.

Commissioners Migliaccio and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Migliaccio and Mr. Sargeant. Is there a discussion of the motion?

Commissioner Flanagan: Mr. Chairman?

Chairman Murphy: Yes, Mr. Flanagan.

Commissioner Flanagan: Yes, I just want to have for the record that I did not attend the public hearing on the 27th of March. However, I did watch the entire proceeding by television and so I will be voting tonight on this particular provision. And had I been here, I would have put into the record the fact that the Mount Vernon Council wholeheartedly – I think you all received a letter

Planning Commission Meeting
April 3, 2013
FAIRFAX FORWARD WORK PROGRAM

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previously, probably by an email, that the Mount Vernon Council wholeheartedly recommends the approval of this – the Fairfax Forward as drafted.

Chairman Murphy: Okay. Thank you very much. I have a couple of comments I want to make. During this entire process, including the discussions in the Committee – and I want to congratulate Mr. Lawrence for doing a great job in leading us through this process and the staff, Marianne Gardner and Meghan Van Dam. I had a couple concerns and I still have those concerns about the involvement of the citizens in this process. And we continuously say that the Planning Commission is the custodian of the Comprehensive Plan, but it is the citizens' plan. And my concern was that with this new process there is a possibility that we may be taking the citizens out of the process not completely, but diluting their participation in the process. But I can't vote against this because the only way we're going to find out if that is good or whether it was just a figment of my imagination is to go into this Program with the idea – which I think is going to come up in a future motion – that we have some sort of monitoring or pilot program where we can sit back and take a look at something that is this important to the citizens of the County, the Planning Commission, and the Board of Supervisors and take a look at it and see if it's working and to ensure that the citizens are still an important, crucial part of the planning process in Fairfax County at the stage where it really counts the most. And that's when we're looking at the Comprehensive Plan. Is there further discussion of the motion? All those in favor of the motion as articulated by Commissioner Lawrence to approve Fairfax Forward, as contained in the staff report dated February 20, 2013, and as amended by the addendum dated April 3, 2013, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE PILOT COMPREHENSIVE PLAN AMENDMENT WORK PROGRAM DATED FEBRUARY 28, 2013, AS A FORMAL TEST OF PROGRAM OPERATIONS.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi and also the Chair seconds that motion because this is what I think is going to be a crucial part of this entire Program. Is there a discussion of the motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Commissioner Lawrence, please.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT AFTER TWO YEARS, STAFF SHOULD EVALUATE THE EFFICIENCY, EFFECTIVENESS, ACCESSIBILITY, AND IMPACT OF

Planning Commission Meeting
April 3, 2013
FAIRFAX FORWARD WORK PROGRAM

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THE NEW PROCESS AND THE PILOT WORK PROGRAM. MEASUREMENT CRITERIA SHOULD BE DEVELOPED BY STAFF IN CONCERT WITH THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS, ALLOWING FOR PUBLIC REVIEW AND COMMENT, AND SHOULD BE ASSESSED UTILIZING SURVEYS, INTERVIEWS, OR OTHER METHODS TO REACH ALL PARTIES INVOLVED. THE EVALUATION SHOULD CONCLUDE WITH RECOMMENDATIONS TO THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS ON MODIFICATIONS AND IMPROVEMENTS.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion – and seconded by the Chair – is there a discussion of that motion? All those in favor of the motion as articulated by Mr. Lawrence, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RESCIND THE OUTSTANDING AREA PLANS REVIEW NOMINATIONS LISTED ON ATTACHMENT VII OF THE STAFF REPORT DATED FEBRUARY 20, 2013, AND RECOMMEND THAT THE BOARD OF SUPERVISORS RESCIND THE OUTSTANDING BOARD-AUTHORIZED AMENDMENTS LISTED WITHIN THE SAME DOCUMENT.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Thank you, Mr. Chairman.

Chairman Murphy: Thank you. Once again, I want to thank Mr. Lawrence. And I think – intrinsic in these motions is the fact that the Planning Commission has a definite role in ensuring that in each of our districts, with our At-Large Commissioners joining in, that this is monitored very carefully and that we have a good notion when we finish the monitoring process as to what the results of this new Program are going to be. Again, I thank staff for all their hard work and for putting up with me – and not necessarily in that order.

//

Planning Commission Meeting
April 3, 2013
FAIRFAX FORWARD WORK PROGRAM

Page 4

(The motions carried unanimously with Commissioner Hall absent from the meeting.)

JLC

Board Agenda Item
April 30, 2013

4:00 p.m.

Public Hearing on Proposed Amendments to the Public Facilities Manual and Chapters 101 (Subdivision Ordinance) and 112 (Zoning Ordinance) of the Code of the County of Fairfax, Virginia Re: Editorial Changes to the Fire Regulations, Manhole Plate References, and Vertical Datum Requirements

ISSUE:

Board adoption of proposed amendments to the Public Facilities Manual (PFM) and Chapters 101 (Subdivision Ordinance) and 112 (Zoning Ordinance) of the *Code of the County of Fairfax, Virginia* (County Code). The amendments include editorial changes to the fire regulations, manhole plate references, and vertical datum requirements.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, April 4, 2013, the Planning Commission unanimously voted (Commissioners Hall and Hedetniemi absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Adoption of the proposed amendments to the PFM, Chapter 101 (Subdivision Ordinance), and Chapter 112 (Zoning Ordinance) regarding proposed changes to the fire regulations, manhole plate references, and the vertical datum requirements as set forth in the staff report dated February 26, 2013; with the following modification:
 - Change plate number 3-10, in the enlarged box, to strike ASTM “C-361” and replace it with “C-443”; and
- That proposed amendments shall become effective at 12:01 a.m. on May 1st, 2013.

RECOMMENDATION:

The County Executive recommends that the Board adopt the proposed amendments as recommended by the Planning Commission, with the additional changes to Attachment A as described in this item; and that these amendments shall become effective at 12:01 a.m. on May 1, 2013.

The proposed amendments have been prepared by the Department of Public Works and Environmental Services (DPWES) and coordinated with the Office of the County Attorney. The PFM amendment related to the fire regulations has also been reviewed

Board Agenda Item
April 30, 2013

by the Fairfax County Fire & Rescue Department, Fire Prevention Division. The vertical datum amendment has been coordinated with the County Surveyor. All of the PFM amendments have also been recommended for approval by the Engineering Standards Review Committee.

TIMING:

On February 26, 2013, the Board authorized the advertising of public hearings. The Planning Commission held a hearing on April 4, 2013. Board action is requested on April 30, 2013. The proposed amendments shall become effective at 12:01 a.m. on May 1, 2013.

BACKGROUND:

The proposed editorial amendments are related to the fire regulations, manhole plate references, and the vertical datum requirements of the Site Plan and Subdivision Ordinances, and the PFM. Background information on each amendment is provided below.

Fire Regulations

On January 10, 2012, the Board adopted amendments to the County's Fire Protection Code, Chapter 62 of the County Code, related to Fire Department access and fire protection. The adopted County Code amendments were necessitated by amendments to the 2009 Statewide Fire Prevention Code (SFPC) adopted during the 2011 Virginia General Assembly. The proposed PFM amendment updates the PFM to align with the adopted changes to the Statewide and County Fire Prevention Codes.

Manhole Plate References

The details (Plates) in the PFM specify material and construction specifications from ASTM, AASHTO, and other recognized organizations. From time to time, the referenced specifications become outdated or obsolete. The proposed amendment updates the concrete pipe and manhole joint specification numbers in Plates #3-10, #4-10 and #5-10 of the PFM.

Vertical Datum Requirements

A vertical datum is a reference point against which measurements are made. In engineering and survey applications, a vertical datum is used to measure elevations, which are heights above and depths below a reference point. Assurance that elevations are accurate is based on, among other things, whether the surveyor's reference to the fixed datum is accurate and complies with the County's vertical datum requirement.

The vertical datum requirement was first established on December 11, 1963, upon the Board of Supervisors' adoption of the booklet entitled "Policies and Guidelines for the Preparation of Subdivision Plans and Site Development Plans" - the precursor to the PFM. The requirement has not changed over time. It has been replicated in the PFM and the Site Plan and Subdivision Ordinances and states that "all elevations shall be correlated to the U.S. Geological Survey" (USGS). Although unspecified in the regulations, it is intended that all elevations be referenced to the National Geodetic Vertical Datum of 1929 (NGVD 29); the U.S. Geological Survey's vertical datum at the time.

NGVD 1929 was superseded by the creation of the North American Vertical Datum of 1988 (NAVD 88). The difference between the two datums varies from location to location. In Fairfax County, the average offset (the difference between NAVD 88 and NGVD 29) is about eight inches. The proposed amendment addresses the County's concern that developers, and their engineers and surveyors, are unable to distinguish the small offset, and thus, recognize that the wrong datum is being used. The proposed amendment revises the PFM to clarify that all plans submitted to Fairfax County must use the NGVD 1929 datum.

PROPOSED AMENDMENTS

Fire Regulations

The proposed amendment updates § 9-0202 (Fire Marshal Requirements) of the PFM to align with the County and Statewide Fire Protection Codes. Specifically, the PFM is being revised to:

- 1) Clarify the process for modifying the fire protection provisions set forth in § 9-0202.2I of the PFM; and
- 2) Update the fire department access provisions set forth in § 9-0202.2J and the related note in Tables 7.6 and 7.7 (Parking Geometrics).
- 3) Amend Plate #6-9 (Fire Lanes) to incorporate the parking and curb designation requirements for fire lanes.

A copy of the proposed amendments is included as Attachment A of the Staff Report. Additional changes are being proposed that are not presented in the Staff Report, dated February 26, 2013, as follows:

- Strike "or waiver" in PFM 9-0202.2I(1); and

Board Agenda Item
April 30, 2013

- Strike “waiver” and replace it with “modification” in PFM 9-0202.2I(2)(i); and
- Edit Plate #3-10, in the enlarged box, to strike “ASTM C-361” and replace it with “ASTM C-443”

Manhole Plate References

The proposed amendment updates PFM Plates #3-10, #4-10, and #5-10 to reflect the correct ASTM specification number for joints for concrete pipes and manholes, using rubber gaskets. The revised Plates are included as Attachment B of the Staff Report.

Vertical Datum Requirements

To combine or compare elevations from different sources, the elevations must be referenced to the same vertical datum. Using inconsistent datums in the County is problematic. Although it does not change the elevation of a fixed point related to another nearby point, it does create gaps and inconsistencies in computed elevations which can impact site flow, particularly on flat areas of a site. In addition, the use of inconsistent datums can cause inaccuracies and uncertainties with the transfer of data between developers and among engineering and surveying firms. It is useful at this time to revise the regulations to eliminate the confusion and inaccuracies caused by the creation of the newer datum.

Specifically, the proposed amendment revises PFM § 2-0107 (Topography), § 17-106 (Required Information on Plans) of the Zoning Ordinance, and § 101-2-5 (Final Subdivision Plat Preparation) of the Subdivision Ordinance to strike out the reference to USGS, and replace it with NGVD 1929, the intended datum. This would be consistent with the FEMA published Base Flood Elevations (BFE), shown on the Fairfax County DFIRM maps and flood profiles in the flood insurance studies, which are referenced to NGVD 1929. In addition, to address a valid concern from industry surveyors, the proposed amendment strikes incorrect text related to GIS survey monuments and adds text allowing the use of GPS, a modern technology. A copy of the proposed amendment is included as Attachment C of the Staff Report.

REGULATORY IMPACT:

The proposed amendments are miscellaneous, editorial amendments related to the fire regulations, the references made in some PFM plates, and the vertical datum requirement for all plan submissions to Fairfax County.

The proposed Fire Marshal amendment updates § 9-0202, Tables 7.6 and 7.7, and Plate #6-9 of the PFM to align the Countywide and Statewide Fire Protection Codes.

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The PFM Plates #3-10, #4-10, and #5-10 are being revised to update the ASTM specification related to joints for concrete pipes, and manholes, using rubber gaskets.

Lastly, the vertical datum provision in the PFM, and replicated in the Zoning and Subdivision Ordinances, are being revised to clarify that all elevations shall be based on NGVD 1929.

FISCAL IMPACT:

The proposed amendments have no anticipated fiscal impact on industry or on the County's staff or budget.

ENCLOSED DOCUMENTS:

Attachment I - Staff Report

Attachment II – Planning Commission Verbatim

STAFF:

James W. Patteson, Director, DPWES

Michelle Brickner, Deputy Director, DPWES

Deputy Chief Michael T. Reilly, Fairfax County Fire and Rescue Department, Fire Prevention Division

Vickie McEntire, County Surveyor

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DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

STAFF REPORT

- PROPOSED COUNTY CODE AMENDMENT
- PROPOSED PFM AMENDMENT
- APPEAL OF DECISION
- WAIVER REQUEST

Proposed Amendments to the Public Facilities Manual and Chapters 101 (Subdivision Ordinance) and 112 (Zoning Ordinance) of the *Code of the County of Fairfax, Virginia* Re: Editorial Changes to the Fire Regulations, Manhole Plate References and Vertical Datum Requirements.

Authorization to Advertise	<u>February 26, 2013</u>
Planning Commission Hearing	<u>April 4, 2013</u>
Board of Supervisors Hearing	<u>April 30, 2013</u>
Prepared by:	<u>Jan Leavitt, P.E.</u> Site Code Research and Development
	February 26, 2013

STAFF REPORT

A. Issue:

Proposed amendments to the Public Facilities Manual (PFM) and Chapters 101 (Subdivision Ordinance) and 112 (Zoning Ordinance) of the *Code of the County of Fairfax, Virginia* (County Code). The amendments include editorial changes to the fire regulations, manhole plate references and vertical datum requirements.

B. Recommended Action:

Staff recommends that the Board of Supervisors adopt the proposed amendments and that the amendments become effective the day following adoption.

C. Timing:

Board of Supervisors' Authorization to Advertise – February 26, 2013
Planning Commission Public Hearing – April 4, 2013
Board of Supervisors Public Hearing – April 30, 2013

D. Source:

Department of Public Works and Environmental Services (DPWES)

E. Coordination:

The proposed amendments have been prepared by the Department of Public Works and Environmental Services (DPWES) and coordinated with the Office of the County Attorney. The PFM amendment related to the fire regulations has also been reviewed by the Fairfax County Fire & Rescue Department, Fire Prevention Division. The vertical datum amendment has been coordinated with the County Surveyor. All of the PFM amendments have also been recommended for approval by the Engineering Standards Review Committee.

F. Background:

The proposed editorial amendments are related to the fire regulations, manhole plate references, and the vertical datum requirements of the Site Plan and Subdivision Ordinances, and the PFM. Background information on each amendment is provided below.

Fire Regulations

On January 10, 2012, the Board adopted amendments to the County's Fire Protection Code, Chapter 62 of the County Code, related to Fire Department

access and fire protection. The adopted County Code amendments were necessitated by amendments to the 2009 Statewide Fire Prevention Code (SFPC) adopted during the 2011 Virginia General Assembly. The proposed PFM amendment updates the PFM to align with the adopted changes to the Statewide and County Fire Prevention Codes.

Manhole Plate References

The details (Plates) in the PFM specify material and construction specifications from ASTM, AASHTO, and other recognized organizations. From time to time, the referenced specifications become outdated or obsolete. The proposed amendment updates the concrete pipe and manhole joint specification numbers in Plates #3-10, #4-10 and #5-10 of the PFM.

Vertical Datum Requirements

A vertical datum is a reference point against which measurements are made. In engineering and survey applications, a vertical datum is used to measure elevations, which are heights above and depths below a reference point. Assurance that elevations are accurate is based on, among other things, whether the surveyor's reference to the fixed datum is accurate and complies with the County's vertical datum requirement. The vertical datum requirement was first established on December 11, 1963, upon the Board of Supervisors' adoption of the booklet entitled "Policies and Guidelines for the Preparation of Subdivision Plans and Site Development Plans" - the precursor to the PFM. The requirement has not changed over time. It has been replicated in the PFM and Site Plan and Subdivision Ordinances and states that "all elevations shall be correlated to the U.S. Geological Survey" (USGS). Although unspecified in the regulations, it is intended that all elevations be referenced to the National Geodetic Vertical Datum of 1929 (NGVD 29); the U.S. Geological survey's vertical datum at the time.

NGVD 1929 was superseded by the creation of the North American Vertical Datum of 1988 (NAVD 88). The difference between the two datums varies from location to location. In Fairfax County, the average offset (the difference between NAVD 88 and NGVD 29) is about eight inches. The proposed amendment addresses the County's concern that developers, and their engineers and surveyors, are unable to distinguish the small offset and thus, recognize that the wrong datum is being used. The proposed amendment revises the PFM to clarify that all plans submitted to Fairfax County must use the NGVD 1929 datum.

G. Proposed Amendments:

Fire Regulations

The proposed amendment updates § 9-0202 (Fire Marshal Requirements) of the PFM to align with the County and Statewide Fire Protection Codes. Specifically, the PFM is being revised to:

- 1) Clarify the process for modifying the fire protection provisions set forth in § 9-0202.2I of the PFM; and
- 2) Update the fire department access provisions set forth in § 9-0202.2J and related note in Tables 7.6 and 7.7 (Parking Geometrics).
- 3) Amend Plate # 6-9 (Fire Lanes) to incorporate the parking and curb designation requirements for fire lanes.

A copy of the proposed amendments is included as Attachment A.

Manhole Plate References

The proposed amendment updates PFM Plates #3-10, #4-10, and #5-10 to reflect the correct ASTM specification number for joints for concrete pipe and manholes, using rubber gaskets. The revised Plates are included as Attachment B.

Vertical Datum Requirements

To combine or compare elevations from different sources, the elevations must be referenced to the same vertical datum. Using inconsistent datums in the County is problematic. Although it does not change the elevation of a fixed point related to another nearby point, it does create gaps and inconsistencies in computed elevations which can impact site flow, particularly on flat areas of a site. In addition, the use of inconsistent datums can cause inaccuracies and uncertainties with the transfer of data between developers and among engineering and surveying firms. It is useful at this time to revise the regulations to eliminate the confusion and inaccuracies caused by the creation of the newer datum.

Specifically, the proposed amendment revises PFM § 2-0107 (Topography), § 17-106 (Required Information on Plans) of the Zoning Ordinance, and § 101-2-5 (Final Subdivision Plat Preparation) of the Subdivision Ordinance to strike out the reference to USGS, and replace it with NGVD 1929, the intended datum. This would be consistent with the FEMA published Base Flood Elevations (BFE), shown on the Fairfax County DFIRM maps and flood profiles in the flood insurance studies, which are referenced to NGVD 1929. In addition, to address a valid concern from industry surveyors, the proposed amendment strikes incorrect text related to GIS survey monuments and adds text allowing the use of GPS static data. A copy of the proposed amendment is included as Attachment C.

H. Regulatory Impact:

The proposed amendments are miscellaneous, editorial amendments related to the fire regulations, the references made in some PFM plates, and the vertical datum requirement for all plan submissions to Fairfax County.

The proposed Fire Marshal amendment updates § 9-0202, Tables 7.6 and 7.7 and Plate #6-9 of the PFM to align the Countywide and Statewide Fire Protection Codes. The PFM Plates #3-10, #4-10, and #5-10 are being revised to update the ASTM specification related to joints for concrete pipes, and manholes, using rubber gaskets. Lastly, the vertical datum provision in the PFM, and replicated in the Zoning and Subdivision Ordinances, are being revised to clarify that all elevations shall be based on NGVD 1929.

I. Attachments:

Attachment A:	Proposed Amendment related to Fire Regulations
Attachment B:	Proposed Amendment related to Manhole Plate References
Attachment C:	Proposed Amendment related to Vertical Datums

**Proposed Amendment
to the Public Facilities Manual**

Amend the Public Facilities Manual (PFM), by revising Chapter 9 (Water and Fire Regulations), Section 9-0200 (Fire Marshal Requirements), Subsection 9-0202.2I (Fire Protection Waiver Procedures), to read as follows:

9-0202.2I Fire Protection ~~Waiver~~ Modification Procedures

9-0202.2I(1) The following information is to be provided when requesting a modification or waiver of any fire protection requirement of the PFM.

9-0202.2I(2) All requests must be submitted and addressed to the Fairfax County Fire Marshal Site Development and Inspections Division, DPWES, and include the following:

9-0202.2I(2)(a) A plan or sketch showing the proposed location of all improvements on the site and the type of construction involved.

| 9-0202.2I(2)(b) The address, tax map reference number, and the proposed use of the property.

9-0202.2I(2)(c) The current zoning classification of the property and if recently rezoned, the rezoning number and the date of approval by the Board.

9-0202.2I(2)(d) Copies of any required special exception or special permit with date of approval.

| 9-0202.2I(2)(e) The Sspecific item requested to be waived ~~or~~ modified.

| 9-0202.2I(2)(f) The Llength of time for which the modification ~~waiver~~ is requested.

9-0202.2I(2)(g) Any proposed alternate form of fire protection.

| 9-0202.2I(2)(h) The name, address, and telephone number of the person making the request.

9-0202.2I(2)(i) The County assigned number for site and subdivision plans and waiver requests associated with the property.

Amend the Public Facilities Manual (PFM), by revising Chapter 9 (Water and Fire Regulations), Section 9-0200 (Fire Marshal Requirements), Subsection 9-0202.2J (Fire Department Access), to read as follows:

9-0202.2J Fire Department Access

Regulations governing fire department access established under the Virginia Statewide Fire Prevention Code (SFPC) and Fairfax County Fire Prevention Code (Chapter 62 of the County Code) are set forth below. When requesting a code modification of any fire department access requirement, refer to the procedure set forth in Chapter 1 of the SFPC.

9-0202.2J(1) (51-96-PFM) Access for emergency vehicles shall be provided to within 100 feet of the main or principal entrance of every building. The fire department vehicular access may be provided by a public or private street, parking lot, and/or fire lanes.

9-0202.2J(2) When buildings are more than five stories or 50 feet in height, ladder truck access shall be provided to both the front and rear of the building.

9-0202.2J(3) The access to the rear may be provided by either a street, parking lot, or fire lane.

9-0202.2J(4) The inner surface of the ladder truck access way shall be no less than 15 feet and no more than 30 feet from the exterior building wall.

9-0202.2J(5) (51-96-PFM) When fire lanes are required, they shall have an unobstructed width of not less than 20 feet, exclusive of shoulders ~~minimum width of 18 feet~~. Fire lanes shall have parking, curb painting, and signage as further described on Plate 6-9.

9-0202.2J(6) (51-96-PFM) ~~Required fire department vehicular access ways which are over 100 feet in length and which do not accommodate through traffic shall provide adequate space for turning apparatus around.~~ Dead-end fire apparatus access roads in excess of 100 feet in length shall be provided with an approved area for turning around fire apparatus. (Due to the size of the ladder truck, it is suggested that guidance be obtained from the Fire Prevention Division to determine adequate turnaround dimensions.)

9-0202.2J(7) A 12-foot wide access lane to within 50 feet of the edge of swimming pools, with an 8-foot personnel gate in the fence at the point of access is required except for individually owned pools located on single family lots.

9-0202.2J(8) (51-96-PFM) A minimum height clearance of 15 feet is required for overhangs, canopies, and other obstructions which are located over emergency access ways.

9-0202.2J(9) (51-96-PFM) For ladder truck access on parking garages where a parking garage is attached to a building structure in such a manner that such garage constitutes a portion of the fire department vehicular access way, design calculations shall be provided by a PE licensed in Virginia which show that the deck of such garage is designed to support an 62,000-80,000 pound

vehicle and all outrigger (pad) point loads or that such garage is designed for a nominal 450 lb/sf uniform live load.

Amend the Public Facilities Manual (PFM), by revising Chapter 7 (Streets, Parking and Driveways), § 7-0800 (Parking Geometrics and Standards), § 7-0802 (Geometrics and Standards), Tables 7.6 and 7.7, to read as follows:

7-0802 Geometrics and Standards. (25-88-PFM) The following tables shall represent the minimum size requirements for required automobile parking spaces (see Article 11 of the Zoning Ordinance for required number of parking spaces per use):

7-0802.1 Parallel Parking Spaces (63-98-PFM, 25-88-PFM)

Direction of Parking	Stall Width ft.	Depth of Stalls ft.	Aisle Width ft.*
One-way aisle (one-side parking)	8	22	12 16
One-way aisle (two-side parking)	8 (16 feet total)	22	15 20
Two-way aisle (two-side parking)	8 (16 feet total)	22	20

* Where required, fire lanes shall have a minimum width of 18 ft. Seebe in accordance with § 9-0202.2J(5).

7-0802.2 Universal Size Car Spaces (63-98-PFM, 25-88-PFM)

Parking Angle	Stall Width ft.	Depth of Stalls Perpendicular to Aisle ft.	One-Way Aisle ft.	Two-Way Aisle ft. *
45°	8.5	19.0	15.5	18.0
60°	8.5	20.0	17.0	19.0
90°	8.5	18.0**	23.0	23.0

* Where required, fire lanes shall have a minimum width of 18 ft. Seebe in accordance with § 9-0202.2J(5).

** This dimension may be reduced by up to 1.5 ft. where the Director determines that adequate "head-in" overhang exists exclusive of required planting or screening requirements, and sidewalks.

Amend the Public Facilities Manual (PFM), by revising PFM Plate #6-9, to read as follows:

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

FIRE LANE DESIGNATIONS

Under Section 503.1.1 of the Fairfax County Fire Prevention Code, the Office of the Fire Marshal is authorized to designate fire lanes on public streets and on private property where necessary. This is to prevent parking in front of, or adjacent to, fire hydrants and to provide access for fire fighting equipment. Markings and signs are to be provided by the owner or agent of the property involved. Parking or otherwise obstructing such areas is prohibited.

I. HYDRANTS

- A. Parking is prohibited within 15' of a fire hydrant located along the curb line or edge of any public or private roadway. No special curb marking is required for enforcement.
- B. Fire hydrants installed in parking lots are to be located within a fire lane. Curb and/or roadway marking is required in accordance with Sections III and IV below.

SIGN TYPE "A"



Standard wording with an arrow at bottom pointing to the right. One sign mounted parallel to the line of curbing or pavement edge at end of painted area.

II. FIRE LANES

- A. Fire lanes shall be installed where required by the Office of the Fire Marshal. Fire lanes shall be marked with both sign and curb delineation per Section III and IV below. Parking and traffic flow patterns shall be required as follows:

STANDARD REQUIREMENTS

Street Width Curb to Curb	One-Way Traffic	Two-Way Traffic
Less than 24'	No parking on either side of street	No parking on either side of street
24' to 29'	Parallel parking on one side as decided by Fairfax County Office of the Fire Marshal	No parallel parking on either side of street
30' to 35'	Parallel parking allowed on both sides of street	Parallel parking on one side as decided by Fairfax County Office of the Fire Marshal
36' or greater	Parallel parking allowed on both sides of street	Parallel parking allowed on both sides of street

SIGN TYPE "C"



Standard wording with an arrow at bottom pointing to the left. One sign mounted parallel to the line of curbing or pavement edge at end of painted area.

SIGN TYPE "D"



Standard wording with no arrow. Two signs, back to back, mounted perpendicular to line of curbing or pavement edge.

III. SIGN SPECIFICATIONS

- A. Metal construction, 12" X 18"
- B. Red letters on reflective white background with 3/8" red trim strip around entire outer edge of sign.
- C. Lettering on sign to be: "NO PARKING OR STANDING FIRE LANE".
- D. Lettering size to be as follows: "NO PARKING" and "STANDING" is 2", "OR" is 1" "FIRE LANE" is 2 1/2" and the arrow with the solid shaft is 1" x 6" with the solid head 1 1/2" wide and 2" deep.
- E. Signs are to be mounted 7' from the ground to the bottom of the sign unless otherwise directed by the Office of the Fire Marshal.
- F. Post for signs, when required, shall be metal and securely mounted, unless written permission for alternatives is obtained prior to installation from the Office of the Fire Marshal. Signs should be spaced as shown on approved plans. In long stretches, the maximum distance between signs is 70'.
- G. Other special signs may be approved by the Office of the Fire Marshal.

IV. CURB DESIGNATION

- A. All curbs or paved spaces designated as fire lanes shall be indicated by yellow paint as approved by the Office of the Fire Marshal. In areas without curbing, a 6" wide yellow stripe shall be applied to the edge of the pavement. Paint shall be highway traffic grade.

NOTE: Fire lane markings, types of signs, locations, etc. shall be subject to the approval by Office of the Fire Marshal.

Ref. Sec. 9-0202.2J(5)

Rev. 1-00, 2-07, 2011
 Reprint

FIRE LANES

PLATE NO.

STD. NO.

6-9

FH-7

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

FIRE LANE DESIGNATIONS

Under Section 503 of the Fairfax County Fire Prevention Code, the Office of the Fire Marshal is authorized to designate fire lanes on public streets and on private property where necessary. This is to prevent parking in front of, or adjacent to, fire hydrants and to provide access for fire fighting equipment. Markings and signs are to be provided by the owner or agent of the property involved. Parking or otherwise obstructing such areas is prohibited.

I. HYDRANTS

- A. Parking is prohibited within 15' of a fire hydrant located along the curb line or edge of any public or private roadway. No special curb marking is required for enforcement.
- B. Fire hydrants installed in parking lots are to be located within a fire lane. Curb and/or roadway marking is required in accordance with Sections III and IV below.

SIGN TYPE "A"



Standard wording with an arrow at bottom pointing to the right. One sign mounted parallel to the line of curbing or pavement edge at end of painted area.

II. FIRE LANES

- A. Fire lanes shall be installed where required by the Office of the Fire Marshal. Fire lanes shall be marked with both sign and curb delineation per Section III and IV below. Parking and fire lane markings shall be required as follows.

SIGN TYPE "C"



Standard wording with an arrow at bottom pointing to the left. One sign mounted parallel to the line of curbing or pavement edge at end of painted area.

Street Width Curb to Curb or Paved Surface	Parking	Fire Lane Markings
Up to 28 feet	No parking allowed on either side	Both sides marked as fire lanes
28 feet up to 36 feet	Parallel parking allowed on one side as determined by the fire code official	One side marked as a fire lane
36 feet and over	Parallel parking allowed on both sides	No fire lane markings required Exception: Required access to pools, fire department apparatus access roads and similar areas shall be marked as fire lanes

SIGN TYPE "D"



Standard wording with no arrow. Two signs, back to back, mounted perpendicular to line of curbing or pavement edge.

III. SIGN SPECIFICATIONS

- A. Metal construction, 12" X 18"
- B. Red letters on reflective white background with 3/8" red trim strip around entire outer edge of sign.
- C. Lettering on sign to be: "NO PARKING OR STANDING FIRE LANE".
- D. Lettering size to be as follows: "NO PARKING" and "STANDING" is 2", "OR" is 1" "FIRE LANE" is 2 1/2" and the arrow with the solid shaft is 1" x 6" with the solid head 1 1/2" wide and 2" deep.
- E. Signs are to be mounted 7' from the ground to the bottom of the sign unless otherwise directed by the Office of the Fire Marshal.
- F. Post for signs, when required, shall be metal and securely mounted, unless written permission for alternatives is obtained prior to installation from the Office of the Fire Marshal. Signs should be spaced as shown on approved plans. In long stretches, the maximum distance between signs is 100'.
- G. Other special signs may be approved by the Office of the Fire Marshal.

IV. CURB DESIGNATION

- A. All curbs or paved spaces designated as fire lanes shall be indicated by yellow paint as approved by the Office of the Fire Marshal. In areas without curbing, a 6" wide yellow stripe shall be applied to the edge of the pavement. Paint shall be highway traffic grade.

NOTE: Fire lane markings, types of signs, locations, etc. shall be subject to the approval by Office of the Fire Marshal.

Ref. Sec. 9-0202.2J(5)

Rev. 1-00, 2-07, 2011
Reprint

FIRE LANES

PLATE NO. STD. NO.

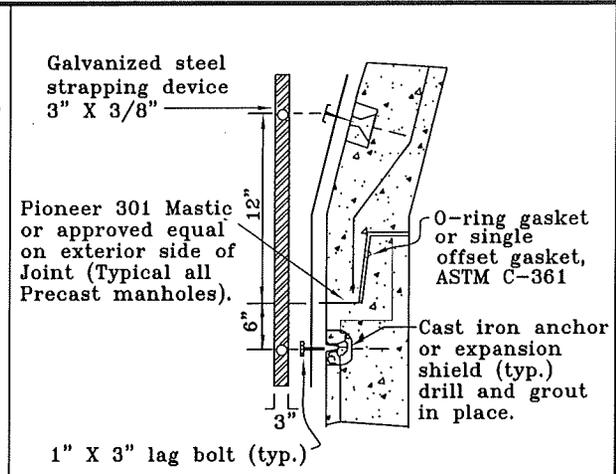
6-9

FH-7

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

NOTES:

1. Manhole to meet current requirements of ASTM Spec. C-478.
2. All reinforcing steel to meet current requirements of ASTM Spec. A-615.
3. Concrete to be Class A-4.
4. Tapered joint with O-ring gasket, or single offset joint with rubber gasket, to meet current requirements of ASTM Spec. C-443.
5. Pioneer 301 Mastic or approved equal shall be used in addition to the joint specified.
6. Grout inverts shall consist of a Portland Cement concrete mix to VDOT Spec. for Class B-2 or containing 1 part cement, 2 parts mortar sand and 3 1/2 parts aggregate. The surface shall be hand troweled smooth with no coarse aggregate exposed and the benches are to have a light broom finish.
7. Flexible joint required on all pipe connections to manholes. Flexible Joint pipe to manhole sleeve may be Kor-N-Seal, Interspace, Presswedge or approved equal. Installation shall be in accordance with manufacturer's instructions. Where field conditions will not permit the use of a sleeve, a maximum 24" stub may be used. (See Section 10.0102.5G.)
8. Joint configuration may be cast bell-up or spigot-up.
9. Manufacturer's name to be cast in steps or on inside face of cone and is to be clearly visible without entering the structure.

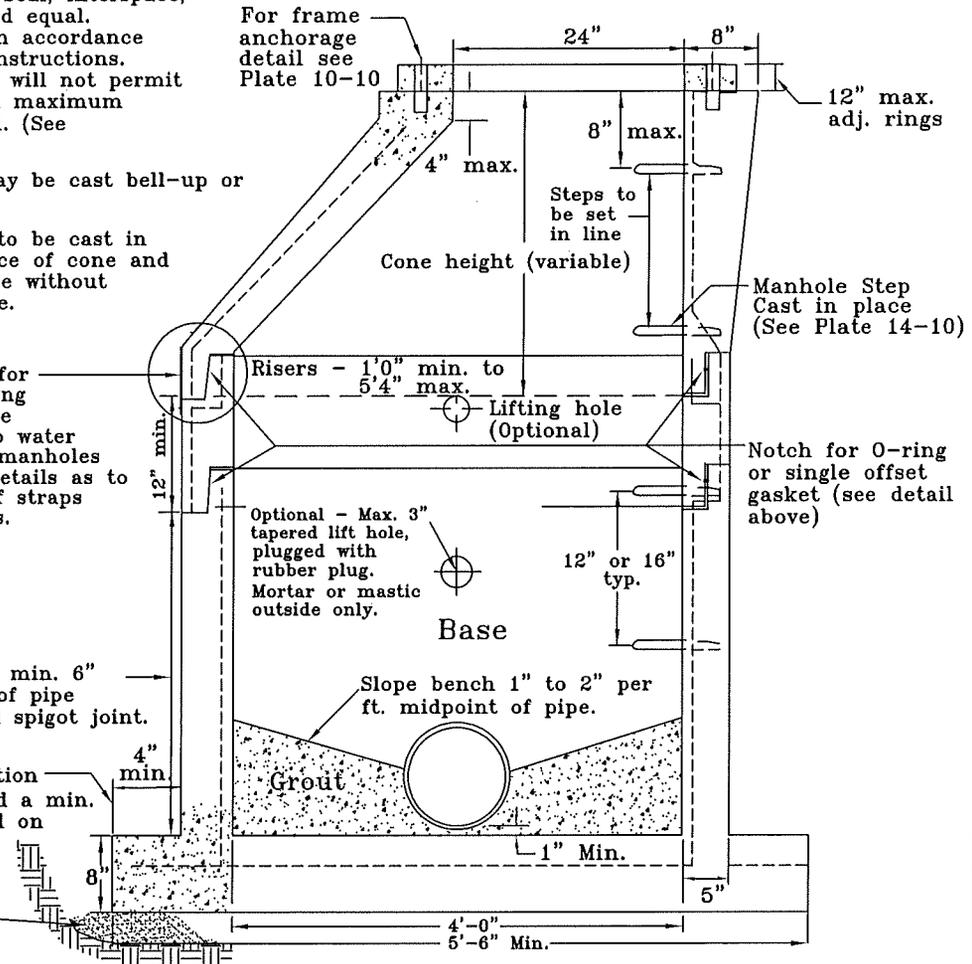


See detail this plate for installation of strapping device as shown where manhole is subject to water velocities. Individual manholes to be strapped and details as to number & location of straps to be shown on plans.

Base section to provide min. 6" clearance between top of pipe and bottom of bell and spigot joint.

In fill areas, base section footing must be spread a min. 8" or more as detailed on the plans.

Min. 4" compacted gravel



Ref. Sec. 10-0102.5D(7), Plate 4-10

Rev. 1-00, 2011 Reprint, 4-13

TYPICAL 4'-0" ID PRECAST CONCRETE MANHOLE

PLATE NO.

STD. NO.

3-10

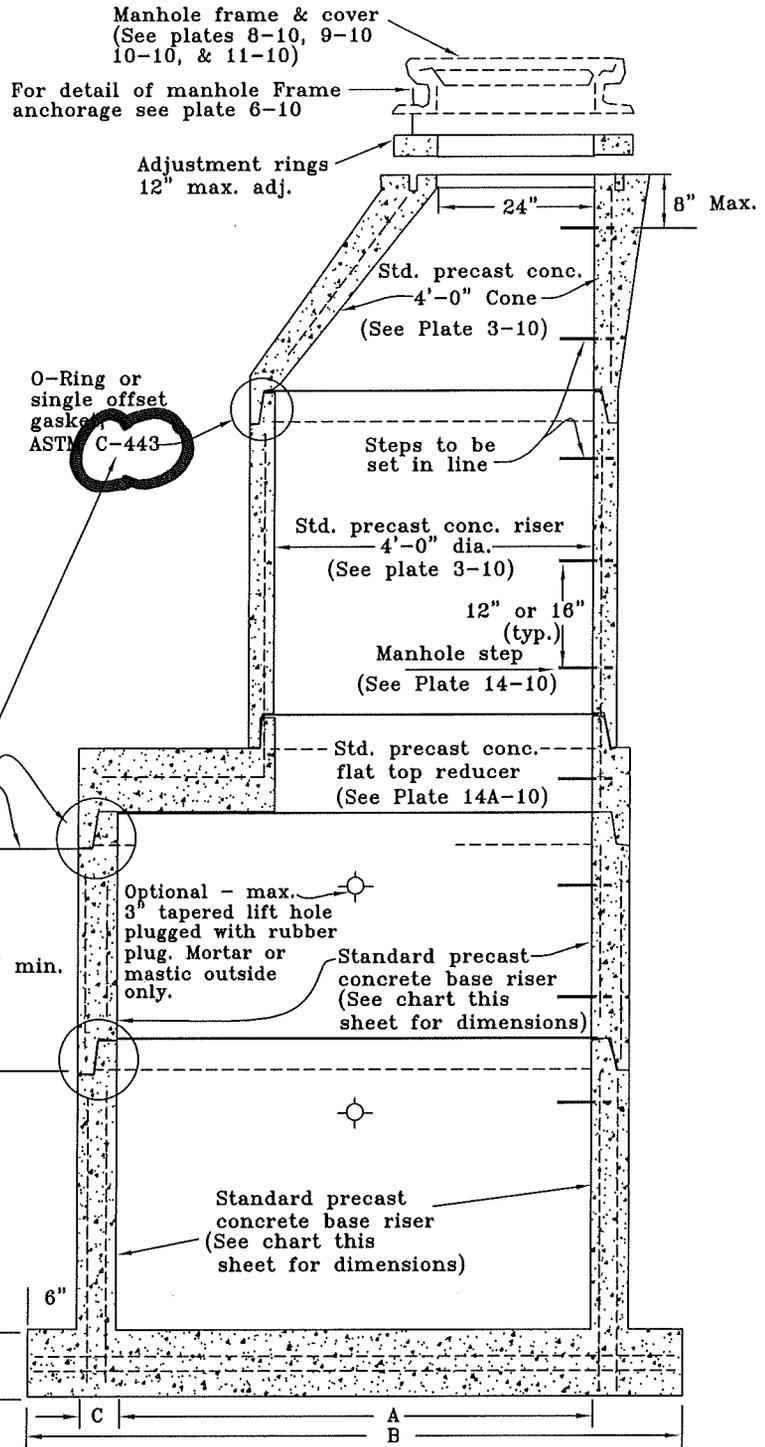
DPW-15

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

MH DIMENSIONS		MH DIA. IN FT.			
DIMENSIONS	A	5'0"	6'0"		
	B	60"	72"		
	C	84"	98"		
	D	6"	7"		
		min.	min.		

NOTES:

1. Concrete to be Class A-4.
2. Pipe connections to conform to Note 7, Plate 3-10.
3. All reinforcing steel to meet current requirements of ASTM Spec. A-615.
4. Manufacturer's name to be cast in steps or on inside face of cone and is to be clearly visible without entering the structure.
5. Manhole to meet current requirements of ASTM Spec. C-478.
6. Compacted gravel under base sections shall conform to Plate 3-10.
7. Joint configuration may be cast bell-up or spigot-up.
8. Pioneer 301 Mastic or approved equal shall be used in addition to the joint specified. (See Plate 3-10)



Ref. Sec. 10-0102.5D(7),
Plates 3-10, 9-10,
10-10, 14-10, 14A-10

Rev. 1-00, 2011 Reprint,
4-13

**TYPICAL 5'-0" & 6'-0"
DIAMETER PRECAST CONCRETE
MANHOLE WITH 4'-0" STACK**

PLATE NO.	STD. NO.
4-10	DPW-16

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL

NOTES:

1. Concrete to be Class A-4.
2. All reinforcing steel to meet the current requirements of ASTM Spec. A-615.
3. Manhole sections to meet the current requirements of ASTM Spec. C-478.
4. Tapered joint with O-Ring Gasket, or single offset joint with rubber gasket to meet current requirements of ASTM Spec. C-443.
5. Doghouse opening may only be used when placing a new MH over an existing line; otherwise, the opening must be cast. Size, location & angle of entry shall be as required by the plans.
6. MH section to be cast in the base a min. of 2".
7. Joint configuration may be cast bell-up or spigot-up.

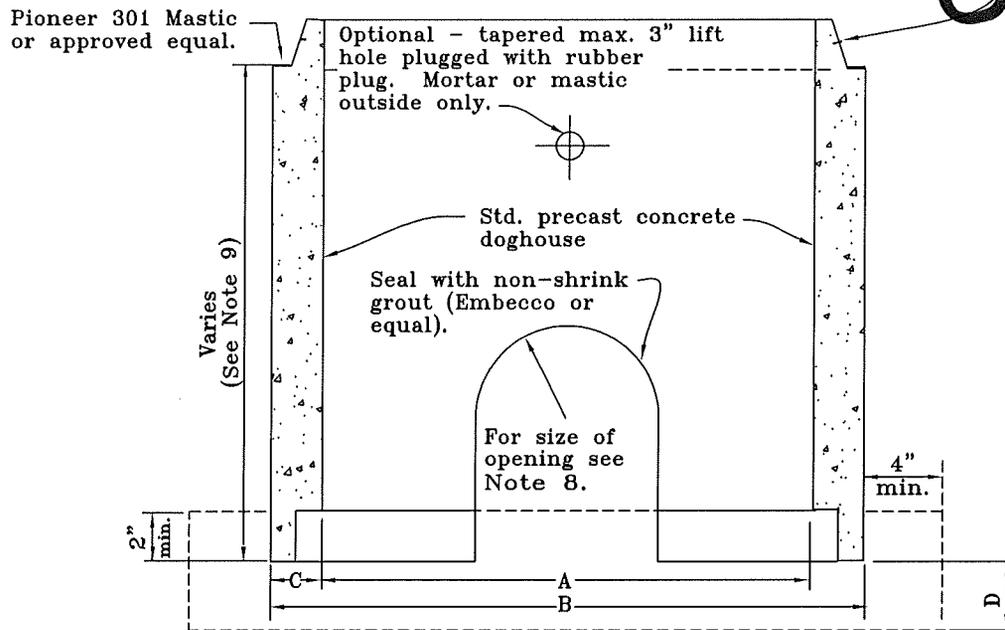
CHART "A"

MIN. DIMENSIONS (in.)			
MH	4'-0"	5'-0"	6'-0"
A	48"	60"	72"
B	58"	72"	86"
C	5"	6"	7"
D	6"	8"	10"

Dimensions of D shall be taken from bottom of key (see drawing below)

8. Holes in precast units are to be 4" min. 8" max. larger than the outside dia. of the proposed pipe.
9. Base section to provide min. 6" clearance between top of pipe opening and bottom of bell and spigot joint.

Notch for O-Ring or single offset gasket, ASTM C-443



Ref. Sec. 10-0102.5D(7)

PRECAST CONCRETE MANHOLE DOGHOUSE BASE

PLATE NO.

STD. NO.

5-10

DPW-17

Rev. 1-00, 4-13

Proposed Amendment
to Public Facilities Manual

Amend Chapter 2 (General Subdivision and Site Plan Information), Section 2-0107 (Topography), Paragraph 1B of the Public Facilities Manual, to read as follows:

2-0107.1B All topography shall be correlated to the ~~USGS~~ NGVD 1929 datum.

Amend Chapter 2 (General Subdivision and Site Plan Information), Section 2-0212 (General Required Information on Plans and Profiles), Paragraph 11 of the Public Facilities Manual, to read as follows:

2-0212.11 Datum reference for elevations used shall be shown and correlated to ~~USGS~~ NGVD 1929 datum. In addition, all subdivisions and site plans shall show the location, elevation, and description of two ~~bench marks~~ benchmarks which are properly correlated to the plan elevations.

**Proposed Amendment to
Chapter 101 (Subdivision Provisions)**

Amend Article 2 (Subdivision Application Procedures and Approval Process), Section 101-2-5 (Final Subdivision Plat), Paragraph (c) (Preparation), subparagraph (3), to read as follows.

(3) A boundary survey of the site, with a maximum permissible error of closure within the limit of one (1) in twenty thousand (20,000), related to the Virginia Coordinate System of 1983 (VCS 83) North Zone. Two (2) adjacent corners or two points on every plan sheet shall be referenced to the VCS 83 with coordinate values shown in feet. If a conversion from meters to feet is necessary, the foot definition used for conversion is the U.S. Survey Foot of 1 ft. = 1200/3937 E+00 meters. Plats may be related to true north or meridian of record for properties located more than 1.24 miles (2.0 kilometers) from one or both of the two (2) nearest VCS 83 monuments, with distance measured along a straight line from each monument to the closest point on the property boundary. Plats for subdivisions creating no more than two (2) lots may be related to true north or meridian of record. Plats referenced to VCS 83 shall be annotated as follows: “The plat of the property shown hereon is referenced to the Virginia Coordinate System of 1983 as computed from a field run boundary and horizontal control survey ~~which that~~ ties this boundary to the Fairfax County ~~Geographic Information System~~ Survey Monument (insert number and name of monument and show combined grid and elevation factor) or NOAA/NGS Survey Monument (insert PID number and designation with the combined scale factor).” It is the surveyor’s responsibility to ascertain the existence of VCS 83 control monuments to be utilized in their surveys. Assistance will be provided by the Land Survey Branch, Construction Management Division, DPWES to the extent of granting access to their records on VCS 83 control data. If using a GPS Static, or Virtual Reference System for deriving horizontal and/or vertical control, coordinates must be stated in VCS 83, North Zone, U.S. Survey Foot units, with NGVD 1929 vertical datum and so stated in the above format.

**Proposed Amendment to
Chapter 112 (Zoning Ordinance)**

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of February 26, 2013 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

Amend Article 17 (Site Plans), Part 1 (General Requirements), Section 17-106 (Required Information on Plans), Paragraph 5, to read as follows.

5. A boundary survey of the site, with an maximum permissible error of closure within the limit of one (1) in twenty thousand (20,000), related to the Virginia Coordinate System of 1983 (VCS 83 (with appropriate reference frame(s) and necessary velocities)) North Zone. Two (2) adjacent corners or two points on every plan sheet shall be referenced to the VCS 83 with coordinate values shown in feet. If a conversion from meters to feet is necessary, the foot definition used for conversion is the U.S. Survey Foot of 1 ft. = 1200/3937 E+00 meters. Plans may be related to true north or meridian of record for properties located more than 1.24 miles (2.0 kilometers) from one or both of the two (2) nearest VCS 83 monuments, with distance measured along a straight line from each monument to the closest point on the property boundary. Plans referenced to VCS 83 shall be annotated as follows: “The site shown hereon is referenced to the Virginia Coordinate System of 1983 as computed from a field run boundary, and horizontal and vertical control survey ~~which that~~ ties this boundary to the Fairfax County ~~Geographic Information System~~ Survey Monument (insert number and name of monument and show the combined scale (grid factor multiplied by the ~~and~~ elevation factor) or NOAA/NGS Survey Monument (insert PID number and designation) with the combined scale factor (grid factor multiplied by the elevation factor).” If using a GPS Static, Virtual, or Continuously Operating Reference System for deriving horizontal and/or vertical control, coordinates must be stated in VCS 83 (with appropriate reference frame(s) and necessary velocities), North Zone, U.S. Survey Foot units, with NGVD 1929 vertical datum and so stated in the above format.

Planning Commission Meeting
April 4, 2013
Verbatim Excerpt

AMENDMENTS TO THE PUBLIC FACILITIES MANUAL AND CHAPTERS 101 (SUBDIVISION ORDINANCE) AND 112 (ZONING ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA REGARDING EDITORIAL CHANGES TO THE FIRE REGULATIONS, MANHOLE PLATE REFERENCES AND VERTICAL DATUM REQUIREMENTS

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Commissioner Sargeant.

Commissioner Sargeant: This is my big case for the year.

Chairman Murphy: This is your big case. Well, it has the longest title.

Commissioner Sargeant: Well, that's why. Thank you, Mr. Chairman. First, let me begin by thanking members of staff, Jan Leavitt and Tom Williamson, for their excellent work and the vetting that has occurred, and the Chief and everybody from the Fire Department who've assisted so that there has been industry vetting in- and outside, which has made this go as smoothly as it will go tonight. So thank you very much for making this work so efficiently. With that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL AND CHAPTERS 101, SUBDIVISION ORDINANCE, AND 112, ZONING ORDINANCE, OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA, REGARDING PROPOSED CHANGES TO THE FIRE REGULATIONS, MANHOLE PLATE REFERENCES, AND THE VERTICAL DATUM REQUIREMENTS, AS SET FORTH IN THE STAFF REPORT DATED FEBRUARY 26TH, 2013, WITH AN ADDITIONAL CHANGE ON PLATE NUMBER 3-10, IN THE ENLARGED BOX, TO STRIKE "ASTM C-361" AND REPLACE IT WITH "C-443". And, I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT THE PROPOSED AMENDMENTS SHALL BECOME EFFECTIVE AT 12:01 A.M. ON MAY 1ST, 2013.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? That last part that you said was the part that swayed my vote.

Commissioner Sargeant: You had me at "hello."

Chairman Murphy: I wasn't talking about the date either. All those in favor of the motion to recommend to the Board of Supervisors that it adopt the Public Facilities Manual regarding all those subdivisions and changes, as articulated by Commissioner Sargeant, say aye.

Planning Commission Meeting
April 4, 2013
AMENDMENTS TO THE PFM & ZOA

Page 2

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

The motion carried unanimously with Commissioners Hall and Hedetniemi absent from the meeting.

JN

Board Agenda Item
April 30, 2013

4:00 p.m.

Public Hearing on a Proposed Amendment to the Public Facilities Manual Re: Tysons Corner Urban Center

ISSUE:

Board adoption of a proposed amendment to the Public Facilities Manual (PFM). The amendment enhances the flexibility in the PFM regulations to facilitate implementation of the recommendations set forth in the Comprehensive Plan for the Tysons Corner Urban Center.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, April 4, 2013, the Planning Commission unanimously voted (Commissioners Hall and Hedetniemi absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Adoption of the proposed amendment to the PFM regarding the Tysons Corner urban center, as set forth in the staff report dated February 26, 2013; and
- That proposed amendment becomes effective at 12:01 a.m. on May 1, 2013.

RECOMMENDATION:

The County Executive recommends that the Board adopt the proposed amendment to the PFM as recommended by the Planning Commission and that the amendments become effective at 12:01 a.m. on May 1, 2013.

The proposed amendment has been prepared by the Department of Public Works and Environmental Services (DPWES) and coordinated with the Office of the County Attorney, the Department of Planning and Zoning (DPZ), and the Office of Community Revitalization (OCR). The proposed amendment has also been recommended for approval by the Engineering Standards Review Committee.

TIMING:

Board action is requested on April 30, 2013. On February 26, 2013, the Board authorized the advertising of public hearings. The Planning Commission held a public hearing on April 4, 2013. The proposed amendment will become effective at 12:01 a.m. on May 1, 2013.

BACKGROUND:

Tysons Comprehensive Plan Amendment (Adopted June 22, 2010)

On June 22, 2010, the Fairfax County Board of Supervisors adopted a new Comprehensive Plan (Plan) for Tysons. At the same time, the Board adopted 20 follow-on motions, directing County staff on elements of Plan implementation. The Tysons Plan creates a new vision for future development in Tysons that takes advantage of the four new metro stations now under construction and expected to become operational in December, 2013. The Plan designates the Tysons Corner Urban Center as the County's new urban center. Much of what exists today in the Tysons area is expected to redevelop in support of this vision for Tysons.

The new Tysons will create a living environment less dependent on the automobile. Density will be highest near the Metro and will be characterized by a more intense mix of housing, shopping, and employment and new types of housing will be designed to meet the needs of a variety of household types. In addition, streets will be transformed by implementing design standards that encourage walking, biking and transit; and parks and open space will be preserved and stream valleys will be restored. Green architecture and site design will lessen the impact of development on the environment. Stormwater measures will be provided that are more extensive than the minimum requirements with the focus on the use of low impact development techniques that evaporate, filter and return water into the ground or reuse it.

Zoning Ordinance Amendment (Adopted June 22, 2010)

On June 22, 2010, the Board also adopted an amendment to the Zoning Ordinance creating the Planned Tysons Center (PTC) zoning district. The PTC District regulations are designed to provide the necessary flexibility to transform Tysons Corner Urban Center area from a suburban office park and activity center into an urban, mixed-use, transit, bicycle and pedestrian oriented community. To be granted this zoning district, the applicant must demonstrate the development furthers the vision of the Tysons Plan by meeting, among other things, design objectives outlined in the Ordinance such as furthering the urban grid of streets and prescribed street hierarchy for Tysons, applying specified streetscape and urban design guidelines, and incorporating low impact development strategies as further described below.

Transportation Design Standards and Memorandum of Agreement (Executed September 13, 2011)

The Transportation Design Standards (Tysons Standards), developed by the Fairfax County Department of Transportation (DOT) and other county agencies, in partnership with the Virginia Department of Transportation (VDOT), sets forth adopted standards for

Board Agenda Item
April 30, 2013

streets within the Tysons Corner Urban Center. The standards are based on context sensitive design parameters that accommodate low speed urban roadway, pedestrian, bicycle, and transit design. The associated Memorandum of Agreement (MOA) implements the Tysons Standards and establishes a framework for allowing private maintenance of enhanced infrastructure and snow removal. The Tysons Standards are included as Attachment D of the MOA.

PFM Amendment #109-11-PFM (Adopted July 12, 2011)

On July 12, 2011, the Board of Supervisors adopted an amendment to the PFM to implement the Tysons Plan with respect to street standards. Specifically, the amendment revised the PFM to allow deviations from the current street standards in the PFM in accordance with the adopted Tysons Standards, for acceptance by VDOT.

Tysons Corner Urban Design Guidelines (Endorsed by BOS on January 15, 2012)

The Comprehensive Plan recommends that detailed urban design guidelines and standards be developed for Tysons that elaborate on the Plan's recommendations. This task was also included as follow-on motion #18. In response to the motion, the "Tysons Corner Urban Design Guidelines" (Guidelines) were developed by OCR, working with staff from various departments including DPWES, DPZ, and Transportation; VDOT; and the Tysons Corner Urban Design Guidelines Advisory Group, a nine member group consisting of urban planners, landscape architects, architects and developers. In addition, the Tysons Partnership, a private group of landowners, community members and others, was actively involved in the preparation of the Guidelines.

The Guidelines offer general direction and principles on how Tysons should look and feel, and contain detailed recommendations on how the public space should be accomplished. Because there is little historic architectural precedent to draw from for the new Tysons, it's expected that Tysons' identity will emerge over time. For this reason, the Guidelines do not regulate or dictate urban design or a particular architectural style. Rather, the Guidelines recognize that a wide variety of conditions exist in Tysons and flexibility is necessary, as long as the outcome furthers the vision set forth in the Plan.

Plan Implementation

Implementation of the vision to transform Tysons has begun. Regulations are in place to implement the key land use and transportation elements of the Plan. Specified urban design guidelines have been approved to augment the guidelines provided in the Plan. As of February 5, 2013, fifteen zoning applications have been submitted to rezone

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almost 230 acres within Tysons to the newly established PTC zoning district. The following applications have been approved by the Board on these dates: MITRE 4 on June 7, 2011; Spring Hill Station (A and B) on September 27, 2011; Capital One on September 25, 2012; Arbor Row on November 20, 2012; Spring Hill Station (D and E) on February 12, 2013; and Scotts Run South on April 9, 2013, with the remaining applications currently under review. It's anticipated that a majority of these applications will be acted upon by the Planning Commission and Board of Supervisors throughout 2013. Additional information on the individual zoning cases approved or currently under review can be found in the "Report to the Board of Supervisors on Tysons Corner", which is available on the County website at <http://www.fairfaxcounty.gov/tysons>.

DPWES has been actively involved in reviewing rezoning applications to the PTC district and several site plans submitted for construction approval. This involvement has provided staff a clearer understanding of the issues faced by architects and engineers in designing the urban infrastructure. One of the major issues discussed during implementation is that the PFM regulations should not be an impediment to achieving the vision planned for Tysons.

Achieving the vision will require flexibility in the implementing regulations of the PFM. Flexibility is needed in circumstances where strict application of the PFM standards is difficult to achieve for a particular site or redevelopment in Tysons, and in circumstances where new or creative designs warrant some degree of flexibility in determining compliance with the PFM. Without flexibility in the regulations, development projects will be forced to be approved with variances which can cause processing delays and uncertainties in the regulatory approval process. The proposed amendment enhances the flexibility in the PFM regulations as further discussed below.

PROPOSED AMENDMENT:

To implement the Tysons Plan, designers will need the flexibility to use urban design guidelines and streetscape standards that are not consistent with or addressed in the current PFM. If approved by the Board, the proposed amendment would permit the Director to approve alternative standards, including but not limited to street lights, landscaping, utilities, drainage and stormwater management, that differ from the requirements set forth in the PFM based upon the unique characteristics of the urban environment. Alternatives may be considered by the Director in circumstances where strict application of the PFM standard can not be met for a particular site and where new or creative urban designs are proposed. Alternatives, when approved by the Director, shall be subject to the following criteria:

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April 30, 2013

- Alternatives shall be in substantial conformance with the development plans and associated proffers and conditions; or approved Special Exception or approved Special Permit Plat; and
- Alternatives shall be consistent with any specific urban design guidelines and streetscape plans for the area; and
- Full details and supporting data shall be provided on the plan including design computations, material specifications, technical details, structural calculations, procedures for installation, inspection and/or testing, and procedures for operation and maintenance; and
- A detailed description shall be provided of the applicable provisions of the PFM and why they cannot be met; and
- Any decision to approve an alternative shall take into consideration possible impacts on public safety, the environment, aesthetics and the burden placed on prospective owners for maintenance of any facility; and
- Reasonable and appropriate conditions may be imposed as deemed appropriate by the Director; and
- Any alternative shall comply with specific requirements set forth in the United States Code, Virginia Code, and County Code, and all other applicable regulations, resolutions and policies, as well as specific standards of VDOT and requirements of other reviewing agencies, such as the water utilities, from which variances may not be granted at the local level; and
- Notwithstanding the foregoing, where a PFM provision requires Board of Supervisors' approval of a waiver or modification of its terms, the Director shall have no authority to approve an alternative absent Board approval.

Examples of urban standards and guidelines that differ from the PFM standards and may be considered by the Director as an alternative under the proposed amendment include:

- Pavers for sidewalks
- Reduced utility clearances
- Utilities located under sidewalks
- Sanitary sewer lines
- Trash and recycling location
- Reduction of minimum planting areas
- Minimal soil mixture and volume for street tree box filters

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- Street trees counting toward the tree cover requirement
- Modified access to underground detention vaults
- Innovative LID techniques
- Use of infiltration rate less than 0.52 in/hr.
- Location of infiltration practices on in-situ fill, provided the rate is acceptable
- Connection of smaller bmp and bioretention facilities without a manhole
- Use of in-line stormwater systems in the event that off-line cannot fit

Examples of existing PFM provisions that require Board of Supervisors' approval of a waiver or modification of its terms are listed below. Under the proposed amendment, the Director shall have no authority to approve alternatives of these standards absent Board approval.

- Locating private sanitary pump facilities in an unapproved sewer area
- Use of a nonstandard street light system
- Locating underground detention facilities in a residential development
- Locating pervious pavement in single family attached or single family detached residential areas

In addition, listed below for clarity are some site requirements that are not PFM provisions and shall not be considered by the Director to be eligible as an alternative under the proposed amendment:

- Maximum private street length
- Transitional screening and barrier
- Interior parking lot landscaping
- Location and size of loading dock
- Minimum standards of the Statewide Fire Prevention Code

Project submissions are moving forward and DPWES is committed to keeping the lines of communication open to make sure that the flexibility provided under the proposed amendment continues to meet stakeholder needs. DPWES will continue to be involved with the individual rezoning cases giving staff the opportunity to collaborate with the designers and developers early in the process to identify and work out the challenges of redeveloping Tysons. Individual amendments to the PFM and County Code may be necessary to streamline the waiver and modification process further. Staff intends to collaborate on this issue and be judicious in making any future changes to the PFM.

REGULATORY IMPACT:

The ability to achieve the vision for Tysons will require consistency between the adopted vision for the Tysons Corner Urban Center and the implementing regulations. Due to the flexibility provided in the Tysons Plan and the PTC District regulations, the PFM is being revised accordingly. If approved by the Board, the proposed amendment will:

1. Provide Flexibility in the PFM Regulations to Align with the Tysons Plan

One way to support the vision for Tysons is to provide flexibility in the regulations to be able to design and build the planned urban environment. The proposed amendment enhances flexibility in the PFM regulations by permitting the use of alternative standards that differ from the regulations in the current PFM. A copy of the proposed amendment is included as Attachment A of the Staff Report.

2. Make it Easier to Use Innovative, Alternative Standards to Achieve the Vision

Pursuant to PFM §1-0601, designers are able to vary from the PFM standards as his own judgment and knowledge of a specific problem dictates. The current process for requesting a variance of the PFM places the onus on the developer to submit a separate request letter and justification of why the standard contained in the PFM is not appropriate. Generally, variance requests are considered by the Director on a case by case basis.

The proposed amendment acknowledges that the use of alternative standards that are not covered in the PFM are warranted, or even beneficial, in Tysons. The proposed amendment makes it easier to use alternative standards by allowing designers to propose alternative designs directly on the plan without the requirement to obtain upfront and separate approval from the Director.

It's anticipated that proposed alternatives will require different levels of review and evaluation. Minor alternatives, such as the use of pavers for sidewalks, would have little or no impact upon the environment or public safety. Other alternatives would be more complex and may require staff to perform an engineering analysis to understand the impacts of the proposed design changes. Staff is in the process of considering how to process the different types of alternatives effectively.

3. Promote Environmental Stewardship and Use of Low Impact Development Strategies

The Tysons Plan sets high standards for environmental stewardship. It lays out a vision for protecting the natural environment by establishing, among other things, stormwater goals expected of all applicants. To be granted rezoning to a PTC district, applicants

must demonstrate that the development furthers the vision of the Tysons Plan by incorporating low impact development (LID) strategies throughout a site. LID is an innovative stormwater management approach with a basic principle that is modeled after nature: manage rainfall at the source using distributed micro-scale controls to reduce runoff from a site. Runoff reduction is the primary stormwater design objective of the Tysons Plan and it's expected that all rezoning applications reduce runoff by retaining at least the first inch of rainfall on-site through infiltration, evapotranspiration, and/or reuse.

Almost all components of the urban environment can be modified to serve as a LID control. This includes not only open space, but also rooftops, streetscapes, parking lots and sidewalks. The more LID techniques that are applied onsite, the closer to the natural hydrologic function one gets. The proposed amendment enhances the flexibility in the PFM to promote the use of LID's. In this way, designers have the opportunity to choose from a full spectrum of available techniques to create a customized site design for managing runoff from a site. Using a three-tier approach, designers can be effective in selecting stormwater controls that can be used to meet the 1-inch stormwater goal expected of all applicants in Tysons. Discussion on the three-tier approach is provided in the attached Staff Report.

The proposed amendment applies to properties lying within the Tysons Corner Urban Center. This includes applications seeking the redevelopment option to the PTC zoning district; applications for properties which are located within the Tysons Corner Urban Center but not rezoned to the PTC district; and approved special exception and approved special permit plats. Application of the proposed amendment to by-right development proposals lying within the Tysons Corner Urban Center is necessary for any by-right project that is required to provide street frontage improvements, in accordance with the adopted street standards for Tysons, and any project seeking to fit in better with the surrounding properties being developed in accordance with the Tysons Plan.

FISCAL IMPACT:

The proposed amendment facilitates the plan review and approval process thereby assisting all stakeholders in the implementation of the recommendations set forth in the Comprehensive Plan for the Tysons Corner Urban Center. New internal processes must be developed to implement the proposed amendment. This additional effort will be accomplished by staff resources previously approved in the budget and dedicated to Tysons.

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April 30, 2013

ENCLOSED DOCUMENTS:

Attachment I - Staff Report

Attachment II – Planning Commission Verbatim

STAFF:

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

Michelle Brickner, Director, Land Development Services, DPWES

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DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

STAFF REPORT

- PROPOSED COUNTY CODE AMENDMENT
- PROPOSED PFM AMENDMENT
- APPEAL OF DECISION
- WAIVER REQUEST

Public Hearings on a Proposed Amendment to the Public Facilities Manual
Re: Tysons Corner Urban Center

Authorization to Advertise	<u>February 26, 2013</u>
Planning Commission Hearing	<u>April 4, 2013</u>
Board of Supervisors Hearing	<u>April 30, 2013</u>
Prepared by:	<u>Jan Leavitt, P.E.</u> Code Development and Compliance, DPWES (703) 324-1733 February 26, 2013

STAFF REPORT

A. Issue:

Public hearings on a proposed amendment to the Public Facilities Manual (PFM). The amendment enhances the flexibility in the PFM regulations to facilitate implementation of the recommendations set forth in the Comprehensive Plan for the Tysons Corner Urban Center.

B. Recommended Action:

Staff recommends that the Board of Supervisors adopt the proposed amendment to the PFM.

C. Timing:

Board of Supervisors authorization to advertise – February 26, 2013

Planning Commission Public Hearing – April 4, 2013

Board of Supervisors Public Hearing – April 30, 2013 at 4:00 p.m.

Effective Date – May 1, 2013 at 12:01 a.m.

D. Source:

Department of Public Works and Environmental Services (DPWES)

E. Coordination:

The proposed amendment has been prepared by the Department of Public Works and Environmental Services (DPWES) and coordinated with the Office of the County Attorney, the Department of Planning and Zoning (DPZ), and the Office of Community Revitalization (OCR). It has also been recommended for approval by the Engineering Standards Review Committee.

F. Background:

Tysons Comprehensive Plan Amendment (Adopted June 22, 2010)

On June 22, 2010, the Fairfax County Board of Supervisors adopted a new Comprehensive Plan (Plan) for Tysons. At the same time, the Board adopted 20 follow-on motions, directing County staff on elements of Plan implementation. The Tysons Plan creates a new vision for future development in Tysons that takes advantage of the four new metro stations now under construction and expected to become operational in December, 2013. The Plan designates the Tysons Corner Urban Center as the

County's new urban center. Much of what exists today in the Tysons area is expected to redevelop in support of this vision for Tysons.

The new Tysons will create a living environment less dependent on the automobile. Density will be highest near the Metro and will be characterized by a more intense mix of housing, shopping, and employment and new types of housing will be designed to meet the needs of a variety of household types. In addition, streets will be transformed by implementing design standards that encourage walking, biking and transit; and parks and open space will be preserved and stream valleys will be restored. Green architecture and site design will lessen the impact of development on the environment. Stormwater measures will be provided that are more extensive than the minimum requirements with the focus on the use of low impact development techniques that evaporate, filter and return water into the ground or reuse it.

Zoning Ordinance Amendment (Adopted June 22, 2010)

On June 22, 2010, the Board also adopted an amendment to the Zoning Ordinance creating the Planned Tysons Center (PTC) zoning district. The PTC District regulations are designed to provide the necessary flexibility to transform Tysons Corner Urban Center area from a suburban office park and activity center into an urban, mixed-use, transit, bicycle and pedestrian oriented community. To be granted this zoning district, the applicant must demonstrate the development furthers the vision of the Tysons Plan by meeting, among other things, design objectives outlined in the Ordinance such as furthering the urban grid of streets and prescribed street hierarchy for Tysons, applying specified streetscape and urban design guidelines, and incorporating low impact development strategies as further described below.

Transportation Design Standards and Memorandum of Agreement (Executed September 13, 2011)

The Transportation Design Standards (Tysons Standards), developed by the Fairfax County Department of Transportation (DOT) and other county agencies, in partnership with the Virginia Department of Transportation (VDOT), sets forth adopted standards for streets within the Tysons Corner Urban Center. The standards are based on context sensitive design parameters that accommodate low speed urban roadway, pedestrian, bicycle, and transit design. The associated Memorandum of Agreement (MOA) implements the Tysons Standards and establishes a framework for allowing private maintenance of enhanced infrastructure and snow removal. The Tysons Standards are included as Attachment D of the MOA.

PFM Amendment #109-11-PFM (Adopted July 12, 2011)

On July 12, 2011, the Board of Supervisors adopted an amendment to the PFM to implement the Tysons Plan with respect to street standards. Specifically, the amendment revised the PFM to allow deviations from the current street standards in the PFM in accordance with the adopted Tysons Standards, for acceptance by VDOT.

Tysons Corner Urban Design Guidelines (Endorsed by BOS on January 15, 2012)

The Comprehensive Plan recommends that detailed urban design guidelines and standards be developed for Tysons that elaborate on the Plan's recommendations. This task was also included as follow-on motion #18. In response to the motion, the "Tysons Corner Urban Design Guidelines" (Guidelines) were developed by OCR, working with staff from various departments including DPWES, DPZ, and Transportation; VDOT; and the Tysons Corner Urban Design Guidelines Advisory Group, a nine member group consisting of urban planners, landscape architects, architects and developers. In addition, the Tysons Partnership, a private group of landowners, community members and others, was actively involved in the preparation of the Guidelines.

The Guidelines offer general direction and principles on how Tysons should look and feel, and contain detailed recommendations on how the public space should be accomplished. Because there is little historic architectural precedent to draw from for the new Tysons, it's expected that Tysons' identity will emerge over time. For this reason, the Guidelines do not regulate or dictate urban design or a particular architectural style. Rather, the Guidelines recognize that a wide variety of conditions exist in Tysons and flexibility is necessary, as long as the outcome furthers the vision set forth in the Plan.

Plan Implementation

Implementation of the vision to transform Tysons has begun. Regulations are in place to implement the key land use and transportation elements of the Plan. Specified urban design guidelines have been approved to augment the guidelines provided in the Plan. As of February 5, 2013, fifteen zoning applications have been submitted to rezone almost 230 acres within Tysons to the newly established PTC zoning district. The following applications have been approved by the Board on these dates: MITRE 4 on June 7, 2011; Spring Hill Station (A and B) on September 27, 2011; Capital One on September 25, 2012; Arbor Row on November 20, 2012; and Spring Hill Station (D and E) on February 12, 2013, with the remaining applications currently under review. It's anticipated that a majority of these applications will be acted upon by the Planning Commission and Board of Supervisors throughout 2013. Additional information on the individual zoning cases approved or currently under review can be found in the "Report to the Board of Supervisors on Tysons Corner", which is available on the County website at <http://www.fairfaxcounty.gov/tysons>.

DPWES has been actively involved in reviewing rezoning applications to the PTC district and several site plans submitted for construction approval. This involvement has provided staff a clearer understanding of the issues faced by architects and engineers in designing the urban infrastructure. One of the major issues discussed during implementation is that the PFM regulations should not be an impediment to achieving the vision planned for Tysons.

Achieving the vision will require flexibility in the implementing regulations of the PFM. Flexibility is needed in circumstances where strict application of the PFM standards is difficult to achieve for a particular site or redevelopment in Tysons, and in circumstances where new or creative designs warrant some degree of flexibility in determining compliance with the PFM. Without flexibility in the regulations, development projects will be forced to be approved with variances which can cause processing delays and uncertainties in the regulatory approval process. The proposed amendment enhances the flexibility in the PFM regulations as further discussed below.

G. Proposed Amendment:

To implement the Tysons Plan, designers will need the flexibility to use urban design guidelines and streetscape standards that are not consistent with or addressed in the current PFM. If approved by the Board, the proposed amendment would permit the Director to approve alternative standards, including but not limited to street lights, landscaping, utilities, drainage and stormwater management, that differ from the requirements set forth in the PFM based upon the unique characteristics of the urban environment. Alternatives may be considered by the Director in circumstances where strict application of the PFM standard can not be met for a particular site and where new or creative urban designs are proposed. Alternatives, when approved by the Director, shall be subject to the following criteria:

- Alternatives shall be in substantial conformance with the development plans and associated proffers and conditions; or approved Special Exception or approved Special Permit Plat; and
- Alternatives shall be consistent with any specific urban design guidelines and streetscape plans for the area; and
- Full details and supporting data shall be provided on the plan including design computations, material specifications, technical details, structural calculations, procedures for installation, inspection and/or testing, and procedures for operation and maintenance; and
- A detailed description shall be provided of the applicable provisions of the PFM and why they cannot be met; and
- Any decision to approve an alternative shall take into consideration possible impacts on public safety, the environment, aesthetics and the burden placed on prospective owners for maintenance of any facility; and
- Reasonable and appropriate conditions may be imposed as deemed appropriate by the Director; and
- Any alternative shall comply with specific requirements set forth in the United States Code, Virginia Code, and County Code, and all other applicable regulations, resolutions and policies, as well as specific standards of VDOT and

requirements of other reviewing agencies, such as the water utilities, from which variances may not be granted at the local level; and

- Notwithstanding the foregoing, where a PFM provision requires Board of Supervisors' approval of a waiver or modification of its terms, the Director shall have no authority to approve an alternative absent Board approval.

Examples of urban standards and guidelines that differ from the PFM standards and may be considered by the Director as an alternative under the proposed amendment include:

- Pavers for sidewalks
- Reduced utility clearances
- Utilities located under sidewalks
- Sanitary sewer lines
- Trash and recycling location
- Reduction of minimum planting areas
- Minimal soil mixture and volume for street tree box filters
- Street trees counting toward the tree cover requirement
- Modified access to underground detention vaults
- Innovative LID techniques
- Use of infiltration rate less than 0.52 in/hr.
- Location of infiltration practices on in-situ fill, provided the rate is acceptable
- Connection of smaller bmp and bioretention facilities without a manhole
- Use of in-line stormwater systems in the event that off-line cannot fit

Examples of existing PFM provisions that require Board of Supervisors' approval of a waiver or modification of its terms are listed below. Under the proposed amendment, the Director shall have no authority to approve alternatives of these standards absent Board approval. ‘

- Locating private sanitary pump facilities in an unapproved sewer area
- Use of a nonstandard street light system
- Locating underground detention facilities in a residential development
- Locating pervious pavement in single family attached or single family detached residential areas

In addition, listed below for clarity are some site requirements that are not PFM provisions and shall not be considered by the Director or be eligible as an alternative under the proposed amendment:

- Maximum private street length
- Transitional screening and barrier
- Interior parking lot landscaping
- Location and size of loading dock
- Minimum standards of the Statewide Fire Prevention Code

Project submissions are moving forward and DPWES is committed to keeping the lines of communication open to make sure that the flexibility provided under the proposed amendment continues to meet stakeholder needs. DPWES will continue to be involved with the individual rezoning cases giving staff the opportunity to collaborate with the designers and developers early in the process to identify and work out the challenges of redeveloping Tysons. Individual amendments to the PFM and County Code may be necessary aimed at streamlining the waiver and modification process further. Staff intends to collaborate on this issue and be judicious in making any future changes to the PFM.

H. REGULATORY IMPACT:

The ability to achieve the vision for Tysons will require consistency between the adopted vision for the Tysons Corner Urban Center and the implementing regulations. Due to the flexibility provided in the Tysons Plan and the PTC District regulations, the PFM is being revised accordingly. If approved by the Board, the proposed amendment will:

1. Provide Flexibility in the PFM Regulations to Align with the Tysons Plan

One way to support the vision for Tysons is to provide flexibility in the regulations to be able to design and build the planned urban environment. The proposed amendment enhances flexibility in the PFM regulations by permitting the use of alternative standards that differ from the regulations in the current PFM. A copy of the proposed amendment is included as Attachment A.

2. Make it Easier to Use Innovative, Alternative Standards to Achieve the Vision

Pursuant to PFM §1-0601, designers are able to vary from the PFM standards as his own judgment and knowledge of a specific problem dictates. The current process for requesting a variance of the PFM places the onus on the developer to submit a separate request letter and justification of why the standard contained in the PFM is not appropriate. Generally, variance requests are considered by the Director on a case by case basis.

The proposed amendment acknowledges that the use of alternative standards that are not covered in the PFM are warranted, or even beneficial, in Tysons. The proposed amendment makes it easier to use alternative standards by allowing designers to propose alternative designs directly on the plan without the requirement to obtain upfront and separate approval from the Director.

It's anticipated that proposed alternatives will require different levels of review and evaluation. Minor alternatives, such as the use of pavers for sidewalks, would have little or no impact upon the environment or public safety. Other alternatives would be more complex and may require staff to perform an engineering analysis to understand the impacts of the proposed design changes. Staff is in the process of considering how to process the different types of alternatives effectively.

3. Promote Environmental Stewardship and Use of Low Impact Development Strategies

The Tysons Plan sets high standards for environmental stewardship. It lays out a vision for protecting the natural environment by establishing, among other things, stormwater goals expected of all applicants. To be granted rezoning to a PTC district, applicants must demonstrate that the development furthers the vision of the Tysons Plan by incorporating low impact development (LID) strategies throughout a site. LID is an innovative stormwater management approach with a basic principle that is modeled after nature: manage rainfall at the source using distributed micro-scale controls to reduce runoff from a site. Runoff reduction is the primary stormwater design objective of the Tysons Plan and it's expected that all rezoning applications reduce runoff by retaining at least the first inch of rainfall on-site through infiltration, evapotranspiration, and/or reuse.

Almost all components of the urban environment can be modified to serve as a LID control. This includes not only open space, but also rooftops, streetscapes, parking lots and sidewalks. The more LID techniques that are applied onsite, the closer to the natural hydrologic function one gets. The proposed amendment enhances the flexibility in the PFM to promote the use of LID's. In this way, designers have the opportunity to choose from a full spectrum of available techniques to create a customized site design for managing runoff from a site. Using a three-tier approach, designers can be effective in selecting stormwater controls that can be used to meet the 1-inch stormwater goal expected of all applicants in Tysons. Discussion on the three-tier approach is provided below.

TOP TIER: Traditional non-proprietary LID practices, such as infiltration devices and bioretention, and newer practices, such as downspout disconnection, that are either included in the PFM or have already been approved by the State for use in Virginia.

The PFM includes detailed provisions for six stormwater practices: percolation trench, pervious pavement, green roof, vegetated swale, tree box filter and reforestation pursuant to § 6-1300. In addition, the State provides technical guidance on a variety of stormwater practices approved by the Department of Conservation and Recreation (DCR) for use in Virginia for complying with the Virginia Stormwater Management Regulations. Technical design standards and specifications for top-tier stormwater techniques can be found on the County's website at <http://www.fairfaxcounty.gov/dpwes/publications/pfm/chapter6.pdf> and on the Virginia Stormwater Management BMP Clearinghouse's website at: <http://vwrrc.vt.edu/SWC/NonProprietaryBMPs.html>.

SECOND TIER: Other LID's that have successfully been used across the country and have design standards and specifications including assigned runoff reduction percentages are included in this tier. Second-tier stormwater techniques may be permitted under the proposed amendment upon verification by the Director.

THIRD TIER: Other new and evolving stormwater techniques, and modifications to approved standards and specifications and assigned efficiencies, may be permitted by

the Director. Requests for use of innovative techniques will be reviewed on a case by case basis and be approved by the Director as appropriate.

The proposed amendment applies to properties lying within the Tysons Corner Urban Center. This includes applications seeking the redevelopment option to the PTC zoning district; applications for properties which are located within the Tysons Corner Urban Center but not rezoned to the PTC district; and approved special exception and approved special permit plats. Application of the proposed amendment to by-right development proposals lying within the Tysons Corner Urban Center is necessary for any by-right project that is required to provide street frontage improvements, in accordance with the adopted street standards for Tysons, and any project seeking to fit in better with the surrounding properties being developed in accordance with the Tysons Plan.

I. Attachment:

Attachment A: Proposed PFM Amendment

Proposed Amendment to Public Facilities Manual

Amend the Public Facilities Manual (PFM), by revising Chapter 2 (General Subdivision and Site Plan Information), by adding § 1200 (Tysons Corner Urban Center), to read as follows:

2-1200 TYSONS CORNER URBAN CENTER

2-1200.1 Urban design guidelines and streetscape standards in the Tysons Corner Urban Center, as designated in the adopted Comprehensive Plan, including but not limited to street lights, landscaping, utilities, drainage and stormwater management, may differ from the requirements set forth in the PFM based upon the unique characteristics of the urban environment. Alternatives shall be listed on the plan for consideration by the Director in circumstances where strict application of the PFM standard can not be met for a particular site and where new or creative urban designs are proposed. Alternatives, when approved by the Director, shall be subject to the following criteria:

2-1200.1A Alternatives shall be in substantial conformance with the development plans and associated proffers and conditions; or approved Special Exception or approved Special Permit Plat; and

2-1200.1B Alternatives shall be consistent with any specific urban design guidelines and streetscape plans for the area; and

2-1200.1C Full details and supporting data shall be provided on the plan including design computations, material specifications, technical details, structural calculations, procedures for installation, inspection and/or testing, and procedures for operation and maintenance; and

2-1200.1D A detailed description shall be provided of the applicable provisions of the PFM and why they cannot be met, and the rationale to demonstrate that all criteria set forth in 1A – 1H have been met; and

2-1200.1E Any decision to approve an alternative shall take into consideration possible impacts on public safety, the environment, aesthetics and the burden placed on prospective owners for maintenance of any facility; and

2-1200.1F Reasonable and appropriate conditions may be imposed as deemed appropriate by the Director; and

2-1200.1G Any alternative shall comply with specific requirements set forth in the United States Code, Virginia Code, and County Code, and all other applicable regulations, resolutions and policies, as well as specific standards of VDOT and requirements of other reviewing agencies, such as the water utilities, from which variances may not be granted at the local level.

2-1200.1H Notwithstanding the foregoing, where a PFM provision requires Board of Supervisors' approval of a waiver or modification of its terms, the Director shall have no authority to approve an alternative absent Board approval.

2-1200.2 Acting on a specific request by the developer, urban design and streetscape standards may be considered by the Director within by-right development proposals lying within the Tysons Corner Urban Center in accordance with 2-1200.1 and subject to the criteria set forth in 2-1200.1B through 2-1200.1H.

Planning Commission Meeting
April 4, 2013
Verbatim Excerpt

PUBLIC FACILITIES MANUAL AMENDMENT (TYSONS CORNER)

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. First, let me thank staff, particularly Jan Leavitt and Tom Williamson, for their fine work on this case, as well as the team of staff who worked collaboratively with them - - and if I leave someone out, I'm sorry; there's so many people that have a hand in this - - including Cathy Lewis from DPZ; Tracy Strunk from OCR; Chief Reilly, Chief Cochrane, and George Hollingsworth from the Fire Prevention Division; and key DPWES staff, including William Marsh, Tysons Coordinator; and Judy Cronauer and Jerry Stonefield from Site Review. Even if we're not solving all 18 of the modifications and waivers from last night, this is a straightforward PFM Amendment which will allow the flexibility that we need in order to facilitate the redevelopment of Tysons. It was recommended for approval by the Engineering Standards Review Committee and has staff's favorable recommendation, with which I concur. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED AMENDMENT TO THE PUBLIC FACILITIES MANUAL REGARDING THE TYSONS CORNER URBAN CENTER, AS SET FORTH IN THE STAFF REPORT DATED FEBRUARY 26, 2013. And, I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT THIS AMENDMENT SHALL BECOME EFFECTIVE AT 12:01 A.M. ON MAY 1, 2013.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt the proposed Amendment to the Public Facilities Manual regarding Tysons Corner Urban Center, as articulated by Mr. Hart this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried unanimously with Commissioners Hall and Hedetniemi absent from the meeting.)

JN

Board Agenda Item
April 30, 2013

4:30 p.m.

Public Hearing to Consider Adopting an Ordinance Expanding the Dunn Loring Residential Permit Parking District, District 3 (Providence District)

ISSUE:

Proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Dunn Loring Residential Permit Parking District (RPPD), District 3.

RECOMMENDATION:

The County Executive recommends that the Board adopt an amendment (Attachment I) to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Dunn Loring RPPD, District 3.

TIMING:

On April 9, 2013, the Board authorized a Public Hearing to consider the proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to take place on April 30, 2013, at 4:30 p.m.

BACKGROUND:

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

Staff has verified that the proposed RPPD is within 1,000 feet from the Dunn Loring Metrorail Station property boundary. All other requirements to expand the RPPD have been met.

Board Agenda Item
April 30, 2013

FISCAL IMPACT:

The cost of sign installation is estimated at \$200 to be paid out of Fairfax County Department of Transportation (FCDOT) funds.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to *The Code of the County of Fairfax, Virginia*

Attachment II: Map Depicting Proposed Limits of RPPD Establishment

STAFF:

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

Karyn L. Moreland, Section Chief, Capital Projects and Operations Division, FCDOT

Selby Thannikary, Chief, Traffic Operations Section, FCDOT

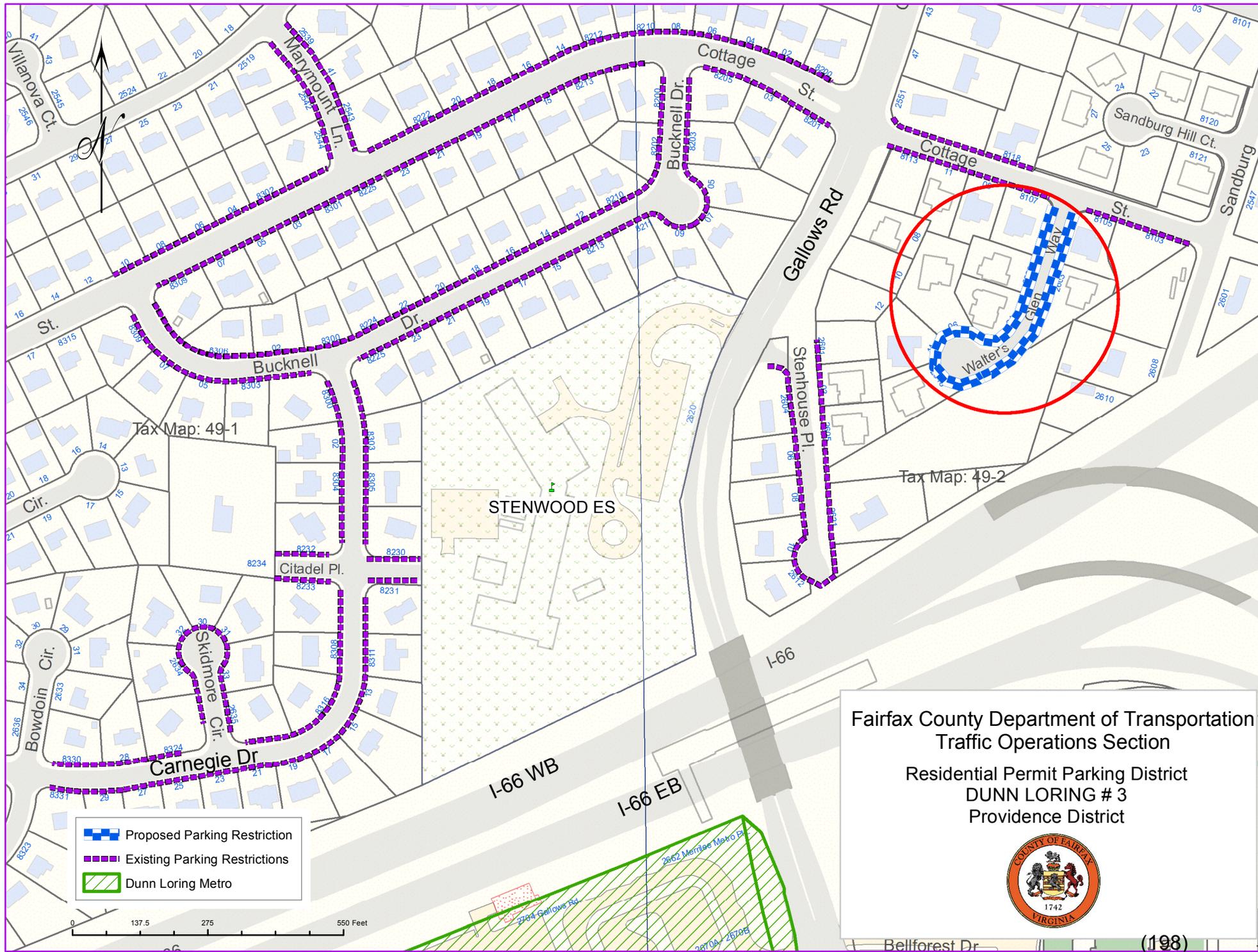
Maria Turner, Sr. Transportation Planner, FCDOT

Hamid Majdi, Transportation Planner, FCDOT

Proposed Amendment

Amend *The Code of the County of Fairfax, Virginia*, by adding the following street to Appendix G-3, Section (b), (2), Dunn Loring Residential Permit Parking District, in accordance with Article 5A, of Chapter 82:

Walters Glen Way (Route 10548)
From Cottage Street to the cul-de-sac inclusive



Fairfax County Department of Transportation
 Traffic Operations Section
 Residential Permit Parking District
 DUNN LORING # 3
 Providence District



-  Proposed Parking Restriction
-  Existing Parking Restrictions
-  Dunn Loring Metro



Board Agenda Item
April 30, 2013

4:30 p.m.

A Joint Public Hearing for the Virginia Department of Transportation's Fiscal Year 2014
- Fiscal Year 2019 Secondary Six-Year Program and the Fiscal Year 2014 Budget

This public hearing to be moved to June 4, 2013 at 4:30 p.m.

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Board Agenda Item
April 30, 2013

5:00 p.m.

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

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