



# *Fairfax County, Virginia*

## **BOARD OF SUPERVISORS**

### **DRAFT AGENDA**

**Tuesday**  
**November 19, 2013**

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

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9:30 Presentations  
10:30 Presentation of the Environmental Quality Advisory Council Annual Report  
10:45 Presentation by the Library Board  
11:00 Appointments  
11:10 Items Presented by the County Executive  
11:20 Matters Presented by Board Members  
12:10 Closed Session

3:30 p.m. Public hearing on the matter of an ordinance to adjust the boundary line of Fairfax County with the City of Falls Church to annex and incorporate thirteen parcels and other land into the City of Falls Church and to adopt a voluntary settlement agreement with the City of Falls Church as follows:

THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA HEREBY RESOLVES that, upon the effective date of this Ordinance, the existing boundary line between the County and the City of Falls Church ("the City") will be adjusted by incorporating into the City 13 parcels and other land ("the Parcels") that are currently in the unincorporated portions of Fairfax County, Virginia ("the County"). The Parcels are shown on Fairfax County Tax Map 40-3 (Revised to 05-21-2013) attached hereto as Exhibit 1, and metes and bounds descriptions of the Parcels are attached hereto as Exhibit 2. The Parcels are further identified as follows:

The "School-Related Parcels" are as follows:

- (1) Parcel 91 (Tax Map Number 040-3-01-0091), totaling approximately 8.36815 acres and owned by the City.
- (2) Parcel 93 (Tax Map Number 040-3-01-0093), totaling approximately 1.59753 acres and owned by the City.
- (3) Parcel 94 (Tax Map Number 40-3-01-0094)—less and except the small island of land to the south of the larger part of parcel 94 completely surrounded by the right-of-way of the Washington Metropolitan Area Transit Authority and as shown on Exhibit 3 as "the island"—totaling approximately 24.65471 acres and owned by the School Board of the City of Falls Church.

The "Additional Parcels" are as follows:

- (1) Parcel 14 (Tax Map Number 040-3-12-0014) and Parcel 15 (Tax Map Number 40-3-12-0015), which comprise approximately 0.38762 acre and are owned by the City.

- (2) Parcel 23A (Tax Map Number 040-3-12-0023A), totaling approximately 0.14839 acre and owned by the City.
- (3) Parcel 24 (Tax Map Number 040-3-12-0024), totaling approximately 0.09554 acre and owned by the City.
- (4) Parcel 25 (Tax Map Number 040-3-12-0025), totaling approximately 0.28168 acre and owned by the City.
- (5) Parcel 26 (Tax Map Number 040-3-12-0026), totaling approximately 0.30463 acre and owned by the City.
- (6) Parcel 26A (Tax Map Number 040-3-12-0026A), totaling approximately 0.17932 acre and owned by the City.
- (7) Parcel 109A (Tax Map Number 040-3-01-0109A), totaling approximately 0.61619 acre and owned by Henry J. Fox, Wales H. Jack, and John R. Steelman, Trustees for Federal Realty Investment Trust an unrecorded Business Trust organized on May 25, 1962.
- (8) Parcel 109B (Tax Map No. 040-3-01-0109B, totaling approximately 0.00124 acre and owned by Federal Realty Investment Trust, an Unincorporated Business Trust.
- (9) An unnumbered portion of City of Falls Church Parcel Number 51-219-104 that is currently located within Fairfax County (identified at DB 5574 PG 1581 as parcel 3B among the land records of Arlington County, Virginia), which comprises approximately 0.00066 acre.
- (10) Parcel 115A (Tax Map Number 040-3-01-0115A), totaling approximately 1.00048 acres and owned by the City.
- (11) The entire width of the Haycock Road right-of-way that runs parallel to Parcel 94 of the School-Related Parcels, which comprises approximately 0.77418 acre.

This Ordinance also adopts a Voluntary Boundary Adjustment Agreement By and Between the City of Falls Church, Virginia, and Fairfax County, Virginia (“the Agreement”), attached hereto as Exhibit 4. Under the Agreement, this Ordinance and the incorporation of the Parcels into the City’s boundaries will be effective only upon the occurrence of the last of all of the following events: (1) the sale of the City’s water system to the Fairfax County Water Authority (“Fairfax Water”); (2) the County and the City both adopting ordinances to incorporate the Parcels into the City; and (3) a special court affirming and validating the Agreement giving it full force and effect. The Agreement provides, among other things, that at least 70% of the total acreage of the School-Related Parcels will be used for school purposes for a period of 50 years after the County and the City have each adopted ordinances confirming the incorporation of the Parcels into the City.

To effectuate this Ordinance and the Agreement, pursuant to Va. Code § 15.2 3400(5), the City and the County must petition for appointment of a special court pursuant to Va. Code §§ 15.2-3000 et seq. and 3400 et seq.; the Supreme Court of Virginia must appoint a special court; and the special court must enter a final order affirming and validating the Agreement.

Upon the incorporation of the Parcels into the City, the City will extend its then-existing governmental services to the Parcels on the same basis and at the same level as such services are then, or may thereafter be, provided to areas within the City’s current corporate limits where like conditions exist. Effective date: This Ordinance and the incorporation of the Parcels into the City’s boundaries will be effective only upon the occurrence of the last of all of the following events: (1) the sale of the City’s water system to the Fairfax County Water Authority (“Fairfax Water”); (2) the County and the City both adopting ordinances to incorporate the Parcels into the City; and (3) a special court affirming and validating the Agreement giving it full force and effect.

As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as information concerning the documentation for the proposed fee, levy, or increase, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, and a copy of the Voluntary Boundary Adjustment Agreement By and Between the City of Falls Church, Virginia, and Fairfax County, Virginia, or a modified agreement, (“Agreement”), is on file

in the office of the clerk of the Fairfax County Circuit Court and the Arlington County Circuit Court, the circuits courts for each of the affected jurisdictions.

3:30 p.m. Public Hearing on AF 2013-SU-002 - CHARLES KULBOK, Local A&F District Appl. to permit the creation of an agricultural and forestal district authorized by Chapter 115 (County Code), effective June 30, 1983. The purpose is to preserve significant agricultural and forest lands in the County. Located at 7100 Bull Run Post Office Rd., Centreville, 20120, on approx. 47.04 ac. of land zoned R-C and WS. Please call the Zoning Evaluation Division at 703-324-1290 after November 6, 2013, to obtain the AFDAC and Planning Commission recommendations. Sully District. Tax Map 64-1 ((1)) 33.

3:30 p.m. Public Hearing on AR 2005-SU-002 - J. DAVID SANDERS, TRUSTEE, & KIMBERLY ANN SANDERS, TRUSTEE, Local A&F District Appl. Renewal authorized by Chapter 115 (County Code), effective June 30, 1983, to permit renewal of a previously approved agricultural and forestal district. Located at 16009 Lee Hwy., Centreville, 20121, on approx. 131.04 ac. of land zoned R C, HD and WS. Please call the Zoning Evaluation Division at 703-324-1290 after November 13, 2013, to obtain the AFDAC and Planning Commission recommendations. Sully District. Tax Map 63-2 ((1)) 9Z; 64-1 ((1)) 32Z and 64-3 ((1)) 1A.

3:30 p.m. Public Hearing on AR 87-V-001-03 - GARY D. KNIPLING & CHARLOTTE J. KNIPLING, Local A&F District Appl. Renewal authorized by Chapter 115 (County Code), effective June 30, 1983, to permit renewal of a previously approved agricultural and forestal district. Located at 11807 Harley Rd., Lorton, 22079, on approx. 36.75 ac. of land zoned R-E. Please call the Zoning Evaluation Division at 703-324-1290 after November 13, 2013, to obtain the AFDAC and Planning Commission recommendations. Mt. Vernon District. Tax Map 118-1 ((3)) Z; 118-2 ((1)) 6Z; 118-2 ((2)) 10Z; 118-2 ((5)) Z, 1Z, 2Z and 7Z.

3:30 p.m. Public Hearing on RZ 2013-PR-007 – EYA DEVELOPMENT, LLC, RZ Appl. to rezone from I-5 to PDH 30 to permit residential development with an overall density of 22.11 du/ac, approval of the conceptual development plans, waiver of open space requirements, waiver of minimum district size and waiver #561-WPFM-005-1 to permit the location of underground storm water management facilities in a residential area. Located in the N.E. quadrant of the intersection of Eskridge Rd. and Merrifield Town Center on approx. 1.07 ac. of land. Comp. Plan Rec: Mixed Use. Providence District. Tax Map 49-3 ((1)) 87, 88 and 89B.

4:00 p.m. Public Hearing on SE 2013-LE-003 - DDR SOUTHEAST SPRING MALL, L.L.C., SE Appl. under Sect(s). 4-804 of the Zoning Ordinance to permit a fast food restaurant. Located at 6717 Spring Mall Rd., Springfield, 22150, on approx. 5.04 ac. of land zoned C-8 and SC. Lee District. Tax Map 90-2 ((1)) 51.

4:00 p.m. Public Hearing on SEA 99-M-026 - THOMAS LAPHAM (Autostop Service Center), SEA Appl. under Sect(s). 4-804, 9-501, 9-503 and 9-622 of the Zoning Ordinance to amend SE 99-M-026, previously approved for a vehicle light service establishment, to permit expansion of vehicle light service operations and the addition of vehicle sales; waivers and modifications in a CRD; waiver of open space requirements and modifications of development conditions. Located at 5635 Leesburg Pk., 22041 2902 on approx. 15,409 sq. ft. of land zoned C-8, CRD, HC and SC. Mason District. Tax Map 61-2 ((1)) 96.

4:00 p.m. Public Hearing on AA 01-H-001 - HIU NEWCOMB FAMILY, LLC, MARIETTE HIU NEWCOMB, SARAH NEWCOMB, HANA NEWCOMB, LANI NEWCOMB, ANNA NEWCOMB BRADFORD AND CHARLES NEWCOMB, Local A&F District Appl. Renewal authorized by Chapter

115 (County Code), effective June 30, 1983, to permit renewal of a previously approved agricultural and forestal district. Located at 9627 Leesburg Pk., Vienna, 22182, on approx. 27.19 ac. of land zoned PDH-1 and R-A. Please call the Zoning Evaluation Division at 703-324-1290 after November 13, 2013, to obtain the AFDAC and Planning Commission recommendations. Dranesville District. Tax Map 19-1 ((14)) Z, 20A, 20Z, 21A, 21Z, 22A, 22Z, 23A, 23Z; 19-3 ((1)) 42Z2.

4:00 p.m. Public Hearing on SE 2013-MV-006 - MOHAMMAD I. MANSOOR, SE Appl. under Sect(s). 6-105 of the Zoning Ordinance to permit a home child care facility with an enrollment of 10 children at one time. Located at 8476 Wasdale Head Dr., Lorton, 22079, on approx. 7,420 sq. ft. of land zoned PDH-4. Mt. Vernon District. Tax Map 107-3 ((6)) 9.

4:00 p.m. Public hearing on the acquisition of certain land rights necessary for the construction of Project ST-000003-049 (PPTF01-04900) – Dead Run Drive Sidewalk from Carper Street to Congress Lane (Dranesville District). The County is planning to complete pedestrian improvements along the south side of Dead Run Drive, from Carper Street to Congress Lane. These improvements consist of the construction of approximately 1,160 linear feet of five-foot wide concrete sidewalk, curb ramps, and several driveway entrances with related grading. Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, Suite 449, Fairfax, Virginia 22035.

4:00 p.m. Public hearing to consider the adoption of an amendment to The Code of the County of Fairfax, Virginia (Fairfax County Code), which will be set forth in Appendix M to establish the Old Mill Station Community Parking District (CPD). The proposed CPD would be established in accordance with and be subject to the provisions set forth in Article 5B of Chapter 82 of the Fairfax County Code; encompass Old Mill Road from Mount Olive Road north to the cul-de-sac inclusive; and at all times prohibit the parking of watercraft, boat trailers, motor homes, camping trailers, any other trailer or semi-trailer, regardless of whether such trailer or semi-trailer is attached to another vehicle; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4. No such CPD shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location or (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power or (iii) restricted vehicles temporarily parked on a public street within any such CPD for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip or (iv) restricted vehicles that are temporarily parked on a public street within any such CPD for use by federal, state, or local public agencies to provide services. Questions regarding this proposed amendment may be directed to the Fairfax County Department of Transportation at 703-877-5600. (Sully District)

4:00 p.m. Public hearing on the proposed adoption of an ordinance amending Appendix G, of The Code of the County of Fairfax, Virginia, to establish the Great Meadow Residential Permit Parking District, District 46. The proposed amendment will establish the District boundaries to include the following street blocks: Great Meadow Drive from Sunrise Valley Drive to the southern boundary of 11425 Great Meadow Drive, west side only, and from 11425 Great Meadow Drive to Upper Lake Drive, both sides; Weybridge Lane from Great Meadow Drive to cul-de-sac inclusive. Questions regarding this proposed amendment may be directed to the Department of Transportation at 703 877 5600. (Hunter Mill District)

4:30 p.m. Public hearing to receive comment from citizens on the proposed legislative program that the County will present to the 2014 Virginia General Assembly. The Board is scheduled to vote on the legislative program on Tuesday, December 3, 2013. Copies of the proposed legislative program will be available on Thursday, November 14, 2013, at <http://www.fairfaxcounty.gov/government/board/> or in the Office of the Clerk to the Board, 12000 Government Center Parkway, Suite 533, Fairfax, Virginia 22035-0072.

4:30 p.m. Public hearing to consider the proposed adoption of an ordinance amending Appendix G, of The Code of the County of Fairfax, Virginia, to expand the Northern Virginia Community College Residential Permit Parking District, District 39. The proposed amendment will expand the District boundaries to include the following street block faces: Ardfour Lane from Lorene Lane to Bonnie Drive, and Bonnie Drive from Ardfour Lane to Wakefield Drive. Questions regarding this proposed amendment may be directed to the Department of Transportation at 703-877-5600. (Braddock District)

4:30 p.m. Public hearing regarding the proposed revisions to Chapter 3, Articles 2 and 3, of the Code of the County of Fairfax; revise service-connected disability benefits provided by the Uniformed and Employees' Retirement Systems by reducing the offset for Social Security benefits.

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



Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities and supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, 703-324-3151, TTY: 703-324-3903, as soon as possible but no later than 48 hours before the public hearing. Assistive listening devices are available at the meeting.