

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
January 27, 2015**

AGENDA

- 9:30 Presentations
- 10:30 Presentation of the EAC Don Smith Award
- 10:40 Report on General Assembly Activities
- 10:50 Board Appointments
- 11:00 Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

- 1 Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Graham Residential Permit Parking District, District 34 (Providence District)
- 2 Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Sunset Manor Residential Permit Parking District, District 18 (Mason District)
- 3 Authorization to Advertise a Public Hearing to Establish the Cardinal Forest II Community Parking District (Braddock District)
- 4 Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Springdale Residential Permit Parking District, District 33 (Mason District)
- 5 Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Ravensworth Road (Mason District)
- 6 Approval of Traffic Calming Measures and "\$200 Additional Fine for Speeding" Signs as Part of the Residential Traffic Administration Program (Sully District)
- 7 Discontinuance of a Portion of Route 4882 (Smallwood Court) from the Secondary System of State Highways (Sully District)
- 8 Authorization to Advertise a Public Hearing for Approval of the Update to the County's Solid Waste Management Plan
- 9 Streets into the Secondary System (Sully District)
- 10 Appointment of Members to the Fairfax-Falls Church Community Policy and Management Team

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
January 27, 2015**

**ADMINISTRATIVE
ITEMS
(Continued)**

- 11 Authorization of a Public Hearing on a Proposal to Vacate, Abandon, and Discontinue Anderson Lane (Mount Vernon District)

ACTION ITEMS

- 1 Renewal of the Memorandum of Understanding Between the Board of Supervisors and the Southeast Fairfax Development Corporation, Inc. (Lee and Mount Vernon Districts)
- 2 Approval of a Parking Reduction for Lake Anne Village Center (Hunter Mill District)

**INFORMATION
ITEMS**

- 1 Northern Virginia Transportation Authority Fiscal Year 2014 Program Update
- 11:10 Matters Presented by Board Members
- 12:00 Closed Session
- 3:00 Annual Meeting of the Fairfax County Solid Waste Authority

PUBLIC HEARINGS

- 3:30 Public Hearing on Proposed Compensation Adjustments to \$95,000 for Members of the Board of Supervisors and to \$100,000 for the Chairman, Effective January 1, 2016
- 3:30 Public Hearing on SE 2014-MV-026 (Shazia Younis DBA Childrenzone Home Child Care) (Mount Vernon District)
- 3:30 Public Hearing on SE 2014-MV-041 (Northern Virginia Radio Control Club) (Mount Vernon District)
- 3:30 Public Hearing on SE 2014-MV-045 (Zahida Babar DBA Azeem Day Care Home) (Mount Vernon District)
- 3:30 Public Hearing on SE 2014-SU-059 (Chantilly Plaza LLC) (Sully District)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
January 27, 2015**

**PUBLIC HEARINGS
(Continued)**

- 4:00 Public Hearing on RZ 2014-MA-011 (Spectrum Development, LLC) (Mason District)
- 4:00 Public Hearing on SE 2014-MA-013 (Spectrum Development, LLC) (Mason District)
- 4:00 Public Hearing on DPA A-502-07 (Lake Anne Development Partners LLC) (Hunter Mill District)
- 4:00 Public Hearing on PRC A-502-03 (Lake Anne Development Partners LLC) (Hunter Mill District)
- 4:00 Public Hearing on PCA A-502 (Lake Anne Development Partners LLC) (Hunter Mill District)
- 4:00 Public Hearing to Amend the Deed of Lease with Inova Health Care Services for 8221 Willow Oaks Corporate Drive (Providence District)
- 4:30 Public Hearing on SE 2014-MV-020 (Kausar S. Mirza D/B/A Funland Mini Center) (Mount Vernon District)
- 4:30 Public Hearing on a Proposed Amendment to the Public Facilities Manual Regarding Storm Drainage Pro Rata Share Provisions, Chapter 6 (Storm Drainage) and Proposed Revisions to the Pro Rata Share Agreement Form
- 4:30 Public Hearing Pertaining to the Conveyance of Board-Owned Property and to Consider a Proposed Comprehensive Agreement Among the Board of Supervisors, Lake Anne Development Partners, LLC, and Community Preservation and Development Corporation for the Redevelopment of the Crescent Property and Other Parcels in the Lake Anne Village Center (Hunter Mill District)
- 4:30 Public Hearing Pertaining to the Conveyance of Board-Owned Property and to Consider a Proposed Comprehensive Agreement with Wesley-Hamel Lewinsville LLC for the Redevelopment of the Lewinsville Senior Center and Daycare Property (Dranesville District)
- 4:30 Public Hearing on SE 2014-MA-015 (Afghan Academy Inc) (Mason District)
- 5:00 Public Hearing on RZ 2012-MV-015 (McShay Communities, Inc) (Mount Vernon District)



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Tuesday
January 27, 2015

9:30 a.m.

PRESENTATIONS

Presentation to Fairfax County of a check from the United Way of the National Capital Area representing the amount that was contributed through the Fairfax-Falls Church Community Impact Fund in 2014.

DESIGNATIONS

- PROCLAMATION – To designate February 2015 as Teen Dating Violence Awareness Month in Fairfax County. Requested by Supervisors Gross and Cook.
- PROCLAMATION – To designate February 2015 as African-American History Month in Fairfax County. Requested by Chairman Bulova.

STAFF:

Tony Castrilli, Director, Office of Public Affairs
Bill Miller, Office of Public Affairs

Board Agenda Item
January 27, 2015

10:30 a.m.

Presentation of the Don Smith Award

ENCLOSED DOCUMENTS:

None.

PRESENTED BY:

Randy R. Creller, Chairperson, Employee Advisory Council (EAC)

Board Agenda Item
January 27, 2015

10:40 a.m.

Report on General Assembly Activities

ENCLOSED DOCUMENTS:

None. Materials to be distributed to the Board of Supervisors on January 27, 2015

PRESENTED BY:

Supervisor Jeff McKay, Chairman, Board of Supervisors' Legislative Committee
Edward L. Long Jr., County Executive

Board Agenda Item
January 27, 2015

10:50 a.m.

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

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard January 27, 2015
(An updated list will be distributed at the Board meeting.)

STAFF:

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

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

APPOINTMENTS TO BE HEARD JANUARY 27, 2015
(ENCOMPASSING VACANCIES PROJECTED THROUGH JANUARY 31, 2015)
 (Unless otherwise noted, members are eligible for reappointment)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE
(1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Clifford L. Fields (Appointed 1/96-1/03 by Hanley; 1/04-1/08 by Connolly, 2/09- 2/14 by Bulova) Term exp. 1/15	At-Large Chairman's Representative		Bulova	At Large Chairman's
Jane W. Gwinn (Appointed 2/04-1/09 by Bulova; 1/10-1/14 by Cook) Term exp. 1/15	Braddock District Representative		Cook	Braddock
Kerrie Wilson Appointed 1/10- 1/14by Foust) Term exp. 1/15	Dranesville District Representative		Foust	Dranesville
Ronald Copeland (Appointed 1/05-1/14 by Hudgins) Term exp. 1/15	Hunter Mill District Representative		Hudgins	Hunter Mill

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A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

(1 year)

Continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Joseph Blackwell (Appointed 1/06-1/08 by Kauffman, 1/09- 1/14 by McKay) Term exp. 1/15	Lee District Representative		McKay	Lee
Eileen J. Garnett (Appointed 1/03-1/14 by Gross) Term exp. 1/15	Mason District Representative		Gross	Mason
VACANT (Formerly held by Charles T. Coyle; appointed 2/13-6/14 by Hyland) Term exp. 1/15 <i>Resigned</i>	Mount Vernon District Representative		Hyland	Mount Vernon
Ernestine Heastie (Appointed 2/04-1/14 by Smyth) Term exp. 1/15	Providence District Representative	Ernestine Heastie	Smyth	Providence
Philip E. Rosenthal (Appointed 1/92-2/08 by McConnell, 1/09- 1/14 by Herrity) Term exp. 1/15	Springfield District Representative		Herrity	Springfield

**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 Sydney Stakley; appointed 6/07-9/13 by Smyth) Term exp. 9/17 <i>Resigned</i>	Providence District Representative		Smyth	Providence

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 Arthur R. Genuario; appointed 4/96-5/12 by Hyland) Term exp. 9/13 <i>Resigned</i>	Builder (Single Family) 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>
Carol Hawn (Appointed 1/97-1/03 by Hanley; 1/06 by Connolly; 2/09-2/12 by Bulova) Term exp. 1/15	At-Large Chairman's Representative		Bulova	At-Large Chairman's
George Page (Appointed 2/11-1/14 by Hudgins) Term exp. 1/15	Hunter Mill District Representative		Hudgins	Hunter Mill
VACANT (Formerly held by Barbara Kreykenbohm; appointed 1/09 by Gross) Term exp. 1/11 <i>Resigned</i>	Mason District Representative		Gross	Mason
Sherri Jordan (Appointed 10/08- 2/12 by Hyland) Term exp. 1/15	Mount Vernon District Representative		Hyland	Mount Vernon
Brian Elson (Appointed 7/13 by Hyland) Term exp. 1/15	Mount Vernon District Business Representative		Hyland	Mount Vernon
Mark Searle (Appointed 9/98-2/12 by Frey) Term exp. 1/15	Sully District Representative		Frey	Sully

ATHLETIC COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
James Pendergast (Appointed 7/12 by Cook) Term exp. 6/13	Braddock District Alternate Representative		Cook	Braddock

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE (1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by William Hanks; appointed 2/10-5/14 by Cook; Term exp. 6/15 <i>Deceased</i>)	Braddock District Representative		Cook	Braddock
Glenda DeVinney (Appointed 5/12-6/13 by McKay) Term exp. 6/14	Lee District Representative		McKay	Lee

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 Wayne Bryan; appointed 1/10-2/13 by Bulova) Term exp. 2/17 <i>Resigned</i>)	Alternate #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Susan Kim Harris; appointed 5/09-2/11 Term exp. 2/15 <i>Resigned</i>)	Alternate #4 Representative		By Any Supervisor	At-Large

**BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)
(2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Thomas Parr (Appointed 12/04-12/04 by Connolly; 12/12 by Bulova) Term exp. 12/14	At-Large #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Robert Mansker; appointed 9/06-11/13 by Gross) Term exp. 12/15 <i>Resigned</i>	At-Large #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Patricia Flavin; appointed 12/10-3/13 by Hyland) Term exp. 12/14 <i>Resigned</i>	Professional #6 Representative		By Any Supervisor	At-Large

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Kanthan Siva; appointed 1/13 by Frey) Term exp. 9/15 <i>Resigned</i>	Sully District Representative		Frey	Sully

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 Pamela Nilsen; appointed 6/13-9/13 by McKay) Term exp. 9/15 <i>Resigned</i>	Lee District Representative		McKay	Lee
VACANT (Formerly held by Eric Rardin; appointed 4/13 by Hyland) Term exp. 9/15 <i>Resigned</i>	Mount Vernon District Representative		Hyland	Mount 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>
VACANT (Formerly held by Adeel Mufti; appointed 7/06-5/12 by Hudgins) Term exp. 5/14 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

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 Nancy Krakover; appointed 11/09-10/12 by Cook) Term exp. 10/15 <i>Resigned</i>	Braddock District Representative		Cook	Braddock

COMMISSION ON AGING (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Tena Bluhm; appointed 5/09-5/13 by Bulova) Term exp. 5/15 <i>Resigned</i>	At-Large Chairman's Representative		Bulova	At-Large Chairman's

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 Howard Leroy Kelley; Appointed 8/01-1/13 by Hudgins) Term exp. 1/17 <i>Resigned</i>	At-Large Representative		By Any Supervisor	At-Large

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

<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
VACANT (Formerly held by Carmen A. Cintron; appointed 2/13 by Hyland) Term exp. 1/15 <i>Resigned</i>	Mount Vernon District Representative		Hyland	Mount Vernon
William Stephens (Appointed 9/02-1/03 by McConnell; 1/07-1/11 by Herrity) Term exp. 1/15	Springfield District Representative		Herrity	Springfield

**COMMUNITY ACTION ADVISORY BOARD (CAAB)
(3 years)**

CONFIRMATION NEEDED:

- Ms. Ann G. Macpherson as the AARP representative

ECONOMIC ADVISORY COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Suzette Kern; appointed 1/09-12/11 by McKay) Term exp. 12/14 <i>Resigned</i>	Lee District Representative		McKay	Lee

CONFIRMATION NEEDED:

- Hon. Grace H. Wolf as Herndon Town Council Representative

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Glen White (Appointed 3/09-1/12 by Gross) Term exp. 1/15	Mason District Representative		Gross	Mason

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>
VACANT (Formerly held by Richard Nilsen; appointed 6/13 by McKay) Term exp. 11/15 <i>Resigned</i>	Lee District Representative		McKay	Lee
Jacqueline Browne (Appointed 9/08-12/11 by Gross) Term exp. 11/14 <i>Not eligible for reappointment</i>	Mason District Representative		Gross	Mason
VACANT (Formerly held by Ann Pimley; appointed 9/03-11/6 by Frey) Term exp. 11/09 <i>Resigned</i>	Sully District Representative		Frey	Sully

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL
(2 years)

CONFIRMATIONS NEEDED:

- Ms. Sonia Gow as a Long Term Care Provider Representative
- Mr. Michael Toobin as a Long Term Care Provider Representative
- Ms. Tena Bluhm as the COA Representative

**FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION
BOARD OF DIRECTORS (3 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
David Eisenman (Appointed 8/04-6/11 by Hudgins) Term exp. 6/14 <i>Not eligible for reappointment</i> (need 1 year lapse)	Hunter Mill District Representative		Hudgins	Hunter Mill

HEALTH CARE ADVISORY BOARD (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Judith Beattie; appointed 6/96-9/12 by Frey) Term exp. 6/16 <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 Andrew A. Painter; appointed 2/11 by Smyth) Term exp. 6/13 <i>Resigned</i>	Consumer #4 Representative		By Any Supervisor	At-Large

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HEALTH SYSTEMS AGENCY BOARD

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

continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
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

HISTORY COMMISSION (3 years)

[NOTE: The Commission shall include at least one member who is a resident from each supervisor district.] Current Membership:

Braddock - 3	Lee - 2	Providence - 1
Dranesville - 2	Mason - 2	Springfield - 2
Hunter Mill - 3	Mt. Vernon - 3	Sully - 2

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Irma Clifton; appointed 3/01-11/13 by Hyland) Term exp. 12/16 <i>(Mt. Vernon District Resident)</i> <i>Resigned</i>	At-Large #2 Representative	Carrie Ann Alford (Hyland)	By Any Supervisor	At-Large
Esther McCullough (Appointed 3/00-11/02 by Hanley; 12/08-12/11 by Connolly) Term exp. 12/14 <i>(Sully District Resident)</i>	Citizen #10 Representative		By Any Supervisor	At-Large

HUMAN SERVICES COUNCIL (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Richard Gonzalez (Appointed 7/97-7/05 by Kauffman; 8/09 by McKay) Term exp. 7/13	Lee District #1 Representative		McKay	Lee

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Walter Williams (Appointed 5/09- 12/11 by Herrity) Term exp. 12/14	Springfield District Representative		Herrity	Springfield

CONFIRMATION NEEDED:

- Mr. Robert Lehman as the Chamber of Commerce Representative

**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>
John Herold (Appointed 11/13 by Bulova) Term exp. 1/15	At-Large Chairman's Representative		Bulova	At-Large Chairman's

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

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Paul Langley; appointed 4/10-1/12 by Cook) Term exp. 1/14 <i>Resigned</i>	Braddock District Representative		Cook	Braddock
Patricia Smith-Solan (Appointed 1/08-2/13 by Hudgins) Term exp. 1/15	Hunter Mill District Representative		Hudgins	Hunter Mill
Joleane Dutzman (Appointed 1/10-3/13 by Hyland) Term exp. 1/15	Mount Vernon District Representative		Hyland	Mount Vernon
Caroline Kerns (Appointed 2/02-1/13 by Frey) Term exp. 1/15	Sully District Representative		Frey	Sully

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 Amy K. Reif; appointed 8/09-6/12 by Foust) Term exp. 6/15 <i>Resigned</i>	Dranesville District Representative		Foust	Dranesville
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	Hunter Mill
VACANT (Formerly held by Richard Nilsen; appointed 3/10-6/10 by McKay) Term exp. 6/13 <i>Resigned</i>	Lee District Representative		McKay	Lee
Tina Montgomery (Appointed 9/10-6/11 by Smyth) Term exp. 6/14	Providence District Representative		Smyth	Providence

ROAD VIEWERS BOARD (1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Joseph Bunnell (appointed 9/05-12/06 by McConnell; 2/08- 11/13 by Herrity) Term exp. 12/14	At-Large #1 Representative		By Any Supervisor	At-Large
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
Micah D. Himmel (Appointed 12/11- 12/13 by Smyth) Term exp. 12/14	At-Large #5 Representative	Micah D. Himmel (Smyth)	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 Suchada Langley; appointed 11/11- 12/11 by Hudgins) Term exp. 12/14 <i>Resigned</i>	At-Large #2 Representative		By Any Supervisor	At-Large
Michael Doherty (Appointed 12/11 by Bulova) Term exp. 12/14	Braddock District Representative		Cook	Braddock
Koorosh C. Sobhani (Appointed 10/08- 12/11 by Foust) Term exp. 12/14	Dranesville District Representative		Foust	Dranesville

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Robert Dim; appointed 3/05-3/12 by Hudgins) Term exp. 3/14 <i>Resigned</i>	Fairfax County #5 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Cleveland Williams; appointed 12/11-3/13 by Hudgins) Term exp. 3/15 <i>Resigned</i>	Fairfax County #7 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Medelyn Ortiz Lopez; appointed 11/10-4/14 by Hudgins) Term exp. 3/16 <i>Resigned</i>	Fairfax County #9 (Youth) Representative		By Any Supervisor	At-Large

CONFIRMATION OF:

- Ms. Carol Ann Bradley as the Reston Association #4 Representative

TENANT LANDLORD COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Michael Schwarz; appointed 1/14 by Herrity) Term exp. 12/15 <i>Resigned</i>	Citizen Member #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Sally D. Liff; appointed 8/04-1/11 by Smyth) Term exp. 1/14 <i>Deceased</i>	Condo Owner Representative		By Any Supervisor	At-Large
Angelina Panettieri (Appointed 6/11-1/12 by Smyth) Term exp. 1/15	Tenant Member #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Evelyn McRae; appointed 6/98-8/01 by Hanley; 12/04-1/08 by Connolly; 4/11 by Bulova) Term exp. 1/14 <i>Resigned</i>	Tenant Member #2 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

TRAILS AND SIDEWALKS COMMITTEE (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Jan Reitman (Appointed 3/08-1/12 by Gross) Term exp. 1/14	Mason District Representative		Gross	Mason

TRANSPORTATION ADVISORY COMMISSION (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Michal D. Himmel; appointed 6/13 by Smyth) Term exp. 6/14	Providence District Representative	Micah D. Himmel	Smyth	Providence

WETLANDS BOARD (5 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Elizabeth Martin (Appointed 11/09 by Gross) Term exp. 12/13	At-Large #1 Representative		By Any Supervisor	At-Large

**TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD
(2 YEARS)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Laurie DiRocco (Appointed 5/14 by Bulova) Term exp. 2/15	Adjacent Community Member Representative #1		Bulova	At-Large
Sally Horn (Appointed 2/13 by Bulova) Term exp. 2/15	Adjacent Community Member Representative #2		Bulova	At-Large
Jim Policaro (Appointed 2/13 by Bulova) Term exp. 2/15	Commercial or Retail Ownership Representative #1		Bulova	At-Large
Tim Stephan (Appointed 2/13 by Bulova) Term exp. 2/15	Commercial or Retail Ownership Representative #2		Bulova	At-Large
Kip Killmon (Appointed 2/13 by Bulova) Term exp. 2/15	Commercial or Retail Ownership Representative #3		Bulova	At-Large
Mark Zetts (Appointed 2/13 by Foust) Term exp. 2/15	Dranesville District Representative		Foust	Dranesville
Jay Klug (Appointed 2/13 by Hudgins) Term exp. 2/15	Hunter Mill District Representative #1		Hudgins	Hunter Mill
Raymond Baxter (Appointed 2/13 by Hudgins) Term exp. 2/15	Hunter Mill District Representative #2		Hudgins	Hunter Mill

Continued on next page

**TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD
(2 YEARS)
continued**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Maria Hawthorne (Appointed 2/13 by Smyth) Term exp. 2/15	Providence District Representative #1		Smyth	Providence
Molly Peacock (Appointed 2/13 by Smyth) Term exp. 2/15	Providence District Representative #2		Smyth	Providence
Michael Bogasky (Appointed 2/13 by Smyth) Term exp. 2/15	Residential Owners and HOA/Civic Association Representative #1		Smyth	Providence
Ron Parson (Appointed 2/13 by Smyth) Term exp. 2/15	Residential Owners and HOA/Civic Association Representative #2		Smyth	Providence
Claudia Diamond (Appointed 2/13 by Hudgins) Term exp. 2/15	Residential Owners and HOA/Civic Association Representative #3		Hudgins	Hunter Mill

CONFIRMATIONS NEEDED:

- Mr. Terrence Miller as the Tysons Partnership #1 Representative
- Mr. Aaron Georgelas as the Tysons Partnership #2 Representative
- Honorable Stuart Mendelsohn as the Chamber of Commerce Lessees of Non-Residential Space Representative

Board Agenda Item
January 27, 2015

11:00 a.m.

Items Presented by the County Executive

Board Agenda Item
January 27, 2015

ADMINISTRATIVE - 1

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Graham Residential Permit Parking District, District 34 (Providence District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Graham Residential Permit Parking District (RPPD), District 34.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing.

TIMING:

The Board should take action on January 27, 2015, to advertise a public hearing for February 17, 2015, at 4:30 p.m.

BACKGROUND:

Section 82-5A-4(b) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish or expand an RPPD in any residential area of the County if: (1) the Board receives a petition requesting establishment or expansion of an RPPD that 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 of the proposed District, (2) the proposed District contains a minimum of 100 contiguous or nearly contiguous on-street parking spaces 20 linear feet in length per space, unless the subject area is to be added to an existing district, (3) 75 percent of the land abutting each block within the proposed District is developed residential, and (4) 75 percent of the total number of on-street parking spaces of the petitioning blocks are occupied, and at least 50 percent of those occupied spaces are occupied by nonresidents of the petitioning blocks, as authenticated by a peak-demand survey. 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.

Board Agenda Item
January 27, 2015

A peak parking demand survey was conducted for the requested area. The results of this survey verified that more than 75 percent of the total number of on-street parking spaces of the petitioning blocks were occupied by parked vehicles, and more than 50 percent of those occupied spaces were occupied by nonresidents of the petitioning blocks. All other requirements to expand the RPPD have been met.

FISCAL IMPACT:

The cost of sign installation is estimated at \$500 to be paid out of Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:

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

Attachment II: Map Depicting Proposed Limits of RPPD Expansion

STAFF:

Robert A. Stalzer, Deputy County Executive

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

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

Neil Freschman, Chief, Traffic Operations Section, FCDOT

Maria Turner, Sr. Transportation Planner, FCDOT

Charisse Padilla, Transportation Planner, FCDOT

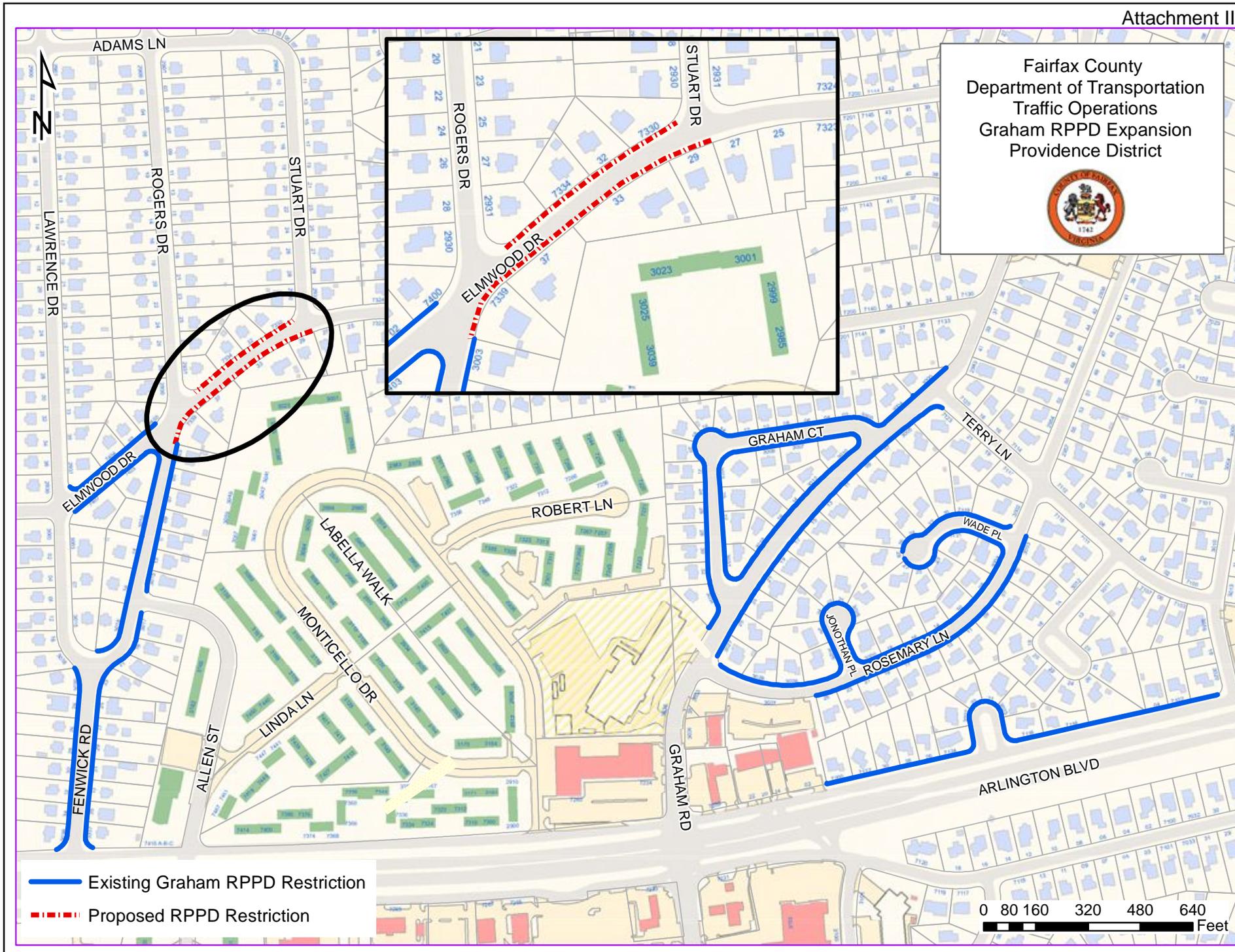
Proposed Amendment

Amend *The Code of the County of Fairfax, Virginia*, by modifying the following streets in Appendix G-34, Section (b), (2), Graham Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

Elmwood Drive (Route 1780):

From Lawrence Drive to ~~Rogers Drive~~ Stuart Drive.

Fairfax County
Department of Transportation
Traffic Operations
Graham RPPD Expansion
Providence District



Board Agenda Item
January 27, 2015

ADMINISTRATIVE - 2

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Sunset Manor Residential Permit Parking District, District 18 (Mason District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Sunset Manor Residential Permit Parking District (RPPD), District 18.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing.

TIMING:

The Board should take action on January 27, 2015, to advertise a public hearing for February 17, 2015, at 4:00 p.m.

BACKGROUND:

Section 82-5A-4(b) of *The Code of the County of Fairfax, Virginia*, authorizes the Board to establish or expand an RPPD in any residential area of the County if: (1) the Board receives a petition requesting establishment or expansion of an RPPD that 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 of the proposed District, (2) the proposed District contains a minimum of 100 contiguous or nearly contiguous on-street parking spaces 20 linear feet in length per space, unless the subject area is to be added to an existing district, (3) 75 percent of the land abutting each block within the proposed District is developed residential, and (4) 75 percent of the total number of on-street parking spaces of the petitioning blocks are occupied, and at least 50 percent of those occupied spaces are occupied by nonresidents of the petitioning blocks, as authenticated by a peak-demand survey. 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.

Board Agenda Item
January 27, 2015

A peak parking demand survey was conducted for the requested area. The results of this survey verified that more than 75 percent of the total number of on-street parking spaces of the petitioning blocks were occupied by parked vehicles, and more than 50 percent of those occupied spaces were occupied by nonresidents of the petitioning blocks. All other requirements to expand the RPPD have been met.

FISCAL IMPACT:

The cost of sign installation is estimated at \$925 to be paid out of Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:

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

Attachment II: Map Depicting Proposed Limits of RPPD Expansion

STAFF:

Robert A. Stalzer, Deputy County Executive

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

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

Neil Freschman, Chief, Traffic Operations Section, FCDOT

Maria Turner, Sr. Transportation Planner, FCDOT

Charisse Padilla, Transportation Planner, FCDOT

Proposed Amendment

Amend *The Code of the County of Fairfax, Virginia*, by adding the following street to Appendix G-18, Section (b), (2), Sunset Manor Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

Bouffant Boulevard (Route 3436):

From Dowden Terrace Park boundary to the eastern property boundary of 5600 Bouffant Boulevard; north side only

From Dowden Terrace Park boundary to Paul Street; south side only

Fairfax County
 Department of Transportation
 Traffic Operations
 Sunset Manor RPPD Expansion
 Mason District




Board Agenda Item
January 27, 2015

ADMINISTRATIVE - 3

Authorization to Advertise a Public Hearing to Establish the Cardinal Forest II
Community Parking District (Braddock District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix M of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to establish the Cardinal Forest II Community Parking District (CPD).

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing.

TIMING:

The Board of Supervisors should take action on January 27, 2015, to provide sufficient time for advertisement of the public hearing on February 17, 2015, at 4:30 p.m.

BACKGROUND:

Fairfax County Code Section 82-5B-2 authorizes the Board to establish a CPD for the purpose of prohibiting or restricting the parking of watercraft; boat trailers; motor homes; camping trailers; and any other trailer or semi-trailer, 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 on the streets in the CPD.

No such CPD shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location, (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power, (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, (iv) restricted vehicles that are temporarily parked on a public street within any such CPD for use by federal, state, or local public

Board Agenda Item
January 27, 2015

agencies to provide services.

Pursuant to Fairfax County Code Section 82-5B-3, the Board may establish a CPD if: (1) the Board receives a petition requesting such an establishment and such petition contains the names, addresses, and signatures of petitioners who represent at least 60 percent of the addresses within the proposed CPD, and represent more than 50 percent of the eligible addresses on each block of the proposed CPD, (2) the proposed CPD includes an area in which 75 percent of each block within the proposed CPD is zoned, planned, or developed as a residential area, (3) the Board receives an application fee of \$10 for each petitioning property address in the proposed CPD, and (4) the proposed CPD must contain the lesser of (i) a minimum of five block faces or (ii) any number of blocks that front a minimum of 2,000 linear feet of street as measured by the centerline of each street within the CPD.

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

The parking prohibition identified above for the CPD is proposed to be in effect seven days per week, 24 hours per day.

FISCAL IMPACT:

The cost of sign installation is estimated at \$2,250 to be paid out of Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:

Attachment I: Amendment to the *Fairfax County Code*, Appendix M (CPD Restrictions)
Attachment II: Area Map of Proposed Cardinal Forest II CPD

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Division Chief, Capital Projects and Operations Division, FCDOT
Neil Freschman, Section Chief, Traffic Operations Section, FCDOT
Maria Turner, Sr. Transportation Planner, FCDOT
Charisse Padilla, Transportation Planner, FCDOT

PROPOSED CODE AMENDMENT
THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA
APPENDIX M

M-84 Cardinal Forest II Community Parking District

(a) *District Designation.*

- (1) The restricted parking area is designated as the Cardinal Forest II Community Parking District.
- (2) Blocks included in the Cardinal Forest II Community Parking District are described below:

Dominican Drive (Route 4139)

From Sherborn Lane to Roxbury Avenue.

Grigsby Drive (Route 4179)

From Sherborn Lane to Roxbury Avenue.

Roxbury Avenue (Route 4136)

From Sherborn Lane to Winslow Avenue.

Sherborn Lane (Route 4137)

From Forrester Boulevard to Roxbury Avenue

(b) *District Provisions.*

- (1) This District is established in accordance with and is subject to the provisions set forth in Article 5B of Chapter 82.
- (2) 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 is prohibited at all times on the above-described streets within the Cardinal Forest II Community Parking District.
- (3) No such Community Parking District 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 District 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 District for use by federal, state, or local public agencies to provide services.

- (c) *Signs.* Signs delineating the Cardinal Forest II Community Parking District shall indicate community specific identification and/or directional information in addition to the following:

NO PARKING
Watercraft
Trailers, Motor Homes
Vehicles ≥ 3 Axles
Vehicles GVWR ≥ 12,000 lbs.
Vehicles ≥ 16 Passengers

FAIRFAX COUNTY CODE §82-5B

Fairfax County
Department of Transportation
Traffic Operations
Cardinal Forest II CPD
Braddock District



Board Agenda Item
January 27, 2015

ADMINISTRATIVE - 4

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Springdale Residential Permit Parking District, District 33 (Mason District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to expand the Springdale Residential Permit Parking District (RPPD), District 33.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing.

TIMING:

The Board should take action on January 27, 2015, to advertise a public hearing for February 17, 2015, at 4:30 p.m.

BACKGROUND:

Section 82-5A-4(b) of the Fairfax County Code, authorizes the Board to establish or expand an RPPD in any residential area of the County if: (1) the Board receives a petition requesting establishment or expansion of an RPPD that 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 of the proposed District, (2) the proposed District contains a minimum of 100 contiguous or nearly contiguous on-street parking spaces 20 linear feet in length per space, unless the subject area is to be added to an existing district, (3) 75 percent of the land abutting each block within the proposed District is developed residential, and (4) 75 percent of the total number of on-street parking spaces of the petitioning blocks are occupied, and at least 50 percent of those occupied spaces are occupied by nonresidents of the petitioning blocks, as authenticated by a peak-demand survey. 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.

Board Agenda Item
January 27, 2015

On September 18, 2014, the Fairfax County Department of Transportation (FCDOT) conducted a peak parking demand survey for the requested area. The results of this survey verified that more than 75 percent of the total number of on-street parking spaces of the petitioning blocks were occupied by parked vehicles, and more than 50 percent of those occupied spaces were occupied by nonresidents of the petitioning blocks. All other requirements to expand the RPPD have been met.

FISCAL IMPACT:

The cost of sign installation is estimated at \$1,250 to be paid out of Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Amendment to the Fairfax County Code
Attachment II: Map Depicting Proposed Limits of RPPD Expansion

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Neil Freschman, Chief, Traffic Operations Section, FCDOT
Maria Turner, Sr. Transportation Planner, FCDOT
Charisse Padilla, Transportation Planner, FCDOT

Proposed Amendment

Amend *The Code of the County of Fairfax, Virginia*, by amending the following street descriptions in Appendix G-33, Section (b), (2), Springdale Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

Arnet Street (Route 1845):

From Munson Road to Lacy Boulevard

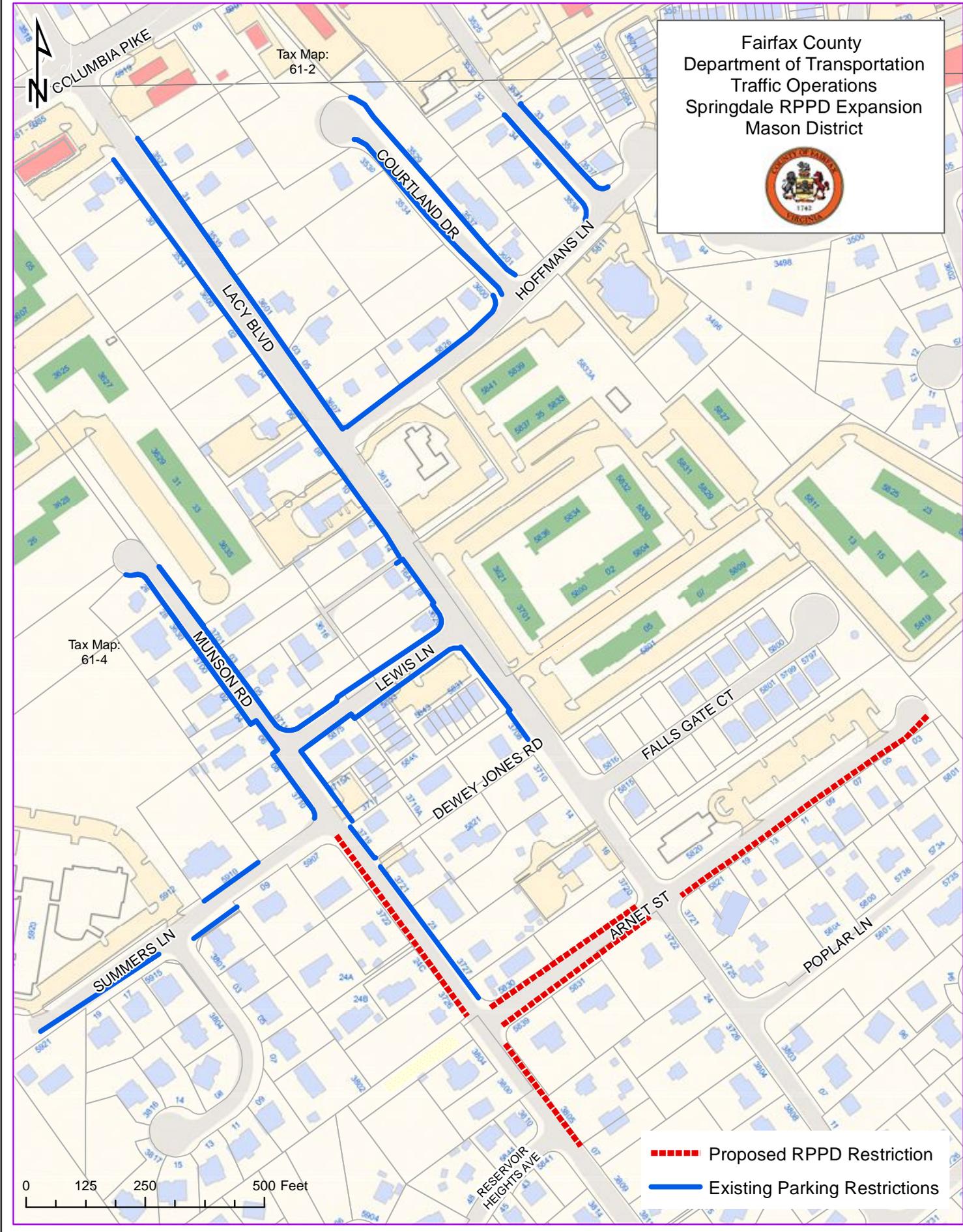
From Lacy Boulevard to eastern cul-de-sac end; south side only

Munson Road (Route 795):

From Arnet Street to Summers Lane ~~east side only~~

From Arnet Street to Reservoir Heights Avenue, east side only

Fairfax County
Department of Transportation
Traffic Operations
Springdale RPPD Expansion
Mason District



- Proposed RPPD Restriction
- Existing Parking Restrictions

Board Agenda Item
January 27, 2015

ADMINISTRATIVE - 5

Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Ravensworth Road (Mason District)

ISSUE:

Board authorization to advertise a public hearing to be held on Tuesday, February 17, 2015, 4:30 p.m., for the purpose of endorsing the following road to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction.

- Ravensworth Road between Little River Turnpike and Braddock Road.

RECOMMENDATION:

The County Executive recommends the Board authorize advertisement of a public hearing for the purpose of endorsing Ravensworth Road between Little River Turnpike and Braddock Road to be included in the RTAP for a through truck traffic restriction.

TIMING:

The Board should take action on January 27, 2015, to provide sufficient time for advertisement of the proposed public hearing scheduled for February 17, 2015, 4:30 p.m. (Attachment I).

BACKGROUND:

In a memorandum dated September 18, 2014, Supervisor Gross requested staff to work with the Virginia Department of Transportation (VDOT) to implement a through truck traffic restriction on Ravensworth Road, due to continuing safety concerns of residents regarding through trucks utilizing this road as a shortcut between Little River Turnpike and Braddock Road. The increased truck traffic has exacerbated safety concerns for the neighborhood. A possible alternate route is via Little River Turnpike to Interstate 495 to Braddock Road (Attachment III).

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

Board Agenda Item
January 27, 2015

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Proposed Resolution to Restrict Through Truck Traffic on Ravensworth Road

Attachment II: Area Map of Proposed Through Truck Traffic Restriction

STAFF:

Robert A. Stalzer, Deputy County Executive

Thomas P. Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)

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

Neil Freschman, Chief, Traffic Operations Section, FCDOT

Steven K. Knudsen, Transportation Planner, FCDOT

RESOLUTION

**FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
THROUGH TRUCK TRAFFIC RESTRICTION
RAVENSWORTH ROAD
MASON DISTRICT**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, February 17, 2015, at which meeting a quorum was present and voting, the following resolution was adopted:

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

WHEREAS, a reasonable alternate route has been identified for Ravensworth Road starting at Ravensworth Road and Little River Turnpike to the intersection of Little River Turnpike and Interstate 495, and from the intersection of Little River Turnpike and Interstate 495 to the intersection of Interstate 495 and Braddock Road and then on to the intersection of Ravensworth Road and Braddock Road; and

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

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

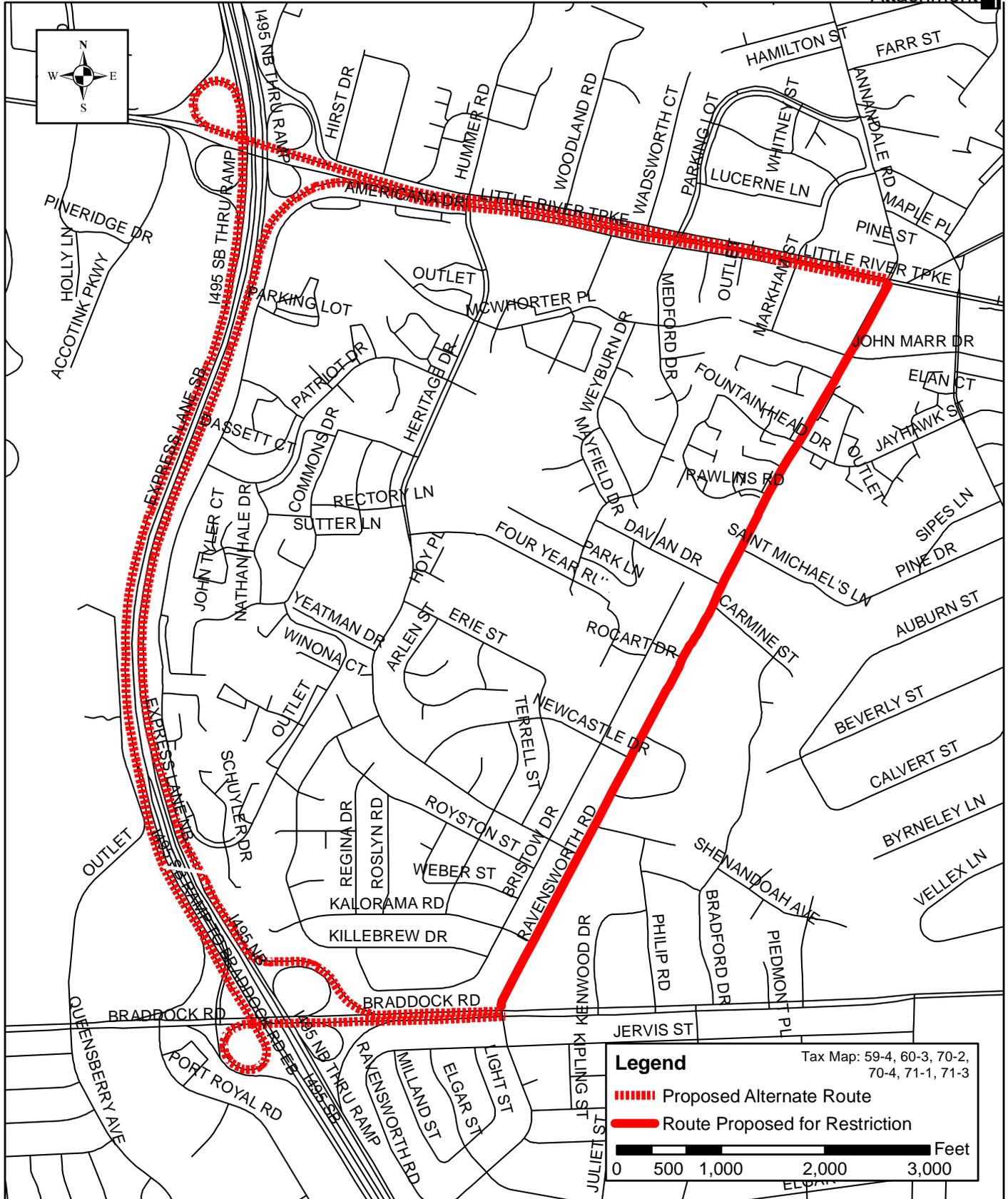
NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, has determined that in order to promote the health, safety, and general welfare of the citizens of Fairfax County, it is beneficial to prohibit through truck traffic on Ravensworth Road, between Little River Turnpike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

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

ADOPTED this 17th day of February 2015.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors



Fairfax County Department of Transportation
 RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
 PROPOSED THROUGH TRUCK RESTRICTION
 RAVENSWORTH ROAD
 Mason District



Board Agenda Item
January 27, 2015

ADMINISTRATIVE - 6

Approval of Traffic Calming Measures and “\$200 Additional Fine for Speeding” Signs as Part of the Residential Traffic Administration Program (Sully District)

ISSUE:

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

RECOMMENDATION:

The County Executive recommends that the Board endorse the traffic calming plan for Misty Creek Lane (Attachment I) consisting of the following:

- One Speed Hump on Misty Creek Lane (Sully District)

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

- Folkstone Drive from West Ox Road / Lawyers Road to Fox Mill Road. (Sully District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to schedule the installation of the approved traffic calming measure as soon as possible. The County Executive also recommends that the Fairfax County Department of Transportation (FCDOT) request VDOT to schedule the installation of the approved signs as soon as possible.

TIMING:

Board action is requested on January 27, 2015.

BACKGROUND:

As part of the RTAP, roads are reviewed for traffic calming when requested by a Board member on behalf of a homeowners’ or civic association. Traffic calming employs the use of physical devices such as multi-way stop signs (MWS), speed humps, speed tables, raised pedestrian crosswalks, chokers, median islands, or traffic circles to reduce the speed of traffic on a residential street. Staff performed engineering studies

Board Agenda Item
January 27, 2015

documenting the attainment of qualifying criteria. Staff worked with the local Supervisors' office and community to determine the viability of the requested traffic

calming measures to reduce the speed of traffic. Once the plan for the road under review is approved and adopted by staff that plan is then submitted for approval to residents of the ballot area in the adjacent community. On December 8, 2014 (Misty Creek Lane), the Department of Transportation received verification from the local Supervisor's office confirming community support for the above referenced traffic calming plan.

Section 46.2-878.2 of the *Code of Virginia* permits a maximum fine of \$200, in addition to other penalties provided by law, to be levied on persons exceeding the speed limit on appropriately designated residential roadways. These residential roadways must have a posted speed limit of 35 mph or less. In addition, to determine that a speeding problem exists, staff performs an engineering review to ascertain that additional speed and volume criteria are met. Folkstone Drive from West Ox Road / Lawyers Road to Fox Mill Road (Attachment III) met the RTAP requirements for the posting of the "\$200 Additional Fine for Speeding Signs". On November 4, 2014 (Sully District) FCDOT received written verification from the appropriate local supervisor's confirming community support.

FISCAL IMPACT:

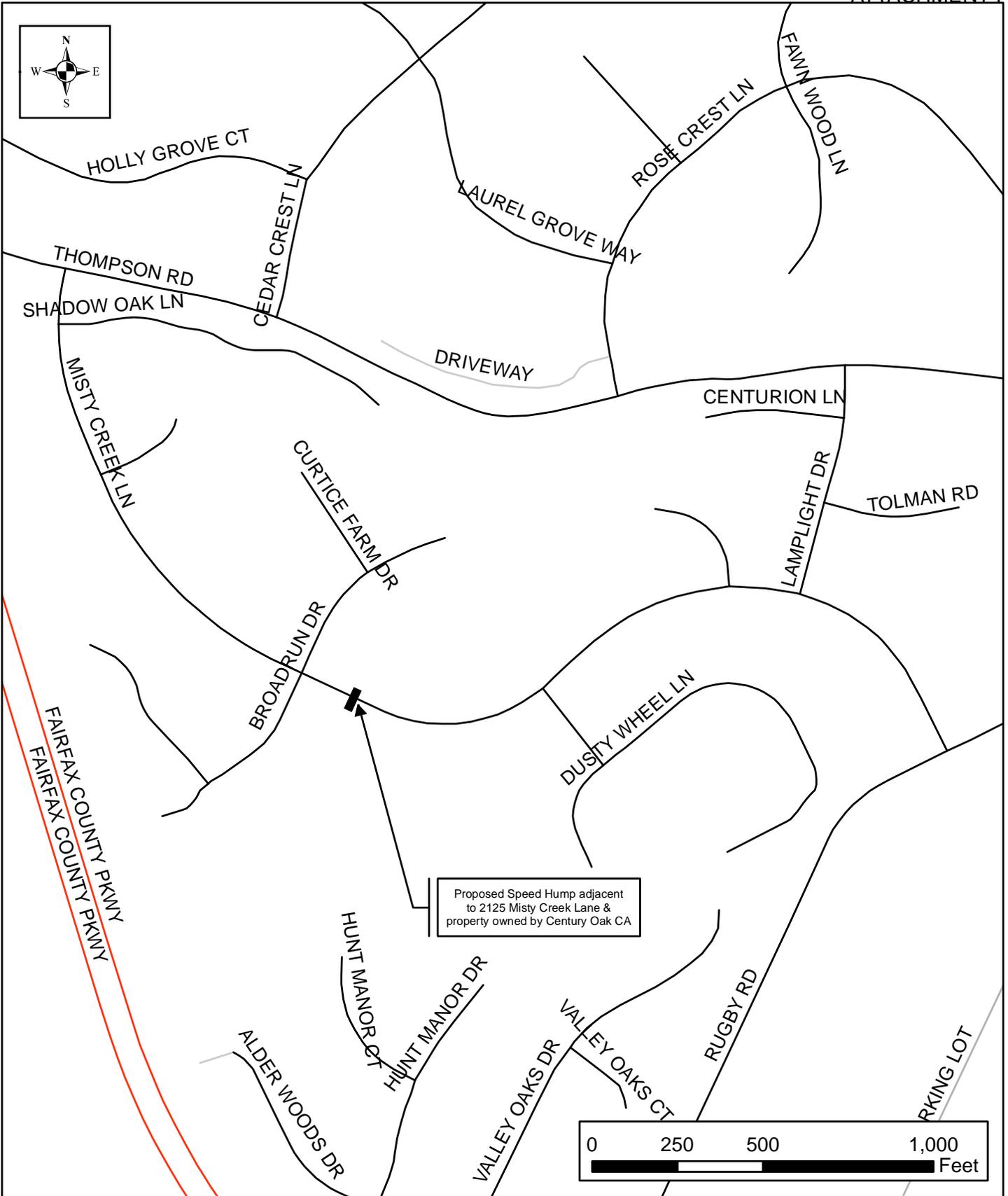
Funding in the amount of \$7,000 for the traffic calming measures associated with the Misty Creek Lane project is available in Fund100-C10001, General Fund, under Job Number 40TTCP. For the "\$200 Additional Fine for Speeding" signs an estimated cost of \$800 is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Misty Creek Lane (Sully District)
Attachment II: \$200 Additional Fine for Speeding Board Resolution (Sully District)
Attachment III: Area Map of Proposed "\$200 Additional Fine for Speeding" Signs – Folkstone Drive (Sully District)

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric M. Teitelman, Chief, Capital Projects and Operations Division, FCDOT
Neil Freschman, Chief, Traffic Operations Section, FCDOT
Steven K. Knudsen, Transportation Planner, Traffic Operations Section, FCDOT
Guy Mullinax, Transportation Planner, Traffic Operations Section, FCDOT



December, 2014

Fairfax County Department of Transportation
 Residential Traffic Administration Program (RTAP)
TRAFFIC CALMING PLAN
MISTY CREEK LANE
 Sully District



A Fairfax Co. Va., publication



Tax Map: 35-4, 45-2

RESOLUTION

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
\$200 ADDITIONAL FINE FOR SPEEDING SIGNS
FOLKSTONE DRIVE SULLY DISTRICT

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center in Fairfax, Virginia, on Tuesday, January 27, 2015 at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, Section 46.2-878.2 of the *Code of Virginia* enables the Board of Supervisors to request by resolution signs alerting motorists of enhanced penalties for speeding on residential roads; and

WHEREAS, the Fairfax County Department of Transportation has verified that a bona-fide speeding problem exists on Folkstone Drive from West Ox Road / Lawyers Road to Fox Mill Road. Such road also being identified as a Urban Collector Road; and

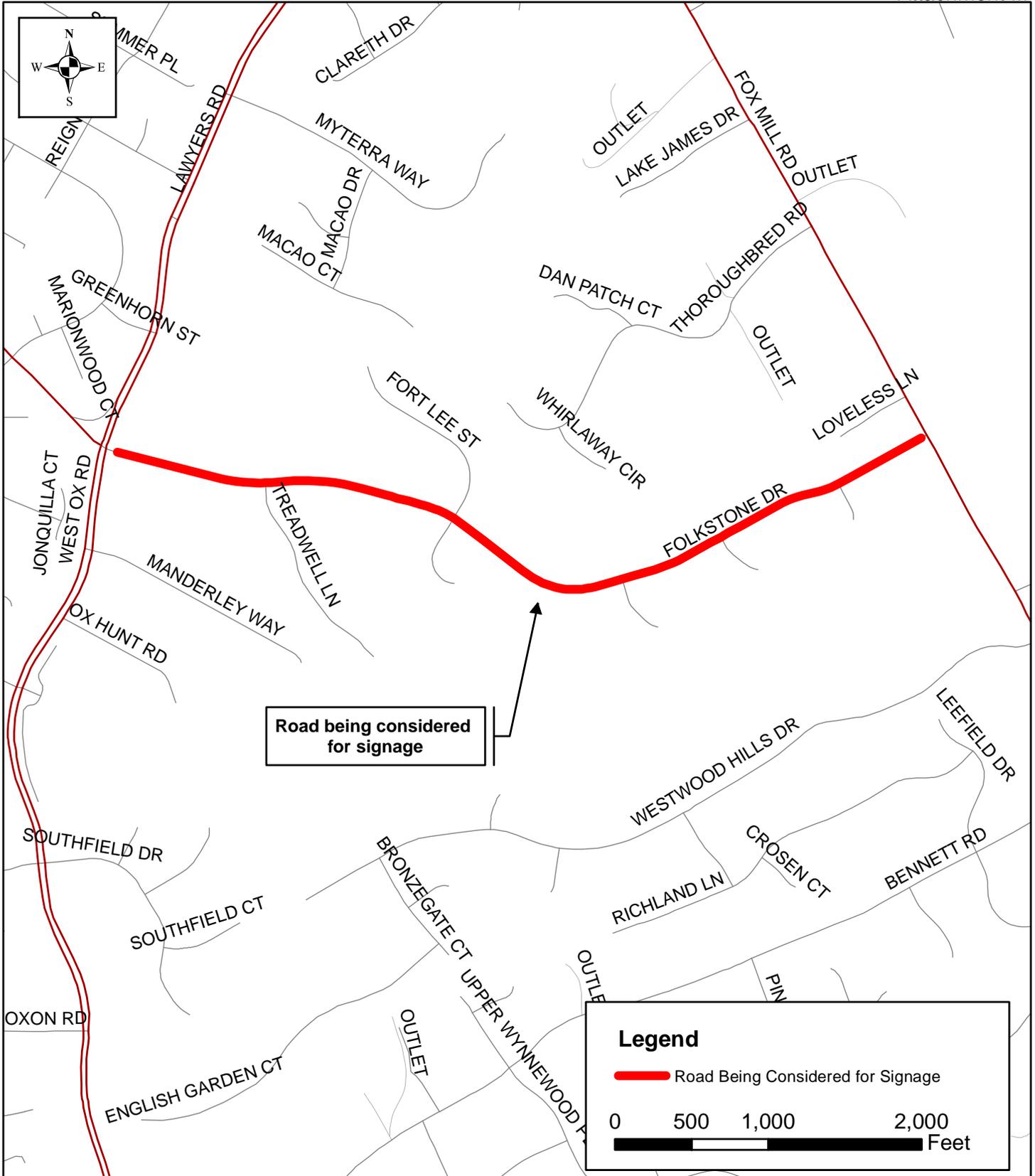
WHEREAS, community support has been verified for the installation of "\$200 Additional Fine for Speeding" signs on Folkstone Road from West Ox Road / Lawyers Road to Fox Mill Road.

NOW, THEREFORE BE IT RESOLVED that "\$200 Additional Fine for Speeding" signs are endorsed for Folkstone Drive from West Ox Road / Lawyers Road to Fox Mill Road.

AND FURTHER, the Virginia Department of Transportation is requested to allow the installation of the "\$200 Additional Fine for Speeding", and to maintain same, with the cost of each sign to be funded from the Virginia Department of Transportation's secondary road construction budget.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors



December 2014

Fairfax County Department of Transportation
Residential Traffic Administration Program (RTAP)
\$200 FINE FOR SPEEDING STUDY
FOLKSTONE DRIVE
Sully District



Board Agenda Item
January 27, 2015

ADMINISTRATIVE - 7

Discontinuance of a Portion of Route 4882 (Smallwood Court) from the Secondary System of State Highways (Sully District)

ISSUE:

Board adoption of the attached resolution requesting that a portion of Route 4882 (Smallwood Court) be discontinued from the Secondary System of State Highways (Secondary System).

RECOMMENDATION:

The County Executive recommends that the Board adopt the attached resolution requesting that the identified portion of subject roadway be discontinued from the Secondary System.

TIMING:

Routine.

BACKGROUND:

The Fairfax County Department of Transportation (FCDOT), Fairfax County Department of Public Works and Environmental Services (DPWES), and the Virginia Department of Transportation (VDOT) are requesting the discontinuance of a portion of Route 4882 (Smallwood Court).

The requested discontinuance is a prerequisite to VDOT's process of finalizing the official street acceptance package for the Developer's Default project entitled "Addition to Bailey's Property". The portion of Route 4882 (Smallwood Court) to be discontinued was constructed as part of the Poplar Tree Estates subdivision in the 1980s. At the time of construction, it was anticipated that the Smallwood Court stub would be extended and connect to future development at the adjacent property to the west (Addition to Bailey's Property). Based on the assumption of connecting to future development, VDOT accepted the street stub portion of Smallwood Court into the state secondary road system for maintenance. However, when the adjacent property was developed in 2001; Smallwood Court was not extended and a separate cul-de-sac was constructed in the new development.

Over the past several years, the County has been working with VDOT to gain final

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street acceptance of the new Smallwood Court cul-de-sac in the Addition to Bailey's subdivision, but in doing so, VDOT has required the resolution of the Smallwood Court street stub issue. VDOT determined the segment to be discontinued would never connect to the adjacent subdivision, and thus no longer qualified for state maintenance.

It is noted that adjacent property owners were informed of the option to vacate the segment but a mutual consensus between property owners to allow the vacation to proceed could not be met.

If the discontinuance request is approved, the mileage will be removed from VDOT's maintenance responsibility which assists in administering its maintenance mileage logs that are used to determine levels of State maintenance funding within Fairfax County.

Fairfax County's Maintenance and Stormwater Management Division of DPWES has agreed to continued maintenance of the subject portion of roadway (Attachment VI).

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

- Attachment I: Resolution
- Attachment II: Location Map
- Attachment III: Discontinuance Plat
- Attachment IV: Metes & Bounds Property Description
- Attachment V: Discontinuance Request Memo
- Attachment VI: Maintenance Email

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Daniel Rathbone, FCDOT
Michael A. Davis, FCDOT
Michelle Guthrie, FCDOT

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, January 27, 2015, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the Fairfax County Department of Transportation (FCDOT), Fairfax County Department of Public Works & Environmental Services (DPWES), and the Virginia Department of Transportation (VDOT) requested discontinuance of a portion of Route 4882 (Smallwood Court) to move forward with processing the official street acceptance package for the Developer Default project “Addition to Bailey’s Property; and,

WHEREAS, VDOT determined the segment to be discontinued would never connect to the adjacent subdivision, and thus no longer qualified for state maintenance, and

WHEREAS, the discontinued portion of Route 4882 (Smallwood Court) will be maintained by Fairfax County’s Maintenance and Stormwater Management Division;

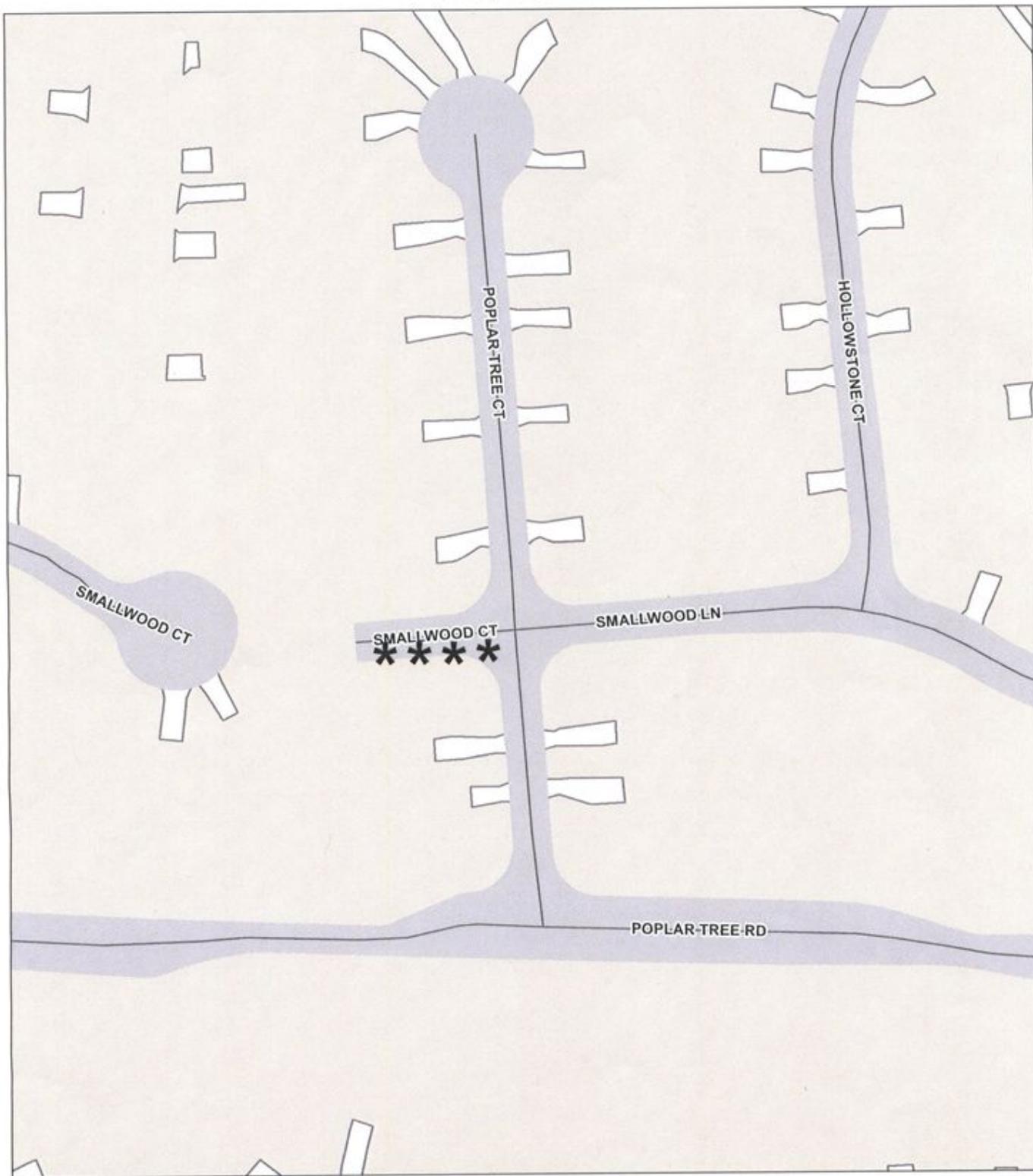
NOW THEREFORE, BE IT RESOLVED that this Board hereby requests, pursuant to Virginia Code Section 33.2-908, that the Commonwealth Transportation Board, discontinue as part of the secondary system of state highways the westerly section of Route 4882 (Smallwood Court) from Poplar Tree Road approximately 123 feet as indicated on Attachments II and III.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board

Discontinuance of a Portion of Smallwood Court (Route 4882)

Sully District



Tax Map 45-1



*** Symbol Denotes Discontinuance Request**

Attachment II

Smallwood Court Discontinuance



County of Fairfax, Virginia

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

Metes and Bounds Description of A PORTION OF SMALLWOOD COURT DISCONTINUED Sully District Fairfax County, Virginia

Beginning at an iron pipe set at the northwest corner of the parcel herein described, said iron pipe set lying on the westerly line of Parcel "E" Addition to Bailey's Property, D.B. 13036, PG. 1327 and being a corner to Lot 3 Poplar Estates, D.B. 6438, PG. 1020;

Thence departing said Parcel "E" and running with said Lot 3 N85°50'36"E 96.91' to an iron rod found and 39.27' along the arc of a curve to the left, said curve having a radius of 25.00', a central angle of 90°00'00" and a chord which bears N40°50'36"E 35.36' to an iron rod found lying of the westerly 50' right-of-way line of Poplar Tree Court, Route 7899;

Thence departing said Lot 3 and running with said 50' westerly right-of-way line of Poplar Tree Road S04°09'24"E 100.00' to an iron rod found being a corner to Lot 2-A Poplar Estates, D.B. 6702, PG. 705;

Thence departing said 50' westerly right-of-way line of Poplar Tree Court and running with said Lot 2-A 39.27' along the arc of a curve to the left, said curve having a radius of 25.00', a central angle of 90°00'00", and a chord which bears N49°09'24"W 35.36' to an iron rod found and S85°50'36"W 98.33' to an iron pipe set on the easterly line of the aforementioned Lot 9 Addition to Bailey's Property;

Thence departing said Lot 2-A and running with said Lot 9 and with the same line extended with said Parcel "E" N02°31'39"W 50.02' to the point of beginning and encompassing 6,399 square feet or 0.1469 acres of land.

All bearings are based on the Virginia VCS 1983 north zone.



Given under my hand this 8th^{day} of April, 2014



County of Fairfax, Virginia

MEMORANDUM

DATE: April 15, 2014

TO: Michelle Guthrie
Fairfax County Department of Transportation

FROM: Lawrence Popoola 
Streetlights & Developer Default Branch

SUBJECT: Discontinuance of a section of Smallwood Court.
Condition for VDOT Acceptance of Addition to Baileys Property
SAP Project No. 2G25-020-041; Plan No. 3828-SD-03; Tax Map: 45-1

In order to process the official street acceptance package for the Developer Default project called "Addition to Baileys Property" through the Virginia Department of Transportation (VDOT), a discontinuance of a section of Smallwood Court must be processed. The Land Survey Branch of the Department of Public Works and Environmental Services (DPWES) has prepared the attached plat detailing the limits of discontinuance. Please proceed to process the discontinuance. Two copies of the plat are provided for your use.

Copies of pertinent e-mails dated March 21 through April 14, 2014 are attached to provide background information. If you have any questions, please contact me at 703-324-5037.

LP/J:\CAP\Projects\Streetlight\Dev Default & Streetlight\Developer Default Projects\Addition to Baileys Property\AdditionstoBaileysDiscontinuanceMemo to FCDOT.doc

Attachments: As Stated

cc: Leo Ratchford, Chief, Streetlights & Developer Default Branch, UDCD
Vickie McIntire, County Surveyor, DPWES
Thomas Cutler, Project Manager 1, UDCD
Diana Guillen, Assistant Project Manager, UDCD

Department of Public Works and Environmental Services
Utilities Design & Construction Division
12000 Government Center Parkway, Suite 463
Fairfax, VA 22035-0056
Phone: 703-324-5111, TTY: 1-800-828-1120, Fax: 703-324-3943
www.fairfaxcounty.gov/dpwes



Guthrie, Michelle

From: Hicks, Bill
Sent: Thursday, May 15, 2014 6:29 PM
To: Guthrie, Michelle
Cc: Popoola, Larry; Weyant, Jack W.; Patteson, James W.; Schell, Bill; Bartlett, Randy
Subject: Smallwood Court

Michelle,

I understand that the County desires to remove the small segment (approximately 200 L.F.) of Smallwood Court from VDOT's secondary road program. Consequently, maintenance of this road segment will fall to MSMD. We understand and accept this obligation on behalf of the County. Please move forward.

Thanks,
-Bill

Bill Hicks, PE, CFM
Director, Maintenance and Stormwater Management Division
Department of Public Works and Environmental Services
10635 West Drive, Fairfax, Virginia 22030

Board Agenda Item
January 27, 2015

ADMINISTRATIVE – 8

Authorization to Advertise a Public Hearing for Approval of the Update to the County's Solid Waste Management Plan

ISSUE:

Board of Supervisors' authorization to advertise a Public Hearing for approval of the update of the county's Solid Waste Management Plan

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize advertisement of a public hearing.

TIMING:

Board of Supervisors' authorization to advertise on January 27, 2015, is required for a Public Hearing on March 3, 2015, at 4:00 p.m.

BACKGROUND:

Fairfax County Department of Public Works and Environmental Services (DPWES) regulates the collection, recycling and disposal of municipal solid waste from residents and businesses within the county. As such, the county is required by regulations administered by the Virginia Department of Environmental Quality to have an approved Solid Waste Management Plan that shows how the county will manage waste generated within its borders for a 20-year planning period. Plans are required to be updated every five years; the modified plan under consideration is the five-year update required to be submitted to the Virginia Department of Environmental Quality by June 24, 2015.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1 – Staff Report

Attachment 2 – Five-year Update of the Fairfax County Solid Waste Management Plan available online at: <http://www.fairfaxcounty.gov/dpwes/trashplan2015/>

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STAFF:

Robert A. Stalzer, Deputy County Executive

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

Stephen W. Aitcheson, P.E., Deputy Director, DPWES, Solid Waste Management Program (SWMP)

Pamela F. Gratton, Director, Recycling, Engineering and Environmental Compliance, SWMP

Staff Report – Update of Fairfax County 20-Year Solid Waste Management Plan

The Solid Waste Management Plan provides strategies and processes for managing solid waste for the 20-year planning period (through 2035). The Plan establishes objectives for the facilities and programs within Fairfax County to help protect public health and safety, guard the environment, and maintain the quality of life for residents of Fairfax County.

The Virginia Department of Environmental Quality requires all jurisdictions in the state to develop and implement official Solid Waste Management Plans that describe what the jurisdiction will do with waste generated within its borders for a 20-year period. State regulations require that the plan be updated every five years and the next update of the Fairfax County Solid Waste Management Plan is due to the Virginia Department of Environmental Quality in June 2015.

Fairfax County has worked most of 2014 to update its Solid Waste Management Plan. This revised plan describes an integrated strategy for the management of waste and recyclables generated by businesses and residents. The revised plan will assist and guide the development of waste reduction, reuse, recycling, collection, transfer and disposal initiatives in Fairfax County from July 2015 to July 2035. It will serve as a strategic planning tool and includes goals to help the solid waste management program achieve environmental and financial sustainability.

Regulations administered by the Virginia Department of Environmental Quality (9VAC20-130-120) require that certain elements of the plan be updated every five-years. Fairfax County worked with consultants to generate information required including population increases and waste and recycling generation estimates for the planning period. Objectives for the plan and information about how the activities will be financed were updated along with information about new waste disposal and recycling capacity in the region. Public participation is required for plan update and was accomplished through a series of meetings with residents, non-profit and community organizations and businesses. Several major themes (see below) were identified during the public participation period and were included in the updated plan:

- Increased recycling, including organic residuals, and requirements for business to recycle
- Meeting construction and demolition debris (CDD) recycling and disposal needs
- Support for the county's current approach of public-private partnerships for waste management
- A desire to locate CDD recycling and organics residuals processing facilities in the county or northern Virginia region

The updated plan provides the county with an approach to managing waste generated in the county both for now and the future. It was developed to provide flexibility for future solid waste management needs and issues as they arise. It supports waste reduction efforts as well as the environmentally-sound disposal of municipal solid waste. The plan meets the requirements of the state regulations for plan development and will satisfy and sustain the waste disposal and recycling needs for the 20-year planning period.

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ADMINISTRATIVE – 9

Streets into the Secondary System (Sully District)

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>
Faircrest Outlot B – Metro Road	Sully	Ralph Jackson Drive

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 Form

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)
Bill Hicks, Director, Land Development Services, DPWES

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>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>ENGINEERING MANAGER: Imad Salous, P.E. (Acting)</p>			
<p>BY: <u>Nasha Alphonse</u></p>			
<p>FOR OFFICIAL USE ONLY</p>			
<p>PLAN NUMBER: 5864-SP-10</p>			
<p>SUBDIVISION PLAT NAME: Faircrest Outlot B - Metro Road</p>			
<p>COUNTY MAGISTERIAL DISTRICT: Sully</p>			
<p>DATE OF VDOT INSPECTION APPROVAL: <u>09/18/2014</u></p>			
STREET NAME	LOCATION		LENGTH MILE
	FROM	TO	
Ralph Jackson Drive	CL Centreville Farms Road (Route 8285) - 1,525' NW CL Arrowhead Park Drive (Route 10099)	884' NE to Beginning of Temporary Turnaround	0.17
<p>NOTES: 5' Concrete Sidewalk on Both Sides to be maintained by VDOT.</p>			<p>TOTALS: 0.17</p>

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ADMINISTRATIVE – 10

Appointment of Members to the Fairfax-Falls Church Community Policy and Management Team

ISSUE:

In order to fulfill Virginia Code requirements, Fairfax-Falls Church Community Policy and Management Team (CPMT) Bylaws provide for two representatives of private organizations or associations of providers for children's or families' services, to be approved by the CPMT and the Board of Supervisors for terms of up to two years. Re-appointments may be made for additional consecutive terms upon approval of the CPMT and the Board of Supervisors.

RECOMMENDATION:

The County Executive recommends that the Board re-appoint Rick Leichtweis of INOVA Kellar Center in Fairfax for a term to expire on June 30, 2016, and Sandy Porteous of Phillips Programs in Annandale for a term to expire on June 30, 2015, as provider representative members of the CPMT.

TIMING:

Board action is requested on January 27, 2015.

BACKGROUND:

As required under the Virginia Comprehensive Services Act (CSA), the Fairfax County Board of Supervisors and the Fairfax and Falls Church City Councils established a joint Community Policy and Management Team and appointed original members in October 1992. Members include the Deputy County Executive for Human Services, one representative each from the Cities of Fairfax and Falls Church, The Directors of the Community Services Board, Juvenile and Domestic Relations District Court, Department of Health, Family Services, Neighborhood and Community Services, Administration for Human Services, three representatives of the Fairfax County Public Schools, one representative of the Falls Church City Public Schools, two representatives of private providers of children's and families' services, one community representative and four parent representatives.

On December 5, 2014, the CPMT nominated to the Board of Supervisors. Rick Leichtweis of INOVA Kellar Center in Fairfax and Sandy Porteous of Phillips Programs in Annandale for re-appointment as CPMT parent representatives. It is requested that

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Ms. Porteous' term expire on June 30, 2015, and Dr. Leichtweis' expire on June 30, 2016, to initiate staggered terms for provider representatives as required by the CPMT Bylaws.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1: Resume for Richard N. Leichtweis, PhD

Attachment 2: Resume for Sandra McClure Porteous

STAFF:

Patricia Harrison, Deputy County Executive

James Gillespie, Program Manager, Comprehensive Services Act

Richard N. Leichtweis, PhD
6248 Cheryl Drive
Falls Church, Virginia 22044
(703) 201 6633 - cell
Email: Rick.Lleichtweis@inova.org

EDUCATION

Doctorate of Philosophy, George Mason University,
Fairfax, Virginia

Master of Arts, Counseling Psychology, American School of Professional Psychology,
Arlington, Virginia

Master of Science, Special Education, Radford University, Radford, Virginia

Bachelor of Music Education, Shenandoah College and Conservatory of Music,
Winchester, Virginia

CERTIFICATION

Post Graduate Professional Certification, Expiration date - 2015
 Credentialed and Endorsed in Administration and Supervision, Special Education, School
 Finance, Music K-12.

**EMPLOYMENT
EXPERIENCE**

7/91 - present **Senior Director**, Inova Kellar Center/The Kellar School, Fairfax, VA

Responsibilities include the development and management of all fiscal budgetary items, strategic planning, management and leadership of all administrative functions and strategic leadership of clinical functions in concert with the Medical Director. This position provides direction and supervision to clinical programs including Partial Hospitalization, Intensive Outpatient Program, Substance Related Disorder Programs, Home Based Services, Psychological Services, and Outpatient Family Services. Develops and provides leadership to the agency leadership team and ensures appropriate supervision for agency staff is provided. The Senior Director is responsible for ensuring patient/student safety through continual performance improvement initiatives, quality assurance programs and risk management activities. Other functions include physician recruitment/relations; program development, strategic planning, marketing/referral development, community representation, and integration of programs within the Inova Health System's behavioral care management system.

Oversight of development efforts in concert with Inova Foundation Office, including grant writing, perspective gift proposals, and meetings with potential donors. Led a successful 5.5 million dollar capital campaign from 2002-2006 which led to the purchase of a 30,000 sq. ft. state of the art facility.

Responsible for the accreditation of Inova Kellar Center/The Kellar School by The Joint Commission; Commonwealth of Virginia Department of Behavioral Health and Developmental Services, Department of Social Services, Virginia Department of Education, Virginia Association of Specialized Education Facilities; and National Association of Private Schools with Exceptional Children.

Management and supervision of The Kellar School, including staff, fiscal budget, and meeting licensure requirements as outlined by the Commonwealth of Virginia Department of Education and the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Contract negotiation with third party payors and local Community Planning and Management Teams/CSA regarding services provided to local educational agencies under the Comprehensive Services Act.

Manage all grant and foundation funds to include meeting all Federal, State, Local, and agency regulatory standards.

Provides individual, family, couples and group therapy and case management to children, adolescents and adults when indicated.

4/03 – 4/05 **Senior Director**, Inova Kellar Center and Inova HealthSource,

Responsible for all-operational functions and strategic leadership of the programs and services provided to the community. This includes meeting and maintaining licensure, certification, and accreditation standards for Inova Kellar Center and Inova HealthSource. These functions are performed within the context of the policies, procedures and directives of Inova Health System, System Office, Inova Kellar Center, and Inova HealthSource to ensure the delivery of high quality, cost effective patient, client, student, treatment, education, and prevention services. In addition to the responsibilities of Inova Kellar Center, the Senior Director is responsible for the integration of programs and services into Inova Health System's operating units, Inova Fairfax Hospital for Children's overall behavioral care management system, and in the support of child and adolescent mental health, substance abuse, and educational initiatives across the system. This position is responsible for leading strategic planning initiatives for the organizations to reflect those of Inova Health System and appropriate operating units. This includes fiscal direction, medical staff relationships, external relationships, referral development, and community involvement, fundraising, research and clinical/educational excellence. The Sr. Director develops and manages health initiatives with multiple community and internal partners. The position works closely with community members, workplace health staff, human services professionals, and Inova internal directors/managers/executives of health education and health promotion program, to fulfill Inova's core community initiatives. This position ensures the ongoing training, awareness, and culture development of a integrated cultural competency system.

5/97 – 4/03 **Senior Director**, Inova Kellar Center/The Kellar School, Fairfax, VA
Director, Child Life, Educational Services, Clinical Liaison Services, Inova Fairfax Hospital for Children, Falls Church, VA. (See Above)

Management and supervision of Inova Fairfax Hospital for Children Child Life, Educational Services, and the Clinical Liaison Services. Responsibilities included strategic leadership of clinical functions, program development, consultation, physician relations, fiscal budget, system integration, and fund raising. As a member of Leadership Team of Inova Fairfax Hospital for Children was responsible for the development, implementation and supervision of the Clinical Liaison Services for pediatrics.

6/91 – 5/97 **Director**, Inova Kellar Center/The Kellar School

10/85 - 6/91 **Director, Education/Therapeutic Services**, HCA Roanoke Valley Psychiatric Center, Salem, Virginia. Department Head responsibilities include the management and supervision of the Blue Ridge Center for Education (Proprietary school, certified by the Commonwealth of Virginia Board of Education), staff, fiscal budget, and therapeutic modalities surrounding the needs of emotionally disturbed children. Coordinate with patients school systems in developing individual educational programs.

Development and evaluation of adolescent and children's programs including treatment tracks and partial hospitalization programs. Responsible for compliance with JCAHO standards and development of clinical quality outcomes for programs and services.

Management and supervision of the Blue Ridge Center for Education Day School, including staff, fiscal budget and meeting licensure requirements as outlined by the Commonwealth of Virginia Department of Education and the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Facilitate process child/adolescent process groups for children of abuse and provide primary therapy to individual patients.

6/82 - 10/85 **Department Chairperson of Special Education/Teacher**, Salem City Schools; Andrew Lewis Middle School, Salem, Virginia

Teaching responsibilities included development and implementation of therapeutic programs for emotionally disturbed students.

Supervised department members and therapeutic programming for emotionally disabled students (self-contained/resource).

Teaching responsibilities included therapeutic educational programming for emotionally disturbed students (self-contained/resource).

COMMUNITY INVOLVEMENT

Community Access Program (CAP) Grant: Executive Committee
Fairfax County Community Planning and Management Team: *Private Provider Representative* and Co-Chair (1997-Present)
Successful Children and Youth Policy Team (SCYPT) (2013 – present)
Fairfax County Utilization Management Committee (1996-Present)
Northern Virginia Regional System of Care Reform Committee (2009-present)
Fairfax County System of Care Reform Redesign Committee (2009)
Fairfax County Summit on Teen Suicide Executive Committee (2013 – present)
Fairfax County Homebound Initiative Committee (1999-2003)
Reshaping Children's Services State Initiative: *Private Provider Representative (2002-2004)*
Leland House (Fairfax County) Planning and Development Committee (2004 – 2008)
Fairfax County Gap Analysis Committee (1997-1999)
Department of Medical Assistance (DMAS) Commonwealth of Virginia:
Private Provider representative to Medicaid Funding for Foster Care and Residential Treatment Committee (1998-1999)
Grafton, Inc. Board Member (1998-2002)
Northern Virginia Aids Ministry, Board Member (2003-2009)

**PROFESSIONAL
AFFILIATIONS**

Metropolitan Consortium of Special Education Programs
Virginia Coalition of Private Providers
Northern Virginia Coalition of Private Providers, Founder, Board Member
National Association of Private Specialized Centers
National Education Association
Virginia Education Association
Virginia Association of Independent Specialized Education Facilities (VAISEF),
Executive Committee Member
Council for Exceptional Children
Phi Mu Alpha Sinfonia Fraternity

**VOLUNTEER
SERVICE**

Mental Health Association of Virginia - Board Member
Parents Anonymous – Facilitator
Food and Friends of DC

**AWARDS &
HONORS**

Inova Health System – *Legacy of Service Award (2013)*
Northern Virginia Leadership Award – Community Educational Partnership Award-Inova
Kellar Center, 2009
Inova Health System Leadership Award – *Employee Engagement Top Quartile
Performance, 2 Years Consecutively- 2009*
Inova Health System Leadership Award – *Employee Engagement 90th Percentile, 3 Years
Consecutively - 2011*
Mental Health Association of the Roanoke Valley Volunteer of the Year Award
The National Dean's List, 1979
Phi Mu Alpha Dean's List, 1979

Sandra McClure Porteous

11707 Lariat Lane
Oakton, VA 22124
703-620-0928

(office) 703-658-9054
Sandy.Porteous@
phillipsprograms.org

OBJECTIVE

To lead a strength-based agency in serving the community needs of at-risk children and families.

SUMMARY OF QUALIFICATIONS

- Experienced in implementing clinical models in support of organizational goals.
- Proven ability to inspire staff and expand services to meet community needs.
- Highly respected in the community for putting families and children first.

EXPERIENCE

PROGRAM DIRECTOR Phillips Family Partners, Phillips Programs for Children and Families, 7010 Braddock Road, Annandale, VA 22003. 1998—Present

Supervise staff of intensive home-based services program, manage budget and billing process, provide family preservation services, manage crisis intervention, develop policies and program procedures; implement decisions, policies, and procedures. Hire, train and evaluate all staff. Review case records and monitor family progress. Provide clinical and administrative supervision. Respond to referrals. Monitor compliance for licensure of programs and state human rights legislation. Write proposals in response to RFPs. Research and develop new programs and funding sources. Represent Phillips in Community Marketing.

FAMILY PRESERVATION COUNSELOR Family Partners, Phillips School for Contemporary Education, 7010 Braddock Road, Annandale, VA 22003. 1995—1997

Provided intensive home-based services for at-risk families, including: in-depth assessments of children and their families, clinical and concrete services to families, supportive counseling, and teaching techniques such as stress management, anger management, crisis stabilization. Assisted families in accessing community resources to promote self-sufficiency and improve family functioning.

FAMILY SERVICES SPECIALIST 11707 Lariat Lane, Oakton, VA 22124. 1990—1995

Provided full range of behavioral services, parent training, education, and advocacy to families in the community. Preschool through young adult. Worked as private consultant, coordinating efforts with schools, social workers, and medical specialists. disabilities

SUPERVISOR OF BEHAVIOR DEPARTMENT School for Contemporary Education, 7010 Braddock Road, Annandale, VA 22003.

Managed a four-person specialist department. Responsible for staff training, program evaluation and development, classroom and staff supervision, and crisis intervention.

BEHAVIOR SPECIALIST School for Contemporary Education, 7010 Braddock Road, Annandale, VA 22003.

Developed programs and provided administrative supervision for classes of children and adolescents with multiple disabilities. SCE is a private, nonprofit school offering special education for more than 100 pupils, ages 6-22. Performed crisis intervention and supervised IEPs and progress reports. Worked closely with parents and community service providers. Performed intakes and developmental/behavioral assessments.

CHILD DEVELOPMENT SPECIALIST InterAmerica Research Associates, Washington, D.C.

Evaluated child welfare services for migrant children and their families. Developed data collection instruments, made field visits, trained staff, and produced study of delivery systems.

HEAD TEACHER Edna A. Hill Child Development Laboratory, University of Kansas, Lawrence, Kansas.

Responsible for teacher training, working with parents, and program and curriculum development. Administered classroom of 13 developmentally delayed and typical children, ages 2-5. Oversaw practicum experience of undergraduates and advised on all classroom research.

EDUCATION AND COMMUNITY SERVICE

M. A. HUMAN DEVELOPMENT AND FAMILY LIFE/APPLIED BEHAVIOR ANALYSIS,
University of Kansas, Lawrence, Kansas

B. A. PSYCHOLOGY/ENGLISH, Denison University, Granville, Ohio

Private Provider Representative, Fairfax County Community Policy and Management Team

Private Provider Representative, Northern Virginia Regional Mental Health Planning Group

Fairfax County FAPT (Family Assessment and Planning Team) Private Provider Representative.

Co-Chair, Northern Virginia Association of Home-Based Service Providers

Member and Chair, Virginia Association of Family Preservation

NOVACO (Northern Va. Coalition of Private Providers) Representative and Chair

Fairfax County Systems of Care Reform Committee (Services Committee and Evidence Based Practices Committee)

Board Agenda Item
January 27, 2015

ADMINISTRATIVE – 11

Authorization of a Public Hearing on a Proposal to Vacate, Abandon, and Discontinue Anderson Lane (Mount Vernon District)

ISSUE:

Authorization of a public hearing on a proposal to vacate, abandon, and discontinue Anderson Lane.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing to consider the vacation and abandonment of the subject right-of-way and the discontinuance of the remaining portion of Anderson Lane.

TIMING:

The Board should take action on January 27, 2015, to provide sufficient time to advertise the public hearing for March 3, 2015, at 4:00 p.m.

BACKGROUND:

The applicant, CRP Belvoir LLC, is requesting that part of Anderson Lane be vacated per §15.2-2272(2) and abandoned per §33.2-909 of the Code of Virginia, with the residual portion discontinued per §33.2-908. The subject right-of-way and area of discontinuance are located north of Richmond Highway (U.S. Route 1) and west of and parallel to Backlick Road in Accotink. Anderson Lane is in the Virginia Department of Transportation (VDOT) State Secondary System (Route 8445).

The applicant has made the request in conjunction with new mixed-use development. Proffer 18 of PCA-2012-MV-007 requires the developer to seek the vacation and abandonment of Anderson Lane for conversion into a private street. The portion of Anderson Lane being discontinued occupies right-of-way intended for the U.S. Route 1 widening project (VDOT project #103073).

Traffic Circulation and Access

The vacation, abandonment, and discontinuance will have no long-term impact on pedestrian, transit, or vehicle circulation and access. Anderson Lane serves as a local access roadway and the proposed private street will serve the future users and

Board Agenda Item
January 27, 2015

residents of the development and of the adjacent Canterbury Estates apartments. Per the requirements of proffers 12 and 13 of PCA-2012-MV-007, the applicant is providing the necessary ingress-egress easements.

Easements

Public easement needs have been identified by the Department of Public Works and Environmental Services and Fairfax Water. Verizon, Washington Gas, and Dominion Virginia Power all identified facilities in the candidate right-of-way. The applicant has provided easement agreements agreeable to these parties, and has committed to a maintenance agreement for the residual portion of Anderson Lane that will be discontinued. No other easement needs were identified.

The proposal to vacate, abandon and discontinue this right-of-way was circulated to the following public agencies and utility companies for review: Office of the County Attorney, Department of Public Works and Environmental Services, Fairfax County Department of Transportation, Department of Planning and Zoning, Fairfax County Park Authority, Fairfax County Water Authority, Fairfax County School Board, Fire and Rescue, Virginia Department of Transportation, Dominion Virginia Power, Washington Gas Light Company, and Verizon. None of these indicate any opposition to the proposal.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Statement of Justification
Attachment II: Notice of Intent
Attachment III: Order of Abandonment
Attachment IV: Ordinance of Vacation
Attachment V: Resolution of Discontinuance
Attachment VI: Metes and Bounds Description
Attachment VII: Abandonment Plat
Attachment VIII: Vicinity Map

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Donald Stephens, FCDOT

McGuireWoods LLP
 1750 Tysons Boulevard
 Suite 1800
 Tysons Corner, VA 22102-4215
 Phone: 703.712.5000
 Fax: 703.712.5050
 www.mcguirewoods.com

Scott E. Adams
 Direct: 703.712.5461

McGUIREWOODS

sadams@mcguirewoods.com
 Direct Fax: 703.712.5278

September 12, 2012

Donald Stephens
 Fairfax County Department of Transportation
 4050 Legato Road, 4th Floor
 Fairfax County, Virginia 22033

Re: Vacation of a Portion of Anderson Lane – Route 8445

Dear Mr. Stephens:

On behalf of the owners of property adjacent to a portion of Anderson Lane – Route 8445, we are submitting this request to vacate those portions of the public street pursuant to the enclosed plats in conformance with Code of Virginia Section 15.2-2272(1). Anderson Lane was dedicated pursuant to the Deed of Dedication recorded in Deed Book 5706, at Page 1733 and Deed Book 6652, at Page 807, both among the land records of Fairfax County, Virginia (the “Land Records”).

The property adjacent to the vacated ROW includes Fairfax County tax map numbers 109-1-((01))-2, 5, 6, 8, and 9. It is anticipated that this property (with the exception of tax map #109-1-((01))-2) will be the subject of a rezoning application to develop multi-family housing. As part of the application, a new private road will be constructed to connect Route 1 and Backlick Road in the general location of Anderson Lane. Appropriate ingress and egress easements will be granted by the property owners to Fairfax County for emergency vehicle access as part of the site plan process after the development is approved. The owner of tax map # 109-1-((01))-2 has consented to the vacation by private agreement.

The plat shows Anderson Lane being vacated up to the property line with tax map parcels 109-1-((01))-0003 and 10, both of which front on Richmond Highway. Our discussions with VDOT indicated that both of these properties will be condemned in their entirety as part of a Route 1 widening. Therefore, VDOT will own all property adjacent to the proposed private street after the road widening is finalized.

Enclosed with this request, please find the following:

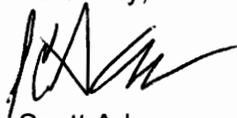
September 12, 2012

Page 2

- Eighteen (18) copies of the recordable plat entitled "RIGHT OF WAY VACATION PLAT ANDERSON LANE ROUTE #8445".
- One (1) copy of the Deed of Dedication recorded in Deed Book 5706, at Page 1733 dedicating Anderson Lane.
- One (1) copy of the Deed of Dedication and Conveyance recorded in Deed Book 6652, at Page 0807 dedicating an additional portion of Anderson Lane.
- Eighteen (18) copies of the metes and bounds description of the vacated portion of Anderson Lane.
- One (1) original and Eighteen (18) copies of the Notice of Public Hearing.
- One (1) original and Eighteen (18) copies of the Vacation Ordinance.
- Eighteen (18) copies of the Vicinity Map.
- \$200.00 Fee Check.

Please let me know if you have any questions regarding this request or if additional information is required.

Sincerely,

A handwritten signature in black ink, appearing to read 'SA', with a long horizontal flourish extending to the right.

Scott Adams

Enclosures

V41873643.1

NOTICE OF INTENT TO
VACATE, ABANDON, AND DISCONTINUE
ANDERSON LANE (Route 8445)

Mount Vernon District,
Fairfax County, Virginia

Notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will hold a public hearing on March 3, 2014, at 4:00 PM during its regular meeting in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, VA, pursuant to Virginia Code Ann. §15.2-2204, on a proposal to vacate and abandon a part of the plat of Anderson Lane, recorded in Deed Book 5706, at Page 1733 and Deed Book 6652, at Page 0807, on which is shown Anderson Lane from Tax Map Number 109-1-((01))-2 to Tax Map Number 115-2-((01))-1, a distance of 550.88 feet.

The right-of-way proposed for vacation and abandonment is located on Tax Map 109-1 and is described and shown on the metes and bounds schedule dated July 2, 2014, and plat dated April 10, 2014, prepared by Charles P. Johnson & Associates, Inc., both of which are on file in the Fairfax County Department of Transportation, 4050 Legato Road, Suite 400, Fairfax, Virginia 22033, Telephone Number (703) 877-5600.

At the same time and place, the Board of Supervisors will concurrently consider a resolution to discontinue Anderson Lane from Richmond Highway, U.S. Route 1, to the southern boundary of the area proposed for vacation and abandonment, a distance of 205.39 feet, more or less.

All persons wishing to speak on this subject may call the Office of the Clerk to the Board, (703) 324-3151, to be placed on the Speaker's List, or may appear and be heard.

MOUNT VERNON DISTRICT.

§ 15.2-2272(2), 33.2-909, 33.2-908

ORDER OF ABANDONMENT
ANDERSON LANE (Route 8445)
MOUNT VERNON DISTRICT

Fairfax County, Virginia

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held this 3rd day of March, 2015, it was duly moved and seconded that:

WHEREAS, after conducting a public hearing pursuant to notice as required by Virginia Code §33.2-909, and after giving due consideration to the historic value, if any, of such road, the Board has determined that no public necessity exists for continuance of this road as a public road, and that the safety and welfare of the public will be served best by an abandonment,

WHEREFORE, BE IT ORDERED:

That Anderson Lane, from Tax Map Number 109-1-((01))-2 to Tax Map Number 115-2-((01))-1, a distance of 550.88 feet, located on Tax Map 109-1, and described on the plat prepared by Charles P. Johnson & Associates, Inc., dated April 10, 2014, which is attached hereto and incorporated herein, be and the same is hereby abandoned as a public road pursuant to Virginia Code §33.2-909.

This abandonment is subject to any right, privilege, permit, license, or easement in favor of any public service company, utility, or other person or entity, including any political subdivision, whether located above, upon, or under the surface, either presently in use or of record, including the right to operate, maintain, replace, alter, extend, increase or decrease in size any facilities in the abandoned roadway, without any permission of the landowner(s).

A Copy Teste:

Catherine A. Chianese
Clerk to the Board

§33.2-909

ADOPTION OF AN ORDINANCE VACATING
A PART OF A PLAT ON WHICH IS SHOWN
ANDERSON LANE

Mount Vernon District,
Fairfax County, Virginia

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Governmental Center in Fairfax County, Virginia, on March 3, 2015, at which meeting a quorum was present and voting, the Board, after conducting a public hearing upon due notice given pursuant to Virginia Code Ann. §15.2-2204 and as otherwise required by law, adopted the following ordinance, to-wit:

BE IT ORDAINED by the Board of Supervisors of Fairfax County, Virginia: that Part of the Deed of Dedication, recorded in Deed Book 5706, at Page 1733 and the Deed of Dedication and Conveyance recorded in Deed Book 6652, at Page 0807, on which is shown Anderson Lane from Tax Map Number 109-1-((01))-2 to Tax Map Number 115-2-((01))-1, a distance of 550.88 feet, said part being located on Tax Map 109-1, and described and shown on the metes and bounds schedule dated July 2, 2014 and plat dated April 10, 2014, prepared by Charles P. Johnson & Associates, Inc., and attached hereto and incorporated herein, be and the same is hereby vacated, pursuant to Virginia Code Ann. § 15.2-2272(2).

This vacation is subject to any right, privilege, permit, license, easement, in favor of any public service company, utility, or other person or entity, including any political subdivision, whether located above, upon, or under the surface, either presently in use or of record, including the right to operate, maintain, replace, alter, extend, increase, or decrease in size any facilities in the vacated roadway, without any permission of the landowner.

A Copy Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

§ 15.2-2272(2)

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, March 3, 2015, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, CRP Belvoir LLC, is requesting that a residual portion of Anderson Lane (Route 8445) be discontinued per Virginia Code Ann. §33.2-908 (2014), and;

WHEREAS, the discontinuance is in conjunction with the applicant's request for a new mixed-use development which requires the vacation and abandonment of Anderson Lane for conversion into a private street, and;

WHEREAS, the portion of Anderson Lane (Route 8445) to be discontinued occupies right-of-way intended for the U.S. Route 1 widening project (VDOT project #103073), and;

WHEREAS, the applicant has provided the necessary ingress and egress easements and has committed to maintaining the remaining discontinued portion of Anderson Lane, and;

WHEREAS, the portion of Anderson Lane (Route 8445) was dedicated to the Fairfax County Board of Supervisors and recorded among the Land Records of Fairfax County, Virginia, in Deed Book 5706 and Page 1733, Deed Book 6652 and page 807, and;

WHEREAS, notice of intention to discontinue Anderson Lane (Route 8445) was given in accordance with Va. Code Ann. § 33.2-908 (2014),

NOW THEREFORE, BE IT RESOLVED that this Board hereby requests, pursuant to Virginia Code Section 33.2-908, that the Commonwealth Transportation Board, discontinue as part of the secondary system of state highways, the remaining residual portions of Anderson Lane (Route 8445) as shown on the plat dated April 10, 2014, prepared by Charles P. Johnson and Associates, Inc., and attached hereto and incorporated herein.

A Copy Teste:

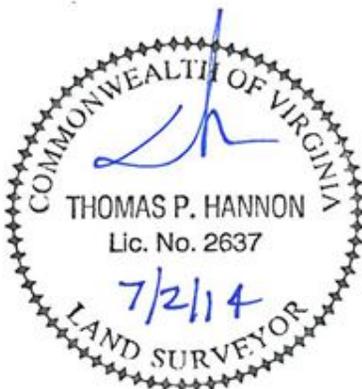
Catherine A. Chianese
Clerk to the Board of Supervisors

Description of
 A Portion of Anderson Lane
 Route #8445
 Tm# 109-1 ((01)) 2
 Mount Vernon District
 Fairfax County, Virginia

Description of a portion Anderson Lane – Route #8445 (50' right of way) being more particularly described as follows:

Beginning at a point lying on the westerly right of way line of Anderson Lane – Route #8445, said point lying northwesterly 12.09' from a southeasterly corner of the property of Canterbury Associates, LP (D.B. 9227, Pg. 560); thence leaving said point and running with a portion of said Anderson Lane

- 1.) North 06°46'12" West, 283.44 feet to a point; thence leaving said westerly right of way line of Anderson Lane and running so as to include a portion of said Anderson Lane the following three (3) courses and distances:
- 2.) North 83°13'48" East, 25.00 feet to a point; thence
- 3.) South 06°46'12" East, 283.44 feet to a point; thence
- 4.) South 83°13'48" West, 25.00 feet to the point of beginning containing 7,086 square feet or 0.16267 acres of land.

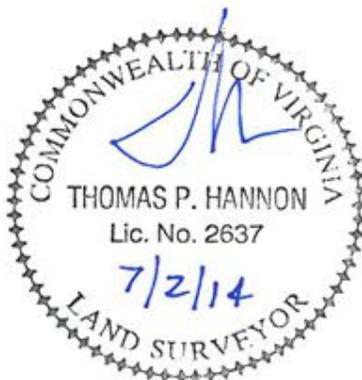


Description of
 A Portion of Anderson Lane
 Route #8445
 Tm# 109-1 ((01)) 5
 Mount Vernon District
 Fairfax County, Virginia

Description of a portion Anderson Lane – Route #8445 (50' right of way) being more particularly described as follows:

Beginning at a point lying on the westerly right of way line of Anderson Lane– Route #8445, said point marking the southeasterly corner of the property of CRP Belvoir, LLC (D.B. 23241, Pg. 683); thence leaving said corner and running with a portion of said Anderson Lane the following four (4) courses and distances:

- 1.) North 06°46'12" West, 125.58 feet to a point; thence
- 2.) 39.72 feet along the arc of the tangent curve to the left having a radius of 30.00 feet and a chord bearing and distances of North 44°41'49" West, 36.88 feet to a point; thence
- 3.) 169.35 feet along the arc of the reverse curve to the right having a radius of 55.33 feet and a chord bearing and distance of North 05°03'37" East, 110.57 feet to a point; thence
- 4.) South 68°49'08" East, 28.30 feet to a point; thence leaving said right of way line of Anderson Lane and running so as to include a portion of said Anderson Lane the following two (2) courses and distances:
- 5.) South 06°46'12" East, 249.62 feet to a point; thence
- 6.) South 83°13'48" West, 25.00 feet to the point of beginning containing 12,365 square feet or 0.28386 acres of land.

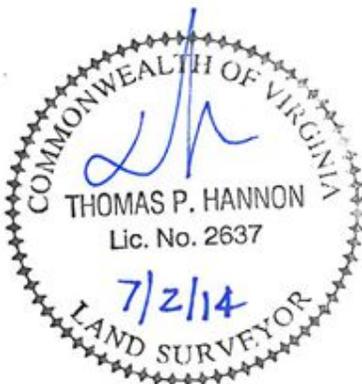


Description of
 A Portion of Anderson Lane
 Route #8445
 Tm# 109-1 ((01)) 6
 Mount Vernon District
 Fairfax County, Virginia

Description of a portion Anderson Lane – Route #8445 (50’ right of way) being more particularly described as follows:

Beginning at a point lying on the easterly right of way line of Anderson Lane – Route #8445, said point marking the northwesterly corner of the property of CRP Belvoir, LLC (D.B. 23241, Pg. 687); thence running with a portion of said Anderson Lane:

- 1.) South 06°46’12” East, 125.56 feet to a point; thence leaving said right of way line of Anderson Lane and running so as to include a portion of said Anderson Lane the following three (3) courses and distances:
- 2.) South 83°13’48” West, 25.00 feet to a point; thence
- 3.) North 06°46’12” West, 138.82 feet to a point; thence
- 4.) South 68°49’08” East, 28.30 feet to the point of beginning containing 3,304 square feet 0.07585 of land.

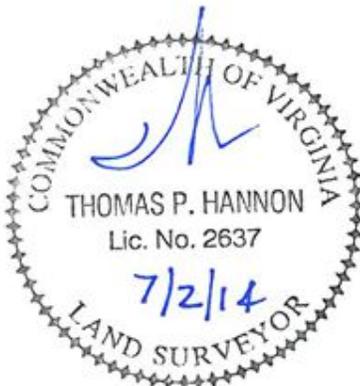


Description of
 A Portion of Anderson Lane
 Route #8445
 Tm# 109-1 ((01)) 8
 Mount Vernon District
 Fairfax County, Virginia

Description of a portion Anderson Lane – Route #8445 (50’ right of way) being more particularly described as follows:

Beginning at a point lying on the easterly right of way line of Anderson Lane – Route #8445, said point marking the northwesterly corner of the property of CRP Belvoir, LLC (D.B. 23241, Pg. 696); thence running with a portion of said Anderson Lane:

- 1.) South 06°46’12” East, 300.93 feet to a point; thence leaving said right of way line of Anderson Lane and running so as to include a portion of said Anderson Lane the following three (3) courses and distances:
- 2.) South 83°13’48” West, 25.00 feet to a point; thence
- 3.) North 06°46’12” West, 300.93 feet to a point; thence
- 4.) North 83°13’48” East, 25.00 feet to the point of beginning containing 7,523 square feet or 0.17270 acres of land.



Description of
 A Portion of Anderson Lane
 Route #8445
 Tm# 109-1 ((01)) 9
 Mount Vernon District
 Fairfax County, Virginia

Description of a portion Anderson Lane – Route #8445 (50' right of way) being more particularly described as follows:

Beginning at a point lying on the easterly right of way line of Anderson Lane – Route #8445, said point marking the northwesterly corner of the property of CRP Belvoir, LLC (D.B. 23241, Pg. 702); thence running with a portion of said Anderson Lane:

- 1.) South 06°46'12" East, 93.32 feet to a point; thence leaving said right of way line of Anderson Lane and running so as to include a portion of said Anderson Lane the following three (3) courses and distances:
- 2.) South 83°13'48" West, 25.00 feet to a point; thence
- 3.) North 06°46'12" West, 93.32 feet to a point; thence
- 4.) North 83°13'48" East, 25.00 feet to the point of beginning containing 2,333 square feet or 0.05356 acres of land.

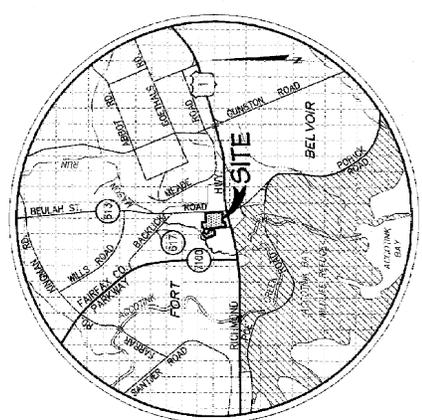
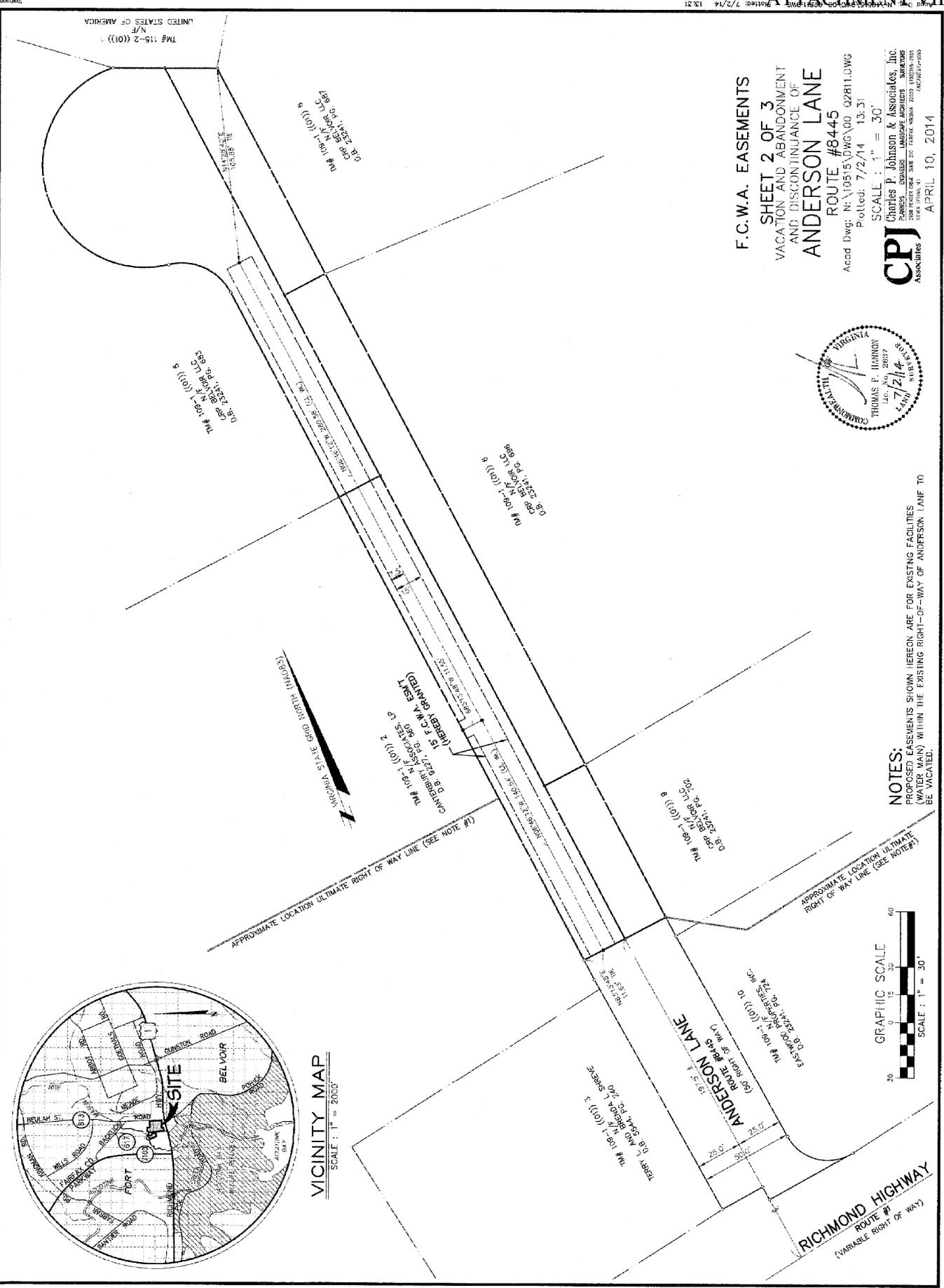
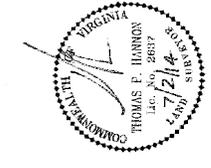


F.C.W.A. EASEMENTS
 SHEET 2 OF 3
 VACATION AND ABANDONMENT
 AND DISCONTINUANCE OF
 ANDERSON LANE

ROUTE #8445
 Accd Dwg: N:\10515\DWG.00 Q2811.DWG
 Plotted: 7/2/14 13.31
 SCALE: 1" = 30'

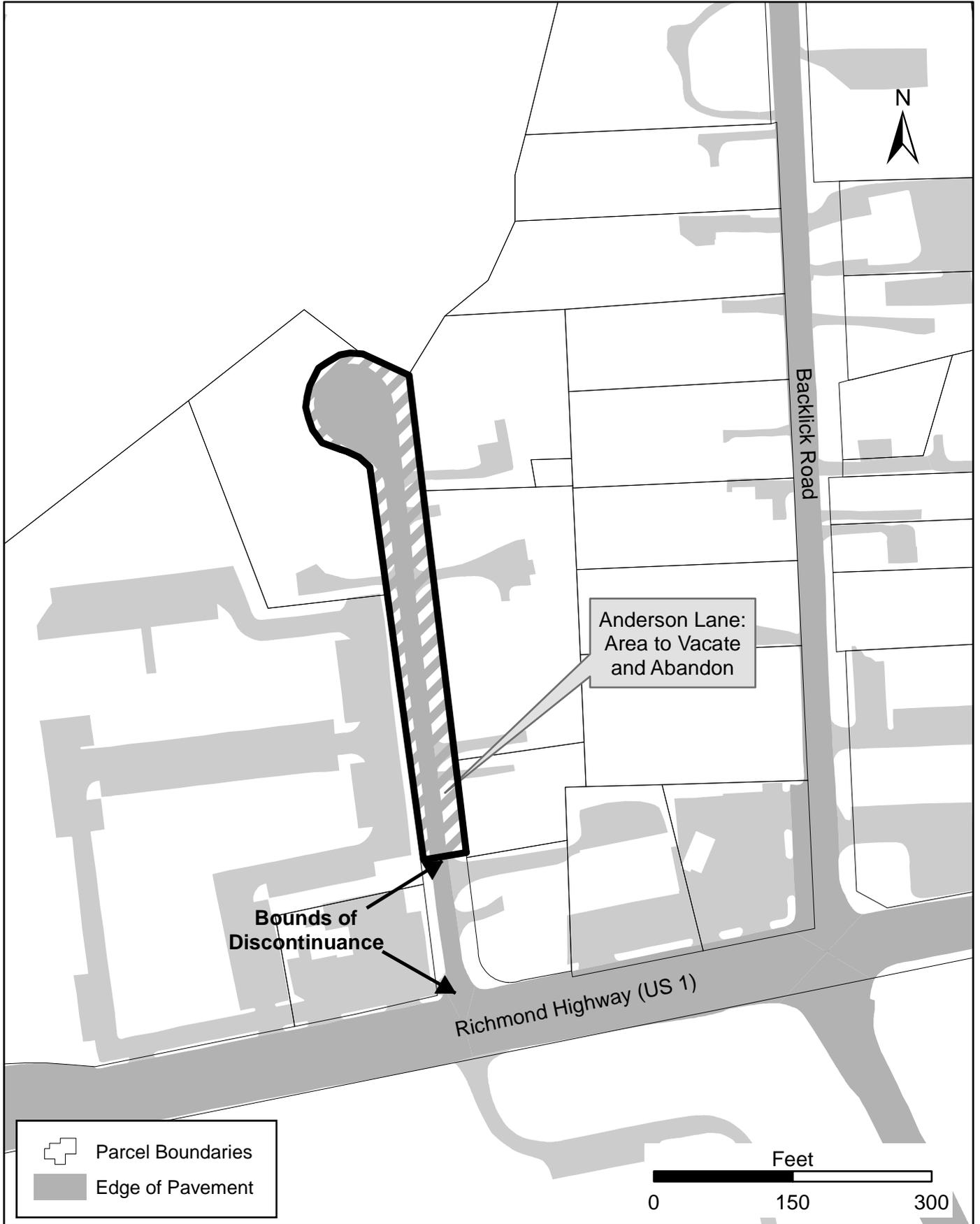
Charles P. Johnson & Associates, Inc.
 PLANNERS, ENGINEERS, LANDSCAPE ARCHITECTS, SURVEYORS
 3500 FREDERICKSBURG SUITE 200 PARK VIEWMAN 22070 (703)791-7800
 (VA) (04/10/14) (2) (2)

APRIL 10, 2014



NOTES:
 PROPOSED EASEMENTS SHOWN HEREIN ARE FOR EXISTING FACILITIES
 (UNDER MAIN) WITHIN THE EXISTING RIGHT-OF-WAY OF ANDERSON LANE TO
 BE VACATED.

Vicinity Map - Tax Map 109-1



ACTION – 1

Renewal of the Memorandum of Understanding Between the Board of Supervisors and the Southeast Fairfax Development Corporation, Inc. (Lee and Mount Vernon Districts)

ISSUE:

Renewal of the Memorandum of Understanding (MOU) between the Board of Supervisors and the Southeast Fairfax Development Corporation (SFDC) for the period of July 1, 2015, through June 30, 2019.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the attached MOU with the SFDC and authorize the County Executive to sign the MOU on behalf of the Board.

TIMING:

Routine. The current MOU expires on June 30, 2015.

BACKGROUND:

SFDC is organized as a non-profit corporation for charitable, educational and other public purposes so as to develop, implement, and support programs, projects and activities designed to stimulate, foster, coordinate, plan, improve and encourage economic development and reinvestment in the area of influence of the Richmond Highway Corridor. SFDC has been assisting revitalization efforts in the Richmond Highway Corridor and has had a MOU with the Board since 1981.

The MOU, which is subject to periodic renewal and review, outlines the goals of the SFDC and the terms and conditions for its receipt of funds from the Board. The current MOU will expire on June 30, 2015; the effective term of the proposed MOU is July 1, 2015, through June 30, 2019.

No substantial changes are proposed in the MOU, although certain editorial revisions have been incorporated. For example, the term "Board" is clarified to reduce confusion between the Board of Supervisors and SFDC's Board.

FISCAL IMPACT:

None.

Board Agenda Item
January 27, 2015

ENCLOSED DOCUMENTS:

Attachment 1: Memorandum of Understanding (MOU) between the Board of Supervisors and the Southeast Fairfax Development Corporation, Inc. with proposed markups

STAFF:

Barbara A. Byron, Director, Office of Community Revitalization (OCR)

Elizabeth A. Hagg, Deputy Director, OCR

Hyojung K. Garland, Revitalization Program Manager, OCR

MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF
SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA,
AND
THE SOUTHEAST FAIRFAX-DEVELOPMENT CORPORATION, INC.
CORPORATION, INC.
(July 1, 201~~5~~⁴ – June 30, 201~~5~~⁴)

This memorandum of Understanding (“Memorandum”) is made as of (July 1, 201~~5~~⁴) by and between the Board of Supervisors of Fairfax County, Virginia (“the “County Board””) and the Southeast Fairfax Development Corporation, Inc. a Virginia non-profit corporation (“the “SFDC””).

RECITALS

R-1 The SFDC is- a non-profit corporation for charitable, educational and other public purposes that has been established to develop, implement, and support programs, projects and activities designed to stimulate, foster, coordinate, plan, improve and encourage economic development and reinvestment in the Richmond Highway Corridor; and

R-2 The Board of Directors of the SFDC (the “SFDC Board”) is comprised of thirteen (13) voting members and has been established to oversee the operation of the SFDC. SFDC ~~Sueh~~ Board members shall have backgrounds and/or interest in revitalization; and

R-3 The members of the County Board from the Mt. Vernon and Lee Districts shall each have a right to appoint from their respective districts two (2) members to the SFDC Board ~~of Directors~~. The Mt. Vernon Council of Citizens’ Associations and the Lee District Association of Civic Organizations each shall have a right to appoint to the SFDC Board from their respective membership’s one (1) member, and the Mt. Vernon-Lee Chamber of Commerce shall have the right to appoint from its membership one (1) member. To the extent possible, these appointed members shall have backgrounds and interest in revitalization. All other members shall be selected as determined by the SFDC Board, and shall have professional backgrounds in economic development, business, marketing, planning, transportation, urban design, banking, real estate, and/or similar professions that can aid SFDC in working toward achieving its revitalization objectives; and

R-4 The SFDC is a combined effort between the resident and the business communities in the Richmond Highway area; and

R-5 The SFDC is an independent, separate, legal entity ~~from not affiliated with the~~ MMV1 County Board or the Fairfax County, Virginia government; and

R-6 The SFDC’s primary partner in Fairfax County is the Office of Community Revitalization and Reinvestment (“OCR”); additional County-funded offices and organizations such as the Departments of Planning & Zoning (“DPZ”) and Transportation (“DOT”) and the Fairfax County Economic Development Authority (“EDA”) will function as collaborative partners to effect revitalization of the Richmond Highway Corridor in accordance with the Comprehensive Plan; and,

R-7 The County Board approves of the purposes for which the SFDC was formed and desires to see that its purposes are achieved; and

R-8 The Richmond Highway Corridor between the Beltway and Fort Belvoir has a unique history and presents unique problems which require innovative solutions; and

R-9 The County Board is authorized pursuant to Va. Code Ann. § 15.2-953 (LNMB Supp. 2010) to make contributions of public funds and property to charitable organizations such as the SFDC; and

R-10 Both the County Board and the SFDC desire to establish the framework within which contributions from the County Board to the SFDC shall be accepted and utilized.

NOW THEREFORE, in consideration of the mutual agreement of the parties hereto and in return for any contributions the County Board may make to the SFDC, both the County Board and the SFDC agree as follows:

A. Marketing and Promotion

The SFDC agrees to develop and implement marketing and promotion programs aimed at improving the image and increasing public awareness of Richmond Highway as a place to do business, invest, develop, reside, shop, and enjoy its amenities, and, as a result, increase its market share.

B. Assistance to Developers and Businesses

1. The SFDC agrees to provide information and assistance within its capacity to property owners, prospects, business owners and developers seeking to build or improve properties along the Richmond Highway Corridor.
2. The SFDC agrees to coordinate with financial institutions to assist businesses and property owners to obtain capital for reinvestment and property improvements.
3. The SFDC agrees to provide guidance and assistance to parties in accessing and utilizing information and services available from Fairfax County and private sources, and to direct such parties to the applicable County staff as appropriate for further assistance, information and services.
4. The SFDC agrees to review initiatives by landowners and developers aimed at improving the appearance, character, and economic health of the Richmond Highway Corridor. Initiatives and projects deemed to be supportive of revitalization objectives may be considered by the SFDC Board for formal support.

C. Community Appearance, Planning, and Urban Design

1. Unless otherwise authorized by the County Board, the SFDC shall comply with all applicable laws and regulations of Fairfax County, the Commonwealth of Virginia, and the United States Government, including all established Fairfax County procedures for obtaining: (i) changes to the Comprehensive Plan; (ii) changes to the County Code; (iii) rezonings, special exceptions and special permit uses; and (iv) site plan reviews and permits,
2. The SFDC Executive Director, the Director of the DPZ and the Director of the Department of Public Works and Environment Services (DPWES) or their designees shall inform each other of any active projects within the SFDC program area where a

party is seeking: (i) a change to the Comprehensive Plan; (ii) a change to the County Code; (iii) approval of a rezoning, special exception and/or special permit use; or (iv) approval of a site plan or building permit. In addition, the SFDC shall invite DPZ, DOT and OCR to be a part of any vision planning and/or discussions related to changes to the Comprehensive Plan initiated by the SFDC and shall communicate with the Mt. Vernon District and Lee District Supervisors to keep them apprised of any such efforts.

3. The SFDC, the OCR, the DPZ, and other applicable County Departments shall work closely together regarding any urban design plans that the organizations should undertake, including but not limited to traffic and transportation studies, location-specific urban design plans and guidelines, and the wayfinding sign program.
4. The SFDC shall seek to improve the appearance and image of the Richmond Highway corridor through its programs and policies.
5. The SFDC shall not seek to obtain through litigation, approval for requests previously sought from, but denied by, the County Board.

D. Strategic Plan

The SFDC agrees to maintain and annually review a strategic plan, which identifies its goals, objectives, major projects, sources of funding and timelines for completion. Such work plan shall be coordinated with the Mt. Vernon and Lee District Supervisors and the OCR.

E. Tax Exempt Status

The SFDC shall comply with all requirements of the Internal Revenue Service so as to remain an approved 501 (c) (3) charitable tax exempt corporation.

F. Eligible Uses of Funds

All funds the County Board may elect to make available to the SFDC hereunder shall be for corporate operations and projects initiated and carried out by the SFDC to improve the Richmond Highway Corridor in accordance with the goals and objectives as set forth in this Memorandum of Understanding and the SFDC's Articles of Incorporation.

G. Annual Budget Preparation and Approval

The SFDC shall prepare an annual budget and submit its funding request to the County Board for approval.

H. Supplemental Funding

The SFDC shall endeavor to augment contributions made to it by the County Board through the following activities:

1. The SFDC will, in coordination with the applicable Fairfax County departments, identify, evaluate and pursue federal, state, local and private grant and loan opportunities that may be available for revitalization projects, programs, and activities.

2. The SFDC will endeavor to supplement County Board contributions by developing alternative revenue streams funded by private sector parties.

I. Reporting

The SFDC Executive Director shall submit on a monthly basis to the Mt. Vernon and Lee District Supervisors, the Director of the OCR, the Director of DPZ, and the SFDC Board a report of activities. Each year, within two months of the close of its Fiscal Year, the SFDC shall submit to the aforementioned parties an Annual Report containing financial and other information identifying and describing the accomplishments of the SFDC and the status of projects undertaken by the SFDC; such report shall be in sufficient detail and description to enable the County Board to evaluate the SFDC's effectiveness and success in achieving its goals and objectives to revitalize the Richmond Highway Corridor.

J. County Officials or Employees as Directors, Employees or Officers

No County officer, employee, member of the County Board ~~of Supervisors~~ or member of the County Board's staff shall be an officer or employee of the SFDC Board ~~of Directors~~. Members of Fairfax County boards, commissions and authorities, however, may be directors, officers, and employees of the SFDC provided they are not within the categories of prohibited persons listed above and provided that no compensation is paid by the SFDC to any such director, officer or employee.

K. Conflict

1. The terms of the State and Local Government Conflict of Interests Act ("the Conflicts Act"), Va. Code Ann. §§ 2.2-3100 – 2.2-3131, ~~as amended, 26 (LNMB Supp. 2010)~~ are incorporated herein by reference and all directors, officers, and employees of the SFDC shall comply with those terms.
2. Directors, officers, and employees of the SFDC shall file, as a condition to assuming or holding office or employment, a disclosure statement of economic interests in the Richmond Highway Revitalization District and other such information as required by law or requested by the County Board, the County Board's Designees or applicable Fairfax County agencies. The SFDC shall forward such disclosures to the Clerk of the County Board who will make the disclosures available for public inspection and also forward them to the County Board.

L. Dissolution

Upon dissolution or other termination of the SFDC, all outstanding fund balances or assets derived from Fairfax County appropriations shall be transferred to the Fairfax County government. All other fund balances and assets shall be disbursed for purposes permitted under the SFDC's Articles of Incorporation in accordance with instructions from the SFDC's Board ~~of Directors~~, all applicable laws and regulations.

M. Additional Conditions

1. The SFDC shall abide by any conditions imposed by the County Board with respect to any contribution made by the County Board to the SFDC.

2. This Memorandum shall not be abrogated, ~~c~~Changed or modified without the consent of the SFDC and the County Board.
3. This Memorandum shall not be construed to abrogate the statutory responsibility of the County Board.
4. At least as often as each four (4) years, the County Board ~~of Supervisors~~ and the SFDC shall review the Memorandum to determine whether any changes in the agreement are desired or if the Memorandum should be terminated.
5. This Memorandum shall continue to be in effect until (June 30, 2015) unless terminated by the County Board before that date.
6. SFDC shall comply with the Virginia Freedom of Information Act, Va. Code Ann. §§ 2.2-3700 – 2.2-3714, ~~as amended (LNMB Supp. 2010)~~.

N. Notice

Notices hereunder and reports and other documents to be furnished ~~to either party by the SFDC~~ in accordance with the terms herein shall be given in writing only directed to the following addresses:

1. If to the SFDC:

Southeast Fairfax Development Corporation
~~6677 8850~~ Richmond Highway, ~~Second Floor~~ ~~Suite 105~~
Alexandria, VA 223069

2. If to the County Board:

County Executive
12000 Government Center Parkway
Suite 552
Fairfax, VA 22035

And

Office of the County Attorney of Fairfax County
12000 Government Center Parkway
Suite 549
Fairfax, VA 22035
Attn: County Attorney

Every such notice shall be deemed to have been given on the date on which it is received or refused by the party to whom it is sent. Any changes of address shall be given in accordance with the terms herein, and shall not be effective until ten (10) days after the date received.

ACTION – 2

Approval of a Parking Reduction for Lake Anne Village Center (Hunter Mill District)

ISSUE:

Board of Supervisors approval of a reduction of the required parking of 18.0 percent (477 fewer parking spaces) for the proposed redevelopment of Lake Anne Village Center.

The redevelopment site consists of multiple properties generally located south of the North Shore Drive/Village Road intersection and to the north of Lake Anne more particularly identified as Tax Map Parcels 17-2 ((1)) 7, 17-2 ((7)) 6B2 and 6B3, 17-2 ((8)) 6C, 17-2 ((16)) 1A, 17-2 ((14)) (1) 2G, 17-2 ((31)) 1645, 17-2 ((31)) common elements part and a portion of Village Road to be vacated/abandoned. The existing Lake Anne Village Center retail and existing church use, which are part of this request, include Tax Map Parcels 17-2 ((31)) 1591A, 1591B, 1609B, 1600, 1611, 1612, 1613, 1625, 1641, and 1656; 17-2 ((6)) (E) 1 thru 6; 17-2 ((5)) 6D; 17-2 ((31)) (11) 11400, 11404, and 11440, Hunter Mill District.

RECOMMENDATION:

The County Executive recommends that the Board approve a parking reduction of 18.0 percent for Lake Anne Village Center pursuant to Paragraphs 4(B) and 26 of Section 11-102 of Chapter 112 (Zoning Ordinance) of *The Code of the County of Fairfax, Virginia*, based on an analysis of the parking requirements for each use on the site and the attached Parking Reduction Study, #8260-PKS-001-1.

The County Executive further recommends that the Board approve the requested reduction subject to the following conditions:

1. A minimum 1,031 parking spaces shall be provided for the West Side of the development and a minimum of 1,136 parking spaces shall be provided for the East Side of the development for a project total of 2,167 parking spaces at full build-out of the development. For purposes of these conditions, the “West Side” of the development is the area of the Lake Anne Village Center development that is west of the existing North Shore Drive, and the “East Side” is the area that is east of North Shore Drive, all as set forth more fully in #PCA-A-502.
2. At full build-out, a minimum of 388 garage parking spaces shall be maintained on the West Side of the development to serve the West Side residential dwelling units, as well as any additional garage parking spaces that are necessary to

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January 27, 2015

serve the East Side residents in accordance with proffer No. 44.J associated with #PCA-A-502. All such resident parking spaces shall be distinguished from the parking spaces available to the site's other uses and shall be separated by a physical barrier or controlled access subject to approval by the Director of the Department of Public Works and Environmental Resources (Director). The site plan shall clearly note how the residential parking spaces will be separated. No other parking spaces required to meet the parking requirements for this parking reduction shall be restricted except to meet the requirements of the Americans with Disabilities Act.

3. The uses permitted per this parking reduction are:

West Side:

- 77,960 gross floor area (GFA) of new office [Buildings A1, A2, and D1]
- 96,792 GFA of shopping center (58,213 GFA new + 38,579 GFA existing floor area) [Buildings A1, A2, D1 and Land Unit F]
- 6,500 GFA (or 100 seat) existing church use [Land Unit F]
- 12,860 GFA of existing eating establishments which include: [Land Unit F]
 - 406 table seats
 - 46 counter seats
 - 65 employees
- 267 new multi-family dwelling units (DUs) [Buildings A1, A2, and D1]

East Side

- 185 replacement affordable multi-family DUs (new)
- 465 multi-family DUs (new)
- 120 single-family attached DUs (new)

4. The Applicant shall implement the Transportation Demand Management (TDM) program and Parking Management Plan (PMP) proffered in conjunction with the approval of the Lake Anne Village Center Proffer Condition Amendment #PCA-A-502. In the event the TDM and PMP program does not achieve the parking reduction proposed with this study as determined by the monitoring and evaluation methodology approved as part of the TDM/PMP, the applicant shall provide additional parking spaces in the amount equivalent to the reduction.
5. At the time of site plan approval the Applicant shall demonstrate that based on the reduced parking rates in parking study #8260-PKS-001-1, an adequate number of parking spaces will be provided for each phase of development and that during the construction period of each phase, an adequate number of parking spaces will be provided to serve the residential and nonresidential uses, including the existing uses that are to remain.

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6. The current owners, their successors or assigns of the parcels identified as Fairfax County Tax Map Parcels 17-2 ((1)) 7, 17-2 ((7)) 6B2 and 6B3, 17-2 ((8)) 6C, 17-2 ((16)) 1A, 17-2 ((14)) (1) 2G, 17-2 ((31)) 1645, 17-2 ((31)), 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 spaces 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 or the Director shall be based on applicable requirements of the County Code and the Zoning Ordinance in effect at the time of said parking utilization study submission.
8. All parking provided shall be in accordance with 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.
9. The owners may implement and the Director may approve future modifications to the mix of non-residential uses between shopping center retail and restaurant eating establishments provided that (a) the total gross square footage of non-residential development established on the Property does not increase; and (b) a new parking generation study demonstrates to the satisfaction of the Director that the synergy among the proposed uses is comparable to the approved synergy associated with the parking reduction. The percent reduction granted by the Board must not be exceeded and a minimum of 643 shared spaces (not including the 388 spaces reserved for West Side residents, nor any spaces that may be reserved in the future to serve the East Side residents) shall be maintained onsite. Upon receipt of the modification request, the Director may also require submission of a parking utilization study if it is determined to be needed to evaluate the existing parking conditions at the time of the request.
10. Shared parking with any additional use(s) shall not be permitted without the submission of a new or amended parking study prepared in accordance with the applicable requirements of the Zoning Ordinance in effect at the time and shall be subject to the Board's approval.
11. A shared parking agreement for the West Side uses shall be executed between the Applicant and the owner(s) of the existing non-residential uses that are included in the parking reduction request, and shall be recorded in the Fairfax

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County land records in a form acceptable to the County Attorney prior to site plan approval for either Building A1 or A2, whichever comes first.

12. 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.
13. Unless an extension has been approved by the Board, the approval of this parking reduction request shall expire without notice 6 months from the date of Board approval if Condition #12 has not been satisfied.

TIMING:

Board action is requested on January 27, 2015.

BACKGROUND:

The subject parcels consist of approximately 24.3 acres including Land Units A, D, and portions of Land Units C and F, Lake Anne Village Center, which is centered on Washington Plaza at the northern end of Lake Anne, Reston. The area was designated as the Lake Anne Village Center Historic Overlay District in 1984 and designated as the Lake Anne Commercial Revitalization Area in 1998. The parcels are zoned PRC (Planned Residential Commercial) and are the subject of Proffer Condition Amendment #PCA A-502, Development Plan Amendment #CDPA A-502-07, and Planned Residential Community #PRC A-502-3.

The parking addressed in this application will serve both new and existing uses within the Lake Anne Village Center. A combination of structured and surface parking will replace the existing surface parking that serves Washington Plaza.

The redevelopment project is physically divided by a significant elevation difference as well as being bisected by existing North Shore Drive. Since these physical barriers create a challenge to shared parking across the entire project, the parking analysis and reduction request is presented in two parts identified as the West Side and the East Side.

West Side

The parking reduction request for the West Side is based on the following uses:

- 77,960 gross floor area (GFA) of new office [Buildings A1, A2, and D1]
- 96,792 GFA of shopping center (58,213 GFA new + 38,579 GFA existing floor area) [Buildings A1, A2, D1 and Land Unit F]
- 6,500 GFA (or 100 seat) existing church use [Land Unit F]
- 12,860 GFA of existing eating establishments which include: [Land Unit F]

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- 406 table seats
- 46 counter seats
- 65 employees
- 267 new multi-family dwelling units (DUs) [Buildings A1, A2, and D1]

The parking reduction request for the West Side is based on a “Shared Parking” analysis using the Urban Land Institute methodology, which demonstrates that the hourly parking accumulation characteristics justify a reduction in parking under Zoning Ordinance §11-102(4B) and that the reduction will not adversely affect the site or adjacent area. A shared parking reduction of 19.5% (249 fewer parking spaces) for a total of 1,031 parking spaces is requested to serve the West Side mix of uses where 643 spaces are shared parking spaces (non-residential and resident visitor spaces) and 388 spaces are reserved for residents.

East Side

The parking reduction request for the East Side is based on the following uses:

- 185 replacement affordable multi-family DUs (new)
- 465 multi-family DUs (new)
- 120 single-family attached DUs (new)

The justification for reducing residential parking spaces on the East Side is implementation of a Transportation Demand Management (TDM) program and Parking Management Plan (PMP), which is proffered in Proffer Condition Amendment #PCA A-502, and that includes strategies to reduce the need for parking. A TDM parking reduction of 16.7 percent (228 fewer parking spaces) for a total of 1,136 parking spaces is requested to serve the new East Side residential uses.

Pursuant to Zoning Ordinance § 11-102.26, reductions based on a TDM program must also *provide “a commitment and plan whereby the applicant shall provide additional parking spaces in an amount equivalent to the reduction should the TDM program not result in the projected reduction in parking demand.”* Pursuant to paragraph 44 of the proffers associated with #PCA-A-502, the Applicant shall be responsible for monitoring and enforcement of the proffered TDM / PMP. In the event the TDM/PMP does not achieve the desired parking reduction, the Applicant has agreed to provide the needed parking by adding parking levels to parking structure D2.

Project Total

A minimum total 2,167 spaces is proposed at full build-out to serve the East and West Sides resulting in an overall maximum site reduction of 477 parking spaces, or an 18.0 percent reduction in the code-required parking.

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Based on a review of the parking study, the mix of uses and shared parking and the presence of a proffered TDM program will support this parking reduction request. The parking study indicates that should the reduction be granted there will be no impact to parking in the surrounding areas. Therefore, staff recommends approving an overall 18.0 percent parking reduction (477 fewer spaces than the strict application of the code) subject to the conditions listed above. This recommendation reflects a coordinated review by the Department of Transportation, Department of Planning and Zoning, the Office of the County Attorney and Department of Public Works and Environmental Services.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I – Request for a Parking Reduction and a Parking Study (#8260-PKS-001-1) from Kevin R. Fellin, P.E., Wells and Associates, dated September 29, 2014 and as revised through November 5, 2014.

STAFF:

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

WELLS + ASSOCIATES
MEMORANDUM



To: Jan Leavitt, P.E., Chief
Site Code Research & Development Branch
Department of Public Works & Environmental Services

From: Kevin R. Fellin, P.E.

Re: DPA A-502-07/PCA-A-502/PRC A-502-3; Lake Anne Village Center

Subject: Parking Reduction Request (#8260-PKS-001)
3rd Submission

Date: September 29, 2014 as revised through November 5, 2014

11441 Robertson Drive
Suite 201
Manassas, VA 20109
703-365-9262
703-365-9265 FAX
www.mjwells.com

INTRODUCTION

This memorandum presents the results of a revised parking reduction analysis conducted in support of the referenced pending application(s) for a new mixed-use redevelopment (referred to as the “Lake Anne Village Center”) in Fairfax County, Virginia. The revisions herein are based on comments dated October 15, 2014 and October 30, 2014 as received from the Department of Public Works and Environmental Services (DPWES) as well as meetings held with County staff on Wednesday, October 15, 2014, Friday, October 17, 2014, and Wednesday, October 29, 2014. Responses to each comment received from DPWES are included as Attachment I.

The properties that comprise Lake Anne Village Center are located in the Hunter Mill Magisterial District on either side of North Shore Drive in the vicinity of its intersection with Village Road (see Figure 1). This area falls within the Upper Potomac Planning District of the Fairfax County Comprehensive Plan. The Lake Anne Village Center is divided into six (6) land units (see Figure 2), A through F, of which Land Units A, a portion of C, and D are proposed for redevelopment. Land Unit F includes existing non-residential uses that are included in this parking reduction request. Land Units A and C are generally located south of the North Shore Drive/Village Road intersection and to the north of Lake Anne. Land Unit D is located south of Baron Cameron Avenue, east of Village Road, and north of North Shore Drive.

The Lake Anne Village Center redevelopment site consists of multiple properties identified as 2014 Tax Map Parcels 17-2 ((1)) 7, 17-2 ((7)) 6B2 and 6B3, 17-2 ((8)) 6C, 17-2 ((16)) 1A, 17-2 ((14)) (1) 2G, 17-2 ((31)) 1645, 17-2 ((31)) common elements pt. and a portion of Village Road to be vacated/abandoned. The parcels

Transportation Consultants
INNOVATION + SOLUTIONS

C:\PROJECTS\5601-5500\5472 LAKE ANNE REDEVELOPMENT\GRAPHICS\PARING\5472 - PARKING STUDY GRAPHICS.DWG

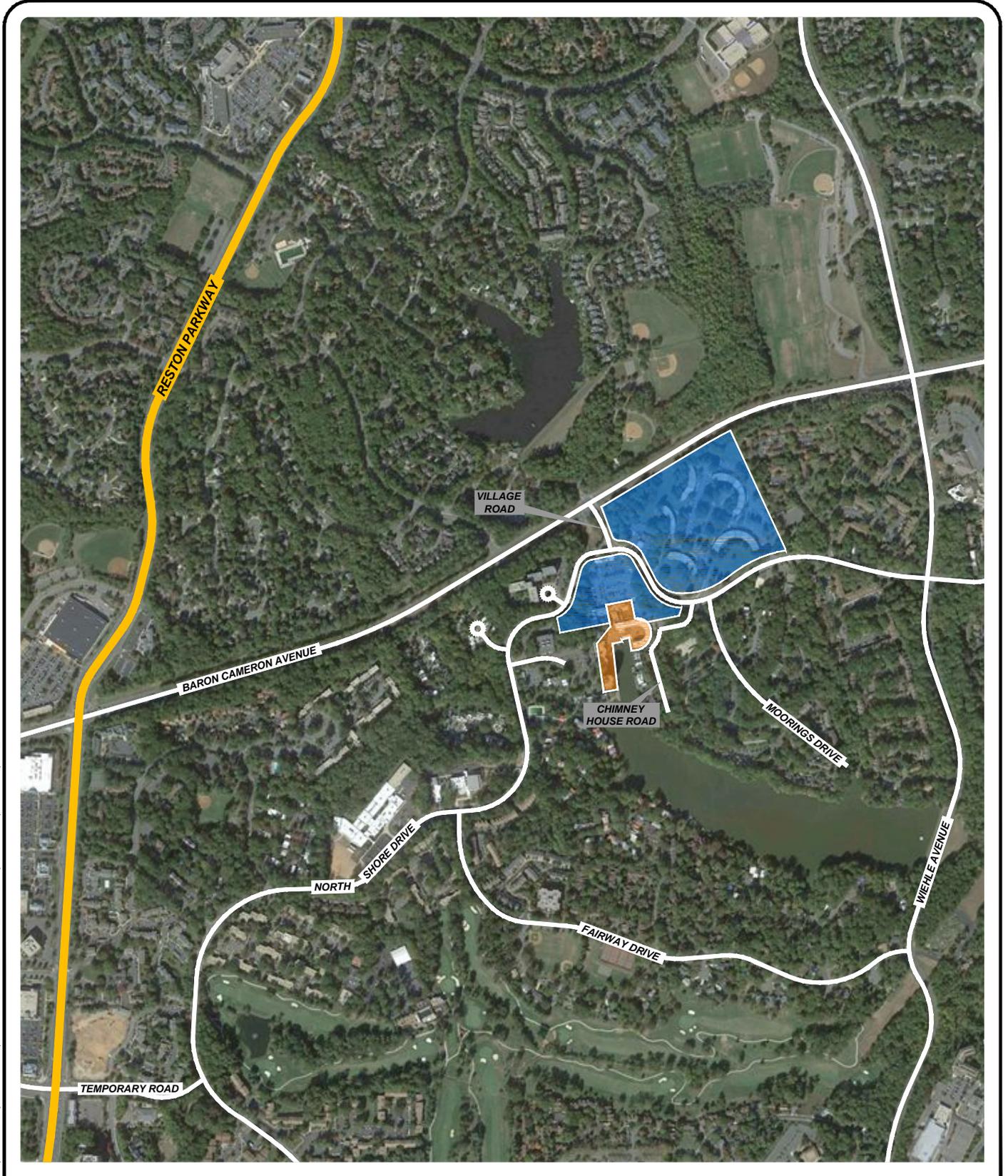


Figure 1
Site Location Map

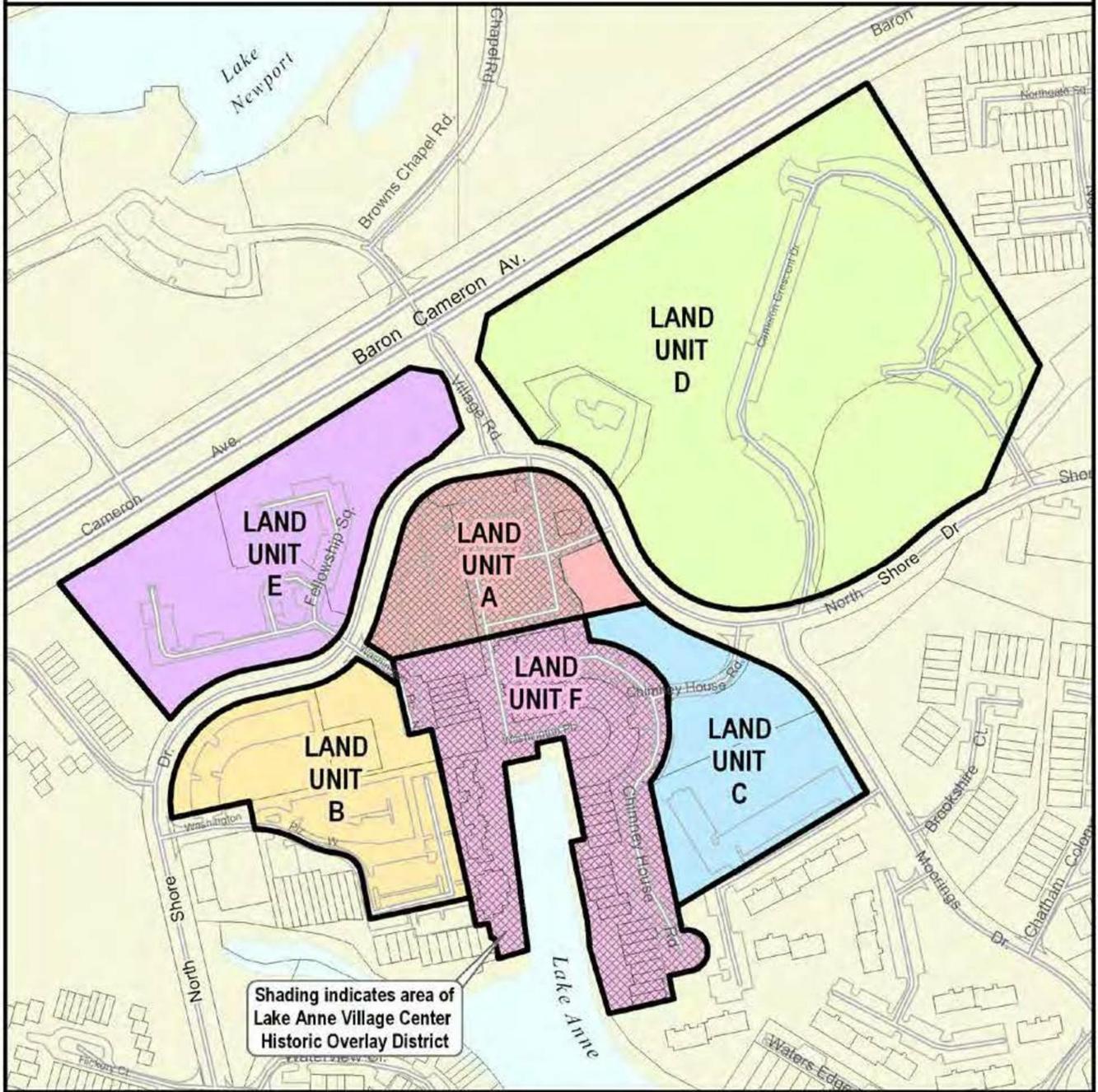
- Site Area (PRC Plan)
- Site Area (Existing Non-Residential Uses)



JCP

Lake Anne Village Center
Fairfax County, Virginia

Lake Anne Village Center Land Units and the Lake Anne Village Center Historic Overlay District



R:\PROJECTS\5472 LAKE ANNE REPUBLIC\GRAPHICS\5472 REPORT GRAPHICS.DWG

Figure 2
Existing Land Bays





total approximately 24.3 acres and are all zoned PRC (Planned Residential Commercial). The overall PRC Plan for the redevelopment area is shown on Figure 3. The existing Lake Anne Village Center retail and church use that are outside of the PRC Plan application area but included in the parking reduction request are identified as 2014 Tax Map Parcels 17-2 ((31)) 1591A, 1591B, 1609B, 1600, 1611, 1612, 1613, 1625, 1641, and 1656; 17-2 ((6)) (E) 1 thru 6; 17-2 ((5)) 6D; 17-2 ((31)) (11) 11400, 11404, and 11440.

Sources of data for this analysis include, but are not limited to, the files and library of Wells+Associates, Inc., Republic Land Development LLC, Renaissance Centro, Community Preservation Development Corporation, Hickok Cole Architects, Carvalho & Good PLLC, Grimm+Parker Architects Inc, Dewberry Consultants LLC, Walsh, Colucci, Lubeley & Walsh, P.C., Fairfax County, and the Urban Land Institute's (ULI) *Shared Parking* methodologies.

BACKGROUND

Overview. The Lake Anne Village Center was the first part of Reston to be developed and is centered on Washington Plaza, which is adjacent to Lake Anne at its northern end. The area surrounding Washington Plaza was designated as the Lake Anne Village Center Historic Overlay District in 1984 in recognition of its significance in the community as Reston's original Village Center and to ensure the preservation of this historic and architectural landmark. The Board of Supervisors designated Lake Anne as a Commercial Revitalization Area in 1998 with the intent of stimulating reinvestment in existing businesses and encouraging redevelopment as appropriate. The Village Center is divided into six land units (A through F). Land units A, a portion of C, and D would be consolidated by the proposed redevelopment plan.

The goals for the Lake Anne Village Center are to create opportunities to:

1. Foster residential, office and community-enhancing retail and entertainment uses that will provide a more vital village center environment;
2. Support the long-term economic viability of the business community; and,
3. Protect and enhance the historic and architectural quality of Washington Plaza and retain the village character of an expanded village center. The proposal prepared by the Applicant for redevelopment of the Lake Anne Village Center was selected for award based on the degree to which these goals were met.

Specific planning objectives to help achieve these goals in the Village Center include, but are not limited to the following:

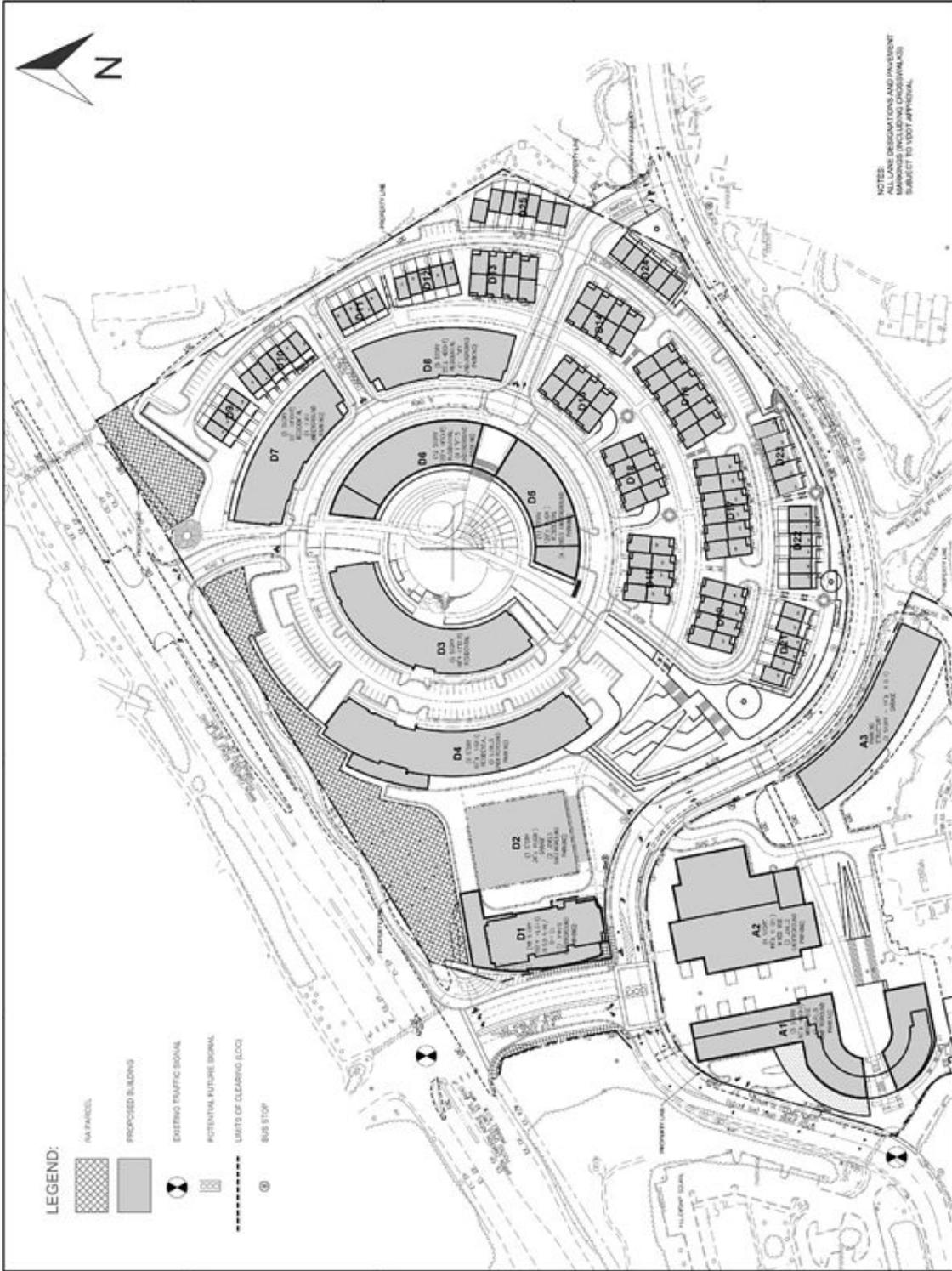


Figure 3
Overall PRC Plan





1. Promote a vibrant community where people can live, play and work;
2. Encourage development that complements rather than competes with existing development;
3. Ensure diverse housing options such as senior, workforce, affordable housing;
4. Enhance bicycle and pedestrian connections; and
5. Improve the visibility of Lake Anne Village Center and Washington Plaza from Village Road and Baron Cameron Avenue.

To those ends, the Plan's preferred approach for redevelopment of the Lake Anne Village Center is through the coordinated redevelopment of Land Units A, D and E. This would include consolidation of the Washington Plaza surface parking lot (Land Unit A); the Crescent apartment property and the gas station (Land Unit D) and the Fellowship House property (Land Unit E). In addition, parcels in Land Units B and C may be considered for inclusion in a consolidation effort.

Site Specific Land Use. The baseline Plan recommendations for Land Unit A are for a mix of uses with a neighborhood serving retail component up to a 0.25 FAR and office and residential components in addition to the retail. The Plan does provide for a redevelopment option under certain conditions if the parking area is redeveloped independently. Under this option, the total amount of development allowed is 235,000 GSF of which 85,000 GSF is non-residential uses and 150,000 GSF is residential. A second option (the "*full consolidation option*"), recommends a residential component and non-residential components including retail, civic, office and other complementary uses with a maximum development area of 315,000 square feet. Of this, 210,000 square feet would be residential and 105,000 would be non-residential.

Land Unit C. This land unit is located on the south side of North Shore Drive, immediately to the east of Washington Plaza. The baseline Plan recommendations for this Land Unit are medium and high density residential uses and community facilities as set forth on the Reston Master Plan. Like Land Unit A, Land Unit C also has a redevelopment option recommendation. The redevelopment option recommendation language for Land Unit C proposes no more than 100 multifamily dwelling units, as well as usable open space and tree preservation to the greatest extent possible.

Land Unit D. Land Unit D is located south of Baron Cameron Avenue, north of North Shore Drive and east of Village Road. The property is currently developed with the Crescent apartments (\pm 181 units) and a service station. The baseline Plan



recommendations for Land Unit D specify high and medium density residential development. The area of the gas station is considered part of the Village Center. A

redevelopment option for Land Unit D recommends no more than 902,000 square feet of development area consisting of up to 750 multifamily dwelling units and 2,000 square feet of complementary non-residential uses. In addition, a “full consolidation option” may be achieved if all of Land Units A, D and E are consolidated. The total amount of development permitted by this option is 1,126,000 GSF. The proposed redevelopment plan proposes additional non-residential density within Land Unit D, some of which would be transferred from Land Unit A which is proposed to be developed at a lower density than what is allowed.

A copy of the adopted Plan language is provided in Attachment II. It should be noted however that in order to facilitate the redevelopment as proposed by the Applicant, an out-of-turn Plan Amendment was authorized by the Board of Supervisors on September 10th, 2013. A copy of the Board’s authorization is also included in Attachment III.

The Lake Anne Village Center site is currently zoned Planned Residential Community (PRC). The PRC District regulations are designed to permit a greater amount of flexibility by removing many of the restrictions of conventional zoning. This flexibility is intended to provide an opportunity and incentive to developers to achieve excellence in physical, social and economic planning. Permitted uses generally include residential and recreational uses; however, areas may be designated as Neighborhood Convenience Centers, Village Centers, Town Centers, or Convention/Conference Centers which allow for increased retail and office uses.

The portion of the site located south of North Shore Drive is part of the Lake Anne Village Center Historic Overlay District (HOD) and as such is subject to the Lake Anne HOD Design Guidelines. The Lake Anne HOD is unique among Fairfax County Historic Overlay Districts. Instead of being a composition of landmarks which have evolved over time, Lake Anne Village Center was designed and built at one time. Thus, the standards and guidelines are concerned with preserving the as-built character of the existing structures, urban design relationships, and landscape design rather than new construction.

Adjacent Development. The site is bordered on all sides by areas zoned PRC. The neighboring parcels to the east are developed with exclusively residential uses. Parcels to the west and south are developed with a mix of uses including residential, retail, and office. To the north, the site is bordered by Baron Cameron Avenue, Brown’s Chapel Church and Baron Cameron Park. Figure 4 also displays the existing zoning designations for the surrounding parcels.

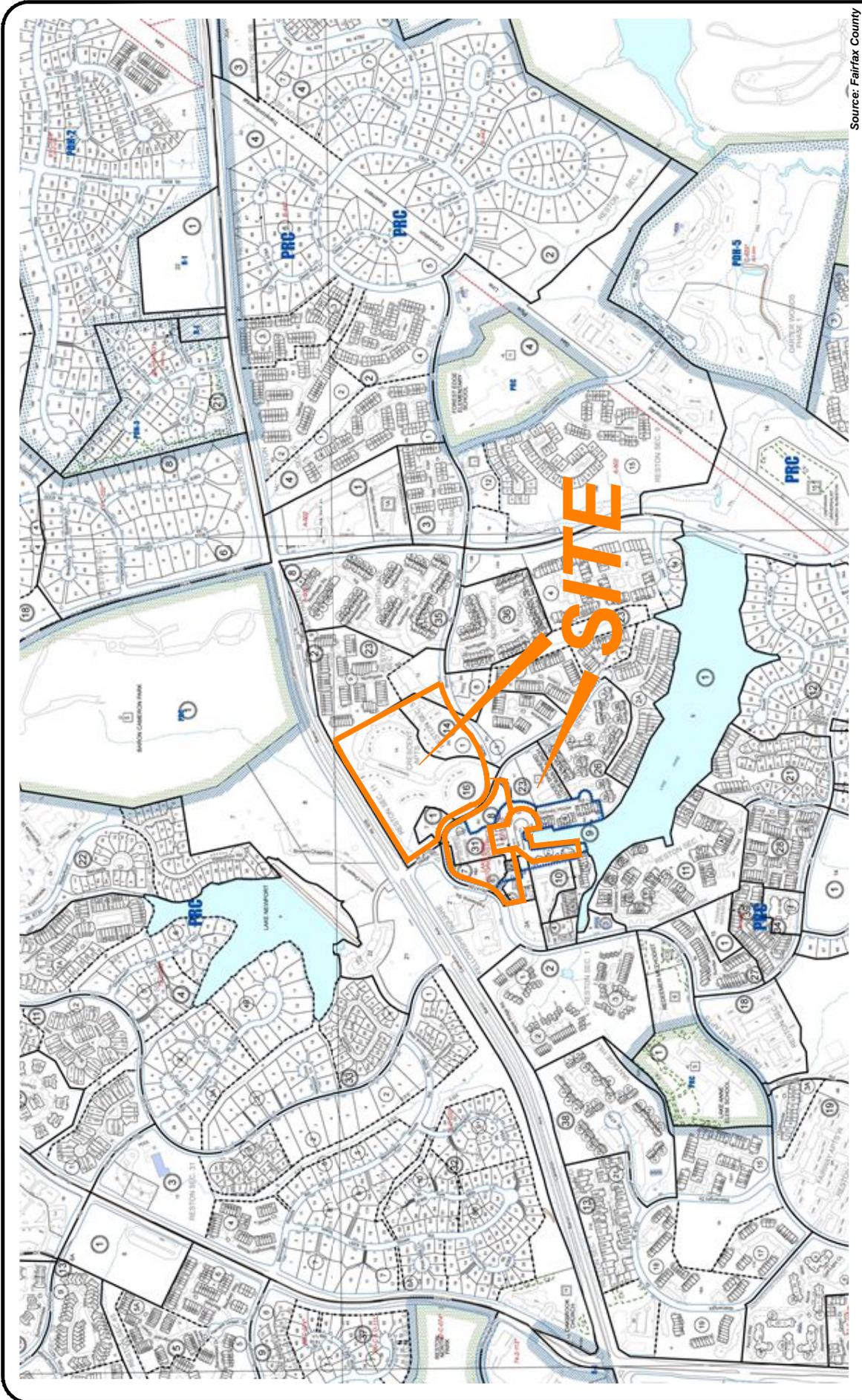


Figure 4
Existing Zoning Map



STUDY METHODOLOGY

Overview. The Applicant, Lake Anne Village Partners, LLC, proposes to redevelop the existing Crescent apartment site, as well as the Washington Plaza surface parking lot with a mix of new residential, office and/or retail uses. The proposed redevelopment meets the goals and objectives of the County's Comprehensive Plan for Lake Anne as outlined above. As reflected on the Applicant's PRC plan (see Figure 3) the existing Crescent apartments will be razed and a new mix of residential unit types will be constructed including multifamily high-rise units, age-restricted units and townhomes. In addition, the existing service station located to the east of the Crescent site will also be razed and a new vertically integrated building will be constructed to include an approximate 15,800 GSF grocery store and new office uses. On the Washington Plaza surface lot an extension to the existing plaza will be constructed along with a mix of new office/retail space and residential apartments. A full size copy of the PRC/PCA plan is provided as Attachment IV.

In order to facilitate the redevelopment of the Village Center, a parking reduction is needed. A single shared parking reduction was initially explored to encompass the entire site. Upon further review, the following key challenges precluded this option:

- The East Side area (Buildings Areas D3 through D25) which includes approximately 770 dwelling units is separated from the rest of the project by topographic challenges evidenced by a distinct difference in grade (approximately 30 feet or more from north to south). North Shore Drive also provides an additional physical boundary. These barriers inherently divide the project and create a challenge to shared parking across the entire project.
- It was deemed infeasible to conveniently serve the non-residential uses within the higher grade residential areas while at the same time securing spaces for residents to use.
- In order for the established non-residential uses to remain fiscally viable, there was a desire to separate a significant portion of the residential parking supply from the established and planned non-residential uses.

The parking reduction request presented herein, therefore includes two (2) separate parking reductions (the East and West Sides,) which are distinct due to the reasons above. Figure 5 delineates the properties that comprise each side.

The West Side. The area designated as the West Side is primarily located south of North Shore Drive; a portion of the West Side is also located north of North Shore Drive and east of Village Road. The West Side is sited at the lowest elevation within the application area and is predominately comprised of existing commercial uses.

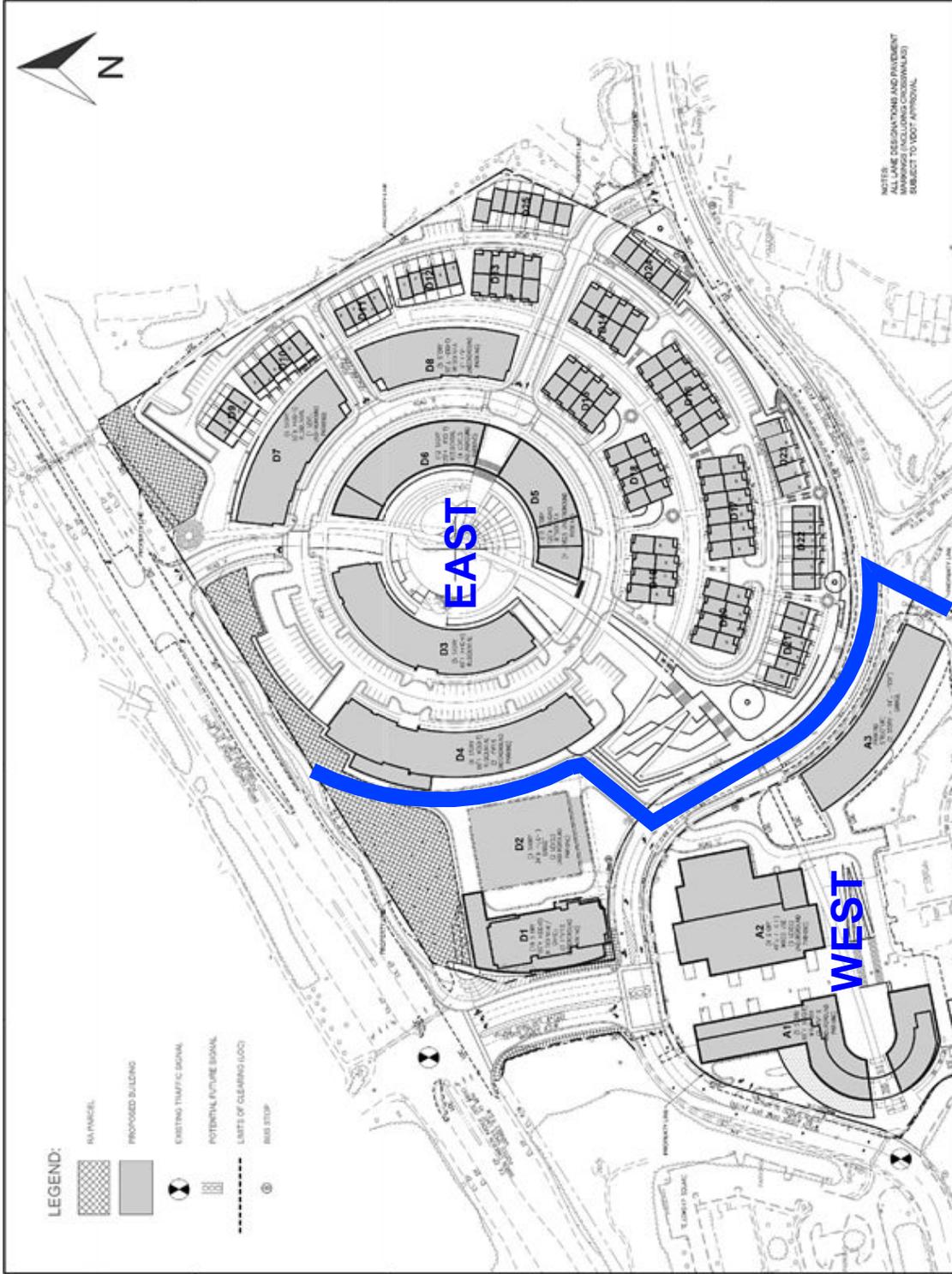


Figure 5
PRC Plan (East and West Sides)





With the redevelopment as proposed, new office and residential uses will be incorporated into the West Side as follows:

- 77,960 gross floor area (GFA) of new office [Buildings A1, A2, and D1]
- 96,792 GFA of shopping center (58,213 GFA new + 38,579 GFA existing floor area) [Buildings A1, A2, D1 and Land Unit F]
- 6,500 GFA (or 100 seat) existing church use [Land Unit F]
- 12,860 GFA of existing eating establishments which include: [Land Unit F]
 - 406 table seats
 - 46 counter seats
 - 65 employees
- 267 new multi-family dwelling units (DUs) [Buildings A1, A2, and D1]

The parking reduction request for the West Side is based on a “Shared Parking” analysis that evaluates all the commercial and residential uses proposed within new Buildings A1, A2, and D1. It also includes the existing commercial and institutional uses to remain. A **“Shared Parking” reduction of 19.5% (or 249 fewer parking spaces)** for a total of 1,031 parking spaces is requested to serve the West Side mix of uses where 643 spaces are shared parking spaces (non-residential and resident visitor spaces) and 388 spaces are reserved for residents.

The East Side. The East Side is sited at a higher elevation than the rest of the property and encompasses the Crescent apartment property. The East Side is located on the north side of North Shore Drive. With its redevelopment, the site will include a mix of residential uses as follows:

- 185 replacement affordable multi-family DUs (new)
- 465 multi-family DUs (new)
- 120 single-family attached DUs (new)

The parking reduction request for the East Side is based on a “Transportation Demand Management” parking reduction request that evaluates all the new residential uses within new Buildings D3, D4, D6, D7, D8, and new single-family detached uses (Buildings D9 through D25). A “Transportation Demand Management” parking reduction of 16.7% (228 fewer parking spaces) for a total of 1,136 parking spaces is requested to serve the new East Side residential uses.

The minimum number of parking spaces on-site, at full build out of the East and West Sides would therefore total 2,167 spaces with approval of the requested reductions resulting in an overall site reduction of 18.0% from code. The overall parking tabulation summary is presented on Table 1.

Table 1
Laker Anna Village Center
Laker Anna Parking Facilitation Summary

Area	Land Use	Land Unit-Building	Amount	Unit	Article 11 - Parking Rates	Required Spaces	U/I Shared Parking Reduction Model	Proposed Required Spaces	Percent Reduction from Article 11
WEST	Office (New)	A1	17,730	GFA	3.6 Spaces/1,000 GFA	281			
		A2	30,230	GFA					
		D1	77,890	GFA					
	Retail (New)	A1	28,543	GFA	4.0 Spaces/1,000 GFA	388	Includes all non-residential uses with residential visitors where (A2, A2, D1, D1 residential visitors) based on 0.15 Spaces/DU and UUI 2nd Ed. Shared Parking methodologies	643	
		A2	13,870	GFA					
		D1	15,800	GFA					
		F	58,213	GFA					
	Place of Worship (Existing) ⁽¹⁾	F	58,732	GFA	4.0 Spaces/1,000 GFA	25			
		F	100	Seats	1.0 Space/4 seats	25			
	Eating Establishment (Existing) ⁽¹⁾	F	408	Seats	1.0 Space/4 table seats	102			
23			Counter seats	1.0 Space/2 counter seats	11				
65			Employees	1.0 Space/2 employees	33				
Residential-Multi Family (New)	A1, A2, D1	A1	54	DU	1.6 Spaces/DU - 1.45 Spaces/DU = 389 resident spaces - 0.15 Spaces/DU = 40 visitor spaces Total - Article 11 Requirement	528	1.45 Spaces/DU (excludes visitors per above)	389	
		A2	48	DU					
		D1	185	DU					
		D1	287	DU					
		D1	287	DU					
Total			1,280				1,031	19.5% (249) Spaces	
									Surplus(Shortfall)
									50 Spaces
									1,081
									Proposed Parking Supply
									Proposed Required Spaces
									TDM Parking Reduction Rates
									Required Spaces
									Proposed Required Spaces
									250
									419
									209
									258
									20.4%
									16.7%
									1,136
									1,141
									5 Spaces
									Surplus(Shortfall)

Area	Land Use	Land Unit-Building	Amount	Unit	Article 11 - Parking Rates	Required Spaces	U/I Shared Parking Reduction Model	Proposed Required Spaces	Percent Reduction from Article 11
EAST + WEST	Office (New)	A1	17,730	GFA	3.6 Spaces/1,000 GFA	281			
		A2	30,230	GFA					
		D1	77,890	GFA					
	Retail (New)	A1	28,543	GFA	4.0 Spaces/1,000 GFA	388	Includes all non-residential uses with residential visitors where (A2, A2, D1, D1 residential visitors) based on 0.15 Spaces/DU and UUI 2nd Ed. Shared Parking methodologies	643	
		A2	13,870	GFA					
		D1	15,800	GFA					
		F	58,213	GFA					
	Place of Worship (Existing) ⁽¹⁾	F	58,732	GFA	4.0 Spaces/1,000 GFA	25			
		F	100	Seats	1.0 Space/4 seats	25			
	Eating Establishment (Existing) ⁽¹⁾	F	408	Seats	1.0 Space/4 table seats	102			
23			Counter seats	1.0 Space/2 counter seats	11				
65			Employees	1.0 Space/2 employees	33				
Residential-Multi Family (New)	A1, A2, D1	A1	54	DU	1.6 Spaces/DU - 1.45 Spaces/DU = 389 resident spaces - 0.15 Spaces/DU = 40 visitor spaces Total	2,644	1.45 Spaces/DU (excludes visitors per above)	2,167	
		A2	48	DU					
		D1	185	DU					
		D1	287	DU					
		D1	287	DU					
Total			1,037				2,167	18.0% (477) Spaces	
									55 Space
									2,222
									Proposed Parking Supply with TDM Red.
									Proposed Required Spaces
									TDM Parking Reduction Rates
									Required Spaces
									Proposed Required Spaces
									250
									419
									209
									258
									20.4%
									16.7%
									1,136
									1,141
									5 Spaces
									Surplus(Shortfall)

Note (1): Total Existing Non-Residential Uses (As Provided by the Applicant) = 57,939 GFA (51,439 GFA retail/restaurants + 6,500 GFA Place of Worship = 57,939 GFA), comprised of:
- 35,579 GFA of Shopping Center Retail (51,439 GFA - 12,860 GFA = 38,579 GFA)
- 6,500 GFA of existing church spaces with 100 seats per FX Co street files.
- 6,500 GFA of existing non-residential area (61,439 GFA x 25% = 12,860 GFA) is an eating establishment.
Note (2): Need to show provision for 173 spaces if TDM not successful (2,395 - 2,222 = 173)



PART I – SHARED PARKING ANALYSIS (WEST SIDE)

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 (square feet of shopping center space, for example). 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. Off-street parking may serve two or more uses; however, in such case, the total number of spaces must equal the sum of the spaces required for each separate use except that the Board [of Supervisors] may reduce the total number of parking spaces required to serve two or more uses by reason of the hourly parking accumulation characteristics of such uses (Section 11-102.4.B). A copy of the relevant Ordinance text is provided herein as Attachment V.

Article 11, Sections 11-103 and 11-104 of the Ordinance outlines the parking requirements for the following types of uses found in the West Side:

- Office: "50,000 square feet of gross floor area or less: Three and six-tenths (3.6) spaces per 1000 square feet of gross floor area"
- Shopping Center: "Greater than 100,000 but equal to or less than 400,000 square feet of gross floor area: Four (4) spaces per 1000 square feet of gross floor area"
- Eating Establishments: "One (1) space per four (4) seats plus one (1) space per two (2) employees where seating is at tables, and/or one (1) space per two (2) seats plus one (1) space per two (2) employees where seating is at a counter"
- Place of Worship "One (1) space per four (4) seats in the principal place of worship"
- Dwelling, Multiple Family: "One and six-tenths (1.6) spaces per unit"

Build out of the West Side of the Lake Anne Village Center would consist of the following non-residential and residential mix of uses:



- 77,960 GFA of office space (new) [Buildings A1, A2, and D1]
- 96,792 GFA of shopping center retail (58,213 GFA new + 38,579 GFA existing) [Buildings A1, A2, D1 and Land Unit F]
- 6,500 GFA of place of worship space (existing), served by: [Land Unit F]
 - 100 seats
- 12,860 GFA of eating establishment space (existing), served by: [Land Unit F]
 - 406 table seats
 - 46 counter seats
 - 65 employees
- 267 multi-family dwelling units (DUs) (new) [A1, A2, and D1]

As stated above and reflected on Table 2, based on a strict application of the Zoning Ordinance, a total of 1,280 parking spaces would be required to accommodate the parking demand associated with full build out of the proposed West Side mix of uses.

Shared Parking Concept

The Urban Land Institute (ULI) publication [Shared Parking](#), 2nd edition has established a model and methodology for determining parking demand for various types of development. This methodology is especially useful in cases such as for the Lake Anne Village Center, where a single parking space may be used for office, shopping center uses, place of worship, eating establishments, and visitors to the on-site (west side) residents. Because each land use within a development may experience a peak parking demand at different times of day, or different months of the year, relative to the other land uses on-site, the actual peak parking demand of the subject development may be less than if the peak parking demand of each land use was considered separately. For example, a sit-down restaurant (a.k.a. an eating establishment) tends to experience peak parking demand during the evening hours, while shopping center and office uses experience peak demand just after the noon hour. Residential visitors, in general, experience peak parking demands in the late evening hours while a place of worship typically peaks on a Sunday.

Shared Parking Analysis: Fairfax County Parking Requirements

The Fairfax County Zoning Ordinance, Article 11-102(4), provides an opportunity for approval of a parking reduction due to “shared parking” resulting from different peak hours for uses comprising a mixed-use scenario. According to data compiled by

Table 2
 Lake Anne Village Center
 WEST SIDE - Fairfax County Ordinance Parking Requirement Summary with ULI Inputs for Shared Parking (2) (3) (4) (5) (6) (7)

Area	Land Use	Land Unit-Building	Amount	Unit	Article 11 - Parking Rates	Article 11 - Required Spaces	ULI Inputs for Shared Parking Customer/ Visitor	Employee
WEST	Office (New)	A1	17,730		3.6 Spaces/1,000 GFA	281	21	260
		A2	30,230					
		D1	30,000	GFA				
				77,960				
	Retail (New)	A1	28,543		4.0 Spaces/1,000 GFA	388	313	75
		A2	13,870					
		D1	15,800	GFA				
		F	58,213	GFA				
			38,579	GFA				
			96,792	GFA				
Place of Worship (Existing) (1)	F	6,500	GFA	1.0 Space/4 seats	25	20	5	
Eating Establishment (Existing) (1)	F	Seats	100		1.0 Space/4 table seats 1.0 Space/2 counter seats 1.0 Space/2 employees	102	102	
		Seats	46					
		Employees	65					
Residential-Multi Family (New)	A1	DU	54		1.6 Spaces/DU - 1.45 Spaces/DU = 388 resident spaces - 0.15 Spaces/DU = 40 visitor spaces	428	40	
		DU	48					
		DU	165					
		DU	267					
Fairfax County Code Requirement						1,280		

Note(s):
 (1) Total Existing Non-Residential Uses (As Provided by the Applicant) = 57,939 GFA (51,439 GFA retail/restaurants + 6,500 GFA Place of Worship = 57,939 GFA), comprised of:
 - 38,579 GFA of Shopping Center Retail (51,439 GFA - 12,860 GFA = 38,579 GFA)
 - 12,860 GFA of eating establishment (non-fast food) assuming 25% of total existing non-residential area (51,439 GFA x 25% = 12,860 GFA) is an eating establishment.
 - 6,500 GFA of existing church space with 100 seats per FX Co street files.
 (2) GFA = Gross Floor Area
 (3) DU = Dwelling Unit
 (4) Parking rates based on the Fairfax County Zoning Ordinance (Article 11) minimum parking requirements.
 (5) ULI input breakdown for "Customer/Visitor" and "Employee" for office, retail, and residential based on the Urban Land Institute (ULI) publication Shared Parking, 2nd Edition.
 (6) ULI input breakdown for "Customer/Visitor" and "Employee" for eating establishment based on the County's ordinance breakdown between seats (customers) and employees.
 (7) ULI input breakdown for "Customer/Visitor" and "Employee" for Place of Worship was based on an assumption that 80% of church required spaces are for visitors and 20% for employees.





ULI, the peak parking demand associated with office, shopping centers, eating establishments/restaurants, places of worship, and residential visitors typically occurs at different times. Therefore, a shared parking scenario can be applied to the proposed uses due to variations in the hours of peak parking demand.

Paragraph 4 of the Zoning Ordinance states in part that:

“Required off-street parking spaces may be provided cooperatively for two or more uses, subject to arrangements that will assure the permanent availability of such spaces to the satisfaction of the Director.

The amount of such combined space shall equal the sum of the amounts required for the separate uses, except... (b) that the Board may reduce the total number of parking spaces required by strict application of said requirements when it can be determined that the same spaces may adequately serve two or more uses by reason of the hours of operation of such uses.”

ULI provides base weekday and weekend hourly parking accumulations for individual land uses for the purpose of establishing a base peak parking demand. For

purposes of this study, the Fairfax County parking rates were applied to the ULI parking model to be consistent with County parking requirements. As Table 2 indicates, when each land use is considered separately, a maximum of 1,280 parking spaces are required for full build out of the West Side.

The ULI model applies various hourly, monthly and weekday/weekend adjustment factors to the parking demands of each land use. For informational purposes, these adjustment factor tables are provided in Attachment VI. Based on the monthly and weekday adjustment calculations, the model establishes a peak demand hour and month during which the proposed new development’s parking requirements would be at their highest.

Residential Visitors. Due to the complimentary peak demand for residential visitor spaces (late evening and weekends) as compared to the non-residential uses (mid-weekday), the residential visitor spaces were incorporated into the shared parking model. The County minimum parking requirement for multifamily DUs is 1.6 spaces per DU or 428 spaces for the proposed 267 DUs within the West Side area. According to ULI, the total residential visitor parking demand is 0.15 spaces per DU or 40 spaces for the proposed 267 DUs. This would provide the remaining 1.45 spaces per DU (out of 1.6 spaces per DU) to be allocated to on-site residents. Therefore, approximately 40 residential visitor parking spaces ($0.15 \times 267 = 40$) and 388 resident spaces ($1.45 \times 267 = 388$) would be required, absent any reductions. In



the interest of separating the residential visitor spaces from the resident spaces, the residential visitor spaces were incorporated into the shared parking model while the resident spaces were restricted to residents only. At the time of site plan submission, details will be provided on how the West Side resident parking areas will be segregated from the shared parking spaces within respective West Side parking garages.

Captive Market (or Synergy). Certain land use relationships, specifically in mixed-use projects, produce greater reductions in parking demand, exceeding those accounted for by virtue of complementary hours of peak demand as outlined above. According to ULI, there are two major types of “market synergy” possible in mixed-use developments:

1. On-site market support (i.e., office employees and on-site/nearby residential uses who would utilize shopping center uses in the development)
2. Improved market image and penetration (associated with the unique or prestigious environment of the development)

Shopping center. The reduction of shopping center trips would be primarily associated with shopping center patrons that originate from the total planned 1,037 on-site residential dwelling units that will be subject to extensive Transportation Demand Management (TDM) proffered programs to reduce trips and manage parking. Additional shopping center trip reductions would also be associated with other nearby residential uses, on-site restaurant/eating establishment uses, and the planned office uses.

Restaurants/Eating Establishments. The reduction in restaurant/ eating establishment trips would be primarily associated with the customers captured from the nearby office, shopping center retail, and residential uses. According to the 2005 Development-Related Ridership Survey prepared for the Washington Metropolitan Area Transit Authority (WMATA), the average captive market for patrons arriving to retail sites based solely on walking/bicycle trips was up to 27% (see Attachment VII). Based on the areawide residential uses (existing/ proposed) and the proposed on-site office development; a captive market adjustment was limited to 15% in the ULI model for the shopping center retail and eating establishment uses.

Non-Auto Mode-Adjustment (or TDM). A Transportation Demand Management (TDM) program would provide additional reduction opportunities for the office, retail, and restaurant employees and well as residents and their visitors. A TDM program would decrease reliance on the personal automobile, which would reduce the number of parking spaces a project would need to supply. This is typically achieved by encouraging the use of transit, ridesharing, bicycling, and walking. TDM



is a general term for strategies that result in more efficient use of transportation resources. There are many different TDM strategies with a variety of impacts. Some improve the transportation options available to consumers, while others provide an incentive to choose more efficient travel patterns. Some reduce the need for physical travel through mobility substitutes or more efficient land use. TDM strategies can change travel timing, route, destination, or mode. The draft TDM proffers for the project have been coordinated with FCDOT staff to establish a peak hour trip reduction goal of 25% (see Attachment VIII).

According to the ULI 2nd Edition *Shared Parking* methodologies, parking demand factors should be adjusted to reflect the modes of transportation used. For projects in areas where transit may be used by patrons, the adjustment for mode adjustment may be significant. Based on draft proffered TDM commitments, the shared parking model incorporated an appropriate mode adjustment of 25% for only those employees serving the non-residential uses (office, retail, and restaurants). It should be noted however that the parking reduction request for the West Side is not based on a transportation demand management program, but on complementary hour of demand (shared parking).

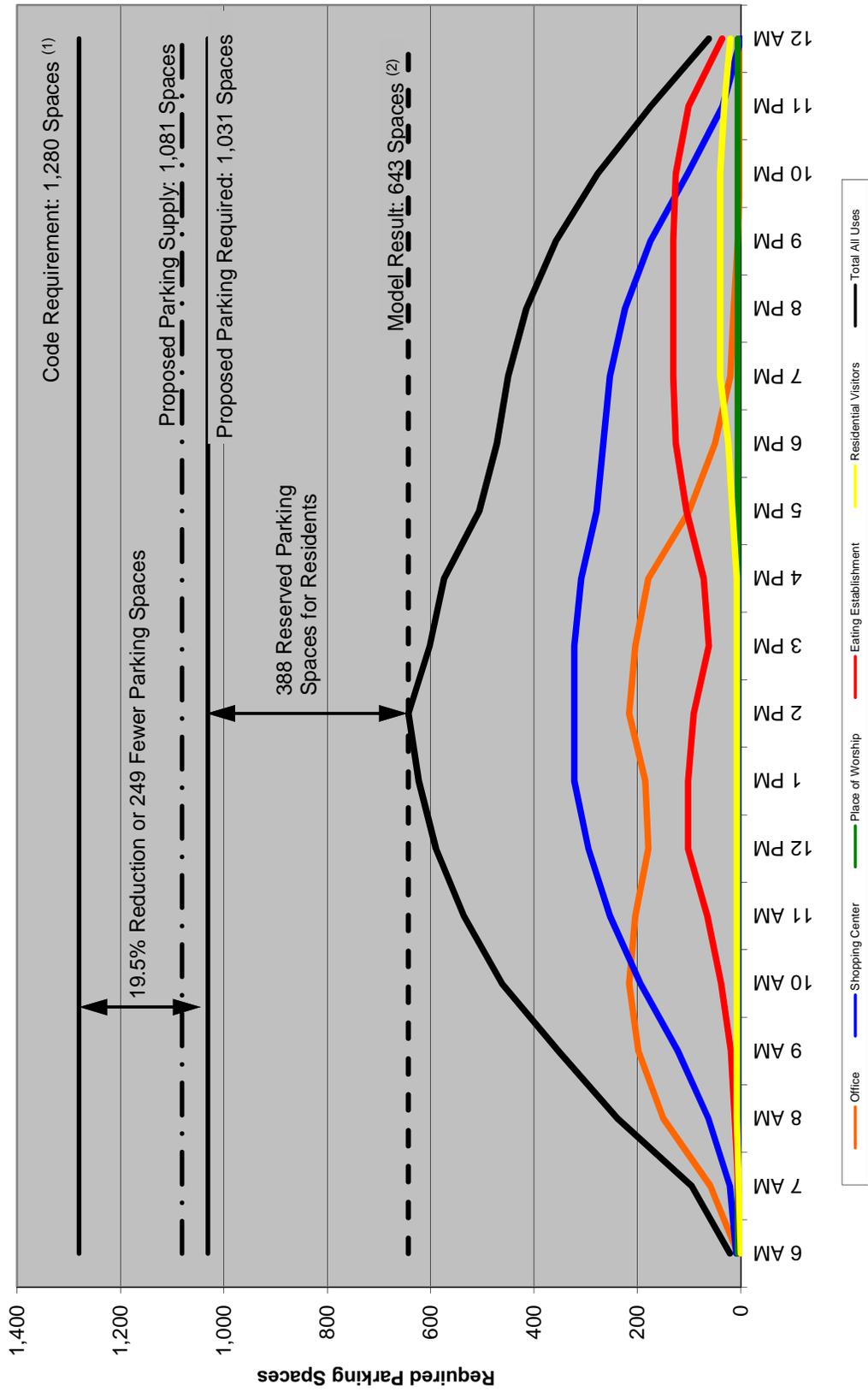
Shared Parking Model Results

The ULI 2nd edition shared parking model results are based on the ULI inputs shown on Table 2 which are based on the County's Article 11 minimum parking requirements, the sharing of residential visitor spaces with the non-residential uses, appropriate non-captive/mode adjustment ratios, and the baseline resident parking requirement of 1.45 spaces per DU. The shared parking results including the resident parking is shown graphically on Figure 6. As summarized in Table 3, a total peak shared parking demand of 643 parking spaces is realized for full build out of the West Side area with the application of ULI's hourly, monthly, and weekday/weekend adjustment factors.

Parking Provided (West Side)

Based on the full size PRC plan provided as Attachment IV, approximately 1,081 parking spaces are proposed to be provided within the West Side area in a combination of various structured garages (see Table 4).

Figure 6
ULI Shared Parking Model Results (Weekday)



(1) Required spaces based on strict application of Fairfax County Zoning Ordinance requirements.

(2) Required spaces based on Fairfax County Zoning Ordinance requirements, and by applying ULI methodologies.

Table 3
 Lake Anne Village Center
 WEST SIDE - Proposed Shared Parking Requirement Summary (2) (3) (4)

Area	Land Use	Land Unit-Building	Amount	Unit	ULI Shared Parking Reduction Reduction Model (5)	Required Spaces
WEST	Office (New)	A1	17,730	GFA	Includes all non-residential uses with residential visitors where (A-2, A-2, D-1 residential visitors) based on 0.15 Spaces/ DU, and ULI 2nd Ed. Shared Parking methodologies	643
		A2	30,230	GFA		
		D1	30,000	GFA		
	Retail (New)	A1	28,543			
		A2	13,870			
		D1	15,800			
	Retail (Existing) (1)	F	58,213	GFA		
			38,579	GFA		
	Place of Worship (Existing) (1)	F	96,792	GFA		
			6,500	GFA		
Eating Establishment (Existing) (1)		100	Seats			
		12,860	GFA			
Residential-Multi Family (New)		406	Seats			
		46	Seats			
		65	Employees			
		54	DU			
		48	DU			
		165	DU			
		267	DU			
Total					1.45 Spaces/DU (excludes visitors per above)	388
Fairfax County Code Requirement Reduction from Code Requirement						1,280
% Reduction from Code Requirement						249
% Reduction from Code Requirement						19.5%

Note(s):

- (1) Total Existing Non-Residential Uses (As Provided by the Applicant) = 57,939 GFA (51,439 GFA retail/restaurants + 6,500 GFA Place of Worship = 57,939 GFA), comprised of:
 - 38,579 GFA of Shopping Center Retail (51,439 GFA - 12,860 GFA = 38,579 GFA)
 - 12,860 GFA of eating establishment (non-fast food) assuming 25% of total existing non-residential area (51,439 GFA x 25% = 12,860 GFA) is an eating establishment.
 - 6,500 GFA of existing church space with 100 seats per FX Co street files.
- (2) GFA = Gross Floor Area
- (3) DU = Dwelling Unit
- (4) Parking rates based on the Fairfax County Zoning Ordinance (Article 11) minimum parking requirements.
- (5) "Shared Parking" based on the Urban Land Institute (ULI) publication Shared Parking, 2nd Edition.
 - ULI Model includes a 15% internal captive ratio adjustment for shopping center retail and eating establishment customers.
 - ULI Model includes a 25% mode adjustment for employees serving the office, shopping center retail, and eating establishment customers.

Table 4
 Lake Anne Village Center
 Proposed Parking Supply WEST and EAST SIDES

Location	Spaces
WEST SIDE PARKING SUPPLY	
Building A1 Garage	210
Building A2 Garage	366
Building A3 Garage	120
Building D1 Garage	232
Building D2 Garage	<u>153</u>
WEST SIDE TOTAL	1,081
EAST SIDE PARKING SUPPLY	
Buildings D3/D4 Garage	250
Buildings D5/D6 Garage	385
Buildings D7/D8 Garage	210
Townhome (Traditional)	96
Townhome (Hybrid)	144
Area D - Surface Spaces	<u>56</u>
EAST SIDE TOTAL	1,141
TOTAL PARKING SUPPLY (WEST + EAST SIDES)	2,222

**Requested Parking Reduction (West Side)**

Accounting for the shared parking model results (643 spaces) and the remaining resident only parking (1.45 spaces/DU or 388 spaces when excluding visitors), a total of 1,031 parking spaces (643+388=1,031) would be required to meet the parking demand associated with the West Side area. This equates to 249 fewer spaces when compared to strict application of the County's Zoning Ordinance or an overall 19.5% percent reduction. The overall parking summary tabulation summary is shown on Table 1.

Future Flexibility

The Applicant would like to request a condition within those imposed by the Board to accommodate future potential changes in market conditions between shopping center retail and restaurant/eating establishments. A minimum percent parking reduction would reflect the instance where all, or a portion of, the allowable eating establishment space would be converted to shopping center retail. Shopping center retail space requires less parking per square foot (4 spaces/1,000 GFA) when compared to eating establishments (± 12 spaces/1,000 GFA). Therefore converting uses from eating establishment to shopping center retail would result in a reduced parking demand.

Under strict application of the County's Article 11 parking requirement, the project as currently proposed would require 1,173 spaces if all the allowable eating establishments were converted to shopping center retail. As summarized in Table 5, while the project would still adhere to maintaining a minimum of 1,031 spaces per the maximum 19.5% request noted above, the percent reduction in such instance would be a minimum of 12.1% (1,173 code spaces reduced to the proposed minimum of 1,031 spaces). This established range would permit any portion of the allowable eating establishments to convert to shopping center retail without submitting a new parking study and thereby a new action by the Board of Supervisors. Any other alternative for future flexibility may require further discussion with DPWES staff.

Building D1 Construction Phasing

As discussed at meetings with County staff, this section serves to describe the interim parking conditions for the D1 building where the office ($\pm 30,000$ GFA) and the shopping center grocery store ($\pm 15,800$ GFA) components are constructed first and followed by the ± 165 multi-family residential DUs constructed afterwards. The D1 Building area is currently served by a gasoline service station. When the D1 office/retail is constructed, the service station would be razed to develop $\pm 30,000$ GFA of office uses in 2 levels above a $\pm 15,800$ GFA ground floor shopping center grocery store. The office/retail building would require ± 176 spaces based on strict

Table 5
 Lake Anne Village Center
 WEST SIDE - Minimum Percent Reduction Request (2) (3) (4)

Area	Land Use	Land Unit-Building	Amount	Unit	Article 11 - Parking Rates	Article 11 - Required Spaces	
WEST	Office (New)	A1	17,730				
		A2	30,230				
		D1	<u>30,000</u>	GFA	3.6 Spaces/1,000 GFA	281	
	Retail (New)	A1	28,543				
		A2	13,870				
		D1	<u>15,800</u>	GFA			
	Retail (Existing) (1)	F	58,213	GFA			
		F	51,439	GFA			
		F	<u>109,652</u>	GFA	4.0 Spaces/1,000 GFA	439	
	Place of Worship (Existing) (1)	F	6,500	GFA			
		F	100	Seats	1.0 Space/4 seats	25	
	Eating Establishment (Existing) (1)	F	0	GFA			
F		0	Seats	1.0 Space/4 table seats	0		
F		0	Seats	1.0 Space/2 counter seats	0		
F		0	Employees	1.0 Space/2 employees	0		
Residential-Multi Family (New)	A1	54	DU				
	A2	48	DU				
	D1	165	DU				
	D1	<u>267</u>	DU	1.6 Spaces/DU - 1.45 Spaces/DU = 388 resident spaces - 0.15 Spaces/DU = 40 visitor spaces	428		
					Fairfax County Code Requirement	1,173	
					Proposed Minimum Parking Supply	1,031	
					Reduction from Code Requirement	142	
					% Reduction from Code Requirement	12.1%	

Note(s):

- (1) Total Existing Non-Residential Uses (As Provided by the Applicant) = 57,939 GFA (51,439 GFA retail/restaurants + 6,500 GFA Place of Worship = 57,939 GFA), comprised of:
 - 51,439 GFA of Shopping Center Retail (Assumes all allowable eating establishments are converted to shopping center retail)
 - 6,500 GFA of existing church space with 100 seats per FX Co street files.
- (2) GFA = Gross Floor Area
- (3) DU = Dwelling Unit
- (4) Parking rates based on the Fairfax County Zoning Ordinance (Article 11) minimum parking requirements.



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application of the County's zoning ordinance when also considering the A1 and A2 buildings and would be served by approximately 232 permanent garage spaces in the 2 level below grade that span beneath the D1 building and future D2 garage. An additional ± 53 temporary surface spaces would be provided in the area of the future D2 garage to further serve the D1 office/retail uses with a total of 285 spaces until the D1 residential construction begins. These excess spaces would also serve the existing retail uses to remain during the construction of Buildings A1 and A2.

During construction of the D1 residential building, the ± 53 temporary surface spaces would be displaced leaving the 232 spaces in the D1 garage to more than adequately serve the D1 office/retail code requirement (± 176 spaces). The excess spaces (± 56 spaces) in the D1 garage will be made available to serve the existing non-residential uses in the West Side area. During the construction of the D1 residential building, the D2 garage will be constructed to provide ± 153 additional spaces to ultimately serve not only the D1 building but the overall parking demand and shared parking supply for the West Side area. As described above, more than sufficient parking will be provided at completion of the D1 office/retail uses and during construction of the D1 residential building. At build out, the overall parking supply in this area will serve the overall West Side project area.

Development phasing plans are included in the plan submission and a detailed parking tabulation phasing summary is provide as Table 6. As shown on Table 6, adequate parking is accommodated at all times (including construction).

Buildings A1 and A2 Construction Phasing

The construction of the A1 and A2 buildings will displace the existing Washington Plaza surface parking lot which effectively provides ± 216 surface parking spaces which have historically served the existing non-residential uses that are either planned to be razed during construction or will remain. According to the Applicant's coordination with the existing tenants, ± 143 spaces out of the current ± 216 parking supply are attributable to existing uses to remain which must be maintained in the area at all times during construction. As summarized in the project's phasing plans, this is accomplished by constructing upfront ± 120 new spaces in the A3 garage plus the ± 285 parking spaces with the construction of the D1 office/retail buildings (as described above for the Building D1 construction). As noted above, the D1 office/retail buildings would require ± 176 spaces based on strict application of the zoning ordinance thereby providing approximately 109 excess spaces ($285 - 176 = 109$). Therefore, during the interim construction period for Buildings A1 and A2, the existing Lake Anne Village Center uses to remain will be served by approximately 219 spaces ($120 + 109 = 229$) which is ± 86 more spaces than the ± 143 spaces currently required to be maintained. As discussed above, a detailed parking tabulation summary is provided in Table 6 including construction periods.

Table 6
Lake Anne Village Center
Parking Tabulation by Phase

Phase	Area	Building-Land Unit	Use	Amount	Unit	Required and Provided Parking	Spaces		
Phase I	West Side Parking Required	D1	Office	30,000	GSF	3.6 per 1,000 GSF	108		
		D1	Retail	15,800	GSF	4.3 per 1,000 GSF	68		
		Various Existing Uses (1)					Existing Requirement (1)	216	
							Required	392	
	West Side Parking Supply							D1 Garage	232
								D2 Surface	53
						Existing Supply	216		
						Provided	501		
East Side Parking Required	D3/D4	Multi-family	185	DU	1.35 per dwelling unit	250			
	D13-16,18,24-25	Townhome	56	DU	2.15 per dwelling unit	121			
							Required	371	
East Side Parking Supply							Townhome Parking	112	
							Surface Spaces	27	
							D3/D4 Parking	250	
						Provided	389		
						Total Required	763		
						Total Provided	890		
Phase II Construction	West Side Parking Required	D1	Office	30,000	GSF	3.6 per 1,000 GSF	108		
		D1	Retail	15,800	GSF	4.3 per 1,000 GSF	68		
		Various Existing Uses (1)					Existing Requirement (1)	216	
							Required	392	
	West Side Parking Supply							D1 Garage	232
								D2 Surface	53
						Existing Supply	216		
						Provided	501		
East Side Parking Required	D3/D4	Multi-family	185	DU	1.35 per dwelling unit	250			
	D13-16,18,24-25	Townhome	56	DU	2.15 per dwelling unit	121			
							Required	371	
East Side Parking Supply							Townhome Parking	112	
							Surface Spaces	27	
							D3/D4 Parking	250	
						Provided	389		
						Total Required	763		
						Total Provided	890		
Phase II	West Side Parking Required	D1	Office	30,000	GSF	3.6 per 1,000 GSF	108		
		D1	Retail	15,800	GSF	4.3 per 1,000 GSF	68		
		Various Existing Uses (1)					Existing Requirement (1)	216	
							Required	392	
	West Side Parking Supply							D1 Garage	232
								D2 Surface	53
						A3 Garage	120		
						Existing Supply	216		
						Provided	621		
East Side Parking Required	D3/D4	Multi-family	185	DU	1.35 per dwelling unit	250			
	D13-25	Townhome	101	DU	2.15 per dwelling unit	218			
							Required	468	
East Side Parking Supply							Townhome Parking	202	
							Surface Spaces	27	
							D3/D4 Parking	250	
						Provided	479		
						Total Required	860		
						Total Provided	1,100		
Phase III Construction	West Side Parking Required	D1	Office	30,000	GSF	3.6 per 1,000 GSF	108		
		D1	Retail	15,800	GSF	4.3 per 1,000 GSF	68		
		Various Existing Uses (2)					Existing Requirement (2)	143	
							Required	319	
	West Side Parking Supply							D1 Garage	232
								A3 Garage	120
						Existing Supply	216		
						Provided	352		
East Side Parking Required	D3/D4	Multi-family	185	DU	1.35 per dwelling unit	250			
	D13-25	Townhome	101	DU	2.15 per dwelling unit	218			
							Required	468	
East Side Parking Supply							Townhome Parking	202	
							Surface Spaces	27	
							D3/D4 Parking	250	
						Provided	479		
						Total Required	787		
						Total Provided	831		
Phase III (Build Out)	West Side Parking Required	A1,A2,D1	Office	77,960	GSF	Shared Parking Reduction	643		
		A1,A2,D1,F	Retail	96,792	GSF				
		F	Church	100	Seats				
		F	Eating Est.	406	Table Seats				
				46	Bar Seats				
			65	Employees					
						Required	388		
						Required	1,031		
West Side Parking Supply							D1 Garage	232	
							D2 Garage	153	
							A1 Garage	210	
							A2 Garage	366	
							A3 Garage	120	
						Provided	1,081		
East Side Parking Required	D3/D4	Multi-family	185	DU	1.35 per dwelling unit	250			
	D5/D6	Multi-family	310	DU	1.35 per dwelling unit	419			
	D7/D8	Multi-family	155	DU	1.35 per dwelling unit	209			
	D9-25	Townhome	120	DU	2.15 per dwelling unit	258			
						Required	1,136		
East Side Parking Supply							Townhome Parking	240	
							Surface Spaces	56	
							D3/D4 Parking	250	
							D5/D6 Parking	385	
							D7/D8 Parking	210	
						Provided	1,141		
						Total Required	2,167		
						Total Provided	2,222		

Note(s):

- (1) Represents the existing non-residential uses that exist today which have historically been served by the 216 spaces in the Washington Plaza parking lot.
- (2) According to the Applicant, the non-residential uses to be razed (119,600 GSF), as a result of the Phase III construction period, currently require 73 spaces out of the 216 space parking supply serving Washington Plaza. As a result, 143 spaces (216-73 = 143) will need to be maintained for those remaining uses. The uses to remain are accounted for in the West Side Phase III (build out) program.



Part I – Conclusions (West Side)

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

1. Under strict application of the Zoning Ordinance, the West Side uses would require a minimum of 1,280 spaces in total for the non-residential and residential uses.

Approximately 852 spaces of the total would be required in support of the following non-residential uses:

- 77,960 GFA of office uses,
- 96,792 GFA of shopping center retail uses (58,213 GFA existing and 38,579 GFA proposed),
- 12,860 GFA of eating establishments (406 table seats, 46 counter seats, 65 employees), and
- 6,500 GFA Place of Worship (100 seats).

Approximately 428 spaces would be required to support the 267 multi-family DUs.

2. Based on ULI, the resident visitor parking demand is assumed to be 0.15 visitor spaces per DU and are included in the County requirement of 1.6 spaces/DU. The 40 visitor spaces are proposed to be shared with the non-residential uses.
3. Applying the ULI shared parking methodology to the Fairfax County indices for the non-residential uses that include appropriate adjustments to the model as well as resident visitor spaces, approximately 643 shared parking spaces would be required.
4. The residents parking for the multi-family DUs would be parked at 1.45 spaces per DU when excluding the resident visitor spaces (0.15 spaces/DU).
5. The applicant is seeking an overall parking reduction of 19.5% percent (or 249 fewer spaces) for a total minimum of 1,031 spaces to serve the mix of uses in the West Side area.
6. To accommodate future potential changes in market conditions between shopping center retail and restaurant/eating establishments, a minimum parking reduction of 12.1% should be included with the parking reduction request stated above to create a range from the maximum reduction of 19.5%



to a minimum reduction of 12.1%. The minimum reflects the instance where all the allowable eating establishment uses become shopping center retail. Under a scenario where all, or a portion of, the allowable eating establishments are converted to shopping center retail due to changing market conditions; the number of parking spaces established above (1,031 spaces) would continue to be required at all times.

7. An assessment of the development phasing plans indicate an adequate number of parking spaces will be provided during the interim construction periods which include the spaces that currently serve the existing uses to remain.



PART II – TRANSPORTATION DEMAND MANAGEMENT ANALYSIS (EAST SIDE)

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 V.

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”

Dwelling, Single Family Attached: “Two and seven-tenths (2.7) spaces per unit, provided, however, that only one (1) such space must have convenient access to the street”

Full build out of the East Side of the Lake Anne Village Center would consist of the following mix of residential mix of uses:

- 650 multi-family DUs (new)
 - 185 replacement affordable multi-family DUs (new)
– *Entire Buildings D3 and D4*
 - 465 multi-family DUs (new)
– *Buildings D5, D6, D7, D8*
- 120 single-family attached DUs (new) [Buildings D9 thru D25]

The Fairfax County Zoning Ordinance does not provide a specific residential parking rate for “affordable” dwelling units that separately encompass an entire building(s). Therefore, as reflected on Table 7 and based on a strict application of the Zoning Ordinance, a total of 1,364 parking spaces would be required to accommodate the East Side area parking demand associated with full build out of the proposed mix of residential unit types.

Table 7
 Lake Anne Village Center
 EAST SIDE - Fairfax County Ordinance Parking Requirement Summary and Proposed Residential TDM Rates(1) (2)

Area	Land Use	Land Unit-Building	Amount	Unit	Article 11 - Parking Rates	Required Spaces	Proposed TDM Parking Reduction Rates	Proposed Required Spaces
EAST	Residential+Multi Family - Replacement Affordable Dwelling Units (New) Residential+Multi Family (New) Residential+Multi Family (New) Residential+Single Family Attached (New)	D3, D4 D5, D6 D7, D8 D9 - D25	185	DU	1.6 Spaces/DU	296	1.35 Spaces/DU	250
			310	DU	1.6 Spaces/DU	496	1.35 Spaces/DU	419
			155	DU	1.6 Spaces/DU	248	1.35 Spaces/DU	209
			120	DU	2.7 Spaces/DU	324	2.15 Spaces/DU	258
			770	DU	Total	1,364	Total	1,136

Note(s):

- (1) DU = Dwelling Unit
- (2) Parking rates based on the Fairfax County Zoning Ordinance (Article 11) minimum parking requirements.



Requested Parking Reduction (East Side)

The Applicant is requesting an overall **16.7% residential parking reduction (or 228 fewer parking spaces)** based on the following (effective) reduced parking rates through the implementation of a Transportation Demand Management Plan (TDM):

- Multi-Family Dwelling units (including the Replacement Affordable Dwelling Units):
 - Parking reduction request from 1.6 spaces/DU to **1.35 spaces/DU (or a 15.6% reduction)**
- Single-Family Attached:
 - Parking reduction request from 2.7 spaces/DU to **2.15 spaces/DU (or a 20.4% reduction)**

The basis for each parking reduction request outlined above is based on the Ordinance (Section 11-102.26) provision that establishes a parking reduction through the presence of a TDM program. The following sections evaluate the requested parking reductions with respect to this provision.

Transportation Demand Management

Overview. The Fairfax County Zoning Ordinance provides for a reduction in required off-street parking for sites establishing a Transportation Demand Management (TDM) program. Article 11, Section 11-102.26 states:

“In conjunction with the approval of a proffer to establish a transportation demand management (TDM) program, or if a development is subject to an approved proffer for the establishment of a TDM program, 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 when the applicant has demonstrated to the Board’s satisfaction that, due to the proffered TDM program, the spaces proposed to be eliminated for a site are unnecessary and such reduction in parking spaces will not adversely affect the site or the adjacent area. In no event shall the reduction in the number of required spaces exceed the projected reduction in parking demand specified by the proffered TDM program.

For the purposes of this provision, a proffered TDM program shall include: a projected reduction in parking demand expressed as a percentage of overall parking demand and the basis for such projection; the TDM program actions



to be taken by the applicant to reduce the parking demand; a requirement by the applicant to periodically monitor and report to the County as to whether the projected reductions are being achieved; and a commitment and plan whereby the applicant shall provide additional parking spaces in an amount equivalent to the reduction should the TDM program not result in the projected reduction in parking demand.”

A copy of the draft Parking Management and TDM proffers is included in Attachment VIII.

Transportation Demand Management Program (TDM). As part of the proposed proffers for the Lake Anne Village Center, the Applicant will commit to the development and implementation of a TDM program customized for both the residential and non-residential uses within Lake Anne Village Center, and specifically the East Side. The program will be developed in accordance with the *TDM Guidelines for Fairfax County* (the “Guidelines”) dated January 1, 2013.

Based on the Guidelines, the East Side residential uses would be considered as being located in a Non-Tyson, Non-TOD area (or more than ½ mile from a rail station). As a result, the Guidelines recommend a trip reduction goal of between 15 and 25%. The Applicant has committed to proffer a 25% trip reduction goal for the entire redevelopment including the East Side residential uses. This higher end reduction is recommended for areas located in walkable, mixed-use environments or proximate to the same. Towards that end, the Guidelines recommend implementation of a “light” level of participation with requirements for funding, monitoring and reporting.

The Guidelines also recommend certain elements be incorporated into the plan to further reduce trips and auto ownership rates. The following is a list of potential strategies referenced in the Guidelines which would have been incorporated into the TDM program for the overall redevelopment area including the East Side:

1. Designate a TDM Program Manager (TPM) to develop and implement the program in consultation with FCDOT (Fairfax County Department of Transportation)
2. Establish a TDM Network between the TPM and building managers to coordinate implementation of the TDM plan
3. TDM website
4. Personal outreach
5. Transit Benefits
6. Information on Telework programs and telework facility
7. Car sharing
8. Ridematching
9. Parking Management Plan to include dedication of convenient parking spaces for carpools/van pools and/or shared car services



- 10. Pedestrian connections
- 11. Bicycle facilities

A copy of the Lake Anne Village Center TDM Plan dated October 22, 2014 is provided as Attachment IX.

In light of the above, the implementation of a 25% TDM parking reduction would result in a total required parking supply of 1,023 spaces to meet the needs of the 770 residential units. This equates to 341 fewer spaces than required by a strict application of the code. In addition to certain transportation strategies listed above, the Applicant has also committed to the following to further reduce vehicle trips specifically associated with the East Side to insure the parking proposed is sufficient to meet demand. A discussion on how these trip reductions goals correspond to limiting parking supply is further described under the "Parking Management" section below.

Parking Demand Management. According to the TDM Plan for the Lake Anne Village Center, one of the industry-recognized strategies that have a significant impact on vehicle trip reductions is parking management. TDM programs work where parking is not over-supplied and coordinated with parking reductions and/or management programs. There are several parking demand management techniques that incentivize travelers to use an alternate mode. Each of those proposed for implementation as part of the Lake Anne Village Center TDM program is described below:

- 1) **Limited Parking Supply.** Managing parking by reducing supply helps to reduce the undesirable impacts of parking demand on local and regional traffic levels and the resulting impacts on community livability.
- 2) **Carsharing Placement and Services.** Refers to short-term automobile rental service available to the general public for a limited timeframe, typically only a few hours. Carsharing is an effective tool that can be used to reduce vehicle ownership because the service can eliminate the need for a private vehicle to complete non-work trips. The service also encourages office travelers to use alternatives to SOVs (like transit) because they can use carshare vehicles for mid-day trips rather than be forced to rely on their private vehicles.
- 3) **Unbundled Parking.** Unbundling refers to a strategy where parking is rented or sold separately, rather than automatically included with the rent for a building space. This element reveals the true cost of parking which allows users to consider a more accurate travel cost trade-off when deciding what transportation to choose. Towards that end, the Applicant has committed to a proffer that would dedicate a minimum of one dedicated parking space to each of the replacement affordable dwelling units (ADUs) (Buildings D3 and



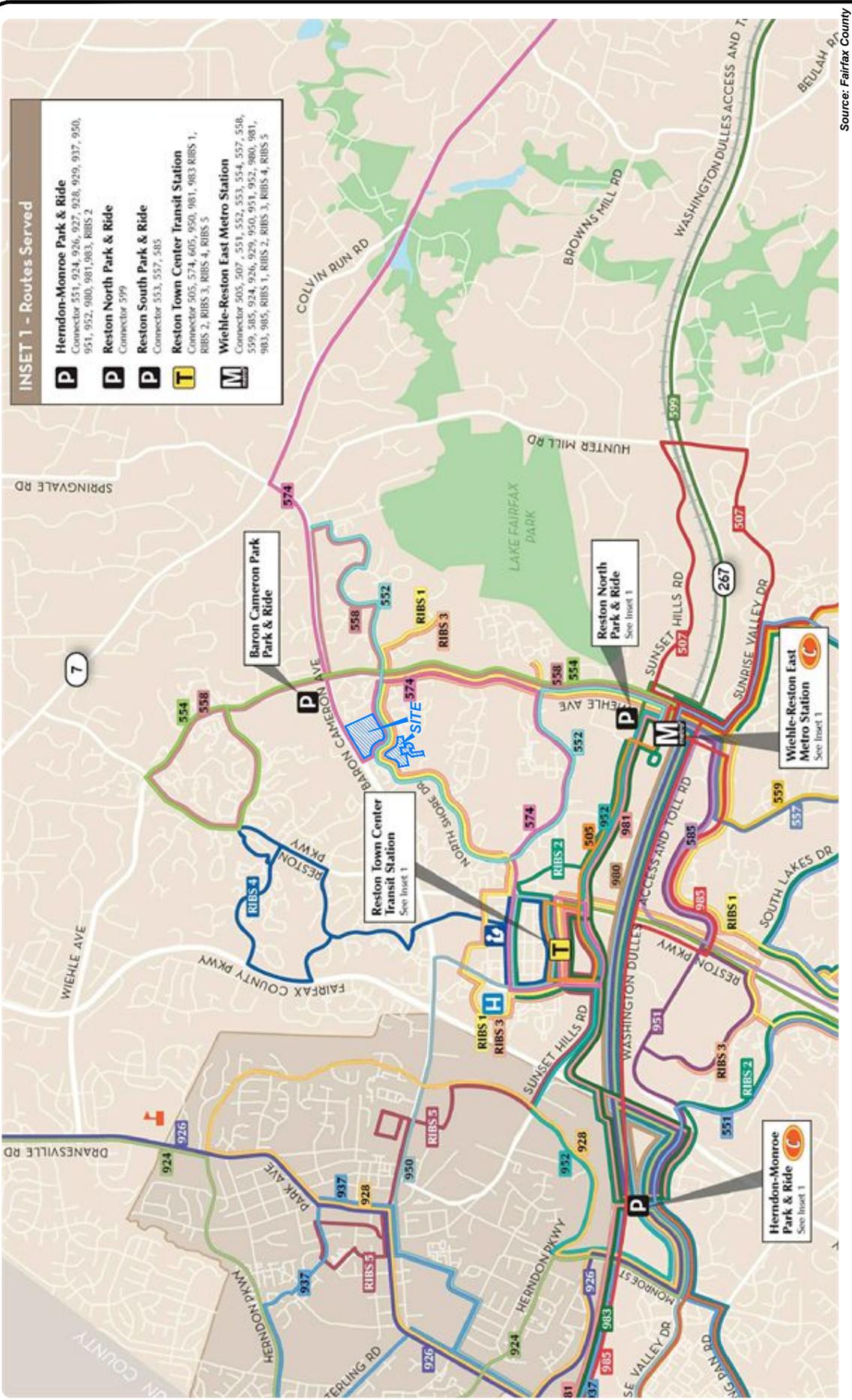
D4) and other ADU and/or workforce dwelling units (WDUs) constructed on the Application property. Otherwise dwelling units shall be offered exclusive parking such that parking shall be available at a separate market rate cost.

- 4) Establish Vehicle Parking Space Limits. Due to limited parking supplies and a lower parking space rate per residential unit, protections need to be set in order to ensure that a single residential unit does not offset parking availability. As a means to ensure enough parking availability, the number of spaces issued per multi-family unit is limited to one (1) car per unit and to single-family attached units two (2) spaces per unit.

Existing Transit Service. The subject site is served by two (2) Fairfax Connector bus routes (552 and 574), as well as the Reston Internal Bus System (RIBS) Routes 1 and 3. A map showing the existing bus routes serving Lake Anne Village Center is shown on Figure 7. Multiple bus stops are located along North Shore Drive along the site frontages serving Fairfax Connector Routes 552 and 574 and RIBS Routes 1 and 3. Route 552, RIBS 1, and RIBS 3 connect the site to the new Wiehle-Reston East metrorail station. An exhibit illustrating the existing and proposed bus stop locations is shown on Figure 8. A summary of each existing bus route is provided below:

1. Fairfax Connector 552. Fairfax Connector 552 (North Shore – Lake provides weekday service along North Shore Drive while serving the Lake Anne Village Center and the Wiehle-Reston East Metrorail Station. Weekday peak period peak directional headways are approximately 18 minutes.
2. Fairfax Connector 574. Fairfax Connector 574 (Reston Town Center-Tysons) provides weekday and weekend service between the Reston Town Center Transit Station, the Lake Anne Village Center, and the Spring Hill Metrorail Station via Leesburg Pike (Route 7). Weekday peak period headways are typically 30 minutes. Saturday and Sunday peak period headways are approximately 40 minutes.
3. RIBS 1 and 3. RIBS 1 (clockwise) and RIBS 3 (counterclockwise) provides weekday and weekend service between the Reston Town Center Transit Station, the North County Government Center, Lake Anne Village Center, Tall Oaks Village Center, Hunters Woods Village Center, and the Wiehle-Reston East Metro Station. Weekday peak period headways are approximately 30 minutes. Saturday and Sunday peak period headways will typically be 30 and 60 minutes, respectively.

WMATA Metrorail Service. Metrorail service is provided in the general vicinity of the subject site with the opening of the Silver Line on July 26, 2014. As shown on



Source: Fairfax County



Figure 7 Existing Transit Service



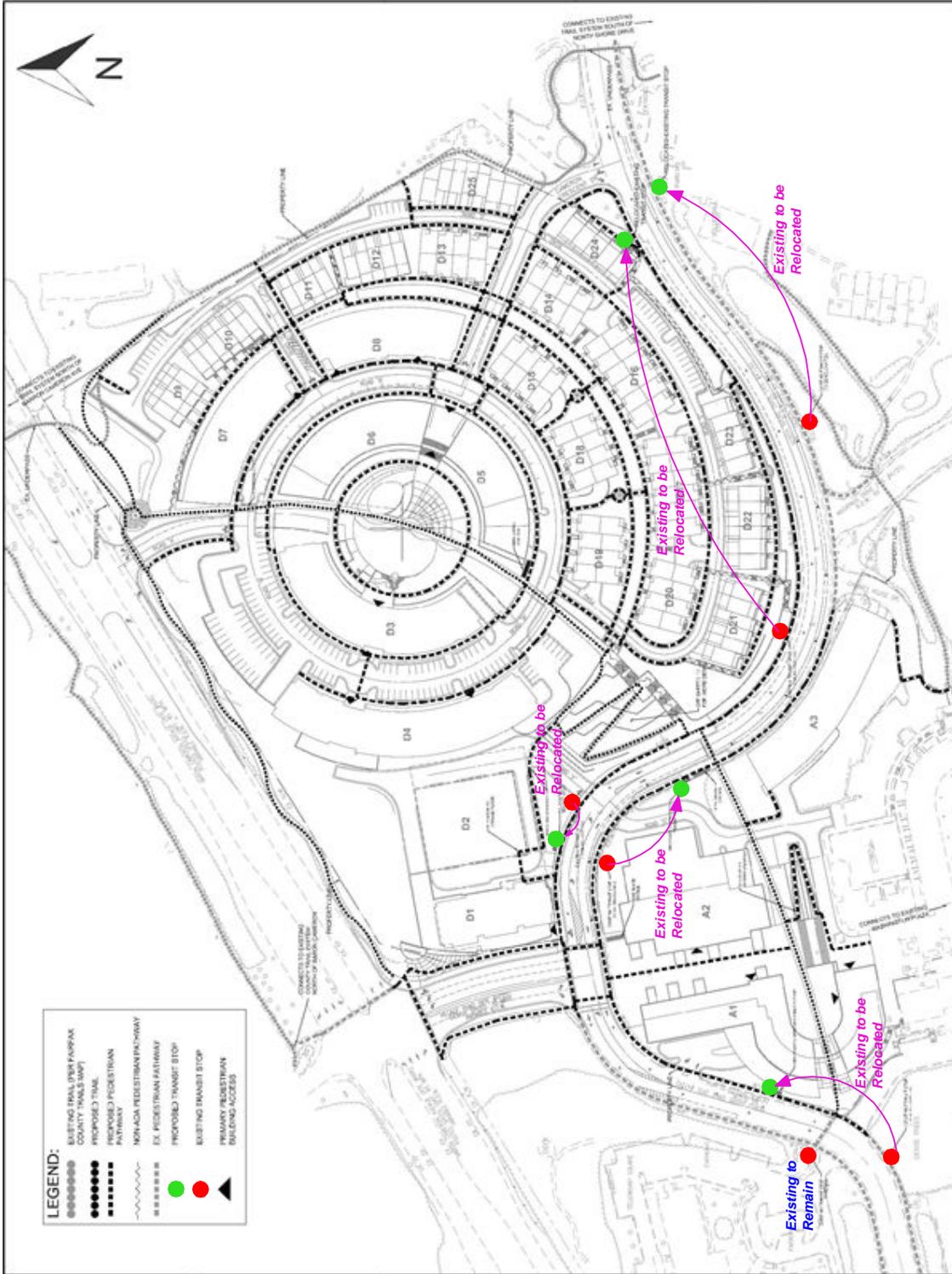


Figure 8
Transit (Bus) Stop Locations



Figure 9, the entire site is located within 1.65 mile radius of the Wiehle-existing Reston East metrorail station portal and within approximately 1.75 mile radius of the planned Reston Town Center Station. Phase 1 of the Silver Line provides a new Metrorail connection from the Wiehle-Reston East Station to the existing Orange line just east of the West Falls Church-VT/UVA Metrorail station. Phase 1 of the Silver Line serves five (5) new stations with one (1) at Wiehle Avenue and four (4) serving Tysons. Ultimately, Phase 2 would provide a total of 11 new rail stations along a 23.1 extension of Metrorail service extending from the existing Orange Line to Dulles International Airport and then beyond along the Dulles Greenway into Loudoun County, Virginia.

With the prevalence of bus service proximate to the site and in accordance with the Guidelines, the Applicant shall contribute monies for an incentive fund at the rate of \$0.01 per square foot of new residential uses within the East Side. This contribution is reflected in the proffers.

Parking Provided (East Side)

Based on the submitted PRC plan provided as Attachment IV, approximately 1,136 parking spaces are proposed within the East Side area in a combination of surface lots, structured garages, and garage/driveway spaces for the single-family attached dwelling units (see Table 4). It should be noted each single-family attached dwelling unit will be served by two (2) parking spaces per unit provided in either a 2-car townhome garage or a one-car townhome garage with one-driveway space. Approximately six (6) single-family attached dwelling units (within D21 and D22) would provide a two-car townhome garage with two (2) driveway spaces. An exhibit summarizing the single-family attached dwelling units by number of parking garage/driveway spaces is shown on Figure 10.

Requested Parking Reduction (East Side)

The Applicant is requesting an overall **16.7% residential parking reduction (or 228 fewer parking spaces)** based on the following (effective) reduced parking rates through the implementation of a Transportation Demand Management Plan (TDM):

- Multi-Family Dwelling Units (including the Replacement Affordable Dwelling Units):
 - Parking reduction request from 1.6 spaces/DU to **1.35 spaces/DU (or a 15.6% reduction)**
- Single-Family Attached:
 - Parking reduction request from 2.7 spaces/DU to **2.15 spaces/DU (or a 20.4% reduction)**

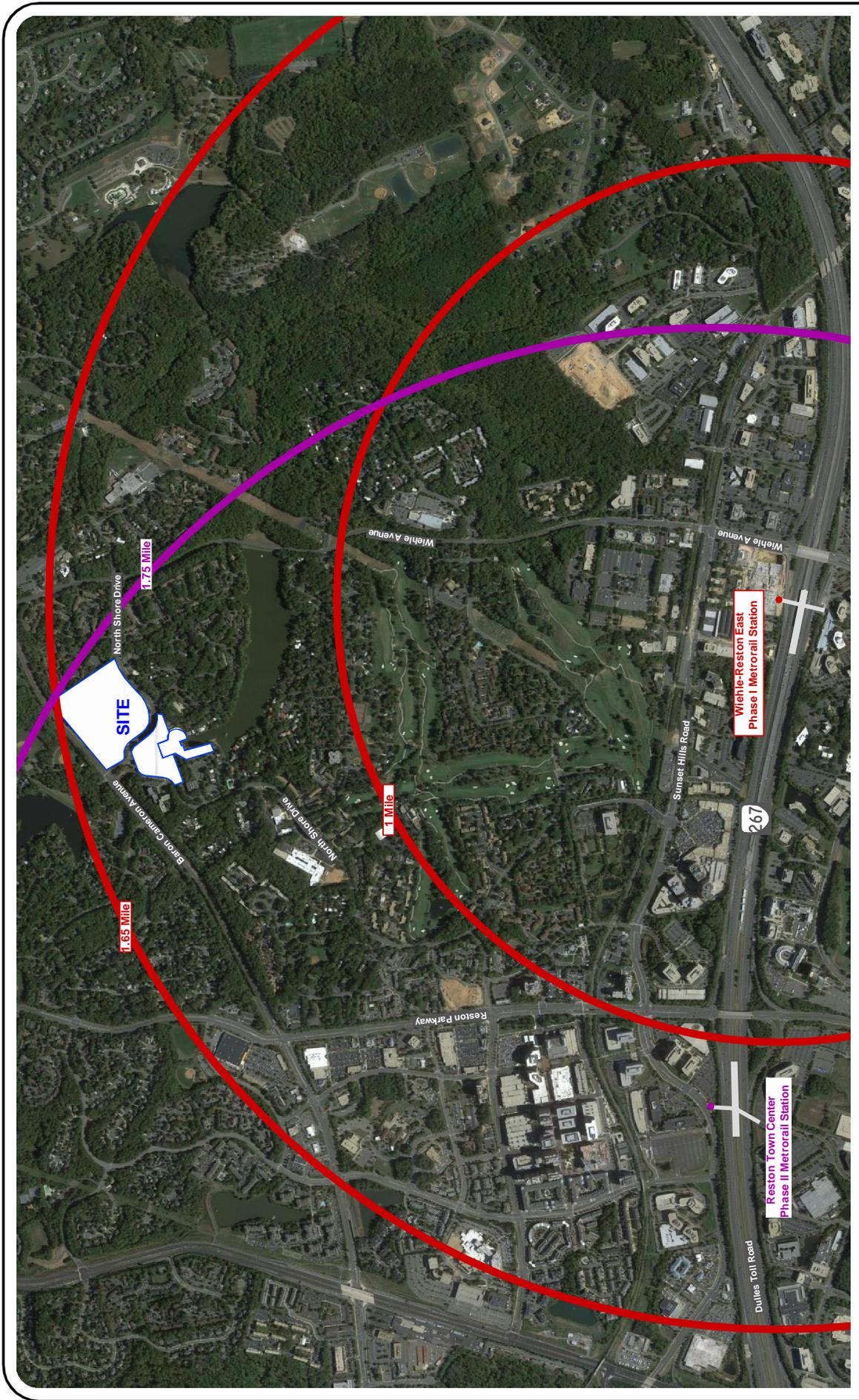
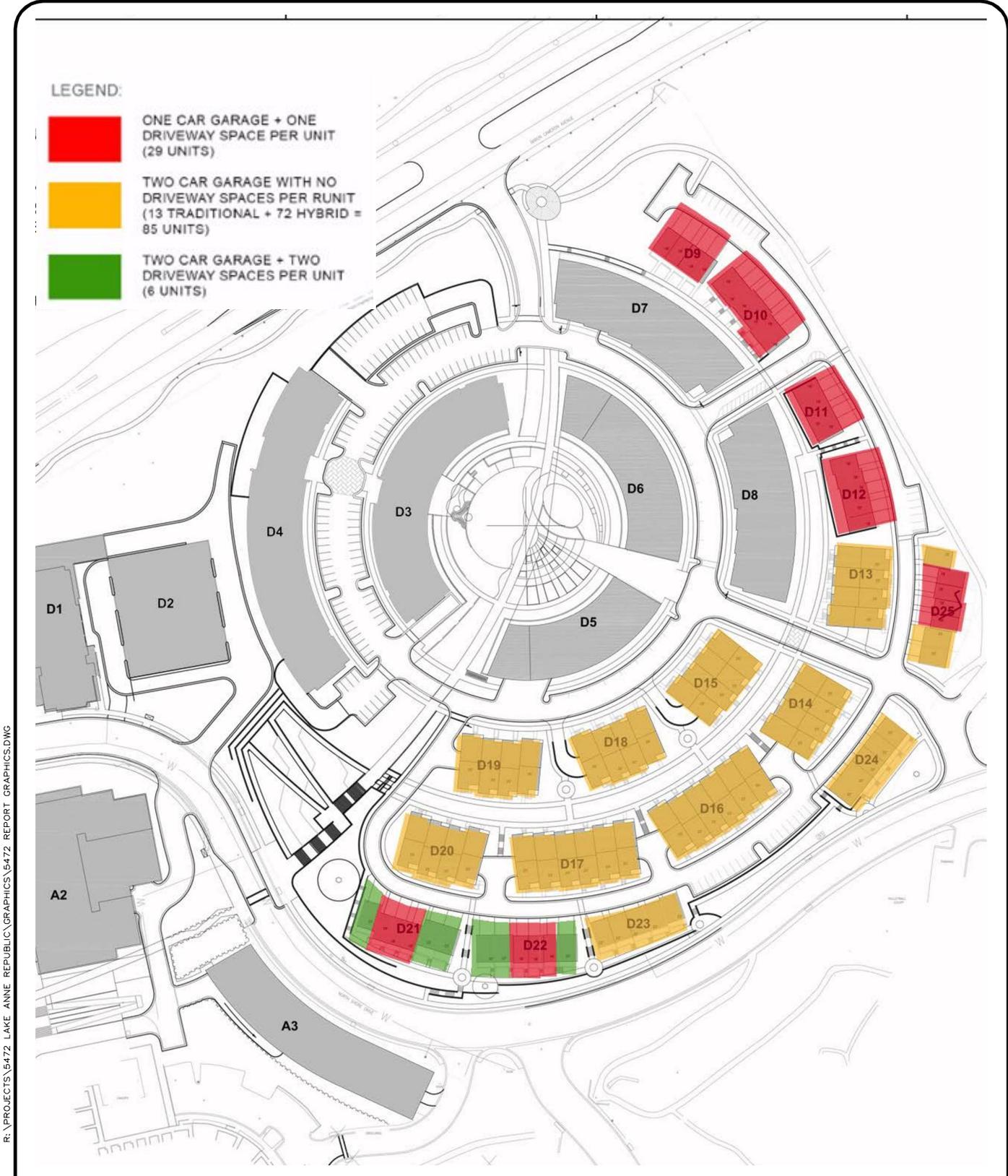


Figure 9 Distance From Existing Wiehle-Reston East and Planned Reston Town Center Metrorail Station





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Figure 10
Townhome Parking Distribution Summary





The overall parking tabulation summary is shown on Table 1.

Basis for the Parking Reduction Request (Z.O. 11-102.26)

The following summarizes the basis for the parking reduction request:

- The project has proffered a comprehensive TDM Plan with specific goals and strategies targeted to reduce auto-ownership among future residents as well as reducing parking supply.
- The project has proffered a comprehensive plan to measure the effectiveness of the TDM Plan while outlining strategies to improve and enhance measures if the goals are not achieved.
- The project has proffered an overall 25% trip reduction goal for the resident and office users which corresponds to a strategy that reduces the parking supply. Managing parking by reducing supply helps to reduce the undesirable impacts of
- parking demand on local and regional traffic levels and the resulting impacts on community livability.
- The project seeks to promote a vibrant community where people can live, play and work providing opportunities to limit auto-ownership among residents;
- The project is being developed with enhanced bicycle and pedestrian connections to encourage non-SOV trips.
- This site is served by existing established Fairfax Connector and RIBs bus routes along North Shore Drive.
- The site is located entirely within 1.65 miles of the Wiehle-Reston East Silver Line metrorail station providing a mass transit commuter option in the nearby proximity.
- The project has proffered to provide additional parking spaces on-site to serve the East Side area should the TDM program not result in the projected reduction.

Based on the above, the requested parking spaces to be eliminated are unnecessary to serve the site.

Impacts to Adjacent Properties (Z.O. 11-102.26)

The overall project is generally isolated from neighboring communities. The adjacent properties to the north are separated from the project by Baron Cameron Avenue, which is a four-lane divided roadway. The adjacent properties to the south are generally separated from the project by Washington Plaza and Lake Anne which is a body of water that extends east to Wiehle Avenue. In the immediate vicinity of the project, North Shore Drive extends approximately $\frac{1}{4}$ along the site's frontage between the East and West Side areas providing the potential for on-street parking,



which could provide additional parking opportunities. These spaces would be available not only to the subject property, but for neighboring developments in the immediate vicinity. The scope of the project is also meant to serve the area's nearby residents who would be provided new retail uses and services thereby potentially reducing auto ownership in the general area. Most importantly, the project has proffered a comprehensive TDM and Parking Management Plan that will monitor and measure the project's traffic and parking reduction goals. If the parking reductions are not achieved in the East Side, a plan to provide additional spaces has been proffered. In summary, if the TDM parking reduction request were granted, there would be no impact on the site or surrounding areas.

Additional TDM Parking Spaces (Z.O. 11-102.26)

The following summarizes the proffer commitment to provide additional parking spaces and where they will be provided, if required. Should the TDM program not result in the projected reduction in parking demand, with coordination with FCDOT staff, the Applicant shall provide additional parking spaces for the East Side area in an amount equivalent to the reduction. Where the overall proposed parking requirement (without the TDM reduction) for the East and West Sides is 2,395 spaces and the total proposed parking supply (East and West Sides) is approximately 2,222 spaces, approximately 173 additional spaces would be needed if the TDM program does not result in the projected reduction for the East Side at build out. These additional spaces would be provided in additional parking levels of the D2 parking garage (see Figure 3).

A pedestrian connection providing direct access to the East Side area to/from the D2 garage will be provided with or without the additional TDM parking levels added to the D2 garage. If required, each additional parking level added to the D2 garage would provide approximately 53 spaces per level. The D2 garage will be designed such that the garage foundations and infrastructure can support a total of two (2) below grade and up to five (5) above grade levels in order to provide for approximately 212 additional parking spaces. Under the circumstance additional spaces are required to recoup the TDM parking reduction, the construction staging for the expansion of the D2 parking garage is estimated to remove approximately 32 spaces during its construction. The anticipated surplus of approximately 50 spaces in the West Side area's parking supply would compensate for this construction period shortfall (see Figure 11). The construction period for the garage expansion is anticipated to take between 10 to 14 months.

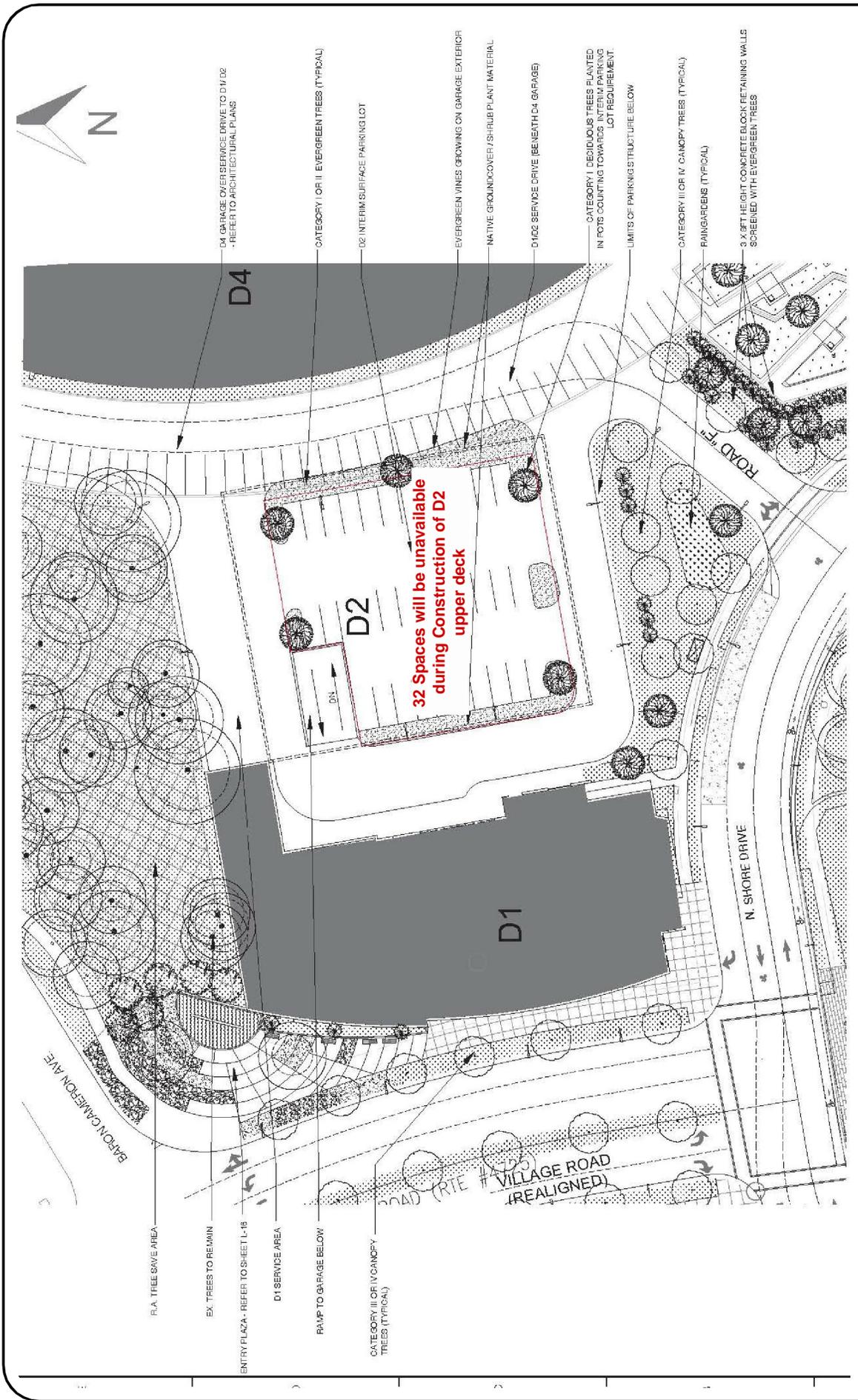


Figure 11
Parking Loss During Expansion of the D-2 Garage



**Evaluation and Monitoring (Z.O. 11-102.26)**

The following explains how the TDM Plan works with the parking reduction. As described in the proffers and TDM Plan, one of the primary tools for monitoring the effectiveness of the Lake Anne Village Center TDM program and associated parking program will be annual residential parking occupancy counts and/or surveys. These methods and others are outlined in the proffers (see Attachment VIII) will be reviewed and approved by FCDOT a minimum of 30 days prior to the initiation of such counts and/or surveys. At a minimum, parking occupancy counts shall be recorded every 60 minutes and referenced by residential unit type. Residential parking occupancy counts, as approved by FCDOT, shall be conducted annually each calendar year beginning one year following issuance of the first initial RUP for the first of Buildings D3 or D4 to be constructed on the East Side of the Application Property. Such parking occupancy counts shall be conducted on a typical weekday between the hours of 6:00 PM and 6:00 AM.

If the results of the parking occupancy counts show that the number of occupied parking spaces for each of the residential unit types is equal to or greater than 97% of the available parking supply, as averaged over the twelve (12) hour count period, then the parking supply is deemed insufficient to meet the demand associated with that particular unit type.

If the parking supply is insufficient as described above, the Applicant shall then, within two weeks of the submission of the annual report, request a meeting with FCDOT to discuss what additional TDM strategies, if any, shall be implemented as part of the TDM Plan to reduce parking demand levels to less than 97% average occupancy of the available parking supply. In such event and no earlier than six months after the implementation of any additional strategies, the TPM shall conduct a supplemental parking occupancy count consistent with the methodology process described above. Six (6) months after implementation of such additional TDM strategies, the TPM shall present the results of the same to FCDOT in the next annual report.

If the results of any supplemental parking occupancy count reveals that parking occupancies continue to be equal to or exceed 97% of the available parking supply, then the Applicant shall contribute additional funds towards the next year's annual budget in order to provide for greater financial incentives towards the reduction of parking demand. The Transportation Program Manager will continue to refine the program in consultation and with the approval of FCDOT.

The above process shall be repeated annually as necessary until the measured parking occupancy averaged over the twelve (12) hour period is less than 97% or until such time as the results of three consecutive annual counts conducted after



Stabilization of the East Side show that the residential parking supply is adequate. At such time, residential parking demand counts will thereafter no longer be required and this proffer in no further force or effect. "Stabilization" of the East Side of the Application Property is defined as occurring one year after the issuance of the first initial RUP for the last of Buildings D3 through D25.

If after Stabilization of the East Side, the parking occupancy is still being exceeded as evidenced by the occupancy counts for the three years after Stabilization, then the Applicant shall meet with FCDOT and the Hunter Mill District Supervisor to discuss the timing and extent of remedial measures, such as the construction of additional levels on the D2 garage.

After stabilization of the East Side and prior to the Applicant filing a building plan for the residential tower on Building D1 on the West Side of the Application Property, the Applicant shall provide an additional report to FCDOT, DPZ and DPWES that summarizes the results of a parking occupancy assessment for each residential use type on the East Side to determine again if additional parking levels on the D2 garage structure will be required to meet the 2014 Zoning Ordinance requirement.



Part II – Conclusions (East Side)

Based on the documentation provided herein, the following can be concluded for the East Side area of the Lake Anne Village Center:

1. If the TDM parking reduction request were granted, there would be no impact on the site or surrounding areas.
2. Under strict application of the Zoning Ordinance, the East Side uses would require a minimum of 1,040 spaces for the 650 multi-family DUs and 324 spaces for the 120 single-family attached DUs for a total of 1,364 spaces.
3. The Applicant is requesting an overall **16.7% residential parking reduction (or 228 fewer parking spaces)** from 1,364 spaces to 1,136 spaces based on the following (effective) reduced parking rates through the implementation of a Transportation Demand Management Plan (TDM):
 - Multi-Family Dwelling Units (including the Replacement Affordable Dwelling Units):
 - Parking reduction request from 1.6 spaces/DU to **1.35 spaces/DU (or a 15.6% reduction)**
 - Single-Family Attached:
 - Parking reduction request from 2.7 spaces/DU to **2.15 spaces/DU (or a 20.4% reduction)**
4. Based on the requested residential parking reductions, the East Side uses would require a minimum of 878 spaces for the 650 multi-family DUs and 258 spaces for the 120 single-family attached DUs for a total of 1,136 spaces.
5. The TDM program proffered for the site will reduce the demand for residential parking by promoting and encouraging other modes of travel, implementing a parking management plan, as well as providing essential secondary uses on-site. As such the requested parking spaces to be eliminate are unnecessary.
6. Should the TDM program not result in the projected reduction in parking demand based results from the proffered evaluation and monitoring plan, in coordination with FCDOT and the Hunter Mill District Supervisor, the Applicant shall provide sufficient additional parking spaces in the D2 parking garage in an amount equivalent to the reduction.

INFORMATION - 1

Northern Virginia Transportation Authority Fiscal Year 2014 Program Update

HB 2313 (2013) directs the Northern Virginia Transportation Authority (the Authority) to use 70 percent of the revenue collected from the three Northern Virginia taxes and fees for (i) transportation projects selected by the Authority that are contained in the regional transportation plan or (ii) mass transit capital projects that increase capacity.

On July 24, 2013, the Authority approved its FY 2014 program, which included approximately \$210 million for 33 projects across Northern Virginia. Included in these projects were six specifically requested by the County and its towns:

- Route 28 Widening 6 to 8 lanes (SB from the Dulles Toll Road to Route 50) - \$20,000,000
- Route 28 Widening 6 to 8 lanes (NB from McLearen Road to Dulles Toll Road) - \$11,100,000
- Innovation Center Metrorail Station - \$41,000,000
- Herndon Parkway Intersection Improvements at Van Buren St.- \$500,000
- Herndon Parkway Intersection Improvements at Sterling Road - \$500,000
- Herndon Metrorail Intermodal Access Improvements - \$1,100,000

In addition, the Authority approved funding for following project requested by both Fairfax County and the Virginia Railway Express (VRE):

- VRE Lorton Station Second Platform - \$7,900,000

To facilitate the implementation of the “70 percent” projects, Authority and jurisdictional staff developed an agreement to govern the terms and conditions associated with the funding the Authority approved for these regional projects and to ensure that the requirements of HB 2313 are met. The Standard Project Agreement (SPA) was approved on March 13, 2014. A specific project agreement must be executed for each project approved by the Authority.

The Authority approved the Project Agreements for the Herndon projects at its May 8, 2014, meeting. The Herndon Parkway/Sterling Road Intersection Improvements became operational in November, and the sidewalk improvements are expected to be constructed during the first half of 2015. The contracts for the Herndon Parkway/Van Buren Street Improvements and Herndon Metrorail Intermodal Access Improvements are expected to be awarded in January 2015.

Board Agenda Item
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Following the approval of the SPA, the Authority worked with the Virginia Department of Transportation (VDOT) on an agreement that could be used for projects that will be implemented directly by VDOT. The parties reached agreement on a revised SPA, which will apply to projects requested by a local jurisdiction or by VDOT directly, but funded entirely with Authority funds and implemented by VDOT. Use of this agreement requires that VDOT will ultimately maintain the asset that is being constructed and/or it will be located in the VDOT right-of-way. If a project has multiple funding sources, the sponsoring jurisdiction will need to execute VDOT's own standard project agreement and the Authority's standard project agreement independently. The Authority approved the NVTA/VDOT SPA on October 6, 2014. The Commonwealth Transportation Board (CTB) authorized the Virginia Commissioner of Highways to execute these SPAs on November 12, 2014.

On December 11, 2014, the Authority approved the Project Agreements with the Commonwealth for the widening of Route 28 Northbound from McLearen Road to the Dulles Toll Road and the widening of Route 28 Southbound from the Dulles Toll Road to Route 50 in Fairfax County. At the same meeting, the Authority approved the Project Agreement for the widening of Route 28 from Sterling Boulevard to the Dulles Toll Road in Loudoun County. The widening of the bridge over the Dulles Toll Road Bridge, which connects the three NVTA-funded projects, is being funded using the Route 28 Highway Transportation Improvement District Project Completion Fund and funding from the Virginia Transportation Partnership Opportunity Fund. A Notice to Proceed for the three NVTA-funded projects is anticipated to be issued in January 2015, and they are expected to be complete in mid- to late-2016.

The Authority also approved the Project Agreement for the VRE Lorton Station Second Platform at its December 11, 2014, meeting. Preliminary engineering is currently underway for this project, and the Authority is providing funding for final design and construction.

County staff expects to bring the Innovation Station project agreement to the Board for consideration in spring 2015.

FISCAL IMPACT:

There is no fiscal impact to the County as a result of the actions that have been taken, and there is no additional debt being issued on behalf of the Route 28 Transportation Improvement District. The Route 28 and Herndon projects listed are being funded through Northern Virginia Transportation Authority funds, the Virginia Transportation Partnership Opportunity Fund, and the Route 28 District Project Completion Fund.

Board Agenda Item
January 27, 2015

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Joe LaHait, Debt Coordinator, Department of Management and Budget
Todd Wigglesworth, Acting Chief, Coordination and Funding Division, FCDOT
Ellen Posner, Coordination and Funding Division, FCDOT
Noelle Dominguez, Coordination and Funding Division, FCDOT
Ray Johnson, Coordination and Funding Division, FCDOT

Board Agenda Item
January 27, 2015

11:10 a.m.

Matters Presented by Board Members

Board Agenda Item
January 27, 2015

12:00 p.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
 - (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
 - (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
-
- 1. *Board of Supervisors of Fairfax County v. Sina Corporation d/b/a Sign and Print*
 - 2. *Fairfield Crossing LLC v. Board of Supervisors of Fairfax County, Virginia, Case No. 2013-0019129 (Fx. Co. Cir. Ct.) (Providence District)*
 - 3. *Kohl's Department Stores, Inc. and Rocks Dulles, LC v. Board of Supervisors of Fairfax County, Virginia, and Fairfax County, Virginia, Case No. 2012-0019486 (Fx. Co. Cir. Ct.) (Dranesville District)*
 - 4. *Cellco Partnership d/b/a Verizon Wireless and CWS VII, LLC v. Fairfax County, Virginia, and The Board of Supervisors of Fairfax County, Virginia, Civil Action No. 1:15cv2 (E.D. Va.) (Dranesville District)*
 - 5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
 - 6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Duane S. Whitney, Edward N. Whitney, Arthur M. Whitney, Pamela V. Whitney, Rhonda L. Whitney, Candace Alexander, and Jeanette Alexander, Case No. CL-2007-0005644 (Fx. Co. Cir. Ct.) (Providence District)*
 - 7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Judy V. Marshall, Case No. CL-2014-0000688 (Fx. Co. Cir. Ct.) (Providence District)*
 - 8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Enrique Lopez, Case No. CL-2006-0004984 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
 - 9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hillbrook Real Estate Holdings, LLC, Case No. CL-2010-0013770 (Fx. Co. Cir. Ct.) (Mason District)*

10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mery Raquel Vilcapoma Inga, Hung Nguyen, and Hiep Nguyen*, Case No. CL-2008-0006906 (Fx. Co. Cir. Ct.) (Mason District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Donald O. Bussard, Jr.*, Case No. CL-2009-0006891 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Anthony T. Satterwhite and Sheilah Miller Satterwhite*, Case No. CL-2014-0013474 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Young Bong Cho and Young Soo Cho*, Case No. CL-2014-0012410 (Fx. Co. Cir. Ct.) (Springfield District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Karl A. Eickmeyer*, Case No. CL-2014-0014976 (Fx. Co. Cir. Ct.) (Braddock District)
15. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jerry A. Demoney and Vicki L. Demoney*, Case No. CL-2014-0014975 (Fx. Co. Cir. Ct.) (Springfield District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kwang Woo Kim and Eun Sook Kim*, Case No. CL-2014-0006957 (Fx. Co. Cir. Ct.) (Mason District)
17. *Leslie Carper v. Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia* (State Building Code Technical Review Board) (Mount Vernon District)
18. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Zina Theresa Bleck*, Case No. CL-2015-0000047 (Fx. Co. Cir. Ct.) (Hunter Mill District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Kenneth E. Reppart and Edna M. Reppart*, Case No. CL-2015-0000262 (Fx. Co. Cir. Ct.) (Mason District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator, v. Retta H. Hall*, Case Nos. GV14-026144 and GV14-026145 (Fx. Co. Gen. Dist. Ct.) (Mason District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Magin A. Jaimes*, Case No. GV14-026373 (Fx. Co. Gen. Dist. Ct.) (Mason District)

22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Milton H. Hamilton, Jr. and Courtenay B. Hamilton*, Case No. GV14-027181 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kay F. Walkinshaw*, Case No. GV14-026373 (Fx. Co. Gen. Dist. Ct.) (Springfield District)

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Board Agenda Item
January 27, 2015

3:00 p.m.

Annual Meeting of the Fairfax County Solid Waste Authority

ISSUE:

Fairfax County Solid Waste Authority annual meeting.

RECOMMENDATION:

The County Executive recommends that the Fairfax County Solid Waste Authority hold its annual meeting in accordance with the Bylaws for the Authority; appoint officers; approve the minutes of the last annual meeting on January 28, 2014; and review the financial statements.

TIMING:

Immediate. The Bylaws of the Fairfax County Solid Waste Authority require the annual meeting to coincide with the time for the last regular meeting of the Board of Supervisors set in January.

BACKGROUND:

According to the Bylaws of the Fairfax County Solid Waste Authority, the regular annual meeting of the Authority shall coincide with the time for the last regular meeting of the Board of Supervisors set in January. The proposed agenda of the Authority meeting is included as Attachment I. The Bylaws further require a review and approval of the minutes of the previous year's meeting (Attachment II) and that officers of the authority be appointed to serve for a one-year term.

During FY 2014, the I-95 Energy/Resource Recovery Facility (E/RRF) processed 1,013,379 tons of municipal solid waste, almost 9% above the Guaranteed Annual Tonnage (GAT) of 930,750 tons required by the Service Agreement with Covanta Fairfax, Inc. (CFI), owner and operator of the facility. County waste delivered to the facility totaled 615,078 tons. This was below the GAT level but additional waste from the District of Columbia, Prince William County, and supplemental waste accounted for the remaining tons. Solid waste disposal is down overall due to the economy, increased recycling, and reduced generation of waste (e.g. less packaging).

The June 2014 stack test and twice-yearly ash tests documented emissions from the E/RRF that were well below regulatory and permit limits established by the

Board Agenda Item
January 27, 2015

U.S. Environmental Protection Agency and the Virginia Department of Environmental Quality. The report from the independent engineering firm of Dvirka and Bartilucci confirmed in its November 2014 report, page 1-2, that “CFI has complied with the requirements of the Service Agreement, as amended, and has complied with the Facility’s various environmental permit and regulatory obligations.” Covanta Fairfax continues to be certified as a Virginia Extraordinary Environmental Excellence Enterprise Program (E4) participant.

The construction bonds for the facility were paid in February 2011, with a resultant reduction in the tip fee paid by the county to Covanta. The related Service Agreement extension continues through February 1, 2016. A new Waste Disposal Agreement (WDA) was awarded to Covanta Fairfax in April 2014. This contract extends the county’s use of the facility beyond February 2016, with a lower GAT and below market rates for disposal. The contract term is for 5 years with two possible 5-year extensions. Other benefits from the WDA will accrue to the county over the period of the contract including continued monitoring of the facility operations, payment for certain county infrastructure costs at the Landfill Complex, and priority disposal at the facility.

Additional financial information is contained in the Financial Statements (Attachment III).

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I – Fairfax County Solid Waste Authority Meeting Agenda, January 27, 2015
Attachment II – Minutes of the January 28, 2014, Solid Waste Authority Annual Meeting
Attachment III – Financial Statements

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)

FAIRFAX COUNTY SOLID WASTE AUTHORITY

Annual Meeting Agenda

January 27, 2015

1. Call-to-Order
2. Appointment of Officers.
 - Chairman
 - Sharon Bulova, Chairman, Fairfax County Board of Supervisors
 - Vice-Chairman
 - Penelope A. Gross, Vice-Chairman, Fairfax County Board of Supervisors
 - Secretary
 - Catherine A. Chianese, Clerk to the Fairfax County Board of Supervisors
 - Treasurer
 - Christopher Pietsch, Director, Department of Finance
 - Attorney
 - David P. Bobzien, County Attorney
 - Executive Director
 - Edward L. Long Jr., County Executive
 - Authority Representative
 - John W. Kellas, Director, Solid Waste Management Program Operations Division
3. Approval of the minutes from the January 28, 2014 meeting.
4. Approval of the financial statements for the Authority.

MINUTES OF THE ANNUAL MEETING OF THE SOLID WASTE AUTHORITY

January 28, 2014

At the Annual Meeting of the Fairfax County Solid Waste Authority held in accordance with Article III, Section I of the bylaws, in the Board Auditorium of the Government Center in Fairfax, Virginia, on Tuesday, January 28, 2014, at 3:49 p.m., there were present:

MEMBERS OF THE BOARD OF DIRECTORS AND OFFICERS:

Chairman Sharon Bulova, presiding

Supervisor John C. Cook, of Braddock District

Supervisor John W. Foust, of Dranesville District

Supervisor Michael R. Frey, of Sully District

Supervisor Penelope A. Gross, of Mason District

Supervisor Catherine M. Hudgins, of Hunter Mill District

Supervisor Gerald W. Hyland, of Mount Vernon District

Supervisor Jeffrey C. McKay, of Lee District

Supervisor Patrick S. Herrity, of Springfield District

Supervisor Linda Q. Smyth, of Providence District

Edward L. Long Jr., County Executive; Authority Executive Director

Catherine A. Chianese, Clerk of the Board of Supervisors; Authority Secretary

Christopher Pietsch, Director, Department of Finance; Treasurer

David P. Bobzien, County Attorney; Authority Attorney

John Kellas, Director, Solid Waste Management Program Operations Division, Department of Public Works and Environmental Services (DPWES); Authority Representative

Meeting Minutes
The Fairfax County Solid Waste Authority
January 28, 2014

Supervisor Gross moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

OFFICERS

Sharon Bulova Chairman, Fairfax County Board of Supervisors	– Chairman
Penelope A. Gross Vice-Chairman, Fairfax County Board of Supervisors	– Vice-Chairman
Catherine A. Chianese Clerk of the Fairfax County Board of Supervisors	– Secretary
Christopher Pietsch Director, Office of Finance	– Treasurer
David P. Bobzien County Attorney	– Attorney
Edward L. Long Jr. County Executive	– Executive Director
John Kellas Director, Solid Waste Management Program Operations Division, Department of Public Works and Environmental Services (DPWES)	– Authority Representative

Supervisor Hyland seconded the motion and it carried by unanimous vote.

Supervisor Gross moved approval of the fiduciary report for the Authority. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Supervisor Gross moved to adjourn the Annual Meeting of the Fairfax County Solid Waste Authority. Supervisor Hyland seconded the motion and it carried by unanimous vote.

**Meeting Minutes
The Fairfax County Solid Waste Authority
January 28, 2014**

At 3:51 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was adjourned.

**Meeting Minutes
The Fairfax County Solid Waste Authority
January 28, 2014**

The foregoing minutes record the actions taken by the Fairfax County Solid Waste Authority at its meeting held on Tuesday, January 28, 2014, and reflects matters discussed by the Authority. Audio or video recordings of all proceedings are available in the Office of the Clerk of the Board of Supervisors of Fairfax County, Virginia.

Respectfully submitted,



Catherine A. Chianese
Secretary
Solid Waste Authority

FAIRFAX COUNTY SOLID WASTE AUTHORITY

Fiduciary Report

June 30, 2014 and 2013

FAIRFAX COUNTY SOLID WASTE AUTHORITY

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FAIRFAX COUNTY SOLID WASTE AUTHORITY

Statements of Fiduciary Assets and Liabilities

June 30, 2014 and 2013

	<u>2014</u>	<u>2013</u>
Assets:		
Investments	<u>\$ -</u>	<u>\$ -</u>
Liabilities:		
Liability under reimbursement agreement	<u>\$ -</u>	<u>\$ -</u>

See accompanying notes to fiduciary report.

FAIRFAX COUNTY SOLID WASTE AUTHORITY

Notes to Fiduciary Report

June 30, 2014 and 2013

1. Organization

The Fairfax County Solid Waste Authority (the Authority) was formed by resolution of the Board of Supervisors of the County of Fairfax, Virginia (the County), on July 27, 1987. The Authority's board consists of the County's Board of Supervisors. Therefore, the Authority is considered a blended component unit of the County.

The Authority was formed for the purpose of constructing and overseeing the operations of a resource recovery facility (the Facility) in Lorton, Virginia, on a site that was purchased in July 2002 by the County from the United States. Prior thereto, legal title to the site was vested in the United States to the benefit of the District of Columbia; the site was leased by the District to the County, and the County assigned the leased site to the Authority. The Assignment of Site Lease to the Authority, dated as of February 1, 1988, has not been amended, terminated, rescinded, or revoked, and remains in full force and effect in accordance with its terms.

The construction of the Facility was partially financed by \$237,180,000 and \$14,900,000 of Series 1988A tax-exempt and Series 1988B taxable industrial revenue bonds, respectively, issued by the Fairfax County Economic Development Authority (EDA) during 1988. The Series 1988B Bonds were retired in February 1996. The Authority invests all bond proceeds through a trust account with a major bank. The Authority is responsible for making all investment decisions and authorizing all disbursements from the trust.

On February 1, 1988, an Installment Sales Agreement between the EDA and the Authority was executed whereby the Facility and the bond proceeds were sold to the Authority. Concurrent with this Installment Sales Agreement, the Authority entered into a Conditional Sale Agreement whereby the Facility, the bond proceeds and the Authority's leasehold interest in the site were sold to Covanta Fairfax, Inc. Under a related service agreement, Covanta designed, constructed, and operates the Facility. The Facility was completed and began commercial operations in June 1990. The County and the Authority have agreed to provide guaranteed minimum annual amounts of waste and annual tipping fees to the Facility. Under the terms of the Conditional Sale Agreement, debt service on the bonds was paid by Covanta through the Authority solely from solid waste system revenues generated by the Facility. The bonds were not general obligations of the Authority, the County, or the EDA.

During the fiscal year ended June 30, 1995, the EDA sold, at the request of the Authority for the benefit of the Facility, a call option on the Series 1988A Bonds to a financial institution for \$10,250,000. The option, which was exercised in November 1998, required the EDA to issue new bonds to the institution at certain agreed-upon interest rates. The proceeds of the new Series 1998A Resource Recovery Revenue Refunding Bonds together with certain proceeds remaining from the Series 1988A Bonds and certain other available funds were used to refund the remaining outstanding Series 1988A Bonds in February 1999. The final principal and interest payments on the Series 1998A Resource Recovery Revenue Refunding Bonds were made on February 1, 2011. The bank accounts held with the fiscal agent, US Bank, to service the debt payments and invest the debt service reserve were closed in FY2011. As a result, there were no fiduciary assets, obligations, or transactions to record or report in FY2014.

Board Agenda Item
January 27, 2015

3:30 p.m.

Public Hearing on Proposed Compensation Adjustments to \$95,000 for Members of the Board of Supervisors and to \$100,000 for the Chairman, Effective January 1, 2016

ISSUE:

Public hearing on proposed adjustments to the compensation of the Members of the Board of Supervisors and the Chairman who take office when the newly-elected Board's term begins on January 1, 2016.

RECOMMENDATION:

The County Executive recommends that the public hearing be held, and that a decision on compensation be made on or before April 15, 2015.

TIMING:

On January 13, 2015, the Board authorized advertisement of a public hearing on January 27, 2015. State law requires that any increase be approved no later than April 15, 2015. If approved, the changes in compensation will be effective January 1, 2016, and will apply to the Board Members and Chairman elected on November 3, 2015.

BACKGROUND:

At the December 2, 2014, Board meeting, the Board directed staff to return to the Board with information regarding, among other topics, how the compensation of the Chairman and Board Members compares to that of the governing bodies in other local jurisdictions, as well as the legal requirements for adjusting such compensation, if the Board chooses to make an adjustment. Attachment 1 is the January 6, 2015, memorandum from the County Executive to the Board regarding such compensation in other local jurisdictions.

FISCAL IMPACT:

If the compensation changes are approved in March, the FY 2016 budget will be adjusted to reflect the \$102,500 partial fiscal year impact of the increase in salaries. The full fiscal year impact of \$205,000 will be included in the development of the FY 2017 budget.

Board Agenda Item
January 27, 2015

ENCLOSED DOCUMENTS:

Attachment 1: Memorandum dated January 6, 2015, from the County Executive to the Board of Supervisors

STAFF:

Susan Woodruff, Director, Department of Human Resources
Sarah Hensley, Assistant County Attorney



County of Fairfax, Virginia

MEMORANDUM

DATE: JAN - 6 2015

TO: Board of Supervisors

FROM: Edward L. Long Jr.
County Executive

SUBJECT: Board Compensation

At the December 2, 2014, Board meeting, Chairman Bulova asked the County Executive to provide the legal process and requirements for adjusting the compensation for Board Members and Planning Commissioners. She also asked that staff provide comparative data regarding compensation for Boards representing jurisdictions of similar size and scope of responsibilities to the County. Supervisor Frey asked that staff provide information regarding the legal requirements and process to adjust the School Board's compensation. Additionally, a question was raised whether there is a statutory requirement that Board Members' positions be "part-time." The legal questions raised have been answered in recent correspondence from the County Attorney.

The County Attorney advises that the Virginia Code provides that Board members' salaries may only be increased after public hearing, no later than April 15 of any year in which there is an election for Board members. Any increase set by that date would go into effect the following January 1 for newly elected Board members. Should the Board decide to move forward with a compensation adjustment, the administrative item advertising the public hearing could be scheduled for January 13, 2015, with the public hearing held on January 27, 2015.

The Board's salaries were last adjusted in January, 2008. If no adjustment is made now, the next opportunity to do so is early 2019 for January 1, 2020 implementation. A survey of surrounding local jurisdictions is summarized in the chart below:

Other Jurisdiction's Board Salaries Chairperson

JURISDICTION	FT or PT	SALARIES
Alexandria	PT	30,500
Arlington	PT	56,629
District of Columbia	FT	190,000
Loudoun	PT	50,000
Montgomery	FT	124,641
Prince George's	FT	114,347
Prince William	PT	49,452
Fairfax	PT	75,000

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**Other Jurisdiction's Board Salaries
 Members/Supervisors**

JURISDICTION	FT or PT	SALARIES
Alexandria	PT	27,500
Arlington	PT	51,480
District of Columbia	PT	132,990
Loudoun	PT	41,200
Montgomery	FT	113,310
Prince George's	FT	108,902
Prince William	PT	43,422
Fairfax	PT	75,000

It should be noted that the jurisdictions surveyed denoted whether their Board members were full time or part-time and in all cases indicated that there was no prohibition on outside employment. In general, in those jurisdictions where it was noted that Board members were considered part-time, there was a higher number of Board members with outside employment.

Planning Commissioners' compensation was last increased in 2001 to its current \$15,000. The process for increasing the compensation for the Planning Commissioners has been provided by separate correspondence from the County Attorney. Below is a summary of compensation for surrounding jurisdictions:

**Other Jurisdiction's
 Planning Commissioners' Salaries**

JURISDICTION	# BOARD MEMBERS	PAY
Arlington County	10	0
City of Alexandria	7	0
Prince William County	8	\$9,600
Loudoun County (Chair)	1	\$22,334
Loudoun County (Commissioners)	8	\$21,315
Montgomery County	5	\$30,000
Prince Georges County	4	\$25,000
Fairfax County	12	\$15,000

Please let me know if I can provide any additional information.

- cc: David P. Bobzien, County Attorney
 Susan W. Datta, CFO, Director, Department of Management and Budget
 Patricia D. Harrison, Deputy County Executive
 David J. Molchany, Deputy County Executive
 David M. Rohrer, Deputy County Executive
 Robert A. Stalzer, Deputy County Executive
 Susan E. Woodruff, Director, Department of Human Resources
 Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors

Board Agenda Item
January 27, 2015

3:30 p.m.

Public Hearing on SE 2014-MV-026 (Shazia Younis DBA Childrenzone Home Child Care) to Permit a Home Child Care Facility, Located on Approximately 3,959 Square Feet of Land Zoned PDH-12 (Mount Vernon District)

This property is located at 8121 Gilroy Drive, Lorton, 22079, Tax Map 107-2 ((12)) 111.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 22, 2015, the Planning Commission voted 11-0 (Commissioner Hurley was absent from the meeting) to recommend to the Board of Supervisors approval of SE 2014-MV-026, subject to the Development Conditions dated January 21, 2015.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4473319.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Carmen Bishop, Planner, DPZ

SE 2014-MV-026 – SHAZIA YOUNIS d/b/a CHILDREZONE HOME CHILD CARE

Decision Only During Commission Matters
(Public Hearing held on January 7, 2015)

Commissioner Flanagan: This is SE 2014-MV-026, Shazia Younis.

Shazia Younis, Owner, Childrenzone Home Child Care: Yes, Sir.

Commissioner Flanagan: Mr. Chairman, I also request that the applicant confirm for the record her agreement to the proposed development conditions dated January 21, 2015.

Ms. Younis: Yes, I do.

Chairman Murphy: Would you please identify yourself for the record with your name and address?

Ms. Younis: Yes, sir. My first name is Shazia; last name is Younis. And my property address is 8121 Gilroy Drive, and it's in Lorton, and the zip is 22079.

Chairman Murphy: Okay. Thank you very much.

Ms. Younis: Thank you.

Chairman Murphy: Mr. Flanagan.

Commissioner Flanagan: Yes. During the public hearing on January 7, 2015, the president of the Laurel Highlands Homeowner Association requested the denial of this SE request because the homeowner association policies governing home occupations do not allow more than one non-resident employee. He also testified that the application does not satisfy a Zoning Ordinance requirement in Section 9-001 that a special exception use be compatible with existing or planned development in the general area. The Commission deferred the decision to tonight to allow the homeowner association and the applicant to resolve these problems. Distributed tonight is a January 16, 2015 letter from Rees Broome, attorneys for the homeowner association, that resolves those problems. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2014-MV-026, SUBJECT TO THE CONDITIONS DATED JANUARY 21, 2015.

Commissioners Litzenberger and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Litzenberger and Mr. Sargeant. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-MV-026, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried by a vote of 11-0. Commissioner Hurley was absent from the meeting.)

JN

Board Agenda Item
January 27, 2015

3:30 p.m.

Public Hearing on SE 2014-MV-041 (Northern Virginia Radio Control Club) to Permit a Private Club, Located on Approximately 47.90 Acres of Land Zoned R-C (Mount Vernon District)

Property is located at 9850 Furnace Road, Lorton, 22079. Tax Map 113-1 ((1)) 14.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, December 11, 2014, the Planning Commission voted 12-0 to recommend the following actions to the Board of Supervisors:

- Approval of SE 2014-MV-041, subject to the Development Conditions now dated December 11, 2014; and
- Approval of a waiver of the dustless surface requirement, pursuant to Paragraph 11 of Section 11-102 of the Zoning Ordinance, and approval of a waiver of Paragraph 1 of Section 13-202 of the Zoning Ordinance for interior parking lot landscaping.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4470974.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Mary Ann Tsai, Planner, DPZ

SE 2014-MV-041 – NORTHERN VIRGINIA RADIO CONTROL CLUB

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Mr. Freas, will you come down again, please, because you never reaffirmed those development conditions on the record.

Commissioner Flanagan: Do you confirm for the record the agreement to the proposed development conditions dated December 11, 2014?

Robert M. Freas, Agent, Northern Virginia Radio Control Club: I do.

Commissioner Flanagan: Thank you.

Chairman Murphy: Thank you very much. Go ahead.

Commissioner Flanagan: All right, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2014-MV-041, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED DECEMBER 11, 2014.

Commissioners: Second.

Chairman Murphy: Seconded by Mr. Sargeant, Ms. Hall, Mr. Lawrence –

Commissioner Lawrence: – with pleasure.

Chairman Murphy: – the whole Planning Commission, for the record. All those in favor of the motion to recommend to the board of supervisors that it approve SE 2014-MV-041, say aye.

Commissioners: Aye.

Chairman Murphy: A very loud “aye.” You’re in good shape. Opposed? Motion carries. Thank you very much.

Commissioner Flanagan: I have one - - one more motion.

Chairman Murphy: Okay, go ahead.

Commissioner Flanagan: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE DUSTLESS SURFACE REQUIREMENT, PURSUANT TO PARAGRAPH 11 OF SECTION 11-102 OF THE ZONING ORDINANCE, AND APPROVAL OF A WAIVER OF PARAGRAPH 1 OF

SECTION 13-202 OF THE ZONING ORDINANCE FOR INTERIOR PARKING LOT
LANDSCAPING.

Commissioners: Second.

Chairman Murphy: Seconded by Mr. Litzenberger, Mr. Sargeant, Ms. Hall, Mr. Lawrence,
etcetera. All those in favor of the motion, say aye.

Commissioners: Aye.

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

//

(Each motion carried by a vote of 12-0.)

JN

Board Agenda Item
January 27, 2015

3:30 p.m.

Public Hearing on SE 2014-MV-045 (Zahida Babar DBA Azeem Day Care Home) to Permit a Home Child Care Facility, Located on Approximately 1,400 Square Feet of Land Zoned PDH-16 and HC (Mount Vernon District)

Property is located at 8467 Byers Dr., Alexandria, 22309, Tax Map 101-3 ((34)) 127.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 22, 2015, the Planning Commission voted 11-0 (Commissioner Hurley was absent from the meeting) to recommend to the Board of Supervisors approval of SE 2014-MV-045, subject to the Development Conditions dated January 15, 2015.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4470597.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Megan Duca, Planner, DPZ

SE 2014-MV-045 – ZAHIDA BABAR d/b/a AZEEM DAY CARE

After Close of the Public Hearing

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

Commissioner Flanagan: I think we've already had a confirmation of the covenants –

Chairman Murphy: No, we have to call her back up again.

Commissioner Flanagan: – and the conditions. We don't have to call her back, do we?

Chairman Murphy: Ms. Babar, will you please come back up again and reaffirm that you agree with the development conditions and that you understand them?

Commissioner Flanagan: Is this on verbatim, by the way?

Chairman Murphy: It is.

Zahida Babar, Owner, Azeem Day Care: Yes, sir, I agree with the with the conditions.

Chairman Murphy: And you understand them?

Ms. Babar: Yes, I do.

Chairman Murphy: Okay, thank you very much.

Ms. Babar: Yes, sir.

Chairman Murphy: Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. With that affirmation, I MOVE THAT PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2014-MV-045, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 15, 2015.

Commissioners Litzenberger and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Litzenberger and Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-MV-045, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried by a vote of 11-0. Commissioner Hurley was absent from the meeting.)

JN

Board Agenda Item
January 27, 2015

3:30 p.m.

Public Hearing on SE 2014-SU-059 (Chantilly Plaza LLC) to Permit Waiver of Certain Sign Regulations, Located on Approximately 8.26 Acres of Land Zoned C-6, WS and HC (Sully District)

Property is located at 13653 A Lee Jackson Memorial Highway, Chantilly, 20151 Tax Map 44-2 ((1)) 9C.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, December 11, 2014, the Planning Commission voted 12-0 to recommend that the Board of Supervisors approve SE 2014-SU-059, subject to the Development Conditions dated November 26, 2014, with the following revision to Condition Number 6:

“Sign lettering may include text in languages other than English; however, if so, than the Non-English text must also be translated into English (the translated text) and the translated text must be equal to or greater in text size than the Non-English text to ensure legibility.”

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4470978.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Kris Abrahamson, Planner, DPZ

SE 2014-SU-059 – CHANTILLY PLAZA, LLC

After Close of the Public Hearing

Chairman Murphy: Close the public hearing; Mr. Litzenberger, please.

Commissioner Litzenberger: Thank you, Mr. Chairman. Ms. Stagg, could you once again confirm that the applicant agrees with all the conditions, including the one on the sign?

Inda Stagg, Senior Urban Planner, Walsh, Colucci, Lubeley, Emrich & Walsh, PC: Yes, sir, the applicant agrees with the conditions.

Commissioner Litzenberger: Mr. Chairman, I MOVE THAT PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT SE 2014-SU-059, BY CHANTILLY PLAZA, LLC BE APPROVED, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED NOVEMBER 26TH, 2014, WITH THE FOLLOWING CONDITION TO CONDITION NUMBER 6: “ SIGN LETTERING MAY INCLUDE TEXT IN LANGUAGES OTHER THAN ENGLISH; HOWEVER, IF SO, THAN THE NON-ENGLISH TEXT MUST ALSO BE TRANSLATED INTO ENGLISH (THE TRANSLATED TEXT) AND THE TRANSLATED TEXT MUST BE EQUAL TO OR GREATER IN TEXT SIZE THAN THE NON-ENGLISH TEXT TO ENSURE LEGIBILITY.”

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-SU-059, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried by a vote of 12-0.)

JN

Board Agenda Item
January 27, 2015

4:00 p.m.

Public Hearing on RZ 2014-MA-011 (Spectrum Development, LLC) to Permit Retail, Pharmacy With Drive-Through and Fast Food Uses With An Overall Floor Area Ratio of 0.22 and Waivers and Modifications in a CRD, Located on Approximately 2.72 Acres of Land (Mason District)

Property is located on the South Side of Leesburg Pike between Charles Street and Washington Drive. Tax Map 61-2 ((17)) (D) 1, 3, 4 and 5; and 61-2 ((18)) 1, 2, 3, 4 and 5. (Concurrent with SE 2014-MA-013).

and

Public Hearing on SE 2014-MA-013 (Spectrum Development, LLC) to Permit a Pharmacy With Drive-Through and Fast Food Restaurant(s) and Waivers and Modifications in a CRD, Located on Approximately 2.72 Acres of Land Zoned C-6, CRD, HC, and SC (Mason District)

Property is located at 5885 Leesburg Pike, 3408 & 3410 Washington Dr., and 3425 & 3401 Charles Street, Falls Church, 22041. Tax Map 61-2 ((17)) (D) 1, 3, 4 and 5; and 61-2 ((18)) 1, 2, 3, 4 and 5.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission Public Hearing was held on Wednesday, January 14, 2015 and the Decision was deferred to February 11, 2015. 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/4474376.PDF>

STAFF:

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

Board Agenda Item
January 27, 2015

4:00 p.m.

Public Hearing on DPA A-502-07 (Lake Anne Development Partners LLC) to Permit the 7th Amendment of the Development Plan for RZ A-502 to Permit a Mixed Use Development with an Overall Floor Area Ratio of 1.11 Associated Modifications to Site Design and a Waiver #8260-WPFM-001-1 for the Location of Underground Storm Water Facilities in a Residential Area, Located on Approximately 24.30 Acres of Land Zoned PRC (Hunter Mill District)

Property is located on the South Side of Baron Cameron Avenue at its Intersection with Village Road Tax Map 17-2 ((8)) 6 C, 17-2 ((14)) (1) 2 G, 17-2 ((16)) 1 A, and 17-2 ((7)) 6 B2 and 6 B3, 17-2 ((1)) 7, 17-2 ((31)) 1645, 17-2 ((31)) common elements (part) (parking lot), and a portion of Village Rd. to be vacated/abandoned. (Concurrent with PCA A-502 and PRC A-502-3).

and

Public Hearing on PRC A-502-03 (Lake Anne Development Partners LLC) to Approve a PRC Plan Associated with RZ A-502 to Permit a Mixed Use Development, with an Overall Floor Area Ratio of 1.11, and Waiver #8260-WPFM-001-1 for the Location of Underground Storm Water Facilities in a Residential Area, Located on Approximately 24.30 Acres of Land Zoned PRC (Hunter Mill District)

Property located on the South side of Baron Cameron Avenue at its Intersection with Village Road Tax Map 17-2 ((8)) 6 C, 17-2 ((14)) (1) 2 G, 17-2 ((16)) 1 A, 17-2 ((7)) 6 B2 and 6 B3, 17-2 ((1)) 7, 17-2 ((31)) 1645, 17-2 ((31)) common elements (part) (parking lot), and a portion of Village Road to be vacated/ abandoned (Concurrent with DPA A-502-07 and PCA A-502).

and

Public Hearing on PCA A-502 (Lake Anne Development Partners LLC) to Add Proffers to RZ A-502 Previously Approved for Residential Commercial, Institutional and Park Uses to Permit a Mixed Use Development Associated Proffers and Associated Modifications to Site Design with an Overall Floor Area Ratio of 1.11 and Waiver #8260-WPFM-001-1 for the Location of Underground Storm Water Facilities in a Residential Area, Located on Approximately 24.30 Acres of Land Zoned PRC (Hunter Mill District)

Property is located on in the south side of Baron Cameron Avenue at its intersection with Village Road Tax Map 17-2 ((8)) 6 C, 17-2 ((14)) (1) 2 G, 17-2 ((16)) 1 A, 17-2 ((7)) 6 B2 and 6 B3, 17-2 ((1)) 7, 17-2 ((31)) 1645, 17-2 ((31)) common elements (part) (parking lot), and a portion of Village Road to be vacated/abandoned (Concurrent with DPA A-502-07 and PRC A-502-3)

Board Agenda Item
January 27, 2015

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 22, 2015, the Planning Commission voted 11-0 (Commissioner Hurley was absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 5-502, subject to the execution of proffers consistent with those dated January 22, 2015;
- Approval of DPA A-502-07 and PRC A-502-03, subject to the proposed PRC Development Conditions consistent with those dated January 22, 2015; and
- Approval of the following waivers and modifications:
 - Waiver of Paragraph 2 of Section 6-306 of the Zoning Ordinance for privacy yards a minimum of 200 feet for buildings D12 and D21 through D24;
 - Modification of Section 11-203 of the Zoning Ordinance for the minimum required loading spaces for residential, office, retail, and other uses to that shown on the DPA/PRC plan;
 - Waiver of Paragraph 2 of Section 11-302 of the Zoning Ordinance on the requirement that no private streets in a residential development shall exceed 600 feet in length;
 - Waiver of Paragraph 1 of Section 17-305 of the Zoning Ordinance for transitional screening and barriers between uses; and
 - Waiver Number 8260-WPFM-001-1 to permit underground stormwater facilities within a residential development in accordance with Section 6-0303.6 of the Public Facilities Manual, and subject to the conditions contained in attachment A of Appendix 8a, dated June 18, 2014.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4473560.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Mary Ann Tsai, Planner, DPZ

DPA A-502-07/PCA A-502/PRC A-502-03 – LAKE ANNE DEVELOPMENT PARTNERS, LLC Hunter Mill District)

Decision Only During Commission Matters
(Public Hearing held on January 8, 2015)

Commissioner de la Fe: Thank you, Mr. Chairman. The public - - this is on a number of cases related to Lake Anne Development Partners, LLC. They are DPA A-502-07/PCA A-502/PRC A-502-03, all in the name of Lake Anne Development Partners. The public hearing for these cases was held on January 8th. There were, if I remember correctly nine speakers and we also received a number of community input through other means, such as letters and emails and so forth. In almost every - - Actually in every case, they supported these cases; however there were some issues that were brought to our attention. The main one related to - by the speakers - related to the assurance - - they're concerned that they have assurances of continued affordability currently enjoyed by the residents there. I have to stress as we have done before that the new development will in fact replace the 181 current units with at least 181 units - possibly under the new proffers up to 185 units - whose income limits will be, at most, below 60 percent of AMI. The proffered percentages are 10 percent below 30 percent of AMI, 20 percent below 50 percent of AMI, and 70 percent below 60 percent of AMI. In addition to these, all of the new market rate units - or the new market rate units will be subject to the 20 percent county policy for affordable dwelling units; so, I believe that the spirit of maintaining the affordability for current and future residents is there right now through the proffers and the - also the work that will have to be done by the Housing staff to make sure that this does occur. The staff recommended approval; however, they identified a number of issues that they felt needed further attention. One of them had to do with the Parks contribution, which they felt and I felt was too low. During the deferral period it was raised from \$100,000 to \$300,000 and, in a rather lengthy meeting that we had today it was raised to \$500,000. And I will get the - we'll change the proffers tonight to that effect because we haven't - - since the meeting ended at approximately 6:30, we really didn't get a chance to come up with new proffers. You received the proffers last night and today; you received a hard copy for the - - what had been achieved during the deferral period. There were also other issues related to this which relate to transportation improvements that - I mean hard transportation improvements such as the realignment of Village Road, which will require further discussion between numerous parties, which I don't think any further deferral by us or by the Board of Supervisors necessarily would serve - - could be accomplished - but they can be accomplished before the first submissions for, you know, building on this can be handled. The project has undergone an extensive community involvement process and to my knowledge there really are no opponents to this project. The actions that we take tonight are a step forward in a long-envisioned and desired redevelopment of Reston's first center at Lake Anne Village. I would like to ask the applicant's attorney to come forward, identify herself, and remind us of the things that we agreed to tonight.

Lynne Strobel, Esquire, Walsh, Colucci, Lubeley, Emrich & Walsh, PC: Thank you, Commissioner de la Fe, members of the Planning Commission. My name is Lynne Strobel. I represent the applicant and we did have a fairly extensive meeting this afternoon and the proffers

that were delivered to you by email yesterday – I guess hardcopy today – I think, do address a number of the comments that were in the staff report. As Commissioner de la Fe mentioned we have increased the Parks contribution verbally, up to a total of \$500,000 and that will be reflected in the proffers that go to the Board on Tuesday of next week. There's also kind of some minor tweaking language that we will also accommodate. And I did want to note that I received some comments late last night from the attorney representing LARCA (*Lake Anne Reston Condo Association*) and those will also be incorporated to the extent as agreed upon with staff prior to the Board. But I think that we are in agreement with all the changes.

Commissioner de la Fe: Okay, and can I – while you're up there, can I ask you if you concur with the proposed PRC development condition which is now dated 1/22, because we are deleting one tonight.

Ms. Strobel: Yes, sir, we do.

Commissioner de la Fe: Okay, thank you very much.

Ms. Strobel: Thank you.

Commissioner de la Fe: Mr. Chairman, I know that this is - - I mean, there are - - I can't remember how many pages this is. This is – this is almost as big as the Tysons case, if not even more complicated by the fact that it's in Reston and we have to have PRC plans as well as PCAs and everything else. However this, as I said, is the first step of a number of others that have to be taken. We are also - - I'm going to move on this tonight because of - - the Board of Supervisors must act on this by a certain date. And they only meet once in February, so we hope that they can act on this next Tuesday, which is when it's currently scheduled. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 5-502 [*sic*], SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE NOW DATED 1/22/15 - - AND THE CHANGE THERE IS THE UPPING OF THE CONTRIBUTION FROM THE ONES YOU RECEIVED THAT SAID \$300,00 TO \$500,000 - - THE PARK CONTRIBUTION; ALSO DPA A-502-07 AND PRC A-502-03, SUBJECT TO THE PROPOSED PRC DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED NOW 1 – JANUARY 22ND, '15. THERE WERE ORIGINALLY TWO CONDITIONS AND WE DELETED THE SECOND CONDITION BECAUSE IT HAS BEEN TAKEN CARE OF BY CHANGING - - CHANGES IN THE PROFFER. Those – That's my motion.

Commissioner Hart: Second.

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

Commissioner Lawrence: Mr. Chairman?

Chairman Murphy: Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I note with – with satisfaction the presence of a bird-friendly section in the architectural design proffer. Proffers are voluntary. This responsible has some concern for the other creatures living with us on this planet. I urge staff to solicit such proffers as a routine matter. Thank you very much, Mr. Chairman.

Commissioner de la Fe: We have a lot of geese in Lake Anne and we hope that not too many of them get hurt.

Chairman Murphy: Is there further discussion of the motions? All those in favor of the motions as articulated by Mr. de la Fe, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? The motion carries.

Commissioner de la Fe: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISOR APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS:

- WAIVER OF PARAGRAPH 2 OF SECTION 6-306 OF THE ZONING ORDINANCE FOR PRIVACY YARDS A MINIMUM OF 200 FEET FOR BUILDINGS D12 AND D21 THROUGH D24;
- MODIFICATION OF SECTION 11-203 OF THE ZONING ORDINANCE FOR THE MINIMUM REQUIRED LOADING SPACES FOR RESIDENTIAL, OFFICE, RETAIL, AND OTHER USES TO THAT SHOWN ON THE DPA/PRC PLAN;
- WAIVER OF PARAGRAPH 2 OF SECTION 11-302 OF THE ZONING ORDINANCE ON THE REQUIREMENT THAT NO PRIVATE STREETS IN A RESIDENTIAL DEVELOPMENT SHALL EXCEED 600 FEET IN LENGTH; AND
- WAIVER OF PARAGRAPH 1 OF SECTION 17-305 OF THE ZONING ORDINANCE FOR TRANSITIONAL SCREENING AND BARRIERS BETWEEN USES AND; FINALLY
- WAIVER 8260-WPFM-001-1 TO PERMIT UNDERGROUND STORMWATER FACILITIES WITHIN A RESIDENTIAL DEVELOPMENT IN ACCORDANCE WITH SECTION 6-0303.6 OF THE PUBLIC FACILITIES MANUAL, AND SUBJECT TO THE CONDITIONS CONTAINED IN ATTACHMENT A OF APPENDIX 8A, DATED JUNE 18, 2014.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? The motion carries.

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(Each motion carried by a vote of 11-0. Commissioner Hurley was absent from the meeting.)

JN

Board Agenda Item
January 27, 2015

4:00 p.m.

Public Hearing to Amend the Deed of Lease with Inova Health Care Services for 8221 Willow Oaks Corporate Drive (Providence District)

ISSUE:

Public hearing to amend the Deed of Lease with Inova Health Care Services for a portion of 8221 Willow Oaks Corporate Drive.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to amend the Deed of Lease with Inova Health Care Services for a portion of 8221 Willow Oaks Corporate Drive.

TIMING:

On January 13, 2015, the Board authorized the advertisement of a public hearing to amend the Deed of Lease with Inova Health Care Services for a portion of 8221 Willow Oaks Corporate Drive.

BACKGROUND:

The Board of Supervisors (the "Board") recently constructed a 200,000 square foot Class A office building with a 710-space above-grade parking structure located at 8221 Willow Oaks Corporate Drive (the "Building") to replace the Woodburn Mental Health Center and consolidate Fairfax-Falls Church Community Services Board ("CSB") programs from various leased spaces. The Building is commonly referred to as Merrifield Center. As part of the real estate transaction with Inova Health Care Services ("Inova") to acquire the land for the Building, the Board and Inova entered into a Deed of Lease (the "Lease") whereby Inova (the "Tenant") leased the fourth floor of the Building for 10 years.

County staff re-assessed space needs for human services in Central Fairfax and concluded that additional space in Merrifield is required to provide health safety net services. Further, staff concluded that savings would be achieved by consolidating the following two leased spaces (the "Existing Health Leases") that will soon expire and have no options for renewal into owned space.

Lease Expiration	Building	Rentable Square Feet
10/31/2015	6196 Arlington Blvd.	10,513
6/30/2018	5827 Columbia Pike	2,372

County staff conducted a comparative analysis of the proposed rent with a real estate advisory firm and moving to County-owned space is clearly the most cost effective

Board Agenda Item
January 27, 2015

alternative. Currently, the County spends approximately \$380,000 annually in lease costs for the two Existing Health Leases. When the Existing Health Leases expire, the County will need to identify new space as both Landlords are pursuing alternative development opportunities and the existing space will no longer be available for rent. The base rent for comparable space in Merrifield is estimated to be \$760,000 annually in addition to capital funding required to complete the tenant fit out, which may be substantial.

Because of the County's immediate need for the space, County staff has recommended and Inova has verbally agreed to reduce Inova's original leased premises in the Building from approximately 39,600 square feet (the entire 4th floor) to approximately 19,800 square feet located on the West half of the fourth floor. The Lease will be amended to reflect the reduction in square footage and common area maintenance (CAM) expenses related to the leased-space and garage. The fourth floor common lobby will be constructed to be consistent with the lobbies on the second and third floors.

Inova's lease rate is based on its proportionate share of the project cost amortized over 25 years plus its proportionate share of operation, maintenance, and utility costs for the building and parking garage. The lease rate formula will remain the same; however, the proportionate share will be reduced to reflect the reduction in leased space.

While not technically a part of the transaction, the planned outcome of reducing the Inova leased square footage is for the County to enter into service agreements or leases/licenses with health care providers under the Existing Health Leases for the County-retained portion of the fourth floor.

The Department of Public Works and Environmental Services has identified project balances available from the Economic Development Authority Facilities Revenue Bonds Series 2012 (the "EDA bond") that were issued to finance the cost of construction at Merrifield Center and a portion of the Providence Community Center. Balances will be used to provide for the build out necessary to accommodate the services to be provided by the health care providers under the two Existing Health Leases.

FISCAL IMPACT:

Financing Costs

County staff has reviewed the terms of the EDA bond and concluded that the available funding may be used to build out the space. The total estimated capital cost for this project is approximately \$4.5 million.

Lease Costs

Minimum annual rent from Inova will be reduced by just over one half, and deposited into the County's general fund upon receipt. Commencement of rent may be delayed due to the change in scope. However, savings will be achieved from the consolidation of the Existing Health Leases.

Board Agenda Item
January 27, 2015

County staff conducted a comparative analysis of the proposed rent with a real estate advisory firm and concluded that moving to County-owned space is the most cost effective alternative.

ENCLOSED DOCUMENTS:

Attachment 1: Location Map

Attachment 2: Deed of Lease and Amended Deed of Lease available online at:

<http://www.fairfaxcounty.gov/news/2014/lease-with-inova--at-willow-oaks.htm>

STAFF:

David J. Molchany, Deputy County Executive

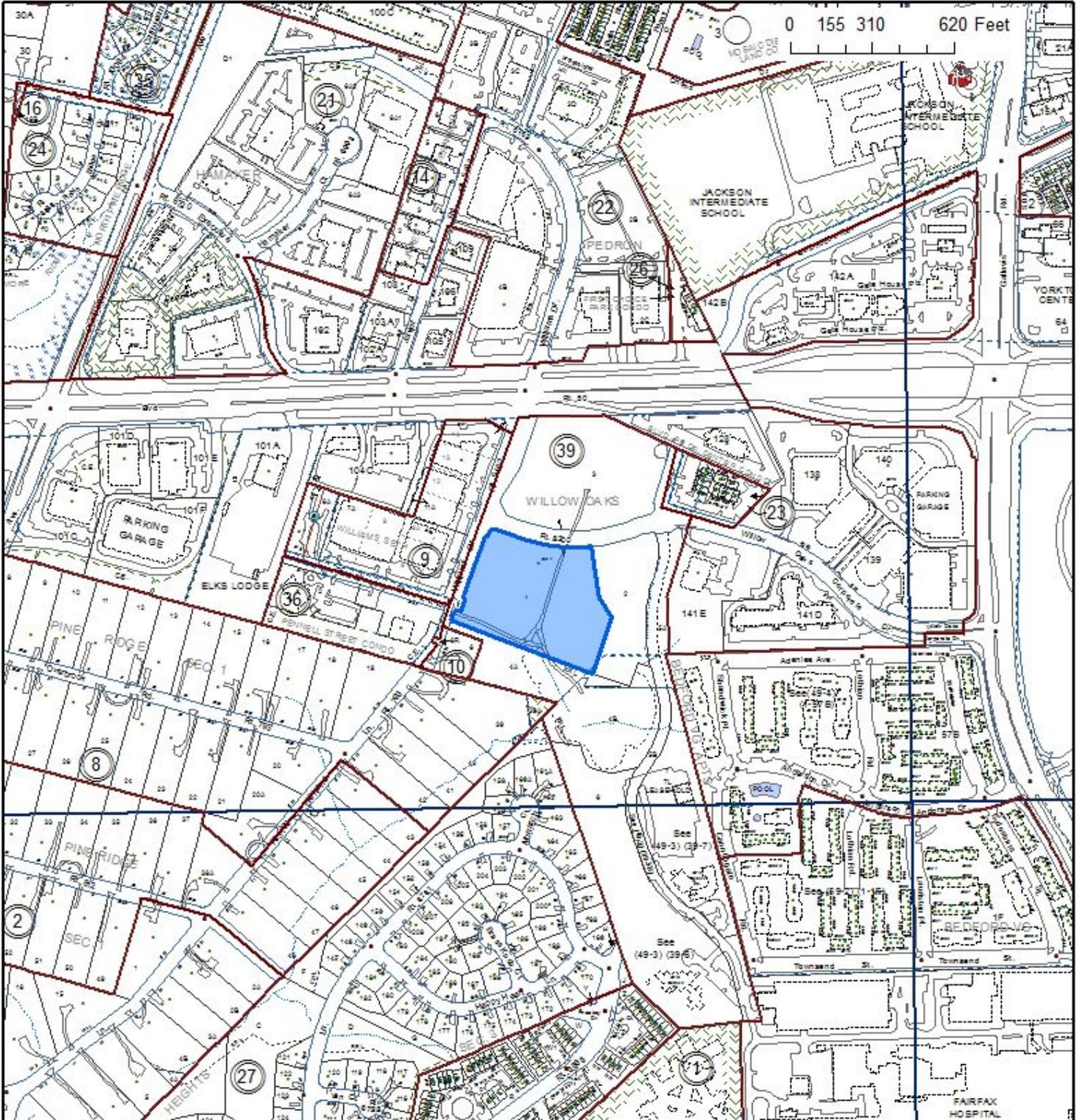
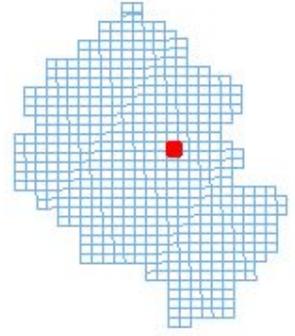
Patricia Harrison, Deputy County Executive

Jose A. Comayagua, Jr., Director, Facilities Management Department

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

Merrifield Center

8221 Willow Oaks Corporate Drive
County Tax Map No.
49-3 ((39)) Parcel 1
Providence District



Board Agenda Item
January 27, 2015

4:30 p.m.

Public Hearing on SE 2014-MV-020 (Kausar S. Mirza D/B/A Funland Mini Center) to Permit a Home Child Care Facility, Located on Approximately 6,021 Square Feet of Land Zoned PDH-12 (Mount Vernon District)

Property is located 9078 Furey Road, Lorton 22079. Tax Map 107-2 ((12)) 228 A.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 22, 2015, the Planning Commission voted 11-0 (Commissioner Hurley was absent from the meeting) to recommend to the Board of Supervisors approval of SE 2014-MV-020, subject to the Development Conditions dated January 22, 2015.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4467877.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Megan Duca Planner, DPZ

SE 2014-MV-020 – KAUSAR S. MIRZA d/b/a FUNLAND MINI CENTER

Decision Only During Commission Matters
(Public Hearing held on January 8, 2015)

Commissioner Flanagan: Thank you, Mr. Chairman. I request that the applicant confirm for the record their agreement to the proposed development conditions dated January 22, 2015.

Commissioners: Which case?

Commissioner Flanagan: Oh, this is Mirza; SE 2014-MV-020.

Chairman Murphy: – to a date certain of what?

Commissioner Flanagan: No, no. I want to have – I want to have the –

Chairman Murphy: Oh. I didn't hear. We get that sound system again. It threw me – crazy – I can't...

Commissioner Flanagan: Well, what I did was to request that the applicant confirm for the record their agreement to the proposed development conditions dated January 22, 2015.

Kausar Mirza, Owner, Funland Mini Center: Yes, Sir.

Chairman Murphy: Would you please identify yourself for the record with your name and address?

Ms. Mirza: Yes, sir. My name is Kausar Mirza and I'm resident at 9078 Furey Road, Lorton, Virginia, 22079.

Chairman Murphy: And you –

Ms. Mirza: Yes.

Chairman Murphy: – confirm that you understand the development conditions and you understand them.

Ms. Mirza: Yes.

Chairman Murphy: Okay. Thank you very much.

Commissioner Flanagan: And those are the development conditions dated January 22.

Chairman Murphy: – dated January 22.

Commissioner Flanagan: Right. Well, during the public hearing on January 8, 2015, the president of the Laurel Highlands Homeowner Association requested the denial of this SE request because the homeowner association policies governing home occupations do not allow more than one non-resident employee. He also testified that the application does not satisfy a Zoning Ordinance requirement in Section 9-001 that a special exception use be compatible with existing or planned development in the general area. The Commission deferred the decision to tonight to allow the homeowner association and the applicant to resolve these problems. Distributed tonight is a January 16, 2015 letter from Rees Broome, attorneys for the homeowner association, that resolves those problems. I therefore MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2014-MV-020, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 22, 2015.

Commissioners Litzenberger and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Litzenberger and Mr. Sargeant. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-MV-020, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried by a vote of 11-0. Commissioner Hurley was absent from the meeting.)

JN

Board Agenda Item
January 27, 2015

4:30 p.m.

Public Hearing on a Proposed Amendment to the Public Facilities Manual Regarding Storm Drainage Pro Rata Share Provisions, Chapter 6 (Storm Drainage) and Proposed Revisions to the Pro Rata Share Agreement Form

ISSUE:

Board adoption of a Proposed Amendment to the Public Facilities Manual (PFM) regarding Storm Drainage Pro Rata Share Provisions, Chapter 6 (Storm Drainage) and approval of proposed revisions to the Pro Rata Share Agreement form. The proposed amendment is necessary to replace the current 27 watershed-based pro rata share rates with a single countywide rate for assessment purposes and implement credits for on-site stormwater management and/or best management practices. Proposed revisions to the Pro Rata Share Agreement form are necessary for it to conform to the proposed PFM amendment.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, January 7, 2015, the Planning Commission voted to recommend approval of the proposed amendment and proposed revisions to the Pro Rata Share Agreement form, as set forth in the staff report dated December 2, 2014.

RECOMMENDATION:

The County Executive recommends that the Board adopt both the proposed amendment to the PFM and proposed revisions to the Pro Rata Share Agreement form as recommended by the Planning Commission and that the amendments become effective at 12:01 a.m. on July 1, 2015.

The proposed amendment to the PFM and proposed revisions to the Pro Rata Share Agreement form have been prepared by the Department of Public Works and Environmental Services and coordinated with the Office of the County Attorney. The proposed PFM amendment has been recommended for approval by the Engineering Standards Review Committee.

TIMING:

Board action is requested on January 27, 2015. On December 2, 2014, the Board authorized the advertising of public hearings. The Planning Commission held a public

Board Agenda Item
January 27, 2015

hearing on January 7, 2015. The proposed amendment will become effective at 12:01 a.m. on July 1, 2015.

BACKGROUND:

In 1972 the Virginia General Assembly enacted enabling legislation that allowed local governments to collect assessments for pro rata share costs for downstream improvements. Fairfax County subsequently adopted its first pro rata share program in 1973. The current pro rata share program enabled under Virginia Code Ann. § 15.2-2243, titled the "Uniform Pro-rata Share Assessment Program," was subsequently adopted by the Board of Supervisors on December 16, 1991. The PFM amendments needed to implement the program were adopted by the Board of Supervisors on July 29, 1992.

The Uniform Pro-rata Share Assessment Program includes storm drainage improvement projects in 27 of the County's 30 major watersheds. Assessment rates, established in each of the 27 watersheds, are based on projects contained within the County's general drainage improvement program and the watershed's projected impervious area at ultimate build-out. Ultimate build-out for the Uniform Pro-rata Share Assessment Program was based on the County's land use comprehensive plan or zoning whichever represented the greatest percent imperviousness. This resulted in the current program establishing 27 different assessment rate structures with three watersheds having no rate established. The 27 rates are updated on a bi-annual basis to account for changes in both inflation and the total estimated cost of the County's general drainage improvement program. The estimated cost of the County's general drainage improvement program is updated as projects are removed or included.

Under the existing program, the pro rata share assessment for a given development and/or redevelopment site is dependent on the rate established for the watershed in which the site is located. Likewise, the funds that are collected may only be utilized for the construction of the specific drainage improvement projects located within that watershed. Equity in the collection and use of pro rata share funds across the major watersheds is a significant concern. Depending on the watershed in which a given development and/or redevelopment site is located, the developer's pro rata share assessment, which is derived from the watershed-based rates, can vary dramatically for the same impervious cover increase. Western portions of the County that were previously not built-out have typically seen more newer development than the older already developed eastern portions of the County. This results in a disproportionate accumulation of assessments that are collected between older and newer areas of the County. In older developed areas/watersheds where more degradation is evident due to increases in impervious area and lack of adequate stormwater management

Board Agenda Item
January 27, 2015

infrastructure fewer funds for improvements have accumulated. Newer developed areas/watersheds that tend to have more adequate stormwater management infrastructure in place and not yet experienced the same level of degradation accumulate more funding for improvements.

Administering 27 different assessment rates is cumbersome and inefficient for the County to manage, and can overly complicate the pro rata share assessment calculation. For example, if a development and/or redevelopment span more than one major watershed, the assessment calculation must be based on multiple pro rata share assessment rates. Further, the assessments collected must be tracked in separate accounts to ensure the pro rata share funds are allocated to drainage improvements in the respective watersheds they were collected.

The proposed PFM amendment abolishes the current 27 different watershed-based rates and replaces them with a single countywide rate structure for assessment purposes across all 30 major watersheds within the County. The single countywide rate will be updated on an annual basis to account for changes in both inflation and the total estimated cost of the County's general drainage improvement program. Restrictions causing the inequities in both the collection and use of pro rata share funds will be eliminated. All assessments collected will be aggregated and used for any eligible project within the County. The reduction of 27 rates to a single rate and the reduction in the frequency of updates from bi-annual to annual will improve the efficiency of administering the program and simplify the pro rata share assessment calculation.

The current Uniform Pro-rata Share Assessment Program contains limited provisions for providing credit for the installation of on-site stormwater management and/or best management practices. Developers seeking credits must submit a detailed engineering/cost study that demonstrates a cost reduction in a pro rata share project. This is a significant disincentive because the resources needed to demonstrate the cost reduction would likely exceed any credits achieved. The new state stormwater regulations, effective July 1, 2014, under the County's new Stormwater Ordinance, increase requirements for water quality and provide incentives for reducing the volume of stormwater runoff. These inherent features of the new regulations will provide the basis for awarding credits and serve as an incentive to achieve reductions in pro rata share assessments.

The proposed PFM amendment includes new provisions to implement credits for on-site stormwater management and/or best management practices. The credits are designed to reduce the pro rata share assessment in a way that recognizes the positive effect that the new regulatory requirements have on improving water quality and reducing the volume of stormwater runoff. The maximum water quality credit is currently estimated to be a 42% reduction in the assessment and can be achieved if the stormwater

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management requirement for water quality treatment is provided on-site or within the common plan of development. Similarly, a water quantity credit for reducing the volume of stormwater runoff leaving the site through on-site practices such as infiltration, stormwater re-use or other means of retention can further reduce the assessment. The maximum water quantity credit is currently estimated to be a 58% reduction in the assessment. Depending on how significantly on-site stormwater management and/or best management practices address the quality and quantity of stormwater runoff, credits can potentially reduce the pro rata share assessment to zero. It is anticipated that development and/or redevelopment providing on-site stormwater management and/or best management practices in full compliance with the regulations will at a minimum receive the maximum water quality credit of 42%.

Discounts in the pro rata share assessment achieved through the use of credits recognizes that the greater the level of stormwater treatment provided on-site, the fewer County stormwater projects will need to be implemented and: therefore, less pro rata share funding is required. Assuming treatment levels using on-site stormwater management and/or best management practices meet full compliance for water quality, the resulting discounted rate per impervious acre increase is approximately equivalent to the current rates averaged across all County watersheds. Consequently, the average revenue anticipated by implementing the proposed single countywide rate will be similar to what is collected under the current watershed-based rates.

Individual pro rata share agreements are a condition of plan approval. The Pro Rata Share Agreement form is currently formatted to accommodate a pro rata share assessment specific to the watershed within which the new development or redevelopment is located. The proposed revisions to the Pro Rata Share Agreement form reflect the changes needed to be consistent with the single countywide rate proposed in the PFM amendment and include some minor editorial changes.

There has been an increase in the number of Low-Impact Development (LID) stormwater practices implemented through the County's capital improvement program and by industry since LID practices were adopted into the PFM in 2007. The current pro rata share program was adopted prior to 2007 and the advent of LIDs; consequently, it contains no provisions for the inclusion of LID stormwater practices into the County's pro rata share program for off-site drainage improvements. As a result, these practices are currently not eligible for pro rata share funding in the existing program. Moreover, large tract developments have given way to smaller in-fill development or redevelopment. Often, these newer types of development are approved and permitted one single lot at a time; but, occur at many locations across the County. Although smaller, the widespread nature of these types of developments has an overall cumulative effect to the increase in volume and velocity of stormwater runoff.

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Accordingly, these increases adversely affect the quality of our stream networks across the County. Staff recommends including these practices into the County's general drainage improvement program making them eligible for pro rata share funding. Individually, LIDs provide smaller areas of treatment; however, these are distributed systems that when combined or aggregated their treatment can mitigate increases in the volume and velocity of runoff caused by development countywide and their use are strongly encouraged by the new stormwater regulations.

Impervious area estimated at ultimate build-out is used in the rate calculation for pro rata share assessments. The impervious area estimated for ultimate build-out in the current pro rata share program was limited to methods available back in the 1990's. Using modern GIS technology to assist in estimating future impervious area has revealed that the earlier methods over-estimated future impervious area. Staff recommends using the latest GIS technology in the calculation of the single countywide pro rata share assessment rate.

The proposed amendment to the PFM and revisions to the Pro Rata Share Agreement form are enabled under Va. Code Ann. § 15.2-2243.

PROPOSED AMENDMENT:

The amendment to Chapter 6 of the PFM incorporates the following provisions:

- A rationale for the removal of the restriction that pro rata share contributions collected in a given major watershed must fund off-site storm drainage improvements in the major watershed it was collected. Instead, collected pro rata share payments, aggregated countywide, will fund off-site storm drainage improvements countywide.
- A definition of the County's general drainage improvement program.
- A change in the status of pro rata share credits. Credits are no longer at the County's discretion. Credits are mandatory when on-site stormwater management and/or best management practices are installed.
- A methodology to reduce pro rata share assessments through the use of a crediting system. Credits to reduce the pro rata share assessment are based on the extent that on-site stormwater management and/or best management practices address water quality and water quantity. The percent reductions associated with the credits will be updated on an annual basis.

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- The establishment of a single countywide pro rata share assessment rate and elimination of the 27 watershed-based pro rata share assessment rates in the calculation of the pro rata share assessment.
- An update of plan types that are submitted to the county for calculation of the pro rata share assessment and where payment of the pro rata share assessment is a condition of plan approval.
- A restriction on pro rata share assessments received prior to the effective date of the Board of Supervisors' adoption of the PFM amendment creating a single countywide rate. Funds collected prior to July 1, 2015 will continue to be kept in separate accounts until such time as they are expended for the watershed improvement program.
- A deletion of the provision regarding the disposition of pro rata share agreements that existed prior to July 1, 1990. This provision was acted upon as part of the implementation to the current program and therefore no longer applies.

FISCAL IMPACT:

None. Tracking pro rata share assessments collected using the current watershed-based rates will need to continue until they are expended for the watershed improvement program. This will create a temporary burden on staff as pro rata share assessments that will be collected using the single countywide rate cannot be commingled with assessments collected using the current watershed-based rates. Assessments previously collected for a specific watershed may; however, be combined with assessments collected under the countywide rate to fund a project within that particular watershed. The proposed amendment improves the overall efficiency of the program and will offset this burden. Therefore, the proposed amendment will have no impact on staff workload.

REGULATORY IMPACT:

Minimal. The proposed amendment to PFM Chapter 6 simplifies both existing County procedures for establishing the pro rata share assessments and credits with minimal changes. Revisions to the Pro Rata Share Agreement form simplify the procedures used with the existing form.

Board Agenda Item
January 27, 2015

ENCLOSED DOCUMENTS:

Attachment I – Staff Report

Attachment II – Planning Commission Verbatim

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Bill Hicks, Director, Land Development Services, DPWES

Randolph W. Bartlett, Deputy Director, Stormwater/Wastewater, DPWES

Susan Datta, Chief Financial Officer, Department of Management and Budget

Laura Gori, Assistant County Attorney, Office of the County Attorney

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 regarding Storm Drainage Pro Rata Share Provisions, Chapter 6 (Storm Drainage) and proposed revisions to the Pro Rata Share Agreement form (countywide)

Authorization to Advertise	<u>December 2, 2014</u>
Planning Commission Hearing	<u>January 7, 2015</u>
Board of Supervisors Hearing	<u>January 27, 2015</u>
Prepared by:	<u>Stormwater Planning Division</u> <u>703- 324-5500</u>
	December 2, 2014

STAFF REPORT

A. ISSUE:

Proposed Amendment to the Public Facilities Manual (PFM) regarding Storm Drainage Pro Rata Share Provisions, Chapter 6 (Storm Drainage) and proposed revisions to the Pro Rata Share Agreement form. The proposed amendment is necessary to replace the current 27 watershed-based pro rata share rates with a single countywide rate for assessment purposes and implement credits for on-site stormwater management and/or best management practices. Proposed revisions to the Pro Rata Share Agreement form are necessary for it to conform to the proposed PFM amendment.

B. RECOMMENDED ACTION:

Staff recommends that the Board of Supervisors adopt the proposed amendment to the PFM and the proposed revisions to the Pro Rata Share Agreement form.

C. TIMING:

Board of Supervisors authorization to advertise – December 2, 2014

Planning Commission Public Hearing – January 7, 2015

Board of Supervisors Public Hearing – January 27, 2015

Effective Date – July 1, 2015

D. SOURCE:

Department of Public Works and Environmental Services (DPWES)

E. COORDINATION:

The proposed amendment to the PFM and proposed revisions to the Pro Rata Share Agreement form have been prepared by the Department of Public Works and Environmental Services and coordinated with the Office of the County Attorney. The proposed PFM amendment has been recommended for approval by the Engineering Standards Review Committee.

F. BACKGROUND:

In 1972 the Virginia General Assembly enacted enabling legislation that allowed local governments to collect assessments for pro rata share costs for downstream improvements. Fairfax County subsequently adopted its first pro rata share program in 1973. The current pro rata share program enabled under Virginia Code Ann. § 15.2-2243, titled the "Uniform Pro-rata Share Assessment Program," was subsequently adopted by the Board of Supervisors on December 16, 1991. The PFM amendments needed to implement the program were adopted by the Board of Supervisors on July 29, 1992.

The Uniform Pro-rata Share Assessment Program includes storm drainage improvement projects in 27 of the County's 30 major watersheds. Assessment rates, established in each of the 27 watersheds, are based on projects contained within the County's general drainage improvement program and the watershed's projected impervious area at ultimate build-out. Ultimate build-out for the Uniform Pro-rata Share Assessment Program was based on the County's land use comprehensive plan or zoning whichever represented the greatest percent imperviousness. This resulted in the current program establishing 27 different assessment rate structures with three watersheds having no rate established. The 27 rates are updated on a bi-annual basis to account for changes in both inflation and the total estimated cost of the County's general drainage improvement program. The estimated cost of the County's general drainage improvement program is updated as projects are removed or included.

Under the existing program, the pro rata share assessment for a given development and/or redevelopment site is dependent on the rate established for the watershed in which the site is located. Likewise, the funds that are collected may only be utilized for the construction of the specific drainage improvement projects located within that watershed. Equity in the collection and use of pro rata share funds across the major watersheds is a significant concern. Depending on the watershed in which a given development and/or redevelopment site is located, the developer's pro rata share assessment, which is derived from the watershed-based rates, can vary dramatically for the same impervious cover increase. Western portions of the County that were previously not built-out have typically seen more newer development than the older already developed eastern portions of the County. This results in a disproportionate accumulation of assessments that are collected between older and newer areas of the County. In older developed areas/watersheds where more degradation is evident due to increases in impervious area and lack of adequate stormwater management

infrastructure fewer funds for improvements have accumulated. Newer developed areas/watersheds that tend to have more adequate stormwater management infrastructure in place and not yet experienced the same level of degradation accumulate more funding for improvements.

Administering 27 different assessment rates is cumbersome and inefficient for the County to manage and can overly complicate the pro rata share assessment calculation. For example, if a development and/or redevelopment span more than one major watershed, the assessment calculation must be based on multiple pro rata share assessment rates. Further, the assessments collected must be tracked in separate accounts to ensure the pro rata share funds are allocated to drainage improvements in the respective watersheds they were collected.

The proposed PFM amendment abolishes the current 27 different watershed-based rates and replaces them with a single countywide rate structure for assessment purposes across all 30 major watersheds within the County. The single countywide rate will be updated on an annual basis to account for changes in both inflation and the total estimated cost of the County's general drainage improvement program. Restrictions causing the inequities in both the collection and use of pro rata share funds will be eliminated. All assessments collected will be aggregated and used for any eligible project within the County. The reduction of 27 rates to a single rate and the reduction in the frequency of updates from bi-annual to annual will improve the efficiency of administering the program and simplify the pro rata share assessment calculation.

The current Uniform Pro-rata Share Assessment Program contains limited provisions for providing credit for the installation of on-site stormwater management and/or best management practices. Developers seeking credits must submit a detailed engineering/cost study that demonstrates a cost reduction in a pro rata share project. This is a significant disincentive because the resources needed to demonstrate the cost reduction would likely exceed any credits achieved. The new state stormwater regulations, effective July 1, 2014 under the County's new Stormwater Ordinance, increase requirements for water quality and provide incentives for reducing the volume of stormwater runoff. These inherent features of the new regulations will provide the basis for awarding credits and serve as an incentive to achieve reductions in pro rata share assessments.

The proposed PFM amendment includes new provisions to implement credits for on-site stormwater management and/or best management practices. The credits are designed to reduce the pro rata share assessment in a way that recognizes the positive effect that the new regulatory requirements have on improving water quality and reducing the volume of stormwater runoff. The maximum water quality credit is currently estimated to be a 42% reduction in the assessment and can be achieved if the stormwater management requirement for water quality treatment is provided on-site or within the common plan of development. Similarly, a water quantity credit for reducing the volume of stormwater runoff leaving the site through on-site practices such as infiltration, stormwater re-use or other means of retention can further reduce the assessment. The maximum water quantity credit is currently estimated to be a 58% reduction in the

assessment. Depending on how significantly on-site stormwater management and/or best management practices address the quality and quantity of stormwater runoff, credits can potentially reduce the pro rata share assessment to zero. It is anticipated that development and/or redevelopment providing on-site stormwater management and/or best management practices in full compliance with the regulations will at a minimum receive the maximum water quality credit of 42%.

Discounts in the pro rata share assessment achieved through the use of credits recognizes that the greater the level of stormwater treatment provided on-site, the fewer County stormwater projects will need to be implemented and therefore less pro rata share funding is required. Assuming treatment levels using on-site stormwater management and/or best management practices meet full compliance for water quality, the resulting discounted rate per impervious acre increase is equivalent to the current rates averaged across all County watersheds. Consequently, the average revenue anticipated by implementing the proposed single countywide rate will be similar to what is collected under the current watershed-based rates.

Individual pro rata share agreements are a condition of plan approval. The Pro Rata Share Agreement form is currently formatted to accommodate a pro rata share assessment specific to the watershed within which the new development or redevelopment is located. The proposed revisions to the Pro Rata Share Agreement form reflect the changes needed to be consistent with the single countywide rate proposed in the PFM amendment and include some minor editorial changes.

There has been an increase in the number of Low-Impact Development (LID) stormwater practices implemented through the County's capital improvement program and by industry since LID practices were adopted into the PFM in 2007. The current pro rata share program was adopted prior to 2007 and the advent of LIDs consequently it contains no provisions for the inclusion of Low-Impact Development (LID) stormwater practices into the County's pro rata share program for off-site drainage improvements. As a result, these practices are currently not eligible for pro rata share funding in the existing program. Moreover, large tract developments have given way to smaller in-fill development or redevelopment. Often, these newer types of development are approved and permitted one single lot at a time but occur at many locations across the County. Although smaller, the widespread nature of these types of developments has an overall cumulative effect to the increase in volume and velocity of stormwater runoff. Accordingly, these increases adversely affect the quality of our stream networks across the County. Staff recommends including these practices into the County's general drainage improvement program making them eligible for pro rata share funding. Individually, LIDs provide smaller areas of treatment; however these are distributed systems that when combined or aggregated their treatment can mitigate increases in the volume and velocity of runoff caused by development countywide and their use are strongly encouraged by the new stormwater regulations.

Impervious area estimated at ultimate build-out is used in the rate calculation for pro rata share assessments. The impervious area estimated for ultimate build-out in the current pro rata share program was limited to methods available back in the 1990's.

Using modern GIS technology to assist in estimating future impervious area has revealed that the earlier methods over-estimated future impervious area. Staff recommends using the latest GIS technology in the calculation of the single countywide pro rata share assessment rate.

The proposed amendment to the PFM and revisions to the Pro Rata Share Agreement form are enabled under Va. Code Ann. § 15.2-2243.

G. PROPOSED AMENDMENT:

The amendment to Chapter 6 of the PFM incorporates the following provisions:

- A rationale for the removal of the restriction that pro rata share contributions collected in a given major watershed must fund off-site storm drainage improvements in the major watershed it was collected. Instead, collected pro rata share payments, aggregated countywide, will fund off-site storm drainage improvements countywide.
- A definition of the County's general drainage improvement program.
- A change in the status of pro rata share credits. Credits are no longer at the County's discretion. Credits are mandatory when on-site stormwater management and/or best management practices are installed.
- A methodology to reduce pro rata share assessments through the use of a crediting system. Credits to reduce the pro rata share assessment are based on the extent that on-site stormwater management and/or best management practices address water quality and water quantity. The percent reductions associated with the credits will be updated on an annual basis.
- The establishment of a single countywide pro rata share assessment rate and elimination of the 27 watershed-based pro rata share assessment rates in the calculation of the pro rata share assessment.
- An update of plan types that are submitted to the county for calculation of the pro rata share assessment and where payment of the pro rata share assessment is a condition of plan approval.
- A restriction on pro rata share assessments received prior to the effective date of the Board of Supervisors' adoption of the PFM amendment creating a single countywide rate. Funds collected prior to July 1, 2015 will continue to be kept in separate accounts until such time as they are expended for the watershed improvement program.
- A deletion of the provision regarding the disposition of pro rata share agreements that existed prior to July 1, 1990. This provision was acted upon as part of the implementation to the current program and therefore no longer applies.

H. REGULATORY IMPACT:

Minimal. The proposed amendment to PFM Chapter 6 simplifies both existing County procedures for establishing the pro rata share assessments and credits with minimal changes. Revisions to the Pro Rata Share Agreement form simplify the procedures used with the existing form.

I. ATTACHED DOCUMENTS:

Attachment A – Proposed amendment to Chapter 6 of the PFM

Attachment B – Proposed revisions to the Pro Rata Share Agreement form

**Planning Commission Presentation
Pro Rata Share
January 7, 2015**

Good evening Chairman Murphy and members of the Planning Commission. I'm Craig Carinci, representing the Dept. of Public Works and Environmental Services.

Joining me this evening are DPWES staff that have collaborated on this amendment to the PFM.

PROPOSED AMENDMENTS

The proposed amendment is necessary to replace the current 27 watershed-based pro rata share rates with a single countywide rate for assessment purposes and implement credits for on-site stormwater management and/or best management practices. Proposed revisions to the Pro Rata Share Agreement form are necessary for it to conform to the proposed PFM amendment.

The amendment recognizes that:

- A. The language in the current PFM results in inequities in both the collection and use of pro rata share funds.
- B. The language in the current PFM is silent regarding credits for on-site stormwater controls. The current program contains limited provisions for credits via a letter to industry.
- C. The language in the current PFM contains no provisions for the inclusion of LID stormwater practices for off-site drainage improvements.

If approved, the proposed amendment will provide flexibility in both the collection and use of pro rata share funds, provide credits for on-site stormwater controls and allow for the use of LID stormwater practices for off-site drainage improvements over the requirements currently set forth in the PFM.

Without this amendment, equity in the collection and use of pro rata share funds across the major watersheds will remain a significant concern, credits in the pro rata share assessment will be limited and LID stormwater practices for off-site drainage improvements will not have access to pro rata share funds.

VETTING AND RECOMMENDATION

Staff has collaborated on this amendment and vetted it with industry representatives. This includes the Engineering Standards Review Committee who has recommended approval of this amendment.

Based on the above, staff also recommends approval of the proposed amendment.

Thank you.

**Board of Supervisors Presentation
Pro Rata Share
January 27, 2015**

Good evening Chairman Bulova and members of the Board. I'm Craig Carinci, representing the Dept. of Public Works and Environmental Services.

Joining me this evening is DPWES staff that has collaborated on this amendment to the PFM.

PROPOSED AMENDMENTS

The proposed amendment is necessary to replace the current 27 watershed-based pro rata share rates with a single countywide rate for assessment purposes and implement credits for on-site stormwater management and/or best management practices. Proposed revisions to the Pro Rata Share Agreement form are necessary for it to conform to the proposed PFM amendment.

The amendment recognizes that:

- A. The language in the current PFM results in inequities in both the collection and use of pro rata share funds.
- B. The language in the current PFM is silent regarding credits for on-site stormwater controls. The current program contains limited provisions for credits via a letter to industry.
- C. The language in the current PFM contains no provisions for the inclusion of LID stormwater practices for off-site drainage improvements.

If approved, the proposed amendment will provide flexibility in both the collection and use of pro rata share funds, provide credits for on-site stormwater controls and allow for the use of LID stormwater practices for off-site drainage improvements over the requirements currently set forth in the PFM.

Without this amendment, equity in the collection and use of pro rata share funds across the major watersheds will remain a significant concern, credits in the pro rata share assessment will be limited and LID stormwater practices for off-site drainage improvements will not have access to pro rata share funds.

VETTING AND RECOMMENDATION

Staff has collaborated on this amendment and vetted it with industry representatives. This includes the Engineering Standards Review Committee who has recommended approval of this amendment.

Based on the above, staff & the Planning Commission also recommend approval of the proposed amendment.

Thank you.

**Proposed Amendment to Chapter 6 (Storm Drainage)
of the
Public Facilities Manual**

1 **Deletions are shown as strikeouts and insertions are underlined.**

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Amend §6-0502 (General Policy) of the Public Facilities Manual to read as follows:

6-0502.1 The County’s pro rata share program for off-site drainage improvements involves assessing new development and redevelopment for a proportionate share of the cost of off-site drainage improvements. It provides the County a funding source for the portion of the cost of drainage improvements necessitated by the increased runoff from new development and redevelopment. Offsetting environmental impacts caused by local increases in runoff has far-reaching implications. Restoration needs for the Potomac River and the Chesapeake Bay are caused in part by increased runoff from the surrounding counties and states as well as the County as a whole. From this standpoint, the general drainage improvement program implemented in Fairfax County is viewed as a single, consolidated effort towards restoring these important natural resources. To this end, the County may shall require pro rata share contributions for off-site storm drainage improvements in all areas where pro rata share improvements have been planned as part of the its general drainage improvement program.

6-0502.2 The County’s general drainage improvement program is a tabulation of all the capital drainage improvement projects and their associated costs that are eligible for pro rata share funding. Specifically included are projects that mitigate flooding and environmental stream degradation caused by land disturbing activities that increase impervious cover. Also included are projects and studies related to the development of County watershed management plans. The inventory of included projects is not static over time. Projects are removed as they are completed and projects are included as they are identified. The majority of projects within the County’s general drainage improvement program are from the County’s adopted watershed management plans. Projects that address routine maintenance are not included in the general drainage improvement program as they are not necessitated by development or redevelopment.

6-0502.23 Pro rata share payments will not shall be reduced using the crediting system described in § 6-0605 and are based on a development providing meeting normal on-site detention/BMP stormwater management requirements.

6-0502.4 Pending the availability of pro rata share monies, developer costs for ~~off-site~~ construction of drainage improvements available for off-site drainage such as, but not limited to, the ~~or~~ implementation of a regional detention pond may be considered for a pro rata share assessment reduction and/or reimbursement. Developer reimbursement will be facilitated only by written agreement executed with the Board prior to construction plan approval. The developer’s maximum amount of a pro rata share assessment reduction and/or reimbursement will be limited to the developer costs which are over and above the normal costs that would be incurred in developing the property. Subject to available funding, the maximum amount of annual pro rata share reimbursement to a

1 developer would be established in the reimbursement agreement. ~~Generally, the annual~~
2 ~~reimbursement to any individual developer would be based on the relationship of the~~
3 ~~developer's excess costs to the total costs of all improvements required in the watershed~~
4 ~~coupled with the actual amount of pro rata monies collected in any given year. Pro rata~~
5 ~~share reimbursements will start after completion of the drainage improvements by the~~
6 ~~developer and acceptance of the improvements by the County. The reimbursements will~~
7 ~~continue for a maximum of 15 years pursuant to the written agreement.~~

8
9 **Amend §6-0601 (General Requirements) of the Public Facilities Manual to read as**
10 **follows:**

11
12 6-0601.1 (36-92-PFM) Development ~~within a watershed~~ involving a change of land use
13 therein normally results in an increase in impervious areas resulting in a greater quantity
14 as well as a more rapid and frequent concentration of stormwater runoff and the discharge
15 of pollutants associated with the development.

16
17 6-0601.2 (36-92-PFM) The construction of storm drainage improvements is required
18 ~~along waterways as watershed~~ development progresses to alleviate flood damage, arrest
19 deterioration of existing drainageways and minimize environmental damage to the
20 ~~downstream~~ receiving waters within Fairfax County as well as the Potomac River and the
21 Chesapeake Bay.

22
23 6-0601.3 The extent and character of such improvements shall be designed to provide for
24 the adequate correction of deficiencies.

25
26 ~~6-0601.4 Improvements shall extend downstream to a point where damages to existing~~
27 ~~properties ascribable to the additional runoff are minimized.~~

28
29 6-0601.54 The purpose and intent is to require a developer of land to pay his a pro rata
30 share of the cost of providing reasonable and necessary drainage facilities, as identified in
31 the general drainage improvement program of Fairfax County, located outside the
32 property limits of the land owned or controlled by the developer, but necessitated or
33 required, at least in part, by the construction or improvement of his subdivision or
34 development. The collected pro rata share payments, aggregated County-wide, will fund
35 the drainage facilities needed to minimize environmental damage to the receiving waters
36 within Fairfax County as well as the Potomac River and the Chesapeake Bay.

37
38 **Amend §6-0602 (Pro Rata Share Studies) of the Public Facilities Manual to read as**
39 **follows:**

40
41 6-0602.1 ~~When directed to do so by the County Executive, t~~The Director of DPWES or
42 ~~his a~~ designee shall study and compute the total estimated cost of the general drainage
43 improvement program projects required to serve the watershed County when and if such
44 watershed the County is fully developed in accordance with the adopted comprehensive
45 land use plan for the watershed or the current zoning of the land, whichever is higher.
46

1 6-0602.2 The total estimated cost of projects within the general drainage improvement
2 program shall include design, land acquisition, utility relocation, construction, and
3 administrative costs ~~for the projects contained in the improvement program.~~

4
5 ~~6-0602.3 The computation of total estimated costs shall include any engineering study~~
6 ~~for the watershed or improvement program.~~

7
8 6-0602.4³ When this cost is computed it shall be updated ~~every six months~~ annually by
9 applying the Engineering News Record Construction Cost index value to ~~the construction~~
10 project and study costs contained within the general drainage improvement program.

11
12 ~~6-0602.5 The above study with its attendant cost figures shall constitute the general~~
13 ~~improvement program for the affected watershed.~~

14
15 **Amend § 6-0603 (General Drainage Improvement Program), where insertions are**
16 **underlined and deletions are shown as strikeouts, to read as follows:**

17
18 (36-92-PFM) ~~When a general drainage improvement program has been established, a~~
19 The pro rata share of the total cost of the general drainage improvement program shall be
20 determined as follows:

21
22 6-0603.1 The County shall determine the estimated ~~increased~~ volume and velocity of
23 stormwater runoff, expressed as ~~an increase in~~ impervious area, for the ~~watershed~~ County
24 when fully developed in accordance with the adopted comprehensive land use plan or the
25 current zoning of the land within the County, whichever is higher.

26
27 6-0603.2 The total estimated cost of the general drainage improvement program for the
28 watershed County divided by the ~~increase in~~ impervious area for the ~~watershed~~ County
29 when fully developed in accordance with the adopted comprehensive land use plan or the
30 current zoning of the land within the County, whichever is higher, shall be computed by
31 the County to determine the pro rata share assessment rate ~~for that watershed.~~

32
33 ~~6-0603.3 The developer shall determine the increase in impervious area for the~~
34 ~~development. If the development is located within more than one major watershed, then~~
35 ~~the developer shall determine the increase in impervious area for each portion of the~~
36 ~~development which lies within each major watershed. The major watersheds are defined~~
37 ~~on the County's 1 inch = 4,000 feet Watersheds Map. A specific site must be divided into~~
38 ~~drainage areas conforming to the major watershed boundaries. The total site area within~~
39 ~~each major watershed must be included in the computation whether it is controlled by a~~
40 ~~storm sewer, detention/retention runoff facility, BMP, or sheet runoff design. Pro rata~~
41 ~~share reduction will not be allowed for normal on-site detention/BMP requirements.~~

42
43 6-0603.4³ The developer shall provide the computations showing the increase in
44 impervious area for the development ~~to~~ within the County as part of plan submittal
45 requirements including, but not limited to, the submittal of subdivision construction
46 plans, site plans, infill lot grading plans, conservation plans, rough grading plans and

1 public improvement plans ~~and development plan submittal requirements~~. The County
2 will compute the developer's base pro rata share assessment by multiplying the respective
3 watershed pro rata share assessment rate by the increase in impervious area for the
4 development's increase in impervious area. The pro rata share assessment rates ~~are~~ is
5 available ~~in~~ from the Site Land Development Services and Inspections Division,
6 DPWES.

7
8 **Amend § 6-0604 (Pro Rata Share Payments), where insertions are underlined and**
9 **deletions are shown as strikeouts, to read as follows:**

10
11 6-0604.1 The payment of the pro rata share assessment shall be due prior to the approval
12 of plans including, but not limited to, subdivision construction plans, site plans, infill lot
13 grading plans, conservation plans, rough grading plans and ~~or~~ public improvement plans
14 approval.

15
16 6-0604.2 When development occurs in a subdivision which has been previously
17 approved and where no pro rata share assessment has been paid, or where a landowner is
18 improving an existing lot which results in an increase in impervious area, the payment of
19 the pro rata share assessment shall be made before the issuance of any building permits,
20 in accordance with State and County codes.

21
22 6-0604.3 The pro rata share assessments received prior to the Board of Supervisors'
23 adoption of pro rata share amendments creating a single County-wide rate shall be kept in
24 separate accounts for each of the watershed improvement programs until such time as
25 they are expended for the watershed improvement program.

26
27 6-0604.4 Payments received after the Board of Supervisors' adoption of amendments
28 creating a single County-wide rate shall be expended only for the established watershed
29 general drainage improvement program for which the payment was calculated. Any
30 interest that accrues on such payments shall accrue to the benefit of the County.

31
32 ~~6-0604.5 All storm drainage pro rata share accounts existing as of Oct. 1, 1992, were~~
33 ~~abolished by transferring assets into separate funds for the support of each separate~~
34 ~~respective watershed improvement program. After the transfer of such assets, depositors~~
35 ~~who had met the terms of any pro rata share agreements prior to July 1, 1990, received~~
36 ~~any outstanding interest which had accrued up to the date of transfer, and were released~~
37 ~~from any further obligation under those existing agreements. All transferred assets~~
38 ~~became the sole property of the County.~~

39
40 **Insert a new § 6-0605 (Pro Rata Share Credits) to read as follows:**

41
42 6-0605.1 Pro rata share payments shall be reduced by using the crediting system
43 described herein. For the purposes of this section, the term "on-site" is defined to include
44 sites that are part of a larger common plan of development or sale.
45

1 6-0605.2 Credit for fully meeting water quality regulations using on-site BMPs.
2 A developer meeting or exceeding the required water quality regulations through the use
3 of approved on-site BMPs shall receive a credit so as to reduce the developer's pro rata
4 share assessment. The maximum credit will be a percentage of the developer's base pro
5 rata share assessment. The maximum-credit percentage will be recalculated annually by
6 the County based on the projects in its general drainage improvement program related to
7 improving water quality.

8
9 6-0605.3 Credit for partially meeting water quality regulations using on-site BMPs.
10 A developer complying with water quality regulations through the acquisition of nutrient
11 offset credits shall not receive a pro rata share credit for the offset portion. The credit
12 amount calculated using the procedure in § 6-0605.2 shall be limited to an amount
13 proportional to the phosphorus load reduction achieved on-site as compared to the
14 phosphorus load reduction required to be fully compliant.

15
16 6-0605.4 Credit for providing water quantity retention using on-site stormwater
17 management. A developer providing on-site water quantity retention through the use of
18 approved on-site stormwater management shall receive a credit so as to reduce the
19 developer's pro rata share assessment. The County will calculate the credit by
20 multiplying the total number of rainfall inches retained on-site by an annually determined
21 rate. The maximum credit will be limited to the retention of the 100-year storm. The rate
22 for this credit will be recalculated each year by the County based on the projects in its
23 general drainage improvement program related to managing water quantity.

24
25 6-0605.5 Credit will not be provided for a development that is fully exempt from
26 providing on-site water quality or water quantity controls.

27
28 6-0605.6 Pro rata share assessment payment reduction. The total allowed credit is the
29 summation of both the credit for water quality and the credit for water quantity. The
30 developer's final pro rata share assessment will be an amount equal to the base pro rata
31 share assessment minus the total allowed credit received.

32
33 **Amend the Public Facilities Manual, Table of Contents, to insert new § 6-0605 (Pro**
34 **Rata Share Credits).**



Service District: _____

Map Reference: _____

PRO RATA SHARE AGREEMENT

This agreement, made this _____ day of _____, _____, by and between _____, a _____, hereinafter called "Developer," and the Board of Supervisors of Fairfax County, Virginia, hereinafter called "Board."

WITNESSETH:

WHEREAS, Developer desires approval of plans for a project known as _____

Plan No. _____; and

WHEREAS, the Board desires to ensure the payment of the Developer's Pro Rata Share for the cost of drainage facilities necessitated or required, at least in part, by the above development (hereinafter called "Pro Rata Share"); and

WHEREAS, payment of Developer's Pro Rata Share is a condition precedent to the approval of Developer's plans; and

WHEREAS, Developer desires to deposit his Pro Rata Share with the Board;

NOW, therefore, for and in consideration of the foregoing premises and the following terms and conditions, and in further consideration of the approval of the aforesaid plans by the Director of the Department of Public Works and Environmental Services or his designated agent hereinafter called "Director" County and the issuance of permits for the work proposed to be done thereunder, the parties hereto agree as follows:

1. Developer has deposited with the Board, and the Board by its execution hereof acknowledges that it holds the sum of _____ U.S. Dollars (\$ _____) as the Developer's Pro Rata Share, under and subject to the terms of this Agreement.
2. Developer and Board agree that an estimated cost of a drainage improvement program for the County of Fairfax _____ watershed has been established ~~and is located within said watershed~~. Developer and Board further agree that Developer's Pro Rata Share equals the proportion of the total estimated cost of the drainage improvement program to be borne by the Developer, minus any applicable credit for providing on-site stormwater management facilities and best management practices.
3. It is expressly agreed by all parties hereto that it is the purpose and intent of this Agreement to ensure the availability of the Developer's Pro Rata Share at such time as it is required for the construction of the necessary drainage facilities located beyond the land controlled by the Developer.
4. It is expressly agreed by the parties hereto that the amount shall be disbursed by the Board only upon receipt of a written request from the Director of the Department of Public Works and Environmental Services or his designated agent.

Disbursement shall be made only to the Director of Finance, County of Fairfax, and forwarded to the Director of the Department of Public Works and Environmental Services, within ten days of receipt of the request.

IN WITNESS of all of which, the parties hereto have caused this Agreement to be executed on their behalf.

Developer: _____

Authorized Signatory: _____

Printed Name and Title: _____

Address: _____

BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

By: _____
Director, Department of Public Works and Environmental Services or designee

CE No.: _____

Date: _____

Planning Commission Meeting
January 7, 2015
Verbatim Excerpt

PFM AMENDMENT (STORM DRAINAGE PRO RATA SHARE PROVISIONS) (Countywide)

After Close of the Public Hearing

Chairman Murphy: Without objection, the public hearing is closed. Recognize Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. Let me first thank staff – Craig Carinci, Fred Rose, Darold Burdick – who are here tonight – for all their fine work on this case. This Amendment had a pretty thorough vetting with the Environment Committee not too long ago. It's a fairly straightforward simplification of a number of exiting provisions we have dealing with stormwater pro rata shares. It 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 STORM DRAINAGE PRO RATA SHARE PROVISIONS AND THE PRO RATA SHARE AGREEMENT FORM, AS SET FORTH IN THE STAFF REPORT DATED DECEMBER 2ND, 2014. AND I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD THAT THIS AMENDMENT SHALL BECOME EFFECTIVE AT 12:01 A.M. ON JULY 1, 2015.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt PFM Amendment, Storm Drainage Pro Rata Share and Provisions, as articulated by Mr. Hart, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hart: Thank you, Mr. Chairman.

Chairman Murphy: Thank you very much. Thank you for coming.

//

(The motion carried by a vote of 12-0.)

JLC

4:30 p.m.

Public Hearing Pertaining to the Conveyance of Board-Owned Property and to Consider a Proposed Comprehensive Agreement Among the Board of Supervisors, Lake Anne Development Partners, LLC, and Community Preservation and Development Corporation for the Redevelopment of the Crescent Property and Other Parcels in the Lake Anne Village Center (Hunter Mill District)

ISSUE:

Public hearing on the disposition of County-owned property as required by Va. Code Ann § 15.2-1800 (2012) in connection with the redevelopment of the Crescent property ("Property"), Fairfax County Tax Map numbers 17-2 ((16)), parcel 1A and 17-2 ((14)) (1), parcel 2G. A concurrent public hearing will be held to consider a Comprehensive Agreement (the "Comprehensive Agreement") among the County, Lake Anne Development Partners, LLC (LADP), and Community Preservation and Development Corporation (CPDC) for the purpose of redeveloping the Crescent property in accordance with the provisions of the Public-Private Education Facilities and Infrastructure Act of 2002, as amended ("PPEA").

RECOMMENDATION:

The County Executive recommends that the Board defer action on the disposition of the Property and on the Comprehensive Agreement among the County, Lake Anne Development Partners, LLC (LADP), and Community Preservation and Development Corporation (CPDC) to March 3, 2015.

TIMING:

Holding the public hearing on January 27, 2015, will allow a comment period as required by the Code of Virginia, and the decision to be made by the Board at its meeting on March 3, 2015, thus permitting CPDC to apply for Low Income Housing Tax Credits (LIHTC) by the March 6, 2015, deadline. The Board approved Comprehensive Plan Amendment, 2013-III-UP1, to allow modifications to the recommendations of Land Units A, B, C, D, E and F of the Lake Anne Village Center at its meeting on December 2, 2014. A public hearing for the rezoning application for the project, DPA A-502-07/PCA A-502/PRC A-502-3, also is scheduled for January 27, 2015.

BACKGROUND:

The Crescent property is located within the Lake Anne Commercial Revitalization Area (CRA) on Cameron Crescent Drive in Reston. As part of an effort to encourage and guide the revitalization of the Lake Anne Village Center (LAVC) and to preserve affordable housing, the County purchased the Crescent property for \$49,500,000 in February 2006. The property contains 181 garden style multi-family affordable units.

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In 2009, the Board adopted an amendment to the Comprehensive Plan that provides guidance on the mix of uses and intensities recommended to foster the redevelopment of the LAVC.

On February 9, 2012, the County advertised Request for Proposal RFP-2000000-125; Crescent Redevelopment (RFP) under the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) for the redevelopment of the 16.5 acre Crescent property. The RFP encouraged potential offerors to partner with owners of adjacent land units within the LAVC to achieve a comprehensive redevelopment plan that aligned with the vision of the Comprehensive Plan, including the preservation of affordable housing, the creation of additional workforce housing and a development that would serve as a catalyst for the revitalization of the LAVC. Eight (8) proposals were received in response to the RFP, and the response from LADP, together with its partner, CPDC, was determined to be the most responsive to the RFP.

The Board entered into an Interim agreement with LADP on September 30, 2013. Per the Interim Agreement, LADP filed the necessary applications for zoning and land use entitlements in connection with its proposed redevelopment. Simultaneously with the entitlement work, staff, LADP, and CPDC have negotiated a proposed Comprehensive Agreement for the development of the project generally consistent with the RFP, the LADP/CPDC response, and negotiations to date. Execution of the Comprehensive Agreement is contingent upon the Board's approval of the Project Entitlements, which are also scheduled for a public hearing on January 27, 2015.

Summary of the Comprehensive Agreement

The Comprehensive Agreement will include the following written agreements: (i) the Agreement of Purchase and Sale, conveying the majority of the Property in fee simple from the County to LADP; (ii) two Contracts to Ground Lease between the County, as landlord, and an affiliate of CPDC (with form ground leases attached thereto) pertaining to the portion of Crescent which the County will retain ownership of, but will lease to the CPDC affiliates for the construction of two affordable housing buildings to replace the existing affordable units; (iii) Loan Commitments executed by the Fairfax County Redevelopment and Housing Authority (FCRHA), describing the terms of loans to be made by the FCRHA to each of the CPDC-controlled ground leases; and (iv) a Relocation Plan for the residents of the Crescent Apartments and a related agreement between the County and CPDC to facilitate such relocation.

Each of the documents that comprise the Comprehensive Agreement addresses various legal components of the development, ownership, and use of the project, and is summarized below.

Transaction Overview

Under the proposed Comprehensive Agreement, the transaction would involve three components:

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- The sale by the County of the majority of the Crescent property to LADP in fee simple;
- The long-term (99 year) ground lease by the County of the site for the replacement affordable units to CPDC-controlled affiliates; two ground leases will be used, as CPDC will construct the replacement units in two new buildings and will utilize different financing for each such building; and
- The conveyance of the remaining approximately 1.2 acre portion of County-owned land to Reston Association, who will in turn convey approximately 1.04 acres of adjacent land to LADP to facilitate the project.

The key driver of the project schedule is the award of Low Income Housing Tax Credits (LIHTC) by the Virginia Housing Development Authority (VHDA) to CPDC. CPDC's obligation to close on the leases and construct the replacement units, and LADP's ability to close on the fee simple portion of the project, are both contingent upon VHDA's award of LIHTC to CPDC. The application for the competitive and more substantial 9% LIHTC occurs once a year, in March. If VHDA awards CPDC 9% credits in the 2015 cycle, then the sequence of events is as described below; if VHDA does not award 9% credits to CPDC in the 2015 cycle, then the sequence halts and CPDC will apply for the 9% LIHTC in 2016. The Comprehensive Agreement is structured to allow CPDC at least two opportunities to apply for LIHTC – the 2015 and 2016 cycles; they may also apply in the 2017 cycle upon certain conditions, including the posting of an additional deposit.

In 2015, VHDA's deadline for applications for the 9% LIHTC is March 6. By May or June of 2015, VHDA will announce the awards of the 2015 9% LIHTC. Assuming CPDC receives 9% LIHTC in 2015, CPDC would issue 120-day relocation notices to the existing Crescent tenants in the spring/summer of 2015. The fee simple closing, in which the County would sell the fee simple portion of the project to LADP, would then occur in late 2015 or early 2016. After the fee simple closing, LADP would start on the site work for the entire project, including the County-owned remainder to be ground leased to CPDC-controlled affiliates. Upon completion of this site work – projected to take seven to eight months – the closing of the ground lease utilizing the 9% LIHTC would occur in late summer 2016, with the other ground lease closing within the following few months. The construction of the replacement buildings would then be expected to be completed in late 2017 or early 2018.

Agreement of Purchase and Sale (Fee Closing)

The County would sell approximately 13.6 acres of the Crescent property in fee simple to LADP for development of the non-replacement housing (750 dwelling units, of which 20% would be Affordable Dwelling Units or Workforce Dwelling Units) and 45,800 square feet of office/retail. The purchase price is \$32,918,825.50 if the fee closing

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occurs in 2015; the purchase price escalates by 2.5% per year thereafter, to \$33,741,137.06 in 2016 and \$34,584,665.48 in 2017. LADP will provide a \$1,000,000 deposit to the County upon execution of the Comprehensive Agreement to be credited against the ultimate purchase price. If LADP elects to retain the ability to close into 2017, it must, among other things, post an additional deposit of another \$1,000,000.

Before the fee simple closing, there are a number of conditions that must be satisfied, including:

- CPDC will have been awarded LIHTC for the construction of the replacement units;
- CPDC will have obtained governmental approval of the building permits for the replacement affordable buildings;
- LADP will have obtained site plan, subdivision plan, and all other development approvals needed to perform the site work necessary to allow vertical construction of the replacement units;
- LADP will have obtained the right-of-way (or, at the County's election, binding agreements for the acquisition of such right-of-way) necessary for the realignment of Village Road;
- LADP will have entered into binding agreements evidencing site control of certain adjacent non-County parcels necessary for consolidation;
- LADP and the County (with the consent of CPDC) will have entered into agreements allocating responsibilities and costs for the Proffers for the project and providing for necessary easements between the parcels for the coordinated use and operation of the project; and,
- LADP will have executed a restrictive covenant binding upon the fee simple portion of the project. To ensure that the replacement affordable units are constructed and that other redevelopment goals (such as the realignment of Village Road) are met, the parties have agreed to record a restrictive covenant against the fee simple portion of the project at fee closing that limits LADP's ability to construct the market-rate portion of the project until various milestones are achieved with respect to the construction of the replacement units and/or the meeting of other goals.

Contracts to Ground Lease and Ground Leases (Lease Closing)

Simultaneously with the execution of the Comprehensive Agreement, the County would execute the two Contracts to Ground Lease, which would in turn, upon certain conditions, lead to the closing and execution of the ground leases themselves. As with the fee closing, the lease closings are conditioned upon the award of LIHTC; the lease closings are also contingent upon LADP's completion of the site work.

In the two ground leases, the County would lease a total of approximately 2.9 acres to CPDC for a term of 99 years and for the construction of two multi-family buildings (D3 and D4) that will house the affordable replacement units. One building (and lease) would be financed with 9% LIHTC and the other building (and lease) with the less competitive, but less lucrative, 4% LIHTC.

The leases generally require that 10% of the total units be affordable to households at 30% or lower of the area median income (AMI), another 20% of units be affordable to households at or below 50% of AMI, and the remainder (up to 181 units) be affordable to households at or below 60% of AMI. The County will not receive any rental income from these leases in furtherance of the affordable housing goals for the Project, except for a one-time \$2,500,000 payment (Loan Commitment) discussed further below.

Loan Commitment

CPDC has proposed a lease rent and loan structure with the County with two aims: (1) to allow CPDC to score higher in its application with VHDA for the 9% LIHTC, and (2) to eliminate a funding gap that the 4% LIHTC-financed building would otherwise face.

Under this structure, CPDC would, upon the closing of the lease for the 9% LIHTC-financed building, make a one-time \$2,500,000 payment to the County as landlord under the lease. The County would then immediately convey these funds to the FCRHA, who in turn would loan the \$2,500,000 to both the 9% and 4% projects.

The loan would be made at a fixed interest rate of 3% with terms of 35 years (for the 9% building loan) and 40 years (for the 4% building loan). The loans are to be repaid from 50% of the net cash flow after repayment of the deferred developer fee, and would be secured by a subordinate lien on CPDC's leasehold interest in the property. The FCRHA would join the Comprehensive Agreement solely with respect to the provisions relating to this loan. This structure is acceptable to VHDA.

Relocation Plan

The construction of the two replacement buildings will require the demolition of three out of five of the existing Crescent Apartment buildings. Many existing tenants will need to be relocated off-site during construction of the replacement units. The Relocation Plan describes the coordination and timing of such tenant relocation. The parties have negotiated a Relocation Plan that obligates CPDC to provide income-eligible affected tenants with appropriate interim housing during the construction of replacement units. Income-eligible tenants of the existing Crescent Apartments would ultimately have an opportunity to return to the replacement units. The County and CPDC will execute an agreement prior to fee closing to facilitate CPDC's relocation of existing tenants.

Note Regarding Existing County Debt on Crescent Property

As noted above, the County paid \$49,500,000 for the Crescent property in 2006, along

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with \$300,000 for costs of issuance. This acquisition was funded with \$9,200,000 from the Affordable Housing Fund and \$40,600,000 in Bond Anticipation Notes (BANs), which have previously been refinanced and will have a balance of \$21,465,000 when they mature on March 1, 2015. The total cost includes financing and cost of issuance. At its meeting on January 27, 2015, the Board will be requested to refinance the balance of the current BAN with a new fixed rate taxable direct loan maturing on March 1, 2018. This financing would provide the County greater flexibility for prepayment of the new direct loan upon receipt of the proceeds from the sale of the Crescent property, as well as have lower costs of issuance. Until such refinancing, debt service payments of \$2.5 million will be earmarked from annual revenues in the Affordable Housing (Fund 30300) to continue to pay down the outstanding principal on the loan. It is anticipated that proceeds from the sale of the property to LADP beyond the outstanding debt will be allocated to Fund 300-C30300, the Affordable Housing Fund.

FISCAL IMPACT:

The fiscal impact of the proposed Comprehensive Agreement is as summarized above.

ENCLOSED DOCUMENTS:

Attachment 1 - The Comprehensive Agreement (with exhibits) can be viewed at <http://www.fairfaxcounty.gov/dpsm/solic2.htm#ppea>

STAFF:

Patricia Harrison, Deputy County Executive
Barbara A. Byron, Director, Office of Community Revitalization
Paula Sampson, Director, Department of Housing and Community Development
Kurt Creager, Incoming Director, Department of Housing and Community Development

4:30 p.m.

Public Hearing Pertaining to the Conveyance of Board-Owned Property and to Consider a Proposed Comprehensive Agreement with Wesley-Hamel Lewinsville LLC for the Redevelopment of the Lewinsville Senior Center and Daycare Property (Dranesville District)

ISSUE:

Public hearing on the disposition of County-owned property as required by Va. Code Ann § 15.2-1800 (2012) in connection with the redevelopment of the Lewinsville Senior Center and Daycare Property, Fairfax County Tax Map number 0303 01 0042, and on the Comprehensive Agreement (the "Comprehensive Agreement") between the County and Wesley Hamel Lewinsville LLC ("Wesley-Hamel") for the redevelopment of the Lewinsville property under the provisions of the Public-Private Education Facilities and Infrastructure Act of 2002, as amended (PPEA).

RECOMMENDATION:

The County Executive recommends that the Board defer decision on the disposition of Board- owned property and the Comprehensive Agreement with Wesley Hamel, LLC until March 3, 2015.

TIMING:

Holding the public hearing on January 27, 2015, would facilitate the public comment period as required by the Code of Virginia and allow the Board to take action on the Comprehensive Agreement at its meeting on March 3, 2015.

BACKGROUND:

The 8.65 acre Lewinsville property is located at 1609 Great Falls Street in McLean. The property's existing facility, originally the Lewinsville Elementary School, was constructed in 1961 and contains approximately 38,355 square feet. Transferred from Fairfax County Public Schools to the Board of Supervisors in 1985, the building now houses the Lewinsville Senior Center, the 22 unit senior Lewinsville residences, an adult daycare center, and two separate private child day care centers. The site, which is currently zoned R-3, also contains athletic fields.

Prior Redevelopment Proposal: On February 9, 2004, the Board approved Special Exception Amendment SEA 94-D-002 and 2232 D-03-09, which permitted the construction of a redesigned 52,500 square foot building (the "Prior Proposal"), in addition to the existing 38,355 square foot Lewinsville Senior Center and Daycare facility. The Prior Proposal would have provided for, among other things, a sixty (60) bed assisted living facility with commercial kitchen and dining facility. However, the County, due to the costs to construct and operate the contemplated assisted living facility, elected to pursue the currently proposed independent living senior residential

model that could be constructed and operated under a ground lease at no cost to the County.

Current Redevelopment Proposal; Selection Process and Recommendation: On May 14, 2012, the County publicly advertised Request for Proposal RFP- 2000000263: the Lewinsville Senior Center and Independent Living Residence Development (RFP) under the Public-Private Education Facilities and Infrastructure Act of 2002, as amended (PPEA). Pursuant to the RFP, the County sought a developer to act as agent for the County to file another Special Exception Amendment to supercede the Prior Proposal. The Amendment would provide for the existing Senior Center and Daycare building to be razed and replaced with both a replacement public facility (the “Senior and Daycare Center”) and a new independent living senior residential building (the “Senior Independent Living Residence”). The PPEA further provided that the Senior Independent Living Residence must contain affordable units and be located on a portion of the property that will be subject to a long term ground lease from the County.

Six proposals were received in response to the RFP. A Selection Advisory Committee (SAC), comprised of representatives from multiple County departments, was convened and ranked the proposals in accordance with the criteria and procedures set forth in the RFP. The SAC concluded that Wesley-Hamel best demonstrated the ability and capacity to meet the County’s needs as identified in the RFP.

Interim Agreement: On July 29, 2014 the Board entered into an Interim Agreement with Wesley-Hamel. Under the Interim Agreement, Wesley-Hamel, as the Board’s designated agent, filed a Special Exception Amendment (SEA) for zoning and land use approvals necessary for the property’s proposed redevelopment [SEA 94-D-002-02]. At the same time, County staff and Wesley-Hamel negotiated a proposed Comprehensive Agreement to effectuate the proposed redevelopment. The execution of the Comprehensive Agreement is contingent upon the Board’s approval of the SEA, which is also scheduled for a public hearing on January 27, 2015.

The new Senior and Daycare Center facility will be owned by Fairfax County and house a Senior Center, Adult Day Health Center, Adult Respite Center and two Private Child Daycare Centers. This facility will be designed, constructed, operated, and financed by Fairfax County. The Senior Independent Living Residences facility will be designed, constructed, owned and operated by Wesley-Hamel, at no cost to the County, under a long term ground lease. The proposed senior residence will contain 82 rental units affordable to seniors earning between 30% and 60% of the AMI

Comprehensive Agreement: The Comprehensive Agreement contains the following agreements:

- Infrastructure Development Agreement (“IDA”): The IDA contains the provisions under which Wesley-Hamel shall be responsible for the design and construction of the infrastructure improvements for the entire site, which responsibilities include razing the existing Senior and Daycare Center and delivering to the

County a finished pad site ready for the County's construction of the new Senior and Daycare Center. The IDA further specifies the responsibilities of each party's costs with respect to the infrastructure's construction as specified in Exhibit C. The timing and construction of the site's infrastructure is, among other things, conditioned upon Wesley-Hamel applying for and receiving an award of 9% Low Income Housing Tax Credits from the Virginia Housing and Development Authority in 2015, or in 2016 if not initially awarded in 2015. A relocation plan for the current 22 tenants, the senior center, the adult daycare and the two child daycare centers is detailed in Exhibit E. The relocation plan for the current 22 residents provides for their off-site relocation during construction of the new housing and for their return upon completion, subject to income eligibility. The plan also provides for the temporary on-site housing of both child daycare centers in temporary learning cottages to be located in the area of the existing athletic fields.

- Deed of Lease: Within the Deed of Lease are the terms and conditions under which Wesley-Hamel shall, at no cost to County, design, develop, construct, own and operate the 82 unit Senior Independent Living Residence under a ninety nine year ground lease. Such provisions include, as specified in Exhibit H, the criteria under which the 100% affordable, rental residential development shall be operated throughout the term of the lease including eligible household incomes, unit sizes and mix and rent limits established as a percentage of the Area Median Income. The Senior Independent Living Residence shall be constructed as described in the Plans and Specifications listed in Exhibit E. The repair and maintenance and capital reserves of the Senior Independent Living Residence shall be administered in accordance with the provisions of the Deed of Lease. Since the Senior Independent Living Residence would be comprised solely of affordable units, there would be only nominal ground rent.
- Option to Lease: Prior to the execution of the Deed of Lease, and in order to finance in part the design, development and construction of an affordable Senior Independent Living Residence, Wesley-Hamel will apply to VHDA for Low Income Housing Tax Credits (LIHTC). One requirement of the LIHTC application is for the applicant to provide evidence of site control; the Option to Lease fulfills such requirement. Upon award of tax credits in either 2015 or 2016, the Option to Lease provides Wesley-Hamel the right to exercise its option and enter into the aforementioned Deed of Lease. In the event that Wesley-Hamel does not receive an award of tax credits by July 31, 2016, the Option will automatically terminate.

FISCAL IMPACT:

As part of the Adopted FY 2011 Capital Improvement Program, the Board of Supervisors approved the use of long term financing for capital renovations at Lewinsville. For the replacement senior center/day care facility, it is anticipated that the County will consider bond financing through the Fairfax County Economic Development Authority, the FCRHA or the Virginia Resources Authority's (VRA) Virginia Pooled

Board Agenda Item
January 27, 2015

Financing Program. The decision to sell the bonds through one of these entities will be determined based on market conditions in the months leading up to the bond sale. The future debt service payments on the Lewinsville project will be paid by the County from the Consolidated Debt Service Fund (Fund 20000). The financing cost for this project in the amount of \$17,000,000 has been included as part of the County's out year financial forecast and debt ratio projections, as cited in the Adopted FY 2015-2019 Capital Improvement Program. The cost of the development of new senior housing at the site will not require County or FCRHA funding beyond some predevelopment and infrastructure costs previously approved.

ENCLOSED DOCUMENTS:

Attachment 1: The Comprehensive Agreement can be viewed at:

<http://www.fairfaxcounty.gov/dpsm/solic2.htm#ppea>

STAFF:

Patricia D. Harrison, Deputy County Executive

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

Kurt Creager, Incoming Director, HCD

Hossein Malayeri, Deputy Director, Real Estate, HCD

Joe LaHait, Debt Coordinator, Department of Management and Budget

Board Agenda Item
January 27, 2015

4:30 p.m.

Public Hearing on SE 2014-MA-015 (Afghan Academy Inc) to Permit a Funeral Chapel,
Located on Approximately 40,162 Square Feet of Land Zoned R-2 (Mason District)

Property is located at 6839 Braddock Road, Annandale 22003. Tax Map 71-4 ((1)) 34.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, December 3, 2014, the Planning Commission voted 12-0 to recommend the following actions to the Board of Supervisors:

- Approval of SE 2014-MA-015, subject to the Development Conditions dated December 3, 2014;
- Approval of a waiver of the provision of a service drive, in lieu of the internal travel aisle;
- Approval of a modification of the 40-foot building setback from any lot line that abuts an R-A through and R-4 District, to permit the building to be located 35.8 feet from the northern lot line and 25.5 feet from the eastern lot line, in favor of the transitional screening and architectural treatment, as shown on the proposed plat and as conditioned; and
- Approval of a modification of the barrier requirement along the eastern lot line, to allow welded metal fencing as a barrier material.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4467335.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Joseph Gorney Planner, DPZ

SE 2014-MA-015 – AFGHAN ACADEMY INC.

Decision Only During Commission Matters
(Public Hearing held on October 30, 2014)

Commissioner Hall: I do have something. You know I have this handy dandy device here and – don't put this on the record because I'm not talking about it. Anyway, I had a wonderful statement to talk about – that this application is fully in compliance with all the ordinances and it's perfectly legitimate. And I will make a statement for the record once I find it. But I really don't want you all sitting here all night waiting for me to find it because it's perfectly legal with what is being proposed. And with that, the reason you're all here smiling and anxiously looking at me is you're ready for me to say I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2014-MA-015, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 3RD, 2014.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Do you have to call them down to agree with the-

Commissioner Hart: Yes, that's what – get them to approve the new – see if he's in agreement with the conditions.

Commissioner Hall: I was going to have them do that after I started that.

Chairman Murphy: Okay. Go ahead.

Commissioner Hall: But – well, that was the first one.

Chairman Murphy: Go ahead.

Commissioner Hall: Okay, would you – would the applicant's representative, Mr. Martin-

Chairman Murphy: Mr. Martin, come on down.

Commissioner Hall: I got there. You just – you're rushing.

Chairman Murphy: Well I know your time is short on the Commission. I want to make sure you get it all in.

Commissioner Hall: I'm a short-timer.

Keith Martin, Applicants Agent, Tramonte ,Yeonas, Roberts, & Martin, PLLC: I'm going to miss you, Ms. Hall.

Commissioner Hall: Yes you are. You're familiar with the new development conditions and do you confirm-

Mr. Martin: We totally agree with them.

Commissioner Hall: -whatever you need to do.

Mr. Martin: Yes.

Commissioner Hall: Okay. Is that good enough?

Chairman Murphy: Yes, just identify yourself for the record we know you-

Mr. Martin: Keith Martin, for the record.

Chairman Murphy: Thank you very much. Okay, Ms. Hall.

Commissioner Hall: Did you not want to work on that first motion that I said?

Chairman Murphy: You already did.

Commissioner Hall: Oh.

Commissioner Hart: We just haven't voted.

Commissioner Hall: You haven't voted.

Chairman Murphy: Oh, all those in favor of the motion-

Commissioner Hall: Thank you.

Commissioner Lawrence: Mr. Chairman.

Chairman Murphy: to recommend to the Board of Supervisors to approve SE – Mr. Lawrence.

Commissioner Lawrence: Just a point of clarification. I was not present for the public hearing, but I reviewed the video on this one so I feel confident to vote.

Chairman Murphy: Okay. All those in favor of the motion to approve SE – to recommend to the Board of Supervisors to approve SE 2014-MA-015, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: And finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE FOLLOWING WAIVER:

- WAIVER OF THE PROVISION OF A SERVICE DRIVE, IN LIEU OF THE INTERNAL TRAVEL AISLE;

- MODIFICATION OF THE 40-FOOT BUILDING SETBACK FROM ANY LOT LINE THAT ABUTS AN R-A THROUGH AND R-4 DISTRICT, TO PERMIT THE BUILDING TO BE LOCATED 35.8 FEET FROM THE NORTHERN LOT LINE – 25.5 FEET FROM THE EASTERN LOT LINE, IN FAVOR OF THE TRANSITIONAL SCREENING AND ARCHITECTURAL TREATMENT, AS SHOWN ON THE PROPOSED PLAT AND AS CONDITIONED;
- MODIFICATION OF THE BARRIER REQUIREMENT ALONG THE EASTERN LOT LINE, TO ALLOW WELDED METAL FENCING AS A BARRIER MATERIAL.

Commissioner Hart: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: Thank you, Mr. Chairman. I would love to also thank the Afghan Academy. I know this has not been easy. I know that – maybe people were not on their best behavior and they should've been. And I wish you best of luck on your application. Thank you very much.

Chairman Murphy: Yes. Just let me add – I think that during the public hearing – I think the whole public hearing – not the Planning Commission's role in the public hearing come off-track a little bit. And I apologize for that, but that's bound to happen. But as you can see from the motion that Ms. Hall made that the motion to approve your application was based strictly on land use considerations. And that's why you were here and that's what the application was all about. So thank you for your patience and thank you for coming tonight.

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(Each motion carried by a vote of 12-0.)

JLC

Board Agenda Item
January 27, 2015

5:00 p.m.

Public Hearing on RZ 2012-MV-015 (McShay Communities, Inc) to Rezone from R-1 to R-12 to Permit Residential Development at a Density of 8.16 Dwelling Units Per Acre and Waiver of the Minimum District Size Requirement, Located on Approximately 4.90 Acres of Land (Mount Vernon District)

Property is located on the North Side of Richmond Highway approximately 600 Feet South of Dutchman Drive. Tax Map 107-4 ((1)) 40A.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, December 3, 2014, the Planning Commission voted 11-1 (Commissioner Lawrence abstained) to recommend the following actions to the Board of Supervisors:

- Approve RZ 2012-MV-015, subject to the execution of proffers consistent with those dated December 2, 2014;
- Approval of the following waivers and modifications of Sect. 17-201 of the Zoning Ordinance:
 - Waiver of the service drive requirement along Richmond Highway, in favor of that shown on the Generalized Development Plan (GDP);
 - Waiver of the on-road bike lane requirement along Richmond Highway, in favor of that shown on the GDP; and
 - Waiver of the major trail requirement along Richmond Highway, in favor of that shown on the GDP.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4467828.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Nicholas Rogers Planner, DPZ

RZ 2012-MV-015 – MCSHAY COMMUNITIES INC.

Decision Only During Commission Matters
(Public Hearing held on November 5, 2014)

Commissioner Flanagan: And then I have two long-awaited motions to make – happily. And the first is – I would like to – the case is RZ 2012-MV-015, McShay Communities Incorporated. You’ve all received a handout on that, I think, by email previously and tonight you also have a copy in front of you in case you have any questions – still have any questions about it. The – I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2012-MV-015, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE NOW DATED DECEMBER 2, 2014.

Commissioners Litzenberger and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Litzenberger and Mr. Sargeant. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2012-MV-015, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Mr. Chairman, abstain.

Chairman Murphy. Mr. Lawrence abstains, not present for the hearing.

Commissioner Lawrence: Right.

Commissioner Flanagan: And my last motion is I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE THREE MODIFICATIONS AND WAIVERS THAT ARE ATTACHED TO THE HANDOUT THAT YOU HAVE DATED DECEMBER 3, 2014-

Commissioners Litzenberger and Sargeant: Second.

Commissioner Flanagan: -WHICH SHALL BE MADE PART OF THE RECORD OF THIS CASE.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstention.

Commissioner Flanagan: Mr. Chairman, I'd like to – in particular – recognize the hard work done by Mr. McGhan for McShay Communities over three years it's taken to – this has been a most difficult case – right on Richmond Highway where we have a widening of the Richmond Highway and we have a neighbor's property that was a terrible tangle of legal matters that I could – I still don't understand myself. But I'm so glad that Nick Rogers, who was a staff person on this thing, really did a yeoman's job on this. He did just an outstanding job on the part of the staff and I'd like to thank Nick for all the work that he did in helping get this thing. And then I'd – lastly, I'd like to also thank the Lorton Land Use Committee, which stayed with this thing and was in favor of actually approving this way back down the line if it hadn't been for all those legal problems. So it really is an enormous load off my mind. I know that. So I'd like to thank all those people.

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(Each motion carried by a vote of 11-0-1. Commissioner Lawrence abstained.)

JLC