



Fairfax County, Virginia

BOARD OF SUPERVISORS

DRAFT AGENDA

Monday
July 10, 2006

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

- 9:30 Presentations
- 10:00 Transportation Advisory Committee Award
- 10:15 Items Presented by the County Executive
- 10:45 Matters Presented by Board Members
- 11:35 Closed Session

3:00 p.m. Public Hearing on SE 2005-HM-010 (Walker FLP Limited Partnership) SE Appl. under Sect(s). 5-304 and 9-607 of the Zoning Ordinance to permit a hotel and increase in building height from 75ft. up to a maximum of 123 ft. Located in the S.W. quadrant of the intersection of the Dulles Toll Rd. and Hunter Mill Rd. on approx. 8.50 ac. of land zoned I-3. Hunter Mill District. Tax Map 18-3 ((1)) 7B and 7G pt.

3:30 p.m. Public Hearing on RZ 2006-LE-003 (Piney Run Development, LLC) RZ Appl. to rezone from R-1 to R-1 to permit an independent living facility pursuant to SE 2005-LE-028 at a density of 10.47 dwelling units per acre (du/ac). Located on the N. side of Telegraph Rd. approx. 800 ft. W. of its intersection with Old Telegraph Rd. on approx. 35.91 ac. of land. Comp. Plan Rec: 2-3 du/ac and 3-4 du/ac. Lee District. Tax Map 100-1 ((1)) 23A pt., 24 and 25. (Concurrent with SE 2005-LE-028 and in association with RZ 2006-LE-002, SE 2005-LE-027). Also under consideration will be the applicant's request for exception # 007239-WRPA-003-1 under Section 118-6-9 of Chapter 118 (Chesapeake Bay Preservation Ordinance) of the Code of the County of Fairfax for construction within the Resource Protection Area.

3:30 p.m. Public Hearing on SE 2005-LE-028 (Piney Run Development, LLC) SE Appl. under Sect(s). 3-104 of the Zoning Ordinance to permit an independent living facility with up to 376 units at a density of 10.47 du/ac and golf course. Located at 7836 and 7908 Telegraph Rd. on approx. 35.91 ac. of land zoned R-1. Lee District. Tax Map 100-1 ((1)) 23A pt., 24 and 25. (Concurrent with RZ 2006-LE-003 and in association with RZ 2006-LE-002 and SE 2005-LE-027). Also under consideration will be the applicant's request for Exception # 007239-WRPA-003-1 under Section 118-6-9 of Chapter 118 (Chesapeake Bay Preservation Ordinance) of the Code of the County of Fairfax for construction within the Resource Protection Area.

3:30 p.m. Public Hearing on RZ 2006-LE-002 (Hilltop Sand And Gravel Company, Inc.) RZ Appl. to rezone from R-1 and C-6 to R-1 to permit a portion of the previously approved golf course on the property to continue and to add practice facilities. Located on the N. side of Telegraph Rd.,

approx. 800 ft. W. of its intersection with Old Telegraph Rd. on approx. 6.88 ac. of land. Comp. Plan Rec: 3-4 du/ac. Lee District. Tax Map 100-1 ((1)) 23A pt. (Concurrent with SE 2005-LE-027 and in association with RZ 2006-LE-003 and SE 2005-LE-028).

3:30 p.m. Public Hearing on SE 2005-LE-027 (Hilltop Sand And Gravel Company, Inc.) SE Appl. under Sect(s). 3-104 of the Zoning Ordinance to reduce the land area associated with the golf course previously approved pursuant to SP 97-L-037 to 80.8 ac. and changes in the layout and uses. Located at 7836, 7928 and 7950 Telegraph Rd. on approx. 106.19 ac. of land zoned R-1 and NR. Lee District. Tax Map 100-1 ((1)) 9 pt., 17 and 23A. (Concurrent with RZ 2006-LE-002 and in association with RZ 2006-LE-003 and SE 2005-LE-028).

3:30 p.m. Public Hearing on RZ 2003-MV-036 (Roubin Associates, L.L.C. and Mary Anne Pearson Sanko Revocable Trust) RZ Appl. to rezone from R-1 to I-4 or I-5 to permit industrial development with an overall Floor Area Ratio (FAR) up to 0.50. Located on the S. side of Newington Rd. at its intersection with Loisdale Rd. and at the N. terminus of Terminal Rd. on approx. 6.39 ac. of land. Comp. Plan Rec: Industrial. Lee District. Tax Map 99-1 ((1)) 5E.

3:30 p.m. Public Hearing on RZ 2005-HM-024 (David M. Laughlin and Charlotte H. Laughlin) RZ Appl. to rezone from R-1 to R-3 to permit residential development at a density of 2.10 dwelling units per acre (du/ac). Located on the W. side of Beulah Rd. approx. 200 ft. N. of its intersection with Delancey Dr. on approx. 41, 448 sq. ft. of land. Comp. Plan Rec: 2-3 du/ac. Hunter Mill District. Tax Map 28-4 ((1)) 57 pt.

3:30 p.m. Public Hearing on PCA-C-403-02 (Washington Square Homes Association) PCA Appl. to amend the proffers for RZ C-403 previously approved for residential development to permit a modification of approved proffers to change the active recreation facilities within the existing development constructed at an overall density of 6.8 dwelling units per acre (du/ac). Located 350 ft. W. of the intersection of Pohick Rd. and Waldren Dr. on approx. 12,960 sq. ft. of land zoned R-8. Comp. Plan Rec: 5-8du/ac. Mt. Vernon District. Tax Map 108-1 ((8)) A pt.

3:30 p.m. Public Hearing on SEA 00-P-014 (Robert J. Etris City Of Falls Church – Public Utilities Division) SEA Appl. under Sect(s). 4-804 of the Zoning Ordinance to amend SE 00-P-014 previously approved for water storage facilities to permit demolition and construction of a new elevated water storage facility and modification of associated development conditions. Located on the N. side of Chain Bridge Rd., approx. 1,000 ft. E. of its intersection with Leesburg Pi. on approx. 14,697 sq. ft. of land zoned C-8, HC and SC. Providence District. Tax Map 29-3 ((1)) 78B.

4:00 p.m. A public hearing on the proposed adoption of an amendment to the *Code of the County of Fairfax, Virginia*, by enacting Chapter 109.1 (Solid Waste Management) and repealing Chapter 109 (Solid Waste). The new Chapter 109.1 incorporates a comprehensive series of revisions to the Chapter, including the following:

- Revising the recycling program – to codify the addition of new materials in residential curbside collection (cardboard and mixed paper) to modify yard waste collection requirements, and to require additional recycling by apartments, businesses, and the construction industry.
- Enhancing enforcement capability – by allowing mechanisms that allow for speedier resolution of cases, removing the financial benefit of non-compliance, and consolidating all of the language concerning maximum penalties and other enforcement matters, that is currently scattered throughout the existing Code, into a single, new Article 9 - Enforcement.
- Clarifying customer service expectations – by providing clearer language on collections and set-outs, better distinguishing yard waste from brush, and requiring mandatory notifications

to customers regarding level of service and rates. This includes a new Article 3 – Pre-collection and Storage.

- Consolidating and clarifying permit requirements – by consolidating all of the language concerning permits that is currently spread among three Articles in the existing Code into a single, new Article 4 - Permits.
- New emergency management provisions – by establishing the necessary authority and operational framework for the County to take the lead in the waste management component of disaster recovery. This includes a new Article 8 – Emergency Provisions.
- General editorial changes – Modifications including clarification of existing language when intent was unclear.

The full text of the proposed amendment is on file in the Office of the Clerk of the County Board of Supervisors, Suite 553 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia. Questions regarding these proposed changes may be directed to the Department of Public Works and Environmental Services, Solid Waste Management Program, (703) 324-5230.

4:00 p.m. A public hearing on the proposed ordinance amendment to Chapter 43.1, Food and Food-Service Establishments, the Food and Drug Administration [FDA] 2005 Food Code with minor modifications.

4:00 p.m. A public hearing on the proposed adoption of an ordinance amending Appendix G, of *The Code of the County of Fairfax, Virginia*, to expand the Annandale Residential Permit Parking District, District 14. The proposed amendment will expand the District boundaries to include the following street blocks: Heritage Drive (Route 2630) from Erie Street (Route 2629) to Barr Place (Route 3620) and Barr Place south side from Heritage Drive to the end. Questions regarding this proposed amendment may be directed to the Department of Transportation at (703) 324-1100. (Braddock District)

4:00 p.m. A public hearing regarding the proposed restriction of cut-through traffic on Lenore Lane, Lee District, as part of the County's Residential Traffic Administration Program (R-TAP). The restriction consists of the closure of Lenore Lane to through traffic just east of Telegraph Road. An available alternate route is via Telegraph Road to North Kings Highway. Questions regarding this proposed restriction may be directed to the Fairfax County Department of Transportation at 703-324-1100.

4:00 p.m. A public hearing to consider abandonment of a portion of a public road known as Oakton Road (State Route 664) containing a total of approximately 17,149 square feet or 0.39368 acre, pursuant to Virginia Code § 33.1-151. This portion of right-of-way is located on Tax Map 47-3, adjacent to Tax Map Parcels 47-3-((1))-17A, 18, 19, 20, 20A and 34A, and is described and shown on the plat prepared by Dewberry & Davis, dated November 2005, and on the metes and bounds descriptions prepared by Dewberry Davis, each dated November 18, 2005, which are on file with the Fairfax County Department of Transportation, Suite 1034, 12055 Government Center Parkway, Fairfax, Virginia 22035, Telephone Number (703) 324-1135.

4:30 p.m. A public hearing on the matter of an amendment to Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows: (1) Establish a special permit to allow for a reduction of up to 50% of only the following yard requirements, provided that such reduction does not result in any yard of less than 5 feet: (a) yards specified in the residential, commercial, industrial and planned development zoning districts, provided such yards are not subject to proffered conditions or development conditions that address such yards and/or are not depicted on an approved development plan or plat; (b) yard regulations for pipestem lots and lots

contiguous to pipestem driveways set forth in Sect. 2-416; and (c) the accessory structure location requirements set forth in Sect. 10-104; (2) Recodify Sect. 8-916, Provisions for Modifications to the Regulations on Permitted Extensions into Minimum Required Yards, into a new section regarding reduction of certain yard requirements; (3) Require that all such special permits for a reduction in yards shall be subject to all of the following standards and criteria: (a) no detached accessory structure may be placed in a front yard where such structure is not otherwise permitted; (b) the special permit lot must contain a principal structure use that complied with the minimum yard requirements in effect when the structure was established; (c) the maximum gross floor area of the addition to a principal structure may be up to 150% of the total gross floor area of the principal structure that existed at the time of the yard reduction request and not more than 50% of the gross floor area of the existing principal structure may be removed; (d) additions to accessory structures shall be limited such that the accessory structure remains subordinate in purpose, use, scale and intent to the principal structure; (e) the proposed structure and use shall be in character with the existing on-site development, harmonious with the surrounding off-site uses and structures, and shall not adversely impact the use and/or enjoyment of any adjacent property, all of which shall be determined in terms of such issues as location, height, bulk, scale, topography, existing vegetation, preservation of significant trees, noise, light, air, erosion or stormwater runoff; (4) Provide that all such special permits represent the minimum amount of reduction necessary to accommodate the proposed structure on the lot, as determined by such factors as the layout of the existing structure, availability of alternate locations, orientation of the structure on the lot, shape of the lot and associated yard designations, environmental characteristics, preservation of existing vegetation, location of easements, wells or septic fields, or preservation of historic resources; (5) Allow the Board of Zoning Appeals to impose such conditions it deems necessary to ensure compliance with these criteria, including, but not limited to imposition of a maximum gross floor area, floor area ratio, lot coverage, landscaping and/or screening requirements; (6) Establish plat and architectural submission requirements for such special permit applications; (7) Clarify that the height of an accessory structure is measured from the highest point of the structure to the lowest point of finished ground level adjacent to the structure; and (8) Pursuant to authority granted by Virginia Code Sect. 15.2-2286(A)(6), establish special permit applications fees of \$295 for reduction of certain yard requirements for a single family dwelling lot and \$2,645 for reduction of certain yard requirements for all other uses, and for amendments to previously approved proffered conditions, development plans, final development plans, conceptual development plans, concurrent conceptual/final development plans, special permits, and special exceptions establish an application fee of \$295 for reduction of certain yard requirements for a single family dwelling lot and \$2,645 for reduction of certain yard requirements for all other uses. Copies of the full text are on file and may be reviewed at the Office of the Clerk to the Board of Supervisors, 12000 Government Center Parkway, Suite 533, Fairfax, Virginia 22035. For the convenience of the public, access to the full text will also be available for review at the County's website, www.fairfaxcounty.gov/dpz under the Zoning heading by clicking on Pending Zoning Ordinance Amendments.

4:30 p.m. A public hearing to consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the Code of Virginia, Title 15.2, Chapter 22. Deferred Area Plan Review items # 04-III-1UP, 04-III-6UP, 04-II-2F, 04-II-2V, and 04-II-6V concern the 7.2 miles of Hunter Mill Rd, south of Baron Cameron Ave and north of Chain Bridge Rd in the Dranesville, Hunter Mill, Providence, and Sully Supervisor Districts. The Plan currently states that there are known and potential heritage resources located along Hunter Mill Rd. The Amendment will consider adding text to recognize the road as a Virginia Byway and determined eligible for the Virginia Landmark Register and the National Register of Historic Places. Copies of the proposed Amendment and staff report may be obtained from the Dept. of Planning & Zoning, 7th floor, Herrity Bldg. 12055 Government Center Pkwy., Fairfax, Virginia, or by visiting www.fairfaxcounty.gov/dpz/comprehensiveplan/planamendments.htm. Copies of the Planning

Commission (PC) recommendation may be obtained from the PC, 12000 Government Center Pkwy., Suite 330, Fairfax, VA. Any questions may be directed to the Planning Div. at 703-324-1380.

4:30 p.m. A public hearing to solicit comments on proposed FY 2008 Transportation Enhancement Program Projects. The Board will act September 25, 2006, on projects presented at the public hearing. Those projects approved by the Board will be eligible for submission to the Virginia Department of Transportation (VDOT) for funding under the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Under this round of the Enhancement Program, VDOT will consider all projects submitted by November 1, 2006. SAFETEA-LU continues the Enhancement Program that was established in the Intermodal Surface Transportation Efficiency Act (ISTEA). Ten percent of funds apportioned to a state under the Surface Transportation Program (STP) are earmarked for transportation enhancement activities. The program provides 80 percent of the funds for each project. A 20 percent match is required. Any project presented to the Board for endorsement must have an identified source of funding for this match.

The Federal Highway Administration (FHWA) has established criteria for activities or improvements eligible under the SAFETEA-LU enhancement provision. The enhancements are activities or improvements that increase the value of a transportation project or make it more aesthetically pleasing. Eligible activities are:

1. Provision of facilities for bicycles and/or pedestrians
2. Provision of safety and educational activities for pedestrians and bicyclists
3. Acquisition of scenic easements and scenic or historic sites
4. Scenic or historic highway programs
5. Landscaping and other scenic beautification
6. Historic preservation
7. Rehabilitation and operation of historic transportation buildings, structures, or facilities including historic railroad facilities and canals
8. Preservation of abandoned railway corridors, including the conversion and use thereof for pedestrians and bicycle trails
9. Control and removal of outdoor advertising
10. Archeological planning and research
11. Environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity
12. Establishment of transportation museums.

In the past, transportation enhancement project applications submitted for further consideration have been those that have a local match or been recommended by the Board. Please note that projects previously selected for transportation enhancement project funding have often been unique in nature or provide compelling evidence to justify their selections. For more information on the Transportation Enhancement Program proposals, call the Fairfax County Department of Transportation at (703) 324-1100.

4:30 p.m. A public hearing on the matter of proposed amendments to *The Code of the County of Fairfax, Virginia (Fairfax County Code)*, Chapter 61 (Building Provisions), Articles 1, Administration and Standards, and 2, the Board of Building Code Appeals. The proposed amendments clarify the County's property maintenance provisions by specifying which County agencies have enforcement responsibility and revise and update existing provisions for clarity and conformance with the Virginia Uniform Statewide Building Code, Virginia Statewide Fire Prevention Code and the Virginia Amusement Device Regulations, all adopted in November, 2005. Fees for demolition permits and amusement device permits are also revised. The proposed amendment would become effective on July 11, at 12:01 a.m.

4:30 p.m. A public hearing to consider proposed revisions to Countywide Transportation recommendations of the Comprehensive Plan for Fairfax County, VA, #S01-CW-17CP, in accordance with the Code of Virginia, Title 15.2, Chapter 22. At this public hearing, the Board of Supervisors will consider a Plan Amendment proposal that revises the Transportation section of the Policy Plan: The Countywide Policy Element of the Comprehensive Plan for Fairfax County, Virginia, to reflect current travel demand forecasts and approaches and to address future transportation challenges in Fairfax County. Significant proposed revisions to transportation policies and objectives include increased emphasis on use of public transportation, inclusion of on-road bicycle routes, addition of an objective on transportation demand management, deletion of an objective on aviation, addition of an appendix on types of transit services and facilities, addition of an appendix on trail classification, revision to appendices on roadway classification, addition of typical cross sections to appendix on right-of-way requirements, and addition of policy on context-sensitive solutions in roadway design. The Plan Amendment proposes revisions to the Transportation Plan Map, designating planned new and improved roadways, interchanges, transit facilities, commuter parking lots, and other transportation facilities throughout the County. Proposed revisions to the Transportation Plan Map are:

- Increase the number of planned lanes from 8+ (HOV) to 10+ (HOV) on I-95 from the Springfield Interchange to the Wilson Br. and from 8+ (HOV) to 12 on I-495 from I-95/I-395 to the American Legion Br., from 8 to 10 on Rte. 28 from I-66 to the Loudoun Cty. line, from 6 to 8 on Rte. 28 from I-66 to Prince William Cty. Line, new 4 lane arterial (Manassas Battlefield Bypass) from Rte. 29 to Prince William Cty. Line, from 4 to 6 on Fairfax County Pkwy. from Baron Cameron Ave. to Rte. 7 and from Rte. 123 to Sydenstricker Rd.; from 2 to 4 on Silverbrook Rd. from Rte. 123 to Hooes Rd.; and from 2 to 4 on Lee Road from Rte. 50 to Willard Rd.;
- Decrease the number of planned lanes from 8 to 6 on Rte. 1 from I-495 to N. Buckman/Mt. Vernon Hwy., from 6 to 4 on Lorton Rd. from Silverbrook Rd. to Furnace Rd., and from 4 to 2 on Furnace Rd. from Lorton Rd. to Landfill Rd.;
- Add a rail station in Tysons Corner (for a total of 4 stations in Tysons Corner);
- Add the HOV lanes designation to Rte. 28 and Fairfax County Pkwy.;
- Add the HOT lanes designation to the I-495, I-95, and I-395;
- Add interchanges at Fairfax County Pkwy./Shirley Gate Rd./Popes Head Rd.; Fairfax County Pkwy/ John J. Kingman Rd.; and Route 1/ Belvoir Rd.;
- Remove interchanges at Rte. 236/Annandale Rd. and Rte. 1/Woodlawn Rd.;
- Add an overpass at Rte. 236/Annandale Rd.;
- Add the Enhanced Public Transportation Corridor designation to Rte. 7, Rte. 1 south of the Fairfax County Pkwy. to the County line, and from the Franconia-Springfield Metrorail station following the I-95/Loisdale/existing rail line corridor, including the existing rail line spur to Fort Belvoir;
- Add the LRT/BRT (Light Rail Transit/Bus Rapid Transit) designation to Rte. 1;
- Add the Metrorail designation to I-66;
- Add a commuter parking lot in the Braddock Rd. corridor west of I-495;
- Remove a transit transfer station on Telegraph Rd.

Suggestions received from the public and included in the *Public Input and Responses Report* posted on the project website will also be considered as part of this public hearing. These include consideration of a reduction of lanes on Elm Place, Morgan Lne., Hunter Mill Rd., McLearn Rd., and Wiehle Ave. The Plan Amendment also revises transportation recommendations in each Area Plan volume consistent with the adopted Fairfax County Transportation Plan Map. Copies of the proposed Amendment and staff report may be found on the Transportation Plan Update webpage at <http://www.fairfaxcounty.gov/fcdot/transplanupdate.htm> or obtained or viewed at the Dept. of Transportation, 10th floor, Herrity Bldg., 12055 Government Center Pkwy, Fairfax, VA, two weeks prior to the public hearing. Any questions may be directed to the Dept. of Transportation at 703-324-1100.

Fairfax County is committed to a policy of nondiscrimination in all County programs, services and activities and will provide reasonable accommodations upon request. To request special accommodations call the Office of the Clerk to the Board, (703) 324-3151 (VOICE) or (703) 324-3903 (TTY). Please allow seven working days in advance of the event in order to make the necessary arrangements.