



# *Fairfax County, Virginia*

## **BOARD OF SUPERVISORS**

### **DRAFT AGENDA**

**Monday**  
**November 20, 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.*

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8:30 Joint Meeting of the Board of Supervisors and the Economic Development Authority  
9:00 Presentations  
10:00 Presentation of the Human Rights Commission Annual Report  
10:15 Appointments  
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 PCA 2006-MV-005 (Pace-Boswell Associates, LLC) PCA Appl. to establish proffers on the site and approve waivers and modifications in a Commercial Revitalization District (CRD) with an overall Floor Area Ratio (FAR) of 0.22. Located in the N.E. quadrant of the intersection of Boswell Ave. and Richmond Hwy. on approx. 2.01 ac. of land zoned C-8, R-2, HC and CRD. Comp. Plan Rec: Office use up to .50 FAR Mt. Vernon District. Tax Map 102-1 ((7)) (4) 26, 28 and 30. (Concurrent with SE 2006-MV-001 and SE 2006-MV-013).

3:00 p.m. Public Hearing on SE 2006-MV-001 (Pace-Boswell Associates, LLC) SE Appl. under Sect(s). 4-804, 9-610, 9-612 and 9-622 of the Zoning Ordinance to permit a drive-thru pharmacy, waiver of minimum open space and lot width requirements and waivers and modifications in a Commercial Revitalization District, (CRD). Located at 7629 and 7635 Richmond Hwy. on approx. 1.49 ac. of land zoned C-8, HC and CRD. Mt. Vernon District. Tax Map 102-1 ((7)) (4) 26 and 28. (Concurrent with PCA 2006-MV-005 and SE 2006-MV-013).

3:00 p.m. Public Hearing on SE 2006-MV-013 (Pace-Boswell Associates, LLC) SE Appl. under Sect(s). 9-616 of the Zoning Ordinance to permit a driveway for uses in a commercial district. Located at 2908 Boswell Ave. on approx. 22,500 sq. ft. of land zoned R-2 and HC. Mt. Vernon District. Tax Map 102-1 ((7)) (4) 30. (Concurrent with PCA 2006-MV-005 and SE 2006-MV-001).

3:00 p.m. Public Hearing on PCA 82-L-087-02 (Willow Creek Community Association) PCA Appl. to amend the proffers for RZ 82-L-087 previously approved for residential development at a density of 7.55 dwelling units per acre (du/ac) to permit the conversion of a public street to a private street. Located on the E. side of Van Dorn St. approx. 1,600 ft. N. of Franconia Rd. (Bent Willow Dr., right-of-way) on approx. 17,293 sq. ft. of land zoned R-8. Comp. Plan Rec: 5-8 du/ac. Lee District. Tax Map 81-4 ((33)) B and a portion the right-of-way for Bent Willow Dr. to be vacated and/or abandoned.

(Approval of this application may enable the vacation and/or abandonment of a portion of right-of-way for Bent Willow Dr. to proceed under Section 33.1-151 of the Code of Virginia).

3:00 p.m.. Public Hearing on SE 2006-SP-011 (Virginia Electric and Power Company; Jimmy H. Ghadban) SE Appl. under Sect(s). 3-104 of the Zoning Ordinance to delete 1.35 ac. and maintain electric substation on 2.46 ac. Located at 8906 Ox Rd. on approx. 3.81 ac. of land zoned R-1 and WS. Springfield District. Tax Map 106-1 ((1)) 23A pt. and 106-2 ((1)) 47A pt.

3:00 p.m. Public Hearing on SEA 01-M-036 (Pinecrest School, Inc.) SEA Appl. under Sect(s). 3-404 of the Zoning Ordinance to amend SE 01-M-036 previously approved for a private school of general education to permit modification of existing development conditions with no change in enrollment. Located at 7209 Quiet Cove on approx. 2.0 ac. of land zoned R-4. Mason District. Tax Map 60-3 ((14)) 2B.

3:30 p.m. Public Hearing on PCA 1999-MV-025-02 (Bank of America, N.A.) PCA Appl. to amend the proffers for RZ 1999-MV-025 previously approved for commercial development to permit a drive-in bank with an overall Floor Area Ratio (FAR) of 0.13. Located in the S.W. quadrant of the intersection of Lorton Rd. on approx. 1.34 ac. of land zoned C-6. Comp. Plan Rec: Mixed Use. Mt. Vernon District. Tax Map 107-4 ((23)) E4 pt. (Concurrent with SEA 99-V-020-02)

3:30 p.m. Public Hearing on SEA 99-V-020-02 (Bank of America, N.A.) SEA Appl. under Sect(s). 4-604 of the Zoning Ordinance to amend SE 99-V-020 previously approved for a combined service station/mini-mart and fast food restaurant, a fast food restaurant with drive-in facilities and drive-through pharmacy to permit a drive-in bank. Located at 9405 Lorton Market St. on approx. 1.34 ac. of land zoned C-6. Mt. Vernon District. Tax Map 107-4 ((23)) E4pt. (Concurrent with PCA 1999-MV-025-02)

3:30 p.m. Public Hearing on SE 2006-MA-016 (PNC Bank, N.A.) SE Appl. under Sect(s). 4-604 of the Zoning Ordinance to permit a drive-in bank. Located at 6950 Braddock Rd. on approx. 38,342 sq. ft. of land zoned C-6. Mason District. Tax Map 71-4 ((1)) 28A.

3:30 p.m. Public Hearing on SE 2006-LE-012 (PNC Bank, N.A.) SE Appl. under Sect(s). 7-607 and 9-622 of the Zoning Ordinance to permit a drive-in bank and waivers and modifications including a waiver of the minimum lot width requirement in a Commercial Revitalization District. Located at 6315 and 6319 Amherst Ave. and 6320 Backlick Rd. on approx. 1.17 ac. of land zoned C-6, CRD, HC and SC. Lee District. Tax Map 80-4 ((1)) 9.

3:30 p.m. Public Hearing on SE 2006-MA-014 (BB&T of Virginia, Inc.) SE Appl. under Sect(s). 7-607 of the Zoning Ordinance to permit a drive-in bank in a Highway Corridor Overlay District. Located at 5871 Leesburg Pi. on approx. 1.08 ac. of land zoned C-2, CRD, HC and SC. Mason District. Tax Map 61-2 ((17)) (C) 1.

4:00 p.m. Public Hearing on PCA 2000-SU-033 (Rita Powell & Mark A. Johnson) PCA Appl. to amend RZ 2000-SU-033 previously approved for industrial development to permit the enlargement of an existing outdoor kennel with an overall Floor Area Ratio (FAR) of 0.16. Located at the W. terminus of Upper Cub Run Dr., W. of its intersection with Stonecroft Blvd. on approx. 5.3 ac. of land zoned I-5, AN and WS. Comp. Plan Rec: Industrial. Sully District. Tax Map 33-4 ((1)) 9A. (Concurrent with SE 2006-SU-015).

4:00 p.m. Public Hearing on SE 2006-SU-015 (Rita Powell & Mark A. Johnson) SE Appl. under Sect(s). 5-504 and 9-625 of the Zoning Ordinance to permit outdoor kennels and modification of minimum yard requirements for certain existing structures. Located at 4500 Upper Cub Run Dr. on

approx. 5.3 ac. of land zoned I-5, AN and WS. Sully District. Tax Map 33-4 ((1)) 9A. (Concurrent with PCA 2000-SU-033).

4:00 p.m. A public hearing regarding the adoption of an amendment to *The Code of the County of Fairfax, Virginia* (Fairfax County Code), which will be set forth in Appendix M to establish the Island Creek Community Parking District (CPD). The proposed CPD establishment would encompass Thomas Grant Drive and John Thomas Drive both from Morning View Lane to the cul-de-sac, inclusive; and prohibit the parking of watercraft, boat trailers, motor homes, and 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, Lee District. 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. Questions regarding this proposed amendment may be directed to the Fairfax County Department of Transportation at 703-324-1100. (Lee District)

4:00 p.m. A public regarding the adoption of an amendment to *The Code of the County of Fairfax, Virginia* (Fairfax County Code), which will be set forth in Appendix M to establish the Greentree Village Community Parking District (CPD). The proposed CPD establishment would encompass Silvervine Lane and Field Master Drive; and prohibit the parking of watercraft, boat trailers, motor homes, and 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, Springfield District. 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. Questions regarding this proposed amendment may be directed to the Fairfax County Department of Transportation at 703-324-1100.

4:00 p.m. A public hearing on the acquisition of certain land rights necessary for the construction of Project 4YP014 – Braddock Road at Little River Turnpike Road Improvement (Mason District). Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works and Environmental Services, 12000 Government Center Parkway, 4th Floor, Suite 457, Fairfax, Virginia 22035.

4:00 p.m. A public hearing on the acquisition of certain land rights necessary for the construction of Project 4YP013 – Little River Turnpike (Route 236)/Beauregard Street Improvement (Mason District). Plans and plats describing the work proposed to be done and the property interests to be acquired for this project are on file in the Land Acquisition Division of the Department of Public Works

and Environmental Services, 12000 Government Center Parkway, 4th Floor, Suite 457, Fairfax, Virginia 22035.

4:30 p.m. A public hearing pursuant to Virginia Code § 15.2-2272(2), vacating a part of the Plat of Re-subdivision of Lots 10 thru 15, Block 35, New Alexandria, recorded in Deed Book 950 at page 18 on which is shown a portion of Potomac Avenue (Route 1501) from the common boundary of Lots 502 and 503 to the common boundary of Lot 503 with a twenty-foot alley, a distance of sixty-five (65) feet and a total area of 1,560 square feet. The road is located on Tax Map 83-4, and is described and shown on the metes and bounds schedule and plat prepared by Bryant L. Robinson, Land Surveyor, dated May 5, 2005, both of which are on file in the Fairfax Department of Transportation, 12055 Government Center Parkway, Suite 1034, Fairfax, Virginia 22035. Telephone Number (703) 324-1135. (Mount Vernon District)

A public hearing to consider the proposed abandonment of portion of a public road known as Potomac Avenue (Route 1501) from the common boundary of Lots 502 and 503 to the common boundary of Lot 503 with a twenty-foot alley, a distance of sixty-five (65) feet and a total area of 1,560 square feet, pursuant to Virginia Code § 33.1-151. The road is located on Tax Map 83-4-((2))-35-0503A, and is described and shown on the metes and bounds schedule and plat prepared by Bryant L. Robinson, Land Surveyor, dated May 6, 2005, both of which are on file with the Fairfax County Office of Transportation, Suite 1034, 12055 Government Center Parkway, Fairfax, Virginia, 22035, Telephone Number 324-1135. (Mount Vernon District)

4:30 p.m. A public hearing regarding the adoption of an amendment to *The Code of the County of Fairfax, Virginia* (Fairfax County Code), which will be set forth in Appendix M to establish the Keene Mill Village IV Community Parking District (CPD). The proposed CPD establishment would encompass Field Master Drive from Old Keene Mill Road to the cul-de-sac, inclusive; and prohibit the parking of watercraft, boat trailers, motor homes, and 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, Springfield District. 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. (Springfield District) Questions regarding this proposed amendment may be directed to the Fairfax County Department of Transportation at 703-324-1100.

5:00 p.m. A public hearing to receive comment from citizens on the proposed legislative program that the County will present to the 2007 Virginia General Assembly. The Board is scheduled to vote on the legislative program on Monday, December 4, 2006. Copies of the proposed legislative program will be available on Wednesday, November 15, 2006, at [www.fairfaxcounty.gov/government/board](http://www.fairfaxcounty.gov/government/board) or in the Office of the Clerk to the Board, 12000 Government Center Parkway, Suite 533, Fairfax, Virginia 22035-0072.

5:00 p.m. A public hearing on the matter of an amendment to Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows: (1) Establish a special permit to allow for certain additions to an existing single family detached dwelling that currently extend into a minimum yard requirement by more than fifty (50) percent and/or is closer than 5 feet to a lot line

subject to all of the following standards and criteria: (a) only those yards in residential 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 plat or proffered generalized development plan; yard regulations for pipestem lots and lots contiguous to pipestem driveways set forth in Sect. 2-416 of the Zoning Ordinance; and regulations on permitted extensions set forth in Sect. 2-412 of the Zoning Ordinance can be reduced; (b) the existing single family detached dwelling complied with the minimum required yards in effect when the structure was constructed and that the yards have not been reduced to less than the yards required by the Zoning Ordinance since the effective date of the Ordinance, except by condemnation or by acquisition for public purposes by any governmental agency; (c) no portion of the proposed addition shall extend closer to the lot line associated with such yard than any portion of the existing dwelling; (d) 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; these gross floor area calculations include the floor area of any attached garage; (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; (f) no special permit shall be granted if the property is in violation of any provision of the Zoning Ordinance; (2) Establish plat and architectural submission requirements for the new special permit application; (3) Allow the Board of Zoning Appeals to impose such conditions it deems necessary to minimize the impact of the addition on adjacent properties; (4) Pursuant to authority granted by Virginia Code Sect. 15.2-2286(A)(6), establish special permit applications fees of \$295 for certain additions to an existing single family detached dwelling that currently extends into a minimum required yard by more than fifty (50) percent and/or is closer than 5 feet to a lot line; and (5) Clarify that all applicable regulations of the Fairfax County Zoning Ordinance, the Code of the County of Fairfax, Virginia, and any applicable Building Code apply to all uses and structures. 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](http://www.fairfaxcounty.gov/dpz) under the Zoning heading by clicking on Pending Zoning Ordinance Amendments.

5:30 pm. A public hearing on the draft revised and updated Falls Church/James Lee/Southgate (commonly called James Lee) Neighborhood Improvement Program and Conservation Plan. The James Lee Plan provides a comprehensive approach to preserving and improving the James Lee Community as a viable residential neighborhood.

Conservation Plans are adopted for communities to guide the community improvements including improvement of housing and public facilities. The revised and updated James Lee Conservation Plan includes further changes to the revised James Lee Conservation Plan that was adopted on May 1, 2006. The following changes will be the subject of the November 20, 2006 public hearing:

- A number of clarifications with regard to the goals and objectives of limiting the impacts of commercial use on the residential community and several editorial changes designed to improve understanding of intent; and
- Inclusion of language clarifying how the City of Falls Church handles environmental and traffic and circulation issues and concerns; and
- Establishment of an objective that provides for the improvement of Tripps Run in accordance with the Cameron Run Watershed Study; and

- Elimination of two land use and design recommendations regarding the vacation of right-of-way, as excerpted from the 2005 City of Falls Church Comprehensive Plan, as they've been deemed not relative to the Conservation Plan; and
- Elimination of the proposed study for infrastructure improvements for the Tinner Hill Cultural Center; and
- Inclusion of the Community Center as a feature served by the proposed walking trail from Costner Drive; and
- Inclusion of a requirement that the County of Fairfax and the City of Falls Church forward requests for a variance for property within the area governed by the Conservation Plan to the Housing Authority; and
- Modify the area covered outside of the Conservation Plan for notices regarding Development Review to include areas within 150 feet from the Conservation Area Boundaries for the City of Falls Church and 350 feet for the County; and
- Modify the timeframe in which requests for zoning actions, Comprehensive Plan actions, and development and site plan requests shall be forwarded from the City of Falls Church to the Housing Authority from 15 days prior to the hearing to two weeks from the date of acceptance of the request by the city and includes any subsequent amendments to the initial proposal; and
- Modify the recipient of comments regarding subdivision plans, site plans and development plans from the Board of Supervisors to the Department of Public Works and Environmental Services; and
- Modify the procedure for processing a Conservation Plan amendment and adoption of Conservation Plan amendment requirements, to 1) eliminate item C under Procedure for Conservation Plan Amendment but include, in the section, the establishment of a meeting, at least 30 days before any public hearing before the Housing Authority, of the Civic Association Committee, James Lee Civic Association and adjacent property owners to review and make recommendations on a request to amend the Conservation Plan; and 2) eliminate item B under Procedure for Conservation Plan Amendment and indicate that all Plan amendments must be adopted by both jurisdictions, the Fairfax County Board of Supervisors and the City of Falls Church City Council, after a public hearing.

The draft revised and updated James Lee Neighborhood Improvement Program and Conservation Plan is available at the James Lee Community Center, the Thomas Jefferson and Tysons-Pimmit libraries and also on the Fairfax County Redevelopment and Housing Authority's website at [www.fairfaxcounty.gov/rha/](http://www.fairfaxcounty.gov/rha/). For additional information, contact Joel Franklin in the Department of Housing and Community Development at 703-246-5163 (TTY: 703-385-3578).

5:30 p.m. A public hearing regarding the adoption of a resolution to restate the boundary of Small District No. 5, a special tax district, which was established by the Board of Supervisors on March 24, 1975, for the purpose of constructing, maintaining, and operating a community center and recreational facilities within that District. The boundary of the District was amended March 27, 2006, and the change became effective on July 1, 2006. This public hearing will consider a resolution that proposes to make a further change to the District boundary that generally would adjust the District to more closely follow the Reston Master Plan by removing areas now in the northeast and the east of the District. The resolution proposes to make this change effective January 1, 2007.

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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.