



Fairfax County, Virginia

BOARD OF SUPERVISORS

DRAFT AGENDA

Monday
September 10, 2007

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.

9:00 Presentations
10:00 Carryover
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 1999-MV-025-04 (Marketplace Car Wash, LLC) PCA Appl. to amend the proffers for RZ 1999-MV-025 previously approved for commercial development to permit a car wash and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.13. Located on the W. side of Lorton Market St., approx. 250 ft. from its intersection with Lorton Rd. on approx. 1.04 ac. of land zoned C-6. Comp. Plan Rec: Mixed Use. Mt. Vernon District. Tax Map 107-4 ((23)) C. (Concurrent with SE 2007-MV-005).

3:00 p.m. Public Hearing on SE 2007-MV-005 (Marketplace Car Wash, LLC) SE Appl. under Sect(s). 4-604 of the Zoning Ordinance to permit a car wash. Located on the W. side of Lorton Market St., approx. 250 ft. from its intersection with Lorton Rd. on approx. 1.04 ac. of land zoned C-6. Mt. Vernon District. Tax Map 107-4 ((23)) C. (Concurrent with PCA 1999-MV-025-04).

3:00 p.m. Public Hearing on SEA 2005-SU-007 (Trustees of Korean Central Presbyterian Church) SEA Appl. under Sect(s). 3-C04 of the Zoning Ordinance to amend SE 2005-SU-007 previously approved for a church with nursery school and private school of general education to permit a child care center to replace the nursery school with a total maximum enrollment of 100 children and associated modifications to site design and development conditions. Located at 15308 Compton Rd. and 15315, 15403 and 15451 Lee Hwy. on approx. 80.22 ac. of land zoned R-C and WS. Sully District. Tax Map 64-1 ((1)) 8, 9, 25, 26 and 27; 64-1 ((3)) 16; 64-2 ((3)) 18; 64-2 ((5)) 1, 2 and 3.

3:00 p.m. Public Hearing on RZ 2007-PR-002 (Flint Hill School) RZ Appl. to rezone from R-1 to R-3 to permit expansion of an existing private school of general education, child care center and nursery school with a Floor Area Ratio (FAR) of up to 0.25. Located in the NW quadrant of the intersection of Chain Bridge Rd. and Jermantown Rd. on approx. 15.22 ac. of land. Comp. Plan Rec: Institutional. Providence District. Tax Map 47-2 ((1)) 36A, 37, 38 and 52A and portions of Academic Dr. public

right-of-way to be vacated and/or abandoned. (Concurrent with SEA 84-P-105-03). (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Academic Drive to proceed under Section 15.2-2272 of the Code of Virginia).

3:00 p.m. Public Hearing on SEA 84-P-105-03 (Flint Hill School) SEA Appl. under Sect(s). 3-304 of the Zoning Ordinance to amend SE 84-P-105 previously approved for a private school of general education, child care center and nursery school to permit an increase in land area, building additions and associated modifications to site design and development conditions. Located at 3012 Chain Bridge Rd., 3044 Jermantown Rd., 10429 and 10431 Miller Rd. on approx. 15.22 ac. of land zoned R-3. Providence District. Tax Map 47-2 ((1)) 36A, 37, 38 and 52A and portions of Academic Dr. public right-of-way to be vacated and/or abandoned. (Concurrent with RZ 2007-PR-002). (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Academic Drive to proceed under Section 15.2-2272 of the Code of Virginia).

3:30 p.m. Public Hearing on SE 2006-LE-030 (Petroleum Marketing Group, Inc.) SE Appl. under Sect(s). 4-604 and 7-607 of the Zoning Ordinance to permit an existing service station and car wash in a Highway Corridor Overlay District to continue. Located at 5500 Franconia Rd. on approx. 31,776 sq. ft. of land zoned C-6 and HC. Lee District. Tax Map 81-4 ((1)) 71C.

3:30 p.m. Public Hearing on PCA 92-P-001-06 (West*Group Properties LLC) PCA Appl. to amend the proffers for RZ 92-P-001 previously approved for office development to permit modification to approved plan tabulations (create new land bays) with no new construction with an overall Floor Area Ratio (FAR) of 0.65. Located on the S. side of Dolley Madison Blvd., E. and W. sides of Old Meadow Rd. on approx. 31.25 ac. of land zoned C-3 and HC. Comp. Plan Rec: office and private open space. Providence District. Tax Map 29-4 ((6)) 95C, 96A, 97C, 99B, 101A, 102, 105, 106 and 107.

3:30 p.m. Public Hearing on PCA 88-D-005-06 (West*Group Properties LLC) PCA Appl. to amend the proffers for RZ 88-D-005 previously approved for office development to permit modification to approved plan tabulations (create a new land bay) with no new construction with an overall Floor Area Ratio (FAR) of 0.58. Located on the S. side of Dulles Airport Access Rd., S.E. and S.W. quadrants of the intersection of Jones Branch Dr. and West Branch Dr. on approx. 97.58 ac. of land zoned C-3 and SC. Comp. Plan Rec: office and private open space. Providence District. Tax Map 29-2 ((15)) A6 and B2; 29-4 ((7)) A5, C1, C2, 1, 1A1, 1A2, 2, 3, 4, 6, 7A1, 7B, 8, 9, 10 and 11A.

3:30 p.m. Public Hearing on RZ 2007-SU-006 (Vahid K. Amin) RZ Appl. to rezone from I-3, AN, HC and WS to I-5 AN, HC and WS to permit industrial development with an overall Floor Area Ratio (FAR) of 0.17. Located on the N. side of Lee Jackson Memorial Hwy. adjacent to its intersection with Pleasant Valley Rd. on approx. 1.53 ac. of land. Comp. Plan Rec: campus-style office and industrial/flex. Sully District. Tax Map 33-2 ((1)) 3.

3:30 p.m. Public Hearing on RZ 2006-HM-019 (MB Herndon, L.L.C.) RZ Appl. to rezone from I-4 to C-3 to permit office development with an overall Floor Area Ratio (FAR) of 1.0. Located in the N.W. quadrant of the intersection of Sunrise Valley Dr., and Dulles Technology Dr. on approx. 14.7 ac. of land. Comp. Plan Rec: Mixed Use at .50-1.0 FAR. Hunter Mill District. Tax Map 16-3 ((1)) 31A1 and 4N1. (Concurrent with PCA 79-C-037-06)

3:30 p.m. Public Hearing on PCA 79-C-037-06 (MB Herndon, L.L.C.) PCA Appl. to amend the proffers for RZ 79-C-037 previously approved for office development with an overall Floor Area Ratio (FAR) of 0.7 to permit deletion of land area. Located in the N.W. quadrant of the intersection of Sunrise Valley Dr., and Dulles Technology Dr. on approx. 14.7 ac. of land zoned I-4. Comp. Plan Rec: Mixed Use at .50-1.0 FAR. Hunter Mill District. Tax Map 16-3 ((1)) 31A1 and 4N1. (Concurrent with RZ 2006-HM-019)

4:00 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: To allow temporary portable storage containers (which are purpose-built, fully enclosed, box-like containers with signage on one or more of their outer surfaces and designed for temporary storage of household goods and/or equipment and are uniquely designed for ease of loading to and from a transport vehicle) with a height to be determined by the Board of Supervisors that will be not greater than 8 ½ feet to be placed in any yard on any lot developed with a dwelling unit as follows: (A) On lots developed with single family detached dwellings allow temporary portable storage containers not exceeding a cumulative gross floor area to be determined by the Board of Supervisors that will be not less than 40 square feet or more than 260 square feet for a time period to be determined by the Board of Supervisors that will be not less than 2 consecutive days or more than 90 consecutive days within a 6 month period. (B) On lots developed with single family attached or multiple family dwellings allow temporary portable storage containers not exceeding a cumulative gross floor area to be determined by the Board of Supervisors that will be not less than 40 square feet or greater than 260 square feet for a time period to be determined by the Board of Supervisors that will be not less than 2 consecutive days or more than 60 consecutive days within a 6 month period. (C) Where a dwelling has been destroyed or damaged by casualty and when the dwelling is to be rebuilt or repaired, by temporary special permit allow temporary portable storage containers not exceeding a cumulative gross floor area to be determined by the Board of Supervisors that will be not less than 40 square feet or more than 260 square feet for a time period to be determined by the Board of Supervisors that will be not less than 3 months or more than 12 months or for the period of an active Building Permit, whichever is shorter in duration. Pursuant to authority granted by Virginia Code Sect. 15.2-2286(A)(6), establish a temporary special permit application fee to be determined by the Board of Supervisors that is within a range of \$0 to \$130 for such temporary portable storage containers. (D) All temporary portable storage containers shall not be located in any required open space, landscaped area, or on any street, sidewalk or trail, and such containers shall meet the sight distance requirements on corner lots and shall not be placed in a location that blocks or interferes with vehicular or pedestrian circulation; such containers shall be located in accordance with all applicable Building Code and Fire Code regulations. (E) A sign that provides the contact information of the provider shall appear on all temporary portable storage containers. However, such signs shall not include the advertisement of any other product or service. The size of such signs shall not exceed an area to be determined by the Board of Supervisors that will be not less than one square foot per container. 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.

4:00 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: Replaces references to the "Federal Insurance Administration" with references to the "Federal Emergency Management Agency", in Sections 2-904, 8-011, 8-922, 8-923, 8-924, 9-011, 9-615, 9-622, 16-303, 16-501, 16-502, 18-202, 18-403, and within the floodplain definition in Article 20 of the Zoning Ordinance. 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.

4:00 p.m. A public hearing for the continued leasing of County-owned property at the Lewinsville Facility at 1609 Great Falls Street, McLean, Virginia, to the McNair Child Development Center, Inc., d/b/a Fun and Friends Child Development Center (Dranesville District).

4:00 p.m. A public hearing before the Board of Supervisors of Fairfax County, Virginia to consider an ordinance that proposes to amend Fairfax County Code relating to election precincts. Virginia Code allows the governing body of each county and city to establish by ordinance as many precincts as it deems necessary with one polling place for each precinct. Each governing body is authorized to increase or decrease the number of precincts and alter precinct boundaries and polling place locations subject to the requirements of Virginia Code Sections 24.2-307, 24.2-310 and 24.2-310.1. All voters who are affected by a change in their precinct or polling place will be mailed a new Virginia Voter Information Card. This proposed ordinance would amend Chapter 7 of the Fairfax County Code to become effective on January 16, 2008, to (1) divide the Reston #1 precinct in Hunter Mill District to create a new precinct to be named "Cameron Glen" and establish its polling place at the North County Human Services Building located at 1850 Cameron Glen Drive; (2) divide the Cooper precinct in Dranesville District to create a new precinct to be named "Spring Hill," move the polling place for Cooper precinct to the Cooper Middle School located at 977 Balls Hill Road, McLean and establish the polling place for the Spring Hill precinct at the Spring Hill Elementary School located at 8201 Lewinsville Road, McLean; (3) adjust the boundaries of the Blake, Nottoway and Oak Marr precincts in Providence District which will reduce the number of voters in the Nottoway precinct and increase the number of voters in the Blake and Oak Marr precincts; (4) divide the Monument and Leehigh precincts in Springfield District to create a new precinct to be named "Eagle View" and establish its polling place at the Eagle View Elementary School located at 4500 Dixie Hill Road, Fairfax and rename the Leehigh precinct "Fair Oaks."

4:00 p.m. A public hearing to make determinations regarding a proposed Spot Blight Abatement Ordinance for 2719 Chain Bridge Road in accordance with Virginia Code Annotated § 36-49.1:1 (Supp. 2006). The Blight Abatement Case concerns a blighted structure located at 2719 Chain Bridge Road in Virginia on .4155 acres of land in the Vienna area of the County, in the Providence District. The blight abatement plan is to demolish the structure, clear the lot and collect costs of blight abatement, including County overhead, from the owner of the property, Tax Map No. 048-1-((01))-0048.

Copies of the proposed Blight Abatement Ordinance for the subject property may be obtained from the Department of Housing and Community Development (HCD), 3700 Pender Drive, Fairfax, VA 22030. Questions regarding the plan may be directed to the Blight Abatement Program, Design, Development and Construction Division of HCD, at 703-246-5179. Office hours are 8 a.m. to 4:30 p.m.

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 Sequoia Farms Community Parking District (CPD). The proposed CPD establishment would encompass Buggy Whip Drive, from Sequoia Farms Drive to Quail Pond Court; Cedar Break Drive from Braddock Road to Sequoia Farms Drive; Emerald Pool Drive, from Gladewright Drive to cul-de-sac inclusive; Fire Fox Run, from Gladewright Drive to Sequoia Farms Drive; Flourcastle Court, from Sequoia Farms Drive to cul-de-sac inclusive; Gladewright Drive, from Flourcastle Court to Cedar Break Drive; Goldmoore Court, from Buggy Whip Drive to cul-de-sac inclusive; Jacob Lane, from Sequoia Farms Drive to cul-de-sac inclusive; Jameson Court, from Cedar Break Drive to cul-de-sac inclusive; Nandina Court, from Sequoia Farms Drive to cul-de-sac inclusive; O'Shay Court, from Cedar Break Drive to cul-de-sac inclusive; Patriarch Court, from Cedar Break Drive to cul-de-sac inclusive; Pemberton Lane, from Shipley Court to Sequoia Farms Drive; Shipley Court, from cul-de-sac to cul-de-sac; Virgin Rock Road, from Sequoia Farms Drive to 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. 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. (Sully 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 Newington Community Parking District (CPD). The proposed CPD establishment would encompass Delong Drive from Rolling Road to the end; Lodge Court from Delong Drive to 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. 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. (Mount Vernon District)

4:30 p.m. A public hearing regarding the vacation of a storm sewer easement located on property owned by the Fairfax County Park Authority, Tax Map 93-1-01- 0057, pursuant to Section 15.2-1800 of the Code of Virginia.

4:30 p.m. Public Hearing on SE 2006-LE-026 (The Howard Gardner School) SE Appl. under Sect(s). 3-304 of the Zoning Ordinance to permit a private school of general education with a maximum enrollment of 48 students. Located at 4913 Franconia Rd. on approx. 1.36 ac. of land zoned R-3. Lee District. Tax Map 82-3 ((1)) 3.

4:30 p.m. Public Hearing on RZ 2007-SU-003 (Fair Ridge, LLC) RZ Appl. to rezone from PDC, HC and WS to R-8, HC and WS to permit residential development at a density of 28.82 dwelling units per acre (du/ac). Located on the N. side of Fair Ridge Dr. and S. side of Ox Hill Rd. on approx. 6.94 ac. of land. Comp. Plan Rec: Fairfax Center Area, option for independent living facility not to exceed 200 units at the overlay level. Sully District. Tax Map 46-3 ((1)) 14C. (Concurrent with SE 2007-SU-002 and PCA 1998-SU-009-02).

4:30 p.m. Public Hearing on SE 2007-SU-002 (Fair Ridge, LLC) SE Appl. under Sect(s). 3-604 of the Zoning Ordinance to permit an independent living facility. Located on the N. side of Fair Ridge Dr. and S. side of Ox Hill Rd. on approx. 6.94 ac. of land zoned R-8, HC and WS. Sully District. Tax Map 46-3 ((1)) 14C. (Concurrent with RZ 2007-SU-003 and PCA 1998-SU-009-02).

4:30 p.m. Public Hearing on PCA 1998-SU-009-02 (Fair Ridge, LLC) PCA Appl. to amend the proffers and conceptual development plan for RZ 1998-SU-009 to delete land area to be incorporated

with RZ 2007-SU-003. Located on the N. side of Fair Ridge Dr. and S. of Ox Hill Rd. on approx. 6.94 ac. of land zoned PDC, HC and WS. Comp. Plan Rec: Fairfax Center Area, option for independent living facility not to exceed 200 units at the overlay level. Sully District. Tax Map 46-3 ((1)) 14C. (Concurrent with RZ 2007-SU-003 and SE 2007-SU-002).

5:00 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. Plan Amendment #S07-III-UP1 concerns approximately 4.33 acres generally located west of Colts Neck Road and north of Glade Drive (26-1((13)) 1) in the Hunter Mill Supervisor District. The area is planned for high density residential use on the Land Use Plan component of the Reston Master Plan and designated as an existing church on the Community Facilities Plan component of the Reston Master Plan. The Amendment will consider an option for elderly housing on the property. 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. 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.

5:00 p.m. A public hearing regarding the adoption of an amendment to the Code of the County of Fairfax, Virginia (Fairfax County Code). The proposed amendment to Chapter 4 of the Fairfax County creates a new section 4-10-5 and creates a separate classification for taxation for certain commercial and industrial property located in Fairfax County for transportation purposes to benefit the County of Fairfax. In accordance with Va. Code Ann. § 58.1-3221.2 and beginning January 1, 2008, all taxable commercial and industrial real property, except as expressly excluded, will be declared to be a separate class of real property for imposition of an additional amount of real property tax. Such separate class of real property shall exclude all residential uses, all multifamily residential uses, including all single family residential uses and multifamily residential uses, single family residential units, cooperatives, condominiums, townhouses, apartments, or homes in a subdivision when leased by a unit by unit basis even though these units may be part of a larger building or parcel of real estate containing no more than four residential units. Such separate class of real property may be subject annually to an amount of real property tax, in addition to such amounts authorized by law, at a rate to be imposed by resolution of the Fairfax County Board of Supervisors not to exceed \$0.25 per \$100 of assessed value. If such tax is imposed by the Fairfax County Board of Supervisors, upon appropriation, any such revenues generated from the additional tax upon the separate classification shall be used exclusively for transportation purposes that benefit the County of Fairfax. The additional real property tax imposed upon the separate class of real property shall be levied, administered, enforced, and collected in the same manner as all local taxes. The Fairfax County Department of Tax Administration shall also separately assess and set forth upon the County's land book the fair market value of property that is defined as the separate class of real property. Questions regarding the proposed amendment may be directed to the Fairfax County Department of Tax Administration at (703)324-4804.

5:00 p.m. A public hearing on the acquisition of certain land rights necessary for the construction of Project W00300 (W3040) - Wiehle Avenue Trail (Hunter Mill 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.

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.