

# RIPPLES

News of the Lakeport Cluster Community, from the Lakeport Board

April, May, June 2011

**Next Board meeting: Monday, June 27, 2011 – 8 P.M.**

## HELPING HANDS . . .

Our thanks for work of one of our neighbors who volunteered to apply lime to our common areas. This saved our Cluster over \$300 in landscaping fees. [Note: The need for application of lime to grassy areas was confirmed by soil testing.] **Our Board has other volunteer opportunities. Please contact us to learn how you can help!**

## CHILDREN AT PLAY!

We in Lakeport are blessed by a growing population of children—evidenced by the Easter egg hunt, the movie night, and the voices of children enjoying the out-of-doors. In response to a neighbor's concern over the speed of vehicles entering Lakeport, the Board agreed to "re-yellow" the speed bumps. This painting was not due in our maintenance cycle for another two years. This repainting was done with volunteer labor. In addition, we encourage those parents with young children to provide their children with bicycle and pedestrian safety education.

## A LOSS FOR US . . .

Our neighbor Mary Ann Nagley, wife of Don, 1951 Lakeport Way, died on Sunday, June 12, following an extended illness. The family has indicated that donations can be made in Mary Ann's memory to Pathfinder Village, Inc.

## WELCOME TO OUR NEIGHBORS!

Welcome, new neighbors **Liz and Dave Fleming** at 1971 Lakeport Way and **Lynda and Larry Dendtler** at 1995 Lakeport Way.

\$\$\$\$\$\$

A reminder that beginning the 3<sup>rd</sup> quarter (July 1), our dues have been increased to **\$272.50** per quarter. Should you have automatic payment scheduled for these homeowner dues, a friendly reminder to make the change!

## NOISE.

We at Lakeport have the privilege of being adjacent to South Lakes Shopping Center. This allows us close access to the retail services offered there. It also offers us the challenge of living with the everyday noises generated by a business center.

Likewise, we believe, the businesses of South Lakes Shopping Center have the privilege of being adjacent to Lakeport, a source of revenue for them. Also likewise, being adjacent to a residential neighborhood offers the businesses of South Lakes the challenge of conducting their business (including deliveries) while being respectful of their neighbors.

Below are listed the processes of Fairfax County Noise Codes and Violations. The research of these was driven by a recent issue with our neighbor Safeway, but certainly applies to any noise issue. Regarding the recent issue, the Lakeport Board has been in extensive conversations with the local Safeway management, as well as the Safeway Corporation. We believe all have the intention of being as good a neighbor as possible to our Lakeport community. We also believe that many issues can be resolved by talking with one another.

- There are a number of noise codes which apply to us in Fairfax County.

[See [www.fairfaxcounty.gov/code/noise/](http://www.fairfaxcounty.gov/code/noise/) for specific categories.]

- The category that would apply to deliveries and truck noises related to businesses at South Lakes Shopping Center would be the following: **Cars may not be repaired outside between 9 p.m. and 7 a.m. and trucks may not be loaded or unloaded outside within 100 yards of a home between 9 p.m. and 6 a.m.**

*Note: Should we have specific questions about the codes, we can call the Fairfax County Department of Code Compliance (703-324-1300) and ask to speak with the Inspector-on-Duty. According to the Inspector we spoke with on May 17, 2011, inspectors are charged to issue violations against the letter of the code. These violations must be justified by inspectors in court before a judge. Therefore, a truck idling, but not being unloaded, may not be determined to be a code violation.*

• As residents, or as a Board representing its residents, we may file a complaint regarding what we regard as violations to the code by contacting the Fairfax County **Department of Code Compliance**. We can file that complaint by telephone (703-324-1300) or electronically ([www.fairfaxcounty.gov/code/noise](http://www.fairfaxcounty.gov/code/noise)), see "submit complaint" right-hand side of the page).

- Once a complaint has been filed, the Department of Code Compliance will send an inspector to the business site. In addition to the above code, the inspector will also measure the decibel level of the noise. Should the inspector determine that there is a code or decibel violation, both the business and the complainant will be notified. The business will be given an opportunity to remediate the violation, within a particular timeframe. The complainant will continue to be updated through the process.

*Note: The Department of Code Compliance will come to the site of the complaint as soon as possible, but there will be a time lapse between the complaint report and the site visit. Should our complaint be regarding an intermittent noise which may not be occurring when the inspector visits, those at Code Compliance suggest that we monitor "noise happenings" over a period of time, and then report that data, and any patterns we are observing, in our complaint.*

- There is a process through which a business, or others, can apply for a Variance or Waiver from a code. That application is done through the Fairfax County Zoning Inspection Office (703-324-4300). Inspectors in that office work with our Fairfax County Board Supervisor's Office (Supervisor Cathy Hudgins, 703-478-0283) as they determine whether to grant a variance. Supervisor Hudgins' staff person handling these applications is Goldie Harrison. If a Variance is granted, the Supervisor's Office, the police, and other County entities would be aware of the variance.

## KEEPING INFORMED: HIGH DENSITY RE-ZONING PROPOSALS FOR RESTON VILLAGE CENTERS (including South Lakes Village Center)

Your Board is following the work of the Reston Master Planning Task

# RIPPLES

*News of the Lakeport Cluster Community, from the Lakeport Board*

*April, May, June 2011*

***Next Board meeting: Monday, June 27, 2011 – 8 P.M.***

Force. As a note, development and rezoning issues in Fairfax County must follow the guidelines set forth in the County Comprehensive Plan. There is also a Reston Master Plan that must align with the Comprehensive Plan. There has been a **Task Force (Phase I: Planning the Rail to Dulles)**, appointed by our Supervisor, Cathy Hudgins, working this last year on recommendations to change the current Reston Master Plan. The **Phase II Task force** will be making recommendations about increasing the density allowance around village centers—which would include South Lakes Village Center.

The Lakeport Board has requested of Supervisor Hudgins office that one member of the **Phase II Task Force (Reston Village Centers)** represent the residential neighborhoods which may be considered for higher-density development around South Lakes Village Center. Those neighborhoods would be Harbor Point, Lakeport, Southbridge, Thoreau Place, and Villa Ridge.

We have included below references to material which may be of interest to us as Lakeport residents.

**From the 2011 Comprehensive Plan Edition for the Upper Potomac Planning District**, amended through 7/27/10, for the Reston-Herndon Suburban Center and Transit Station Areas (page 28 of the Plan)

(<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/area3/restonherndon.pdf>), "The planning objective for the Transit Station Areas is to encourage mixed-use developments with a more urban character in the areas closest to the transit station locations. . . . Since the Reston Master Plan designates much of this area for industrial use, the recommendations for the Reston-Herndon Suburban Center will need to be reconciled with the Reston Master Plan which is incorporated into the Comprehensive Plan by reference."

**In the 2011 Summer Edition of Reston magazine**, published by Reston Association, there are several quotes of note:

- From Kathleen Driscoll McKee, Reston Association

President (page 5 of the magazine): "This year, the Master Planning Task Force will be making recommendations regarding the village centers and neighborhoods around them. So if there were ever a time to get involved, to make time for meetings, and to make our community a priority, it is now."

- From Robert Simon, founder of Reston (page 12 of the magazine): "So as we approach the unveiling of the report on planning for Reston's next 20 years that has been in preparation by a Task Force committee for the past year it can be expected that the report will reflect community. One obvious characteristic of community is the greater density the greater opportunity there is for community. . . . This can occur if the bulk of the population increase is directed, as it should be, to Town Center, the village centers and the metro stations."
- In the review of RA Board of Directors Actions (page 130 of the magazine): "December 2010 action: Authorized the Communications Advisory Committee to work with RA staff to develop a special communications plan to proactively communicate messages surrounding the work of the Reston Master Plan (RMP) Special Study Task Force."

**From the Reston Master Plan** (see <http://www.reston.org/InsideRA/Governance/RestonMasterPlan>) Final Vision and Planning Principles (endorsed by the Task Force 3/15/11) Page 3: "**The village centers** are important community gathering spaces that include a mix of locally serving retail, a residential component, and employment opportunities. Redevelopment to augment and enhance the village centers will be pedestrian-oriented and provide adequate transition to surrounding neighborhoods."

Convenient public transportation options should link the village centers and the transit stations."

**From Fairfax Times**, Wednesday, December 8, 2010 (see full editorial at <http://ww2.fairfaxtimes.com/cms/story.php?id=2639>): "What McKee neglects to spell out is that the neighborhoods around the village centers will be considered by the task force for rezoning to high density. What does this mean? It means developers will be able to buy out entire neighborhoods and redevelop whenever they want. The state legislature passed H.B. 2954 in 2007, a bill which counteracts the Supreme Court's Kelo vs. New London decision. Our neighborhoods cannot be taken by eminent domain by the county to increase revenue. However, developers can "consolidate" neighborhoods by making us offers we can't refuse. They can buy us out. Once the zoning is changed, Reston will be wide open for residential redevelopment. Currently the "footprints" of the village centers include some existing neighborhoods. The task force set up by Supervisor Cathy Hudgins (D-Hunter Mill) will consider whether to expand, contract, or leaved those footprints as they are."

**If you are interested in attending meetings and presentations convened by Reston Association or its task forces regarding this issue, please notify your Lakeport Board.**