As residents from the City of Hampton gathered for the opening of the new “Peninsula Town Center” on March 11, those who had followed the $270 million transformation of the site from the decaying early 1970s-era Coliseum Mall to a new 1.1 million square foot outdoor mixed-use town center were impressed. The City of Hampton had long supported the rebirth of the 75-acre site as a way to improve its retail tax base, and the new town center was seen as a way to assist with the revitalization of Mercury Boulevard and the Coliseum Central Business Improvement District.

To finance the construction of several infrastructure improvements associated with the new development, the City of Hampton authorized the creation of a unique entity known as the “Peninsula Town Center Community Development Authority.” The city authorized the community development authority (CDA) to issue approximately $92.5 million in land-secured debt to fund a host of transportation, landscaping, and utility improvements. The debt is slated to be repaid over a 30-year term solely from revenue generated by properties within the district, whose value will presumably be enhanced by new development and infrastructure improvements.

The distinctive financing strategy employed in Hampton is similar to that used in other special tax districts which have been common in high-growth states like Florida, Texas, and Colorado since the 1980s. In an era of unpredictable revenue cycles, Virginia’s localities have also recently explored alternative public-private financing arrangements such as CDAs to cope with anticipated revenue shortfalls and growing infrastructure demands. Continued on page 4
Greetings!

The summer months have been busy transitioning with newly elected leadership for 2010-2012 and preparing a new budget. The outgoing and incoming Board of Directors, Section Directors other Chapter leaders, and the Chapter Administrator met in July in Richmond for the bi-annual Chapter Leadership retreat. We reviewed the many 2008-2010 Work Plan accomplishments and the few things left undone, considered input received from members during the Annual Meeting breakfast and the recent membership survey, talked a lot about what’s working and what could be done better, and set to the task of developing our priorities for the next two years.

In a nutshell, along with everyone else, we have entered into a new time with several external forces really affecting how we approach and implement our mission and Chapter Development Plan now and for the foreseeable future. Job losses or cutbacks in both the public and private sectors have resulted in declining membership or limited ability to participate in Chapter events, and attacks on our profession through state government reform efforts may exacerbate this. Things that have worked well for us in the past aren’t necessarily going to be the most responsive in this changing arena.

Helping Planners Plan, Helping Virginia Plan and Making Planning Matter are three of several Chapter Strategic Objectives and we remain committed to these. First and foremost, we realize that we need to better tell our story, in creative ways as individuals and as an organization, about the value planning brings to Virginia. We also need to better explain why APA or Chapter-only membership is valuable to ourselves and, in turn, valuable to our employers. How does membership help you do better what you do? What are those tangibles, intangibles and value-added things that membership in APA offers that membership in another organization does not?

We see opportunities for membership growth through outreach to Planning Directors, Planning Commissioners and elected officials, and through working in new or closer collaboration with allied organizations, such as the Rural Planning Caucus, the Citizens Planning and Education Association of Virginia, VAIA, VASLA and VAZO, and the Urban Land Institute’s local chapters in presenting professional development offerings. The ebb and flow of AICP Certification Maintenance (CM) cycles, as it drives attendance at our Annual Conference, is something we have been reacting and trying to adjust to for the past several years in conference venue selection. We have a desire to be less beholden to that in the future to open up new conference venues not always in big cities. With the availability of free or low-cost CM credits now on-line, we think it’s time to reposition the annual conference by placing less emphasis on it being the main opportunity for Chapter professional development, and instead, placing an increased emphasis on delivering that through Section events around the state and throughout the year. Continuing regional symposia and the start up of breakfast and brown-bag lunch sessions, even in concert with allied organizations to draw more attendees, will be encouraged. Using distance-learning media to provide even greater accessibility will also be used to the extent practical.

Less than expected Annual Conference revenue, declining membership, and the withholding by APA of a portion of all Chapter dues collected for at least another year, all of which caused us to also miss our revenue targets, have prompted the Board to demonstrate serious fiscal constraint in closing out the year ending September 30, using all means possible to reduce costs. For example, the rapid conversion of Newsbrief from print/mailed to electronic/emailed format, albeit in a more sudden and complete manner than preferred, will result in an annual savings of $14,000. Successful solicitation of sponsorships for committee meetings and events, and finding no-cost Board meeting locations or using APA’s free Go-To-Meeting service, has also helped. We are committed to constructing a very conservative new fiscal year budget, seeking to fund those services considered by our members to be core functions and priorities and, perhaps, holding off on new initiatives, that while may be beneficial, aren’t critical in the short-term. We’re also going to give a hard look at how we have been providing certain services, and exploring free or low-cost
alternative service delivery and grants provided by APA to Chapters. In another important fiscal management move in July, the Board voted to establish a formal Chapter Reserve, using the Chapter’s Certificate of Deposit as its basis, which has been operating as an informal “rainy day fund,” with a goal of growing it to cover one-year’s operating expenses. Through the Chapter Presidents Council (CPC), both Denise Harris, AICP, Past President and myself have been actively soliciting the Board’s input to APA’s Blue Ribbon Task Force on Long-Term Chapter Finance, and providing that feedback to CPC and the Task Force in the hope of producing good recommendations for how Chapters can operate more efficiently and effectively, and possibly even begin to share revenue with APA National.

Despite all this, our Chapter remains vibrant! The end of September ushers in the next Fall Regional Symposium, this time in lovely Luray. It will be headlined by Randall Arendt, with the theme, “Prospects for Growth and Development in Emerging Rural Communities.” Following on the heels of that is the Mid-Atlantic Regional Roundtable in Wilmington, NC, presentation and action on the FY11 Chapter Budget, and the APA Fall Leadership Meeting coupled with the Federal Policy Program Briefing and Planners Day on Capitol Hill in Washington. Visit both the Chapter’s and APA’s websites for registration information.

During August and September Congressional Recess, members have been busy scheduling meetings with our Congressional Delegation to advocate for sponsorship and passage of the Livable Communities Act (S.B 1619), which seeks to provide long-term funding for the White House Office of Sustainability— the recently-formed partnership between HUD, USDOT and EPA— and additional appropriations to each of those agencies for regional sustainability planning and challenge implementation grants. At this time, Virginia already has two co-sponsors and we hope these advocacy meetings will yield more understanding of this bill. I am pleased to see that regions large and small across Virginia have submitted grant proposals to compete under the first round of $150 million in block grant funding through HUD. Needless to say, the volume of proposals will out-compete the funding available and why the need to push for, well, a more sustainable funding source through the Livable Communities Act.

In October, APA will sponsor National Community Planning Month, with this year’s theme being “Sustaining Places.” This is a true opportunity to tell our story. Once again, we will seek a Proclamation from the Governor declaring October Community Planning Month in Virginia. During the month, the 2010 winners of America’s Great Places recognitions will also be announced. Virginia scored big last year under this program in 2009 because Planning has made a true difference here. Help elevate the role of Planning your community. Host a planning department or planning commission open house, talk to kids in schools about a career in Planning, present a library display about Planning and Planners, or sponsor a neighborhood tour to highlight how Planning helps the community. Looking to illustrate the connection between Planning and great places? APA’s Community-Wide Audio/Web Conference Great Plans, Great Communities provides a striking introduction to planning and makes the case for the importance and wide-ranging benefits of Planning. APA has created recorded and live-read public service announcements (PSAs) you can also use. Visit http://www.planning.org/ncpm/index.htm for more ideas. October will also kick off another round of university outreach workshops by the Planning Directors Section at UVA and VA Tech (Blacksburg).

Lastly, with this issue, we bid farewell to Elizabeth Via-Gossman, AICP, who has served us well for many years as our Editor. Thank you, Liz! We will miss your writing and wit.

As always, I welcome your comments on how we’re doing. You can reach any Chapter leader with your questions or comments via the About APA Virginia – Chapter Leadership tabs on the Chapter website at www.apavirginia.org.

—Jeryl Rose Phillips, AICP
Community Development (continued)

In no event is a general fund or debt impact expected, unless the locality elects to assume liability for bond repayment. Indeed, a jurisdiction may find it advantageous to do so in order to better market CDA bonds or if it feels its interests are best served by agreeing to assume debt in event of default.

Virginia’s localities were hesitant to explore the use of CDAs until 1997, when major amendments to the Code of Virginia clarified that CDA debt would not be considered the debt of a locality and that jurisdictions could choose whether or not to back CDA bonds financially. That year, Stafford County established Virginia’s first CDA to assist with transportation improvements associated with a proposed large residential development along its Widewater Peninsula. The project never materialized.

One year later, in 1998, Loudoun County approved the creation of the first CDA to issue bonds in order to finance approximately $36.5 million in transportation, water, and sewer improvements around the then-proposed Dulles Town Center mall.

Since that time, nearly 30 CDAs have been authorized, and Virginia’s local governments have been increasingly receptive to CDAs as a way to harness private tax dollars to solve key economic development and infrastructure challenges.

Key Players & Process for Creation

Establishing a new bond-issuing authority through a CDA only comes as the result of deliberative negotiations between private individuals and local government. While CDA creation is a somewhat straightforward process from a statutory perspective, political realities and financial considerations may slow or even terminate the process altogether.

Continued on next page
Community Development (continued)

Certainly, CDA proposals occur within the context of the zoning entitlement process, and planners should be prepared to evaluate each project’s consistency with the locality’s comprehensive plan and zoning ordinance. Due to the special manner in which infrastructure improvements are proposed to be funded, however, proposals involving CDAs are subject to additional evaluation involving a host of groups not typically involved in the traditional land use process.

For example, a proposed CDA’s financial forecasts will often be subject to scrutiny by the locality’s budget personnel, attorney, and economic development staff, as well as outside financial advisor and bond counsel. Several of these players will negotiate the terms of a CDA directly with the developer’s financial consultants and underwriters, and recommendations from these officials will likely be weighed equally with land use considerations.

To gauge initial reaction, most property owners (usually developers) typically submit a CDA proposal to a jurisdiction and/or conduct initial exploratory meetings with staff to review the concept. Thereafter, the property owner formally begins the process by submitting a petition from at least 51 percent of the landowners of the proposed district, as measured by land area or assessed value. Cities may automatically consider such petitions; however, counties and towns may consider CDA petitions only after adopting a self-enabling ordinance permitting the locality to assume the power to consider such petitions.

Upon consideration of the CDA petition, the jurisdiction must hold a public hearing to consider the passage of an ordinance/resolution creating the individual CDA. Following the adoption of the ordinance creating a CDA, the locality typically makes appointments to the CDA board and the CDA’s duly authorized agent typically files the authority’s Articles of Incorporation with the State Corporation Commission. Thereafter, the authority obtains final pricing estimates for the infrastructure to be financed, and bonds are issued.

While the CDA petitions and ordinances have remained relatively uncomplicated over the years, other authorization agreements related to the minutiae of individual CDAs have grown increasingly complex. For example, approval of most CDAs now entails a corresponding “Memorandum of Understanding” (or “MOU”) which memorializes the expectations of the CDA and its governing jurisdiction. The MOU includes detailed commitments related to bond issuance, development of improvements, debt service, and more. Other authorization agreements have been fashioned to cover issues related to collection and remittance of taxes/assessments, development phases, and acquisition of land. Additionally, a “Rate and Method of Apportionment” document may be prepared detailing how the CDA’s costs are to be apportioned to individual properties within the CDA district. Each of these authorization agreements are typically negotiated prior to the adoption of the ordinance or shortly thereafter. The fact that they are increasingly sophisticated reflects both the evolution of CDAs as well as local government’s increased reluctance to establish new bond-issuing authorities that are beyond the reach of the public process.

Increasingly, localities have grown protective of the bond-issuing powers of the CDAs they establish. For most jurisdictions, concerns about the potential for default on bond payments are paramount and, even where the risk of default is low, many localities remain concerned about how authorizing CDA debt will be perceived by credit rating agencies and how it may indirectly impact their debt capacity.

Apprehensions about financial forecasts, a developer’s capitalization, citizen opposition, and a proposal’s consistency with the jurisdiction’s land use plans have led localities to adopt fiscal policies that govern the examination of CDAs and its potential economic impact on the locality. Such guidelines typically require increased due diligence, significant minimum submission requirements, and a more thorough financial review prior to approval. Larger localities are also retaining practical and legal approval over all debt issued, as well as requiring the submission of regular CDA financial reports for review by the governing body.

CDA Use Across Virginia

CDAs have been used for a variety of applications across the Commonwealth in both large and small jurisdictions; some have been successful, others less so. Most jurisdictions use CDAs sparingly, reserving them for select “game changing” economic development projects or for instances in which there exists no other adequate financing mechanism.

CDAs have been particularly useful for spearheading revitalization initiatives in older communities. Henrico County, for example, created a CDA in 2007 to assist with financing approximately $23 million in transportation, streetscape, and utility improvements for the 136-acre Shops at White Oak Village. The $158 million project, which opened in 2008, demolished an abandoned factory and now offers more than 900,000 square feet of retail space in a previously underserved area of the county. More recently, Fairfax County authorized the creation of a CDA in 2009 to help spur the redevelopment of the Merrifield area. Through its Mosaic District CDA, Fairfax hopes to fund $42 million in road improvements, parking facilities, parks, and stormwater improvements for the 31.3-acre Mosaic District site. Notably, Fairfax County has adopted policies that generally permit Continued on next page
Community Development (continued)

CDAs to be used only in designated revitalization districts. Given inter-local competition for tax revenues, CDAs can also be useful in augmenting economic development incentives and enticing development to a particular jurisdiction. As a result of negotiations between the developer of the Short Pump Town Center Mall in western Henrico County, for example, Henrico established a CDA in 2000 to provide $25 million in financing for infrastructure associated with the mall in order to encourage the developer to build within the county.

Notably, CDAs have had relatively limited use with residential development. Some jurisdictions strongly discourage using CDAs for purely residential purposes, while others impose restrictions on the amount of residential development that may be included within a CDA or govern how such development is affected by special taxes or special assessments.

CDAs have, however, been established for large mixed-use projects that include residential development. Virginia’s second-largest CDA, the New Kent CDA, located in the Talleysville area of New Kent County, is currently financing more than $85 million in transportation and utility improvements associated with the approximately 2,100-acre “Farms of New Kent” project. The project includes more than 650,000 square feet of retail and commercial uses, a working vineyard, 2,500 homes, and a golf course. In Prince William County, the Cherry Hill CDA was created in 2005 to help develop a major mixed-use community consisting of commercial, office, and residential uses on nearly 2,000 acres. While no revenue bonds have yet been issued for the Cherry Hill project, it is anticipated that infrastructure to be funded by the Cherry Hill CDA will include road improvements, utility relocation, and construction of a Virginia Railway Express station and a parking deck.

CDAs are not just limited to urban and suburban areas of the Commonwealth. Prince Edward County, for example, established the Granite Falls CDA in 2009 to contract with the county’s Industrial Development Authority to develop a 150-room hotel, conference center, and hospitality training center. The county hopes the proposed development will increase the jurisdiction’s tax base, promote tourism, and provide training opportunities for residents. On the Northern Neck, Lancaster County approved the creation of a CDA in 1998 to provide $8.5 million in transportation and utility improvements serving the Hills Quarter golf course community.

Certainly, the real estate industry is vulnerable to cyclical downturns, and CDAs are not immune from economic conditions. For example, 2009’s economic woes hurt the ability of the City of Richmond’s Broad Street CDA to repay bonds, and the CDA was forced to seek assistance from the Richmond City Council, which had previously assumed the obligation to assist in the payment of debt service if needed. The city has relied on the CDA since 2003 to demolish the former Sixth Street Marketplace, provide parking, and revitalize its Broad Street corridor. Additionally, providing transportation improvements can be difficult where a CDA is not vested with the power of eminent domain and/or where there exists significant citizen opposition. Earlier this year, the Harrison Road Connector CDA, created to finance a four-lane connector road parallel with I-95 near the Spotsylvania Towne Centre shopping mall in Spotsylvania County, voted to dissolve itself due to objections from landowners, and an opinion from the Attorney General concerning the procedure for modifying the CDA boundaries.

Conclusion

Virginia’s local governments are increasingly exploring alternative financing methods as a part of their overall financial and public services strategy. CDAs represent a relatively new mechanism and, though some have faced hurdles, their use is on the increase, and planners should be familiar with the basic concepts and procedures in establishing CDAs. Where properly used, CDAs not only provide a way to shift certain capital infrastructure costs to the private sector, but also deliver key infrastructure projects faster than traditional methods and free up needed local revenue and debt capacity to pay for other critical services and projects.

Valid concerns about transparency, overall economic impact, and appropriateness, as well as the potential for default and a jurisdiction’s related liability, should be addressed through proper financial due diligence, the crafting of well-written authorization agreements, proper notice to bond holders, governmental control, and prudent fiscal policies. By working together and properly structuring such authorities, CDAs will hopefully provide a viable, long-term alternative to financing public infrastructure needs associated with new development.
Virginia got into the business of building and maintaining public roads in 1932 with the passage of the Byrd Road Act which established the state’s secondary system of highways. This legislation provided localities with a reliable means of funding public road construction as well as establishing comprehensive design standards.

As can be imagined, since the passage of the Byrd Road Act, the Virginia Department of Transportation (VDOT) is now managing more public roads then it did in 1932, and the state has many more drivers who drive many more miles then ever before. Large increases in drivers and in the miles they drive have led to a public road maintenance obligation that overwhelmed our current transportation funding system long ago. Given the state’s impasse and lack of political will to revise our current transportation funding mechanisms, it is unlikely that transportation funding sources will change anytime soon. Unfortunately, with an outdated transportation funding structure which is unable to keep pace with the current construction and maintenance costs of existing public roads combined with the unlikelihood that transportation funding mechanisms will be changed anytime soon, the concept of devolving local public road construction and maintenance back to localities is becoming more of a reality every passing day.

As stated on VDOT's local assistance division website¹, devolution is the shifting of maintenance, operational and construction responsibilities for secondary (local) public roads from the state to local government. Currently, cities (as well as the counties of Henrico and Arlington²) are provided a level of financial assistance for maintaining their public roadways that is similar to what VDOT spends to maintain local public roads. At a minimum any form of devolution should permit all localities to receive the same per lane mile maintenance reimbursement payment that cities receive. However, while Virginia’s urban and suburban localities may be able to fund their public roads with assistance from VDOT through a per lane mile maintenance reimbursement system, rural localities would still be at a significant disadvantage. Rural localities do not have the same tax base or population as their urban counterparts do, and even with some level of financial assistance from VDOT it would not be enough to cover all maintenance costs. What this will mean for rural localities is that there will be a dramatic difference between the road conditions of rural localities and that of urban/suburban communities.

Continued on next page

² Henrico and Arlington Counties opted out of the Byrd Road Act of 1932 and continue to maintain their own local public roads. Henrico and Arlington Counties receive annual state funding in a manner different than that of cities.
Devolution (continued)

When devolution eventually comes, even if it comes with a per lane mile maintenance reimbursement payment, it is unlikely such a payment system will increase with time – therefore shifting more and more of the public road maintenance costs to a rural locality’s other consistent funding source: its local real estate taxes. Localities will not be willing to raise real estate taxes to pay for any kind of road maintenance costs. In addition, it is likely that rural localities will have great difficulty in adequately maintaining their existing system of local public roads, much less adding the additional burden of new public roads into a local road system.

Last studied in 2006, devolution is again under review this year by Virginia’s Transportation Secretary Sean Connaughton. Secretary Connaughton has recently commissioned a public policy group at George Mason University to reexamine the issue in the context of an overall review of Virginia’s transportation program. Unless something dramatically changes to update the state’s transportation funding system, Virginia localities should begin preparing for devolution now.

While the devolution of public roads will impact all localities, it is this writer’s feeling that devolution will significantly and adversely impact Virginia’s rural localities. The remainder of this article shall focus on how rural localities can begin to align their land use regulations to prepare for the very real possibility of maintaining their own local public roads one day.

While it appears that devolution will eventually occur, rural localities can help to offset its impact by ensuring new roads in subdivisions be held under private maintenance with a legal mechanism that ensures their upkeep for the users of the road.

To learn more about devolution, please consult these resources available from VDOT’s website:

VDOT Local Assistance Division Devolution website: www.vdot.virginia.gov/business/LAD_devolution.asp


Rural localities need to consider three important items when preparing for the future of maintaining local public roads:

1. If your locality hasn’t done so already, it is important to draw a very clear and distinct line separating public roads from private ones. Rural localities must make it very clear that maintenance of new roads in subdivisions shall not be the responsibility of the state or the locality. Review your subdivision ordinance to ensure it is imminently clear how subdivision roads are created and permitted in your locality. It is important to distinguish when a road in a subdivision is eligible for inclusion into a public road system and when one is not.

2. While some localities may desire to have new subdivision roads included in their local public road system, many may not desire the on-going maintenance responsibility. A locality’s subdivision ordinance must ensure notations be placed on subdivision plats that clearly state that the private roads shown shall not be eligible for inclusion in any public road system, and that maintenance shall not be the responsibility of the state or the locality. In addition, even if localities do not desire to take over the maintenance of any new subdivision roads, they should consider that such roads for larger subdivisions still be built to minimal VDOT’s secondary street acceptance requirements (SSAR).

3. Require road maintenance agreements to ensure private roads have a legal agreement between property owners for their on-going maintenance. Ensure that the road maintenance agreement clearly states that private roads cannot and shall not be eligible for inclusion in any public road system.
APA Virginia Shines at National Conference
By Jeryl Rose Phillips, AICP
President

What a privilege it was to ascend the 2010 APA National Conference stage in April in New Orleans with my fellow Chapter leaders and receive three awards to bring home to Virginia. These awards, presented by the Chapter Presidents Council (CPC), demonstrate three areas of Chapter distinction: the Karen B. Smith Award for Overall Chapter Achievement and Individual Leadership Service Recognitions for Chapter President and Professional Development Officer. It was unprecedented for any Chapter to receive three awards in one year—yes, Virginia, there is a Santa Claus-- and we should all be proud.

The 2010 Karen B. Smith Award for Overall Chapter Achievement recognized our Chapter’s Legislative & Policy Program. This is a tribute to our substantial investment over the past five years in re-positioning the Chapter to become a credible player in both Richmond and Washington, D.C., in turn raising the profile of Planning and Planners in Virginia as a resource to the Virginia General Assembly, the Governor’s Office and Virginia’s Congressional delegation. Under the direction of the VP for Legislation & Policy and with the support and guidance of the Legislative & Policy Committee, the Planning Directors Section, and the Chapter’s Legislative Consultant (Eldon James & Associates, Inc.), this program has moved from being merely reactive to becoming very proactive by: preparing annual legislative priorities and writing issue briefs for each to share with key legislative committees; taking positions on pending legislation; sharing information and undertaking advocacy efforts with allied organizations when appropriate; participating in legislative study committees to formulate new legislation or refine existing law; and, providing valuable resources, which have enabled our members to engage real-time in the legislative process and to stay current on the latest changes affecting our work through session-end reports and annual updates to the Chapter publication, Managing Growth and Development in Virginia: Tools Available to Local Governments. The program has also regularly participated in the formulation of APA Policy Guides, the APA Federal Policy Program Briefing, and Planners Day on Capitol Hill. By far, this improvement in Chapter service has received more compliments from our members than any other. Many members have assisted over the years in bringing about this very positive change. Accepting this award on behalf of the Chapter were myself, George M. Homewood, AICP, VP for Legislation & Policy (Director of Planning & Community Development, New Kent County) and Jim Zook, AICP, Planning Directors Section Chair (Planning Director, Fairfax County).

Denise M. Harris, AICP (Program Manager, Fauquier County) received the Chapter President Recognition. She has tirelessly served APA Virginia and APA National for over 10 years in various leadership capacities. As President, Denise took our Chapter from good to great, as evidenced by growth in membership during her term to over 1,600 members and a reaching out by leaders and decision-makers in Virginia to the Chapter, to discern our opinion on matters affecting our practice and the future development of the Commonwealth in policy formation and legislative decision. She did this by empowering her Board of Directors to aim high and think creatively to address growing needs of the members and new mandates and emerging issues at APA, and by ensuring that the resources were made available for getting the job done. She never hesitated to listen to our ideas as Chapter leadership and support our pursuit of them by identifying and appropriating necessary resources, be it for exploring opportunities for enhancing Ethnic and Cultural Diversity within our Chapter or doing whatever it would take to become a respected player in the State House. Through her vision, leadership, personal commitment and high ethical standards, our Chapter has evolved to become a very strong and relevant organization, and the CPC has gained a more confident voice in its leadership and advisory roles to help govern APA and AICP. It was my privilege to accept this award on her behalf.
Glenn Larson, AICP (Assistant Planning Director, Chesterfield County) received the PDO Service Recognition. For 20 years, Glenn has contributed his time in a leadership capacity to develop and implement Chapter objectives, with the past five of those serving as the Chapter’s AICP Professional Development Officer (PDO). Glenn has done a superb job as our PDO, easily spending up to 10 hours per week in performance of those duties, in addition to his paid day job. He embraced the AICP Certification Maintenance (CM) Program once established, and saw to it that our Chapter Development Plan and Board Work Plan seriously addressed it and professional development, in general. Thereafter, he committed himself to carry out those recommended actions in numerous ways. As a result, the Chapter exceeded the national average at the end of the first CM reporting period with regard to AICP members having accumulated the necessary credits. For those pursuing the AICP certification, the time he has given to being a resource for them, ensuring availability of exam preparation materials and either arranging for prep sessions to be offered or teaching them himself has, played a major part in keeping Virginia’s pass rate consistently above the national average. Since CM was instituted, Glenn has been successful in registering our annual Chapter conference for at least 16 CM credits as well as Section events, such as the ECO3 Symposium. He has developed underwriting partnerships with regional or local jurisdictions to provide access to their APA Audio/Web Series as a free service to all Chapter members, and established an APA Audio/Web CD-ROM Lending Library and an e-mail distribution list to keep AICPs or those interested in becoming such informed. Beyond the Chapter, he has made a point of using both the PDO Registration Scholarship and our Chapter’s travel allowance to attend each national APA Conference, in order to participate in the PDO Exchange where he has interacted with his counterparts, sharing and learning best practices to better carry out our Chapter’s professional development objectives.

I am honored to serve alongside each of these outstanding leaders on the Board of Directors, who along with the others serving, work so very hard. Please join me in congratulating them!

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**Chapter Board Meets on Priorities for Upcoming Year**

By Ben Wales, AICP Secretary

Your Virginia APA Board has had a busy summer! Here are some highlights from recent meetings...

- Following on from this year’s successful 2010 Annual Conference in Norfolk, plans are already being made for the 2011 Conference at Wintergreen Resort in July.

- The 2010 Chapter Survey was a huge success. A fantastic response from this first annual survey has provided excellent feedback on recent and future Chapter direction. With help from the Chapter Survey results, the Board has been busy assessing its performance in meeting its goals over the last two years and has started to refine its goals and objectives for the current Board’s two year term.

- This year’s Regional Symposium, co-sponsored by the Shenandoah Section and the Town of Luray, will take place in Luray on September 23rd and 24th. We’re very pleased to have Randall Arendt as keynote speaker.

- Beginning with the Summer Edition, *Newsbrief* will now be distributed by email. This is not dissimilar to changes in newsletter format that other Chapters are making and will result in significant savings in printing and mailing costs.

- At the end of the first CM Reporting period, AICP members in Virginia retained their certifications at a rate slightly above the national retention rate.

Continued on next page
With the participation of planning directors throughout the Commonwealth, the Chapter, through the Planning Directors Section, is reaching out to students and faculty of Virginia universities with masters programs in planning. Planning directors’ visits, one with Virginia Commonwealth University and the other with Virginia Tech (Northern Virginia Campus) occurred in May and visits to UVA and VT Blacksburg are scheduled for October. The format for these visits has been to interact with the grad students for about three hours in the afternoon and then meet with the faculty in the evening over dinner or wine and cheese. Planning directors who practice proximate to the universities have volunteered to participate. Past events included about seven planning directors at each university who shared their wit and wisdom on the practice of planning at the local level and their passion for local government service. With the October visits there is no shortage of planning directors who have volunteered to participate. I want to thank the planning directors for their enthusiasm in supporting the Chapter in the university visits. The feedback from those directors who participated in the first two visits is that directors found the experience to be rewarding and that hearing from their colleagues, students and faculty was interesting and uplifting. Student and faculty reactions to the visits have been very positive, requesting that we repeat the experience annually.

As the masters programs for a full time student span two years, there has been some thought about developing different agendas. Perhaps Year 1 could be a repeat of this year’s program and in Year 2 a program could be structured to include private sector planners along with planners who practice planning in places other than local government. Or the focus of a program could be engaging the perspective of planners who have been practicing for 2 to 5 years. It may be of great interest to students and faculty to hear the experiences of planners who have recently entered and are progressing in the profession. After October we will collaborate with our university partners to discuss how best to keep the visits alive and meaningful.

Reaching Out To Our Future
By Jim Zook, AICP, Chairman Planning Directors Committee

With the participation of planning directors throughout the Commonwealth, the Chapter, through the Planning Directors Section, is reaching out to students and faculty of Virginia universities with masters programs in planning. Planning directors’ visits, one with Virginia Commonwealth University and the other with Virginia Tech (Northern Virginia Campus) occurred in May and visits to UVA and VT Blacksburg are scheduled for October. The format for these visits has been to interact with the grad students for about three hours in the afternoon and then meet with the faculty in the evening over dinner or wine and cheese. Planning directors who practice proximate to the universities have volunteered to participate. Past events included about seven planning directors at each university who shared their wit and wisdom on the practice of planning at the local level and their passion for local government service. With the October visits there is no shortage of planning directors who have volunteered to participate. I want to thank the planning directors for their enthusiasm in supporting the Chapter in the university visits. The feedback from those directors who participated in the first two visits is that directors found the experience to be rewarding and that hearing from their colleagues, students and faculty was interesting and uplifting. Student and faculty reactions to the visits have been very positive, requesting that we repeat the experience annually.

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The agenda below is generally what occurs during the visit.

- Introduction: planning directors and planning students
- Brief overview of the APA, Virginia Chapter activities
- Planning Directors presentation
  - Major planning issues in VA.
  - Major planning issues in the jurisdictions represented.
  - Expected knowledge/skills, qualifications for planners.
  - Preparation for planning jobs while in school.
  - What personal qualities or capabilities does it take to succeed in the practice of planning at the local government level?
  - What is success?
Future (continued)

Reaching out to those who will follow us and to those charged with providing the educational foundation for planning is clearly beneficial for the Chapter, the students, the faculty, and the future of planning in the Commonwealth. My confidence in the future of the profession has been bolstered by the enthusiasm, dedication and talent that I see in the students. As we who have been in the profession for several years know, there is much that the students do not know to be successful in planning. The universities are doing a great job at giving to us well educated and eager future planners and it is our job to continue to mentor these future professionals to benefit present and future citizens of the Commonwealth.

WANTED: Good Ideas for Section Events
By Dan Painter, AICP
Vice President for Sections

The Virginia Chapter of APA has divided the Commonwealth up into nine sections so that our members can be better served with training and social opportunities in close proximity to their homes and places of work. The Chapter’s Board has annually supported these sections by appropriating $1,000 per section per year to fund local activities. It is a current board policy that each section should host at least one event every year.

Unfortunately, as with all of us, some section directors are overwhelmed by their work duties and home life and have not been able to find the time to coordinate the hosting of such activities. We are asking all members who would like to see more activities being offered in their local sections to contact your section directors and suggest activities that you think would be interesting and of value. Section directors will appreciate any suggestions and appreciate even more any offer of assistance in organizing such events.

It should be pointed out that many sections have hosted quality activities over the past several years that the local members have benefitted from. Some sections have expended the funds earmarked for them and have requested additional funds. The directors of these sections are to be commended for their efforts and encouraged to keep up the good work. If you attend a section activity please take the time to provide feedback to your section director, a word of “thanks” or a suggestion for a future activity.

Some members have expressed concern that they do not know what section they are in or who their section director is. All members can easily identify both of these items by visiting the APA Virginia website (www.apavirginia.org). When you get on our website you’ll see a line of drop-down items that span the page under the chapter heading. In this line is an item called “Member Resources.” Click on this item and the first box will be “Sections.” If you click on “Sections” it will bring up the map of the Commonwealth with all of the sections displayed. Below the map is a list, by section, of all of the jurisdictions included in each section. After clicking section name, it will take you to a mailbox for the section. The section director’s name is provided as a hotlink. Click this to send an email to that person.

Our chapter is only as strong as the willingness of individuals to give their time, knowledge and enthusiasm to a greater good. We are always open to ideas from our membership that will allow us to give back to our membership. No one should feel that because they don’t hold a specific title that they cannot contribute. Our profession is one that exists because individuals want to contribute to the greater good. Please contact a Chapter Board member if you wish to contribute to making APA Virginia the best chapter in the nation.
New Faces Join the APA VA Board

Planners Benjamin Wales, AICP and Andrew Sorrell, AICP have been elected to a two year term on the APA Virginia Board of Directors and doctoral candidate Allison Heck from Virginia Tech has been selected to represent the state’s planning students on the APA Virginia Board of Directors.

Ben Wales is currently a Senior Land Use Planner at the law firm, Cooley LLP, in its Reston office. Ben grew up in Manchester in the northwest of England. He obtained both his Bachelor’s and Master’s in planning from Oxford Brookes University. Following graduation he worked with the RPS Group, a planning and environmental consulting firm for 5 years. Prior to leaving RPS, Ben became a member of the Royal Town Institute (Britain’s AICP equivalent).

In 2002, Ben met a Northern Virginia native, Casey, in Rome’s Campo dei Fiori and soon found himself living in NoVa and working for Cooley. He has worked on several high-profile planning cases in Loudoun and Fairfax Counties that have included significant residential, commercial and office development.

Ben currently lives in Herndon with his wife and 18 month old son, Sam and they just welcomed newly born Charlotte. Ben was training for the Marine Corps Marathon but the whole new baby, sleep deprivation thing has postponed his marathon ambitions until the children go to college.

Of his election, Ben says, “For some time I have wanted to assist in the running of APA Virginia. I see serving on the Board as an excellent opportunity to increase my knowledge of planning and the many roles of a planner while helping the Chapter to achieve its mission and strategic objectives.”

Andy Sorrell is currently the Planning Director of Cumberland County where he manages the daily operations of the department handling all current and long-range planning activities. Prior to joining Cumberland County, Andy served as the senior planner in Fluvanna County from 2004 to 2007. In addition to being the upcoming Membership Director for APA Virginia, Andy also serves as vice president of the Virginia Rural Planning Caucus and holds designations as both a certified planner (AICP) and a certified zoning administrator (CZA).

Andy is a graduate of Virginia Tech with a Bachelor of Science degree in environmental policy and planning and holds a Masters in Public Administration also from Virginia Tech. Andy resides in Palmyra, Virginia with his wife, Kristen, son, Jack, two dogs and a flock of bantam chickens.

Allison Heck assumed the position of APA-VA Student Representative in the winter of 2009. Allison is a PhD student in Planning, Governance and Globalization at Virginia Tech’s North Capital Region campus. A Virginia native, her interest in planning emerged while conducting her undergraduate thesis research on urban renewal while at James Madison University. She received her master’s in both urban and regional planning and anthropology at the University of Florida (UF) in 2008 and 2009, respectively. While at UF, Allison was active in both planning practice and research as a research assistant at the Shimberg Center for Housing Studies and as a local government assistance planner for the North Central Florida Regional Planning Council. Her master’s research on communicative planning in revitalization efforts was presented at both the 2008 APA National and Florida APA Chapter conferences. At Virginia Tech, she is researching the role of arts and cultural districts in equitable community development and cultural heritage preservation.

Allison says of her role as APA-VA representative, “I hope to build a strong relationship between university students through mentoring and information exchange opportunities with the professional community.”
Virginia only gives her governors a single 4-year term so in order to accomplish what they set out to do during the election, they have to come out of the gate fast and hard. Governor McDonnell has certainly done so creating a series of those time-honored Virginia institutions—study commissions. From government restructuring, to jobs, to health care to higher education and more, Virginians have spent the summer participating in public meetings of these various gubernatorial commissions with a goal of developing lists of ideas to delve more deeply into. The degree of transparency and opportunity for the public to provide input has been substantial, as are the lists that are beginning to emerge from the various commissions and working groups. The Governor’s web site (www.governor.virginia.gov) contains links to all of the various commissions and also how to provide input to the commissions.

The Chapter has not participated other than as an observer in the various commissions, but individual Chapter members have and all are encouraged to use the opportunities available to provide ideas and comments to the commissions. The Chapter Legislative & Policy Committee has spent the summer drafting a proposed Legislative Agenda for the Chapter. Once approved by the Chapter Board, this will be sent out to all Chapter members and used to formulate our positions on bills and other actions before the 2011 Session of the Virginia General Assembly. We have also spent time this summer presenting at conferences, providing legislative updates to sections and small groups and completing the next revision of the Toolbox which we anticipate having available on-line by mid-September at the latest.

A new area of advocacy involvement this year for the Chapter has been at the federal level, particularly in support of the APA advocacy efforts on behalf of the Livable Communities Act and funding for the partnership of HUD, USDOT and USEPA toward a sustainable future. In early May, I had the opportunity to join in a presentation to the Senate Banking Committee on the need for more sustainable approaches to rural development and over the August recess a number of Chapter members met with their Congressional representatives to provide local reinforcement of the APA national support for the Livable Communities Act and full funding for the HUD, USDOT and USEPA sustainability partnership. All Chapter members are encouraged to send letters of support for these two initiatives to their Congressman and our Senators.

Any Chapter member with an interest in serving on the Legislative & Policy Committee or being on our e-mail distribution list for legislative information need only call or e-mail me. Thank you for giving me the opportunity to serve the Chapter and our members.

PlanVIRGINIA Convenes In Roanoke

The 2010 Commonwealth Land Use & Zoning Conference will convene at the Hotel Roanoke in Roanoke, VA, October 10-12, 2010. Held every year on Columbus Day weekend, the conference is a training program for planning commissioners, BZA members, appointed community and public officials and others involved in the field of planning and zoning. It is sponsored primarily by the Citizens Planning Education Association of Virginia (CPEAV) with support from VAZO, the Virginia Cooperative Extension Service at Va Tech and the law firms of Sands, Anderson, Marks & Miller and Greehan, Taves, Pandak & Stoner.

The conference will open on Sunday with a symposium on Private Property Rights in Virginia: Sacrosanct or Subject to Change and an evening forum unveiling a new and exciting educational program, Virginia Citizen Planner 101. The new educational program is an online, self-directed learning tool focused on the comprehensive plan in Virginia and the community planning process. It has been developed by the Cooperative Extension Services at Va Tech and Michigan State University.

On Monday, the conference will hold multiple training sessions on Virginia’s planning tools such as zoning, property maintenance and a session on vested rights. Continued on next page
PlanVIRGINIA (continued)

CPEAV has rebranded itself as PlanVIRGINIA – a name that expresses the organization’s two major loves together – planning and Virginia. See their new look at www.planvirginia.org

A panel of attorneys will provide advice on *Staying out of Trouble, Staying out of Court*. On Tuesday sessions will be held on recently adopted comprehensive plans and new tools and a session for the professionals on *Dealing with a Dysfunctional Commission, BZA or Governing Body*. The conference offers a great deal for the professional as well as the citizen planner and maybe of particular benefit to planning directors.

All sessions have been submitted for AICP CM credits and VAZO recertification. More information is available at www.planvirginia.com

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**Virginia Rural Planning Caucus Hosts 32nd Annual Conference, Planning Pathways: Trails, Trials and Tributaries at Mountain Lake Resort**

*By Andy Sorrell, AICP, CZA*

Registration is currently underway for the Rural Planning Caucus of Virginia’s (RPC) 2010 annual conference scheduled for October 20-22, 2010 at the scenic Mountain Lake Resort in Giles County, Virginia. The theme of this year's conference shall be, *Planning Pathways: Trails, Trials and Tributaries*.

The conference begins at noon on Wednesday, October 20th and ends at noon on Friday, October 22nd. Conference session topics will include trail development, land conservation techniques, TMDLs and the Chesapeake Bay Phase III stormwater regulations, urban development areas, and techniques for building a defensible record as a rural planner. Continuing last year’s trend, it is planned that AICP Certification Maintenance (CM) credits will be available. Such credits are currently pending approval.

Conference activities and entertainment will range from an off-site workshop and hike in Jefferson National Forest to a wine tasting of Virginia wines provided by the Virginia Wine Council. On Thursday night a German Oompah Band “The Sauerkraut Band” shall perform after dinner.

Registration for the three-day conference is just $100.00 (room and board not included). To register and to download a copy of the conference agenda, please visit the RPC website: www.rpcva.org and click on the “2010 conference” link.

Reduced lodging rates are available for RPC attendees. Rates are $150.00 for a single-occupancy room and $210.00 for double-occupancy room. Hotel registration includes all meals. When making hotel reservations, please mention you will be attending the RPC conference. Mountain Lake Hotel can be reached at 1800-346-3334. Call today as rooms are filling up fast.
ECDC Update
By Joseph L. Curtis, Jr., AICP
ECDC

The Chapter’s Ethnic and Cultural Diversity Committee has been working hard to make this year the best ever. The ECDC will begin the Fall season with its Planners Network Diversity Breakfast in Norfolk tentatively scheduled for Thursday September 30. The topic will be the St. Paul’s Area Plan. This area adjacent to Downtown Norfolk is currently home to a public housing community, several historic churches, and sits at the southern end of the historic center of the African-American culture and commerce in the region. The Saint Paul’s Area Plan is an ambitious revisioning of the area as a vibrant mixed-income community. As always, breakfast is part of the meeting, and CM accreditation is being processed.


AICP Update
By Glenn Larson, AICP
Professional Development Officer

Congratulations to the following fifteen Virginia Chapter members who passed the AICP exam administered this past May. The pass rate for Virginia Chapter members taking the exam in May was 68 percent, compared to 62.5 percent nationally.

Andrew Boenau
Juyin Chen
Alan Cunningham
Sophia Fisher
Anthony Gibson
Stephen Gyor
Mercedes Holland
Dana Holmes
Andrew Hopewell
Sheila McAllister
Kate McConnell
Marc Oliphant
Nick Rogers
Emory Russell
Madhusudan Veeraraghavapuram

Glen Allen
Richmond
Fairfax
Leesburg
Virginia Beach
Arlington
Virginia Beach
Midlothian
Fredericksburg
Newport News
Leesburg
Arlington
Charlottesville
Arlington
Arlington

Get an early jump on earning AICP Certification Maintenance (CM) Program credits during the current 2010-11 reporting period. See what the Virginia Chapter has listed regarding new free or low cost CM credit opportunities. Check out the regularly updated AICP page at the APA Virginia Chapter website: http://apavirginia.org/member-resources/aicp.

If you have questions about AICP, or want to be added to the Virginia Chapter’s semi-monthly AICP exam or Certification Maintenance update e-mail lists, please contact me at (804) 748-1970 or aicp@apavirginia.org.
The Section will kick off the Fall with a presentation of Historic Hilton Village. Recognized as one of APA’s “Great Places” in 2009, the Newport News community was designed based on British New Towns. Its narrow walkable streets and mixed-use commercial center create a sense of place. The community has been proactive in preserving the historic and cohesive qualities of the area. In addition, the community has recently incorporated smart growth principles to maintain its historic character.

Also being planned for the fall is a section meeting to take place in South Hampton Roads. We’ve been talking to prospective speakers and will update you with details as soon as possible. And finally, we are planning a section meeting to include a presentation and tour of the new Peninsula Town Center in Hampton, VA. This vibrant mixed-use community was developed through a well-coordinated strategic planning and implementation process and has become a prototype for future redevelopment projects across the country. The developers transformed this site from what was once a deteriorating enclosed shopping mall into a vibrant mixed-use town center serving as a regional destination. Located at the center of Hampton Roads adjacent to the I-64 / Mercury Boulevard interchange, this 75-acre site encompasses over one million square feet of mixed uses, including over 800,000 sq. ft. of retail, dining and entertainment space anchored by three public parks. Upper story uses include over 125,000 sq. ft. of Class A office space and 158 loft-style apartments. The project has truly emerged into a location for guests to live, work, shop, and play. Don’t miss this event coming late fall. And as always, all Section Meetings are pending CM credits. Don’t wait until it’s too late.

(Editors Note: See article on CDA’s in this issue of Newsbrief for more information on the Peninsula Town Center)

News You Can Use...

APA Virginia’s Planning Director Section Chair Jim Zook, AICP is retiring as committee chair and not from his post as the Planning Director for Fairfax County as reported in a rampant internet rumor, the Associated Press and MSNBC. He will pass the committee to the capable Wayne Climerberg, AICP of Albemarle County in October.

Elizabeth R. Friel, AICP, will be teaching Economic Development in the Masters Program for Urban Studies and Public Administration at Old Dominion University this fall.

Hampton Roads is the scene of a couple job changes as Claire Jones, AICP moves from the PDC to handle comprehensive planning and housing/redevelopment projects as a Principal Planner at the City of Suffolk and APA President Jeryl Phillips, AICP assumes a new position at the City of Virginia Beach.

APA Virginia board member Ben Wales, AICP and his wife Casey welcomed their second child, Charlotte Kathleen Wales on July 18th continuing the time honored traditions of APA Virginia babies.

Botetourt Planning Director Chuck Supan has announced his retirement, effective October 1. Chuck started his career in 1976 with VDOT in Richmond in the Environmental Division as a technician. In 1980/81 he was promoted to Senior Environmental Specialist for VDOT’s Salem District. He left VDOT in 1989 and went to work for the U.S. Forest Service where he worked as a technician on the Integrated Pest Management Program involving the Gypsy Moth Program. In 1990 he took a position with Botetourt County as the manager of the Gypsy Moth Program for the County, later serving as the Zoning Administrator, County Planner and Subdivision Agent for the County. Now he retires from Botetourt as the Planning Director. Continued on page 19
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News (continued)

Chuck also served in the U.S. Navy from 1970 to 1974 on board the USS Holder DD – 819 and the USS Mullinnix DD – 944, both destroyers. He grew up outside of Pittsburgh, PA in a small burg called Bridgeville and is a die-hard STEELER, Penguins and even a Pirates fan but here in Virginia no one holds that against him. Congratulations Chuck!

Art historian LEE SANDSTEAD spent the summer walking 600 miles in Spain. Lee originally set out to walk 500 miles of the Way of St. James to the pilgrimage city Santiago de Compostela, Spain but enjoyed it so much he decided to continue walking past Santiago to the ancient port city of Finisterre, which was considered the end of the known world until 1492. You can read about Lee’s adventures at www.sandstead.com/camino_de_santiago

Awards Call! -- It’s time to start thinking about submitting a nomination for the 2011 Chapter Planning Awards. Nominations will be solicited in the following categories: Outstanding Plan Award, Planning Leadership Awards, Outstanding Private Sector Plan Award, Planning Innovation Award, Student Planning Project Award and the Public Outreach and Engagement Award. Criteria and submission requirements will be posted on our website soon. If you have any questions about the awards or nomination process, please contact Bob Kuhns at (201) 461-3260 or via awards@apavirginia.org

Join VHDA and last year’s planning award winners! Submit now!

I’m pleased to announce that starting with the next issue, Claire Jones, AICP (Suffolk) and Susan McCulloch (Martinsville) will be Newsbrief Co-Editors. They will continue to be assisted by an able team of assistant editors and reporters throughout the Commonwealth as well as the members of the APA Virginia Board of Directors.

It has been a wonderful, fun experience editing the newsletter for the chapter membership and I’m proud of how the publication has evolved in the last few years. I do want to thank Robin Morrison, Chapter Administrator and Anthony Nesossis, Graphic Designer, for all their hard work and to Jeryl Phillips, AICP and the board for their support. A special thank you to Denise Harris, AICP for taking the helm when I had to step out for a bit of fun with the Big C and to Ted McCormack, AICP for keeping the members news pipeline flowing!

I’m particularly pleased that the APA Virginia Board has decided to go with electronic distribution. Not only will that save money for the Chapter and be more environmentally conscious but it means that space is no longer an issue! We have had to turn away submissions in the past but Claire and Susan will not have that problem so keep the news and articles flowing to them at newsbriefeditor@apavirginia.org

Here is next year’s publication schedule….I’ll look for you in the News section!

| 2011 NEWSBRIEF SCHEDULE |
|---|---|---|
| Issue | Deadline for Articles to Editor | Distribution to Members |
| Winter | Dec 3 | Jan 10 |
| Spring | March 4 | April 11 |
| Summer | June 3 | July 11 |
| Fall | Sept 2 | Oct 10 |