

Planning Commission Meeting
November 20, 2014
Verbatim Excerpt

PA 2013-III-FC1(A) AND PA S13-III-FC1 – COMPREHENSIVE PLAN AMENDMENT
(FAIRFAX CENTER AREA SUBURBAN CENTER PHASE I)

Decision Only During Commission Matters
(Public Hearing held on November 12, 2014)

Commissioner Murphy: Thank you very much. I do have a decision only on the Plan Amendments related to the Fairfax Forward effort in the 50/66 Fairfax Center Area. Before I go into the motion, I just want to clarify – and I believe everyone in the Commission received a copy of this motion, either by email or – we had hardcopy tonight. I do want to make one point to clarify something that was brought up at the public hearing. When some folks were asked by I believe it was by Mr. Flanagan – did you know about what was going on here? And there were a lot of shaking heads, “No we hadn’t heard about it.” There was a very comprehensive program, if you will, to alert as many people as possible as to what’s going on – what was going on with these Plan Amendments. And you never tell everybody. There’s always someone who hasn’t heard. But in this particular case, I want to enter into the record the list of people and homeowners associations and the like that were notified by the staff. It’s called, “Adjacent Property Owner Civic Associations, Adjacent Jurisdictions, And Military Installations/Airports List,” for Plan Amendments in this area. And I can tell you – I’m not going read all of them. I’m not going to tell you how many there are, but they’re all there. And that was done in August of 2014 once the parcels were identified. The same thing goes for what we did in the Springfield District – Marlae Shnare at Supervisor Herrity’s office – in August, alerted over 80 homeowners associations or individuals in the two subject areas that are in the Springfield District Land Bays, S1 and M2. Was everybody notified? I really don’t know. But a lot of people were notified of this and you never notify everybody. We have an application coming up and it was suggested that we notify 50,000 people in the Springfield District that this application was coming to public hearing – nothing we’re doing tonight, this is in the future, it’s a December public hearing. And if we have the resources and the manpower to notify 50,000 people in the district, there would be 50,004 that were interested in it and four would be left out. I guarantee you. It’s the best process we have, but it’s not fool-proof. But I’m confident that there were – most of the people in the area were notified about what’s going on. Because, quite frankly, they were all here at the public hearing. Mr. Chairman, I will have three motions tonight regarding Plan Amendments 2013-III-FC1(A) and S13-III-FC1. Plan Amendments 2003 – 2013-III-FC1(A) and S13-III-FC1 comprise the first phase of the Fairfax Center Area study, evaluating the Plan guidance for the peripheral suburban neighborhoods and low-density residential areas. While the second phase of the study will evaluate the Suburban Center portion of the overall area-wide guidance, this phase has provided an opportunity to examine current recommendations for the edge areas to ensure the Comprehensive Plan remains accurate and relevant. Primary, in this evaluation, has been the analysis of Plan guidance for existing zoned commercial uses along the Route 29 corridor. Within the Fairfax Center Area, the Route 29 corridor generally extends from the City of Fairfax to Stringfellow Road across two magisterial districts, Braddock and Springfield. My first two motions relate to the proposed land use changes along the corridor while my final motion addresses general editorial corrections for the entire Phase I study area. The first – we’re going to

look at the Braddock District and Ms. Hurley has agreed that I would go through the motion, I'll call for comments after I make the motion. The Braddock District Working Group recommended that options be added to Subunits U1 and V1, located on the south side of Route 29 near the City of Fairfax. The options would encourage redevelopment that would be compatible to the adjacent residential communities. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE LAND USE CHANGES BE ADOPTED IN SUBUNITS U1 AND V1 ASSOCIATED WITH PLAN AMENDMENTS 2013-III-FC1(A) AND S13-III-FC1, SHOWN ON PAGES 45 AND 46 OF THE STAFF REPORT.

Commissioner Hedetniemi: Second.

Commissioner Hurley: Second the motion.

Commissioner Murphy: Is there a-

Vice Chairman de la Fe: Seconded by Ms. Hurley and Ms. Hedetniemi. Is there any discussion?

Commissioner Flanagan: Well – Mr. Chairman.

Vice Chairman de la Fe: Mr. Flanagan.

Commissioner Flanagan: I just would want to comment upon my apparent – apparently being startled at the public hearing by the fact that there were people who hadn't been – received notification about their land being re-planned. My only experience in Fairfax County is through the APR process where everybody whose land is being nominated for a different land use is – received a certified letter in the mail that their land was about to be – is up for consideration for being re-planned. That seems to have disappeared from our current process – you know, the people who own land can be possibly no longer receiving notice, as they did in the APR process. So I was – this particular application being our first experience with Fairfax Forward, I thought we had – I really wasn't prepared to hear that testimony. But I understand that there are different ways of doing things and evidentially this is going to be one of the things that's going to be a pattern that will reoccur in the Fairfax Forward process.

Vice Chairman de la Fe: Okay, thank you. Any further comments? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Mr. Murphy.

Commissioner Murphy: Mr. Chairman, regarding the portion of Route 29 within the Springfield District, the staff recommendation would add residential options for Sub-Units M2 and S1 – generally located east of the intersection of Route 29 and Willowmeade Drive. After additional community outreach, the Springfield Working Group recommended that the current Plan guidance for Sub-Unit M2 be retained without an added option. For Sub-Unit S1, the working group recommended the option be added, but the condition regarding access via Tractor Lane be

removed. Due to community concerns that were raised, I believe the current Plan guidance should be retained for both sub-units. A concept proposed for an assisted living facility in Sub-Unit S1 may warrant further analysis in the future. Therefore, Mr. Chairman, for my second motion, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE LAND USE RECOMMENDATIONS BE RETAINED FOR SUB-UNITS M2 AND S1 ASSOCIATED WITH PLAN AMENDMENTS 2013-III-FC1(A) AND S13-III-FC1, AS SHOWN ON PAGES 3 AND 4 OF MY HANDOUT DATED NOVEMBER 20, 2014.

Commissioners Flanagan and Litzenberger: Second.

Vice Chairman de la Fe: Seconded by Mr. Litzenberger and Mr. Flanagan. Any discussion?

Commissioner Murphy: Mr. Chairman, just a couple words – first on both the Braddock District and the Springfield District. Ms. Hurley and I want to thank the two Working Group Chairman in the Working Groups that worked hard on these application – Jeff Saxe with Springfield and Vince Picciano – and they both testified at the public hearing from the Braddock District. I also want to thank all those folks in the Springfield District who testified at our public hearing. This is not the time, place, or venue to change the Plan in this area. I'm convinced of that. But I asked everyone who testified on the Springfield nominations if they – if their position was to retain the plan. And the answer was "yes." So I want to call to their attention the fact that this land is still planned one to two dwelling units per acre. And it may not be next week or next month or next year or 2016, but somewhere in the future – someone is going to file a Rezoning application for the property on either the south side or the north side of Lee Highway in M2 or S1. And the Plan has allowed one to two dwelling units per acre so there is a possibility that the residential development in that area may increase. That is in the Plan that the citizens wanted retained. And I want to add one other comment. The evaluation and the analysis of a rezoning application is much different from the evaluation of a plan amendment. There are other constraints we have in a rezoning application. So that's where we are now and that's where it's going to stay. Lastly – was there a vote?

Vice Chairman de la Fe: Nope.

Commissioner Murphy: I'm sorry, go ahead.

Vice Chairman de la Fe: Yes, we have voted.

Commissioner Murphy: Yes.

Vice Chairman de la Fe: Didn't we?

Commissioners: No.

Vice Chairman de la Fe: No, we did not. Okay. Any more discussion? Okay, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Mr. Murphy.

Commissioner Murphy: Lastly, Mr. Chairman, I recommended a number of general revisions to the Plan guidance for the entire Phase I study area. These revisions would reflect development that has occurred since the initial adoption of the Fairfax Center Area plan updating Tax Map parcel numbers, adjusting sub-unit boundaries, and removing guidance regarding implemented public facilities and parks and recreation and land use options that are no longer feasible. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE ALL OTHER REVISIONS PROPOSED ON PAGES 31 TO 56 OF THE STAFF REPORT FOR PLAN AMENDMENTS 2013-III-FC1(A) AND S13-III-FC1, BE ADOPTED.

Commissioners Hedetniemi and Litzenberger: Second.

Vice Chairman de la Fe: Seconded by Ms. Hedetniemi and Mr. Litzenberger. Any discussion? Yes, Ms. Hurley.

Commissioner Hurley: Thank you, Mr. Chairman. I do not disagree with the motion as written. I'd just like to add three specific points to enter into the record regarding the overall motion – all three of these put together. First, the need for connectivity must be stressed. That includes cell coverage, road connections, bus service, and potential Metro. Second, the report should elaborate why outlying area, such as the area south of Lee Highway, should remain in Fairfax Center – especially if it's to remain mostly residential. There should be better reasoning than simply to add more cash to the road fund. Third, discussion of the Fairfax Center checklist must be held as soon as possible. The checklist needs to be updated and revised with emphasis on what is merely a guideline and what is truly required.

Vice Chairman de la Fe: Okay. Any further discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Anything else, Mr. Murphy?

Commissioner Murphy: Yes, Mr. Chairman. Just a few words – this is the first go-around for our Fairfax Forward effort. And I know we're going to be looking at it and evaluating it I think some time in the not-to-distant future with the Policy and Procedures Committee. Also, as we transition into the other part of the Fairfax Center Area, where there are four magisterial districts – and we will probably get in the second phase more input from the other two districts that were not part of the first phase, which was the suburban section that is basically bordering Route 29. We have a long way to go with this process. I think we all have some comments as to how it can be improved. But I want to thank the staff who contributed immeasurably to this effort. And they're here tonight – a couple of them – Kim Rybold and Megan Van Dam, Tom Mercer – who's not here – and Tom Burke and Arpita Chatterjee from the Fairfax Office of Transportation – especially Megan and Kim. Thank you so much, especially putting up with me. I know that was an arduous task on some evenings and some days. But I think we made it and we're glad to

see that you were able to survive all the meetings we had and it was a great public hearing. I also want to thank Marlae Shnare in Supervisor Herrity's office. She is my right hand when it comes to something like this and I really couldn't do all this stuff without her so thank you all very much.

Vice Chairman de la Fe: Mr. Chairman, thank you very much for all your work. And I associate myself with your comments about the staff and everyone else. As in any new process, there are – there is a learning curve and we have much to learn. Thank you very much.

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(Each motion carried by a vote of 11-0. Commissioner Migliaccio was absent from the meeting.)

JLC