

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 20, 2016**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
Karen Keys-Gamarra, Sully District
Janyce N. Hedetniemi, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: James T. Migliaccio, Lee District
Earl L. Flanagan, Mount Vernon District
Julie M Strandlie, Mason District
Kenneth A. Lawrence, Providence District

//

The meeting was called to order at 7:42 p.m. by Chairman Peter F. Murphy in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035. He noted that this evening's meeting was a workshop on the proposed Zoning Ordinance Amendment Regarding the Planned Residential Mixed Use (PRM) District, Planned Commercial District (PDC), Commercial Revitalization Districts (CRD) and Other Changes. As such, it has been fully transcribed below.

//

CHAIRMAN MURPHY: Okay, welcome to the special meeting of the Fairfax County Planning Commission. This is a Planning Commission workshop to look into a proposed zoning ordinance. The main thrust of this meeting is to give the Planning Commission an opportunity to talk in public with citizens, both watching and who may be here, about this proposed zoning ordinance, which is being handled by Commissioner Tim Sargeant. We have a very small crowd, including a small crowd on the dais. We have reached quorum. And the reason for that, if you don't already know, it's very dangerous driving outside and, most of the people who come here come the Parkway or 66 and so forth, and the driving conditions at this stage of the game are very terrible. So, if you're planning on coming out, don't. You may want to give it a second thought. This is not the public hearing. We are not calling balls and strikes here tonight. This is simply a workshop. If I'm correct, the public hearing has not even been scheduled. Is that correct?

COMMISSIONER SARGEANT: That's correct.

CHAIRMAN MURPHY: So I'll turn the evening over to Mr. Sargeant.

COMMISSIONER SARGEANT: Thank you, Mr. Chairman. And thank you everyone for your indulgence, as I skidded my way to this particular public hearing, and for those who are here, we very much appreciate the fact that you braved this weather to make it to this hearing. We are here for a public workshop session, as Chairman Murphy mentioned, regarding the proposed Zoning Ordinance Amendment for Modifications to the Planned Commercial District (PDC), Planned Residential Mixed Use (PRM) districts, and other related changes. We are looking at - - as we move forward we - - I think we all recognize throughout this region that we are planning for the future. And by that I mean we are creating throughout certain areas in this county, creating a new vision for how we address future development, how we address future populations and transportation, and other issues like this, while - while working and striving to preserve existing neighborhoods and other components of our county. So, we appreciate the opportunity to have this open information session tonight. Our - our agenda involves approximately 20 to 30 minutes of presentation from staff just to cover some basics and background and then we will of course have folks provide comments or questions. Those who have signed up ahead of time representing a particular organization, community have 10 minutes. Others have five. And we'll take it from there.

CHAIRMAN MURPHY: Everybody agreed on five, which -

COMMISSIONER SARGEANT: Everybody agreed on five.

CHAIRMAN MURPHY: We'll do it. We said three, we're going to extend - everybody gets five - - expedite the process just a little bit. Hopefully, everyone who speaks for that five minutes will have written testimony. If not, that is very valuable, quite frankly. I think it's more valuable at this stage of the game than oral presentations. And if you don't have it with you, and we would suggest you give it to the clerk before you testify, I would suggest that you do it on - - email it to the Planning Commission Office to Ms. Cooper and she will get it to Mr. Sargeant and to the Commission and we'll know what your feelings are. But I think because of the weather we'll hold all the presentations to five minutes, since this is not a Planning Commission public hearing. If there's no objection, so ordered. Mr. Sargeant, please.

COMMISSIONER SARGEANT: Thank - thank you, Mr. Chairman. I'm going to start with the presentation by Leslie Johnson, Department of Planning and Zoning.

LESLIE JOHNSON, DIRECTOR, ZONING ADMINISTRATION DIVISION (ZAD), DEPARTMENT OF PLANNING AND ZONING (DPZ). Thank you, Commissioner Sargeant, Chairman, and the rest of the commissioners. My name is Leslie Johnson. I'm with the Zoning Administration Division. With me tonight are Marianne Gardner, who's the Director of the Planning Division; Donna Pesto, who's our Senior Staff Coordinator for this proposed amendment; and also here this evening is Fred Selden, the Director of Planning and Zoning. Before starting this - the formal presentation, I would like to just take a moment to provide a brief overview as to why the zoning ordinance amendment is before you this evening for discussion. Since 2010, the Board of Supervisors has adopted a number of amendments to the Comprehensive Plan to encourage revitalization in the county's older commercial areas and to support transit-oriented development around existing and future Metro stations. These Comprehensive Plan changes, which were adopted after significant community input, both at the task force level and through the public hearing process, encourage a more mixed-use environment with varying levels of additional intensity in certain selective areas, including transit station areas, community business centers, and commercial revitalization districts. Included as part of our presentation and handouts this evening is a map of these areas. And I would also note that all of the materials that you see, we will post the PowerPoint presentation after this meeting and the other items that we've handed out here physically tonight are on the web. So those are all available to that. And we will have a web link posted on the PowerPoint at the end of the presentation so people can - can have that. The changes to the Zoning Ordinance that will be discussed tonight are necessary to accommodate the higher intensity envisioned by these Comprehensive Plan changes for the selective areas, and this amendment has been on our Work Program for a number of years. Each of these selective areas has its own unique Plan guidance. The zoning classifications contained in the Zoning Ordinance - which applies countywide - that could implement the type of vibrant mix-use walkable development envisioned for these selective areas, are the Planned Development Commercial, PDC District and the Planned Residential Mixed-Use District, also known as the PRM District, which is why this amendment is focusing on modifications primarily to - to those two districts. With our presentation tonight we hope to clarify the scope of this amendment, demystify its perceived impacts, and provide some examples of the types of mixed-use developments that the Comprehensive Plan envisions for these selective areas. Therefore, Marianne Gardner will begin

the presentation with a discussion of the planning vision and framework supporting the amendment, and then Donna Pesto will walk you through the proposed - the specifics of the proposed amendment and its applicability. So, I'll turn it over to Marianne.

MARIANNE GARDNER, DIRECTOR, PLANNING DIVISION, DEPARTMENT OF PLANNING AND ZONING: Thank you, Leslie. Good evening, Mr. Chairman and members of the Commission. As Leslie said, I'm Marianne Gardner with the Planning Division and I appreciate the opportunity to talk a little bit about the Comprehensive Plan, given that it is inextricably linked [*sic*] - linked with the Zoning Ordinance and is a major tool for its implementation. As you know, the Comprehensive Plan is a guide that is used in decision making about land use and the preservation of the natural environment. It includes a number of objectives, goals, policies, and guidelines, and is required by the *Code of Virginia*. Its scope really looks out over a 20-year period in terms of development potential, but in many areas of the county development potential is in excess of what can reasonably be expected to be developed in the next 20 years. And an example of that would be in the Tysons area. The Comprehensive Plan has several elements. I think the one that's probably most familiar to people is the Comprehensive Plan Map. This shows, sort of, the - the basic land use recommendations using a series of colors which shows residential density as well as nonresidential uses and institutional uses. Next, we have the Policy Plan, which is a group of about a dozen chapters focusing on land use, transportation, housing, public facilities, and other areas; and provides the overall framework of objectives and policies. Next, we have the four Area Plans which provide more detail about land use, environmental, and other recommendations throughout the county. These documents are in turn supported by a few other elements in the Plan, the first being the Transportation Plan Map, which shows where roads are planned and how many lanes might be expected. We also, in reflection of the county's emphasis on more multimodal transportation systems, have a Trails Plan Map whose recommendations are also reflected in the Area Plans. And finally, the most recent addition to the Comprehensive Plan has been the Bicycle Master Plan. A really important feature of the Comprehensive Plan that I wouldn't want to overlook is the Concept for Future Development. This dates back to 1990, when a major update of the Comprehensive Plan was undertaken, and it establishes a hierarchy of land uses. The smaller areas starting with Tysons which is shown in black, and then cascading down, in terms of intensity, through transit station areas, community business centers, and institutional areas are

depicted here. What's - one of the most important things about this map is that it reflects the county's adopted goals to concentrate development in activity centers, which are shown in these - these colored areas. These areas together only account for about ten percent of the county's land area, yet most of our nonresidential or employment use and a significant amount of residential use is focused here. By concentrating growth in these centers, there are a couple of benefits: one is of course better opportunities for work/live environments, better opportunities for walkability, a chance to make the best uses - use of expensive infrastructure. But the other important aspect is, as shown in the light green areas surrounding these centers, is that by concentrating growth in these centers suburban neighborhoods and the low-density residential areas, which are shown in green, can be protected from increased development pressures. There's always a lot of conversation about the - the difference between the Comprehensive Plan and the Zoning Ordinance. So just to get that out of the way really quickly, the Comprehensive Plan is a guide, broad recommendations, does not have the force of law, while the Zoning Ordinance is law. This body of regulation, as I mentioned, serves to implement the Comprehensive Plan. Most importantly, when rezoning and other entitlement proposals are being reviewed they are evaluated for conformance with the Comprehensive Plan. Delving a little bit more into the Comprehensive Plan, we have a lot of acronyms in the Plan and I think the most popular would be FAR, or floor area ratio. Originally, this term was used to describe nonresidential intensity but over time, as we've encouraged more mixed-use development, floor area ratio can describe both residential density and nonresidential intensity, and it's an easy calculation. It's simply the floor area of the building divided by the land upon which it sits. So in this example we have a 50,000 square foot building on a 100,000 square foot lot. That's a 0.5 FAR. The same intensity, though, can take many different forms, so this is just an example of how that can happen and how intensity can be influenced by building height. The - the image you see in the upper right-hand corner shows what a development might look like if parking, which is shown in red, was situated beneath the building if - - with allowable building heights, there would be an opportunity to create more open space. That same size development, though, could be arranged, for example, as the image just below it which is termed hybrid where the parking is apart from the building, as you can see it takes up quite a bit more land area. In talking about intensity, FAR is not always the most descriptive measure of character and, just to show you how much of a difference there - there can be in the same amount of development, the image

on the far left of the screen shows 1,000,000 square feet of development. This is probably a traditional shopping center. It's surrounded by surface parking while, in the upper right-hand quadrant, is also 1,000,000 square feet and, from this picture you can see that character varies greatly. In the - the smaller land area it shows that through concentrated development there's also an opportunity to perhaps create a grid system and still provide some open space. More and more in the Comprehensive Plan we have been working toward something called - we call form-based planning which, instead of relying on FAR, describes how development should look from the perspective of building height and form. With respect to focused intensity I think, you know, it's fair to say that there is a place - a proper place for everything. The image on the right shows a shopping center. It's about 135,000 square feet on less than 12 acres. This is definitely suburban in nature. It's something you might find in one of our suburban neighborhoods. Obviously, it's auto-oriented but it blends well in terms of massing with the area around it. The building on the left is about the same size, but is on less than one acre of property and you can see how in - or imagine that perhaps in an urban setting that this would be better suited to that environment. And one of the reasons this image I bring to your attention is that this is the type of development that we might expect in some of our older CBCs, where they're very small lots. But we are, as Leslie mentioned, trying to encourage revitalization, not to mention growth in these activity centers. With some of the building height recommendations we have in our CBCs, something like this could be possible. This - oh, I'm sorry. I should have mentioned that the building on the - if you could just - thank you. The building on the left is actually a 3.7 FAR, so it's in excess of what could be accomplished today under our Zoning Ordinance. This next example is in Reston and it shows how within a certain land unit development can be concentrated. In the Reston Town Center Core Area, we have approval for about 50 dwelling units an acre, yet the development on the left is in the middle of it. It's on about two acres and is over 600 units. This is an example of how basically density can be gathered up and placed in one portion of a land unit and creating benefits for the surrounding area, for example open space, which I'll get to next. So we know that according to the Comprehensive Plan development should be focused in activity centers. The Concept for Future Development tells us that. The Concept for Future Development of focusing development in activity centers also helps to protect low-density neighborhoods, make the best of transit, make a more walkable and livable environment. But one thing that's very important is through higher intensity we can create incentives that encourage redevelopment in

some of - especially in some of our older areas. These incentives that the Comprehensive Plan might recommend could include better stormwater management, open space which I mentioned, structured parking, and best of all less asphalt. This image on the left is actually Richmond Highway. It was prepared by our Urban Forestry Management group and it shows just how much pavement there is. These are our community business centers that go from north to south. Imagine that with redevelopment we could create a different type of hardscape, one that is just not dedicated to parking but perhaps could be used for activity, recreation, and other amenities. There are other parts of the Plan that would help with implementing these conditions that we often find associated with higher-density development. One is the urban park framework with which I know that you are familiar. This pairs context and location with various types of parks, such as pocket parks, common greens, and other open space. Another important tool that the Plan uses is building height and transitions and this is important in considering where higher-intensity areas abut lower-density stable neighborhoods. Finally, I'd just like to point out some of the existing candidate areas and some of the ones that might be candidate areas for higher intensity zoning opportunities. In Annandale, we have an example of form-based planning so this could be similar to the situation that you saw just a minute ago in - in the slides where a small property could still be developed with relatively high FAR and still meet other Plan guidelines. For example, in Annandale, we have 12-story heights in some areas. The Springfield Town Center is a large area of about 80 acres, is planned for only about a 1.6 overall, but it could be clustered much like the Reston example showed and this might create plazas and other amenities. The Beacon Groveton Community Business Center, which is on Route 1, actually has no upper limit for FAR today. So there could be an opportunity if a developer could meet conditions related to transportation and other - that higher-intensity development would be appropriate; and finally the Reston Transit Station, which was just adopted by the Board of Supervisors and reviewed by the Planning Commission, has opportunities for 4.5 FAR, again which cannot be realized. Other areas that we're looking at right now include Huntington Club, which is adjacent to the Huntington Metro Station. The Board has authorized us to look at mixed use at 4.0 FAR; and of course the Richmond Highway Corridor CBC Study, which we're calling Embark, is looking at ways to increase multimodal transit opportunities, particularly BRT *{bus rapid transit}*, and is certainly a candidate for higher intensity use. So with that I'd like to thank you very much for your time and attention and ask Donna to take you through the next steps.

DONNA PESTO, SENIOR STAFF COORDINATOR, ZAD, DPZ: Very good, thank you. As Marianne mentioned, the - the Comprehensive Plan is just a guide and a future vision for development in the county. The Zoning Ordinance on the other hand actually establishes the regulations, the separate zoning districts, that each have distinct characteristics. The regulations control things like how land and buildings can be used, size of buildings, setbacks, open space requirements, parking requirements, and those kinds of things and in general it is the tool that's - that's necessary to implement the Comprehensive Plan recommendations. Next. In Fairfax County amendments are reviewed in accordance with the Zoning Ordinance Amendment Work Program, which is a schedule that's laid out by the Board of Supervisors on an annual basis. The Board prioritizes the topic areas that are recommended for changes and they have to specifically authorize an individual amendment to move forward to - to public hearings once a draft amendment is prepared. And both the Planning Commission and the Board of Supervisors are required to conduct public hearings for all zoning ordinance amendments. For this particular amendment, some of our topic areas in here, including the increase in the floor area ratio, or FAR as it's referred to, and the cellar space inclusion in gross floor area, those have been on the Work Program since 2005. So we are packaging them with other changes to bring them forward. Next. The direct amendment that's distributed tonight is dated January 20th, but it's essentially the same version that was distributed and posted online dated October 29th, except that we have removed the commercial revitalization areas, or CRAs, from the selective areas in which the higher floor area ratio may apply. There's only two commercial revitalization areas in the county. Merrifield's mostly developed with the Mosaic District and Lake Ann is a PRC as part of the Reston community. So, they really wouldn't have been affected anyway. So they were taken out from this - this draft. So the amendment primarily accomplishes four - four things. It creates a tier of higher maximum floor area ratio in certain limited circumstances: in the Planned Development Commercial District and the planned development - or the Planned Residential Mixed Use District. And these are - you'll hear most often referred to by their initials - it's PDC and PRM. Those are the two districts that are affected tonight. The amendment will also require cellar space to be included in the calculation of gross floor area in the PDC and PRM districts. It clarifies the existing parking reduction provisions and adds an opportunity to request a parking reduction for residential uses in a mixed-use community, in a commercial revitalization district, and it adds certain uses to the PDC and PRM districts that aren't currently listed today. Next. So

beginning with the floor area ratio, or FAR, the opportunity to achieve an FAR of up to five-o - 5.0 - is only possible within the transit station areas, the commercial revitalization districts, and the community business centers. Together in this amendment, these areas are being referred to as the selective areas. In the PDC District, properties that are not located in a selective area would be limited to the intensity recommended by the Comprehensive Plan up to a maximum of 2.5 FAR. For properties that are within the selective areas, they would be limited to the intensity recommended in the Plan up to a maximum of 5.0. In the PRM for the areas not in the selective area, the maximum FAR would be 3.0 and, if you're in a selective area, it would 5.0, again as further limited by the - by the Comprehensive Plan. So the next slide shows a map of these selective areas and you'll see there are three areas. They're either outlined in purple or bronze or they're colored in pinkish, orange-ish. And so, first anything that's in yellow that's not outlined by one of these - these colors, those are not in the selective areas; therefore, those are not areas that are eligible to seek a - a 5.0 FAR in the PDC or the - or the PRM District. Only those areas that are included in those outlined or colored areas would have that opportunity and, even if they're in one of those areas, they may still not have that opportunity. And the next slide basically, this is a three-pronged test for whether or not the proposed increase in FAR would be applicable. First, is it in a selective area? If that answer is yes, then second is the property owner seeking a rezoning to only the PDC or the PRM - and/or, I should say, the PRM - District? If that answer is yes, then thirdly, does the Comprehensive Plan recommend a - a intensity level that is above 2.5 in the PDC or above 3.0 in the PRM? If all of those tests are - are positive, then an applicant can ask for something higher than - than that base level. Next. The - to highlight the relationship between the Zoning Ordinance and the Comprehensive Plan, as Marianne mentioned, there is actually a section of the Zoning Ordinance that specifically makes this connection - emphatically makes this connection. And it - it specifically states that a planned development has to substantially conform to the Comprehensive Plan with respect to the type, character, and intensity of the use and it shall not exceed the density or intensity permitted by the Comprehensive Plan. So that's where the - the relationship and the - the limits can come in. Next slide, we have some illustrations. FAR is something that lends itself well to illustrations and it can be an effective measure to control the intensity of a development because it relates the size of the building to the size of the land area that's associated with that building. But the illustrations will also show that FAR can vary greatly without really seeing a striking change in

the appearance of the building and in this first example, it's an eight-story building, 85-feet tall. It's about 129,000 square feet on 53,600 square feet of land and this is a 2.4 FAR. The next example is a 6-story building, 78 feet tall, about a 111,000 square feet on a 28,400 square foot lot. So even though it's shorter and has less square footage than the first example, this is a 3.9 FAR because the land area is only about half of the size of the first example. And in the next example, this is an 11-story building. It's 110 feet tall with almost 209,000 square feet of floor area. It's on 34,100 square feet and the building has an FAR of 6.12. So the building's only 25 feet taller, it's less than 80,000 square feet bigger and it's on a lot that's only about 19,000 square feet smaller than the first example, but it is three times the FAR from that first example. So it is a - it is a good measure to use but it doesn't always tell you how big a building will be because it does relate to the size of the land that's associated with it. So that is the FAR. Another significant change proposed by the amendment relates to the cellar space. Cellar space is that area of a building that has half or more of its clear height below grade level, below - underground, essentially. Under the current regulations, cellar space does not count as gross floor area; therefore, when you do the calculation for FAR it doesn't count in that either. And the Planning Commission and the Board have long supported a change that if cellar space is usable space then it should count toward the - toward the FAR of the development, and this amendment would make that change with some exceptions. And that would be if the - if the clear height is six feet, six inches or less and it's used for mechanical equipment, then that space still wouldn't count. If the space is used for storage or other ancillary use that serves the principal use of the building, that wouldn't count. If it's a loading dock area, it would not count, or if it has an unmanned data center or some other kind of telecommunication or electronic equipment, that would not count as long as it's unmanned. The next significant change relates to parking. The amendment will clarify the circumstances under which a parking reduction can be requested and it will clarify to state that the property has to be within reasonable walking distance of either a mass transit station or a transit station area - something we're calling a transportation facility which includes a street car, bus rapid transit, or express bus service - or within a bus stop that has high-frequency service with three or more routes and at least one of those routes has to serve either the mass transit station or the transportation facility. The amendment would also add one new opportunity for a parking reduction and that would be part of a PDC or a PRM rezoning for a property that's located in a commercial revitalization district and the development is being

proposed as a mixed use development, meaning residential and nonresidential uses together, then an applicant could request a parking reduction of not more than 20 percent for the residential component of that mixed use development. Right now, they can only request it for the nonresidential component and this would add - add in that the - that in a mixed use development the residential could be considered as well. This - this partners with the more recent Comprehensive Plan recommendations for mixed use developments and staff believes it makes sense that the opportunity for the parking reduction would apply to residential uses as well. And then lastly, the proposal adds some additional secondary uses to both the PDC and the PRM District. In PDC commercial recreation, restaurants would be added. And these are franchises like ESPN Zone, Dave and Buster's, that sort of thing - games and food. The PDC District, the amendment would also propose to allow fast food restaurants without a drive-through in a residential building. The fast food restaurant is currently allowed in the nonresidential buildings, but this would allow it in residential. Again, you know, staff thinks maybe it makes sense to have something along the lines of a Starbucks or whatever on the first floor of a high-rise residential building. For the PRM District, the amendment would add commercial recreation restaurants as well as indoor kennels and indoor veterinary hospitals. In both of these districts these uses are secondary uses. That means they have to serve the principal use of the property. They also have to be specifically requested at the time of the rezoning application and if an applicant wants to come in later on, they decide they want to have one of these uses, they would have to file an amendment to the development plan or they, in some cases, may be able to seek a special exception. In either case they would require approval of those uses. So, just in closing, we want to quickly focus on some of the answers to our frequently asked questions. We did publish these online, but we wanted to, you know, just say what the answers were. It's basically the proposal to create the higher FAR tier in the PDC and the PRM District. It is necessary in order to implement the Comprehensive Plan recommendations. The opportunity to seek the higher FAR is geographically limited to just the specific areas that were shown on the map, only for the two zoning districts, the PDC and the PRM, and then only when the Comprehensive Plan actually has a recommendation for that - that higher FAR. There is no FAR increase that's automatic. It doesn't matter if you're already zoned PDC or PRM. There's no automatic increase in FAR, and all of them will require public hearings or rezoning with the public hearing to increase the FAR. And then, let's see, there are no proposed reductions in the current parking rates for any use. The

amendment proposes one new reduction opportunity and the applicability is very limited: mixed use developments only in a CRD District, and only when you're seeking a PDC or a PRM rezoning. That's the only opportunity to request. That's not automatic either. It has to be approved by the Board. And lastly, we have our alphabet soup of abbreviations. This is sort of the language we're speaking in this - this zoning ordinance amendment, and a link to our website where all of the materials that folks have hopefully picked up tonight can be found online. And we will post this presentation online for folks to see that as well. And that's all I have. Thank you.

CHAIRMAN MURPHY: Thank you, Donna. Tim?

COMMISSIONER SARGEANT: Thank you, Mr. Chairman. Just a few quick questions, and I think you've covered a lot of the ones I had already. Pretty specific with regard to the restrictions on the application of a 5.0 FAR. It's pretty limited to the specific areas we have referenced. Correct?

MS. PESTO: Absolutely. It's limited geographically. It's limited to just those two districts, and it's then limited to only the areas where the Plan supports the additional density.

COMMISSIONER SARGEANT: And we actually asked the County Attorney's Office to take a look at that just to double check and make sure. Did we not?

MS. PESTO: Absolutely. That link between the Comprehensive Plan and the Zoning Ordinance in Article 16 emphatically says that a planned development cannot exceed the recommended density of the Plan.

COMMISSIONER SARGEANT: Okay. You covered the parking reduction issue too, because I know that's concern, the potential impact on nearby neighborhoods. But if you could reiterate what you said specifically helps impact that and what other tools would you reference in terms of mitigating the potential impacts.

MS. PESTO: The - the parking reductions are all covered under Article 11 of the Zoning Ordinance; 11-102 talks about a number of circumstances under which you can seek approval of a parking reduction. And in all of those - in all of those paragraphs that - that discuss the reduction, there's a standard that requires a demonstration that there's no adverse impact on the site or on adjacent properties. So in looking at a reduction request, we would already be looking at whether or not - or at how the property - or the reduction may affect adjacent properties. In properties that have TDMs which, you know, could be the case for this kind of zoning district,

there's also standards in there demonstrating how do you affect other properties, how do you mitigate those effects. So there are opportunities to review any potentially adverse impacts on adjacent properties at the time of all of the requests.

COMMISSIONER SARGEANT: Okay. One more question and I'm going to open this up for - for everybody on - everybody on the dais and podium there. The general perception - we have a lot of vacant office space right now and we're anticipating designs for new space, but it's not all - the issue of vacancy is not all related to government cutbacks or sequestration. What we're seeing is new expectations for office design and office space and location. Is that not correct? And I'll throw it to Fred or Marianne or Donna or Leslie, whoever would like to try that one.

Because it gets to the heart of where we're putting some new locations for this, or proposing it.

MS. GARDNER: That's correct, Mr. Sargeant. What we've heard is that it's not just the market but yes, that offices will be used in new ways, I mean, not to mention the need for high-speed internet connections, but just different types of layouts, that offices are becoming smaller on a per-employee basis than they once were. And so a lot of that is contributing to the fact that we have a high vacancy rate because so many of our offices are approaching what could be considered obsolescence due to their age.

COMMISSIONER SARGEANT: The older, drivable, suburban model.

MS. PESTO: Right. And I heard it best described in a meeting I was in recently that our office complexes, office developments - we used to want birds and bunnies. We wanted a lot of open space and lot of, you know, parkland-looking area around our office building, but now we want beers and burgers. We want to be able to walk to someplace. We want there to be a mix of commercial uses. We want a more urban setting for offices and that seems to be what's driving the office market.

COMMISSIONER SARGEANT: Okay, thank you very much. Thank you, Mr. Chairman.

CHAIRMAN MURPHY: Mr. Hart.

COMMISSIONER HART: Thank you, Mr. Chairman. Let me - let me compliment staff on the package so far and all the work that's gone into it. I had questions about a couple things. Let me start with the - the cellar space changes. I think generally I would agree that we're better off counting the cellar space as part of the evaluation of intensity of a project. I don't know what a space that's perhaps slightly more than six foot, six- - you know, a six foot, six and half inch space seems pretty grim. I don't know what you would put in a horrible little office like that. I

mean, the offices are getting smaller, but I think the footprint of the office is getting smaller, not lowering the ceilings. But setting that aside, and maybe there's some reason for that, Number B - or letter B under -- this is 6-208, 4B and 6-408, 3B, they're very similar provisions. Letter B to me somewhat undercut where that was going with the phrase, and/or other uses that are accessory to the principle uses in the building. And for the most part I would think that if you had usable cellar space it may be hard to rent it to a tenant but maybe you would put things like the exercise equipment, or the cafeteria, or maybe if you had like a little daycare or something. But all of those things, even though the space is somewhat undesirable, if the space is being used it seems to me it's generating some people coming and going and trips and - that - there isn't, to my way of thinking, necessarily any difference between the exercise room that's in the cellar or the exercise room that's on the first floor in terms of the - the intensity level or perhaps the - some of the impacts that the building is generating. And I wondered whether, I mean, maybe that hasn't been debated a whole lot, but why are we saying, well we'll count the cellar unless you're using it for something. Almost anything you put there would be accessory to the uses in the building, I would think. Why are we doing that?

MS. JOHNSON: Commissioner Hart, this language is almost identical to the language that was adopted for the - when we did the Tysons Zoning Ordinance Amendment in the PTC District because, you know, we knew that there would be, you know, areas that - and again this was debated quite a bit and so there was concern that - - the data center was one that they felt because it's pretty much unmanned - the accessory uses -- what we're really talking about is a fitness center, it could be a cafeteria that, a mailroom that's specifically used for the - for the people in the - already in the building and not, you know, outside. If it was a Dave and Buster's restaurant, then yes we would count it, so - because that's not accessory, and that's where that came from.

COMMISSIONER HART: We may have done it for Tysons and I don't remember. I certainly don't remember a lot of things we've done.

MS. JOHNSON: Right.

COMMISSIONER HART: And sometimes, not everything we did the first time - you know, maybe if we thought about it we'd do a little differently.

MS. JOHNSON: The loading space provision that we put in -

COMMISSIONER HART: No, I'm fine with the loading spaces.

MS. JOHNSON: Okay.

COMMISSIONER HART: I'm fine with the data center.

MS. JOHNSON: Okay.

COMMISSIONER HART: But I thought some of these other things it's just, it's really just like anything else. Why would we not count it? All right. The other - the other thing and this - this was a little more substantive, dealing with the - the third prong, as Ms. Pesto had laid out, on the slide. And I think of all the pieces in this package the - the thing that seems to have triggered and perhaps not necessarily for the right reasons, the sense of alarm that we're increasing density somehow to 5.0 everywhere or whatever it is - and I think some of those claims are somewhat extravagant. Nevertheless, that third prong is, I think, the most important piece of this. We're saying you can do it but you can only do it in certain limited situations. And I'm talking about 6-208, subsection 3 and 6-408, subsection 2, and they both had a very similar wording. There was an unusual element in - in each of those and I'm not sure if I've seen that before. It may be somewhere else in the Ordinance, but it seems to me the Ordinance is easiest to administer when it's clear and objective and it says exactly what you have to do. You have to have a 20-foot minimum side yard in such-and-such district. Or you need so many parking spaces for seats in the facility, or whatever it is. The Comp Plan is flexible and subject to interpretation and there's kind of a touchy-feely character to it. I think there also have been situations in which the Plan says one thing and the Board ends up doing something else. Sometimes they pay lip service to the Plan but it doesn't really say that or there are political reasons to do it. And I accept that and I think that the Board statutorily, if there's six votes, the Board can do whatever it wants, whether the Plan says so or not. Both of those sections, though, seem to incorporate in the Ordinance in what, to my way of thinking, should be objective and clear and sharp this sort of touchy-feely element. You can do - you must do this, this, and this when in the discretion of the Board the proposed development is implemented. I don't know what that means exactly. I guess it's what six votes on the Board say. We had a case - we had a case last year where the Plan pretty much said absolutely not and we had a staff recommendation of approval that said well, in staff's view the intent of the Plan really was to do the other thing, even though this isn't what it says. And that - I think - I don't know what happened. I assume that got approved. We had another - we had a high-rise in Reston. It was an enormous building. Staff was recommending denial and I voted no and the Board approved it. And again, I think, there were political reasons and maybe other reasons why the building would be approved, but it didn't really fit the Plan, although it had the

votes on the Board. And I think there may be situations where the Board would stretch and say well in our - in our evaluation it meets the intent of the Plan or something like that. And I guess I don't know how - I don't know how to evaluate that in the context of - - we say you must do this, you must do this, and then it - in the discretion of the Board it fits. And that's more amorphous. So if you're with me to this point, with that sort of alien element grafted onto those two provisions, this Comp Plan standard and what the Board's discretion is, their judgment call, are there other examples in the Ordinance where we have sort of incorporated by reference something from the Plan or said in the Board's discretion, we're looking to the Plan for something, as opposed to there's a 20-foot minimum side yard setback? Something like that? Maybe this is for Ms. Johnson.

MS. JOHNSON: I understand your point and I think that's something that we'll - we need to take a look at. I mean, because I can - reading it now again, I can - I can see where there's concern. I think from our perspective, what we were trying to do is we were trying very hard to be - limit that 5.0 to a small percentage and so we were looking in the discretion of the Board. It's basically, you know.... It's going to take a lot of stuff to get you to a 5.0 FAR.

COMMISSIONER HART: I am certainly -

MS. JOHNSON: You know, that is the max.

COMMISSIONER HART: I am certainly supportive of the objective of trying to narrow this down to very limited, special, unique, outstanding situations where for whatever reason we've already specifically said - - I think that - staff's objective here, I thought, was we're not increasing the density anywhere. What we're saying is where the Board has already approved -

MS. JOHNSON: That's correct.

COMMISSIONER HART: - this density, we're trying to un-clutter the - the obstacles which might otherwise be - technical obstacles in the Ordinance to implementing what the Plan already says. It's not - we're not increasing the density, we're allowing the density that's been approved already to be implemented. This - this wording, I mean, Commissioner Sargeant had asked has the County Attorney vetted that and I - I hope so and maybe that - that wording needs to be looked at. I don't know what a judge does with this. If somebody says well you didn't do it and the judge is trying to figure out in the discretion of the Board whether this meets them what does that mean? What - is that collectively? Do the Board members have to recite when they're making the motion that in my discretion I find that it meets the Plan no matter what? Or -- I don't

know. Again, I don't have the answer to this, but these - these two sections seemed unusual and I'm not sure how they would be administered if the - if the - if an objective standard has to depend on the discretion of the Board.

MS. JOHNSON: And we may have had some similar language and I'll have to go back and pull it up in Tysons where there was - - because there's unlimited FAR in certain areas. And it's based on transportation and so - we'll take - I do - -

COMMISSIONER HART: Okay.

MS. JOHNSON: I hear your concerns and I think we need to take another look at -

COMMISSIONER HART: I'll be quiet.

MS. PESTO: And if I could add something to that. The - the provision, you know, we can certainly look at the discretion of the Board and maybe it says where the Board determines, but it isn't really just the intensity recommendations. It's not just that the Plan needs to say oh, here is good for 4.5. There are so many other things included in the Plan recommendations for these areas that relate to design type things and use combinations and things like that. Marianne can help me out with that. But there are other design - there are other recommendations that describe that community that is envisioned for, you know, whatever property, and those are the kinds of things that need to be looked at as well. It's not just because you have a Plan recommendation of 4.5 that you can come in with any crummy design you want that's 4.5 that meets no other standards of the Plan, no other recommendations of the Plan, I should say. It's the intent that all of that becomes the package that is reviewed for - for a rezoning that it is achieving all of the goals of the Plan and not just the number - the FAR number.

COMMISSIONER HART: I'm with you on the concept. I'm not certain -

MS. PESTO: We're not saying it quite right then.

COMMISSIONER HART: On the exact wording -

MS. PESTO: We need to make that

COMMISSIONER HART: - of this and this -

MS. PESTO: - that. Yes, we'll look at that.

COMMISSIONER HART: - and take this - this sentence or the - the two places it appears. This is the most important sentence in the whole thing. If we're going to reassure people that we are not - the sky is not falling. We are not increasing things to 5.0 everywhere, whatever that means. This sentence is critical.

CHAIRMAN MURPHY: Mr. Ulfelder.

COMMISSIONER ULFELDER: Thank you, Mr. Chairman. Just take a moment maybe on the cellar issue. I - I don't think it's as important in single building sites. Where I think it's been important in the past that it's excluded is where you have a landowner/developer who may own a large parcel where they're going to be doing multiple developments over time and that they can squeeze a fair amount of additional FAR into those buildings without having to count on whatever cap may have been on that overall property. And so I think that's the experience in the past is where it - it starts to become an issue is to how much additional use - maybe office use, whatever you're squeezing into an area where you - you're - you have a cap that you can sort of keep under the cap, but add that extra FAR, or at least that - that was my experience in the past.

MS. JOHNSON: Commissioner Ulfelder one of the things, you know, that started in Tysons, it was also part of the transportation demand -

COMMISSIONER ULFELDER: Right.

MS. JOHNSON: - issues in that, you know, having offices in those areas that generate more trips that weren't really going to be accounted for. And so that was a primary reason for including, you know, the cellar space in the FAR, and it was felt that things like a fitness center is not generating additional traffic. It's - it's - it's people that are there and using it are already coming in. So that was the other reason for including cellar space as - as FAR.

CHAIRMAN MURPHY: Okay. Anyone else? Okay, we - Mr. Sargeant has asked that we allow public comment. As I said before at the outset, this is not a public hearing. We're not calling balls and strikes here tonight. We want the information that - that you have brought with you, especially - - we hope that you have written comments, and please submit them to the clerk sitting on my far right. If you don't have written comments, we certainly would like to hear from you. Please email those written comments to the Planning Commission Office and each of the planning commissioners will receive a copy. We have agreed that there will be a five-minute time limit on each speaker because of the weather and we want to expedite the process but yet not impede its integrity. Frederick Costello. And before you speak, we would ask you to please - - come on down - give your full name and your address, please. And I would call your attention to the red light. When it comes on, we'd ask you to please conclude.

FREDERICK A. COSTELLO, 12864 TEWKSBURY DRIVE, HERNDON: I'm Fred Costello at 12864 Tewksbury Drive, Herndon, Virginia. I'm actually the Land Use Chair on the Federation

of Citizens Associations, but I'm here to speak for myself, not for the Federation, okay. I gave you a handout, and I'm not going to go through that word for word. I think Commissioner Hart really hit on my concerns, okay, in that this business of in the discretion of the Board really creates concerns. There are a number of cases lately that have gotten us concerned - gotten me concerned and also the Land Use Board concerned. For example, Fairfax Forward, I was on the - on the Reston Task Force for Phase I. We had 200 hearings with the citizens on that. Fairfax Forward cuts that down to one, okay. That's a lot less citizen involvement. And so this -

CHAIRMAN MURPHY: I'm involved in Fairfax Forward, it's been my district and I can guarantee I've been out a lot more than one night. So where you're getting your statistics are absolutely wrong.

MR. COSTELLO: I agree. I don't know that you get 200 collapsed into one, but 200 was a lot, I agree.

CHAIRMAN MURPHY: Well, we're stressing quality instead of quantity.

MR. COSTELLO: But, you know, because it is also in the discretion of the Board of Supervisors to determine whether it's a redevelopment area or not. And so then this thing we're talking about tonight is so sweeping it really goes across the whole county. So it could be applied to all different places in the county. And then we put in this that the Board can do whatever it wants with it, okay. So, that's greatly concerning. It seems to me when you - when - at least when I bought my house the zoning - I figured the zoning was stable and would be okay. But there's a shopping center near me that could be redefined as a redevelopment area and they could put it whatever they want - four or five, okay. So that's the kind of thing that, Commissioner Hart, you were right on - on the money there, I think. And in the handout I've given you six questions that I'd like to see answered. Some of the problems that I've seen is that the time given for citizens to respond is very short. I saw one just looking randomly today I saw one that was one week for a zoning application before it came before here. That's not enough time for citizens to respond. So it - it seems like the trend is less and less citizen involvement. We actually have no legal rights. We rely on the Board here - on the Planning Commission to stick up for our rights. So if they rezone or change the comp plan, all those things can happen and yes you have - they have to hear us, but they don't have to do anything about the hearing. So I - I think for this present proposal that it's just too - so sweeping across the county; no, it can be looked - you can look at it in different areas, but the sweeping nature of it, really, opens the door to a lot of - I don't know if

you'd say bad development because I rely on you for - I think keeping it good development - but it certainly is going to be complicated, especially without the numbers, as Commissioner Hart said. Thank you.

CHAIRMAN MURPHY: Well, I want to tell you that I - I disagree with most of your letter and I would suggest that if you do go out and speak on behalf of the Federation, you might want to brush up on the Dillon Rule and on the lack of a public facilities ordinance that we've been trying to get from the House of Burgesses down in Richmond for many, many years, which would allow the developers to put in the infrastructure before they build something. But your suggestion about citizens acquiescing before we approve a rezoning; you're suggesting we have a ballot box up here and after the public hearing before we make a recommendation -- you don't need to comment. But it seems to me that you want to take a vote for and against and that most citizens are against it. We don't do it. Is that - is that what you're suggesting?

MR. COSTELLO: I think the - the neighborhood should have some control over its neighborhood.

CHAIRMAN MURPHY: Some what?

MR. COSTELLO: I think the - the neighborhood should have some control over the neighborhood.

CHAIRMAN MURPHY: How?

MR. COSTELLO: Okay.

CHAIRMAN MURPHY: In what way?

MR. COSTELLO: Voting in the neighborhood is certainly a way of doing that.

CHAIRMAN MURPHY: Thank you. Clyde Miller.

CLYDE MILLER, REPRESENTING HOLMES RUN VALLEY CITIZENS ASSOCIATION, 3436 SKYVIEW TERRACE, FALLS CHURCH: Good evening I'm Clyde Miller, 3436 Skyview Terrace, Falls Church. I'm speaking for the Holmes Run Valley Citizens Association. The statement opposes the proposed amendment in its current form. I've submitted a nine-page paper dated 13 January that explains the comments that follow. And I have submitted both the comments and the paper on email. The amendment advocates that zoning ordinance requirements for PDC and PRM districts in selective areas should be relaxed and the Board of Supervisors given latitude and discretion to make the appropriate decisions in response to rezoning applications. The implicit assumption is that the Board and all future boards will make

the right decisions. The county government is not based on the assumption that elected officials will do the right thing. Our government is based on transparency and due process that limits the power of elected officials and ensures adequate involvement of residents in decisions that affect their communities. Much of the opposition to the proposal is based on the conclusion that the amendment would give the Board unnecessary and undue power through imposed land use decisions. The conclusion is based on the fact that the Board's public hearing process is not a reliable means for assuring adequate community engagement. The hearing process implicitly assumes that land use proposals are thoroughly vetted at the district level prior to publication for hearings. The Mason District Supervisor, Penny Gross, in Board hearings commonly recommends approval of land use proposals that have not been reviewed by the community. One example is last week's hearing regarding a real estate exchange agreement for Bailey's. A second is the 13 January 2015 hearing on a concurrent plan amendment for Bailey's. In Mason District, there is no expectation that Supervisor Gross will vet land use proposals with the community prior to submitting them for Board approval. The proposed amendment would give the Board unnecessary and unwarranted power to impose land use decisions absent community participation. The second principal issue is that existing comprehensive plans are based on existing regulations for PDC and PRM districts. Modifying these regulations easily could lead to approval of developments very different from those intended by the communities that develop the plans. If amendments were adopted - if the amendments were adopted, it would be necessary to revisit and revise these plans to take the changes into account. Regarding CBCs, community business centers should not be designated selective areas. They are locations that provide neighborhoods necessary commercial services and retail outlets. Designating them selective areas would mean that the community intends to redevelop every one of them as a high density residential district, effectively a revitalization district, in which case neighborhoods likely would be deprived the necessary services. If additional areas would be designated revitalization districts, the Board should make those determinations after adequate public review. Transit station areas should be in an overlay district separate from revitalization districts. TSAs are limited areas supporting heavy rail stations. As such they are candidates for more intensive development than would be appropriate for revitalization districts and so should be in a separate category. Opposition to the proposal to allow elevated FARs is based in part on the conclusion that that they are not necessary. The existing Comprehensive Plan for revitalization districts can

be achieved with current FARs. Furthermore, attempts to allow the elevated FARs in existing plans for Annandale and Seven Corners as examples could produce unintended results because, one, neither plan recommends-recommends a site-specific FAR ceiling at the parcel or development project level and; two, the amendment would allow other recommendations - recommendations of comprehensive plans to be used for the basis for elevated FARs. This begs the question, what other recommendations and comprehensive plans would justify elevated FARs. Finally, as mentioned earlier, allowing elevated FARs could lead to unintended consequences in currently planned areas and it would be necessary to re-plan these areas to account for the change. Elevation - elevated FARs should not be allowed in community business centers or in revitalization districts or areas. There - regarding off-street parking, there is no reason to expect that PDC or PRM districts in revitalization districts would require less parking than those outside revitalization districts. Consequently there is no basis for the proposed 20 percent blanket reduction in off-street parking. The off-street parking amendment should not be adopted. Regarding design standards modifications, the amendment proposes to relax Section 16-201 standards for selective areas to eliminate the requirement that they complement adjacent properties and their interiors. Revised language is proposed in the 13 January paper to better protect the character of the neighboring properties. Finally, regarding concurrent plan amendments in revitalization districts, ethics require that the amendment acknowledge the Board's policy of accepting concurrent plan amendment proposals with rezoning applications for developments in revitalization districts and areas. The area - the practice effectively nullifies the authority of current comprehensive plans to impose any particular planning guidance whatsoever, including their ability to limit FARs. The amendment should clearly state and explain this fact. Anything less would be dishonest.

CHAIRMAN MURPHY: Thank you very much. Ms. Hedetniemi.

MR. MILLER: I'd be happy to answer any questions.

CHAIRMAN MURPHY: And then Mr. Hart and then Mr. Sargeant.

COMMISSIONER HEDETNIEMI: Thank you, Mr. Chairman. Am I correct that there is a Mason District Land Use Committee?

MR. MILLER: There is indeed.

COMMISSIONER HEDETNIEMI: And every time we hear a Mason case, we have referenced - the applicant references the Land Use Committee and its decision about the application. Am I right?

MR. MILLER: I don't know that for a fact. The - for Supervisor Gross the Land Use Committee adjudicates on - on issues that she is happy for them to adjudicate on. For such things as the - the two actions that I mentioned, first the real estate exchange agreement that was before the Board last week and, last January, a concurrent Comprehensive Plan change for the southeast quadrant of Baileys Crossroads, that one the Baileys Crossroads was briefed to the Land Use Committee a week after it was published on the Planning Commission website.

COMMISSIONER HEDETNIEMI: Are you suggesting then -

MR. MILLER: So they didn't even hear it.

COMMISSIONER HEDETNIEMI: - that Supervisor Gross selects those cases that go to the Land Use Committee? Because I think that does a great disservice to the Land Use Committee of Mason District.

MR. MILLER: Well, if you heard what I just said, the plan amendment for the southeast quadrant last January was briefed to the Land Use Committee. It was briefed one week after it was published in final form on the Planning Commission website for the Planning Commission hearing. So they heard it, but so what.

COMMISSIONER HEDETNIEMI: I'm sorry, I cannot agree with that. Every time I've heard -

MR. MILLER: Well, I'm sorry. What can't you agree with?

COMMISSIONER HEDETNIEMI: I - I can't agree that the Mason District Land Use Committee does not have some clout and some measured input into decisions that affect the community. Thank you, Mr. Chairman.

CHAIRMAN MURPHY: Mr. Hart.

MR. MILLER: I say it depends case by case.

COMMISSIONER HART: Thank you, Mr. Chairman. I - I wanted to respond as well, and I think Commissioner Hedetniemi has - has made some of my points. Coupled with what I think some of the - the issues raised by the previous speaker, I wanted to note that the process and the requirements for the process largely are established not by us and not in this type of amendment, but by the General Assembly. And they have identified the kind of process that a land use decision has to go through in Virginia, that there have to be public hearings for certain types of

things with the Planning Commission, the Board of Supervisors. Some other things go to the Board of Zoning Appeals. They have established certain requirements for advertising and notice and time frames between when advertising goes up or the frequency of advertising in newspapers and - and that sort of thing. And we - we haven't departed from that at all in Fairfax County. I think if anything we have done - we have always gone over and above whatever the requirements the General Assembly has established. The - the last thing that we want to hear sitting here at midnight is to have a parade of speakers telling us this is being rushed through, nobody told us, we don't know anything about it, we need more time, whatever that is. And each of the commissioners in their districts and, I think, each of the supervisors through their staff - they may have different ways of doing it - but everyone has an outreach process and they try very hard to notify affected communities and the - the land use committees. Some of them are for specific districts or specific areas or parts of a district. Some - some districts have more than one committee that may overlap, but I think we have a pretty strong tradition in Fairfax County of a robust vetting process with citizens with some degree of independence from the supervisors with some degree of independence, certainly from the Commission. And I don't think Mason District is any different from that. I've been to Mason District Land Use Committee on occasion. I think both Commissioner Strandlie and Commissioner Hall before her have been insistent upon anything that's at least coming to us which was going to be a rezoning, or special exception, or a 2232, or a plan amendment, and I - maybe there are exceptions and I could be corrected - but I think they were each very consistent about putting that on the checklist that they had to go to the Mason District Land Use Committee; and if they hadn't that - then we weren't going to make a decision and we were going to wait for that to happen. And many times we did. We didn't always agree with it. The committee didn't always agree with - with itself. Maybe there were split votes. We don't always agree and the Board doesn't necessarily always agree with what we do. But through the process set up by the General Assembly, there's going to be a public hearing process, people are going to get letters, and signs are going to go up, and they're going to find out about things and, if nothing else, they're going to come here to the podium and tell us, and we make changes and things. I think it's unfair to single out Supervisor Gross and say that she somehow has some - I don't understand what the criticism is exactly - I'm not familiar with the land swap thing. I'm not sure what that has to do with the Zoning Ordinance but - the - Supervisor Gross, like her colleagues, has a process where communities are notified and the

Land Use Committee hears things, we find out what the Land Use Committee does, and so on. There's - there's nothing that staff is proposing in this amendment that in any way I think would undercut or modify what Supervisor Gross or any of the other supervisors would be doing to vet something like that. I guess I've said enough, but I think that I've made the point. There is an outreach process. There's been a vigorous outreach process as far as I can tell in Mason District. I mean, the Seven Corners thing, there was unprecedented outreach. There is a difference also between, I think, not doing outreach and not necessarily agreeing with every single opponent on every single issue. And maybe that distinction has been lost somehow.

CHAIRMAN MURPHY: Mr. Sargeant.

MR. MILLER: I'm sorry, but I - I - and I - and we shouldn't waste everybody's allotted time here, but - but I understand the intention of the process. There's no question about the intention of the process, but - but there is - it is not - - it is effective depending upon how the supervisor - - there are two implicit assumptions in this zoning amendment. One is the Board of Supervisors will do the right thing. Let's give them the latitude. Let's open it up so we aren't - we aren't going through a lot of details and {inaudible}. Given them some elbow room so they can make - that they will make the right decision. Second assumption is the public hearing process frets out any serious issues at the community level before it gets into the hearing process. That's the assumption.

COMMISSIONER HART: I think the General Assembly has made that assumption.

MR. MILLER: But, sir -

COMMISSIONER HART: - that elected officials have the discretion to make that decision.

MR. MILLER: -- it's perfectly clear that the public hearing process cannot - cannot negotiate among stakeholders. It - it allows a person to speak for three minutes. That's it. And then you go on the next person for three minutes. So if some school, for example, PTA has a big issue with a land use proposal, they aren't - we're not going to resolve it in a Planning Commission hearing. It's got to be resolved at home. But there's nothing in our process - in our formal process - when it comes before you, for example, to say well have you vetted this at home. I never hear that question asked. Has this been vetted back in the district? Yes or no? And if - and if there assessing - what are the outstanding issues? That question doesn't get asked in the Board meeting either. After -

COMMISSIONER HART: I think everyone up here does that.

MR. MILLER: After - let me just finish just one more. After the - the plan amendment for - for Baileys Crossroads went through, I wrote Chairman Bulova a letter and I said I was - I was upset. I protested that the Board had approved a plan amendment that had not been vetted at the community level. And she wrote me a very thoughtful letter back that has a paragraph in it that says before - before proposals come into the hearing process they're vetted at home. And it's a long - and it's in my paper - my nine-page paper, you'll see the quote. She believes that at home these things are vetted and sorted out before they come to the hearing. And they must be because the hearing process, three minutes and five minutes is not going to resolve big issues of PTA against some road proposal. It's got to be done at home

CHAIRMAN MURPHY: Okay, Mr. Sargeant.

COMMISSIONER SARGEANT: Thank you, Mr. Chairman. Mr. Miller, you and I are going to agree on one issue.

MR. MILLER: Sorry?

COMMISSIONER SARGEANT: You and I are going to agree on at least one issue. And that's I would - I'd be willing to bet - and that is the issue of preserving existing neighborhoods. Would that be fair to say?

MR. MILLER: I'm sorry?

COMMISSIONER SARGEANT: You and I are going to agree on the issue of the importance of preserving stable existing neighborhoods. Would that be fair?

MR. MILLER: Yes, sir. Yes, sir.

COMMISSIONER SARGEANT: Now, we may not agree on how we get there, but I think we - we recognize that as a goal and an objective of planning for the future. Okay, that's one thing. We're looking at - and we kind of went through this earlier together through the RSU process, which by the way was turned down based on citizen input. We're looking at - regardless of what we - of what we do - and I'm not going to get into the details of each of the zoning - - I think everybody is covering that quite well. But we - we are seeing through studies, and George Mason Center for Regional Analysis has a lot of them saying we're looking at upwards of half a million new households between now and the mid-2020s. And they're coming through the - not just here - through the region. So it's in our - I feel it's in our best interest to plan so we can; one, accommodate that growth and those new jobs and those seniors retiring, as well as making sure we preserve those stable neighborhoods. So I think we're - we have a foundation for agreement

at least within that. How we get there is something we have to work on a little bit. I had a question with relation to the parking reduction. And I wanted to ask staff that and make a quick comment. That - that reduction format for high density areas, I've got to imagine that that type of tool is used - has been used in other jurisdictions, not only in Virginia but through - elsewhere in the country. Would I be correct in assuming that?

MS. JOHNSON: I think other jurisdictions may have different proposals and it may be that they have different parking rates or what have you. I know that actually the District of Columbia just recently redid their Zoning Ordinance and in certain areas there are no parking requirements. It's market driven. So, I mean, that is something - parking is an issue that we have to tackle. There's a lot of different issues related to that and we're looking at that separately. I would note that these parking reductions have been in the Ordinance for a very long time. And what we're doing now is just providing more clarification as far as what we would consider, you know, a mass transit and transit related and to clarify the bus routes and what have you so that there's more understanding amongst the developers who may be wanting to reduce the parking and staff who is trying to ensure because it's right there in the language that it doesn't have a negative impact on the adjacent, you know, residential or other areas. But it's - it's a reality that - and under the county's economic success strategy, I mean, parking is a big deal. It's expensive. And, you know, we're - we're moving towards a different type of - of unit and market and we need to re-look at that but I think the framework is already in the Ordinance. There - typically those reductions are typically done in conjunction with a rezoning to one of - to a P District, PDC/PRM District, so there is a lot of analysis that is - that's done by both the Department of Transportation and the Department of Public Works in evaluating those - those reductions. I don't know if that really answers your question, but...

COMMISSIONER SARGEANT: Yes, I was just kind of looking as an example how that has been utilized not only previously but elsewhere, you know, as part of planning. This is not something that this - this staff or this county came up with, so I think to your - you know, obviously we may remain concerned about mitigation of traffic in - adjacent nearby neighborhoods. I guess the other comment, too, I had - and you're welcome to react, is the issue of not doing the CBCs - revitalizing the CBC areas. I understand when they provide neighborhood services, but I can give, you know, probably provide some examples where we

have seen that it is time for some make up and some renewal in some of them, in other areas of the county. Would that be fair? Would you agree with that in some areas?

MR. MILLER: The Comprehensive Plan in the definition section says that in addition that they are - that they will evolve into higher density pedestrian oriented but not residential. What's now in this document says these are now going to - these are going to be apartment complexes. All of our CBCs are - are designated at - for - to be apartment complexes. That's what's in this ordinance now. And I think that's wrong. We've gone through some trauma in - in Seven Corners that - our Seven Corners, which is a thriving shopping center and very important to the community, is now designated to be a high-rise apartment complex. And a lot of people are going to miss Seven Corners. May I, just one comment on the parking. The Zoning Ordinance very appropriately goes to lengths to provide all of the Section 11-120 I think it is, parking reductions that are in the Zoning Ordinance to the PDCs and the PRMs. And among - and one of those, Paragraph 5, is with respect to transit. If you have transit and it has a list of what they mean by having transit. If you have transit, then you can have a parking reduction. It doesn't say five percent or two percent. It could be whatever it could be. It's unlimited, right. So all of that has been laid out very carefully, but then at the end it throws in and if you're - if you're a PRM in a - in a revitalization district, you can have a 20 percent reduction. And it doesn't say you have to look at the effect on the community or the effect on the site. It's just like frosting on the cake. But what's in the 11-120 is - is in my mind sufficient and if you have super-duper transit you can have a 20 percent parking reduction, presumably. But this other one, there's no cause, there's no reason for it, no rationale. It's just a gift.

COMMISSIONER SARGEANT: Okay.

MR. MILLER: It seems inappropriate.

CHAIRMAN MURPHY: Okay, thank you very much. Katherine Ward and then Mark Zetts. Is Mark here? Yes, still - yes, we came to that conclusion. That's why we're sort of expediting the process.

COMMISSIONER HART: Julie said they didn't sand the roads.

CHAIRMAN MURPHY: Yes, I know. I'm sorry. Go ahead, please.

KATHERINE WARD, 1029 GLADSTONE PLACE, ALEXANDRIA: That's all right. Thank you very much. I'm Katherine Ward. I live at 1029 Gladstone Place, Alexandria, Virginia, in the Mount Vernon District. I am speaking on behalf of myself tonight; however, a little background.

I'm an elected official for the Mount Vernon Council of Citizens Associations and I've been reelected several times. I'm an elected official for my community association which, sadly, I've been elected many times. And I -

CHAIRMAN MURPHY: My greatest sympathy to you and your family.

MS. WARD: You just can't get away from it. And I sit on the Board of the Fairfax Federation. In 2009 when we did the last Area Plan Review, the Mount Vernon Council made a conscious decision to stop being the organization of not-in-my-backyard. We aggressively worked with these folks on the staff, a couple of consultants, and we put together numerous Comp Plan changes. That was all to raise the density and give us revitalization on Richmond Highway, and we're very pleased that we did that. We continue now to work with staff and we most recently had them come out to our general council meeting to give us the presentation you all just got tonight so we could educate our citizens on the new changes to the Zoning Ordinance.

Commissioner Sargeant was there as well as Commissioner Flanagan. We had goals in 2009 and we want very much to get those goals realized. That's the revitalization, improvement to mass transit on Richmond Highway, and an improved environmental quality. Speaking for myself, we see these proposed changes to the Zoning Ordinance generally a very beneficial activity for the Mount Vernon District in attaining those goals. And I want to say that the conversation about the CBCs, we've got CBCs along Richmond Highway. They need to be revitalized, but as we put in our Comprehensive Plan language, we want them to be places to live, work, and play so people can move around within them, and we can get that mass transit. I do have a question, however, for clarification and it - it may have come up before we got here but we were stuck in hellacious traffic. Will these changes in this current Zoning Ordinance override or negate any other ordinances or plan languages, such as stormwater management requirements, traffic mitigation requirements, tree cover, and historic areas? I believe -

MS. PESTO: Absolutely not.

MS. WARD: - the answer is no, they will not. But we would like a clarification.

CHAIRMAN MURPHY: Let - let Ms. Pesto -

MS. PESTO: Absolutely not. Nothing is overridden in - in regard to those topic areas or any other regulations of the county that exist. It will continue to exist even with these changes if they're adopted.

MS. WARD: Thank you. Thank you very much.

CHAIRMAN MURPHY: Okay.

MS. WARD: We look forward - my colleagues have come with me as well and they're going to give you some more detailed little tweaking's we'd like to see on this Ordinance change and I thank you for your time.

CHAIRMAN MURPHY: Mr. Flanagan, your Planning Commissioner, attempted to get here this evening, but he called earlier and said it was impossible. So -

MS. WARD: Well, I should have given him a ride. They all came with me in my four-wheel drive.

CHAIRMAN MURPHY: I thought you came in a school bus, the way you all came in together. Thanks for coming. We appreciate it.

COMMISSIONER HART: Mr. Chairman?

CHAIRMAN MURPHY: Yes, Mr. Hart.

COMMISSIONER HART: Ms. Ward, if you'd come back just a second. I didn't have a question, I was just going to say we value citizen input very much and I think our collective recommendations to the Board are generally improved the more comments we get. And maybe we don't agree with every single thing, but things sometimes sift through and we - we come up with an improved package for the Board. So don't be discouraged if we don't always agree on every single thing. You all are making a difference. Thank you.

MS. WARD: Oh, we're not discouraged. We work very well with our developers. They do come to us. Supervisor Hyland was terrific, as well as Earl Flanagan and Dan Storck, being our new supervisor. They ensure that developers come to the Council first and foremost before anything happens, and we work hand in glove with them, and I think Marianne and the crowd are sick and tired of seeing me in their offices. But we get along great, so thank you.

CHAIRMAN MURPHY: Yes, just a footnote to what Mr. Hart said, we not only value it, but we spend a lot of time getting it. Okay, Mark Zetts is still not here. Karen Pohorylo - and I'm sure you're going to tell me how far away I was from the correct pronunciation of your name.

Pohorylo. Okay. I know you told me, and I forgot. I should have written it down.

KAREN POHORYLO, REPRESENTING SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION, 8523 HIGHLAND LANE, ALEXANDRIA: Hi. Good evening,

Commissioners. My name is Karen Pohorylo. And that's P-o-h-o-r-y-l-o. I live at 8523 Highland Lane, Alexandria, Virginia, and I'm within the Mount Vernon District. I represent the Mount

Vernon Council as their Land Use Chair. I also sit on the Southeast Fairfax Development Corporation on the Executive Committee as the Secretary, which is - - I'm reading a letter from them today. The Southeast Fairfax Development Corporation, SFDC, received a presentation at its September 2015 Board of Directors meeting from Zoning Administrator Leslie Johnson regarding this proposed Zoning Ordinance Amendment, the one we're talking about now. Subsequently, county staff has participated in discussions of this proposal with the Mount Vernon Council of Civic Associations, and that's the MVCCA, which has a representative on the SFDC Board. At its meeting earlier today - and that's the meeting earlier of the SFDC - the SFDC Board voted to generally endorse the proposed Zoning Ordinance Amendment. While there are some issues remaining, such as the change to the method of calculating the FAR, we support the intent of the amendment to provide a legal mechanism in the Zoning Ordinance to implement the Comprehensive Plan in areas that are planned for higher density development than that currently allowed in any zoning district. The SFDC Board of Directors took this action under the provisions of Paragraph B4 of our Memorandum of Understanding with the Fairfax County Board of Supervisors, which calls for SFDC to review initiatives and projects and formally support those that SFDC deems supportive of revitalization objectives. If you have any questions or comments about this letter, you can contact the President, Walter Clarke, or Edythe Frankel Kelleher. And that's all I have. Thank you.

CHAIRMAN MURPHY: Thank you. We did receive the letter and its part of the record.

COMMISSIONER SARGEANT: Mr. Chairman?

MS. POHORYLO: Did you receive the letter? You should have received the letter this afternoon.

CHAIRMAN MURPHY AND VICE CHAIRMAN DE LA FE: We got it.

MS. POHORYLO: Okay, yes.

COMMISSIONER SARGEANT: Mr. Chairman?

CHAIRMAN MURPHY: Yes, Mr. Sargeant.

COMMISSIONER SARGEANT: Just one quick - and it's for staff and also for the public. Does everybody know - understand what the Southeast Fairfax Development Corporation is? Okay, let me - can we just read that? Because I just happen to have the website up here. The Southeast Fairfax Development Corporation is a nonprofit economic development organization dedicated to promoting the redevelopment and revitalization of the Richmond Highway corridor of U.S. Route 1 from the beltway to Fort Belvoir. It's also - getting down a bit - it has appointed

members that are both citizens - you have citizens, members of the development community and others working on a nonprofit basis. Correct?

MS. POHORYLO: That is correct. We have members of the community, we have developers, we have land use attorneys. It is a working board. We have an advisory committee that has a more - like, more developers, more constituents, so to speak, to keep the constituents involved. We do do a lot of - a lot of hearings for constituents about things of this nature or things that they might not understand. So yes.

COMMISSIONER SARGEANT: And members are appointed by the supervisors in both the Lee and Mount Vernon magisterial districts. Is that not correct?

MS. POHORYLO: That is correct. There are two, yes, from each district.

COMMISSIONER SARGEANT: Thank you very much.

CHAIRMAN MURPHY: Mr. Ulfelder.

COMMISSIONER ULFELDER: I just wanted to note, I got a text from Mark Zetts saying that because of the road conditions he was not able to get here tonight, so I assume he's at home warm, curled up, watching us on Channel 16.

CHAIRMAN MURPHY: You really had to go there, did you? Sounded very appetizing. Okay. All right, thank you very much. Appreciate it.

MS. POHORYLO: Thank you very much.

CHAIRMAN MURPHY: Okay, John McBride and then, I presume, the two ladies that are on the list are also passengers in the SUV from the Mount Vernon District. Is that - - okay. You're next.

JOHN MCBRIDE, REPRESENTING RESTON ASSOCIATION, 1775 WIEHLE AVENUE,

RESTON: Good evening, Mr. Chairman, Commissioners. John McBride, 1775 Wiehle Avenue, although I reside in the Sully District. Tonight, I'm speaking on behalf of the Board of Directors of the Reston Association. Although most of the land area within the planned community of Reston is zoned to the PRC District, there is a significant amount of land along the Dulles Toll Road which is not. This land is in the process of being rezoned from the old industrial zoning districts to the PDC and PRM districts in order to implement the three TSAs within Reston that are shown in the Comprehensive Plan. I will provide your staff and your clerk with written requests from the Reston Association after these remarks. I've worked with Donna for the last six, seven months on this amendment - been very cordial I think. Certainly, many of our - Reston's concerns have been addressed one way or another. We just have four brief but

important concerns to raise tonight and to give you written testimony in. Quickly, first one. Whenever a parking reduction is sought, the applicant really should be required to show that any nearby neighborhoods are adequately protected from overflow parking in order for the Board to justify the parking reduction. Too many times the focus is on the parking reduction onsite for the uses that are coming and too many times in Reston, especially with the new development and with Metro we have a lot of overflow parking issues that are coming. We feel the county should be proactive in this regard through its Ordinance, rather than reactive after the problem occurs. So that's a simple edit that we're suggesting. Second, we do think the FAR allowed by Board discretion is too high. Now, let me say - say why. The planned FAR in the TSAs is not site-specific FAR. It's an FAR for an entire block or area. It is not site-specific. So if an applicant can come in and rezone by Board discretion to the highest FAR that certainly reduces the incentive to the applicant to consolidate. Consolidation in these urban areas in applications is a very important concept that makes for much better development. Why dis-incentivize that? Another example, if the first parcel of land for a rezoning within this area comes in and gets a higher FAR, doesn't that mean the second and third applications coming in can only get a lower than planned FAR? Because, again, the FAR is for a block. It's an average. So I think that can create a lot of pressure later down the road to deviate from the Comprehensive Plan cap on FAR. We're not aware of where in Fairfax County there's a need for a 5.0 FAR. Tysons is different. That has the PRTC. That has the new PTC District. Reston, the only area in Reston that has a 4.0 FAR is in the Town Center. That is PRC. So that's not going to be PDC or PRM. So what we're suggesting is the discretionary addition to be 3.5 for the PRM, which is an additional 0.5 and for the PDC, make it 3, which is 0.5 above the 2.5, or make them both the same - 3.0 with the discretionary of 3.5. But once you get up into the extreme atmosphere of 4.0 and 5.0, I think you really begin to cause problems later on down the road and I don't see the need for that high FAR. Third, and this is really important: in order to obtain the higher FAR, the Ordinance used to have and require iconic design, extra amenities, and public spaces. That's being deleted in this ordinance amendment. Why is that? We don't see any reason why to get the extra economic benefit of FAR you should take away the quid pro quo of better design, iconic design, and public spaces. So that really should stay in, not be removed. Fourth one is real quick. It deals with allowing one half of the required natural open space or landscaped open space to be above ground level. And it's a great thing to have those things on top of parking decks and even on

rooftops for green design, but I think we have to be very careful. Perhaps one third is a better ratio because you don't want to have too much of your open space areas and your public areas to be above ground because the general public won't use them. They'll be only for the residents or users of that particular development. In Reston there really are no private spaces. It's a well-knit and connected community where everyone uses the plazas that are in private development and in the public spaces, in the public government center spaces. So we think those four tweaks would be well served to take a look at and I think there might need to be a little - little more discussion of the discretionary FAR. I was comforted a little by -

CHAIRMAN MURPHY: Can you sum up, John?

MR. MCBRIDE: - Mr. Sargeant's conclusion from the County Attorney, but I think we need a fuller discussion of that. Thank you.

CHAIRMAN MURPHY: Okay, thank you very much. Diane Donley. Oh, Mr. Sargeant.

COMMISSIONER SARGEANT: Mr. Chairman, I just - question for Mr. McBride. Did you say you submitted written testimony?

MR. MCBRIDE: We will this week. I want to get a Word version of the document and it's easier to do a redline. I tried to do it the old fashioned way and it didn't quite come out too well.

CHAIRMAN MURPHY: Okay.

MR. MCBRIDE: But we will.

COMMISSIONER SARGEANT: Good, okay, thank you.

CHAIRMAN MURPHY: Diane.

DIANE DONLEY, 3508 RIVERWOOD ROAD, ALEXANDRIA: My name is Diane Donley. I live at 3508 Riverwood Road in Alexandria, Virginia. That is in Fairfax County. I have been the president of my homeowners association. I've been on that board. I've been the President of the Mount Vernon Civic Association. I've been on that board. I'm currently a Co-Chair for the Mount Vernon Council of Citizens Associations, along with Katherine Ward, but I am speaking on my own behalf today. I - what's being passed out - - I'm an attorney. I have a masters in city planning from George Washington University, back when they offered that degree. And what I'm offering here are specific changes, specific wording changes, to the Zoning Amendment itself. For example there - the issue about cellar space, I have questions about cellar space. It looks as if you would get the FAR if it was parking. I have a series of questions in all of these different categories about what is being done. I am a little concerned about the independent

living facilities and assisted living facilities. That's way down the page - that it says that the facilities need not be designed to serve primarily the needs of the residents. I suggest to you that could be construed the way it's written as possibly discriminatory and I'm sure that's not what was meant. So all of these things that I've written here are from an attorney's perspective and a land use person, that you might want to change the precise language that is currently in the Zoning Ordinance. And I offered these up for you to review and consider. Thank you very much.

CHAIRMAN MURPHY: Can I - one technical point. When you - this is your paper that you circulated around.

MS. DONLEY: Yes. Yes.

CHAIRMAN MURPHY: When you ever circulate something around to the Planning Commission or to the Board, please put your name and address on it so we -

MS. DONLEY: I know. I -

CHAIRMAN MURPHY: Oh, I didn't get a card. That's okay. Thank you. Here, just so we all know who to attribute the remarks to. Okay, thanks. I didn't - I didn't get a card on mine. Okay, thank you very much. Catherine Ledec. Okay, take your time. Those stairs are almost as dangerous as the road outside. Oh, okay. You'll grow into it. Been there, done that.

CATHERINE LEDEC, 2440 HUNTINGTON PARK DRIVE, ALEXANDRIA: Doing great. Well, good evening Commissioners My name is Cathy Ledec and I reside at 2440 Huntington Park Drive in Alexandria, Virginia. That's in the Mount Vernon District, and yes, I was part of the carpool that came out here. And it was dicey, but we had a great driver, so...

CHAIRMAN MURPHY: Yes.

MS. LEDEC: So, like many people tonight, I have a lot of hats that I wear. One of them is as President of Friends of Huntley Meadows Park. I also am the Chair of the Environmental and Recreation Committee for the Mount Vernon Council. And I'm also an elected official for my homeowners association. It's hard to get out of that sometimes when you get in. And that's the hat that I'm wearing tonight. I do live in the Mount Vernon District, specifically in the Huntington Transit Station Area. My community, which was constructed in 2005, is a present-day example of the urbanization that seems to be a goal of the proposed Zoning Ordinance Amendment. We are 48 townhomes at the south end of the Huntington Metro station. When I read the proposed Zoning Ordinance Amendments in their current form, they seemed very one-sided to me and very clearly seemed to favor developers. My question to you is what do we get

in return for everything that we're giving up in these Zoning Ordinance Amendments. Do we, meaning the residents of Fairfax County, get a healthy community with adequate green space in which to live? I introduce here tonight discussion points about the environmental impact of these Zoning Ordinance Amendments as they relate to my community. I ask that our Planning Commissioners and the staff carefully consider the environmental impact of these proposed Amendments. We have challenges in our community that are a result of the things that are described in the Zoning Ordinance Amendments. These challenges are environmental, though we do have transportation challenges too. We're working hard to mitigate these but we can only work with the little bits of planting area and landscape that we have been left with to work with. The problems are we have a high urban heat island effect. We need more trees to absorb stormwater and to absorb the heat of the summer, but we don't have the space for this. Walking three blocks to the south of my neighborhood into an older neighborhood with mature trees it is cooler there in the summer on a hot summer day. My utility bills are high. In this era of energy conservation this is not good. We have too much impervious surface, not enough open space, and not enough planting areas to absorb stormwater runoff. This could have been mitigated when the community was first planned but it was not. We also have high nutrient load stormwater runoff. There's no property setback requirement in our development. The apartment complex next door has 400 apartments, 50 or more dogs. I welcome the dogs actually. Most of them are more friendly than the people sometimes. The narrow strips of grass - about four feet wide - along the edge of the street are filled with high-nutrient soil, specifically - sorry for being so graphic - it's dog pee. You're not required to pick that up because you can't pick it up. Those strips of grass are filled with high-nutrient soil. Nothing can grow there. The grassy areas are to be avoided for walking, especially when you're wearing flip flops or you're bare-footed. They're slimy and slippery. When it rains it smells. By the way, the proposed addition of kennels and vet clinics as a secondary use will result in this same problem as in my neighborhood. These pets will be walked outdoors and will relieve themselves there. That's what they're supposed to do. Where will these pets go if there's not enough green space? Adding this as a secondary use is okay if it is also required that there be adequate green space outdoors and very nearby for the high nutrients that will be left behind so that they can be properly absorbed into the soils, not causing the problems that we have in my community right now. We also have fast-moving stormwater flows. My community is only 10 years old. It will be 11 this year. We're at the top of the hill.

Only the apartment complex is upstream from us, yet the fast moving stormwater flow has already built up several feet of sediment and silt within our stormwater facility. Ten years. That's all. That must be dredged within the next few years, the expense of which will be covered by our small homeowners association, it's about \$25,000 to do that. I support higher density as a part of smart growth. I am an example of someone who intentionally moved into a neighborhood that is becoming more densely urbanized. This densification, however, must be balanced and the environmental impact mitigated. Many of the proposed zoning ordinance amendments would have adverse environmental impacts. This would impact the quality of life, not just in the neighborhoods to be developed, but downstream where the impact of increased fast moving high-nutrients load stormwater runoff will be costly to repair in the future. Lastly, I worry about seemingly one-size-fits-all approach of the proposed Zoning Ordinance Amendments. Each of our magisterial districts has unique qualities. We hope to retain those qualities in - for a future development to attract future residents. A one-size-fits-all approach could eliminate our ability to retain these unique qualities in our neighborhood. Everything would be cookie-cutter, as they say. I also worry about the elimination of various special exception processes. While this may streamline processes, it removes the opportunity for community as well as planning commissioner input into how a development would be shaped in our neighborhoods. Therefore, I recommend that these proposed Amendments be carefully rewritten so as to avoid causing adverse environmental impacts. Thank you for the opportunity to talk to you tonight.

CHAIRMAN MURPHY: Thank you very much. Ok. Robert Whitfield. Thank you. Have a safe trip back.

MS. LEDEC: We'll try.

ROBERT WHITFIELD, 1587 INLET COURT, RESTON: Chairman Murphy, Commissioners, I'm Rob Whitfield, 1587 Inlet Court, Reston. And I've lived in Fairfax County since 1977, and attended - was involved in - as an observer mainly, in meetings both with Dan Alcorn and his Tysons Plan in the early 1990s and his brother Walter, over the last decade. And after the Comprehensive Plan revisions in Tysons, Walter then had another three years of an implementation process. I've also attended dozens of meetings in Reston from about 2009 until, I don't know when, 2014, and one of things that I see are the disparities that go on in Tysons versus Reston. And the lady who just said about the one-size-fits-all is the wrong approach is dead right. And I've lived here enough. I've worked in real estate for 30 years. I no longer work

in real estate. I don't understand the purpose of some of this re-planning. Specifically, we have the transit station areas on the Dulles corridor. I thought we just went through four or five years of planning in Reston and so I've got to be honest with Mr. McBride. I've never met Mr. McBride before, and so it was a total surprise to me - I understand about the I-3 and the I-4 in the old RCIG, but none of what's being presented provides within any kind of quantifiable way a relationship between what's there now and what is proposed. Way back when I used to live in the Fairfax Annandale area, so I know Annandale - I don't know what the zoning is there - it's probably something like C-1, C-2, but most of Annandale is developed probably at a quarter FAR, maybe a couple buildings at half FAR - and here we're talking about five FAR. That seems a pretty radical increase. Ten times? Now, I was on the Tysons - excuse me - Reston Town Center - they had a task force headed by a guy named Robert Goudie, and I remember his theme with 5.0 FAR, which was back in 2010 with Dave Edwards before Dave passed away. So yes, I well understood what was - and that was mainly the goal of Boston Properties. But I certainly don't see the justification for 5.0 FAR in many of the other areas - in the transit station areas. And one of the failures in Reston has been that there has been no implementation plan. And I'll bet your bottom dollar that the Section 527 Impact Study required that transportation just would not work. Yesterday, I was in Richmond and they approved the first HB 2 priority transportation projects and the only thing that came approved for Fairfax County was proposed - and this is the draft - I-66 and Route 28 south of Centreville. There was nothing for the rest of Fairfax County. And I asked a question. I sent an email down to Richmond last night to Aubrey Layne: why is there nothing for Reston and Tysons? So our ability to plan is only as good as our ability to implement the public services needed, whether it be electric power, water/sewer, roads, schools, open space, social services, and so on. So what's lacking, this is for the benefit of the public, we have a little 8½ by 11 map of Fairfax County, which is totally illegible, and it doesn't really say - I mean, I don't know what the difference between the purple color there is. I talked to Rob Jackson, who formerly headed the McLean Citizens Association, this afternoon and he said I don't even know if McLean is still included in this plan. I assume it is. But Rob said to tell you all that we don't have rail transit in the middle of McLean. And so how are you going to get the people in and out of McLean? So I think I will - I haven't studied this enough. I've got to be honest, I'm dealing with 20 or 30 transportation bills, so I can't tell you. I haven't - I've read - oh, process. Very important. So back in September when I first became aware of this, I talked to

Robert Stalzer, who's the Deputy County Executive, and I said what the heck is the intent of this, and then he told me a week later that the plan had been put on hold. I then saw Chairman Bulova at a candidate's debate and I said what's the impact on the existing plan. I was talking about Reston, obviously, and I didn't, you know, she didn't have an answer. And so Stalzer said I'll get the stuff. And then - he - I was told the process was stopped. And then I met Barbara - - I'm sorry. I don't remember if it's Barbara Byron. Who's the revitalization lady?

UNKNOWN: Byron.

MR. WHITFIELD: Byron. And she tried to explain to me what the purpose of this process was and, amazingly, that was at a Fairfax Forward event in Tysons about October the 27th. Two days later, the plan was released. And the concerns of the people who live in Reston - and there are many of them who are as old as I am or older - but Ms. - I never know how to say her name.

CHAIRMAN MURPHY: Hedetniemi.

MR. WHITFIELD: Hedetniemi was on the task force in Phase I and she will remember the couple that lived on the south side of the Dulles Toll Road in that neighborhood off Sunrise Valley. Those people are very concerned about somebody going to come into their neighborhood and bulldoze them out and take over their development, you know, what's now little houses - quarter-acre lots or less. They're very concerned about the potential impact of what you're planning to do. So maybe it would not affect them. I don't know. I don't have enough information yet. And so I would ask that you for each of these areas of the plan, you probably need some kind of public outreach to each of - I don't know if there's a dozen areas here - within each supervisory district that perhaps you have a task force within each supervisory district to dig into the details, because it's hard for most of us to know. I certainly would support the revitalization of Route 1 corridor. That's clearly needed. But I don't know what the real needs are in Annandale or McLean or Baileys Crossroads. So, be glad to work with the process. Thank you.

CHAIRMAN MURPHY: Thank you very much. Okay, that seems to conclude our public input. As I said, if there are folks who testified this evening or who did not testify this evening and they have comments, please send them, email them to our Planning Commission Office, and they will be duplicated and they will be circulated around the horseshoe to each member of the Commission. Tim, do you have anything you'd like to say in closing?

COMMISSIONER SARGEANT: Mr. Chairman, thank you.

CHAIRMAN MURPHY: I'm sorry, what? Oh, I'm sorry. I thought she want to - do you? Okay, Tim.

COMMISSIONER SARGEANT: Just want to thank staff very much for the - the thorough presentation and detailed analysis and continuing opportunities for input. I appreciate everybody who braved the weather to come out here this evening. That was no small feat. We hope you have a very safe trip home and we look forward to continued input and - and digestion of all that we've heard tonight before we proceed. As you know, there is no specific date yet for a public hearing, but we will keep you posted as that moves forward and we look forward to your continuing input. Thank you, sir.

CHAIRMAN MURPHY: Okay, thank you very much. We are adjourned as of 9:35 (sic). Thank you for coming and to say again, please drive carefully.

//

The meeting was adjourned at 9:39 p.m.
Peter F. Murphy, Chairman
James R. Hart, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jeanette Nord

Approved on: July 14, 2016



John W. Cooper, Clerk to the
Fairfax County Planning Commission