

Statement Opposing Comprehensive Plan Amendment 2014-I-B2
Submitted to Fairfax County Planning Commission Via E-mail and U.S. Mail

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1. Reasons for Opposition

Subject plan amendment, 2014-I-B2, would modify the Comprehensive Plan for Sub-Unit B-2 of the Town Center District of the Baileys Crossroads Community Business Center (Exhibit 1 attached). The existing plan provides a base plan and three redevelopment options for the area. The amended plan would provide a new base plan and a single redevelopment option, namely, use of the land for high-rise residential development and an adjoining multi-level public elementary school.

As recently as February 2013, the county planned development of Sub-Unit B-2 in a public/private partnership that would construct residential units and an East County Center for human services. The county has since abandoned the plan to locate the East County Center at Bailey's. County building design and construction staff now is developing a master plan to locate the East County Center on the Willston School site at Seven Corners.

This paper opposes the plan amendment for two reasons:

- Sub-Unit B-2 is NOT a suitable location for a Fairfax County public school (Section 2).
- The amendment has not been vetted with the community (Section 4).

Section 3 of the paper describes an alternative location for the elementary school that is available and should be reserved in lieu of building on the proposed Columbia Pike location. The appendix provides a brief summary of the proposed plan amendment.

2. The Bailey's Site Is NOT a Suitable Location for a School

The proposed school is based on the "urban vertical school" model recently adopted by Fairfax County Public Schools (FCPS) and county officials. Exhibit 2 from the county briefing on the proposed amendment shows the arrangement of the school and the apartment building. Columbia Pike bounds the site on the north side. Moncure Avenue is on the west side, and a realigned Seminary Road is on the east side. The 125,000 square foot multi-level elementary school with structured parking and rooftop athletic facilities would be situated on the west side of the five-story apartment building with its 251 one- and two-bedroom rental units. The county's briefing describes the school as a five-to-six story building. A dimensioned drawing in the briefing shows the school to be 80 feet tall (+/-), enough for eight conventional stories. The north face of the building would be set back only 20 feet from the curb along Columbia Pike, which is planned to be widened to six lanes. The school would be separated from the apartment building on the east side only by a one-lane fire road.

Exhibit 2 shows 90 spaces of surface parking behind the school on a lot that would need to service bus and automobile traffic for the proposed 950 arriving and departing students every morning and afternoon. The amendment describes the possibility that structured (garage) parking would be provided behind the school. Even if parking were limited to the upper floors of a

garage, the surface area behind the school is inadequate for the bus and car traffic necessary to serve 950 students plus staff.

The proposed location is not suitable for a public school for the following reasons:

- Proximity to Columbia Pike: The building would be set back only 20 feet from the curb along Columbia Pike, which will be widened to six lanes.
- Excessive noise: The location would be noisy and distracting for students; the building would require architectural treatment to limit noise levels in the school to acceptable levels.
- Lack of green space: There would be no green space for student use; the limited space on the west side of the school would be virtually useless for any school purpose given the traffic and noise.
- Outdoor athletic space on a roof: The only outdoor athletic space would be on the roof. The standard for Fairfax County public schools is green space for outdoor activities.
- Insufficient transportation space: The space behind the school would not be adequate to accommodate buses and car lines for 950 students plus staff; cars would queue up on Columbia Pike and Moncure Ave.
- Security risk: The windows on the west side of the apartment building would look directly into windows a few feet away on the east side of the school risking the security of students and staff in this era of school shootings..
- Fire safety: The site introduces substantial fire safety risks. First, timely evacuation of 950 elementary school students plus staff from an 80-foot tall building will be hellish in the event of a fire, exponentially more difficult than evacuation from a traditional two-to-three story school. Second, once outside, there is no space on the site where students plus staff could stand safely clear of the building.
- Expensive high-rise construction: High-rise construction is substantially more expensive per square foot than low-rise. The county can better meet its classroom requirements by building low-rise schools.

The test of the urban vertical school model in general, and the proposed school in particular, is to ask ourselves whether parents would select the school for their children where a traditional county public school with green space on a neighborhood site was available. To the extent that most of us would select the traditional school, communities assigned to urban vertical schools can expect both a second-rate school experience for their children and depressed property values.

Reason for Opposition: The reason why the proposed school is not suitable, beyond the security and fire safety issues, is simply that it would provide a second-rate school experience for its students. Second-rate schools are not acceptable in Fairfax County whether students are from upper- or lower-income families.

3. The Plan for the School Should Be Moved to the Willston School Property

The purpose of this section is to describe a viable alternative location for the school. It is recognized that the Willston School site is not discussed in the proposed amendment. However, the case for not building a school on Sub-Unit B-2 is strengthened by a credible suggestion of an alternative, hence this discussion of the Willston site.

The all-but-vacant, green, five-acre Willston School site at 6131 Willston Drive (Tax Map 0513-18-0001) clearly is a suitable location for the elementary school. In order to reserve this site for the school, it would be necessary to find an alternative location for the East County Center

currently planned for construction on the Willston site. It is recommended that the county build the East County Center on the 8.6-acre Mason District Governmental Center site at 6507 Columbia Pike, two miles west of Sub-Unit B-2.

Willston School Site Background: The Willston School site was donated to the county by generous property owners in a deed dated June 20, 1949 (Deed Book 695, Page 225). The deed states that the site was donated expressly for the purpose of establishing a public school with the condition that the Fairfax County School Board shall not sell, transfer, or convey the property to anyone with the exception that the School Board may gift the property for school purposes to the City of Falls Church bureau having charge of school grounds.

Notwithstanding the condition in the 1949 deed, on July 14, 1983, the School Board transferred the property to the Board of Supervisors in a quitclaim deed (Deed Book 5801, Page 1732). At the time this deed was executed, the School Board was not an independently elected body. Rather, School Board members were appointed by and served at the pleasure of the Board of Supervisors. On the whole, the effect of the Board of Supervisors' quitclaim agreement with its subsidiary School Board was unilateral transfer of the property to the Board of Supervisors in violation of the condition in the 1949 deed that the property remain with the School Board.

The School Board has asked the Board of Supervisors without success to return the property. I have a letter from the county that suggests that a "formal" record of any such request does not exist. Understandably, the letter fails to explain why the conspicuously idle Willston School property was not selected for a new school during the four-year period over which Fairfax County Public Schools reportedly searched for a school site to relieve over-crowding at our Bailey's Lower school and its 19 trailers. The product of the search is the county's first "urban vertical school," Bailey's Upper, which opened in the Fall of 2014. It was created by renovating a five-story office building on the blacktop at 6245 Leesburg Pike opposite Seven Corners in Lake Barcroft.

East County Center Background: Fairfax County currently is developing plans to construct a 180,000 square foot East County Center for human services on the Willston School site. Currently, the county owns two county centers in addition to the office buildings on Government Center Parkway in Fairfax (Exhibits 3 and 4). The South County Government Center on Richmond Highway was completed in 1999. The new Mid-County Human Services Center is under construction on a 4.9-acre site a short block south of the intersection of Route 50 and Williams Drive just west of the Beltway. The \$100,800,000 building encompassing 200,000 square feet of floor area plus 700 spaces of structured parking is scheduled to open this Fall.

In February 2013, the Fairfax County Department of Public Works and Environmental Services (DPWES) briefed the Bailey's Crossroads Revitalization Corporation on its plan for a public/private partnership to establish the East County Center on Sub-Unit B-2. The objectives of the Center were to consolidate human services and move the services from leased space to a county-owned building (Table 2). It was envisioned that the county and Weissberg Corporation jointly would develop a 6.5 acre site of which 2+ acres are county owned. Weissberg's contribution would be 425 residential units. The county would construct a 180,000 square foot government center and structured parking for 500-600 vehicles. The county now plans to build the center on the Willston School site.

Recommendation: The Mason District Governmental Center at 6507 Columbia Pike is on 8.6 acres, adequate area for an East County Center modeled on the 200,000 square foot Mid-County Center. The site is two miles west of Bailey's Crossroads, conveniently positioned midway between Bailey's and Annandale. Redevelopment of the site should be straightforward given the limited size of the existing single-story structure, and the current governmental and public safety functions of the Governmental Center should integrated readily with those of the East County Center.

It is recommended that the county build the East County Center on the Mason District Governmental Center site. In addition, it is recommended that Fairfax County Public Schools formally ask the Board of Supervisors to return the Willston School property so that a school can be constructed on the site.

Clearly this recommendation is only one of a number of possibilities. For example, the county is host to more than 18 million square feet of vacant office space, space that could be purchased or leased for the East County Center.

Table 2. Human Services to Be Consolidated in East County Center
(19 February 2013 DPWES Briefing: East County Center)

Dept of Family Services	Dept of Health
Community Services Board	Dept of Neighborhood & Community Services
Dept of Administration for Human Services	Office to Prevent & End Homelessness
Juvenile & Domestic Relations Court	Housing & Community Development
Bailey's Family Shelter and SRO's	Woman, Infant, & Child Nutrition
Prenatal Care	Health Dept. Inoculations & Testing
Healthy Families Fairfax	Foster Care
Child Protective Services	Coordinated Services Planning
Adult & Aging	Adult Protective Services
Adult Probation	School & Community Health
Self Sufficiency & Benefits	Center for Business Planning & Development
SkillsSource Employment Center	FCPS Facilities Management

4. Plan Amendment Has Not Been Vetted with The Community

Subject plan amendment was briefed as a finished product to two small groups of citizens as described below. These briefings provided inadequate community notice of the proposed change, and neither briefing provided an opportunity for submission of community comments and consideration of those comments by the county. When I discussed the limited review process with Planning Commission staff, I learned that the process fulfilled all of the requirements of Virginia law, which is liberal regarding the county's responsibility to consult with citizens on Comprehensive Plan amendments. Apparently, it is sufficient to publish newspaper announcements 15 days prior to the Planning Commission hearing and, at the same time, to have hard copies of amendments available to the public in county offices. Under those conditions, the community easily could be shut out of any effective engagement with plan amendments.

While the review process may have been lawful, it has not been adequate for soliciting and incorporating community views on an important issue concerning our schools. Inadequate community review and discussion should disqualify the proposed amendment from consideration for decision by the Planning Commission at the scheduled 5 November hearing.

Reaction to Unsolicited Redevelopment of Our Community: The Board of Supervisors has determined that Seven Corners and Bailey's Crossroads are two of eight redeveloped "activity centers" in Fairfax County where future growth is to be concentrated. To this end, the Comprehensive Plan for Bailey's was amended in 2010 to allow for the development of 8900 residential units, and Supervisor Gross's Seven Corners Visioning Task Force has drafted a plan amendment allowing development of up to 6000 residential units.

The large majority of the community now aware of these redevelopment strategies and their implications has become aware only over the past few months, and many are bewildered. We did not ask to be selected as a primary repository for the county's growth, nor were we aware that we had been selected for the role. Only a few of us were aware that, four years ago, the plan for Bailey's had been morphed into a high-density, high-rise urban format. And we were not aware at the beginning of the Seven Corners task force activity that the county's objective for the effort was to amend the plan to allow mixed-use high-rise development in order to accommodate a high population density. The immediate consequences of the county's unsolicited redevelopment of this community are unsettling: two sub-standard public schools, the Bailey's Upper urban vertical school on Leesburg Pike and the proposal for a second such school on Sub-Unit B-2. It is clear that residents need to become engaged more effectively in the redevelopment process in order to mitigate the risk of further damage to the quality of life in our community.

Community Review of Subject Plan Amendment: The proposed amendment for Sub-Unit B-2 was briefed to two small groups of community members. On 21 October, it was briefed as a finished product to 10-15 community members at a monthly meeting of the Bailey's Crossroads Revitalization Corporation. The staff report for the amendment (2014-I-B2) was published on the Planning Commission Web site two days later. The second briefing of the plan, again as a finished product, was to Supervisor Gross's Mason District Land Use Committee on 28 October, three business days after 2014-I-B2 had been published on the Web site and five business days ahead of the hearing scheduled for 5 November. The Land Use Committee briefing was offered at 10 PM, the last item on a three-hour agenda. Only six community members survived the meeting to hear the briefing. Neither briefing offered an opportunity to submit comments that would be considered prior to the publication of the staff report. Yet the amendment proposal concerns an issue vital to the community, namely, our public schools.

On 27 October, I sent the Planning Commission an e-mail and letter requesting a one-month delay of the hearing in order to allow community review and discussion with the county. The request was denied. At the conclusion of the Land Use Committee meeting on 28 October, I made the same request verbally to Mason District Planning Commissioner Janet Hall and was refused out of hand.

Reason for Opposition: While the community clearly needs to engage more effectively in the redevelopment process, county processes and attitudes defeat our best efforts. The attitude appears to be that the redevelopment strategies are set and the county is determined to proceed regardless of the rights and legitimate interests of the community. But, from the community's point of view, inadequate review and consultation disqualifies the proposed amendment from consideration for decision by the Planning Commission. The proposed amendment should be returned to staff, and staff should review the proposal with the community in a process that allows the community to submit comments and the county to incorporate those comments.

Appendix: Summary of Proposed Plan Amendment (2014-I-B2)

The current plan for Sub-Unit B-2 provides a base plan plus three redevelopment options. The proposed amendment would provide a base plan plus a single redevelopment option.

Current Plan for Sub-Unit B-2. The current Comprehensive Plan language, adopted in 2010, provides a base plan and three redevelopment options. The base plan is 36,600 square feet of retail uses, 30,700 square feet of office uses and 57 single-family attached dwelling units. The three redevelopment options are:

- Option 1: A 0.35 floor area ratio (FAR) office/retail option that does not require consolidation of parcels within the sub-unit,
- Option 2: A 0.70 FAR office/retail option conditioned on some consolidation, and
- Option 3: A 2.25 FAR mixed-use option that requires consolidation of all parcels.

Fairfax County/Avalon Bay Rezoning Request: Avalon Bay, a national multifamily residential developer, is under contract to purchase the Weissberg property and is in discussions with Landmark Atlantic Holdings LLC to purchase its Bailey's International Center building at 5827 Columbia Pike.

Fairfax County and Avalon Bay jointly have submitted a rezoning request to the county that envisions a partnership whereby Avalon Bay would construct a five-story apartment building with 251 rental units, and the county would construct a multi-level elementary school. On 1 July, Supervisor Gross authorized subject plan amendment to align the Comprehensive Plan with the Fairfax County/Avalon Bay rezoning request. The scope of the February 2013 plan for joint development of the site with Weissberg Corporation was limited to a 6.5-acre parcel. The addition of the office building owned by Landmark Atlantic Holdings LLC has increased the parcel to 7.4 acres.

Proposed Plan Amendment: The proposed plan amendment would combine Options 1 and 2 in the current plan language to create a new office/retail base plan that allows 0.35 FAR without consolidation up to 0.70 FAR with consolidation. It would delete Option 3 and add a new option for a multifamily (apartment) building and a multi-level public elementary school at an overall FAR of 1.5. As a result, the current plan with three redevelopment options would be amended to provide only a single, specific redevelopment option, namely, a high-rise apartment building and a multi-level elementary school.

Note: Floor area ratio is the ratio of the floor area of a building to the area of the parcel of land on which the building stands. $FAR = (\text{building floor area})/(\text{area of parcel})$.

CC (Via e-mail):

Mason District Supervisor Penelope Gross (Mason@fairfaxcounty.gov)

Fairfax County School Board Chairman Tamara Derenak Kaufax (tdkaufax@fcps.edu)

Mason District School Board Representative Sandra Evans (ssevans@fcps.edu)

Exhibit 1. Bailey's Sub-Unit B-2

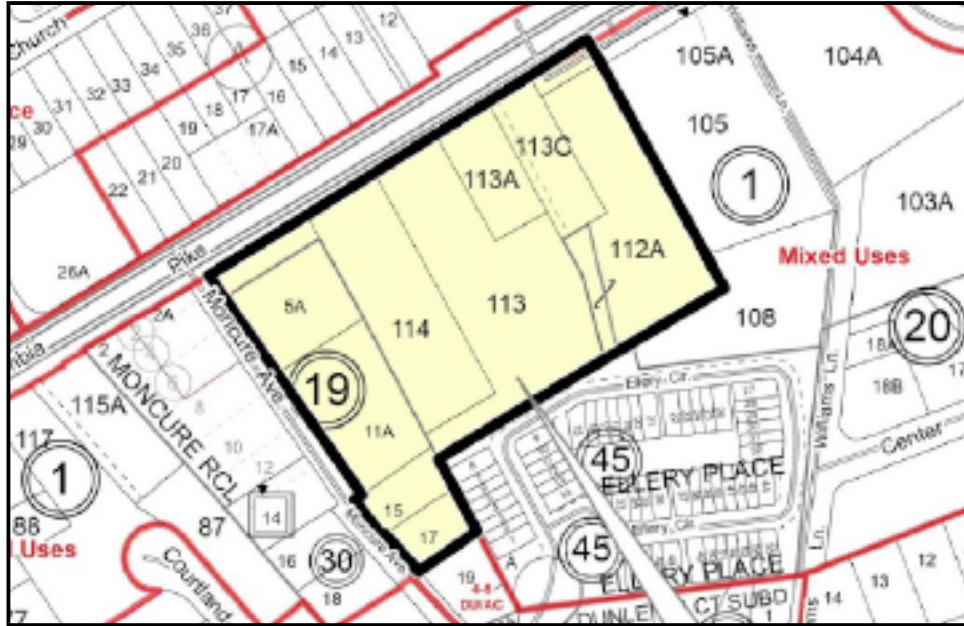


Exhibit 2. Concept for Proposed High-Rise Apartments/Multi-Level Elementary School
(FCDPZ Briefing on Plan Amendment 2014-I-B2, 21 Oct 2014)

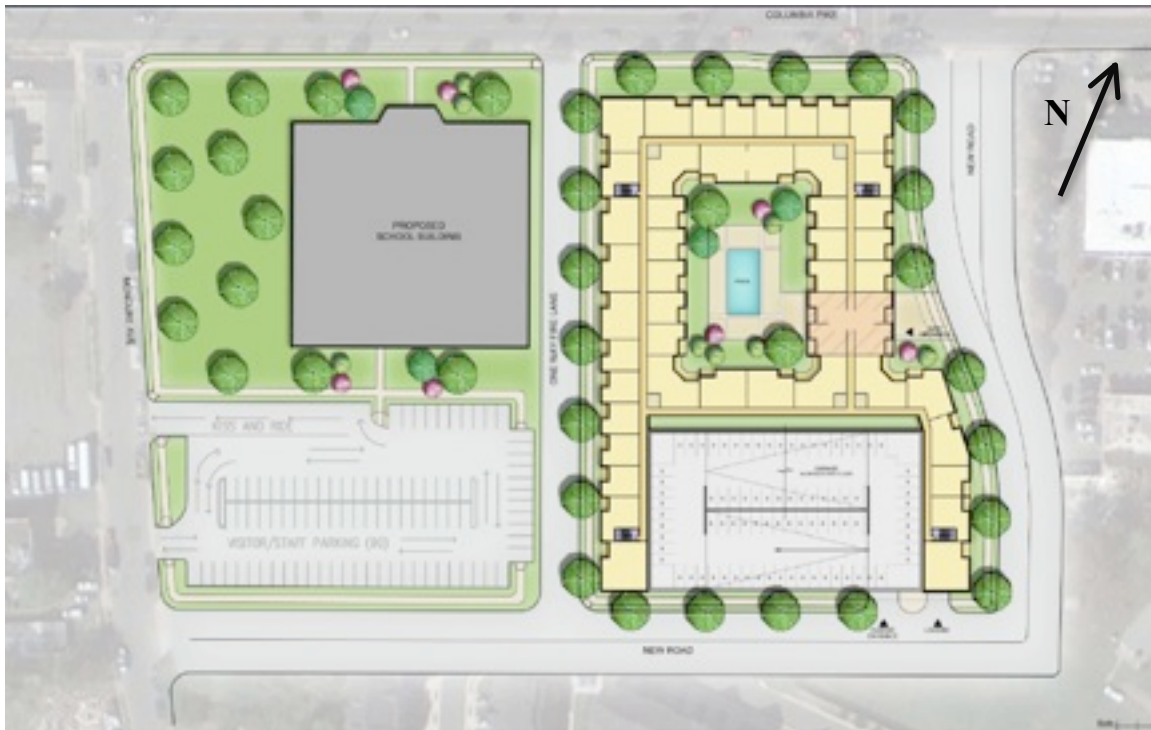


Exhibit 3. South County Government Center
8350 Richmond Highway, Alexandria
Opened 1999.



Exhibit 4. Mid-County Human Services Center
8221 Willows Oaks Corporate Drive, Fairfax
Planned to Open Fall 2014

