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City of Fairfax City Council Meeting, Tuesday, May 13, 2025

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[00:00:15] Good evening. I would like to call the regular meeting of May 13, 2025 to order. Welcome everyone to the chamber and those of you joining us from home. We have a lot of proclamations, six of them, because we have many, many things to celebrate in this city, and this is how we do it.

[00:00:35] So I'm going to ask the Asian Festival on Main Committee to come down for the Asian American and Pacific Islander. No, let me, hang on a second. I skipped the Pledge of Allegiance. If those of you who are able, let's not do that. I've got public safety officers in the back of the room.

[00:00:50] For those of you who are able and so choose, please rise for the Pledge of Allegiance. Pledge of Allegiance, flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:01:10] Now, my friends from the Asian Festival on Main. All of my wonderful people.

[00:01:38] We all in? We all in? All right, then. Whereas, the Asian American Native Hawaiian Pacific Islander, AANHPI, community is one of the nation's fastest growing racial and ethnic groups consisting of culturally and linguistically diverse people, representing populations from many countries and islands.

[00:02:00] Today, the United States has a population that includes more than 22.2 million Asians and 1.6 million Native Hawaiian and other Pacific Islanders. And whereas there is no single story of the AANHPI experience, but rather a diversity of contributions that enrich America's culture and society and strengthen the United States role as a global leader.

[00:02:24] And the American story as we know it would be impossible without the strength, contributions, and legacies of those in the AANHPI community who have helped build, serve, and defend this country in each successive generation.

[00:02:40] And whereas, despite the many successes achieved in this country, members of the AANHPI community can still face systemic barriers to economic justice, health equity, educational attainment, and personal safety. Throughout history, AANHPIs have transformed adversity into opportunities for public service, efficiency and innovation, resulting in lasting change that resonates beyond our community and has positively impacted our world.

[00:03:10] This resilience is woven into the fabric of their success, and it is a testament to the unwavering spirit of their ancestors who faced their own struggles with dignity and strength. And whereas, in order to honor and celebrate Asian American Native Hawaiian Pacific Islanders in our community, Wendy Wong, co-owner of the Standard Barbershop, approached the Old Town Fairfax Business Association and joined forces with several sponsors to create Fairfax City's first Asian Festival on Main in 2021 with great success.

[00:03:42] Attendance has grown incrementally each year, making Asian Festival on Main one of the largest Asian festivals in the DMV region. And whereas proceeds from this year's fifth annual Asian Festival on Main will go to the non-profit AALEAD, Asian American Youth Leadership Empowerment and Development, now therefore I, Catherine S. Reed, Mayor of the City of Fairfax, proclaim May 2025 is Asian American Native Hawaiian Pacific Islander Heritage Month in the City of Fairfax.

[00:04:11] and encourage everyone to celebrate the cuisine, art, music, dance, and diverse cultures of the AANHPI community on Sunday, May 18th, in the city's historic downtown. Help us welcome thousands of visitors from across the region to our city for the largest Asian festival on Main to date.

[00:04:33] And with that, I will turn it over to Jensen. Thank you, everybody. My name is Jensen. I'm the co-chair of Asian Festival on Main. As a resident and a business owner in Fairfax City, I'm so proud that my hometown in Fairfax City is able to have an Asian festival like this, and it is the largest in the Virginia State.

[00:04:55] This is the fifth year we're organizing it, and we are so honored that the mayor and you all can join us today, and we'd love to see you all coming to join us as well on Sunday. We're from Sunday from 12 to 6 p.m., and it's going to be a lot of fun with food, culture, performances, and then everything you think of.

[00:05:16] You will see a lot of people celebrate with us, enjoy the culture, and then, you know, enjoy everything that we have in the Asian community. So, thank you. Anyone else? Anyone else? All right, then. A photo.

[00:05:46] So I'm now going to ask our city CRT team and the Fairfax Community Service Board and Hartleaf Center to come down to the front as we proclaim Mental Health Awareness Month and Children's Mental Health Day.

[00:06:14] Come on down, everybody. Right. Tiny type. Whereas Mental Health Awareness Month, observed every year during the month of May, is an opportune time to fight stigma, provide support, increase awareness, and remind individuals of the services and resources that exist to support the millions of people impacted by mental health issues. And whereas good mental health is essential to a child's healthy development,

[00:06:52] and Children's Mental Health Day provides the opportunity to focus on this important matter while celebrating the accomplishments of children and families affected by mental health concerns. And whereas, according to the National Alliance on Mental Health Illness, NAMI, nearly one in five people experience a mental health concern each year, the health and safety of all our children and families is important to the happiness, prosperity, and well-being of our community, and it is important to recognize that mental health is a critical component of learning and well-being for the approximately 250,000 children living in Fairfax County.

[00:07:29] And whereas, ongoing research has helped in developing therapies, protocols, and pharmaceutical interventions to aid in the treatment of mental illness with a greater understanding of how trauma and brain chemistry impact mental health. Research has also shown early identification and appropriate treatment of mental health disorders among children and adolescents, providing them with better opportunities to lead fulfilling productive lives. And whereas there has been a national movement to destigmatize issues of mental illness and to support the concept of mental wellness in our schools, homes, workplaces, and communities, recognizing that mental health disorders can

[00:08:08] strike people of any age, background, race, ethnicity, or socioeconomic background. And whereas trauma caused by war, poverty, childhood abuse, domestic violence, crime, incarceration, homelessness, and substance abuse disorder can all contribute to mental illness, sometimes resulting in harm to self or harm to others.

[00:08:28] And whereas we celebrate the work of the Hartleaf Center, a local 501c3 nonprofit organization founded in March 2021 that has provided high-quality, low-cost mental health care for 443 families, including 113 military families in the community of Fairfax.

[00:08:47] And whereas the community of Fairfax, along with agencies and organizations interested in meeting the mental health needs of children, are encouraged to unite to bring awareness to the fundamental necessity of a system of care for children and youth with mental health needs and their families.

[00:09:02] And whereas an individual's mental health struggles may not be evident to others, we must cultivate a culture of compassion in our businesses, schools, government agencies, among health care providers, in our civic organizations, neighborhoods, and in our community.

[00:09:18] It is incumbent upon us to advocate for a greater understanding and more resources for mental health awareness, prevention efforts, and treatment. Now, therefore, I, Catherine S. Reed, Mayor of the City of Fairfax, do hereby proclaim May 2025 as Mental Health Awareness Month and May 7, 2025 as Children's Mental Health Day in the City of Fairfax, and a call upon each of us to advocate for appropriate and accessible mental health care services for people of all ages in our community.

[00:09:48] Mental health is health. So I want to hear from this gentleman. Thank you. Good evening. I'm Daryl Washington, the executive director of the Fairfax Falls Church Community Services Board.

[00:10:03] We're the public agency that serves individuals with mental health, substance abuse, and developmental disabilities here. Mental health is a huge issue in our community. Thanks to your support, we've been able to actually expand our youth outpatient services here in Fairfax, as well as stand up several youth medication-assisted treatment clinics.

[00:10:24] Law enforcement plays a huge role, and we have corresponding units that now are able to go out into the community and work collaboratively alongside mental health professionals with those youth and both adults that have, in the midst of a mental health crisis.

[00:10:41] And I also have here my youth outpatient director, and I know there's a lot of other folks here that work very closely with youth that have mental health issues in our community. Thank you. So this one's for you. And now Hartley. Hi, I'm Sherri Michelin, the executive director of the Hartley Center, and we provide mental health counseling to children ages 3 to 18, but primarily 12 and under.

[00:11:05] We believe in early intervention, and we've served over 470 families now since even that's been 117 families. We also provide services within the school to help the kids and also in the community and some preschools, and we're hoping to reach more kids even more in this next year and some other Fairfax City schools as well.

[00:11:24] so we appreciate fairfax city support and everything that you do to help our organization help support these families multicultural and low-income families and so thank you thank you i'm going to give you this and then we're going to do a photo a photo yes do you want to say

[00:11:38] something you want to say something good thank you i think everybody crushed it okay so i'm

[00:12:12] looking for the fairfax village in the city advisory board and members from the senior center if you can join me to proclaim older americans month which i think i'm in that category now myself probably well i don't know i don't know down and good to see you oh hundreds hundreds there you go there you go thank you thank you for coming all right okie dokie whereas may is

[00:12:52] older americans month a time for us to recognize and honor the city of fairfax older adults and their immense influence on every facet of American society. And whereas through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge. And whereas older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities. And whereas communities benefit when people of all ages, abilities, and backgrounds have the

[00:13:27] opportunity to participate and live independently. And whereas the City of Fairfax ensures that older Americans have the resources and support needed to stay involved in their communities, reflecting our commitment to inclusivity and connectedness. And whereas the Fairfax City Young at Heart Senior Center at the Green Acres Center offers numerous and varied activities such as pickleball, book club, bingo, knit and crochet, day trips, and other programs for all active older adults.

[00:13:57] And whereas the Fairfax Village in the city supports the city of Fairfax older adults and adults with disabilities who wish to stay independent while remaining at home and with sharing useful information, strengthening personal connections between neighbors, and providing opportunities for social interaction.

[00:14:16] Whereas this year's theme, Flip the Script on Aging, focuses on transforming how society perceives, talks about, and approaches aging, it encourages individuals and communities to challenge stereotypes and dispel misconceptions. Now, therefore, I, Catherine S. Reed, Mayor of the City of Fairfax, do hereby proclaim May 2025 is Older Americans Month in the City of Fairfax.

[00:14:40] And I call upon the community to join me in recognizing the contributions of our older citizens in promoting programs and activities that foster connection, inclusion, and support for older adults. Who's speaking? All right.

[00:14:58] Go ahead. Hello, everybody. I'm Jason Skadron. I'm the Village Coordinator. I manage a program in Human Services called Fairfax Village in the City. And I just wanted to share a story about a village member and an organization called Rebuilding Together.

[00:15:16] And I want to get this right. Rebuilding Together is a national network of 120 local nonprofits who work with corporate and community partners to mobilize skilled volunteers for home repairs at no charge to low-income homeowners.

[00:15:32] Their primary focus in helping homeowners is health and safety. And so I had a member contact me about a loose handrail and a ceiling fan that fell to the ground. So my first step was to connect with our community response team to look at these dangers.

[00:15:51] And the fire marshal joined us and unwired, disconnected the wires from the fan and capped them. I informed her of rebuilding together and provided her with the application. And she applied and was accepted for their assistance.

[00:16:11] And on April 26th, it's National Rebuilding Together Day. They inspected her house first, came out. Nine skilled volunteers replaced her handrail and replaced the ceiling fan with a light fixture.

[00:16:26] But they did more. They replaced a handrail by the deck, a handrail by the driveway, a threshold that goes from the kitchen to the basement, replaced the ceiling, the light in the kitchen so it's brighter, a bath railing, what else do they do, on the dryer vent.

[00:16:47] So needless to say, she was thrilled with all these improvements that took place in one day. And so in conclusion, it's just an excellent example of our human services department helping an older resident to continue to live in their home safely and independently.

[00:17:08] And as we like to say age and place. So thank you, Mary Reid. Thank you. Anyone else? Please come up and speak. Good evening. I'm Barbara Smith. And on behalf of the Young at Heart Senior Center Advisory Committee, and I just lost my notes.

[00:17:23] When you're older, you have to have notes, just so you know. I want to thank the mayor and the city council for recognizing May as Older Americans Month. Many of our seniors have served in the government, private industry, and or the military. And some are still working right now, and some are volunteering in their community.

[00:17:41] We come from different backgrounds and sociosomatic status, and many of us enjoy the camaraderie of participating in the activities and programs at the Green Acres Center. We appreciate the city for recognizing us today. Thank you.

[00:17:56] Okay, I'm now looking for the Fairfax City Economic Development Office

[00:18:32] and all of those involved in Fairfax City Small Business Month. Where are my Small Business Month people? Hello. Hello. Here you come. Here you come. Da-dum, da-dum.

[00:18:48] Right. I'm seeing my people.

[00:19:01] Whereas, small businesses are the backbone of Fairfax City's economy, contributing to our community's unique character, vitality, and prosperity. And whereas, nationally, small businesses account for 99.9% of all U.S. businesses and employ nearly half of the private workforce, underscoring their critical role in driving job creation and innovation.

[00:19:30] And whereas studies show that for every dollar spent at a small business, approximately 67 cents stays in the local community, supporting other local businesses, public services, and neighborhood development. And whereas the city of Fairfax is home to a vibrant mix of locally owned retail, wellness, and experiential businesses that enhance the quality of life for residents and visitors alike.

[00:19:52] And whereas Fairfax City Economic Development, in partnership with the Central Fairfax Chamber of Commerce and the Old Town Fairfax Business Association, have launched a month-long initiative throughout May to celebrate, support, and showcase Fairfax City's small business community.

[00:20:09] And whereas this initiative features a series of activations designed to encourage shopping local, engaging with wellness and experiential offerings, and giving back to the community through weekly donation opportunities at participating businesses that benefit local nonprofit organizations.

[00:20:26] And whereas this collaborative effort underscores the City of Fairfax's commitment to fostering a thriving small business ecosystem and building a more connected, compassionate, and economically resilient community, now therefore I, Catherine S. Reed, Mayor of the City of Fairfax, do hereby proclaim the month of May 2025 is Fairfax City Small Business Month in the City of Fairfax, and urge all residents and visitors to support local businesses.

[00:20:54] take part in the month-long programming, and contribute to the non-profit causes that reflect the spirit and generosity of our city. Remarks? You said it so well already. Thank you so much.

[00:21:09] I would again like to recognize our partners in this program, the Old Town Fairfax Business Association and the Central Fairfax Chamber of Commerce. I would like to also thank our amazing team.

[00:21:27] It does take a team to put this on from Joy Riot. Thank you so much. Hopefully many of you start to recognize them around town. They are helping us support our small business community in many ways throughout the year. These seasonal programs that ask for our residents and beyond to come into the city and support these businesses that really are the backbone of what makes Fairfax City such a special place to live and visit and experience. We are thrilled to support them in this way. We're thrilled

[00:21:59] they choose Fairfax City as their home. And as you saw just a moment ago when the OTFBA was up here, you know, they really do big things and make huge impacts on our community. So I would thank the entire small business community for participating in this and helping to promote themselves, essentially. I would also ask that you consider to attend, consider attending the Fair on the Square that's happening on May 31st. We will run from 11 a.m. to 3 p.m., where we have 13 different businesses coming to showcase their offerings. There'll be fitness classes, there'll be

[00:22:38] pop-up sales happening throughout the day and we'd love to have you come check that out and if you want to know anything else about the program you can visit shop Fairfax City that's ffxcity.com

[00:22:52] thank you okay then a picture right now members of our city's police department for recognition

[00:23:33] of national police week come on down see you all hope somebody's back just leave an ad officer

[00:23:49] All right, then. Whereas, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the City of Fairfax Police Department.

[00:24:14] And whereas, since the first recorded death in 1786, there are currently 24,000 law enforcement officers in the United States who have made the ultimate sacrifice and been killed in the line of duty. And whereas the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C., and whereas the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 37th Candlelight Vigil held on the evening of May 13, 2025.

[00:24:53] That's tonight. And whereas the candlelight vigil is part of National Police Week, which will be observed this year, May 11 to 17, 2025. And whereas May 15th is designated as Peace Officers Memorial Day in honor of all the fallen officers and their families, and U.S. flags should be flown at half-staff.

[00:25:14] Now, therefore, I, Catherine S. Reed, mayor of the city of Fairfax, do hereby proclaim the week of May 11 to 17, 2025, is National Police Week in the city of Fairfax and publicly recognize the service and sacrifices of the officers of the city of Fairfax Police Department and all communities across the nation.

[00:25:34] And before I turn this over for remarks, I will just say the citizens in this community love their police department on so many levels. They serve us so well through their community presence, the bike team, the many ways they've innovated how to engage with the people who live, who visit the students who live here.

[00:25:59] What I hear all the time is how amazing our police force is. And I am rightfully proud to not just recognize them because it's the day to recognize them, but because they are a jewel in the crown of what our municipal government does in our community.

[00:26:16] Thank you. And on behalf of the police department, I'd like to thank our community, our mayor, and city council members for recognizing this week, not only at a national level but at a local level as well. Obviously, this honors all of the fallen officers throughout the country and the world who have lost their lives.

[00:26:33] It also recognizes the families who are impacted every day by that loss. So thank you for recognizing that at our city level. Importantly, I'd like to recognize our squad that's standing behind me. Unlike many people tonight, they will not go home after the meeting.

[00:26:49] They will be working until 7 o'clock in the morning. They'll be responding to emergency calls for service. They'll be dispatching calls. They'll be patrolling the city. So I'd like to thank our officers, but also all public safety employees in the city to include our firefighters and our dispatchers who are also here all night with our squads who are working. So thank you to you all who do an amazing job every day. And again, thank you for

[00:27:13] recognizing us this week. Thank you for everything. Before we start our agenda, I want to take a point

[00:28:27] of privilege to share with those in the chamber and those at home the contents of a letter that I received yesterday from the Department of Transportation. It was addressed to me as the mayor of Fairfax City, the chief elected official for the city, and it is regarding UPC 112816 George Snyder Trail.

[00:28:49] Dear Mayor Reed, at the six-year improvement plan SYIP public hearing held at the Northern Virginia District Headquarters on May 8, 2025, various testimonies were given by residents about the proposed George Snyder Trail project.

[00:29:06] Testimonies indicated either to move forward with the project to construction in its approved alignment, UPC-112816, or in an alternative alignment that leverages existing pedestrian facilities per April 2022-2025 Fairfax City Council meeting.

[00:29:26] As my staff had previously advised the City staff, the proposed alternative alignment is a significant deviation from the Commonwealth Transportation Board, CTB, funded project and would be considered a new project. After careful consideration and evaluation of current circumstances, it has become apparent that providing a time extension to the end of the year is no longer viable. We request that the City reach a decision to either cancel the project or move forward with the approved project by June 30, 2025. Should the City of Fairfax decide

[00:30:02] to cancel the project, this does not prevent the city from applying for future funding opportunities and implementing a trail project that satisfies the city's needs. Please keep in mind, if the project cannot be completed in accordance with the executed agreements by VDOT and the City of Fairfax, project expenditures to date are subject to payback.

[00:30:25] Also, the canceled project's unspent allocations cannot be transferred to other city projects. the unspent allocation will go back to the I-66 concession fee balance entry account. Please let me know if you have any questions or if we can provide additional guidance in this matter.

[00:30:40] Sincerely, Bill Cutler, Northern Virginia District Engineer, C.C. Monica Backman, NVT. Since I know there are people here that give testimony tonight, I wanted to start by simply reading that communication we received yesterday.

[00:30:57] At this time, I think we will move forward with the agenda adoption. Is there a motion to approve the agenda? I move to approve the agenda as presented. Is there a second? Second.

[00:31:12] The motion has been made and seconded a roll call vote. Council Member Amos? Aye. Council Member Hall? Aye. Council Member Hardy-Chandler? Aye. Council Member Peterson? Aye. Council Member Bates? Aye. Council Member McQuillan? Aye. Motion passed unanimously. We'll go to the initial general public comment.

[00:31:29] I had 15 speakers sign up by 5 o'clock p.m. today. I will call up the first speaker, Mariana Fournier. You know who I am?

[00:31:51] I'm not going to bother introducing myself. I'm going to ask you a question. Now, the letter you've just read, what are the options we have at this point? Because I usually need to see something visually in order to be able to process it.

[00:32:13] Are we being asked to cancel the whole shebang, or are we going to be able to go forward with what I thought was a pretty good alternative?

[00:32:32] This is a question I think we deserve to have answered. There will be a work session on this following the meeting. Okay, so you are not going to make any decisions tonight about the GST Trail.

[00:32:55] Okay, because I came here tonight to speak and say I think the alternative trail was our best option.

[00:33:11] But on a more cheerful note, I've also come forward to give a thumbs up for a wonderful employee of the city who gave me exemplary service.

[00:33:30] When I called a while back and I said, we have the meetings and I go back to listen to make sure I've got it all right, but there's no closed captioning.

[00:33:48] I said, for those of us who have certain impairments, like auditory discrimination, closed captions are a godsend. Well, today I called up to speak.

[00:34:06] And who did I get on the phone but Casey Clark? And she says, oh, I was going to call you today. I got a hold of the company and we figured out what the problem is. And there is going to be closed captioning on the taped meetings.

[00:34:24] To those of us who are members of the hearing impaired and learning disabled groups, auditory discrimination is horrible. This is my idea of meeting the needs of the population that lives in Fairfax City.

[00:34:47] So when you hand out, I got to go. Thanks, Kelly, Casey. Our next speaker is Bill Fournier. Good evening.

[00:35:05] I'm William Fournier, living at 10134 Spring Lake Terrace. The small area plans have near-term goal for adding 5,000 dwelling units in the activity centers. That would result in adding 10,000 people to the population of the city.

[00:35:29] That's a 40% increase. In the small area plans, there are a number of maps that show new mixed-use buildings that are up to nine stories tall.

[00:35:48] The recent major development plans have 250 dwelling units in mixed-use buildings. As you know, the first floor is commercial, and the rest of the stories, up to nine stories, is residential.

[00:36:10] Two people per dwelling unit would result in doubling the city population. Just think about what the impact on transportation would be, and not to talk about the costs for schools, the police, and fire services.

[00:36:33] The small area plans have problems. They are flawed, and they have errors. One of the things that really is flawed is that the Home Depot and Lowe's gets demolished in order to make way for new mixed-use developments.

[00:37:02] Planning and redevelopment is necessary for the city. You just look at the eyesores that we have, the Fuddruckers on Chainbridge Road, and the two restaurants in Courthouse Plaza on Blenheim Boulevard.

[00:37:22] Tomorrow there's the open house for talking about what is being planned for zoning changes. I think that the zoning change effort is not well understood.

[00:37:42] I ask this council to make sure that zoning changes provide for good redevelopment, are not by right blank checks, and are understood by the people. And I ask that the residents become informed about what these zoning changes could mean to the city.

[00:38:03] Thank you. Our next speaker is Val Morgan. Hi, again.

[00:38:29] Well, the last time I was here, I thought there was a 6-0 vote, but it seems to turn into zero. I'm hoping that we decide to cancel this project because I'm just thinking it's going to cost us more money getting through it then it's going to cost us to give back, not to mention how valuable those trees are.

[00:38:59] The trees are more valuable than whatever we have to give back, leaving them upright and helping our creatures other than us. The bird population is in serious decline.

[00:39:15] For example, I usually see a lot of catbirds, and they're called that because they meow. I've hardly seen any. And the more we do what some of us would like to do to the George Snyder Trail, which is destroy it, the more we're impacting on the rest of the creatures that keep us alive.

[00:39:40] Because when all of the little things go, so does everything that's bigger than the little things. For example, there's a saying, no bugs, no us. So we need to keep these things in mind, and we have perfectly good streets nearby to use for bicycles and walking and not decimate the George Snyder woods. Thanks.

[00:40:18] Our next speaker is Ellen Pence. My name is Ellen Pence, and I live at 3211 Adams Court.

[00:40:42] I am speaking against the building of a road through Stafford Park. Those of us who oppose this road have been called the minority in this conflict. We are not the minority. We are not just the nearby residents.

[00:41:03] We are a group of environmentalists who do not want a small urban forest destroyed. I worked for several years with other environmentalists on the Mother's Day Climate Committee. I also worked in the year 2007 to save these same trees, the same trees that are standing now.

[00:41:25] And we saved them in 2007. This is not my first rodeo. I am concerned about trees in a city that is being paved over. We have also been called NIMBYs.

[00:41:43] We are the opposite of NIMBYs. We want the bicycle trail to remain exactly where it is located, on Cardinal Road. You can adjust it however you like. No land needs to be disturbed.

[00:42:01] No electric lights need to be added. They're already there. It is already ADA compliant. It is already maintained by the city. We love seeing bikers on Cardinal Road.

[00:42:19] The stream restoration has been extremely shocking to us, even though we were expecting it. The removal of so much vegetation and so many large trees has been scary. We can see that the trees located right above the restoration now would be the ones that would be brought down by this massive operation to pave a roadway. We know that members of the staff are working against us. It seems that staff members are running the show instead of the elected council.

[00:42:53] That isn't right. All members of the council should have been attending meetings with VDOT. All of you should have been attending the meetings with VDOT. Please don't try to hide things from us.

[00:43:11] The truth will eventually come out. Recent Arbor Day celebrations in the city have been downright hypocritical. Planting a symbolic tree or two is embarrassing. Thank you.

[00:43:30] Our next speaker, Steve Welke. Madam Mayor, Assistant Council, good evening.

[00:43:48] Thanks for giving me time. I'm Steve Welke. I live at 10130 Carbon Mill Road. And this won't be new information. I sent it via email to all of you. Thanks to those of you who responded. I really appreciate you taking time to do that. And so I just wanted to share it here also publicly.

[00:44:09] My family's lived in Mosby Woods for 28 years. And during that time, Fairfax City has been a lovely oasis for the DMV. Recently, partisan politics have destroyed that loveliness. After a number of stream renovations over the years, the most recent effort is a total disaster.

[00:44:31] The soothing woods that welcome residents and guests are now gone on one side. What a travesty. Over 500 mature trees gone forever. Who thought that was a good idea? Now I hear that city council is being pressured, thanks for sharing the letter, Mayor, to make the other side also a travesty, removing over 600 mature trees and more.

[00:45:03] There are existing safe routes for cyclists and walkers already in place that do not require exorbitant spending or ecological devastation. This must not happen again. Now, to the letter that you read, I would just say, making a decision under ultimatum pressure never is a good idea.

[00:45:26] You all talked last meeting, came up with a better option. Please go with that decision. Better to not throw good money after bad. and finally i just say please do hear the citizens that you represent thank you our next speaker shelly vance i'm shelly vance i live in cambridge station on april 22 you voted unanimously to pause the current george snyder trail alignment plan so that you and staff could explore less

[00:46:01] destructive trail alternatives the council voted to give staff until december 31 to examine and design alternatives and VDOT apparently went along with this month's long extension. Thank you for your support to find a less destructive alternative. Your decision is verifiably backed by the general public as demonstrated by two recent petitions on the subject of the GST. The accessibility for all petition is supported by bicycle advocates. It has garnered 217 signatures. The other is the

[00:46:38] Save the Trees, Make Roads Safer for Bikes petition, and is supported by environmentalists and homeowners, among others. It has garnered 2,758 signatures. The one in favor of a less destructive configuration has more than 10 times the support. Now we hear that VDOT has, in just the last few days, abruptly brought the date forward from December 31 to June 30, with what amounts to an ultimatum. Build as designed or pay back \$3.7 million of concessionaire funds.

[00:47:16] Might I suggest a program that could be a source of some of the returned funds that may be required? Recently, residents in each city single-family house and each townhouse have learned that they will be required to take two 64-gallon rolling trash carts this September. This may please many of these households, but where was the outreach to townhouse communities that were built on small courts that are essentially parking lots and that have no garages or driveways? Just as with the lack of outreach on the George Snyder Trail, there has been no public engagement of these stakeholders

[00:47:56] on this trash cart program. As far as I can tell, no HOAs were contacted, surveyed, or involved in feedback. For townhouse communities without garages and driveways, there is no place to conveniently

store these behemoths. Rolling them from enclosed back patios along rear walkways of slate pavers and gravel down to the end of the block of houses, then up hills, stairs, steps, and down curbs to parking lots will be next to impossible. Even then, they will be placed where

[00:48:31] sanitation workers must hoist them overhead to get them between parked cars without scratching them. The city could save some \$95 per cart, which is the going rate at Home Depot, for any household that has no garage and wants to decline them. You are our elected officials. Please postpone any vote on the George Snyder Trail until at least May 27th meeting so that you have an opportunity to put action to your unanimous vote from April 22. Thank you. Our next speaker, Sarah Pease.

[00:49:11] Good evening. My name is Sarah Pease, 10209 Shiloh Street in Mosby Woods. I grew up in Mosby Woods. I owned a townhouse for 25 years in Cambridge Station, and I've been back in Mosby Woods for the last 15 years. When I lived in Cambridge Station was when they built the park behind Freddy's and Hooters, and at one point they wanted to clear cut the trees all the way back to the apartments. And it was stopped. Thankfully, Gary Rasmussen, a resident of Mosby Woods, was a city councilman, and literally forced the city council to go walk the property and see

[00:49:46] what the destruction would be. When that happened, suddenly we were getting play-by-play for every sporting event and band practice at Fairfax High School. And I think my friends in Cambridge Station will tell you, we have a wonderful band at Fairfax High School. But I come to talk to you today, you know, every day now I drive in and out on Fairwoods Parkway and I see the destruction of the trees on the right. Last night I took my dog for a walk down into Cambridge Station. It's the first time I had seen just the extent of the destruction of the woods down there. And it was heartbreaking. And I understand it was for the creek restoration. There was a reason for it.

[00:50:25] I don't see a reason for destroying the rest of the woods between Mosby Woods and Route 50. There are alternatives. They've been proposed. They've been voted on. But I want to talk about a separate reason besides the environmental one. I want to talk about the safety issue. Right now, if you talk to a lot of the women in Mosby Woods and a good chunk of the men, we won't walk behind patients first. It's dangerous.

[00:50:47] People have been approached. They've been accosted trying to walk through there. I love to bike ride. I have been riding my bike down Route 50 to the entrance to the Lake Akating Trail right there at Harley-Davidson for years. But I'm not comfortable doing that anymore ever since the guy got murdered right at the entrance and his body tossed in a dumpster.

[00:51:07] I actually feel safer riding on Route 50 all the way down and across Blenheim onto behind Home Depot. And I've even had trouble back behind Home Depot with people reaching out and trying to grab you. I'm just telling you, I actually feel safer riding on Route 50 than I do in the woods.

[00:51:27] And so I don't understand. And the people I've talked to in the neighborhood, they all say the same thing. I grew up playing in those woods. We played football in those woods. We played hide and seek. You know, the Methodist church on university, by the time that thing gonged five o'clock, that last bell went off, we all knew we had to be home because we all played in the woods.

[00:51:46] Nobody goes in those woods anymore. It's just not safe. So I ask you tonight, please, please consider the alternative and don't destroy the few woods that we still have left. Thank you. Our next speaker is Jeb Mann.

[00:52:05] Jeff Mann, 9744 Cardinal Road in Cambridge Station. I think it's the first time I've talked to this council.

[00:52:24] And thank you for the opportunity to talk to you guys. It's a really ridiculous thing to even think about messing with the last stand of hardwood forest that we've got in the city. The alternative that was, I think, Shelley said on 22 April that has been talked about is less expensive, easier to maintain.

[00:52:48] It's already there. It's something that we can all agree on is just a better alternative. But the smokescreen that VDOT has proposed with that letter is something that is open to negotiation.

[00:53:05] If people in the council can go to VDOT and talk to them, this is something that can be worked out, and I'm sure it's something that's not going to be this horrible deadline that they say we have in that letter.

[00:53:22] I think that there are many people on this council who could figure out how to work within that confines of that last-moment letter. I just wanted to tell this council that, or ask this council to think and act with your gut.

[00:53:41] Think about what's going on. Think about the people that you represent. And I think the opposition to this whole thing is larger than you might imagine. And it's pretty relentless because I feel like I've been doing this for years. but uh i want want to reiterate to this council that it's the the staff that serves the council the staff doesn't serve itself the staff doesn't serve the mayor the staff reports to the council and when you guys have something that you need to find out about dig and dig deep and find out

[00:54:20] until the facts are there there's too many smoke screens and letters at the last minute and that kind of thing that have been going on with this project forever heck it was started during covid when nobody was around and nobody was even asked to be there and then boom it was ramrodded down everybody's throats and that's why we're here today um you guys are i shouldn't say you guys i should say you council people are very intelligent wonderful uh citizens that are

[00:54:52] trying to help fairfax city save the last stand of hardwood forest think about less expensive easier to maintain alternatives than this thing that is going to be 40 times worse than the steam stream restoration. That's steaming along right now. Thank you. Our next speaker, Sophie McNeil.

[00:55:20] Hello, my name is Sophie McNeil. I live at 3417 Newbury Road and I thank you guys for letting me speak tonight. As I said before, I don't quite support this trail plan and as said in a work study the other week, only 18% of tree canopy will be lost with the combined George Snyder Trail Plan and the restoration.

[00:55:49] Well, that's a lot. And mind you, I've actually worked on restorations before, and I have never seen one as horrific and destructive as the one going on in Mosby Woods right now. That's, it's horrible. We can't go about this talking numbers making it sound like a mere 18%, because that is a lot.

[00:56:08] and it's unfair to just try and quantify the environmental and ecological importance that comes out of an old hickory forest like the one that's under threat on the east side of this plan. 18% of canopy is a lot and I mean just from the restoration we're seeing all this destruction and that's not even 18% so just imagine what can happen with this plan and as a council member said last work session that I attended, we are suffocating the wildlife. If these precious animals dare step foot outside of the forest fragments that we allow them to exist in,

[00:56:45] they're dead. And who are we to dictate this? Who are we to allow something to just live? It's not fair, and we need to cancel this plan. I mean, when we take away these beautiful and important forests, we're removing these safe and educational spaces for our youth.

[00:57:01] As I've said before, and as a woman just said, we remove these spaces. Nobody's going to grow up understanding the importance of the environment. Nobody's going to get to the point where I have playing in these forests, learning about them. You know, the best way to learn is right there in the field.

[00:57:21] And, I mean, there's numerous reasons as to why these plants need to be canceled. We've come up with alternatives on our own as a community. And I thought that we were getting to a point where we would see kind of hope on this.

[00:57:36] And I just urge the council members, like I know you stand with us, environmentalists and community members, please, I urge you to have our backs when it comes to this vote. Thank you very much. Our next speaker is Janice Feather.

[00:57:55] Hi, I'm Janice Feather, and I live at 4411 George Mason Boulevard. The Willard Sherwood Community Center is a much-needed asset for our city to invest in. Green Acres, the current site, is woefully inadequate, is not accessible via the Q bus, and is an aging building that is costing too much to maintain.

[00:58:21] In addition to adding a very attractive, useful, and flexible wellness and fitness facility for current and future city residents, the Willard Sherwood Center will add new and improved resources for health care, child care, performances, and meetings to our community.

[00:58:38] This is a unique and wonderful opportunity to pool our funds with those of Fairfax County to build such a facility. I'm very interested in supporting this project with my tax dollars, and I sincerely hope that this council will not stand in the way of its development.

[00:58:57] The George Snyder Trail has many well-organized and very vocal opponents. It also has many less well-organized and, sadly, two quiet supporters, and to paraphrase an earlier one, I actually think the support is larger than you imagine. We do need this trail.

[00:59:16] We do not need to continue endangering cyclists by forcing them to share busy streets with too many inattentive and impatient drivers. We have already invested much time and money in this trail, and staff has lined up extensive external financial backing for it. I fail to see the benefit of potentially adding a 3.7 or 3.9 million dollar cancellation penalty to those costs just to wind up with nothing. Some of you know my maiden name is Mueller and in fact I am

[00:59:50] related to the naturalist John Muir who inspired our national park system. I like nothing better than being outdoors. I love hiking. I love trees. I love nature. I support a healthy urban forest. I also support replacing non-native and unhealthy trees and vegetation.

[01:00:09] And yes, there will be an immediate change to the existing nature along the stream, but with the promise of exceptional long-term benefits for both people and nature. Please do not cancel this project. Finally, I am grateful for our dedicated city employees who work tirelessly to make our city a great place to live.

[01:00:30] The very least we can do is respect them and pay them fairly. Thank you for not cutting the staff recognition lunch, even as you cut the recommended pay raises. In my long career, I managed staff in

both large corporate and small nonprofit environments.

[01:00:49] I would have been as shocked to hear someone in those settings as I was to hear someone here tell staff they're just lucky to have a job. Thank you. Our next speaker is Judy Frazier.

[01:01:10] Hi, good evening. First, I want to thank you all very much for your vote at your last regular meeting to hold off on the George Snyder Trail bidding process until further alternatives had been fully explored.

[01:01:28] The community truly appreciated you opening the door to some discussion, to a better solution. Now, per the letter that the mayor has provided all of us tonight, it is clear you're being pressured to slam that door shut. Have you yet been able to discuss any options together as a group or with VDOT? I haven't heard of anything. The public hasn't heard of any discussions of alternatives. And if the time frame is going to be even more expedited, that has to happen quickly. I don't know why there's an arbitrary deadline. I don't know of any reason for the funding to have that kind of deadline.

[01:02:05] because nothing else in the concessionaire funding package has that kind of deadline. So that seems to be quite unusual for this, unique to this project. So I would say if you cannot find a better compromise, you have to consider cancellation. And I disagree with Mrs. Feathers that \$3.7 million or however much that you'd have to pay, you get something very important. You get the woods.

[01:02:33] You get the woods preserved from destruction. You get the woods to continue on as they have been for hundreds of years, protecting that stream and protecting the animals that live within it. And also, I have to talk a minute about money because it's not my normal topic, but I do think that there are better options that are lower cost. We can also, there was a speaker, a regional trail guy who was talking about how important this trail was and how neglectful the city was to not provide part of the Cross County Trail. It's terrible biking through our city because it's dangerous.

[01:03:13] on the Cross County Trail. And I'm like, why are we responsible for building the Cross County Trail? Why is the city of Fairfax required to pay all this money to maintain and keep a trail going for the regional bicyclists? Why do we have to be burdened with it? The WNOD Trail is paid for by a regional group that represents like you know several million people why are we on the hook for doing this segment of the of the regional trail and why should we not only sacrifice our woodland for for these folks but also to add insult to injury have to pay for all the expensive maintenance.

[01:03:53] and the safety issues will also be our liability when people try to cross Stafford or Fair Woods without intersection controls that will be on us when a tree falls across a million dollar bridge on us. That bridge over on Route 50, Arlington Boulevard, Bear Run Branch, that was just built.

[01:04:12] last year, \$3.8 million. A lot of money. Thank you. Our next speaker is Beth Iannetta. Good evening.

[01:04:35] My name is Beth Iannetta, and I reside in the Westmore community at 10916 Berry Street. I'm a 16-year city resident, and I've spent the entirety of my 25-year career in local government in planning, land development, transportation, and parks. I registered to speak tonight to comment on the actions taken on April 22nd that canceled one trail project, paused another, and put a third in jeopardy. These actions were added to the agenda at the last minute with no advance notice.

[01:05:04] I learned of them well after the fact. My grandfather, God rest his soul, loved to debate anything and everything with anyone. The most intriguing nights were between him and my other grandfather at the dinner table. Those two could not and would not agree on anything. It taught me a very valuable lesson that served me well in my career as a public servant. Without question, you will win every argument that you do not invite the opposition to take part in. But what it will cost you is your integrity and your trust from the people that need to have it for you to serve

[01:05:39] your role. I do not approve of the manner in which those projects were handled, and I hope such disregard for open discussion is left out of the political playbook of this council moving forward. I've emailed several of you tonight on the council regarding my support for the George Schneider Trail, and I encourage them to share the opportunities that this trail can provide between both opposing parties of this argument.

[01:06:02] Thank you for your time. Our next speaker is Clark Adams. Good evening, Mayor Reed, City Council members.

[01:06:22] Thank you for your time. I've emailed all of you and probably won't revisit most of what I wrote. I'll just share this. Recently, our community, the community of Fairfax, not Mosby Woods, the community of Fairfax, was informed that the George Snyder Trail was potentially to be further extended through the woods of one of the few beautiful tree-lined areas left along Fairfax Boulevard.

[01:06:50] I remember, I've lived here 20 years, and I remember the city planning sessions and the green Fairfax and the tree city Fairfax, and almost every decision that has been made in recent years seems to fly in the face of those representations and broad, integrated plan.

[01:07:09] This includes the walkability, the rideability. Numerous environmental groups, community groups, public safety officers, and city organizations all rose up together quickly, organically, in order to highlight the unnecessary destruction this would cause.

[01:07:27] We spoke to our elected leadership in unison, trying to protect what makes Fairfax so beautiful. I have asked each of you at some point, if you have not already, because my understanding is that you do not live in the community most impacted by this, please go take a look at what has happened with the restoration project for the Akatink Trail and look at how it looks like a strip mine.

[01:08:01] When you drive through communities in West Virginia where they just took the top off the mountain, that's what it looks like when you drive into what was once a beautiful community. Imagine that's your community. Imagine that's your community of Fairfax, not where you live, but where you visit, where your friends are.

[01:08:22] Consider that. Consider that the blue herons that used to fly around those streams are gone. They were there, and now they're not. And now consider that the George Snyder Trail extension, which others have spoken so admirably about as to the safety issues, and they are not made up.

[01:08:44] Talk to your public safety officers. We have a fantastic police force. Ask them how much work they have to do to police the visible sections of the George Snyder Trail now. Now, wipe out the last section of trees in the front of one of your communities.

[01:09:02] Make it dark. Make it invisible to those police organizations. And then ask, when you're already having a surge of the unhoused coming down the George Snyder Trail to its terminus, to get alcohol at the

ABC store, then passing out, and then passing out in the woods.

[01:09:24] Ask how it's a positive thing to have the bikes not in an area where it's safe, secure, and instead running through the woods in a dark place when we've already had a surge in crime.

[01:09:39] Thank you. Not to mention the environmental impact. Thank you. Thank you, Mayor Reed. Thank you, Council. Our next speaker is Mark Dreyfuss. Good evening, Mayor Reed, members of the Council.

[01:09:55] I'm Mark Dreyfuss. I live at 9919 Colony Road in Daniels Run Woods, and I've heard a lot tonight, and what bothers me about what I've heard is that as far as I'm aware, there is no comprehensive plan amendment on the table. This trail has been on the plan for at least probably two decades, if not longer.

[01:10:16] This is not something, the staff has been working on this for years. This is not something new. It's not something that appeared out of thin air. It's something that your staff has been working to implement based on previous council actions for years.

[01:10:34] Now, based on this letter here, we are looking at a \$3.7 million budget hole. That's more than 1% of the city's budget that we're going to have to cover for nothing. We're getting nothing out of it.

[01:10:51] Now, somebody mentioned that we get woods out of it, and I'm a huge fan of that. I would love to find a way. And I know that some of you went and talked to VDOT and looked for every possible way to solve this. But now VDOT is saying, well, either build the project or give us our money back. So as a taxpayer, I'm looking at this and saying, well, gee, I don't really want to spend my tax money to build nothing. But I also want to echo the words that were provided by a previous speaker about how this was all brought about. I would like to know when the public meetings are happening, the official public meetings, where the public is invited to come out

[01:11:31] and provide their input into this. There are these meetings, but there has not been, as far as I'm aware, a meeting to discuss this or the connector trail that was summarily dismissed or the picket road trail to look at how those all interact and what the responsibilities of this council to make sure that they're hearing every voice. So I know you all are up here trying to do the best that you can. And I know you all have knocked on doors and you're listening to people and there's people coming out here, but that's not the same as going out and making sure that you're getting feedback from all of the people who live in Fairfax City.

[01:12:07] So I'd appreciate your consideration as you move forward. And if we can not lose \$3.7 million, I would strongly encourage that. Thank you. Our next speaker is Katie Johnson.

[01:12:23] Katie Johnson, Spring Lake Terrace. The previous speaker, I'd like to say, the George Snyder Trail has been on the books for decades.

[01:12:44] It was originally planned as a \$200,000 stone dust trail that, for the most part, it already exists. I'd also like to agree with him. The public meetings, we weren't invited in the beginning. We weren't notified. We've asked consistently and met with city officials.

[01:13:02] We spent two and a half hours with Rob Stalser, the previous city manager, explaining how we weren't invited to the original conversation. So we agree on a few things. I'm going to read a little bit of my letter that I had written you guys for the public.

[01:13:19] I'm here to ask you to please make the hard decisions to save our forest, even if we must repay the \$3.7 million. dollars we have some great um we will gain a hundred acre preserve that's can five parks continuous in that is absolutely necessary i've always believed that the city of fairfax could be an eco destination we have some pretty special places that should be protected and preserved and if managed correctly could bring people into the city rather than bypassing through our woods the council has shown persistence and diligence and has already made hard choices and worked by

[01:13:53] collaboration to come up with our budget. We are asking to make more hard choices. We are asking you to roll back decisions from previous councils that wasted both financial and natural resources. We are asking you to choose to listen to the people you represent. My thoughts on the George Snyder Trail alignment. Everyone agrees Fairfax Boulevard is unsafe and unpleasant for cyclists and walkers, yet that is where our kids walk every day to and from school. The route through the woods allows the cyclists to bypass our businesses. How many businesses have already come and gone at .50? I am sure every business there would appreciate being a cyclist destination. Fairfax Boulevard bicycle

[01:14:33] redevelopment is on all of our city plans, comprehensive small area and bike Fairfax. And why do we continue to look to the same company that misrepresented the NEPA document, the same company that is set to make millions of dollars off the project for answers to our questions. This is a clear conflict of interest. Our own city paid expert, our urban forester, has said the eastern portion of the trail, the forest is at capacity. When do we listen to her?

[01:14:59] The citizens of the city of Fairfax value our trees. We value our biological forest. We do not get a second chance in protecting and preserving these special places and all the functions, including, but not limited to, the carbon capture, the stormwater management, and the habitat for our wildlife. How much more can we take from our remaining wild spaces? Please do not rush a vote.

[01:15:22] Please explore all options, even the hard ones that may lead to a repayment of funds spent. They do not justify moving forward with an ill-conceived project that bypassed and continues to bypass community engagement. Thank you. Our last speaker, Susan Kyler. Good evening. I'm Susan Kyler of Cambridge Station. I'm here to talk about the George Snyder Trail. Proponents of the staff

[01:15:59] designed GST argue that if we do not move forward with the full through the wills build, the city will be required to pay back about \$3.7 million of the I-66 concessionaire fund grant. The \$3.7 million did not come out of city NVTa or VDOT coffers. That is, it was not from taxes. What proponents will not tell you is that the \$3.7 million is negotiable. With all the expensive projects still on the table, the Willard Sherwood Center, the new fire station, etc., which are going to require financing, that is require more debt borne and serviced by taxpayers, the council and

[01:16:37] staff should be able to find \$3.7 million. And if they cannot, the negotiated repayment could be refinanced, could be financed, and this didn't move forward with a more practical and less expensive alternative. It is important to compare life cycle costs of the through the woods build with the alternative design concept developed by council member Peterson and public works director David Summers. The through-the-woods build will require significant construction and have significant ongoing maintenance costs, including pavement, boardwalk, retention wall, and concrete

[01:17:11] maintenance, more police patrols, voluntary removal, etc. The alternative is essentially a sidewalk improvement project for Fairfax Boulevard and Eaton Place. It takes advantage of existing rights of way and requires less construction, less maintenance, and fewer police patrols because police already

patrol these roads. It is also safer because it is well lit. The \$3.7 million is a drop in the bucket compared with the through the woods trail construction and maintenance costs and the unnecessary environmental damage caused by the project. Shortly before he died, our long

[01:17:46] time and highly respected Mayor John Mason sent the mayor and council a letter that said that he had never seen so many residents upset about a project. He said that the public outreach was inadequate and that the project is too expensive and destructive and urged the council to go back to the drawing board. Some argue that the proposed design alternative concept in opposition to the Through the Woods trail is political. It is not. It has always been about the environment and protecting our scarce wildlife habitats. If you think 3,000 signatures or certainly are about on a petition to save our green spaces is a lot, just wait till you see residents

[01:18:23] shamed to trees when the bulldozers roll in. I urge you to defer any work on putting together the bid for the Through the Woods trail until at least May 27th. If not, I urge you to sell the alternative, I mean sell the alternative design to VDOT or cancel the project. Thank you.

[01:18:40] We can move to the consent agenda. Is there a motion to approve the consent agenda? Council Member Hardy-Chandler? I move adoption of a consent agenda. Agenda item number 7A consideration of the April 22nd 2025 regular meeting minutes.

[01:18:59] Agenda item number 7B consideration of a resolution to establish a safe streets for all steering committee. Agenda item number 7C consideration of an award of construction contract in the estimated amount of \$375,628 to Environmental Quality Resources, LLC, for sanitary sewer encasement, bank stabilization, and stormwater outfall restoration within the Del Lastina tributary.

[01:19:27] I move to approve the consent agenda items 7A through C and the motion accompanying the consent agenda as printed. Is there a second? I have a second, but I'd like to ask also that item B be pulled out of the agenda. Which one?

[01:19:43] Consideration of a resolution to establish a safe streets for all steering committee. C, so B. Okay, a motion has been made by Council Member Artie Chandler, seconded by Council Member Peterson, and we are pulling 7B out for additional consideration.

[01:20:04] A roll call vote on the consent agenda minus item 7B. Council Member McQuillan? Aye. Councilmember Bates. Aye. Councilmember Peterson. Aye. Councilmember Hardy-Chandler. Aye. Councilmember Hall. Aye. Councilmember Amos. Aye. Motion passed unanimously for 7A and C. 7B is the consideration of a resolution to establish the Safe Streets for All Steering Committee. I'm going to recognize Chloe Ritter, Multimodal Transportation Planner for the staff report.

[01:20:31] Good evening mayor and council the item before you this evening is a resolution to establish the steering committee for the safe streets for all project, so the safe streets for all project is a safety action plan pedestrian plan and old town Fairfax circulation study three projects in one that is funded by the safe streets for all grant from the federal government and Partially funded by that and the steering committee is one part of the public engagement Process for this for this plan it is one of the required elements of a safe streets for all action plan And so we're looking for feedback and guidance on

[01:21:09] establishing that committee that will meet throughout the course of the project to Help develop and monitor the progress of the plan development for all three plans We will be coming back to the council with a much more in-depth discussion on July 1st to talk about more about the plan goals and plan

background But at this time, we're just simply looking to establish the committee so that we can start working on the public engagement process.

[01:21:34] That concludes my staff report. I'm happy to take questions. Are there questions? Council Member Peterson? Just a couple quick things. On the list of the eight organizations from which the reps will be drawn, was there any reason not to include the Environmental Sustainability Committee on that list?

[01:21:56] So I think that we were looking to identify committees that would represent safety-related projects. We could add another committee or we could add another organization, but we do want to make sure that we keep the committee at a reasonable size because our consultant has recommended that we keep this committee size between 10 and 12 people.

[01:22:13] 10 and 12. Yeah. And we've got eight now. We have eight organizations, and then we would have two residents that we would like the city council to appoint after we seek applications for that process. So currently it's proposed at 10.

[01:22:29] Okay. Understood. I would just note, having chaired the ESC for a couple years, that there was a lot of intersection between streets and safety and environment and what have you, and it became an increasingly active part of the agendas and discussions that the committee had.

[01:22:47] In fact, one of the observations the committee had is that it needed to add representation and emphasis on transportation issues, And this, I think, would be worth considering doing if it's possible. Certainly, if that's the will of the council, we can amend the resolution to include that.

[01:23:04] Thoughts from the council on adding the Environmental Sustainability Committee member, Councilmember Bates? Let me ask you this.

[01:23:21] Does this pertain to any off-street trails, or is it entirely on-street or adjacent to streets? We haven't really scoped out exactly what we'll be looking at, but I can say that our primary focus for the pedestrian plan is looking at sidewalks and intersections and crossings.

[01:23:43] You know, the existing trails that we have in the city are certainly part of the pedestrian network, but it is a little bit of a higher-level plan looking at where our priorities are for improving pedestrian connectivity and pedestrian safety. So we're not going to get into the details of any individual projects, but similar to the bicycle plan, we will be identifying priorities for future projects.

[01:24:06] Well, as I recall, when we set up the Housing, Health, and Communities Advisory Board, kind of the rationale was to have, you know, as big a variety of different perspectives from different specializations as we could. And I think that to that end, I'm leaning toward going with an additional ESC representative, but open to other thoughts.

[01:24:30] Councilmember Amos. Just quickly, I did that. I do see that there is just a lack of environmental perspective when it comes to this list, so I'd be amenable to that. Is there a reason why 10 was selected? Would there be an issue going to 11, or is 10 to 12 a fine range? It was a fine range. I mean, it was a range.

[01:24:46] I'm just trying to keep it at a size of a group that can be productive in a conversation. Okay, understood. Councilmember Hull? Yeah, I think that committee specifically has a history of not being

brought in until the end on certain things, so I think it would be proactive to include them. I would agree with that.

[01:25:02] Thank you for the suggestion. Anyone else? Councilmember Hardy-Chandler? So is it contemplated that people who are members of these other groups would have a dual appointment, or would they send a representative to the steering committee?

[01:25:19] How would that work in terms of the commitments of the members? So we would be asking each of these organizations, City Council, Planning Commission, all of the organizations, to identify a representative. So they're still a member on their own committee, or they're still representing their own committee, but they would be attending meetings.

[01:25:36] And I'm thinking it's probably like six or seven meetings throughout the course of about 18 months to advise on various steps of the project. So I'm not sure if that answers your question. Okay. Any other comments? Council Member Peterson.

[01:25:53] Well, no, I appreciate everybody's thoughts and support. Air quality and climate change, among other things, runoff, et cetera, are all pretty significant environmental issues. and transportation occupies the majority of our inventory for air quality and greenhouse gas emissions when you look at the proportional role of sectors. So it's a really important sector in terms of what's happening in the air. But then, of course, runoff is a major issue as well. And so I think it's great just from that perspective. Just one additional maybe clarifying question here.

[01:26:31] this is for the development of an action plan, is that anticipated that the consulting organization then will act, I see the consulting organization hasn't been designated, will they be actively facilitating this plan or is that going to be done by staff? We've hired the consultant to facilitate the plan and to develop the plan and we were overseeing, the staff is overseeing the consultant as they develop the plan and bring input from a lot of different sources. And that's great to know. I haven't been involved and I'm not familiar with the firm. I would just observe that it would be important to ensure that that firm has facilitative capacity so that

[01:27:10] specifically for the development of a stepwise action plan, they have the capability to go through a stepwise process that also not only can enable collaboration from this set of representatives, but this is an example of something that I think also would be of interest to the community, and so I would hope and expect that there would be broader public opportunities both to observe and to participate in the activities of this, and going back to the consulting organization, it would be helpful to know that they have that capability and that that's the scope of work and the work plan that's involved here.

[01:27:48] I don't know if you can clarify any of that now or that's in the realm of follow-up, but I think it's relatively important to ensure that we have the kind of openness and participation that people have expressed a desire for. Yeah, so public participation is a substantial part of this project, looking at, again, all three plans.

[01:28:06] We don't have a firm set of strategies that we've committed to at this point. The consultant is working on developing some of those ideas, and the consultant will be here on July 1st at the work session so we can have a more in-depth discussion about what those public engagement processes look like and what the facilitation process looks like.

[01:28:23] I would just maybe add to that, and I'll look forward to that discussion. to council member hall's comment about the need for one of the representative organizations to be brought in early i think that is a general need we have for the public and for all the representative boards when you go through an action planning process you want everybody involved early from the very beginning to avoid a situation where you reach some later stage of it and then you open it up that misses the opportunity for people to collaborate and co-develop so i would

[01:29:00] hope that we would be focused on those early-stage collaborative opportunities that build everybody in right from the very beginning. It sounds like we have a consensus on the dais to pass this, so I need a motion with the amendment added to the motion. Council Member Hardy-Chandler?

[01:29:19] I move to approve the resolution establishing the Safe Streets for All Steering Committee and the proposed process to designate membership to include environmental sustainability.

[01:29:35] A representative from Environmental Sustainability. A representative from Environmental Sustainability. Second. Okay, we have a motion by Council Member Hardy-Chandler, seconded by Council Member Peterson, a roll call vote.

[01:29:51] Well, before we do that, this includes, I'm not sure how this becomes a part of this decision, whether it's merely the minutes to capture this and that's sufficient, but I do think it would be helpful to ensure that we have further conversations about the public involvement uh process that's involved here that's built into this so i'd love to have some assurance that we'll be able to go back and look at that and be sure this is structured in a way so that people can get involved early and work together yeah the intent is that will be part of the discussion on the july 1st work session um again we're developing the public engagement plan now so

[01:30:27] we don't really have any details to share but that is definitely the intent of that discussion thank you a roll call vote council member mcquillan aye council member bates aye council member peterson aye council member hardy chandler aye council member hall aye council member amos aye motion passed unanimously we will go to the public hearings our first one is a public hearing and council action on a request from veronica flores eliana's child care llc applicant for a a special use permit pursuant to city code section special use permit pursuant to code section

[01:31:03] 110-6.7 to allow for a daycare home for a maximum of 12 children in accordance with the city code section 110-3.5.5.d.8 on the premises known as 10941 Bird Drive and more particularly described is tax map parcel 57-3-05-h-002 i'll recognize savannah newburn from the berkeley group to

[01:31:36] provide the staff presentation good evening good evening council i'm newburn senior planner with the berkeley group planning consultant for planning and community development department first we'll be hearing a special use permit application for the daycare home eliana's child care LLC in summary in summary this request is to increase the existing child care day home the day care home from 7 to 12 children and here is an

[01:32:16] aerial image of the property and the zoning district it's residential high zoning the proposal does comply with all standards of the ordinance and it is in compliance with the future land use map as well this area is designated for single-family dwellings in the future and currently accessory uses and daycare homes are permitted as but through special use permits for this zoning district so staff does recommend approval for this increase from 7 to 12

[01:32:51] children and if council has any questions we're glad to hear it but here are the conditions we recommend with approval. That being that the applicant obtain all state licensing, that the facility shall remain the principal residence of the operator, that the maximum of 12 children allowed will be limited by the number of on-site parking spaces, which does comply with the ordinance requirement of two additional spaces for up to 12 children, that no outdoor play shall take place before 9 a.m., and that the special use permit is not transferable.

[01:33:31] Okay, but if the board does have any questions, please let us know. The applicant is here, and we're happy to answer. Thank you. I will open the public hearing. Ms. Shinneberry, has this public hearing been properly advertised? Yes, it has. Does the applicant want to make a statement?

[01:33:49] The applicant is happy to answer any questions if needed, but does not need to make a statement. Okay. Is there anybody in the room that would like to speak to this item? I had nobody sign up prior to the meeting. Okay, I will close the public hearing.

[01:34:05] Counselor, are there any questions of the staff or applicant? Councilmember Amos. Only one question. It's probably going to be for both applications. I wasn't sure if it was in here. Were there any code compliance reports or any issues that were raised? No, and these homes are existing businesses, both of them, and they are regularly inspected.

[01:34:28] Well, not just code compliance. My apologies. Police as well. Just anything in general, noise, ordinance, violations, anything like that. Okay. Well, when we review these applications, they're routed through all departments of city staff. And so Human Services was aware of this application, and we received no feedback to the negative that this property and its current business were not in compliance.

[01:34:52] Okay. Any other questions? Council Member McQuillan, then Council Member Hall. How many total parking spaces do they have right now? Do you have right now? So the residence has a garage, and it has two exterior parking spaces, and there's photos of the driveway.

[01:35:11] If you look in the application, you can see it shows there's currently three cars at least parked in the driveway outside of the garage.

[01:35:34] Okay. Councilmember Hall? That was it. Okay. Not a question specifically for either of you, but just a note to zoning is that I would like to take note of the 9 a.m. for outdoor play, and I disagree with that. I think if we're going to be out there doing gas-powered mowers and things like that earlier, that there's no problem for children playing.

[01:35:53] So I'd like to maybe direct staff to look into that when we do our noise ordinance conversation later. Thank you. Thank you. Okay, Council Member Peterson. And this will also be a question, I think, for both applicants, and just curious to know whether you have received any concerns from neighbors or anybody else about this and whether you've had an opportunity to chat with folks to determine whether or not they might be concerned. So as you know as part of the special

[01:36:29] use permit process we do notify applicants and in the past when I mean notify adjacent property owners and in the past when they've received these letters and they've had concerns they will reach out to me and I received no written or phone call concerns from property owners that were notified about this special use permit council member Aquila this is probably more of a question for staff the understanding is that the the 12 limit is due to the parking spaces is that correct 12 is the maximum that is allowed in a daycare home in the city of Fairfax awesome thank you

[01:37:06] and then I too want to echo the sentiments of councilmember Hall 9 a.m outdoor play I would be happy to waive that as well if that's even a possibility we have children who leave their homes to go to school very early in the morning and I hear them walking to the bus stop so if we can do that as long as there's not been any but I too would be in support of that so that is a condition it's not a code requirement it's just a condition that's been attached historically to these types of applications for decades so it is at council's discretion if they wish to strike that thank you

[01:37:44] and I just want to comment especially as we get into the summer months it gets very hot and so getting the children out early sometimes is actually the healthiest thing for them. So that's, again, I just wanted to add my comment. Thank you. Any other? Council Member Amos. Just to be brief, I know previously we touched on reviewing this special permit process in general for home daycares.

[01:38:12] I would still like to revisit that. I know we were a little preoccupied with the budget and some other stuff, but wanted to bring that back up. We should make this process easier for people. All right. Any other questions? Or Council Member McQuillan and Council Member Bates. This is a question for staff.

[01:38:29] How much does it cost for this process to apply and to get the special use permit? I would give an answer, but I would like to not be incorrect. It is actually just over \$500.

[01:38:45] I believe the fees are unchanged with the adopted budget for this coming year, but I'd have to look at the budget. I'm not 100% sure, but it wouldn't have been a sizable change. Okay. And then the timeline. So from the time someone applies till they come to this point, how long does that take?

[01:39:04] Both of the applicants that you'll hear from tonight went through very long back and forths with the city. And I know that that probably came at great frustration, but there were a lot of kinks to work out among city staff departments in the review process, including codes compliance and misunderstandings about the definition of a daycare home versus a daycare facility and potential code requirements for the Virginia State Building Code that's gone through changes in the last couple of years.

[01:39:34] So that's just an example of one issue that had to be ironed out and took time. So both of these applicants approached the city to begin this process last fall. Thank you. Council Member Bates. Thank you.

[01:39:51] Just putting this out there, if we wanted to kind of summarily expand the outdoor play hours from 9 a.m. to, you know, an earlier time. Could we summarily do that for all other similar permits as well, or would we need a hearing for each one or, you know, hearing for all of them?

[01:40:16] How would that work if we wanted to do that? So the short answer is no. We could look at changes to, again, these are conditions. This is not in the ordinance itself. So certainly for these applications and for ones going forward, you could change it, but you can't just prospectively change it for every existing daycare operator.

[01:40:36] I believe some of the permits still expire, or are they all on, they're all perpetual? Okay. We can look at that, get back to council. Don't have an answer for you tonight on that. We can stick a pin in that for further discussion.

[01:40:52] Council Member Hardy-Chandler? Just for clarification, I think somewhere in the packet it said it's a new business, but it also said there are currently four children. So for Ms. Flores' business, she

currently has seven, and they're expanding to 12. So the difference in licensure for the city of Fairfax and the state of Virginia, you trigger a special use permit when you have five or more children.

[01:41:17] So if you see locations in the staff report where it refers to increases from 4 to 12, it's because of the change in the permit classification from a city permit that is by right versus the special use permit. Okay, that's very helpful.

[01:41:32] is the increase being requested because of an increase in demand so you have the capacity to thank you so much and thank you for what you're offering our community and it it does clarify in the staff report that in a you know in accordance with the goals of the city increasing the availability of childcare is a positive aspect of this case.

[01:42:13] Councilmember McQuillan? I just want to comment, having been in that position where I was looking for daycare and there were two-year-long wait lists around me, the home daycare ended up being a lifesaver for my family.

[01:42:30] So in-home daycares are very, very in need in this area. It's very hard to find somebody that has availability. So, I just wanted to put that out there as my experience. Thank you. Thank you. Okay. Any other further comments or questions?

[01:42:47] Okay. Is there a motion, Council Member Hardy-Chandler? I move that the City Council approve the request from Veronica Flores, Eliana's Child Care LLC, an applicant for special use permit pursuant to City Code Section 110-3.5.5.d.8 to allow the expansion of the applicant's home child care operation to 12 children as an accessory used to a single family dwelling in the RH residential high zone district on the premises

[01:43:18] known as 10941 Bird Drive and more particularly described as tax map parcel 57-3-05-H-002 with the following conditions. One, the applicant shall obtain and maintain all required state licenses required for providing care for 5 to 12 children.

[01:43:40] Two, the facility shall be the principal residence of the operators of the family daycare home. Three, there shall be a maximum of 12 children allowed per current number of on-site parking spaces. Four, outdoor plays shall not take place before 9 a.m., or I guess before then.

[01:43:58] The special use permit shall not be transferable to any other operator. Is there a second? A second, but as we go into discussion, I will just retrieve one question, if I might. Certainly. A motion's been made by Council Member Hardy Chandler and seconded by Council Member Peterson.

[01:44:16] Is there discussion on the motion, Council Member Peterson? Well, we have two council members that raised the 9 a.m. issue. I'm not sure whether there's anything we can or should do through this motion to address that or not, if this is a matter to be separately addressed that's fine but if there's something we do as a part of this now i'm certainly supportive of these two requests that were made so as of right now nine o'clock would be the time so if there's a desire to change that make it earlier then now would be the time to do it through an amendment or however you'd like to do it are you making a

[01:44:52] motion to amend the motion i am making a motion to amend the motion but i need help doing that from council members hall and mcquillen to determine whether that's 8 a.m or what the uh hour of worship is council member hall i'd like to make a motion that we amend the outdoor play time from 9 a.m

to 8 a.m which i believe is in is consistent with um the other types of outdoor activities that can occur second okay um so we have an amended motion council member hardy chandler

[01:45:33] No. You have an amendment on the floor, but rather than do a roll call, maybe you can just do it by acclimation and then go back and vote on the main motion. Okay. So, all in favor of making this amendment to 8 a.m., please say aye. Aye. Any nays? Okay, it's unanimous. This is amended.

[01:45:51] Main motion. So, now we need a motion. Roll call vote on the main motion as amended. Roll call vote on the main motion. Council Member Amos? Aye. Council Member Hall? Aye. Council Member Hardy-Chandler? Aye. Council Member Peterson? Aye.

[01:46:05] Council Member Bates. Aye. Council Member McQuillan. Aye. Motion passed unanimously. We'll go on to the next public hearing. Thank you. Our next public hearing is public hearing and council action on a request from Maria S. Unda Perez and parents Learning Tree Bilingual Montessori LLC applicant for a special use permit pursuant to city code section special use permit pursuant to code section 110-6.7 to allow for a daycare home for a maximum of seven

[01:46:37] children in accordance with the city code section 110-3.5.5.d.8 on the premises known as 3936 Providence Place and more particularly described as tax map parcel 57-4-03-037. I'll recognize Savannah Newbern from the Berkeley Group to provide the staff presentation. So similarly to the case you just heard this is a request for an expansion of an existing daycare home due to parking constraints on the site the maximum that the

[01:47:16] applicant is eligible for is seven children at this time an additional parking space would be required to go from seven to twelve so this is the SUP would be to allow for up to seven children at this daycare home here is an aerial image of 3936 Providence Place a photo of the home's exterior and an aerial image showing the zoning district as well this site is also RH residential high similarly the future land use designation is single-family

[01:47:54] detached and this use is compliant if board has any questions about the conditions the these match the prior case and so i would just identify that it appears you would like to change it from 9 a.m to 8 a.m i'm going to see if thank you for your time city council initially we apply i mean it's been a long time since my first initial contact with the sunning

[01:48:31] administration which was in august 22nd and it's been a lot of work for us it was a lot of work for us to get somebody to show us how to do all this paperwork and I'm really thankful for Savannah that she was our point of contact after initially contacting Mr. Barricade who was the Sony administrator. He showed us how to do the drawings and everything but I mean for your average person you don't know how all of this works you know and that was my case but initially our plan was to

[01:49:05] have 12, the permit up to 12 children, but since they require us to build two additional dry, I mean, extended driveway for two more vehicles, which we already have a long driveway, which has the space for basically four medium-sized vehicles. So I didn't get that point of having two more spaces. So that's why we chose to have up to seven children.

[01:49:37] But I would have loved to have up to 12 children, but unfortunately that was the decision at this point. But our goal is to have 12 at this point. So that's what I just wanted to say. But it was a lot of learning for us, and I wish the process would have been a little bit easier.

[01:49:59] But, again, thank you. Thanks to Savannah that helped us throughout the process. So thank you. Thank you. I will open the public hearing. Shinnaberry, has this public hearing been properly advertised? Yes, it has. Is there anybody in the room that would like to speak for this item?

[01:50:19] Okay. I will close the public hearing. Counselor, are there any questions of the staff or the applicant, other than the fact that I think we all have a consensus about the 8 a.m.? Councilmember McQuillan, other thoughts? Yes. What are your current, or you guys are currently running a daycare right now there?

[01:50:38] Yes. My mom is currently running with an assistant. She has the permit through the county of up to four children. And what are your current hours for drop-off and pickup? The current hours are between 7 a.m. for pickup.

[01:50:57] So we only have three families, two of them. One family has two children. So basically, we only have two vehicles that arrive at our home between 7 and 9 a.m., they call. How often are both vehicles there at the same time for drop-off at the same time or pickup at the same time?

[01:51:18] They are never at the same time because one family could come at 7, the other family would come at 8. That's depending on their work hours, I believe. And how long have you been at this residence and how long has this current daycare been running?

[01:51:34] so uh the house we lived there since 2016 and then my mom had the permit since 2018 but she didn't she was uh she wasn't she didn't have any kids at that time but because of the pandemic she operated and she's been running it with kids since last year uh june of last year thank you are there any other council member amos uh i and i think this goes to your point earlier because we were just gonna just follow up any reported issues from neighbors police

[01:52:11] code compliance all good all comments that were raised during the routing and review by city staff were resolved so there are no outstanding comments for this application and there there were no issues with code compliance we're gonna make this easier for you don't worry councilmember Peterson just to confirm this as a principal residence and not a rental yes yes the applicant is also the owner of the property wonderful thank you okay councilmember McQuillan so just some confirmation again the reason that we didn't or that the 12 children were

[01:52:50] not approved was due to one parking space that is correct thank you the requirement of the ordinance at this time even though as the applicant stated the children in the neighborhood are able to walk to the daycare home okay other questions comments councilmember Hardy Chandler so it seems like there was just some initial confusion around the improvements around the driveway right and that's been clarified yes upon approval of the special use permit the one additional parking space will be installed before the additional children up to seven begin receiving

[01:53:28] child care thank you okay if there's no other questions or comments and i think we are going to wrap the 8 a.m outdoor play will be wrapped into a motion council member hardy chandler oh yes council member mcquillan i did want to discuss with council and staff is it is this also a possibility where we might be able to discuss um an exception to that the increase of only seven as we understand the logic behind that reasoning was because of one parking spot but as

[01:54:07] we've heard um and just based off of experience we tend we know that a lot of families tend to have more than one child and will use the same daycare provider. Is that something that we can discuss

and possibly amend the motion to include up to 10 children versus the seven? So I don't know what was discussed at the staff level prior to this coming this evening, although Sutphin is coming forward, but the ordinance says what the ordinance says and there's no application for an exception. You can't just simply add that as part of the motion from the

[01:54:43] dais. And you can imagine, while this is a relatively straightforward case, you can imagine in a lot of land use cases, doing that from the dais might be problematic. So the general answer is no. They've worked with our zoning team to fit in an additional spot that could be constructed if the special use permit is approved. But given the tight dimensions of the property and the lot coverage and setbacks, there really wasn't an additional area that could be identified for a second space for going to 8 to 12 children on the site.

[01:55:17] And unfortunately, as Mr. Lubkerman has said, the criteria of the code has to be met unless a special exception is applied for, which is a significant additional fee of \$600 for an applicant in this kind of a case. It is something that is, I think, very worthy of review if we do open up the child care provisions and look at maybe making this a by right use with standards versus bringing these in as a special use permit every time i think looking at all of our standards is the way to go

[01:55:52] certainly one option if the city attorney gives you the nod is perhaps the motion could be read that it could accommodate up to 12 if they figured out a driveway situation or if the parking standards were to change at some point um so they wouldn't have to come back but it's just an option well i would love to be cooperative the city attorney's not in favor of that so we'll have to find another way to do it i i understand the desire and i understand the worthiness of this but uh creative but no i was just going to clarify for with jason's point it

[01:56:28] would be if they were able to provide all of the required parking spaces and be in compliance with the ordinance as it's written today i think that was the condition he was proposing so that even so and not to take any more time apologies but um i think we can commit that we will continue to look at this property this application and see if there's a way we can get this done if they're able to meet the requirements without having to come back for further action before the council but we can't promise that but we understand the spirit in which the questions are being asked right so we need to stick a pin in this to look at whether the ordinances and the requirements

[01:57:03] still make sense or whether there needs to be but if they're if if if changes are made they should apply to people going forward who come before us and so we'll we'll put a pin in this application but i think we just need a broader look at the ordinances and the requirements and the process for everyone councilmember hall um is it possible that if let's say they could get this sorted out the next six months or so that we could potentially avoid charging any additional fees for them to come back and and be reassessed through the same process is that an opportunity generally

[01:57:42] no but i will add that as a sub question for us to look at as we look at trying to help them get up to 12 if they can meet the other requirements okay thank you okay now are we ready for a motion council member hardy chandler i move that the city council approve the request from maria unda perez learning tree bilingual montessori llc applicant for special use permit pursuant to the city code section 110-3.5.5.d.8 to allow the expansion of the applicant's child care

[01:58:22] operation to seven children as an accessory used to a single family dwelling in the rh residential high zoning district on the premises known as 3936 providence place and more particularly

described as tax map parcel 57-4-03-037 with the following conditions the applicant shall obtain and maintain all required state licenses required for providing care for five to 12 children to the facility shall be the principal residence of the operators of the family daycare home three the

[01:58:59] special use permit to increase the number of children cared for to a maximum of seven children shall not become effective until improvements are made to the driveway to add one additional parking space for outdoor plays shall not take place before 8 a.m 5 the special use permit shall not be transferable to any other operator is there a second second a motion's been made by council member hardy chandler and seconded by council member peterson is there any discussion on the motion seeing none a roll call vote council member mcquillan aye council member bates aye council

[01:59:35] member peterson aye council member hardy chandler aye council member hall aye council member amos aye motion passed unanimously we'll go on to the last public hearing the public hearing and council action to endorse an application to vdot for transportation alternative funding and council action to endorse applications to vdot for revenue sharing funding i'll recognize wendy sanford transportation director to provide the staff presentation good evening mayor members of the

[02:00:10] city council um chloe ritter and i are here this evening to discuss funding applications for both transportation alternatives and revenue-sharing funding in terms of our agenda for this evening we will discuss the the projects that we are recommending for funding first it's to apply for the remaining funded funding needed for three existing projects and then an application to apply for funding for one new project the fund the projects that we are speaking about this evening were all approved for evaluation in the FY223 two-year program. And so they're all shown in red outline

[02:00:48] here. And the projects that we are speaking of other than Norman Avenue sidewalk, which we'll speak about at the last project, have all been, we applied for the funding for those last year, received partial funding. So what we're requesting this year is to submit for the remaining funding that we need for those three projects and then additional funding, I'm sorry, new funding for norman avenue sidewalk project this map that is on your screen shows just the location of all of the projects that we will be discussing um and so here we are this is our funding timeline um as we we've discussed this before i'm actually not sure if i've been with this council to discuss it

[02:01:24] so i'll just review it very briefly what you see um is a two-year application cycle the odd years are shown um on the on the horizontal axis of on the top and then even below so where we are right now is May right here is where we are. And so the application periods are opening for these funding sources. The applications are due in the fall. The way that VDOT does this now is that there is a pre-application that is open for about a month and a half now, and then they close it, they screen in the projects, and then there's a full application cycle. You have to submit during

[02:02:02] pre-application to then be able to submit for the full application. So we are here before you this evening to discuss what we are intending to submit for the pre-application, of course after a resolution of endorsement, and then if they get screened in, we would then go ahead and submit the full application.

[02:02:18] So you can see here we're coming at the very early part of these open application periods. And as I mentioned, all of these projects were approved in a prior two-year program, not the two-year program that you all just approved a few months ago. And so we have gone through these early steps on these other projects.

[02:02:37] and in fact we'd already been to step six where we were city council endorsed these projects this was done at the last funding cycle and again we received partial funding but we are going to revisit the projects this evening since this is a new city council and we want you to understand the background of these projects that we are asking you to endorse then for a second time for funding at this point i'm going to pass it on to miss ritter thank you so since several of these projects are sidewalk projects i wanted to give a brief overview and maybe you've seen this information before a brief overview of how a sidewalk goes from a petition to this stage so

[02:03:12] currently we have a policy that allows people to submit petitions to request a new sidewalk where there is none and then we evaluate those petitions based on these criteria primarily looking at improvements to connectivity improvements to access what resident support looks like what the traffic safety looks like and then also consider sort of the constructability and cost issues. So we've gone through this with all of the projects that we're going to talk about tonight, where we've received petitions for each of these projects. We looked at them, and then we decided to put them on the two-year program based on our evaluation of how they benefit these different

[02:03:47] categories. So we'll talk about each of these projects very briefly. Again, the first couple of projects were on the previous two-year program, and we are partially funded. And so it's gone through the process to get to the funding application stage.

[02:04:03] And now we're looking to get the rest of the funding to complete the projects. So 1st and 2nd Street is a project to construct a new sidewalk on three blocks of residential streets on 1st Street and 2nd Street between Walnut and, I'm sorry, between Oak Street and Hallman Street.

[02:04:22] And it's a total of about 1,500 linear feet between these three blocks. And it would be coordinated with the Oak Street Sidewalk and Drainage Project on Oak Street, which is fully funded, but the 1st Street and 2nd Street sidewalk is partially funded.

[02:04:40] And so this just gives you a little bit more of a context of the area we're looking at. It is between Route 50 and Route 236, just as you're getting closer to Camp Washington. And there's existing sidewalks on several of these blocks, but this would complete a sidewalk network.

[02:04:56] And with this one, there's high residence support and moderate traffic safety benefits, okay? And as I said, this will be coordinated closely with the Oak Street pedestrian and drainage improvement projects, which is a separate project, but they do tie together.

[02:05:13] Both the stormwater improvements and the sidewalks will tie together at the corner of 1st Street and 2nd Street and Oak Street. And then these next couple of slides, I'm not gonna dwell on them, but they are included in the presentation from previous presentations, just so the public is able to see what the concept currently looks like um so there's the sidewalk on first street um on both side on both blocks will be on the north side of the street and there are sections where it comes

[02:05:45] out but we did seek to preserve on street parking where we could and then if you keep going i think on second street on second street um there's sidewalk on the western block but not on the eastern block in this neighborhood so we're looking at just one block of sidewalk on second street between walnut street and oak street on the south side of the street and then the next slide we did some we did have an open house and we had a public input process um well first we received a petition in 2018 and then we began the feasibility study and we had the open house in 2023

[02:06:22] and like i said there's a lot of resident support for these for this project about 98 of the people who either attended the open house or completed the online survey support the project and next slide. And so this is just a summary of the estimated cost and the funding that we have.

[02:06:41] So the estimated cost is about \$6.1 million, and that is in FY28. And currently, in the previous round of funding, we received \$1.8 million in revenue sharing funding, which is matched at 50% with 1.8 in local CNI funding. And so we are looking for an endorsement to request the additional 1.6 million dollars in revenue sharing funding with another local match to complete the rest of the project. The next project is the Dwight Avenue and Roberts Road intersection improvements and

[02:07:17] sidewalk project and this is it this project includes both an intersection realignment at Sager, Roberts, and Dwight as well as new sidewalk curb and gutter along Dwight Avenue between Roberts Road and Orchard Drive and that is about a thousand linear feet of sidewalk and as you can see here, this is a missing link of sidewalk between Roberts Road and Orchard Drive, and we have proposed to put the sidewalk on the north side of the street. And with this project, we found that there was a high traffic safety benefit. There is a lot of traffic on this road, and it's a very

[02:07:53] narrow road and no place for people to walk, and we have seen people walking just in the street on this road. So that's one of the major benefits of this project. We are also coordinating with the stormwater team. There is a separate stormwater evaluation going on in this area, and we are going to be looking to coordinate the design of this project with any other stormwater improvements to make sure that we're not duplicating efforts and to make sure that the stormwater development, stormwater design meets all the needs in the neighborhood. And then the next couple of

[02:08:30] slides to show you, again, are here for the public to be able to see what the concept looked like that we looked at a couple of years ago. The intersection of Dwight and Roberts, again, currently has a very skewed angle and it's set with this intersection realignment would realign the intersections that have separation and better sight distance.

[02:08:51] And then on the next couple of slides, there are pictures of the concept of where the sidewalk would be along the north side of the road. And again, on the next slide, this is the summary of the public engagement. Again, we received a petition. We looked at this and decided that we wanted to do the feasibility study we had an open house on July 2020 in July 2023 and we had an online survey as well and we received feedback from 21 individuals from 15 households and some of them were in the neighborhood and some of them as you can see on the map were on Dwight Avenue and the majority

[02:09:27] of the people who responded to the survey did support the project and then in terms of the cost estimate this project is estimated at 3.8 million in FY28, and we currently have about \$800,000 awarded in revenue sharing funds, which is matched with \$800,000 of local funds. So we're requesting endorsement to apply for revenue sharing to complete the project with an additional \$1 million of revenue sharing and \$1 million of local CNI funding to complete the project. The next project on the recommended funding list is the remaining

[02:10:07] funding needed for the North Facts East West Road this is the new roadway that would connect Cambridge Road to the stub on the University Drive extension what is proposed is shown on this on this slide here it includes a new roadway on street parking shared use pass lighting street trees and this would provide a connection this is what is shown in the North Facts small area plan as recommended to

complete the street grid in this area actually let me go back to slide one other time in addition um there would be a pedestrian activated signal across chambers

[02:10:43] road it would not be a full traffic signal but that was what is anticipated here is if when the pedestrian um hits the button it would stop traffic just enough to allow pedestrians it was looked at thoroughly as to whether or not we could stop vehicular traffic with a full traffic signal the distance between this location back to the main intersection of north facts is too small and the the concern is that there would be a queue too long of a queue in this area and that is why we are not recommending a full signal in this location but a pedestrian activated signal to encourage pedestrian movement across Cambridge Road in this location we had an open house in July of 2023

[02:11:18] to look at the project plans this open house was held at the Willowood complex we had 25 attendees and you can see the survey responses that were submitted there were a number of business owners there along Eaton and in the area as just in general we had most people strongly support strongly or somewhat support the project this project was submitted to the NVTa for funding and we actually received an updated cost estimate today and this presentation I think was was updated this one is not

[02:11:55] showing the updated number instead of 18 million for the total budget is now has been increased to 21 million. We received almost 13 million in NVTa funding last year, and so there's about a \$9 million need to fund the rest of the project estimate. That has increased over the \$5 million estimate that was according to the previous estimate. Is it, oh, it's the final one. I'm not

[02:12:34] quite sure what happened. Do you want to read for me? Our apologies. We updated the presentation when we had an updated estimate on this project, and so I am not sure. The one in Granicus is correct. Okay. So that is the one. If I could actually just pull that up, that would be really

[02:13:02] helpful. Can you just pull it up? Okay. My apologies for the delay. So the budget for this project with

[02:13:51] inflation out to FY31, which is when this project would be under construction, is approximately \$22 million. And you can see that there is a significant right-of-way cost associated with this project. As I mentioned, we've received almost \$13 million in NVTa 70% funding. There's approximate \$9 million need to fund the rest of the project estimate. We are proposing the two projects that Ms. Ritter spoke to and this project to apply for revenue sharing funding in the next upcoming cycle. Revenue sharing funding is state funding. It requires a 50% match, so it's a dollar for dollar match. Every dollar that we provide, revenue sharing provides another dollar. There's

[02:14:30] a biannual call for projects, and that happens in the odd-numbered calendar years. That's where we are right now. Allocations are made for future fiscal years. So we're looking at funding for FYs 29 and 30. There is a maximum request of \$10 million for that two-year period. And as I mentioned, pre-applications are due at the end of this month. And what we are recommending is the submission of the remaining money needed for Dwight Avenue, the remaining money needed for 1st and 2nd Street, and then the funding for Northfax East-West. And it's actually not even full funding that we need north facts east west because we hit that ceiling of the 10 million dollars and so what is proposed

[02:15:07] in total is shown on this slide um the remaining 1.16 for first and second streets the remaining 1.072 for dwight avenue and 7.77 approximately 7.8 million dollars of the 9 million that is needed for the north facts east west road the remaining of the additional funding to fund the project estimate would have

to be requested in the next funding cycle so that is what is recommended for revenue sharing we're now going to move on to discuss the Norman Avenue sidewalk which we are recommending for transportation

[02:15:46] alternatives funding and this funding application requires a public hearing and so I just wanted to clarify why this is under the public hearing item the transportation alternatives application requires a public hearing in order to submit the funding application revenue sharing does not however in order to not be confusing we want we felt like it would be best to have all of the funding applications under one item on the agenda but again the public hearing is for the for the ta project but we are asking for two separate resolutions of endorsement one for the transportation alternatives for norman avenue which we will speak to in a minute and then one for revenue sharing for the other three projects

[02:16:23] that we've already spoken to at this point i'll pass it over to miss ritter to speak to the norman avenue sidewalk project thank you um so i think you're all familiar with the norman avenue sidewalk project we were here not that long ago to talk about the public engagement and the concept so just a quick refresher this would be a sidewalk curb and gutter on the south side of Norman Avenue between the existing sidewalk that ends just near Hill Street and the Cambridge Road service road it's about 3100 linear feet and then at the Cambridge Road service road it would tie in with the Cambridge Road and Eaton project which is also building sidewalk on the service

[02:17:00] Road. And we are looking at modifying the curb and the landscaping buffer in some locations so we can minimize utility and tree impacts. So that map shows an overview. And then as I mentioned, this does tie in and will be coordinated with the Chained Ridge Road and Eaton Place intersection improvements and those sidewalk and shared use path improvements that are with that project. So this is just a refresher of the different alternatives that we looked at with the feasibility study and the recommendation that we've made for the sidewalk curb and gutter on the

[02:17:33] south side as having the most benefits and the fewest impacts. And then the next few slides I'm not going to spend a lot of time on but again for the public to be able to see it we wanted to just include snapshots of what the concept looks like on an aerial map. So just moving from west to east from Hill Street through Chambers Road. And then I believe you've seen this slide before as well This is just a reminder of the public engagement process.

[02:18:08] We did have an open house in February at Katherine Johnson Middle School and had a public comment, a period that was open through March 16th, and we had an engaged Fairfax page, and we put out the word through the city scene, A-frame signs in the neighborhood, letters mailed to the residents in the neighborhood, and numerous e-mail and social media posts.

[02:18:29] And this is a summary of what we heard. So, again, going back to the petition, we did receive a petition from the neighborhood which initiated the study in 2020. And like I said, we had an open house in February. 40 people attended that open house. And we received 81 survey responses from 61 different addresses.

[02:18:47] And the majority of the responses were in support of the project. And then we also received a couple of comments on Engage Fairfax that did not have addresses, which were mixed feedback. And then this is the current cost estimate for this project.

[02:19:06] So again, similar to the other project, The projects that you've seen, we do have a base estimate, and then because this is planned out for future years when the funding would be available, there is an

inflation to approximately \$10.2 million. And we are seeking endorsement to apply for transportation alternatives, which has a maximum application of \$2.5 million with a 20% local match.

[02:19:29] So we would be able to partially fund the project, but again, we would need to come back at a later date to seek application to fund the rest of the project. We'll turn it back to Wendy to talk about next steps. Thank you. So just to go over with the transportation alternatives program, this is a federal funding program, whereas revenue sharing is a 50-50 match, so dollar for dollar.

[02:19:49] This provides 80% federal funding, and there's a 20% required local match. And allocations are made in sooner years than for revenue sharing. These are made for the two subsequent fiscal years. So these allocations would be for FY27 and 28. And this has a maximum request amount of \$2.5 million.

[02:20:07] dollars we're requesting where of the federal funding and then and I'm going to go back to this other slide and the local match amount would be six hundred and twenty five thousand dollars having that three point one million dollars would enable us to do the engineering and all of the right-of-way with the funding that we receive through the TA funding and then in the next round of revenue sharing funding we would have this be our number one request to complete the funding for this project so what we're recommending for revenue sharing is completing funding for existing projects this would start the funding for Norman Avenue and then we would recommend completing the funding for that in the next round of revenue sharing funding and as I mentioned a public hearing is

[02:20:45] required for the application this is a summary slide showing what our recommendation is for the funding request for this project in terms of next steps it is to hold the public hearing for the transportation alternatives funding application and then the request before you this evening is to endorse funding applications for both the Norman Avenue sidewalk for TA and the revenue sharing application for the three projects, Dwight Avenue, First and Second Streets, and the North Facts East-West Roadway. That concludes our presentation. We'd be happy to answer any questions you may have. Thank you. Questions for staff? Council Member Peterson? Just to get my bearings

[02:21:25] on the North Facts East-West Road improvement, I'm looking at the photograph, and is this from bottom to top looking from north to south and north facts the developed area to the right is going west am i seeing that correctly yeah so what you see on the left of your stream this is chambered road right um and as you're moving from east to west this is the stub um that is right now um coming out from the roundabout that has already been constructed um over on university drive

[02:22:02] extension so when you go around the roundabout and then turn left there's a little stub that has already been built and so this would connect right to the stub it is right behind the hotel this is directly this is the hotel right here um the hotel which hotel i'm sorry the marriott residence inn great because i uh originally was looking at this thinking somehow that there was a best western but that's not where we are no we are directly across from the from northfax street previously known as Orchard Street. Got it. Okay. And then, so there's a lot happening in this

[02:22:37] stretch. Correct. On street parking, shared use paths, lighting, street trees. What does this look like? Just the shared use paths, for instance, what do they look like in the mix of all of this along with on street parking, et cetera? I mean, how wide, et cetera, et cetera. I believe they've been designed as 10 feet wide. That's what we're showing. So again, it is a wider footprint because of the shared use path and hence the right-of-way cost shown reflects that and the lighting and the trees are in between the path and the

street or on the other side how does that all um i believe they're in the where the area is shown as in the green buffer space there and i have more detailed

[02:23:15] concept plans that we have put together that i'd be happy to share with you great and then my last question just a quick comment with the uh 80 20 and we get a 20 local what is the source and Maybe this is something for our chief financial officer.

[02:23:32] What is the source of the 20? It is C&I funding. Got it. Okay. So what is proposed as the match for all of this, for revenue sharing and for transportation alternatives, is C&I funding. My last comment would just be back to the Roberts and Dwight intersection.

[02:23:49] Yes. I'm glad you're doing this. I am familiar with that intersection. It's a tough one. And I'm going to guess that this probably originated as some country roads that happened to find their way together. And we're now sort of figuring out how that really ought to look.

[02:24:04] Is that it's this has been a really difficult intersection. And actually, I really like the design and I'm pulling it up on the street. And what is shown here is actually moving the intersection, the main intersection that's going to have the stop control to where Dwight Avenue is. Right now, it's this very wide intersection, and everybody stops, and it's very difficult with sight distance.

[02:24:25] What will actually happen, if you're coming down Sager Avenue, so follow my finger, if you come down Sager Avenue, right now, you stop there. And those cars will continue to stop, but cars that are on Roberts Road will not stop there. They will continue. The stop bar is here. So this is becoming the main intersection.

[02:24:44] And so it provides better sight distance. It's pulling Dwight so that everything is hitting now at a 90-degree angle. And so it is improving the functionality and the safety of this intersection. And having been through that a number of times on my bicycle, what's that going to be like in the future, coming through on a bicycle?

[02:25:03] It would function the same way it does now. You would stop at the stop sign and you would turn and you would stay on the road the same way you do now. And are you going to be able to stop traffic if you need to with any sort of a crossing, or is this not a place that has one of the blinking lights or anything?

[02:25:19] This would be a three-way stop sign. And where the white lines are shown, those would be the stop bar locations. Fair enough. I ask because having gone through that a number of times, you all are absolutely correct. It's a little bit of an interesting place because cars kind of stack up.

[02:25:36] They don't exactly know what they should do next. And then you've got people, you know, on two legs and two wheels trying to figure out what to do in the middle of that. So I'm, again, happy you're doing this, but just looking forward to maybe what the greater detail looks like. It looks like it'll be a big improvement. Other questions?

[02:25:54] councilmember Hall I'm very much looking forward to a lot of these projects I will say as I said before I was the one who went out and got those sidewalk petitions I find it disheartening I will say that this whole project process takes 10 years from start to finish but I point that out for those that are going out and doing the sidewalk petitions continue to do it it's an important step it is worth it hopefully there will be some other funding that comes along in the future that will help us try to get to some of these a little bit faster, but I do also appreciate that it's

[02:26:31] not coming out of our operating expense budget to try to do these things, so thank you for the work that you're doing to get the additional funding. Council Member Hall, I agree that it takes a long time and it's difficult. There's not a tremendous amount of funding to fund local sidewalks, and that's the issue, and so our best source of funding for this is really revenue sharing, And unfortunately, the maximum that we can submit is \$10 million over a two-year period.

[02:26:57] And as you see, even one sidewalk project is \$10 million. So it's difficult. And I understand that the time lag is difficult. The folks on 1st and 2nd Street would have liked that sidewalk yesterday. Yeah, for sure. And there's no faster way to do this by calling it a shared-use path than just going wider, is there?

[02:27:17] Or is there? No, I mean, we're talking about local streets. And so that's the issue, is that it really wouldn't qualify for 70% funding or smart-scale funding. So we're really looking at these other sources of funding that would make any kind of improvement, regardless of what it is eligible on those streets.

[02:27:32] Okay. Quite honestly, I figure if there was funding, you would have found it by now. So I do appreciate that. And one other comment, and I think this is more for a zoning planning kind of conversation, But I do not think that as a city we are fully taking advantage of these renovations and home developments and things that are going on.

[02:27:53] And I do think that we need to find a way to essentially enforce or force those that are doing home renovations to put a sidewalk to nowhere, what appears to be to nowhere for right now. Because as far as I'm concerned, that's one less linear area that we will have to find funding for in the future.

[02:28:12] So I would like to see if we could consider adding that to a future agenda item or work session or wherever else that might go as most appropriate. Thank you. Other questions or comments? Okay, then.

[02:28:30] There are two motions the city council needs to take. Mayor Reed, we need you to do the public hearing. Oh, so I'm going to open the public hearing. I'm going to open the public hearing. Do we have anyone signed up? No, we had nobody prior signing up. Is there anybody that would like to speak on this agenda item?

[02:28:50] okay seeing no one i will now see i will now ask that um we have to we there are two motions that the city council needs to take action on is there a motion for the submission of one funding application to the transportation alternatives program for the northern avenue sidewalk project council member hardy chandler i move to endorse the submission of one funding application to the transportation alternatives program for the norman avenue sidewalk project is there a second yes i'm I'm going to jump in for you since it's my neighborhood.

[02:29:23] Okay. Thank you. A motion has been made by Council Member Hardy-Chandler and seconded by Council Member Hall. Is there any discussion on the motion? Seeing none, a roll call vote. Council Member Amos? Council Member Amos?

[02:29:39] Aye. Council Member Hall? Aye. Loudly, aye, aye, aye. Council Member Hardy-Chandler? Aye. Council Member Peterson? Aye. Council Member Bates? Aye. Council Member McQuillan? Aye. Motion passed unanimously. Is there a motion for the approval of the city's submission of the three projects, 1st, 2nd Street Sidewalks, Dwight Avenue Improvements, and North Facts East-West Roadway to the VDOT for revenue-sharing funding?

[02:30:04] Council Member Hardy-Chandler? I move to adopt a resolution to approve the city's submission of three projects, 1st and 2nd Street Sidewalks, Dwight Avenue Improvements, and North Facts East-West Roadway to the Virginia Department of Transportation for the revenue-sharing funding.

[02:30:20] Is there a second? Second. A motion's been made by Council Member Hardy-Chandler and seconded by Council Member Peterson. Is there any discussion on the motion? Seeing none, a roll call vote. Council Member Amos? Aye. Council Member Hall? Aye. Council Member Hardy-Chandler?

[02:30:35] Aye. Council Member Peterson? Aye. Council Member Bates? Aye. Council Member McClellan? Aye. Motion passed unanimously. We will move on to the second general public comment. Is there anybody in the room that would like to speak on a general item that is not on the public hearing item?

[02:30:54] You can come forward, ma'am. Please state your name and address when you come up. My name is Alyssa Axelrod. I live at 3233 Dunster Court in Cambridge Station.

[02:31:11] And I just want to speak about the George Snyder Trail. I said this once before, that we're recent people who just bought in the neighborhood last summer. And one of the things that attracted us so much as new residents was the tree-lined streets.

[02:31:30] And I recall putting up a mirror in my study to be able to sort of see out the window to the beautiful trees and in another room moving desks and things so I could see out to them. And that is lost with the stream restoration.

[02:31:49] At one point, I spoke to one of the stream restoration people and he said, you know, we are environmentalists and we are planting in replacement of the trees that are lost. Of course, that means we've lost some old growth, but nevertheless, there was conscious intent to work with the stream and also make sure that those trees were placed.

[02:32:11] And we've seen wandering deer at this point because of the destruction of the land from the stream restoration. But we can see the effort to restore. The George Snyder Trail doesn't feel right.

[02:32:29] It feels, it's not a big strip of land, and to pave it, seemingly, I like the idea of walking by the stream. If there's a gentler way to give the public access to the green areas, I'm for it. But all of this seems to require time.

[02:32:47] And my background is in experimental psychology originally. I'm a data scientist at this point. And the concept of sunk costs is one of those things that's really hard to resist. It's just something people know. And the idea that, you know, the whole, the idea of throwing good money after bad is a real thing. The urge not to give up money that's on the table, the urge to keep working at an idea that was in process is very fundamental to our nature. And so I understand it. But even the people who are for the George Snyder Trail are talking about not having been

[02:33:27] heard, not having had time to weigh in. And I think it's a really important thing to just take time. You know, I don't understand the VDOT pressure. I don't understand the processes at all. This is not my area of expertise. But don't yield to it. Think about it. Give time. Think through and come up with a solution that everybody will appreciate. Listen to the people who want the trail for what it is they want it for. So address those issues. Listen to those like us that want to make sure that the old growth forest is maintained to the extent possible after the stream restoration.

[02:34:03] Find a better way. Thank you. Is there anybody else in the room that would like to speak? Okay. We will now recess the regular meeting to go into a work session.

[02:34:19] We will take a five-minute recess to go into the work session room.

[02:41:42] Welcome back to our work session.

[02:43:17] Ms. Shinneberry? Our first item is a discussion on grant supplemental appropriation resolution in the amount of \$1,047,794 for FY 2025 federal, state, and use of balance sheet funds for expenditures.

[02:43:33] I'm going to recognize Gwen Riddle, Budget Director, for the staff presentation. Good evening, Mayor, members of council. So in the general fund, restricted revenue received in the year but not utilized is moved to the balance sheet for use for expenditures in future years.

[02:43:50] In fiscal year 25, \$95,313 in funds are being utilized from prior year's receipts. These funds cover four for life grants for fire EMS and will be utilized in procuring light-saving equipment apparatus.

[02:44:09] Prior R-Walker donations for police is being utilized for electronic ticketing equipment and crime prevention for city youth events. Previous plastic bag tax received will supplement the city jobs program and parks and collect and collected fees from the Village Expo in previous year were expended in the current year.

[02:44:34] In addition, the city received thirty three thousand nine hundred two dollars in reimbursements, primarily from insurance repairs, insurance to repair city vehicles and also travel reimbursement for the twenty twenty four ICC annual conference and code hearings for code administration.

[02:44:54] Additionally, incremental VDOT awards were granted for both the University Drive Improvements Project and the Judicial Drive Trail Connection Project. Both of these projects fall under Public Works Transportation and utilize C&I funds of \$140,689 as a match, state transportation alternatives in the amount of \$226,745, and regional surface transportation program funds of \$551,145.

[02:45:26] These projects were both previously approved for base funding, and the appropriation will true up the funding that VDOT has formally approved. This recommended grant supplemental appropriation resolution is an administrative action to align our budget with our actual revenues and expenditures in preparation for year-end close and for the upcoming financial audit.

[02:45:48] It does not represent new spending, but rather ensures our records accurately reflect funding activity. As the adjustment falls well below the 1% threshold, it does not require a public hearing. Formal adoption is scheduled for the May 27th council meeting as part of the consent agenda.

[02:46:05] I'm happy to answer any questions. Do we have questions for Ms. Riddle? Councilmember Peterson? Thank you. Are there any surprises here? No. Anyone else?

[02:46:25] Councilmember Hall. I was able to find a presentation from 2017 for the Judicial Drive Trail Connection. Can you give me, I'm sorry, you wrote back, but I didn't get a chance to see entirely. What is being done for the University Drive improvements?

[02:46:41] Can you detail that a little bit more? I'm going to ask Wendy or Chloe to come up and give the details of the project. Thank you. So the University Drive improvements, I believe, is the University Drive bicycle lanes.

[02:46:59] So we gave a presentation and had a public hearing on the intermediate design plans on February 25th of this year. So I'm just pulling up that presentation so I can refer to that. So this is the installation of bicycle lanes on University Drive between North Street and Leighton Hall Drive, and then intersection improvements at Leighton Hall Drive as well.

[02:47:19] So that's that project. Okay, thank you. Sorry, since the other one was so much older, I just assumed that the other one was a whole lot older too. Okay, thank you. Other questions? All right, thank you so much, Ms. Ritter and Ms. Riddle.

[02:47:36] Our next item is a discussion on the Virginia Commercial Property Assessed Clean Energy and Parence T-PACE Program. I'll recognize Stephanie Kupka, Sustainability Programs Manager, to provide the staff presentation. with Sonia Sukhar-Ferre, who is our Climate and Energy Manager, and tonight we'll be discussing the Commercial PACE Program, and I'll also hand it over to Sonia, who will be leading tonight's presentation.

[02:48:14] Hi, good evening, Mayor, Council Members. Again, I'm the Climate and Energy Program Manager here at the City of Fairfax. So this evening, I'm actually going to just give a brief presentation on the CPACE Program.

[02:48:29] So I have some slides here that I've developed with the Virginia PACE Authority. So, and again, we can, you know, discuss questions and answers at the end, or if you'd like to stop throughout the presentation. So just a quick overview, CPACE definition.

[02:48:48] So this is the, for those that also have a, I believe, a printout that was sent in advance, you can also follow along. But it's, the CPACE stands for the Commercial Property Assessed Clean Energy. This is a financing tool to support green building upgrades.

[02:49:06] I truly also believe this is a program that will complement a future green building policy that's also in development that you all shall be hearing in the coming weeks. I'll speak briefly about Virginia Peace Authority's role in this program.

[02:49:23] The bill's recent, well, it was enacted in 2019, but there were some recent amendments made in the last legislative session. And then I will go into a wonderful point that we would be joining 19 other localities across the state of Virginia should we adopt this ordinance.

[02:49:45] So Virginia Pace Authority is a 501c3 nonprofit. They act as the program administrator for the program. It is a statewide program, and this organization is responsible for all aspects of the onboarding, the approving, and the closing of all CPACE loans.

[02:50:06] And they also are responsible for marketing and outreach to all the stakeholders involved. The city does play a role in marketing and outreach should it need to or want to. It doesn't have to, but I think it's a great thing to promote this.

[02:50:23] The PACE authority, the individual who runs the PACE authority, she couldn't be here this evening. Her name is Abby Johnson, but she has over 12 years of experience in the CPACE administration and project development work as a consultant.

[02:50:41] Again, there's 19 localities, and this represents almost 50% of the state's population, largely comprised of metropolitan areas across the state. The authority currently has closed over \$16 million in loans, and they have a pipeline of about \$150 million.

[02:51:08] And also, we've been working closely with them. So in addition to tonight's work session meeting, we've had meetings directly with them at our Environmental and Sustainability Committee meeting recently, a couple weeks back. They also submitted a letter of support that all of you should have received in advance of this meeting.

[02:51:28] They also presented or met with the Economic Development Department. And I am here joined by Matt Easley, our assistant director, if he would like to actually say just a couple words. Since this is a business investment related initiative, according to economic development, I have a canned message prepared.

[02:51:57] We believe CPACE enables property owners to finance energy efficient upgrades and renewable energy projects, reducing long term operating costs and enhancing the value of existing buildings. Many other jurisdictions have already successfully, as Sonia pointed out, implemented this program, positioning themselves as leaders in sustainability and innovation.

[02:52:15] By adopting this initiative, Fairfax City can attract more investments, support local businesses, and ensure appropriate upgrades are made to our commercial spaces to remain regionally competitive at a time when new office construction is flat or nonexistent in Fairfax City. And that's all I have. Thank you so much, Matt.

[02:52:32] So just to get into a little bit of this financing tool and why we're even presenting this, Our division is supporting this. It's an innovative tool, financing tool, that basically supports upgrades, innovation in energy efficiency improvements, weatherization, hardening of buildings, water efficiency measures.

[02:53:01] We believe that this private financing tool can help support that, right? and it's going to help support growth and development in the city that would specifically support those sustainability goals, measures, improvements. Again, it was established by the state code, so it authorizes the local governments to enable CPACE through an ordinance to participate in the state program.

[02:53:28] It is sponsored by Virginia Energy, which is a department at the state level. The ordinance also authorizes the placement of the CPACE, which is a voluntary special assessment on private property. So it essentially provides a standardized ordinance.

[02:53:46] It's a uniform ordinance that would allow for standardized documents, all consistent throughout all localities across the state. Again, it is not, it's voluntary and it's not a public tax, right? So it's not collected by the locality.

[02:54:04] Because it's voluntary, right, it's a voluntary special assessment, the lenders, the CPACE lenders, have a strong security position, and therefore they can offer these highly attractive loan terms. Right now, the staff time is pretty much dedicated to this in helping to adopt the ordinance, so our time in the last, you know, couple months in preparing for this.

[02:54:30] And then staff's time is also involved in the signing of the project loan documents. So that takes place at the closing of the project, and I'll get into that in a little bit. There is no risk or liability regarding CPACE projects, and the city is essentially held harmless by the Virginia PACE Authority and the property owner of the program agreement and the ordinance.

[02:54:59] So we're not providing financing or guaranteeing the CPACE projects. We're also not collecting or dispersing CPACE loan payments. And the city can delegate the CPACE lien enforcements to the CPACE lenders.

[02:55:14] So the city has the ability to delegate and designate that. So a little bit more about the economic development. These are the benefits, right? So we're talking about revitalizing buildings.

[02:55:31] We're trying to improve property values. This essentially leads to more revenue for local communities. We believe it stimulates the local economy through new development and construction projects. We're seeing a lot of these investments in upgrades, renovations, reuse of projects.

[02:55:47] Again, to emphasize the importance of the environmental and sustainability component, a lot of these upgrades are around energy-efficient systems, HVAC systems, hardening of buildings, weatherizing and strengthening a building's ability to withstand some of the climate impacts of flooding and heat.

[02:56:14] So we strongly believe this supports the city's sustainability goals and essentially why it is our department is supporting this and leading this initiative. It is private lending, so there's no public funding limitations or changes.

[02:56:32] I think it's important to reiterate now there could be federal changes with tax credits, tax rebates that are potentially cut. They have not been yet, but as of this week, the Congress is considering that. And so I think having private resources to help support development in putting solar, renewable, other energy efficiency measures would be a complement to the city.

[02:57:00] And then it really provides building owners in the locality with a financing tool that covers certifications and other costs related to building green. So there are some soft costs that these investments can also cover, and this could include green building standards, LEED certifications, green globes, to that extent, energy audits.

[02:57:25] All of that can be financed to support the project. Going back a little bit to the staff, these are the different participants that are involved in the CPACE program, at least locally here.

[02:57:42] So our attorney has also been briefed on this. He has reviewed the draft ordinance. There's also a program agreement that would be put into place as well and a locality agreement. The finance and the treasurer, should this draft ordinance move forward, The finance and treasurer would then decide on the enforcement approach that the city would like to take.

[02:58:06] The city manager who decides to proceed and select a program manager as well to help initiate as a liaison between the Virginia Pace Authority and the city. Economic development, Matt Easley spoke to this, and Chris Bruno, those would be the participants to help us promote, market this program across the city.

[02:58:28] And then our department, our Sustainability and Environment Committee, our division, also, you know, participating in this process. So just to get into the eligible projects, the types of properties.

[02:58:48] So again, this is open to new construction and also upgrades. These are the type of projects that we're seeing already tap into the CPACE program. So anything from agricultural projects, nonprofit, office, multifamily, industrial, retail, and hotels.

[02:59:07] We're certainly seeing a lot in the hotels, retail space, and in historic towns that are really upgrading their old buildings. Just to reiterate here, the eligible improvements.

[02:59:23] Again, this goes into energy efficiency improvements, renewables, so solar panels, wind turbines, Solar plus storage, which has become very popular for homeowners to have a backup energy source should their power go out.

[02:59:40] But also stormwater management, EV charging equipment for buildings, water efficiency, fixtures, different gray water systems, the resiliency component. So, again, hardening the buildings to withstand wind, flood mitigation, and also environmental remediation is covered, asbestos, mold, groundwater.

[03:00:04] So, any improvements or upgrades to buildings that address that. Let's see here. We are now on. So, to reiterate, you know, this is 100% financing for eligible projects and properties.

[03:00:24] It's a competitive fixed rate, up to 30-plus years. loans, flexible financing, prepayment options. Also, there's non-recourse, so there's no personal or corporate guarantees required in these loans. It's also available within three years after project completion, so this is proactive. If you did a project three years ago, you can still apply for these loans. This was something that was added to an amendment of the state legislature,

[03:00:55] the state law, and again, the loan is transferred to the new owner, so it moves from the property to the next property. It doesn't stay with the individual. All financing parties are on board as the senior lender has to consent. That is the requirement. Let's see. We've covered quite a bit here. Again, we believe that this is going to enhance the building's value by upgrading the

[03:01:30] building. It also lowers utility maintenance costs. It funds those soft costs that I was talking about, the certifications, the energy audits, even legal costs. And then again, it passes through to tenants who can then prorate the share of the CPACE payments depending on how the lease type is developed. And then just some case studies that were shared to us. This is in Petersburg, just south of Richmond. This is a boutique hotel. This project is in development. It was a \$2.6

[03:02:06] million loan, 25-year term, and these are the type of improvements. So they put high efficiency building shell upgrades. They put improved HVAC systems, lighting fixtures, water efficiency, you know, all good things for buildings to operate. So this is just a slide to basically show that some of the projects, the loan is acting as to help kind of like close the gap for a lot of construction projects that might run short or just realize that, you know,

[03:02:42] there were cost overruns, they can tap into these funds. Again, the flexible prepayment during construction. So you just, you can just see that this is actually part of larger construction loans, a larger portfolio of different funding sources to make these projects happen.

[03:03:00] This project's currently under construction. This is in Manassas, so this is about to finish. They tapped an \$8.7 million loan from CPACE.

[03:03:17] Again, similar measures that you can see that were put into the building, the high-efficiency building shell upgrades, the lighting fixtures, and again, it helped close the remaining capital gap for this development project. Just to reiterate, so about 50% of the state's population already has access to the CPACE program.

[03:03:42] About \$150 million in projects are currently in the pipeline. Obviously, in a lot of metropolitan areas, they do have to go county by county or city by city to unlock this financing tool so that developers can tap into this financing tool.

[03:04:04] So it's a long due process, hence we were hoping that they could present, but I mean it's quite a lift to have this small organization go from county to county to city to city to present. They did present again to the Environmental and Sustainability Committee a couple weeks ago.

[03:04:23] So these are the hopeful next steps after tonight's work session. We're asking for your consideration to move forward with a draft ordinance. The city would then designate a program manager to act as the liaison between this authority and the city.

[03:04:43] And then if things move forward, on May 27th, we'll introduce the CPACE ordinance. On June 10th, there will be a public hearing and hopefully an adoption of the ordinance. And then the agreement is signed with Virginia Energy to opt into the statewide program, and it becomes official.

[03:05:02] So then we can begin to, well, they will, and in conjunction, we'll begin to market this and to get the word out that the city of Fairfax is officially part of the CPACE program and developers can come in and tap into this finance. So I believe these are just some of the contact, some of the contact information for the other staff members that represent the authority.

[03:05:27] I'm not sure. Yes, our city attorney is here as well. If there are any questions, I will do the best of my ability to answer. And if not, I will write some of them and get back to you with the answers. Thank you so much. Council Member Hardy Chandler.

[03:05:44] Thank you for your presentation. You mentioned 18 jurisdictions, half the state are already involved. I don't know the date that it was enacted by the state. But do we have a sense of how that's going in those jurisdictions? And if any of those jurisdictions are cities versus counties?

[03:06:03] Yes. So there's 19 localities as of like two weeks ago. It was originally adopted in 2019 by the state. So Arlington County was the first. They kind of initiated the CPACE program, so they're unique in that sense.

[03:06:19] And then that was in 2018 that the county created the CPACE program. And then in 2019, the state essentially developed the state law that would make it uniform across all counties and localities.

[03:06:35] To my knowledge, it's going well. It was a little slow. Again, they have to go from county to county, city to city. I believe all our counties, there may be a few cities in place. I think Fairfax County has adopted this.

[03:06:53] So we would be, you know, I think it would be complimentary that the city would also adopt this. I think things started to pick up from what I understand after COVID a little bit. There was a lull there for some time period.

[03:07:09] And now with a lot of upgrades and historic buildings, a lot of the projects that were presented to us show these historic buildings that are using the funds to upgrade their systems. their old mechanical equipment, putting solar, and again, hardening their buildings to withstand climate impacts.

[03:07:30] Council Member Amos? I just want to say thank you for your hard work on this, and I think this is a fantastic program. I have direct experience with it on the county side. I also just wanted to chime in that it is extremely useful for developers who are applying for tax credit applications, especially with these

new, not newer requirements, but for example, you know, Energy Star, Earth, I want to say Earth, I'm blanking on it.

[03:07:57] Oh, the other certification. Yeah, yeah, of course, LEED. So it's extremely useful for especially housing projects, multifamily, senior, attainable housing for these projects to pencil. And I think that's going to be even more pressing in the near future.

[03:08:13] So thank you. Yes, thank you, Councilmember. And to that note, I believe 38 states across the country actually have it. So, you know, while it was started or moved quickly in, I think, California and Florida, you know, other states are finally adopting this.

[03:08:28] Again, it's a little unique with the, you know, county-city adoption, but they're getting there. Councilmember Peterson? Am I correct that this is an initiative that was hatched in part with the Environmental Sustainability Committee and the sustainability staff?

[03:08:50] Yeah, so this is something the Environmental Sustainability Committee has been looking at for years. And I know they'll be very happy that we're presenting tonight and hopefully moving forward in the near future with adoption. Wonderful. And I'm glad you all have stuck with it and hope you'll continue to do that.

[03:09:08] Who are some of the lenders who you anticipate will be working with the city on this program? Are these commercial banks? Who are they? I don't have their names. I can get that information back to you.

[03:09:28] From what I understand, they are quite a few commercial lenders. I don't have the names of them, though. We can talk to Virginia Pays. They do have a certification program for lenders, so they do have to be certified before moving forward with the loan program.

[03:09:45] So we can check back with them to get that list of the current list. There may be new lenders that may join in the future. And part of the reason I ask is that it seems to me that this is, and I'm guessing the experience will bear this out, something that encourages the commercial banking sector to form lines of business that support environmental improvement.

[03:10:18] And this is a specific mechanism that enables them to do that. But I think, and I'm looking out of the corner of my eye at our economic development representative here, it does seem to me that as this program goes through adoption, it does represent an opportunity for us to talk with those banks about, more broadly, the potential to be supportive of environmental improvements that may be of interest to the city and to its business community as well.

[03:10:47] And so some of the banks are not necessarily automatically going to be thinking as creatively as that. But when you go through this, it becomes clear that it's an opportunity. One of the reasons I think this is an attractive opportunity is that the payback for these loans is not subsidized.

[03:11:17] This is a return on investment, a payback from, as your presentation shows, maintenance and utility savings. You're saving money. You have to spend money to save money, but the savings stream is sufficient to pay back the loan. So this is really a savings-based model. The trick was getting in place a mechanism that facilitated the movement of those loans by securing the payback in case that didn't happen.

[03:11:41] But the big issue here is that environmental improvements many times pay for themselves. We have to create the market space for them to do that. And this is an example where this has happened, again, all across the country. And it's a different way of thinking about the way we spend money on environmental improvements and getting away from thinking of that as a cost, that if we want to be better environmentally, there is a cost to doing that.

[03:12:09] In this case, there is a net benefit. And this is going right into the commercial marketplace to turn that on and to demonstrate that this is good business. And so I would, again, hope that we would take advantage of this as an opportunity to make the broader point and enlist partners from the financial community to be a part of what we do in the city.

[03:12:31] Thank you. Other questions? Council Member Hull. If I recall from my time on the ESC, was it Alice Lippert that was very big on the PACE program? Yes. Yes. She was a big advocate. Yes. Just want to thank her if she's watching or listening for all the work that she did on this. She's the person I completely associate with the PACE program because of her involvement with it. So thank you. I think this is fantastic. And I look forward to learning a little bit more about it in the future and seeing how we can start to implement it and get feedback. Thank you.

[03:13:05] How does this program fit in with Solarize Nova that NBRC has been promoting for a while now? They could be used together. So Solarize Nova is a bulk purchasing discount.

[03:13:21] So they could get the bulk purchase discount rate on solar and then use PACE to finance it over the year. So they get a lower price on solar and then they have a financing mechanism so there's no upfront cost for them to install the solar. So they could be used together.

[03:13:38] That's great. So that's a complementary kind of program. And the thing with a 30-year loan, which I'm sure they're to dovetail with a mortgage, if somebody were to sell their home, obviously the loan for the solar goes with that, but could be refinanced or even paid off by the new homeowner when they obtain their mortgage.

[03:13:58] Would that be right? Yes, that's correct. Right. So I'm just thinking as far as people listing their houses, like, I've got a house. It's got a loan on it. But this actually is a way for people to build that cost, to pay it up front and build the cost just into their mortgage payment, which I think is attractive, too.

[03:14:15] Most people don't live in their home for 30 years. Now, this is just for commercial. So the single-family homes, it does not apply to yet. Hopefully in the future it will. But the state for right now only designates this for commercial development.

[03:14:30] Does that include multifamily homes? It does. Okay. It does. Okay, that's excellent. Any other questions? Okay, Council Member McQuillan. So you mentioned a city liaison and marketing the program.

[03:14:46] Are there costs associated with that, or is that covered by the program? Virginia Pace Authority, they have funding to do marketing, education, and outreach and training. So we are not required to do any of that.

[03:15:02] It's voluntary. So it's no cost to us. But if we decide to invest money, I guess we would then go to make a decision moving forward. if we wanted to invest on marketing materials or sending out postcards, something like that. But there is no requirement for us to do that outreach.

[03:15:20] Okay, excellent. And then how long is the timeline for someone, a developer that takes advantage of this program from the time they apply or start the process till the time they? So essentially, they put a 30-day timeline for the city to then, after an ordinance is passed, then there's a program agreement and a locality agreement.

[03:15:41] they have 30 days to sign because essentially it was taking too long for the city to do their the second phase of the adoption as soon as that is effective i mean it's immediate private developers the authority um they review these loans so you know they say it takes a couple days um from my knowledge it's pretty fast it's just um you know it's a case-by-case basis okay thank you. Any other questions? I think Councilmember Peterson. Well, a comment. I wanted to be sure

[03:16:16] that we didn't end the discussion before thanking you for your help on this program and the help you've been doing more broadly with the city on climate and energy issues. It's very important. Very much appreciate what you've been doing. Thank you. So I think what they're looking for for us is feedback that when this comes before us that we are in agreement that we support the program as it has been outlined here. Would that be fair? It seems like we are united in our support for this program, so thank you so much. Thank you very much. Our next item is a discussion update on

[03:16:55] the stormwater utility. I'm going to recognize Satoshi Ito, Public Works Program Manager, to provide the staff presentation. Good evening, Mayor and Council. Staff committed to providing City Council with an update on the stormwater utility in 2025, so that's why we're before you

[03:17:34] today. The last update that we provided to city council was in February of 2023 and so with this presentation we'll provide an overview of the regulatory drivers of the city stormwater program, background on the stormwater utility, we'll review what's been accomplished in FY24 and 25 and go over what's planned for FY26. Annie Fury is with me here today. She is the city's utilities coordinator. She administrates the stormwater utility credit program and will be providing metrics on the credit program and an explanation of some of the improvements that have

[03:18:08] been made recently. Regulatory requirements encompass a large portion of the stormwater program. The city has a municipal stormwater permit called the MS4 permit through the Department of Environmental Quality and there's four main groups of regulatory activities within stormwater and this presentation focuses on the activities from the municipal stormwater permit requirements, the regulatory requirements. The first one is total maximum daily loads which are pollution reduction requirements for impaired waterways. These are established by DEQ and

[03:18:45] mandated to localities. There's two groups of TMDLs, the Chesapeake Bay and local TMDLs, and local waterways are also in the Chesapeake Bay watershed, so by addressing local TMDLs that can also provide credit towards the Bay TMDL. And TMDLs are addressed through projects such as stream restoration, stormwater facility retrofits, restoring outfalls, dredging ponds, and best management practices, which are things that help but are not quantifiable.

[03:19:15] An example of that is placing pet waste collection stations that give people places to place their pet waste instead of it going down into the stream. Construction activities, development activities, those are another category of regulatory requirements.

[03:19:35] They must meet several sets of requirements, and the city is involved from planning through construction and after construction. Virginia water quality and quantity requirements ensure

developments don't have a negative impact long term, and that's accomplished generally by installing stormwater management facilities like detention systems, filters, and rain gardens.

[03:19:56] Currently, there are about 460 stormwater management facilities in the city, and that number will continue to increase with development. The Virginia Stormwater Management Permit Program requires permits and inspections to control stormwater pollutants during construction activities, as well as erosion and sediment control.

[03:20:15] all of these standards must be met on plans as well as in practice and are enforced through inspections the property yard is categorized as a high priority municipal facility and it has its own stormwater pollution prevention plan or swip and the swip requires monthly inspections and corrections of deficiencies found it requires staff training for good housekeeping and salt management and implement implementation of those good housekeeping practices also requires proper storage and maintenance of equipment it's important because of the property yards proximity to the

[03:20:55] the Akatank, and its location also means that most of the property yard is in the floodplain, which presents challenges for redevelopment. Working on the city's SWIP for the property yard requires participation from all groups that operate out of that facility. In addition to managing construction activities in municipal facilities, the MS4 permit has four additional minimum control measures. Meeting these requirements involves multiple city departments, including communications, the fire marshal's office, community development and planning, Parks and Recreation, and Public Works.

[03:21:33] Public outreach, education, and involvement are achieved through media and events. Illicit discharges are screened for and investigated by Public Works and Code Administration. And post-construction stormwater management is there to ensure that stormwater management facilities that are installed with developments are maintained so they continue to function as designed.

[03:21:55] Going a little bit further into outreach and education, which is accomplished through both media and events. These are examples across a variety of topics from the City Scene, the monthly newsletter that goes out to all addresses in the community.

[03:22:13] This same content is also delivered through electronic newsletter and social media, and we do that in collaboration with the Communications and Marketing Department. Public events that we host include the Rain Barrel Workshop, the Spring and Fall Community Cleanups in partnership with the Sustainability Division.

[03:22:31] We hold various public meetings on projects, and we also participate in the fall festival. Citizens are encouraged to engage in stormwater-positive activities through the Stormwater Utility Credit Program, and we also share major project information through the Engage Fairfax website.

[03:22:55] The MS4 permit requirements have been in place since 2008, so these are not a new cost, but rather an ongoing one. Previously, the stormwater program was funded with a three-cent tax dedication, real estate tax dedication, which generated about \$2 million annually.

[03:23:12] It was insufficient to meet regulatory requirements and conduct maintenance while also providing flood mitigation improvements and drainage improvement projects. One of the benefits of the stormwater utility is that it distributes the cost of stormwater services more fairly, and we'll explain why shortly.

[03:23:32] It also establishes an enterprise fund for stormwater, which allows for financing and flexibility that is separate from the general fund. So we'll go into the reason for equity, and the chart on the lower left in blue represents residential properties, orange is non-residential, and the chart on the lower left represents property values.

[03:24:00] So two-thirds of property values across the city are in residential properties, one-third in non-residential. And under the previous funding mechanism of a tax dedication, contributions to stormwater funds were based on property value. However, property value does not correlate with a property stormwater impact.

[03:24:20] Impervious surfaces are surfaces that don't absorb water, like pavement and roofs. These surfaces create more stormwater runoff. So on the right is a chart that shows the impervious coverage across the city. And in this, when we look at it in terms of impervious coverage, one-third of the residential properties or one-third of the impervious coverage in the city is made up of residential properties, two-thirds non-residential.

[03:24:45] So the stormwater utility ties cost to impervious surfaces, which directly correlates to runoff, and that can be seen in the aerial view in the top right, where you see impervious areas highlighted in yellow, and they're concentrated in commercial corridors and activity centers and less of it in residential areas.

[03:25:07] The stormwater utility was about two and a half years from concept to implementation. It included an extensive public outreach process. The utility ordinance was adopted by City Council in December 2021 and became effective in July 2022.

[03:25:23] The first stormwater utility fees were delivered via the real estate tax bill, and those first bills were sent in November 2022. City Council adopted the stormwater utility credit program shortly after the utility ordinance, and improvements to that credit program were adopted by City Council in May 2024.

[03:25:41] So this is still a relatively new enterprise fund. Evaluating the stormwater utility fee uses the same process and the same rate for every property, regardless of what classification it is.

[03:26:00] And impervious surface is the metric used to calculate the fee, and each property is evaluated in 500-square-foot portions, which are called billing units. Those billing units are rounded down to the nearest whole number, and that policy favors the property owner.

[03:26:16] It addresses data resolution issues as the impervious areas are accurate, but they are not survey grade. Overall, residential properties pay less towards stormwater when assessed using impervious surface instead of property value because they only account for one third of the impervious surfaces in the city.

[03:26:35] The outcome of this change in assessments was a shift in burden to properties that generate more runoff, which are typically the non-residential properties. This diagram represents a distribution of the stormwater expenditures.

[03:26:51] One-third is for regulatory compliance activities, another third for operating expenses such as staff, equipment, and materials, 15% for capital maintenance projects, leaving 11% and 8% for flood mitigation, flood management, and drainage improvement projects.

[03:27:07] And the estimated total for FY25 through 29 is \$40.7 million. FY24 and FY25 were construction-heavy years with a number of projects that we successfully delivered.

[03:27:26] Drainage improvements were completed on Roberts Road, Greff Drive, Orchard Drive, and Park Road at Fern Street. Our two major environmental projects are Ashby Pond Dredging and Stafford Drive Stream Restoration. Those projects have been five years in planning and are now under construction.

[03:27:42] We expect to complete Ashby Pond by late 2025 and Stafford Drive Stream Restoration shortly thereafter. We've continued to maintain compliance with the requirements of the MS4 permit by continuing to submit our required MS4 annual report to the Department of Environmental Quality.

[03:28:03] And that report details how the city met permit requirements. We continue to provide annual good housekeeping and pollution prevention training to our property yard staff. We updated the zoning ordinance to be compatible with revisions to state code in erosion and sediment control and stormwater management.

[03:28:19] And we continued public outreach, education, and participation initiatives through media outlets and community events.

[03:28:35] And engineering work sets the foundation for future construction projects. In 2024, we completed a comprehensive condition assessment of the Atkinson Creek. And that generated seven options for future stream restoration projects. These were presented to the public.

[03:28:52] We received feedback on those. They'll also be taken to the Environmental Sustainability Committee and Parks and Recreation Advisory Board in June. And we'll provide recommendations to City Council at a July work session. Three outfall restoration projects have been under design.

[03:29:09] One of those was awarded a construction contract by Council this evening. We've been working on plans to retrofit the detention pond at Lion Run and Fairfax Boulevard to enhance its pollutant removal capabilities. And we also updated the impervious surface data layer that was used to calculate the 2026 stormwater utility fee.

[03:29:34] For FY26, the construction focus will be on completing Ashby Pond and Stafford Drive stream restoration projects. Pending Community Flood Preparedness Fund grant approval, our plans are to conduct a flood study of the Akatink Creek adjacent to the Fairfax Circle Small Area Plan, develop concept plans for culvert capacity improvements to improve floodplain conditions for the Mosby Woods community, and complete engineering on various drainage improvement projects.

[03:30:01] We'll also continue to develop the Stormwater and Wastewater Asset Management Program, and we'll explain the progress that we've made so far on that in a July work session. I'll turn the presentation over to Annie Fieri, who will talk about the credit program and appeal metrics. Good evening, Mayor and Council. My name is Annie Fieri. I'm the Utilities Coordinator for the Public Works Department.

[03:30:20] I'm responsible for administering the annual stormwater utility billing, the credit program, and then processing any appeals that we may receive. I'm gonna go over the next six slides. I think it's six, five or six, something around there.

[03:30:35] We're gonna go over the credit program. I'm gonna have metrics and information from both 2024 and 2025 billing cycles. I'll also have information about the appeals from 2024 improvements that we've made this far.

[03:30:51] And then finally, we'll just go over some ongoing challenges that we've faced and then some outreach opportunities that we may have within the stormwater utility. So here, we're gonna start talking about the stormwater utility program metrics. There are two types of credit opportunities for the stormwater utility.

[03:31:09] One is structural. Structural credits are available for stormwater management facilities, commonly referred to as BMPs. Some examples of this include infiltration trenches, detention ponds, rainwater harvesting. Most commonly, that's rain barrels on residential properties, and then also permeable pavement.

[03:31:30] The other opportunities are non-structural credits, which are available for participating in stormwater positive practices. Examples of this are the no fertilizer pledge, tree preservation credit, planting new trees on your property, and there are some other opportunities as well, but those are some of the most commonly pursued ones.

[03:31:52] So as you can see in the pie charts, in 2024 and 2025, two-thirds of the credit earned were activity-based credits. So typically, the most common credits are activity-based or non-structural. The total value of credits in 2024 was about \$70,000, and in 2025, it was \$136,000 in credits.

[03:32:17] The dollar value increase in 2025 is contributed to the fact that we have the amended credit manual and we revised the credit calculation structure as well, which I will go over in a few slides from now. In 2024 and 2025, more than 95% of participation in the credit program was from residential properties, HOAs, and civic associations.

[03:32:46] The amount of residential participation is not what city staff had anticipated during the implementation based on data that was collected from surrounding jurisdictions that had already implemented stormwater utilities and credit programs.

[03:33:01] What this speaks to is that the city has an incredibly engaged and aware residential community. So City Council adopted credit manual amendments to accommodate the amount of residential participation, which I'll discuss in an upcoming improvement slide.

[03:33:21] So what did the community benefit or receive from \$136,000 in credit? A few examples is 86 person hours removing trash along city streams in public parks or just public areas that are owned by the city. This is done either individually or through city-sponsored events.

[03:33:42] HOAs and churches and also some larger commercial property owners have hosted larger group efforts to reduce their stormwater utility fee. The Department of Public Works provides supplies and often coordinates pickups for any collected debris and litters for those larger group efforts.

[03:34:01] There were 36 rain barrels installed, which generated about 1,800 gallons of volunteer rainwater harvesting and storage. The city hosted a sold-out rain barrel workshop in August 2024, and we have one planned for August of 2025 as well.

[03:34:16] There were 325 storm drain markers placed on storm drain inlets. Another added layer of the storm drain marking program is that those inlets are also monitored for trash, debris, any maintenance

needs are reported to Public Works as well.

[03:34:35] 85 property owners pledged not to use fertilizer. This reduces stormwater pollutants as well. And then lastly, one of the newer credits was the tree preservation credit. there was approximately there was credit earned for approximately 80 trees preserved on private property from here we'll go over the stormwater utility appeal metrics the stormwater utility ordinance includes a provision for property owners to appeal when they believe an error has been made to their to the calculation of their fee a majority of the appeals that we receive

[03:35:13] are related to corrections to impervious area due to wooden slatted decks that's one of the most common appeals I receive or because of GIS imagery. The GIS imagery is updated regularly and appeals are reviewed annually to ensure that they're still applicable. The impervious layer in GIS is not intended to be, I'm sorry, is not intended to provide survey grade accuracy and is an approximation. So we have this appeal process in place so that if something is wrong we can go in and fix it um one thing i'll speak to on the appeals is that in these pie charts on the left

[03:35:51] hand side the top pie chart shows that in 2022 2023 which was the time that we implemented it we received 58 appeal applications a little bit more than half were approved and the others were denied any of those approved appeals get carried forward into future years and what we found is is that appeals were prevalent during the implementation however through community outreach engagement and process improvement appeal submissions have reduced significantly so in 2024 we received seven appeal applications i do not have the information for 2025 yet

[03:36:29] uh homeowners and property owners will have 30 days from the date that the that the stormwater utility fee bills are mailed or issued to um to submit an appeal so they just went out this week because the rate was adopted last week so once we have that information we can give that at our next um at our next update amendments and approve improvements so in july of 2023 the public works further detailed the definition of impervious area to include that gravel features associated

[03:37:06] with a travelway which includes driveways walkways and parking areas will be considered impervious However, landscape gravel designed, I'm sorry, landscape gravel, which is designed to allow water to infiltrate through it, will be considered pervious in consideration to the Stormwater Utility Bill.

[03:37:26] In May of 2024, City Council adopted an amended credit manual. This included adding a new non-structural credit for tree preservation and also an updated credit calculation structure, which ensures smaller residential properties are being credited fairly based on the amount of time that they're contributing to each activity.

[03:37:49] I will also speak to the tree preservation credit. That was brought to council and amended based on the public feedback that we received when we had originally started the credit program because a lot of these homes in the city have a lot of mature trees and they don't have space to plant new trees.

[03:38:09] And so we wanted to give those property owners an opportunity to also earn credit. Ongoing challenges and outreach. Our current website structure and the online forums can be confusing.

[03:38:27] The website itself presents limitations for downloading images or supplemental documentation. I found that this is mostly an issue with non-structural applications where we ask for several pictures or supplemental documentation.

[03:38:44] What the Department of Public Works and IT is currently doing is we're moving our forms into a system called Open Forms. I think actually all the applications will be in Open Forms once we have the new website. It is much more user-friendly the layout the layout features itself is much more user-friendly and it does have an enhanced document upload ability the the other outreach opportunities that we have is we have created a tutorial on how to measure your trees for tree preservation and how to actually apply for that credit there are plenty of other opportunities to make videos just

[03:39:20] like that to simplify the credit opportunities and to give more information that includes for things like storm drain marking marking and monitoring properly installing rain barrels or information about the VCAP program that concludes the presentation happy to take any questions or feedback that you may have all right thank you very much very informative do we have questions councilmember Hall based upon this you're going to be getting an appeal from

[03:39:53] me I got a lot of trees to measure at my house okay yeah you mentioned wood slatted decks. Do Trek decks not count? Because doesn't the water kind of go down the same way?

[03:40:12] I'm just trying to understand the difference in a wood slatted versus different. It doesn't have to be wood. A slatted deck will allow water through it. As long as the surface underneath that deck is pervious, it will be considered a pervious area. Okay. And if you could suggest to people to do three things to try to take advantage of the program, of the credits and things like that, what would those top three things be that they should try to do?

[03:40:40] Top three, I would say the most valuable way that someone can spend their time is volunteering with stream cleanup, community cleanup events. Friends of the Akatink regularly hosts the stream cleanup events throughout the season and the spring and fall community cleanup events are wonderful opportunities beyond that storm drain marking and monitoring is very helpful it places a visible very visible reminder that that

[03:41:18] that storm drain inlet connects to a stream it doesn't just go away it doesn't go to a treatment facility so it helps people be mindful that also helps us with eyes out in the field and people can see oh there's paint stains here somebody dumped paint and we can hear about that so those are those are two of the most valuable ways that I think people can spend their time aside from that that one of the easiest credits to achieve is the no fertilizer pledge by simply pledging to not apply fertilizer you can get a five percent credit on your

[03:41:55] stormwater utility fee. It's not often that you get something for not doing something. So I think that that is a very achievable credit opportunity. So those would be my three recommendations. Thank you. And those are the ones that the non-fertilizer is one you have to do every year, go in and pledge it for every year, right? Yes, that's correct. Okay. And then I know a lot of people in our neighborhoods participate in these programs, and I think there's some confusion over is the person who's collecting the signatures and the addresses are they submitting the credit on the homeowners or renters behalf or does that person then also need to do that step themselves

[03:42:34] how do you handle that preferably I think a good example would be for like a community cleanup event um it depends on the type of property that is being billed so there are some residential homes that are located within an HOA that does not have common space or a civic association that does not have common space that's assigned an owner or a PIN. So in that case, each individual property owner would need to actually apply themselves with the information. However, I am flexible as the utilities

coordinator. If one person wants to send me all the supplemental documentation, that is something that I can work with. So I think it depends on the community

[03:43:14] that is actually applying um but we're willing to work with whoever is applying and the property owners in the city okay just trying not to inundate you with double paperwork if you don't have to but also trying to make sure people are getting the credits yeah so there are some there are some hoas and that have common area and that fee gets distributed to the parcels by the hoa so in that case it would be only one application however in the other case where where it's not Structured that way I need to receive an application from each individual property So it would be dependent on however the actual community is kind of structured. Okay, great. Thank you very much for the presentation

[03:43:53] Councilmember Peterson Couple questions lots here. Thank you so much stream restoration. Do we have any more projects? Contemplated like the one currently underway at Stafford no firm plans. We will bring seven options to city council in july with staff recommendations for the next stream restoration projects to pursue and will they include alternatives that might be less impactful to the forest than we've seen in

[03:44:30] stafford one option does present the opportunity to potentially complete a stream restoration with less tree removal than is typically required we'll explain also why tree removal is required for urban stream restoration but it has to do with the floodplain and not causing it to expand into properties we'll look forward to that i mean obviously we've received quite a bit of public comment and concern and we want to be i think sensitive to that as we take a look to the future here the current phase of the project is to put it bluntly the

[03:45:09] work that you'll see it during the construction process all the trees have been removed and earthwork is in progress so it it looks like a general construction site what you'll start to see in the weeks going forward is lowering of the floodplain shaping of the stream corridor you'll start to see a winding stream be constructed through that area and then in the fall plantings will commence and that will really improve the appearance of the project wonderful let's look forward to that because again I think there's a really high level of public interest in everything about stream restoration and what those options and implications might

[03:45:49] look like. You mentioned a flood study. Is that the \$350,000 Mosby Woods line item that we had on the budget? Yes, that is correct. Can you say a little bit more about, this is I think here referring to Akatink Creek Corridor. What's the geographic area for that and what would you anticipate the outcome of that being the 350,000 is a for flood mitigation it encompasses not just the Mosby Woods community but also the flood study along the Akateng Creek next to the Fairfax Circle small area plan so that flood

[03:46:26] study would be from Fairfax Boulevard to Pickett Road it would go it's the segment segment that goes behind the Home Depot and by the property yard. Okay fantastic and have you reached the stage where you have already retained third party to help with that or is that still in the works? Yes we have retained a third party they assisted us with the grant applications pulling the preliminary information together so that we could submit a grant. Wonderful and and I

[03:47:04] would just note you know on the side because i'm active over at george mason in case you haven't already been in touch with uh they've got one or two folks that specialize in the research side and the translation side of this you've probably been in touch with them but they're a good resource too in case that's helpful here agreed um on the property yard i'm wondering what the i think maybe the best way to

ask this is the coordination is as i understood from the earlier part of your presentation where you commented on the property yard there's some mitigative measures that are in

[03:47:40] place there but it sounds like there also is some form of assessment in terms of the essentially we're looking at risk here but you know it's a determination of the exposure to risk and where is the potential in this case water the flood coming from is it coming from below or above right it's coming up from the creek or down from the golf course in the back where have you got an assessment that clarifies both the source of the flooding and then the projection of what that looks

[03:48:17] like in the future the fema floodplain is that uh that we've shown on the diagram to the property yard that is solely from the akatank right but i'm actually thinking about whether we have been tracking incidents and attributing them to source as a part of the risk evaluation.

[03:48:42] So the flood is caused by the hydrology of the runoff. So the runoff comes from all around the property yard. Some come from the golf course side, some comes from the Route 50 side.

[03:49:00] You know, north, south, east, and west, you got water that heads to that ball, and that's the runoff. And then the point of study is that the property yard. Okay. Maybe then to just take it a step further, in that particular case, given that you have runoff coming from various directions, including, for instance, the golf course, is there a potential to put in place stronger stormproofing, stronger mitigation measures to be able to divert that runoff and reduce the exposure to the property yard to that risk?

[03:49:35] Right. One of the options that's being studied in the property yard feasibility study is the construction of a flood wall. that would redirect some of that runoff away from the yard. But of course, you know, you're going back to the balloon with the air in it.

[03:49:51] You squeeze one part and then the other parts get bigger. So if we do a flood wall for the property yard, it's going to impact east and west of the yard. So there might be, might have to purchase some land, whether it's from the asphalt plant or whatever, because the floodplain outside of the property yard could get a little wider if the property yard floodplain gets narrower due to the floodwall.

[03:50:17] That's one of the options being looked at by the consultant. Just out of curiosity, do the options include one or more other locations that are not so at risk? Yes, yes.

[03:50:33] There's several locations that are being studied. i don't know how many what's like six six different locations that are being looked at and it'll all be part of the the final draft of the feasibility study and does that include also the potential for breaking apart or disaggregating the components of the property yards in case they're better suited it would have to there's no particular property of the six that is large enough I believe for everything okay helpful on the switching gears to the 90

[03:51:12] and then 93 percent rate of residential participation just maybe a technical question in terms of what so this there's a point of contact with residential landowners it sounds like it's going well but it's a really important opportunity we have through this program we talk to people and we give them an opportunity to do things and they're pretty engaged here at least in comparison to others and one question is how much of that in terms of the touch we provide them is giving them a toolkit and giving them sort of an understanding of how they could actively manage

[03:51:52] their residential property to have less runoff I guess is the simplest way to put it is there some assistance in terms of what they could do to be active managers of their own property We provide

guidance to property owners on request. Drainage issues that a property owner may have, they will often reach out to us and we'll provide guidance on how they can address that. Whether or not it's a city drainage issue or a private drainage issue, we will provide guidance.

[03:52:22] The VCAP program also connects property owners with staff that can provide guidance on stormwater management options that can help them resolve drainage issues. So thank you.

[03:52:38] One of the reasons I ask is in the Environmental Sustainability Committee, and I think we lost our sustainability director, but our ESC chair is still with us, if I am correct. There he is. Hi. when I was with the committee, spent a bit of time discussing how we might be able to engage the residential community with sustainability. And for instance, that included looking at

[03:53:12] sustainable farming on residential sites, but doing other things, landscape architecture things, landscape that was sustainable, et cetera. This program opens the door to that conversation, but doesn't necessarily need to be limited just to runoff issues because it opens a bigger door in terms of sustainability opportunities that our residential property owners might be interested in.

[03:53:39] And given the high level of interest we have, I'm just wondering whether there is anything more we're thinking about doing or more we might do. And Mr. Russell, I'm looking at you to sort of broaden the menu possibly of engagements that residential landowners might have in front of them with sustainability.

[03:54:02] It's all a part of it. If you get one touch, you want to kind of make the most of it. So I don't know whether you're three steps ahead of me on that or have any particular views, but I know that had been a discussion point for some time. We can discuss with sustainability how we can include outreach within the Stormwater Utility Credit application to provide that information.

[03:54:24] Fantastic. I think that would be a real help and a real opportunity. Thank you. Any other questions for staff? Council Member Hall. With regard to the stream restoration for Mosby Woods, is there any potential that we could try to consider a walking path along that?

[03:54:49] I think that that would really go a long way towards the public frustration over what is being done there, and I also think that it would really be a huge addition to something in our city that we don't have in a lot of other places.

[03:55:04] I know a number of us walked it down the daylighting of the stream project down in City of Falls Church, and I'm blanking on what it was. Yep, Harvey something, Herbert Hoover. The Howard Herman Trail. Howard Herman, thank you.

[03:55:21] It was wonderful, and I feel like that's got to be something that we can make work with what we're doing here. The stream restoration project does not have plans for a walking trail within it. it actually has plans for wetlands, constructed wetlands within it, which would not support a walking trail. The stream corridor is intended to inundate with a lower intensity storm. That's what reduces the velocities that controls erosion. So it will be a wet area. Wet as in like a

[03:55:59] sandstone path could still go there and be manageable to provide some sort of respite for people that want to be near nature there that i can't answer that is something that uh i would have to consult with our engineering team on if the grade there could support that okay would council be open to

having that inquiry done i certainly would i'm asking if maybe there's a way that we could put a walking path of some sort along the stream restoration area well that's an

[03:56:37] outlay of money, first of all. And so every idea that has to be investigated or engineered or mapped costs money. Yes, it does. So if this is something the council wants to pursue, I think we need to decide whether or not there's money and where it's coming from to look at something like that.

[03:56:59] I think that's all I was asking was that if we could maybe have a conversation to see if that was an option i wasn't expecting full-fledged plans to be done but i just thought maybe we could ask the consultant hey council maybe you wanted to do this could you let me know if this is feasible and if so what might cost fee rather than a whole huge maybe that's not the way things work i don't know i think i think things work on billable hours with consultants and so therefore staff time which is paid for through salaries is one thing but consultants are paid by billable

[03:57:36] hours to build to build any kind of path they'd have to be some kind of geotechnical evaluation to see if what's underneath the path can support the path so there would be some analysis done where the path would go and then there would be some geometrical analysis to see of the grade and if it could fit in there and how it would affect the hydraulics because right now it's proposed for wetlands so there would be some engineering consulting work that would be done and we could reach out and get a fee proposal and find out what that cost would be

[03:58:12] i think i would be curious to see what a fee proposal would look like as a consideration if there's not a cost to requesting a fee proposal we only get one opportunity to do this as far as i'm concerned so other support for this council member amos i guess just for clarification is there a cost for us asking for what the fees would be no the we could ask the consultant you know for a fee proposal and the feasibility I mean they they might they

[03:58:48] might give us a fee proposal to study it without giving us an answer okay as long as we're not incurring any costs I'm open to getting more information but once we start getting okay well mr. ito will talk to the consultant okay try and get a fee proposal and we'll take it to the city manager and he could communicate that councilmember Hardy Chandler my concern is about uncoordinated projects so I think I have trouble seeing this in isolation compared to what is going on in the area and that sort of thing so I'm reluctant to support a

[03:59:26] random not random but a path exploration without consideration of what's going on in the larger area I think we can get caught up in popcorn projects when we have to look at a larger landscape in those impacts so I'm struggling with supporting that. Council Member Peterson? Well, so there, I think there's a, an already underway project. The question mark there is what it might look like to accommodate something like this, but you're studying multiple options for new stream restoration, and it strikes me

[04:00:05] that would be the ideal opportunity to incorporate that question in those feasibility studies and see whether something like that at least conceptually is feasible, and if so, what that does to your option set, if anything. But I think when you're in that upfront phase of scoping things out, it'd probably be a good time to ask the question, and I would support us doing that. Again, if this is not something that is going to have such a substantial impact on those studies that it

[04:00:41] Changes things in a really big way. I think it'd be a good thing to consider council member Bates I Certainly would support asking what the fee would be and you know anything not incurring any

costs But not necessarily anything beyond that we'll have to see what they come back with council member McQuillan I support the request for more information Especially since it's not going to cost us any money to get that information. So thank you. Mr. Ito So is this something that you, in your professional opinion, think is feasible?

[04:01:21] I am doubtful. I am doubtful that it will be possible to construct a trail through an area that is a constructed wetland. And I have a tendency to rely on the recommendations of our staff because this is what they do in their day job.

[04:01:37] And so while it's interesting to be curious and to think about things, pursuing things that on its face are probably not feasible is probably not the best use of staff time or the city's dollars, in my opinion. So are we asking them, do we have four people who are directing them to do this?

[04:02:02] I believe we just had four people that were open to getting a proposal to understand more information. Again, as long as it doesn't cost money, I'm okay with getting info. Okay. we can get a proposal that's easy enough you have gotten direction to get a proposal thank you any other questions before we close this out all right thank you so much thank you our next time is a discussion on the Virginia Public

[04:02:40] Private Education Facilities and Infrastructure Act imprints PPEA and response to request for information imprints RFI I'm going to recognize Patty Innocenti our procurement manager to provide a staff presentation so my My name's Patty Innocenti, I'm the Procurement Manager for the city, and tonight we're going

[04:03:17] to review what's known as the Public-Private Education Facilities and Infrastructure Act of 2002. So this is something the General Assembly put in place back in 2002 as an alternative to the traditional procurement process.

[04:03:43] When it was first passed, the General Assembly was really looking for a way to marry private sector initiatives for infrastructure projects, particularly schools at the time. Shortly thereafter, they added the Infrastructure Act, so broadened the applicability of the Act.

[04:04:09] We still call it the PPEA, and that's the term I'm going to use while we discuss this. But what this does is it gives the city authority to create public-private partnerships elsewhere. You'll hear the term P3, same thing, but this is specific to Virginia.

[04:04:30] And it allows us to improve, renovate, expand, equip, maintain, or operate qualifying projects. What's distinctly different about the PPEA from traditional procurements, which you probably know is an invitation for bid or a request for proposal, is that it allows private entities to submit an unsolicited proposal.

[04:04:59] Traditionally, my office would put out an RFP. We'd tell the business community we're looking for proposals or solutions for something. They reply back to that. But under PPA, we can restructure that.

[04:05:14] It's unbundled, so to speak. And the private sector can identify solutions and submit those proposals to the city. That triggers an evaluation process, which I'm going to go into as we get further into the presentation.

[04:05:34] What's also distinctly different is they can offer financing proposals. And I think another way of saying that is that they can monetize city assets, which could be in terms of real estate.

[04:05:51] Elsewhere and in the Commonwealth and even in our neighboring jurisdictions, PPEA has been used for schools, sewer treatment facilities, fire stations, jails, libraries, performing arts centers.

[04:06:08] Before coming to work for the city, I worked for Fairfax County. One of our first projects there that was a PPEA was the Wheely Avenue garage with Metro. A lot of proposals probably don't pass muster.

[04:06:24] I always thought one of the more amusing ones was we got a proposal in to put a ski slope on top of the trash dump on Westox Road, which obviously didn't fly. So as I mentioned, it does differ from the Virginia Public Procurement Act in as much as PPA permits consideration of an unsolicited proposal.

[04:06:54] There's quite a bit of structure around this. So if the city received an unsolicited proposal, there would be a determination of need for the project. There's public notice, and I'll go into this some more as we go along. We would be doing a cost-benefit analysis and a financial review.

[04:07:15] The city council adopted PPEA guidelines back in 2022, so we were probably late to the party here. I think at that point, most all localities in Virginia had already adopted PPEA guidelines, And the Secretary of Administration under the Commonwealth develops model guidelines.

[04:07:45] So basically, if you're going to adopt PPEA, you're going to model your local guidelines very much the same way that the Secretary of Administration has structured it. So again, back in October 2022, the council at that time adopted the PPEA guidelines for the city.

[04:08:08] So, for instance, if we were to receive an unsolicited proposal from a developer, it would trigger what we would consider as a conceptual phase evaluation. So we would be looking at these high-level points.

[04:08:23] We'd be looking at the qualifications and experience of the offer, the project characteristics. Is it a project that we're even interested in at all? Project financing, costs, the benefits, and the financial plan that they are proposing.

[04:08:42] Project benefit and compatibility with, you know, what's been proposed perhaps for the parcel that they're looking at. And then other factors, including the design, citizen input benefits, and other criteria.

[04:09:02] It is a flexible development tool, and there are a number of different financing options under this model. So not only is it debt or equity that is brought to the table by the locality, but also from the offerer.

[04:09:22] So different types of property exchanges, development agreements, sale and leaseback transactions under this model, The offer could propose, for instance, that they would build a structure, operate it, and then there's shared use or shared responsibilities for both the expenses, expenditures, and revenue.

[04:09:47] So, again, if the city were to go forward with a PPEA project, whether it's initiated through my office as a solicited RFP or came in unsolicited, There are a number of major milestones.

[04:10:05] There are, in fact, four different touch points where we get public comment. If it were an unsolicited proposal, once we took a look at it and gave it initial go, no-go, a review, then it would be posted publicly for competing proposals.

[04:10:25] Then later on in the process, we would advertise it for public comment. We would evaluate any competing proposals that are received. It then goes to public hearing, and 30 days prior to any interim agreement, we also post again for public comment.

[04:10:46] So there's a lot of opportunity for public engagement as we go through the process. So the advantages, obviously, are there flexibility in both the financing and how we get to a deal.

[04:11:05] Because it could be an unsolicited proposal, it may be something that we couldn't necessarily do under the standard structure under the Virginia Public Procurement Act. The bullet here says that we could address infrastructure needs in less time.

[04:11:24] It's not necessarily the case. I suppose if something were very desirable and the offer put together a very attractive package, maybe it would go more quickly. but there are a lot of steps in the process, just like any development process.

[04:11:42] I heard a question. And then, of course, there are risks for each of the entities or parties involved in this. So for the private entity who, obviously, if they're going to take the time to prepare an unsolicited proposal, there's a pretty big investment, a lot of analysis, financing options, and we could terminate negotiations at any point.

[04:12:08] So they are assuming a lot of costs without the guarantee of a successful contract. And then, of course, going into the final comprehensive agreement, it's a very detailed process, a lot of legal reviews.

[04:12:24] For the public entity, of course, there's a lot of uncertainty when we go through this and evaluate the proposal, whether it's solicited or unsolicited. And unsuccessful, of course, we've lost time where we need to step back and perhaps start over again.

[04:12:40] um so that in a nutshell is what the ppea involves now as you know we've had the feasibility study going on for fire station three and to test the water what we did a few months ago was issue a request for information and that's really just a procurement method to see if there is any interest in the business community.

[04:13:15] So we posted an RFI. It went out to a large number of potential offers that are all registered through the Commonwealth of Virginia and the state e-procurement portal with an overall summary of the project that we have underway and a general statement about what kind of interest we have in going forward with a potential PPEA. We got back one response, and I don't want you to take away,

[04:13:53] you know, that doesn't tell you that's the sole level of interest in this project, but it did tell us potentially there's at least one offerer who might be willing to partner with the city on Fire Station 3 as a combined use project. We cannot make an award on RFI. Just want to make that everyone's clear on that at this point we can still go forward with a solicited quest for proposal or at some point that particular offerer could come

[04:14:26] back and and submit a response to us or submit a fleshed out proposal and I'm going to go through at a very high level why the font got weird but this is the response we got to the RFI. It came from a partnership between Rift, I think it should be Valley, perhaps it is Valley, and BKV Group. BKV Group, as you may know, is the contractor that we engage to do the feasibility study. Obviously, they have a lot of insight about the project,

[04:15:05] and they gave us some information about their experience in similar types of P3 projects, including a fire station in D.C., and I believe there were some other projects in Arlington and a gallery place hotel in Washington, D.C.

[04:15:25] So different types of engagements. Some were housing and some were commercial-based hospitality. So, again, in this very brief response that we got back from the partnership, they would propose to, number one, evaluate the highest and best use and make recommendations.

[04:15:51] And what I'm referring to is construction of Fire Station 3 along with some other companion use on the joint properties that we have, the current Fire Station 3 location, as well as the George Mason property that we acquired that's adjacent.

[04:16:13] Following the evaluation, then they would come forward with a final recommendation. Two of the initial responses, and it does not mean that we're in any way limited to these two, but would either be hospitality or a multifamily project.

[04:16:32] And then step four in this model and this proposal concept would be to build and operate the privately owned component. Again, the development methodology is designed and construction of the fire station by the developer and paid for by the city under this proposal.

[04:16:57] The developer would work with the city to find the highest and best use for the parcel that's adjacent. Now, bear in mind that these are early-stage ideas, that there may be other concepts out there. The city has no commitment to either of these options at this time, And if this were to be pursued either as something initiated by the city or by a developer through an unsolicited proposal, final approval always will come from the city.

[04:17:30] And as I noted, there are four touch points in the process for public engagement and public input. And then finally, this is the concept that was provided by Rift Valley and BKV, which would be for them to fund all pre-development equity in the privately owned component.

[04:17:57] In this proposal, they did not provide any incentive or revenue or support for construction of fire station three. But having said that, if we were to go through the process, we're going to negotiate a deal, and we're going to negotiate the deal that's best for the city.

[04:18:16] So just bear in mind that this is a bare-bones concept, and if the council has further interest in this, you know, we can have that discussion about whether we want to do a proposal, issue an RFP, or more passively, wait for an unsolicited proposal.

[04:18:38] Although I will say that in the state code, it does allow us to have conversations with a developer and say, you know what, we might like you to submit an unsolicited proposal. There's nothing wrong with that. Those words are spelled out in the state code, so it's nothing unethical to have that conversation.

[04:19:02] So that is the conclusion of my presentation, and I'm happy to take any questions. Council Member Amos. Not really any questions. Just to preface early, I'm a fan of RFPs. So I would definitely recommend moving forward and seeing what kind of bids we can get. Because I was pinged by two people after the RFI window closed. Well, by two different companies that were interested and have done fire station redevelopments before. So I think they'd like to throw their hat in the ring.

[04:19:35] Councilmember Hardy-Chanley. I'm curious about the part, I think it was on slide 12, about the privately owned components. Can you talk a little bit more about how that works? Because I think as we were talking about the fire station, I wasn't thinking that there would be a privately owned component.

[04:19:52] But how does that work? Well, I think in this concept, and again, it is just a concept, that we would work with a developer to construct something that includes the fire station. And this is a good moment to have that conversation while we're still in the initial, I guess, we've moved past the feasibility study into the initial design piece of Fire Station 3.

[04:20:17] If there's going to be something constructed around that, this is really the ideal moment to have that discussion. In this proposal, they were suggesting they would look at the best use, which could, at least on the face of it, would be either residential or hospitality.

[04:20:38] Does that provide enough detail? Okay. Councilmember Amos? I think just to kind of quickly build on that point, what I've seen with a lot of RFPs, especially Fairfax County does this all the time, is they do ground lease agreements.

[04:20:54] So we own the land, and then they're like a tenant, or they lease it under like a 99-year contract or something. So I imagine that's what privately owned means, but we'll see what they try to come back with. It could be build, own, and manage, build, own, operate.

[04:21:10] The residences at the government center, you know, when I worked for the county, we issued the RFP for that project, and then you're right, we did a ground lease. Yes, that was a success. Other questions?

[04:21:27] Other questions? Council Member Peterson. So just so I understand this correctly, part of what they did is they took a look at what, I don't have your exact terms highest and best use what the market would say and that was not a fire station no it would be a combined use so the RFI bear in mind we said we have commitment to already build a fire station but we have land here that could be monetized for addition and a shared use facility so we would be combining a fire station with residential use yes and they

[04:22:06] they gave an example where they've done that same type of project i think i said it was in arlington so it's it's not novel it has been done elsewhere okay thank you other questions questions other questions council member peterson well just to follow up in terms of comparison with the cost figures that we've been uh presented and working with already what is the differential did they give us no no and i think if we are to pursue this further or we get an unsolicited proposal

[04:22:45] that's where we really roll up our sleeves and start negotiating to the best interests of the city do we have from past experience any benchmarks on what to expect no we have not done a ppea in the city so this would be the first project under the ppea guidelines but with similar projects and other cities do we have benchmarks? I'd have to research it. Every deal is very, very unique. So I'm not sure, but I'd be happy to try to find some information for you. Well, I mean, I think

[04:23:21] it would be useful just to understand what the experience has been and how that has translated into benchmarks for performance, you know, financially on these things. Other questions or comments? Well, I think this has been very informative and we're all interested to hear more once you know more about what direction that this is going in certainly it's an interesting concept to consider so thank you thank you ms shinaberry next items a discussion update on potential zoning ordinance amendments related to small area plans i'll recognize paul napy

[04:24:00] planning division chief to provide the staff presentation thank you mayor reed and members of city council i'm here with mark white and justin wallace our consultants working on this with white smith in casino we were last here talking to you about this project in january at that time

[04:24:37] uh this was a introduction to the city council for this project and uh the consultant was just wrapping up their first phase and so they are sharing with you their observations about things that we should work on to make the zoning ordinance more inconsistent and better operating with the recommendation of the smaller plan since that time they have been preparing strategies a list of strategies for us to consider about how we can amend the zoning ordinance so the purpose of tonight's work session is for them to share those strategies with you and they cover all types of topics that are covered in the smaller plans and receive feedback before we begin the next phase

[04:25:14] which is drafting the actual amendments and we'll be back to you later to talk about those we did have a work session with the planning commission about this last night so as we go through the the presentation we'll share some of the thoughts that they shared i also want to make the city Council aware of two efforts that are related to this that will be coming up because they came up during the conversations last night with the Planning Commission one is an effort that we are looking to secure a consultant for that will help us to identify public facilities improvements in the small area plans so this project is looking at the private side at regulations on how we deal with private landowners that project will look at the

[04:25:52] public side and what needs public support from the city or other types of sources and that will help us plan for the future with those types of elements or perhaps amend the plans if they become too difficult to implement due to limited resources. The second effort will be a review of all the small area of plans.

[04:26:09] The oldest ones are now five years old. We have heard feedback from City Council, Planning Commission, and other people in the general public about things that we should be looking at further, things that have changed since the plans have been adopted, and new information that we have based on new resources.

[04:26:25] So we'll be looking at ways that we should review the smaller plans and potentially amend them. So as we go through this process, this is really only looking at the zoning ordinance. It's not a time to change the smaller plans. We'll be coming back to that. But we will be thinking about how this project will lay out the structure for changes to the zoning ordinance.

[04:26:43] And then if changes happen to the smaller plans later, making sure that this remains flexible so that those can be adapted in later. And the last thing I wanted to put in a quick plug is that we'll be having a public meeting about this tomorrow. We'll be in this room from 2:00 p.m. to 8:00 p.m.

[04:27:00] It'll be an open house. Folks can stop by any time. You can come in and talk to us directly, and if you're interested in just one particular subject that we're talking about with this, then you can focus on that and drill down into it or cover everything. So please stop by sometime between 2:00 p.m. and 8:00 p.m. tomorrow here.

[04:27:18] So with that, I'll turn it over to Justin Wallace with White Smith and Casino for the presentation. Thank you, Paul. Good evening, Mayor and Council. I'm going to jump right in since Paul

gave a great introduction. We're here to receive feedback on preliminary recommendations for the small area plans, zoning implementations.

[04:27:36] So potential updates to the city's zoning ordinance. We'll give a brief progress update of where we are in the project. we've broken this up into digestible sections so we'll talk about the desired uses and frontages open space and trees character elements or land development patterns height density and community benefits and then we'll end with a zoning framework evaluation so first we'll just

[04:28:10] briefly recap about the project this project started with the comprehensive plan and its description of activity centers which are the five main centers in better accommodating walkable urban development over time the small area plans which city conducted over the past few years have gone into a little more detail on a neighborhood scale and so the comprehensive plan obviously set the overall vision for the city the small area plans refines that vision for each

[04:28:47] of the five activity center areas. So this includes Camp Washington, Fairfax Circle, Old Town and Northfax, and Pickett and Main as well. Each of the plans goes into different elements to describe the character. So we'll talk about what the desired mix of uses are, the density and level of intensity for buildings, the overall design aesthetic, and how street connections will happen, infrastructure improvements parking and open space those are some of the qualities that were described in the small

[04:29:23] area plans and we're here to talk about how the zoning ordinance can implement those ideas and concepts so as i said before the land use policy sets the overall vision and goals and we are tasked with implementing what that vision is through the zoning ordinance so turning that into regulatory language. So we're about midway through the project. We have completed phase one, which was more of a discovery phase. We held a kickoff meeting back in August. We met with

[04:30:01] technical focus groups back in October. We had our first community meeting in November, where we introduced the project and took preliminary feedback. And we also met with Council and the Planning Commission in January of this year to give a progress update of where we were with the project and since that time we've been we've written a report over the past few months and we just released that to for public viewing and that includes all of our preliminary recommendations which includes strategies and tools to implement this into the zoning ordinance

[04:30:40] And so that's available and open to the public. Our next phase will be, one, taking feedback tonight, but the next phase will include drafting and eventual adoption of a zoning ordinance through text amendments.

[04:30:57] I already mentioned the report, which is available. The report includes our analysis of all of the issues that were collected over the first phase of the project. This includes looking at other cities, the peer communities, seeing what communities are doing in and outside of Virginia, but also looking at best practices and potential options and strategies and just weighing the pros and cons of those strategies to find the best solutions available for Fairfax.

[04:31:29] So we're going to start with the desired uses and frontages, and we'll first talk about mixed-use development, and we would appreciate Council's feedback on this topic as well. What we would like to do is unlock potential for activity centers, and all the small area plans call for and envision mixed-use development.

[04:31:57] And so we believe that the zoning ordinance should enable mixed-use development and facilitate that. Currently right now mixed use development is only permitted through special use permit and reviewed by city council. There's also a requirement that requires 75 percent of the ground floor to be non-residential. And so what we would like to consider tonight is allowing by right mixed use development and that would help remove or mitigate some barriers and facilitate mixed-use development to help align and implement the small area plans.

[04:32:37] So that's one option. The second option would be strengthening the zoning ordinance with better design criteria in place that we could include in the ordinance itself, specifically tailored for mixed-use development. And that could include development frontages or use regulations with stronger design criteria.

[04:32:59] The third idea is enhancing the city's design guidelines, which includes some guidance on commercial structures, but not so much guidance on mixed-use development and activity centers. So those are three pathways that we feel can help enable the activity centers and create the vibrant centers that are called for in the small area plans.

[04:33:25] As far as retail use goes, there is a preference for that urban retail storefront condition. And the small area plans have priority streets where that priority retail condition is envisioned.

[04:33:43] But there's also situations and conditions for different formats and configurations for retail. So how do strip centers and big box stores and those one-off pad sites fit into the activity centers? And we feel that in order to capture the reality of what's existing today, that we could have both priority retail frontage in the zoning ordinance, but also a flexible commercial frontage to accommodate those other retail formats.

[04:34:17] And so the frontages would include additional design criteria that would set the expectations of what these types of retail conditions would look like or set the expectations in the zoning ordinance.

[04:34:32] For residential use, we heard a lot about wanting more active fronts along multifamily and townhouses and a greater need for flexibility and creativity with how residential is designed.

[04:34:53] And townhouse and multifamily development is the most desired in the activity center areas. And so, again, residential frontage conditions, we can include a design-based approach to really focus on activating residential frontage conditions.

[04:35:12] So focusing on and enabling porches and stoops and yards and courtyards. And really trying to understand what the spatial quality is for those and including that into the zoning ordinance. So I've talked a lot about frontages, and so our preliminary recommendation is to enact the development frontages, which is called out in the small area plans.

[04:35:39] And so we've developed four frontages, priority retail, flexible commercial, residential, and open space frontage. In general, as I said, these would promote a more active interface between the building and the street, and we could include design criteria with spatial qualities to set the expectations in the zoning ordinance itself.

[04:36:02] We pulled a few examples from other codes just to give you a visual of what this might look like, and it is a more design-based approach than what the current zoning ordinance contemplates today. so that was our first segment the second segment is about open space and trees so what we heard from the

community is that they wanted more consistency and clarity with open space standards and even the definitions of what open space means and there was a call for more green space with urban development

[04:36:41] and also to represent city values of what open space should be and so those the values that were mentioned were inter interconnected network of open spaces operating at a variety of scales and programs different activated space and programming for open space and more resilient and sustainable plantings and species so we are recommending that for activity centers we would establish a minimum requirement a minimum percentage and so for example that could be 10 to 15 percent and then

[04:37:20] And we would define open space typologies with their own definitions. So we would also delineate the difference between public and private and what would constitute or meet or satisfy the minimum requirement.

[04:37:42] We looked at other communities and Loudoun County recently updated their zoning ordinance and they have an example of a value system where the types of open space that add or contribute more to the public, such as archeological sites or tree stands where you're conserving certain areas, those would value more than different types of open space that might be residual or for utilities.

[04:38:13] And so it kind of sets an expectation for developers to really strategically think about how to use space to meet the minimum open space requirement. And we think this would be a good strategy for Fairfax and we've received good feedback so far on this idea.

[04:38:36] The next concept is the minimum tree canopy and street trees. So with the minimum tree canopy, we are restricted with what the state code permits jurisdictions to do at the local level and we acknowledge that that street trees are critical elements for an urban environment and so what we've looked at are some alternatives that may satisfy meeting that minimum 10 percent tree canopy requirement the code the virginia state

[04:39:11] code does allow some design alternatives and so you could have street excuse me meeting the tree canopy which is on site not in the right-of-way we could include more room in the fronts of buildings to allow the tree canopy to be met we can also look at above-ground solutions so maybe terraces or patios or even green roofs but as long as the tree satisfies the volume the soil capacity and satisfies the urban forester specs that could be an additional option to meeting that

[04:39:50] tree canopy requirement there's also the option for off-site or in lieu fees which is currently supported but it's not included in the zoning ordinance as an option so it happens through that negotiation process but it is an option and it should probably be used as a last resort for you know sites that are severely constrained but that is an option that's available and allowed permitted by the the state code the other option is updating the master tree

[04:40:26] and species standards there's a lot of mention about invasive species and including drought resistant and resilient plantings and so we can evaluate the master tree and list and species and to make sure that that has the available options for more resilient plantings. We also for street tree placement in the right-of-way there was some coordination efforts and so what we're proposing is to set that hierarchy in the zoning ordinance so there's more

[04:41:04] coordination and expectations are laid out between the different agencies public works planning and the urban foresters so that the developer applicant understands what the steps are and that's clearly laid out in the zoning ordinance so the next segment is regarding how land develops and so we'll

talk about a master plan development a master plan development master development plan is currently used for PDDs in the city so it's something that's already used in the zoning ordinance today but we feel that this is the best approach

[04:41:43] for activity center areas it's it seems to work well for getting those street connections and for understanding interconnections between adjacent properties and just those coordination issues that you deal with in site planning so this would be required for activity center areas we also think that there should be some clear exemptions for example smaller parcels under a certain threshold currently PDDs have a threshold of two acres or less so we

[04:42:21] might set a minimum threshold for activity centers that you you wouldn't need a master development plan if you're not a larger site or if you're not proposing any streets or public right-of-way or public easements the The next topic is really balancing smaller incremental development, but also aggregating lots for larger development.

[04:42:50] We thought these kind of went hand in hand because both are incentivizing different types of development happening at different scales. With the smaller incremental development, we found in other projects and other clients that the smaller developments, the smaller sites have more of a cost burden and a difficulty or challenge redeveloping over time.

[04:43:19] And that's because you're dealing with parking, you're dealing with these other regulatory issues that take up space. And so the idea is to incentivize or offer some relief for smaller sites in activity center areas to really focus on the redevelopment and improvement of of the building itself and not put the focus on excessive parking areas and by doing that you can create more space for trees and bicycles and even more buildable area so that's an idea that we would like to incentivize

[04:43:55] in the zoning ordinance and explore that and how that might work at a greater detail the next option is aggregation of land which is a city goal is to assemble properties and it may not happen everywhere in activity centers and it may not be appropriate everywhere in activity centers but we feel that this could encourage more buildable area and have some advantages to developers and the property owner and also to the community as a whole because you can

[04:44:30] Potentially get more amenity space out of aggregation of lots and larger larger developments. So Those are two ideas that we're exploring just incentivizing The lot assembly and also to offer some relief for small-scale development. The next topic is parking. So I think with with parking We are suggesting to adjust or right-size the parking requirements for activity centers areas.

[04:45:07] After a review of the ratios, we looked at other communities, and we feel that the current ratios are set higher when compared to other jurisdictions in the area. And so this is something that we can look at, and I don't think it's in our scope to do a full scope or study, a comprehensive study, but it's something that we can look at to adjust what the ratios are and potentially to find some flexibility in the city's parking standards.

[04:45:41] So we can talk more about that if you have questions on that going forward. but that is one of our recommendations is to adjust or right-size parking requirements for the activity centers. So now we're going to talk about density and height and how that relates to community benefits.

[04:46:03] And so when we think about density, we probably think of a specific number, but density is not just a number. I think if I say 17 dwelling units per acre, no one really knows what that means.

[04:46:19] but density should be used as a gauge or a metric to achieve the city's goals. So what is an appropriate density for activity centers or to get the housing availability that we need, what's an appropriate density for transit or for parks?

[04:46:39] And so we're trying to find the right metric or number that works and is appropriate for activity centers. One thing about density is that it's not as precise. It doesn't measure persons.

[04:46:54] It measures dwelling units. So that doesn't necessarily tell you how many people are in a space or the number of bedrooms in a space. It tells you dwelling units per acre. So that's important to keep in mind is that not to get so caught up on the actual number itself, but finding an appropriate range that makes sense for activity center areas.

[04:47:20] So what we're recommending is to set a baseline density, and that would be a maximum cap for activity centers. And just as an example, you know, that we could set that as at a number as 40 dwelling units per acres.

[04:47:35] And then if development, if developers want to go over that density, they could provide some tradeoff or public benefit in exchange for increased density. And we feel that's the best route for ensuring those public open space or other types of community benefits is through a density bonus program.

[04:48:08] So staff put together a few slides just to give you an example of some of the developments that are on the ground today. And again, these all range in the number, but it kind of gives you a sense of the types of density that are occurring in the city.

[04:48:26] So the first picture is a townhouse development, and so these are at the lower range, 14 dwelling units per acre. Multifamily developments, this one comes in at 24 dwelling units per acre.

[04:48:42] and then in the activity center areas we have the Scout and the Moxley which are just under 50 dwelling units per acre and then you have some developments which are exceeding that much higher at 87 and even 154 dwelling units per acre so we kind of have the whole gamut here so it's just something to consider you know what is the appropriate density range for activity centers areas and if developers want to go and exceed that what are some of the trade

[04:49:14] offs that we want and want to prioritize for activity centers so for building height what we heard from community members is that they want some predictability across the board and but they also want some flexibility built in as well and the small area plans call for some variation in the building height but there was some consistency that buildings should transition to the residential areas in their height and massing and they should also respect

[04:49:53] historical areas as well so there should be some transition either in massing or in height for activity center areas we do have some benchmarks set already the current commercial urban district allows up to five stories and the comprehensive plan supports five stories or less in activity centers and that was before the small area plans were drafted and adopted so that gives us something to work with and so what we're recommending for

[04:50:27] in terms of height is to set a five story within 60 feet as a maximum baseline height and buildings would need to transition or step down to those historic areas or nearby residential areas and if developers want to exceed that five stories and 60 feet then there may be specific areas that they could do that in exchange for either public open space or some other community benefit to

[04:51:02] achieve greater height so this slide gives you just a graphical example of what this means so all the small area plans allow up to five stories and 60 feet across the board but some small area plans called for more height and so this would be achieved via an exchange or bonus height program to ensure those community benefits so I've used community benefits a lot but what does that mean

[04:51:37] there were several topics that were called out in the small area plans so those included high-performing or green buildings, public open space, sensitive environments and ecology, so sustainable features, enhanced stormwater and infrastructure, public art, transportation and mobility, specific or unique uses that are specific to the small area plans, and historic preservation or adaptive reuse.

[04:52:10] And so what we did was we used an evaluation chart to help give us an idea of how we can integrate this into the zoning ordinance and what's the best way to do that. And so we think that some of these might be more appropriate using a development bonus so that exchange for height and density in exchange for some of these.

[04:52:36] And that's because there's a cost element that's involved with some of these. So when you think of historic preservation, there's a, you know, it's much more costly than, say, public art. And so what we're asking council to reflect on is, you know, is it worth prioritizing these community benefits and what is the best way to do that?

[04:53:00] And so just as an example, you know, we can one, require certain elements in the zoning ordinance itself, Or we can incentivize or offer, you know, an exchange.

[04:53:16] So if someone provides public art, maybe they get a reduction in parking. Or we can offer some additional entitlements in exchange for historic preservation or some other community benefits. So these are three different ways that we can incentivize and ensure those public benefits.

[04:53:37] So last, we're going to talk about the zoning framework. our report we evaluated nine different approaches for how what's the best zoning approach for activity centers and just a few examples one we could potentially reuse the existing commercial urban zoning district or we could create a new zoning district we could use and modify plan development districts and there's a number of other options that are included in the report

[04:54:13] And we've weighed these and included advantages and disadvantages of each one. And there is also the option to combine some of these and provide a more hybrid code approach. And so, again, we used an evaluation chart to help us navigate and make an informed decision.

[04:54:37] And so some of these options are much better suited than others. And so the darker circles help show what, which zoning district or which zoning option can help us achieve the strategies that we discussed previously in the presentation.

[04:54:56] And so just, you know, a few takeaways, a new zoning district or planned development, they may be a more effective tool than reusing the commercial urban zoning district. Also, incentive zoning, we might be able to use that to achieve other elements, and so there may be ways to kind of mesh a couple of these options together, but that's also what we would like council to reflect on tonight and to provide some preliminary feedback on a zoning approach.

[04:55:33] and so I have a summary slide of all that I went through that pretty fast but I'll quickly recap so we're evaluating a zoning district framework and would like either a preferred strategy or preferred set of

options we'd like to set a baseline for height and density with consideration for transitions and we'd like to offer incentives for height and density in exchange for community benefits we are recommending to remove barriers and facilitate mixed-use development in activity centers and introduce those development frontage

[04:56:12] types which can help balance or offset some of the the regulations that we would like to mitigate we would like to establish minimum criteria for open space and define those better within the within the zoning ordinance and then for minimum tree canopy we'd like to include some alternative compliance options and then better coordination for street tree placement within the right-of-way we'd like to require a master development plan with some specified exemptions and

[04:56:49] also include some incentives for small-scale development and for land assembly and then to adjust a right size parking standards so that's the conclusion and we're happy here to take any questions for you guys uh council member amos then council member hardy chandler yeah i won't take too long because i have a number of questions but you also have a community meeting tomorrow that i plan on attending so i'll save a lot of them for there uh just some things i wanted to kind of get some clarification on so when you say

[04:57:24] incentivize lot assembly are there examples of how that's typically done i mean how would you usually go about that type of process for consolidation right we I had initially included that an example in the in the presentation but I think it might have been too detailed because I think we're still you know weighing and trying to figure out what the best option is but there are examples of how to do that and so you can exchange acreage for either density or floor area ratio and so you know what that number is exactly I think we need to think

[04:58:04] through that some more but that's one example no I and I greatly appreciate this presentation the work you've put into this honestly I really really love a lot of these recommendations so this is a very great start I need to think a little bit more about the buy right versus the update standards and design guidelines I'm not entirely sure how I feel about that the last thing I want to touch on briefly is the community benefit zones. I really like the idea of emphasis on ecology and public arts. So when you brought up entitlement exchange, I really like that idea. Could you give some just more clarification on what we would anticipate when it comes to entitlement exchange?

[04:58:44] Yeah, and I think the chart helps with that. And that is something that we would like to evaluate more because I think there will be not all of these are going to be equal and so some might carry you know more weight than others and so that's I use the example of historic preservation and public art and planning commission had some comments last night about public art and you know just thinking through what what are the priorities for activity center areas and what is needed and

[04:59:21] And so when you think of enhanced stormwater and infrastructure, those carry some additional costs for the developer. And so those might be more appropriate for a bonus. And while we're not set on any direction, we at least have some type of guidance and an informed decision-making process.

[04:59:44] So does that answer your question? No, yeah, it definitely does. And I think incentivizing those as much as possible is a great idea. I know that there are some projects that I've worked on that I can't publicly talk about yet. We actually enlisted the help of a public artist, specifically out of the Hispanic and North African communities, for certain populations.

[05:00:05] And that kind of design work, I think, would be very, very helpful in developing placemaking in the community. Councilmember Hardy-Chandler? Well, thank you for the pretty hefty preliminary report. Appreciate that.

[05:00:21] First, let me start with a question about, I'm intrigued, or I want to understand a little bit more about what you're referring to with performance-based design. Can you explain that just a little bit more? Sure. I think that was in regard to the development frontages, if that's what you're referring to.

[05:00:41] And so that is performance or the spatial quality or a set of design criteria that would help set expectations with what the development frontage is and what it should look like.

[05:01:00] And I think it should reflect what has been said in the small area plans. And so performance is just the set of design criteria. it's options that if you meet x y and z if it performs in this way then it would satisfy the criteria so to me it's its design criteria and defining what the the quality and spatial quality of the frontage type is i think what i really appreciate about your presentation is a additional

[05:01:37] emphasis on defining things more clearly and providing more clarity so that we don't have to one by one identify these special uses and and really have something up front that people are presenting and that they're designing or putting their pro proposals within in terms of guidelines so i'm hearing you in terms of more definitions where i have a little trouble and may need to reflect a little bit more is the parking issue and the buy right issue but i think the definitions are definitely needed and will help ultimately with what we wanted out of

[05:02:16] this and that is more alignment right I think one of the things that it does come back to in terms of us giving you helpful feedback is us understanding our priorities as a city and because those definitions cannot be refined if we're not clear on our priorities so I think one of the things both in the open house tomorrow and in further conversations is just really giving you feedback because it isn't going to be helpful for that to be arbitrary it needs to be they also

[05:02:53] heard you say values than what we value and I'll say for me things that bring synergy between what might be a development proposal and things like what we talked about earlier with the storm water things we talked about earlier with the environment if there's synergy between what those guidelines are for development projects with the other things that we have said are important based on what we've heard from residents that's going to be a higher priority for me so just wanted to put that out there the comments and questions council

[05:03:31] member McQuillan could you maybe elaborate a little bit more regarding the 75% non-residential ground floor requirements you had mentioned that it might look a little differently what what kind of ideas did you have in regards right um so currently there is a 75 non-residential requirement along the ground floor and so that's currently required

[05:04:06] of mixed-use development with upper story residential today and so what we've heard through our engagement process and reviewing recent development applications is that 75% seems to be a bit high and that it's a challenge meeting that requirement and so we think it's worth looking at i i don't know if we're suggesting to get rid of it entirely and planning commission made that comment as well last night it doesn't sound there's some hesitancy there and so but i

[05:04:41] think we want to look at it and and understand what um what needs to be mitigated and maybe it set too high and maybe there's some some ways we can address that better also as we understand it you

know the retail environment is its own thing it's market-based it's market driven and so if we're requiring so much retail that could have some adverse consequences later such as you know turnover of a

[05:05:14] tenancy or vacant storefronts and so that's something that we want to avoid and so by moving towards more of a design-based approach with the development frontages we're more focused on how the building interfaces with the street and not so much on the use or the change of use that occurs at the building and so that's hopefully that answers that okay could I add to that yes the The purpose of that percentage is to make sure that what's at the ground floor is active.

[05:05:47] You don't want empty spaces there because there's a reason why we call them activity centers. You know, these are places for people to congregate. They live there. They shop there. There's places for entertainment. And so that's why a lot of communities have gone to this ground floor retail and active retail use requirement.

[05:06:08] It's challenging in the marketplace. And what we're looking at is alternatives that get us that performance criteria you're looking for and achieve that, but not limiting the options for complying with it.

[05:06:25] So other things like, you know, Justin also showed you maybe some civic space typologies, for example, that might achieve that and maybe more attainable in the marketplace as well. I'll probably just explain what Justin told you maybe with different words, but hopefully that helps.

[05:06:43] No, but the example is kind of what I was looking for, were some ideas of what you had in mind, since I wasn't really sure what kind of other things would go there. So thank you. I also wanted a little bit additional elaboration on the tree canopy, number six, minimum tree canopy.

[05:07:00] What kind of alternative solutions did you have in mind there specifically? Right. Specifically, so that would occur on site. And right now, you know, you have to satisfy that 10% minimum on site. What isn't clear in the code is how to do that necessarily.

[05:07:22] And the state code allows some additional options, and so that could, you know, if you have a tree and it's above ground, maybe it's on a terrace or patio or on a green roof, that is another option that's available, but that's not included in the zoning ordinance today.

[05:07:47] and maybe there's a reason for that but just allowing more options in the zoning ordinance is you know how we would like to approach it and so that's that's one idea the other idea is allowing trees to occur in the frontage zone like in front of in front of the building and so that is another option and maybe we can build in some flexibility into the zoning ordinance to allow that to happen. So as we understand it, the minimum tree canopy is a challenge for developers to meet. And so just finding more options on site and on the building is something that we can look

[05:08:25] into. Do we happen to know, and you might not know this, but do we happen to know why they didn't allow that flexibility when they first did the codes, the zoning codes? Just curious. I mean, you might not know. I just... The flexibility about the frontage zone, the frontage zone was a new element with the 2016 rewrite and it was intended to really create a street tree types of type of atmosphere so I think that with the type of conflicts we run into with that weren't anticipated at that time so we've now experienced that more the the issue about being able to plant in elevated

[05:09:03] areas is just something that wasn't considered gotcha thank you I was just curious as to and then I my last question is regarding the part the parking standards um it says right size what exactly what is right size we we got that question last night with planning commission as well and there probably is not a right size um so i what we want to do is adjust and see what um is appropriate for those parking ratios um especially for commercial retail and in restaurants and maybe adjusting those that to promote an urban

[05:09:42] environment more walkable environment so ideally it would be looking at potentially reducing the ratios and so that's what we mean by by right size mark did you have yeah it basically means not requiring too much and not requiring too little it's just getting that number right and as justin mentioned when we looked at your peers in the region fairfax is requiring more parking than they do in fairfax these activity centers are getting more urban these aren't suburban areas anymore at least that's not what the adopted comp plan says and when you move from

[05:10:20] a suburban to an urban condition you need a different package of parking requirements you have a table of parking ratios that are citywide they're not going to work in the activity center they're just not it's too much parking it requires too too much expense it displaces land that's more valuable for other uses but we also recognize you know that i couldn't find the the metro station in fairfax right you have to drive here people drive here but i did uber so you know there are other ways to get around and people who choose to live in that kind of environment are choosing

[05:10:59] you know not to use their car for every trip they're choosing to walk places they're choosing to maybe take the bus because that's how they want to live and if you want to get there you know to enjoy that kind of the kind of environment you have an old town you expect that it's going to be a little more crowded you expect it's going to be harder to find a parking spot and if it were easy to find a parking spot you wouldn't have old town you can't have both it's going to be challenging so making sure that we can adjust the parking on a case-by-case basis you know with

[05:11:38] these um but subject to criteria is what we're looking to get at we're not going to redo the entire you know parking ratios for the entire city but in the activity centers we want to make it easier to reduce parking in your trade-off is you get the things you talked about in the comp plan or you get community benefits so that's what we're looking at is getting to that right number for each project and it's going to play out differently in each of the activity centers it's going to look different in old town than it does in camp washington for example so that's

[05:12:15] that's why it's kind of hard it's harder to answer that question than it is and somebody asked me what are you doing with the parking ratios yeah we look at the trip generation manual we and it's an easier number it's a it's a more complicated framework when you're looking at something like what you've got in the activity centers right right well and it's a big concern because we all have been in those cities where as you said you can't find a parking spot and we don't want that we want people to be able to park and go to our restaurants and frequent our stores and enjoy those things. And we recognize we're at a different stage now, which is why we're having

[05:12:52] this discussion with the growth. And then I do have a question about the community benefits. I recognize that there's a lot of options here. We've discussed, and this is probably not in the same discussion, but proffers and education. And when I'm looking at a lot of this is in regards to obviously it's the activity centers we're talking about mixed use developments do you take into consideration any kind of

changes to our infrastructure due to if this zoning was to take hold it appears that it would make certain things a little bit more streamlined but it would also

[05:13:30] possibly encourage more development is that possible this i want to be sure more of this mixed use development coming in and i'm just wondering if you're taking into consideration The idea that, you know, if we did have this more streamlined process, it's easier for developers to come in and get their approvals and they understand, are we taking into consideration the stages and of the strain on the infrastructure?

[05:13:54] What it's going, not necessarily a strain, but what it's going to do to our infrastructure? Right. Yeah. Yes. That's the short answer. But I think there's two things that come to mind. One is the master development plan. I think that's a good tool. And it seems to work.

[05:14:11] As we understand it from staff and developers, it seems to help with the coordination of the infrastructure and those connections. So that is one tool. But also with the community benefits that not every site is going to be the same.

[05:14:27] So some sites may have more infrastructure or more stormwater management. It just depends on the site. So I think that is on the table that we can look at. Because, as I said before, there's a cost that's associated with it.

[05:14:43] So I think that's worth at least including is, you know, the trade-off between infrastructure and density and height. Yeah, that would be helpful, too, because as I'm looking at this, I am thinking just from school board background, I'm thinking about the children that might be coming in or the police, you know, just the emergency services, the things that you expect with more people moving in.

[05:15:08] So I was just curious how that... if i could add to that uh this is will partially be influenced by the the approach that we take and so you heard in the beginning the options we looked at one of the bigger questions is do we try to get to a buy right scenario for mixed use development or these other steps by right being the most ambitious would probably be the most incentivizing for development to come so if we take that approach we have to think about ways that we can control it if it reaches the point where infrastructure is too heavily impacted um so one of those things to consider on that approach The other thing is, I mentioned at the beginning of the presentation that we are hoping to

[05:15:44] begin soon on a separate effort that will look at public facilities associated with the smaller year plans and citywide. And so that will be looking at impacts to things like schools and also other types of infrastructure to figure out what we need to do to address them or how we need to amend the smaller year plans to change that impact.

[05:16:04] Excellent. Thank you so much. Appreciate that. Other questions or comments? Council Member Peterson. Thank you. That is not only a big slide deck, but a pretty long report.

[05:16:20] If I got it right, there's like 98 pages and then another 90 for an appendix. Is that sort of right? So it's almost as big as our budget book, right? And I say that because that took us a couple months to get through.

[05:16:37] And all kidding aside, there's a lot here. And I'm wondering what our timing is like in terms of trying as a council to digest this but also working with the community to digest this and be able to sort through issues because there are very, very major issues here, and there are a lot of them.

[05:16:56] There's just a heck of a lot here. Again, kudos to you guys for putting this all together, but there's some major stuff here. One of them, for instance, the by rights issue is I think a big one. And one of the speakers during public comment noted that by his calculations, the by rights development for the area plans would result, they were allowed to, to expand the city population by 40% in a very short period of time, 10,000 more units and 25,000, not too long thereafter.

[05:17:34] So doubling the city's population be great. you all could review those numbers and let us know your thoughts on them but if they're correct the reaction generally by the community at least that i tend to hear from is that is pretty shocking i think there's a tremendous concern about expanding this city's population at that level and at that rate there are all sorts of implications so i think it'd be great to do a little bit of cross-check in terms of some of the estimates of the impacts of this in

[05:18:11] terms of the growth and the number of people in the city. The second part of this is the question of constraints and what are the constraints to growth and there are any number of constraints to growth that we might need to grapple with and you've I think noted some in here but I need I think to call one out and that's transportation. We've certainly heard from the planning commission very serious concerns about where we are with transportation capacity.

[05:18:43] And so I'm wondering, as we've put this together, is there a study on transportation capacity and capacity constraints for the city that we could be directed to that would help us understand what those constraints look like and how they would impact these kinds of choices?

[05:19:05] First, to address the first question, the combined recommended growth from all four of the adopted small area plans is about 4,000 units. There's no projection on what the population would be because that would depend on exactly what types of units and bedroom mix and that type of thing.

[05:19:23] The second question about transportation, each of the small area plans included a high-level transportation analysis, not what we would consider a traffic impact study because the scope of that was too detailed. I'm not aware of a city-wide transportation analysis that's been done, so we don't have those kind of figures, but each of the plans also do include transportation improvements that we tend to focus when we talk about them on the pedestrian and multimodal improvements, but they also do include things like intersection improvements that are intended to help flow and those types of things, but there's no numeric analysis to back up any of those changes.

[05:19:59] And I appreciate you clarifying that. I do myself think it's a real concern from the numerical side. We don't really understand, as well as I feel like we ought to, the contribution that a development decision makes to the capacity that we have, whether it is exceeding it.

[05:20:22] If not, whether it's contributing to it and how much and how much room we have for expansion before we reach those capacity constraints and where we want to allocate that available opportunity because it's not unlimited. It's really a dilemma, you know, when you go through the particulars of actually enabling development to get in place that you really don't have the answers on the transportation side.

[05:20:48] This is like playing tennis without a net. And I am concerned about that, because when we look at these forecasts, and I think it'd be good to double-check all those numbers, but however you see them, they're pretty substantial in terms of the implications of this for expanding the number of people and the number of cars and everything that goes along with that.

[05:21:10] So it'd be great if we could find a way to spend a little bit more time on that and understand the implications. Go ahead. Yes, thank you. And like Paul mentioned, there are separate efforts on that. But meanwhile, a couple of things in the report that I think hit on that are, number one, you know, having a baseline for building height and density somewhat controls that.

[05:21:34] So you can build, you know, we heard the speaker, too, earlier. And if all nine stories were by right, yeah, that's kind of big. But what we're talking about is a baseline, kind of a cap.

[05:21:51] And then beyond that, you've got to contribute to community benefits. Maybe it becomes more discretionary beyond that. And we can look at it more on a case-by-case basis until we have a better sense of what those numbers are and what we can do about them.

[05:22:08] We won't know before this project is over the answer to all that because those are some separate studies that are underway. but there are ways to sort of control for that situation until we do, and we can put a framework in place that gives you better tools to deal with that.

[05:22:28] The second thing is whether the number is 4,000 or 5,000, they're not going to happen overnight. If they happen overnight under our code, we're going to apply for the American Planning Association Award because we just wrote the best zoning ordinance that's ever been written. I mean, this stuff has to happen under market conditions.

[05:22:48] It takes a long time, you know, for a development to happen. And that begins with the planning stages that we don't see because there's a lot of that that goes into the applications that come before you. This takes a while.

[05:23:03] It's not going to happen overnight. And, you know, Fairfax is, if it's not already there, I mean, it's approaching buildout. So, you know, that's a consideration. And the other one is the activity centers are the places where you already have infrastructure in place.

[05:23:22] They're already sort of designed for your most intense development under the conditions laid out in the plans and is further refined and regulated in the zoning regulations, whatever they end up looking like.

[05:23:39] So I understand the concern. it's a big one um you know the you know each dwelling unit creates students the student generation rate is significantly lower for that kind of stacked development that you get but it will add to school capacity it'll add to roadway capacity capacity but the street networks are going to be interconnected they're not going to be one way in one way out it's not a suburban pattern. And that kind of leads to maybe interest in other kinds of development to handle transportation. I mean, I doubt that anyone in Fairfax is interested in, you know, it's four

[05:24:19] lane streets to start going to six lane and eight lane streets, right? I mean, we're, you're at a situation where you have to start thinking about, you know, thinking bigger perhaps about transportation so all of those are valid concerns so they're legitimate concerns for sure um but you know that what we're doing with the zoning is giving you better tools to cope with those um and they'll change over time when once you learn everything you know that that you laid out on the table so i appreciate that question well i and i would love to maybe take the next step

[05:24:56] though on behalf of the council but the community as well as understanding not just the among the tools some analysis what are these forecasts you talk about timing what does that really look

like what are the scenarios for that when you map that out I think that would be real helpful and going back to transportation I appreciate that there's some higher level stuff the small area plans but what has not yet materialized has been the kind of citywide transportation capacity analysis that

[05:25:31] it would seem to be needed to guide us in some of these big picture decisions. And this fundamental question of right sizing, when we've talked a bit about things like parking, but there's a really big issue community-wide, citywide, and within the small area plans about what right sizing is, and a lot goes into that again we're talking 200 pages of incredible dense detail here that's great but that's going to take some time and it's going to take some translation and it's going to take some collaboration i think beyond what has already occurred to help us sort out what we really want

[05:26:09] to do here and i would just like to be sure that we are actually going to do that rather than say you know we really don't need to worry about this so much let's just you know kind of proceed so i'd like to see if we could get a little bit more firm about those things if you're asking if we can do something like a citywide traffic analysis before this project moves forward that is something that's going to take additional resources and those things do take time so that would likely delay this project and there's nothing in the currently adopted budget to support that type of effort I had to check with Public Works about what we anticipate that kind of

[05:26:48] would cost but um it would be a fairly significant effort so that would not be able to be part of this project um if we wanted to happen before this project moves forward then it would result of this being significantly delayed i appreciate that no question there's time and money in those kinds of studies but it also may indicate that we would want to um slow down a little bit in terms of what we're doing here so if i can we can handle it if i can just briefly interject while i think

[05:27:24] that would be worthwhile i do not think it should be at the cost of slowing this down so i would not support that um i disagree i'm really concerned about the uh playing tennis with that out of net issue particularly on transportation we can update zoning if we feel like it's not working later as well i think mr harden is going to address this now just just a minor point i'm not sure i understand the tenants without a net reference but you know one thing in terms of

[05:28:01] transportation and traffic generation is each of these areas is developed already and so there's there's traffic that's being generated on each of these parcels currently or has been generated previously if they aren't as active as they once were and often what we see with a new development proposal is in in fact the increase in traffic is is relatively minor when it's analyzed as part of a development

[05:28:33] review and i know the community at large may not perceive that since that but that's oftentimes is the case because you know to the earlier point when you're looking at you know a mixed use development generally the traffic generation rates are going to be lower than a standalone single-use where everyone is getting in and out of their car and going to that individual site as you would see on a commercial strip

[05:29:08] that lines a lot of lines a lot of our city and we know just in our day-to-day we each probably bounce around from site to site and in mixed-use area mixed-use development. You're just going to have lower generation. And so that is something I think to take into consideration. We're not going from, you know, zero to developed. We have a significant traffic generation at this point. And go ahead. Well, just that we're looking at a pretty significant

[05:29:41] expansion of the population. Different scenarios under which that could happen, right? But we're looking at a net expansion of population that's very significant and the translation of that into transportation and other issues I think is a really important one and I think the community is really kind of concerned about the concept that we would commit ourselves to that kind of a growth pattern without understanding as well as necessary the implications of it and being in a position to manage them and and so I I would be interested in us

[05:30:18] understanding all of that more clearly well and the small airplanes just to respond the small air plans uh anticipate that that growth is not going to occur in months or or a year or two years that that is an extended period of time and development patterns in the city have have demonstrated that so for example scout on the circle was approved in 2014 you know we're we're we're now 10 years

[05:30:51] past that. That's the only development that's been constructed there, 400 new units. The point at Fairfax or the Moxley, approved in 2015, came back and amended it later, roughly 400 units.

[05:31:11] We're now 10 plus years out from that. That's the only residential development. So these things are going to meter to the earlier comment. The market is going to dictate how quickly those things go and the and the tools that the city puts in place in place to control that so it may be a desire to say let's let's put tools in place that allow for a greater level of control that helps the city manages to a higher degree which is completely acceptable but just based on what

[05:31:47] we've seen in our experience this isn't explosive growth that's going to happen overnight that's what what we've seen from experience thank you for that councilmember Hardy Chandler and I was just gonna add you're developing ordinance alliance tools right I mean this is going to result in something that refines our ordinances that in turn help refine our decision-making so I think while that's

[05:32:24] of interest for this but I don't think that that has to hold back the ordinance alignment effort which is the focus of my understanding of the focus of this effort councilmember Hall thank you for the presentation there's definitely a whole lot more here than I'm probably gonna be able to absorb in the time that we did this we should be able to come earlier we were a little bit more fresh but I'll do my best so I I do also have concerns about the by right development in general an example of that I think is that we are now at I believe 12 vape

[05:33:01] shops in the city for a city of 6.2 square miles it's a whole lot of vape shops going on and especially when we're in a very dense area with regard to kids so I know there's been previous discussion and a request to have a consideration of vape shops and by right and development in general not to be within a thousand feet of a school hopefully there was a request to try to expedite that I don't expect you've done it a week but we've certainly would look forward to that information soon you'll be hearing about that soon awesome um i too share

[05:33:36] the concerns about the parking um i recognize that if you are living in an activity center your car trips might be less depending upon what sort of retail is is below you um that being said i i think you know i think with the exception of one of us up here we all live in single family homes here in the city and on a day like today riding a bike or even standing outside for a bus stop if it's not our only mode of transportation is not the most attractive option. And I think you're going to get people that are just going to be driving a car because that's what we're used

[05:34:10] to. And that's, that's what we do in most cases. And just like we're not going to develop overnight, we're also not going to change behaviors like that overnight. And so I think the right size parking, I'm, it's definitely a go to lax approach. And I would hope that we aren't overshooting or undershooting because I think, for example, with the Amazon parking lot, we have a ton of extra parking there that in most cases doesn't get used, right? But, you know, maybe it could sustain another building there of something, another type of retail there that would do well. So that's

[05:34:47] just a concern that I know others have voiced. The non-residential of 75 percent, so it sounded like you thought maybe that was a low number. I actually thought that was, or you said that that was a high number. I actually thought the opposite. And I recognize that it's sometimes hard to find tenants and it's hard to keep tenants in there. But if we don't mandate what I think is actually a reasonable number, and again, I'm certainly not an expert in retail versus residential and all of that, but we're just going to end up with more and more people where then we're still heavily

[05:35:26] reliant upon the residential tax dollars and we're not diversifying and trying to bring in a lot more commercial it seems like so I do have concerns about that and then when you mentioned community benefits I actually got kind of excited and not that I don't love art around town but I actually went a step further of like okay maybe we're talking about a new park or a new trail or a new community center that we could you know try to bring funds towards to try to put towards something that is very cost prohibitive otherwise on our on our part so art's great but to me that that's not

[05:36:05] worth adding in an extra level of density or another 25 or 50 units or whatever it is just because they're willing to spray paint a building with some art I feel like that we could easily manage elsewhere and probably try to get more bang for our buck out of a developer.

[05:36:23] You know, other ideas, thinking outside the box could be filling in gaps of sidewalk or shared use paths or entirely new sidewalks and developments that don't have it. As we saw tonight, you know, a sidewalk on Norman Avenue is \$10 million. We could try to eat away at certain things like that.

[05:36:40] So that, to me, is more of a community benefit than an art example. I'm sure I have lots of other questions, but quite frankly, I don't think I know enough at this point about some of the stuff. So I do look forward to coming tomorrow to confirm the presentation portion is at six.

[05:36:57] Is that correct? That's correct. Okay. Is that going to be a similar presentation to this? Or am I going to learn more? More or less the same, yeah. Okay. But there'll be more opportunity to engage directly and focus on specific topics. So I think it'll be showing up tomorrow will be an opportunity to learn more.

[05:37:16] Okay. And what is the hope as to have the public outreaches tomorrow? And I want to say I do appreciate the length of time that you're giving for it. I think 2 to 8, I know it's a long time for staff to be here, especially after you're still here with us right now. But I think it's great that people can stop by when it's convenient.

[05:37:33] But what's next steps? I mean, when are you hoping to have this then wrapped up in a tidy package to be presented again and then hopefully have some sort of determination on things? Our next steps are changing, I would say. Okay. Admittedly, what came out of this report is a lot more detailed than we anticipated to begin with, and so with our original project plan, the next step was going to be for them

to prepare tax amendments and then come back to Planning Commission City Council in the fall to review it once and then consider adoption.

[05:38:06] With all the detail that we have here, we think we're going to need to have some interim discussions. I don't know what that will look like yet, but I think as we continue to look at this, specific items will come up that we'll need to come back to you and get confirmation on, ask more questions and those types of things, and we'll figure out how to work that into the process.

[05:38:22] So we'll start ironing that out, but I expect that we'll be back here. I don't know if we'll be back to you before the August recess or after, but I think we'll have at least another round of questions before we're ready with even a draft of text amendments. Okay, and then after that next step, then it likely will go back for additional public comment and conversation more than just a hearing yes we had planned on having at least one more round of public comment and we can expand that too with everything else expanding okay perfect yeah I know it's a lot but I also think it's it's really appreciated by the community to be able to be engaged to the degree that we all like to be

[05:38:58] engaged so thank you very much other questions or comments for the dais councilmember Bates thank you I am intrigued by the idea of having five be the you know the base maximum height and allowing for discretionary or conditional height beyond that I think that we may potentially be able to address a lot of the concerns I've raised in the past about this as well as

[05:39:30] the community my main thing is I don't want to have projects come forth that and possibly be built by right that are leading to a net negative fiscal impact or would not otherwise be recommended for approval by our transportation staff due to the traffic impact or parking impact or are leading to a significant net decrease in tree canopy on the site except for maybe very, very special circumstances.

[05:40:09] And so that is kind of where I am and certainly I think there's a potential to address that as we go forward on this. Thanks. Other questions or comments from the dais? Yes, Council Member Hall.

[05:40:26] Real quick, I totally forgot the tree canopy. Thank you, Council Member Bates. I am not typically supportive of reducing tree canopy, even for elevated. To me, that's kind of a bonus tree, if we can put it up higher, and should not take away from the minimum. Thank you. Any other thoughts?

[05:40:43] There is Council Member Peterson. The urban forest plan project is developing a lot of significant information that could be really informative here, more than just tree canopy.

[05:41:02] It's quite a bit more than that. How is that being coordinated with what you are doing? That plan isn't at the point yet where it's giving us information that we could incorporate it into here. You'll be receiving a work session on that later, and I believe draft reports are expected in the summer.

[05:41:25] We will be coordinating on that to see if those types of recommendations could be influencing this, and we will factor that in. The anticipated timeframe for that, as I believe, is for it to be considered for adoption in the fall. That was our original timeframe from this. It might take a little bit longer, so that could work out and that we could get those final recommendations before this is ready to be considered.

[05:41:47] Okay, and then I just want to underscore, if I might, because this is a sensitive issue with so many people in the community, the timing thing. I think when people are left with the impression that perhaps they should not worry about the amount of development that is projected to or likely to occur because it will occur over a long period of time, that does not allay their concerns.

[05:42:13] They're still concerned that that is not right-sized. And so if it's 10 years, well, people don't want the city to look different in 10 years in certain ways. And it's not just a matter of, oh, gosh, it's not going to happen in the next couple of years.

[05:42:31] Even if it happens in the long term, people consider that to be very significant. And they ask us to think about the long term when we're making these decisions. So I would, again, like to be sure we're thinking about tomorrow when we make decisions today in all these areas.

[05:42:51] Anything else on this? All right. Thank you very much. Very comprehensive. There's an event here tomorrow night from 2 to 8. People are welcome. It's a community outreach event. People with questions can come tomorrow and get this presentation and ask questions, which I think is wonderful.

[05:43:12] Thank you so much. 12F, the discussion and update on the new proposed alignment for the George Snyder Trail will be undertaken on May 27th, which is our next regularly scheduled meeting.

[05:43:28] I believe that the urban forest management plan is also on that agenda, so if you've got questions, you'll be able to ask them on the 27th. I will now reconvene the regular meeting and ask the city manager if he has a report out.

[05:43:49] No, ma'am. We will start with council comments councilmember Amos nope councilmember Hall councilmember Hardy Chandler I do want to acknowledge mental health awareness month. My career started in mental health So I really want to encourage people to Let go of stigma be well and those kinds of things. I want to acknowledge also being a participant in the human services

[05:44:24] policy meeting through the council of governments focusing on what is also foster care awareness month and the struggles that the foster care system is having with recruiting resource families and especially in this climate and the need is not going down the other thing i want to acknowledge is my colleague billy bates upcoming graduation with his master's in physics. We are so fortunate, I think, to have him on our council as a colleague

[05:45:01] and certainly as part of serving the city. So congratulations to Councilmember Bates. Councilmember Hall. Yeah, thank you. I forgot I took some notes. I just got distracted. I did want to recognize that it is small business month in the city of Fairfax. As the child of a small business owner, we had bagel bakeries in Delaware, and small businesses are really where it's at. So if you can find it in your day, week, month to go and support them, I know they will certainly appreciate it, restaurants especially

[05:45:35] these days. And one note that I actually was not aware of would be a comment of could we potentially consider adding the Green Acres facility to the Q bus route? I was not aware that it didn't go there. That was an interesting tidbit tonight.

[05:45:52] I don't know how close it goes, but that might be a conversation item. And, yeah, that's all for me. Thank you. Councilmember Peterson? My only comment is to, I know my mom's long since gone to sleep tonight, but make sure that she hears that I wished her another Happy Mother's Day.

[05:46:14] She's 96, and it's always worth celebrating Mother's Day at any age, but when you're 96, it's particularly important. Councilmember Bates? Um, uh, thank you again for the congratulations.

[05:46:31] I'm, uh, well, officially, not, not yet officially, I'll have the master's in physics on Friday. Um, and I look forward to continuing a couple different research projects, uh, with professors at Mason over the summer, and then starting a PhD in mechanical engineering at, uh, University of Maryland in the fall.

[05:46:51] Also be living here, of course. Um, and my advisor has an even worse commute than I do. So, you know, I'm not alone. And, oh, and, yeah, a belated Happy Mother's Day to everybody.

[05:47:10] And Mental Health Awareness Month cannot be more important. I have a lot of close friends who've been impacted by mental health issues and just can't be overstated.

[05:47:27] And, oh, and that's right. I'm going to be starting the FBI Citizens Academy program today now. And so I'll be booked solid from noon to 9.

[05:47:44] Unfortunately, we can't make the community outreach meeting on the zoning ordinance, graduation picnic, and then Citizens Academy. But I look forward to experiencing that and a lot of conversations around that. Thank you.

[05:48:00] Council Member McQuillan. Yes, I just want to thank everyone for the presentations today, this evening, yesterday. And I want to wish the Fairfax High School crew team good luck at the Stoatsbury Regatta.

[05:48:16] It's going to be in Philadelphia this weekend. They're going to go up there. It's the oldest and largest high school regatta competition. So that's exciting. We also have the 20th annual Antique Car Show coming up this Saturday at 10 a.m. at City Hall. Please come out for that.

[05:48:32] I'm looking forward to volunteering at the Asian Festival this Sunday. And I just want to recognize, again, that it's National Police Week. And I'm grateful for all the law enforcement officers. And we recognize all those who have sacrificed so much, including their families, to provide a safe environment for us in our community.

[05:48:54] And we are grateful. So thank you. Thank all of you. It's a very late night or early morning, depending on how you're looking at the clock. I will not be at tomorrow's zoning presentation, which I think I encourage everyone to come.

[05:49:09] I will be at the Eagle Bank Arena giving the commencement address to George Mason University's Schar School of Policy and Government. It's a great time to be encouraging hundreds of young people to choose government as their career. So with that, I am going to now adjourn us into a closed meeting.

[05:49:27] I move that the City Council convene a closed meeting under Section 2.2-3711.A1 of the Code of Virginia to discuss personnel matters and under section 2.2-3711.8.7 of the Code of Virginia for consultation with legal counsel regarding non-litigation.

[05:49:44] All council members in favor of the motion, please signify by voting aye. Aye. Those opposed, nay. Okay. The City Council retired into a closed meeting at 12.50 a.m.



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