

Rose Hill Coalition

Rose Paper: SSPA Process

Opposition to Nomination CPN22-LE-001

Rose Hill Planning District Overview:

The Rose Hill Planning District encompasses approximately 9,100 acres, or about four percent of the county. The planning district is generally bounded on the north by the CSX right-of-way and the City of Alexandria; on the east by Telegraph Road, South Kings Highway, and the eastern boundary of Huntley Meadows Park; on the south by the southern boundary of Huntley Meadows Park and Telegraph Road; and on the west by Beulah Street (see Figure 1) The Rose Hill Planning District contains the Kingstowne Community Business Center (CBC) and the Van Dorn Transit Station Area (TSA).

Outside of the Kingstowne CBC and the Van Dorn TSA, the planning district is mostly developed with stable residential neighborhoods. Most contain single-family detached residential units, with townhouses and multifamily residential units located throughout the planning district. A relatively large portion of the planning district is public parkland, much of which consists of Huntley Meadows Park. Neighborhood- and community-serving commercial uses are located at points along major roads within this planning district.

The Rose Hill Planning District is traversed by the Capital Beltway/Interstate 95/495 (I-95/I-495) and several minor arterials including Franconia Road, Telegraph Road, and South Van Dorn Street. The Van Dorn TSA encompasses the Van Dorn Metrorail Station platform and is located adjacent to the City of Alexandria.

Source: Fairfax County Planning and Development Dept, <https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/compplan/area4/rosehill.pdf>

The CP nomination specifically goes against the County's guidance on Comprehensive Plan Amendments. The nomination is an example of spot planning that is *inconsistent* with the surrounding area.

Comprehensive Plan Amendments:

The area nominated should be a logical planning area that avoids spot planning (re-planning an individual property in a way that is inconsistent with the surrounding area).

Source: Fairfax County Planning and Development Dept, <https://www.fairfaxcounty.gov/planning-development/plan-amendments/sspa/countywide/2022-2023>

Public notification of nominations, the SSPA process, and time to deliberate publicly is inadequate. According to Planning staff, there is no minimum required time between public notification and the date of the workshop(s). Practice has been only two weeks by the County and one week by the Franconia District Supervisor. Notification of the public is limited to the the Internet, Facebook, and email.

According to Virginia Code § 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments:

“When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of 25 or fewer parcels of land, then, in addition to the advertising as required by subsection A, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved; to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from

Rose Hill Coalition

the property affected, including those parcels that lie in other localities of the Commonwealth; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property as may be required by the commission or its agent."

Source: Virginia Code § 15.2-2204, <https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2204/>

In the case of District Supervisor Lusk, who oversees Land Use in Franconia, he posted a notice of the January 23, 2023, Community Outreach Meeting on Facebook one week and then one day before the meeting. He posted nothing else. In his following district e-newsletter, Lusk made no mention of the 200+ attendance at the outreach meeting, yet his office's open house several days later was hailed as a great success because 50 attended.

1/17/23: Franconia District Supervisor Lusk posts on his Facebook page an announcement for the Jan 23 community engagement meeting.

1/23/23: Supervisor Lusk reposts the meeting.

Source: Franconia District Supervisor Rodeney Lusk, 1/17/23 and 1/23/23 Facebook posts, <https://www.facebook.com/Supervisorlusk>

The information provided by staff at the Community Outreach Meetings and Planning Commission Workshops must be available to the public far in advance to allow the public to research and prepare their arguments. At this point, the nominator and staff have had four months to prepare, while the public has two weeks or less to become knowledgeable of the nomination, and the SSPA process and prepare for public meetings.

Planning Commission SSPA Workshops to be held on March 2, March 9 and March 23

At each workshop, staff will provide an introduction to the SSPA process, and the purpose of the Screening phase workshops, along with an overview of the selection considerations, the trends seen in the nominations, and the staff recommended Work Program.

Source: Fairfax County Planning and Development Dept, 2/14/23, Comprehensive Plan Announcements, Message #639 Fairfax County Department of Planning and Development (DPD), Planning Division, Planning Commission SSPA Workshops to be held on March 2, March 9 and March 23

If you can find it...

The public may sign up for SSPA email notifications. However, the notifications are for ALL SSPAs in the District. No option is available to request notification for a specific SSPA nomination.

Stay Informed

The Fairfax County Land Use Planning Facebook page will provide timely announcements about the SSPA process, as well as announcements related to the Comprehensive Plan, Plan Amendments, special studies and other planning activity.

Subscribe to the Comprehensive Plan Announcements email service under the "Land Use & Development" heading. This listserv will provide timely announcements about the SSPA process, as well as announcements related to the Comprehensive Plan, Plan Amendments, special studies and other planning activity.

Rose Hill Coalition

Source: Fairfax County Planning and Development Dept, <https://www.fairfaxcounty.gov/planning-development/plan-amendments/sspa>

The current information structure and communication processes is completely contrary to the policy put forth by the County and Planning Commission to better engage with the public. The result is confusion and frustration for all stakeholders. Without a doubt, there is a clear lack of transparency or concern for ensuring that the public can easily take part in the Fairfax County planning process. And the priority of certain stakeholders over others, especially developers, is also at odds with the policy to engage the public. In fact, public engagement falls to the bottom.

Attempts to circumvent this problem, such as directing the public to directly contact planning staff, are insufficient patches to the unmanageable maze of weblinks. The staff are clearly knowledgeable and patient, but already overwhelmed with the workload. Why not provide clear, easily accessible information online?

As endorsed by the Board of Supervisors, the changes to the SSPA process include:

- Enhanced community engagement during the screening phase by using community meetings to reach people who would be most impacted by the proposed changes.
- A Planning Commission workshop during screening to provide a forum for considering the nominations and the balance of other planning priorities as a whole.
- Reducing the overall timeline for the nomination and screening period to improve efficiency and make better use of stakeholders' time and resources.

Source: <https://www.fairfaxcounty.gov/planning-development/plan-amendments/sspa>

A *Nominator Guide* for the person/company submitting a (SSPA) nomination is provided online and guides them through the process from the perspective of the nominator. An equivalent document to guide the public through the planning process maze and show how they can participate is not available. Such a document used to exist, but according to planning staff it was too long at 40+ pages and therefore was discarded. No replacement has been created.

What we have now is a planning website with no obvious logic; links and sub-links are haphazardly scattered throughout the website. In addition, the language used for links is particular to the “planning” process with which the public is *not* familiar.

For example, see the following web structure:

Department of Planning and Development

> Planning (side menu)

> Planning in Fairfax County

> where you will eventually find the incomprehensible statement:

“Comprehensive Plan Amendments are scheduled on the Comprehensive Plan Work Program. The Site-Specific Plan Amendment Process is an opportunity to participate in Fairfax County's land use planning process by submitting proposals (called Nominations) to amend the work program.”

Rose Hill Coalition

How can anybody new to the process be expected to unpack that?! Comprehensive Plan? Amendments? Work Program? Site-Specific Plan Amendment Process? Planning Process? Proposals? Nominations? Amend the Work Program?

First, the term “Planning” is too generic. Need to define basic terms, including land use and zoning. Secondly, the process is described by the County as complicated and does little to un-complicate it for residents. It also seems to allow for as much or as little complication as desired depending on the project, with little accountability for the process.

The process involves comprehensive reviews by numerous county and non-county agencies and may involve many steps before a project can be approved. Every project is unique and subject to its own set of requirements depending on the location and complexities of the project.

Source: <https://www.fairfaxcounty.gov/plan2build/development-process-overview>

Staff and County representatives consistently stated throughout this nomination that the SSPA process is not “zoning”. Yet “Planning and Zoning” are paired in the planning process graphic on the Development Process Overview page (located under “Planning, Permitting, and Construction” which is nowhere near “Planning and Development”)

Sources:

2022-23 Nominator Guide, https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/documents/compplanamend/sspa/countywide/2022_2023_sspa_nominator_guide.pdf

Fairfax County Development Process Overview, <https://www.fairfaxcounty.gov/plan2build/development-process-overview>

Information on how to participate in All Stages of the County Planning Process needs to be provided on the home page.

Information on and how to participate in the SSPA process (once you understand what SSPA is) is hidden deep within the Planning Commission web pages. An overview of the land development process also is lost in the web maze. (See below)

Related Resources

Frequently Asked Questions about the SSPA Process

How to Participate in the SSPA Process

Source: Fairfax County Planning and Development Dept (bottom of page), <https://www.fairfaxcounty.gov/planning-development/plan-amendments/sspa>

You must go down five levels to find an overview of the "land development" process. A *subhead* on the home page under "Resources and Tools" links to "Land Development Overview"

Fairfax County

> Agencies

>> Planning and Development

>>> Planning

>>>> Resources and Tools

>>>>> Land Development Overview (mapped under Planning, Permitting, and Construction)

Rose Hill Coalition

Source: Fairfax County Planning and Development Dept, <https://www.fairfaxcounty.gov/planning-development/>

You have to go four levels to find an overview of the "Planning in Fairfax County".

Fairfax County

- > Agencies
- >> Planning and Development
- >>> Planning
- >>>> Planning in Fairfax County

The overview for the land “development” process is mapped *under* “Planning, Permitting, and Construction” for those wanting to build or get a permit. When you go to that page, if you are looking for the SSPA or a specific nomination, there is no link or obvious place for the public (not a homeowner or developer) to go.

Fairfax County

- > Agencies
- >> Planning and Development
- >>> Planning, Permitting, and Construction
- >>>> Land Development Overview

Whether you are a homeowner who wants to build a deck or finish a basement or a commercial developer looking to build a new subdivision, the resources and information below will help you determine your project's feasibility, what steps are required to reach your goals successfully, and the appropriate agencies that will assist you in the development process.

Source: Fairfax County Planning and Development Dept, <https://www.fairfaxcounty.gov/plan2build/development-process-overview>

County staff direct the public to the SSPA process page, which has no links to the above Land Development Overview. Again, the brief description of the process leaves the public scratching their heads.

The Site-Specific Plan Amendment Process (SSPA) is an opportunity to participate in Fairfax County's land use planning process by submitting and reviewing proposals (called “Nominations”) to amend the land use recommendations in the Comprehensive Plan. The Comprehensive Plan is the guide used by the Planning Commission and the Board of Supervisors to make land use decisions.

Source: <https://www.fairfaxcounty.gov/planning-development/plan-amendments/sspa>

The public can sign up for planning emails. However, the reference to sign up for these emails should indicate which *subject* to select from the list of email lists, i.e., "Planning Commission news and announcements". In addition, the email notifications are for *all* PC news in the County. *No option is available to request notification for a specific nomination.*

Sign up for Fairfax County E-mail subscriptions to receive newsletters, updates and alerts on various topics. You can choose from multiple subscription options, which can be sent directly to your e-mail account.

Source: Fairfax County Planning and Development Dept, <https://www.fairfaxcounty.gov/email/lists/>

During the public comment period for the Rose Hill nomination, County staff and the District Supervisor, reiterated over and over that "zoning" was not being considered. Yet, we knew this

Rose Hill Coalition

not to be true because rezoning is required for the nomination to proceed. Furthermore, the County has a specific page titled, "Planning and Zoning Review". However, nowhere within the SSPA process web pages is there any reference or link to this critically important page.

Planning and Zoning Review

Step 2 of the development review process is ensuring your project is compatible with the surrounding environment, both existing and planned, as contained in the Comprehensive Plan and the Zoning Ordinance. This phase involves determining the allowable land uses and land use/building restrictions for a project. Knowing what can and cannot be done with a piece of property is essential in determining the feasibility of a project.

Source: Planning, Permitting, and Construction, <https://www.fairfaxcounty.gov/plan2build/development-process-overview/2-planning-and-zoning-review>

For a complete timeline of events for the Rose Hill SSPA from May 2022 to March 2023, see RoseHillCoalition.org

Source: Timeline of events, Rose Hill Coalition, <https://rosehillcoalition.org/timeline-of-events/>

The Brookland-Bush Hill Civic Association (BBHCA) held a January 12, 2023, Community Meeting at which Franconia District Supervisor was the guest speaker. More than 70 residents attended. The primary topic of concern to attendees/residents was the Rose Hill Plaza nomination. The BBHCA videotaped the entire meeting. The vast majority of residents expressed opposition to the proposal by Combined Properties to convert the shopping center to mixed use.

Source: Brookland-Bush Hill Civic Association, Community Meeting, 1/12/23, <https://vimeo.com/789687710/902cd1850f>

The January 23, 2023, Planning Staff Community Engagement Meeting was attended by more than 200 residents. Again, the vast majority of attendees were there to oppose the Rose Hill Plaza nomination. The Brookland-Bush Hill Civic Association also recorded this meeting as the County did not offer this basic service. (Note that although the County was aware of the large interest in this nomination, the location was significantly less than optimal. Parking on the premises was extremely limited, the distance to the meeting room was long and difficult for those (many) with mobility issues, and although the County provides transportation and childcare onsite, these services were not posted or communicated.)

Video of Jan 23 Community Engagement Meeting (~2 hours)

- > Intro and review of SSPA process (at 2 min)
- > Grovedale Childcare Nomination (at 16 mins)
- > Beulah/Grovedale Residential Nomination (at 32 mins)
- > Additional comments on Nomination Process (at 51 mins)
- > Sheridonna Lane (Telegraph Rd) Residential Nomination (at 53 mins)
- > Rose Hill Plaza Residential Nomination (at 1 hr 12 mins)

Source: Brookland-Bush Hill Civic Association, at SSPA Community Engagement Meeting, 1/23/23, <https://vimeo.com/792697229/c10d18916a>