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ARLINGTON COUNTY PLANNING COMMISSION

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September 18, 2013

Arlington County Board
2100 Clarendon Boulevard
Suite 300
Arlington, Virginia 22201

SUBJECT:

1. **U-3372-13-1 Use Permit** Arlington County School Board for a new 96,805 square foot elementary school with a design capacity of 630 students, and associated parking and athletic fields; and to incorporate the existing 170,865 square foot Williamsburg Middle School (design capacity of 980 students) and associated facilities, with modifications to parking regulations to permit a reduction of on-site parking spaces from 256 to 209 parking spaces, and other modifications as necessary to approve the proposed development; located at 3600 N. Harrison Street; and identified as RPC# 02-005-001.

RECOMMENDATION:

- Approve Use Permit U-3372-13-1 for a new 96,805 square foot elementary school and associated parking and athletic fields, and incorporate into the use permit the existing 170,865 square foot Williamsburg Middle School and associated facilities, with modification to parking regulations to permit a reduction of parking spaces from 256 to 209 parking spaces, subject to the conditions of the staff report, with the following modifications:**
1. **Along the western edge of the play fields and the loop pathway, the proposed edge of grading and limit of disturbance line should be shifted further away from the tree line.**
 2. **At the southern entrance of the south parking lot, the three existing Pin Oak trees currently recommended for removal should be preserved.**
 3. **Add language to Condition #39 to require installation of power door openers 34 inches above grade and call boxes no higher than 42 inches above grade.**
 4. **Add language to Condition #39 to require that one boy's bathroom and one girl's bathroom, or one family bathroom, contain power door openers.**

5. **Amend Condition #43 to add new paragraph C.1.A, to require that ADAG 502.3, Universal Design, be used when designing the handicap parking spaces for the elementary school.**
6. **Amend Condition #44 to add at the end of the first paragraph the requirement that a liaison be identified by APS, and contact information be provided to the neighbors of both the middle school and new elementary school, on transportation and congestion issues.**
7. **Amend Condition #49 to revise the last sentence to read as follows:**
Arlington Public Schools agrees that the synthetic turf fields shall not be lit, and that any proposal to light the fields shall require a Use Permit Amendment electrical service for this purpose shall not be installed.

Dear County Board Members:

The Planning Commission heard these items at its September 9, 2013 meeting. John Chadwick, of Arlington Public Schools (APS), provided an overview of the proposed use permit request. Mr. Chadwick described the public review process, which began with a meeting in September 2012 with the Building Level Planning Committee (BLPC), and followed with a number of additional meetings with the BLPC, Public Facilities Review Committee (PFRC), Environment & Energy Conservation Committee (E2C2), Transportation Commission, School Board, and several County Board-related work sessions. He described the proposed new school, and its internal layout, site circulation and parking, landscaping and streetscape, open space and play fields/spaces, and building design and façade treatment. The new school would consist of a two-story building comprising 96,805 square feet, and would be located on the southeastern quadrant of the site closest to the intersection of 36th Street and North Harrison Street. Mr. Chadwick added that the new school would have a design capacity of 630 students, increasing the design capacity on the Williamsburg campus from the existing middle school's 980 students to a total of 1,610 students. Also present from APS was Steve Stricker.

Matthew Pfeiffer, of CPHD Planning, provided a brief overview of the proposal's compliance with the planning and policy guidance provided by the GLUP, the "S-3A" zoning district, the Zoning Ordinance's parking requirements, the Master Transportation Plan, the Public Spaces Master Plan, and the PFRC Principles of Civic Design. He also described the major findings of the Toole Design Group (TDG) Transportation Report, the proposed modifications to the parking requirements, and the staff recommendation for un-lit synthetic turf fields. Mr. Pfeiffer also presented several elements of the proposal that would be approached from a campus-wide perspective, such as bike parking, transportation demand management, parking and parking management, pick up and drop off processes, school bell times, and coordination and management of school events. Also present from the County were Bob Duffy of CPHD Planning, Robert Gibson of DES Planning, and Bethany Heim and Laura Lazour of DPR.

Public Speakers

Virginia Ackerman, a neighborhood resident, stated that while she accepts the new school, there are areas in need of improvement. Ms. Ackerman expressed concern for how the public received information on the soccer fields, as the public was not given an opportunity to respond to the last minute change in the treatment of the fields from grass to synthetic turf. She is also concerned that the synthetic turf fields will include lighting. Ms. Ackerman noted two concerns with regard to transportation: 1) The proposal relies heavily on North Harrison Street as a point of egress, and she asked that the Planning Commission consider the amount of traffic that North Harrison Street will have at that location. 2) The County is encouraging the use of public transportation, but it is not realistic for this school. The proposal provides insufficient parking on site, and locating required parking on the street will put a lot of stress on the neighborhood.

Mark Fajfar, a neighborhood resident, expressed concern about the last minute change in the requirements of Condition #49 regarding the treatment and lighting of the fields. The treatment of the fields does not comply with the Public Spaces Master Plan, as Condition #49 does not require that the proposed synthetic turf fields be lit. Mr. Fajfar stated that he believes the Public Spaces Master Plan should be amended to allow the proposed treatment and suggested that there be an open review of all synthetic turf fields in the County.

Carl Cunningham, President of the Rock Spring Civic Association, noted the planning challenges of the proposal which chips away at their stable neighborhood. He added that the school site is inappropriate for pursuing multi-modal transportation goals and suggested that a viable neighborhood transportation plan should have been developed before the site was selected. Mr. Cunningham stated that the TDG report erroneously assumed that what works for the middle school will also work for the elementary school. He also expressed concern for the last minute change in the treatment and lighting of the fields. Mr. Cunningham urged the Planning Commission to accept the proposed condition changes outlined in the document prepared by Lynn Pollock.

Lynn Pollock, Chair of the Rock Spring Civic Association Work Group for New ES#1, stated that the civic association's primary concern is for the safety of its residents. She referenced the document that she prepared, *Use Permit Conditions: Issues and Proposed Changes*, and briefly summarized areas of concern, including: no construction worker parking on neighborhood streets; no reduction in the number of proposed on-site parking spaces; public access to the approved TDM Plan; queuing of cars at the parent drop-off; conduct a study of all neighborhood streets; require a plan to coordinate vehicle access and parking for school and non-school (after hours) activities; last minute changes in the treatment and lighting of the play fields; and, conduct a traffic calming study.

Joan Trabant, a neighborhood resident, expressed concern for the inadequate on-site parking and use of on-street parking to meet the parking requirement. She stated that on-street parking will result in gridlocked traffic, especially given the potential for lighted synthetic turf fields and programming additional evening events. These activities will result in increased traffic and on-street parking.

Roy Gamse, a neighborhood resident, endorsed the letters submitted by Mr. Fajfar and Mr. Seuters, and agreed with previous public speakers. He stated that he was bewildered and suspicious of the way the requirements in Condition #49 were changed at the last minute, and that it seems almost

impossible that the County Board will not approve lighting for the synthetic turf fields when it comes before them in 2016. The use permit should include language that lit fields are forbidden at this site.

Susan Dunlap, a neighborhood resident, stated that her back yard abuts the soccer fields and will be significantly impacted by the lights, time and operation of activities, noise, security, and environmental concerns. She was under the impression that the fields would be treated with Bermuda grass and there would be no lights. Ms. Dunlap suggested that the fields contain Bermuda grass and lighting be prohibited.

Liz Kirby, a neighborhood resident, referenced Development and Growth Goal #4 of the GLUP, which addresses preservation and enhancement of existing single-family and apartment neighborhoods. She stated that this preservation goal is being severely tested with the proposed use permit. Proposals to light play fields on school property have been denied before. Also, the soccer fields are located adjacent to a grove of trees and the lighting will disturb the wildlife.

Jim Hurysz, a resident of Fairlington, expressed concern for the impacts on adjacent residential streets.

Tony Trabandt, a neighborhood resident, stated that he opposes the use of lighting on the play fields and supports the legal analysis presented by Mr. Fajfar regarding the fields' compliance with the Public Spaces Master Plan. He recommended that the County Board's review of the use permit should determine whether or not lit fields should be required.

Planning Commission Reports

Public Facilities Review Committee

Commissioner Monfort reported on the PFRC and stated that while the PFRC attempted to minimize the impacts of the play fields and traffic throughout the public review process, there will be some impacts on the neighborhood. He indicated that there was general consensus among the PFRC that this proposal was appropriate, and at the end of the process there were no outstanding issues. Commissioner Monfort also noted that since conclusion of the PFRC process a major outstanding issue has arisen: turf fields and field lighting. Commissioner Monfort suggested that the Commission have a detailed discussion on the fields and lighting requirement. He stated that no actual changes were proposed for the middle school or its parking, and the neighborhood should not expect additional traffic from the middle school. The change in the parking is from the new elementary school, and from changes required by the new zoning ordinance. The community desired more parking on site, not just because of the school but because of shared use of school facilities for County and non-school related activities, including on weekends. The community also expressed concern for the intersection improvements planned at North Kensington Street and Williamsburg Boulevard through their Neighborhood Conservation Program, but that will be implemented as approved. Other elements the Commission may want to discuss include tree preservation and school operations.

Transportation Commission

Commissioner Forinash reported on the Transportation Commission review of the proposal at its meeting on September 5, 2013. The Commission voted 6-2 to recommend that the county board approve the use permit, with two conditions: 1) applicant and staff should consider further reductions in on-site parking; and, 2) APS should identify an on-site liaison to the community to address traffic and circulation issues. In a separate vote, the Commission agreed to provide the County Board with a set of site and transportation planning principles.

Planning Commission Discussion

Commissioner Harner requested Mr. Chadwick to list the positive attributes of the proposal and its benefits to the neighborhood. Mr. Chadwick responded that due to the population growth in school-aged children, the County is in desperate need for additional elementary school seats. For this area of the County, the Williamsburg Middle School campus was the only available site for a new elementary school. Mr. Chadwick added that elementary schools create communities, and APS has treated the entire site as a community asset. It will provide after-school activities, open space and play areas, and shared County use of school facilities. APS has an agreement with the County to construct a large gymnasium for use by the public, which will be larger than what is typical for elementary schools; however, it will be designed for play and not spectator sports, as there will be no bleachers. In addition, the promenade on the south side of the site is designed as a public space.

Commissioner Malis stated that while the leadership of the Rock Spring Civic Association enumerated several concerns with the project, she was wondering if they supported any aspect of the proposal. Mr. Cunningham stated that the community is currently dealing with a lot of transportation-related issues in their neighborhood. He confirmed that the Civic Association has not taken a stand against the use permit. He added that the Civic Association has not taken an official stand against the recent change to Condition #49 regarding the treatment and lighting of the play fields, although he supposes that it would oppose it.

Treatment and Lighting of Play Fields

Commissioner Fallon inquired as to when the County's position regarding the treatment and lighting of the play fields changed and what motivated the change. Mr. Pfeiffer explained how the County's position regarding the treatment of the fields evolved over the last year. The Public Spaces Master Plan identifies the site as a potential site for synthetic turf fields. Throughout the process APS has always proposed grass fields and staff had approached the County Manager for a response. Commissioner Fallon asked if there are synthetic turf fields in the County with no lighting, to which Mr. Chadwick responded no. In response to a follow up question, Mr. Chadwick stated that both the County and APS operate the play fields through a Memorandum of Understanding (MOU). Commissioner Fallon asked if staff has considered modifying the language to allow community engagement in any change in the lighting requirement. Mr. Pfeiffer responded that a change to the condition would require a use permit amendment and a public process which is intended to include the PFRC, and which could also be a condition of the MOU.

Commissioner Malis requested that staff explain, for the benefit of the public, how comprehensive plan elements are used when seeking guidance on specific projects. Mr. Pfeiffer explained that the comprehensive plan provides planning guidance, and is not law. The Public Spaces Master Plan identified the Williamsburg Middle School site as a potential location for synthetic turf fields; however, compliance with the master plan is not required. Commissioner Malis followed that guidance in the master plan states that when synthetic fields are installed, the fields should be lighted. She asked if the term “should” is intended to have the same meaning as “shall” or “must”. Ms. Lazour explained that the term “should” is intended to reflect the County’s goal of continued preservation of fields and conversion of fields as opportunities arise. At the Williamsburg Middle School location, the opportunity for synthetic fields extends play time and meets a greater demand for youth sports and community drop-in hours. Staff views this as a recommendation and not a mandate.

Commissioner Cole asked if staff considered balancing the neighborhood’s needs with the County’s. Ms. Lazour responded that the County considers the children it serves during school and after hours, children who live in the community and attend the community school. Commissioner Cole followed to ask when in the process the County would consider whether or not to light the fields, and how to balance neighborhood concerns with recreational use of the fields. Commissioner Cole also asked if the County Board can act to introduce a lighting requirement on its own motion if APS is not interested in amending the condition. Mr. Pfeiffer responded that the County Board could schedule a review of the use permit on its own motion and consider the amendment. He added that the synthetic turf and lighting would be funded in part by the County.

Commissioner Monfort noted that the community was not upset about the use of synthetic turf, but rather the potential for lighted fields. Since the County has a policy directive that synthetic turf fields be lit, and since installation of conduit is required by the use permit, Commissioner Monfort asked if the policy would change. Mr. Pfeiffer responded that its consideration would have to go through the standard public review process as a use permit amendment. Commissioner Monfort followed that he believes the County Board would have to change its policy in order to not light the fields

Commissioner Malis followed with a question to staff regarding whether the County would be open to allowing the fields to not be lit. Commissioner Malis also noted that it may not have been necessary to specify an exact date for further consideration of lighting the fields.

Commissioner Iacomini asked if the recommendation for lighting synthetic turf fields at Williamsburg was included in the Public Spaces Master Plan at the same time as the recommendation was made to include the fields. Commissioner Iacomini asked if there are other locations for synthetic turf fields with lighting, existing or planned, in the Public Spaces Master Plan that are contiguous to the back yards of single-family homes. Commissioner Malis and Mr. Chadwick noted Yorktown, Thomas Jefferson, Gunston, and Wakefield. Commissioner Iacomini concluded that there are only a few of these sites and none are elementary schools.

Commissioner Ciotti asked if the community would consider lighting if there was agreement on when the lights would be turned off. Mr. Cunningham responded that the community would be concerned that the hours would be amended later, and noted that the Arlington Soccer League had

previously requested a 9:00 p.m. curfew. He added that the community's main concern is the increased activity, as the lighting will extend activity in the community beyond nightfall. The fields at Williamsburg are on a slope and as a result the lighting would bleed into the homes sited on lower elevations. Commissioner Ciotti asked DPR staff if the County has required lights to be turned off at a certain time in other locations, to which Ms. Lazour responded that lights are typically turned off at 11:00 p.m., but in some circumstances lights have been turned off as early as 10:00 p.m.

Commissioner Fallon stated that the community's concern is that the use of the play fields will become more intense with the lights, and inquired about the County's proposed use of the fields, if the use will change, and if County goals for the use of the fields can be accomplished without synthetic turf and lighting. Ms. Lazour described how the County programs the fields. With synthetic turf and lighting, the fields could be used for youth soccer in the fall and winter, and there would be additional time to program adult activities in the fall and spring. Without the lights, there would be no opportunity for drop-in community use or adult programming. Commissioner Fallon followed asking if it is possible for the Commission to remove the topic of lighting from its consideration and only move on the use permit proposal, recognizing that the issue of lighting could be discussed later in a public process. Mr. Chadwick indicated that the new school is planned to open in the fall of 2015, and APS will need to have a decision regarding the surface treatment of the fields as a part of its bidding process. If the fields are bid separately, the cost will increase and the project will take longer to complete. The cost would be approximately \$800,000 per field for grass fields with irrigation, which does not include stormwater management quality control or lighting. Mr. Pfeiffer confirmed that the recommendation for post-County Board review of lighting is not in a condition, but is a part of the staff recommendation.

Landscaping and Tree Preservation

Commissioner Kumm asked whether the three Pin Oak trees adjacent to the south parking lot along North Harrison Street could be preserved, to which Mr. Chadwick agreed to investigate the potential for preserving the trees, as APS' goal is to preserve as many trees as possible. Commissioner Kumm also inquired about the existing trees located adjacent to the west side of the play fields asking that the pathway, grading and limit of disturbance be shifted out of the tree line. Mr. Chadwick agreed to analyze the plans in more detail and try to ensure that grading along this edge will not adversely impact the trees and prohibit preservation.

Transportation and Parking

Commissioner Monfort inquired about Condition #46 regarding a minimum 45-minute separation of bell times for the elementary and middle schools. Mr. Chadwick responded that APS requested the flexibility to change the start time in order to improve management and operation of bus transportation. Mr. Gibson agreed that a 45-minute bell time separation would allow sufficient time for the traffic to disperse, as the peak/heaviest periods last 20 minutes.

Commissioner Fallon noted that while he understands the need for flexibility, he asked if there was anything in the proposed use permit that would preclude APS from changing the school time in the future. Mr. Chadwick responded that APS requires a process to change a school's start time. His goal is to ensure that the transportation system operates as efficiently as possible. The 9:00 start

time is consistent with other elementary schools. By that time the peak rush hour traffic has diminished.

Commissioner Ciotti requested that all accessible parking spaces meet universal design and that they be designed to share a wheelchair lift. She also requested that power door openers and call boxes be installed at the lowest allowable level to allow access by children, and that one boy's bathroom and one girl's bathroom, or one family bathroom, have power door openers. In addition, Commissioner Ciotti requested that special consideration be given to the quality of materials on the new project sign located at the corner of North Harrison and 36th Streets, so that it will be durable and last longer.

Commissioner Forinash expressed concerns about pedestrian, bike and vehicular access. He stated that there are a lot of problems with vehicle access to the site because the site was selected without consideration of the County's smart growth policies for multi-modal transportation. He attributed this to the lack of coordination between APS and County processes. Commissioner Forinash stated that this proposal should serve as the last example of such poor coordination in decision making, and the Commission should continue to advocate for a stronger role of the PFRC, or other entity, in the site selection process for schools and other public facilities. Commissioner Forinash added that the draft staff report to the Transportation Commission enumerated the four BLPC goals that were decided in October 2012, and which were deleted from the draft report to the Planning Commission.

The BLPC goals are:

- 1) Create great spaces for children
- 2) Provide an abundant use of natural daylight and views
- 3) Every aspect of the site supports engaged learning and teaching
- 4) Create good traffic flow for buses, drop off, and parking

The last goal is exclusively about vehicle access to the schools. Given that this was the explicit goal of the BLPC, Commissioner Forinash stated that he was pleased with the quality of the site design, in that it does a good job of providing safe automobile access. However, the site design still lacks safe bike routes and access to the site, primarily due to conflicts with vehicle traffic on North Harrison Street at the intersections of Williamsburg Boulevard and 36th Street. In addition, the Transportation Commission recommended that staff explore reducing the amount of on-site parking, as recommended in the TDG report. The current Zoning Ordinance requires more parking for the middle school (158 spaces) than demand (approximately 130 spaces), which informed the Transportation Commission's recommendation that more on-street parking should be used to satisfy the parking demand.

In response to Commissioner Forinash's comments, Commissioner Monfort stated that the PFRC's goals are the opposite of the BLPC's. The PFRC emphasizes pedestrian, bike and transit over single-occupancy vehicle access to the site. There was discussion about bike lanes on North Harrison Street and ways to encourage people to walk and bike to the school, which is difficult given the location of the school. The number of children that walk to school in this area is dramatically lower than those who walk to Ashlawn. It is more a function of the neighborhood. Through the discussions on Ashlawn and the new elementary school, it became apparent that over the years APS had not considered pedestrian and bike facilities beyond the school boundaries. However, both schools will result in dramatic improvements. Commissioner Monfort added that the PFRC will

continue to consider parking issues with future projects. With the Zoning Ordinance changes, the County is moving in the right direction. As the PFRC receives data from APS and the County regarding the number of spaces that are actually being used, it will better inform future decisions.

Commissioner Malis asked a number of questions clarifying the number of parking spaces, location of spaces, and configuration of the parking lots. She confirmed that the information has not changed since the PFRC discussions, and no changes are proposed for the middle school at this time. While the use permit incorporates the middle school, it contains no conditions or requirements specific to the middle school.

Commissioner Fallon noted that the public testimony expressed concern for spill-over parking in the neighborhood. His understanding is that the use permit is not seeking a reduction in the number of parking spaces, but rather using the street to meet their parking requirements. Mr. Gibson responded that both the elementary and middle schools will have a TDM Plan requirement because of the use of the street for parking. Commissioner Fallon followed asking if the school enrollment increases and relocatables are added, would it trigger a use permit amendment. Mr. Pfeiffer responded that relocatables are considered temporary structures, which can be added without a use permit amendment. However, parking would need to be addressed to ensure that the relocatables are not located on required parking spaces.

Other Elements

Commissioner Harner inquired about pedestrian circulation and pathways to the entrances to the elementary and middle schools, given the site's extreme topography. He posed a number of questions clarifying the pathways to the elementary and middle school entrances, and connections between the two schools. He referred to the advantages of co-proximity between the two schools. Commissioner Harner suggested that simple and clear pedestrian pathways that are easy, safe, and well-lit, be provided on the site to influence a campus environment. He asked if there was discussion about creating a path from the stone wall at the corner of North Harrison and 36th Street. Mr. Chadwick responded that it would be impossible due to the significant slope, and would require a switch back design. He added that there will be signage directing pedestrians to the elementary and middle school entrances.

Commissioner Malis noted that Condition #17D, Maintenance and Replacement (of landscaping), should become a standard for all future APS projects, and requested that language be added to require specificity as to whom the maintenance agreement is presented and when.

Commissioner Iacomini asked a number of questions regarding stormwater management. In response, Mr. Chadwick agreed that impervious surfaces would require more retention area and quality control, and a stormwater management plan would address fields with artificial turf. Commissioner Iacomini asked if it would be detrimental for a natural turf field to be engineered with stormwater management as though it had an impervious surface. Mr. Chadwick responded that it would require compliance with various regulations. Commissioner Iacomini followed that if the fields were engineered to the impervious surface, even though they were constructed with pervious surfaces, it would not matter to the field as it would have more to do with cost and compliance requirements, to which Mr. Chadwick concurred.

Planning Commission Motions

Commissioner Monfort moved that the Planning Commission recommend that the County Board approve use permit U-3372-13-1, with modifications to parking regulations to permit a reduction of on-site parking spaces, subject to the conditions of the staff report. Commissioner Fallon seconded the motion.

Commissioner Monfort stated that the use permit does not address the County Board review of a lighting plan for the play fields, as it is not clear to him what the Planning Commission will recommend on that topic. He offered the motion to approve the use permit in its broadest form. Commissioner Monfort added that the proposal will result in a fabulous school with a lot of community support, with the exception of the issue of fields and lighting.

Commissioner Kumm asked for unanimous consent to amend the motion to recommend that along the western edge of the play fields, the loop pathway, the proposed edge of grading and limit of disturbance line should be shifted further away from the tree line. She also recommended that at the southern entrance of the south parking lot, the three existing Pin Oak trees currently recommended for removal should be preserved. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Ciotti asked for unanimous consent to amend the motion to recommend that language be added to Condition #39 to require installation of power door openers 34 inches above grade and call boxes no higher than 42 inches above grade. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Ciotti asked for unanimous consent to amend the motion to recommend that language be added to Condition #39 to require that one boy's bathroom and one girl's bathroom contain power door openers. There was an objection. Commissioner Ciotti moved to amend the motion to recommend that language be added to Condition #39 to require that one boy's bathroom and one girl's bathroom contain power door openers. Commissioner Fallon seconded the motion.

Commissioner Cole asked for unanimous consent to amend the amended motion on the table to include "or one family bathroom". There was no objection, so the amendment was incorporated into the amended motion on the table.

The Planning Commission voted 10-0-1 to support the motion as amended, with the revised language. Commissioners Ciotti, Cole, Fallon, Forinash, Gutshall, Harner, Kumm, Malis, Monfort, and Siegel supported the motion, as amended. Commissioner Iacomini abstained. The motion passed, and the amendment was incorporated into the main motion.

Commissioner Ciotti asked for unanimous consent to amend the motion to recommend that Condition #43 be amended to add new paragraph C.1.A, to require that ADAG 502.3, Universal Design, be used when designing the handicap parking spaces for the elementary school. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Kumm asked for unanimous consent to amend the motion to recommend that Condition #46 be amended to add at the end of the first paragraph the requirement that a liaison be identified by APS, and contact information be provided to the neighbors of both the middle school and new elementary school, on transportation and congestion issues. There was an objection. Commissioner Kumm moved to amend the motion to recommend that Condition #44 be amended to add at the end of the first paragraph the requirement that a liaison be identified by APS, and contact information be provided to the neighbors of both the middle school and new elementary school, on transportation and congestion issues. Commissioner Gutshall seconded the motion. The Planning Commission voted 10-1 to support the motion, as amended. Commissioners Ciotti, Cole, Fallon, Forinash, Gutshall, Iacomini, Kumm, Malis, Monfort, and Siegel supported the motion, as amended. Commissioner Harner opposed the motion. The motion passed, and the amendment was incorporated into the main motion.

Commissioner Fallon moved to amend the motion to recommend that Condition #49 be amended to require that the Memorandum of Understanding (MOU) also include a post-approval public process for stakeholders to ensure that there is a community engagement process as part of a use permit amendment request to add lighting to the fields. Commissioner Kumm seconded the motion.

Commissioner Monfort indicated that he will not support the amendment offered by Commissioner Fallon for two reasons: 1) the MOU is limited to the provision of synthetic turf fields and does not include lighting; and 2) the motion implies that lighting will occur and that should not be assumed. Lighting should be a County and not an APS initiative.

Commissioner Gutshall made a substitute motion to recommend that Condition #49 be amended to read as follows:

Arlington Public Schools agrees to enter into a Memorandum of Understanding (MOU) with Arlington County regarding installation of synthetic turf for the two (2) rectangular athletic fields planned for the campus. This MOU shall include cost-sharing, design, ~~and~~ construction, and a public review process. Arlington Public Schools agrees to show the design of synthetic turf fields on the Final Landscape Plan, and obtain the review and approval of the County Manager or her designee prior to issuance of the first building permit. Arlington Public Schools agrees that if Arlington County does not fund ~~are not available for~~ the installation of synthetic turf fields, it shall construct irrigated Bermuda Grass fields as shown on the approved Use Permit plans and subject to the phasing plan required by Condition #5. Arlington Public Schools agrees that the synthetic turf fields shall not be lit, and that any proposal to light the fields shall require a Use Permit Amendment.

Commissioner Fallon seconded the substitute motion offered by Commissioner Gutshall. Commissioner Gutshall stated that his substitute motion would invoke a public review.

Commissioner Malis stated that the issue of lighting fields is not before the Commission, and recommending a process for its consideration exceeds the Commission's reach. If the Commission wishes to recommend against synthetic turf fields, then the condition can be amended.

Commissioner Monfort stated that APS should not be expected to put this topic on hold. The Commission should either endorse synthetic or grass fields. He will oppose the motion.

The Planning Commission voted 2-9 to oppose the substitute motion. Commissioners Fallon and Gutshall supported the substitute motion. Commissioners Ciotti, Cole, Forinash, Harner, Iacomini, Kumm, Malis, Monfort, and Siegel opposed the substitute motion, so the substitute motion failed.

The Planning Commission voted 1-10 to oppose the amendment to Condition #49 offered by Commissioner Fallon. Commissioner Fallon supported the amended motion. Commissioners Ciotti, Cole, Forinash, Gutshall, Harner, Iacomini, Kumm, Malis, Monfort, and Siegel opposed the amended motion, so the amended motion failed.

Commissioner Iacomini moved to amend the motion to recommend that Condition #49 be deleted. Commissioner Fallon seconded the motion. Commissioner Iacomini expressed great concern about the last minute proposal for artificial turf fields, and nervousness about the need for the use permit to be approved and permits secured in early 2014. She also expressed concern that the County may or may not have funds for the synthetic turf fields. There have been discussion about site plans providing contributions toward open space and this proposal could be within the realm of possibilities. She would feel better if Condition #49 was deleted and APS was required to provide grass fields.

Commissioner Ciotti stated that she cannot support the motion because the County's responsibility is to come forth with the highest and best use of the land, and in her opinion the highest and best use of land would provide for artificial turf to allow more children to use the space.

Commissioner Malis stated that she cannot support the motion because there will be more and more schools coming forward that could benefit the community with provision of artificial turf fields. She expressed concern about setting the precedent for future schools to not be required to provide artificial turf fields. Commissioner Malis stated that she would support a legitimate effort to consider whether or not the County really needs artificial turf at this location or other locations, because it is not the artificial turf that the community fears but rather the lighting.

Commissioner Monfort stated that he supports the motion. While he favors the provision of artificial turf fields, he also favors a public process that considers all of the issues. He is concerned that with the County policy requiring that synthetic turf fields be lit, and with the County will be paying for the conduit to carry electrical power to the site, then lights eventually will be installed. Commissioner Monfort stated that he cannot support this process without giving the community the opportunity to fully engage in what it means for them.

Commissioner Iacomini stated that while she appreciates Commissioner Malis' comments about having a broader discussion about the treatment of fields early on in the process for future schools, she does not support a last minute approach and believes deleting the requirement would be the right way to go.

Commissioner Siegel stated that she will support the motion. She is concerned that with the lights, programming at night would be geared towards adults.

Commissioner Gutshall associated his comments with Commissioners Ciotti and Malis because he is concerned about the need for more play fields for children. He hopes the County Board will find a way to move forward with a process that would allow a PFRC meeting on the issue of lighting and the School Board to forward with construction permitting.

Commissioner Iacomini expressed sadness that her proposed amendment seems to imply that she has no concern for the children of the community and that she would put at risk their opportunity for plan and recreation. Children are APS' main client, as their objective and goal at all times. If APS had a pressing need for the fields to be artificial turf, then they would have proposed that from the beginning. Additionally, DPR is knowledgeable of the needs in the community and were well aware early on of requests from soccer and youth sports organizations, and parents. Commissioner Iacomini contends that the proposal for artificial turf should have been addressed much earlier in the process. She stated that her intent is to not be anti-child, but rather to address this issue in the right way.

Commissioner Monfort stated that the issue of artificial turf fields was raised by a County Board member in September 2012, and there was plenty of time to have this discussion during the review process. There will be future school proposals and the Commission will be faced with this question again and again. We should do it right the first time.

Commissioner Harner associates himself with Commissioner Malis' comments, stating that the primary objection to artificial turf is the fear that it will lead to lighting. He believes it is adequately addressed in Condition #49, as there would be a public process to adequately protect the community against lighting if it so desires.

The Planning Commission voted 4-7 to oppose the amendment offered by Commissioner Iacomini. Commissioners Fallon, Iacomini, Monfort, and Siegel supported the amended motion. Commissioners Ciotti, Cole, Forinash, Gutshall, Harner, Kumm, and Malis opposed the amended motion, so the amended motion failed.

Commissioner Cole moved to amend the motion to recommend that Condition #49 be amended to revise the last sentence to read as follows:

Arlington Public Schools agrees that the synthetic turf fields shall not be lit, and that ~~any proposal to light the fields shall require a Use Permit Amendment~~ electrical service for this purpose shall not be installed.

Commissioner Monfort seconded the motion, as amended.

Commissioner Forinash inquired about the cost of installing the electrical service, or the cost of going back and retrofitting the installation. Mr. Chadwick responded that APS has not estimated the cost of installing the electrical service; however, retrofitting it after the project has been built would require digging up the perimeter of the synthetic turf. It would be complicated because one of the fields will have manifolds around it for the geothermal systems, to be located beneath and on the edge of the field. Mr. Chadwick advised that the conduit be installed now, rather than later, whether or not it will be used, because it would be much more expensive and may disrupt other systems that have been installed.

Commissioner Siegel stated that the motion is sending a strong signal that lights are not always supported on synthetic turf fields, and County policy is being challenged. Commissioner Cole responded that the motion suggests that the policy be revisited to take into consideration the interests of the neighborhood.

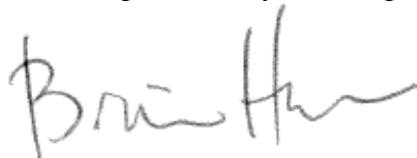
Commissioner Malis stated that the motion suffers because it does not identify the public process that would lead to a decision.

Commissioner Fallon stated that his concern with the motion is that the conduit would not be installed. Nothing in the condition language would preclude the County Board from requesting on its own motion to add lighting at a later date. So this motion is not giving the assurance that the community wants. In addition, the Commission has not heard from people that would use the fields if they had more programming due to lighting.

The Planning Commission voted 7-4 to support the motion, as amended. Commissioners Cole, Forinash, Gutshall, Iacomini, Kumm, Monfort, and Siegel supported the amended motion. Commissioners Ciotti, Fallon, Harner, and Malis opposed the amended motion. The motion passed, and the amendment was incorporated into the main motion.

The Planning Commission voted 11-0 to support the main motion. Commissioners Ciotti, Cole, Fallon, Forinash, Gutshall, Harner, Iacomini, Kumm, Malis, Monfort, and Siegel supported the main motion.

Respectfully Submitted,
Arlington County Planning Commission

A handwritten signature in black ink, appearing to read "Brian Harner". The signature is written in a cursive, flowing style.

Brian Harner
Planning Commission Chair

Public Facilities Review Committee
Report on New Elementary School at Williamsburg (ES1)

Charles Monfort, PFRC Chair

September 2013

The Public Facilities Review Committee (PFRC) held eight meetings on the new elementary school at Williamsburg (ES1), from August 2012 to July 2013; PFRC members also participated in BLPC meetings, open houses, and School Board and County Board meetings and work sessions.

While PFRC does not hold formal votes, the committee did reach a broad consensus on the project, including its location on the southeastern corner of the site, massing and height, architectural design, energy efficiency, traffic circulation and transportation improvements, reduced parking requirements, landscaping, open space and playfields, and pedestrian safety improvements.

We agreed that the best way to deal with the increased automobile traffic expected for the new school was to distribute it around the site, so that no one street is burdened with all the traffic caused by school uses. Under the proposal, cars coming to the existing Williamsburg Middle School primarily would use Harrison Street, and cars coming to ES1 would use Kensington Street, a block further to the east. This arrangement also allowed us to maximize pedestrian safety by prohibiting automobile left turns from Harrison to 36th Street and thus providing a safer pedestrian route across 36th Street at that corner.

The PFRC spent one meeting discussing the issues raised by the County Board during its consideration of the Ashlawn School addition, such as the project's impact on open space, the option of placing all required parking on-street, and providing curb-side parental drop-off and pick-up. After that discussion, the PFRC determined that the proposed project, which provides 100 net new campus spaces combined with a parental drop-off loop, was the best solution, not only for the school, but for the surrounding community as well. I can go into details if anyone wishes.

In terms of specifics, the new parking ordinance would require 256 spaces for both schools on site. APS is seeking a modification to zoning ordinance standards to allow 49 of those spaces to be provided with on-street parking on the school-side of 36th Street and N. Harrison Street. APS is also adding 19 spaces within the new, combined bus drop-off and is approaching parking on a campus-wide basis to bring the existing WMS into compliance with the requested modification for parking. I should note that the community strongly

supports this new ES1 parking lot, primarily to deal with the very high demand for parking associated with the use of the two soccer fields and other open space by Arlington youth sports teams.

In terms of open space, thru a more efficient lay-out we ended up with the same number of programmed fields as today: two soccer fields and one softball/soccer space. However, there will be less unstructured open space than currently exists, as the new school will be placed on a part of the site where informal open space and a recess field currently exist. The design also incorporates a combined middle school/elementary school bus drop-off in an existing parking lot, which works because the two schools operate on different schedules. The ES1 parental drop-off and pick-up are located within the new parking lot to the west of the new school, and the drop-off/pick-up function requires only 1500 square feet of paving over what is required for the parking lot itself. You will also see extensive new landscaping and hundreds of additional new trees, with the same kind of enhanced maintenance requirements we saw for the Ashlawn project.

There are two remaining issues.

At the final PFRC meeting in July, APS confirmed the project would replace the two existing natural grass athletic fields with new natural grass fields. County staff indicated they had no issues with the proposal. No members of the PFRC objected. We had discussed the issue of artificial fields at previous meetings and, as you might expect, the question of artificial turf quickly turned into a discussion of lighting. It was my sense from those limited discussions that the surrounding neighborhood would not object to artificial fields, but would be strongly opposed to lighting them. However, since the project we reviewed included only natural grass fields, with no concerns or complaints by either the County staff or any member of the PFRC, we did not have a detailed discussion about the impact of artificial turf or lighting on immediate neighbors or the surrounding community. We did not discuss whether installation of artificial turf would *require* later installation of lighting, as set in current county policy. I believe we need to have a community discussion on those issues before a change of this scope and impact is made.

The only other issue is the NCAC project to improve the intersection of Williamsburg Blvd and Kensington Street. This project was approved by the Rock Springs Civic Association before PFRC began its review of ES1, but the traffic consultant's report evaluated the intersection and it came up for discussion during our review of transportation impacts of the school. As the PFRC neared the end of its review process, the civic association asked the County to revise the approved project. The County Manager later informed the civic

association that there is no process for revising an NCAC project after it has been approved by the County Board. It can only be cancelled. The Rock Springs Civic Association did NOT exercise the option of asking for the project to be cancelled, therefore it is my understanding that it will be built as designed and that the County will monitor the improved intersection to see whether further improvements are necessary.

Thank you.

From: Mark Fajfar [<mailto:mark.fajfar@gmail.com>]

Sent: Tuesday, September 10, 2013 12:54 AM

To: Freida Wray

Subject: Comment to Planning Commission

Dear Ms. Wray,

For your information, I have copied below a comment that I submitted on the Planning Commission web site regarding tonight's meeting. Please distribute this to the Planning Commission members (I am not sending it to them directly).

Thank you.

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Dear Members of the Planning Commission,

I am writing immediately after your September 9, 2013 meeting to express serious concerns regarding the lack of proper public notice of the topics to be discussed at the meeting. I understand that the meeting has concluded, but I suggest you consider taking steps to inform the County Board and others that the actions taken at this meeting may not have been valid.

As you know, the notice of agenda item one at this meeting referred to only the new elementary school and, among other things, "athletic fields" and "other modifications as necessary." The Use Permit Application filed by Arlington Public Schools, which was available to the public in mid-July 2013, did not contain any mention of synthetic turf or field lighting (as was acknowledged at the meeting). Thus, anyone viewing the public record before tonight's meeting would not have had any advance notice that synthetic turf or field lighting would be discussed. (The proposed amendments circulated to some by the County staff, which mentioned synthetic turf and field lighting, does not constitute public notice and in any case only occurred, at the earliest, on September 3, 2013 and would therefore not be timely.)

Despite the lack of public notice of this issue, which I raised in my comments to the Commission at the beginning of the meeting, the board nonetheless engaged in a significant and wide ranging discussion (over approximately one hour) of whether synthetic turf should be installed on the athletic fields and whether field lighting should be installed. During this discussion, the Commission acknowledged that this issue is "the elephant in the room." (But, apparently, not a large enough elephant to be mentioned in the public notice of the meeting.)

I am concerned by a view seemingly expressed by some Commissioners that procedural issues in this matter are of lesser importance. The Commission should know that Virginia law is to the contrary. Procedure is very important in land use matters, and can be fatal to a locality's actions. (See the note below.)

During the meeting, it was repeatedly said that it is important to construct the proposed new elementary school soon. I am concerned that the Commission's discussion of significant and controversial issues that were not described in the notice for this meeting has invalidated any or

all of the actions it took tonight, and therefore subjected the new school project to further delay including possible litigation.

As I said, I understand that the meeting has concluded, but I urge the Commission to take whatever steps it can to address the procedural concerns that were raised at the meeting as quickly as possible.

Note – Regarding the importance of procedure in land use matters, a quick internet search found this statement in John W. Farrell, *Virginia's Planning and Zoning Law (2012)* at § 16.102(B), page 1104: "... the Virginia Supreme Court appears convinced—and not without justification—that the principal function of the judiciary is to ensure that the processes surrounding land use practices are pure: if it will not substitute its judgment for that of the locality with regard to the merits of a given decision, it will insist to a fault that the procedural means by which that decision is made comport with the (mostly statutory) requirements of notice and an opportunity to be heard. Should the locality fail in this, there is little to save its legislative actions."

Thank you for considering this comment,

Mark Fajfar
3663 N Harrison St,
Arlington, VA 22207

Mark Fajfar
3663 N. Harrison St.
Arlington, Virginia 22207

September 8, 2013

Arlington County Planning Commission
#1 Courthouse Plaza
2100 Clarendon Boulevard, Suite 700
Arlington, VA 22201

Re: **U-3372-13-1** Arlington County School Board for a new elementary school
Agenda Item 1 for Meeting September 9, 2013

Dear Members of the Planning Commission,

Thank you for the opportunity to comment on the Use Permit application filed by Arlington Public Schools (APS) and the conditions to the Use Permit proposed by County staff. This letter is limited to the proposed “condition” 51, which purports to require APS to agree to installation of two synthetic turf fields at the site and, at a later date, to seek an amendment to the Use Permit to install lighting of those fields.¹

Summary

The purported “condition” 51 proposed by County staff is contrary to law. The staff does not have the authority to propose it, this Commission is not authorized to consider it, and APS is not authorized to agree to it.

- This “condition” is actually a proposed amendment to the County’s Comprehensive Plan, which may only be effected after public notice and comment as required by Virginia law.
- This Commission should recommend to the County Board that “condition” 51 be withdrawn and a process of reevaluating the Comprehensive Plan with respect to synthetic turf fields and field lighting should begin.
- This process must involve public comment and consider the pros and cons of upgrading any or all of the recreational fields in Arlington County, in the context of the resources available for the improvement of the County’s recreational facilities and all other relevant considerations.
- To do so is not just the “Arlington Way,” it is required by Virginia law.

¹ As of today, the County staff has not provided a final version of its proposed conditions to the Use Permit. This letter refers to the draft conditions that the County staff released less than one week ago, on September 3, 2013. The draft “condition” 51 is set forth in Annex A to this letter.

Given the extremely short time period which has been available to comment on the County staff’s proposed conditions, it may be necessary to supplement this comment letter with further details and analysis of the significant issues raised by the staff’s purported “condition” 51.

The purported “condition” 51 is, on its face, contrary to law in other respects:

- The “condition” is contrary to Arlington County Zoning Ordinance (AZCO) procedures applicable to Use Plans. Under the AZCO, conditions must assure that the use will, among other things, not be “injurious to property or improvements in the neighborhood” or “in conflict with the purposes of the master plans of the county.” The purported “condition” violates the AZCO because it in fact causes the Use Permit to be (rather than assuring that the use will not be) injurious to property in the neighborhood and in conflict with the master plan.
- To require the installation of a synthetic turf field (and to seek to install lights) at Williamsburg would be contrary to County precedents. Regarding the recent application by Bishop O’Connell High School to install lights and in other contexts, the County Board and staff have emphasized the extensive process required to even consider these steps. As Board member Mary Hynes stated in a similar context, the installation by schools of “lighting close to neighbors” involves “difficult conversations.”² In this context, the proposed “condition” is clearly out of order.
- The County cannot require APS to install a synthetic turf field, or require APS to amend its Use Permit to install lights at a field; nor may APS agree to do so without, at the least, School Board action. APS’s opposition to a synthetic turf field at Williamsburg is on the record in this matter. Any attempt by the County to appropriate school funds to install the field or pursue a Use Permit amendment (by causing APS to do so against its will) would be contrary to Virginia law.

It is unfortunate that the County staff’s imprudent action in seeking to propose “condition” 51 to the Use Permit has required a County citizen to make this effort to enumerate the flaws in the staff’s action. I do so with no feeling of malice, only dismay. It is important for this Commission to understand that the defects in the staff’s proposal of “condition” 51 are so obvious as to be apparent in only the few days available to review the document released by the staff last week. If this Commission were to allow the staff to continue along this path, it is sobering to consider what flaws others will discover and the significant resources that will be wasted to correct the staff’s mistakes. These are not complex issues – rather, the staff’s action here is contrary to basic principles of administrative law, good government, and common sense.

The remainder of this letter details the points above.

² Board member Mary Hynes made this statement at an April 24, 2010 Board meeting involving a request by parents and students for the installation of a synthetic turf field at H-B Woodlawn. See below at page 8.

The purported “condition” 51 proposed by County staff is contrary to law because it constitutes an amendment to the Comprehensive Plan that can only be effected in accordance with Virginia statute § 15.2-2204.

The County adopted its Comprehensive Plan under Title 15, Chapter 22 of the Virginia statutes, which is “intended to encourage localities to improve the public health, safety, convenience, and welfare of their citizens and to plan for the future development of communities to the end that ... [among other things,] residential areas be provided with healthy surroundings for family life; ... and that the growth of the community be consonant with the efficient and economical use of public funds.”³

In keeping with these important and statutorily mandated goals, the County included in the Comprehensive Plan a Public Spaces Master Plan (PSMP), the most recent version of which was completed in 2005.⁴ As part of developing the PSMP, the County engaged in “separate planning processes [with] citizen/staff work groups ... to develop recommendations on increasing the number of synthetic fields.”⁵ Appendix F to the PSMP provides “more detailed information” regarding these processes.

Thus, Appendix F to the PSMP represents the extent of the County’s policy regarding synthetic turf fields. It was adopted following a multi-year consultative process that involved, among other things, a “citizen/staff Synthetic Grass Working Group [which, in 2003,] submitted their recommendations regarding conversion of athletic fields from natural grass to synthetic fields.”⁶ This deliberative, transparent process was consistent with the legislature’s intent that the County plan for future development to the end that residential areas be provided with healthy surroundings, consonant with the economical use of public funds.

The PSMP prudently includes only a few specific directives regarding the installation of synthetic turf fields. It recognized that “[i]t’s important to work with surrounding communities to add amenities to help mitigate the impacts of the additional play, especially dark sky lighting.” With this in mind, the PSMP stated that installation of synthetic fields at Greenbrier Park and the North Tract “will be implemented” and that that “Other **potential** fields for future conversion **include** Thomas Jefferson, Williamsburg, Kenmore, Swanson and H-B Woodlawn.”⁷

³ See Virginia statute § 15.2-2200. The County is required by Virginia statute § 15.2-2223 to have a comprehensive plan.

⁴ “This Public Spaces Master Plan is one of eight individual elements that comprise the County’s Comprehensive Plan.” PSMP at page 17.

⁵ PSMP at page 25.

⁶ Appendix F to the PSMP.

⁷ Appendix F to the PSMP (emphasis added). Notably, the formal recommendations in Chapter 5 of the PSMP do not include any recommendation to install synthetic turf fields (other than the plan to install fields on the North Tract). Only “Recommendation 1.7 – Optimize Creative Use of Spaces” referred to synthetic fields, stating that in view of the “limited additional capacity for acquiring more public spaces due primarily to the population density, lack of available land, and high land costs” and “the

It is clear that in the PSMP, the County set forth a careful and deliberative policy regarding synthetic turf fields. While installation of two would proceed, the installation of other synthetic turf fields remained merely a “potential” action that would occur only after consideration of the factors described in the PSMP.

Expanding or elaborating the policy in the PSMP requires an amendment in accordance with Virginia law, and is also required by common sense

It now appears that some members of the County staff would like to expand on the “potential” that was noted in the PSMP and proceed to actual implementation of additional field conversions. Of course the County staff could do this – they just cannot do it here.

In keeping with the vital purposes of the Comprehensive Plan, its amendment requires a public notice and comment procedure and other steps in accordance with Virginia statute § 15.2-2204. See also § 15.2-2229.

Addressing installation of additional synthetic turf fields through an amendment of the Comprehensive Plan is not only required by law, it makes sense. As the County correctly recognized by specifically addressing this issue in the PSMP, the installation of synthetic turf fields requires County-wide consideration of important factors, including the impact on the surrounding community. This process simply cannot be shoe-horned into the Use Permit process.

The current version of the PSMP does not authorize a synthetic turf field at Williamsburg

Some may argue that Appendix F to the PSMP has already authorized the installation of synthetic turf fields at Thomas Jefferson, Williamsburg, Kenmore, Swanson and H-B Woodlawn. But this interpretation of the document is absurd, for four reasons.

First, if the mention of a “potential” activity in the PSMP were sufficient to authorize that activity, the County could include any number of “potential” activities in its Comprehensive Plan and then pick and choose among those potentials without any public input (just as the County staff purports to do here), contrary to the public notice requirement in Virginia statute § 15.2-2204.

Second, this interpretation would ignore the clear contrast between the statement in the PSMP that the installation of synthetic fields at Greenbrier Park and the North Tract “will be implemented,” while the fields at the other five schools are merely “potential fields for future conversion.” If the PSMP intended to authorize the installation at the five schools, it would have said that. It does not, and so those installations are not authorized.

continued demand for more public spaces,” the County must optimize the use of space in various ways, including by using “new technologies in synthetic turf and dark sky lighting to obtain maximum use and availability of multi-purpose turf fields and ball fields.” PSMP at page 46.

Third, if the PSMP authorizes the installation of a synthetic turf field at Williamsburg, then it also authorizes installation of the same at H-B Woodlawn. However, as more fully discussed below, the County Board has rejected requests to install a synthetic turf field at H-B Woodlawn.

Fourth, and similarly, if the PSMP authorizes the installation of a synthetic turf field at Williamsburg, then it also authorizes installation of the same at all the other fields that the County had it mind when it used the word “include” to describe the fields that had the “potential” to be converted. This expansive reading of the PSMP is clearly not permissible and would be inconsistent with the careful approach of the remainder of the document.

Therefore, it is obvious that in the PSMP the County recognized that the installation of synthetic turf fields is a significant and difficult issue, involving considerations of not only impact to the community but also cost. Accordingly, to proceed from “potential” to “implement[ation]” of a synthetic field would require amendment to the plan, public notice and comment and other procedures.⁸ Again, this issue cannot be shoe-horned into the Use Permit process.

This is not a technicality; the Comprehensive Plan serves a vital purpose under Virginia law and County policy.

The staff’s attempt to blithely assert that a synthetic turf field could be installed at Williamsburg without amendment of the PSMP is all the more striking given the depth of procedural protections in the Virginia statutes attendant to the Comprehensive Plan, and the County’ Boards own policy regarding plan amendments. These protections attest to how important it is to proceed cautiously before changing or expanding upon the considered judgments that went into the Comprehensive Plan in the first place.

For example, Virginia statute § 15.2-2204(C) requires that when an amendment affects a space within one-half mile of another locality, written notice of the amendment must be given that that locality. Since the Williamsburg field is merely a few yards from Fairfax County, its administration must be involved before proceeding with the installation of synthetic turf fields there.

Also, Virginia statute § 15.2-2208 authorizes restraining orders to enjoin violations of Title 15, Chapter 22 of the Virginia statutes, including the public notice and other procedural requirements in § 15.2-2204. This raises the disturbing possibility that the staff’s action here may have subjected the County to the risk of significant litigation that would be costly in both staff time and legal fees.

⁸ The County refers to the procedures required for amendments to the Comprehensive Plan at: http://www.arlingtonva.us/departments/CPHD/planning/docs/CPHDPlanningDocsGLUP_Amending.aspx. In any case, the amendment process remains subject to the overarching requirements of Virginia law.

Finally, the County Board itself has recognized the expense and inefficiency of haphazard amendments to the General Land Use Plan, which is also a part of the Comprehensive Plan. It therefore directed the County Manager that “a proposed GLUP amendment for any site not identified in a County Board adopted planning study as appropriate for such a GLUP amendment will not be considered until such a planning study or analysis has been completed and presented to the County Board.”⁹ The staff should follow the County Board’s direction here, and not consider any amendment to the PSMP until it completes an appropriate study and analysis.

The purported “condition” 51 is contrary to the County ordinance on procedures for Use Plans. The County staff has no authority to propose this “condition.”

Under §15.5.4 of the AZCO, conditions attached to Use Plans must “assure that the use will conform to the foregoing requirements [i.e., those in §15.5.3].” The requirements in AZCO §15.5.3 include that the use not be “injurious to property or improvements in the neighborhood” or “in conflict with the purposes of the master plans of the county.”¹⁰

The purported “condition” violates AZCO §15.5.4 because it in fact causes the Use Permit to be (rather than assuring that the use will not be) “injurious to property or improvements in the neighborhood” and “in conflict with the purposes of the master plans of the county.” On its face, the purported “condition” is invalid.

Certainly, the County has broad authority to interpret the AZCO and to attach conditions to its approval of Use Plans in order to promote the purposes set out in AZCO §15.5.3. I do not question that fundamental tenet. But on the other hand, the County cannot dream up a wish list of things that it would like to be done, and purport to order applicants to accede to its demands in the guise of attaching “conditions” to the Use Plan.

Merely calling a demand a “condition” does not make it so.

The APS plans for Williamsburg also constitute a “site plan.” The County staff’s attempt to expand the site plan that APS submitted therefore runs afoul of AZCO §15.6.2, which requires that the site plan be available for public review. Although it is not authorized in any case, even if it were authorized, purported “condition” 51 would constitute a “major site plan amendment” that must be put out for public review.¹¹

⁹ See Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts, available at <http://www.arlingtonva.us/departments/CPHD/planning/docs/pdf/file64322.pdf>.

¹⁰ The County acknowledges that the purpose of conditions to the Use Plan is to “assure that the use conforms with all requirements.” See statement at http://www.arlingtonva.us/departments/CPHD/planning/docs/CPHDPlanningDocsGLUP_Implementation.aspx.

¹¹ “Major site plan amendment” is defined in AZCO §15.6.3. to include any change that is “similar significance” to those listed in the ordinance. The specifically listed major amendments include “Principal use of the building would change in more than five percent of the total floor area of the

The purported “condition” 51 is contrary to County Board precedents.

The unlawful attempt by the County staff to suggest that a synthetic turf field and lights be installed at Williamsburg is all the more incomprehensible because it is directly contrary to precedents established by the County Board in highly visible and contentious precedents.

Of course the County Board’s rejection, little more than two years ago, of the request by Bishop O’Connell High School to install lights on its property does not need to be recounted here.¹² The more than two hours of public comment at the County Board meeting on March 15, 2011 and the contemporaneous press reports are sufficient.¹³

The County staff should also pay heed to its own recommendation memo on the Bishop O’Connell High School matter, which recommended a deferral of the application. That memo stated that “[a]n effective analysis of the issues can be conducted only with” information requested by the staff, which included “lighting analysis, a Traffic Impact Analysis (TIA), information on parking, and analysis on additional activity and capacity that will be generated from the expanded athletic facilities.”¹⁴ None of these elements have been completed with respect to lighting the Williamsburg fields. In fact, the environmental impact study included in the Use Permit application for the new elementary school specifically did not include consideration of the impact of field lights.

The staff’s position regarding a synthetic turf field and lights at Williamsburg is also contrary to the County Board’s refusal to support installation of a synthetic turf field at H-B Woodlawn (one of the sites identified along with Williamsburg in the PSMP), even though H-B Woodlawn students have been petitioning the County Board for years to improve the seriously degraded field there.

I should note at the outset, however, that I am not aware of the current status of the field at H-B Woodlawn and the points I make here are subject to further review.¹⁵

building.” The proposed change from natural to synthetic turf for the fields at Williamsburg is of similar significance to such a change.

¹² At the risk of stating the obvious, the County staff’s abrupt reversal of position regarding the installation of lights at an athletic field (having rejected lights at Bishop O’Connell High School and then seeking to force the installation of lights only a few blocks away at Williamsburg), opens the County to potential legal liability for arbitrary, capricious and discriminatory decision-making.

¹³ The Board Meeting may be viewed at http://arlington.granicus.com/MediaPlayer.php?view_id=2&clip_id=2052. An example of contemporaneous press coverage is at <http://www.arlnow.com/2011/03/16/county-board-rejects-lights-for-bishop-oconnell-high-school>.

¹⁴ See http://arlington.granicus.com/MetaViewer.php?view_id=2&clip_id=2052&meta_id=89689 at page 1.

¹⁵ Regarding this matter, see for example this statement by the “Arlington Sports Foundation”: <http://www.arlingtonsportsfoundation.org/2011/03/hb-woodlawn-turf/>.

Before proceeding any further in considering a synthetic turf field and lights at Williamsburg, the County staff should consider the statement of former Board member Barbara Favola at a County Board meeting on April 24, 2010, which I attended, at which H-B Woodlawn students and parents appealed for the installation of a synthetic turf field there:¹⁶

“I’m not surprised that the request has come forward; I completely understand why. I just want to advise the Woodlawn parents of a couple things you may not be aware of, but certainly things you have to consider. It’s really important to get the neighboring Civic Associations involved. One of the issues, or I’m careful to say – careful not to say ‘hard and fast criteria,’ but the County, if we’re going to make a very large investment in a synthetic field – and it usually is just shy of \$1 million, when you get all the drainage down as well as the field – we really try to maximize usage there. So, issues such as hours, availability of parking; it has been our policy to light synthetic fields – again, because we’re trying to get the maximum value out of our dollars. So all of these things really do need to factor in to your request, because they are the kinds of things the County has to consider when we’re evaluating alternatives in terms of where we would put the next synthetic field.”

Board member Mary Hynes then stated:

“I do want to echo Ms. Favola’s comments, particularly as it pertains to lights, since I was on the school board when we did have some of those more difficult conversations around lighting close to neighbors. And this is a field nestled down with neighbors overlooking it, and so it may present – and I think Ms. Favola is right, parking is the second issue, and having had a number of kids go to H-B Woodlawn I know that parking can be a challenge at that location.”

This is an example of the careful, deliberative process that the Planning Commission and the County Board must pursue in depth, and with the benefit of public input, regarding how to move forward on the suggestion in the PSMP to consider converting fields at Williamsburg, Kenmore, Swanson, H-B Woodlawn and other locations.

The County cannot require APS to amend its Use Permit to install or light a synthetic turf field, nor may APS agree to do so in these circumstances.

APS is on record as opposed to the installation of a synthetic turf field or lights at Williamsburg. During the consultation with the community regarding the proposed new elementary school, John Chadwick, APS Assistant Superintendent for Facilities, affirmed that APS needs only a natural grass field at Williamsburg and requires neither a synthetic turf field or lights. On July 15, 2013, Mr. Chadwick stated in an email to a county resident, attached at Annex B to this letter, that “I can assure that the [APS Use Permit] submission includes neither lights nor synthetic turf on the fields.”

¹⁶ These statements occur at time marks 20:05 to 22:31 in the archived video of the April 24, 2010 meeting, available at http://arlington.granicus.com/MediaPlayer.php?view_id=2&clip_id=1691.

In these circumstances, where APS does not wish to install a synthetic turf field or lights, the County staff's attempt to force APS to take any steps toward doing so is directly contrary to the statutorily required separation between the County and the school system. Under Virginia law, responsibility for the school system and its property is solely the province of the school authorities and is separate from the authority of municipalities such as Arlington County.¹⁷

Quite simply, the County has no authority to cause or encourage APS to use funds or resources of any kind in relation to any discussion of installing synthetic turf fields or lights at Williamsburg or any other school property.¹⁸ It is up to APS to decide whether and how it may wish to participate in the consideration of converting and lighting athletic fields.

A careful, public, deliberative process to consider the future installation of synthetic turf fields and lights is not only required by Virginia law, it is necessary in order to fully examine the complex issues involved.

Although any discussion of the merits of installing a synthetic turf field and lights at Williamsburg or other locations is out of place here and must occur only in the context of amending the County's Comprehensive Plan, I would like to mention two points. I do so merely as examples of the complexity of the issues involved and to demonstrate the importance of following the careful, deliberative process required by Virginia law.

As far as I know, the only party to publicly advocate for the installation of a synthetic turf field and lights at Williamsburg is the Arlington Soccer Association.¹⁹ Among other defects, the soccer association's advocacy contains two egregious errors of analysis that exemplify the insufficiency of considering these issues on an ad hoc basis.

First, the soccer association suggests that installation of synthetic turf and lights at Kenmore is not feasible because APS is considering construction of a new elementary school which would occupy some of the vacant space at this site. That is irrelevant. The issue is not whether a new field should be constructed, but whether the existing field should be upgraded. In fact, plans to construct a third school at the Kenmore site argue in favor of upgrading that field, since it could be used by three schools. The Kenmore site also has other obvious advantages, such as being centrally located close to main traffic arteries.

¹⁷ See, e.g., Virginia statute § 22.1-2 (schools are to be "administered by the Board of Education, the Superintendent of Public Instruction, division superintendents and school boards") and § 22.1-125 (title to school property to be vested in school board).

¹⁸ The County's attempt to require APS to pursue installation of a synthetic turf field and lights is not only illegal, it is contrary to County policy. Under the "Collaboration" agreement between the County and APS, the County's Department of Parks, Recreation and Cultural Resources "manages the design, installation and maintenance of fields, including synthetic turf, at APS facilities." See Arlington Public Schools and Arlington County Collaboration, available at <http://www.apsva.us/Page/12422>. That Department is also responsible for the PSMP; it, and not APS, should be responsible for considering this issue.

¹⁹ See <http://arlingtonsoccer.com/posts/news/background-information-on-the-williamsburg-field-petition/>.

Second, the soccer association suggests that if synthetic turf and lights were installed at Williamsburg, use of the field could be limited to youth sports, with a 9:30 pm curfew. However, the soccer association does not say why the County should deviate from its policy of maximizing use of synthetic turf fields, nor does the soccer association explain why the County should discriminate against adults by preventing them from using the new field. More fundamental, the soccer association does not justify use of the County's limited resources to install synthetic turf and lights at a location that could not be fully used by all County residents.

Again, I make these points realizing that the issues are complex and various conclusions could be reached following a consideration of all the relevant factors. I do not suggest that my own views on the matter are definitive, but rather only that there are many issues to be considered.

Former Board member Barbara Favola correctly framed the issue now before this Commission when she referred in the April 24, 2010 Board Meeting to "the kinds of things the County has to consider when we're evaluating alternatives in terms of where we would put the next synthetic field."

That is the question here – where should we put the next synthetic field? The question is not whether we should have more synthetic fields; the need for them is clear. But nor can the question be limited to whether a synthetic field should be built at Williamsburg.

Instead, the appropriate course for this Commission is not only obvious, it is also mandated by Virginia law:

The Planning Commission should recommend to the County Board that it return to the deliberative process mandated by the PSMP, and begin a comprehensive review of synthetic turf and field lighting needs which would consider all the available fields across the County. This process should include public comment from all interested parties on the pros and cons of synthetic turf and lighting at each location, and after a consensus is reached the County should proceed in accordance with a revised PSMP.

To conclude, I would like state for the record that this letter reflects only my own personal views. Although I hope and expect that others may share my views, I do not pretend to express here the views of any other person or organization. Also, I note for clarity that although I am a member of the District of Columbia Bar, I am not a member of the Virginia Bar. While this letter sets out my personal views on certain legal matters, I do not intend to provide legal advice to anyone, and no one should read this letter as constituting legal advice of any sort on any matter.

Thank you for your consideration of these comments. Should you have any questions regarding the points I have made, I would be happy to speak further with you.

Sincerely,

/s/ Mark Fajfar

Annex A

Email Providing Draft Conditions to PFRC, and Text of “Condition” 51

From: Matthew Pfeiffer
Date: Tue, Sep 3, 2013 at 9:23 AM
Subject: NES1 DRAFT Conditions
To: ---

Dear PFRC,

In advance of upcoming public meetings, please see the draft conditions. There will be revisions to this document as we are having ongoing discussions with APS. **Please keep in mind that this is a working document, is not the final staff recommendation, and is subject to change up until the County Manager’s recommendation is released.**

“Condition” 51

51. Synthetic Turf Fields (First Building Permit)

Arlington Public Schools agrees to enter into a Memorandum of Understanding (MOU) with Arlington County regarding installation of synthetic turf for the two (2) rectangular athletic fields planned for the campus. This MOU shall include cost-sharing, design, and construction. Arlington Public Schools agrees to show the design of synthetic turf fields on the Final Landscape Plan, and obtain the review and approval of the County Manager or her designee prior to issuance of the first building permit. Arlington Public Schools agrees to submit prior to the issuance of any permits for development of the use permit a phasing plan which shall be approved by the County Manager or her designee prior to the issuance of the first building permit. The phasing plan shall provide for the two synthetic turf fields to be fully constructed and operational prior to the Fall 2014 playing season. Arlington Public Schools agrees that if County funds are not available for the installation of synthetic turf fields, it shall construct irrigated Bermuda Grass fields as shown on the approved Use Permit plans and subject to the phasing plan required by Condition #5. Arlington Public Schools agrees that the synthetic turf fields shall not be lit, and that any proposal to light the fields shall require a Use Permit Amendment. Arlington Public Schools further agrees that it shall submit for a Use Permit Amendment for lighting of the two synthetic turf fields one year after the issuance of the Certificate of Occupancy for the synthetic turf fields.

Annex B

Email from APS Staff to County Resident Regarding Williamsburg Fields

From: John Chadwick
To: ---
Sent: Monday, July 15, 2013 7:31:33 PM
Subject: RE: Use Permit Application for ES1

Tony:

You make very reasonable requests.

My first comment is that the use permit submission was actually made on Friday.

So the entire submission is at the County.

I have asked Steve Stricker to confirm with County staff that the submission is available for you and anyone else who is interested to review.

As soon as we have the answer we will notify you and post the status of the submission on the web page with information on how to access the drawings at the County offices.

We will also post the select drawings and documents you suggest on the webpage, though they are very large and may not be very legible.

Please be aware that we are in the process of negotiating the use permit conditions, so there may be some changes as we go along.

I can assure that the submission includes neither lights nor synthetic turf on the fields.

Thank you as always for your interest in and support of our project.

John C. Chadwick, AIA, RIBA
Assistant Superintendent, Facilities and Operations
Arlington Public Schools

-----Original Message-----

From: sharondlevin@gmail.com [<mailto:sharondlevin@gmail.com>]

Sent: Monday, September 09, 2013 10:08 AM

To: Freida Wray

Subject: WEBSITE COMMENT: Parking at Williamsburg -- ATTN: fwray

The following comment has been submitted from the Arlington County Website:

Name : Sharon Levin

Submitter's E-Mail Address : sharondlevin@gmail.com

Subject : WEBSITE COMMENT: Parking at Williamsburg -- ATTN: fwray

Comments : Please distribute my comments to the Planning Commissioners before tonight's meeting.

Thank you,
Sharon Levin

September 9, 2013

Dear Planning Commission Members,

The parking ordinance passed by Arlington County earlier this year requires both the new elementary school and existing middle school to come into compliance based on the work to be done at this location. Yet, the use permit requirement allows forty-seven off-site spaces -- bringing only the elementary school into compliance and not addressing the additional safety hazard and gridlock caused by the increasing number of cars, buses, and pedestrians near the middle school.

While the ordinance is based on design capacity, enrollment at the middle school already exceeds this number and will continue to grow each year. Additionally, the new elementary school is projected to open at capacity and will likely exceed capacity after the first or second year. Given this reality, off-site parking will be utilized for this overflow and the zoning requirement should not be adjusted prematurely in the use permit requirements.

Those who have driven the perimeter of the school during morning drop-off, afternoon pick-up, and other large gatherings throughout the year, know what a safety hazard these windy, steep streets can be for children, parents, and neighbors walking, biking, and driving near the school. Allowing additional on-street parking (which increases the likelihood of parking on both sides of the street) will cause gridlock and further danger especially when cars are passing in both directions. I will think twice before letting my children walk or bike to school if significant off-site parking is utilized.

Studies by Toole Group were conducted at nearby middle and elementary schools last year. Over 40% of students at WMS arrived by car. The number of elementary schools drop-offs ranged from 32-46%. While these numbers are disappointing to many, not providing the necessary on-site parking for staff only increases safety issues for all involved. Increasing the number of walkers and bikers (which is projected to be less than 1/3 of students due to chosen boundaries) will prove difficult due to the location of the school within one mile of two other APS elementary schools and on the Mclean border. If

one of the goals for the County or APS was to reduce the number of car trips, a different location like the Reed site where more children could have walked and biked should have been chosen. Students, parents, and neighbors should not be put in danger due to the poor site selection.

We are a suburban neighborhood being forced to handle a growing teacher population of over 200, 1000 drop-offs and pick-ups by parents each day, a very active soccer program on nights and weekends, and service vehicles and school buses for two counties. On-site parking requirements based on the County's research of other jurisdictions and staffing requirements should be upheld. Adjustments should not be made which further impacts the safety of our streets.

Furthermore, I am aghast that the Transportation Commission voted to further reduce on-site spaces in lieu of off-street parking. At the July 24th PFRC meeting, when the Transportation Commission representative requested that additional parking spaces be moved off-site, the proposal was quickly vetoed by other PFRC members and spurned by community members during public comment. In this vein, during the July 27th Transportation Commission meeting, there appeared to be minimal support for this idea by Commissioners -- leaving community members to believe that the new proposal had been dismissed. However, this week during the September 4th meeting, the Transportation Commission voted to further reduce the on-site parking with little explanation and a complete rebuke of neighborhood wishes.

The doubling of the teacher and student population on these steep, curvy streets requires that on-site parking be available for all staff in order to uphold the safety for those walking, biking, and driving near the schools. Additional not fewer on-site parking spaces should be required.

Thank you for your consideration,

Sharon Levin
5114 N. 37th Road

Thank you.

Ted and Beverly Groom
3605 North Jefferson Street
Arlington, Virginia 22207

September 9, 2013

Dear Planning Commission Members,

We have lived in a home adjacent to the woods that border the soccer fields at Williamsburg Middle School since February 1991. Ted has been an Arlington resident since 1946 and Beverly since 1989. Ted is a graduate of Washington-Lee HS and he and his family have been active in community organizations since moving here at the end of WW II and our children have attended Jamestown, Nottingham and Yorktown.

We agree with the comments submitted by our many neighbors (Gail Harrison and Larry Suiters, Mark Fafar and others) opposing actions recommended by Arlington County Staff relating to the installation of lighting on new soccer fields to be constructed on WMS. We believe that the lighting would result in a visual and noise nuisance and cause serious damage to our use of our home for residential purposes. Because of the short notice and unlawful procedure, we are unable to attend the meeting this evening or provide a more detailed explanation of our reasons for opposition, but nevertheless wanted to note our strong opposition to the synthetic turf and lighting proposals.

Beverly and Ted Groom

From: Lynn Pollock [<mailto:pollock.lynn@gmail.com>]

Sent: Monday, September 09, 2013 10:54 AM

To: Rosemary Ciotti; Steve Cole; pfallon591@aol.com; erik@gutshall.net; Brian Harner; Srklein@verizon.net; Inta Malis; Charles Monfort; Karen Morris; siegelplanning@icloud.com; Steve and Diane Sockwell (sock3@verizon.net)

Cc: Freida Wray; Cunningham RSCA; Chris Munson; Moe Kabiri; Gail Harrison; Gregg Kurasz; Kevin Scott; Judd And Lara Meadows

Subject: Re: Rock Spring Civic Association's Work Group Comments on Use Permit for New Elementary School 1

Planning Commissioners,

Attached is our final document presenting our issues and proposed changes to the Use Permit Conditions related to New Elementary School #1. Edits have been made since the version I sent to you on September 6th.

I look forward to commenting on these items this evening.

May I request that any commissioners that I have not included in this email have this email forwarded to them.

Thank you for your consideration of this document.

Lynn

Use Permit Conditions: Issues and Proposed Changes

For

Sept. 9, 2013 Planning Commission Meeting

Issues & Questions

1. Clarification is needed regarding Condition 10.C.1. The title of this condition deals with traffic lane closures but the text deals with street closures. In the reprinted Condition below see the blue highlighted section which needs clarification. If the wording should be “lane closures” instead of “street closures”, please make the correction. If not, please explain how the neighborhood and school will be able to function without using those streets for which there is no reasonable alternative route?
 - **Temporary Closures of Any Traffic Lanes (First Building Permit – 7 days in advance of street closures)** Arlington Public Schools agrees to notify the appropriate civic associations and all abutting property owners in writing (or, by mutual agreement, by e-mail) **at least seven calendar days in advance of any street closure**, except in the case of an emergency, of more than one hour duration on any street. “Emergency” street closures may include, but not be limited to, those relating to rupture or potential rupture of a water or gas main, insecure building façade, or similar unforeseeable public danger. “Emergency” street closures shall not include closures for setting up or dismantling of a crane, exterior building construction, materials deliveries, utilities work, or similar situations.
2. In Condition 11.B the wording is not clear. Please verify that the community meeting set to occur prior to commencing any clearing or grading of the site is a community meeting and that all community members are able to attend. Specifically that this meeting will be open to the full neighborhood and not just those residents whose property abuts the project?
3. The “Rosslyn Ballston Corridor Streetscape Standards” are still listed in a number of Conditions. These should be removed. Affected Conditions: 16.B.1; 16.B.4.a; 17.B.6.a; 17.B.6.b and; 17.B.7.
4. In Condition 16.B.7 is the reference to VDOT Traffic Engineering design manuals accurate?

5. Condition 16.C.5 has already been changed in what is included. What is actually in this Condition? Also are there other changes throughout the Conditions that we can get copies of?
6. Condition 16.C.7.b states that APS will remove all mastarm mounted streetlights from all site street frontages which have new streetscape as identified. Does this include the lights on the resident side of the street?
7. In Condition 17.A.1.f what are urban design standards?
8. In Condition 33.A & B what should be in the blanks?

Proposed Changes to Use Permit Conditions

1. Condition 10.D states that if a construction worker(s) parks in an inappropriate location, such as on neighborhood streets, that a notice will be given. However, it then states that if this violation is not corrected, ten (10) days can pass before further corrective action will take place. This seems like an excessively long period of time before further corrective action is taken. We recommend far less time, namely three (3) days.
2. Condition 43: Add the following yellow highlighted wording and add wording to require that the parking management plan be submitted earlier in the process:

- **Parking Management Plan (Final Building Permit)**

Arlington Public Schools agrees to submit to the Zoning Administrator a parking management plan providing no fewer on-site spaces than the number contained in July 2013 presentations to the NES1 Public Facilities Review Committee and Building Level Planning Committee, which outlines how employee and visitor parking for the school/public facility, will be provided, where the parking will be located and how employees and visitors will be directed to the parking spaces. The parking management plan shall also provide a plan and/or narrative detailing how Arlington Public Schools will address parking for staff during construction of the new school, as well as special event traffic and parking. The parking management plan shall be submitted to the

Zoning Administrator, early in the construction process so that public review and comment can be received and implemented in time for any identified alterations to the facility can be made. The parking management plan will then be submitted to and reviewed and approved by the County Manager for review and approval, prior to the issuance of the First Certificate of Occupancy for the Use Permit. Arlington Public Schools agrees to implement the Parking Management Plan for the life of the use permit.

Additionally the parking management plan needs to be submitted and made publically available for public review and comment early in the construction process so that if any alterations to the facility the construction process will not have been completed to the point where such alterations cannot be made.

3. Condition 45: Add the following yellow highlighted wording:

- **Transportation Management Plan (Shell and Core Certificate of Occupancy)**

Arlington Public Schools (APS) agrees to post on the NES 1 web page, submit to, and obtain approval from, the County Manager of a Transportation Demand Management Plan (TDM), prior to issuance of the first Certificate of Occupancy for the New Elementary School #1, in order to achieve the following:

- The desired results of the Arlington County Transportation Demand Management
- (TDM) program;
- Mitigation of the potential adverse impacts of parking demand and disruption of parking patterns within affected neighborhoods that could result from the approved parking count and locations;
- Mitigation of traffic impacts generated by users of the Elementary and Middle Schools, including staff, students, parents of students, and other visitors.

APS agrees that the TDM will include details about, but not limited to: a four way stop at the intersection of North Kensington St. and 36th St. North; the type of signal used at the intersection of Williamsburg Boulevard and North Kensington St.; whether crossing guards or block captains will be provided at the intersection 36th St. North and North Harrison St. and at the intersection of 36th St. North and North Kensington St. ; and other

safety signage, and markings. APS further agrees to implement the TDM Plan for the life of the use permit.

4. In Condition 46 make the following edits as highlighted in yellow below:

- **Pick-up and Drop-off Procedures.**

Prior to the issuance of the First Partial Certificate of Occupancy for New Elementary School #1, Arlington Public Schools agrees to develop and submit, to the Zoning Administrator, drop-off and pick-up procedures for both New Elementary School #1 and Williamsburg Middle School. The procedures shall minimize, to the extent practicable, traffic impacts on adjacent streets associated with school drop-off and pick-up activities with the objective that the school drop-off and pick-up area will hold all cars waiting to use this facility and that any queuing will not spill over onto neighborhood streets.

A liaison will be identified by Arlington Public Schools, and contact information provided to neighbors of both Williamsburg Middle School and New Elementary School #1 so that neighbors may easily contact the liaison when severe back-ups occur in the neighborhood. APS agrees to analyze such reported back-ups, identify solutions and implement them in a timely manner.

By January 31, 2016 Arlington Public Schools shall review and study the operations and impacts of the drop-off and pick-up procedures for both New Elementary School #1 and Williamsburg Middle School. Data collection and observations shall be performed on a typical school day (Tuesday through Friday), as well as on a day when inclement weather (cold, rainy or snowy) occurs during drop-off. The scope of the review shall be developed during a scoping meeting between DES and Arlington Public Schools in advance of the study. Representatives from Rock Spring Civic Association will be invited to participate in the data collection and study activities. The following elements ~~that~~ shall be considered as part of the scope:

- Quantify number of students arriving in a family vehicle as well as the number of vehicles during the peak drop-off and pick-up hours for each school and report the data in 5 minute intervals;

- Calculate the average and maximum on-site and off-site queue lengths of vehicles dropping off and picking up students;
 - Calculate the observed delays and queue lengths during the peak periods of drop-off and pick-up at: 1) the intersection of 36th Street North and North Harrison Street and, 2) the intersection of 36th Street North and North Kensington Street; ~~Observe and report queuing at the intersection of 3)~~ Williamsburg Boulevard and North Harrison Street ~~and 4)~~ the intersection of Williamsburg Boulevard and North Kensington Street 5) the intersection of North Edison Street and Old Dominion Drive; and
 - Collect feedback on school drop-off and pick-up operations from the Williamsburg Civic Association and the Rock Springs Civic Association.
5. If the addition of the liaison contact person is not accepted to Condition 46, then add the following new Condition to address the issue:

- **Traffic Contingency Plan**

APS shall develop and publish a contingency plan to restore the safe and orderly flow of traffic in the event of severe traffic jams on streets serving ES#1, including during bad weather and other adverse conditions, as have occurred at other nearby elementary schools and at WMS. School officials, police, parents and neighbors should be notified in advance of what they may be called upon to do in the event this back up plan is implemented.

6. Condition 48: The proposed reduction in the gap between middle school and elementary school bell times from 1 (one) hour to 45 minutes is contrary to statements made by APS throughout the BLPC and PFRC meetings. Since middle schools begin at a bell time of 7:50 am and elementary schools begin at a bell time of 9:00 am, there is no reason to reduce by 15 minutes the required gap between bells. The Condition should instead read:
- Arlington Public Schools agrees that morning bell times for Williamsburg Middle

School and New Elementary School #1 shall be separated by a minimum of one hour.

7. Condition 49 should have the following change:

- **School Event Coordination (Life of Use Permit)**

Arlington Public Schools agrees that after hours school events such as, but not limited to, graduations, back to school nights, parent teacher nights, award ceremonies or other major school wide events, shall not be scheduled to occur on the same night at both schools. Nor shall major after school hour events offered by non-school entities be scheduled at the same time as major school-related events so as to assure that parking at this site will not be overburdened.

8. Either create a new UP Condition or add to UP Condition 50 the following wording:

- In order to remove snow and leaf impediments to school-related traffic flow and to reduce the potential for serious traffic jams and resulting erratic, dangerous driving patterns, APS shall be responsible for timely full-width clearing of the streets surrounding the new ES#1/WMS site (N. Harrison St., N. Kensington St., N 36th St.) unless Arlington County adds these streets to the County's list of streets receiving priority treatment for leaf and snow removal.
- In addition, please verify that APS will be responsible for clearing both sides of all sidewalks around the school along N. 36th St., and N. Harrison St.

9. Condition 51: The open public process of the PFRC for this project was the correct venue for this idea of synthetic turf fields to be discussed. Since the County chose not to bring forward this idea until after the last PFRC meeting for this project, the condition's proposed language should be removed and replaced with the following wording-for the Use Permit Condition:

- Any proposal to install one or more synthetic turf fields on the site of

Williamsburg Middle school and New Elementary School #1, with or without lighting for the field(s), shall require a formal Amendment to the U-3372-13-1, New Elementary School #1 Use Permit.

10. Add new Condition:

- In collaboration with Arlington County, APS shall poll the residents on N. 37th St. (between N. Edison St. and N. Harrison St.), and shall install speed humps and/or other traffic calming measures on N. 37th St. if approved by those residents.