



## ARLINGTON COUNTY, VIRGINIA

### ARLINGTON COUNTY PLANNING COMMISSION

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FREIDA WRAY  
COORDINATOR

GIZELE C. JOHNSON  
CLERK

November 13, 2012

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

**SUBJECT:**           4.    **Enactment of an Ordinance to Vacate** a Portion of Fairfax Dr., Running in a Southwesterly Direction, from a Point on Fairfax Dr. Near its Intersection with North Barton St. to the Southwesterly Corner of Rocky Run Park (RPC# 18-084-007).

**RECOMMENDATIONS:**   **The Planning Commission has determined that 1) the proposed vacation of a portion of Fairfax Drive, running in a southwesterly direction, from a point on Fairfax Drive near its intersection with North Barton Street to the southwesterly corner of Rocky Run Park, and 2) the proposed widening of the right-of-way of North Barton Street, by the dedication to public street purposes of a portion of Rocky Run Park, are substantially in accord with the adopted Comprehensive Plan or applicable part thereof.**

Dear County Board Members:

The Planning Commission heard this item at its November 7, 2012 carry-over meeting. Kevin Connolly, DES Real Estate Bureau, presented the proposed ordinance to vacate a portion of Fairfax Drive that is needed to achieve some of the existing and planned Rocky Run Park improvements located within the dedicated right-of-way. In addition, as a condition of the proposed ordinance to vacate, a portion of Rocky Run Park abutting North Barton Street would be dedicated to the County for public street purposes to more appropriately designate the portion of the existing North Barton Street sidewalk that is partially located within Rocky Run Park. Valerie Mosley, DPR, described the planned improvements to Rocky Run Park.

#### **Public Speakers**

There were no public speakers.

#### **Planning Commission Discussion**

**P.C. #18.A.**

Commissioner Malis asked for clarification on the purpose of the County's proposal to vacate and dedicate public lands, as the County owns both the right-of-way and park property. Mr. Connolly responded that the proposed vacation and subsequent dedication would be a title clean-up effort to ensure that County property conforms with County requirements governing the use of all private and public property within the County and the County's existing and proposed improvements are appropriately designated. Further, the vacation is necessary to ensure that permits can be issued for planned permanent improvements, such as the retaining wall and steps for the park, which ordinarily would not be allowed within the dedicated right-of-way. Commissioner Malis followed, asking if there is a value associated with the vacated property and if the County is required to compensate itself for the vacated property. Mr. Connolly responded that the County has not specifically appraised the value of the portion of Fairfax Drive being vacated because the County does and will continue to own all of the land associated with it. The subsequent Deed of Vacation would require the nominal consideration of one dollar (\$1) for the vacated public right-of-way.

Commissioner Fallon asked if staff could cite another instance where the County had vacated and dedicated land for its own use. Mr. Connolly noted a similar action a few years ago on property that the County owns near the intersection of Fairfax Drive and Route 50 to support reconfiguration of the intersection.

Commissioner Harner inquired if the proposed dedication would improve the consistency of the width of the associated streets. Mr. Connolly noted that near the southwest corner of the park the property line jogs, resulting in a portion of the sidewalk being located within the North Barton Street right-of-way and a portion within the park property. The dedication being proposed as part of this vacation would straighten the park's frontage along North Barton Street.

Commissioner Harner followed that one of the goals in urban design is to achieve consistent street widths and property/block locations and patterns. When property lines and right-of-way lines are relocated, Commissioner Harner noted, it raises questions about the kinds of patterns created on adjacent parcels, such as west of North Barton Street, north of Fairfax Drive, and further south. Ms. Mosley responded that the proposed vacation on Fairfax Drive would straighten the right-of-way line so that it will be consistent with adjacent parcels.

Commissioner Klein welcomed the proposed improvements to the park, and noted they would be a great asset to the community.

### **Planning Commission Motion**

Commissioner Klein moved that the Planning Commission recommend that the County Board 1) enact the ordinance to vacate a portion of Fairfax Drive, running in a southwesterly direction, from a point on Fairfax Drive near its intersection with North Barton Street to the southwesterly corner of Rocky Run Park; and 2) authorize the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute and accept, on behalf of the County Board, the Deed of Vacation and Dedication, and to execute all other documents necessary to effectuate the Ordinance of Vacation, subject to approval as to form by the County Attorney. Commissioner Malis seconded the motion.

Commissioner Fallon asked for unanimous consent to amend the motion by way of substitution with a motion that the Planning Commission issue a finding that 1) the proposed vacation of a portion of Fairfax Drive running in a southwesterly direction, from a point on Fairfax Drive near its intersection with North Barton Street to the southwesterly corner of Rocky Run Park, and 2) the proposed widening of the right-of-way of North Barton Street, by the dedication to public street purposes of a portion of Rocky Run Park, are substantially in accord with the adopted Comprehensive Plan or applicable part thereof. There was no objection so the amended motion became the main motion.

The Commission voted 9-0 to support the motion as amended. Commissioners Ciotti, Cole, Fallon, Harner, Klein, Kumm, Malis, Monfort, and Sockwell supported the motion.

Respectfully Submitted,  
Arlington County Planning Commission

A handwritten signature in cursive script that reads "Stephen Sockwell". The signature is written in black ink and is positioned above the printed name.

Stephen Sockwell  
Planning Commission Chair