

February 2, 2016

The Nelly Custis Park NC Project

Background Information and Questions Concerning the NC Process and Revised Scope and Concept Plan

by Ron Lee

First Scoping meeting:

An initial scoping meeting was held once the project gained sufficient points to be considered. Although small signs concerning the meeting were posted on the park fence in February very few people saw these signs given the winter weather and low park usage. At this 1st scoping meeting DPR and AHCA received numerous suggestions, along with subsequent e-mails, concerning what improvements to consider.

It should be noted that the NC Guidelines state: *"Park improvement projects consist, but not limited to, the following improvements: trails, benches, trash receptacles, picnic tables, athletic courts, playground equipment, fencing, beautification, landscaping, and improvements that benefit the natural environment. This work takes place in existing County parkland. These elements usually are intended to add to, replace, or upgrade the existing amenities in a park. **Neighborhood Conservation park projects are not intended to radically change the uses within a park, since that usually requires a much broader public involvement process.**"*

Combined 2nd Second Scoping/AHCA meeting:

The NC Process requires: **"Once information-gathering is complete [DPR] staff prepares an initial written project scope and concept plan, along with preliminary funding needs (costs), and presents it for review at the second working group meeting ... The plan is then discussed by the working group, and suggestions for changes are made. If substantial changes are needed, staff revises the concept plan and presents it at a subsequent working group meeting."** This was not done; the 2nd scoping meeting was held in April and was combined with the AHCA monthly meeting (one could argue that a 2nd scoping meeting was not even held).

Some residents that attended the 1st scoping meeting were not notified and there was no indication that a vote would be taken on the plan at the meeting. Additionally, the scope and concept plan radically changed the uses within the park (e.g., second playground, "tricycle" loop ... note: These changes are not included in the current Aurora Highlands NC Improvement Plan). Ten AHCA members (out of eleven present ... not a quorum) voted to approve the DPR scope and concept plan that included two playgrounds anchoring the park on each end with a "tricycle" loop connecting the two playgrounds.

Questions:

Q1: Why was the second scoping meeting combined with an AHCA meeting (which does not conform to the NC Process)?

Q2: Why weren't residents notified of the combined second scoping/AHCA meeting?

Q3: Why wasn't a much broader public involvement process conducted since the scope and concept plan radically changed the uses within the park?

Q4: Why was a vote allowed at the combined second scoping/AHCA meeting when a quorum was not present?

NCAC June meeting:

After the combined 2nd scoping/AHCA meeting a resident asked the NC project lead and AHCA President multiple times to notify and share information concerning the vote for the project to the neighborhood but this information was not forthcoming; the information was ultimately posted by a resident on a list-serv two weeks prior to a scheduled NCAC vote, six weeks after the combined 2nd scoping/AHCA meeting (where the vote was taken without the necessary quorum). Other resident(s), including many members of the working group who were not notified of the 2nd scoping/AHCA meeting, noticed the post on list-serv indicating that NCAC would consider the plan at the June NCAC meeting.

At the June NCAC meeting several residents reported that they were never notified of the combined 2nd scoping/AHCA meeting and the NCAC voted to delay consideration of the project until additional community input could be obtained.

Questions:

Q5: Why did the AHCA not inform the residents concerning the vote taken at the combined 2nd scoping/AHCA meeting?

Q6: Why was a 2nd playground and tricycle loop included in the scope and concept plan when these additions are not included in the Aurora Highlands NC Plan?

Third Scoping meeting:

DPR conducted an online survey in July and a 3rd scoping meeting was held on 9/16; a revised written scope and concept plan (as required by the NC Process) was not provided at the 3rd scoping meeting. The meeting was well attended and additional inputs from residents were obtained and the results of the on-line survey were discussed.

Concern was expressed on the addition of a second playground at the west end of the park and a "tricycle" loop connecting the two playgrounds (More than 95% of the residents participating in the survey "On-Forum" supported park improvements, but only ~40% supported a second playground located at the west end of the park, and only ~32% supported a tricycle loop connecting the two playgrounds).

Subsequent e-mails to DPR/AHCA questioned the need for a second playground since there are already playgrounds at Eads Park, Nelly Custis Park, Nina Park, and two playgrounds at Virginia Highlands Park. Additionally:

1. Nearby Fort Scott Park has two playgrounds and Long Bridge Park will soon have an elaborate playground for kids of all ages.
2. A second playground and "tricycle" loop would consume a significant amount of green space and completely change the nature of the park which has served the community well for more than 30 years.

Questions:

Q7: Why wasn't a revised written scope and concept plan provided at the 3rd scoping meeting as required by the NC Process?

Fourth Scoping meeting and AHCA meeting:

A fourth scoping meeting was held on 9/30 but again a revised written scope and concept plan was not available for review and discussion as required by the NC Process. This resulted in discussions and suggested changes being pushed into the 10/14 AHCA meeting where a vote was to be taken on the Nelly Custis Park NC Project.

A revised scope and concept plan was finally posted on the DPR website on 10/7 which eliminated the "tricycle" loop and moved the second playground to the east end of the park adjacent to the existing playground. Concerns (e.g. loss of green space) and suggested changes voiced at the 10/14 AHCA meeting were cut short by a motion to vote on the revised DPR scope and concept plan.

To further compound the process issue, non-AHCA members were allowed to vote at the meeting. The outcome of the vote (the revised plan was approved) would have been significantly different if residents were allowed to vote on alternatives and only eligible residents were allowed to vote.

Questions:

Q8: Why wasn't a revised written scope and concept plan provided at the 4th scoping meeting as required by the NC Process?

Q9: Why were discussions and suggested changes pushed into the 10/7 AHCA meeting rather than being addressed at the 4th scoping meeting?

Q10: Why were individuals attending the 10/7 AHCA that were not eligible to vote allowed to vote?

NCAC December funding meeting:

In December NCAC voted to forward the revised DPR scope and concept plan, which included a second playground, to the County Board for approval and funding. At this meeting the NCAC Chair limited comments from community residents at the meeting; that precluded a challenge to the DPR and other's assertion that the NC Process was followed.

I believe that most of the NC Reps voted to forward the revised plan to the County Board with the understanding that: (1) Based on DPR's unchallenged comment that they followed the NC Process, (2) The revised plan has broad community consensus, and (3) The 2nd playground will be located adjacent to the existing playground at the east end of the park.

Without the ability to challenge statements residents were unable to reiterate the fact that the NC Process was not followed because DPR failed to provide a written scope and concept plan at both the 3rd and 4th scoping meetings, and only ~40% of residents responding to the DPR on-line "On-Forum" survey in July supported a second playground

but residents were not allowed to vote on a plan that did not include a second playground. Additionally, DPR failed to mention that they stated in the minutes of the 4th scoping meeting that: “Play equipment cannot be sited at this time. It is preferred by some members of the community to site the new equipment on the east side near the existing equipment. County staff cannot promise any particular location as it is dependent on what works the best at the time the design is completed and with survey and engineering information.”

There were four park improvement projects considered at the December funding meeting. NCAC reps were required to vote on all four projects as a package; I believe that if the NCAC reps were allowed to vote on each project separately there would have been considerable opposition to the Nelly Custis NC Project that included an additional playground.

Questions:

Q11: Why did the NCAC Chair limited comments from community residents?

Q12: Why does the revised scope and concept plan include a 2nd playground when only 40% of community residents supported a 2nd playground in the DPR on-line “On Forum” survey conducted in July (>95% favored the other optional improvements listed in the plan)?

Q13: Why should the County Board approve a plan that includes an additional playground in Nelly Custis Park when:

- (1) There are already five playgrounds in Aurora Highlands (the most playgrounds of any community in Arlington County as noted by the Arlington County Civic Federation at <http://www.civfed.org/newContent/2015-11/Parks%20Facilities%20and%20Census%20Data.xlsx>)
- (2) There are three additional playgrounds nearby (two in Fort Scott Park, and Long Bridge Park will soon have an elaborate playground for kids of all ages).
- (3) Sixteen areas in Arlington County do not have any playgrounds and twenty-one areas have a single playground.

Q14: Why wasn't a separate vote taken on the Nelly Custis Park NC Project (a separate vote was taken at the June NCAC meeting)?

Upcoming Design Phase: The NC Process states:

Initial Design Development Plan

Once the field survey is complete, staff prepares an initial design development plan. This plan provides additional refinement of the concept plan, indicating specific materials. A revised cost estimate is also prepared to determine whether the project continues to be within its original funding range. Once these items are prepared, a neighborhood working group meeting is held to review the plan and suggest minor changes, if needed. Note that the project must continue to conform to the scope, concept plan, and funding amount that were approved during the scoping process.

Refine Design Development Plan

If substantial changes are needed, the design development plan and cost estimate are revised and discussed again at a subsequent neighborhood working group meeting.

Civic Association Approval

Once the design development plan is approved by the working group, the design is presented to the full Civic Association for a vote. It is expected that any changes that might be required at this time will be minor.

Questions:

Q15: Does the neighborhood working group have the authority to veto the addition of a 2nd playground during the design phase if they don't approve of the location, size, and cost of the 2nd playground?

Q16: Does the AHCA need to approve the final design development plan before construction can begin?