



# ARLINGTON COUNTY, VIRGINIA

## ARLINGTON COUNTY PLANNING COMMISSION

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February 21, 2018

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

**SUBJECT: 1. 11<sup>th</sup> and Vermont, SP #447**

- A. **GP-341-17-1** From “Low-Medium” Residential to “High-Medium” Residential Mixed-Use and to include GLUP Note 25
- B. **Z-2600-17-1** Rezoning from R-5, to R-C
- C. **SP#447** 58-unit residential building and 14 townhouse-style units and 12 townhouse units in the R-C, Multiple-Family Dwelling and Commercial District

**RECOMMENDATIONS:**

The Planning Commission recommends the County Board:

1. Adopt the attached resolution to amend the General Land Use Plan from "Low-Medium" Residential (16-36 units/acre) to "High-Medium Residential Mixed-Use" (Up to 3.24 FAR including associated office and retail activities) for the middle one-third of the blocks between Fairfax Drive and 11th Street North and between North Vermont Street and North Randolph Street; and, to include GLUP Note 25 for this area to provide additional guidance on the overall vision for the desired neighborhood transition along 11th Street North.
2. Adopt the attached resolution to approve the subject request for rezoning from R-5, One-Family and Restricted Two Family Dwelling District to R-C, Multiple-Family Dwelling and Commercial District; for the property known as 1031 N. Vermont Street and 4400 11<sup>th</sup> Street N.
3. Adopt the attached ordinance to approve the request for a site plan to redevelop the subject properties with a 72-unit multifamily residential building with condominium and townhouse-style units (south block) and 12 townhouse units (north block); located at 1031 N. Vermont Street and 4400 11<sup>th</sup> Street N., with modification of zoning standards for density exclusions for below-grade spaces; and visitor parking; tandem parking; and all other modifications necessary to achieve the proposed development.

P.C. #22.A.B.C.

With the following amendment:

- A. The multifamily building has 30 feet of separation from building face to building face of the Westview building.

Dear County Board Members:

The Planning Commission heard this item at their February 12, 2018, public hearing. Matt Pfeiffer, Department of Community Planning, Housing, and Development (CPHD)- Planning gave a presentation on the background of the project. Additional staff present included Aaron Shriber, CPHD-Planning, Jennifer Smith, CPHD-Planning, Justin Falango, CPHD-Planning, Jane Kim, Department of Environmental Services (DES) – Transportation.

Tad Lunger, McGuire Woods, LLP representing the applicant NVR, Inc. gave an overview of the proposal and Lee Rubenstein, R2L: Architects presented an overview of the architecture and design of the building.

### **Public Speakers**

There were thirteen public speakers for this item.

1. Dana Gerk, representing many Westview residents, started a petition that gathered 513 signatures of concern neighbors and citizens opposed to any change to the existing zoning. Many citizens purchased their units understanding the low to medium residential zoning. After lengthy consideration of the requested General Land Use Plan amendment, the Planning Commission recommendation was limited to six stories, step down three to four stories, and 30-foot separation between the building elements. Zero of the three criteria are fully met with the current plan. Other similar buildings in the area have a 30-foot setback, but what is this building bringing to the community that affords them to right to deviate from the current standard? The applicant claims they are mirroring Westview and sculpting the building accordingly however a six-foot notch in the proposed building with another portion of the building behind it does not mirror 34-foot wide sculpting of Westview. The Arlington Way and the community involvement is nice for brochures and websites but not in practice anymore. We hope that the Planning Commission will take into consideration the hours the Long Range Planning Committee (LRPC) put into this process and respect the 500 plus residents that expressed their concern through the petition and the letter writing and approve a plan that the best for Arlington and the existing community. The Arlington Way is a compromise, not a bulldozing.
2. Barb Gerk has attended most of the meetings for this project. The General Land Use Plan (GLUP) change was recommended by the Planning Commission with changes that would make the project conform to the neighborhood standards. The minimum 30-foot setback is the norm in the area and there is no compelling reason for the applicant to have less than 30 feet. The applicant could minimize the urban space on its own property. The Planning Commission (PC) recommendation has been forgotten or ignored. The community respects the Arlington Way that relies on a dialogue and if the PC recommendation is to be ignored it is not the Arlington Way. The amendments suggested

by the PC would be a livable compromise and if those are not accepted, the project should be rejected.

3. Ronald Gerk has attended all but one of the project meetings. One hundred eighty-five luxury residences with 16 floor plans built in 1985, two buildings, converted in 2005, Westview is a fantastic and unique residence. Fantastic because it offers residents full glass base style sun rooms with light from 180 degrees, a sky view and direct sun light. The south high-rise proposed is a terminal blow to the life style and investment of a hundred of the residents and the resale price will be greatly reduced. This high-rise will be a total building eclipse of the Westview. Major sculpting from the neighboring buildings will be wiped out and useless. They did their part responsibly when they built. The south wall setback reduced 15 feet to 22 feet. Building height increasing from current three stories to seven cuts off complete sun and light access to the Vermont building facade running east to west the entire length from Vermont to Utah. The six-foot notch cut into the corner will not alleviate the eclipse. The Planning Commission recommended no higher than six stories, twice the current school height which is a big concession for the community. The builder submitted seven stories with roof top utilities for a total of eight stories. The height should be limited to five stories plus utilities which makes six stories. Every foot of height equates to a loss of light and sun exposure to the west side of Utah and north side of Vermont. Fifty-eight potential residents trump hundreds of residents so a select builder can profit. Townhomes would have worked perfectly.
4. Dave Gerk lives in Arlington Forest and has been a Ballston homeowner since 2002. He highlighted that Note 25 is a precedent for future projects. Note 25 says development should complete and reinforce the overall transition envisioned by the Ballston Sector Plan and calls out building height and space between the buildings. If something is to encourage that Plan, it is impossible to say that setting a new minimum is consistent with the already existing Plan. The current proposal sets a new minimum for building separation. The county staff talked about 30 feet as the standard but those instances are two or three story buildings. These numbers indicate that the proposal is inconsistent with Note 25. It does not reinforce what is going on in the area but sets a new precedent for cramming in buildings that will now be used by future builders. Further, it is possible that residents could institute an administrative challenge. A simple solution would be to shift the building eight feet and cut off eight feet. During the discussions throughout the process, there was a lot of back and forth by residents between the three recommendations originally made in this process and disputes as to how the County Board felt about that. There are three recommendations and they are not incorporated in the plan. If the residents were right and they were giving high level guidance and they do like those, then they have the opportunity to incorporate that. I encourage you to consider doing that in the interest of transparency.
5. Lauren DeSomma, President, Westview Board, said the Directors approached the applicant to gain access to the property to perform repairs to their parking garage. These requests for access to the applicant's property for the maintenance and repair work are not granted to date. Considering these issues, the Board of Directors of the Association is recommending a site plan conditions for the purposes of requiring the applicant to record

an easement among the land records to grant the access to the applicant's property for the maintenance of the garage and reasonable needs for the Association may have in the future related to common elements. It would apply to both parcels and access for immediate or in advance or ten days' notice. In addition to the request for the site plan amendment and record easement as noted above, the Association is concerned about the applicant's plans to vacate several utility easements as part of the land development process. The Board of Directors of the Association retained an engineer. In course of that evaluation, the Board learned there the Comcast lines serving the Association. The Association has also obtained a report from the utility appears to indicate additional utilities underground lines. If the applicant intends to vacate the easements on their property, the association is seeking a site plan condition that obligates the applicant to relocate the affected utility lines to an alternate site.

6. Kristine Kassekert said the applicant's proposal is inappropriate for the neighborhood. The county is not listening to the community. The issues can be resolved by removing the multifamily unit or a more creative approach to the south parcel. This is too much density for this already partially developed space. It is fine if the recommendations follow those of the last document where the community had input, the Ballston Sector Plan. The staff cherry picked parts of the Ballston Sector Plan. There should be goals for the urban design and townhouse infill, not a seven-story building and reinforcement of existing residential development, which is simply not being done. The applicant's proposal is not reinforcing existing development, it is not tapering and transition and ups and downs. The Ballston Sector Plan was supposed to preserve the neighborhoods and protect the neighborhoods from increased traffic. No one in this process from the County or the commissions addressed the concerns about the street network and the increased traffic on the narrow streets that we have. Finally, no open space is proposed here. It takes what has been open space in the neighborhood and privatizes it. The Sector Plan has warnings about the open spaces in the secluded areas. If you are going to steam over us, we ask you to address the following concerns. We ask you to nail down the details acceptable to the community for the parking as a condition of that final approval. They can give fobs to residents for access but how does this work for the visitor parking, how do they get into the parking garage and how many spaces will be available there. Two, we ask that as a condition, you recommend the County amend the parking permit program to limit the parking on nights and weekends to protect the communities from the new neighbors. Even the new neighbors are not allowed parking permits for the daytime hours, all the surrounding communities have expressed concern for parking on nights and weekends. Three, we ask a condition for a study be done at the light at N. Glebe Rd. and 11th St. and the timing of the light be addressed for the pedestrians and cars. Four, we ask that condition be placed and changes made at the intersection at Fairfax Drive and Vermont and protect the cars exiting from Vermont before putting another hundred on the block. Five, we ask a condition be placed on the construction that it cannot block the streets within the blocks north of Fairfax Drive. There are four construction projects going at the same time, and there are limited streets that provide egress or ingress there. We renew the request that a site restriction be placed on the garden on the north parcel. This is benefit to us and a compromise.

7. Jim Hurysz, Fairlington resident, formerly lived on Utah street at Washington Boulevard for seven years. He raised several issues that rise with the mixed-use development across the County. He has submitted a statement of Ballston corridor resident made to the County Board at the January 30th County Board recessed meeting regarding the significant and serious deterioration of the Fairfax Drive corridor. The GLUP amendment rezoning and site plan for a 72-unit condo building and 12 townhouses is similar to other recent site plans to provide financial windfalls to religious congregations, which are generally exempt from real estate taxes. Regarding global planning issues, this project benefits many nonresidents at the expense of residents. It is disconcerting to see how many engineering services firms that benefit from these site plans don't have any physical presence at all in Arlington County. Second, there is little open space in this neighborhood when I lived there 25 years ago. How many more people will be packed into this neighborhood? Third, in no way is the affordable housing contribution affordable or adequate. The county's income limits mean that anyone at 80% of AMI is no longer eligible to live in subsidized rental units. What is badly needed in this corridor and elsewhere in the county is workforce housing at 40% to 50% AMI. Transportation, this area of Glebe Road and Fairfax Drive is already experiencing a more car diet which the site plan will only exacerbate. This is another wind fall to a religious congregation with the developer, owner, law firm, corporations and county staff get the gold mine while the neighborhood suffers the consequences.
8. Steven Hough said throughout this process, they have heard the applicant conforms to the guidelines. This project requires a GLUP amendment, rezoning and exemptions from the rules. Either reject the project or approve it with modifications. In the north parcel the parking is a major concern and is not compliant. Parking is already very difficult in this neighborhood. For context, Vermont Court is a similar development approximately equal acres, eight townhouses, two-car garages and six surface spots. By contrast, the proposed development would have 12 town homes and four with two car garages and only two surface spaces. The spaces offered across the street is not adequate and does not address visitors. The parking is a major concern. Second, I want to point out the streetscape. Look at the pictures and compare this to Vermont Court and the Ballston to other town homes in the neighborhood. These homes face 11th Street, this development could kill the street activity on Vermont street for decades. Ask them to have the homes open more to Vermont Street. A third point is that a large publicly accessible park, the only one in the area, is being removed and being replaced by a private garden. I urge the Commission to taking into consideration the benefits by the currently existing park. With regards to the south parcel, I echo the concerns about the massing and sculpting of the building and the setbacks. It is a giant cube. It should be set further back and tapered more. I have the same concerns about the streetscape on the south side. The door is not creating or welcoming a sense of place. Finally, when I expressed concerns not addressed, there is loading off of Vermont Street. Most of the buildings in the areas have loading on Utah Street, that is how it should be. Utah Street dead ends. This building proposes to have the loading on Vermont Street and idling cars will block the traffic. A suggestion of the delivery trucks going through the ally is unrealistic. For the taxi cab or the Uber driver or holiday rush or even regular guy calls out, that is not going to happen. I submit that the entrance of the building should be off of Utah Street rather than Vermont Street. It is only getting busier once the Metro entrance opens with more of the pedestrian traffic.

9. Jake Lewis is from Vermont Court and is Treasurer of the Association. His colleague spoke very well regarding the concerns from the Association. He hopes the Commission took the messages on. As stated, one of the biggest concerns is parking. Right now, parking is a major concern without the development bringing on the condo association and additional town homes will further impact the egress and the travel in the area, so I ask that the Council please consider the issues that we are currently undergoing from the Association perspective
10. Nia Bagley said that the Ballston-Virginia Square Civic Association (BVSCA) commented at the initiation of the project, that we were concerned this little remnant piece of the land that hadn't been developed in the area wouldn't get the proper attention it deserves. It has. We still have some concerns, there have been several meetings and we feel it has gotten the attention it deserves, but there is still more attention that it deserves. Despite the meetings, you are hearing several people living close by that feel as though their voices have not been heard. I ask this group since this was a very instrumental group the first time around and the recommendations made to the Board, maybe a little more time discussing that. In addition, BSCA has had pedestrian and traffic and parking concerns in the area. 11th street is a cut-through for the folks avoiding Fairfax Drive. It is also an existing school bus route with a stop across from this proposed site. It is a busy area with Uber drivers and parents waiting for children. It is a nice place to walk and when you get to 11th and Vermont and have space and light in front of you, the folks living here have a huge change in store for them. At the Transportation Commission
11. hearing last week, BVSCA did support the higher parking ratio of the site plan and we recommended that the applicant work with Westview to explore the possibility of renting any unused garage parking spaces to them since they are not eligible for the Residential Parking Permit (RPP) program. Also, within the Site Plan Review Committee (SPRC) process we asked that at the conclusion of this project and when the RPP moratorium is over, we would like to extend or enhance the hours there to help the neighbors. Mr. Lunger alluded that there is a network of developers that talk to one another about parking spaces in commercial buildings. We ask that they talk to that area to help facilitate better parking as it is not existing there now. As a civic association, it is hard to balance the neighborhood concerns against the common good for a rapidly growing county. Many times, we have seen the residents come out in numbers to express concerns regarding changes in the neighborhood and become disappointed, apathetic and disillusioned. As we are working towards the public engagement, we can't afford the things discussed to be lost. We are asking the applicant and the staff to continue the level of greater thought attention as the site evolves. To reach out, to continue to communicate, to honor and involve the neighbors moving forward.
12. Dana Hofferber is a second-floor resident of the Westview condos. I submitted comments addressing the loss of the sunlight resulting from this project and submitted photos and a site concern. Before I get to the comments, I want to address two items that came up in the public comments this evening. One being the discussion of an expansion of the parking permit program which came up at the end of the final SPRC meeting. Westview residents have not had the opportunity to discuss how that might detriment our property which has inadequate visitor parking that we are not able to address through by-laws,

because one space is with each unit and there are five visitor spaces for all building units. A change to RPP would be a separate discussion from this site plan. Also, there's been a repeated comment that the loading for Westview is on Utah street. That is inaccurate. It is on Vermont Street. And there is no truck loading on Utah street because it is narrow with parking on both sides. I ask the PC to adhere to the prior recommendation for the south parcel no more than six stories and greater than usual separation due to the in-fill project on small parcel of land. The applicant didn't accept the recommendations and made few changes. Staff's report dismisses the concerns, noting there is no requirement for further separation and makes the unreasonable conclusion that a near total elimination of the afternoon and evening sun to sunroom and balcony units is not a detriment to the properties. If the project is accomplishing the baseline zoning, there would be no need for neighbor input and involvement. My hope is a renewal of the opportunity for neighbors to have a true voice in the process. Barring that, I ask that you recommend the County Board return the project for further modification.

13. Justin Heminger said the staff described this as a challenging urban in-fill situation. The applicant has worked to meet that challenge but what they are proposing misses the mark. The concerns with the building are that it is too big, too high and too close. Also, the way the applicant designed the garage, it actually goes up to close of the property line to Westview and turns. All the cars that visit this new property are driving up against the side of the Westview building. It is another example of ways in which the applicant is proposing something that Arlington is not about. It is about good neighbors and smart planning and smart growth

### **Public Review Process**

#### *Transportation Commission*

Commissioner Siegel reported on behalf of Commissioner Weir and said public comment focused on the traffic situation in adjacent blocks, delays and access at other crossings, and especially backups at Vermont. Public comment included an updated Traffic Impact Analysis (TIA) in response to concerns raised by BVSCA and the request that the north side townhouses be required to have two car garages without tandem parking. Commissioners asked about the street crossing and signaling in the area and staff assured the commission it is being investigated. As for parking in the north parcel, the applicant stressed the north parcel could have been developed by right, but the applicant wanted a single homeowner association. North parcel residents will have access to the south parcel garage including at least one visitor space. The applicant suggested more visitor parking could be located in the south parcel. Commissioners noted that the traffic congestion in the area is due to the high number of the dead-end streets, such as Utah which forces vehicles to one or two deadlocked intersections. Commissioners encouraged the staff and the applicant to open the grid even if to bicycle traffic only, via a cut in the Utah parklet. The high number of closed dead end streets in the area is in opposition to the Master Transportation Plan. The Commission supported the proposal unanimously.

#### *SPRC Report*

Commissioner Schroll was the Site Plan Review Committee (SPRC) Chair. He noted the County Board did not accept any recommendations from the Planning Commission during the Special GLUP process. During site plan, those were not constraints on the applicant. Adequate building separation was to be determined in the site plan by the recommendations of this committee, and

then by the County Board. The Planning Commission is not determinative. The recommendations were not accepted by the County Board. SPRC had four meetings, a walking tour, and an open house. The applicant did make many modifications during the course of the site plan. There is addition of green space on the north parcel and a small landscape space terminus on North Utah. There are amendments to changes to architecture due to the feedback from SPRC and from planning staff. As you heard this evening, most of the outstanding issues are regarding building separation, parking, some about traffic, maybe some about the architecture and transition.

### **Planning Commission Discussion**

#### *Building Separation*

Commissioner Siegel noted that the question before the Commission is whether the recommendation that PC made to the Board concerning the need for 30 feet of building separation is sufficient, or whether there might be another way to achieve separation by sculpting the building's mass. Staff's proposal embraced the latter option: building sculpting provides adequate separation rather than simply relying upon one metric. The Planning Commission makes recommendations to the Board. Its role is to ensure that development proposals are consistent with Plans, which are prescriptive, but not regulatory. When we take up a GLUP matter, the practice has been to start with the general and come more closely down to the particular at SPRC.

Commissioner Gearin said the PC recognizes the role of the LRPC, SPRC, and Planning Commission is to go beyond adopted plans and policies and also to reflect what they are hearing in the community. The Planning Commission discussion of the GLUP amendment was specific about a separation of 30 feet and she asked staff why 22 feet 8 inches is thought to be sufficient. Also, on A104, the distance between the south building and townhomes is 24 feet six inches and she asked if a couple of those feet could be taken to increase the separation between the south building and the Westview. Mr. Pfeiffer responded that thirty feet is not established policy. There is a prevailing development pattern on this block, but not across the County. Also, staff analyzed what difference 30 feet makes and the difference between 22 feet 8 inches and 30 feet in terms of access to light and air and privacy does not solve the issue. Staff looked to other solutions which resulted in the tapering of the building and cutting corners. Mr. Lunger responded the applicant needs the full proposed drive aisle space for fire access.

Commissioner Iacomini spoke as Chair of the Special GLUP Study, LRPC Chair, and has been an officer of Ballston Square Civic Association. She thanked Commissioner Schroll and everyone who participated in the process. She goes back to the struggle with the Special GLUP and the challenging urban infill situation. This is a block that is 2/3 developed and 1/3 not developed. It fit the R-C pattern and no one felt there was a reason not to be able to re-GLUP this to R-C. However, due to the existing structures, some special instructions were needed. The original builders of the Westview who built it as an apartment building and not a condo building, did not consider the other third of the block that needed to be developed. It is a building that should have been built at the end of the block. Inherently anything to fill out that block would be something that Westview residents would not be thrilled about. Through the LRPC process, the separation of 30 feet was found to be adequate. Just as 22.5 is adequate, 30 feet could be just as adequate. If the County Board had adopted a distance of 30 feet, it could have been a good starting point. The applicant clearly heard through the process that 30 feet would be preferable



and did not take the wishes of the community into consideration. She said PC should keep this in mind for future Special GLUP studies. While there has been success in the past of saying a change in the GLUP might be entertained "if" something, PC needs to consider the "if" because sometimes what PC recommends something that may have been worked with the community, the parameters can be negated by the County Board. It is their prerogative. PC needs to think about that when making evaluations on future sites.

Commissioner Siegel said the issue is whether sculpting of the multifamily building provides adequate separation. The community says no, but staff agrees with the developer that the building sculpting is as effective as a 30-foot separation.

The applicant representative Tad Lunger responded and said they are doing their best given how close Westview is to the property line. The applicant has three property lines that border Westview. On the north property line, they created a 40-foot setback and a big step down. The center aisle lets air and light into the site. They could move the building back without the fire truck access, but the shadow studies show that moving the building as opposed to fanning the sides does not create additional air and light on the south parcel. On the east-west boundary line they are averaging a 37-foot setback. They've addressed the toughest place to get the light on the site with the sculpting which is a staff solution. Mr. Lunger asserted that the building is short on one side, almost 30% higher on two sides, and the building separations internally actually create additional light and air. It is not a cube but is broken up. It is one structure broken up and 30% more separations on two sides of the property line and narrower on one side with the building fanning.

#### *Architecture*

Commissioner Schroll asked Justin Falango, Chief Architect, Arlington County, to provide an overview of the staff view of the architecture and the changes the applicant made throughout the SPRC process. Mr. Falango started with the north block and pointed out one of the more substantial changes made by the applicant in response to staff is the reorienting of the townhomes to create a space on the north side of the site. That allows the front doors of all the units to have direct access to a sidewalk going to the street, which is an improvement over previous iterations. On the north block, the applicant has added wraparound porches to the building to allow the townhouses to face 11th Street and interact with Vermont. In terms of the separation, staff's thought is that the taper does help and allows the sun into the middle courtyard at certain times of the year. Staff thinks that pushing the building back six feet eight inches would have minimal effect with the light and air and not affect the privacy at all. In terms of the 30-foot separation, the reality is the building is going to cast a shadow and it is finding the balance in allowing the parcel to redevelop in a rational way and still allow enough separation from the existing buildings to get light and air in there.

Commissioner Schroll asked staff to discuss framing and activating streets. Mr. Falango responded that people often think about the public spaces as parks, but the streets are the largest public spaces in Arlington County and most places around the world. Defining the street space is crucial in terms of safety and creating an outdoor room that the buildings frame. Having the fronts of buildings face the fronts of buildings is crucial and is a more social way of building rather than turning backs to each other or facing the sides of buildings. Having those buildings

face each other across the street helps to create that definition and from a security standpoint, gives eyes and activity to the street especially in this location at most times of the day.

Commissioner McSweeney said there is concern about the loss of the park and green space on the north block and asked if the framing and the importance of the framing on the street is greatly minimized by creating more of a setback which would create more green space that could be seen and viewed and enjoyed by people walking down the street. Mr. Falango responded there are buildings on the west side of Vermont and if you pushed that row of townhouses on the north block back to create a long linear space in front of them, the building on the south side will still be right behind the sidewalk and helps frame the space. The townhouses immediately to the west, help to do that. On the east side there is just a parking lot, but pushing it back a small distance would still accomplish some of the same things, although that would change if it were as great as a hundred feet.

Commissioner Gearin said this was a long process and a lot of time was spent to come up with an appropriate eight and massing and infill for the site. She asked staff how we got to essentially eight stories, given LRPC and PC recommendation was 6 stories maximum, and why is that appropriate? Mr. Pfeiffer said that the building is seven stories and there is a penthouse proposed within the R-C district required height. The Board affirmed that a six or seven story is appropriate on the site. Staff looked at the surrounding context and to the east, Westview is nine stories that tapers down to six stories. Staff thought that given the context and the fact that they are providing a transition from seven to six down to four to three and keeping with the GLUP Note, the height is appropriate.

#### *GLUP Note*

Commissioner Schroll notes the staff report indicates that the proposed project meets the letter of the GLUP Note in that it is four stories for the first 81 feet.

#### *Open Space*

Commissioner Iacomini stated the north parcel has had a privately-owned tot lot on a portion of it for a long time and the lot does have public access. However, in the Sector Plan, unlike more recent Sector Plans, public space is not marked with specificity. It would be nice to keep that space, but she cannot reasonably think it would be replaced on site as such a retention is not noted in the Sector Plan. This is an example of why, when the Planning Commission discussed the Special GLUP Study for these sites, the Planning Commission approved an amendment talking about the provision of open space or a tot lot in the future on the block that is to the west of this site. That site is a large office building on a large lot with a lot of green space. The current building there is an old one and may come in for redevelopment. The Commission recommended to the future applicant for that block to think about, perhaps, if they want additional density, to provide a park and/or tot lot on their property. However, Commissioner Iacomini stated that is not something we can do now. But it truly is a site that lends itself to helping out the neighborhood in the future. As far as open space at North Utah, she traverses that closure often as she regularly walks from her house at 18th Street North to Ballston Metro, and the landscape would be fine. It is a good hard scape now. She also noted it is open to bicycles, as well as pedestrians, and that it is the same case at the closure at North Taylor Street in the next block. They are a one-way pair north of 11th Street. She appreciates the residents that are there all of the time saying that the traffic is terrible but she herself encounters very little traffic on

11th. In the morning people do use 11<sup>th</sup> Street. But traffic counts have been taken now so there is a baseline for comparison in the future.

Commissioner Lantelme said they did receive one letter from a resident of the area who has a handicap and was commenting on bicycles using the sidewalk is really a problem for those who have mobility issues. It might not be a bad idea to have at least one dedicated bicycle lane cutting through that is for the bikes as opposed to pedestrians so you don't have the pedestrians and bicycles competing for the same pace.

Commissioner Siegel said she lives in South Arlington, and so does not have the pleasure of walking to Metro. However, looking at the discussion of the Transportation Commission, which noted the lack of a complete street grid as inconsistent with the Master Transportation Plan, and given that the circulation is as bad some think, why not break through the cul-de-sac at Utah Street? It would be a nice feature for the neighbors in the neighborhood.

Ms. Kim, DES-Transportation, said there has been vocal opposition to cutting through the existing dead ends. They were implemented as traffic calming measures and today cul-de-sacs would not be created but 40 years ago it was acceptable and so the existing condition remains today.

Commissioner Iacomini noted the closures were not the result of a traffic calming project per se. They are in the Ballston Sector Plan. In the 1990s, Commissioner Iacomini and staff discussed opening the cul-de-sac and opening the streets up. There was huge opposition to doing that because the neighborhood had grown up with this condition. When the Ballston Sector Plan was adopted, most of the land north of 11th Street held single-family bungalows. That was the blue-collar part of Ballston back in the early 20<sup>th</sup> Century. As townhome development came along, it displaced the single-family neighborhood. The vision was not all townhouses or all single family, it was a mix. There are few single-family houses left, and the townhouses are in-fill, and we have seen the in-fill happen over the last 30 years. Having those streets designed as they were was part of that and change now would be a little difficult. Also, given how the streets are constructed they are not very wide in that area.

#### *Easements*

Commissioner Iacomini asked staff to discuss the easements raised by one of the speakers. Mr. Pfeiffer said the County does not get involved in private agreements regarding easements and would not support a site plan condition allowing access to the Westview garage wall from the applicant's site. As for existing utilities within the easement, there is a condition of vacation that will require the applicant to relocate utilities prior to recording the deed of vacation. The Westview Board would have to pursue the access issue directly with the property owner.

Commissioner Siegel noted BVSCA President Bagley's suggestion about continued work with the community. While staff does not get involved in neighbor to neighbor or private individual group to private group, Ms. Siegel said she hoped that staff could organize a process through which continued discussion between the neighbors and the new neighbor could occur to continue a conversation that might clear up some misunderstandings that may exist. She realizes there are hardened positions on some of the issues. For example, PC has heard there are about three

thousand parking spaces unused throughout the County in commercial buildings. Why not use this development issue a way to address parking issues?

#### *Residential Parking Permit Program*

Commissioner Iacomini asked staff to explain the status of the Residential Parking Permit Program (RPP) and the process for re-examining areas. The Planning Commission regularly hears concerns from established neighbors where there is continuing in-fill activity about the current supply of on-street parking and how it is managed and what happens when more people come.

Ms. Kim said moratorium was brought up at the August 2017 County Board meeting and it is currently in the data gathering phase for a complete review. The completion of the study is slated for mid-2019, and after the data gathering phase there will be opportunities for civic engagement from residents who live in both the areas that currently have RPP and areas that may not have RPP and discuss the program from a larger scale perspective. We don't know what the results of the study will find in terms of RPP and what it looks like today and in the future. When the moratorium is over in 2019, any residential neighborhood that wants to modify or change their RPP status can do so through a citizen-initiated process where they obtain 60% of the area's signatures and work with staff for expanding hours or not. All of that will be looked at on a case by case basis and neighborhood by neighborhood. It is a citizen-initiated effort. Any neighborhood can do so.

Commissioner Iacomini suggested that out of the study there might be different parameters coming forward and the study will inventory all the zones we have, their hours, and their history to help inform of us what is possible and desirable or how to change zones in the future.

Ms. Kim said a lot of RPP expansions and some of the zones were created one at a time in ad hoc fashion. This overview will look at the patterns and what is appropriate such as proximity to Metro, retail, single-family and residential neighborhoods is a factor. The program is collecting the data and determine the future of the program.

Commissioner Iacomini added that she is hopeful they are looking at the size of the RPP zones because some are large enough where people have a sticker from a zone and drive to a closer place to park.

#### *Fairfax Drive*

Commissioner Schroll asked staff to speak to the timing and process for the County to gain control of Fairfax Drive from VDOT. Ms. Kim said the proposed turnover is occurring sometime in July. Shorter thereafter the County will study on the length of the newly acquired right-of-way from Glebe to Kirkwood. At that point a study of the entire corridor will be done to look at intersections, width of right-of-way in terms of lanes, number of lanes and things of that nature. That study occurs in the latter half of this year.

#### *Construction Phasing*

Commissioner Schroll asked staff to speak to the standard site plan condition about access during the construction. Mr. Pfeiffer said there are several construction-related site plan conditions. The applicant will be required to develop a maintenance transportation plan that will identify a schedule of street closures, how thoroughfares are maintained, and construction vehicle routes into the site. In terms of communication between the applicant and surrounding neighbors, there is a pre-construction meeting with the neighbors required by the site plan conditions. The applicant has also agreed to convene a meeting with the neighbors to talk about the landscaped area at the terminus of North Utah Street.

Commissioner Schroll asked the applicant to give an overview of construction phasing, lay-down plans, and lane closures.

Jay Johnson with NVR said they expect to start demolition in early October 2018 and then garage excavation immediately following that. It takes two months to excavate, two months for Foundation to Grade and earliest start of vertical construction is March or April of 2019. That is about the transition time for deactivating staging on the north parcel and conclude townhome construction for north parcel. The north parcel is anticipated to be built out in late summer of 2019. Vertical construction is anticipated to be complete on the south parcel sometime in the summer of 2020. To start, the north parcel be secured and a small lay-down area and construction trailer will be there. Once the garage is complete, there is a large place to store equipment and for workers to park. There will be some requirement for lane closures. They won't need a crane on-site but will have mobile cranes on the perimeter.

#### *Parking*

Commissioner Siegel noted that SPRC heard a concern about visitor parking. The proposal was for one space or more to be allocated within the new garage in the new multi-family building. She asked if there is anything the county could do in terms of signage to indicate where such spaces might be available?

Ms. Kim said the applicant can add direction signage on their site to alert the residents and visitors where they can park. The County does not put up those signs in the right-of-way as a public sign since it's a private scenario.

Mr. Lunger said it drives him crazy that there are parking unused spaces throughout the County. He said they agree it makes no sense to have the inventory and hide it.

Commissioner Siegel said she appreciates that and thinks that Arlington follows very broad principles of transit-oriented development, which requires creative thinking about where to put the cars that remain once people start getting used to other modes of transportation.

#### *Area Construction Projects*

Commissioner McSweeney said there will be four projects under construction in this area and asked who is in charge of moving the school bus stop. Staff affirmed this and said there is Ballston Station, 750 North Glebe, and the ongoing construction Ballston Quarter, there is a lot going on in the neighborhood. Mr. Pfeiffer said he would need to follow up on the bus stop information.

### **Planning Commission Motion**

Commissioner Schroll made a motion that the Planning Commission recommend the County Board adopt the

1. Adopt the resolution attached to the staff report dated February 6, 2018 to amend the General Land Use Plan from "Low-Medium" Residential (16-36 units/acre) to "High-Medium Residential Mixed-Use" (Up to 3.24 FAR including associated office and retail activities) for the middle one-third of the blocks between Fairfax Drive and 11th Street North and between North Vermont Street and North Randolph Street; and, to include GLUP Note 25 for this area to provide additional guidance on the overall vision for the desired neighborhood transition along 11th Street North.
2. Adopt the attached resolution to approve the subject request for rezoning from R-5, One Family and Restricted Two Family Dwelling District to R-C, Multiple-Family Dwelling and Commercial District; for the property known as 1031 N. Vermont Street and 4400 11th Street N.
3. Adopt the attached ordinance to approve the request for a site plan to redevelop the subject properties with a 72-unit multifamily residential building with condominium and townhouse-style units (south block) and 12 townhouse units (north block); located at 1031 N. Vermont Street and 4400 11th Street N., with modification of zoning standards for density exclusions for below-grade spaces; and visitor parking; tandem parking; and all other modifications necessary to achieve the proposed development.

Commissioner Siegel seconded the main motion.

Commissioner Iacomini made a motion that the Planning Commission recommend to the County Board that the tallest portion of the south multi-family building be limited to six stories.

Commissioner Gearin seconded the motion.

Commissioner Iacomini said the applicant has worked on modifying the building architecture and worked with staff on the champhering of the corners which is interesting and responds to the townhouses to the north. However, in her opinion, there remains the fatal flaw of taller than six stories and building separation and no amount of improving the surface really gets to that.

The motion failed 3-4 with Commissioners Iacomini, Gearin, and Lantelme in support and Commissioners Siegel, Schroll, Ricks, and McSweeney opposed.

Commissioner Iacomini moved the Planning Commission recommend to the County Board that the multifamily building have 30 feet of separation from building face to building face of the Westview building. Commissioner Gearin seconded the motion.

The motion passed 5-1-1 with Commissioners Iacomini, Gearin, Lantelme, Siegel, and McSweeney in support, Commissioner Ricks opposed, and Commissioner Schroll abstaining.

Commissioner Siegel moved that the Planning Commission recommend the County Board direct staff to provide additional opportunities for neighbors in adjoining/abutting properties to work

with the developer on a list of issues including but not limited to parking, traffic circulation, pedestrian circulation, open space, and other issues to be determined. Commissioner Gearin seconded the motion.

Commissioner Siegel spoke to the motion and said there is a typical pre-construction meeting and that that would be an opportunity to create and provide for the neighbors to provide input on the Utah Street end little parklet. Any role staff can play in simply overseeing or providing opportunities for further conversation would ease some of the tensions arising from this project.

Commissioner McSweeney asked if this was asking staff or the applicant, and Commissioner Schroll asked if this was pre- or post- approval. Commissioner Siegel said post-approval without causing any delay. She is asking staff to convene additional conversations. That could be just providing space. She is simply suggesting to discuss how the parking will work and suggestions to the parking and that the developer be open to input. The identification of problems. And at that point you could come back with a solution and that I would think create some confidence between the old neighbors and the new neighbors. Staff role can be somewhat minimal; a convening role. This is not asking staff to do additional staff work, although that may be something that staff might want to do, for example, for parking. If there are creative solutions to be determined now. It's one thing to wait a year and a half for data to come in on the parking programs but there is an urgency now I think with this new development.

Commissioner Iacomini said she appreciates Commissioner Siegel's listening to the neighborhood. The notion of having the Board direct staff to convene meetings with the specific neighborhood about generalities of parking and other things is not part of the work plan. Staff time is tied to specific work plans. Also, Planning Staff continues to follow a site plan once it is approved and will continue to shepherd the site plan through the post-approval process. Adding the extra dimension that staff convene meetings on matters like parking seems to be a step too far.

The motion failed 2-5 with Commissioners Siegel and Gearin in support of the motion and Commissioners Iacomini, Lantelme, McSweeney, Rick, and Schroll opposed.

### **Main Motion**

Commissioner Iacomini stated it had been her intent not to vote for this site plan because it was at odds with the preferences stated by the Plannign Commission at the time they considered the Specail GLUP Study. She acknowledges that the Board did not endorse the Planning Commisison recommendations. Nevertheless, the applicant had heard all of the discussion that led to the proposals and knew how strongly the community felt so she is disappointed they had not listened . However, since her amendment concerning building separation had become part of the main motion to approve, she feels it would be churlish not to support the motion and so will vote for it.

Commissioner Siegel said she went through the Ballston Sector Plan to understand the starting point for these issues. On page 41 the following, "the boundary between the high-medium designation along Fairfax drive and the low-medium designation along 11th street north is viewed as general and no attempt has been made to describe a specific line for zoning purposes. The zoning line separating these densities should be based on the merits of the subsequent

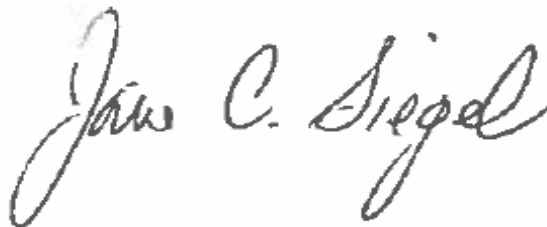
requests for rezoning and site plan approval.” She thought that was very important because Arlington uses incentive zoning, which is called out in the Plan. She noted that she thought this portion of the plan is still relevant. There is in the Plan a view of this area as transitional without too much specificity. Perhaps the Ballston Sector Plan should have been redone for open space as Commissioner Iacomini had said, but we have to start from some particular point and we do that with our Sector Plans. She noted she will support the main motion.

Commissioner Schroll thanked staff, the applicant for responding to the process, and the community. Folks were frustrated throughout the process and remain frustrated but participation made this project better. He encouraged the community to keep participating in the Arlington civic process in the future.

Commissioner Lantelme said he would support the motion. The south portion and the GLUP changes are consistent with the intent of the Sector Plan. The north side is also consistent. The buildings being proposed will fit in with the other townhouses that were developed in the last 30 years in that area. That being said, the Ballston Sector Plan is almost 40 years old and it is time for Ballston 2.0.

The Planning Commission unanimously supported the main motion as amended 7-0 with Commissioners Siegel, Iacomini, Gearin, Schroll, Lantelme, McSweeney, and Ricks in support.

Respectfully Submitted,  
Arlington County Planning Commission  
Jane C. Siegel

A handwritten signature in black ink that reads "Jane C. Siegel". The signature is written in a cursive, flowing style.

[February 12<sup>th</sup> Planning Commission Video](#)