



ARLINGTON COUNTY, VIRGINIA

ARLINGTON COUNTY PLANNING COMMISSION

2100 CLARENDON BOULEVARD, SUITE 700
ARLINGTON, VA 22201
(703)228-3525 • www.arlingtonva.us



CHRISTOPHER FORINASH
CHAIR

NANCY IACOMINI
VICE-CHAIR

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COORDINATOR

GIZELE C. JOHNSON
CLERK

September 9, 2015

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

SUBJECT: 3. REEVESLAND, 400 North Manchester Street

A. U-3419-15-1 Use Permit for a Unified Residential Development for the Reeves property located at 400 North Manchester Street (RPC #12-030-043, 12-030-072, -073).

B. U-3422-15-1 Use Permit for a Public Park for the Reeves property located at 400 North Manchester Street (RPC #12-030-043, 12-030-072, -073).

RECOMMENDATIONS:

A. Approve a use permit for a Unified Residential Development (URD), with modifications from the Zoning Ordinance requirements for setbacks, lot width, and lot coverage, subject to the conditions of the staff report, and **Direct** the County Manager not to record the subdivision plat until instructed to do so by the County Board.

B. Approve a use permit for a Public Park for open space and uses incidental to it including but not limited to passive recreation, trails, shelters and benches and other small structures, subject to the conditions of the staff report, effective upon recordation of the subdivision plat associated with U-3419-15-1.

Dear County Board Members:

The Planning Commission heard these items at its September 9, 2015 public hearing. Peter Schulz, Department of Community Planning, Housing, and Development (CPHD) Planning gave a presentation on the background of the URD. Additional staff present included Cynthia Liccese-Torres, CPHD Historic Preservation, Tom Miller, Current Planning Supervisor, CPHD and Steve Cover, Director, CPHD.

Lisa Grandle, Department of Parks and Recreation (DPR), acting as the applicant, gave an overview of the County acquisition of the property. Additionally, Diane Probus, DPR was present.

P.C. #46.A.B.

Mark Turnbull, Historic and Landmarks Review Board (HALRB) stated the HALRB has exercised careful oversight of Reevesland. At their August meeting, they voted to defer action on a Certificate of Appropriateness (COA) requested by DPR for the site for 90 days to get a better sense of the intentions of the Planning Commission and County Board for the proposed URD. There is no need for HALRB to act and has committed to taking action in November. The provision of a future buildout area within the proposed Reevesland house lot in the URD is important to provide flexibility to a future property owner. However, provision of the space does not mean the HALRB would automatically approve alterations or additions to the property. The HALRB considers protection of the historic district to be paramount and creation of the proposed preservation easement is essential. HALRB will continue to exercise careful scrutiny of proposed changes to the property. HALRB recognizes there are community concerns about the process and use of the property, but those are not within the purview of HALRB.

Public Speakers

There were six public speakers for this item.

Sandra Kalscheur lives adjacent to Reevesland on North Fourth Street and said there are multiple deficiencies in the process leading up to this vote and the Planning Commission cannot allow the tainted process to move forward. She chairs the Reevesland Learning Center Board, knew the Reeves and has great admiration for the family and wants to build on their agricultural legacy. She opposes the sale to a private owner as do 600 citizens who have signed an online petition to oppose the undemocratic 3-2 vote of the County Board.

The staff report asserts that the usual neighborhood consensus is not applicable here because of the disagreement with the decision to sell the farmhouse. There are multiple procedural and substantive deficiencies in the URD proposal that should lead to a rejection of the application. The waivers requested from the setback requirements do not meet or address the burden of proof in the zoning ordinance. Section 10.1.5 provides that the County Board can modify setbacks in a URD if the modification would better accomplish the purposes and intent of Section 10.1. These purposes are set forth in 10.1.1 and modifying the setbacks advances none of the goals and runs contrary to the General Land Use Plan and to the preservation of irreplaceable historical features.

She feels the County has not shown that the issuance of the use permit will meet the standards in Section 15.4.3. Specifically, it will be detrimental to public welfare and is in conflict with the Master Plan. Section 3.c of the Historic Element of the County Master Plan provides specifically, "The County will preserve its own historic properties and allocate funds for their repair and maintenance." Subdividing and selling the property flies in the face of this recommendation. The County URD application does not include an environmental statement in tabular form required by 4.11. Beyond failing to meet the legal test for the URD request, it has not allowed for adequate public review. The conditions call for an historic preservation easement on the property, but there are no specifics. The decision about the subdivision cannot be made until this information is known. The URD conditions call for a potential expansion of the farmhouse to double its current size, but there is no provision for how the farmhouse will be protected. There is no specific condition not requiring amendment of the URD. It is irresponsible to approve the URD without requiring it to be reviewed by the Planning Commission and County Board. The park is a County resource and should be wholly owned and maintained by the County.

Ron Bottuchi stated he is the Vice President of the Reevesland Learning Center. They have lived at the Manchester Street entrance to the Reeves property since 1977 and knew the owners. The County Board has demonstrated hostility to public participation for this property. In 2001, the Chair of the County Board wanted the family to participate in determining the future of the property. On May 18, three members of the Board insulted the family and community when they voted to sell the property with no public notice or opportunity for public participation. The three members who approved this radical departure have not offered a sensible explanation and two of those members have admitted it was a mistake. As members of the community, the Planning Commission should decline to participate in this deficient process. A Freedom of Information Act request related to this matter showed there was no exchange of information by County Board members among themselves on this topic, which demonstrates the thoughtlessness of the action. The County staff stated that the only use of the private roadway would be for maintenance and are ignoring the needs of people with the disabilities and access to the milk shed on the property.

Gary Wells, Boulevard Manor resident, participates at the Reevesland Learning Center. His children understand they live in the shadow of a former farm. The presence of the farmhouse is beneficial to local residents and teaches kids to cultivate and prepare their own food. It offers a connection to their entire community and to their agricultural roots and offers a sustainable vision of garden to table. He requests the County Board halt development that would result in a change in character to the property or a reduction of green space to the community. Such plans diminishes the community and erodes its strong sense of place and injures the community's interest in retaining green space without a discernable return. Any change diminishes the historic character of the remaining property.

Sandra Spear chairs the Working Group that has come forward to save this house. She feels the house has been a millstone for the County. The Reeves farmhouse is in bad shape, too small for a community center, and too expensive to renovate and operate for anything less. The County has been looking for a partner to help. The County Board, out of desperation, voted to sell to a private owner. This was the last operating dairy farm in Arlington. The house is in its original setting without a fence separating the property from the park. The solution is for it to be operated by a private non-profit. Starting two months ago, she and her colleagues have been studying what can, cannot, and has to be done. There have been multiple meetings with staff and they have presented their business plan to the County. Ms. Spear stated her group are not opposing the URD because it keeps pressure on the group. If they fail, it gets sold. They want time to turn it into something. They want to raise a million dollars in 6 months to break ground in the spring, which is not realistic. They need 1.5 years to raise the money and to get the project through the system. They want an open process and engage the community and ensure the County will not have to bear the burden of this property in the future.

Joan Horwitt has lived in Arlington for 40 years. In 2012, she was honored with a park volunteer award. She has helped the iconic vegetable garden become a huge success. In the past four years, thousands of Arlington students and teachers have learned about growing food and Arlington history on the property. This property is indivisible and should remain in the public domain. More than 600 citizens have signed an online petition to use it as a learning center for children. The County Board moved forward with this decision without any public participation. After fourteen years of neglect, the County Board is rushing to sell of Arlington's history and sell out

the children with no good reason. The County Board says there are no resources to fix the farmhouse, however the percentage of the County budget that would be needed to fix the farmhouse is .00017, which is less than the cost to build and maintain a dog park. The Arlington community believes that our children and history are worth at least as much.

Jim Hurysz spoke and noted the Reeves farmland proposal has languished for 15 years. Voters need to know if non-profits can purchase it. No more tax dollars should be used to improve the farmhouse. Let the corporate owner improve it. He has asked for a comprehensive audit of Parks and Recreation because there is too much discretionary spending allocated to DPR. Many years and dollars have been devoted to DPR and state of the art soccer fields and tot lots. He asked why there has been no money in the budget to save the Reeves farmhouse and why citizens have to raise the money themselves. This County is excessively focused on recreation sports and entertainment and education is fourth or fifth.

Planning Commission Report

Commissioner Iacomini said the URD process exists to find site specific solutions for parcels in single-family neighborhoods that would otherwise be developed by right and thus necessitate large amounts of asphalt or taking down large trees. It has been used a couple of times in the past and it includes a Planning Commissioner to be assigned to attend meetings held between the applicant and the community. There was a community meeting held by the applicant, that is in this case DPR, on July 29 that was well attended. Questions were asked about the URD. Most discussion was about the process that was used to come to this point. She suggested the Planning Commission's role is to examine the proposed lot lines and other features of the URD to see whether it meets the spirit of the URD and the goals of the Zoning Ordinance. She noted the entire site, including the farmhouse, sledding hill, milk house and garage were made a local historic district in 2004. There was a task force established in 2010 to evaluate possible uses for the Reeves farmhouse and the sale of it to a private owner was one of the options identified. There were several ideas and bottom of the list was to consider subdivision and sale of the house. She added that the garage is a question in that if the URD is recorded, it would have to be demolished because it becomes an accessory structure without a main structure and would be nonconforming.

Planning Commission Discussion

Commissioner Gutshall said he would like to focus on the history leading up to the County Board vote on the process to move forward with the URD.

Commissioner Iacomini said she could not speak for the County Board.

Ms. Grandle said after the 2010 HALRB and Boulevard Manor committee came up with their recommendations, one of the recommendations lead to an issuance of an RFP in 2011 and there was 1 non-responsive proposal. There was another Request for Information for a general proposal. Five proposals were received ranging from "we want it but the County should pay for it", urban agriculture, private home, to a Montessori school. The various proposers were interviewed, but out of those interviews, nothing was a good match for the County. The County continued to meet with the Reevesland Learning Center (RLC) group to explore a further partnership. The County Board had a FY13 allocation of \$500,000 dollars for the site. RLC had

proposed sweat equity but no money. The \$500,000 alone was not enough to renovate the house. County staff has continued to explore the matter since 2013 and the Board came to a conclusion this May that there is a need to move on because the house is continuing to deteriorate. The County Board believes this is the time to move forward. Everybody wants to see the house preserved. The Board is also very open and also wants to give time to the other non-profit group that has come forward to see if something can work out.

Commissioner Schroll asked Ms. Grandle to discuss the community engagement outside the RFP and RFI processes. Ms. Grandle said letters were sent out over the summer regarding the URD process to the immediate neighbors, surrounding civic associations, the Parks and Recreation Commission, and HALRB. There was a public meeting held on July 29 to explain the URD process. About 20 people came and asked good questions. The Board wanted to give the County Manager direction to move forward with this process in May.

Commissioner Schroll said noted a speaker said as much as \$2.5 million might be needed for the County to refurbish the house and asked if that is accurate. Ms. Grandle said in 2011 the County did structural work and did drawings of further needed structural work needed with the \$500,000 the Board had allocated. And the consultant estimated the cost Ms. Spear referenced. If the County was doing this, there would be a higher level required for ADA access and sprinkler requirements. The house has not been maintained for the last 15 years.

Commissioner Hughes wanted to confirm that there was a space of about 25 feet between the southernmost tip of the proposed private lot and the border of the park; and also if there is an existing sewer connection in that area. Mr. Schulz responded yes to both questions.

Commissioner Siegel said that the logical use for the farmhouse would be by a university or other similar institution that might have programs in nutrition or farming or plant development and asked if there has been outreach to institutions of this kind. Ms. Grandle stated she has worked with Economic Development and others to identify possible users. The problem has not been finding a use for the house, but finding the funding for the restoration of the house and creative use of the house in a variety of ways that would be in keeping with education and the house's historic status.

Commissioner Harner said that any type of institutional use might require parking and asked if the URD as designed limits the use to single family residential. Commissioner Gutshall said it was zoned "R-6". Mr. Schulz said the lot was drawn up with an eye to single family use. The Zoning Administrator has said that URD development would likely limit the farmhouse use to single family or residential accessory uses. Commissioner Harner asked if this URD configuration would facilitate or allow those types of uses. Mr. Schulz said the way URD is designed such that if the future owner wanted to create a larger parking pad it could. How much parking is required depends on the type of use. If a use comes along that requires additional parking HALRB would have to act. Parking may be modified by the County Board by Use permit. The URD is set up for sale of the property. If a group was interested in leasing the property, the URD would not be necessary and the group could apply for a Use Permit for non-residential uses. Commissioner Harner asked if they could use the adjacent parcel for parking. Mr. Schulz stated that they could, if the HALRB approved it.

Commissioner Ciotti noted one of the speakers said with the URD there would be no ADA access to the gardens. Ms. Grandle responded that the existing access to the gardens is not wheelchair accessible now. Ms. Grandle stated that the existing driveway is the current access to the milk-shed, and she does not think it is ADA accessible either. Ms. Grandle explained that the County is looking to construct an interpretive trail from the southern access of North Manchester Street that would provide access to the RLC planting beds, go through where the garage is now (which is why the garage needs to be demolished if the house is sold), and lead to the historic milk-shed. This new access path would be accessible and could be created using funds the County Board had already allocated for the Reevesland site. Bringing the public up to the milk shed is a long term goal.

Commissioner Siegel asked about the 18 month period at the end of which the URD would be recorded. Mr. Schulz said there was not a specific time frame. Staff was requesting the County Board to instruct staff to not record the subdivision plat until further notice from the Board. Commissioner Siegel asked about the situation in which there were a group that came along with an alternative option, could that be considered. Mr. Schulz responded that if the URD subdivision plat is recorded, it would probably restrict it to a single family home option. There is a desire to wait for alternative proposals before taking the step to officially record the URD.

Commissioner Forinash asked about the 2.5 parking spaces for the URD and asked if the actual solution would be to construct a half space. Mr. Schulz said there was room for about three cars on the parking pad, and the intent of the parking pad is to get the private owners' cars out of the way of County maintenance vehicles.

Commissioner Forinash asked if the URD requirement is for a 60 foot lot width for the stem part of the lot. Mr. Schulz said the request for the width modification was to cover all bases, but that the "bowl" part of the lot met the lot width requirements, according to the Zoning Ordinance definition of lot width.

Commissioner Harner noted the side setback which is 10 feet and asked how these setbacks came about and whether it is to preserve public space? Mr. Schulz said that the setbacks came up from walking the site, following the Board's instructions to create a lot that could be marketable for sale, and also providing the maximum amount of space to remain public. The short 10 foot setback allows for expansion of the RLC gardens on the public property and minimizes the impact on the sledding hill. In addition, the subdivision ordinance limits the number of angles in a lot, so staff needed to comply with that requirement as well in drawing lot lines. Ms. Grandle explained that the 10 foot setback is at the top of the hill and there are two large trees in that area. The potential future expansion area in the rear was developed with Historic Preservation and Urban Design staffs. Setback reduction in the rear is to give any future owner flexibility with the construction of an accessory structure or addition. There are a bit more generous setbacks on the front and west side. The intent was to have a marketable lot.

Commissioner Harner said it is a tight setback and destined for conflict between public and private spheres.

Commissioner Gutshall asked if the demolition of the garage with the recordation of the URD is caused by the lack of a tool to save the garage or intent of the Board. Ms. Grandle said with

recording of the URD, the garage will be cut off from the driveway by the creation of the parking pad on the farmhouse parcel. Public access to public land would be cut off. Commissioner Gutshall said DPR's desire is not to preserve the garage. Mr. Schulz said by not recording the subdivision plat, the garage would not have to be removed. It could also be moved or removed. It is not a contributing structure to the historic district. Commissioner Gutshall wants to be satisfied that all options for preserving it have been explored, or be sure there is no interest in preserving it.

Ms. Grandle said there has been discussion about the garage, including at the HALRB. Discussion there included questions about whether the building materials of the garage could be salvaged. DPR staff would work with the HALRB on reuse of materials, if HALRB required it.

Commissioner Hughes said the private property line has been placed where there was once a plan for a street. Has there been consideration of preserving an easement? Mr. Schulz said that the future connection of North Manchester Street (as shown on the 1973 plat that created the current lots on this property) is not a dedicated right of way and is not on the Master Transportation Plan. He further stated DES has no interest in running a street through the property in part because it would take out a notable tree on the site. If the URD subdivision plat is recorded, the reference to future right-of-way would be removed from the plat.

Planning Commission Motion

Commissioner Iacomini moved that the Planning Commission recommend to the County Board that they approve a use permit for a Unified Residential Development, with modifications from the Zoning Ordinance requirements for setbacks, lot width, and lot coverage, subject to the conditions of the staff report, and Direct the County Manager to not record the subdivision plat until instructed to do so by the County Board.

Commissioner Ciotti seconded the motion.

Commissioner Gutshall said he would support the motion but thanked the community members and said it is important to understand he is looking at this exclusively from a land use planning point of view. He is not commenting or suggesting that the appropriate public process occurred.

Commissioner Schroll said that he understands the Commission is to look at this as a URD but he is troubled by the process and lack of outreach to the community. He noted staff's responses about the R-6 zoning and will not support the motion.

Commissioner Harner agreed with Commissioners Schroll and Gutshall and will not support the motion.

Commissioner Ciotti thanked the citizens for their stewardship and leadership with the Reevesland Learning Center and said she would support the URD in hope that another plan will come forward to preserve the farmhouse.

Commissioner Iacomini said the most important thing for this site is preserving the history of Arlington and being good stewards of a local historic district. A URD that makes the farmhouse available for purchase creates an option that may or may not need to be used.

The Planning Commission voted 6-3-1 to support the motion with Commissioners Ciotti, Forinash, Gutshall, Iacomini, Sockwell, and Siegel in support, Commissioners Harner, Hughes and Schroll against, and Commissioner Cole abstaining.

Commissioner Iacomini moved that the Planning Commission recommend to the County Board that it approve a use permit for a Public Park for open space and uses incidental to it including but not limited to passive recreation, trails, shelters and benches and other small structures, subject to the conditions of the staff report, effective upon recordation of the subdivision plat associated with U-3419-15-1.

Commissioner Ciotti seconded the motion.

The Planning Commission voted 6-3-1 to support the motion with Commissioners Ciotti, Forinash, Gutshall, Iacomini, Sockwell and Siegel in support, Commissioners Harner, Hughes, and Schroll against, and Commissioner Cole abstaining.

Respectfully Submitted,
Arlington County Planning Commission
Christopher J. Forinash

A handwritten signature in black ink, appearing to read "Chris Forinash", written in a cursive style.