



ARLINGTON COUNTY, VIRGINIA

ARLINGTON COUNTY PLANNING COMMISSION

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November 10, 2015

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

SUBJECT: 2. SP# 436, Ballston Oaks Townhomes, Stuart-Ballston LLC to request a final site plan to permit construction of 12 townhouse dwelling units in the R15-30T zoning district. Property is approximately 25,000 sq. ft. The proposed density is 21 UNITS/ACRE. Modifications of zoning ordinance requirements include: reduced front and rear yard setbacks, increased lot coverage, reduced rear yard parking setback, and other modifications as necessary to achieve the proposed development plan. (ACTION)

RECOMMENDATIONS: The Planning recommends that the County Board:

Adopt the attached Ordinance to approve Site Plan #436 to permit the construction of twelve townhouse dwelling units with modifications to reduce required front and rear yard setbacks, increase lot coverage and other modifications as necessary to achieve the proposed development plan subject to the attached ordinance with the following amendments:

- 1. Direct staff to work with the Fire Marshal to preserve some additional parking spaces in front of the redevelopment.**
- 2. Direct staff that if it is not possible to preserve additional on-street parking adjacent to the site that staff work with the applicant to design and implement two or three curb nubs or extensions along the North Stuart Street frontage to narrow the travelway of the street while accommodating the Fire Marshal's need.**

BACKGROUND

The Planning Commission heard these items at its November 2, 2015 public hearing. Arlova Vonhm, Department of Community Planning Housing and Development (CPHD)-Planning, gave a presentation on the background and details of the proposed project. Other staff present included Steve Cover, Director, CPHD, Jane S. Kim, Department of Environmental Services (DES)-Transportation, and Kevin Carl, Captain, Arlington County Fire Department (ACFD), and Doug Insley, Chief Fire Marshal and Apparatus Chief, ACFD.

P.C. #38.A

Lauren Rote, Bean, Kinney, & Korman, presented on behalf of the applicant Jon Eric Ritland, and gave an overview of the proposed project. Jeremiah Potter, W.C. Ralston Architects, presented an overview of the architectural design of the project. Karen White, civil engineer with Walter L. Phillips, Inc. presented the proposed streetscape improvements, Loren Helgason, landscape architect with Studio 38, presented details of the landscape plans.

PUBLIC SPEAKERS

There were no public speakers for this item.

REVIEW PROCESS

Commissioner Schroll said the Transportation Commission (TC) discussed the proposed elimination of the six on-street parking spaces, and proposed change from yield condition to a two-way street. The TC voted to approve the proposal with no specific recommendations.

Commissioner Siegel reported the SPRC met two times on the proposal. The applicant was responsive to requested changes from SPRC. She highlighted the ongoing concern regarding the proposed loss of the six on-street parking spaces and the removal of the yield street in favor of a two-way street in front of the development, dictated by emergency services requirements. She introduced suggested topics for discussion.

PLANNING COMMISSION DISCUSSION

The Planning Commission discussed the land use and zoning for the site including requested modifications for: set-backs; lot coverage; building architecture; transportation; TDMs and permitted on-street vs. off-street parking; and, community benefits. The Commission raised concerns related to the high parking ratios set for townhomes; the impact of the fire code on the design of this project; and, the precedent that could be set by this project for future projects, regarding the elimination of public on-street parking and/or yield street conditions on local streets in transitional neighborhoods. A full transcript is appended to the PC letter. Key highlights of the discussion are detailed below.

Land Use and Zoning

Commissioner Gutshall pointed out that this townhome project proposes the highest lot coverage yet lowest units per acre of any site plan townhome project in the area. The applicant responded that condition was driven largely by fire code and parking requirements.

Commissioner Siegel asked why almost none of the homes on N. Stuart Street had anything like a 25 foot set back, causing applicants to ask for modifications. Ms. Vonhm replied that the applicable zoning district, established in the 30's, did not have restrictive setbacks. Therefore, we have an environment that was established before the more modern rules were developed.

Site Design and Characteristics, Emergency Services

The Planning Commission held an extensive discussion with the Arlington County Fire Department representatives about the implication of the fire code on the site's design, especially with regard to the removal of six parking spaces and the conversion of the yield street to a two-

way street. Commissioners pointed out that removing on-street parking and changing a yield street into a two-way street produces a street with faster cars, creating a daily risk to users of the street. Several Commissioners suggested that risks to pedestrians should be balanced with fire risks. Commissioners also noted the infrequency of fire emergency risk compared to the daily risk to pedestrians.

The Fire Department representatives explained the space needs for fire equipment, which must be stabilized on a minimum of 22-26 foot clear expanse in the street in order to reach buildings over 30 feet in height. The Marshalls emphasized that they work hard to purchase the smallest and most urban equipment available. However, the fire code dictates building access requirements for equipment, and these requirements must be met in design of the site. There was extensive discussion about possible ways to reduce the amount of the street that would be needed for the fire equipment.

Transportation

Commissioner Forinash pointed out that the parking requirements, at 2.2 spaces per unit, is high and should be revisited in the zoning ordinance. Additionally, the high parking ratio allowed for the taller buildings, which in turn drives the fire code impacts on the street, and also increases the expense of the townhomes at a time when the County is focused on housing affordability.

Precedent

Commissioner Cole expressed concern that the site was characterized by no unique or limiting conditions that he could discern that would prevent future developments from imposing negative constraints on public parking and yield streets.

Commissioner Harner followed up, suggesting that the County should take a broader view of redevelopment and the impacts on local streets. He said we need to understand these transitional areas, how they function in larger contexts, and how sites and streets should be designed to support the safe, lively public realm we seek.

PLANNING COMMISSION MOTION

Main Motion: Commissioner Siegel moved that Planning Commission recommend the County Board adopt the attached Ordinance to approve Site Plan #436 to permit the construction of twelve townhouse dwelling units with modifications to reduce required front and rear yard setbacks, increase lot coverage and other modifications as necessary to achieve the proposed development plan subject to the attached ordinance. Commissioner Gutshall seconded the motion.

Amendment: Commissioner Siegel moved to amend the main motion that the County Board direct staff to work with the fire marshal to preserve some additional parking spaces in front of the redevelopment. Commissioner Ciotti seconded the motion. The Planning Commission voted to support the amendment 8-0-3 with Commissioners Siegel, Forinash, Iacomini, Ciotti, Harner, Gutshall, Sockwell, and Schroll in support and Commissioners Cole, Hughes, and Brown abstaining.

Amendment: Commissioner Forinash made a motion to amend the main motion that the Planning Commission recommend the County Board direct staff that if it is not possible to preserve additional on-street parking adjacent to the site that staff work with the applicant to design and implement two or three curb nubs or extensions along the North Stuart Street frontage to narrow the travelway of the street while accommodating the fire marshal's need. Commissioner Harner seconded the motion.

The Planning Commission voted to support the amendment 9-0-2 with Commissioners Siegel, Forinash, Iacomini, Ciotti, Harner, Gutshall, Sockwell, Brown, and Schroll in support and Commissioners Cole and Hughes abstaining.

The Planning Commission took up the main motion and voted 8-3 to approve with Commissioners Siegel, Forinash, Iacomini, Ciotti, Harner, Gutshall, Sockwell, Brown, and Schroll in support and Commissioners Cole, Hughes, and Sockwell against.

Discussion of the Motion:

Commissioner Cole asserted his deep concern about the effect of the design of the site on the block and its potential to create similar problems throughout the county. He said he very much wanted to actively support the proposal, but could not, since staff had provided no information on whether this site is unique such that the street design issues would not be repeated elsewhere in the county. Commissioner Cole also noted that the applicant had created some of the problems by maximizing density by building 40 foot tall units, the equivalent of five stories including the underground basement.

Commissioner Hughes said he would not support the motion because of the design of the site. He noted that in a DC federal style street there would be 20 units created, 10 on top and 10 English basements, which would make some of the units more affordable. In addition, he noted that the existing site fails to embrace the street, and buries three town homes in the back. The site plan is focused on getting cars, and fire equipment, into the site, which proposes two-car garages. Furthermore, the site does not create the appropriate density, given its proximity to metro, which is less than ¼ mile from Ballston.

Other Commissioners, including Commissioners Harner and Gutshall, said they would vote to recommend approval in fairness to the applicant, despite the deep concerns regarding the impact on the public street.

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.