



ARLINGTON COUNTY, VIRGINIA

ARLINGTON COUNTY PLANNING COMMISSION

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CLERK

December 9, 2015

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

SUBJECT: 2. **A. Z-2585-15-1 REZONING** from "R-5" One-Family, Restricted Two-Family Dwelling Districts to "CP-FBC" Columbia Pike Form Based Code Districts. Property is approximately 56,761 sq. ft. and located at 3507 Columbia Pike (RPC# 23-040-009).

B. U-3426-15-1 USE PERMIT for the development of 173 multi-family dwelling units and approximately 8,900 sq. ft. of ground-floor retail and/or civic use under the commercial Form Based Code for property located at 3507 Columbia Pike (RPC# 23-040-009).

RECOMMENDATIONS:

The Planning Commission recommends that the County Board:

1. Adopt the attached resolution to approve the rezoning request from "R-5" One-Family Dwelling Districts, Restricted Two-Family Dwelling Districts to "CP-FBC" Columbia Pike Form Based Code Districts; 3507 Columbia Pike (RPC# 23-040-009).
2. Approve the subject use permit, in accordance with the Columbia Pike Form Based Code (Article §11.1 of the Zoning Ordinance, Appendix A), to build 173 multi-family dwelling units and approximately 8,900 sq. ft. of retail and/or civic use, subject to the conditions of the staff report.

In addition, the Planning Commission recommends that the County Board:

1. Direct the County Manager to initiate a study to 1) assess the design and architecture of the buildings in the Columbia Pike FBC areas with respect to variation in design, materials, and costs; 2) determine the extent to which the analysis results extend directly from FBC requirements and standards; 3) describe the amount of variation in architecture, design, and materials allowed under and achieved currently within FBC; 4) explore alternative approaches to design and

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material standards in FBC; and 5) recommend refinements to the FBC that would encourage better design and materials and thus an enhanced Form Based Code.

- 2. Direct staff to promptly begin the study (and associated public engagement) of residential parking usage and trends, with the goal of developing recommendations for new policy and flexibility beyond current minimum parking standards, in both the main County Zoning Ordinance and the Form-Based Code.**

BACKGROUND

The Planning Commission heard these items at its November 30, 2015 public hearing. Matt Mattauszek, 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 Jennifer Smith, CPHD – Planning.

Carmen Romero, applicant, Arlington Partnership for Affordable Housing (APAH) provided an introduction to the proposed development. Susan Etherton, member, Arlington Presbyterian Church, provided background on the decision by people of the church to imagine a new way of moving forward in the community. M. Catherine Puskar, Walsh, Colucci, Lubely & Walsh, P.C., spoke on behalf of the applicant and presented an overview of the physical site plan proposal. Henry Mahns, architect, Kishimoto Gordon Dalaya, PC, gave an overview of the architecture and materials used in the project.

PUBLIC SPEAKERS

There were no public speakers for this item.

REVIEW PROCESS

Commissioner Ciotti reported that this Form Based Code (FBC) item required Planning Commission review due to its size. During the review process, the Form Based Code Advisory Working Group (FBC-AWG) found the project is completely compliant with the FBC as shown in the FBC Checklist.

PLANNING COMMISSION DISCUSSION

Relationship to surrounding properties

The Planning Commission asked about the development potential for the neighboring lots to the north and west of the site after approval of the proposed project.

Staff and the applicant responded that the lots located to the north of the project site will be sold for redevelopment as two single-family homes. Mr. Mattauszek said the applicant has reached out to the property owners to the west but the negotiation failed. Staff encourages consolidation for better urban design, but it is not required by the FBC. The property to the west could become a small FBC development but would be a three story building which would alleviate parking requirements.

Commissioner Harner said based on FBC and building code requirements, there is the potential for a six-story, 32 foot wide building with no windows located approximately 11 feet from the APAH site. There is a good chance that the adjacent site will not redevelop and the street section on that corner would not be realized. He asked if anyone studied turning the church into housing,

and Mr. Mattauszek said that the current site would not work with the FBC, although there is opportunity for modification for historic preservation. Ms. Puskar and Ms. Etherton added that the vision of the church is for the entire site to be used for affordable housing, and they imagine themselves returning to the site, but not as a traditional church.

Lighting

Commissioner Gutshall noted the standard Condition #52 related to rooftop lighting was removed and suggested it should be added to govern the lighting requirements for terraces. Staff responded the condition was removed because there was no amenity space on the roof, and suggested a more appropriate location for terrace lighting might be Condition 18(A)(s) in the discussion of lights in the rear alley. Commissioner Forinash added that could also be addressed in 18(A)(m) in the discussion of lighting in open spaces areas.

Two Multi-family Buildings

Commissioner Forinash asked staff to explain why the building is designed as two buildings. Ms. Romero said the design is due to financing with two types of tax credits. By using these tools, APAH was able to bring 22 million dollars into the project to help in leveraging funds and generally with developing higher density projects. This project will operate as one building.

Parking

Commissioner Forinash asked about the parking ratio of 1.125 spaces per unit for this project, which appears to be high. Ms. Romero said their existing portfolio is approximately 0.77 spaces per unit, but the proposed ratio of 1.125 per unit meets the requirements of the FBC, and Mr. Mattauszek clarified the FBC does not provide flexibility to this minimum.

The Planning Commission explored other ways to reduce the amount of on-site parking including subdividing the property, transfer of development rights (TDR) for parking, or reducing the amount of parking at-grade.

Ms. Puskar said the subdividing the property would create a lot line which would then create building code issues, and Mr. Mattauszek said there is no TDR for parking, and the FBC allows at-grade parking within specific setbacks.

Commissioner Forinash said it would be informative to know how much the additional levels of parking costs and asked if payment in-lieu was possible for this project. Ms. Puskar said they'd have to look at the payment in lieu requirements. Commissioner Forinash intends to make a motion to encourage the County Board to revisit the issue of parking flexibility for affordable housing.

Architecture

Commissioner Cole said it is time to evaluate the architecture that is being produced from implementation of the FBC. In the commercial nodes, the brick façade and heavy element, base, middle and top and excessive use of the board and very little creativity is a problem with the architectural standards of the FBC. The Planning Commission should recommend that the Board revisit the standards so that the 2005 standards do not go forward for another 20-30 years. It is time to evaluate architecture and decide if the standards should be loosened and changed to

encourage variety along the Pike. He will make an independent motion that they recommend the Board reopen the issue of architecture standards. Better architecture now should be possible.

Commissioner Harner said it might be worth staff exploring ways of demonstrating application of the code creatively in order to yield different results. Over time, people see the easy way to get through the process and imitate it.

Commissioner Hughes added that the next FBC project will be the Food Star site and the developer has a vision of placemaking that is limited by some current provisions in the FBC, specifically related to signage.

Building Amenities

Commissioner Hughes said almost every other 4.1 project approved this year included a pool, noting nothing on Columbia Pike proposed this year included a pool, and bus service to a public pool is quite limited on weekends from this site. Commissioner Hughes outlined numerous market rate communities with pools that are both affordable and not, including 3400 Columbia Pike, Westmont Gardens, Dorchester Towers and Apartments and Penrose Square.

Commissioner Cole asked the applicant what state development credit review authorities would say about including a pool in this project. Ms. Romero said APAH is required to limit total development costs and they do their best to include amenities that are necessary. Commissioner Cole said he supports a pool but did not want to make affordable housing implement a Parks and Recreation Department policy, and is more concerned that Arlington affordable housing developers win the competition for development credits.

Commissioner Hughes concurred with Commissioner Cole's intent and followed by stating Arlington County is a partner with APAH in this project and should be aware of public amenities.

PLANNING COMMISSION MOTION

Commissioner Ciotti moved that the Planning Commission adopt the attached resolution to approve the rezoning request from "R-5" One-Family Dwelling Districts, Restricted Two-Family Dwelling Districts to "CP-FBC" Columbia Pike Form Based Code Districts; 3507 Columbia Pike (RPC# 23-040-009) and Approve the subject use permit, in accordance with the Columbia Pike Form Based Code (Article §11.1 of the Zoning Ordinance, Appendix A), to build 173 multi-family dwelling units and approximately 8,900 sq. ft. of retail and/or civic use, subject to the conditions of the staff report. Commissioner Forinash seconded the motion.

Commissioner Hughes said he would support the motion but it was difficult after a great deal of reflection. He looked at all the action items from this year and in total he came up with 2,649 market rate units approved, 67 along the Pike. In addition, 415 committed affordable units were approved-all but 7 were on the Pike. Last year, two committed affordable housing buildings were approved outside the Pike, one will not be built and the other added only 75 additional units committed affordable units. This year the Commission approved 13.5% committed affordable housing units, all but 7 units were along Columbia Pike. His support was on the hope that in the future, with the affordable housing master plan, our actions will look different.

Commissioner Gutshall thanked the congregation for the creative use of their property in thinking about their mission and said this one was not difficult because this is a fantastic use on the Pike adjacent to transit. He does wonder if the FBC is producing what the County wants and this projects is expensively overparked.

Commissioner Harner said he appreciates this project and all the work put into it, but expressed worry that an undevelopable site on the neighboring property is being created, and it is a missed opportunity to preserve the beautiful church structure. The FBC review session is not organized to address alternatives to the process in order to consolidate, reduce parking, or do historic preservation.

Commissioner Cole said that a public hearing is the venue for public testimony and final reservation or appreciation for the project and not review of the project, and said FBC project should be heard in committee to discuss details prior to the public hearing. He added that he is mindful that this is private land for public good and it is a good example, and then there is a partnership between the community, government, to find solution to help us maintain diverse community that we value we should celebrate and not let people not realize the importance of what is happening. Additionally, although there are limits to the Form-Based Code, it is beneficial to a community that needs reinvestment. There are standards that should be reconsidered which he intends to include in a separate motion.

The Planning Commission voted 9-0-1 to support the motion with Commissioners Forinash, Iacomini, Ciotti, Sockwell, Cole, Siegel, Gutshall, Brown, and Hughes in support and Commissioner Harner abstaining.

ADDITIONAL PLANNING COMMISSION MOTIONS

Form-Based Code Architecture

Commissioner Cole moved that the County Board direct the County Manager to initiate a study to 1) to assess the design and architecture of the buildings in the Columbia Pike FBC areas with respect to variation in design materials and costs; 2) determine the extent to which this results analysis extend directly from FBC requirements and standards; 3) describe the amount of variation in architecture design and materials allowed under and achieved currently within FBC; 4) explore alternative approaches to design and material standards in FBC and 5) recommend refinements to the FBC that would encourage better design and materials and thus an enhanced form based code. Commissioner Hughes seconded the motion.

Commissioner Cole clarified that the motion deals with architecture and not site design and is not intended to revisit the entire Form-Based Code.

The Planning Commission voted 10-0 to support the motion with Commissioners Forinash, Iacomini, Ciotti, Cole, Harner, Sockwell, Siegel, Gutshall, Brown, and Hughes in support.

Residential Parking Study

Commissioner Forinash moved that the Planning Commission recommends that the County Board direct staff to promptly begin the study (and associated public engagement) of residential parking usage and trends, with the goal of developing recommendations for new policy and

flexibility beyond current minimum parking standards, in both the main County zoning ordinance and the Form-Based Code. Commissioner Ciotti seconded the motion.

Commissioner Hughes stated he supports the reduction of parking but will not vote for the motion in protest of the lack of a transportation plan for Columbia Pike.

The Planning Commission voted 9-0-1 to support the motion with Commissioners Forinash, Iacomini, Ciotti, Cole, Harner, Sockwell, Siegel, Gutshall, and Brown in support and Commissioner Hughes 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.