



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of September 13, 2008**

**DATE:** September 10, 2008

- SUBJECTS:**
- A. Adoption of the 2008 Fort Myer Heights North Plan.
  - B. GP-300-04-2 Adoption of General Land Use Plan amendments to add an open space symbol (triangle) to the following locations to encourage public open space: the northeast corner of block bordered by 16<sup>th</sup> Street North, North Queen Street, 14<sup>th</sup> Street North and North Quinn Street; the southwest corner of block bordered by Clarendon Boulevard, North Quinn Street, North Rhodes Street and 16<sup>th</sup> Street North (south of the existing public park); and the northeast corner of the block bordered by 14<sup>th</sup> Street North, North Rhodes Street, Fairfax Drive and North Rolfe Street.
  - C. GP-300-04-3 Adoption of General Land Use Plan amendments to amend the General Land Use Plan booklet to revise language describing the purposes of the Fort Myer Heights North Special District and amend the back of the General Land Use Plan map to reflect adoption of the Fort Myer Heights North Plan.
  - D. Adoption of Zoning Ordinance amendments to Section 13. "RA8-18" Apartment Dwelling Districts and Section 15. "RA6-15" Apartment Dwelling Districts of Zoning Ordinance, to add new items to the list of Special Exceptions to preserve the character of the Fort Myer Heights North Special District and to achieve the Fort Myer Heights North Plan goals of affordable housing, historic preservation, open space, significant trees and neighborhood scale. Changes include reducing by-right building heights by ten feet in order to ensure that by-right development is more in keeping with character of the neighborhood and the community's vision for the future; allowing for site plan development up to 3.24 FAR in return for specific community benefits; and providing transfer of development rights incentives for affordable housing, historic preservation and open space purposes.

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Margaret Tulloch Rhodes, CPHD, Planning Division

PLA-5040

## **C.M. RECOMMENDATIONS:**

1. Adopt the 2008 Fort Myer Heights North Plan. (Attachment A)
2. Adopt resolution attached as Attachment B to approve the following General Land Use Plan amendments:
  - a.) GP-300-04-2 General Land Use Plan amendments to add an open space symbol (triangle) to key locations in the Fort Myer Heights North Special District as shown on Exhibit 1; and
  - b.) GP-300-04-3 General Land Use Plan amendments to amend the General Land Use Plan booklet to revise language describing the purposes of the Fort Myer Heights North Special District and amend the back of the General Land Use Plan map to reflect adoption of the Fort Myer Heights North Plan as shown on Exhibits 2 and 3.
3. Defer consideration of the ordinance attached as Attachment C to amend, reenact and recodify Zoning Ordinance Section 13. "RA8-18" Apartment Dwelling Districts and Section 15. "RA6-15" Apartment Dwelling Districts of the Zoning Ordinance, to add new items to the list of Special Exceptions to preserve the character of the "Fort Myer Heights North Special District" and to achieve the Fort Myer Heights North Plan goals of affordable housing, historic preservation, open space, significant trees and neighborhood scale, to the October 18, 2008 County Board meeting.

**ISSUES:** While there is wide support for the 2008 Plan, the following concerns have been raised at community or commission meetings. First, the Radnor-Fort Myer Heights Civic Association leadership has raised concerns regarding the overall density and height proposed for the Revitalization Area designated in the Plan. Second, some commission members have questioned why greater density and height is proposed along Fairfax Drive as opposed to along Clarendon Boulevard. Third, some commission members have expressed reservations about preserving the historic garden style apartments that characterize this neighborhood. Staff has addressed these issues later in this report. Lastly, some property owners have expressed concern about how the proposed changes to the by-right provisions of the Zoning Ordinance may affect projects already in the permitting process. Staff has addressed this by including language in the Zoning Ordinance that would allow property owners already in the permitting process the ability to construct apartment buildings under the provisions of the Zoning Ordinance as it existed on or prior to the next business day after the October 18, 2008 County Board meeting.

**SUMMARY:** Given the changing economics in the Fort Myer Heights North area, it is no longer feasible to achieve the four goals enumerated in the 2005 draft Fort Myer Heights North Plan - the preservation of affordable housing, historic buildings, open space and significant trees - while abiding by its recommended densities and heights. Staff, with input from the community and various advisory commissions, has drafted a thoroughly revised iteration of this Plan. This new Plan seeks to achieve the same goals as the previous Plan, along with the preservation of

neighborhood scale, but has been updated to reflect existing conditions and trends; namely the loss of historic garden apartments with their market affordable units, surrounding open spaces and mature trees to by-right, luxury condominium development. To counteract the continued loss of the fabric of the neighborhood, the 2008 Plan includes revised and realistic density and height recommendations supported by feasible implementation mechanisms. The 2008 Plan represents a practical, compromise vision for achieving the neighborhood's and the County's goals. It is therefore recommended that the County Board adopt the 2008 Fort Myer Heights North Plan and its accompanying GLUP amendments. Staff recommends that the County Board defer until the October 18, 2008 County Board meeting consideration of the Zoning Ordinance amendments, to allow for additional community review and to follow staff's general practice of bringing forward zoning changes following adoption of a plan.

**BACKGROUND:** In 2003 and 2004, a planning process was conducted to develop a plan for the Fort Myer Heights North neighborhood. The first phase of this planning process, approved by the County Board at its April 16, 2005 meeting, included: 1) adding a note to the GLUP that designated the boundaries of the Fort Myer Heights North Special District; 2) adding a paragraph under Special Planning Areas on the GLUP generally describing the vision for the neighborhood; and 3) amending the Zoning Ordinance to remove townhouses as a by-right use, but continuing to permit them through the Special Exception Site Plan process. The second phase, which is the subject of this report, includes: 1) adoption of the 2008 Fort Myer Heights North Plan; 2) GLUP amendments to depict the desired location for public open space in the neighborhood; to describe in greater detail the purposes of the Fort Myer Heights North Special District; and to update the GLUP map to reflect adoption of the Plan; and 3) Zoning Ordinance amendments to reduce by-right building heights by ten feet in order to ensure that by-right development is more in keeping with character of the neighborhood and the community's vision for the future; to allow for site plan development up to 3.24 FAR in return for specific community benefits; and to provide transfer of development rights incentives for affordable housing, historic preservation and open space purposes.

**DISCUSSION:** At the time the original 2005 draft Plan was scheduled for review by the County Board at its April 2005 meeting, the County embarked on establishing legislation for including affordable housing with site plan development. This necessitated pausing to refine the vision and implementation strategies for the Fort Myer Heights North area. Construction costs, including both materials and labor, increased significantly and the price of land in Fort Myer Heights North had reached \$8 or 9 million an acre. Given these changes, the tools and incentives included in the original Plan are no longer financially attractive to developers. As the key concept plan and implementation recommendations of the 2005 draft Plan are thus no longer viable nor feasible, staff has developed a new iteration of the Plan based on extensive research, analysis and community input.

The revised and updated 2008 Fort Myer Heights North Plan represents a compromise plan that seeks to respond to the civic association's concerns regarding density and height, yet also seeks to provide the committed affordable housing, preservation of historic buildings and the provision of new parks that the community and County are also looking for in this neighborhood. The new concept plan aims to preserve the historic core of the community. First, the Plan calls for

reducing the height maximum for by-right development throughout the entire Fort Myer Heights North Special District by ten (10) feet to preserve the character of the neighborhood which is being altered by continued by-right redevelopment that is out of scale with the existing development. Secondly, the new Plan allows for no additional density above what is allowed by-right in the northern half of the neighborhood, which is designated the Conservation Area on the concept plan. By-right development of the scale that has been recently built does not meet any of the Plan's identified goals and these measures are intended to prevent further compromise of the neighborhood's fabric.

In addition to preserving the market affordable housing, historic buildings and mature trees in the Conservation Area, the Plan aims to achieve a strategic mix of preservation and redevelopment in the southern portion of the neighborhood, which is designated the Revitalization Area. Through the Special Exception Site Plan process additional density up to 3.24 FAR above the by-right density maximum of 1.65 FAR (assuming 1,000 square feet per unit) will be allowed in a defined swath along Fairfax Drive in the southern portion of the neighborhood in what is known as the Revitalization Area. Additionally, bonus height above what is allowed under the General Land Use Plan up to 12 stories or 125 feet, which is greater than the current by-right height limit of four (4) stories or 40 feet for properties zoned "RA8-18" or six (6) stories or 60 feet for properties zoned "RA6-15," will be allowed by site plan in the Revitalization Area. This additional density and height will only be permitted in return for: a significant level of affordable housing (in addition to fulfilling the requirements of the County's Affordable Dwelling Unit Ordinance, 20 percent of the GFA over the General Land Use Plan maximum must be committed affordable for a term of 30 years for households earning 60 percent or less of the area median income); the preservation of historic buildings identified in the Plan and their associated open space; the provision of the three (3) public parks shown in the draft Fort Myer Heights North Plan; and the preservation of the significant trees identified in the Plan or their replacement per the County's Tree Replacement Guidelines. Design guidelines are included in the Plan to ensure that any new development is consistent with the community's vision for the area.

The Plan identifies the area along Fairfax Drive as an area that could accommodate additional density and height, for several reasons. First, this area is a low spot topographically and will minimize the appearance and impact of greater heights in the core of the neighborhood. Second, encouraging redevelopment along the Fairfax Drive frontage would improve the building edge along Fairfax Drive and through the site plan process improvements would be made to Fairfax Drive to make it a "complete street" serving pedestrians, bicyclists, transit users and motorists. New buildings and enhanced streetscapes along Fairfax Drive would serve to buffer the neighborhood and the multi-use trail from the high-volume traffic along Arlington Boulevard, a primary arterial. Third, due to recent by-right, luxury townhouse and condominium development along Clarendon Boulevard, there are no sites in this area that are likely to redevelop in the near or long term. There are thus no opportunities along Clarendon Boulevard for developers to enter the site plan process and provide the community benefits for which the neighborhood and the County are looking. There are, however, a limited number of sites along Fairfax Drive that could present opportunities for achieving one or more identified goals on site. One site along Fairfax Drive which may redevelop is operated by a local affordable housing provider and it is likely that any redevelopment of this site would provide a substantial level of affordable housing.

Another site along Fairfax Drive that may redevelop is home to some of the most significant examples of garden-style apartment housing in the County designed by a nationally recognized architect. Redevelopment of this site through the site plan process would create the opportunity to preserve these historic resources. Finally, the heights needed to accommodate the density level needed for site plan development would not be appropriate along Clarendon Boulevard given the lower building heights called for in the 2003 Rosslyn to Courthouse Urban Design Study, which dip down as low as five stories near North Rhodes Street.

In terms of evaluating what density level is appropriate, extensive economic analysis by Housing Division staff working with outside consultants determined that a density level of approximately 3.24 FAR is needed in order to encourage developers to forgo by-right development and enter the site plan process in this neighborhood, given land and construction costs and taking into consideration the number of community goals this Plan is attempting to address. The 72 units per acre density level proposed in the 2005 draft Plan is no longer viable and may actually never have been enough density to encourage developers to choose to enter the site plan process. Heights greater than those shown in the 2005 draft Plan are also necessary in order to accommodate the density needed to encourage developers to choose to build by site plan, as opposed to building by-right. Three-dimensional modeling revealed that on certain sites - given the constraints on developable area presented by the historic buildings and their surrounding open spaces identified for preservation by Historic Preservation staff and Historical Affairs and Landmark Review Board members; the locations for public parks identified by Park Development Division staff and community members; and the significant trees identified by Natural Resources Division staff - it is at 12 stories that developers can potentially reach the 3.24 FAR density level. On other blocks where fewer identified historic buildings, parks and other constraints may allow for more developable area, 3.24 FAR can potentially be achieved at lower building heights. The heights plan has been amended to reflect this, thereby addressing the primary concern of the Radnor-Fort Myer Heights Civic Association.

#### General Land Use Plan Amendments

In order to implement the recommendations of the 2008 draft Fort Myer Heights North Plan, staff recommends several GLUP amendments. First, staff recommends amending the GLUP map to add an open space symbol to the following locations to encourage public open space: the northeast corner of block bordered by 16<sup>th</sup> Street North, North Queen Street, 14<sup>th</sup> Street North and North Quinn Street; the southwest corner of block bordered by Clarendon Boulevard, North Quinn Street, North Rhodes Street and 16<sup>th</sup> Street North (south of the existing public park); and the northeast corner of the block bordered by 14<sup>th</sup> Street North, North Rhodes Street, Fairfax Drive and North Rolfe Street. These three locations for public parks were identified in the 2005 draft Plan and again in the current Plan. The locations are depicted on the map shown as Exhibit 1 to Attachment B of this report.

Second, staff recommends that the County Board amend the GLUP booklet to revise the language describing the purposes of the Fort Myer Heights North Special District. On April 16, 2005, the County Board established the Fort Myer Heights North Special District. Note 22 was added to the General Land Use Plan designating this district which comprises the area generally bordered by Clarendon Boulevard to the north, Fairfax Drive to the south, North Pierce Street to

the east and North Courthouse Road and North Scott Street to the west. Note 22 reads: “This area was designated the Fort Myer Heights North Special District on April 16, 2005.”

A paragraph describing the vision and goals of this district was also added under the Special Planning Areas section of the GLUP booklet at this time. The language reads: “The purpose of this District is to guide redevelopment in the Fort Myer Heights North neighborhood. The vision for the neighborhood includes promoting redevelopment that is in keeping with the historic character of this neighborhood, including site design and garden apartment buildings from the first multi-family buildings in Arlington County. The vision also includes preservation of affordable housing units, significant historic buildings, mature trees, and open space.” This paragraph should be revised to enhance its clarity and additional language should be added to describe the goals, objectives and implementation mechanisms by which the community’s vision will now be achieved. The proposed changes are outlined in Exhibit 2 to Attachment B of this report. Staff has made minor revisions to the language since this item was advertised by the County Board in July. The proposed changes are within the scope of the advertisement.

Third, staff recommends further amending the GLUP map to update the Rosslyn and Courthouse sections on the back of the map to reflect the adoption of the Fort Myer Heights North Plan. The proposed changes are shown in Exhibit 3 to Attachment B of this report.

#### Zoning Ordinance Amendments

Changes to the Zoning Ordinance are also needed in order to implement the vision expressed in the 2008 Plan. Staff specifically recommends amending Zoning Ordinance Section 13. “RA8-18” Apartment Dwelling Districts and Section 15. “RA6-15” Apartment Dwelling Districts to add new items to the list of special exceptions in order to achieve the community’s goals of preserving affordable housing, historic buildings, open space, significant trees and neighborhood scale through a strategic balance of preservation and redevelopment within the Fort Myer Heights North Special District.

The by-right luxury condominiums that have been built in recent years do not meet the goal of maintaining the scale of the neighborhood, as they are typically built to the current height maximums of the “RA8-18” and “RA6-15” Zoning Districts of 40 and 60 feet respectively and generally have much greater mass and bulk than the two-(2) to four (4)-story garden apartments with open lawns which have historically characterized the neighborhood. Unchecked, by-right development will likely eliminate more market rate affordable housing and more historic garden apartments with their open spaces and mature trees and dramatically change the character of the area. Thus, one of the principal proposed changes to the Zoning Districts which comprise this neighborhood is a reduction of by-right building heights by ten (10) feet in order to ensure that by-right development is more in keeping with the character of the neighborhood and the community’s vision for the future.

Other proposed Zoning Ordinance changes would allow site plan development up to 3.24 FAR in return for the specific community benefits enumerated in the Plan. That is, as applicable, the affordable housing contribution recommended in the Plan must be provided (developers must designate 20 percent of the GFA over the General Land Use Plan maximum as affordable in

addition to meeting the requirements of the County's Affordable Dwelling Unit Ordinance); the historic buildings identified for preservation in the Plan, and such other buildings as the County Board may identify, must be preserved with their surrounding open spaces; the public open spaces identified in the Plan must be provided; and the preservation of significant trees identified in the Plan or their replacement in accordance with the County's Tree Replacement Guidelines must be effected.

The Plan also establishes transfer of development rights incentives for affordable housing, historic preservation and open space purposes. Sending sites must be located in the Conservation Area and must be specifically identified in the Plan. Additional sending sites within the Conservation Area may be approved by the County Board. Up to three (3) times the first 10,000 square feet of a preserved historic building and up to two (2) times the density of the remaining square footage may be transferred in return for an easement to preserve the historic property in perpetuity, which includes an agreement to rehabilitate the property if necessary and to maintain it in good condition; and a commitment to maintain the open space surrounding the historic building consistent with the Plan. If, in addition to meeting the preservation and rehabilitation requirements outlined above, ten (10) percent or more of the units in the subject building are committed for a 30 year term affordable at 60 percent or less of the area median income and meet minimum habitability standards established by the County, up to an additional two (2) times the density of the first 10,000 square feet of the preserved building and up to an additional one (1) times the remaining density may be transferred, for a total of up to five (5) times the density of the first 10,000 square feet of the preserved building and up to three (3) times the density of the remaining square footage. If additional units are committed as affordable, the County Board may proportionally increase the aforementioned multipliers at its discretion.

The primary reasons to encourage the transfer of density rights from the Conservation Area to the Revitalization Area are the preservation of identified historic buildings and their surrounding open spaces, and market affordable units in the Conservation Area. Even if a developer chose to take advantage of the lower transfer of density rights multiplier offered just for the preservation of a historic building in the Conservation Area, it is likely that the units in that building would remain moderately affordable given the disparity in unit sizes and amenities offered vis-à-vis new construction. Staff has structured the multipliers to provide an additional incentive to developers who provide at least ten (10) percent of the units in the preserved buildings as committed affordable in order to take advantage of the higher multiplier.

In exchange for the preservation of the historic buildings and affordable units in the Conservation Area, the Plan would allow developers to transfer a determined amount of density to the Revitalization Area or to an area outside the Fort Myer Heights North Special District. Receiving sites located in the district will be expected to meet on site the aforementioned affordable housing requirements for all sites developed per the site plan process, except that the County Board may modify the requirement that 20 percent of the GFA over the development potential prescribed by the GLUP be designated as affordable for that portion of the density transferred from the Conservation Area designated in the Plan. At its discretion, the County Board may also permit receiving sites located within the Revitalization Area to exceed the Plan's

maximum density of 3.24 FAR, but not the height maximums. In such instances, receiving sites in the Revitalization Area that meet or exceed 3.24 FAR will not be subject to the provisions of the Special Affordable Housing Protection District policy of the GLUP, because this Plan already requires a high level of committed affordable housing on each receiving site and because each sending site will have moderately affordable units and/or committed affordable units. Based on staff analysis, it would be economically infeasible for developers to purchase development rights for preservation and affordable housing purposes from the Conservation Area and provide the significant level of affordable housing required for all site plan projects, meet all the other requirements of this Plan and replace any additional market affordable units on site.

Density may also be transferred to sites located elsewhere in the County, with a preference for the Rosslyn or Courthouse Metro Station Areas, the boundaries of which encompass the Fort Myer Heights North Special District. Receiving sites located outside this district that meet or exceed 3.24 FAR will be subject to the provisions of the Special Affordable Housing Protection District policy and all other applicable Zoning Ordinance regulations pertaining to the area in which they are located. All of the proposed changes to the Zoning Ordinance are shown in attachment E of this report. Staff has made minor revisions to the language since this item was advertised by the County Board in July. The proposed changes are within the scope of the advertisement. Staff recommends that consideration of the Zoning Ordinance amendments be deferred until the October 18, 2008 County Board meeting to allow for additional community review.

### Community Process

Staff met with the community at large in December and again in March and developed the new Plan and accompanying GLUP and Zoning Ordinance amendments based on feedback received at those meetings. Staff has also made presentations to the Planning Commission and its subcommittees, the Urban Forestry Commission, the Historical Affairs and Landmark Review Board, the Park and Recreation Commission, the Housing Commission, the Transportation Commission, the Environment and Energy Conservation Commission and the Radnor-Fort Myer Heights North Civic Association. Staff has taken into consideration the input received at these meetings as it has drafted the new iteration of the Plan. While there appears to be general support for the new Plan, the following concerns have been raised at community or commission hearings.

- 1) The Radnor-Fort Myer Heights Civic Association leadership has endorsed the Fort Myer Heights North Plan, but did express some reservations regarding the overall density and height proposed for the Revitalization Area designated in the Plan.

Staff Response: Staff, recognizing the civic association's concerns about density and height in general, recommends the creation of a Conservation Area in the northern half of the Fort Myer Heights North Special District where no additional density or height over what is permitted by-right will be allowed. This Conservation Area is intended to primarily address the community's interest in preserving neighborhood scale. However, the best tool to achieve the community's other four goals of truly ensuring the

preservation/provision of affordable housing with units committed for a period of at least 30 years, the preservation of historic buildings in perpetuity, the provision of public open spaces and the bolstering of the neighborhood's tree canopy, is the site plan process. Thus, in the Revitalization Area staff proposes allowing site plan development up to 3.24 FAR, which is the level of density identified by Housing Division staff and outside consultants at which developers may choose to enter the site plan process. As explained above, it is at 12 stories that this amount of density may be accommodated on blocks where the site constraints presented by the preservation of historic buildings and the provision of public parks limit the developable area. On other blocks where fewer constraints are present, height limits have been reduced to that height at which staff's three-dimensional modeling reveals that developers could potentially achieve the 3.24 FAR needed to encourage developers to enter the site plan process. Heights on other blocks along Fairfax Drive are now eight (8) stories, creating a variety of heights on the southern edge of the neighborhood, which was something that various groups had recommended. No development over 12 stories or 125 feet, exclusive of penthouses, will be permitted on any block, even for bonuses, to assure the community that there will be no unexpected additional height.

2) Some Transportation Commission and Environment and Energy Conservation Commission members asked why greater density and height is proposed along Fairfax Drive as opposed to along Clarendon Boulevard.

Staff Response: The several reasons for selecting this area as the most appropriate in this district for additional density and height were enumerated earlier in this report. To this rationale, it should be added that the entire Fort Myer Heights North District is within a quarter to a half mile of a Metro Station. The blocks in the district located along Fairfax Drive are also slightly closer on average than the blocks along Clarendon Boulevard, ensuring easy access to transit. In addition, both Metrobus and ART buses service this neighborhood. The Plan recommends analyzing bus service as redevelopment occurs to ensure that service levels remain adequate. The Plan also recommends streetscape improvements throughout the neighborhood that will enhance the walkability, the safety and appearance of the area for pedestrians, bicyclists and transit riders.

3) Some Planning Commission members have indicated that they do not believe the architectural or historical character of the remaining garden apartments in this neighborhood merits preservation.

Staff Response: Historic Preservation staff, working with outside expert consultants and members of the Historical Affairs and Landmark Review Board, identified these buildings as being of significant architectural, historical and cultural merit. These garden apartments reflect the scale and residential nature of Arlington as it developed starting in the first half of the 20<sup>th</sup> century. The garden apartments which define this neighborhood are of particular importance to the history of Arlington County. Starting in 1934, with the creation of the Federal Housing Administration ("FHA"), garden apartments became a new building form that proliferated throughout the County. Arlington experienced

significant growth at that time due to the rapid expansion of the federal government. The FHA postulated that garden apartments would be an attractive housing type if projects had modern conveniences and a site design which provided ample open space. In requiring that all units have light, ventilation, space and be built with a sense of permanence, the projects insured by the FHA evolved into garden apartment buildings, mainly Colonial Revival, masonry buildings situated in park-like settings. The first of the FHA insured garden apartment projects nationwide was Colonial Village, located just north of the study area. The County's Historic Preservation Program developed a multiple resource listing National Register of Historic Places nomination that sets out the framework for garden apartment buildings in Arlington. This nomination was included in the National Register of Historic Places in May 2003. Many of the existing buildings are also individually eligible for listing in the National Register. The County's Historic Preservation Master Plan provides additional information regarding the importance of Arlington's remaining garden apartments. The preservation of these buildings is not only important from an architectural, historic and cultural standpoint, but also because most of these buildings offer market affordable units that are likely to remain moderately affordable and they typically have open lawns with mature trees that contribute to the garden-like feel of the neighborhood and to Arlington's urban tree canopy; all of which are important to this community.

Staff has addressed these issues and worked closely with the neighborhood and all relevant commissions, seeking their input and responding to their questions and concerns, as it has finalized the new Plan. To summarize the outcome of recent meetings with the civic association and various commissions:

- Radnor-Fort Myer Heights Civic Association – The civic association has issued a letter recommending approval of the Plan. An outstanding concern was the heights proposed along Fairfax Drive. Staff has revised the heights plan and is now recommending a range of heights along Fairfax Drive with lower heights on several blocks.
- Historical Affairs and Landmark Review Board – This board has issued a letter recommending approval of the Plan.
- Urban Forestry Commission; Park and Recreation Commission – These two commissions have issued a joint letter recommending approval of the Plan.
- Energy and Environment Conservation Commission – This commission recommends neither approval nor denial of the Plan. Commission members indicated that they approve of the Plan's open space and tree preservation recommendations, but did not feel that they could fully endorse the Plan because it recommended additional density along Fairfax Drive as opposed to along Clarendon Boulevard. Staff articulated the reasons for this decision earlier in this report.
- Housing Commission – Staff met with the Housing Commission in April and in July with the Bricks and Mortar Subcommittee and the Housing Commission. No major concerns

were raised at these meetings. At its September meeting, the Housing Commission voted to “strongly” support approval of this Plan.

- Transportation Commission – This commission voted unanimously to recommend approval of this Plan. Staff briefed this commission in May, July and August. At the first meeting, some commission members questioned why additional density is recommended along Fairfax Drive as opposed to along Clarendon Boulevard. Staff outlined the several reasons behind the development of the concept plan for this area earlier in this report. At the second meeting, certain commission members recommended that the proposed public pedestrian path shown on the concept map be extended to the eastern edge of the district. Staff agreed with this recommendation and has revised the concept map accordingly. At the third meeting, commission members recommended that the proposed public pedestrian path be a proposed public “shared-use” path. Staff agrees with this recommendation and has revised the concept map to reflect this. Commissioners also recommended that the Plan address future improvements to the Arlington Boulevard Trail by indicating what actions will be taken to improve it and when. The Plan states that Department of Environmental Services staff, working with Department of Parks, Recreation and Cultural Resources staff, will commence a full study of the Fairfax Drive area, including the Arlington Boulevard Trail, in late 2008 and complete the analysis within a year.
- Planning Commission – Staff met with the Long Range Planning Committee of the Planning Commission in April and July and with the Zoning Ordinance Committee in June and July. Staff addressed the concerns raised at these meetings. At its September meeting, the Planning Commission voted 11-1 to recommend adoption of the Plan and 10-2 to recommend approval of the GLUP and Zoning Ordinance amendments. The Planning Commission recommended that language be added to the implementation section of the Plan to describe the use of additions to historic buildings as a potential historic preservation tool. Staff has added such language. The Planning Commission also recommended that staff add language to encourage the reuse of land no longer needed for Fairfax Drive, due to the North Courthouse Road interchange project, to further Plan goals, including potentially using that land as developable area to make the redevelopment of sites with “Essential” historic buildings more feasible. Staff has included language to this effect.

**CONCLUSION:** Staff has drafted an entirely revised and updated version of the Fort Myer Heights North Plan, working closely with the community and relevant advisory commissions. The purpose of this new Plan is to provide a comprehensive framework to ensure a strategic balance of preservation and redevelopment in the short and long-term for the Fort Myer Heights neighborhood and to achieve the goals originally identified by the community. Therefore, staff recommends that the County Board adopt the 2008 version of the Fort Myer Heights North Plan and its accompanying General Land Use Plan amendments. In order to allow for additional community review, staff recommends that the County Board defer consideration of the Zoning Ordinance amendments to the October 18, 2008 County Board meeting.

**GENERAL LAND USE PLAN RESOLUTION**

WHEREAS, the County Board of Arlington County has been presented with proposed amendments of the General Land Use Plan (“GLUP”), a part of the County’s Comprehensive Plan, to:

- Add an open space symbol (triangle) to GLUP at the following locations to encourage public open space: the northeast corner of block bordered by 16<sup>th</sup> Street North, North Queen Street, 14<sup>th</sup> Street North and North Quinn Street; the southwest corner of block bordered by Clarendon Boulevard, North Quinn Street, North Rhodes Street and 16<sup>th</sup> Street North (south of the existing public park); and the northeast corner of the block bordered by 14<sup>th</sup> Street North, North Rhodes Street, Fairfax Drive and North Rolfe Street (Exhibit 1);
- Amend the General Land Use Plan booklet to revise language describing the purposes of the Fort Myer Heights North Special District (Exhibit 2); and
- Amend the back of the General Land Use Plan map to reflect adoption of the Fort Myer Heights North Plan (Exhibit 3).

WHEREAS, the County Manager has recommended that the proposed amendment be approved; and

WHEREAS, the Planning Commission has recommended approval of the Fort Myer Heights North Plan and the associated GLUP and Zoning Ordinance amendments; and

WHEREAS, the County Board of Arlington County has considered the foregoing recommendations and the purposes of the GLUP and the Comprehensive Plan as set forth in these documents, the Arlington County Zoning Ordinance and the Code of Virginia; and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed amendment to the GLUP on September 16, 2008.

NOW, THEREFORE, be it resolved that, based on the aforementioned considerations, deliberations and all public comments, the County Board of Arlington County finds that the aforementioned proposed amendments to the GLUP set forth in Exhibits 1, 2 and 3 should be, and hereby are, approved.

# INSERT GLUP MAP

Amend the General Land Use Plan booklet to revise language describing the purposes of the Fort Myer Heights North Special District as follows:

**GENERAL LAND USE PLAN**

\* \* \*

**Special Planning Areas**

\* \* \*

**Rosslyn-Ballston Corridor**

**Rosslyn**

\* \* \*

*Fort Myer Heights North*

~~The purpose of this District is to guide redevelopment in the Fort Myer Heights North neighborhood. The vision for the neighborhood includes promoting redevelopment that is in keeping with the historic character of this neighborhood, including site design and garden apartment buildings from the first multi-family buildings in Arlington County. The vision also includes preservation of affordable housing units, significant historic buildings, mature trees, and open space.~~

Fort Myer Heights North is a smaller scale, medium density residential community, separate and distinct from the adjacent core Metro Station Areas of Rosslyn and Courthouse. The purpose of this special district is to promote a strategic balance of preservation and redevelopment **in this neighborhood** in order to achieve the community’s goals of preserving:

- affordable housing;
- historic buildings;
- open space;
- mature trees; and
- neighborhood scale.

The vision for Fort Myer Heights North **revolves around** **emphasizes** the preservation of its historic core, characterized by garden style apartments that are among the first multifamily buildings in Arlington County, **while**

allowing a strategic blend of conservation and redevelopment along the southern edge of the district in order to achieve the other identified community goals through the special exception site plan process.

In order to preserve the character of the neighborhood and its historic core along 16<sup>th</sup> Street North, a combination of regulations and incentives will be provided in the Conservation Area within the Fort Myer Heights North Special District. In this area, no additional density or height over what is allowed by-right will be permitted. In an effort to discourage additional by-right development that will further compromise the fabric of the neighborhood, incentives will be offered to promote the preservation of historic buildings, open space and existing affordable housing in the Conservation Area. Property owners of identified historic buildings located within the Conservation Area will be encouraged to preserve their buildings and the open space surrounding these buildings through the transfer of development rights. The Plan also encourages the transfer of development rights for affordable housing purposes. The regulations and incentives outlined for the Conservation Area will complement one another to help ensure that the scale and character of the neighborhood core are maintained and that both the preservation of historic buildings, with their surrounding open space and mature trees, and the preservation of existing affordable housing are encouraged.

When development of a site within the Revitalization Area of the Fort Myer Heights North Special District includes an application for site plan approval, the County Board may approve up to 3.24 FAR if the development proposal substantially furthers the intent of the goals and objectives of the Fort Myer Heights North Plan. Site plan projects As a development proposal increases in density above what is allowed by-right and approaches 3.24 FAR, the proposal will be expected to make greater progress toward meet the goals in the Fort Myer Heights North Plan, including the provision of affordable housing, the preservation of historic buildings, the provision of open space and contributions to the tree canopy. Additional density purchased obtained from the Conservation Area another site within the Fort Myer Heights North Special District may be used in a site plan redevelopment project if the building height and site design recommendations outlined in this Plan are addressed.

\* \* \*

**GENERAL LAND USE PLAN**

Amend the back of the General Land Use Plan map to reflect adoption of the Fort Myer Heights North Plan as follows:

\* \* \*

**Courthouse**

**Adopted Plans:** Courthouse Sector Plan, 1981; Courthouse Sector Plan Addendum, 1993; Rosslyn to Courthouse Urban Design Study (2003); Fort Myer Heights North Plan (date to be determined).

\* \* \*

**Rosslyn**

**Adopted Plan:** Rosslyn Transit Station Area Study, 1977; Rosslyn Station Area Plan Addendum, 1992; Rosslyn to Courthouse Urban Design Study, 2003; Fort Myer Heights North Plan (date to be determined).

\* \* \*

**ZONING ORDINANCE**

ORDINANCE TO AMEND, REENACT, AND RECODIFY ZONING ORDINANCE SECTION 13. “RA8-18” APARTMENT DWELLING DISTRICTS AND SECTION 15. “RA6-15” APARTMENT DWELLING DISTRICTS OF THE ARLINGTON COUNTY ZONING ORDINANCE TO ADD NEW ITEMS TO THE LIST OF SPECIAL EXCEPTIONS IN ORDER TO ACHIEVE THE COMMUNITY’S GOALS OF PRESERVING AFFORDABLE HOUSING, HISTORIC BUILDINGS, OPEN SPACE, SIGNIFICANT TREES AND NEIGHBORHOOD SCALE THROUGH A STRATEGIC BALANCE OF PRESERVATION AND REDEVELOPMENT, TO MODIFY THE HEIGHT REGULATIONS APPLICABLE TO BY-RIGHT DEVELOPMENT AND TO FACILITATE THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY WITHIN THE FORT MYER HEIGHTS NORTH SPECIAL DISTRICT.

*BE IT ORDAINED THAT, Section 13. “RA8-18” Apartment Dwelling Districts and Section 15. “RA6-15” Apartment Dwelling Districts of the Arlington County Zoning Ordinance are amended, reenacted and recodified as follows to add new items to the list of Special Exceptions in order to achieve the community’s goals of preserving affordable housing, historic buildings, open space, significant trees and neighborhood scale through a strategic balance of preservation and redevelopment, to modify the height regulations applicable to by-right development and to facilitate the creation of a convenient, attractive and harmonious community within the Fort Myer Heights North Special District, and for other reasons required by the public necessity, convenience and general welfare and good zoning practice.*

\* \* \*

**Section 13. “RA8-18” Apartment Dwelling Districts**

\* \* \*

**A. Uses Permitted.**

\* \* \*

2. Apartment houses or town houses. Provided, however, that in the “Fort Myer Heights North Special District,” as designated on the General Land Use Plan, town houses shall not be permitted except by Special Exception Site Plan. However, town house projects for which building permit applications have been submitted to the Inspection Services Division on or

before April 15, 2005 shall be allowed under the provision of this ordinance as it existed on or prior to April 15, 2005. In the “Fort Myer Heights North Special District,” as designated on the General Land Use Plan, where a by-right full building permit application for an apartment building has been submitted to the Inspection Services Division on or before October 20, 2008, the project shall be allowed to be constructed under the provisions of this ordinance as it existed on or prior to October 20, 2008.

B. Special Exceptions.

\* \* \*

3. When a site with an area of more than twenty thousand (20,000) square feet, or with ten (10) or more existing dwelling units, is sought to be used in a manner inconsistent with existing regulations for height, setback, yard, coverage, or parking, or is sought to be developed using additional residential density, the County Board may allow exceptions, after application for a site plan approval consistent with subsection 36.H. of this ordinance, in order to achieve a design which is appropriate for the site, project, and the surrounding area. Except in the “Fort Myer Heights North Special District,” The County Board may approve additional height and density based on the provision of low or moderate income housing as provided in Subsection 36.H.7.. The County Board, in its discretion, may modify regulations on height, setback, yard, coverage, or parking requirements and may approve up to a twenty-five (25) percent increase above thirty-six (36) units per acre in residential density for a project that provides low or moderate-income housing as provided in subsection 36.H.7., provided that:

\* \* \*

4. When a site within the area designated as the “Fort Myer Heights North Special District” on the General Land Use Plan is sought to be used in a manner consistent with the purposes of the *Fort Myer Heights North Plan*, and as subject to the provisions hereafter set forth herein, then by Special Exception Site Plan approval pursuant to Section 36.H., development may be permitted at up to 3.24 F.A.R. in the “Revitalization Area” designated in the *Plan*. In order to develop a site by site plan within the “Revitalization Area” designated in the *Plan*, the goals recommended in the *Plan* for that site must be addressed, including met. That is, as applicable, the affordable housing contribution recommended in the *Plan* must be provided, the historic buildings identified for preservation in the *Plan*, and such other buildings as the County Board may identify, must be preserved with their surrounding open spaces, the public open spaces

identified in the *Plan* ~~must be provided,~~ and the preservation of significant trees identified in the *Plan* or their replacement in accordance with the County's Tree Replacement Guidelines ~~must be effected.~~

- a. A site plan project in the "Revitalization Area" designated in the *Plan* may exceed 3.24 F.A.R. with bonus density for achieving goals consistent with the intent of the *Plan*, such as LEED, provided that development is consistent with the design guidelines, including building height maximums, and purposes of the *Plan*.
- b. Building heights shall be consistent with the heights recommended in the *Plan*. Building heights in the "Revitalization Area" designated in the *Plan* shall in no event exceed twelve (12) stories or 125 feet, exclusive of penthouses, if developed by site plan. Penthouses shall be minimized in terms of height, bulk and visual appearance and shall in no event exceed sixteen (16) feet.
- c. All sites developed per the site plan process shall designate as affordable twenty (20) percent of the G.F.A. over the General Land Use Plan maximum, in addition to meeting the requirements of the County's Affordable Dwelling Unit Ordinance as outlined in Section 36.H.6. ~~applicable to the G.F.A. within the General Land Use Plan maximum,~~ except as set forth in Section 13.B.4.e.(5). Units shall be committed for a thirty (30) year term, affordable at sixty (60) percent or less of the area median income and shall meet minimum habitability standards established by the County.
- d. Neighborhood-serving retail and other service uses, such as a doctor's office, neighborhood delicatessen, drycleaner, neighborhood-scale library branch or small café and other uses as permitted and regulated in Section 18A. may be approved along Clarendon Boulevard ~~or~~ Fairfax Drive and at other primary intersections and/or locations that experience significant pedestrian traffic should the County Board find they will not adversely impact the neighborhood and will otherwise be appropriate.
- e. The transfer of development rights in accordance with Section 36.H.5.b. is permitted for historic preservation, open space ~~preservation~~ and affordable housing purposes ~~for sending sites specifically identified in the *Plan* and located in the "Conservation Area" designated in the *Plan*, subject to the following provisions. Additional sending sites within the "Conservation Area" designated in the *Plan* may be approved by the County Board.~~
  - (1) For the purposes of calculating F.A.R. in the "Fort Myer

Heights North Special District,” an average unit size of 1,000 square feet is to be assumed.

- ~~(2) Sending sites must be located in the “Conservation Area” designated in the *Plan* and must be specifically identified in the *Plan*. Additional sending sites within the “Conservation Area” designated in the *Plan* may be approved by the County Board.~~
- (2) Up to three (3) times the first 10,000 square feet of a preserved historic building and up to two (2) times the density of the remaining square footage may be transferred in return for an easement to preserve the historic property in perpetuity, which includes an agreement to rehabilitate the property if necessary and to maintain it in good condition; and a commitment to maintain the open space surrounding the historic building as consistent with the *Plan*.
- (3) If, in addition to meeting the preservation and rehabilitation requirements outlined above, ten (10) percent or more of the units in the subject building are committed for a thirty (30) year term affordable at sixty (60) percent or less of the area median income and meet minimum habitability standards established by the County, up to an additional two (2) times the density of the first 10,000 square feet of the preserved building and up to an additional one (1) times the remaining density may be transferred, for a total of up to five (5) times the density of the first 10,000 square feet of the preserved building and up to three (3) times the density of the remaining square footage. If additional units are committed as affordable, the County Board may increase proportionally the aforementioned multipliers at its discretion.
- (4) It is preferred that density be transferred to sites within the “Revitalization Area” designated in the *Plan*, provided that development is consistent with the design guidelines, including building height maximums, and purposes of the *Plan*. Receiving sites will be expected to meet on site the aforementioned affordable housing requirements for all sites developed per the site plan process, except that the County Board may modify the requirement that twenty (20) percent of the G.F.A. over the General Land Use Plan maximum be designated as affordable for that portion of

the density transferred from the “Conservation Area” designated in the *Plan*. At its discretion, the County Board may permit receiving sites located within the “Revitalization Area” designated in the *Plan* to exceed the *Plan*’s maximum density of 3.24 F.A.R.. In such instances, receiving sites that meet or exceed 3.24 F.A.R. will not be subject to the provisions of the Special Affordable Housing Protection District policy of the General Land Use Plan.

- (5) Density may also be transferred to sites located elsewhere in the County, with a preference for the Rosslyn or Courthouse Metro Station Areas. Receiving sites located outside the “Fort Myer Heights North Special District” that meet or exceed 3.24 F.A.R. will be subject to the provisions of the Special Affordable Housing Protection District policy of the General Land Use Plan.

f. The transfer of development rights in accordance with Section 36.H.5.b. is also permitted for historic preservation, open space preservation and affordable housing purposes for sending sites located in the “Revitalization Area” designated in the *Plan*. Sites located in the “Revitalization Area” designated in the *Plan* may transfer density to another site located within the “Revitalization Area” or to another site located outside the “Fort Myer Heights North Special District.” In such instances, the provisions of Section 13.B.4.e.(2), (3), (4) and (5) will not apply.

### C. Height Limit.

No building, nor the enlargement of any building, shall be hereafter erected to exceed either four (4) stories or forty (40) feet; provided, however, that by site plan approval dwellings may be increased to a height not to exceed either eight, (8) stories or seventy-five (75) feet. In the “Fort Myer Heights North Special District” designated on the General Land Use Plan, building heights shall in no event exceed thirty (30) feet if developed by right or twelve (12) stories or 125 feet, exclusive of penthouses, if developed by site plan in the “Revitalization Area” designated in the *Plan* in a manner consistent with the design guidelines and purposes of the *Fort Myer Heights North Plan*.

In the “Fort Myer Heights North Special District” designated on the General Land Use Plan, building heights shall under no circumstances exceed:

- a. Thirty (30) feet, exclusive of penthouses, if developed by-right; or
- b. Twelve (12) stories or 125 feet, exclusive of penthouses, if developed by site plan in the “Revitalization Area” designated in the Plan in a manner consistent with the design guidelines, heights plan and purposes of the Plan.

\* \* \*

*Section 15. “RA6-15” Apartment Dwelling Districts*

\* \* \*

B. Special Exceptions.

\* \* \*

- 3. When a site with an area of more than twenty thousand (20,000) square feet, or with ten (10) or more existing dwelling units, is sought to be used in a manner inconsistent with existing regulations for height, setback, yard, coverage, or parking, or is sought to be developed using additional residential density, the County Board may allow exceptions, after application for a site plan approval consistent with subsection 36.H. of this ordinance, in order to achieve a design which is appropriate for the site, project, and the surrounding area. Except in the “Fort Myer Heights North Special District,” The County Board may approve additional height and density based on provision of low or moderate income housing as provided in Subsection 36.H.7.. The County Board, in its discretion, may modify regulations on height, setback, yard, coverage, or parking requirements and may approve up to a twenty-five (25) percent increase above forty-eight (48) units per acre in residential density for a project that provides low or moderate-income housing as provided in Subsection 36.H.7., provided that:

\* \* \*

- 5. When a site within the area designated as the “Fort Myer Heights North Special District” on the General Land Use Plan is sought to be used in a manner consistent with the purposes of the *Fort Myer Heights North Plan*,

and ~~as~~ subject to the provisions hereafter set forth ~~herein~~, then by Special Exception Site Plan approval pursuant to Section 36.H., development may be permitted at up to 3.24 F.A.R. in the “Revitalization Area” designated in the *Plan*. In order to develop a site by site plan within the “Revitalization Area” designated in the *Plan*, the goals recommended in the *Plan* for that site must be addressed, including met. ~~That is~~, as applicable, the affordable housing contribution recommended in the *Plan* ~~must be provided~~; the historic buildings identified for preservation in the *Plan*, and such other buildings as the County Board may identify, ~~must be preserved~~ with their surrounding open spaces; the public open spaces identified in the *Plan* ~~must be provided~~; and the preservation of significant trees identified in the *Plan* or their replacement in accordance with the County’s Tree Replacement Guidelines ~~must be effected~~.

- a. A site plan project in the “Revitalization Area” designated in the *Plan* may exceed 3.24 F.A.R. with bonus density for achieving goals consistent with the intent of the *Plan*, such as LEED, provided that development is consistent with the design guidelines, including building height maximums, and purposes of the *Plan*.
- b. Building heights shall be consistent with the heights recommended in the *Plan*. Building heights in the “Revitalization Area” designated in the *Plan* shall in no event exceed twelve (12) stories or 125 feet, exclusive of penthouses, if developed by site plan. Penthouses shall be minimized in terms of height, bulk and visual appearance and shall in no event exceed sixteen (16) feet.
- c. All sites developed per the site plan process shall designate as affordable twenty (20) percent of the G.F.A. over the General Land Use Plan maximum, in addition to meeting the requirements of the County’s Affordable Dwelling Unit Ordinance as outlined in Section 36.H.6. applicable to the G.F.A. within the General Land Use Plan maximum, except as set forth in Section 13.B.5.e.(5). Units shall be committed for a thirty (30) year term, affordable at sixty (60) percent or less of the area median income and shall meet minimum habitability standards established by the County.
- d. Neighborhood-serving retail and other service uses, such as a doctor’s office, neighborhood delicatessen, drycleaner, neighborhood-scale library branch or small café and other uses as permitted and regulated in Section 18A. may be approved along Clarendon Boulevard ~~or~~, Fairfax Drive and at other primary intersections and/or locations that experience significant pedestrian traffic should the County Board find they will not adversely impact the neighborhood and will otherwise be appropriate.

e. The transfer of development rights in accordance with Section 36.H.5.b. is permitted for historic preservation, open space preservation and affordable housing purposes for sending sites specifically identified in the *Plan* and located in the “Conservation Area” designated in the *Plan*, subject to the following provisions. Additional sending sites within the “Conservation Area” designated in the *Plan* may be approved by the County Board.

(1) For the purposes of calculating F.A.R. in the “Fort Myer Heights North Special District,” an average unit size of 1,000 square feet is to be assumed.

~~(2) Sending sites must be located in the “Conservation Area” designated in the *Plan* and must be specifically identified in the *Plan*. Additional sending sites within the “Conservation Area” designated in the *Plan* may be approved by the County Board.~~

(2) Up to three (3) times the first 10,000 square feet of a preserved historic building and up to two (2) times the density of the remaining square footage may be transferred in return for an easement to preserve the historic property in perpetuity, which includes an agreement to rehabilitate the property if necessary and to maintain it in good condition; and a commitment to maintain the open space surrounding the historic building as consistent with the *Plan*.

(3) If, in addition to meeting the preservation and rehabilitation requirements outlined above, ten (10) percent or more of the units in the subject building are committed for a thirty (30) year term affordable at sixty (60) percent or less of the area median income and meet minimum habitability standards established by the County, up to an additional two (2) times the density of the first 10,000 square feet of the preserved building and up to an additional one (1) times the remaining density may be transferred, for a total of up to five (5) times the density of the first 10,000 square feet of the preserved building and up to three (3) times the density of the remaining square footage. If additional units are committed as affordable, the County Board may increase proportionally the aforementioned multipliers at its discretion.

(4) It is preferred that density be transferred to sites within the “Revitalization Area” designated in the *Plan*, provided that

development is consistent with the design guidelines, including building height maximums, and purposes of the Plan. Receiving sites will be expected to meet on site the aforementioned affordable housing requirements for all sites developed per the site plan process, except that the County Board may modify the requirement that twenty (20) percent of the G.F.A. over the General Land Use Plan maximum be designated as affordable for that portion of the density transferred from the “Conservation Area” designated in the Plan. At its discretion, the County Board may permit receiving sites located within the “Revitalization Area” designated in the Plan to exceed the Plan’s maximum density of 3.24 F.A.R.. In such instances, receiving sites that meet or exceed 3.24 F.A.R. will be subject to the provisions of the Special Affordable Housing Protection District policy of the General Land Use Plan.

- (5) Density may also be transferred to sites located elsewhere in the County, with a preference for the Rosslyn or Courthouse Metro Station Areas. Receiving sites located outside the “Fort Myer Heights North Special District” that meet or exceed 3.24 F.A.R. will be subject to the provisions of the Special Affordable Housing Protection District policy of the General Land Use Plan.

f. The transfer of development rights in accordance with Section 36.H.5.b. is also permitted for historic preservation, open space preservation and affordable housing purposes for sending sites located in the “Revitalization Area” designated in the Plan. Sites located in the “Revitalization Area” designated in the Plan may transfer density to another site located within the “Revitalization Area” or to another site located outside the “Fort Myer Heights North Special District.” In such instances, the provisions of Section 15.B.5.e.(2), (3), (4) and (5) will not apply.

### C. Height Limit.

No building, nor the enlargement of any building, shall be hereafter erected to exceed either six (6) stories or sixty (60) feet. In the “Fort Myer Heights North Special District” designated on the General Land Use Plan, building heights shall in no event exceed fifty (50) feet if developed by right or twelve (12) stories or 125 feet, exclusive of penthouses, if developed by site plan in the “Revitalization Area” designated in the Plan in a manner consistent with the design guidelines and purposes of the Fort Myer Heights North Plan.

In the “Fort Myer Heights North Special District” designated on the General Land Use Plan, building heights shall under no circumstances exceed:

- a. Fifty (50) feet, exclusive of penthouses, if developed by-right; or
- b. Twelve (12) stories or 125 feet, exclusive of penthouses, if developed by site plan in the “Revitalization Area” designated in the *Fort Myer Heights North Plan* in a manner consistent with the design guidelines, heights plan and purposes of the *Plan*.

\* \* \*

*Modification of height limit in “RA6-15” Districts.* By site plan approval as specified in the “RA4.8” District, dwellings may be increased to a height not to exceed either twelve (12) stories or one hundred twenty-five (125) feet, except in areas designated as “Radnor Heights East Special District” on the General Land Use Plan where heights of buildings, exclusive of penthouses, shall be limited to sixty (60) feet as referenced in Section 15.C.1. to 5.

\* \* \*