



ARLINGTON COUNTY, VIRGINIA

ARLINGTON COUNTY PLANNING COMMISSION

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September 15, 2011

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

- SUBJECT: 3.**
- A. Z-2552-11-1** Rezoning from “C-2” Service Commercial—Community Business Districts, permitting commercial development up to a density of 1.5 FAR, to “MU-VS” Mixed-Use—Virginia Square, permitting commercial development up to a density of 1.5 FAR by-right and mixed-use development up to 5.0 FAR by site plan, located at 900-920 N. Kansas St., 3440 and 3444 Fairfax Dr., 845-913 N. Lincoln St., and 3425 Wilson Blvd., approx. 2.57 acres.; RPC: 14-035-001, -002, -003, -005, -006, -008, -010, -011, -013, -014, -015, -016, -018, -020, -021, -022, -023, --024, -025.
- B. ENACTMENT OF AN ORDINANCE** to Vacate a 10’ Alley in Center Clarendon Subdivision abutting the rear of Lots 37 through 71, and running Northwest from Wilson Boulevard to N. Fairfax Drive, within the block bounded by Wilson Boulevard, N. Kansas Street, N. Fairfax Drive and N. Lincoln Street, Arlington, Virginia (RPC# 14-035-001, -002, -003, -005, -006, -008, -010, -011, -013, -014, -015, -016, -018, -019, -020, -021, -022, -023, -024 and -025), with conditions.
- C. SP# 416** Ashton Overlook LC for a special exception site plan for a mixed-use development of 534 residential multi-family units and 12,815 square feet of retail and service commercial in the “MU-VS” zoning district under §§21.D and 36.H. Property is approximately 2.57 acres, located at 900-920 N. Kansas St., 3440 and 3444 Fairfax Dr., 845-913 N. Lincoln St., and 3425 Wilson Blvd., and is identified as RPC: RPC: 14-035-001, -002, -003, -005, -006, -008, -010, -011, -013, -014, -015, -016, -018, -020, -021, -022, -023, --024, -025. The proposed density is: 4.65 FAR. Modifications of zoning ordinance requirements include: exclusion of storage, mechanical rooms, vents, and shafts from density calculation and bonus density for provision of affordable housing and LEED Gold certification and other modifications as necessary to achieve the proposed development

P.C. #52.A.B.C.

plan. Applicable Policies : Virginia Square Sector Plan 2002, General Land Use Plan “Medium-Density Mixed-Use” and “East End of Virginia Square Special Coordinated Mixed-Use District”.

- RECOMMENDATIONS:**
- 3. A. Adopt the resolution to approve the rezoning from “C-2” Service Commercial—Community Business Districts to “MU-VS” Mixed-Use—Virginia Square.**
 - B. Adopt the resolution to approve site plan SP #416 for a mixed-use development of 534 residential multi-family units and 12,815 square feet of retail and service commercial, subject to the following modifications:**
 - 1) The architectural drawings and renderings be reviewed, and building materials be documented, to the extent necessary to clarify the building materials and to reconcile inconsistencies, and in particular that all spandrel glass be identified and all facades of the cooling tower be detailed;**
 - 2) Condition #53 be modified to include the provision for photographic documentation of the existing building on Fairfax Drive to be demolished;**
 - 3) Modify the plaza design to extend the smooth surface to the edge of the outer surfaces of the water elements.**
 - 4) Eliminate the option for residential flex spaces in favor of dedicated service commercial on Wilson Boulevard.**
 - 5) Designate 9th Street North as a pedestrian- and bicycle-priority street.**
 - C. The ordinance to vacate a 10’ Alley in Center Clarendon Subdivision abutting the rear of Lots 37 through 71, and running Northwest from Wilson Boulevard to N. Fairfax Drive, within the block bounded by Wilson Boulevard, N. Kansas Street, N. Fairfax Drive and N. Lincoln Street, Arlington, Virginia, is substantially in accordance with the adopted Comprehensive Plan.**

Dear County Board Members:

The Planning Commission heard this item at its September 6, 2011 meeting. Peter Schulz, CPHD Planning, described the requests for the rezoning to “MU-VS”, Site Plan #416, and the alley vacation. He described the ways in which the proposed site plan is consistent with the “MU-VS” zoning district and listed the community benefits associated with the site plan. He identified two community issues – provision of residential flex spaces on Wilson Boulevard, and parking and loading access on Lincoln Street; and one unresolved staff issue – developer contribution for multi-

space parking meters. Also present were Lisa Maher and Dolores Kinney, DES Planning, Betsy Herbst, DES Real Estate Bureau, Jill Griffin, AED, and Stephen Wade, CPHD Housing.

Nan Walsh, attorney for the applicant, and Michael Foster, architect for the applicant, presented the various elements of the proposal, including changes made during the process in response to concerns regarding the building and site design, and the design of 9th Street. Also present were Bob Bushkoff and Chris Brigham, representing the developer, Dittmar.

Public Speakers

Jay Hans, a resident of the Virginia Square Condominiums, referenced the letter from Andrew Cohen, who was unable to attend the Planning Commission meeting. Mr. Hans concurs with the comments in the letter, and identifies concerns with loading access and truck traffic on North Lincoln Street, density, building height, and safety.

Carl Saperstein, a member of the Virginia Square Condominium Association's Board, identified potential traffic issues around the site. He expressed concerns with the use of North Lincoln Street for parking and loading access, indicating that a large moving van would require multiple moves to maneuver and access the loading dock. He also believes short term delivery trucks for UPS, pizza, etc., will not use the loading dock, but instead use the curb-side parking lanes. Mr. Saperstein indicated concern for significant traffic during the rush hours, and conflicts between pedestrian and vehicular traffic. He does not think that the primary use of 9th Street North has been clearly defined, and believes it will be used extensively by vehicles when traffic is congested on North Lincoln Street. He advocated for removal of the proposed nub and some parking spaces at the corner of Lincoln Street and Fairfax Drive to provide for a turning lane. He believes this would mitigate much of the traffic backup he anticipates.

Carrie Johnson, a resident of Ashton Heights, spoke on behalf of herself and Jim Richardson, civic association representative for Ashton Heights. She expressed concern on behalf of the Ashton Heights Civic Association about the residential flex spaces that will result in little to no activity along the Wilson Boulevard frontage. On her own behalf, Ms. Johnson commented that the site plan process resulted in an immensely improved project. She is particularly appreciative of the revisions that resulted in the provision of on-site affordable housing, which is consistent with the Virginia Square Sector Plan. As most of the affordable units are family-size units. Ms. Johnson thanks the applicant and hopes it sets an example for site plan proposals that follow.

Pat Coburn, a resident of the Virginia Square Condominiums, indicated that additional traffic from the proposed development will adversely impact North Lincoln Street and questions the design of the water feature adjacent to 9th Street.

Planning Commission Reports

Commissioner Fallon reported that the Housing Commission reviewed the proposal on September 1, 2011. The Commission voted to support the proposal. There was significant discussion about the accessibility features in the Committed Affordable Units (CAFs), particularly the roll-in showers. Mr. Bushkoff indicated that the developer is willing to provide roll-in showers in some of the units.

Commission Fallon further indicated that most of the CAFs are family-sized units, have a 30-year commitment, and that a cash contribution related to the base density will be made to the AHIF.

Commissioner Serie reported that the Transportation Commission reviewed the proposal on September 1, 2011. There was some discussion about the requirements for site lighting during construction (Condition #6). The Commission voted to support the proposal with recommendations to unbundle the parking, clearly identify ownership and operation of the water feature in a legal document, and provide a mechanism to evaluate the nub on Fairfax Drive and North Lincoln Street for future reduction or removal should it result in traffic conflicts. The Commission also recommended that the following conditions be amended:

- 1) Condition #6, Plan for Temporary Circulation During Construction – Specify the timing of installation of lighting, and delete language detailing specific lighting requirements as some are outdated.
- 2) Condition #11, Community Liaison and Activities During construction – Add the names of community and civic associations.
- 3) Condition #66, Outdoor Cafes – All outdoor café seating should be subject to a use permit, whether or not it is located in an easement.

Commissioner Savela reported that there were four (4) SPRC meetings on this proposal, and that the process resulted in significant changes to the project in response to expressed concerns. These significant changes include improvements to the architecture, changes to the ground floor uses including movement of the leasing office and exercise facility, and the addition of on-site affordable housing through use of bonus density.

There were some aspects of the project on which SPRC participants did not agree. One of these was the purpose, use and design of 9th Street. The neighboring condominium association is concerned about Lincoln Street traffic and proposed moving the garage entrance and loading dock to Kansas Street. The SPRC discussed this as well as the use of 9th Street as a service street. Several SPRC neighborhood representatives spoke about the impacts of placing the garage and loading dock entrances on Lincoln Street. However, the location is consistent with the sector plan and staff has analyzed it and determined that the location is appropriate. The general consensus among planning commissioners participating in SPRC was that the proposed design and use for 9th Street is attractive and complies with the Virginia Square Sector Plan and can serve as a pedestrian- and bicycle-priority street. However, the SPRC members wanted a condition that addresses the required operation of the water feature to ensure its continued viability and to avoid the situation currently observed at Courthouse Plaza with the non-operating Residence Inn fountain.

Issues that remain outstanding and will need discussion include:

- Residential flex spaces – The Virginia Square Sector Plan envisions service commercial uses along Wilson and Fairfax Boulevards. Condition #63 attempts to assure that there is continued review of the use of the flex spaces and emphasis on marketing them as service commercial.
- Accessible units – Assurance that Condition #67.D. reflects what is desired in terms of accessible affordable dwelling units.

- Undergrounding of the garage – Continued discussion is needed on the impacts of not fully undergrounding the garage and if there are alternatives to the current design that would not detract from public plaza.

Planning Commission Discussion

Propose Rezoning from “C-2” to “MU-VS”

Commissioner Fallon commented that under “MU-VS”, additional density up to 1.0 FAR may be approved for areas west of North Kansas Street when additional affordable dwelling units are being provided to a degree that is at least consistent with the GLUP and the Virginia Square Sector Plan. He noted that the density bonus includes 21 market rate units and six (6) CAFs. The six (6) CAFs represent approximately 25% of the total units within the bonus and he questioned whether that was an acceptable rate. Mr. Wade, Housing staff, responded that while staff attempts to negotiate for more on-site affordable units, the opportunity to achieve them is typically through the bonus density mechanism. This proposal and the number of CAFs is consistent with other site plans with affordable housing bonus density. When there is a change in the GLUP to a designation allowing increased density, there is the opportunity to negotiate for more on-site affordable units. However, when that is not the case, an equivalency analysis examines the difference between the market rate and affordable rents and the amount of subsidy required to support the affordable units to determine the number of on-site affordable units that could be achieved. CAFs in close proximity to the metro require greater subsidies given the property values resulting in a lower proportion of affordable units.

Commissioner Klein asked for clarification regarding the Green Building Policy that permits up to .4 FAR bonus density for LEED Gold certification. While she recognizes the community benefit of having a LEED Gold building, greater benefit is being provided to the developer in terms of additional density and marketability of the building. Commissioner Klein questions the policies that allow greater bonuses for LEED than affordable housing, which she believes is a more valuable benefit to the community.

Proposed Site Plan

Pedestrian Bridge

Commissioner Hunt inquired about the County’s policy on pedestrian bridges. Ms. Kinney, DES staff, responded that the County’s general policy has been to oppose pedestrian bridges because they remove activity from the street; however, the proposed walkway serves only the building and its residents and provides access to the building amenities that are concentrated in one of the two buildings. Commissioner Hunt followed with a question about the appropriateness of residents using the pedestrian bridge, rather than the street, to access the building amenities. She also commented that the pedestrian bridge blocks the east-west view corridor down 9th Street; the view will be blocked from the single-family home neighborhood or the building across the street. Ms. Kinney responded that the walkway’s design includes a transparent glass enclosure that does not block the views. The bridge serves the residents of the building and allows them to travel from one building to the other for the amenities. Unlike the pedestrian bridges in Rosslyn, this particular bridge does not detract from the retail activity on the street. Ms. Maher added that this is similar to having one (1) building, and with the extreme changes in elevation this is the best way to get from one building to

the other. In addition, the pedestrian bridge spans the width of a private street, not a public street. Staff examined the possibility of having an underground route for residents between the north and south sections of the building but the garage layout and grade changes do not easily accommodate this.

Building Architecture

Commissioner Harner asked for clarification about a number of elements along the buildings' street edges, including materials and fenestration. There was also significant discussion about the treatment of the above-grade portions of the garage. Throughout the discussion, he requested clarification of apparent discrepancies between the building elevations and floor plans to ensure that they matched. The labeling of materials was unclear regarding the use of spandrel glass versus transparent window glass and there appeared to be windows missing from some of the plan pages when compared to the renderings. He stated that while the buildings' massing and articulation are spectacular, he was concerned about the pedestrian experience along the street edges and that greater articulation in the design of those spaces was needed. In addition, clarification was provided regarding the treatment of the exterior walls of the penthouse structure and how it integrates into the design of the building façade. Mr. Foster presented a sample materials board to the Commission for its review. Commissioner Harner asked that the specific materials shown to the Commission were named by manufacturer and be included in the site plan.

Commissioner Harner suggested that the fitness room located on the 2nd floor adjacent to Wilson Boulevard be relocated to the interior of the site, possibly adjacent to the water elements, to allow for this prominent space to be occupied by a retail use. He believes that a two-story retail use at this location may provide the synergy needed to attract additional retail along the Wilson Boulevard frontage.

Commissioner Monfort inquired about the extent to which changes can be administratively made to the building façade and architecture. Ms. Wray responded that while the 4.1 plans are conceptual, buildings are expected to be built as approved by the site plan. When design development is closer to 80%, the interior layout of residential and retail tenant spaces, for example, can change causing windows and doors to be relocated. Slight changes in the locations of window bays and doors and changes to interior floor and roof plans are typically approved administratively as long as they do not change the overall appearance and intent of the site plan. When the changes result in a different building aesthetic, or when changes include elements that were of particular concern during the public review, the proposal is reviewed by the SPRC and/or the County Board as a minor amendment.

Ground Floor Retail Space

Commissioner Cole commented that the garage is approximately 50% above grade and comprises a significant amount of the area of the ground floor resulting in very shallow retail spaces approximately 23 to 31 feet, six inches deep wrapping the garage use. The design of the retail spaces is compromised because of the above grade portion of the garage and, in his view, sets a precedent for future developments to construct above-grade garages wrapped by retail or other uses.

Commissioner Fallon inquired whether any nearby buildings had portions of their garages are above grade. He wanted a sense of whether the area's topography warranted this design. Commissioner Hunt responded that the parking garage for adjacent FDIC development is entirely below grade.

Residential Flex Space

Commissioner Sockwell asked for clarification regarding the viability of the flex spaces as retail or service commercial. Ms. Walsh responded that the developer has concerns about whether the spaces can successfully be marketed to commercial tenants given the amount of vacant retail spaces in the surrounding area. Ms. Griffin, AED staff, clarified that marketing the spaces to true retail providers will be extremely challenging because of limited pedestrian traffic in the area. She added that the flex spaces could be designed for a multitude of uses, including home offices, but there are no guarantees that they will be successful. She indicated that designing the space for flexible use is extremely appropriate for this location. In response to Commissioner Sockwell's question regarding the adequacy of the spaces, Ms. Griffin responded that there are a number of tenants that desire smaller spaces and intermediate uses, such as medical offices or cultural uses typically occupy spaces with limited depth.

Commissioner Monfort commented that he is comfortable with Condition #63 as written; however, he is curious about the exterior appearance of the spaces if used as residential. He assumes that curtains or blinds will be closed all the times resulting in no real street activation. He is concerned that the space will be dead space even if occupied, and asked the applicant to describe their view on the pedestrian experience. Mr. Foster responded that the concern focuses on six (6) out of a total of 524 units. He referred to Old Town Alexandria, where a number of retail spaces that had been vacant for many years have been successfully renovated into loft-style units, resulting in vibrant streets with a lot of activity.

Commissioner Hunt commented that the flex spaces are very small and questioned if this impacts the developer's ability to lease them successfully. Ms. Griffin responded that many retail spaces, such as those in Clarendon including Pete's Pizza, are less than 30 feet deep and some tenants prefer the smaller spaces. It is important that the spaces be connected to trash and loading areas and have sufficient venting as necessary. Commissioner Hunt asked if the spaces are suitable for live/work units as they appear to have two-story ceiling heights. Mr. Bushkoff responded that they have taller ceiling heights, but not enough to create two stories. Furthermore, creation of another floor would add to the project's density.

Commissioner Cole inquired about deliveries to the flex spaces. Mr. Foster described the interior access and route to the service area and loading docks.

Commissioner Cole inquired about studies to substantiate the recommendation to temporarily postpone retail at this location. He asked if counts had been conducted to conclude that pedestrian traffic on Wilson Boulevard is insufficient or if there had been an analysis to determine the appropriateness of retail on Wilson Boulevard compared to Fairfax Drive. Commissioner Cole referenced the 1800 Wilson Boulevard Site Plan located in the area between Courthouse and Rosslyn, where many of the live/work units have been vacant for months or years. He does not want a repeat of this and believes that planning for these spaces should be for the life of the site plan, not just the first 18 months. Ms. Griffin responded that while specific studies and pedestrian counts

were not conducted, there is a dearth of activity or synergy in the surrounding area to generate the pedestrian traffic needed to make these successful retail spaces. Mr. Brigham, representing Dittmar, pointed to the adjacent Joule Site Plan, where ground floor retail spaces remain vacant.

Commissioner Klein found it unbelievable that there will not be a demand for retail in the flex spaces, given that there will be 524 units in the building. She believes the developer should put forth greater effort to develop an appropriate marketing strategy to identify retail that can serve the residential tenants in the building and be successful.

Commissioner Sockwell associates himself with Commissioner Harner's comments about relocating the second-floor fitness club on Wilson Boulevard. He believes retaining the fitness club at this location is a lost opportunity to create retail synergy on Wilson Boulevard. Mr. Foster responded that retaining the fitness club on the second floor will achieve vibrancy and provides an amenity for building tenants. Commissioner Klein agrees that it will create a lively street aesthetic, as the Westin Hotel's second floor fitness club achieves the same result.

9th Street

Commissioner Hunt asked for clarification of the purpose of 9th Street and whether it is oriented to vehicles or pedestrians. Ms. Kinney responded that the Virginia Square Sector Plan encourages both pedestrian and vehicular activity, but with the focus more on pedestrians while providing access for vehicles. The sector plan also envisions open spaces adjacent to the street. Commissioner Hunt asked for clarification of the street surface, commenting that the proposed cobblestone surface is not an easily "walkable" surface. Furthermore, while the water features have zero depth to encourage active play, the surfaces surrounding the water features are also cobblestone, which precludes access by wheelchairs, strollers, etc. Mr. Foster responded that the proposed cobblestone treatment is frequently used in Europe and that the material is rounder and smoother than typical cobblestone and easier to walk on. In addition, there will be sidewalks with a smooth surface on each side of the street. Commissioner Hunt asked about the features of the yield street. Mr. Foster indicated it would have a 22-foot travel area with two lanes, plus parallel parking on both sides. The design is intended to calm traffic and make it clear to drivers that this is a pedestrian-oriented area. Commissioner Hunt commented that the sector plan calls for a view corridor along 9th Street, yet the pedestrian bridge will block the vista and the preponderance of spandrel glass along 9th Street will create a dead zone for pedestrians.

Commissioner Monfort asked for clarification on the pavers used for 9th Street pointing out that cyclists cannot travel safely on the true cobblestone streets in Alexandria. Mr. Foster said the surface would be a cobblestone-textured concrete paver, which creates a rumble feature for drivers but is much smoother than true cobblestones and will be much more bicycle-friendly than actual granite cobblestones.

Commissioner Sockwell inquired about the number of vehicles 9th Street is expected to generate. Ms. Kinney responded that 9th Street is designed as a low volume street and is anticipated to have fewer than 400 vehicles per day. 9th Street will be one of several options in the area to distribute traffic. Ms. Maher added that while the Traffic Impact Analysis (TIA) did not include trip generation data for 9th Street, it projects 113 a.m. and 143 p.m. peak hour trips from the proposed development. Opening up 9th Street would absorb a fraction of those trips.

Commissioner Cole commented that while 9th Street is identified in the Virginia Square Sector Plan as a pedestrian-priority street and the Master Transportation Plan Streets Element now permits pedestrian and bicycle priority streets, staff describe 9th Street as a yield street in the staff report. Since it does not connect to Washington Boulevard further north and connects to a pedestrian walkway on the west end, the street would be ideal as a pedestrian- and bicycle-priority street that could preclude all but emergency vehicle traffic during non-peak hours. He would happily sacrifice the on-street parking proposed for 9th Street in return for limiting the street to bicycles and pedestrians for most of each day.

Commissioner Malis asked for clarification regarding vehicular traffic that is projected to utilize 9th Street. Ms. Kinney responded that projections are that vehicles attempting to access westbound Fairfax Drive, and eastbound Wilson and Fairfax Boulevards, from either Lincoln or Kansas Street would use 9th Street.

Commissioner Serie commented that the use of 9th Street as a vehicular cut-through to access westbound Fairfax Drive from Kansas Street could be avoided with the installation of a traffic signal at the intersection of Fairfax Drive and Lincoln Street. He asked the applicant if there was any reason why the textured pavers adjacent to the fountains on the sidewalk edges could not be replaced with a smooth surface to permit all users to approach the fountains and even permit parents to sit with their children at the edge of the fountain. Mr. Foster indicated that this change was possible.

Commissioner Fallon expressed concern regarding the water elements that frame 9th Street. He does not think children and cars can co-exist in this space. He suggested that, while vehicles will not be allowed to park adjacent to these elements, there would be safety concerns because of the vehicular traffic.

Commissioner Cole commented that the residents of the Virginia Square Condominiums expect much more traffic on Lincoln Street and asked why a new signal is not recommended at its intersection with Fairfax Drive. Ms. Kinney responded that it would create insufficient gaps in vehicle movements between intersections and that it is County policy to space traffic signals.

Other

Commissioner Monfort referred to Condition #53, Documentation of Historical Artifacts, Features and Buildings, and suggested that the existing office building, while not historically significant, is architecturally significant and should be documented with photos prior to demolition.

Commissioner Fallon asked for clarification regarding the accessible, on-site affordable units. Ms. Walsh responded that all of the CAFs will be accessible consistent with Type A, ANSI “Accessible and Usable Buildings and Facilities.” She further noted that three (3) units within the development, all of which are 2-bedroom units, will have roll-in showers – two (2) affordable units and one (1) market-rate unit. Commissioner Fallon asked if the six (6) on-site CAFs could ever be converted to a cash contribution instead. Ms. Walsh affirmed it is not likely because the intent of the Virginia Square Sector Plan is to achieve on-site affordable dwelling units through bonus density.

Commissioner Serie inquired about the outstanding issues identified in the staff report, including the applicant not agreeing to providing unbundled parking, and paying for and installing multi-space parking meters. Ms. Walsh responded that the applicant has agreed to provide unbundled parking and make a reasonable contribution towards multi-space meters, but will need more information on the number of meters needed.

Commissioner Ciotti inquired about the proposed extension of the Fairfax Drive median, which the applicant has agreed to improve and landscape. Ms. Kinney responded that the improvements will eliminate the left turn into FDIC, create a pedestrian refuge and new nub in the median, and include landscaping, the specifics of which will be determined at the time of final engineering.

Planning Commission Motion

Rezoning and Site Plan

Commissioner Savela moved that the Planning Commission recommend the County Board adopt the resolution to rezone the site from “C-2” Service Commercial—Community Business Districts to “MU-VS” Mixed-Use—Virginia Square One Family Dwelling Districts”; enact the ordinance to vacate a 10’ alley in the Center Clarendon Subdivision; and, adopt the resolution to approve the site plan for a mixed-use development of 524 residential multi-family units and 12,815 square feet of retail and service commercial, subject to the following modifications:

- 1) The architectural drawings and renderings be reviewed, and building materials be documented, to the extent necessary to clarify the building materials and to reconcile inconsistencies, and in particular that all spandrel glass be identified and all facades of the cooling tower be detailed;
- 2) Condition #53 be modified to include the provision for photographic documentation of the existing building on Fairfax Drive to be demolished;
- 3) Modify the plaza design to extend the smooth surface to the edge of the outer surfaces of the water elements.
- 4) Eliminate the option for residential flex spaces in favor of dedicated service commercial on Wilson Boulevard.

Commissioner Malis seconded the motion.

Commissioner Savela commented that she understood that some commissioners may prefer to seek a deferral, but that she believes this site plan is much further along than many site plans that have gone forward to the County Board. She recognizes that the applicant has made significant changes and concessions in response to the SPRC and that the flex space remains an area of difference. By the time the site plan is constructed, there will be sufficient activity in the surrounding area for retail to survive on Wilson Boulevard.

Commissioner Hunt asked to amend the motion to separate out the proposed ordinance to vacate a 10 foot alley. Commissioner Fallon seconded the motion. The Commission voted unanimously in favor of the motion and the amendment became the main motion.

Commissioner Cole sought unanimous consent to amend the motion to require that 9th Street be designated a pedestrian- and bicycle-priority street, rather than a yield street. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Fallon asked for unanimous consent to amend the motion to recommend that if the flex space option is approved, consideration be given to achieving either additional Committed Affordable Units or market rate affordable units. There was an objection. Commissioner Fallon moved to amend the motion to recommend that if the flex space option is approved, consideration be given to achieving either additional Committed Affordable Units (CAFs) or market rate affordable units. Commissioner Harner seconded motion.

Commissioner Fallon explained that he is proposing this amendment so that the County can achieve additional community benefits in exchange for the financial benefit the developer receives with the residential flex units. The Virginia Square Sector Plan predates the County's Housing Ordinance and emphasizes on-site affordable housing as a priority. Commissioner Savela indicated she was sympathetic to the motion and had floated a similar idea to staff earlier. She is concerned about the use of CAFs, which come with a 30-year term and would seem to preclude the possibility of service commercial. Commissioner Malis agreed with Commissioner Savela and added that market rate affordable units would come with administrative responsibilities such as certifying the rents. Commissioner Harner associated himself with Commissioner Malis's statement and suggested that the flex spaces be removed altogether and replaced with dedicated service commercial uses. The amended motion failed by a vote of 9-2. Commissioner Hunt and Fallon supported the amended motion. Commissioners Ciotti, Cole, Harner, Klein, Malis, Monfort, Savela, Serie, and Sockwell opposed the amended motion.

Commissioner Hunt indicated that she will not support the main motion because the design of 9th street is a travesty.

Commissioner Cole moved to amend the motion to require that the parking garage be placed entirely underground. Commissioner Hunt seconded the motion.

Commissioner Monfort commented that if the amended motion is approved, the project should be recommended for deferral instead because it will require that the whole project be redesigned.

Commissioner Savela asked Mr. Foster to address the repercussions of relocating the garage fully underground and how it impacts the retail spaces and 9th Street open space. Mr. Foster responded that, while he understands the principle, the garage extends above grade adjacent to 9th Street where retail spaces would not be impacted. He also indicated that he did not believe the amount of retail space should or would be increased. Most of the retail brokers he deals with are not interested in deep retail, but rather the ratio of street frontage to square footage is paramount and is, he believes, ideal in the proposed project. Commissioner Harner commented that he believes the garage could be lowered further to increase the size of the retail spaces on both Fairfax and Wilson Boulevard. He also suggested that the depth of the retail spaces could be expanded by reducing the parking floor area through provision of tandem or similar parking spaces. Commissioner Hunt added that by moving more of the parking below grade, the project may allow for moving the exercise facility to this location and permitting the retail space at Lincoln and Fairfax to be converted to a two-story

level space attractive to restaurants. It would also permit removal of some of the maintenance equipment and replacement of spandrel glass with transparent glass.

Commissioner Serie is concerned with the precedent set by permitting the garage to be at grade for other projects in the corridor.

Commissioner Savela commented that she does not support the proposed amendment although she does have sympathy for it. She believes the SPRC has pushed the applicant quite far on a number of issues, and redesigning the garage to be fully below grade will have significant cost issues. She does not believe this would set a precedent and believes this has been done in other site plans in the Corridor.

Commissioner Ciotti commented that she does not support amending the motion, although she too is sympathetic to it.

The amended motion failed by a vote of 7-4. Commissioner Cole, Harner, Hunt and Serie supported the amended motion. Commissioners Ciotti, Fallon, Klein, Malis, Monfort, Savela, and Sockwell opposed the amended motion.

Commissioner Malis indicated that she appreciates the work that has been done on the project. She appreciates Mr. Foster's reference to 9th Street having an element of whimsy. If it were possible to require all of the projects to include an element of delight, she would support that, because this is what we were trying to achieve with 9th Street and the entire project. Assurance of the integrity of the plans is partly a responsibility of staff. It is important for all building materials and details to be documented and consistent, since the drawings represent what the County Board will approve. She suspects that the reason there has been so much attention to documentation is that the commission overall believes this is a high quality design and wants to be certain that what is approved is what gets built. The quality of the pedestrian experience on 9th Street remains paramount given the projected vehicular traffic and should be clarified for the County Board hearing.

Commissioner Fallon stated that he will support the main motion. The building architecture is quite attractive and the applicant has made a lot of progress through the SPRC process. His biggest issue is the achievement of affordable housing emphasized in the sector plan. The proposal provides six on-site affordable dwelling units. He is not clear on whether this is sufficient, but he appreciates the inclusion of some on-site units. He does not believe that 9th Street functions as true open space given the competition with cars. He acknowledged that Market Commons does attract a lot of children. He prefers permanent retail uses in the flex spaces.

Commissioner Monfort stated that he will support main motion. The project is attractive and a good addition to the area. He never would have supported the previous design, and thanked the applicant for responding to the SPRC comments. However, Commissioner Monfort indicated that he is comfortable with the provision of residential flex spaces under the requirements outlined in Condition #63. He recognizes that there is a greater financial gain with retail than residential, and acknowledges the developer's concern that retail may not work at this location. He also notes that changing societal trends prefer on-line shopping and that our expectations must recognize that.

Commissioner Harner thanked the applicant for participating in the process. The proposed project has huge promise. He appreciates the redesign, the detailing, and the massing, which all work well. He is very sympathetic to the comments made by Commissioner Hunt and other Commissioners regarding the 9th Street plaza. This is probably not the right place for the water feature. Without other supporting uses, such as retail, it may be misplaced. The pedestrian bridge is a problem, and he hopes that over time, the developer decides against constructing it. He does not support the residential flex spaces, as retail needs to be encouraged. He is disappointed that the second floor fitness space was not programmed for retail, as that is a lost opportunity. He believes the ground floor retail spaces at the Joule will continue to suffer without the synergy created by retail in adjacent projects

Commissioner Cole stated that he came to the hearing prepared to seek a deferral if not denial of the project. He recognizes that the applicant went through extraordinary lengths to make the project a visually appealing project. His concern relates to the uses of the space. He stated that he will support the project contingent on adoption of other motions. The applicant has an opportunity to respond to many of the Commission's concerns prior to the County Board meeting. While he understands that people are doing more of their shopping on line, they also eat out more. He encouraged the applicant to rethink the programming of the building to best meet the needs of its residential tenants.

Commissioner Sockwell stated that the developer has made great strides and appreciates the overall concept and building architecture. While he has reservations about the concept for 9th Street, the design is fun and whimsical. It is still unclear to him how the street will work, including the pedestrian experience, and he would appreciate more detail on that. He will support the project, as it is a lot further along than many that come before the County Board.

Commissioner Ciotti stated that she appreciated how much the project has progressed. The building is attractive and she appreciates the provision of on-site affordable dwelling units, which will continue to help build the fabric of a diverse, mixed-income Arlington community. She thanked the applicant for providing roll-in showers in three (3) of the units. This will be especially helpful to returning veterans and college students who need this type of amenity. She is unsure about the function of the 9th Street water feature, and believes retail, such as a coffee shop or restaurant, would help define it.

The Planning Commission voted 10-1-0 to support the motion to rezone the site from "C-2" to "MU-VS", and to approve the site plan for a mixed-use development of 534 residential multi-family units and 12,815 square feet of retail and service commercial, subject to the modifications originally identified by the Commission, and designating 9th Street as a pedestrian- and bicycle-priority street. Commissioners Ciotti, Cole, Fallon, Harner, Klein, Malis, Monfort, Savelle, Serie, and Sockwell supported the motion. Commissioner Hunt opposed the amended motion.

Vacation of 10 foot Alley

Commissioner Fallon received clarification regarding the value of the vacation and that the funds will be deposited into County's General Fund.

Commissioner Hunt received clarification regarding the amount of density attributed to the alley vacation, and that creation of 9th Street in this block was envisioned in the Virginia Square Sector Plan. Ms. Herbst, DES staff, added that the alley was undeveloped and never paved.

The original motion for the Planning Commission to recommend the County Board to enact the ordinance to vacate a 10' alley in the Center Clarendon Subdivision still stands. Commissioner Savela asked for unanimous consent to amend the motion to include that the Planning Commission has determined that the ordinance to vacate a 10' alley is substantially in accordance with the adopted Comprehensive Plan. There was no objection, so the amended motion became the main motion. The Planning Commission voted 10-0-1 to support the amended motion. Commissioners Ciotti, Cole, Fallon, Harner, Klein, Malis, Monfort, Savela, Serie, and Sockwell supported the amended motion. Commissioner Hunt abstained.

Respectfully Submitted,
Arlington County Planning Commission

A handwritten signature in cursive script that reads "Rosemary Ciotti".

Rosemary Ciotti
Planning Commission Chair