



## AURORA HIGHLANDS CIVIC ASSOCIATION

January 24, 2024

Ms. Emma Martin  
Department of Community Planning, Housing and Development  
Arlington County, Ellen M. Bozman Government Center  
2100 Clarendon Boulevard, Suite 700  
Arlington, VA 22201

Re: Crystal House 3 Minor Site Plan Amendment

Dear Ms. Martin,

I am writing in response to the Minor Site Plan Amendment Meeting on January 16, 2024 for Crystal House 3 and your previous email requesting comments regarding the project.

The Aurora Highlands Civic Association (“AHCA”) has deep concerns about the Minor Site Plan Amendment based on the materials and information provided and to the extent that support is sought from AHCA, it cannot be offered at this time. AHCA has questions that need to be responded to regarding: the amendment process; impacts to the community; the proposed revisions to the approved 2019 site plan; and parking and traffic.

Many members of AHCA feel that the issues represent an astonishing lack of regard for the community and appear to be the result of a lack of oversight by the County, oversight that would have been provided if this project were in an SPRC process instead of a Minor Site Plan Amendment. They have spent a significant amount of time to thoughtfully review the proposal and feel the lack of transparency has made it significantly harder to understand the proposed revisions to the site plan.

My Executive Board has collected the concerns and questions voiced by members of AHCA and I have attached them to this letter. I request you respond to each question and assist in addressing these concerns.

I echo the concern regarding this project and the speed at which “minor” revisions are being implemented without a more transparent and robust process, like an SPRC. APAH was invited to our monthly meeting on January 10, 2024, but was unable to answer many of the posed questions. The subsequent January 16, 2024 public engagement meeting did not address these concerns or questions.

We appreciate that you and APAH have responded to previous emails from our Vice President, Stacy Meyer, and we hope that your responses to our correspondence will continue and hopefully provide answers to the attached questions from AHCA members.

Thank you for working to get answers to these and the other questions that were raised at the public forum on January 16.

Sincerely,

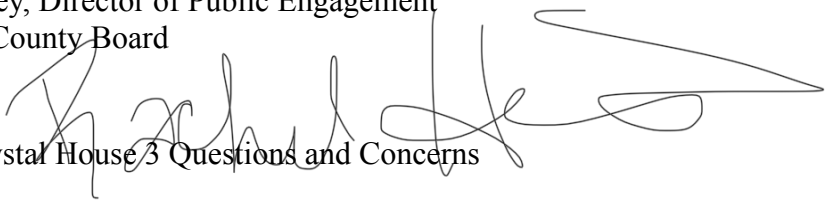


Rachel Hicks

AHCA President

CC: Matt Mattauszek, CPHD  
Mark Schwartz, County Manager  
Bryna Helfer, Assistant County Manager  
Sarah Tracey, Director of Public Engagement  
Arlington County Board

Attachment:



AHCA Crystal House 3 Questions and Concerns

## AHCA Crystal House 3 Questions and Concerns

### TRANSPARENCY AND PROCESS:

1. It is our understanding that Arlington County has been assigned the development rights to the project, per information contained in the Crystal House 3 Master Developer RFP (<https://www.arlingtonva.us/Government/Programs/Housing/Development/Crystal-House-Apts/RFP>). Further, per its Master Developer agreement, the County Manager is now also responsible for the contract with APAH/EYA for development. Please provide AHCA with a copy of the Master Developer Agreement and the Assignment and Assumption of Option and Option Agreement. It is unclear why the County chose this structure, which is less than transparent, and it raises questions of public policy. For example, when Arlington County becomes a developer of residential buildings, how is it not part of a public budget process like a school or any other public building? Has this assignment process been done before in Arlington (if so, where)? Further, unlike a school or other public building, this development includes market rate units and for sale units – how do those finances flow? Who is getting the proceeds from the 3 for-sale buildings, who is paying for the gap on the affordable rental buildings? None of that information has been provided and the community would like to understand this more.
2. The County (through its vendor) is requesting a change to the previously approved site plan, without a full SPRC public process. Letters were sent from the Crystal City Civic Association (CCCA) and AHCA in late 2023 expressing concern about Crystal House 6 not going through an SPRC process. Yet, the County has disregarded fundamental public engagement requests from the most impacted stakeholders and is continuing to use the same flawed review process. AHCA continues to insist that the Minor Site Plan Amendment process is inappropriate. AHCA cannot support a project being moved forward without regard for those impacted. In his letter of October 7, 2023, Eric Cassel, President of the CCCA wrote to Mr. Schwartz stating, “to repeat: low-income housing residents deserve the same attention as market rate residents”.  
<https://www.crystalcitycivic.org/wp-content/uploads/2024/01/crystalhouse6a.pdf>  
Mr. Cassel’s words were prescient. Three months after he wrote this letter, we found ourselves at the January 16, 2024 meeting where the developer (as a reminder, Arlington County itself) requested to reduce the quality of the project’s façade and functional elements of the project – eliminating balconies, and the pool, reducing window sizes) and lowering the quality of construction materials. Why is the County declining to engage in the SPRC process?

### AFFORDABLE HOUSING PROGRAM:

3. From the RFP, the new buildings on the site (excluding CH5) will house 554 Committed Affordable Units (148 at 50% AMI and 406 at 80% AMI). CH5, in addition to being developed by this County, is also owned by the County per the RFP, and requires 81 committed units at 80% AMI for a grand total of 635 units. From the evaluation criteria in the RFP these units will be in addition to market units. From the “Overall Tabulations” sheet in the Minor Site Plan Amendment meeting materials there are 836 total units at Crystal House 3 – 8. However, it is unclear from the presentation or

materials presented as part of the Site Plan Amendment how many total affordable units are being proposed across the site and how many are in CH3, or if it is in there somewhere it is not easy to find (this is one of the challenges of dealing with each building as a separate minor site plan amendment separately, rather than reviewing them in totality, as was done in 2019). This tabulation is relevant to the Crystal House 3 amendment because we are told the affordable units have gaps in financing (requiring a reduction in quality of the building program), but one would assume the market rate units do not, so it is unclear which buildings / units have gaps / profits and whether or how the profits offset the gaps as is a common requirement in affordable housing financing. Approval of the Minor Site Plan Amendment by definition must be in context of the entire site. Please provide a tabulation of how the Affordable Units are proposed to be distributed across the site in a clear, easy to understand format such as filling in the X's and answer the questions below:

Crystal House 3: Total Units: 432. X% affordable at X% AMI band. For Sale or Rent?

Crystal House 4: Total Units: 222. X% affordable at X% AMI band. For Sale or Rent?

Crystal House 5: Total Units 80. X% affordable at X% AMI band. For Sale or Rent?

Crystal House 6: 80 units. X% affordable at X% AMI band. For Sale or Rent?

Crystal House 7: 7 units. X% affordable at X% AMI band. For Sale or Rent?

Crystal House 8: 14 units. X% affordable at X% AMI Band. For Sale or Rent?

#### BUILDING REVISIONS:

4. We are alarmed by the proposed façade and amenity (including pool and balcony deletion and retail deletion) changes and reject the premise that the changes are required due to financial reasons. The County was gifted the land, the County is approving larger units and setting the program, the County is approving the “competitive funds”, the County is removing retail that would help with the payments, the County is adding a green roof, and the County is setting the unit mix (where are the market rate units, or is this building now 100% affordable?). The County is claiming poverty on CH3 yet selling other buildings in the project presumably at a profit.

The proposed revisions make the building look monolithic and despite the efforts of the designers introducing rhythm into the very long façade, the small windows, the lack of porosity, and the lack of balconies bely what they are, cheap. The building as revised does not look close to a market-equivalent building. It looks like an economy hotel. When it comes to publicly financed buildings, low income housing residents deserve the same building quality as the market just as low income students deserve the same education and low income patients deserve the same medical treatment. This should not have to be said because anything less than the same quality in building leads to the slippery slope that produced the failed inequitable public housing of the last century. Please advise what amenities the building will have and what appliances the units will

have. Will there be, as is standard in market rate buildings, in-unit washers and dryers and dishwashers or have those also been removed due to “cost”?

We challenge the design team’s assertion that the green standard is driving the reduction in windows and façade materials as there are many examples of projects that have large windows and achieve LEED Gold and above.

If there are going to be changes required for financial reasons, why not remove Crystal House 5 from the development? The building is replacing important retail parking as has been stated to AHCA by the restaurant owners on 23<sup>rd</sup> Street. The County’s Crystal City Sector Plan notes the importance of “Restaurant Row:”

- “Restaurant Row” along 23rd Street S. between Eads and Fern Streets was identified as a major community asset with local businesses that should be preserved or protected;
- Parking challenges for Restaurant Row retailers need to be addressed;

If the County owns the property, can it reserve it for a parking garage given all the development ongoing in the area and help prevent spillover parking into the single family neighborhood? In keeping with the Sector Plan’s “preserving and retaining small, neighborhood oriented retailers” on Restaurant Row, what is the plan to replace the lost parking at CH5?

5. PUDO and Package Delivery – We would like to see a clear rendering of the pickup and drop-off areas for two building entrances, as well as the plan for package delivery. The drawing should include queuing and parking space for building access. Given the proposed decrease in parking, it would be anticipated that there would be a greater need for loading areas for ride shares, deliveries, etc.
6. Retail at 18<sup>th</sup> and Eads – A long-standing County policy has been to activate Eads Street and the approved retail at the corner was going to play an important role in that activation. We do not believe the applicant’s assertion that a resident-only lobby entrance instead will serve a similar role in activation. We have concerns that the deletion of retail, a financial stream, will prevent the offset costs and alleviate the need to reduce the quality of the building.
7. Second Level Residential Amenity Space – We understand that the second floor plaza area is an area that is restricted to the tenants. How many square feet of space does it have? How many people will be allowed to occupy the space since it was described as having only one fire egress stairway?
8. Student Generation – since the APAH project has more bedrooms for families and will likely have more school students, has there been a discussion with Arlington Public Schools? Our neighborhood schools are already at or over capacity. How will the Site Plan Amendments change the projected student increase at local schools?

9. Increasing the number of low-income students into South Arlington is counter to the Affordable Housing Plan which aims to provide affordable housing across the county, not all in South Arlington. Please provide the updated plan that shows how the County plans to achieve these goals and will not continue to squeeze affordable housing inequitably in South Arlington.
10. The Applicant needs to provide a complete narrative of all the proposed changes. Some changes are included in the Justification letter, some in the plans and some only in the meeting presentation for which there is not yet a slide deck posted, only a video. Are there any other (interior for example) changes not listed? Having this information spread across multiple sources has placed a large burden on the community, and also leads to concerns regarding transparency and what exact proposal is being reviewed.

#### PARKING AND TRAFFIC:

11. Please provide detailed parking assumptions for this building and all the buildings on the site. The neighborhood strongly opposes any proposed amendment that would make parking more scarce in an area that already does not have enough parking, thus the proposed reduction in parking of 20 spaces is very alarming.

Per the October 19, 2018, Wells & Associates traffic study for the project, <https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/31/2019/04/Crystal-Houses-TIA-10.19.18-r-A0837639.pdf>, Arlington County required a minimum of 1.125 spaces per dwelling unit in a multifamily building prior to 2017 (page 40). But then in 2017 reduced the minimum parking ratio to .95. Per the report, the County then further reduced the required ratio to .2 - .6 per unit. Note, the County requirements are a minimum. The traffic study in 2018 recommended a ratio of .76 for the building as designed. The ratio has now inexplicably been lowered from .76 without an updated traffic or parking report. This is unacceptable.

There is no analysis for the current revised plans which decrease the number of units (and therefore the number of parking spaces) yet increase the size of the units to incorporate family sized units. It is unlikely these new family sized units will have the same needs for parking as smaller apartment units. For example, a 3-bedroom unit may have two parents and a teenage driver, or three sisters that all drive, necessitating 3 cars per unit. A ratio of .6 may be a good assumption for non-family sized units (efficiencies / one bedrooms) but it is a mistake to apply the same assumption to larger units. As an example, Arlington requires a minimum of 2.5 spaces per townhouse development (which typically have 3 bedrooms), see 5.4.4 A7 in the zoning code.

The larger units skew the numbers, and one cannot assume that the parking will be adequate. This is a very serious concern to the neighborhood because if there is inadequate parking, there will absolutely be spillover parking onto the streets that are already stretched for retail parking, and the parking spills over into the residential neighborhood. The County / Developer must provide updated parking analysis to

confirm the changes to the parking ratios and unit sizes will not negatively impact the neighborhood.

12. Please provide an updated traffic study given the increase in development in the area since the original report was completed in 2018. This seems to be not only a reasonable request, but essential for both the AHCA to analyze the proposed amendment and for the County to do so.

The 2018 study preceded the Amazon HQ2 announcement by just a few weeks and was prior to the Pentagon City Sector Plan and several other projects that have greatly changed, or will change, the area including: River House, Kimco as revised and expanded, 1900 Crystal Drive, Crystal Tower, Missing Middle, Americana, and others. Additionally this predates the VDOT Route 1 Study. On Page 4 of the study there is an assumption of a growth rate of .5% per year, when in fact the growth rate is unknown as the County has not provided an updated cumulative traffic report, but growth is known to be in the tens of thousands and a wholly different scale than .5%. On page 5 the study noted that in the existing condition at the time, the signals studied on Eads Street were at a Level C generally and at Level D “level of service” during peak periods - this was barely an acceptable condition at the time (page 25) . The report also notes that the turn lanes did not even at the time adequately accommodate the car storage required at the intersection of Eads and 18th and Eads and 20th.

The report showed the traffic count was expected to double during peak period due to the known development at the time, but that expectation failed to include the extreme amount of growth and development approved since Amazon HQ2 was announced. How can the County perform its due diligence as the Developer of the site without checking the impact on traffic given, especially given the vast growth that was not included in the previous projections?

These issues negatively impact the neighborhood and will negatively impact the new residents when they can't get out of the garage due to traffic backups. Further, the potential traffic issues present a safety concern, especially as there is a fire station just a couple of blocks away. Please explain how the County will address these concerns that appear to remain unaddressed.

13. Considering that CH1 and CH2 will remain inhabited during all construction, what is the proposed plan for construction generated traffic and parking?
14. Transportation Demand Management – with a lower parking spot to unit ratio proposed, what is the plan to encourage residents not to use cars? What plan has already been implemented for the existing Crystal House buildings in order to begin limiting demand in advance of construction of Crystal House 3 and 6?
15. Offsite Parking – Please provide details of the offsite leased parking plan.

OTHER LONG STANDING COMMUNITY QUESTIONS THAT REMAIN UNADDRESSED:

16. Park Delivery – the park on Eads Street and the park at Fern and 22<sup>nd</sup> Street are scheduled for delivery in 2027/2028 and 2030 respectively, is there any way to advance them and have concurrent delivery? What is the planning process for those two parks? Will the parks be deeded to Arlington County upon completion or will a permanent public easement be recorded?
17. Superblock Porosity – One of the more significant issues for the neighborhood is our long-standing request to break up the superblocks and make them more porous for pedestrians, a policy that has been repeated in the Crystal City Sector Plan and advocated for by the Crystal and Pentagon Cities Council. The original plan had a pedestrian passage, but the proposed amendment does not. This is an area where we would really like to see the applicant make some adjustments to improve pedestrian flows, particularly as it relates to pedestrian passage through the corner of 18<sup>th</sup> Street and Eads Street. Please explain why this is not possible and why the applicant is not being held to the original requirement.
18. Pets – what will be the pet policy and how will it impact the neighborhood? There are already lots of dogs in the neighborhood and the existing dog parks already get lots of use. We would like the associated green areas to be available for human and pet use. Is there a planned pet relief area?
19. Trees – What is the expected tree loss on the entire Crystal House site under the revised scheme and what is the anticipated replacement rate? What exactly is the County regulation on soil that prohibits the applicant from increasing the number of trees on the site? How can it be mitigated? Furthermore given the County's commitment to the tree canopy and that the County now has development rights and the neighborhood's need for green space it is unclear why the property does not include more green space.
20. Staff Analysis – When can we expect to see the staff analysis of this project? Since the County has decided to avoid even a mini-SPRC process, there will be no discussion by the Planning Commission, and it will go directly to the County Board. We are concerned that reports to the Board are often filed too late for community review before the Board meeting.

References:

AHCA Letter to Emma Martin on Crystal House 6 dated July 13, 2023,  
<https://aurorahighlands.org/wp-content/uploads/AHCA-Comments-on-Crystal-House-6-Final.pdf>

AHCA Letter to Mark Schwartz on Crystal House 6 dated October 2, 2023,  
<https://aurorahighlands.org/wp-content/uploads/AHCA-Letter-on-Crystal-House-6-01-October-2023-1.pdf>



Crystal City Civic Association Letter to Mark Schwartz on Crystal House 6 dated October 7, 2023, <https://www.crystalcitycivic.org/wp-content/uploads/2024/01/crystalhouse6a.pdf>