



## AURORA HIGHLANDS CIVIC ASSOCIATION

February 11, 2025

Subject: The Need for Corrective Action on the Melwood GLUP Study and Established Planning Policies

Dear Members of the County Board,

The Melwood GLUP Study and Site Plan Amendment mark a serious departure from Arlington's established planning policies and commitments to its neighborhoods. The County's decision to proceed with upzoning a single parcel in the middle of an established low-density neighborhood is inconsistent with the General Land Use Plan (GLUP), the Aurora Highlands Neighborhood Conservation Plan, and long-standing County policies designed to guide responsible development.

This is not an isolated issue. It reflects a pattern of procedural failures and policy misapplications that must be addressed. The failure to uphold the 2008 GLUP Policy Resolution's safeguards—designed to prevent ad hoc upzoning without comprehensive planning—has led to increasing public concern and eroded trust in the County's planning process. A course correction is necessary to restore public confidence, uphold the County's stated planning principles, and ensure that all neighborhoods receive the protections they were promised.

### **Background: The 2008 GLUP Policy and Its Intent**

The 2008 GLUP Policy Resolution was adopted to ensure that land use changes occur within a structured, community-driven framework inclusive of neighborhood and civic organizations. It established two distinct paths for amending the GLUP:

1. Through long-range planning processes, such as Sector Plans and Neighborhood Conservation Plans, developed through extensive study and public input, or where there is not guidance for a location,
2. Through individual requests for unanticipated changes, which require a rigorous independent planning study conducted outside the context of a specific development application.

This policy was designed to prevent “spot zoning”—the practice of granting zoning changes that serve an individual developer’s interests rather than the broader community. Virginia law strictly prohibits spot zoning, and for nearly a decade, the County properly applied this policy to ensure that upzoning decisions followed comprehensive planning efforts with broad community including neighborhood and civic organization input. (See Attachment A, “2008 GLUP Resolution including GLUP Booklet required revisions”.)

### **A Shift Away from Established Policy**

Beginning in 2017, there has been a fundamental shift in how the County applies the 2008 GLUP Policy Resolution. The County has increasingly ignored neighborhood planning documents, bypassed established procedures for addressing neighborhood concerns, and approved upzoning requests in areas where long-range planning guidance already exists. This shift is evident in a series of Special GLUP Studies that disregarded Neighborhood Conservation Plans and proceeded without broad community support, and without neighborhood and civic association support including:

- 11th and Vermont (2017) – Upzoning R5, adjacent to low-density residential
- Washington & Kirkwood (2017) – Upzoning R5, adjacent to low-density residential
- Pershing Drive (2021) – Upzoning adjacent to low-density residential
- Courthouse West (2022) – Upzoning adjacent to low-density residential
- North Glebe Road (2023) – Upzoning R6, adjacent to low-density residential

Each of these cases reflects a failure to adhere to the procedural guardrails that have long defined Arlington’s planning process. Neighborhood Conservation Plans were disregarded, civic associations were sidelined, and upzoning proceeded despite clear conflicts with existing policies.

(See Attachment B, “Aurora Highlands Analysis of 2008 GLUP Policy, 2008 to Today”)

### **Why the Melwood GLUP Study Requires Immediate Correction**

The Melwood proposal is particularly concerning because it represents an even greater departure from Arlington’s planning norms than previous cases:

- The site is not on the edge of a low-density neighborhood—it is in the middle of one and on a 2-lane road (not a 4-lane road).
- The Aurora Highlands Neighborhood Conservation Plan explicitly affirms the site’s existing zoning and should have precluded any upzoning request.
- The Aurora Highlands Civic Association overwhelmingly opposed the upzoning, citing that the proposed use is inappropriate, the building is too large for the site, and significant unresolved concerns exist regarding traffic, parking, and environmental impact.
- The County pressed forward with the study despite clear evidence that it conflicts with existing policies by omitting those policies.

For decades, Neighborhood Conservation Plans have played a central role in Arlington's land use decisions, providing stability and predictability for residents while guiding responsible growth where there is available infrastructure for it. Yet, in this case, the County has dismissed these plans outright, asserting that only Sector Plans constitute "established area plan guidance." This assertion is in direct conflict with the 2008 GLUP Policy Resolution, which clearly states that Neighborhood Conservation Areas are equivalent to Sector Plans for long-range planning purposes.

Ignoring these established policies undermines not only the protections for Aurora Highlands but also the protections in place for all 50 neighborhoods with County Board-adopted Neighborhood Conservation Plans.

### **Breakdown in Public Trust**

The County's omissions and lack of transparency in the Melwood GLUP process raises serious concerns about its commitment to its own policies. The disregard for Neighborhood Conservation Plans, civic association input, and established planning procedures has led to a crisis of trust between residents and the County.

Decades of public engagement went into developing Arlington's planning framework. If Neighborhood Conservation Plans can be discarded without justification, then no neighborhood in Arlington can rely on the protections they were promised and require.

### **Steps the County Must Take to Correct Course**

To restore credibility in Arlington's planning process, the County Board must:

1. Reject the Melwood Site Plan Application and recognize that the Aurora Highlands Neighborhood Conservation Plan provides established long-range planning guidance that precludes individual upzoning requests.
2. Reaffirm Commitment to Neighborhood Conservation Plans for all 50 designated areas and ensure that future planning efforts align with their frameworks.
3. Clarify the Limits of the 2008 GLUP Policy and reinstate its original intent—ensuring that upzoning is only considered within comprehensive planning studies, not through piecemeal requests.
4. Provide Transparency by explaining why this GLUP Study was initiated despite existing long-range planning guidance.

### **Conclusion**

The Melwood GLUP Study is not just about one site—it is about the integrity of Arlington's land use policies and the County's relationship with its residents. The failure to adhere to established planning procedures, the disregard for Neighborhood Conservation Plans, and the erosion of public trust require immediate corrective action.

This is a moment for the County Board to reaffirm its commitment to transparent, community-driven planning including those led by neighborhood and civic associations. We urge you to take action now to restore accountability, uphold the principles of long-range planning, and ensure that Arlington remains a community where planning policies are applied consistently and fairly.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stacy Meyer', is written over a horizontal line. The signature is enclosed within a large, hand-drawn oval shape.

Stacy Meyer  
AHCA VP, Zoning Committee Chair

## **ATTACHMENT A – 2008 GLUP RESOLUTION (including GLUP Booklet revisions language)**

[http://arlington.granicus.com/MetaViewer.php?view\\_id=&clip\\_id=654&meta\\_id=49254](http://arlington.granicus.com/MetaViewer.php?view_id=&clip_id=654&meta_id=49254)

Addendum 6-17-08-B – Policy Consideration of GLUP Amendments –

### **Page 1 GENERAL LAND USE PLAN RESOLUTION**

WHEREAS, the County Board of Arlington County (“County Board”) finds that the Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts should be incorporated into the General Land Use Plan by amendment of the Plan; and

WHEREAS, on June 2, 2008, the Planning Commission recommended that the proposed changes to the General Land Use Plan be adopted; and

WHEREAS, the County Manager has recommended that the proposed changes to the General Land Use Plan be approved; and

WHEREAS, the County Board held a duly advertised public hearing on the proposed General Land Use Plan amendment on June 17, 2008; and

WHEREAS, the County Board has considered the foregoing recommendation and the purposes of the General Land Use Plan and the Comprehensive Plan as set forth in those documents, the Arlington County Zoning Ordinance and the Code of Virginia;

NOW, THEREFORE, be it Resolved that, based on the aforementioned considerations, deliberations and all public comments, the County Board of Arlington County hereby approves the Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts and further finds that the proposed General Land Use Plan amendment to the “Special Planning Resolutions and Policies” and “Reviewing and Amending the General Land Use Plan and Comprehensive Plan” sections of the General Land Use Plan booklet, should be, and hereby is, approved as follows:

\* \* \*

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### **County Board Policy Statement**

#### **Regarding**

#### **Consideration of General Land Use Plan Amendments**

#### **Unanticipated by Previous Planning Efforts**

1. Arlington County has a longstanding tradition of carefully planning for growth and development in the County as set forth in various planning policies and documents including in particular the comprehensive plan, the general land use plan (GLUP), and associated documents such as sector plans, area plans, and other planning studies.
2. These planning policies and documents establish a framework for land use decision making and provide predictability to landowners, developers, and the community about the nature and scope of future growth and development on sites throughout the County.
3. While these planning policies and documents fall within the exclusive legislative authority of the County Board, landowners are free to request changes to them, particularly amendments to the GLUP, to accommodate development of their property. However, the County Board is not required to grant such requests, and is particularly unlikely to do so when the property has not been the subject of planning studies conducted outside the context of a specific development application with an opportunity to objectively assess the implications of the proposed changes and whether they comport with the County’s long term planning principles and goals.
4. Amending the GLUP without fully identifying the range of issues associated with the proposed change, understanding whether it comports with the County’s long term planning goals and principles, and obtaining full input from the Board’s advisory commissions and the community, disserves, and may result in decisions contrary to, the County’s planning principles and policies.
5. In light of the foregoing, the County Board expresses its intent, and directs the County Manager accordingly, that a proposed GLUP amendment for any site not identified in a County Board adopted planning study

as appropriate for such a GLUP amendment will not be considered until such a planning study or analysis has been completed and presented to the County Board.

\* \* \* Addendum 6-17-08-B – Policy Consideration of GLUP Amendments – Page 3  
\* \* \*

*[2/10/2025: AURORA HIGHLANDS NOTES: the 2008 GLUP Resolution contained specific language to be added to the GLUP Booklet Pages 13 & 18 – making these sections of the GLUP booklet more than just guidance. Further, the Neighborhood Conservation Area Plan is clearly listed as a long range planning document similar to Sector Plans in this text.]*

Page 13 –

Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts:  
Adopted June 17, 2008

\* \* \*

Page 18 –

The General Land Use Plan may be amended through two processes: 1) as part of a scheduled **long-range planning process for a designated area** or 2) as a result of an individual request for a specific change. The **first process** includes detailed land use studies which may be undertaken for designated areas of the County at the County Board's directive where conditions warrant a comprehensive framework of policies for community improvement through redevelopment, revitalization or conservation. Alternative land use policies are developed for the area by the Planning staff in cooperation with other County agencies, the Planning Commission, County Board appointed commissions and task forces, neighborhood and civic organizations and the business community. The Planning Commission and the County Board hold public hearings on the various proposals and adopt a series of recommendations for future development that may include extensive changes to the General Land Use Plan. This process was used to develop the **Sector Plans for each of the Metro Station Areas** in the Rosslyn Ballston Corridor. A similar process is used in developing plans for **Neighborhood Conservation Areas** or any other large area of the County requiring comprehensive study.

The **second process** includes an individual request for a change (amendment) to the General Land Use Plan by writing a letter to the Chairman of the County Board identifying the specific area and the General Land Use Plan designation being requested. Upon receipt of such a request, staff will review it and determine whether the “Policy for Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts” applies. If the GLUP amendment policy does not apply, a request to advertise report will be prepared by staff for consideration by the Planning Commission and County Board. If the policy applies, then staff will work with the Planning Commission to develop a special process and meeting schedule to study the site and/or issues related to the requested GLUP amendment. Depending on the GLUP amendment being requested, the scope of the study process could range from a few meetings organized under the auspices of the Planning Commission to review staff analysis, to a more extensive process where a plan with recommendations is developed. At the conclusion of the public review process, staff will prepare a “Request to Advertise” report, which includes the results of the study, for consideration by the Planning Commission and County Board. If the Board decides to authorize advertisement of the proposed GLUP amendment, public hearing dates for the Planning Commission and the County Board will be set and publicly advertised. At the public hearings, which will be set on dates concurrent with hearings for the site plan project, the Planning Commission receives a recommendation from the County Manager and hears public testimony. The Commission makes a recommendation to the County Board regarding the requested amendment.

The Addendum 6-17-08-B – Policy Consideration of GLUP Amendments – Page 4

County Board at its meeting also receives the County Manager's report, hears public testimony, and makes the final decision.

## Attachment B

### Analysis of Implementation of the 2008 GLUP Policy 2008 to today Aurora Highlands Civic Association Zoning Committee January 28, 2025

#### Executive Summary

The Arlington Civic Federation Resolution June 2022 requested that the County Manager to seek agreement from adjacent neighbors and the applicable civic associations when reviewing GLUP Amendments and up-zoning requests.

In January 2023, the County Board stated in a joint meeting with the Civic Federation that they would conduct a study on the process, but as of this writing that study has not been completed. AHCA's zoning committee has therefore conducted a study of the history of the implementation of the 2008 GLUP Policy in advance of the County Study.

**We found that the very first GLUP Study was rejected specifically, because, like the Melwood Site, it included a low-density R-6 residential neighborhood. On Page 2: "Thus with the inclusion of the single-family area in the proposed amendment, staff recommended that the County Board not advertise this proposed amendment." And note, this important precedent was omitted from the Melwood GLUP Study and Site Plan review.**

The GLUP Studies that followed were all in areas that did not impact low density residential neighborhoods, and as a result there was little if any community opposition.

However, we found in 2017, the County began to inappropriately re-interpret the policy, ignoring Neighborhood Conservation Plans, the 2008 GLUP Policy and neighborhood concerns which resulted in much dissatisfaction with the process by impacted neighbors in each and every inappropriate case beginning with 11<sup>th</sup> and Vermont Avenue.

	Status	Year	Sector Plan Issue?	Civic Association	Neighborhood Conservation Plan	Civic Association Support	Fits 2008 Criteria?
2401 Wilson	Approved	2011	Courthouse Sector Plan Addendum Conflict	Lyon Village	NA - Sector Plan Issue	Yes	Yes
Bergmanns Site	Approved	2011	No - but adjacent to the Courthouse Sector Plan	North Highland	None	Yes	Yes
Colony House	Approved	2011	Insufficient info in Rosslyn Transit Station Area Plan	Colonial Village	None	Did not participate	Yes
Washington Vista	Approved	2015	Insufficient info in Rosslyn Transit Station Area Plan	North Rosslyn	None	Did not participate	Yes
Riverhouse	Withdrawn	2015	NA	NA	NA	NA	NA
11th and Vermont	Approved	2017	Proposal is to chane the Ballston Sector Plan	Ballston Virginia Square	Yes, NC plans supports Sector Plan	Comments Recd	No
Wash Blvd & Kirkwood	Approved	2017	No - but adjacent to Virginia Square Sector Plan	Ballston Virginia Square	Yes - NC Plan calls for residential	Comments Recd	No
3804 Wilson - Staples	Withdrawn	2018	NA	NA	NA	NA	NA
2300 9th Street S	Approved	2018	No - in Columbia Pike Revit District / Form Code	Penrose	Yes - NC Plan calls for limiting rental	Comments Recd	??
Village at Shirlington	Approved	2020	No - part of PSDP	Shirlington	Yes - NC Plan calls for walkability	Comments Recd	??
Pershing Drive	Approved	2021	No	Lyon Park	Yes - NC Plan multiple scenarios for site	Comments Recd	No
Courthouse West	Approved	2022	Proposal is change Courthouse Sector Plan	Clarendon Courthouse	Yes- NC plan supports Sector Plan	Comments Recd	No
2500 Wilson Blvd	No Study	2023	NA	NA	NA	NA	NA
North Glebe - Sunrise	Approved	2023	No	Glebewood	None but in R-6 zoning	Opposed	No
South Eads Residential	Withdrawn	2023	NA	NA	NA	NA	NA
Melwood	TBD	2025	No	Aurora Highlands	Yes - calls for site to remain as is	Opposed	No

## GLUP STUDIES SUMMARY

### 1) 2401 Wilson Drive - 2011

[https://www.arlingtonva.us/wp-content/uploads/sites/31/2014/08/GLUp-Study\\_Wilson-Blvd\\_Final-Memo.pdf](https://www.arlingtonva.us/wp-content/uploads/sites/31/2014/08/GLUp-Study_Wilson-Blvd_Final-Memo.pdf)

#### Staff Involvement

Barbara Donnellan, County Manager  
Robert Brosnan, CPHD

#### Case Summary:

There were 2 GLUP requests for upzoning – the whole site and then only the south portion of the site. **The first GLUP study was rejected because of conflicts with the residential area in the north side of the site.** Notably, the south portion of the site was zoned C-2 and the north portion of the site was zoned R-6 (similar to the Melwood site.)

Reasons cited in the Study for rejection:

- 1) because of the “GLUP policy to preserve and enhance existing single-family and apartment neighborhoods”
- 2) “only in rare instances has the County changed the GLUP designation of Low Residential to higher designation”
- 3) site was in a “Neighborhood Conservation Area” (Lyon Village)

From the last paragraph on Page 2:

*...“staff did not find this amendment within the realm of consideration and consequently recommended that the County Board not advertise this GLUP amendment. The primary issue was the inclusion of the “Low” Residential (1-10 units/acre) land in the proposal. The Courthouse Sector Plan Addendum indicates that the southern portion of the site should remain “Service Commercial” with a transition across the northern portion of the site to the “Neighborhood Conservation” area of Lyon Village. The County also has a stated GLUP policy to “Preserve and enhance existing single-family and apartment neighborhoods.” (p. 4) Additionally, in 1985, the County Board adopted a “Resolution on Neighborhood Consolidations for Sale to Developers.” This policy, while drafted in response to homeowners consolidating their properties for sale to developers, offers relevant guidance for the subject request, which involves the consolidation of three (3) single-family properties. Only in rare instances has the County changed the GLUP designation of “Low” Residential (1-10 or 11-15 units/acre) properties to higher designations. While the applicant proposed that an open space symbol be added to the GLUP on the northern portion of the site, the Courthouse Sector -2- Plan Addendum is calling for a “Neighborhood Conservation Area” in this location, not open space. Thus, with the inclusion of the single-family area in the proposed amendment, staff recommended that the County Board not advertise this proposed amendment.*

The 2<sup>nd</sup> GLUP Study only included the south portion of the site outside of the residential area. The 2<sup>nd</sup> GLUP Study, for the commercial portion of the site, was conducted because the Courthouse Sector Plan Addendum calls for higher density in the area than the existing “service commercial”. **The 2<sup>nd</sup> GLUP Study was limited to a sector plan / commercial issue.**

### Community Concerns

The Lyon Village Civic Association supported the revision.

**It is clear from the rejection of the GLUP change in the residential area (R-6, Lyon Village Neighborhood Conservation Area) that the intent of the 2008 Policy (and other County Policy) was not to change GLUP designations in Low Residential areas. This is a complete conflict with the Melwood Special GLUP Study.**

### Summary

**The case appears to be an appropriate application of the 2008 GLUP Policy.**

## 2) Bergmanns Site – 2011

<https://www.arlingtonva.us/Government/Projects/Plans-Studies/General-Land-Use-Plan/Studies/Bergmann>

### Staff Involvement

Barbara Donnellan, County Manager  
Tom Miller, CPHD

### Case Summary:

The request is to increase density from Low Medium Residential to Low Office-Apartment-Hotel. The site is within the North Highlands Civic Association boundary, but there is no North Highlands Neighborhood Conservation Plan. The site is also outside of a Sector Plan making the application appropriate for a GLUP Study.

### Community Concerns

The proposed change was supported by the North Highland Civic Association.

### Summary

The case appears to be an appropriate application of the 2008 GLUP Policy

## 3) Colony House - 2011

<https://www.arlingtonva.us/Government/Projects/Plans-Studies/General-Land-Use-Plan/Studies/Colony-House>

### Staff Involvement

Barbara Donnellan, County Manager  
Margaret Rhodes, DCPHD

### Case Summary:

The request is to increase density from Low Medium Residential to Low Office-Apartment-Hotel or Low Office Apartment. The site is in the Rosslyn Transit Station Area Plan Addendum but there is little specific guidance for the site. The site is within the boundaries of the Colonial Village Civic Association but there is no Colonial Village Neighborhood Conservation Plan

### Community Concerns:

The proposed change was supported by the North Rosslyn Civic Association and the Rosslyn Renaissance. The Colonial Village Civic Association did not participate.

### Summary

The case appears to be an appropriate application of the 2008 GLUP Policy

4) Washington Vista – 2015

<https://www.arlingtonva.us/Government/Projects/Plans-Studies/General-Land-Use-Plan/Studies/Washington-Vista>

Staff Involvement

Barbara Donnellan, County Manager  
Margaret Rhodes, DCPHD

Case Summary

The request is to increase density from Low Medium to Medium Residential. The site is located within the North Rosslyn Station Area Plan Addendum area, but there is not specific guidance for this site. The site is located in the boundary of the North Rosslyn Civic Association but there is no North Rosslyn Neighborhood Conservation Plan.

Community Concerns

The North Rosslyn Civic Association did not comment.

Summary

The case appears to be an appropriate application of the 2008 GLUP Policy

5) RiverHouse - 2015

Withdrawn

## 6) 11<sup>th</sup> and Vermont – 2017

[https://www.arlingtonva.us/wp-content/uploads/sites/31/2017/06/11th VERMONT Special GLUP Study Doc FINAL 20170617.pdf](https://www.arlingtonva.us/wp-content/uploads/sites/31/2017/06/11th%20VERMONT%20Special%20GLUP%20Study%20Doc%20FINAL%2020170617.pdf)

### Staff Involvement

Mark Schwartz, County Manager  
Anthony Fusarelli, DCPHD

### Case Summary

The request is to increase density from Low Medium to High Medium Residential Mixed Use. The existing area is zoned R-5, the requested zoning is RC Multifamily / Commercial. Per the report, the 1980 Ballston Sector Plan provided guidance but does not have specific information on the transitions from high to lower density. However, the site is clearly called out as Low Medium on the GLUP map.

The site is included in the Ballston Virginia Square Neighborhood Conservation Plan dated 1984, but this information was not included in the GLUP Study. The Neighborhood Conservation Plan includes the site, and states that the Sector Plan should be followed (the Sector Plan at the time was the 1983 Sector Plan.) It appears that this is the first case where the GLUP amendment process is used to increase density within an established Sector Plan & Neighborhood Conservation Plan at the request of a developer.

### Community Concerns

The site is located in the Ballston Virginia Square Civic Association boundary.

- The civic association provided written concerns regarding the proposed density and tapering, as well as the impact the additional density would have on transportation.
- There was an online petition from those who oppose the amendment
- There were concerns about the process, the impact on the neighborhood character and school capacity.

### Summary

This was the first case in 10 years where there was not civic association support for the proposed amendment, representing a vast departure from the 2008 policy that sought community input. Further, there were significant community comments about how the density was conflicting with the directly adjacent residential neighborhood

Staff misinterpreted the 2008 GLUP Policy and excluded vital Neighborhood Conservation Area Plan guidance as well as community comments. The case is not an appropriate application of the 2008 GLUP Policy, it was upzoning for a single site for an area already included in a Sector Plan and a Neighborhood Conservation Plan, and it did not have community support.

## 7) Washington & Kirkwood - 2017

<https://www.arlingtonva.us/Government/Projects/Plans-Studies/General-Land-Use-Plan/Studies/Washington-Kirkwood>

### Staff Involvement

Mark Schwartz, County Manager

No CPHD Signature

### Case Summary

The request is to change GLUP Designation from Service Commercial (C2) to Medium Office-Apartment-Hotel and from Semi-Public (R5) to Medium. The site is outside of the Virginia Square Sector Plan. The site is included in the Ballston Virginia Square Neighborhood Conservation Plan dated 1984, but there is no mention of the Neighborhood Conservation Plan included in the GLUP Study.

### Community Concerns

- Letter from the Ballston Virginia Square Civic Association with concerns dated 1/9/2017, from Nia Bagley, President including tapering, lower heights, home ownership instead of rental, parking, parking for guests, tree preservation, school overcrowding.
- Letter from BVSCA, 5/17/2017 Nia Bagley, President, regarding concerns about “height, density and bonus density”. Ms. Bagley requested “specific protections for the well-established single-family neighborhood to the north”.
- Email from Ms. Tabova 3/11/2017 seeking lower density than proposed on 13<sup>th</sup> Street.
- Email from Mr. Whitehead 3/12/2017 regarding lack of agency and community input regarding “excessive density”
- Email from Mr. Leutner 3/12/2017 in regard to eliminating options supported by the community – that taper. Mr. Leutner points out there were 20 – 40 citizens at each meeting that supported a lower density scenario. Mr. Leutner points out that the site is covered by the Neighborhood Conservation Area.
- Email from Mr. Faust 3/13/2017 in regard to lack of parking, and impact on schools, and that there were no lower density scenarios included. He also addressed Issues with notifications about the process.
- Email from Ms. Woollett 3/13/2017 opposing the rezoning.
- Email from Mr. Lewis 3/20/2017 regarding congestion, density, parking and safety. Email 8/15/2017 regarding the lack of need for a change to the GLUP, guiding principles not followed.
- Email from Mr. Ashin and letter from a group of 9 signatories that includes suggestions to lower the height, add a buffer, reduce density, improve traffic modeling, parking concerns.

### Summary

Building on the 11<sup>th</sup> and Vermont GLUP Study, the Washington and Kirkwood GLUP study is an even greater overreach and departure from the 2008 GLUP Policy. The case is not an appropriate application of the 2008 GLUP Policy, it was upzoning for an area already included in a Neighborhood Conservation Plan, zoned R5, and it did not have community support.

Further, there were significant community comments about how the density was conflicting with the directly adjacent residential neighborhood and concerns expressed by the civic association that were blatantly ignored, also against the 2008 GLUP Policy.

8) 3804 Wilson Staples – 2018  
Withdrawn

9) 2300 9<sup>th</sup> Street South – 2018

<https://www.arlingtonva.us/Government/Projects/Plans-Studies/General-Land-Use-Plan/Studies/2300-9th-St>

#### Staff Involvement

Mark Schwartz, County Manager

No CPHD Signature

#### Case Summary

The request is to change GLUP Designation from Service Commercial to Low Medium Residential. The site is at the edge of the 2003 Columbia Pike Special Revitalization District with Form Based Code and is a transition area from the mixed-use building to single-family homes. The case was upzoning for an area already included in a Neighborhood Conservation Plan which had specific guidance regarding development.

#### Community Concerns

The Study notes the Penrose Neighborhood Conservation Plan desire for home ownership instead of rental and concerns about having home ownership in lieu of more rental, loss of trees, loss of office space, however, the links to community correspondence for this Study are broken / missing.

#### Summary

The area is clearly within the boundaries of the Penrose Neighborhood Conservation Plan but it is a transition area and part of a form-based code that the Conservation Plan recognized. The community's position on the project is not posted, but in the draft Study document general concerns were posted. More information about the position of the neighborhood that has not been found, and implementation of form-based code would be required to understand if this is an appropriate application of the 2008 GLUP Policy.

## 10) Village at Shirlington – 2020

[https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/31/2020/10/FINAL\\_Shirlington-Study-Document\\_PAGES\\_10272020\\_REDUCED.pdf](https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/31/2020/10/FINAL_Shirlington-Study-Document_PAGES_10272020_REDUCED.pdf)

### Staff Involvement

Mark Schwartz, County Manager

No CPHD Signature

### Case Summary

The request is to change GLUP Designation from Low Office Apartment Hotel (CO 1.5) to Medium Office Apartment Hotel (CO 2.5). The site is outside of a sector plan / area plan, and is subject to a PDSP. The Study noted the Fairlington Shirlington Neighborhood Conservation Plan but failed to acknowledge it is an adopted area plan. Having said that, the Conservation Plan has little specific direction regarding development and for that reason a GLUP Study may have been appropriate.

### Community Concerns

A matrix of concerns is posted to the county website. Community concerns regarding the proposal included:

- Green Valley Resident: higher building heights are more appropriate along the periphery of the Village of Shirlington
- Shirlington Civic Association: improved access to parking is needed, review future setbacks and heights, the AMC site should not be limited to 6 stories for 20 years (shared by Douglas Park Civic Association), sidewalks need study
- Douglas Park Civic Association: parking allocation is poor and needs to be studied
- Public Comment: buildings need two active sides, Campbell Avenue could be closed
- Fairlington Civic Association: supportive of the density, support height limitations, concerns about traffic

### Summary

The available community correspondence did not indicate extensive oppositions to the project and there was no specific language in the Conservation Area Plan regarding the site. The area is also not in Low residential area or transitioning to one. This may be an appropriate application of the 2008 GLUP Study Policy but more study is needed.

## 11) Pershing Drive 2021

<https://www.arlingtonva.us/Government/Projects/Plans-Studies/General-Land-Use-Plan/Studies/Pershing-Drive>

### Staff Involvement

Mark Schwartz, County Manager

No CPHD Signature

### Case Summary

The request is to change GLUP Designation from Low Medium Residential and Service Commercial to Low Office Apartment Hotel on Arlington Boulevard. The site is outside of a sector plan / area plan but is within the Lyon Park Neighborhood Conservation Area. The study failed to acknowledge that there is specific guidance in the Lyon Park Conservation Area Plan regarding the site, and therefore, a GLUP Study was inappropriate.

### Community Concerns

- Ms. Bodine 12/8/2020: 60 ft height limit, concerns around traffic, tapering, setbacks, parking, impacts of increased density.
- Ms. McMahon 12/8/2020: 60 ft height limit, site circulation / loading, parking overflow, setbacks, little greenspace
- Public Comment 12/8/2020: concerns about density, height, loading
- Online Survey January 2021: concerns about greenspace, parking ratio, stormwater management, tree canopy, traffic, setbacks, adding public transportation, adding affordable housing, loading, poor feedback forms, historic preservation of hotel, bike lanes, inadequate community engagement

### Summary

There is not information online to know if the civic association took a specific position, but there was clearly a significant amount concern about the process and impacts of increased density – density that was not included in the Lyon Park Neighborhood Conservation Area Plan. The community comments including an online survey listed many impacts to and conflicts with the directly adjacent Low density residential neighborhood especially in terms of traffic, setback and height. This was an inappropriate application of the 2008 GLUP Policy, and should have been rejected.

## 12) Courthouse West 2022

[https://www.arlingtonva.us/files/sharedassets/public/v/1/projects/documents/special-glup-studies/courthouse-west/courthouse-west-special-glup-study-document\\_final.pdf](https://www.arlingtonva.us/files/sharedassets/public/v/1/projects/documents/special-glup-studies/courthouse-west/courthouse-west-special-glup-study-document_final.pdf)

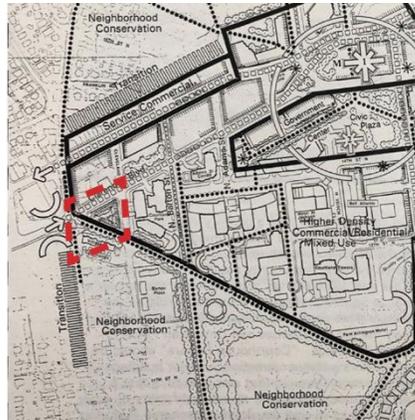
### Staff Involvement

Mark Schwartz, County Manager

No CPHD Signature

### Case Summary

The request is for increasing density from Low Medium Residential to High Office Apartment Hotel. The site is within the Courthouse Sector Plan area, but per the Study “these documents lack sufficient planning guidance to inform a County Board decision”. **This is the first instance where an existing Sector plan is revised by an individual amendment.** Notably, the Courthouse 1993 Sector Plan Addendum Concept Plan in the Study shows that the site spans across the Sector Plan and the adjacent Neighborhood Conservation Area right at the transition, **however the Study fails to include the Clarendon-Courthouse Neighborhood Conservation Area Plan adopted in 2007 as a guiding document.** The Neighborhood Plan specifically addresses the site stating “there should be no “upzoning or “up-GLUPing” in these areas”. Nevertheless, the Study recommended upzoning to Medium Office-Apartment Hotel.



### Community Concerns

Unlike other GLUP Study processes, community correspondence and feedback received is not posted to the project website. However, a brief internet search found respondents to an online survey wanted less density, there was 2-1/2 hours of public comment, Lyon Village Civic Association representative opposed the density and the survey.

<https://www.arlnow.com/2022/07/11/height-dominates-discussion-of-development-proposal-for-clarendon-parking-lot/>

### Summary

There was clear direction in the Clarendon-Courthouse Neighborhood Conservation Plan regarding the site – which was to maintain the Courthouse Sector Plan Low Medium Residential designation. Guidance for site is included in both a Neighborhood Plan and a Sector Plan. This Study should not have gone forward. It is a complete departure from the guardrails provided in the original 2008 Policy. Further, community correspondence should have been included on the website.

13) 2500 Wilson Blvd – 2023

No study conducted because of the Courthouse West study.

#### 14) North Glebe Road – Sunrise Assisted Living – 2023

<https://www.arlingtonva.us/Government/Projects/Plans-Studies/General-Land-Use-Plan/Studies/North-Glebe-Road-Sunrise>

<https://www.arlingtonva.us/files/assets/public/v/1/draft-sunrise-study-document.pdf>

#### Staff Involvement

Mark Schwartz, County Manager

No CPHD Signature

#### Case Summary

The request is for increasing density from Low to Low-Medium Residential and from R-6 to RA8-18. Unlike any previous GLUP Study, the request is to upzone a **Low-density land use. This is clearly in conflict with the 2008 Policy** because of the “GLUP policy to preserve and enhance existing single-family and apartment neighborhoods” and because “only in rare instances has the County changed the GLUP designation of Low Residential to higher designation”. In this case there is no additional plan guidance.

#### Community Concerns

The GlebeWood Civic Association posted a presentation on line, and took a position opposing the upzoning. There are concerns posted regarding process, impacts to traffic, density, neighboring properties.

<https://www.arlingtonva.us/files/assets/public/v/1/glebeWood-comments-for-lrpc-on-sunrise.pdf>

<https://www.arlingtonva.us/files/assets/public/v/1/sunrise-glebeWood-presentation-january-18-2023.pdf>

In addition, there are letters from neighbors opposing the upzoning:

Letter from Ms. McKey, an adjacent neighbor opposing the proposed density and the process.

<https://www.arlingtonva.us/files/assets/public/v/1/testimony-from-a-citizen-at-lrpc-jo-ann-mckey.pdf>

And a letter from Mr. Sauter from the GlebeWood Civic Association, 2/27/23, citing problems with the process, noting that the County’s failure to follow its own internal procedures may render its decisions arbitrary and capricious, that the application constitutes impermissible spot zoning and that the Tier 2 study failed to respond to citizen concerns. Mr. Sauter’s letter is particularly concerning because it cites conflicts between the actions of the County and Virginia law, so excerpts are included as Attachment B-1.

<https://www.arlingtonva.us/files/assets/public/v/1/sunrise-2000-n-glebe-rd-glup-study-response.pdf>

#### Summary

**While this is a site with no planning guidance except the site is in a Low-density R-6 area of the county, which the 2008 sought to protect. The county blatantly ignored the community feedback including**

claims of arbitrary spot zoning, being out of scale with the neighboring properties, traffic, safety, stormwater. Clearly, this is an inappropriate application of the 2008 GLUP Policy and an assault on the residential neighborhood.

15) South Eads Residential

Withdrawn

## **Attachment B-1**

Excerpts from GlebeWood Civic Association Letter to John Schroll, LRPC and Claude Williamson  
CPHD, February 27, 2023

### **The application constitutes impermissible spot zoning**

“Illegal spot zoning occurs when the purpose of a zoning ordinance or rezoning amendment is solely to serve the private interests of one or more landowners, rather than to further a locality’s welfare as part of an overall zoning plan that may include a concurrent benefit to private interests.”<sup>2</sup> At the January 18, 2023 LRPC meeting, Ms. Rhodes explained that the matter in question was not spot zoning because “we are actually talking about the vision for this area.” However, the advertised purpose of the meeting was the applicant’s request to rezone a small 1.18 acre plot at 2000 N. Glebe Road, and not to rezone the area, nor was any County-driven proposal to rezone the area presented. Consideration of the rezoning of this small area is at issue here would constitute spot zoning, and is therefore contrary to law.

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<sup>2</sup> *Barrick v. Board of Supervisors*, 239 Va. at 632- 33, 391 S.E.2d at 320; *Board of Supervisors v. Fralin & Waldron, Inc.*, 222 Va. at 226, 278 S.E.2d at 863-64; *Wilhelm v. Morgan*, 208 Va. 398, 403-04, 157 S.E.2d 920, 924 (1967).

### **The Tier 2 study, as represented, failed to respond to citizen concerns**

Mr. Schroll’s December 16, 2021 letter stated, “Although there was general consensus that a study is warranted, the civic association representatives expressed concern about traffic, stormwater, and pedestrian safety associated with the applicant’s proposal.” And Ms. Rhodes’ December 6, 2021 memorandum to the LRPC stated, “At the October 2021 LRPC meeting, the general consensus among the commissioners was that a Tier II Full Special GLUP Study is warranted. In addition to the Planning Commissioners, there were representatives of the Transportation Commission, the Commission on Aging and the Waverly Hills and GlebeWood Civic Associations. The Chair noted that this review should address the concerns raised by residents, which included concerns regarding transportation, access and loading, sightlines from 20th Street North onto North Glebe Road, building heights and density, building form and scale transitions, loss of mature tree growth, loss of permeable surfaces and stormwater runoff.”

However, the Tier 2 study, as presented at the January 18, 2023 LRPC meeting, failed to address these issues. The application should not proceed to the Planning Commission until these issues have been addressed.