



AURORA HIGHLANDS CIVIC ASSOCIATION

December 18, 2024

Re: Melwood SPRC November 18 Meeting Concerns & Comments

Dear Mr. Lantelme and Mr. Berkey,

I am writing to address concerns that arose during the Melwood SPRC walkthrough and meeting on November 18, 2024, as well as follow-up from those discussions. These concerns fall into several categories outlined below.

Walkthrough & Meeting Format Concerns

Building Height Calculation Issues

During the walkthrough, Melwood claimed that the building's maximum height, as averaged from the topography at the site, is 60 feet. However, the "previous" drawing shows the elevation as 60 feet at 23rd Street, which is at the highest point of the site. If the height is 60 feet at the top of the site, it is not mathematically possible for this to also represent the maximum height over the average topography. Additionally, the "current" drawing provided by Melwood does not include any elevation dimensions, which raises further questions about the accuracy of their calculations.

Moreover, Melwood has not provided any justification for requiring residential floor-to-floor heights in excess of 9.5 feet. Melwood needs to provide clarification and supporting documentation regarding the building height calculations and requirements.

SPRC Meeting Format

The SPRC meeting process as is being implemented is ill-suited to fostering meaningful engagement or working toward a resolution as it is intended. The "round-robin" format—allowing one comment per committee member per topic—stifles the potential for productive, two-way dialogue. Thoughtful discussion is hindered when participants are cut off after a brief comment with little or no response or follow-up. This approach fails to meet the standards outlined in the **Advisory Group Handbook** for "Managing Effective Meetings," which emphasize consensus-building through open and collaborative discussion. Instead, the meeting structure is simply a one-way sharing of concerns, with no assurance that these points are ever addressed.

The premise of the round-robin format is that the concerns of AHCA, those that are most severely impacted by the proposal, have the same weight as the other representatives is not in keeping with the county's own planning guidance which seeks to understand "who is most impacted" in development projects. It has become clear that any process other than one that involves affordable housing treats the adjacent residents with respect (typical SPRC process and the BZA process), **whereas in regards to affordable housing the adjacent impacted neighbors are seen only as an obstacle to overcome and work around and ignore.** That is not 21st Century planning, that is just repeating mistakes of the past.

Other urban edge communities in Arlington are similarly being affected by the unfettered zeal of the county to approve affordable housing without adequately assessing and mitigating impacts, as was discussed in the Arlington Civic Federation November, 2024, meeting, [link](#).

I again request that the concerns raised by the Aurora Highlands Civic Association (AHCA)—outlined in our **November 12 letter and previous correspondence**, the SPRC discussion, and this letter be taken seriously, questions answered and concerns incorporated into the decision-making process.

Specific Questions from the November 18 Meeting

1. Land Swap Agreement Claims

Melwood asserted that the land swap agreement between the County and the SOC anticipated future development on the site. However, the only document we could locate is the **“Land Swap Deed with SOC” dated December 7, 1982** (see Attachment A). This document:

- Describes Parcel A and Parcel B conveyed by the County to the SOC,
- Includes a permanent park easement on Parcel B,
- Describes the now-expired polling easement on Parcel A, and
- Details the property conveyed by the SOC to the County.

This document makes no mention of development rights, tree counts, or density. If there is another document Melwood is referencing, we request a copy for review. If not, how can Melwood substantiate its claim that development on Parcel A is tied to anything on Parcel B, given they are separate parcels?

Additionally, the **Special GLUP Study** states:

“Total GFA: 145,000, FAR 1.92”

Based on the County’s analysis, Parcel A (75,496 SF) multiplied by an FAR of 1.92 equals 145,000 SF. Parcel B was excluded from these density and canopy calculations.

Does the County agree that Parcel A alone was used in the FAR (and tree canopy) calculations? If so, how will Melwood’s statements on this matter be corrected for the record?

2. Deed Restrictions

Melwood incorrectly stated that the “for school use only” deed restriction was tied to the expiration of other restrictions. This is false. The “for school use only” restriction is fundamental to the deed and independent of the restrictive covenants. Please confirm that this interpretation is correct and clarify how this misinformation will be corrected and resolved.

3. GLUP Statement vs. Affordable Housing Bonus Density

The **GLUP** includes the following statement on Page 2:

“If an area is shown as ‘Public’ but is not publicly owned (not crosshatched), the existing zoning of the property and surrounding land uses should determine the development potential of the site.”

This statement conflicts with applying affordable housing bonus density under Sections 12.3.7 and 15.5.9 of the zoning code. Why was this existing directive ignored in the Special GLUP Study, the Staff Reports and the SPRC discussion?

Excerpts from page one of the GLUP regarding the purpose of the GLUP for your reference:

- a. The GLUP is the “primary land use policy guide for the development of the county”
- b. [the GLUP] is a document that “serves as a guide to communicate the policy of the County Board to citizens, the business community, developers and others involved in the development of Arlington County. In addition, as required by State Code 15.2-2223 the General Land Use Plan is adopted by the County Board and serves as a guide in its decisions concerning future development.”

4. **Density and Parking Evaluations:**

We were informed at the meeting that staff evaluations of density and parking will not be available until after the SPRC process concludes. This omission raises serious concerns. Density and parking are fundamental to the Site Plan Review Committee’s assessment of the project’s feasibility. If these analyses are not being shared, is it because they are being intentionally withheld? How can the SPRC move forward effectively and make a credible recommendation to the Planning Commission without this critical information?

Furthermore, the proposed density is not accompanied by any meaningful community benefits to offset its impact.

Detailed Design Concerns

AHCA disagrees with the fundamental assumptions behind the project design as laid out in the November 12 letter. We proposed an “Alternate Envelope” of 80,000 square feet in May, 2024 that is appropriate for the site as is required by zoning law. Especially in the case of affordable housing we note, again, the following excerpts from the zoning code that list very specific requirements for site appropriate design:

per 12.3.7A, 25% bonus for affordable housing but the design must be

“appropriate for the site, project and the surrounding area”

per 15.5.9 3 (c) up to 120 ft of height for affordable housing but

“the site layout and building heights [shall] have been designed in a manner to establish effective transitions to lower density neighborhoods using site topography, landscaping, architectural façade treatments, graduated building heights, increased setbacks or other similar measures”

There has been no response from the county regarding the proposal, and none from the developer. The developer has not worked with the civic association as required by the Planning Commission chair as part of the Planning Commission May 2024 review. Please advise why the civic association continues to be ignored and the zoning code requirements disregarded.

The AHCA Zoning Committee has done a cursory review of the December 16 postings for the project, but do not see improvement from the November 18 design. Attached (Attachment B) is a range of

detailed design feedback on the November 18 proposed design collected from resident suggestions to improve the project in relation to standard urban planning core values. Most suggestions have no impact to the developer's program, and others have little impact, but offer huge public benefits.

The concerns listed in this letter and in previous correspondence must be addressed to ensure the project aligns with community needs and expectations. Will the Planning Commission answer this letter and obtain feedback from the developer as to why the detailed design feedback included in Attachment B cannot be incorporated? It would be helpful to have this response in a timely manner so as to be able to review it prior to the next hearing. Thank you,

Regards,

A handwritten signature in black ink, appearing to read 'Stacy Meyer', followed by a long horizontal line that loops back under the signature.

Stacy Meyer, RA, LEED AP
Melwood SPRC Rep, AHCA

CC: Melwood SPRC Committee
Arlington County Planning Commission
Arlington County Board
HALRB
Arlington County Manager
Arlington County Civic Federation
Aurora Highlands Civic Association Board
Aurora Highlands Civic Association Zoning Committee

Attachments

- Attachment A: Land Swap Deed
- Attachment B: Detailed Design Notes

Attachment A

2733

BOOK 2085 PAGE 1413

THIS DEED OF EXCHANGE, made this 7th day of December, 1982, by and between THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA, a body corporate, party of the first part, and SHELTERED OCCUPATIONAL CENTER OF NORTHERN VIRGINIA, INC., a Virginia corporation, party of the second part.

WITNESSETH, for and in consideration of the premises and the further sum of Ten Dollars, the party of the first part does hereby grant and convey with general warranty and English covenants of title unto the party of the second part all that certain land situate in Arlington County, Virginia, and particularly described as follows:

All of Parcel "A" (75,496.38 sq. feet) and Parcel "B" (6,605.93 sq. feet) as the same are shown on that certain plat entitled "Resubdivision of Lots 1 through 4, Outlots B, 5A and Lots 6, 7, 8 and 14 through 20 BLOCK 11, SECTION 1, AURORA HILLS" made by the ARLINGTON COUNTY DEPARTMENT OF PUBLIC WORKS, which said plat is attached hereto, incorporated herein by reference and is to be recorded herewith; and being part of the same property conveyed to the party of the first part by deed dated November 30, 1979 and recorded in Deed Book 2003 at page 28 among the land records of the said county.

The party of the first part retains an easement over the existing Parcel "B" for public park and open space purposes. No structure or improvement of any nature may be erected whatsoever without the prior written consent of the County Manager or other chief executive officer of Arlington County, Virginia.

The party of the first part further reserves an easement over a suitable area within the structure located on said Parcel "A" (formerly known as the Nellie Custis School building) as a voting area for county, state and national elections. The use of said area shall be limited to the day prior to, the day of, and the day following any primary, special or general election. Said area shall have convenient access to existing telephone service. This easement shall automatically expire on December 31, 1983.

THIS DEED FURTHER WITNESSETH, that for and in consideration of the premises and the further sum of Ten Dollars, the party of the second part hereby grants and conveys with general warranty and English covenants of

title unto the party of the first part all that certain land situate in
Arlington County, Virginia particularly described as follows:

Beginning at the northwest corner of Lot 3, as shown by
duly recorded plat of R. A. Phillips' Subdivision of
Lot No. 3 of Robert Ball's Division, and being parts
of Lots No. 3 and 4, of said Phillips' Subdivision,
running thence in a southerly direction parallel with
and along the east line of Lot No. 2 of said subdivision
for a distance of 150 feet to the north line of an alley
20 feet wide; thence easterly along the north line of said
alley for a distance of 100 feet to the intersection with
the west line of Lot No. 5; thence northerly parallel with
and along the west line of said Lot No. 5 for a distance of
150 feet to the northwest corner of said lot No. 5, where
it intersects with the south line of Phillips Street (now
9th Street, North); thence in a westerly direction parallel
with and along the line of said Phillips Street (now 9th
Street, North) for a distance of 100 feet to the point of
beginning; and being the same property conveyed to the party
of the second part hereto by deed dated April 1, 1963 and
recorded in Deed Book 1504 at page 618 among the land records
of said county.

IN WITNESS WHEREOF, THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA,
has caused this Deed of Exchange to be executed in its corporate name by its
Chairman and its seal to be affixed, duly attested by its Clerk; and

IN WITNESS WHEREOF, SHELTERED OCCUPATIONAL CENTER OF NORTHERN
VIRGINIA, INC., has caused this Deed of Exchange to be executed in its
corporate name by its President and its corporate seal to be affixed
by its Secretary.

THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA

By: Stephen H. Detwiler
Chairman

Attest:

Jean C. Julian
Clerk

SHELTERED OCCUPATIONAL CENTER OF NORTHERN
VIRGINIA, INC.

By: J. Henry Montes
President

Attest:

Alfred P. Thompson
Secretary

Attachment B

The following recommendations are presented from residents to improve the project as proposed November 18 in relation to the following **core values**.

1. Protect the scale / character of Nelly Custis Park & improve the park

Nelly Custis Park is surrounded by at least 8 preschools / home day care and Sunday schools that use the park heavily as Nelly Custis and Nina Park are set up as children's parks. The park is used by neighbors in multi-family and single-family residences alike and it is one of the most valuable public assets in Aurora Highlands. Maintaining the residential, small scale, green urban oasis in such an urban area is critical. Ideas to improve the current design that support this core value:

- Hold the building footprint (over one story) **north of the C-1/C-2 line** that runs along 23rd Street. Do this by **moving the loading dock north**, and removing the units that protrude south of this line. Add back the lost units over the loading dock entry and by pushing the building north toward 23rd Street including the setback.
- Include an **8 ft privacy screen at the 2nd Floor party deck** where it abuts the park and reserve an area outside the privacy screen for roof top trees or biophilia that will build the second story of a "biophilic wall".
- Include an **8 ft. sound dampening masonry wall** directly adjacent to the loading dock to separate the loading dock noise and fumes from the playground. Provide an easement for the land that is on the south and east of the loading dock and expand the playground area with heavy evergreen planting.
- **Relocate parking exhaust and the generator radiator exhaust to the west side of the building** away from the playground and pedestrians.
- Limit windows at the new units over the loading dock to east / west windows to allow the south wall to reduce light pollution into the residential neighborhood and act as a place for a **children's mural facing the park or solar panels**.
- Provide **new fencing** around Nelly Custis Park (note: the renderings do not accurately show the existing conditions including the park fencing.)
- Provide park improvements including a new fence all around, a dry stream across the park for the park runoff (so it doesn't run through the handicap gate as is current), a pollinator garden, a new and improved maintenance gate, wider sidewalk on the north side of 24th Street, and a water fountain. These items were requested during the Nelly Custis 2017 park renovations but were not installed and would be appropriate elements of a real community benefit package
- No **gate between** Melwood and the park. Another gate creates a safety concern for caregivers who will need to monitor another gate to ensure children stay safely in the park. Is it even County policy to encourage direct access from private property into public parks?
- Increase the amount of **evergreen planting** at the south side of the site for a heavy, year-round separation.

2. Reduce congestion on 23rd Street

23rd Street is a narrow road that frequently backs up from commuter traffic spillover (395 to Arlington Ridge Road to 23rd Street, and Rt 1 to 23rd Street). The road is narrow and serves schools, churches, retail, in addition to the new load being added by the proposed development.

- **Provide adequate parking equal to market rate building required parking, period, anything else is inequitable especially given the taxpayer public funding for the project (see AHCA November 12 letter). The neighborhood will require 24x7 parking restrictions to prevent overflow parking onto side streets since there is a wildly insufficient amount of parking provided at the building for the office use, the residents, their caregivers, the large apartments and visitors.** This 24 x7 parking restriction will likely impact Restaurant Row, the park and the churches who currently share parking on side streets (and are currently permitted Sunday-only parking on Grant Street).
 - Provide a **publicly accessible shuttle service** to the Metro / Pentagon transportation hub and grocery .
 - Provide adequate layby for the Urgent Care ambulance, shuttle, loading etc.
 - Provide adequate space for pedestrian passage
 - Provide safety signaling at street crossings and the loading dock and the driveway.
3. **Protect the residential neighborhood from light pollution**
- The building will tower over everything around it, casting light pollution that will be seen from Arlington Ridge to Crystal City, negatively impacting the park and the residential historic neighborhood as well as blocking the view of the iconic blue-lit steeple at Calvary Church. Provide **light pollution mitigation** including the usual strategies for exterior lighting (down pointing, timers, motion sensors (inside and outside), carefully calculated minimum light levels etc.) but also, **smart window coverings** mechoshades / window film that allow view but reduce light filtration out in addition to the traditional privacy window coverings.
4. **Provide meaningful historic preservation of Nellie Custis School**
- If the county will not require the developer to adaptively re-use the building as has been recommended by AHCA, the county should still enforce its own GLUP Study recommendation to maintain the greenspace and tree canopy at the northeast corner of the site. If the greenspace is maintained it is then also possible to restore the north and east facades of the historic school even if it is just that the developer builds a new structure behind the facade instead of adaptively reusing. This can be accomplished by pushing the building back to the facade line and adding units at the west side of the building to compensate. There is an estimated net 4 - 8-unit loss in this layout.
5. **Clean up street utilities**
- **Relocate the Wi-Fi tower** in front of Melwood on 23rd Street to an unobtrusive, screened location on the roof.
 - **Bury overhead electrical lines** on Grant Street and surrounding the site, etc.
 - Replace the two wooden light poles in front of the building on 23rd Street.
6. **Provide better architectural design**
- Upper-level balconies are inappropriate in a low-density neighborhood. Include juliet balconies only and only on 23rd Street
 - The faux “mansard” roof is ineffective at providing any type of transition. **Step back at the top floor** on 23rd Street & Grant Street sides with solid, not glass railing.

- The architectural design is formulaic and uninspired. The building proposed could be on Route 1 in Potomac Yards, or on Columbia Pike or in Tucson, Arizona. The very nature of a historic neighborhood such as Aurora Highlands, which is listed in the National Historic Register ([link](#)), and especially 23rd Street which has developed very organically over the past century, is unique in 22202 and, increasingly, rare. Real transitions and sensitivity to the surrounding context are non-existent in the proposed design.
- Require LEED gold or higher given the taxpayer subsidy and special exceptions being proposed.

7. Respect the scale of the neighborhood

Keep the building height to a minimum to reduce the difference between the height of the existing houses (25', max 35') and the proposed building:

- Minimize Floor to Floor: 1st Floor 10' + 16" for utilities (DOAS system) + 8" for structure = 12', Upper Floors: 8' + 1' for utilities, + 1' for structure = 10' x 4 = 40'. Total Height 52' plus 3' parapet = 55'
- Utilize the topography to reduce the height of the south half of the building. Step the floor where the uses separate (Melwood program vs residential program)
- Remove the top floor to reduce the height to 45', which reduces the program by ~25 units, but improves the vastly inadequate parking ratio by over ~25%.
- Make up some of the units by moving the Melwood program offsite (note: the Melwood program must move off site during construction so it will need new space anyway). There are vacancies in Crystal City - close to the metro and with ample parking for the program that are more appropriate than the location proposed.

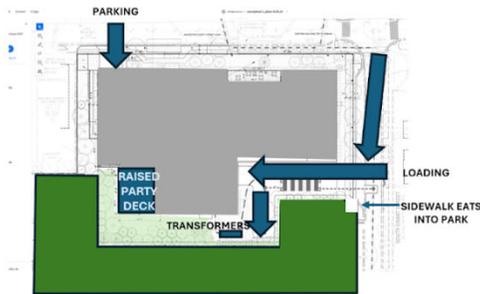
8. Complete Analysis:

- Provide a peer review of the transportation study - there are questionable assumptions as noted in our November 12 letter.
- Provide a layout of the "office" space shown on A1.02.
- Provide photo-simulations to show the actual impact to the neighborhood instead of the artistic and misleading renderings
- Answer the questions in the November 12 letter and this letter
- Provide affordable housing information as required in 15.5.9
- Provide actual evidence that shows the proposed parking ratios are adequate and that people who are working jobs and raising families outside of the ½ mile to metro and grocery radius and on only one bus line need less cars than others in market rate buildings (See November 12 letter for studies that contradict reduced parking ratios.)
- Just recently, attendees of a meeting in October 2024 of the residents of the new Terwilliger Place, an affordable building in Ballston, relayed that many residents complained about the lack of parking to the property owner. The property owner, per these attendees, blamed the county for approving the reduced parking ratios due to the lack of county financing for additional parking spaces. Residents were told they may be required to state on a form in the future they do not own cars as a condition to rent in the building. If this is true, it is more evidence that **the reduced parking ratios are a problem for residents and that it is inequitable to force renters to not have cars they need** even in a metro and grocery accessible location like Terwilliger Place. Unlike the Melwood property, Terwilliger Place is less than 5 blocks from the Giant grocery and the Virginia Square metro.

To reiterate highlights from the November 12 letter: 1) the building should be appropriate to the neighborhood scale and create a barrier to the park, 2) the residential building should meet 1.15 parking ratio if standard size units, 3) the building should not exceed 35', 4) the residential building should meet 1.41 parking ratio if family size units mix as currently shown 5) the site should meet the 25% or more 40% tree canopy per FNRP excluding Parcel B, 6) the historic building should remain, 7) the public use should remain. 8) any office use needs to be parked as office use.

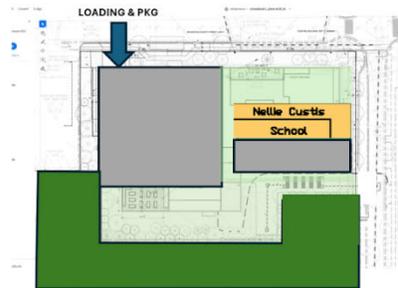
Comparison between proposal and the Alternative Envelope Approved by AHCA

As Proposed by Melwood 154K SF



- Demo historic school
- Remove 10+ mature trees
- Loading dock by park, consume Grant St. parking
- Min. separation from park, not enough room for tree canopy with loading + transformer field
- 60 -70' + penthouse High-Med density
- 17% tree canopy excluding park
- Inadequate parking - overflow
- Unscreened raised party deck facing residential neighborhood & park
- Expands sidewalk into park in NE corner

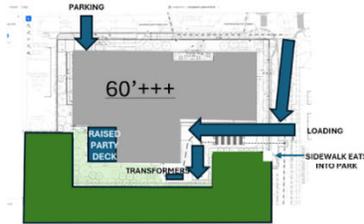
AHCA Alternative Envelope – half the size, ~80K SF max



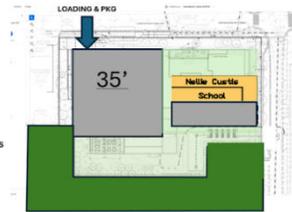
- Adaptive reuse of the Nellie Custis School
- Retain mature trees per GLUP Study
- Parking entry and loading off of 23rd Street
- Heavy separation from park – allows for tree canopy
- 35' tall – actually Low- Med density
- 25%+ tree canopy excluding park – allows for open space, native / pollinator plantings
- Adequate parking on-site / below
- Solar roof potential

RESIDENT SUGGESTIONS SUMMARY

As Proposed by Melwood 154K SF

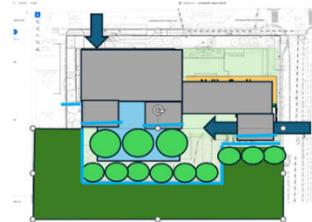


AHCA Alternative Envelope –
half the size, ~80K SF max



APPROVED BY AHCA

Ideas for Strategic Revisions
To reduce some impacts
of As Proposed by Melwood



1) Better for neighborhood than current proposed:

- 43' max height > means 26 – 30 unit loss or
- move Melwood program & 16 – 20 unit loss
- Improved parking ratio, best for precedent

2) 53' max height > means 4 – 8 unit loss

RESIDENT SUGGESTIONS LIST - PART 1:

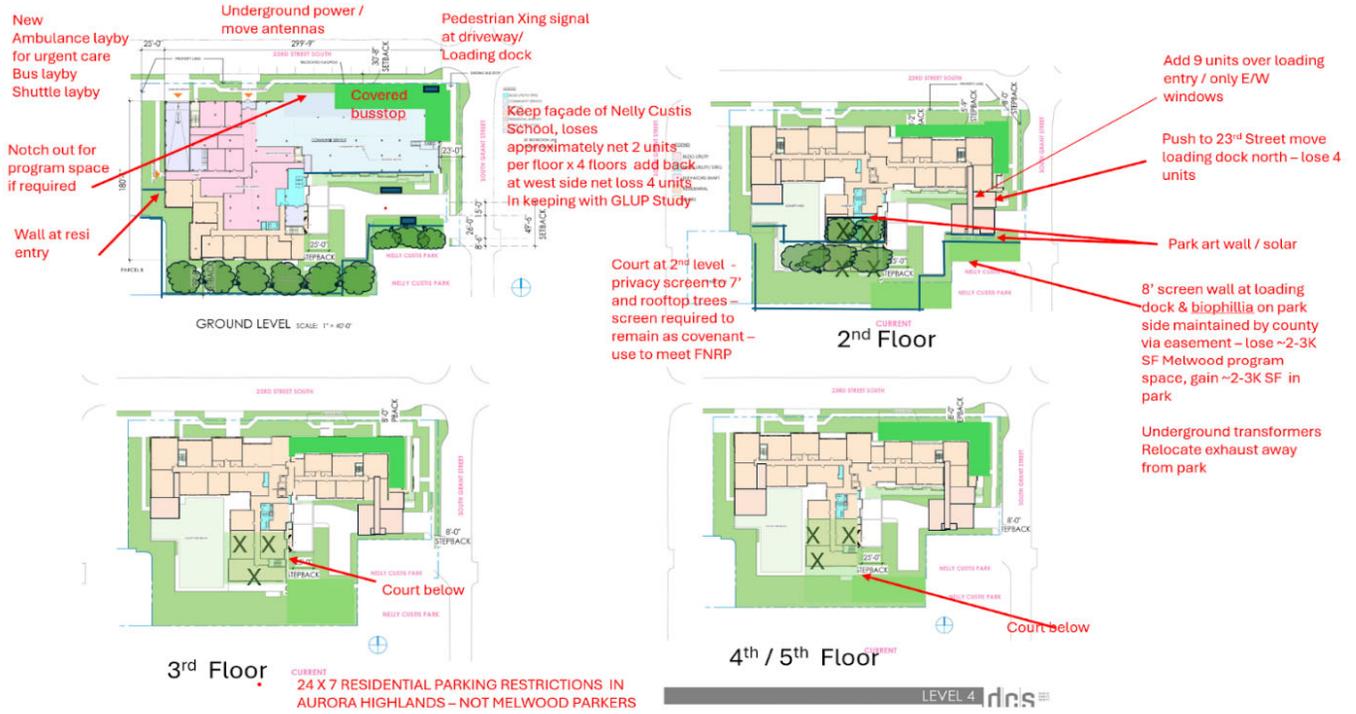
ASSUMING THE COUNTY WILL ONLY APPROVE THE GENERAL SIZE AS PROPOSED BY MELWOOD
IDEAS TO REDUCE ONLY **THE MOST EGREGIOUS IMPACTS TO THE PARK & STREETS.**

CONCEPTS:

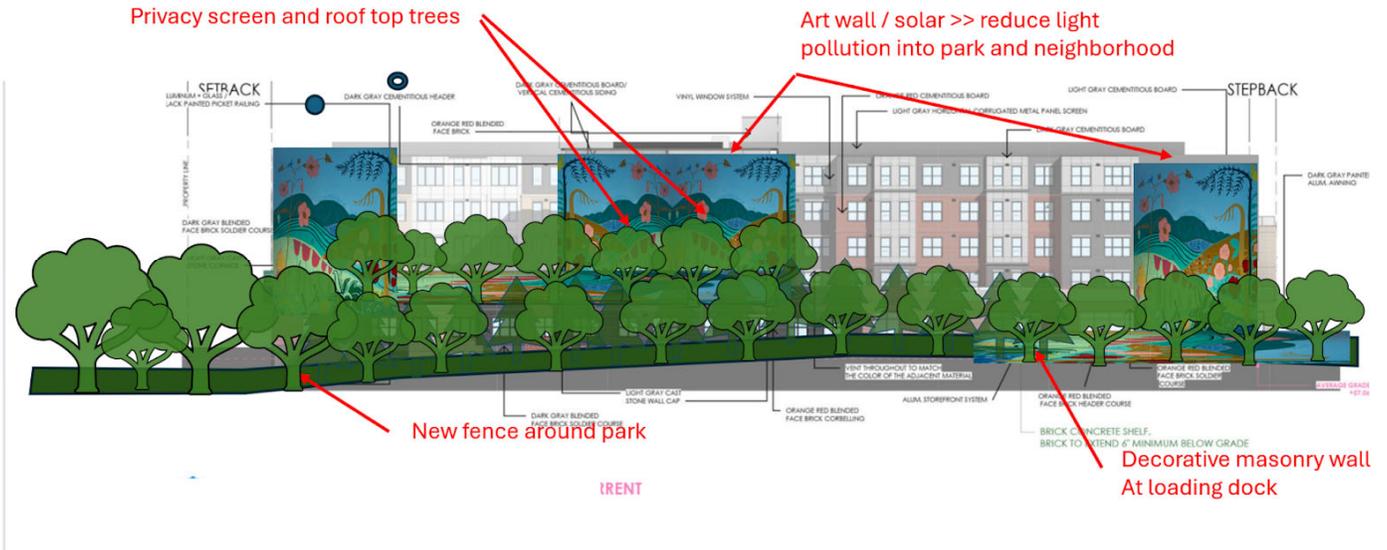
- MOVE BUILDING NORTH, USE SPACE OVER LOADING DOCK
- MINIMIZE FLOOR TO FLOOR HEIGHT, SET BACK AT TOP FLOOR, REMOVE TOP FLOOR
- USE SLOPE TO REDUCE HEIGHT
- USE LAYBY TO MINIMIZE CONGESTION ON 23RD STREET
- WALL AT PARK / BIOPHILLIC WALL
- REDUCE LIGHT POLLUTION ON RESIDENTIAL SIDE BY MOVING WINDOWS
- 24 X 7 RESIDENTIAL PARKING RESTRICTIONS IN AURORA HIGHLANDS – NOT MELWOOD PARKERS
- MAINTAIN BUILDING FAÇADE NELLY CUSTIS SCHOOL

PART 1: RESIDENT SUGGESTIONS MARK-UPS SUMMARY CORE VALUES:

1. **PARK / TREES:** Provides biophilic separation from park & meets FNRP
2. **PARK / ENVIRONMENT:** Reduces light pollution, addresses / improves park
3. **PEDESTRIAN & TRAFFIC:** Increases pedestrian safety & reduces congestion
4. **HISTORIC PRESERVATION / DENSITY:** Meets GLUP Study: historic facade, reduced SF
5. **PARKING:** Improves parking ratio & 24x7 parking restrictions mitigate overflow
6. **UNIT COUNT:** Approx 97 units + Melwood Program



PLAN VIEW

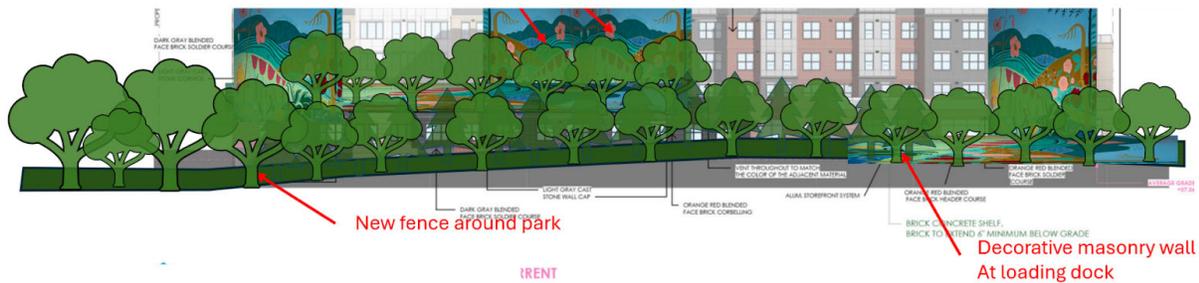


SOUTH ELEVATION VIEW FROM PARK

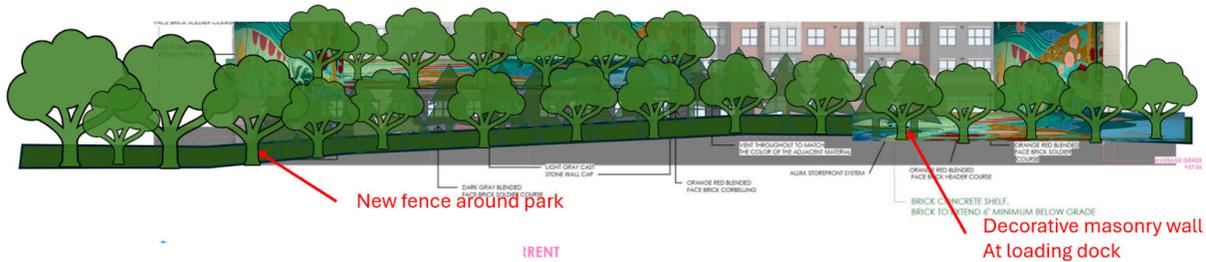
PART 2: HEIGHT STUDY, RESIDENT SUGGESTIONS FOR LOWERING HEIGHT

The PART 1 Study does not address the height. Residents are concerned that the height will create a negative precedent on 23rd Street and AHCA does not recommend any height over 35'. However, the following suggestions are to reduce the height as proposed to mitigate the most egregious impacts of height.

1. The developer should be pushed to reduce the maximum floor to floor heights as measured from an average of the site. 12' at the 1st Floor and 9.5 at the upper floors (assuming a DOAS system) and a 3' parapet = 53'
2. The developer should use the topography and slope from north to south to place the ground floor at ground level at the park side; it is currently nearly 1 story above grade in keeping with all guidance to transition to adjacent areas.
3. Reduced the number of stories.
 - a. Taking one story off reduces the height to 43.5' from 53', with a reduction of approximately 25 units bringing the total to 72 (large) units plus the Melwood Program, improves the parking ratio and minimizes the negative precedent.
 - b. Taking two stories off reduces the height to 35'- which is the appropriate height of the neighborhood, and yields 47 large units and, likely, adequate parking ratios.



SOUTH ELEVATION VIEW FROM PARK 43'



SOUTH ELEVATION VIEW FROM PARK 35'