



AURORA HIGHLANDS CIVIC ASSOCIATION

August 12, 2024

Ms. Arlova J. Vonhm
Zoning Administrator
Arlington County Manager
2100 Clarendon Boulevard
Arlington, VA 22201

Re: SPLN24-00002 Melwood Preliminary Site Plan Application

Dear Ms. Vonhm,

Attached please find comments on behalf of the Aurora Highlands Civic Association (AHCA) in regard to the Melwood Preliminary Site Plan Application (the "Application") and its June 20, 2024 Statement of Support. We request that we are copied on any determination that is issued regarding the Application and that we be informed of any public meetings on the Application.

The Aurora Highlands Civic Association remains deeply concerned about the Application's disregard of the Comprehensive Plan including the GLUP, the Crystal City Sector Plan, and the Aurora Highlands Neighborhood Conservation Plan. There are also concerns about the proposed design, and the historic analysis, as well as questions regarding the transportation study.

The Application proposes numerous detrimental impacts to the neighborhood's health, safety and welfare including demolition of the historic school, increased traffic, parking overflow, light pollution, noise, and negative impact to Nelly Custis Park.

We appreciate your time and look forward to a response after you have reviewed our letter. We would like to meet with you to discuss the contents within the next week. Please let us know of your availability.

Regards,

Stacy Meyer

Vice President, AHCA, Zoning Committee Chair

CC: Mark Schwartz, County Manager
AHCA Board

Attachment: As Stated

Part 1: CONTEXT

AHCA's April 30, 2024 presentation and May 3, 2024 comments to the Special GLUP Study detail concerns regarding the proposed changes in land use and can be found at the following links:

<https://aurorahighlands.org/wp-content/uploads/Melwood-GLUP-Study-AHCA-Comments-240430.pdf>

<https://aurorahighlands.org/wp-content/uploads/Melwood-Special-Land-Use-Study-AHCA-Zoning-Committee-Review-240503-final.pdf>

EXISTING FACILITIES NEEDS

The property is currently designated as "Public" land use, and the designation should not change unless and until there is a comprehensive study that addresses the need for public facilities in the 22202 area as required in the Comprehensive Plan and the Crystal City Sector Plan. Especially with the arrival of Amazon HQ2, **unprecedented growth in 22202 necessitates proper planning for public facilities.**

The existing Nelly Custis building, built as an elementary school, should continue to serve public needs. The overcrowded Oakridge Elementary and the outdated Aurora Hills Library highlight the dire need for expanding public facilities. Livability22202 recently highlighted this need and provided the statistics in the letter it sent to the School Board expressing concern for the overcrowding for the four schools that cover our area and asking for action to be taken.

<https://aurorahighlands.org/wp-content/uploads/3-CA-letter-on-Proposed-CIP-June-11-2024.pdf>

DEED RESTRICTION

The original deed restricts the property to "school purposes only" a fact that Melwood conveniently omitted from the Application. AHCA expects the County to review this deed restriction before considering any land use changes that could violate this condition.

LOCAL HISTORIC DISTRICT

The HALRB voted on June 18, 2024 to study the Nellie Custis School for Local Historic District designation, as it meets the criteria for such a study. The historic building is in excellent, occupiable condition with only the normal amount of preservation required (replacing windows, portico, pointing brick etc.) It is one of few remaining excellent examples of the Classical Revival style of public architecture in Arlington, as well as the historic brickwork from the local area. As a public school, it represents significant local historical value.

The EHT Traceries report included in the Application titled "Former Nelly Custis School - Draft Historic Context and Assessment" does not evaluate the building in terms of the requirements for Local Historic District designation as per Arlington County zoning requirements, but instead applies the more restrictive National Landmark standard for an individual building instead. See Methodology on Page 2 and the closing remarks on Page 27 of the report. The building easily meets the requirements for the Local Historic District designation standard. As evidenced by the fact that the other public schools of the time as well as some from later eras are already designated Local Historic Districts.

Melwood’s proposal to demolish Nelly Custis School is premature without a final determination of the Local Historic District petition and the independent study that reviews the building in terms of the Local Historic District standard.

AHCA endorses the Local Historic District designation and demands the County clarify how it plans to proceed with the competing interests of the site plan and historic preservation. See June 17, 2024 letter to HALRB from AHCA and notes on the Local Historic District Application:

<https://aurorahighlands.org/wp-content/uploads/AHCA-Letter-on-Custis-School-to-HALRB-17-June-2024.pdf>

<https://www.dropbox.com/scl/fi/7nyh2rotmhcx05vi8nuva/Nellie-Custis-LHD-Letter-to-HALRB.pdf?rlkey=cmzu4c0cxra7kinquaa62uiik&st=8btbm6ar&dl=0>

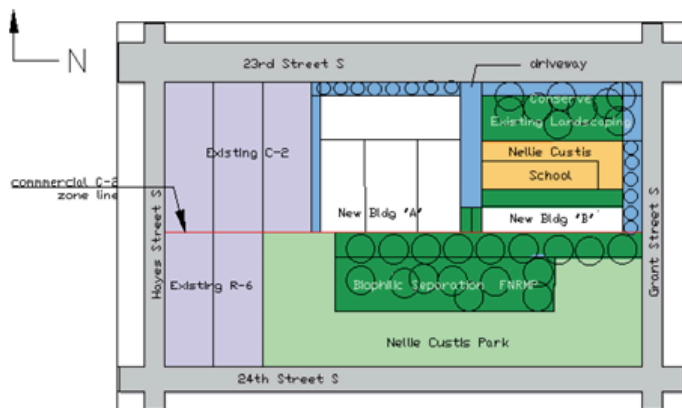
Part 2: APPLICATION COVER LETTER TO ARLOVA VONHM, ZONING ADMINISTRATOR (JUNE 20)

PARAGRAPH ONE “MIXED-USE”

Melwood states in their letter of June 20, 2024 that the building will be a “mixed-use” building. The building proposed is mixed use including residential use. It also includes office use for Melwood’s program as indicated on the architectural plans Sheet A1.02. Per the GLUP, the only land use designation available for such mixed use is “High-Medium Residential Mixed Use” as defined “up to 3.24 FAR including [residential and] associated office and retail activities.” This land use is colored purple on the GLUP Land Use Map and does not exist anywhere except adjacent to the Ballston and Clarendon Metro in the Rosslyn-Ballston Metro Planning Corridor. The proposed “mixed-use” building, with high density, is inappropriate and unprecedented in a single-family neighborhood. The GLUP designates “High-Medium Residential Mixed Use” only in Metro Station Areas or Major Planning Corridors, not this neighborhood.

AHCA urges the County to reject this Application, which blatantly contradicts GLUP Section 4.0. AHCA has offered an alternative envelope that is appropriate for the site for consideration in its comments to the GLUP Study dated May 3, 2024. This envelope complies with the GLUP Amendment Study conducted by the County.

ALTERNATIVE ENVELOPE PROPOSED BY AHCA:



The application does not specify what programs or services Melwood or its partners will offer at this location, if any. The GLUP study expressly mentioned that exceptions would be needed to operate any sort of services in an area designated as residential per Melwood's GLUP Amendment application. Without knowledge of what the proposed services or programs are at the site, meaningful review cannot occur. Nor can the County assess whether the building is appropriately planned, as different uses require different code compliance, for example fire code and parking. AHCA has inquired and the applicant has stated it has not been finalized what will be on the site and declined to provide a further answer due to uncertainty.

AHCA is concerned that a building could be built without a plan to have such services and programs when the GLUP amendment study focused so heavily on the specific use of the building for such services. For this reason, the Application fails to comply with the GLUP Study and application requirements and should be rejected.

PAGE 2 - PARCEL B & FOOTPRINT

Parcel B, part of Nelly Custis Park, cannot be included for density calculations or tree canopy coverage, as it is designated parkland and is a separate parcel from the proposed development. The County Special GLUP Study excluded Parcel B in the calculations for this reason. AHCA emphasizes that Parcel B should remain separate from the development on Parcel A.

The footprint of the building traverses the C2 (commercial) line that is held all along 23rd Street and the building penetrates into the R-6 zone, which, if approved, would set a negative precedent for all residential zones that are adjacent to commercial zones. The oversized footprint also does not allow adequate open space, retention of the historic building and landscaping, separation from the park, or the required tree canopy.

PAGE 3 – GUIDING PRINCIPLES – BIOPHILIC SEPARATION

At the LRPC meeting in November 2023, Planning Commissioner Tenley Peterson recommended a biophilic separation between Nelly Custis Park / 24th Street and the proposed development. Stacy Meyer, the AHCA representative at the meeting, requested the biophilic separation be added to the Guiding Principles. There was general agreement that this was a good idea, and there was an expectation that it would be added. However, it was omitted from the meeting minutes as well as the Guiding Principles ultimately adopted by the County Board.

AHCA expects an evergreen separation will be included in any development approval. The current design fails to provide a continuous **evergreen** separation, especially at the east half of the park near the playground where there is a loading zone and transformer field in lieu of the needed thick biophilic separation.

PAGE 3 – MELWOOD PROGRAM PARKING

Melwood is proposing 18,121 SF of "Office" on the architectural drawings, Sheet A1.02. But Melwood is basing its parking on its training program, not office use as shown on the drawings. Melwood has stated it will have 60 daily participants plus 13 staff (but the number of staff are not included in the letter or the parking calculation) and 80 participants overall so it only needs 20 parking spaces based on a Community Service, not Office, use.

If the program only includes 60 participants for training – why does it need 18,121 square feet of space? Similar kinds of programs for classrooms require 50 SF / participant (3,000 SF for 60 participants). There appears to be missing use of the balance of 15,000 SF of office space and the associated parking.

Details of any shared parking arrangement between the Melwood program and the residential building need to be formalized and documented, and no details are provided. Provisions for the existing parking on the site need to be made including the adjacent retail / Urgent Care ambulance parking, the Latter Day Saints Sunday parking, and the Calvary Methodist Church Sunday parking to prevent overflow into residential areas.

AHCA is extremely concerned about the potential for nuisance overflow parking on residential side streets due to insufficient parking provided on site. An office of 18,121 SF requires 1/250 SF, or 72 spaces versus the 20 provided. An interior layout and accounting of the proposed occupancy and associated parking must be provided by Melwood to substantiate why only 20 spaces are provided when 72 spaces are required based on the 18,121 SF of office space.

Without information regarding the programs or office use, it is unclear how the Zoning Administrator can render determinations regarding the Application, since it is incomplete.

PAGE 3- RESIDENTIAL PARKING

AHCA is concerned that the application disregards the County's parking requirements and is inappropriate for the proposed mixed use building. The proposed reduced parking ratio of .71 per unit is inadequate especially for the large family-sized units. Melwood offers no statistics to back up the reduced ratio. The location is not even in a Metro Station Area. It is ¾ mile from the nearest Metro.

Cars are vital for people that are seeking independence, for work and to take care of family. Per the Federal Highway Administration (FHWA), the most vehicle trips per day are made by households with an income of \$50 - 100K. \$50 - 100K is directly in the affordable housing income range as 60% of the median household income of Arlington is \$80K. \$132K is the median household income in Arlington per the 2022 American Community Survey, and 60% of \$132K is \$80K.

The FHWA statistics are found here: <https://nhts.ornl.gov/vehicle-trips>

Fairfax County Parking Study

Fairfax County performed a study on "Parking and Trip Generation in Multifamily Residential Developments" which is available online:

<https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/documents/zoning/parking-reimagined/multifamily-report.pdf>

One of the projects studied was Springfield Crossing, an affordable housing multi-family building with a significant number of family sized units, located a quarter mile from the Springfield Metro (a TOD, Transit Oriented Development). Springfield Crossing is within walking distance of grocery and the retail at Springfield Town Center and offers a free shuttle to the metro. **The parking requirements found at Springfield Crossing (an affordable building) were not different from market buildings in the study,**

and the study did not indicate reduced parking at the all-affordable building compared to market buildings.

From the Fairfax Study:

Springfield Crossing Unit Mix:

- 2-Bedroom 208 units 60%
- 3-Bedroom 139 units 40%
- Total 347 units

The Fairfax study found that out of the 555 parking spaces originally provided, Springfield Crossing had 65 potential excess spaces, and a maximum parking occupancy of 490. 490 / 347 translates to a demonstrated parking ratio of 1.41 **which reflects the large size of the units including the 3-bedroom units, which are the size of townhouses, that require 2 spaces per unit.**

81% of the 105 units (85 units) at the Melwood project are 2 and 3 bedrooms. At the Springfield Crossing demonstrated parking ratio of 1.41, 120 parking spaces are required. A ratio of 1.41 is more than than the required ratio in Arlington for apartments, but less than the required 2 spaces per townhouse sized unit. Adding in the 20 smaller apartments at the usual 1.125 = 23 spaces, totaling to 143 spaces is the number required to adequately park the density, **double what is proposed.**

Rutgers University Parking Study

Rutgers University performed a study on parking ratios which is available online:

<https://realestate.business.rutgers.edu/sites/default/files/media/documents/Rutgers%20Center%20for%20Real%20Estate%20Parking%20White%20Paper%20September%202023.pdf>

It analyzed high-rise apartments in high density transit corridors and garden apartments (defined as low and mid-rise) outside of the transit corridors for actual usage and found the following usage at the garden apartments:

- Studios / 1-bedrooms require 1 space per unit,
- 2-bedrooms require 1.45 spaces per unit and,
- 3-bedrooms require 1.8 spaces per unit.

For the Melwood Application that works out to:

- 3 BR (22 units x 1.8 spaces),
- 2 BR (63 units x 1.45 spaces) and,
- Studio / 1 BR (20 units x 1 space) = 151 spaces.

The resulting parking required is similar to the Fairfax Study, and **double what is proposed. Notably, the Rutgers study does not distinguish between affordable and non-affordable (both are included in the data)** - likely this is due to the concept held in most jurisdictions that affordable housing should be equivalent to market rate housing and have the same amenities, just as all other publicly financed buildings are to be equal no matter the population they serve (schools, hospitals, police and fire stations, etc.). **By providing less than market parking ratios, there is a fundamental concept of equity that the Application excludes.** Further, inadequate parking will create nuisance overflow parking on residential

side streets setting the stage for conflict in the neighborhood between the multifamily building, its visitors, the churches, the retail, Nelly Custis park visitors, and existing residential. This is in addition to the overflow that will occur when Melwood stops leasing its parking lot to the churches on Sundays as it currently does, despite an initial commitment made by Melwood during the GLUP Amendment Study to the community to continue to allow church parking on the site.

AHCA expects any development will maintain standard parking ratios appropriate for the unit size, will accommodate existing parking uses on the site, and requests the County study the impact of large units and affordability on parking needs.

PAGE 3 – LOADING

Melwood is proposing loading on Grant Street, a residential side street that is too small for a truck turning radius, so they propose to also widen the street and not allow parking on the west side of the street. This impacts the parking for Calvary United Methodist Church who has used both sides of Grant Street for Sunday parking for decades as well as visitor parking for the Nelly Custis Park.

AHCA recommends loading access remain as is on 23rd Street. Melwood's claim that Grant Street is needed for fire truck access and loading is misleading because the existing fire truck access and loading is on 23rd Street. In actuality, changes to the fire truck access are needed only as a function of the excessive height of the proposed building.

Part 3 - OTHER APPLICATION MATERIALS

ELEVATIONS & RENDERINGS - HEIGHT

The proposed envelope of 154K SF is larger than the County Study and exceeds the 60' maximum height in the County Study - 60' in the County Study was intended to only be in the middle of the site, with significant stepbacks. Instead, the stepbacks proposed are minimal. The height of the proposed building exceeds 60' in the following conditions:

1. There are stair towers that exceed the 60' limit by 10' as shown on Elevation 1. Under this Special Exception, not a by-right development, any limit, such as a 60' limit should be 60' and not 70'.
2. The 70' height proposed in Elevation 1 is on 23rd Street. There is a drop between 23rd Street and 24th Street of 12' per Elevation 2. The height of the building from the 24th Street side is shown as 78'. **78 feet is equivalent to 8 stories, and is more than double the height of any of the 35' buildings around it and 30% taller than the County Study recommendation.**
3. There is no reason this residential building as proposed needs any more than 9.25 feet floor to floor. Program space on the first floor with 10 feet ceiling height requires 11.5 feet floor to floor. The Melwood floor can easily be sunk into the hillside and a first floor lobby provided that leads up to the residences and down to the program space minimizing height in all scenarios.

Additionally, the renderings are incomplete, and conveniently exclude the view of the 78' tall elevation as seen from Nelly Custis Park.

AHCA expects that if Melwood needs this inappropriate density, it should find a more suitable location. The County needs to reject the Application.

PROPOSED COMMUNITY BENEFITS

Community benefits are imposed conditions to mitigate the impacts on surrounding uses as part of a Special Exception as outlined in this county presentation:

<https://arlingtonva.s3.dualstack.us-east-1.amazonaws.com/wp-content/uploads/sites/31/2016/11/SitePlansCommBenefits.pdf>

Special exceptions are defined as bonuses to a developer for increased density in return for the developer providing community benefits **that offset the potential impacts of the proposed development**. Additionally, since GLUP changes mean a higher level of “unplanned density”, per the county they require even **“more mitigation than under a normal Site Plan”**.

The community benefits listed in the Application do not offset the impacts of the proposed development. The development will impact schools, traffic, parking, the park, as previously noted. It will demolish a historic building and create noise and light pollution.

Most items listed as “community benefits” that do not meet the definition of community benefits (offset the impacts of the proposed development) and should be removed from the list including:

- Items that are required for any building,
- Items that serve Melwood’s program that are not accessible to the community and,
- Items that are general statements such as about increased tax revenue and job creation.

MULTIMODAL TRANSPORTATION ASSESSMENT

Mode Split Assumptions

The mode split included on Page 6 of the Gorove Slade report is the basis of the trip generation analysis. Statistics from Mobility Lab, Arlington County’s *own commuter services initiative*, contradict the included assumptions by a wide margin and indicate there is a greater use of automobiles in the mode split - and that the use of automobiles as a percentage of all transit modes only increased from 2019 to 2022.

<https://mobilitylab.org/research/regional-surveys/2022-state-of-the-commute-survey/>

Residential Transit Mode Breakdown			
	Gorove Slade	Mobility Lab 2022	Mobility Lab 2019
Auto	32%	59%	48%
Transit	59%	30%	44%
Bike	3%	6%	4%
Walk	6%	6%	5%
	100%	100%	100%

More discussion about the sources used in the Mode Split Data Tables 7 & 8 should be provided as the numbers vary widely, and use various assumptions for telecommuting. Some of the sources of information are also out of date, going back to 2016. Further, it is not clear how the data in Tables 7 & 8 are summarized into Table 9. For the "Auto" column for example, in Tables 7 & 8, many of the information sources have significantly more than 30% or 32% of the trips by auto yet, the summary in Table 9 lists auto trips at 32%. How can this be?

Between the inadequate parking for the site, and the public transit percentage that appears to be inflated, it is possible the trip generation from the development will be higher than as shown in Table 10. These assumptions should be peer reviewed and the assumptions and analysis made more transparent.

Development Assumptions

The development list on Page 52 does not include several projects that will impact traffic in the area including the RiverHouse project, the Kimco site, 2525 Crystal Drive (Block W), and the Brookfield Site, not to mention the apartments nearing completion in the Arlington portion of Potomac Yards, as well as enormous development of National Landing directly to the southeast (Virginia Tech / Potomac Yards). The ongoing effort by VDOT to bring Route 1 to grade will also impact on traffic in the neighborhood in the long term. While this developer may not be interested in those locations, these are very large projects and the County should review the impacts. AHCA has requested for years, but has not seen a county comprehensive parking analysis in 22202.

Results Analysis

A spot study of the Peak Hour Traffic Volumes at Location 3, heading east at Fern and 23rd as shown on page 56 / page 58, indicates that there are, in 2024, 343 cars coming through the intersection in the morning and 230 in the evening. But in 2029, including new development and growth (and not including Melwood project), the number of cars only increases by 11 in the morning, and 17 in the afternoon. How is it possible there are only a dozen more cars when there is growth in the area of tens of thousands of residential units? There is no calculation provided. **An independent study of the cumulative impacts of traffic generated by all development must be performed by the County.** Per the report, Fern Street at 23rd Street already has "an infinite queue".

SUMMARY

Section 15.5 of the zoning code sets forth 3 primary findings to be made in determining whether to approve a site plan:

- Substantially complies with the character of master plans, officially approved neighborhood plans or area development plans, and with the uses permitted
- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

Melwood proposes to demolish a historic building and remove a long standing evergreen tree, provide inadequate parking, create a loading nuisance and develop a footprint so large it cannot meet the 25% required tree canopy and so tall it is the equivalent of 8 stories, while creating a precedent of a

High-Density Mixed Use building in the middle of a single-family neighborhood that penetrates beyond the commercial C-2 line into the R-6 neighborhood including a children's park.

The proposal contained in the Application does not meet the standards for approval in Section 15.5 of the zoning code in any way. It is too large for the neighborhood and is detrimental to the health, safety and welfare of the existing neighborhood and contradicts the Comprehensive Plan. It exacerbates inequity by continuing to concentrate affordable housing in one area of the County and proposing inadequate parking for its residents. AHCA urges Melwood to consider a more appropriate location for its program on a transportation corridor and urges the County to preserve the existing building for public use. This would be a worthy outcome of Arlington's ongoing Commercial Market Resiliency Initiative 2.0.

