



AURORA HIGHLANDS CIVIC ASSOCIATION

November 12, 2024

To: Melwood SPRC Membership Roster, by email

Re: SPLN24-00002 Melwood Preliminary Site Plan Application ("Application")

Dear Fellow Members of the SPRC,

Per the Arlington County website, the purpose of the SPRC meeting on November 18 is to **"identify policy and community concerns regarding the Application and work towards resolution."**

As such we submit the following on behalf of the most impacted neighborhood and residents, trusting that this is a just process and not theater to some predetermined end. In short, we oppose this Application because it is completely inappropriate for the site and asks us to:

- 1) Disregard the "school use" limitation on the original property deed.
- 2) Eliminate a public good by changing the land use from Public without vetting whether the existing designation is needed for the public or providing any fiscal analysis of the change.
- 3) Provide (2) special exceptions for the proposed height and density, one per 12.3.7 and a second per 15.5.9.A without ensuring the design is appropriate for the site and surrounding area per ACZO, or is in keeping with the recommendations of the Special GLUP Study, or is a product, per the Planning Commission direction May, 2024, of Melwood working with the local community on a design.¹
- 4) Eliminate required parking - including a deficit of 52 parking spaces for the office use and at least 49 spaces for the residential units, and end existing church parking arrangements both at the Melwood site and on S Grant Street, forcing parking overflow onto side streets.
- 5) Allow the development to consume part of Grant Street parking, and put a loading zone on the narrow residential side street and adjacent to a children's park creating a safety issue and pollution.
- 6) Approve demolition of an historic building, remove at least 10 mature trees and count the trees in Nelly Custis Park, a separate parcel, for its tree canopy calculations.
- 7) Provide minimal barrier to Nelly Custis Park, allow a raised party deck and expansion into the park.

These asks are inappropriate and egregious. They are also unnecessary as AHCA in its comments to the Special GLUP Study, in the spirit of working towards resolution, proposed an appropriate envelope of 80,000 SF that requires none of these exceptions. We are asking for a real discussion about this Application and real consideration of the concerns of the community most impacted by it. These issues are detailed out in the attached report, "Attachment A - Melwood Site Plan Application and Special GLUP Study Issues". Thank you.

Sincerely yours,

Stacy Meyer, RA, LEED AP
SPRC Rep, AHCA

CC: Arlington County Manager
Arlington County Board

¹ We acknowledge Melwood and Wesley Housing did attend civic association meetings and host their own engagement meeting, but these meetings failed to fully address concerns and many fundamental questions- for example what services Melwood provides have been unanswered. The plan presented to the association in June underwent no changes as a result of engagement. Further yet, representations regarding parking have changed since the presentation, and against neighbors' feedback, as well as whether this design will affect the park. With such failings there seems to still yet be a need for cooperation in the design process among the parties.

ATTACHMENT A - MELWOOD SITE PLAN APPLICATION ISSUES

EXECUTIVE SUMMARY

PUBLIC USE DESIGNATION

Fundamental to the Application is the assumption that retaining the Public Use designation at this site, a restriction that was original to the development, and has been sustained for the last 40 years, must have been a sort of “oversight” after the land-swap, and that oversight that now needs to be corrected. But retaining the Public Use designation all of this time was **no oversight**, for two important reasons:

- 1) There is a deed restriction on this site for “school use only” that the county has failed to acknowledge in this process. That restriction is why the Melwood program must operate as a “horticultural training center” at this site even though the site is not set up as one. Approving a change to this land use designation from Public is a violation of the intent of the original transfer of the property to the county. Otherwise, the original landowner would have developed it himself and retained the profits. AHCA has asked the county to provide its legal opinion about the validity of violating this deed restriction, with no response.
- 2) The 1982 land swap was uneven – the County traded the fully developed Nelly Custis site of 79,000 SF for a 15,000 SF garage site in Ballston. The Nelly Custis site was over 5 times the size of the Ballston site. It would have been fiscally irresponsible for the County to make such a lopsided trade without some sort of offsetting payment, except for the Public Use designation. The Public Use designation restricted the development of the site, and held it for Public Use and therefore decreased its value. It was no “oversight” to retain the Public Use designation, it was part of the deal. There was a purpose, and that purpose was to retain the property as Public Use as it is today. Residents who were in the neighborhood at the time of the land swap and still live here today recall that the County promised as part of the land swap that the Public Use designation would remain in place in the future.

Due to 100% growth in zip code 22202 since 2000, there is a severe strain on public resources making this Public Use designation needed now more than ever. The Nelly Custis site is a unique opportunity for the county to provide much needed additional public space to mitigate the density – trees, open space, library, school, adaptive reuse of an historic building, etc. AHCA has requested the County perform comprehensive planning for the neighborhood, and study the use of this site for a library or school, but the County Manager and CPHD have refused to even meet to discuss planning. Meanwhile they are approving thousands more units of housing in the area. County staff stated that APS has no use for the site, but provided zero documentation that APS or the School Board studied the site or were even consulted about it.

Before the land use designation change can be approved the following must occur:

- 1) The deed restriction issue must be resolved.
- 2) To be transparent and fiscally responsible, the market value of removing the Public Use designation to Residential, RA-18, the value the site represents to the county either with or without the affordable housing bonus and in consideration of the end of the LIHTC period, must be calculated by an impartial 3rd party, publicly identified and evaluated. Melwood should be required to buy out this value.
- 3) A study of the alternative uses of the site must be performed and approved by the School Board and the County Board showing that this site does not present an opportunity for the public / school use it is designated as and that more facilities are not needed to keep up with the growing population.
- 4) A study showing that more affordable housing is needed in this location where there are 1,500 units of new affordable housing being produced at Crystal House three blocks away. 1,500 units is more CAFs than were produced in the entire county between 2015 – 2020, including 256 at the Apex, also in 22202.
- 5) Consideration of a study showing the impacts to equity in our schools of continuing to corral affordable housing in south Arlington.

AHCA PROPOSAL

There is only so much density that this site can appropriately handle no matter what the use. The existing neighborhood has 25' tall historic, low-slung houses, with newer buildings capping at 35'. This site is in the middle of this low-slung neighborhood. The appropriate maximum height is the existing cap at 35'. The appropriate density including retaining the historic portions of the Nelly Custis School is about half the size included in the Application. This lower density allows significant tree canopy, separation from Nelly Custis Park, and does not overload the site. AHCA voted to approve and support a proposal of 80,000 sq. ft. in May 2024. To be clear:

- AHCA is not against all development of this site and has proposed a development envelope about half the size of the proposal.
- AHCA is not against affordable housing. However, AHCA sees the unique opportunity this site represents for public facilities needed for all residents.
- AHCA is not in support of this project because it is too big for the site and negatively impacts the health and safety of the existing residents and it is not a good location for the proposed use.

PROBLEMS WITH THE APPLICATION

There are problems with every aspect of the Application that stem from stuffing too much density onto the site.

- 1) The 154,000 sq. ft of development including 18,121 sq ft of office (as labeled on the plans) is not Low Medium land use. It is most closely associated with High-Medium Residential Mixed Use. Even excluding the mixed-use aspect, at the ratio of 1000 SF per unit, the 154,000-sf. ft. equates to 154 units on 1.79 acres or 86 units per acre – well above the “Medium” designation. 154,000 sq ft on 1.79 acres is a FAR of just under 2.0, “Residential High-Medium”. These densities – Residential High-Medium or High-Medium Residential Mixed Use are simply not appropriate and are unprecedented in the middle of a Low-density area and not in a Metro corridor. Actual Low-Medium density might be acceptable, but just calling it Low-Medium does not change the size of the proposal or the impacts. **The density proposed is not “appropriate for the surrounding area” as required in ACZO 12.3.7 and therefore the Application must be rejected.**
- 2) The Special GLUP Study stated that Parcel B cannot be part of the application because it is a public park. Melwood proposes that the trees in the park be counted for FNRP because otherwise there is not enough footprint left on Parcel A for the required tree coverage.
- 3) The Special GLUP Study recommended the maximum height of the building as 60' only in the middle of the site with significant tapering and maintaining about 10 mature trees in the northeast corner of the site. The proposal maximizes 60' of height and removes the trees. The height impacts the scale of the neighborhood and will emit light pollution visible throughout the area.
- 4) There is an ongoing study to preserve Nelly Custis School, which is in fully occupiable condition, as a Local Historic District approved by HALRB. The proposal indicates demolishing the historic building.
- 5) Melwood is proposing 18,121 sq ft of office which requires 72 parking spaces at the 1/250 sq. ft. ratio. But, Melwood only includes 20 parking spaces. If this is to be space for programs, 18,121 sq ft is at least 6 times bigger than 60 participants need, and 20 spaces is far less than 18,000 sq ft of office requires. There is a shortage of 52 parking spaces for the program area.
- 6) There is no justification for the parking reductions in the affordable units as this building is not in a Metro Area. On the contrary, there are studies that show affordable buildings need parking as much as market-rate units. Further, not providing market equivalent parking exacerbates inequity for the residents, especially the family sized units, by denying them the ability to have cars at their homes which are needed for jobs and transporting children and / or for the resident caretakers of disabled residents. There is a shortage of at least 44 spaces (105 units x 1.125 required ratio versus 105 units x .71 proposed.) Additionally, there are a large number of family sized units that have been demonstrated to need a ratio closer to 1.41 spaces per unit (more than 1.125 for apartments and less than 2 for townhouses) - which means the shortage is closer to 68 spaces. Overflow will impact the neighborhood streets, already strained with multiple uses sharing parking.

- 7) Arlington needs a real, 3rd party transportation reviewer. There are numerous inconsistencies and problems with the assumptions in Multimodal Traffic Assessment in the Application. Further, the development is so big and tall it consumes the parking spaces on Grant Street.
- 8) There is inadequate separation between the building and the park. There is no thick evergreen biophilic separation as was discussed at the LRPC meeting November 2023, just one thin line of partially evergreen trees that are wedged between transformers and driveways disregarding the existing tree root zones. Further, an unscreened community party deck is placed right up against the park, as close as possible to the two residences on that block and directly across from the residential neighborhood, and not 23rd Street. The Application even shows Melwood expanding the sidewalk into the northeast corner of the park. Nelly Custis Park is a small, green oasis that is heavily used by multiple daycares, families, churches, and residents. It must be properly screened from the development.
- 9) The green building elements proposed are minimal compared to most projects with public subsidy (LIHTC, upzoning) that attain higher standards like EarthCraft Gold. The site has a large south facing exposure and there is a unique opportunity for solar power that is not being utilized.
- 10) Community benefits are missing. In the 6/20/2024 letter the Applicant sent to the County, they propose a list of items that are already required, serve only Melwood, or are general statements about the development itself. Community benefits instead are intended to “offset the potential impacts of the proposed development”.
- 11) In May, 2024, Planning Commission Chair Sara Steinberger strongly admonished Melwood for not working with AHCA to come to a consensus on the proposal, and stated that it was their responsibility as the Applicant to do so. Melwood attended meetings but failed to take feedback into consideration from the broader neighborhood including AHCA.

The Application does not meet the requirements for approval in zoning ordinance and must be rejected.

INDEX**NOVEMBER 18, 2024 SPRC ISSUES:**

Land Use & Density

- Unresolved LRPC Issues
- County Survey Oct 21 - Nov 4, 2024
- Comprehensive Planning & Existing Facilities Needs
- Deed Restriction
- Property Swap
- Land Use Designation: High-Medium Residential Mixed Use
- Comparison with Special GLUP Study

Site Design

- Parcel B & Footprint

Building Height, Form, Architecture

- Height & Light Pollution
- Renderings
- Design

Historic Preservation

DECEMBER TBD, 2024 SPRC ISSUES:

Parking & Loading

- Melwood Program Parking
- Residential Parking
- Loading

Transportation

- Multimodal Transportation Assessment Review

Open Space & Landscaping

Green Building

Other (Community Benefits)

APPENDIX A

Executive Summary of AHCA Special GLUP Study Comments

LAND USE & DENSITY

UNRESOLVED LRPC / SPECIAL GLUP STUDY ISSUES / POLICY COMPLIANCE

The proposal and the Special GLUP Study disregard the Comprehensive Plan including the GLUP, the Crystal City Sector Plan, and the Aurora Highlands Neighborhood Conservation Plan. The Application proposes numerous detrimental impacts to the neighborhood's health, safety and welfare including demolition of the historic school, removal of mature trees, increased traffic, parking overflow, light pollution, noise, and negative impact to Nelly Custis Park.

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 links below. The proposed land-use changes are unprecedented, occurring in the middle of a low-density residential neighborhood and propose a density and height that is completely out of scale for this location.

<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>

The executive summary of the AHCA comments to the Special GLUP Study are attached as Appendix A.

COUNTY ONLINE ENGAGEMENT OCT 21 - NOV 4, 2024

Per the published Site Plan process found here,

chrome-extension://efaidnbnmnnibpcajpcglclefindmkaj/<https://www.arlingtonva.us/files/sharedassets/public/v/1/projects/documents/site-plan-projects/site-plan-review-process-one-pager-02.03.23.pdf>

“The County is actively working to ensure that the online engagement reaches as many stakeholders as possible”

AHCA issues a free hand delivered paper newsletter monthly as there are many elderly residents and other residents that depend on the distribution of a paper newsletter for neighborhood information. Yet, when AHCA requested to be provided timely notice of the Melwood online engagement in order to advertise in the newsletter, the County notified AHCA that the survey would be held between newsletters, but did not provide the survey link for the newsletter as it was too soon for it to be posted, providing instead only a link to a landing page. The only way people were advised about how to actually access the survey was by email, **so notice did not even get to all of the residents impacted by the proposed development.** There was not even a sign posted in the area about the online engagement.

Like the previous county online engagement in 2023, the online engagement was unscientific and it was not widely publicized per the County process requirements. It was just a collection of anonymous comments that could have been filled out by anyone with an email address.

Despite the lack of publicity, and process issues, the results were still compelling. There were at least twice the number of comments that oppose the Melwood project as support it. Those in favor often seemed to just offer canned responses. But those comments opposing the project were frank and they were specific. Issues raised in the feedback from the online engagement that need to be addressed include:

PROCESS ISSUES

- the unfairness of the Special GULP process (“overreaching, exploitative, abuse of power, disrespectful of residents, not listening to neighborhood, study tailored to fit the developer’s wish list, decided by people who don’t live nearby”)
- the County not listening to / ignoring the neighborhood (feelings of disenfranchisement, sham exercise)
- process is a waste of taxpayer money (especially when not supported by community)
- the process is an example of spot zoning
- impact on property values not considered
- deed restriction violation not considered
- other public needs (schools, library, park) for site not considered
- concerns about the intent of the survey itself - what was the purpose?
- lack of planning / comprehensive planning for the area
- concern about taxpayer dollars going to this project that is not supported by the neighborhood (“grift / flipping property potential”)

PLANNING ISSUES

- conflicts with the GLUP itself
- conflict with the Neighborhood Conservation plan
- loss of quaint neighborhood character
- more affordable housing in south Arlington fueling school segregation
- location inappropriate for use (not in metro area / near grocery / area not safe)
- the negative precedent it sets on 23rd Street for other development
- lack of historic preservation / tearing down school / conflict with HALRB study / pending LHD application
- promises to community to maintain the existing public use are being broken
- loss of public use
- institutional use is inconsistent with the neighborhood
- other locations are more appropriate (at metro, on major corridors)
- lack of alternatives proposed by the county that are smaller
- no added bike lanes for the additional bikes
- convert existing vacant office buildings instead
- no traffic improvements for additional density (lights, buses, parking restrictions)
- use site as an extension of Nelly Custis Park instead
- no new parks for the new 100+ families
- not 100% for people with disabilities
- not in keeping with the “scattered site” approach to affordable housing

ISSUES WITH THE APPLICATION

- application is incomplete (affordable information missing)
- deceptive renderings
- problems with the Multimodal Traffic Assessment Study (needs peer review)
- Problem of using Parcel B for tree canopy calculations
- multiple conflicts with the GLUP Study
- no community benefits
- no affordable covenant in perpetuity
- no covenant for the polling place to stay
- unwillingness of Melwood to work with neighbors / compromise

IMPACTS OF DENSITY

- there is already too much density
- too big, height (overall & lack of step backs)
- congestion, traffic - especially on congested 23rd Street
- impacts on school overcrowding
- strain on infrastructure
- impacts on Grant Street (small street, displacing church parking, loading bottlenecks)
- people cutting through the neighborhood to get to the building
- negative impact on existing Urgent Care location

- negative impact on park

PARKING

- lack of parking (overflow impact, entry bottleneck on 23rd Street, impact on existing churches, retail and park parking)
- lack of data on parking assumptions
- no info on shared parking plan

SITE DESIGN

- lack of green space, open space
- loss of trees / tree canopy
- pedestrian safety at parking / loading entrances
- transformers placed next to the park
- lack of buffer from the park
- loss of the Christmas tree lighting & mature 40' spruce tree
- lack of natural stormwater management and no studies of existing sewage / stormwater capacity
- lack of screening of loading area from park
- risk to children's safety who cross 23rd Street & the loading dock to get to the park
- impact on visibility of church steeple
- acoustic impacts of loading area near park
- sidewalks too narrow
- no biophilic wall
- no space for tree roots
- no drop off at the main entrance (does it happen in the street?)
- poor visibility at garage entrance
- lack of street furniture
- lack of public access to open spaces

BUILDING DESIGN

- poor design ("institutional look, lack of articulation, inappropriate materials, no connection to community, cheap, formulaic, not market equivalent")
- no 24x7 desk person
- size of Melwood training space too big for only 60 people
- light pollution
- no separation from playground
- no solar / gardening uses
- too low a LEED rating (should be gold or more), greener roof / bioretention / native plants
- pollinator friendly plants (2016 Monarch Pledge)
- potential for mold in the building
- pollution impacts to park and neighborhood

Many of these concerns echo concerns AHCA has already stated - but they have not been addressed. **What is the county going to do to resolve these concerns as the applicant has failed to address them in the plan submitted?**

Timeline at a Glance:

December, 2021	Melwood submitted application for Special GLUP Study to County
March, 2022	AHCA nearly unanimous vote to reject land use change sent to county with no response
April, 2024	Special GLUP Study published per Melwood requirements
May, 2024	AHCA approved comments on Special GLUP Study & alternative envelope sent to county with no response
May, 2024	County Board Acceptance of Special GLUP Study
June, 2024	AHCA vote to support Local Historic District Nomination for Nelly Custis School
June, 2024	HALRB Approval of Local Historic District Nomination (study pending)
August 2024	AHCA comments on preliminary Site Plan Application issues sent to County with no response-just acknowledgement of receipt.
October, 2024	County survey & posting of Site Plan Application
October, 2024	Insufficient notice provided for online engagement
November, 2024	AHCA comments on Final Site Plan Application sent to county
November 18, 2024	SPRC Meeting #1 (public) on site plan
December, 2024	SPRC Meeting #2 (public)

Pending:

Planning Commission
County Board
HALRB LHD Study

COMPREHENSIVE PLANNING & EXISTING FACILITIES NEEDS

The property is currently designated as “Public” land use, and the designation should not change 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.** According to [CityData.com](https://citydata.com), the population in ZIP code 22202 was 16,389 in 2000, 22,543 in 2010 and 28,276 in 2022. Zip-Codes.com lists the current 22202 population as 33,019. The population has **doubled in 24 years, but the schools and infrastructure have stayed the same, and these numbers don’t include the thousands of approved and proposed units in developments in Pentagon City (River House) or Crystal House.** Yet, requests to staff and the County Manager to engage in a dialog with AHCA regarding comprehensive planning **have been denied.**

The existing Nelly Custis building, built as an elementary school, should continue to serve public needs. The already overcrowded Oakridge Elementary School and the outdated Aurora Hills Library and community center exemplify the dire need for expanding public facilities. On June 11, 2024, Livability22202 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. There has been no update since then.

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

Despite these needs and requests, the staff report for the Melwood LRPC stated on page 14 that the County has no interest in re-acquiring this site. Further, county staff stated at the May 21, 2024 County Board meeting, when asked by County Board Member Susan Cunningham (7:27:50 in the

recording) about the potential public use of the site, “APS has not identified this site as a potential school site”, implying that staff consulted with APS on the question.

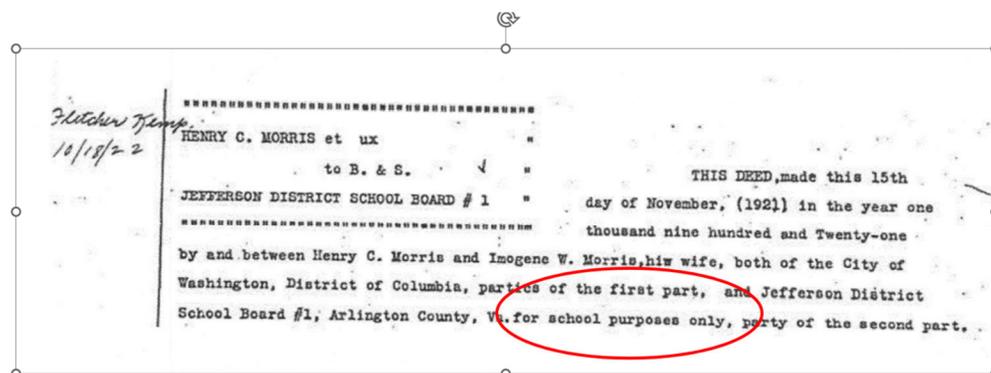
However, neither the Special GLUP Study nor the LRPC staff report contain any correspondence or other evidence that APS and the School Board were consulted on the opportunity this site provides. APS and the School Board must study the potential for this site given the overcrowded conditions at Oakridge before the County can determine that this site, currently designated as Public, is not needed, and that the current land use designation, a public amenity, can therefore be disposed **No such study has been provided by the County.**

DEED RESTRICTION

The original deed restricts the property to “school purposes only” a fact that Melwood conveniently omitted from its Application. The County must provide a legal review of this deed restriction before considering any land use changes that could violate this condition. AHCA requested this in its LRPC comments, yet no report was ever issued by the County on the impacts of this encumbrance, what the County might be asked to do by the Applicant to remove the restriction, and the associated liability.

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Snip from 1921 Deed for Land at Nellie Custis School

PROPERTY SWAP

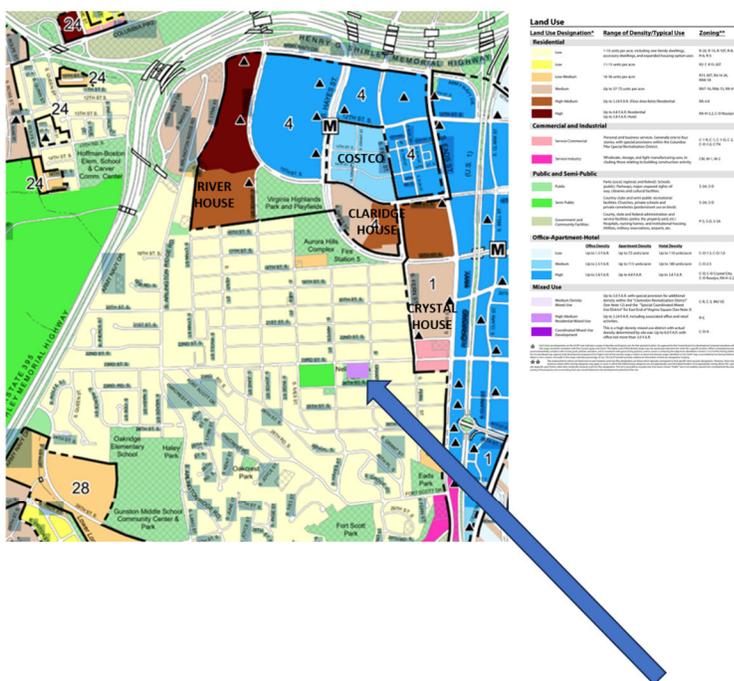
As noted in the Statement of Justification, in December 1982 the County exchanged 15,000 SF in Ballston for 1.79 acres, or 78,000 SF at Nelly Custis School (excluding the park parcel), including the restrictive Public Use designation. There was not a fair exchange **between the vastly different sized properties 15,000 SF and 78,000 SF**, except for the Public Use designation. The otherwise greatly uneven exchange **was only possible because the latter property (Nelly Custis) was encumbered with the Public Use designation.** To now change the designation from Public Use to Residential without fair compensation being required in exchange cheats the public out of a public good (the restriction). To then approve an affordable housing development, without doing a study of the other public opportunities and uses for the site, cheats the public out of a public good that may be more desirable in this location. And to not require a covenant for the affordable housing in perpetuity cheats the public out of a public good and the associated monetary value of the site when the LIHTC period ends.

LAND USE DESIGNATION: HIGH-MEDIUM RESIDENTIAL 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 shaded purple on the GLUP Land Use Map and does not currently 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 low-density, historic neighborhood. The GLUP designates “High-Medium Residential Mixed Use” only in Metro Station Areas or Major Planning Corridors, not this neighborhood.

Land Use

Land Use Designation*	Range of Density/Typical Use	Zoning**
Existing Neighborhood		
Low	1-10 units per acre, including one-family dwellings, accessory dwellings, and expanded housing option uses	R-20, R-10, R-10T, R-8, R-6, R-5
As Claimed in Application - but not really – aka townhouses		
Low-Medium	16-36 units per acre	R15-30T, RA14-26, RA8-18
154K SF / 1.79 Acre = 2.0 FAR if it were part of the Sector Plan which it is not aka Pentagon Center/ Costo Site		
Medium	Up to 2.5 F.A.R., Up to 115 units/acre	C-O-2.5
Proposed Envelope- if Resi Only		
154K SF = 154 units possible = 86 units / acre > 72 units / acre aka River House / Claridge		
High-Medium	Up to 3.24 F.A.R. (Floor Area Ratio) Residential	RA-4.8
As proposed 2.0 FAR incl. office use (per arch plan) – aka Ballston Fairfax Drive		
High-Medium Residential Mixed-Use	Up to 3.24 F.A.R. including associated office and retail activities.	R-C



“Low-Medium” land use has a 40’ height limit and 36 units / acre on 1.73 acres (= 62 units total) limit. However, with affordable housing, there is a 25% increase allowable by Special Exception (ACZO 12.3.7) to 45 units per acre, or 77 units. There is also the alternate Special Exception per ACZO 15.5.9.A.3(b) where the County Board can approve up to 60’ height.

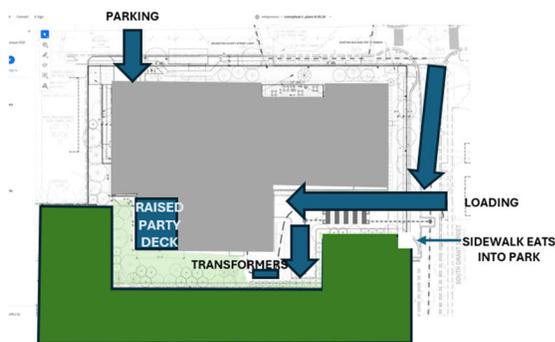
The Study recommended up to 60’ height, 145K sq.ft. total, and the proposed design is even larger, 154K sq. ft. This density is more than double the top density indicated in “Low-Medium” land use and **does not comply with the Low-Medium designation.**

The 60’ height mixed use and density are not “Low-Medium”. Per the GLUP Land Use Designations, even the “Medium” use designation caps at 72 units/acre - residential alone and no program space.

The Land Use designation that fits the proposed development, including density and accounting for the office / training use, is closer to “High-Medium Residential Mixed Use”. The proposed density is unprecedented outside of a Major Planning Area or in the middle of a historic, low-density neighborhood. This is the crux of the problem. **High-Medium density is inappropriate in a Low-density neighborhood no matter the use, the building envelope is just too big.** The density proposed is not “appropriate for the surrounding area” as required in ACZO 12.3.7.

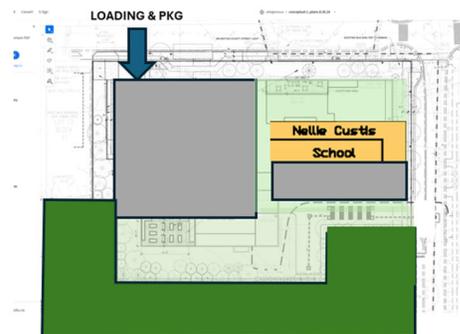
This Application blatantly contradicts GLUP Section 4.0. AHCA offered an alternative envelope that is site appropriate for consideration in its comments on the Special GLUP Study dated May 3, 2024. It includes 80K sq. ft. which is an appropriately sized envelope for the site. It maintains the historic building, and it preserves open space and provides adequate parking as shown below.

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

The application does not specify which programs or services Melwood or its partners would offer at this location. The Special 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 any knowledge of the proposed services or programs to be offered at the site, meaningful review cannot occur. Nor can the County assess whether the building is appropriately planned, as different uses require different compliance measures, for example fire code and parking requirements. AHCA has inquired and the applicant has stated that a decision has not been finalized as to the programs or services that will be offered on the site and declined to provide a further answer due to uncertainty.

It is concerning that the Application could be approved in the absence of a confirmed plan to host specific services and programs when the GLUP amendment study focused so heavily on the specific use of the building for such services. For these reasons, the Application fails to comply with the GLUP Study and application requirements and should be rejected.

COMPARISON WITH SPECIAL GLUP STUDY GUIDING PRINCIPLES

1. The building scale and massing do not complement the surrounding area - the building is at least twice as tall and twice as big as is appropriate. The building materials are inappropriate as there is nothing left of the original Nelly Custis School, a historic school, which should be preserved. Further, the scale of the building is in conflict with the GLUP, the proposed land use designation, the Crystal City Sector Plan and the Pentagon City Sector Plan. Additionally, the size is larger and taller with less setback and step back than the Study recommended. The Study recommended 60' ONLY IN THE CENTER OF THE SITE, not to all edges as proposed, it proposed transitions around the park, tapers, biophilic roof and walls, and landscape screening to minimize visual impact to the park - none of these recommendations are included in the Application.
2. The building takes up too much footprint to allow for Forestry and Natural Resources 25% tree coverage, it lacks the evergreen biophilic separation discussed in the November 2023 LRPC meeting and requested by planning commissioner Tenley Peterson, it removes at least 10 mature native trees which were specifically called out in the Staff Report "in the northeast corner" to be retained, and it does not provide enough parking. Loading on Grant Street will create a dangerous situation for pedestrians (including children) who are traveling to Nelly Custis Park and nearby Nina Park. The loading and parking entrances are not adequately screened (as per the Staff Report)
3. The Multimodal Traffic Assessment does not adequately take into consideration development in the area and should be peer reviewed by a 3rd party. There is no justification for the reduction in parking which will create overflow onto residential streets which already compete with retail parking.
4. The oversized building footprint does not conserve on-site open space, it does not conserve trees or natural stormwater mitigation. As a comparison, the footprint proposed by AHCA does conserve the trees, buildings and natural stormwater mitigation, while still allowing 80K SF of program, enough for a library or small school, or if after a study is completed that proves the public use is not required, the proposed Melwood program and 60 units - enough for all of the disabled units proposed (30) plus 30 more units, large enough for economies of scale in construction and in the size range that is like many of Wesley Housing's existing portfolio and in a size range preferred by the Virginia LIHTC scoring system.
5. If equitable affordable housing were prioritized then the project would not be located in an area that is not in walking distance of a grocery store, that is three-quarters of a mile from metro, outside of the metro walkshed, and that is in an area (South Arlington and Aurora Highlands) already concentrated with the county's affordable housing which exacerbates the current inequity in schools. Further if equity were a consideration the Application would provide adequate market equivalent parking. With no requirement for a covenant in perpetuity in exchange for the county giving up a public good, in this case the public use designation, there is a giveaway of density that can and likely will be flipped and monetized at the end of the LIHTC period, cheating taxpayers out of public amenities that could have and should have remained in this location. This seems to be an oversight at best but at worst poor planning.

SITE DESIGN & LAYOUT

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 has been since the 1982 land swap) and is a separate parcel from the proposed development. **The County Special GLUP Study excluded Parcel B in the calculations for this reason.** Parcel B should remain separate from the development on Parcel A.

*“The applicant is requesting to amend the GLUP designation for the subject site from “Public” to “Low-Medium” Residential (16-36 units/acre) for both Parcels A and B. **This document, however, explores a potential amendment only for Parcel A. That portion of the site that is a part of Nelly Custis Park (Parcel B) should remain “Public” to signal the County’s long-range planning vision for that area to remain as a public park.**”*

The footprint of the building traverses the C2 (commercial) line that is held all along 23rd Street and the building penetrates into R-6 zoning, 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.

BUILDING HEIGHT FORM & ARCHITECTURE

HEIGHT & LIGHT POLLUTION

The existing height restriction in the area is 35'. This is called out in the GLUP, and it is referenced in the Crystal City Sector plan among other documents as noted in AHCA's comments to the Special GLUP Study.

As recently as October 29, 2024, county staff proposed a zoning amendment to recommit to the height restriction and amend the zoning ordinance to codify 35' heights / 3 stories (depending on grade) at the edge of the existing low-density area as required by the Crystal City Sector Plan due to the varying topography of the Crystal House site, a site 3 blocks away.

This leaves a very perplexing question - **why does staff find it necessary to define and codify specific details of the 35' / 3-story height restriction at the edge of the Aurora Highlands neighborhood, and yet, the same staff recommends building a 60' tall building in the middle of the Aurora Highlands neighborhood?**

Which leads to another question, why is it every traditional planning principle has been allowed to be thrown out the window in this Application? **The answer, according to staff, they were directed to only consider only scenarios the Applicant would accept in the Study.** That is not comprehensive planning, it is favoritism to a single landowner over the impacted community.

The proposed amendment discusses using average site elevation (ASE) to determine the base to measure the height on a sloped site. ASE is also required but was not used for calculating height at the Melwood site, which also has similar topography variations from north to south.

The proposed zoning ordinance ZOA-2024-06 is below:

down to the program space minimizing height in all scenarios to reduce the height.

The height of the building **is so tall it cannot be screened by trees, and will create light pollution in the park, and the residential neighborhood.** Further, since it will tower over everything around it, it will emit light pollution as far as Arlington Ridge and Crystal City. The Application does not indicate any measures to be taken to mitigate the nuisance of light pollution. The view of the Calvary steeple will be diminished from the western approach as well.

35' is the appropriate maximum height and 80K SF the appropriate maximum density.



Typical 25' tall historic homes in Aurora Highlands

EXAMPLES OF SMALLER PROJECTS

Wesley Housing - Melwood's development partner - has a portfolio with numerous smaller sized projects under 60 units. Further, the Virginia affordable housing program grants competitive points for smaller projects, signaling they are preferred over larger ones.

From Wesley's website:

6 units	Springdale House
6 units	Ben Franklin House
6 units	Hidden Brook
12 units	Agape House
21 units	William Walters
28 units	Lynhaven Apartments
30 units	Cedar Street Apartments
33 units	Beverly Park
34 units	One Hawaii
37 units	Knightsbridge Apartments
54 units	Beacon Landing
56 units	The Hampshire

SOUTHWEST COURTYARD

The southwest courtyard shown in the Application renderings is not screened and is adjacent and across

from several single family 25' tall residences. There is much increased risk of light pollution and noise in this location (See South Elevation west side and West Elevation south side and the rendering Sheet A-026) that must be mitigated. It is astonishing that Melwood could be so heavy handed and inconsiderate of its neighbors that it is proposing the courtyard in the location as close to the adjacent residences on Hayes and on the north side of 24th Street as possible, with no screening. **The only thing more astonishing will be approval of this design.**

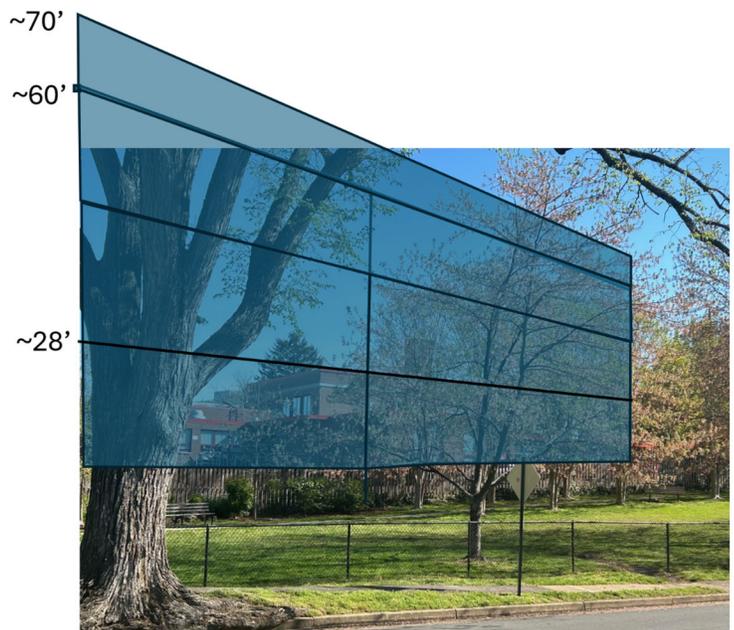
RENDERINGS

The rendering in the Applicant's slide show Sheet A-022 is misleading and out of scale - it shows people approximately 7' tall entering the building (as compared to the 13.5' height of the first floor.) Because of the way the perspective is offset, it shows the base of the Calvary church tower nearly in line with the top of the proposed building, when the base is 15' shorter (45' tall) - and this is not corrected in the elevation on Sheet A-016 because the church is not shown on that drawing. There is no reference to the scale of the existing surrounding 25' tall homes. These misleading renderings need to be rejected and drawn accurately including reference to the surrounding homes. This wire diagram shows the envelope in REAL scale in an actual photo.

Because of the wide sight line across Nelly Custis Park building setbacks do not make much of a difference in reducing the perceived building mass. All increases in height are visible.

As you can see in the picture to the right even the ~25- 30' Nellie Custis School on 23rd Street is completely visible a block away, from 24th Street, and any additional height added to it will be just as (and more) visible.

(Setbacks like those proposed in the Study can be effective on higher and tight urban sites due to limited sight lines, but don't really do much in this situation.)



Wire diagram of 60' and 70' height as seen from 24th Street South and Nelly Custis Park.

DESIGN

The building is too big. It is simply the result of a formula that aims to maximize the developer's profit and LIHTC funding points. It is not even close to equivalent to the market buildings in National Landing. It is blocky and uninspired. As it does not meet the requirements of ACZO 12.3.7A or 15.5.9.A.3(b)(2), it

needs to be rejected. Per 15.5.9:

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

HISTORIC PRESERVATION

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 (Classical Revival = The White House style, purposefully simple, with clean lines), as well as the historic brickwork from the local area. As a public school, it represents significant local historical value. It is nowhere close to the end of its useful life as is claimed in the Statement of Justification.



Picture of Nellie Custis School - c. 1932

The EHT Tracerics report included in the Application titled “Former Nelly Custis School - Draft Historic Context and Assessment”

<https://archives.arlingtonva.us/publicaccess/PublicAccessProvider.ashx?action=ViewDocument&overlay=Print&overrideFormat=PDF>

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 endorsed the Local Historic District designation and demanded 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 with no response.

<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=cmz_u4c0cxra7kinquaa62uiik&st=8btbm6ar&dl=0

PARKING & LOADING

MELWOOD PROGRAM PARKING

Melwood is claiming it is Community Service. Melwood may qualify as Community Service via the subcategory "philanthropic service" in ACZO 12.2.4.B but not as the "community center" subcategory as it claims. Community centers are open to the general public, and the Melwood program as listed on its website is a counseling program with therapeutic services and day habilitation, not a public community center.

Per ACZO, community center parking is based on numbers of participants. This is because there are usually large occupant loads in these buildings when many people come to the centers to congregate and participate in programs - like workout areas, weddings, theaters etc. These kinds of uses are considered "assembly" and would be required to be indicated as such on the architectural drawings for building code / fire egress purposes. At the assembly capacity of 50 sf / person, an 18,121 sq. ft. space like Melwood is proposing can hold 360 people and requires 120 parking spaces (a ratio of 1 space / 3 attendees).

A counseling center is an office use, as is indicated on the architectural drawings Sheet A1.02 which **label the space "office"**. Office use has a lower density of people than assembly use, and lower parking requirements of 1/250 sq. ft., or 72 spaces.

Melwood is proposing 18,121 sq. ft. of "Office" on the architectural drawings. But Melwood is basing its parking calculations on the number of participants as if it were a community center, not on the office square footage. But, Melwood stated it will have only 60 daily participants in the 18,212 sq. ft space, 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 / Assembly, not Office, use. These statements are inapposite. Not offering community center use and failing to have appropriate community center parking if it were to offer such a use.

Melwood has provided no details other than "office" on its architectural drawings. This begs the question, **if the program only includes 60 participants – why does it need 18,121 sq. ft. of space?** Community center types of programs require 50 sq. ft / participant (3,000 sq. ft. for 60 participants). There appears to be missing use of the balance of 15,000 sq. ft. of office space and the associated parking. In the vacuum of this information, it appears the purpose of calling the Melwood space a community center is solely to base the required parking on a deflated number of participants instead of square footage as required.

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 sq. ft. 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.

SHARED PARKING

Melwood states there is a shared parking arrangement but does not provide details. Details of any shared parking arrangement between the Melwood program and the residential building need to be evaluated, formalized and documented. Provisions for the existing users of parking on the site need to be made including the adjacent retail / VHC Urgent Care ambulance parking, the Latter Day Saints weeknight and Sunday parking, and the Calvary Methodist Church Sunday parking to prevent overflow into residential areas. For decades Sunday-only parking has been permitted on Grant Street, under what authority is that suddenly being revoked? It is a public good that is being handed over to a private entity.

RESIDENTIAL PARKING

The Application disregards the County's parking requirements and the proposed parking 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 / townhouse-sized units**. Melwood offers no statistics to back up the proposed reduced ratio. **The location is not even in a Metro Station Area. It is ¾ mile from the nearest Metrorail station.**

Cars are vital for people who 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. And \$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:

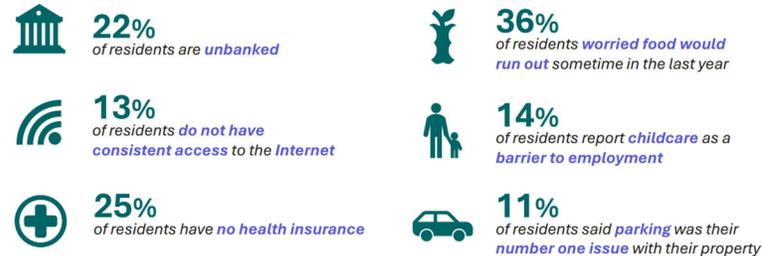
<https://nhts.ornl.gov/vehicletrips>

Cars are not going away. Per a 2022 Forbe's study of available public data, **a whopping 89.7% of households in the DC metro area had at least one vehicle - that includes all income levels.** In Virginia there are 1,288 cars per 1,000 licensed drivers, and this number **went up by 2.1%** from 2018 - 2022. Providing inadequate parking will not stop people from owning cars, it will only encourage parking on residential streets that already share parking with retail, church and park users. **Only the developer benefits by not providing adequate parking - they are spending less on the property but still using the full LIHTC subsidy and getting the associated secure rent.**

<https://www.forbes.com/advisor/car-insurance/car-ownership-statistics/#:~:text=91.7%25%20of%20households%20had%20at,least%20one%20vehicle%20in%202022>

The County Board is aware lack of parking at affordable housing properties is an issue. On October 18, 2024 Libby Garvey and Maureen Coffey were provided an "Update to Arlington County Board Members" by True Ground Housing Partners (formerly APAH). Slide 13 of this presentation documented the top six resident needs from True Ground Housing Partners 2024 Needs Assessment Survey. The top five are not surprising: food scarcity, health insurance, banking, childcare and internet access. **Number six, the number one issue residents have with their property, is parking.**

Results Preview | Resident Needs



 true ground

Source: True Ground Housing Partners 2024 Needs Assessment Survey, conducted by ServiceTrac



Studies back up the concern over parking. The following two studies, one from Fairfax County and one from Rutgers University, indicate that family sized units need more, not less parking than the 1.125 spaces (apartment standard) in Arlington.

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 (a TOD, Transit Oriented Development), an affordable housing multi-family building with a significant number of family sized units, located a quarter mile from the Springfield Metro. Springfield Crossing is within walking distance to a grocery store 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-rate buildings in the study.** The study did not indicate reduced parking at the affordable building versus market-rate building.

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, that are the size of townhouses, which otherwise require 2 spaces per unit.**

81% of the 105 units (85 units) at the Melwood project are 2- and 3-bedroom units. Using the Springfield Crossing demonstrated parking ratio of 1.41, 120 parking spaces are required for Melwood. A ratio of 1.41

is more 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, like this site, for actual usage and found the following at 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 151-space parking requirement is similar to the Fairfax Study, and **double what is proposed. Notably, the Rutgers study does not distinguish between affordable and market-rate (both are included in the data)** - likely this is due to the equity concept held in most jurisdictions (including Arlington) 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-rate parking ratios, there is a fundamental concept of equity that the Application excludes and it therefore needs to be rejected.

Further, inadequate parking will create nuisance overflow parking on residential side streets setting the stage for conflict among neighbors (Melwood's new residents and existing residents) visitors, church attendees, retail patrons, the Urgent Care ambulance (currently uses Melwood's lot) and Nelly Custis Park users. This parking shortage will be exacerbated once 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.

Any development should maintain standard parking ratios appropriate for the unit size and accommodate existing parking uses on the site. The County needs to study the impact of large units and affordability on parking needs.

24 x 7 PARKING RESTRICTIONS REQUIRED - IMPACTING RETAILERS AND CHURCHES

There is great concern about the potential for nuisance overflow parking on residential side streets due to insufficient parking provided on site. **24 x 7 parking restrictions on the side streets will be required to**

ensure there is no overflow parking from this development (residents, visitors, employees, and clients), restrictions that would negatively impact retailers on 23rd Street who currently have too little parking and use the side streets for overflow and employee parking. The 24 x 7 parking restrictions on the side streets would also impact the churches that park there on Sundays and during events.

LOADING

Melwood is proposing loading on Grant Street, a residential side street that is too small for a truck's turning radius, so Melwood proposes to remove parking on the west side of the street. This will impact the parking for Calvary United Methodist Church who has used both sides of Grant Street for Sunday parking for decades.

Loading access should remain as is current 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. A 35' foot tall building, with height appropriate for the site, would not require the consumption of the street parking. This is prime evidence that this neighborhood's infrastructure cannot support a project of this scale and the application should therefore be rejected.

The loading dock is next to the park and poses a safety hazard to pedestrians and will be a noise nuisance. Further, in order to accommodate the transition to the loading area, the site drawings show a corner taken out of Nelly Custis Park.

TRANSPORTATION

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 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 in 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 that trip generation from the development will be higher than as shown in Table 10 of the report. These assumptions should be peer reviewed and the assumptions and analysis made more transparent.

Development Assumptions

The development list on Page 52 of the report does not include several projects that will impact traffic in the area including the River House 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 the 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 - something neither the transportation assessment nor the Special GLUP study consider. Whereas 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, recent requests for a dialog have again been denied.

Results Analysis

A spot study of the Peak Hour Traffic Volumes at Location 3, heading east at Fern and 23rd Streets as shown on page 56 / page 58 of the report, 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”.

OPEN SPACE AND LANDSCAPING

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.

A complete, tall evergreen separation must 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.

Further it is unclear from the Landscape Plan L5.01 how tall the trees will grow. These above grade transformers need wide clearance limiting the planting that can be put in that area, reducing the separation from the park.

LJ-202 does not appear to show the critical root zone (CRZ) accurately for the trees planted at the north side of Nelly Custis Park. Many of these trees' drip lines, indicative of the CRZ, appear to be well over the property line.

chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/<https://www.arlingtonva.us/files/sharedassets/public/v/1/commissions/documents/fnrc/tree-protection-and-canopy-calculation.pdf>

Allowing removal of the historic school results in the removal of the following (8) mature native trees in good condition which were recommended to remain in the Special GLUP study.

Tree 130, a 50-ft-tall red maple

Tree 131 a 40-ft-tall linden

Tree 132, a 35-ft-tall linden

Tree 133, 135, 136 & 137, 35-ft-tall hemlocks

Tree 138, a 40-ft-tall blue spruce.

Further, allowing inadequate setback at the west side results in the removal of the following (2) mature native trees that have also not been properly maintained by Melwood:

Tree 101 and 102, 55-ft-tall pin oaks

The loss of these trees is unnecessary and unacceptable, especially the spruce tree, which has been a neighborhood landmark for over 40 years, and the centerpiece of the winter "Miracle on 23rd Street" community event.

Sheet L5.01 includes the tree canopy calculations (see below). The Applicant calculated the 25% tree coverage required by FNRP including the trees **that are in the public park on Parcel B, and maintained by the county and not part of the development due to a public easement.** This is incorrect and contrary to the Special GLUP Study which partitioned the park space from the development.

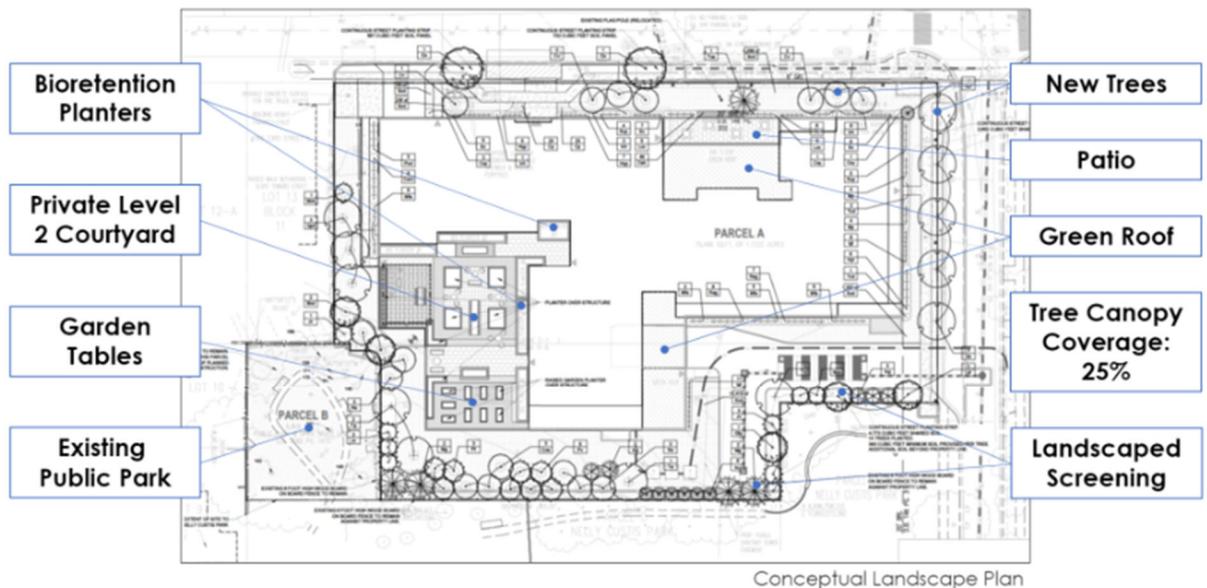
CANOPY COVERAGE TABULATIONS	
20 YEAR CANOPY COVERAGE REQUIREMENTS	
SITE AREA (PARCEL A & B):	82,302 S.F.
MINIMUM TREE CANOPY REQUIREMENT	10%
MINIMUM TREE CANOPY REQUIRED:	8,230 S.F.
TREE CANOPY TARGET PER STUDY DOC.:	25% / 20,575.50 S.F.
EXISTING TREE CANOPY TO REMAIN:	6,207.52 S.F. (7.5%)
MINIMUM TREE CANOPY PROVIDED:	14,493.75 S.F. (17.6%)
TOTAL TREE CANOPY PROVIDED:	20,701.27 S.F. (25.1%)

Further, the Online Engagement Opportunity Survey (October 21 - November 4, 2024) identified the Tree Canopy Coverage separately from the Existing Public Park, and did not even show the trees in the park, which is deceptive. It appears from the drawing shown to the public in the survey, the Tree Canopy Coverage is calculated solely on Parcel A and not Parcels A and B per the table above.

See snip below from the survey:

Comment

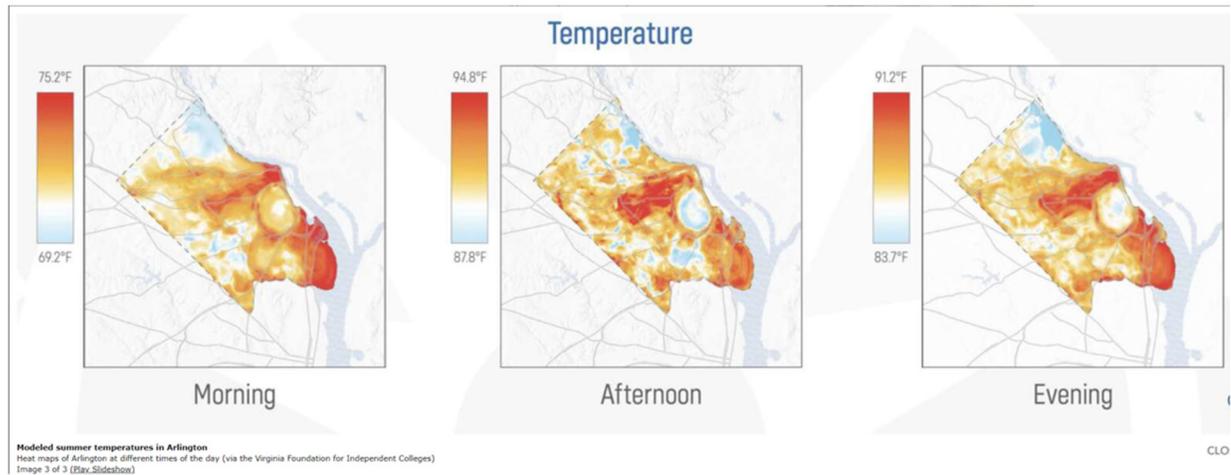
Open Space and Landscaping



HEAT ISLAND EFFECT

The heat island effect is real in Aurora Highlands - the average temperature is 5 - 10 degrees warmer than in other parts of the county. We need to add trees, not remove them.

<https://www.arlnow.com/2022/03/31/arlington-hottest-areas-lack-tree-canopy-to-soak-up-the-sun-study-finds/>



GREEN BUILDING AND SUSTAINABILITY

Given the huge investment being proposed by the public including LIHTC and upzoning, green building standards above and beyond the ubiquitous “Silver” should be considered a requirement **as per the scorecard in the Application the site itself delivers over 100 points out of 335**. The balance of the proposed green building measures listed in the scorecard are either mandatory, economical, or low hanging fruit.

Because of the site location, the project could easily achieve LEED Gold or EarthCraft Gold like many other affordable house projects if it preserved the existing school building and had a smaller footprint to allow mature trees and natural stormwater management. The site’s open, south facing location makes it ideal for a sloped solar roof, as well. From the 2020 AHMP 5-year report:

SUSTAINABLE FEATURES OF CAF PORTFOLIO

Property	Year	Earthcraft Certified	Earthcraft Gold	Earthcraft Platinum	LEED Gold	EnergyStar Certification	EnergyStar Utility Monitoring	Solar Energy
Arlington View Terrace	2020		✓				✓	✓
The Cadence	2020		✓				✓	
American Legion (Terwilliger Place)	2019		✓			✓	✓	
Queen's Court	2018		✓				✓	
Ballston Station/ CUMC	2017				✓			
Westover/Fisher House II	2017	✓					✓	
The Apex	2017		✓				✓	✓
Gilliam Place	2016			✓			✓	
Park Shirlington	2018							

(pending final affordable housing plan)

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extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.arlingtonva.us/files/sharedassets/public/v/1/housing/documents/ahmp_5yr-report.pdf

ADDITIONAL

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/SitePlansC_ommBenefits.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 6/20/24 letter from the Applicant do not offset the impacts of the proposed development. The development will impact schools, traffic, parking, walkways, 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.

AHCA conducted a survey of its residents asking what benefits would be most desirable. The top requests were for less density and less height. Other responses were very telling about what sorts of benefits this specific site could offer to the surrounding community, but none are considered by the current Application.

REQUIREMENTS IN ACZO 15.5.9 FOR AFFORDABLE HOUSING DOCUMENTATION

The Application does not appear to be complete. Does it have all of the information required in 15.5.9A2, specifically (d), (e), (f), and (k)?

SUMMARY

Section 15.5 of the Zoning Ordinance sets forth three (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 and other mature trees, 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 which will tower over the existing 25' tall houses with light pollution, while creating a precedent of a High-Density Mixed Use building in the middle of a low-density single-family neighborhood that penetrates beyond the commercial C-2 line into the R-6 neighborhood including a children's park. It should be noted that many young children walk to this park, and the increase in traffic generated by the proposed building will make walking conditions more hazardous - in direct conflict with the goal of the County's Vision Zero Action Plan.

The traffic and parking assumptions are invalid and require 3rd party peer review to prevent overflow of traffic and parking onto the neighborhood streets.

The proposal contained in the Application does not meet the standards for approval in Section 15.5 of the Zoning Ordinance. The building envelope is too large for the neighborhood and is detrimental to the health, safety and welfare of the existing residents in contradiction to the Comprehensive Plan elements. As proposed, Melwood's redevelopment plan exacerbates inequity by continuing to concentrate affordable housing in one area of the County where committed affordable units are already abundant and its proposal for inadequate resident parking is the polar opposite of "equitable" treatment.

Melwood should consider a more appropriate location for its program, one along a transportation corridor and Arlington County needs to reconsider preservation and the adaptive re-use of the existing 100+ year-old building for public use before the tragedy (including but not limited to: parking overflow, parking inequity, loss of trees, loss of an historic building, light pollution, pedestrian hazards, traffic, additional load on the stormwater system, etc.) that this Application proposes unfolds.

APPENDIX A

EXECUTIVE SUMMARY OF AHCA GLUP STUDY COMMENTS:

The Study is not supported by AHCA for the following reasons:

1. The Special GLUP Amendment process as exemplified in this Study allows a single landowner, the Applicant, to request upzoning and the County to recommend upzoning without agreement of the impacted community. As Mr. Mattauszek, County Planner, stated at the 2/20/24 meeting with AHCA, the Study only included options the Applicant would accept. The Study did not “fully identify the full range of issues associated with the proposed change” such as a smaller envelope or retaining Public use, per the requirements of the Special GLUP Amendment Policy Item 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”*]. The Study also did not include “full input from the community” per the same Item 4 as none of AHCA’s concerns were included in the Study. **The Study was therefore not objective per the requirements of the Policy.**
2. False choices were proposed in the Study between two options which are both too big for the site.
3. The **Land Use Analysis in the Study was faulty – in addition to the inappropriate density / size– the use is office** and training facility. Therefore, the only appropriate Land Use Designation for the proposed residential / office building is “High Medium Mixed Use” which is unprecedented and is completely inappropriate in the middle of a “Low” use designation residential area. Approval of the proposal will create a negative precedent on 23rd Street and across the County.
4. **There are cardinal omissions in citations of policy guidance including the GLUP itself, the Crystal City Sector Plan, the Pentagon City Sector Plan and the Aurora Highlands Neighborhood Conservation Plan which all speak to preservation of the scale of the historic single-family neighborhood (Aurora Highlands).**
5. The County Engagement Session was riddled with omissions and misinformation. The Session responses were invalid as there was no verification of identity of respondents.
6. The Study recommended removal of an historic building **which has been nominated as a Local Historic District in a historic neighborhood (designated in 2008) and removal of mature trees, which is against County policy.**
7. The Study recommended a building that is too tall for the neighborhood and a footprint that allows no open space, no buffer from Nelly Custis Park, **does not comply with the Forestry and Natural Resources Plan**, and does not provide space for natural stormwater management.
8. The Study cites **affordable housing policy but fails to state that Aurora Highlands is saturated with affordable housing, and the county policy for affordable housing states affordable housing should be distributed throughout the County and in Metro Station Areas (the site is not in a Metro Station Area).**

RECOMMENDATIONS

1. Preserve the Public Use designation of the Site. Public use should be considered to remain at the site, not residential zoning.
2. Review the Special GLUP Amendment process as discussed during the Arlington County Civic Federation Meeting with the County Board on 1/2/24 (<https://vimeo.com/900474854>, see 17:02 for discussion). Pause all GLUP Studies until this process review is complete.
3. Delay any approval until the deed restriction for school use only is affirmatively addressed per March 6, 2024 letter from AHCA to the County: <https://www.arlingtonva.us/files/assets/public/v/1/melwood-deed-study-240306.pdf>.
4. Delay any approval until the Local Historic District nomination review for Nellie Custis School is complete as the Study includes no option that preserves the building (as per HB1395 approved in 2024).
5. Reject the Study because it was not objective and did not meet the requirements set out in the Special GLUP Amendment policy.
6. Perform real, verifiable, objective community engagement and seek agreement from adjacent neighbors and the applicable civic association per the Arlington County Civic Federation [Resolution](#) of June 14, 2022: Arlington County Civic Federation Public Services Committee APPROVED Resolution to Improve Public Input for Planning, GLUP and Zoning Change.
7. Perform additional studies that include all options for the site including researching county use of the and a smaller, appropriate envelope that retains the historic building and mature trees. Delay any approval until the Study is revised to include all options for the site. Study to include ground level sight lines (wire diagrams for example) to accurately convey the impact of massing. At a minimum:
 - research County use of the site,
 - resolve Calvary Church parking currently on Grant Street and Latter Day Saints parking on site,
 - require a 35' height limit,
 - preserve the historic Nellie Custis School building and mature landscaping,
 - manage all parking and loading on-site,
 - require heavy evergreen continuous biophilic separation between the proposed building and Nelly Custis Park,
 - require measurable and maximum light and noise pollution reduction measures,
 - require adequate open space, and
 - address traffic and street crossing / sidewalk issues on path to Nelly Custis Park (Park Commission Tier 1 meeting comment)
8. Provide specifics in the Study recommendation for any land use change to protect the historic building, the mature trees, park separation, tree coverage, building envelope (35' height, setbacks) including diagrams as applicable.