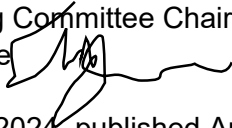


Memo

To: Rachel Hicks, President, Aurora Highlands Civic Association (AHCA)

From: Stacy Meyer, Vice President, AHCA, AHCA Zoning Committee Chair and Melwood Special GLUP Study LRPC Representative 

Re: Melwood Special Land Use Study dated March 24, 2024, published April 13, 2024

Date: May 3, 2024

Attached please find the AHCA Zoning Committee review of the Melwood Special Land Use Study (“the Study”) dated March 24, 2024, published April 13, 2024.

The AHCA Zoning Committee recommends rejecting the Study because it is not objective and does not meet the criteria laid out in the General Land Use Policy Amendment Policy of 2008.

The attached report, Melwood Special Land Use Study Review, is organized as a side-by-side review of the Study. It includes an analysis of the Study and recommendations for moving forward. A companion presentation illustrates the concepts in the attached report and can be found on the AHCA website:

<https://aurorahighlands.org/melwood-glup-study-ahca-comments-240430/>

In short, the report recommends there are many better ways to develop this site than included in the Study. Our primary recommendation is for the County Board and Planning Commission to require a full, objective analysis of the land use at the site including retaining the Public Use, restricting development to a smaller, appropriate envelope, buffering Nelly Custis Park, preserving Nellie Custis School, and seeking agreement with the neighbors.

Aurora Highlands Civic Association (AHCA)

Melwood Special Land Use Study Review

May 3, 2024

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EXECUTIVE SUMMARY

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 includes options the Applicant will accept.** The Study does 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. The Study also does 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 is therefore not objective per the requirements of the Policy.
2. False choices are proposed in the Study between two options which are both too big for the site.
3. The Land Use Analysis is faulty – In addition to the inappropriate density / size, Melwood is not a publicly accessible Community Service as defined in the zoning code – 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 Study would 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 recommends removal of an historic building which has been nominated as a Local Historic District in a historic neighborhood and removal of mature trees, which is against County policy.
7. The Study recommends 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 for 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.
5. Reject the Study because it is not objective and does 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 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 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 biophillic 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.

INTRODUCTION TO STUDY COMMENTS

The "[Policy Regarding Consideration of General Land Use Plan Amendments](#)" (the "Policy") adopted by the County Board on 6/17/08 requires that a planning study performed by the County Manager be presented to the County Board as a precedent for review of an application of a GLUP amendment. This Study per Item 3 of the Policy needs to be conducted "**outside the context of a specific development application**" and shall "**objectively assess the implications of the proposed changes** and whether they comport with the County's long term planning principles and goals". Due to misinformation and omissions, the Melwood Study dated 3/24/24 **does not meet these requirements and needs to be rejected**.

GLUP STUDY BACKGROUND

After approval of the Policy in 2008 and until 2019, the County held a tight standard for review of Special GLUP Studies. But in 2019, following the announcement of Amazon's HQ2, the County published an online brochure **inviting landowners to request upzoning**. The number of requests for upzoning per year approximately doubled at that time. The GLUP Studies have always been, and especially since 2019, are very controversial because the GLUP amendment process encourages **one landowner to request a zoning / use change usually / often at the expense of his neighbors and this does not promote harmonious, predictable zoning as is required by Virginia law**. As an example, the following link is to a change.org petition with **over 1000 signatures** that oppose both the current Clarendon Presbyterian Church and the Melwood GLUP Studies process – "Stop High Rises in Arlington Residential Neighborhoods".

<https://www.change.org/p/save-clarendon-presbyterian-church-and-preserve-our-residential-neighborhood-e709cd8c-3f3c-4686-a27a-67ab62e03413>

IS THE SPECIAL GLUP PROCESS AS LAID OUT IN THE 2019 BROCHURE EVEN LEGAL PER VIRGINIA LAW?

AHCA stated serious concerns about the Special GLUP Study process in its November 11, 2023, presentation to the Melwood LRPC. Virginia law states that zoning ordinances shall be for the general welfare of the public, **whereas the Special GLUP Study process benefits a single landowner** (15.2-2283 Purpose of zoning ordinances). AHCA has asked the county to provide its legal opinion as to how the process is in keeping with Virginia **law but has not gotten a response to date**. AHCA 231118 presentation link:

<https://aurorahighlands.org/wp-content/uploads/AHCA-Melwood-LRPC-Presentation-231128-2.pdf>

COUNTY BOARD COMMITMENT TO REVIEW OF SPECIAL GLUP STUDY PROCESS

The County Board acknowledged in the January 2, 2024, meeting with the Arlington County Civic Federation (CivFed) that there are problems with the GLUP Study process.

<https://www.youtube.com/watch?v=EX8PSNIJ6Z8>

Mr. Karantonis stated that the Board is committed in **2024** to review the processes including the GLUP Study process. On January 30, 2024, AHCA wrote a letter to the County Board **requesting that the Melwood Special GLUP Study be paused or stopped** until the process review is complete.

<https://aurorahighlands.org/wp-content/uploads/Melwood-Letter-230130-signed.pdf>

As of this writing, the County Board has not responded or provided any further information on the status of the review, nor has the process been stopped or halted. **How does the County justify moving forward with a process that it openly acknowledges is faulty?**

The current process requires **normal everyday citizens to become or hire architects, developers, land use attorneys, lobbyists and spend countless hours reviewing and responding to a process that is now purposefully stacked against** them in favor of developers and special interest groups who usually do not live here and will not be negatively impacted by these decisions. **This process is, at a minimum, flawed.** The GLUP Amendment process as it is currently being implemented **has turned the planning process upside down.** The County needs to make sure the residents are a welcomed part of the process, and “seek agreement” and not to treat residents like obstacles to run over.

ARLINGTON CIVIC FEDERATION (CivFed) GLUP RESOLUTION

To improve the process and ensure there is adequate input from the locally impacted community, the CivFed Public Services Committee supported and proposed a resolution in 2022 recommending staff and the County Manager **“seek agreement” from adjacent neighbors when reviewing proposed upzoning** requests in a similar manner as BZA. The resolution was passed by CivFed, a group that represents 80 civic organizations across Arlington, however, the County still has not yet reviewed the recommendation. Here is a link to the resolution and associated presentation.

<https://www.civfed.org/newContent/2022-06/2022-06%20ACCF%20PSComm%20Res%20GLUP%20Presentation.pdf>

THIS APPLICATION DOES NOT MEET THE SPECIAL GLUP AMENDMENT APPROVAL CRITERIA

The project meets none of the criteria listed for approval of a Special GLUP Amendment application as the site is governed by multiple planning, zoning and land use overlays, all of which are up to date as of 2023, particularly the **GLUP**, the **AHCA Neighborhood Conservation Plan of 2008**, and as applicable **Pentagon City and Crystal City Sector Plans** and no conditions relating to the site have changed to warrant a new planning study at this location.

THE TIER 1 REVIEW PROCESS

THE TIER 1 MAY 2022 MEETING WAS PROBLEMATIC

There were significant problems with the way the Tier 1 LRPC meeting was stacked and structured to limit community input (in the traditional and accurate definition of “community” meaning the actual local community that is impacted by the proposed development) as outlined in a letter from Rear Admiral Chris Paul and Shannon Paul, residents of Aurora Highlands to Jim Lantelme, Chair of the LRPC, included again as an attachment in the January 3, 2024 letter from AHCA to Mr. Lantelme.

<https://aurorahighlands.org/wp-content/uploads/AHCA-Melwood-LRPC-Follow-Up-240103-sig-1.pdf>

None of the questions submitted by Mr. Paul were answered including the following:

- Staff presentations during the LRPC Melwood project meeting were supposed to be about studying zoning; however, there is no zoning for affordable housing in the Melwood application except for bonus density to double the height/density, yet there were several affordable housing advocates seated at the table—the Housing Commission, the Disabilities Commission, a Melwood Client, etc. **Do you agree that the proposed use as affordable housing is not a zoning issue, except in considering bonus density, and that multifamily is the zoning issue here?** If so, why was the discussion of affordable housing a major topic in the LRPC meeting on May 12, 2022? Please explain.
- Many Aurora Hills community members pointed out in the 60 seconds they were given to comment that **a Commission decision appeared to have already been reached in advance of the meeting in favor of Melwood** especially given certain Commissioner attendance—non zoning expert advocates. Please comment on **why there were so many housing advocates in attendance rather and such limited neighborhood community representation?** Is this in keeping with the General Land Use Plan (GLUP) Amendment that requires “full community input”? Shouldn’t the Aurora Hills residents most impacted—adjacent citizen neighbors be most represented as is allowed in the Board of Zoning Appeals (BZA) process? Please explain.
- The adjacent residential neighbors were not included in the longer period discussion, yet the owner of the commercial property adjacent to the Melwood project was invited as well as a Melwood client? Please explain why this occurred in the meeting agenda as **it suggests a biased or tainted community process.**
- **Two Commissioners inappropriately accused neighbors of being prejudiced against all affordable housing “in their neighborhood”.** Do you believe this should have occurred especially during a community meeting and in hindsight should you have criticized this type of rhetoric by public

officials/Commissioners as the Committee Chairman? Are these kinds of attacks normal for the LRPC? Please explain.

Additionally, **comments made by the Parks & Recs Commission** representative in the Tier I LRPC meeting regarding concerns about the development and the impact to the pedestrians (children / toddlers) commuting to / from Nelly Custis Park **was not included in the Study.**

THE STUDY TIER I SUMMARY LEFT OUT ALL AHCA COMMENTS PROVIDED AT THE LRPC TIER I MEETING. HIGHLIGHTS OF THE AHCA COMMENTS AT THE MAY 12, 2022, MEETING:

The Staff Report does not acknowledge the Aurora Highland Civic Association's letter to the County sent March 2022, which can be found at this link:

<https://aurorahighlands.org/wp-content/uploads/AHCA-Letter-to-County-re-Melwood-application-22-March-2022.pdf>

The Study does not acknowledge that the community voted overwhelmingly (with 100 members present) to oppose the GLUP amendment. Additionally, there has been no response from the County Staff, the Planning Commission or the County Board to the letter in nearly two years.

See Appendix B for specific concerns that were included in the letter sent to the County. The proposed GLUP amendment was opposed by AHCA overwhelmingly since day one.

THE COUNTY DID NOT PERFORM PROPER DUE DILIGENCE IN TIER I REGARDING EXISTING LAND USE RESTRICTIONS

Upon receipt of the application, the County in its due diligence should have requested a title report for the property to confirm there were no encumbrances. And certainly, prior to proceeding to a Tier II review the County should have had a confirmed title. AHCA pulled the property deeds and sent an email to staff on March 6, 2024.

<https://www.arlingtonva.us/files/assets/public/v/1/melwood-deed-study-240306.pdf>

There is a restriction from the original land transfer that remains in effect that limits the use of the property **to school purposes only**. Staff has not yet addressed this fundamental issue and **excluded it from the study**, even after research was sent to the County by AHCA about this issue. While certain deed restrictions may not be relevant to changing the land use, **certainly one that requires a public good, such as school use only, is relevant and should be included in the Study.**

Fletcher Kemp
10/18/22

HENRY C. MORRIS et ux " "
to B. & S. " "
JEFFERSON DISTRICT SCHOOL BOARD # 1 " "

THIS DEED, made this 15th
day of November, (1921] in the year one
thousand nine hundred and Twenty-one
by and between Henry C. Morris and Imogene W. Morris, his wife, both of the City of
Washington, District of Columbia, parties of the first part, and Jefferson District
School Board #1, Arlington County, Va. for school purposes only, party of the second part.

LRPC Chair Mr. Lantelme stated that the very reason that the Application moved from Tier I to Tier II was to clear up a conflict between the Public land use and the private ownership. But the Study does not acknowledge that there is a **Special Use approval** for Melwood to be on the site, and this approval has been the **working status quo for decades**. Given the Special Use approval, **there is no reason to change the Public land use even if it is private land, except for the Applicant's desire** – further, Melwood, Linden Resources before them, and the SOC before them, all knew of the Public land use and school use restriction on the deed. If Arlington changed the land use at the time of the land swap **Arlington and its taxpayers should have been compensated for the increase in value that the change created (just as it should be today if the Public designation is changed.)** However, there is **no discussion in the Study about the County being reimbursed or paid for the increased value that will go to Melwood in the land use change**, either with or without affordable housing, and there is **no requirement for an affordable housing covenant** discussed in the Study. What prevents Melwood from flipping the property once rezoned? How is Arlington's fiduciary responsibility to its taxpayers being met here?

There needs to be closure of these issues by the County before any land use change is approved.

THE TIER II STUDY

THE STUDY IS CONTAINED TO THE CONTEXT OF THE SPECIFIC DEVELOPMENT APPLICATION

The Study was conducted specifically within the context of Melwood's development application and not "outside the context of a specific development application" per the 2008 GLUP Amendment Policy. In a meeting on February 20, 2024, with the AHCA, Matt Mattauszek, Arlington County Master Planner, stated that the Study was limited to the impacts of putting approximately 100 units on the site per the Application.

AHCA presented Mr. Mattauszek with an alternate study of the site that included maintaining the existing 35' height limit, and asked why the County **did not study any option that did not put approximately 100 units or more on the site**. Mr. Mattauszek stated in the meeting it was **because the Applicant would not accept such a study**. However, whether the Applicant would accept a study is irrelevant to the Study requirements and is contrary to the requirement to "objectively assess the implications of the proposed changes" per Item 4 of the Policy. For any study to objectively assess the site, it needs to consider the range of options outside of the development application, and the Study, by design per Mr. Mattauszek, does not include any option other than those that produce the Applicant's proposed 100+ units. **The Study needs to be revised to include all planning options for the site, including Public Use and those that exclude density bonus and only include reasonable, appropriate density on the site.**

THE STUDY CONTAINS CARDINAL POLICY OMISSIONS

The Study omits many important guiding documents and principles. The following documents all share the premise of preserving the low density of the single family neighborhood scale. For the Study to be objective, all relevant County planning principles and documents including the following should be included and assessed:

1. The Study fails to include the **2008 Aurora Highlands Neighborhood Conservation Plan** ("NCPlan") which is listed as a **Supporting Document to the GLUP** in Section 6.4 of the GLUP last amended June 2023. The NC Plan specifically addresses the Melwood Site (712 23rd Street) on page 14 [https://aurorahighlands.org/_Media/NC_AuroraHighlands_Plan.pdf]

a. "(SOC) occupies about half of the south side, facing low-rise office buildings across 23rd Street. The building mix and heights are compatible with the surrounding residential blocks and are of recent construction. **The community would like to preserve this arrangement and continue the existing zoning and height limitations.**"

2. The Study states on Page 8 under the Section "Special GLUP Study Background Information" that the Crystal City Sector Plan ("CCSP") and the Pentagon City Sector Plan ("PCSP") do not address Aurora Highlands "in detail" **but fails to include the statements in both documents regarding Aurora Highlands**. Specifically, the CCSP mentions Aurora Highlands 18 times, and the PCSP mentions Aurora Highlands 5 times. **The premise throughout the CCSP and the PCSP is to protect the scale of the Aurora Highlands single family neighborhood by transitioning to it at the edge of the sectors**. The premise of both documents is that the historic, single family neighborhood scale must be respected.

a. The CCSP specifically recommends on Page 15 **“tapering down in building heights and scale from Crystal City to the neighborhoods.”**

i. “As Crystal City and Pentagon City evolved over the past four decades, deliberate efforts were made to establish height and **bulk transitions between the high-density growth pattern in these new development areas and the lower density, existing residential neighborhoods to the west.** This plan for the next generation of redevelopment in Crystal City will carefully manage development patterns and land use characteristics along this edge to retain and reinforce this transition strategy. The importance of retaining this transition strategy was highlighted in 2008, when much of Aurora Highlands received the largely honorific historical designation of inclusion in the [National Register of Historic Places.](#)”

b. The PCSP similarly recommends “development along the southern border of River House should be the lowest **scale to transition to Aurora Highlands**” on page 43.

3. The Study fails to acknowledge **Section 4.0 of the GLUP.** Section 4.0 “Development and Growth Goals” underscores Arlington’s commitment to “concentrate high density development within Metrorail Transit Corridors **and preserve lower-density residential areas.**” Item 4, in Section 4.0: “Preserve and enhance existing single-family and apartment neighborhoods. Within Metro Station Areas, land use densities are concentrated near the Metro Station, **tapering down to surrounding residential areas** to limit the impacts of high-density development. The site is NOT in a Metro Station Area.

4. Most importantly, **the GLUP itself includes on page 17, the goal of “preserving the integrity of the single family neighborhoods to the west [of Crystal City, e.g. AHCA]”.**

These documents must be included and assessed in an **objective study** as required by the Policy. The Study proposes density that is inappropriate for the neighborhood as it is too tall for the neighborhood scale (60’ the equivalent of 6 stories) and too wide (removes mature landscaping and the historic building.) **The only outcome of including the review of these documents is to reject the Application as it does not preserve the integrity of the existing single family neighborhood.** The affordable housing bonus creates too much height and density for the site especially when combined with the Melwood program staying on site.

THE STUDY GLOSSES OVER AND OMITTS COMMUNITY INPUT

The Section Tier II Review of the Study discusses the County's Community Engagement Session. The Study states there was "equal support for the 60' building height" to substantiate the recommendation for approval of the Applicant's proposal. However, the County session was flawed as it did not allow participants to include information about their location. The field for zip code did not work. **Without identification of the real location and validation of respondents, it is impossible to know what "community" responded**, and the "community" aspect of the session is therefore invalid. Without validation, the "online-community" could be **out of the County or even out of the Country or not even real people**.

Additionally, the questions in the sessions were leading as they did not include options such as not building at all or building smaller than 100 units. There was **a false choice** between a building that would be very tall (6 stories) but would retain open space or a slightly shorter building that would have no open space. Had an alternative of a smaller building in both height and footprint, or no building been presented, the results would have been in favor of a smaller development as most people that responded to the session **"preferred a ensuring the building scale, massing and materials complement the surrounding area including Nelly Custis Park"**, which can only be achieved with less overall density.

The **County Engagement Session should be removed entirely from the Study and replaced with a summary of its failed efforts and /or a new valid objective session performed**. Corrections to the slides in the misleading engagement session were sent to the County 11/14/23.

AHCA performed its own survey open to all AHCA members and voted on the proposed development. **With over 100 community members present and validated in a public meeting on March 14, 2022, the neighborhood voted 6:1 against the Melwood Special GLUP Amendment Application**, and the **AHCA survey** sent to its members had similar results. AHCA sent letters to the County opposing the Application, and those are posted on the Melwood site, yet, they are **not even mentioned nor appended to the Study**. The Aurora Highlands community strongly opposes the development in the 45' Scenario and it opposes the 60' Scenario, and the multiple letters sent to the County from AHCA should be included in the Study. <https://aurorahighlands.org/wp-content/uploads/AHCA-Melwood-LRPC-Follow-Up-240103-sig-1.pdf>. Links to previous correspondence going back to March 2022 are in Attachment B of the letter.

AHCA is extremely concerned about the precedent this development will set on 23rd Street and across the County.

The AHCA Survey Results Summary – 158 responses from residents:

What are your concerns? Check all that apply.
158 responses

Concern	Count	Percentage
Traffic	99	62.7%
Parking	95	60.1%
Size and scale of the prop...	95	60.1%
Population density	95	60.1%
Precedent for zoning chan...	108	
Pollution (light, noise, grou...	70	44.3%
Crowding/overuse of com...	80	50.6%
Lack of space in schools	61	38.6%
Proposed residents' ability	44	27.8%
Violation of sector plan	74	46.8%
Lack of community input f...	90	57%
I have no concerns about t...	15	9.5%
None	1	0.6%
I'm concerned about this n...	1	0.6%
Already a serious runoff pr...	1	0.6%
I support the plan	1	0.6%
Could Melwood build, then...	1	0.6%
Drastic change to historic...	1	0.6%
None Also by only asking f...	1	0.6%
Despite these concerns, I...	1	0.6%
Change of historic charact...	1	0.6%
My concern is that this bui...	1	0.6%
I fully support this attempt...	1	0.6%
None	1	0.6%
Possible increase in crime	1	0.6%
Housing shortage	1	0.6%
Loss of public zoning	1	0.6%
none	1	0.6%
I am not concerned about...	1	0.6%
You list "concerns" on the...	1	0.6%
This is absurd	1	0.6%
Building could be bigger	1	0.6%
This is a pretty bad survey...	1	0.6%
My biggest concern is abo...	1	0.6%
There are already several...	1	0.6%
Why is there no option for...	1	0.6%
Why is there no option for...	1	0.6%
The nimby attitude of our...	1	0.6%
The benefits of adding aff...	1	0.6%

AURORA HIGHLANDS CIVIC ASSOCIATION

March 22, 2022

Arlington County Board
2100 Clarendon Boulevard
Arlington, VA 22202

Dear Members of the Arlington County Board,

Attached please find a thorough analysis of the Special GLUP Study Application submitted by Melwood Horticultural Training Center, Inc., on December 20, 2021. The analysis was prepared by the Aurora Highlands Civic Association's Zoning Committee and outlines numerous concerns regarding the size, scope and potential impacts of the project envisioned therein. Indeed, with nearly 100 members present, our Association was nearly unanimous in adopting the analysis and in its opposition to said project at a Special Meeting on March 14, 2022.

Our concerns are described in more detail in the accompanying report; and, while many of our members do support Melwood's mission and acknowledge Melwood's value to the neighborhood, it is **overwhelmingly clear that this project cannot be allowed to go forward on the site.** We are interested,

Do you oppose the proposed 60 foot building?
158 responses

Response	Percentage
Yes, I OPPOSE the proposed new 60 foot structure	75.0%
No, I DO NOT oppose the proposed new 60 foot structure	24.1%

Letter from AHCA to County March 2022 opposing this project

[2022-03-22 Letter to County re Melwood application](https://aurorahighlands.org/wp-content/uploads/Zoning-Committee-Report-and-Cover-Memo-Signed-031822.pdf)
<https://aurorahighlands.org/wp-content/uploads/Zoning-Committee-Report-and-Cover-Memo-Signed-031822.pdf>

AHCA May 2022 Online Survey Regarding Melwood Special GLUP Amendment Proposal

THE TIER II NOVEMBER MEETING SUMMARY IS INACCURATE

The Section Tier II Review of the Study summarizes the LRPC meeting held November 28, 2023, but the summary is inaccurate. Any summary of the LRPC meeting should include the important points **brought up by each of the stakeholder parties and the public and cite the meeting recording and the meeting minutes and the summary does not provide that information.** The Study failed to include any of the discussion points or reference more detailed recording.

The **Study fails to include any mention of the presentation provided by AHCA at the meeting.**

<https://aurorahighlands.org/wp-content/uploads/AHCA-Melwood-LRPC-Presentation-231128-1.pdf>

or the public who expressed overwhelming opposition to the project at the LRPC meeting. The Study needs to be amended with an accurate summary of the discussion and points from all stakeholders and the public including the AHCA presentation as amended with its text.

See Appendix C for specific corrections to the Study summary of the Tier II LRPC Meeting.

THE STUDY'S LAND USE ANALYSIS IS FAULTY AND INCOMPLETE

Per the Study Section "Application Request":

"With a rezoning to RA8-18, the applicant would also seek an associated use permit for a Community Service use to ensure the Melwood program could continue to be maintained on the site, as such uses are only permitted in RA zoning districts by use permit."

However, 22K square feet of **office and program space for Melwood is not a "Community Service" use**. Per 4.1.2 G of the zoning code community service use is defined as community center, library, museum, rec center or pool – **all of these are open to the public**, (12.2.4.B). Further under 12.2.4.D uses **NOT** included in the definition of Community Service: Social Services Institutions, treatment centers, (not to mention office space, assisted living, facility with individual self-contained dwelling uses, or philanthropic institutions.)

Per the Study: "staff analyzed the requested designation of "Low-Medium" Residential. Staff did not examine GLUP designations that would have allowed for greater development density, given the unique site size and surrounding context, **nor lesser GLUP designations which would only support the existing level of development on the subject site**".

This last (highlighted) statement is inaccurate as there are other options for the site that were not studied, which should have been, and therefore **the Study is incomplete. Options such as keeping the site Public**, for example, or including a lower density were not included.

An alternate study performed and presented to staff and the community at the AHCA meeting with Matt Mattausek on February 20, 2024, showed a development that **yields about half the density, while keeping the 35' height of the neighborhood, the historic building and buffering the park with a biophilic evergreen forest**. Staff stated at the meeting the reason they did not study any scenario less than 100 units was because the Applicant would not have accepted them, AHCA presumes this is due to financial considerations which were mentioned by staff but unspecified.

As a note, Virginia LIHTC (affordable housing tax credits) which typically represents 40% of an affordable housing project's financing stack **REWARDS projects under 100 units with competitive points making smaller projects more likely to receive funding** – see the Virginia Housing Federal Housing Tax Credit Manual Section 7.8.8.] Link to the manual:

<https://mc-0e9acafd-48f4-4c49-b478-6257-cdn-endpoint.azureedge.net/-/media/docs/partners/rental-housing/tax-credit-application-process/2024/2024-lihtc-manual.pdf?rev=2c66095e876d479a99eeb302321c6a5a&hash=2FFAF66089D3BE9F66D466EC52D54CE2>

The Virginia LITHC program also discourages large projects by capping development fees. And there **are many, many examples of smaller affordable housing projects** which represent **the state of the art in affordable housing**, rather than the large **failed** affordable housing projects of the 20th Century as is recommended in the Study. These examples and other recommendations approved by AHCA can be found at this link:

<https://aurorahighlands.org/melwood-glup-study-ahca-comments-240430/>

THE STUDY'S CHARACTERIZATION OF THE SITE IS FAULTY

The Study states the site is “fairly level” but the site slopes to the south by approximately 7 – 10’ – nearly a full story, and this slope needs to be considered in any development.

The Study fails to mention that the site is near an underground creek which may reveal prehistory.

THE STUDY INCLUDES A PREMATURE DISCUSSION OF COMMUNITY BENEFITS

Page 19 of the Study includes this statement on community benefits: “However, the scenarios allowing for greater height could support additional community benefits that may be sought, such as historic preservation or interpretation of the historic façade, retention of the existing open space or mature trees on site or Green Building benefits.”

The Study recommends demolition of a historic building well loved by a community, but then then goes on to recommend “interpretation” of the demolished building as a community benefit.

This begs the question, what do the words “Historic Preservation” even mean in Arlington in 2024?

Before the County and applicant consider potential **community** benefits, they should first consult with the **locally impacted community**. These premature suggestions should not merit consideration as community benefits. In a development project contemplated in 2024, open space, trees, and building green are required rather than nice-to-haves that merit rewards for a developer.

In order to begin a discussion of community benefits, the County and applicant should consult the most recent update to the community priorities as outlined in the [December 14, 2023 letter](#) to the County Board by the Livability22202 coalition, signed by the Presidents of the Aurora Highlands, Arlington Ridge, and Crystal City Civic Associations. As a reminder, those priorities include: an elementary school, community center and libraries, open space and the Green Ribbon, preserving Nellie Custis School and safe crossings of Route 1 which include a robust transportation management plan.

THE STUDY POLICY GUIDANCE DISCUSSION IS BIASED TOWARD THE APPLICANT

Policy Guidance, p. 13

The Study states on page 13 “there is no adopted plan for this area”. **The GLUP itself is a plan for the area.** The site is surrounded by low density historic single family housing, and a strip of small commercial buildings. That is the plan. The plan in the GLUP, in the PCSP, in the CCSP, in the NCPlan is to preserve the integrity of the single family historic neighborhood. No other plan is required.

Additionally, the Study fails to state that this site is outside of a Metro Station Area when it states the goal of the GLUP as “Increase the supply of housing by encouraging construction of a variety of housing types and prices at a range of heights and densities in and near Metro Station

Areas”. This site is .7 miles from a metro station and does not meet the definition of a Metro Station Area.

Affordable Housing Plan

The Study fails to compare the amount of affordable housing in Aurora Highlands to other high opportunity areas of the county. Objective 1.1.4 of the Affordable Housing Master Plan “*Encourage and incentivize the distribution of affordable housing throughout the County*”, is excluded from the Study. <https://arlingtonva.s3.dualstack.us-east-1.amazonaws.com/wp-content/uploads/sites/15/2015/12/AHMP-Published.pdf>

Affordable units located within Aurora Highlands include Claridge House - 300 units, The Altaire - 15 units, Crystal City Lofts - 15 units, Crystal Flats - 16 units, The Gramercy - 20 units, Lenox Club - 77 units, Lofts 590 - 12 units, Sage - 12 units. <https://www.arlingtonva.us/Government/Programs/Housing/Get-Help/Rental-Services/Affordable-Units>. And Crystal House, which will have 1,375 units. These are listed as located in “Pentagon City / Crystal City” on the county website, but they are all in Aurora Highlands and none are in Crystal City (Pentagon City is within the Aurora Highlands Civic Association boundary and Pentagon City should be replaced with Aurora Highlands and Crystal City moved to its own listing of affordable housing which is none.) The current total approved affordable housing units in Aurora Highlands is 1,767.

Including the Crystal House project, **there will be more affordable housing in Aurora Highlands** than there is in Ballston (383 units), Clarendon (76 units), Courthouse (653 units), Langston Blvd – Glebe (50 units), Langston Blvd – Palisades (116) Virginia Square (307 units) and Westover (254) **combined**, and that doesn’t include the swaths of North Arlington unlisted because they completely lack affordable housing. **The county needs to focus efforts on high opportunity areas in North Arlington. Aurora Highlands, like most of South Arlington, is saturated with affordable housing which fuels the continued inequity in the schools.**

The Study also fails to note the site is outside of the Route 1 Transportation Corridor per the map in the Affordable Housing Master Plan where affordable housing is prioritized to be.

The Study fails to mention that **there is a program already in design for disabled housing at Crystal House, four blocks away.**

The Study fails to mention in its discussion of Goal 1.1.9 of the Affordable Housing Master Plan Produce committed affordable rental units within transit corridors consistent with the County’s adopted land use plans and policies” - that the site is not in a transit corridor.

The Study provides no details on the proposed affordable housing program or recommendations to require affordable housing as part of the approval. This could lead to the site being flipped by Melwood once the zoning is changed when the publicized premise of this entire study is for the County to gain affordable housing. This oversight must be addressed prior to any approval to change the land use.

Historic and Cultural Resources Plan

There is a 101 year old public school on the site, one of a handful of historic public buildings left in Arlington. It is a historic school in a designated historic neighborhood. Yet, the Study fails to include anything meaningful from the Historic and Cultural Resources Plan. Some relevant

citations from the Historic and Cultural Resources Plan that should have been included in the Study:

“The benefits of historic preservation are well documented and include....

- **Cultural value** through preserved historic buildings and landscapes, that add architectural richness, physical character, and visual and narrative diversity,
- Environmental advantages because **preserving older buildings is a sustainable use of infrastructure**, land, and nonrenewable resources. Avoiding demolition reduces landfill waste and negative effects of new construction (mining, transport, and manufacturing by-products).

What to preserve: Protection and interpretation typically included high-style architecture and famous people’s homes. Now historic preservation also includes the modest spaces where important things happened; **places where everyday people lived, worked, and gathered.”**

It is the premise of the entire Historic and Cultural Resources Plan to preserve unique, important historic buildings such as Nellie Custis School. But the Study only suggests to “consider preservation of the historic façade of the 1923 portion of the building **for partial preservation or interpretation”...by “creative and flexible measures”** and by this the writer may mean moving the brick facade as was suggested in the 11/28/23 LRPC meeting. Or, as stated in the Guiding Principles under Historic Preservation “if necessary, relocated or **interpreted closer to the sidewalk”** which leaves one to wonder how a portion of a building can be interpreted in a new location considering, **a brick façade does not move easily or cheaply if it moves at all (which it does not.)** The façade cannot be maintained in place in the 45’ height scenario, and the building will have several stories built over it in the 60’ scenario requiring the existing structure to be rebuilt. Further, neither of these designs preserve the building.

The County is recommending to remove the entire building or possibly keep the facades of a building **in the style of a theme park stage or strip mall façade at best, or possibly interpreting the bits of material saved.** That is an antiquated approach which has not been used since the last century and should be reviewed and rejected by the Historical Affairs and Landmark Review Board and any other responsible citizens that have any sense of community and history.

The outrageous recommendation to tear down Nellie Custis school is clear evidence that the Study was crafted to its predetermined conclusion, which is to approve what Melwood, the Applicant wanted, no matter the impacts or what is ruined because of development.

Nellie Custis school was built, in 1923, and its architecture is a good representation of public building construction of the time. It is a contributing building to the historic neighborhood, the last historic building left on the block.

Nellie Custis was witness to and an important part of integration of the public schools. Integration of the elementary schools was the hardest fought battle in the move to integrate public schools. But, in 1971, Nelly Custis was one of several elementary schools that integrated black students from Drew Elementary, completing integration, as Judge Oren Lewis when issuing the order stated, “The Arlington County School Board has now fully complied with the Supreme Court decision in Brown...Arlington will have neither black nor white schools - just

schools". On August 10, 1971, **only upon integration of the Arlington elementary schools including Nellie Custis, Arlington became the first county in Virginia to comply with the Brown vs the Board of Education ruling.** Full integration was monumental as **Virginia led the effort to resist integration.** A link to the research follows:

[The Story of Arlington Public School Desegregation](#)

The study states that Nellie Custis School is not listed on the County's Historic Resources Inventory but there are no public buildings are on this list, which is odd because there are many historic resources that are public buildings and should be on this list, such as Nellie Custis School. Nellie Custis has far more "historical and architectural significance" than all the "Essential" - the highest ranking - buildings on this list. Nellie Custis is older than every one of the 21 buildings on the Essential list and **older than every building on the entire list** except 3. It is also older and far more significant (known to the community, unique in its architecture) than most of the buildings including the retail buildings included on the 500 block of 23rd Street, just a block away. **Noting that Nellie Custis is not on this list and omitting how the building relates to the context of the list is another example of how the Study is misleading and not objective.**

<https://www.arlingtonva.us/Government/Projects/Plans-Studies/Historic-Preservation/Resources-Inventory>

Local Historic District Nomination

Nellie Custis School was recently nominated as a **Local Historic District**, and the application is currently under review. Any approvals to change the land use must be delayed until the application review is complete because no Scenario proposed for development includes preservation of the historic building. Nellie Custis School **meets more than the required minimum two of the following requirements from ACZO 11.3.4.A.4.** Nellie Custis meets **at least six** of the eleven criteria and pending more research possibly more than that. From the Zoning Ordinance:

- (a) The property is listed or is eligible for inclusion in the National Register of Historic Places;
 1. **YES:** The school is a contributing building to the historic designation of the Aurora Highlands Neighborhood which is on the National Register of Historic Places.
- (b) The property has character, interest, or value as part of the development, heritage, or cultural characteristics of the county, state, or nation;
 1. **YES:** This is a public school that educated thousands of Arlingtonians for five decades.
- (c) The property was the site of a significant local, state, or national event;
 1. **YES:** Nellie Custis School at a minimum as noted above was associated with an historic moment in the desegregation of the Virginia schools. More research is required into its role further back in history as it was also witness to World War 2 and the Great Depression.
- (d) The property is associated with a person or persons who significantly contributed to the development of the county, state, or nation;
 1. **MAYBE:** More research is required

- (e) The property embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction;
 - 1. **YES:** The scale of the building and the solid brick walls with detailed articulation around the openings are a good representation of the public architecture of the early part of the 20th Century
- (f) The property is identified as the work of a master builder, architect, or landscape architect;
 - 1. POSSIBLY: More research is required
- (g) The property embodies elements of design, detailing, materials, or craftsmanship that render it structurally or architecturally significant;
 - 1. POSSIBLY: More research is required
- (h) The property has a distinctive location, or singular physical characteristics that make it an established or familiar visual feature;
 - 1. **YES:** The building is located on 23rd Street in a prominent location and it is well known as an established, historic part of the community.
- (i) The property is a particularly fine or unique example of a utilitarian structure representing a period or style in the commercial, industrial, or agricultural development of the county, with a high level of historic integrity or architectural significance;
 - 1. POSSIBLY: More research is required
- (j) The property has the potential to yield information important to the prehistory or history of the county, state, or nation; or
 - 1. POSSIBLY: Nellie Custis is built adjacent to an underground creek where there is the possibility of discovering pre-history.
- (k) The property is suitable for preservation or restoration.
 - 1. **YES:** the property is in excellent condition.

Forestry and Natural Resources Plan

The Study includes the requirements from the Forestry and Natural Resources Plan for 25% tree canopy on the site. However, **it fails to identify where the tree canopy will be**. There is a statement that the site has 25% tree canopy cover. However, both Study Scenarios **encompass the entire site leaving no room for the required tree canopy**. An independent review of the proposed site plan included here:

<https://aurorahighlands.org/melwood-glup-study-ahca-comments-240430/>

reveals it is unlikely that the density proposed will work with the required FNRP of 25%.

Note: In all cases the existing tree coverage that is in Nelly Custis Park cannot be part of the development due to County easement and therefore cannot be used in any such calculation appropriately and meet the intent of the FNRP.

On May 2, 2024, AHCA conducted a meeting with the Forestry and Natural Resources Commission regarding the Study. The FNRC representative advised that FNRC had not been informed of the Melwood project until recently, and not in time for their April 2024 meeting, and they were very surprised that Staff had not included them in the review. Given the tree canopy deficit in Aurora Highlands, the stormwater inundation issues, and the proposed massive footprint of the building with little to no tree canopy, FNRC will likely have comment on the

proposal but were not invited. FNRC cannot now comment on the project until the end of May at the earliest.

Not obtaining FNRC input in an area severely lacking tree canopy, in an inundation zone is a massive omission in the Study and for this reason alone the Study should be rejected.

Transportation Plan

The Study fails to include or address the parking issues at the site. Calvary Church closes Grant Street on Sundays for their parking, and the Latter Day Saints have a contract for the use of the Melwood lot for parking. The retail stores adjacent use the lot as well. The churches are required to have parking to operate. **What happens to them when the parking is gone? Why isn't this issue included in the Study?**

The Transportation analysis is short sighted. It does not include impacts from the **tens of thousands** of units approved in 22202, or the lowering of Route 1 to and is therefore invalid. There are only two ways to cross between Route 1 and 395 going east-west, the first is Glebe Road and the other is 23rd Street, in front of the site. There is a slow moving train wreck happening in 22202 in terms of traffic that the County is not adequately assessing or planning for and not included in the Study.

23rd Street is Mislabeled as a Major Arterial in the Study – It is a Major Collector Road.

The **study incorrectly refers to 23rd Street as a Major Arterial in the Study as a justification for the increased density.** However, 23rd Street has 2 -lanes and the definition of Major Arterial is 4 lanes. Per the Virginia ArcGIS Map 23rd Street is a **“Major Collector”** road. The only Major Arterial roads in 22202 are Route 1, Glebe Road and the GW Parkway. Other examples of Major Arterials include Route 50, Wilson Boulevard and Langston Boulevard.

<https://www.arcgis.com/home/webmap/viewer.html?webmap=3eca6c9adb6649c988d98734f85baddb>)

Having said that, 23rd Street South is one of two ways to get east / west in 22202 and currently has problems with speeding down the hill from Arlington Ridge, and traffic backing up blocks from Route 1 during rush hour as commuters use this street to traverse between Crystal City and 395 S. via Army Navy Drive. A child was hit crossing 23rd Street just a few weeks ago (and thankfully will be OK.) There are currently problems at the intersection at Hayes / Grant and 23rd, where the Parks and Rec Commissioner stated in the Tier 1 meeting, there were concerns about children crossing this street, not the least of which are **the strings of toddlers that cross 23rd Street to get to Nina Park regularly. Adding more traffic and parking as per the Study will only exacerbate an already dangerous situation.**

The Environment

The Study fails to mention the **existing runoff from Melwood to Nelly Custis Park, down 24th Street to Hayes ponding in even moderate rain, and freezing in the winter** and that the measures that were installed in the park to mitigate stormwater runoff were too small and are

ineffective, as run off continues to run out through the access gate, rusting the sidewalk and down 24th Street into a stormwater basin that when it works and is not backed up drains to nearby **4 Mile Run / the Potomac and the Chesapeake watershed.**

The Study acknowledges **the site is in an inundation zone**, yet, the proposed and recommended development will **eliminate nearly all the open space on the site and the associated quality / quantity stormwater benefits.**

The entire section of the “Guiding Principles” that talks about open space, biophilia and tree canopy are just empty words. **There is no room for open space, biophilia and tree canopy in the recommended Study or application design because the entire site is filled up with a building.**

The Study also fails to mention that many of the recently planted trees in Nelly Custis Park have root zones that extend into the Melwood Site. It appears that a greater setback is required than is shown in the Study for this purpose alone.

3-D MODELING CREATES A FALSE CHOISE

The massing models as noted previously create a false choice between a 45’ scenario that will not preserve the historic building and will not meet the tree canopy requirements and a 60’ scenario that will also not preserve the historic building and will not meet the tree canopy requirements. **The reason these scenarios don’t work is because they are both attempting to stuff too much density on a site that is simply not big enough and is not in the right location for it.**

The Study goes on to suggest that somehow the 60’ scenario can accommodate historic preservation and the tree canopy, but there is no drawing that shows how that is possible.

The Study again fails to state there is strong community opposition to the 60’ and the 45’ scenario, as noted previously. Further, putting a 60’ or a 45’ tall building in the middle of a low rise historic neighborhood creates a precedent that the neighborhood is strongly against, as indicated in its previous correspondence.

THE DEVELOPMENT PROPOSED IS HIGH DENSITY MIXED USE NOT LOW MED RESIDENTIAL

The 3D Modeling in the Study is misleading. The Study recommends up to 60’ height, 123 units on 1.73 acres (= 71 units / acre) + 22K SF (145K SF total) for the Melwood program. **This density that is more than double the top density indicated in “Low-Medium” land use.**

The 60’ height (and associated density in both Scenarios) is therefore not effectively a “Low-Medium” land use. Per the GLUP Land Use Designations, even the “Medium” use designation caps at 72 units/acre - **residential alone and no program space.**

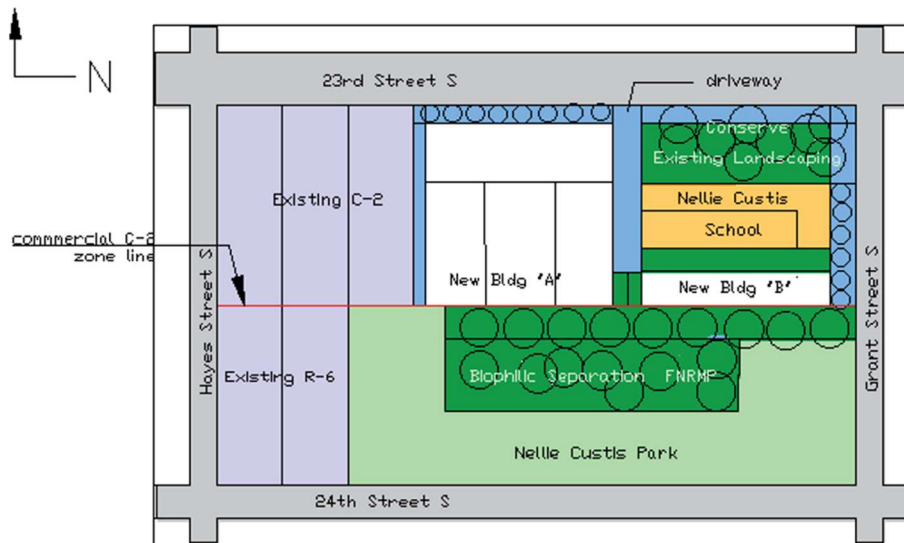
Additionally, the **Melwood program does not meet the definition of “Community Service”** as recommended in the Study – which includes only **publicly accessible** facilities like a library, museum or rec center (See ACZO 4.1.2), not uses like offices and career training that Melwood requires for their program.

The Land Use designation that fits the proposed development (density + use) is closer to “High-Medium Residential Mixed Use” as this designation allows office use **and** the proposed density. **The proposed density is unprecedented outside of a Major Planning Area or in the middle of a single-family neighborhood.** High-Medium density is inappropriate in a Low single-family neighborhood no matter what the use, the envelope is the same. **It’s just too big.**

See Appendix A - Presentation accompaniment <https://aurorahighlands.org/melwood-glup-study-ahca-comments-240430/>

The Presentation also includes an alternate site study with realistic assumptions which was presented at the meeting with Mr. Mattauszek on 2/20/24.

- The existing tree canopy at the northeast of the site will be preserved, and heavy tree canopy will be placed along the south side of the site to create a biophilic barrier between the park and the building.
- The historic building will be preserved and adapted for residential use with a set-back one-story penthouse.
- 35’ tall buildings per the existing limitations of the R-6 zoning and required street setbacks which allows for reasonable **given most of the historic homes in the neighborhood average 25’ height. 45’ is nearly double the height of the existing houses and 60’ is nearly triple their height.**
- Below grade parking is sufficient for the site.
- Alternate parking arrangements have been made with the churches.
- Entry off / on 23rd Street, rather than Grant Street, in order will keep traffic out of the neighborhood and not overtax the narrow side street.
- 20K SF for Melwood program.



CALCULATIONS

NELLIE CUSTIS SCHOOL

Nelle Custis School approx 7100 SF x 2 stories = 14200 SF,
 Add 1 story penthouse 2:1 setback 3500 SF = 17,700 SF,

NEW BUILDING A

Use ground floor for Melwood program. 21,500 SF
 Upper (2) floors approx 15,000 SF x 2 = 30,000 SF (Letter "U" shape) – step down as required to meet 35' ht. limit.

NEW BUILDING B

SE building 35' = 3 stories x 3900 SF = 11,700 SF

Total ~80K SF

The alternate study is **approximately half the size which is in keeping with the low-medium density WITHOUT the affordable housing bonus. The alternate study reveals that the bonus allows density that is just too much for the site to accommodate.**

If the Study were truly objective, it would have included more options. For example, there is a need in 22202 for improved community facilities to accommodate the growth in the area, and this site is perfectly suited for public use. The County could re-acquire the site and effectively rejuvenate the old school building as a centrally located public space. **Once the County gives up the public aspect of the current zoning it is lost forever.**

THE PROPOSED DENSITY CONFLICTS WITH UPDATED GUIDING PRINCIPLES

AHCA's concerns in the LRPC meeting were not included in the Guiding Principles Discussion. The Corrections to Figure 11. "Updated Guiding Principles" in the Study:

Figure 11. Updated Guiding Principles

1	Ensure building scale, massing and materials complement the surrounding area, including the adjacent Nelly Custis Park. <u>(except this is impossible given the proposed density and height)</u>
2	Provide for attractive and welcoming pedestrian-level conditions through landscaping, other biophilic design and undergrounding parking.
3	Enhance access, connectivity, and safety for all modes of travel in and around the site. <u>(no specifics are provided or shown in the study – stop sign? Stop light? New bus stop?)</u>
4	Prioritize sustainability through compact building design that conserves on-site open space, and trees and stormwater mitigation measures that contribute to improving stormwater conveyance systems adjacent to and downstream of the site. <u>(except this is impossible given the proposed density and building footprint)</u>
5	Prioritize affordable, accessible, equitable housing with redevelopment.

There is missing from this list the “biophilic separation” from Nelly Custis Park that was added as a Guiding Principle at the Tier 2 LRPC meeting November 28, 2023.

THE AFFORDABLE HOUSING DISCUSSION IS INACCURATE AND MISLEADING

The Study contains the following statements:

“The subject’s site location has the potential to improve the geographic distribution of affordable housing that is available within the Aurora Highlands neighborhood,

‘With the exception of the Crystal Houses property, almost all the neighborhood’s affordable units are located north of 18th Street South, typically within mid/high-rise multifamily projects. “

First, any discussion of affordable housing is inappropriate because the land use designation and the rezoning do not have “affordable housing” as a designation and there is no covenant or condition that binds the Applicant. Mr. Lantelme recognized this at the Tier II meeting when he did not allow any discussion or questions of affordable housing, what social services Melwood would provide, and generally what any plan was regarding social benefits to individuals in need from this project.

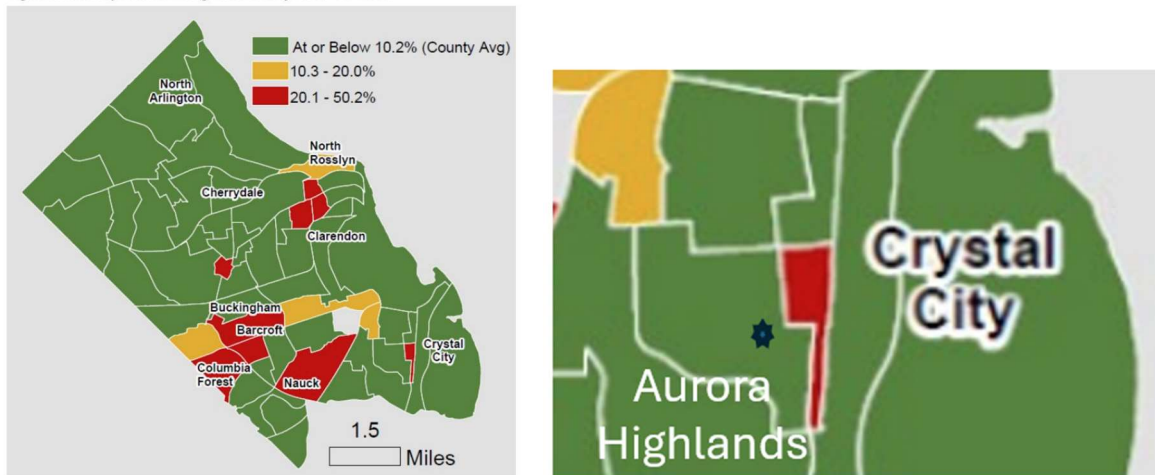
Currently there is misinformation in the community. Some individuals have been stating that such a facility should be allowed because it will be a “work live play” community. Not only is that not in keeping with the current zoning and the rezoning being considered here, but it is also patently false and not in line with the services offered by Melwood, which does not offer employment opportunities at the site currently on its website. Because the Study rests on

affordable housing so heavily, again without any appropriate commitment from the Applicant, it rests on a premise that is at best hopeful and at worst false.

Second, it is misleading and inaccurate to state there needs to be “more distribution of affordable housing in Aurora Highlands” because “almost all” are north of 18th Street. The Crystal House Property borders 22nd Street and is two blocks from the site. Crystal House has several hundred units and is slated to have hundreds more as multiple affordable housing units are being built, including Crystal House 3 which will have another nonprofit, Our Stomping Ground, provide disability services in Crystal House 3. Crystal House 5 is also slated to be built on 22nd street. Even if the one were to consider only south of 18th St, an area of study that has been narrowed to exclude the hundreds of other affordable units in AHCA and without significance as it is so small, the area has many affordable units south of 18th street and changing the use designation to this site does not open up a new area or neighborhood to affordable housing units that was previously without.

Here is a map of poverty in Arlington and in the neighborhood:

Figure 3. Percent of Children Living Below Poverty Level, 2012-2016.¹⁰



The maps above show most poverty in Arlington is compartmentalized on Columbia Pike and in Nauck (Green Valley) and in Aurora Highlands (on the west side of Route 1) and Clarendon. You can see the location of the Melwood site marked with a star. It is a couple of blocks away from one of the highest poverty areas in the County where there are thousands of units of affordable housing. **That a County Study, paid for by Arlington taxpayers and done by Arlington County Staff could possibly state that Aurora Highlands needs more “distribution” of affordable housing because the site is on 23rd Street versus 18th Street, is outrageous.** Arlington County needs to look at the left-hand map above and the emerald green color along Route 50, north and west especially along outer Langston Boulevard for appropriate distribution of affordable housing across the county in Metro areas, not across the street in Aurora Highlands. There are many locations in Arlington that are better suited for the density Melwood requires, not the least of which are the Class B / C vacant office buildings in need of renewal post hybrid-work.

FINAL THOUGHT: PAUSE

It is unfortunate to see how subjective the Study is, as it is clearly written to justify a predetermined conclusion, that is to approve the Applicant's proposal **no matter the impact to the environment, to the neighborhood, or to the historic school.**

The **fundamental land use analysis is faulty and misleading.** The Study ignores the reality of the deed restriction, "for school use only", the Special Use permit, and the actual comments and feedback from the real impacted community of real people in favor of anonymous "online" "community engagement" to check a box.

That the Study could go so far from any reasonable planning principle seems to point to the County's desire for affordable housing "by any means necessary", but this approach is not one that works because once a project is allowed to be poorly sited and planned, generations need to live with the negative repercussions not the least of whom are those who the project is built for.

The Aurora Highlands neighborhood is a historic treasure and putting this proposed oversized 60' or 45' high building on 23rd Street is not in keeping with any County policy. **AHCA is requesting an intervention, a pause to reject and revise the Study to be objective, do holistic planning and a review of the process to provide real community input and agreement** in the way it is supposed to be done.

APPENDIX A – Under Separate Cover

<https://aurorahighlands.org/melwood-glup-study-ahca-comments-240430/>

APPENDIX B – AHCA Highlighted Concerns Cited at May 12, 2022, LRPC Tier 1 Meeting

- **Neither of the two adjacent neighbors are invited to the LRPC table, yet the owner of the Commercial Building is invited.** This disserves the planning process and is not in keeping with the 2008 legislation. Restaurant Row and the churches are notified yet the nearby neighbors are not notified. Why? **This appears to be a crafted approach to minimize neighbor input. What is the purpose of not engaging neighbors when the intent of the process as laid out is to obtain full input from the community? And to weigh that input seriously.**
- The slide titled GLUP Booklet Development and Growth Goals has selected quotes but does not include preservation of the single-family neighborhoods as a goal which has been a fundamental zoning principle of the county for decades.
- The slide titled Affordable Housing Master Plan **fails to acknowledge there is a map where affordable housing is intended to be.** Per the AHCA Zoning Committee report, the site is well outside of the mapped area.
- The report speaks about equity, but **there is far more affordable housing in South Arlington and 22202 than in other high opportunity locations including the Yorktown and Washington Liberty School Districts. Aurora Highlands already has one of the highest levels of food insecurity in the county per a recent report by the Arlington Food Assistance Center, at over 14% and Wakefield has the highest level of subsidized lunches at 41% .** The need to create equity in affordable housing and opportunity means more new affordable housing opportunities should be equitably located in high opportunity locations in close walking distance to metro and grocery. This site is at least a mile from either.
- The slide titled Historic Preservation Master Plan fails to acknowledge that **Aurora Highlands is a designated historic neighborhood and fails to recognize the goal of preservation of the historic residential scale of the community.**
- The slide titled Livability Action Plan fails to include the fundamental premise of the Livability 22202 initiative which first and foremost **seeks to leverage existing county plans and commit to a collaborative process.**
- The Staff Recommendation states the site is in an unplanned area. How is that possible when the site has been zoned C-2 and R-6 for decades. **The only thing unplanned about the area now is this proposed GLUP amendment.**
- The proposal is not in keeping with the Crystal City Sector Plan, which proposed tapering Crystal City buildings and **keeping the residential scale of the neighborhood.** It is not in keeping with the Neighborhood Conservation Plan which states the existing scale of should be maintained. It is outside the mapped area in the Affordable Housing Master Plan.

- The applicant states the project will generate over 235 car trips per day onto the residential streets. **Parking is also not addressed including church parking** for the Latter Day Saints who park in the Melwood lot, and Calvary Methodist who closes the adjacent Grant Street on Sundays for parking.
- The **AHCA voted overwhelmingly by 6 to 1 to oppose the proposed amendment in a meeting with record attendance. An online survey conducted by the AHCA Zoning Committee revealed that over 75% of the 152 respondents oppose** the proposed project. The top concerns were, not surprisingly, the size and scale of the building, the precedent being created, traffic, parking and lack of community input.

APPENDIX C – Corrections to Study Summary of the Tier II LRPC Meeting

Specifically, AHCA has the following corrections to the Study summary of the Tier II LRPC Meeting:

- Adding a new guiding principle to reflect a land use preference for housing ***but this was objected to by AHCA;***
- A desire to leave open the options for either a 45' or 60' building height to be further evaluated within the context of a more detailed site plan design proposal ***but this was objected to by AHCA; and***
- The building footprint should be minimized to the extent possible to meet the environmental goals identified below under "Environment." This should include a reduction of impervious surfaces and a green buffer introduced between the subject property and adjacent Nelly Custis Park. ***(but this is not shown in the Study because this is not possible given the density proposed)***
- ***Entire bullet point corrected: there is a preference by AHCA and the impacted community among others, to retain a shorter building on this site that resembles the existing built conditions. Taller building heights over 35', even with specific tapers outlined below, cannot be considered in the middle of the property because they are out of scale with the neighborhood.***
- With the greatest building height centrally located within the site, the building should step down to 2-3 stories on the Nelly Custis Park side, along 23rd Street South, and along South Grant Street, to foster a pedestrian-friendly frontage enhanced with additional design features, such as architectural treatments that emphasize the first two floors to create a welcoming environment, and landscaping that enhances the pedestrian experience. ***However, this is ineffective and should be removed - stepping down in this situation is ineffective due to the wide sight lines from Nelly Custis Park and 24th Street, South. The height must be limited to 35'.***
- A building setback that would allow for the retention of the green space, trees and/or historic façade, to be further evaluated within the context of a more detailed site plan design proposal, ***except this is not shown in the study because it is not possible given the proposed density and footprint.***
- ***There was a principle added to create a biophilic buffer between Nelly Custis Park and the site.***