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TO: Anthony Fusarelli, AICP, Director of Planning, Arlington County
FROM: Tad Lunger, Esq., Managing Partner, Arlington Land Use Group
DATE: November 21, 2024
RE: Response to the 1320 North Courthouse Road Special GLUP Study Email (provided on November 13, 2024)

In response to your email request of November 13, 2024, for a brief memo to serve as an addendum to the application filed May 23, 2024 (the “Application”), we respectfully provide the following information. The purpose of the Application for a boundary change request is to facilitate a flexible GLUP Amendment process while outlining a clear pathway for a future comprehensive 4.1 Site Plan application. The intention is to achieve approximately 10.0 FAR of density and building heights similar to those in the *Courthouse Sector Plan Addendum: Courthouse Square* without arbitrarily limiting building height measurement to a specific number prior to a comprehensive 4.1 Site Plan analysis. The following is a simplified clarification regarding the request for height flexibility in relation to density, summarizing previous discussions with Arlington County and community stakeholders:

- Request to adjust the boundary of the *Courthouse Square Special District* to incorporate the subject Property, thereby making the Property eligible for the provisions outlined in ACZO §7.13.3.D.3. through a Special Exception Site Plan approval; and
- Request for increased permitted density up to levels comparable to those achieved on the “Landmark Block” (approximately 10.0 FAR); and
- Request for additional permitted building height up to levels necessary to accommodate a density level of 10.0 FAR at the Property, similar to the “Landmark Block.”

This language enables a thorough review of design development through leveraging the exhaustive study required by the 4.1 Site Plan process. This approach facilitates a more comprehensive analysis of various factors that may influence the Property’s potential for 10.0 FAR of density and align with community objectives. Key considerations include topography, height transitions and shadow impacts on nearby residential and open spaces, pedestrian and vehicular circulation and how the site can contribute overall to the quality and vitality of the vision for Courthouse Square. Addressing these factors is crucial for the comprehensive 4.1 Site Plan process and does not affect the Property’s inclusion in the *Courthouse Sector Plan Addendum: Courthouse Square* boundary. Specifics like exact height, density and resultant trade-offs will be

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considered, studied, discussed, negotiated and finalized during the 4.1 Site Plan process to ensure the best possible outcome for Arlington County.

While the *Courthouse Sector Plan Addendum: Courthouse Square* provides guidance on building heights for other sites within the planning area, the Property in question does not have a defined height under the *Courthouse Sector Plan Addendum: Courthouse Square*. Through the GLUP Amendment process, the Applicant is not currently requesting a specific height designation for the Property. Height considerations will be assessed during the 4.1 Site Plan review process, in accordance with the flexibility permitted by the *Courthouse Sector Plan Addendum: Courthouse Square*.

The *Courthouse Sector Plan Addendum: Courthouse Square* recognizes that building height is informed by a variety of factors, including the analysis of existing building heights, shadow studies, impacts on, and opportunities for, higher quality and improved architectural design, greater variation in building height, the provision of more open space, greater building separations, light and air considerations, successful ground floor retail environments, connectivity (both physically and visually), view corridors and other factors. This approach allows for deliberate, tailored decisions based on the unique characteristics of the site and surrounding context rather than premature, arbitrarily specific, uninformed height limitations. The recommendations in the *Courthouse Sector Plan Addendum: Courthouse Square* emphasize the thoughtful arrangement of buildings in relation to their surroundings. The *Courthouse Sector Plan Addendum: Courthouse Square* highlights the importance of axial relationships, with buildings structured around a primary north-south axis and a secondary east-west axis. This arrangement supports the civic character of Courthouse Square by integrating open spaces, street networks and prominent architectural features.

Additionally, the *Courthouse Sector Plan Addendum: Courthouse Square* underscores that major building entrances and massing should engage with a defined axis, while architectural prominence should complement the formal interaction between open spaces and surrounding structures. The ultimate goal is for redevelopments to contribute to a cohesive and enclosed sense of space within Courthouse Square. During the 4.1 Site Plan Review Process, detailed evaluations will refine building use, height and massing recommendations. The County Board will have the opportunity to make final determinations regarding these elements, including any necessary exceptions to accommodate outstanding architectural features. The Applicant seeks flexibility in building height through the GLUP Amendment process to ensure that the appropriate density is attained, in conjunction with a comprehensive 4.1 Site Plan process, to achieve the County and community goals articulated in the *Courthouse Sector Plan Addendum: Courthouse Square*.

We look forward to continuing our collaboration with you on this project to achieve a successful outcome.