

# The Haven Apartments

Neighborhoods Form Based Code Amendment and  
Transfer of Development Rights Use Permit

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Form Based Code Advisory Working Group

June 15, 2022



# Presentation Outline

1. Responses from May Meeting
2. Additional Proposal Updates
3. Recommended Amendments
4. Next Steps



# Staff Responses

# Are Alterations Permitted in Conservation Areas?

## Subsection 703.A.1 (General Standards)

### A. General Standards

1. In CONSERVATION AREAS shown on the REGULATING PLAN:
  - a. Existing buildings shall be preserved (except accessory buildings may be removed or altered as provided for in 704.A.9.b), provided, however, that the County Board may, after review by the HALRB as provided in 206.D, and by use permit approval as provided in 206.C.2, allow:
    - (i) Modification of existing regulations as described in 205.B.2; and
    - (ii) Additions to existing buildings within CONSERVATION AREAS, so long as additions meet the standards set forth in the Part 7. Conservation Area Standards, and the applicant proposes one of the following:
      - Transfer of development rights from the CONSERVATION AREAS to another DEVELOPMENT PROJECT and/or other bonus STORIES, subject to such conditions as the Board may approve; or
      - Inclusion within a DEVELOPMENT PROJECT in other area shown on the REGULATING PLAN.

## Subsection 703.C.6 (New Construction Standards):

### 6. Additions

- a. Design Context  
New additions should be designed in a manner to maintain the character of the existing building, using simple architecture reflecting the standards above for new construction, with limited architectural embellishments or decorative features.
- b. Requirements & Configurations:
  - (i) Additions shall be subordinate to the existing building in scale and character and shall be constructed with materials that are similar to those used on the existing building.
  - (ii) Additions shall be appropriate to the style of the original building and consistent in typology, composition, scale, proportion, ornament, material, and craftsmanship with the existing building.
  - (iii) Additions shall be distinguishable from the existing building.
  - (iv) Landscape features shall be preserved except to the extent to accommodate new additions.

Minor alterations (bump-outs) may be considered for existing structures within a Conservation Area **if** they are considered by the HALRB to be appropriate and compatible for the historic resource, and ultimately approved as a use permit by the County Board

# Where can TDRs from Fillmore Gardens be sent?



## Neighborhoods FBC Conservation Area (Sending Site)

- Can send density to another N-FBC receiving site (3x multiplier) and other sites outside of Columbia Pike (2x multiplier)
- Cannot send density to a site governed by the Commercial FBC

## Commercial FBC

(neither a receiving or sending site; includes its own preservation guidance)



## 6. HISTORIC PRESERVATION

### HISTORIC STRUCTURES <sup>17a</sup>

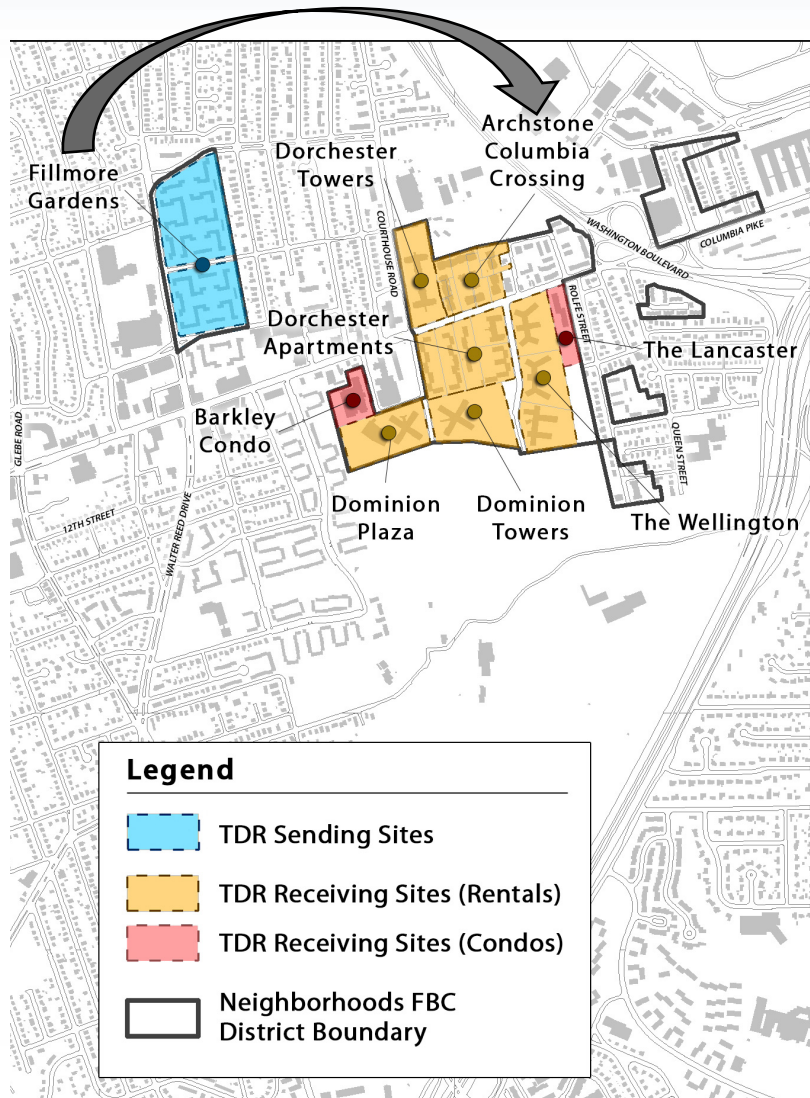
Sites containing HISTORIC STRUCTURES may be redeveloped under the Code subject to any special provisions that apply to the site in the REGULATING PLAN and administrative review by the Arlington Historical Affairs and Landmark Review Board (HALRB). When located on any site that is redeveloped pursuant to this Code, HISTORIC STRUCTURES shall be preserved pursuant to Section II.E.5 in their entirety and shall not be subject to the BUILDING ENVELOPE STANDARD prescriptions of this Code.

The following properties are HISTORIC STRUCTURES:

- 805 South Walter Reed Drive, Fillmore Gardens Apartments (The portion of the property south of 9<sup>th</sup> Street may be redeveloped, on the condition that preservation pursuant to Section II.E.5 is implemented for the portion north of 9<sup>th</sup> Street.)

County Board may approve **up to two bonus stories** with appropriate design and tapering, on the remainder of the site, provided that the overall building height is within the maximum (in feet) in order to better incorporate Historic Structures or Historic Facades. Overall height of 94 feet cannot be exceeded.

# How Could a Potential Fillmore Gardens TDR Work?



Hypothetical Scenario of Fillmore Gardens Conservation Area sending its density to another N-FBC Site (such as nearby Archstone Columbia Crossing); only for purposes of demonstrating the TDR tool

## Fillmore Gardens Apartments (N-FBC Sending Site)

- Includes 448 existing units within the N-FBC Conservation Area
- Multiplier of 3 is applied when transferring density along Columbia Pike
- Therefore, up to 1,344 total units could be sent to another N-FBC site
- It is possible that some portion of these units may become available to be sent to a different (second) site if not fully utilized on the first receiving site – given the permitted height limitations

## Archstone Columbia Crossing (Hypothetical N-FBC Receiving Site)

- Base N-FBC Height: 6 stories
  - Considered separately to ensure minimum on-site affordability requirements have been met
- Bonus Height Potential: Up to 8 additional stories
  - Considered separately to verify if transferred density can fit within the permitted building envelope, while meeting other N-FBC requirements (parking, open space, new streets, built-to-lines, fenestration, sustainability, etc.)
- Ultimate Max building height of 14 stories cannot be exceeded (regardless of how many units proposed to be transferred)

# Additional Questions from AWG Members

- Can additional density be approved on a sending site? **A:** No. When all units on a site are designated as Conservation Area and density is transferred to another site, the N-FBC sending site becomes limited to the number of units existing within the Conservation Area and no additional density remains available. Minor alterations to existing buildings may be approved so long as the density (i.e., # of units) is not increased.
- How will performance monitoring be handled on the Haven site? **A:** Should this package of actions be approved by the County Board, the condition language associated with the Ballston Macy's site plan would include specific milestones that tie improvements on the Haven site to the issuance of key building permits for the Ballston site plan project.

# Additional Questions from AWG Members

- Do bedroom sizes or overall unit sizes become factors in the Transfer of Development Rights? **A:** Average unit sizes may be utilized to calculate the value of units being sent elsewhere in the County (when not involving Columbia Pike). The Neighborhoods FBC, however, includes specific multipliers that only factor in the quantity of units. This was intended to help establish a more predictable calculation and facilitate economic feasibility of this tool since it involves the cost of improving/rehabbing of existing units at the sending site.
- Can Receiving Site developers request to develop property with more than the allowances under the N-FBC? **A:** No. Density transferred from a sending site cannot be used to exceed existing height restrictions on the receiving sites. N-FBC receiving sites include bonus height provisions that regulate building form in all circumstances including through TDR (see earlier slide).



# Proposal Updates

# Proposal Updates from the Applicant

In response to feedback from the community, the applicant is actively working to incorporate the following elements into their overall proposal:

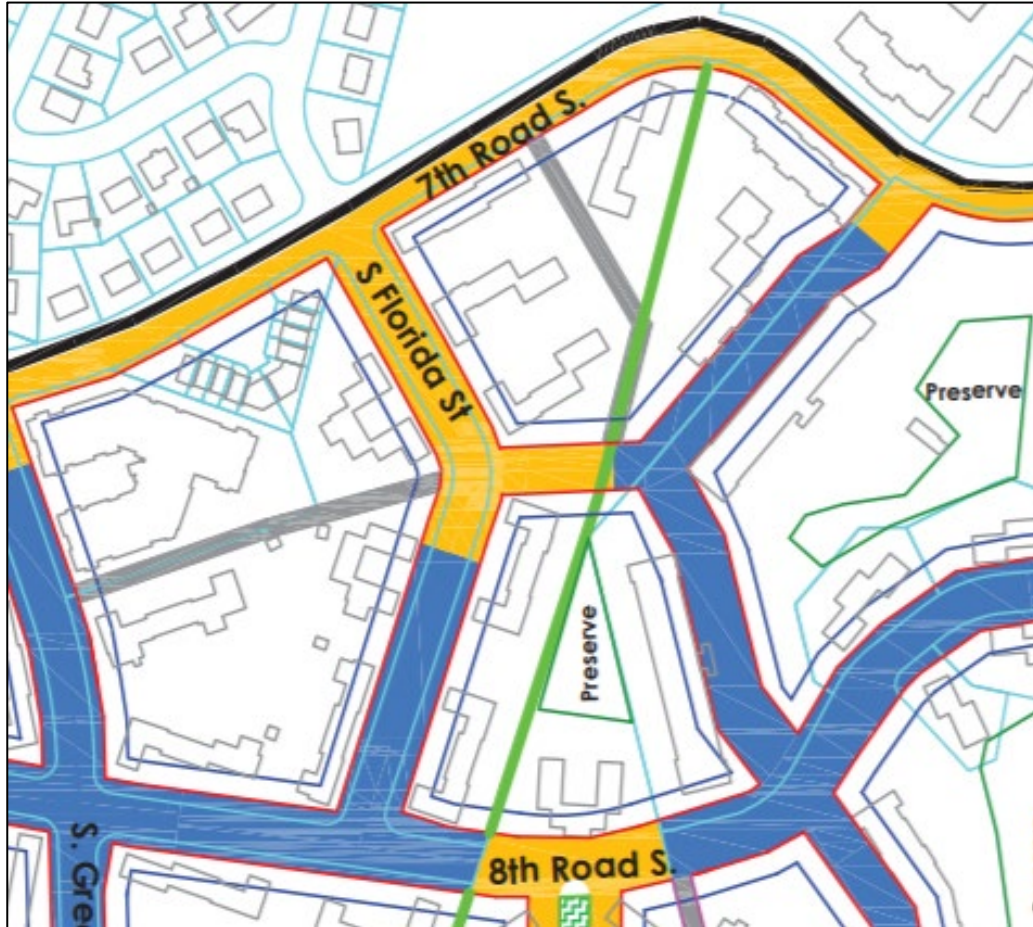
- Additional site improvements to the Haven site for consistency with or to meet the intent of N-FBC site regulations. Specifically, evaluating the feasibility of a north/south pedestrian pathway/bikeway which is called for on the Regulating Plan along the eastern property line.
- Accommodating on-site affordable units within the Ballston Macy's site plan. This would occur in concert within the broader community benefits package (still under discussion/review) and within the overall affordable housing contribution for this site.

# Draft N-FBC Amendment

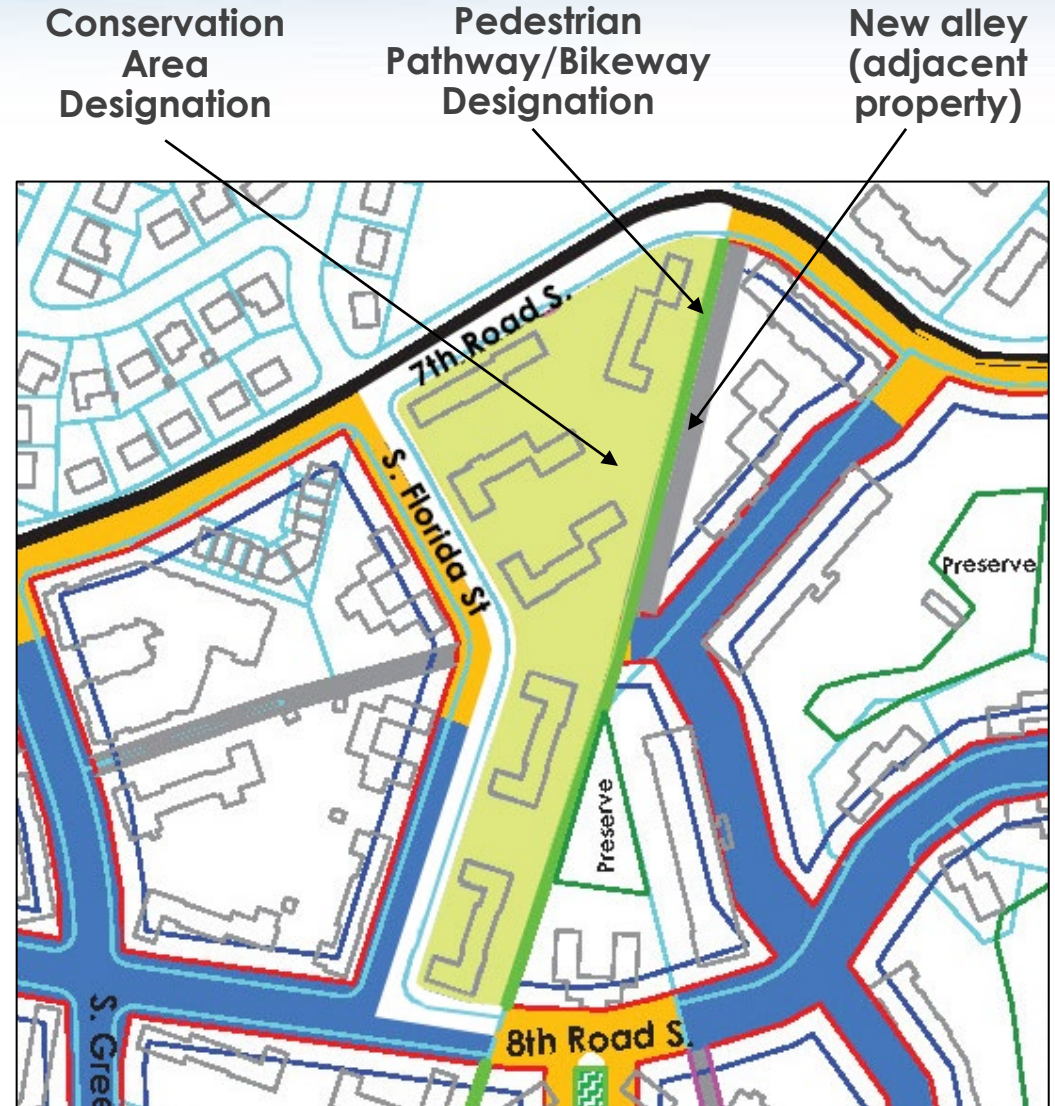
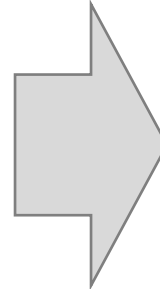
Part 3 Map Changes (Western Subarea Regulating Plan)

Part 7 Text Changes (Conservation Areas)

# N-FBC Part 3 Changes



Existing Regulating Plan



Proposed Regulating Plan

# N-FBC Part 3 Changes

This slide helps depict existing and planned Regulating Plan elements when superimposed on the existing aerial image of the property (to better illustrate the recommendations)



New alley added to neighboring property to ensure adequate access to parking and loading and help ensure buffer from Conservation Area

Pedestrian Pathway/Bikeway Designation to remain

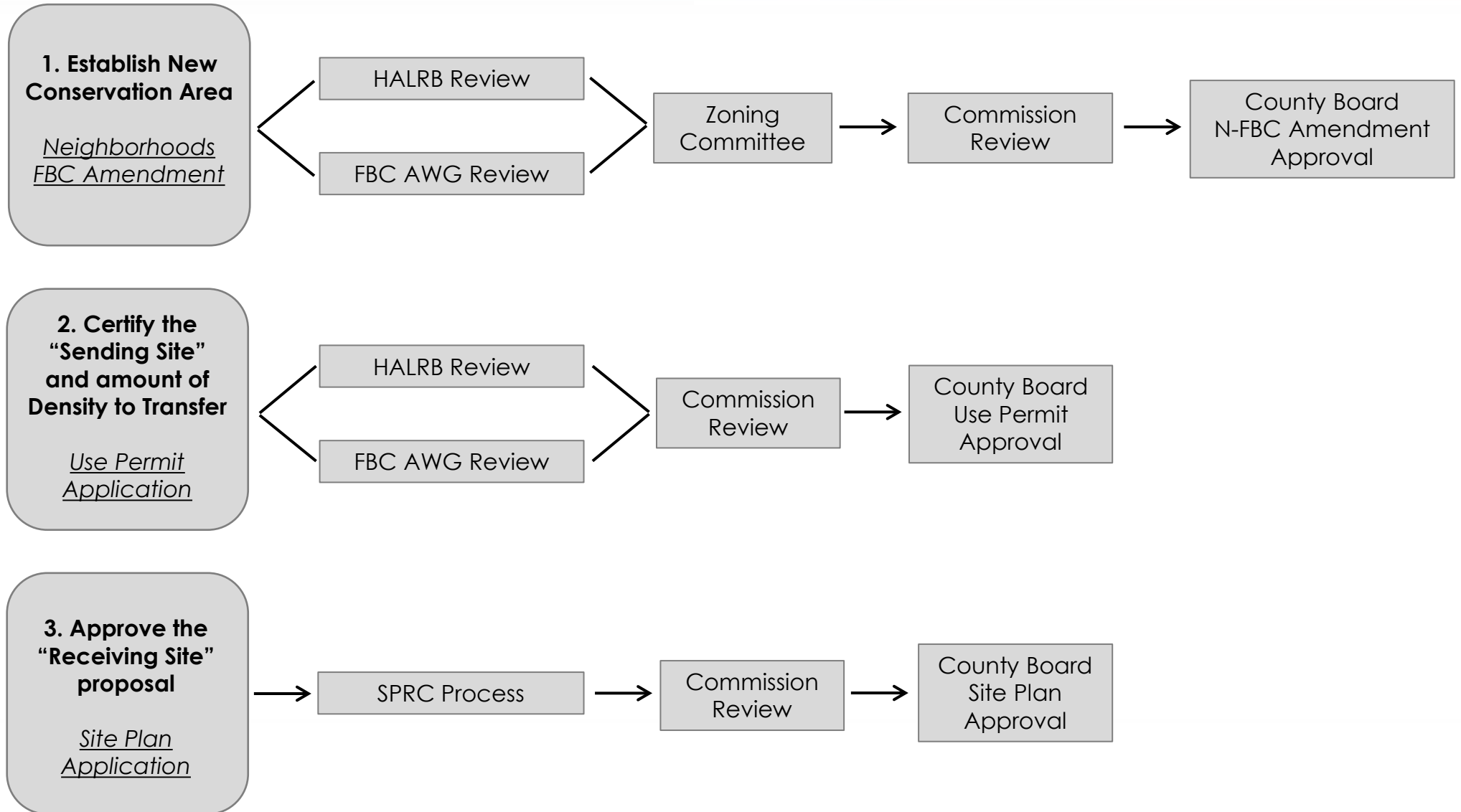
Existing (Open Space) Preservation Area to remain on neighboring property – also help ensure appropriate transition from Conservation Area

# N-FBC Part 7 Changes

- Much of Part 7 is written to focus on design elements and renovation treatments in a general way, and therefore does not require significant changes with the proposed amendment (which introduces a third site to the list of Conservation Areas). This is possible given the architectural similarities between the Haven site and the existing Conservation Areas of Barcroft and Fillmore Gardens.
- Section 701 (Introduction) may be revised to identify the third Conservation Area using an aerial site image and/or in text within the “Historical Significance” paragraph of this section.

# Review Process

# Overall Review Process





# Next Steps

## Continue the Discussion with Advisory Groups Through this Summer:

### June 2022:

- Housing Commission (*information item discussed at 6/9 meeting*)
- FBC Advisory Working Group (*third meeting taking place on 6/15*)

### July 2022:

- Historical Affairs and Landmark Review Board (HALRB)
- Site Plan Review Committee (SPRC)
- Zoning Committee of the Planning Commission (ZOCO)