



Nicholas V. Cumings  
(703) 528-4700 Ext. 5447  
ncumings@thelandlawyers.com

**WALSH COLUCCI  
LUBELEY & WALSH PC**

November 22, 2023

**Via Permit Arlington**

Ms. Arlova Vonhm, Zoning Administrator  
Arlington County Zoning Division  
2100 Clarendon Boulevard, Suite 1000  
Arlington, Virginia 22201

**Re: Statement of Justification**

**Request for Rezoning, Major Site Plan Amendment, and Vacation – Site Plan #233**

**Applicant: 1501 Arlington Blvd., LLC, d/b/a Orr Partners**

**Property: 1501 Arlington Boulevard (RPC Nos. 17-003-004, -046, -047, -048, -297), 1523 Fairfax Drive (RPC No. 17-003-003), and 1501 North Pierce Street (RPC No. 17-003-001)**

Dear Ms. Vonhm:

On behalf of the Applicant, please accept the following as a statement of justification for a major amendment to Site Plan No. 233 (“SP #233”) for the above-referenced Property, also known as the “Red Lion” development. SP #233 currently encumbers 1523 Arlington Boulevard, or the “Red Lion Hotel,” and 1501 Arlington Boulevard, or the “Ellis Arms Apartments.”

SP #233, as amended, permits demolition of both structures and construction of a new 48-unit multifamily residential building, a 160-room hotel building, and a partially below-grade parking garage. With this application, the Applicant proposes to incorporate an additional adjacent parcel into the site plan, 1501 North Pierce Street, or the “Williamsburg Apartments” (RPC #17-003-001) and construct a single, 446-unit multifamily residential building.

**Property Background**

The Property is located on the north side of Arlington Boulevard (Route 50), east of its intersection with North Pierce Street and comprises approximately 96,779 square feet, as follows:

- Red Lion Site (RPC ##17-003-004, -046, -047, -048, -297): The Red Lion Site comprises approximately 67,601 square feet in aggregate. The Red Lion Site is zoned to the RA-H

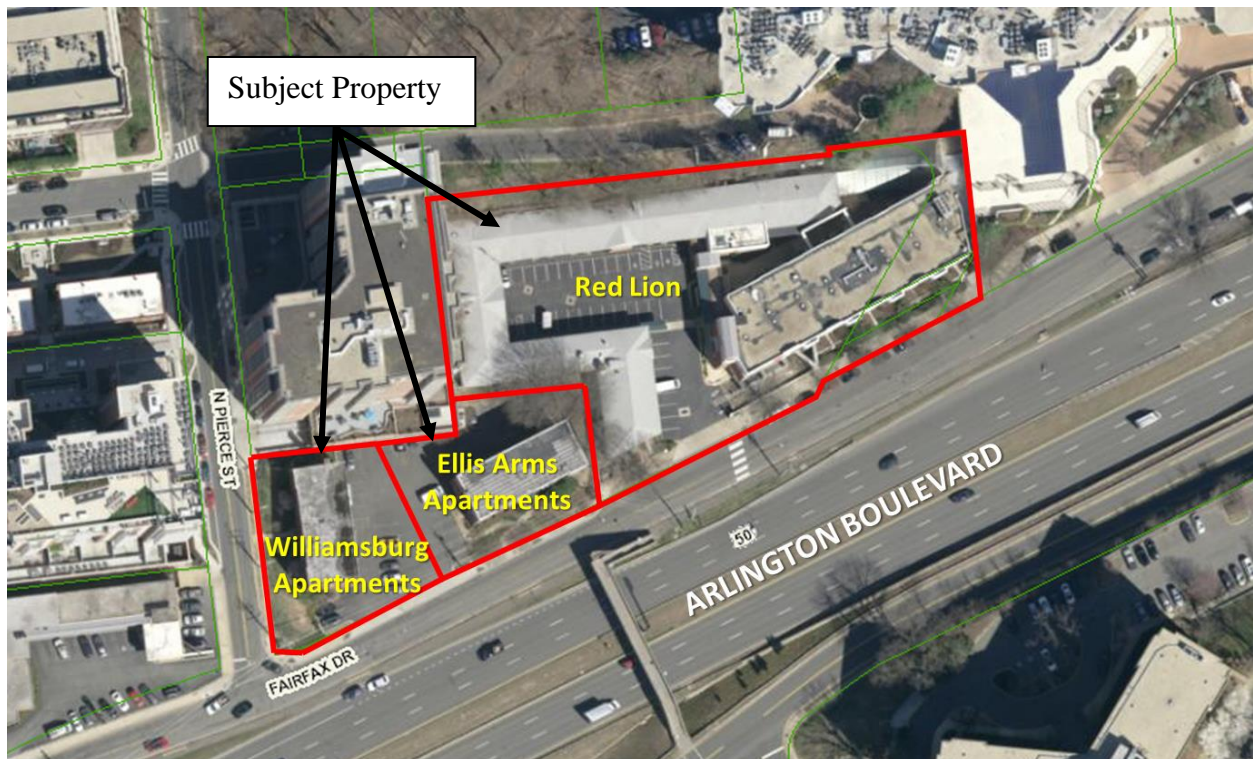
ATTORNEYS AT LAW

703 528 4700 ■ WWW.THELANDLAWYERS.COM  
2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 ■ WOODBRIDGE 703 680 4664

zoning district, and includes the 141-room Red Lion Hotel, which was originally constructed in the 1950s and substantially renovated and expanded in the 1980s. The Red Lion Site also includes two small, approximately 14-unit apartment buildings constructed in 1954. The Red Lion Hotel is supported by both surface and below grade parking while the apartments are supported by surface parking lots.

- Ellis Arms Site (RPC #17-003-003): Located southwest of the Red Lion Site, the Ellis Arms Site comprises approximately 14,589 square feet. This parcel is zoned to the RA4.8 zoning district and includes the Ellis Arms Apartments that consists of 14 multifamily units, which are vacant.
- Williamsburg Apartments Site (RPC #17-003-001): Located in the northeast quadrant of the intersection of North Pierce Street and Fairfax Drive, the Williamsburg Apartments Site is zoned to the RA4.8 zoning district comprises approximately 14,589 square feet and 14 multifamily units. There are some existing tenants in the Williamsburg Apartments.



### **Planning Guidance**

The County's General Land Use Plan (the "GLUP") designates the Property for "High-Medium" residential uses, which is consistent with the RA4.8 zoning district, and no other zoning district. The existing RA-H zoning of the Red Lion Site is consistent with the "Medium" residential GLUP designation, a less dense GLUP category. The portions of the Property occupied by the

existing Red Lion Hotel and Ellis Arms Apartments were designated as a Special Affordable Housing Protection District (“SAHPD”) concurrent with the 2019 Administrative Regulation 4.1 Special Exception Site Plan amendment for the Property. With this application, the portion of the Property occupied by the Williamsburg Apartments will also be designated as a SAHPD through an amendment to the GLUP (Note 13). A GLUP Amendment will be required to expand the SAHPD to the new additional parcel as part of this request.

The Property is located outside the study area for the 2015 Rosslyn Sector Plan. However, it is covered by the 1992 Rosslyn Station Area Plan Addendum. Site-specific guidance for future redevelopment is not provided for the Property in that plan.

### **Site Plan #233**

As noted above, the Red Lion Site and Ellis Arms Site are subject to SP #233, which was approved by the County Board in 1985 and amended in 1987 and again in 2019. SP #233 was originally approved in conjunction with a rezoning of the Red Lion Site from the RA4.8 zoning district to the RA-H zoning district to permit expansion of the existing hotel because amendments to the RA4.8 zoning district had eliminated hotel as a permitted use.

In 1985, the property owner at the time originally sought a rezoning to the “RA-H-3.2” zoning district with an associated GLUP amendment. However, the County did not support that request because it did not want a more intense GLUP designation and wanted to maintain the residential GLUP designation in order to diminish the presence of motels along Arlington Boulevard. The “RA-H” zoning district was chosen because it recognized the previous uses on the site and preserved existing development rights, which was a concern of the County Board when it removed hotel as a permitted use in the RA4.8 zoning district. The Williamsburg Apartments were developed in the early 1950s as a matter of right and are not subject to a site plan.

In 2019, SP #233 was amended to incorporate the Ellis Arms Apartments into the site plan and to construct a new 48-unit multifamily residential building, a 160-room hotel building, and a partially below-grade parking garage. Neither parcel was rezoned with this amendment, and the residential building was approved entirely on the portion of SP #233 that was zoned RA4.8, while the hotel was located entirely on the portion of SP #233 zoned RA-H.

The residential building was approved at a height of 129.55 feet and 10 stories, respecting the 136-foot maximum height limit (inclusive of penthouse) in the RA4.8 zoning district, while the hotel was approved at a height of 122.5 feet and 12 stories, respecting the RA-H zoning district’s maximum height limit of 12 stories or 125 feet (excluding mechanical penthouses). Parking was provided at one space per unit for the residential building and 0.7 spaces per guest room for the hotel. Zoning Ordinance modifications were also approved for bonus density, lot coverage, and reduced parking ratios. While SP #233 would have expired in 2022, it was extended by statute through 2023.

## **Proposal**

The Applicant proposes to incorporate the Williamsburg Apartments Site into SP #233 and rezone the Red Lion Site to the RA4.8 zoning district, which is consistent with the GLUP recommendations for the Property. The Applicant then proposes to construct an approximately eight story multi-family residential building with up to 445,732 square feet of residential GFA and a maximum of 446 units.

The proposed development will renovate and use the existing below-grade parking garage and add additional levels of parking at or above the grade of Arlington Boulevard, but below the grade of nearby sites and the neighboring retaining wall. All parking above the grade of Arlington Boulevard will be fully enclosed within the building and wrapped with active uses. A total of 255 parking spaces will be provided at a ratio of 0.57 spaces per unit, consistent with the County's off-street parking guidelines for multifamily residential projects in the County's Metrorail corridors. Access to the building, including the loading dock, will be located along Arlington Boulevard, which will minimize any impact to neighboring residential buildings (e.g., The Belvedere and Parc Rosslyn).

The Applicant intends to pursue LEED Gold construction and 0.35 FAR of bonus density in accordance with the Green Building Incentive Policy. In addition, the Applicant is committed to site plan improvements, such as utility improvements, sidewalk, curb and gutter, as well as contributing toward affordable dwelling units, public art, the County Utility Fund, and Transportation Demand Management measures. Finally, the entire development will feature high quality architectural design with a commitment to biophilia.

## **Proposed Modifications & Density Exclusions**

The Zoning Ordinance permits the County Board to modify certain regulations for Administrative Regulation 4.1 Special Exception Site Plans. With this application, the Applicant requests the following Zoning Ordinance modifications:

- Bonus density for LEED certified construction in accordance with Arlington County's Green Building Incentive Program at the 0.35 FAR level;
- Reduced parking ratios in accordance with adopted County policy;
- A reduction in the number of loading docks. The Applicant proposes two loading bays to serve the building. The proposed modification is appropriate given the Applicant's experience with its portfolio of projects that an additional residential loading bay is not needed for additional units; and
- All other modifications as necessary to achieve the proposed development.

The Applicant also proposes a total of approximately 1,156 square feet of density exclusions from GFA for below grade storage, building service areas, including mechanical areas,

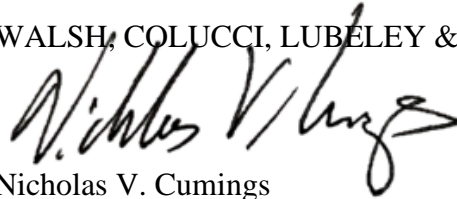
which do not contribute to the visible mass of the buildings, and vertical shafts, which provide for venting through the building to the roof and eliminate vents on the building façade in support of the County's goal of encouraging high quality design. Per the Zoning Administrator's April 11, 2016 advice on density exclusions, these are typically acceptable exclusions for site plan projects.

**Conclusion**

Thank you for your attention to this matter. Please do not hesitate to contact me if you need additional information.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Nicholas V. Cumings

cc: David Orr, Orr Partners  
Ryan Orr, Orr Partners  
Tyler Orr, Orr Partners  
Bernard S. Suchicital, Walsh Colucci