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**WALSH COLUCCI
LUBELEY & WALSH PC**

August 29, 2022

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 Major 4.1 Site Plan Amendment
Applicant: The FORTIS Companies, LLC
Property: 2025 Fairfax Drive (RPC #17-017-005)**

Dear Ms. Vonhm:

On behalf of the above-referenced Applicant, please accept this statement of support for a major 4.1 Site Plan amendment to Site Plan #417. As detailed below, the Applicant proposes modifications to the design of the approved multifamily residential building that is planned to replace the existing single story home and surface parking lot on the Property.

The Applicant is the contract purchaser of the Property. Wakefield-Courthouse Associates LLC owns the Property. Both the Applicant and the owner have consented to this application.

Property Background

The Property consists of one parcel of record containing approximately 19,846 square feet located on the northeast corner of the intersection of Fairfax Drive and N. Courthouse Road in the Radnor/Fort Myer Heights neighborhood. The Property is zoned to the RA8-18 Multiple-family Dwelling District pursuant to § 6.3 *et seq.* of the Arlington County Zoning Ordinance (the “Zoning Ordinance”).

The Property is located adjacent to the Wakefield Manor/Wakefield Annex/Courthouse Manor complex (together, the “Historic Buildings”) located on RPC ##17-017-002 and -006. The Historic Buildings were developed between 1936 and 1943, and contain 84 units and approximately 68,200 square feet of gross floor area (“GFA”) in aggregate. The Historic Buildings are listed as “Essential” on Arlington County’s (the “County”) Historic Resources Inventory.

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The Property is included within the Fort Myer Heights North Special District (the “Fort Myer District”) pursuant to § 9.3 *et seq.* of the Zoning Ordinance. This district permits, with a 4.1 Site Plan approval, heights up to 12 stories and 125 feet and density of a 3.24 floor area ratio (“FAR”) or higher if the development is consistent with the goals, design guidelines, and building height maximums of the Fort Myer Heights North Plan (the “Fort Myer Plan”), as discussed below. Pursuant to § 9.3.3 of the Zoning Ordinance, the Fort Myer District requires that 20 percent of the GFA above the County’s General Land Use Plan (“GLUP”) maximum of a 1.65 FAR be designated as on-site committed affordable units.

The Property is designated “Medium” Residential on the GLUP. Pursuant to Note 22 of the GLUP, the Property is subject to the Fort Myer Plan and is located within Block 8 of the Fort Myer Plan’s Revitalization Area. The Fort Myer Plan classifies the Historic Buildings as “Essential” and recommends the full preservation of the Historic Buildings. The Fort Myer Plan also recommends redevelopment of the Property with a residential building up to 125 feet in height and 12 stories. The Fort Myer Plan further suggests that buildings be oriented toward Fairfax Drive and that new development be consistent with the existing neighborhood character in terms of architecture and design.

Site Plan #417 and Transfer of Development Rights

The Property is subject to Site Plan #417, which was approved by the County Board on October 15, 2011. This approval permitted the construction of a 12-story, 104-unit multifamily building with approximately 105,400 square feet of GFA and preservation of the Historic Buildings. This approval resulted in a combined total of 173,600 square feet of residential GFA and a 2.15 FAR. The site plan area for density purposes, which included the Property as well as RPC ##17-017-002 and -006, was 80,927 square feet.

Parking for both the Historic Buildings and the new multifamily building was approved at a 1.01 space/unit ratio, and consisted of 189 garage and surface parking spaces. Consistent with the affordable housing requirements of the Fort Myer District and the Fort Myer Plan, 4,700 square feet of GFA was designated for on-site affordable units, with 1,200 square feet (25 percent) to be provided in the Historic Buildings or the new building, and 3,500 square feet (75 percent) provided in the new multifamily building.

Concurrent with the approval of Site Plan #417, the County Board approved the certification of 104,789 square feet of transferrable development rights (“TDRs”) in exchange for the preservation of the Historic Buildings. The County Board later certified the transfer of the TDRs to the nearby 2025 Clarendon Boulevard site (commonly known as the Wendy’s site) on March 14, 2015 concurrent with the approval of Site Plan #435. A historic easement was subsequently placed on the Historic Buildings in January 2016, in compliance with the requirements of the TDR certification.

The period of validity for Site Plan #417 was extended by the County Board in 2016 and, due to statutory changes adopted by the General Assembly codified at Va. Code Ann. § 15.2-

2209.1, the period of validity was automatically extended by operation of law until July 1, 2020. The County Board most recently extended the period of validity for a three-year term on June 13, 2020. This 2020 extension included a parking reduction to 123 parking spaces, resulting in a parking ratio of 0.60 spaces per unit. It was noted during the 2020 site plan amendment that there exist 31 on-street public parking spaces surrounding the Property. The term of Site Plan #417 is now valid through July 1, 2023.

Proposal

Since its original approval 11 years ago, construction of the multifamily building has not commenced despite marketing efforts by the owner and unprecedented regional demand for residential housing. Following a series of internal studies, the Applicant identified several issues that have made construction of the approved building impractical. These include challenges related to topography, geology and significant rock deposits, utility routing, parking accessibility, interior unit layout, exterior architectural design, and density.

Recognizing the Property's location, the housing goals of the Fort Myer Plan, and the significant market demand for residential development in proximity to Metrorail, the Applicant proposes to modify the plans for the approved multifamily building in a manner that will be more marketable to prospective tenants. The Applicant proposes to construct a 12-story residential building containing up to 166 units and a maximum of 141,338 square feet of residential GFA. This results in a development intensity of 2.59 FAR across the entire Site Plan #417 area of 80,927 square feet. The maximum building height is proposed to be 124.73 feet (not including a 16-foot tall mechanical penthouse). No changes to the Historic Buildings are proposed with this application.

The Applicant's modified plans will respond to today's residential market by offering more efficient living spaces, modern amenities, and convenience for residents. A two-story lobby will be provided at the corner of Fairfax Drive and N. Troy Street consistent with the prior approval, and an elevated landscaped rear courtyard with amphitheater seating available to existing residents and enhanced plantings will create a sense of openness for residents and fit into the classic landscape of the adjacent garden apartments.

Consistent with the Fort Myer Plan's Design Guidelines, the architecture of the proposed building will effectively contrast and complement (rather than compete with) the Historic Buildings in a manner that helps visually define the Historic Buildings' architectural richness. The proposed building, for example, will incorporate several Art Deco design elements traditionally utilized by the Historic Building's original architect, Mihran Mesrobian. These include curved balconies, corner windows, masonry articulation, decorative cornice detailing, horizontal masonry accent bands, brick rustication, and quoins.

The materials and massing of the proposed building help define the building's base, middle, and top. The height of the base references the adjacent Historic Buildings, and the articulation of the brick at the base of the proposed building echoes some of the brick motifs from the adjacent

buildings and from other local Mesrobian buildings (e.g., Wardman Park in the District of Columbia). The proposed building's curved balconies and corner windows are intended to recall the curved bays and corner windows found in the Historic Buildings. Additionally, the proposed setbacks and upper-floor step backs on the north and west building façades provide a dignified transition to the Historic Buildings.

Similar to the low decorative brick walls located between the Historic Buildings, the proposed landscape design incorporates low brick walls to complement and modulate the spaces created between the Historic Buildings and the proposed building. Additionally, the entrance to the upper level of the parking garage (which provides parking for the existing Wakefield Manor buildings) is articulated to enhance the entry within the broader landscape. The proposed building also presents an elegant façade toward Fairfax Drive, the Arlington Boulevard Trail, and Arlington Boulevard. It also presents a distinctive and complementary profile to visitors approaching the site from the north along Courthouse Road.

The proposed building will be served by 120 parking spaces and one loading space in a partially below-grade structured garage. Access to loading for the new building, as well as 90 spaces of resident parking for the new building and long-term visitor parking, is proposed on Fairfax Drive in the same location as approved with Site Plan #417.

The Applicant is required by a private agreement with the owner to provide 30 parking spaces for exclusive use by the existing residents of the Historic Buildings to replace the existing inventory of parking on the Property. These 30 parking spaces will be provided on the top level of the parking garage, and will be directly accessible to the Historic Buildings via a separate vehicular entrance along N. Troy Street and an at-grade pedestrian entrance that is directly accessible to the Historic Buildings. For purposes of visibility, safety, security, and building efficiency, the N. Troy Street parking entrance would be used solely by the residents of the Historic Buildings and will not be connected to the new building's resident parking, located below. As noted above, the remaining 90 spaces in the garage will serve the residents of the new building.

In addition to the 120 garage spaces, 10 visitor spaces will remain on the existing surface lot adjacent to the Courthouse Manor apartment building on N. Troy Street, for a total of 130 parking spaces available across Site Plan #417. Vehicular access for drop-off/pick-ups, short-term parking, and ridesharing is proposed adjacent to the lobby along Fairfax Drive.

The resulting parking ratio for the entire Site Plan #417 area will be 0.48 spaces per unit; the parking ratio for the proposed building will be 0.54 spaces per unit. The proposed parking ratio is in-line with recent County policies supporting significant parking reductions for residential development in close proximity to transit. The Property's substantial topographic drop between its northern and southern boundaries permits the building's parking garage to be tucked into the Property's natural grade. Any above-grade portions of the garage will be fully screened from public view through landscaping and architectural treatment.

The proposed project meets the following Zoning Ordinance requirements and the Fort Myer Plan recommendations:

- This project complies with the recommendation to redevelop the southeast corner of the Property while preserving the existing Historic Buildings;
- The proposed building footprint and massing are consistent with the For Meyer Plan's Illustrative Examples of new development for 2025 Fairfax Drive;
- The proposed building height complies with the Fort Myer Plan and Zoning Ordinance maximum height of 12 stories or 125 feet;
- The proposal meets the land use and historic preservation recommendations set forth in the Fort Myer Plan, which calls for preservation of the Historic Buildings and new residential development that is a strategic blend of conservation and redevelopment;
- The proposed building is oriented toward Fairfax Drive with the main entrance located at the corner of Fairfax Drive and N. Troy Street;
- The proposed building's architectural design is in keeping with the existing neighborhood and architecturally complements the Historic Buildings;
- The landscaping around the proposed building and the courtyard area accords with the surrounding garden apartment landscaping and appropriately frames the adjacent Historic Buildings.
- The proposed project is knit into the existing historic garden apartment landscape and provides direct access for Wakefield Manor residents to dedicated and protected parking spaces.

Proposed Modifications & Density Exclusions

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

- Pursuant to § 15.5.7.A.1 of the Zoning Ordinance, the Applicant requests 28,324.45 square feet of bonus density at the 0.35 FAR level for LEED Gold in accordance with Arlington County's recently-adopted *Green Building New Construction Program*;
- Pursuant to §§ 7.15.4.A and -B, and 15.5.5 of the Zoning Ordinance, the Applicant requests an additional 23,799 square feet of bonus density (not including any LEED bonus density or GFA exclusions, discussed below) in consideration for community benefits;

- Pursuant to § 15.5.7.A of the Zoning Ordinance, and consistent with Arlington County policies, the Applicant requests a reduced parking ratio from one space per dwelling unit to 0.48 spaces per dwelling unit due to the Property's proximity to a variety of public transit options (e.g., the Courthouse Metrorail station, Metrobus, and ART bus stops). The proposed parking reduction will allow the Applicant to construct a more transit-oriented development with reduced vehicular traffic to the site;
- All other modifications necessary to achieve the proposed development.

The Applicant proposes 7,264 square feet of exclusions from GFA, as follows:

- A total of 3,238 square feet of below grade mechanical rooms;
- A total of 3,321 square feet of open mechanical and air shafts;
- A total of 710 square feet of below-grade tenant storage; and
- All other exclusions necessary to achieve the proposed development.

Summary

The Applicant has carefully planned the design of the proposed building in furtherance of the Fort Myer Plan's recommendations. The proposed development will provide new residential units in a building with high-quality architecture that is within short walking distance to many community amenities and transit options.

We would appreciate your review of this application and thank you for your time and consideration. Please feel free to call us with any questions or comments.

Very truly yours,

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



Andrew A. Painter

Enclosures

cc: Mr. George Chopivsky, III, FORTIS
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