

## November 12, 2014 Meeting Summary | Form Based Code Advisory Working Group

### Attendees

**PC Members:** Inta Malis (FBC AWG Chair). **FBC AWG Members:** Gene Hubbard, Kathy Guernsey, Ed Miltenberger, Noreen Quill, Linda Dye, James Smith, Stef Pryor, Betty Siegel, and Takis Karantonis. **Staff:** Matt Mattauszek, Jennifer Smith and Joanne Gabor. **Other Attendees:** George Figliozzi, Jim Perry, Cathy Puskar, David Kaufman, Antonette Aguilar, Steven Johnson, and Jorge Flores.

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### Agenda Item 1 | Review of FBC Application and Checklist for Carver Homes (Arlington View Civic Association)

- Matt Mattauszek provided an overview of the preliminary application including key elements of the project. After questions from AWG members, Matt reviewed the areas of compliance using the FBC Checklist.
- The following questions and/or comments about the project were raised:
  - For the units with windows proposed at higher grade elevations to achieve more privacy, what is the proposed height to the window sill from the unit interior *Response: Approximately 36"; which allows views to the outside by a seated person.*
  - How will the affordable housing units be committed in the project, particularly related to ownership? *Response: The affordable units are proposed as for-sale units, and would be under condominium ownership. A member of the condominium would participate with the homeowners association held by the majority of for sale townhouse units. The affordable units will have a maximum sales price and purchases must be pre-qualified to meet income restrictions. Staff indicated that since the units will be for sale, they may be required to remain affordable in perpetuity which is related to the tax assessment regulations.*
  - Does the FBC allow for occupiable space within the attic space? *Response: Yes.*
  - What are the proposed materials for the rear elevations? *Response: A combination of hardi-board/cementitious panels and hardi-board vertical siding.*
  - How is parking accommodated? *Response: The majority of units have parking located in garages at the rear of the unit. Stacked units include 1 garage space/unit; townhouse units include 2 garage spaces/unit; affordable stacked units include 1 garage space and 1 alley, surface space.*
  - How is the affordable housing unit requirement calculated? *Response: Based on a 1.6 times ratio of proposed units to existing units (73/44), multiplied by 10, a 16% requirement is calculated. However, the N-FBC requires a minimum of 20% of the net new units as affordable, therefore, the requirement for this project is rounded up from 16% to 20% of the net new units (73-44 = 29 net new units; 29 \* 20% = 6 (rounded) affordable units required).*

- Staff was asked to respond to an email received from some Arlington View neighborhood residents on the proposed number of stacked units, and staff's rationale for compliance. *Response: Based on staff's assessment, the proposal is compliant with the Neighborhoods FBC. During the Neighborhoods Area Plan process, staff agreed to establish a maximum of 80 units for the Carver site, based on a maximum of 60 lots and up to 1/3 of those units as stacked units. Staff evaluated the potential traffic volume on the existing streets (with the potential 80 units at Carver, redevelopment of the Arlington View Terrace and potential changes at Hoffman-Boston School) and concluded that traffic would not be measurably changed nor street capacity diminished with 80 units at the Carver site. Although not a density driven zoning regulation, staff agreed to the inclusion of a density limit for the Carver site. The N-FBC Eastern Subarea Regulating Plan includes the maximum unit count (80), and indicates that if 60 lots are realized, up to 1/3 of those townhouse buildings could accommodated 2 units.*
  - A community member who helped draft the email message to staff stated his disagreement with staff's interpretation of the intent of the past agreement. He also indicated that his/some community members' concerns stretched beyond traffic and parking and dealt with property values. A concern that property values may decrease with too many stacked units in a redevelopment scheme was noted. He also commented that staff should have provided additional process and outreach with the community for this particular project.
  - It was noted by the AWG Chair that there is a difference of interpretation of the FBC requirement and that the County Attorney would have to weigh in and give the AWG guidance on how to apply the regulation. Once more information can be obtained by staff, an update to the AWG will be provided.
- How will the open space be dedicated? *Response: Consistent with the N-FBC regulations, staff expects the owner to maintain ownership of the mini-park and to provide a public access easement.*
- How will the mini-park be designed and signed to ensure that it looks public and attracts public use? *Response: Several of the main elements, including signs, are included in the proposal. Additional details – construction and material details – would be determined through the permitting phase, including the sign style and design. County staff from several departments, including CPHD and DPR would review the plans to ensure the space meets with County standards for a public park/park with public access. When asking about particular design details for a proposed fountain, AWG members asked whether the community would have input into the design and/or be made aware of the final design. Staff indicated that more information would be provided to the AWG at a future meeting, or by email, outlining the process steps for implementation of the mini-parks. It was*

*also noted that standard use permit conditions could include some additional process steps to give clarity and certainty for the community.*

- It was noted by an AWG member that if accessible entrances occur through the rear of the unit, it would be preferred to have the entrance through a typical door rather than through a garage door.
- What materials are proposed for the privacy fence along the site perimeter?  
*Response: These details are still under discussion, but the material/materials would meet the FBC requirements.*
- Who will be responsible for trash collection for new cans along site perimeter and along mini-park?
- An AWG member indicated that the raised crosswalk along the new interior street is a nice feature, but questioned whether it is consistent with the FBC.
- What process will be established for the final design of the mini-park and what is the extent of community feedback expected?
- What is the design of the window wells to allow light and egress from basements?
- Staff indicated the proposal is generally consistent with the N-FBC regulations, except for the proposed modifications to the stoop heights for some units and the privacy requirements for some units with zero-step entrances along the front elevation. Staff indicated that several additional notes on drawings were needed, and a few design elements (like the privacy fence, street lighting levels, and a few items regarding the civil plans) were still under review.
- General support was expressed for the proposed modifications to the privacy design solutions when the accessible entrance is through the front elevation, and for a lower stoop height for several units with the accessible entrance through the rear elevation.
- Follow up items for staff and/or the applicant include:
  - Clarification on the unit count and confirmation of the 1/3 ratio, whether it is prescriptive
  - Privacy fence materials
  - Mini-park design and features; community review/input
  - Affordable housing financing plan
  - Use permit conditions for park maintenance and trash collection
  - Additional labeling on plans to indicate which sides of townhouses are located along a RBL