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**VIA HAND DELIVERY**

April 7, 2015

Norma Cozart  
Zoning Administrator  
2100 Clarendon Boulevard, 10th Floor  
Arlington, Virginia 22201

**Re: 2900 Columbia Pike (the "Property")  
Form Based Code Application  
Statement of Justification**

Dear Ms. Cozart,

On behalf of the Darcey brothers and their company, Darcey, LLC (the "Applicant"), we are filing the enclosed Form Based Code Application to obtain the benefits of the Columbia Pike Form Based Code (the "FBC") directly affecting the Property. As a historically designated building, the Property is entitled to certain advantages that recognize its historic nature.

**Background**

The Applicant's family has owned the Property for many years. While the Property was used as a restaurant for nearly 50 years, it is currently vacant and has been for some time. The Applicant has endeavored for months to obtain permits to renovate the building located on the Property and again lease it for a restaurant use.

The Property is prominently located at the intersection of Walter Reed Drive and Columbia Pike, directly adjacent to The Halstead apartments. A single commercial building exists on the Property (the "Building"), and was formerly home to Blanca's Restaurant. The Property is approximately 3,298 square feet, and the existing building is just over 3,000 square feet of gross floor area. The Building takes up the vast majority of the space on the Property. It does not have space for customer parking, although a small concrete pad is located at the rear of the Building that has been used before to park up to two vehicles. However, the Property is located directly adjacent to The Halstead, which has a public parking garage accessible from Walter Reed Drive.



The Property is currently zoned C-2 and is designated on the General Land Use Plan ("GLUP") for Service-Commercial uses. To develop under the C-2 designation, the Property would likely have to meet the setbacks and other requirements of that section. This would be impossible, given the size and orientation of the Property. However, per Note 8 of the GLUP, the Property is within the Columbia Pike Special Revitalization District, and is therefore eligible for use under the FBC. See Zoning Ordinance, § 11.1.2.

With this application, the Applicant will obtain the benefits it is eligible to receive under the FBC, including exemptions from parking, building envelope standards, and streetscape standards, among others. Once approved, the Applicant intends to renovate the interior (as shown in the attached plans) and open a restaurant in the Building, which is a by-right use under the FBC (as well as its current C-2 zoning). See Zoning Ordinance, § 11.1.5.

### **Historic Designation**

The Building is a designated "Historic Structure" under the FBC. See FBC, Section III.B.6, p.3.8. As such, it "shall be preserved." *Id.*

This designation entitles the Property to certain *exemptions* under the FBC. First, the FBC states the building "shall not be subject to the Building Envelope Standard prescriptions of [the FBC]," including Open Contiguous Lot requirements. *Id.*; see also FBC, Section IV.B.2, p.4.3 (defining open contiguous lot requirements as part of the building envelope standards). Furthermore, historic structures "have no minimum parking requirements" and "redevelopment is not required to obtain this exemption." FBC, Section III.B.6, p. 3.9. Also, historic structures are exempt from Streetscape improvements. *Id.* Due to the Property's small size, the size of the Building relative to the size of the Property, and the Property's orientation to adjacent buildings and streets, the Applicant intends to take advantage of all these exemptions.

The Applicant has proposed minor exterior renovations, including new windows and doors and in-kind replacement of the roof shingles, to help preserve the Building and refurbish its historic exterior. Indeed, the proposed renovations include, among others, to restore the window on the front façade to closer mirror its original condition. The Applicant's intent is to maintain the Building's historic significance, but renovate its interior to accommodate a tenant. In fact, the Applicant met with the Historic Affairs and Landmark Review Board in September 2014 and received unanimous support for the renovations, and the Applicant's ongoing attempt to make a viable use of the Building. See Letter from John Liebertz to Jerald P. Cohen, dated September 18, 2014 (attached).

### **Conclusion**

The FBC designation is necessary to allow the Building to be used for a restaurant. The Building does not contain parking or have any usable area for parking, and its current orientation to adjacent buildings and streets prevents it from achieving setbacks or other requirements under the C-2 zoning district. Yet, the Property is eligible to be used under the



FBC and is thereby entitled to the exemptions noted in the FBC. These exemptions specifically recognize the hardships the FBC would otherwise place on a Historic Structure. As such, the Applicant requests approval of this application, in order to make a viable use of the Property that adds to the vibrancy of Columbia Pike at this prominent intersection.

Very truly yours,

BEAN, KINNEY & KORMAN, P.C.

A handwritten signature in blue ink, appearing to read 'Matthew G. Roberts', written over a horizontal line.

Matthew G. Roberts, Esq.



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT  
Neighborhood Services Division

Courthouse Plaza One 2100 Clarendon Boulevard, Suite 700 Arlington, VA 22201  
TEL 703.228.3830 FAX 703.228.3834 www.arlingtonva.us

September 18, 2014

Jerald P. Cohen  
1513 King Street  
Alexandria, Virginia 22314

HALRB Case 14-22, 2900 Columbia Pike

Mr. Cohen:

At the September 17, 2014 meeting of the Historical Affairs and Landmark Review Board (HALRB), the Board approved your request for the following item(s) for the property at 2900 Columbia Pike:

- Review of the frontage preservation/restoration of a commercial building designated as a Historic Structure in the Columbia Pike Form Based Code.

The HALRB voted to support your project with the understanding that additional material specifications, signage, and lighting will be submitted for future review. They found that the proposed design would significantly preserve this historic commercial building, and that the renovation plans would be a substantial improvement over the current condition. The HALRB would like to commend you on your flexibility and openness during the design review process. The preservation and restoration of the historic structure will be an asset for the Columbia Pike business district, and will help showcase the historic character of the building to its best possible advantage.

Please note that only the applicant or current property owner can initiate changes to the approved plans. If you have any questions or need additional assistance, please do not hesitate to call the Historic Preservation Program Office at 703-228-3812.

Sincerely,

John Liebertz  
Historic Preservation Planner  
cc: Marlene Terreros-Oronao, HP Inspector  
Cc: Rebecca Ballo, HP Planner