
Zoning Committee of the Planning Commission (ZOCO) Meeting Summary, July 28, 2015. PC

members in attendance: Erik Gutshall (chair); Rosemary Ciotti; Steve Cole; James Schroll. **Staff:** Deborah Albert, Melissa Cohen; Matt Mattauszek; Aaron Shriber.

Extension of Transfer of Development Rights (TDR) Multiplier for Columbia Pike beyond the December 2015 expiration date (Anticipated October RTA for November action). Staff gave a brief presentation and proposed extension of the expiration date for an additional five years. The following summarizes the discussion.

- It would be helpful for staff to share additional information on staff meetings with the property owners of the Fillmore Gardens and Barcroft properties.
- Staff clarified that at this time, staff does not intend to change the adopted multipliers.
- Unless you understand the multiplier [e.g. that the multiplier is used to calculate the bonus, and may be provided as market rate units], it could appear as if the 3 units on the Pike vs. 2 units elsewhere in the County attempt to concentrate affordable housing on the Pike. Staff should be mindful of explaining how the multiplier works when talking about this issue.
- How does the Affordable Housing Master Plan (Plan) address the issue of TDRs generally? Staff responded that the draft Affordable Housing Implementation Framework recommends encouraging an effective TDR market, which include conducting further study of TDRs and researching other ways to incentivize TDR transactions, such as the study of TDR banks, simplified processes, etc. Staff will provide further information on the Implementation Framework recommended timeline for such study.
- There has been a lot of discussion in the community about affordable housing and location of affordable housing.
- What kind of outreach has been done to Columbia Pike neighborhoods on this item? Staff responded that it has used the established outreach process for FBC amendments, working with the Form Based Code Advisory Working Group (AWG). The AWG chair added that the AWG meetings on this topic were well-attended and the AWG unanimously supported the proposed extension.
- In wrap-up, members present at the meeting expressed that they are comfortable with the proposed extension, and reminded staff to be mindful of the sentiments on this issue as the item moves forward.

Red Top Cab site (SE side of 13th St. N. between Washington Blvd and N. Hudson St.). (Anticipated September RTA for October action). Staff provided an overview of the proposed amendment, and indicated that the draft maps are those proposed by the applicant; staff continues to study some of the proposed amendments, and may continue to make revisions as the process moves forward. Staff also indicated that the ONLY changes proposed, are those prompted by the subject site plan, and that staff proposes amendments only in coordination with the subject site plan. The following summarizes the ZOCO discussion; comments from community members present are identified.

- The justification for changing the height limit for this block seems to be based on a possible future condition; it should be based on current conditions.
- Would staff be willing to update the Use map beyond the subject property for consistency with the adopted Retail Plan. Staff reiterated that the only changes proposed are for the subject property.

- It makes sense to amend all of the maps to reflect the proposed change in block structure, but no other content of the maps should be amended.
- It makes sense to amend the maps in the Zoning Ordinance that prevent the site plan from being realized, but not to amend the Sector Plan, as the Plan provides the vision for the area.

Height map

- One member indicated that among Planning Commissioners, most feel that this site plan is a better plan for this property, but want to ensure that no precedent is set to amend the height map in the future for other similarly situated properties.
- The 165' taper also applies on 10th Street, a property that is also next to a planned open space. If the open space is the justification for the amendment for this property, could staff please analyze the 10th street property to ensure that the subject proposed amendment does not set a precedent for the 10th street site?
- Staff should identify all distinguishing characteristics of the subject site that make it unique to justify the change to the height map.
- Has any applicant previously made a request to measure the 165' distance from the property boundary (at the edge of the right-of-way) rather than the zoning district boundary (in the center of the right-of-way)?

Build-to Lines Map. Staff indicated that it continues to study the appropriateness of a gap in the build-to line to support loading on Hudson Street.

- Just because there is a build-to line, it does not mean that loading cannot occur in that location. Staff pointed out that the build-to line map indicates that “parking and loading should not be located where build-to lines are not indicated” and confirmed that where loading was provided in such areas on the Penzance project, it was done so through modification approved with the site plan. Staff will provide additional information about other modifications that have been approved on previous projects.
- There are two ways to achieve a modification from the current map: 1) by amending the map; or 2) by approving a modification by site plan. ZOCO Members present expressed a preference for the latter (2).

Wrap-up.

- Members present indicated that it seems reasonable to make the proposed changes, but emphasized that staff should ensure that such changes for this property do not set a precedent for similar changes for other properties in the Clarendon Revitalization District.
- The proposed block structure makes sense independent of the site plan and for that reason only, it makes sense to amend all of the maps (as opposed to just the height map).

Comments from community members

- A Lyon Park resident indicated that it is the opinion of the Lyon Park Civic Association that the amendment to the 165' buffer for this project is reasonable only because of the specific circumstances of this site plan, and would request that the County Board make such a statement as part of the approval of the site plan and adoption of a Zoning Ordinance amendment.
- The applicant, when asked, indicated that it feels that the proposed changes to the block structure are better than the structure shown in the Sector Plan.