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## Zoning Committee (ZOCO) of the Planning Commission Meeting Summary, May 25, 2016.

**PC Members in Attendance:** Jane Siegel (ZOCO chair); Steve Cole; Elizabeth Gearin; Erik Gutshall; Stephen Hughes; Nancy Iacomini; James Schroll. **Process Panel Members (invited to participate in the Rosslyn discussion) in Attendance:** Stuart Stein (RAFOM CA); Terri Prell (North Rosslyn CA); Tim Helmig (Rosslyn BID); Andy Van Horn (Rosslyn BID); Katherine Elmore (PRC); Bill Gearhart (TC). **Staff:** Deborah Albert; Matt Ladd; Jennifer Smith; Elizabeth Weigle.

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**Form Based Code technical amendments.** Staff gave an overview of the proposed amendments, highlighting those that propose changes to policy. Comments from ZOCO are summarized below.

- Stephen Hughes reported that the Form Based Code Advisory Working Group's (AWG) main comments on the proposed amendments were for flexibility within the vision and regulations prescribed.
- Timing of FBC applications: if applicant filed a final application prior to AWG meeting, and there was some kind of design change suggested from the AWG, would the applicant have to refile, and if so would they be charged a fee, and if so, would that discourage them from wanting to make a small change? Staff confirmed that the applicant would have to slip sheet the application to make changes, but there would not be an additional fee charged, and that this is a common occurrence.
- It is great to reduce the number of hard copies of plans being distributed. Is staff thinking about this more broadly, for site plans, as well?
- Staff confirmed in response to a question that the changes to the equivalent or better language for materials (Line 47) is to incorporate the same language that is in the Neighborhoods Code.

**Rosslyn Sector Plan Zoning Implementation.** Staff gave a presentation summarizing the intent of the analysis on the range of options studied, and the changes to the preliminary draft based on feedback received. Comments from ZOCO, joined by Rosslyn Process Panel members; and from community members, are summarized below.

### Heights map

- Where in sector plan does it say that all sites should have flexibility? The draft text seems to talk about broadly modifying everywhere, but do not remember that being in the plan. Staff confirmed that the guidance for the proposed modifications is coming from the County Board's resolution adopted along with the plan.
- How is not allowing additional height for transformational infrastructure consistent with the County Board's resolution for flexibility?
- Has staff modeled how sites would redevelop based on codifying the map vs not codifying it? If not, it would be helpful to see such a massing study.
- Why are certain terms in the proposed zoning limited to just heights? Justification for not codifying the height map is that it constrains creative solutions. Where does it say that it is heights that constrains creative solutions? Why not just codify creative alternative solutions rather than codify heights?

- How do the peaks and valleys get preserved? The heights map was developed in order to do that. Agree that additional modeling would be helpful.
- Do not want to fight the sector plan battles again with every site plan, which comes from too much flexibility in the ordinance.
- Note that a height map was codified in Clarendon and could not be modified. However, The zoning code was amended to change the map with the Red Top cab site. Note that there is always a way around the map even if it is codified and not modifiable - the County Board can always amend the zoning ordinance if a site plan proposal comes in and proposes a change.

### **Additional height**

- "If warranted" is a very broad term (line 116). Suggest removing lines 113-122 (height above the map). The proposed zoning confuses expectations. Staff confirmed that this additional paragraph separates the additional height from the map height in order to emphasize the importance of the heights on the map.
- "Equally or better" is better language than the proposed revision.
- The community will benefit from a site plan that is "better" but not from a site plan that is "equal."
- Is it staff's interpretation that the County Board resolution nullifies the section of the plan about single tower heights? Staff confirmed that the resolution does NOT invalidate any portion of the plan.
- "Site specific solutions" should really be "site specific challenges" and the applicant should have to call them out (line 116).

### **Transformational infrastructure**

- Has staff fully analyzed if the metro station and 18th street are the only things that would warrant being included in this provision?
- Concerned that there may be additional elements for transformational infrastructure, e.g., a gondola. Are we precluding something that might be really exciting in the future by only listing the two elements?
- For transformational infrastructure, you cannot use additional density to get height. How does that fit in with TDRs and with the fact that density in the original scope was far outside of all of this? TDRs need to be tied to height. Concerned about the "entrance" to the metro station - the intent was for a new metro station, not just an entrance. Staff confirmed that this was the intent, will correct this error.

### **Findings**

- Can "peaks and valleys" be included in the findings?
- Even if the map is not in the code, can it be called out in order to give it more emphasis? Would there be a way to work the map into the findings?
- Does finding C (varied heights) weaken the sector plan guidance? Staff responded that this is in the findings in order to ensure that this guidance is followed.
- Sector plan talks about prioritizing views from everywhere in Rosslyn, not just from the observation deck, and this is not reflected in the findings. Maximizing views from inside

of Rosslyn out and from outside Rosslyn in is critical. Staff responded that finding G (sensitive to impact on adjacent buildings) is designed to get at views.

- Also do not like finding G. It seems like an extra undefined finding. Would rather see additional language about views.
- Taking language directly from the plan would strengthen the findings.
- Revisions in finding E are weaker than the original language: "no adverse impact" on is stronger than "sensitive to." Staff confirmed that the change is because the findings are required to approve even heights up to that shown in the heights map in the plan; and it would be difficult to make a finding that a higher height (e.g. that shown on the map) has no more impact on daylight than does a lower height (e.g. 153/180 base site plan heights).
- Concerned with how we rank and prioritize these amorphous findings. How do we ensure that they are all interpreted the same over time?

### Language

- Look at language in line 23 and line 101 about public view corridors. They should be consistent.
- Line 95 talks about mechanical penthouses. Is there anything in the sector plan that talks about having amenities AT THE LEVEL OF the mechanical penthouse?

### Open space

- How does open space get achieved without an explicit requirement for open space? Without any expectation on individual developers? Otherwise it is a vague goal in the plan, competing with too many different other potential benefits.
  - It is one of 14 goals in the plan.
  - It is not prioritized. Just like no other benefit is prioritized. And the sector plan does not prioritize it over other benefits.
- Why not build off of the precedent in the existing zoning based in the 20 percent landscaped open space that is in there now. Staff reiterated that the 20 percent landscaped open space is a different concept, and as an undefined term, is more often used to achieve private open space that may or may not be at ground level.
- There is nothing that says that we cannot create a fund for open space just like there is a fund for public art.
- There is a lot of concern about open space in the Radnor/Fort Myer Heights Civic Association.

### Other comments

- Soil volumes should go in the zoning code. Request that staff explain why it is better discussed in SPRC than in an ordinance?
- Suggest an additional ZOCO meeting prior to RTA.

### Wrap up

- If goal is to achieve consensus, we are not there yet.

- The more specific the findings are, the better (two participants).
- Adding in private views is appropriate. Agree that the landscaped open space requirement is a relic and should be removed.
- Would like to see revisions to proposed GLUP language; Transformational infrastructure should be allowed only to mitigate a hardship to do something on site.
- A Zoning Ordinance needs to provide clarity.

## COMMUNITY COMMENTS

- Clarifying comment that Rosslyn Plaza was approved up to 275 feet, but the height map in the plan was not amended as part of that process. The zoning needs to consider prior approvals.
- Line 111 about ground level view corridors - not sure what that refers to - are these view corridors identified in the plan, or everywhere?
- Line 112- do not think intent of the sector plan was to protect private views.
- Line 79 (transformational infrastructure). What about a bicycle-pedestrian bridge above I-66. If you call out individual projects, you need to list them all, but better to just let the County Board determine by leaving the Zoning Code open ended.