
Zoning Committee (ZOCO) of the Planning Commission Meeting Summary, July 12, 2016.

PC Members in Attendance: Jane Siegel (ZOCO chair; Chair for Rosslyn item); James Schroll (Chair for signs item); Rosemary Ciotti; Steve Cole; Elizabeth Gearin; Erik Gutshall; Stephen Hughes; Nancy Iacomini; Kathleen McSweeney

Process Panel Members in Attendance (invited to participate in the Rosslyn discussion): Stuart Stein (RAFOM CA); Terri Prell (North Rosslyn CA); Tim Helmig (Rosslyn BID); Andy Van Horn (Rosslyn BID); Katherine Elmore (PRC). **Staff:** Elizabeth Weigle; Deborah Albert; Matt Ladd.

Rosslyn Sector Plan Implementation. Staff provided an overview of revisions since the last ZOCO meeting. ZOCO and process panel discussion is summarized below.

Clarifying comments and discussion of proposed building height findings

- Why keep the finding that includes “sensitive to daylight” but strike the finding that includes “sensitive to adjacent buildings?” Staff responded that the deleted finding had been found by all (at the previous meeting) to be unhelpful, and therefore concurred with deleting it; adding “including but not limited to” with respect to all the findings, will ensure that this and other issues can still be addressed where appropriate.
- Add a finding about preserving views from other buildings – findings include public, but not private, views. Many agreed, and discussion including the following:
 - All views from all vantage points cannot be preserved
 - Private views should be included in the findings
 - Residential and office buildings place premiums on higher floors, so these views should be protected to make Rosslyn an attractive place to locate.
 - Protecting private views would be a departure for the County.
- Changing “sensitivity to daylight” to “maximize opportunities” for daylight seems like a very high bar that only a one story building could meet. Consider instead “recognizing other goals” or “preserves or protects”
- Concern that deleting the finding about sensitivity to adjacent buildings could negate protecting of neighborhoods. Staff responded that finding (c) addresses this issue (transition in scale and height).
- Regarding transformational infrastructure for Metro, make sure it is clear that density may only be earned for a major infrastructure change that changes capacity for the system; not simply a new entrance.
- Several members agreed to a suggestion to use “conform to the plan” instead of “consistent with the plan” throughout the proposed zoning. Staff responded that the County Board has discretion in determining what “consistent” means, and that this is a term that is commonly used and understood throughout the Zoning Ordinance.
- How is *limiting* height modifications for TDRs not consistent with the single tower flexibility on p. 168 of the Plan, as suggested by staff in the comment/response matrix?
- Have grave concerns about ability to permit density above 10.0 FAR.
- Line 99-100 (b) - suggest using “distinctive skyline, *as recommended by the plan.*” Another member indicated that the plan uses “distinctive and dynamic”
- Why list any findings at all if the general principal is that this list is not inclusive? The list seems like a prioritization of elements in the plan that define height, but we are not prioritizing anything else, such as community benefits. Discussion followed:
 - The list is important because the map is not in the Zoning Ordinance.

- The proposed zoning includes policy beyond that in the sector plan, by allowing an applicant to get height beyond that in the plan; the findings are important in constraining the County Board's ability to approve that request, because if the findings cannot be made, the additional height cannot be approved.
- Understand that many people want certain plan policies in the Ordinance, but that ship has sailed based on the County Board's resolution, which gave staff direction about how to frame the zoning language. Allowing the law to reference a policy is difficult. Therefore, having findings in the zoning code is good, because the zoning code is the law. In that vein, please consider re-including the deleted finding about sensitivity to impact on adjacent buildings.
- Consider adding a list of "site specific considerations" in line 112. Staff responded it is intended that the "considerations" would be at the County Board's discretion, as the County Board's resolution spoke to creative solutions
- Consider revising finding (c) which addresses transitions in scale and height to lower density neighborhoods, to also include "and open space"
- How is "including but not limited to" language used when reviewing a site plan - do all the findings need to be met? Staff responded, yes, all findings must be met and the language allows other considerations that are not specifically listed to be addressed as well.

Parks and open space

- The Chair indicated that it seems there is consensus on removing the 20% landscaped open space requirement.
 - The Park and Recreation Commission (PRC) is concerned that park and open space elements will not be executed as they are laid out in the sector plan, but they do not know how this might be resolved if, as staff has indicated, open space cannot be prioritized in the Ordinance. However, there is recognition that 20% requirement does not address this issue.
 - RAFOM has concerns about removing the 20% landscaped open space requirement
- The Crystal City Sector Plan called for the creation of a Central Park, and with growing concern on the Planning Commission and elsewhere that it would not happen, a concept of cash contributions was developed to ensure the park would be realized over time. This was not in the Ordinance, but it still occurred. A similar thing could occur in Rosslyn.

Wrap-up comments

- With regard to whether the map should be included in the Zoning Ordinance, one member responded that the issue is not whether the map is included in the zoning but whether we are comfortable allowing heights above the map. When it comes to meeting the findings, taller thinner buildings will give you a better skyline and better views. However, there was a community process that articulated the heights in the plan, and we should not allow heights to exceed the Plan's recommendations. Staff seems to have interpreted "creative solutions" from the County Board's resolution to mean allowing height above the plan heights.
 - Those are the heights articulated based on what we knew at the time of Plan adoption. The Board should be able to consider variations at the time of site plan approval, without requiring an amendment to the Ordinance in order to do so. The barrier of amending the Ordinance in order to allow for variations from the plan heights is too high.
- Line 62. Should say "exceptional" features rather than just "certain" features. Staff responded that this phrase comes directly from the VA Code provision that enables incentive zoning and is intended to reflect that legislation

- Do not support specific zoning language that allows for modification of height. Rosslyn to Courthouse Urban Design Study does not preclude modifying of heights by a small amount, but the zoning for that area does not point to ways in which height may be exceeded.
- Reiterate that staff should incorporate some language in the findings that addresses impact on adjacent buildings

Next steps

- Staff indicated that it would review the comments received tonight, and circulate a memo if there are proposed changes to the draft prior to the Request to Advertise (RTA)
- PC may continue to discuss this issue during the ZOCO report at an upcoming PC meeting prior to the RTA, and decide if it wants to send a letter; with or without a staff report
- Would advocate that the RTA comes to the PC to avoid a situation where text needs to be re-advertised

Community comments

- The Park service does a lot in preserving viewsheds through a range of quantitative techniques that monitor visual resources. The County could document important viewsheds with photography, and use computers to illustrate how a proposed building might change the view.
- One example of a building where we hope to go above the map is Phase I of Rosslyn Plaza PDSP; want to make sure what gets codified does not close the door to that.
- The Rosslyn Plaza PDSP includes a bridge that connects to Roosevelt island; transformational infrastructure (lines 76-79) should include “substantially increases access to river”
- Share concerns previously voiced about “maximizing daylight” because having NO building would be the only way to do so
- In 7.15.4.b: add “considering site specific circumstances” to findings for height *up to* heights in the plan, as it is included for heights above the plan
- Transformational infrastructure should not be limited
- Reiterate what was previously said about the zoning including flexibility
- The proposed ZO conflicts with what was already approved in Rosslyn plaza PDSP
- Codifying the entire plan would be the wrong way to go; proposed zoning is on the right track
- It is challenging when working with all stakeholders to make everyone happy. This group has done a good job trying to find balance. Reiterate that the plan captures a point in time, so we need to find a balance to have room to be able to respond to future issues, such as vacancy rates. Look at the County Board resolution in order to leave the flexibility to do what we need to do now and in the future

Regional shopping center signs. Staff gave an overview of the revisions and comments received since the previous ZOCO meeting on this topic. ZOCO discussion on the proposed regional shopping center sign provisions is summarized below.

- Allowing signs to be placed up to a height of 55 feet when adjacent to residential is troubling; it does not seem fair that sign placement is only limited based on R or RA districts and not based on residential uses; restrictions on illumination above 40 feet is not enough
- How does the 55 feet relate to the sign map (13-1)? Staff responded that the illumination standards would apply to all signs, and that roofline signs (above 55 feet) would be allowed only consistent with the sign map.

- Many members agreed that the proposed provisions are too restrictive; they will prevent these hubs from being enlivened by overly restricting movement and utilization of art and technology on signs
- Why prohibit signs in the public right-of-way?

Additional ZOCO comments on general sign regulations

- Regarding illumination standards in the Ordinance, LEDs are brighter than neon signs.
- Many new developments in the County have multiple buildings with a central plaza (for example, 18th Street in Rosslyn), that are not addressed in the Ordinance; should allow freestanding signs and more sign area for plazas.
- Are auditory signs regulated?

The Chair asked Forest City (Ballston Quarter applicant) to comment on the proposed zoning:

- The proposed regulations are a quantum leap from where we are now, emphasizing how important signage is to the development. Appreciate comments about ability to be creative, while recognizing it is difficult to write regulations that leave room for variation. Only a few requests are still precluded based on this iteration:
 - Projected image signs: 90 days is workable, but would prefer longer timeframe, such as that would allow all Friday and Saturday nights throughout the year.
 - Would like to be able to place signs above the roofline, particularly for a sign on the mews that cannot be seen from outside the project.
 - Movement on walls not facing the street should be allowed (staff clarified that the proposed text would allow movement in these locations)
 - Would prefer that the Ordinance distinguished between signs about place (project-wide) versus commercial (tenant) signs
 - Directory signs typically need to say “directory” in a size that is legible from more than six feet away; proposed text would preclude that for most freestanding signs
 - Would like to have regulations that allow art /moving LED screens
 - Still not clear if/how retail imagery and art would be subject to sign regulations
- A ZOCO member suggested it would be helpful, for when the proposed zoning is considered by the Planning Commission, for Forest City to articulate these requests in writing
- A community member agreed that opportunities for more creative signs are needed. Can't do place making without creative signage; one size fits all for C and M districts does not work for a lot Arlington's central business districts.