

MEMORANDUM

TO: Long Range Planning Committee (LRPC) of the Planning Commission

FROM: Anthony Fusarelli, Jr., AICP DATE: December 20, 2016

Washington Boulevard and Kirkwood Road Special General Land Use
SUBJECT: Plan (GLUP) Study "Plus" – LRPC Meeting #1 Follow-Up

The purpose of this memorandum is to provide brief updates and additional information pertaining to questions, additional information requests, or other items raised at LRPC Meeting #1 on October 20, 2016 requiring staff follow-up. In some instances, information is provided directly within this memo addressing the subject inquiry, while in other instances information is provided on other potential avenues to pursue for answers that the Washington/Kirkwood Special GLUP Study "Plus" team cannot provide.

This memo will address the following specific items, in order:

1. Update on GLUP Study Request Applications;
2. Expansion of Study Area;
3. Decision criteria for preservation of trees;
4. Additional background/ Status of Historic Resources information pertaining to Ball Family Cemetery;
5. Other GLUP changes from "Semi-public" designation;
6. Spout Run tributary/storm sewer conditions;
7. Status of GMU Phase 3 – MOU with County; and
8. Other Follow-Up Items

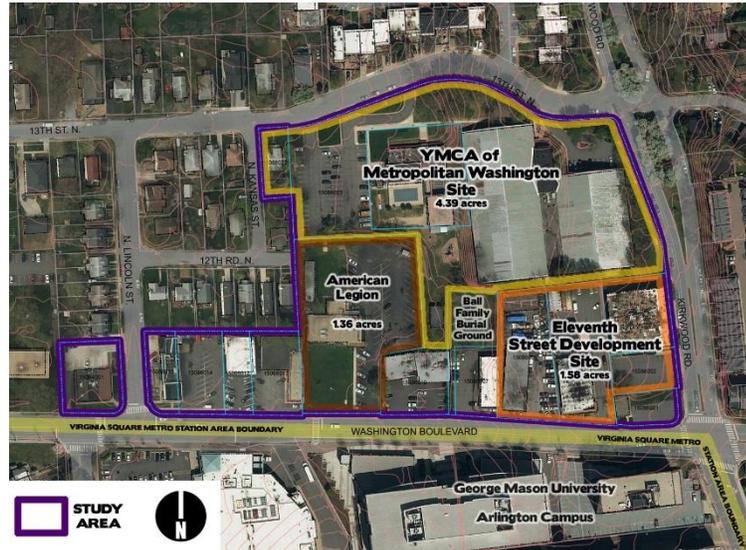
1. Update on GLUP Study Request Applications

On December 1, 2016, the County received an application for a requested GLUP amendment for the American Legion property at 3445 Washington Boulevard, making this the third such amendment requested for properties in this area. The subject request is to amend the GLUP designation from "Service Commercial" and "Semi-Public" to "Medium" Office-Apartment-Hotel, to support a potential future development program encompassing 161 multi-family apartment units and 8,000 square feet of ground floor space for the existing American Legion Post 139. Scanned copies of all three Special GLUP Study request applications are available via the project web page, at:

<https://projects.arlingtonva.us/plans-studies/general-land-use-plan/special-study-washington-kirkwood/>

2. Expansion of Study Area

In light of this new application and taking the LRPC advice into consideration, staff is proposing to expand the study area for this process to include, in addition to the subject properties associated with the three Special GLUP Study applications, all remaining properties currently zoned C-2 fronting the north side of Washington Boulevard between Kirkwood Road and N. Monroe Street. The revised study area as currently proposed by staff is illustrated in Map 1 below. In conjunction with the decision to revise the study area, staff has sent letters to most owners of other properties to be included in the study area informing them of the study and indicating how they may get involved.



Map 1. Revised Study Area for Washington/Kirkwood Special GLUP Study

3. Decision Criteria for Preservation of Trees

At LRPC Meeting #1, committee members suggested it would be good to have more information from County urban foresters about existing trees on site (including along 13th Street North) and any determination or suggestion of what's worth preserving, based on criteria that may inform tree canopy decisions. Project team staff consulted with County urban forestry staff in the Department of Parks and Recreation, and have the following additional information to share.

The site includes a mature and generally healthy stand of trees along 13th Street North, including Willow Oaks (*Quercus phellos*), Southern Magnolias (*Magnolia grandiflora*), and Post Oak (*Quercus stellata*). This area also includes somewhat healthy groundcover of native grasses and moss that would be good to preserve. Other stands of trees that exist on-site include:

- Black locusts trees along property lines (*not high value, but abundant*);
- Black walnuts behind car repair shops (*worth saving for size, but challenging*);
- White pines at corner of 13th and Kirkwood (*probably near end of lives, but still in decent shape*); and
- Willow oaks and sycamores along Kirkwood (*in good health, but some heavily pruned by Dominion Power*)

Out of all trees on site, it is urban forestry staff's opinion that the stand of trees along 13th Street North are largely in good health, and their preservation would be of highest value to tree canopy, and ecology of site.

4. Additional Background/Status of Historic Resources pertaining to Ball Family Cemetery

At LRPC Meeting #1, committee members requested additional information and background pertaining to the Ball Family Cemetery. Staff is providing additional information on the historic cemetery resource as follows:

Ball Family Burial Grounds, (1814) 3427 Washington Blvd.

Year Built: Late-18th century

Significance: The Ball Family Burial Grounds is one of Arlington's oldest family burial grounds. It was established in the late 1700s, but tombstones dating to that time period are no longer extant. The cemetery holds the remains of the Ball family, some of the first settlers to come to Arlington. The Ball family received a land patent in 1742 from Lord Fairfax, and soon thereafter built the Ball-Sellers house located at 5620 3rd Street South.

Ensign John Ball (1748-1814), a veteran of the American Revolution (Sixth Virginia Infantry), was interred here in 1841. John Ball was the son of Moses Ball, who was one of the pioneer settlers in the Glencarlyn area of Arlington. Also buried in the cemetery are many of John Ball's direct and collateral descendants, including John Wesley Boldin, a Civil War soldier (Company D, Third Pennsylvania Cavalry), and members of the Marcey, Stricker, Donaldson and Croson Families.

The cemetery site was located on a parcel of land the family owned northwest of Clarendon. In 1900, the cemetery was located on Samuel Ball's estate in an area surrounded by farmland and, to the east, the recently subdivided streets of Clarendon. The rapid residential and commercial development that came to Arlington during the 1920s and 1930s quickly surrounded the site. In 1930, the County adopted its first zoning plan and provided for a regional commercial center in Clarendon, greatly influencing the cemetery's surroundings. Today, the cemetery is located in the center of a block bounded by Washington Boulevard on the south, North Lincoln Street on the west, 13 Street North on the north, and North Kirkwood Street on the east, and is surrounded by commercial development.

Designation: During the late 1960s and into the 1970s, Arlington residents living near the cemetery became frustrated with its constant state of disrepair. The Historic Landmark Review Board (HLRB), the predecessor of the current Historical Affairs and Landmark Review Board, proposed that this property be designated as a local historic district in March 1978. The County Board approved the designation in October 1978 (including a 10-foot access strip) as a Historic District on October 3, 1978 (Z-2133-78-HD).

This designation was part of the first group of properties to be designated as local historic districts, shortly after the creation of the HLRB in 1976.

Ownership and Maintenance: According to title work, the Cemetery is privately owned by the Estate of Horatio Ball, Sr. as of 1875. Many of the heirs of the Estate of Horatio Ball, Sr. are deceased and/or unknown.

Title to the family Cemetery has been vested in the Estate of Horatio Ball, Sr. since December 16, 1875. The Cemetery has been exempt from real property taxes since 1901 due to its designation as a family burial ground pursuant to the State Code. The County Department of Parks & Recreation (DPR) has been mowing the grass in the Cemetery for an unknown period of time. DPR also has made some minor repairs to the fence and the gate at the Cemetery and filled some of the severely depressed areas with dirt. The designation of the Cemetery as a historic district itself however, does not authorize the County to enter the Cemetery, improve it or place it in a suitable condition.

Two additional questions were raised at or following LRPC meeting #1 pertaining to the cemetery. The questions and corresponding staff responses are provided below:

- 10-foot access strip – has the occupation of parked cars for the automotive shop had any effect on property rights for cemetery parcel and specifically the pipe stem portion of the lot?
 - RESPONSE: The pipe stem portion of the lot is not impacted by the current condition of the auto repair business. There is still access to the cemetery parcel for family members and for the HP Inspector.

- Would it be possible, and what would it take to relocate bodies from Ballston Ball Cemetery to this Ball Cemetery?
 - RESPONSE: It would be very challenging to relocate such human remains from another location to this cemetery given the circumstances. In order to consider this a possibility, the following would be needed (which, if pursued, would be a multi-party, complicated effort, with no clear indication of the number of Ball family heirs involved):
 - A permit from the Virginia department of historic resources for both sites;
 - The permission of the Ball family;
 - Extensive archaeological investigations; and
 - A Certificate of Appropriateness from the HALRB.

5. Other GLUP changes from “Semi-public” designation;

Via e-mail, staff received an inquiry as to whether the “Semi-Public” GLUP designation carries any distinctive policy assumptions or implications, in terms of community services or recreational or educational programs or amenities, that should be evaluated when considering a change to an arguably more “private” category? In large part, the “Semi-Public” GLUP designation is reflective of existing ownerships, and by association, uses that may be described as quasi-public in nature. However, rarely, if ever, has the GLUP been used to denote, proactively, that a piece of land under a different existing use should be acquired and/or developed to support “Semi-Public” uses. From that perspective, it is unclear as to whether the “Semi-Public” designation carries with it any forward looking policy implications regarding community service, recreation or the like uses.

To better understand the past, staff has researched GLUP amendments since 1978 to identify instances where properties were amended from “Semi-Public” to other designations. Four such instances were identified, including:

- GP-172-85-1 (approved 7/13/1985), from “Semi-Public” to “Low Residential”, southwest corner of Columbia Gardens Cemetery;
- GP-174-87-2 (approved 6/6/1987), from “Semi-Public” to “Low-Medium” Residential, southwest corner of S. Arlington Ridge Road and South Glebe Road intersection;
- GP-298-04-1 (approved 10/23/2004), from “Semi-Public” to “Medium-Density” Mixed-Use, southern two-thirds of block bounded by North Highland Street, North Hartford Street, and 13th Street North; and
- GP-309-06-1 (approved 2/24/2007), from “Semi-Public” to “Medium-Density” Mixed-Use,

balance of block bounded by North Highland Street, North Hartford Street, and 13th Street North.

6. Spout Run Tributary/Storm Sewer Conditions

At LRPC Meeting #1, staff presented an exhibit from the 1935 Franklin Survey for the site and surrounding area that appeared to indicate Spout Run (or a tributary thereof) once traverses the site. LRPC members sought additional information on this aspect of the site's history. Following additional research, staff confirmed that Spout Run did in fact traverse the site previously, and was culverted in pipe infrastructure constructed beneath the sites in the mid-1950s. Based on Department of Environmental Services information, an 84" storm sewer culvert generally runs north-south from Washington Boulevard 100'-200' west of Kirkwood Road through the study area towards the intersection of 13th Street North and Kirkwood Road. Meanwhile, a 30" storm sewer branches from this 84" pipe and continues west-northwest across the YMCA site, as depicted in the exhibit below.



Map 2. Existing Storm Sewer Infrastructure in vicinity of Study Area

7. Status of George Mason University Phase III, and Memorandum of Understanding

In August 1994, Arlington and George Mason University (GMU) entered into a Memorandum of Understanding (MOU), partly due to GMU's exempt status from the County's customary land use approval process. This MOU memorializes the understanding between the County and GMU with respect to development of the site, and designation and eventual allocation of funds through bond issues. In total, the MOU envisions this portion of the Arlington campus to grow to become as large as 750,000 square feet GFA with 1,100 parking spaces, in 3 phases. After Phases I and II which have been

completed to date, the GMU campus has the potential for an additional remaining 371,415 sq. ft. of GFA per MOU

8. Other Follow-Up Items

- Should there be a walking Tour of Site?
Response: If there's interest, staff can work with LRPC chair towards a Saturday walking tour in January.
- Whether Housing Commission or Staff Should Engage?
Response: Given the study's core focus, at this time it would seem premature to involve such parties – as residential (including affordable) development could be supported in any GLUP designation being considered.
- Should modeling include approved Red Top Cab site?
Response: Given its distance from the site, the modeling has not included the approved project. However, if the LRPC discussion reviewing the modeling suggests it would be helpful, we can add it for the next meeting.