Memorandum

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

From: Kimberly Vacca, Associate Planner

Date: September 16, 2019

Subject: Jennie Dean Park General Land Use Plan Amendment, Master Transportation Plan Amendment, Vacation of a Public Street, Certification of Transferable Development Rights, and Rezoning

Introduction

Arlington County is requesting the following actions to facilitate Phase I improvements at Jennie Dean Park:

1. General Land Use Plan Amendment from “Service Industry” to “Public” for five parcels (RPC# 29-022-002, 29-022-006, 29-022-008, 29-022-009, 29-022-010) and add a General Location for Open Space triangle to three parcels (RPC# 29-022-003, 29-022-004, and 29-022-005)

2. Master Transportation Plan Amendment to remove 27th Street South between South Nelson Street and Shirlington Road

3. Vacation of 27th Street South between South Nelson Street and the point where the west boundary line of the WETA property and the southern edge of 27th Street South intersect

4. Certification of Transferable Development Rights by the Arlington County Board on six County-owned parcels (RPC #29-022-002, -006, -008, -009, -010, and a portion of 29-002-003)

5. Rezoning from S-3A Special District and M-1 Light Industrial District to P-S Public Service District within 120 days of the rezoning application for seven parcels (RPC #29-002-003, -004, 29-022-002, -006, -008-, -009, -010)

Background

Jennie Dean Park is located in southeastern Arlington County along South Four Mile Run Valley Drive, near Interstate 395 (see Figure 1). Jennie Dean Park was originally designed in 1949 and
currently includes a basketball court, two tennis courts, a restroom building, athletic diamonds for baseball and softball, a playground, picnic/grill area, and a small casual use space.

Figure 1. Aerial of Jennie Dean Park

On September 22, 2018, the County Board adopted the Four Mile Run Valley Park Master Plan (4MRV PMP). The 4MRV PMP was created to meet the growing demand for active recreation, casual use areas, and cultural and natural resource preservation in the Four Mile Run Valley. The 4MRV PMP study area includes Jennie Dean Park, Shirlington Park, and Shirlington Dog Park (see Figure 2). The Jennie Dean Park Master Plan provides “a vision for the comprehensive replacement and realignment of existing park features (exclusively for park purposes) and the addition of new park amenities to meet the growing demand for active and passive recreation, cultural resources and natural resource preservation.” The development of the 4MRV PMP involved extensive, community engagement including approximately 65 total meetings, which included but was not limited to: 4MRV Working Group meetings, County Board work sessions and meetings, Working Group subcommittee meetings, County advisory board and commission meetings, online engagement, and open houses.
The 4MRV PMP County Board staff report noted the need for future General Land Use Plan (GLUP) amendment(s) and rezoning(s) to bring the entire park under one GLUP designation and zoning district. As such, the County is requesting a GLUP amendment, MTP amendment, Certification of Transferable Development Rights, Rezoning, and Public Street Vacation to implement the 4MRV PMP and move forward with Phase I improvements to Jennie Dean Park.

**Analysis**

**General Land Use Plan Amendment**

On June 4, 2019, the County applied for a General Plan Amendment to change the GLUP land use designation from “Service Industry” to “Public” on five parcels totaling 85,507 square feet (1.96 acres). The Public land use designation supports parks, public schools, parkways, major unpaved rights-of-way, libraries, and cultural facilities and is implemented by the S-3A and S-D zoning districts. DPR is also proposing to add a General Location for Open Space triangle for three privately-owned parcels to reflect a future land use designation change to Public once the County purchases the properties (see Figure 3).
Figure 3. Proposed GLUP Amendment

Proposed GLUP Amendment
Change "Service Industry" to "Public" - RPC# 29-022-006, -008, -009, -010
Add "General Location for Open Space" - RPC# 29-022-003, -004, -005
The proposed GLUP amendment was analyzed for consistency with the Public Spaces Master Plan, the Four Mile Run Valley Area Plan, and the 4MRV PMP.

The proposed GLUP amendment is consistent with the following Public Spaces Master Plan priority actions:

- **Priority Action 1**: Add at least 30 acres of new public space over the next ten years.

- **Priority Action 2**: Secure or expand the public spaces envisioned by sector, corridor, and other plans adopted by the County Board and ensure they provide amenities that meet the County’s needs.

- **Priority Action 6**: Complete the implementation of adopted park master plans.

The proposed GLUP amendment is also consistent with the Four Mile Run Valley Area Plan:

- **Vision**: Enhance the area’s unique strength’s over time, addressing natural areas while guiding public realm improvements, including open space and recreational development, and encouraging new investment that contributes to the valley’s arts-oriented, industrial character.

- **Guiding Principle**: Maximize green, casual space in Jennie Dean Park and in other parks along Four Mile Run.

- **Natural/Open Space Network A3.3.a**: Acquire additional properties east of Nelson Street, over time, to implement the vision for an expanded Jennie Dean Park.

The proposed GLUP amendment is consistent with the 4MRV PMP as it allows Arlington County to move forward with the consolidation of properties east of South Nelson Street and implementation of improvements planned for Jennie Dean Park.

**Master Transportation Plan Amendment**

The Master Transportation Plan (MTP) classifies 27th Street South, located between South Nelson Street and Shirlington Road, as a “Local Minor Street” (see Figure 4). Local streets are defined as “streets upon which most of the vehicular traffic is generated by or destined to the immediate properties.” The street currently provides vehicular access to the Jennie Dean Park parking lots, the WETA building, and several commercial properties located at the east end of the street. Arlington County requests an amendment to the MTP to remove 27th Street South for implementing the 4MRV PMP improvements to Jennie Dean Park. The County has purchased property over the years on both sides of 27th Street South with the intent to expand Jennie Dean Park up to South Four Mile Run Drive and will integrate the street into the park once these last properties are acquired and Phase 2 construction commences. Until such time that all of 27th Street South is vacated and converted to park uses, the road will continue to be operated and maintained to provide access to the adjacent private properties. This will not be affected by removing the street from the MTP map.
Vacation of 27th Street South
A separate application, filed with DES in May 2019 for the partial vacation of 27th Street South within Jennie Dean Park, is consistent with the development identified within the 4MRV PMP and Four Mile Run Valley Area Plan. The partial vacation of 27th Street South affects the west end of 27th Street South within the park up to the WETA parcel (RPC #29-002-001 located at 3620 27th Street South, see Figure 5). The vacated street will be repurposed for park elements. A vehicular and emergency turnaround easement will be dedicated as part of the vacation action and access along the east end of 27th Street South will be maintained after Jennie Dean Park Phase 1 is constructed. When Arlington County acquires the WETA property in the future an additional section of 27th Street S. will be vacated up to remaining privately owned parcels.
Certification of Transferable Development Rights

On March 26, 2005, the General Assembly of Virginia enacted §15.2-750 of the Code of Virginia, enabling counties under the County Manager Plan form of government to enact zoning ordinance provisions for transfer of development rights. This legislation allowed Arlington County to move forward with creating the Transfer of Development Rights (TDR) Policy, approved by the County Board in 2008, which sets forth the policy framework to utilize TDRs in Arlington County. To implement this policy, the Arlington County Zoning Ordinance (ACZO) includes the TDR Ordinance (§15.5.7.B.) which allows the legal transfer of development rights from one site (“Sending Site”) to another site (“Receiving Site”) as part of the special exception site plan process for the purposes of, among others, open space, historic preservation, affordable housing, community recreation, and/or community facilities.

Arlington County is requesting for the County Board to certify up to 198,126 square feet of gross floor area for six parcels at Jennie Dean Park (see Figures 6 and 7). The proposed square footage is currently an estimate until DPR staff provides certified survey plats, which is expected at the end of September. A Receiving Site has not been identified at this time.

In conjunction with the certification and transfer of development rights, the County would generally record a covenant that the land will be used for open space and public recreation prior to the issuance of any above-grade building permit. As such, the proposed certification is consistent with the TDR Ordinance and Policy in that it will facilitate the creation and maintenance of open space and community recreation, consistent with the vision and goals of the Four Mile Run Valley Area Plan and 4MRV PMP.
### Figure 6. Development Rights Matrix

<table>
<thead>
<tr>
<th>Parcel</th>
<th>RPC #</th>
<th>Site Area (sq. ft.)*</th>
<th>Zoning</th>
<th>ACZO Density Applied (FAR)</th>
<th>Development Potential (sq. ft.)</th>
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<tbody>
<tr>
<td>1</td>
<td>29-022-002</td>
<td>4,905</td>
<td>M-1</td>
<td>1.5</td>
<td>7,357.5</td>
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<td>2</td>
<td>29-022-006</td>
<td>67,978</td>
<td>M-1</td>
<td>1.5</td>
<td>101,967</td>
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<td>3</td>
<td>29-022-008</td>
<td>7,899</td>
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<td>1.5</td>
<td>11,848.5</td>
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<td>29-022-009</td>
<td>2,225</td>
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<td>1.5</td>
<td>3,337.5</td>
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<tr>
<td>5</td>
<td>29-022-010</td>
<td>2,500</td>
<td>M-1</td>
<td>1.5</td>
<td>3,750</td>
</tr>
<tr>
<td>6</td>
<td>29-002-003</td>
<td>46,577**</td>
<td>M-1</td>
<td>1.5</td>
<td>69,865.5</td>
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<td><strong>Total</strong></td>
<td><strong>132,084</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>198,126</strong></td>
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*Estimated square footage until a certified survey plat is submitted to CPHD
**Only a portion of the site is proposed to be certified as a sending site for TDR

### Figure 7. Jennie Dean Park Sending Site

Rezoning
The County is requesting to rezone seven parcels from the M-1 Light Industrial District and the S-3A Special District to the P-S Public Service District (see Figures 8 and 9). While the Public land use designation is typically implemented by either the S-3A or S-D zoning districts, the P-S zoning district is being requested to facilitate implementation and construction of Phase I of the 4MRV PMP starting in 2020, including the proposed 75-plus-foot heights of the athletic field lights at Jennie Dean Park. The athletic field lights are required to be this tall to provide safe lighting levels while reducing light spillover and glare to the surrounding neighborhoods.
As part of Phase I improvements to Jennie Dean Park, the County is proposing to build new athletic field lights that exceed 75+ feet. As shown by Figure 10 below, the S-3A zoning district allows for heights of up to 45 feet. Even with the additional 23-foot allowance allowed by §3.1.6.B.1. of the ACZO for mechanical penthouses, fire or parapet walls, skylights, radio towers, steeples, flagpoles, chimneys or similar structures, the S-3A zoning district’s height maximums are too restrictive to accommodate the proposed height of the athletic field lights.

<table>
<thead>
<tr>
<th>Height (ft.)</th>
<th>S-3A</th>
<th>P-S</th>
</tr>
</thead>
<tbody>
<tr>
<td>By-Right</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td>Special Exception</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td>Exception ($\S3.1.6.B.1)$</td>
<td>68</td>
<td>98</td>
</tr>
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Staff recognizes that while the P-S zoning district may not be the conventional zoning district for the Public land use designation or public parks, the GLUP allows instances where other zoning districts may be applied to accommodate for other factors not associated with the land use designation. The P-S zoning district also allows for uses consistent with the adopted 4MRV PMP, including parks, playgrounds, and playfields.

As part of the 2019-2020 CPHD Work Plan staff has identified a need to amend the S-3A and P-S zoning districts to allow use permit flexibility for on-site parking and the bulk and placement of main public buildings, accessory structures, and community amenities, among other things. This study is intended to mitigate the need to rezone other public park properties to the P-S zoning district. The Public Spaces Master Plan also recognizes the need to conduct such a zoning study:

**Action 1.5.10.** Review and consider updating the County’s zoning regulations related to parks and public spaces in “S-3A” and “P-S” districts, and other County codes as needed, related to public processes, setbacks, athletic field and other lighting, parking and parking options, dog parks and dog runs, signage, height, water features, fencing and temporary use of public and private property as public space.

**Engagement Process**

Given the proposed modifications implement a County-Board-adopted park master plan that was developed through extensive community engagement, staff agrees that *Communicate* is the most appropriate level of engagement per the County’s “Six Step Approach for Public Engagement.”

**Anticipated Schedule**

<table>
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<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>October 19, 2019</td>
<td>County Board Request to Advertise</td>
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<tr>
<td>November 4, 2019</td>
<td>Planning Commission final consideration and recommendation</td>
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<tr>
<td>November 16, 2019</td>
<td>County Board final consideration and action</td>
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