

Docket Item #18-A
MASTER PLAN AMENDMENT #95-0004
POTOMAC YARD AT SLATER'S LANE

Planning Commission Meeting
October 5, 1995

ISSUE: Consideration of an amendment to the Potomac Yard/Potomac Greens Small Area Plan Chapter of the 1992 Master Plan to change the development permitted on the Piggyback Yard and Slaters Lane portion of the Potomac Yard (the area north of Slater's Lane between the Metrorail tracks and the Potowmack Crossing Condominiums) without a Coordinated Development District Special Use Permit (CDD SUP) from RB/Townhouse to CRMU-L/Commercial Residential Mixed Use-Low.

APPLICANT: R F & P Corporation
by J. Howard Middleton, Jr., attorney

LOCATION: Piggyback Yard portion of Potomac Yard; the area north of Slaters Lane between the Metrorail tracks and the Potowmack Crossing Condominiums. (See application for specific legal description.)

CITY COUNCIL ACTION, OCTOBER 14, 1995: City Council approved the recommendation of the Planning Commission and approved the request, subject to compliance with all applicable codes, ordinances and staff recommendations, with amendments to the proposed language.

PLANNING COMMISSION ACTION, OCTOBER 5, 1995: On a motion by Mr. Wagner, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations, with amendments to the proposed language. The motion carried on a vote of 6 to 1, Mr. Dunn voting against. [A substitute motion by Mr. Dunn, seconded by Mr. Leibach, to defer consideration of the applications until next month failed on a vote of 3-4, with Messrs. Wagner, Ragland, Hurd and Komoroske voting against.]

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Howard Middleton, representing the applicant.

Jeff Willis, Del Rey Citizens Association, spoke generally in support of the proposal, with minor changes.

Carol Van Horn, Northeast Civic Association, spoke against the applications and asked that they be deferred. Ms. Van Horn noted in particular the level of proposed commercial development, the traffic impacts, and the lack of connections between the proposed project and existing neighborhoods.

Vincent Kelso, Potowmack Crossing Condominiums, spoke generally in support of the project but raised specific concerns related to the development plan: emergency vehicle access, general traffic patterns and drainage. Mr. Kelso also requested deferral of the proposal.

Katie Cannady, League of Women's Voters, spoke against the proposal.

Paul Hertel, Nethergate Resident, spoke against the project, noting in particular the potential traffic impacts and harm of piece-meal development.

Ellen Pickering discussed her concerns about contaminated soil, street and sewer infrastructure, and many details of the plan.

Tom Whittie, Chetworth Ave. resident, spoke against the proposal, noting traffic concerns in particular and requested deferral.

Bob Wins, Marina Towers, requested deferral of the proposals.

Jack Sullivan, No Gridlock, spoke against the proposals, noting the applicant continues to pursue lawsuits against the City.

Marilyn Doherty, spoke against the change in zoning and requested deferral.

Bruce Dwyer, Bicycle Steering Committee, spoke about the need for improved pedestrian and bicycle access through the development project.

Jean Caldwell spoke against the proposal, raising concerns primarily about traffic impacts.

STAFF RECOMMENDATION:

Staff recommends approval of a master plan amendment to change the development permitted on the Piggyback Yard without a Coordinated Development Plan Special Use Permit from RB/Townhouse to CRMU-L/Commercial Residential Mixed Use-Low by adding the following language to the CDD guidelines in the Potomac Yard/Potomac Greens Small Area Plan, p. 71:

[underline indicates changes recommended by staff]

[**bold underline** indicates changes recommended by the Planning Commission]

DEVELOPMENT WITHOUT A CDD SPECIAL USE PERMIT

Within the CDD zone the uses permitted without a CDD special use permit shall be as follows: the area south of the Monroe Street Bridge and the area east of the Metro tracks shall be RB (townhouse); the first 250 feet east of Route 1 shall be CSL; the remainder of the site shall be I (Industrial); except that the area known as the 'Piggyback Yard' may be developed pursuant to the CRMU-L zone provided that the Piggyback Yard:

- a) shall contain no more than ~~272~~ **275** dwelling units;
- b) shall contain no more than 60,000 sq.ft. of commercial space, of which no more than ~~20,000~~ **30,000** may be office;
- c) shall be planned and developed pursuant to a special use permit;
- d) shall have a maximum height of 50'; and
- e) shall generally be consistent with the goals and the guidelines of the small area plan.

BACKGROUND :

This application seeks to amend the small area plan and the zoning for Potomac Yard/Greens by changing the underlying zoning of the Piggyback Yard portion of the site from RB to CRMU-L, with restrictions further limiting the density, height and character of development.

In May 1994, the Planning Commission considered and denied a similar application for a master plan amendment for all of the Piggyback portion of the Potomac Yard north of Slaters Lane. The Planning Commission felt that neither the master plan amendment nor the rezoning filed concurrently should be considered except in connection with an acceptable, proffered development plan for the site. Council deferred consideration of the items in order to allow the applicant to work issues out with staff, the community and the Planning Commission. The applicant resubmitted an application in the fall of 1994 which included a conceptual drawing of a proposed development; however, at the applicant's request, the revised application was not docketed.

The applicant is now before the City for a similar proposal; this time, however, a special use permit for a development plan for the Piggyback Yard is being processed concurrently with the proposed master plan and rezoning application. The Holladay Corporation now wishes to develop only the residential portion of the project on the Piggyback Yard site. The remaining land between the residential area and Slaters Lane will remain in the ownership of the RF&P, and is proposed to be zoned to allow commercial development in the future.

The proposed residential development contains significantly fewer units than previously envisioned (272 instead of 580). The applicant has not proffered the proposed rezoning to the proposed development plan; rather, the applicant proposes more general limits which would allow a wider range of residential development if the project as now planned is not built. The rezoning, as proposed, would also allow commercial development on the land abutting Slaters Lane (3.15 acres), in an area not covered by the residential development plan for the remainder of the Piggyback Yard.

Staff recommended approval of the original amendment applications for Potomac Yard, and continues to recommend approval of this revised application, with one reservation. The proposed rezoning sets the maximum possible development that will be allowed on the Piggyback Yard but that maximum will be achieved only through City approval

of a development plan at that level. A plan has been submitted by the Holladay Corporation for approval along with the application.

If the plan or any portion of the plan is not built, the City will need to approve a revised development plan before development can proceed.

The Existing CDD Designation On The Potomac Yard/Greens

As part of the adoption of the new master plan, a new zoning ordinance and the comprehensive rezoning of the City in June, 1992, the Potomac Yard/Potomac Greens land area was designated as a Coordinated Development District (CDD). Land within a CDD had two levels of zoning.

First there is an "underlying" zoning by which development can occur under a standard zone in the zoning ordinance like any other land within the same zone. For Potomac Yard/Greens, the underlying zoning is as follows:

The area south of the Monroe Street Bridge and the area east of the Metro tracks shall be RB (townhouse); the first 250 feet east of Route 1 shall be CSL; the remainder of the site shall be I (Industrial).

Second, greater levels of development are permitted, but the landowner must go through the Coordinated Development approval process which is specifically spelled out in the zoning ordinance at Section 5-600. That process entails City approvals at the conceptual, preliminary and final stages of development planning.

Most significant to the CDD SUP process is the requirement that the entire land area within the CDD be planned for development as a whole, at least at the conceptual stage. In the case of the Potomac Yard/Greens tract, the CDD development process requires that a conceptual plan be submitted and approved for the entire Yard before CDD development can proceed on any subarea of the tract. The criteria for granting or denying the CDD SUP are found, in part, within the small area plan for the CDD area and are commonly known as the CDD guidelines.

The CDD guidelines for Potomac Yard/Greens define what the City has determined to be the best and highest levels of development it can allow on the property. As stated in the CDD Guidelines in the small area plan, the total amount of development allowed in the entire Potomac Yard/Greens site may not exceed:

- 1) 2.75 million square feet of office space
- 2) 625 hotel rooms
- 3) 300,000 sq.ft. of retail space; and
- 4) 3,500 residential units

In addition, the guidelines spell out several required features of the overall development, such as that it is to be predominately residential, that a Metrorail station is required to be built, and that there shall be no access to the George Washington Parkway. (See pp. 67-71 of small area plan.) The guidelines are stated very generally in order to allow a landowner maximum flexibility. In the fall of 1992, in response to the threat of the Redskins football stadium at Potomac Yard, City Council was persuaded to amend the CDD Guidelines to allow significantly more development on the site, provided the RF&P ceased its ongoing litigation against the City. Specifically, the Council approved the following maximum development levels:

- 1) 3.75 million square feet of office space
- 2) 625 hotel rooms;
- 3) 425,000 sq.ft. of retail space; and
- 4) 4,500 residential units.

However, because the RF&P has not dismissed its lawsuits, the 1992 amendment has not become effective; therefore, the original development levels adopted are the applicable ones.

The RF&P Application for Master Plan Amendment and Rezoning

The application currently before the City seeks to change the underlying zoning for the Piggyback Yard site (the area north of Slater's Lane and between the Metrorail tracks and the Potowmack Crossing Condominiums) so that those 23 acres may be developed under the provisions of the CRMU-L instead of under the current underlying RB zone. To accomplish the change in underlying zoning, the text of the Small Area Plan must be changed because it limits the underlying zoning to RB; the underlying zoning must be changed to CRMU-L, and the text of the zoning ordinance related to CDD zoning must be changed.

Proposed Zoning Vs. Existing Zoning

Although a development plan for residential townhouses and condominiums has been submitted and is being processed along with

the master plan and rezoning applications, the applicant has not proffered the proposed rezoning to that development plan. However, the applicant does propose limiting development to the same number of units (272) and same general heights as proposed in the development plan; therefore, any alternate plan proposed in the future is likely to be very similar in character. Under the zoning proposed by staff, the area known as the Piggyback Yard may be developed pursuant to the CRMU-L zone provided that the Piggyback Yard:

1. shall contain no more than 272 dwelling units;
2. shall contain no more than 60,000 sq.ft. of commercial space, of which no more than 20,000 sq.ft. shall be office space;
3. shall be planned and developed pursuant to a special use permit;
4. shall have a maximum height of 50'; and
5. shall generally be consistent with the goals and the guidelines of the small area plan.

Density

The CRMU-L zone allows residential, office and retail uses and is one of the most flexible zones in the City. One of its key characteristics is that it does not place a limit on the number of dwelling units per acre that are permitted. However, the proposed limits on the zoning would cap the number of units at 272, or 17 units/acre, which is actually lower than the 22 units/acre theoretically allowed by the existing RB zoning. In practice, however, it would be difficult to achieve 17 units/acre under RB zoning because of lot, yard and other zoning regulations. The CRMU-L zone has few regulations, such as lot size or yard regulations, allowing greater flexibility in laying out units and therefore a greater number of units on the site overall.

Floor Area Ratio (F.A.R.)

The CRMU-L zone also allows more floor area than the RB zone does (1.5 instead of 0.75). The applicant's proposed residential development is actually just under a 1.0 F.A.R. Another benefit to the applicant of the CRMU-L zone is that it allows F.A.R. to be calculated over the entire site rather than on a lot by lot basis, greatly increasing flexibility in laying out the site.

Open Space

The open space requirements for the existing (RB) and the proposed (CRMU-L) zone are generally comparable. A minimum of 40% open space is required for the residential portion of the development under the CRMU-L provisions. The RB zone requires 800 sq.ft. of open space for each unit; assuming a minimum lot size of 1980 sq.ft./unit, this requirement works out to 40% open space also.

Heights

Under the language of the proposed rezoning, heights on the site will be limited to 50', five feet more than is permitted in the RB zone. The development plan submitted by the applicant actually has maximum heights of 44.5', within the range of the existing zone.

Uses

One fundamental difference between the proposed CRMU-L zone and the existing RB zone is the types of units which are permitted. The RB allows only single family, two family and townhouse dwelling units, whereas the CRMU-L zone also allows multifamily units. The proposed stacked townhouse/condominium units are classified as multifamily under the provisions of the zoning ordinance and could not be constructed under the RB zone provisions. Another fundamental difference between the proposed CRMU-L zone and the existing RB zone is that it would allow up to 60,000 sq.ft. of commercial uses.

In summary, while the proposed change to CRMU-L represents a potential increase over the development now permitted in the underlying RB zone, the increase is limited by the language of the rezoning. In fact, theoretically, the number of units achieved under the development plan, 272 units at 17 units/acre, might be achievable under the existing RB. Therefore, any increase is not a great one and is clearly within the scope of what could be allowed under the CDD process for the Piggyback Yard.

STAFF ANALYSIS

Staff believes that this application raises three principal issues, each of which must be answered positively in order for the request to be considered for approval: (1) whether the City is willing to forego the CDD process for this portion of the Potomac Yard/Greens site, (2) whether the proposed change (CRMU-L with limits) is consistent with the Small Area Plan for the tract, and (3) whether the City should accommodate the applicant with lawsuits pending against the City, and

Coordinated Development District (CDD) Process

The essence of the application under consideration is a request to remove the Piggyback Yard and Slaters Lane portion of the Potomac Yard from the CDD process in order to develop it separately. By allowing a change in the underlying zone, the City is allowing more development than could have been granted without the CDD SUP process but without the necessity of the RF&P preparing a development plan for the rest of the Potomac Yard/Greens site. By the same token, it is important to note that the proposed master plan amendment and zoning change do not increase development levels above what could be allowed under the CDD process. Nevertheless, as a general rule, staff is uncomfortable with the idea of permitting the RF&P to avoid planning the whole site, or at least a significant part of it, as a unit.

The requirement of planning the whole site in order to develop a piece of it is based on the notion that no one part of the whole can properly be judge without knowing what its impact and relationship will be to surrounding areas within the site. In other words, it is important that land uses, roadways, parkland, pedestrian routes, and other elements of development in one section of the project relate to other areas proposed within the entire site.

On the other hand, the Piggyback Yard site is one area within the Potomac Yard/Greens site that could arguably be segregated, in terms of overall planning, from the remainder of the site. Physically it is isolated from the major portion of the tract by the Metrorail and railroad lines. It is a discreet parcel and has always been earmarked for residential development of moderate density. Assuming the piggyback yard is developed with a program that is consistent with what would have been required in the CDD program, staff can support developing this one area separately in the interest of moving development of the tract forward.

It is important to point out, however, that a recommendation of approval in this case does not mean that staff believes the remainder of the Potomac Yard/Greens site could also be developed in a piecemeal fashion. The vast majority of the site does not lend itself to such piecemeal development and will require an overall plan prior to development.

The applicant is apparently not prepared to present a comprehensive plan for the entire Potomac Yard/Potomac Greens site because the

completion of the Metro is a minimum of 5-6 years away, and the development of the commercial center adjacent to the proposed station is many years away. The applicant has put forth a plan of interim development of a large part of Potomac Yard pending completion of the commercial center. The buildings in the proposed shopping center to the north of the Metro station will have predominately 20 year leases, and the buildings in the industrial park to the south will have 15 year leases; the 10 acre park will be made available to the City for 10 years. The applicant has been put on notice that the development of the office center near the Metro station will require presentation of a comprehensive plan for the entire project area; this plan, however, will not be required for 4-5 years.

Consistency With The CDD Guidelines

The overall development concept for the Potomac Yard/Greens, as stated in the CDD Guidelines, is for a "predominately residential" development of no more than 3400 residential units for the site as a whole. The zoning proposal for the Slater's Lane area is obviously consistent with these overall goals, since it is approving fewer units for this area than was likely under the approved CDD plan.

More importantly, however, the proposal is also consistent with the Small Area Plan's specific expectations for development on the Piggyback Yard portion of the site. The Plan, at p. 46, describes the Slater's Lane Area and states:

Residential development of the Slater's Lane area would extend and strengthen the residential character of the Northeast neighborhood and provide a focus of residential development oriented along the Parkway. Moderately scaled residential, predominately townhouse, would be appropriate to relate to existing and proposed residential development. (Emphasis added)

The *General Character of Residential Areas Map*, on p. 49 of the plan, shows the site developed in "predominately townhouse" and the thought is amplified on page 50: "the remaining large open portions of the Yard and the Slater's area are proposed to be predominately low scale and moderate density residential development, consisting mostly of townhouses." (Emphasis added.)

In order to explain what it means when it talks about various density levels, the Plan specifically references other existing projects in the City as examples. As a positive example of "moderate

densities," the Plan, at p.50, describes the Colecroft development. It states:

The Colecroft project, consisting of midrise buildings, townhouses and garden apartments, provides an example of a mix of housing types that average 42 du/acre; the midrise buildings are at 72 du/acre and the townhouses are 29 du/acre. Even though its on-site parking is inadequate, Colecroft is one of the best recent examples within the City of a mix of housing types at moderate densities.

Thus, the Plan expects the Piggyback Yard/Slater's Lane area to be developed with residential units of moderate densities, with most of the units being townhouse. The RF&Ps zoning proposal is for CRMU-L with a maximum of 272 dwelling units at an overall density of 1.0 FAR. On 17 acres (minus the commercial area along Slaters and area for roads) that concept works out to approximately 17 units an acre, well below the density of the Colecroft model, and well within the moderate density range.

On the issue of height, the Plan shows an anticipated maximum height of 50 feet for the Piggyback Yard area (See Predominate Height Limits for CDD Map, at p. 66). CDD Guideline #34 (p.70) specifically states that the area east of the Metro tracks should be at 50 feet except within 500 feet of the George Washington Parkway (45 feet) and within 1500 feet of the Metro station (varied, up to 77 feet). The zoning proposal limits building height to a maximum of 50 feet, consistent with the plan and with the existing zoning. The actual heights proposed on the development plan range from 40-45 feet.

The plan for the entire tract envisions large areas of both active and passive open space, to serve both the residents of the new communities at Potomac Yard/Greens, and other City residents, with the largest areas to be located toward the northern end of the tract and to the south, in the area adjacent to the existing Simpson Field recreational facilities. The proposed CRMU-L zoning requires 40% open space. The actual proposed plan seeks an open space modification, as it provides only 36%.

However, as an alternative to providing major open space within the Piggyback Yard itself, the RF&P has proposed to provide temporary recreation facilities elsewhere on the Potomac Yard until such time as the recreational facilities envisioned by the overall plan are constructed. The RF&P will provide 10 acres of land to the City for ten years and \$500,000 to be used to construct soccer fields.

The details of the agreement are set forth in a letter of agreement between the City and the RF&P, which should be considered by the Planning Commission and City Council along with this application for master plan amendment and rezoning.

Staff supports the change in the zoning to allow development of the piggy-back yard site because the form of development is consistent with what was proposed in the CDD plan, and because staff believes that neither the City nor the RF&P will benefit from leaving the piggyback yard site undeveloped. There is little concern about development of medium density housing and the Holladay Corporation is seeking to develop the area north of the tracks leading to the PEPCO plant.

The Slaters Lane area, between Slaters Lane and the Piggyback Yard site, is a different matter, however. This is land which will remain in the ownership of the RF&P, which has not currently announced plans for that area. The RF&P is proposing approval of zoning which would allow 60,000 sq.ft. of commercial development which could all be office. The small area plan contemplated commercial uses along Slater's Lane. Staff believes that while retail is desired, to serve both the new housing as well as the Northeast neighborhood, significant office development should be allowed only pursuant to a comprehensive plan for the entire project. Slaters Lane, because of limited access both at Route 1 and the Parkway, is not an appropriate site for significant office development. Staff, therefore, recommends approval of the requested 60,000 sq.ft. of commercial only if the amount of office space is limited to 20,000 sq.ft. The language of the rezoning requires a special use permit for any commercial development that does occur. The City will have the opportunity to review it fully in the future.

Recommendation

Staff finds the proposal to change the master plan and zoning on the Piggyback Yard site, as limited and made more specific in the proposal, is consistent with the CDD Guidelines and the Potomac Yard/Greens small area plan generally. Given that consistency, staff can support and recommend that the City Council approve the master plan and zoning changes. Staff is supporting the development special use permit application for development of a large portion of the piggyback yard. Staff can support the 60,000 sq.ft. of commercial along Slater's Lane only if the amount of office is limited. If, for some reason, development does not proceed under the proposed development SUP, any alternative proposal under the

proposed zoning is likely to have a similar character.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning;
Kimberley Johnson, Chief, Development.

RESOLUTION NO. MP-95-0004

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, an application for amendment to the **POTOMAC YARD/POTOMAC GREENS SMALL AREA PLAN** section of the 1992 Master Plan was filed with the Department of Planning and Zoning in **August, 1995** for changes in the land use designations to the parcel known as the Piggyback Yard at Potomac Yard, generally located north of Slaters Lane, east of the Metrorail right-of-way and east of the Potowmack Crossing Condominiums, and

WHEREAS, the Department of Planning and Zoning has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on **October 5, 1995** with all public testimony and written comment considered; and

WHEREAS, the Planning Commission finds that:

1. The proposed amendment is necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the **POTOMAC YARD/POTOMAC GREENS SMALL AREA PLAN** section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the **POTOMAC YARD/POTOMAC GREENS SMALL AREA PLAN** section of the 1992 Master Plan; and
3. The proposed amendment shows the Planning Commission's long-range recommendations for the general development of the **POTOMAC YARD/POTOMAC GREENS SMALL AREA PLAN**; and
4. Based on the foregoing findings and all other facts and circumstances of which the Planning Commission may properly take

notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the **POTOMAC YARD/POTOMAC GREENS SMALL AREA PLAN** section of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

MPA #95-0004

RESOLUTION NO. MP-95-0004

Page 2

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendment is hereby adopted in its entirety as an amendment to the **POTOMAC YARD/POTOMAC GREENS SMALL AREA PLAN** section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

Change the text of the CDD guidelines for Development Without A CDD Special Use Permit as follows:

DEVELOPMENT WITHOUT A CDD SPECIAL USE PERMIT

Within the CDD zone the uses permitted without a CDD special use permit shall be as follows: the area south of the Monroe Street Bridge and the area east of the Metro tracks shall be RB (townhouse); the first 250 feet east of Route 1 shall be CSL; the remainder of the site shall be I (Industrial); except that the area known as the 'Piggyback Yard' may be developed pursuant to the CRMU-L zone provided that the Piggyback Yard:

- shall contain no more than 272 dwelling units;
- shall contain no more than 60,000 sq.ft. of commercial space, of which no more than 20,000 sq.ft. shall be office;
- shall be planned and developed pursuant to a special use permit;
- shall have a maximum height of 50'; and
- shall generally be consistent with the goals and the guidelines of the small area plan.

2. This resolution shall be signed by the Chairman of the

Planning Commission and attested by its secretary, and a true copy of this resolution forwarded and certified to the City Council.

ADOPTED THE **5th DAY OF OCTOBER, 1995.**

W. B. Hurd, Chairman

ATTEST:

Sheldon Lynn, Secretary