



ARLINGTON COUNTY, VIRGINIA

ARLINGTON COUNTY PLANNING COMMISSION

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CLERK

March 7, 2016

Arlington County Board
2100 Clarendon Boulevard
Suite 300
Arlington, Virginia 22201

SUBJECTS:

1. **SP #422, Rosslyn Plaza PDSP**
 - A. **Z-2588-16-1, REZONING** from C-O Mixed Use District and S-3A Special District to C-O-Rosslyn Mixed Use Rosslyn District, and related updates to ACZO Map 13-1 to indicate the zoning district revision and extend Line B eastward where necessary; located at 1777 N. Kent St., 1001 Wilson Blvd., 1601 N. Kent St., 1611 N. Kent St., 1621 N. Kent St., 1701 N. Kent St. (RPC# 16-039-010, -011, -012, -025, -032, -033, -034, -035, -036, & -037) and portions of public right-of-way.
 - B. **SP #422, PHASED DEVELOPMENT SITE PLAN (PDSP)** for Vornado/Charles E. Smith and Gould Property Company for a phased development site plan containing up to 2,531,660 gross square feet consisting of up to 1,810,173 gross square feet of office, up to 546,487 square feet of residential, up to 130,000 square feet of hotel, and up to 45,000 square feet of retail in the C-O-Rosslyn zoning district under ACZO §7.15, §15.5. Property is approximately 7.65 acres, located at 1777 N. Kent St., 1001 Wilson Blvd., 1601 N. Kent St., 1611 N. Kent St., 1621 N. Kent St., 1701 N. Kent St. (RPC# 16-039-010, -011, -012, -025, -032, -033, -034, -035, -036, & -037) and portions of public right-of-way. Proposed density is 10.0 FAR.

PLANNING COMMISSION RECOMMENDATIONS:

1. **Approve the rezoning request for the subject property from “C-O” (Mixed-Use District) and “S-3A” (Special Districts) to the “C-O Rosslyn” (Mixed Use Rosslyn District) and related updates to Arlington County Zoning Ordinance Map 13-1 to indicate the zoning district revision and extend Line B eastward where necessary.**

P.C. #23.A.B.

2. **Approve the Phased Development Site Plan (SP #422) to permit up to 2,531,660 gross square feet consisting of up to 1,810,173 gross square feet of office, up to 546,487 square feet of residential, up to 130,000 square feet of hotel, and up to 45,000 square feet of retail with the following amendments:**
 - a. **Limit the height of Phase I Building to 270 feet consistent with the Rosslyn Sector Plan rather than 275 feet as proposed.**
 - b. **Increase the size of the Rosslyn Plaza Park to .95 acres, or about 1 acre as called for in the Rosslyn Sector Plan, rather than the proposed 0.81 acre.**
 - c. **Include all open spaces on the Rosslyn Plaza site, including the esplanade, in the public park planning process called for in Condition #31 and increase the duration of the public park planning process in Condition #31 from a 120 days to 180 days.**
 - d. **Require the temporary open spaces identified in the PDSP be provided with each phase of development.**
 - e. **Direct staff to collaborate with the Urban Forestry Commission to develop proposed revisions to the County's tree planting standards to be presented to the County Board by the end of 2016.**
 - f. **Prepare a bird strike mitigation plan that will be implemented with each final site plan for development of the Rosslyn Plaza site.**
 - g. **Direct staff to consider the One Engine Inoperative (OEI) procedures with the amendment to the "C-O" Rosslyn Zoning District.**
 - h. **Modify the Rosslyn Plaza Design Guidelines related to building massing to ensure careful consideration of the way in which each building meets the ground plane and the sky; in particular, specifically including the potential for appropriate stepbacks at building bases and tops, as called for in the Rosslyn Sector Plan.**
 - i. **Amend Condition #44, relating to tree planting standards, at the end of the condition to state "or standards that apply at the time of site plan approval."**

Dear County Board Members:

The Planning Commission heard these items at its March 1 and 3 meetings.

Public Speakers

Carolyn Haynes, Chair, spoke on behalf of the Park and Recreation Commission (PRC) emphasizing points included in their January 21, 2016 letter to the County Board. She stated that the PRC is concerned that the proposed 0.81-acre park does not meet the spirit of the Rosslyn Sector Plan falling too far below the required "about an acre." The PRC also notes that other design parameters, such as proposed building heights and street cross-sections, are quite specific to the foot, but reducing the already small open space by a fifth is somehow considered acceptable. Metrics and specificity, she noted, are important in all aspects of planning and should not be disregarded when it comes to parks and open spaces. Ms. Haynes emphasized the

importance of temporary parks given the extended time for the full development of this project. Finally, with respect to the design guidelines and performance criteria, she noted this project provides, a once in a generation opportunity to transform a highly underserved area with respect to park and recreation amenities. The PRC wants to highlight the importance of following the design guidelines and performance criteria in the Rosslyn Sector Plan to ensure success of these spaces. Further, the PRC supports a robust, integrated park planning process. The PRC looks forward to ensuring that the form and design of the surrounding buildings support a mix of passive and active recreation, that sunlight is maximized in Rosslyn Plaza Park, and that visual and physical connectivity to the other open spaces is provided, all of which is called for in the Rosslyn Sector Plan and the Rosslyn Plaza Park guidelines.

Steve Campbell spoke on behalf of the Urban Forestry Commission (UFC) and Rosslyn Sector Plan goal to meet or exceed a 15 percent tree canopy. To accomplish this important goal, trees need the proper conditions. They require quality soil, adequate soil volume, and sufficient amounts of light, of sunlight. Street tree plantings will be a very critical component towards achieving adequate tree canopy. Condition #44 in the staff report only specifies that tree pits have a minimum of 5 feet by 12 feet exposed soil area. This county minimum standard is woefully inadequate to achieve healthy growth of larger trees. There is no mention in the PDSP of requiring the minimum 600 to 1,000 cubic feet of soil volume per tree, as called for in the Rosslyn Sector Plan. Nor is there a mention of improved planting approaches, for example installing continuous soil panels between tree pits. There is no reason the recommended soil volumes cannot be achieved in most locations on this site. UFC looks forward to improved county tree planting standards to address these concerns. The commission is pleased to see that references to the widespread use of structural soils have been removed from the PDSP language. This type of soil medium does not sustain healthy tree growth. UFC advocates for systems that support pavement, allowing tree roots under them to grow in un-compacted sandy loam, permitting the long-term vitality of the trees. Tree planting methods will be determined by the PDSP for the coming years. We must comply with policy U11 of the Rosslyn Sector Plan to establish an aggressive plan for future tree canopy in Rosslyn. Choices cannot be driven solely by initial cost. From an urban forestry perspective, instead of the staff preferred town plaza concept, which locates the open space to the west of the phase three building, a park to the east of that building would provide trees with adequate sunlight; growth rates would be faster, building canopy more quickly. Also, park-like settings generally call for more trees to be planted in a given area, creating--than town plaza settings. Further, the east side location would have the added benefit of creating a larger unified park since it would be immediately adjacent to the phase two building open space, and near the esplanade as well. However, if the town plaza option is the final choice, UFC agrees with the requirement that solar studies be taken to determine light levels and their effect on the space. Such a study will presumably also consider the trees as well. Although there are shade trees on the county list that tolerate some shade, most species generally grow much better with more sunlight. In addition to the intrusion into the public realm, cantilevered building facades impact the amount of sunlight and growing room available to trees. UFC appreciates that the latest staff report requires a thorough analysis of the impacts that result from the use of cantilevers. UFC opposes them. In the event they are approved, our commission continues to advocate for a 60-foot minimum height above grade to allow for tree growth. In spite of any differences noted above, Vornado, Smith, Gould's project

and staff's plans for the Rosslyn Plaza PDSP will overall go a long way to making Rosslyn an exciting place to live. Arlingtonians are fortunate to have a first class company developing this site. The Urban Forestry Commission hopes that the Planning Commission, County staff, and the developer consider these comments and make further appropriate adjustments in the Rosslyn Plaza PDSP as a result.

Mary-Claire Burick, President of the Rosslyn Business Improvement District, spoke about how much work the Planning Commission, as well as the community, county staff, and the applicant have put into this project. She wanted to share the BID's support of this PDSP. The Rosslyn BID has been involved throughout the process. The BID's Urban Design Committee (UDC) has reviewed the project on several occasions and voted to recommend approved of the PDSP at its January meeting. While the BID recognizes the conceptual nature of the plan, it appreciates the challenges of this site, and is satisfied that this plan supports and fulfills the key goals of the *Realize Rosslyn* plan. The community is looking for pedestrian friendly urban areas with high quality public space and retail environments. We think Rosslyn Plaza aligns with that demand, while upholding the vision laid out in the sector plan. Mixed use urban areas like Rosslyn are also by far the most productive in terms of providing revenue to the county per square foot. When we encourage urban, mixed-use projects like Rosslyn Plaza, it's a win for the entire community and it represents direct investment into our community. This project makes many positive contributions to the Rosslyn public realm, which is equally important to the community, including a wide variety of interconnected pedestrian open spaces, an active esplanade and 18th Street corridor, which we're all very excited about, a great range of uses, additional retail. And it does this all while preserving critical view corridors as outlined in the sector plan. I do want to share our view on the location of the park because I know there's been a lot of discussion about this, including at our own Urban Design Committee meetings. The UDC discussed at length the merits of the proposed location for the park, weighing concerns regarding sunlight, noise, relation to retail, connections to the street, Freedom Park, and Rosslyn's core. At the end of the day, the UDC overwhelmingly recognized that the park will be best used at the Kent Street location for a variety of reasons, including closer proximity to downtown. We want people to see the park and use the park. There will also be stronger, more feasible retail that connect to the urban core. Better view corridors from downtown Rosslyn. Finally, the ability to connect Rosslyn Plaza Park with Freedom Park, Kent Street, and 18th Street, enable us to hold very large community events, which I'm particularly excited about. Parks that are disconnected from the street and pedestrian flow see much less public use. This concerns us because that leads to the need to program events more actively. And while we enjoy programming events, we really want to make sure that the park is located in a spot where people are going to naturally find it and use it. At the end of the day, this is a phased development site plan, so the detail in the park design as well as the exact building shapes, heights, and setbacks will be determined and worked out through the 4.1 site plan review process for each phase of the project. This is a critical site that will ultimately become the face of Rosslyn from points east of the Potomac. I'd like to make one final note. As we begin the process of codifying the sector plan, it is critical to ensure that the zoning code encourages the type of investment that will push us forward and make Rosslyn better. It brings the vision of the sector plan to life and it positions Arlington County for long-term success. We believe that that work should continue to happen through the site plan review committee and that all development projects are evaluated in detail to ensure that they achieve

the intent and the goals of the sector plan, rather than adding additional zoning restrictions at the beginning of the project. This Planning Commission has always been a powerful advocate for the community's interests as they relate to development. As a community organization ourselves, we also support community engagement. And we encourage that work to happen during the inclusive 4.1 site review process rather than through overly restrictive zoning code.

Richard P. DeiTos, the executive director of the Metropolitan Washington Airlines Committee, which represents 52 domestic and international air carriers at Reagan National and Dulles International airports expressed concerns regarding the proposed buildings included in the Rosslyn Plaza development. The proposed structures will impact my members, the air carriers', ability to operate aircraft departing Reagan from Runway One, the primary departure runway. We raised this point in our July 5th, 2015 letter to the Commission on the proposed development. Departing to the north from Reagan requires aircraft to navigate a very narrow path to avoid prohibited airspace, which includes the White House, the National Mall to the east, and the development in Rosslyn, which was discussed this evening, to the west. Over the past several years, airlines have made adjustments to their one engine inoperative, or OEI, procedures as a result of new buildings, specifically 1812 North Moore and One Central Place, that have been constructed in Rosslyn. Under FAA regulations, the OEI surface is required to be clear to allow pilots a protected route to fly in case of an emergency. The Airports Authority and American Airlines representing the carrier community are currently working with Arlington County staff to develop height guidelines through the use of a consolidated OEI corridor that would help preserve airport capacity and utility of the runways, while preserving development in the Rosslyn area. These required emergency flight paths and associated surfaces could not be adjusted any further east due to restricted airspace. The Airports Authority has submitted a navigation map that illustrates areas where heights of buildings are requested to be restricted to protect this critical airspace. This graphical representation also highlights areas that could offer opportunities for higher building structures in the county. We believe consulting with this navigation map would help streamline the review process for what we expect to be many future development projects in Rosslyn and Arlington County.

Reagan National is also including this new consolidated OEI surface in this airport layout plan, which will be submitted to the FAA. In evaluating the potential for the Rosslyn Plaza development to adversely affect air navigation, FAA did not consider the potential impact on OEI surfaces because it has not yet amended its internal procedures to allow for such consideration. However, the FAA has been considering just such a change for the past several years and has yet to finalize its 2014 draft policy statement on the matter. While the FAA does not yet officially consider OEI surfaces as part of their FAA part 77 obstructions, it is still an FAA requirement that the carriers must follow. The airlines are currently working with the Airports Authority to have the FAA reopen the part 77 evaluation for the Rosslyn Plaza development that would allow for inclusion of this critical parameter in the analysis of building heights. The Airports Authority, American Airlines, A4A, Airlines for America, and the Airline Pilots Association, along with my organization have petitioned the FAA to reconsider its previous determination since it did not consider the impact on the consolidated OEI corridor. The FAA is currently considering these requests. Therefore, the FAA determination for Rosslyn Plaza has not been finalized. I will conclude with three asks of the Commission. First, please do

not approve the Rosslyn Plaza site until the FAA has decided whether to reopen consideration of the proposed structures under its part 77 process. If the FAA does reconsider, we urge the commission to wait until the FAA makes a final decision on whether to consider the impact on the consolidated OEI corridor. Number two, using our consolidated corridor, please adjust the site of phase three slightly to keep it out of the corridor. It's a small change, we believe. And number three, adopt our consolidated OEI corridor in the county planning guidelines, and continue to work with the carriers and the Airports Authority on phases four and five, which will have major impacts if approved at current heights. I appreciate this opportunity to comment on behalf of the airlines, and will take any questions you might have.

Jim Pebley, former Planning Commissioner and member of the County's Emergency Preparedness Advisory Commission, stated that he was speaking on his own behalf. It has been five years since I was sitting up there, but I'm here not representing the Emergency Preparedness Advisory Commission. Actually, I'm just an old Navy pilot. I wore my wings for once. I was a plane commander in an aircraft about the size of a 737. I was an instructor pilot. I instructed other pilots. I was an instrument check pilot. I was a post-maintenance test pilot. And I flew all over the world in a lot of different airports. And I'm here tonight to talk to you about this PDSP. While I was on the Planning Commission, I was very pro-development, folks will remember. But I expressed time after time concern about the height of buildings in Rosslyn. When you started the sector plan review, I said, "Please do not extend the skyline at its current height down to the river," for exactly the reasons we're talking about here tonight. I'm going to be a little blunter than our friends at MWAA and with the airlines. The FAA is not responsible for telling you that you're putting the Arlington County public at risk. They just only rule on whether or not the passengers are safe. And I can tell you why they ruled the way they did. It's unconscionable, in my opinion, but I can explain the rationale if you like. You just can't build as you've done in this sector plan as you list your priorities without a single priority there about air safety and the safety of the public. When you look at the criteria I gave you handouts for, you can see that the FAA's own criteria in part 77, which is available on their website, says at the distance you are from the airport, your maximum building height should be 200 feet, which would make it 280 feet above mean sea level. Which interestingly, when I went to Boeing's 737 performance guide, an aircraft rotating that would take, let's say, a goose down the intake, would be able to climb to about 280 feet on a warm summer day as it passes Rosslyn. So, what's the choice? Fly over the prohibited zone; try to wind your way through Rosslyn? You're going to go over the residential areas of Arlington. In this last month on the 15th, an Alaskan Airlines aircraft had smoke in the cockpit, and guess what they did? They made a turn to 280 degrees, headed for Dulles because Reagan National's runway is too short. And they flew right over Rosslyn. Of course, we've got a wildlife sanctuary off the end of the runway. You remember Sully Sullivan and the problem with the geese. And now we've got drones. MWA and the airlines are telling you not to do this for economic reasons. I really object to your description of the rationale for the OEI rules. The OEI rules were delayed at the County's request. And of course, now we've run this sector plan through. I would be more than happy to answer any questions.

Stuart Stein, resident of North Nash Street in Rosslyn, representing the Radnor-Ft. Myer Heights Civic Association, noted that it has been a pleasure to work with Mitch Bonano, and of course Mike Novotny, even when we did not agree on everything. I also want to thank Vornado for

coming to us very early in the process, way before the 4.1 was introduced. We appreciate that Vornado has modified its proposal after passage of *Realize Rosslyn* to comply with the final plan, a plan that, although no one got everything they wanted, represented a considerable compromise on all sides by all parties. We had and still do have many concerns about height, massing, and the impact on surrounding communities. We still stand behind the sector plan as we did because of the compromise that it is. That is as long as it is not substantially modified during the codification process. We would like the Planning Commission to explain the implications of approving a PDSP that allows for heights beyond what is possible with current zoning and density language. Until there is codification, we do not believe any heights are guaranteed because if that process does allow for additional height under special circumstance; so it should allow for less height when special circumstances create considerable impacts for surrounding communities, buildings, or the goals. We also have concern, as you have heard from Steve Campbell, with maximizing park space and the community's ability to enjoy it. We have a particular concern for safety, and hope you will consider carefully the concerns of the airlines and Mr. Pebley.

Paul Quirk, representing the North Rosslyn Civic Association and the Waterview Condominium, has lived in Arlington for about 15 years. I actually have lived in Rosslyn for the last seven, so I'm a long-time resident. I want to start by saying that we do see a lot of potential in what is been proposed. I've been following the process over the years, and so a lot of you already know sort of a lot of the concerns that I have. But in the end, I think that the real opportunity here is to make sure that this works not only for the developer and for the county and the region, but also for the immediate community, which includes North Rosslyn. At last Thursday's Transportation Commission meeting, I shared some of our concerns about the infrastructure and traffic congestion related issues. This particular site is in a corner. It's the furthest east that you can get before the river really. And there's two access points to a state highway and to an interstate, and so there's really limited opportunity to expand. I realize that there have been proposals to adjust Kent Street to widen it to make it a two-way street. There have been proposals about breaking up the super block and adding 18th and 17th streets, and then expanding Arlington Ridge Road. But that said, the density itself is a doubling of what is currently there. And I think that those minor modifications can accommodate the increased traffic, even if we do try to promote and get people to use bus, train, or other modes of transportation, there's going to be an increase in car traffic. We're very concerned just based on the congestion that exists now. We live it every day. It's Frogger at the intersection of 19th and Lynn in the morning and evening rush hour. And so, this is still of great concern to us. And I think one of the things on Thursday that didn't come up, a lot of discussion happened around all the other roads except for 19th Street. And I think 19th Street is where we may see the most traffic with this development. The other concerns that we have relate to view corridors lost. I think even when you look at the Rosslyn sector plan, there's a lot of concern there because the peaks and valleys really aren't being implemented in this specific site development. Sure, there are differences in heights, but it really is kind of, like, an L that's on the side. And you've got a fat side on the north, and then you have kind of the consistent wall of buildings to the south. So, it really doesn't achieve that peaks and valleys approach that the sector plan calls for. I think finally--and there's one point on the park that I want to make to end. But on property values, I think that the challenge here is that property values will be affected once this is approved not when it's built. I do understand the argument that, over the

long-term, this has got a lot of great things for Rosslyn. I think redevelopment is a reality. We are not scared of the fact that it's changing. I think a lot of my neighbors and myself even moved to Rosslyn because we saw the great potential here. But there is risk in us losing property value if we, in the case of the Waterview, lose our complete southern view. People actually did buy and paid a premium for those views. And so, I think that cost is an issue. I appreciate the discussion earlier about the park and its location. I do believe that the placement of that park is important. I do have a consideration for the site plan considerations that I wanted to offer up to the Planning Commission this evening that relates to protecting this section of Rosslyn and especially the view corridors that are there that will be impacted by this ultimately. The consideration that I wanted to put forth is to add to paragraph 17 of the site plan conditions to state further the developer agrees that, with respect to phase 4 and 5, the fourth and fifth buildings, any final site plans shall provide appropriate view corridors and other amenities for the benefit of the developments that already exist across 19th Street from Rosslyn Plaza, as contemplated by the Rosslyn sector plan.

Planning Commission Discussion

Commissioner Cole noted that many of us have been living with this PDSP for years. And so, he did not want to belabor the history. He noted that Mr. Shriber gave a very good recounting of the history of the review. He said there's a lot to like about this particular application. And there are also issues that we should discuss. I've prepared an outline for the discussion. It's a relatively lengthy discussion outline; I imagine it will take some time, and I don't know where we will end up. But I look forward to a robust and important discussion.

Commissioner Schroll provided a liaison report for the Transportation Commission, which did consider this item last week. There was some discussion about some of the ingress, egress, some of the circulation around the site, certainly some concern about that expressed by some of the commissioners about the added density, where it goes. Also, some conversation about the street cross-sections, particularly whether or not the parking lanes were wide enough in the street cross-sections, which was an interesting topic to discuss. Ultimately, the Transportation Commission voted 9-0-1 to recommend that the county board adopt the PDSP, and they did so without any amendment to the staff's draft document.

Commissioner Cole stated that he thinks, in many ways, the relationship of the PDSP to the sector plan is at the core of this, and so let's review some history to begin. When the PDSP was first submitted, there was no sector plan. Nonetheless, when the board first met to discuss the potential redevelopment of Rosslyn Plaza in the context of its review for this planning division work plan in 2013, at the time they were asked whether or not the sector plan would indeed rule over this development. At the time, the Board said this review could proceed under existing rules at the time. Over time, there has been an effort, and I think an appropriate effort, to try to bring the PDSP here into consistency with the sector plan. And so, as a result, the way that I personally view this is--and the way I personally assess whether it passes the test of working well for the community is the extent to which it is consistent and complies with the sector plan. So, as we go through the range of issues tonight, I will work to make it clear where I think it is consistent, where I think it is not consistent. And I think the more important ones are where it's not

consistent because where it's consistent; I think we have no concern. One final comment about this whole general issue, and that is to say, in my view that the Planning Commission's role is to implement and apply policy, not to make policy. That's what the county board does. The county board makes policy. In rare occasions, we ask the board to change policy or to provide an exception to policy when we think that there's good reason to do that. This is the first time that anything has come to us that we would measure against the Rosslyn Sector Plan. I personally keep that in mind in my review because to move forward at this time in ways that are inconsistent with the sector plan I think is a significant and serious consideration, and one we should only take with the compelling justification that it requires.

Commissioner Gutshall asked a series of questions trying to understand the relationship between the PDSP and the 4.1 process and the sector plan. It's sort of a progression of events. So, the first one is the notion that Commissioner Cole just referenced, which is whether or not we should review this PDSP in the context of the existing--the now existing sector plan, the currently adopted sector plan. So, for staff, is that--is that the way that staff looks at it, that yes, the current sector plan would apply to this PDSP in full?

Mr. Shriber agreed and noted that the sector plan was adopted in July of last year, what we've done and as reflected in the staff report, we've applied the existing sector plan today in how this project complies with those recommendations.

Commissioner Gutshall made a recommendation so that the community can be clear. In the staff report, there was some language on page 19 that while the Rosslyn Plaza PDSP application was submitted in advance of the Rosslyn sector plan's adoption, county and SPRC review of the proposed PDSP took into account the concurrent community planning process. I think we--and several key recommendations provide guidance. I think we ought to be just very explicit that--not that it takes into account, or it kind of sort of, that it in fact should be measured in compliance with the sector plan. Again, just for clarity from the community's expectation point of view. All right, so on the heights issue, and I don't want to--some of this I know we could talk about it under height, but it is actually--it's to me more about the relationship--

Commissioner Gutshall asked about the 4.1 process and what will be the governing document? Is it the sector plan, is it the PDSP as an extension of the sector plan? And another way of asking that, another part of the question is, does the PDSP, if it were approved with the 275 feet instead of the 270 feet, does that provide an entitlement, if you will? Granted that the 4.1 understood has to be approved, but in terms of the standard that it would be reviewed against, does it apply a sense of entitlement to the 275 feet?

Mr. Shriber responded that in this case, it would be applied to the 275 feet, as well as the other elements of the site plan--or the PDSP conditions which address that, so.

Commissioner Gutshall noted that it does sort of create a sense of entitlement, though, to the 275 feet provided they meet all of the other criteria, or most of the other criteria as deemed by the county board.

Mr. Shriber responded that it would give them the ability to request building heights up to 275 feet. And I want to stress that fact that these are maximum building heights, which the applicant will have to earn or justify their ability to achieve such heights in densities at the time of the 4.1 site plans.

Commissioner Gutshall asked if the PDSP were approved with only 270 feet, could they come in at the 4.1 and request up to 275, or request in excess of the 270 if they could show that it otherwise met the requirements of the sector plan, the guidelines and goals of the sector plan.

Mr. Shriber responded that they could ask for that, but in that case it would be inconsistent with the PDSP, and we would recommend a PDSP amendment would be necessary in order for us to consider those heights.

Commissioner Gutshall stated that the PDSP should be viewed as the maximum up to, not to exceed, so to speak.

Commissioner Iacomini asked Mr. Shriber if the County has amended PDSPs in the past for height?

Mr. Shriber stated that he was not sure about height, but we've amended PDSPs for a number of things regarding density, building location, parks, and road improvements. Mr. Shriber indicated he could not say specifically that the County had amended for height but could not say that the County had not approved such a change. He went on to say that any type of change might be requested in a PDSP amendment.

Commissioner Siegel raised a question about heights with respect to the relationship of the sector plan to the PDSP. She also questioned the proposed park location. The sector plan shows two possible positions for the park, one to the east, one to the west. The PDSP, or perhaps it is the the 4.1, that shows the park to the west along Kent Street. In addition, there will be a public process to design the park. Commissioner Siegel said she was confused as to whether the sector plan--if the sector plan is controlling--would mean both locations could still be considered.

Mr. Shriber responded no, the way the PDSP is designed, the only location that's to be considered with the public park planning process is the location on the west side of the property.

Commissioner Siegel asked in that case, does the PDSP control and not the sector plan.

Mr. Shriber responded that is correct, the PDSP is the extension--in this case, it's somewhat of an extension of the sector plan as it applies to this site.

Commissioner Cole asked if staff anticipates any zoning ordinance amendments would be necessary to implement this PDSP in particular.

Mr. Shriber stated that the way that this has been set up is the building heights for phases four and five are consistent with the recommendations of the Rosslyn sector plan. In order for them to

actually apply for final site plan for those maximum buildings heights, a zoning ordinance would need to be amended. As you're aware, that implementation item has begun with the ZOCO meetings, so the way the PDSP is set up specifically in condition number 17 is that the maximum building heights that are allowed for phases 4 and 5 would be 300 feet until such time as a zoning ordinance is amended and a final site plan is approved. Meaning that if the zoning ordinance is never amended to permit heights greater than 300 feet, then that is all that they would ever be able to request with the final site plan.

Commissioner Cole noted that wasn't really what I had in mind in the sense that there will be a general implementing regulation to implement the Rosslyn sector plan. I'm wondering if there will be any changes to the sector plan that will be needed to implement this in particular, but only this site plan. And let me be more specific. There's a creative use of densities across the site here. As I understand, the "C-0 Rosslyn" District, it calls for a maximum of 10.0 FAR on all sites. And that's not what's being--that would be breached on two of the sites in this PDSP. Will the staff be proposing an amendment to the zoning ordinance to allow densities greater than 10.0?

Mr. Shriber responded that the 10.0 FAR standard is applicable to the entire area that's being rezoned and subject to the PDSP.

Commissioner Cole asked if it were true, therefore, that if the average of 10.0 is achieved throughout Rosslyn that any building--an owner of a building site could raise one building above 10.0 as long as another building was below 10.0 to offset it?

Mr. Shriber responded that they would all have to be subject to the same governing document, so in this case the PDSP is what governs. And so, specific here, you know, it is a 7.65 acre site, so we look at that as the entire site plan area that would be at a factor of a 10.0 FAR. You wouldn't be able to look at all of Rosslyn in your example because they wouldn't all be subject to the same site plan.

Commissioner Cole asked with respect to uses, Mr. Shriber, the conditions all refer to phase five as being an office building, and yet the sector plan refers to it as an optional office or residential. Could you explain staff's thinking about why they have eliminated any reference to residential with respect to phase five?

Mr. Shriber responded that in the conditions, we address that by allowing for a certain level of flexibility with phases four and five buildings, where they could use--or where they could determine the final use mix at the time of final site plan. That would be in condition number 13. So, one thing that I think that we need to do, which we can do prior to the board meeting, is change condition number 11, specifically pertaining to the table with phases 4 and 5 to address or to have a stronger cross-reference to that condition number 13 that allows for, you know, an office/residential mix for those two buildings. I understand the change that he is proposing to condition 11, but it seems to me that there's a significant amount of other material in the document that does not reflect a potential mixed use and/or different use than office, so I think

that there are changes that should be reflected throughout the document, not merely in the conditions.

Commissioner Schroll asked staff a question about the--if the FAA comes back based on MWA's petition and the airline's petition, and does rule that the phases--at least phases four and five buildings that would potentially be up to 390 feet are too tall, does that require an amendment to this PDSP? Or could the zoning administrator or other--another administrative decision be made that they could only go up to 300 feet, or another height?

Mr. Shriber noted as long as the determination is for less height, then no amendment would be necessary because, once again, the height as stated in the PDSP are maximum heights, so they have to earn that. So, one of the things that we've done to address this, as you know, with typical final site plans, we have a standard site plan condition where an applicant is required to provide a determination from the FAA regarding the building heights prior to receiving their excavation, sheeting, and shoring permit. What we've done with these conditions is we've actually required that in the PDSP and actually moved it up in the timeline, such that the applicant would be required to provide the FAA's approval prior to the approval of each final site plan, the thinking that you wouldn't want the board to approve a final site plan for a building height that may not be able to be implemented by the FAA. So, that would just be just in general how we've addressed it. But to get to your specific point of what would happen if the FAA adopts the OEI standards that MWA has brought up tonight, essentially they just wouldn't grant those approvals, and we wouldn't be able to issue that excavation, sheeting, and shoring permit, so essentially they couldn't do the demo work or the excavation work for that project. And so, that's how we've kind of approached that. And I also believe that the sector plan has also addressed this matter specifically by stating that if, you know, the FAA ever changes the rules that we would need to reconsider the building heights for all of Rosslyn as they pertain to those--to that change in their standards. So, I think both the sector plan and the PDSP has anticipated that what would happen or how we would address that if that ever does become the case.

Commissioner Schroll asked whether the applicant has noted that they have approval currently, at least within the last 18 months, from the FAA. MWA, the gentleman from MWA, noted that they have petitioned again FAA to look at it. Does county staff consider kind of pending petitions in its review? Or only the fact that the applicant has a letter from FAA?

Mr. Shriber responded that the requirement would be that they have the FAA determination for the building height as it's proposed with the specific building permit. So, you know, we do check it to make sure that, you know, the determination is for the right height. But as long as they have that FAA determination, that's what our requirement is. It is not to take into account other things such as the OEI standard.

Commissioner Sockwell stated that he did not understand the FAA issue completely. We're being asked by a couple of speakers to recommend that the county defer until the FAA reaches a decision, but I guess I'm a little bit unsure whether, if the FAA reaches a decision, that that sort of ends the analysis, or whether it's possible the FAA might come up with a result that would require further proceedings. Mr. Pebley, could you tell us a little bit more about the FAA

process? And also, on the FAA issue, I believe that you were asking for a couple things, both deferral until the FAA reaches a final decision and recommend a shift of the phase three building slightly to the south to get it out of the flight corridor. Is that correct?

Jim Pebley was asked to respond and stated that having read the FAA part 77 from front to back does not make me an expert. But having sat up there and argued this at some length, if you have an approval or a finding of no hazard, which if you look at the diagram I gave you would have been the initial finding, the applicant can always appeal. In this case, the Metropolitan Washington Airports Committee, as well as MWA and American Airlines and others, have appealed I believe what would have been an appeal, saying, "No, wait a minute, that's not right." And probably the factor in that is the fact that the part 95 rule change that began summer before last and that the civic federation weighed in on, saying, "We want this rule to go along more quickly because otherwise the developers could get approval. And if they build, they could go ahead." But the bottom line is if you change the building height, if they change the ruling, then the developer has a problem. And I would cite a case in San Diego in 2012, where the FAA came back and said no, and had them take a floor off the top of a building. So, I think that provides a precedent for you. Is that a fairly reasonable explanation? I'm sure others will have a different interpretation.

Commissioner Sockwell asked if staff has a view on this.

Mr. Duffy stated that he thinks Mr. Shriber has described it accurately. I think he's indicated the condition that's included with this PDSP. Staff has been following this very closely for many years. As we were developing the Rosslyn sector plan, Mr. Fusarelli met many times with the Airport Authority. Mr. Shriber and I had the opportunity to meet with the Airport Authority staff just within the past week to understand the status of the one engine inoperative provision. To date, it's not a rule. It's not a policy. It's still under consideration by the federal government and by the FAA. So, we're really bound to, as Aaron has said, to ensure that the FAA has made a determination. If in fact that rule does change and there are now provisions, as I think Aaron indicated just before, it probably would require us to go back to the zoning ordinance, and it may affect more than Rosslyn, having a chance to look at the flight paths in planes that have been modeled. So, we're going to continue to work closely with the Airport Authority, but for now there is no ruling or no new policy. And I believe our condition that's part of this PDSP is appropriate, and I think that's our position.

Commissioner Gutshall questioned staff if the MWA were to revise their criteria and make a new finding, and this was as a 4.1 was coming forward, and so there was a change, would that affect-- then would the applicant have the option to move density elsewhere within the PDSP?

Mr. Shriber stated that it would depend. You know, what we have as a condition that sets up-- and I believe we give them the ability to flex I believe it's up to 10% of the GFA from one phase to another. But if it was something larger than that, they would have to come back in and amend the PDSP. So, for example, let's just say hypothetically they had to reduce the size of phase 3 by 50,000 square feet. They would have to amend the PDSP in order to reallocate that to another area because that would exceed that threshold.

Commissioner Iacomini asked a follow up to Commissioner Gutshall's question, She asked Mr. Shriber if we had the total footages for the entire PDSP. Commissioner Iacomini went on to ask if we might make amendments that would reduce the height of buildings in various phases would it mean that buildings would become broader and take up more open space or other consequences since the County still is obligated to a certain GFA over the entire site?

Mr. Shriber responded that no, not necessarily because so many elements are fixed. As Mr. Novotny mentioned in his presentation, we're dealing with building envelopes. So, we're not dealing with so much with building placements. And the reason why we have just building envelopes is because so much of the public infrastructure surrounding them is fixed. The streetscapes, the open spaces and so on wouldn't be able to expand upon those without an amendment to the PDSP.

Commissioner Ciotti noted that she is a little unnerved about the level of expertise in terms of the one engine inoperative and the level of concern, and how they've raised this. And the FAA seems to be perpetually considering this. Is there something we're missing here? Is any of this political?

Mr. Duffy responding to Commissioner Ciotti, I appreciate your comment. I think that's beyond the scope of staff's thinking this evening.

Commissioner Ciotti noted that she can respect that, but what really concerns me as a planning commissioner and as a resident is that I would--I would like to think that the people who are really the decision makers in the county would, you know, have the better part of valor and be proactive in this and listen to the level of concern about these heights, and proactively design it with all these people raising red flags that we are in a red zone of safety, and that maybe we should be stepping back and thinking about this, and not waiting for an FAA ruling that may or may not have our best interest as safety at hand. There may be other things at play here. And I think if we're supposed to be guided by what is safest for the people who are going to live in Arlington and live in Rosslyn, maybe there's a cause to really think about being proactive and limiting the heights of the buildings that are of such concern without waiting for FAA's statement that may not have our best interest of safety at hand.

Mr. Duffy stated that he believes county staff continues to be proactive in developing the sector plan. We have certainly considered, I believe, the factors that were appropriate. The sector plan notes this issue of one engine inoperative, and that there may eventually be a ruling, and that we should be vigilant and continue to work with all those parties. I would hope that the commission is impressed by the fact that the process that the federal government has in place for the FAA to hear appeals and so forth is still in motion. And, but at present, we have the rule to work with, and we have a condition that's been part of our site plans for many years that recognizes safety and operations are important. And secondly, the staff continues to work with the airport authority as we develop the actual zoning regulations. So, I think we're going to be vigilant and continue to be proactive, and work within the federal regulations that exist today.

Commissioner Ciotti asked, just for clarity's sake, so at the end of the day, are we legally obligated to simply go by the FAA with this? That we--I'll leave it there. Is it that we must follow the FAA, and we can't plan and develop based on an aggregate of input?

Mr. Duffy: We certainly discussed that with the county attorney previously. And given the interest and the issues that have been raised, we'll continue to raise that with him as we approach the county board.

Commissioner Hughes asked a few clarifying questions to our former commissioner who spoke publically on his comments. Commissioner Hughes: Just correct me if I'm wrong. The one engine inoperative, which is the OEI you guys keep speaking of, is currently not a final rule by the FAA, is that correct?

Jim Pebley: No, it's not. And that's the problem is this guides that. And what the FAA has done--apparently to me is they've gone back and looked. And we've approved this height before, okay, with mitigations, so we'll take that one.

Commissioner Hughes: So, we have a non-final rule, but the impact that you are trying to describe to us is generally what would happen if a large 737 or a larger aircraft had one engine inoperative, which is it would turn left--or you exit going to the north and you had a hard west turn over Arlington National Cemetery by it's going over Rosslyn. Is that generally what you were trying to describe to us because it's lower in height?

Jim Pebley: That's precisely what a pilot would worry about is, at that moment, when you can no longer stop on the runway remaining, if an engine fails, you're committed to continue the roll and take off, climb out best you can. And you hope that it's the starboard engine in this case because the engine that is inoperative, that wing needs to be raised. But you can't fly into that prohibited area. So, your minimum control speed drops. And if your minimum control speed drops when you're only on one engine, now you've got to lower the nose to gain speed. You see the problem here? And in answer to the previous question, I think if you turn that guide I gave you earlier, you can see where the Virginia state code lodges the responsibility for the safety with the county, and not indicating you should turn it over to the FAA.

Commissioner Hughes asked to make sure we clearly understand his comments from earlier that you reviewed I believe you said a 737's safety operating table basically with one engine? And that you came up with the final height of 280 feet as being. Jim Pebley responded that was computed on an 85-degree day with about 75% humidity, the kind we love here in Arlington in the summer.

Commissioner Cole asked Mr. Pebley if you are still chair of the Emergency Preparedness Committee. Mr. Pebley responded that he is the vice-chair of the Emergency Preparedness Advisory Commission, which I went to after this.

Commissioner Cole asked if the Emergency Preparedness Advisory Committee reviewed the issue that you're referring to, the one engine inoperative as it relates to Rosslyn Plaza. Were you asked to by the board or by staff?

Jim Pebley responded that the issue of review of this PDSP, neither of those were brought before the Emergency Preparedness Advisory Commission, nor were we notified about them.

Commissioner Cole stated the he believed the issue of one engine inoperative is an issue for the PDSP. I really believe it's an issue for the site plans. And the reason I say that is because the real question is on heights in the PDSP, keeping in mind that the heights that are being established are up to heights. And one engine inoperative has the potential to reduce the up to limit below the limit that's in the PDSP or the sector plan. But that's a question that is really relevant at the time that a site plan is considered, not at the time that a PDSP is considered. So, the issue in my mind that is before us today and the central issue of heights is not whether there's 390 feet or 300 feet or whatever, but it is the 275 feet. And I don't know whether the chair wants to move to that sort of issue at this point or not, but I'm happy to hold my comments on that. But I do believe that while the issue of one engine inoperative is really important, and I think it's important from the point of view of the county board's responsibility for the safety of people in Arlington irrespective of the no hazard determination that may have been received. The county board is free to hire consultants to reach its own conclusion about whether the community is being adequately protected by the no hazard determination, or whether there has to be a higher standard to ensure that because airplanes do not have the ability to turn to the east and go over the District of Columbia, but must turn to the west, whether Arlington's--the risk that Arlington faces is heightened sufficiently that a different standard should apply that's more stringent than the standard of no engine--determination of no hazard.

Mr. Bonanno stated that he was going to put a little different take on this, as you would expect. So, this is not something new. OEI has been around for 10 years. It came up when we got the approval for 220 20th Street in Crystal City, came up there in the Crystal City's sector plan, and has been talked about for a long time. So, for 10 years the airlines have been lobbying the FAA to change the OEI policy. After 8 years of lobbying, the FAA publically circulated a potential change in the policy. They didn't finalize it, they didn't say all the details. They said, "We are considering changing it." They held a public online meeting in 2014, where they specifically said the basis was airline economics, not safety, specifically stated in the online meeting. And you know, the public and everyone quickly read through this that OEI was truly--it was the proposed taking of property rights from landowners and local jurisdictions, and giving them to the airlines so that they could operate more efficiently and make more money on hot summer days, and load their planes heavier, and make more noise in the air. That is the bottom line. So again, with that public meeting, major public sort of outcry, chambers of commerce, this is national. This is not Arlington. Chambers of commerce all over the country, trade associations, and many local jurisdictions submitted comments saying you cannot do this with a stroke of a pen. This needs to be considered under a formal rulemaking policy if you're going to do it at all. And again, that's sort of where it stopped. For anyone to say that the FAA is not considering safety is totally absurd. And MWA strategically submitted this petition so that it would be active during these hearings. I mean, clearly it is the same argument that was made during the sector plan

deliberations. It was the same argument they submitted in 2012, when we updated our filings then. And it will be dismissed by the FAA because the FAA cannot legally uphold that petition. So again, we're in a position now, we're going through these hearings. "And oh, we have an active, you know, petition. Please delay it." This should be approved. We'll have to deal with it in final site plan, and we can't pull a building permit if it's not resolved at that time.

Commissioner Iacomini stated that we're hearing different explanations of motivations. She stated she would prefer that we just set that aside as no one knows all of anyone's motivations. Commissioner Iacomini went on to say we do understand that there is a legitimate concern for the safety of the citizens of Arlington and for passengers on planes. She is sure the FAA takes all safety into consideration while they may be considering passengers. They would, she hopes; consider the safety of those on the ground. Commissioner Iacomini went on to say it is very clear that we cannot approve a building permit that doesn't have the FAA approval. She then asked Mr. Novotny if they would be requesting demolition or building permits for this\ in the next 18 months should the PDSP be approved?

Mr. Novotny responded that if the PDSP is approved, they would have to proceed to a final site plan for each one of the buildings. He noted they do not have a final site plan before the commission today. The site plan review process can take some time to work through and at the end of that process, there is an administrative process to submit drawings, and then pull a permit to actually start the excavation of a building. Mr. Novotny stated he could not tell the commission when they would enter the site plan review process but can say if that they did not have the necessary approval from FAA to proceed, they would not be able to do that.

Commissioner Iacomini thanked Mr. Novotny for his comments. She noted on behalf of the commission that we would like to say on behalf of the commission we very much appreciate the speakers from MWA and the letters from the airline, as well as Mr. Pebley's presence. She noted they have addressed a very important topic and thinks it is one that those working on implementation of the recently approved sector plan are contemplating.

Commissioner Cole responded that this issue is not about 5 feet from my point of view. This issue is about whether or not the sector plan will be easily--whether it will be easy for applicants to easily seek approval for exception after exception after exception to the sector plan. And as I understand it in this particular case--let me be clear. I don't understand what the basis for the additional height request is from the point of view of the community. What is the additional benefit to the community from the additional height? There is a way that additional height perhaps could be justified. You know, it could be that the total overall height of the building did not change. But remembering that the height of a building is measured at the roof line, not at the penthouse level so that if the building were 275 feet, but the penthouse were only 18 feet, it's conceivable that that might work as well. But if the penthouse were maintained at 23 feet, which the zoning ordinance clearly permits, then the building would be 5 feet higher. Let me go on and say that the applicant has said that they have done analyses which show that there's no change to the view corridor at all by increasing the size of the building. From a very fact-based kind of perspective, that's simply untrue. It's untrue that you don't change the shape of a building and change the way that somebody will perceive things differently than the way they would have

changed it had the building been somewhat smaller. They will--they are raising the height of the building, and somebody from some position will not be able to see something that they would have been able to see had the building height not been increased. Moreover, I want to remind everyone that there was extensive modeling and empirical analysis done as part of the sector plan, which was just agreed to 8 months ago. And as part of that, the height for this particular site was set at 270 feet. I think only an appropriate staff analysis that says that we were wrong back then, that the additional 5 feet is acceptable, is what's appropriate. It's not merely accepting an applicant's analysis that what they're doing obviously has no effect on anyone's view. So, in my--from my perspective, this is--there's two issues here. One is the issue of whether or not we are holding this PDSP to the sector plan. And if not, is there a compelling public reason to violate the sector plan in this particular case? And secondly, is the change that they're requesting impacting the views from, in this particular case, the observation deck? And I think unquestionably it is, that we're not shown an illustration of what could be seen at 270 feet and what could be seen at 275 feet. I would love to have seen that. You know, why were we not shown a single thing about the modeling that was--which we were told was done? And the fact of the matter is something will not be visible. And it may be you won't be able to see the highway in front of the Kennedy Center, or you may not be able to see the bottom half of the Kennedy Center, you may not be able to see the steps leading up the Lincoln Memorial. I don't know what you won't be able to see, but there will be something you won't be able to see. And that's a pretty big issue to me, so you know, I for one will have a great deal of difficulty accepting this as an element of this PDSP.

Commissioner Siegel agreed with Commissioner Cole's concern about height. She noted we that staff and ZOCO are in the middle of looking at implementation of the Sector Plan through the zoning ordinance regarding heights, which were discussed last week. Last week's meeting was the first of several in a month's long process. Staff's first approach would codify the map in the sector plan. To change the PDSP at this point confuses the issue. Commissioner Siegel expressed the belief that we're on a very good path in the implementation process to work through how zoning ordinance amendments, on height and, indeed, other aspects of building form should be dealt with. Through this process, we can look at these things in a comprehensive way.

Commissioner Gutshall asked a follow-up to Commissioner Cole's comment on really looking at the slide that's on the screen here, where there's the note that says "meets all sector plan stated view corridor objectives." And there's some text in the staff report on page 30. So, the question for Mr. Shriber is where you conclude that with these commitments, staff believes that the building heights proposed with the PDSP are consistent with the peaks and valleys recommendations, so does consistent mean were there any tradeoffs? Are there any tradeoffs?

Commissioner Cole: Commissioner Gutshall, before he answers the question, let's focus on what you just read, which is what is consistent with the peaks and valleys policy, not consistent with the heights policy. Those are two very different policies.

Commissioner Gutshall: Well, that's a fair point. So, I'll start with the peaks and valleys.

Mr. Shriber stated that yes, we do believe it is consistent with the peaks and valleys approach. One of the principle elements of the peaks and valleys approach is the preservation of priority view corridors as outlined in the sector plan. And specific to this building number--or this phase one are the view corridors from the public observation deck. And that's mainly looking at it from the east and the southeast perspective. And I believe I had an exhibit in my presentation, but it's also specifically stated in the sector plan on page 172. And it's not just, you know, that you can see something from the public observation deck. The sector plan is very specific in terms of what those elements are that you can see. What the applicant did during the SPRC review is that they exhibited that, at that height of 275 feet, you could still preserve those view corridors from--or the priority view corridor from the southeast quadrant of the observation deck. So, in that case, you know, they showed that you could still see the--you know, the east bank of the Potomac River and all these other elements. And so, that's where we thought that it addressed that. And then the other element of the peaks and valleys approach that are addressed by this, and part of it is in the conditions, is that, one, they have to exhibit that, at the time of final site plan for any of the buildings, that they can preserve those priority view corridors per the plan. And the reason why that's so important is because they did present models to us during the SPRC review. But the observation deck is not built. You know, it will be in 2 years, and we'll be able to actually do better site analysis from that point so we can have a better understanding. So, whether they can achieve 275 feet or not is something that we'll analyze at the time of final site plan. So, that's one aspect of the peaks and valleys. Another significant aspect is really, you know, shaping the skyline. So, another element that the applicant committed to is because the property, the whole Rosslyn Plaza PDSP is considered a multi-tower site, they've agreed to a condition that at least three of the five buildings would vary in maximum building height by 30 feet. So, whether they can achieve 275 feet or not, it really sets, you know, what the next few buildings are going to be. So, once again, still preserving that skyline element, as well as the view corridors, are some of the aspects that they were exhibiting to us that led us to this decision that we think that it is consistent with the recommendations of the sector--

Commissioner Gutshall: Well, thank you, so it does sound like they made sort of chapter and verse of the peaks and valleys recommendations of the sector plan. So, does that mean--should I conclude from that that the 270 feet that was--that is in the sector plan, that the applicant has just done better modeling or whatever, that there's new information now or something? Or what's the difference? How do I understand why we arrived at two different numbers to achieve the exact same goals?

Mr. Shriber: Well, I would just say that during the time of the sector plan, we came up with, you know, through the various community meetings, you know, a maximum height, or an up to height was established at 270 feet. And that was something that the applicant had proposed for quite a while until partly through about halfway through last summer, we really started advancing some additional concepts that they tried to incorporate. And it's what--and mainly I'm speaking to the Wilson Boulevard section. If you remember during the SPRC review, we kind of went through a number of variations of the Wilson Boulevard section in terms of trying to accommodate all of that stuff, knowing that we had a fixed point on the opposite side. And then also knowing where this new street, 17th Street, was going to go, that phase started to get squeezed a little bit. So, what they started to do was looking at alternative scenarios in terms of

how could they get all of that public infrastructure in place as recommended by the plan and also still achieve a viable building, and to try and meet all of these protected view corridors, these peaks and valleys approaches. It was at that time that they started looking at that, that we considered those further. And at 275, once again, it does exceed that height, but I think the plan is pretty specific that, you know, this is a guideline and that, you know, where you can present a compelling reason as to why, you know, that could be considered appropriate. And I think in this case, the applicant has. And not to mention there are additional controls in the conditions that will give everybody the opportunity to analyze this further to determine whether that height is appropriate. Commissioner Gutshall: So, just so I understood the answer you just gave, which was very thorough, that when the cross-section of Wilson Boulevard was expanded, it sort of pushed the building up a little bit.

Mr. Shriber responded that it squeezed the floor plate.

Commissioner Gutshall noted that as we squeezed the floor plate and it squished out the top, but we're not worried about it because it still meets all of the peaks and valleys criteria.

Mr. Shriber responded that, from that perspective, I would say that it is consistent with the guidelines in the sector plan.

Mr. Novotny responded that this building in particular is subject to two priority public view corridors, not just the observation deck, but also Freedom Park looking out. And that was a late entry into the sector plan process. And I will tell you we had full schematic designs for the first phase building that incorporated that corner. And so, we agreed to protect that view corridor, go back to the drawing board, and so we lost that corner of the building, which was a very key corner of the building for us. So, we are trying to meet the intent of the sector plan with the heights, the variation, the peaks and valleys. We think we meet--we will meet the stated objectives of the peaks and valleys, but I did want to add that as one additional extenuating circumstance for this particular building.

Commissioner Iacomini asked the applicant to clarify if indeed the addition of five feet over the building height recommended in the adopted *Realize Rosslyn* plan for the building proposed in Phase 1 of the PDSP make them "whole" from what they feel they've lost in height elsewhere to the view shed protection. She stated she's asking the question since the commission is literally debating the difference between the 270 feet in the adopted plan and 275 feet requested by the applicant. She asked could they not just go with the adopted 270 feet?

Mr. Bonanno on behalf of the applicant stated he they can clearly meet all the objectives of the sector plan and not lose another 20,000 plus square feet of FAR with a floor of a building if they have the additional five feet he stated they completely redesigned Phase One based on the recommendations of the sector plan, the Wilson Boulevard section, and that Freedom Park view corridor. They then looked at it again and decided to try to maintain the square footage they had posited for Phase One before the sector plan adoption. They found they could not maintain that number but if they asked for just five additional feet above the sector plan number, they could meet their square footage desires and, in their opinion, maintain the view objectives.

Mr. Bonanno: I think it's as simple as when we looked at it, we could clearly meet all the objectives of the sector plan and not lose another 20,000 plus square feet of FAR with a floor of a building. You know, we completely redesigned phase one based on the recommendations of the sector plan, the Wilson Boulevard section, and that Freedom Park view corridor. And we said, "Okay, let's look at this," and trying to sort of maintain the square footage that we were at. And we did not, we were not able to maintain the square footage. The building shrank. But why lose another floor if we can meet all the view objectives? So, that was the rationale. And again, it's only 5 feet.

Commissioner Cole stated that he thinks there's a solution here. You know, I think the solution is that you accept 270 and the PDSP. And frankly, as you know, I don't like negotiating at the table, but that you understand that the special exception site plan process is the special exception site plan process. And at the time you're ready to come in with a design, come in with a design for 275. At that point, as Mr. Shriber said, the observation deck will be constructed. We'll be in a much better position to empirically determine whether your 275 makes sense or not. And it's not just 5 feet, as you so eloquently stated. It's 20,000 square feet. And it's not just any 20,000 square feet, it's 20,000 square feet at the top of the building. I certainly understand the economic value of it, and I promise you I'll come back and testify on your behalf if in fact all the evidence shows that all of the views that were protected at 270 are still protected at 275. But do it in the site plan process. Don't ask for an exception to the sector plan at the very first time we're asked to do anything on the sector plan. You know, take--use that opportunity. We both know the board is free to change policy anytime it pleases, so.

Commissioner Cole, speaking on encroachments, noted that there--at the most recent site plan SPRC meeting, there was a--the applicant came forward with new exhibits which show that they wanted to cantilever both buildings two and three over the sidewalks. There are special provisions in the conditions that Mr. Shriber might wish to review for us, but it--you know, clearly staff is withholding final approval of the encroachments until some future point. But you know, Mr. Shriber, you may want to speak to this more specifically because these are not small encroachments. They significantly change the volume of the building, and they put a very large amount of mass above the sidewalk. So, in any case, I personally don't know where I stand on this, but I certainly know that it is one of those, quote unquote, exceptions from what was anticipated, so.

Mr. Shriber responded that two of the buildings do propose cantilevers. That's for phases one and three. The cantilever are for different reasons. The applicant has expressed, you know, the portion--a portion of the cantilever for phase one was once again related to the shape of the floor plate in relation to this additional view corridor for Freedom Park, as well as Wilson Boulevard. The phase three cantilever actually allowed them to push a lot of the building mass further east in order to get a larger park size. But what we didn't want to do is, because this is conceptual and we're really just talking about building envelopes rather than building details, we didn't want to outright support those. And that's why we have a very specific condition, number 36, that states that--and I'll just quote the most important part that says the developer agrees that all cantilevers depicted for the buildings as exhibited in the plans, I'll skip that part, shall not be permitted until such are analyzed, their impacts are assessed, and ultimately approved with a final site plan

application. And that's really because we didn't want them to be able to come and file final site plans and say, "Because it was shown there, we're allowed," that we really need to look at what the impact is. And it's everything from impacts on our real estate interest to the health and survivability of trees, and the impacts on the public realm. And whereas even though they've shown cantilevers that have a vertical height that, you know, we could probably support, it's something we still have to assess at the time of final site plan.

Commissioner Cole noted that on vacations he always thinks that it's important that we at least have an opportunity to discuss an issue like this because the county is actually--would be selling some of its land to the applicant. And not to--it's also true that the applicant has received agreement or maybe has consummated agreements, consummated deals with the state to purchase a fair amount of land between the site and I-66. So, to the extent that there's any concerns that anyone has about the vacations that are being sought, this is the time to ask them. And there are--I would also note that, with respect to the county land, there are specific requests--there will be specific requests related to rezoning for that area as well.

Commissioner Hughes questioned staff about the park public easement that's proposed in this plan, I note that the phases are building envelopes, not actual buildings, and we'll see them in the final filings. But is staff's intention for the easement--for the public easement to be a surface easement only, or would staff anticipate the area underneath the proposed park to be non-buildable land for basically the park to use? Tree roots.

Mr. Shriber noted that there would be a surface easement, a public access easement for public park purposes. The applicant's underground garage will be located beneath this, and it will be located at such a depth in order to support any type of plantings above that. Those are the type of things that we would be analyzing at the time of final site plan, but it will be a surface easement only. None of that land will be dedicating to the county.

Commissioner Gutshall: On the--on both the plazas, how would cafe seating impact this? In other words, would we have a situation like Central Place, where would then have--I mean, I realize this is not designating cafe seating, but if they wanted to come back and add that, are we going to get into this push-pull between public easement and cafe seating?

Mr. Shriber: No, that actually is something that we have contemplated, and that if you look at this exhibit right there, you can see the dashed lines around the phases two and three buildings. In previous versions of the plan, the park space, the Rosslyn Plaza park space, was a little bit larger because what it did is it effectively counted all that space up to the face of the building. Our concern in discussing this further with the applicant is that, knowing that they were going to have retail there, which we encouraged, we were concerned about the encroachment of private space into the public area. And so, what the applicant did was they went and looked at it, and they came up with a retail buffer around those buildings so that the .81 acres that's proposed for the park space is exclusive of any of those areas because, whereas we might feel that those outdoor dining areas can help activate the plaza, we didn't want those to encroach upon that space any further. So, it really is exclusive of those and we would deal with--you know, they would have the ability to program that space as, you know, outdoor dining, outdoor display, anything for those retailers without blocking any of the public uses.

Commissioner Gutshall: Is it the aggregate amount, or is it the actual configuration? In other words, can you push it to one side and make it encroach deeper, make the encroach deeper, but the aggregate space? Or it's exactly where it's shown?

Mr. Shriber: No, because those buffers are based upon the building envelope. So, I guess if, you know, for example, let's say that phase three wasn't as wide, you know, from east to west, then I think we could potentially look at, you know, shifting that buffer, maybe increasing some of the park space. But that's something we'd have to be looking at at the final site plan stage.

Commissioner Iacomini asked Mr. Shriber to clarify that the dotted lines on the drawing delineated the central green space and that space totals .81 acres

Mr. Shriber responded that yes, the space is .81 acres exclusive of the retail buffers.

Commissioner Iacomini: And the .81 acres is the entire green space I'm seeing there?

Commissioner Schroll: Thank you, madam chair. I notice that Mr. Sellin has joined us. Quick question for you. I just want to know if any of the street cross-sections are not in conformity with the sector plan guidance.

Mr. Sellin: Mr. Schroll, the street cross-sections are consistent with the sector plan with the exception of Wilson Boulevard. In the sector plan, Wilson Boulevard is identified as a 115-foot cross-section. And that was approved in July of 2015. At the time, we were still working with the applicant on the final cross-section of Wilson Boulevard. And that was finally resolved in September. There were some outstanding engineering issues that were not resolved at the time of the approval of the sector plan. For example, we knew that there needed to be additional lane capacity for left turn turning vehicles coming from Wilson Boulevard onto Arlington Ridge Road. The median, which is identified in this sector plan, was never intended to be fully a median. It was always a median with a turn lane. There was some curvature in the street that required the regularizing of the lanes. And there was--the 22-foot median was--I guess I would describe it as aspirational. And what we have resolved with the PDSP is a median that varies between 8.5 and 15 feet. So, this is the exception to the sector plan. And we feel that there were engineering reasons for the deviation for that, and that those things were not fully known and resolved at the time of sector plan approval. All the other street sections are fully consistent with the sector plan.

Commissioner Schroll: Thank you, Mr. Sellin. And the Wilson cross-section, is that 116 feet, is that correct?

Mr. Sellin: It's 115 feet, 6 inches in the sector plan. In the PDSP, it varies from 103 feet, 6 inches to 113 feet.

Commissioner Iacomini asked Mr. Sellin about the sidewalk width indicated for 17th and 18th Streets. She noted that the sidewalks' clear width is 7 feet, which is slightly smaller than what we generally tend to find. She asked if those clear widths are in conformance with the sector plan? Mr. Sellin responded that 17th and 18th Streets have a total of a 60-foot right of way. These streets are intended to be curbless environments with a 16-foot total sidewalk width, 7 feet clear. He stated that is consistent with the street section and that staff is comfortable with the 7-foot clear because it's a 16-foot total width and it's a curbless environment. These streets are to be pedestrian friendly.

Commissioner Iacomini stated that given the different nature of street type proposed for 17th and 18th, these smaller clear widths could work here whereas they would not in other Rosslyn areas. Mr. Sellin noted that there is a 2-foot shy zone included in the cross section as well, which makes it a 9-foot space.

Commissioner Iacomini then responded but it is still only a 7-foot clear space. The shy zone is there to accommodate some outdoor seating or something else that may arise.

Commissioner Gearin: On page 19 of your presentation, how much of that green space--how big is that green space? Page 19 of the developer's presentation. How big is the green space?

Mr. Novotny: Page 19, that's shown at the .81 acres that we're proposing in our application. It's consistent with that. There's no delineation--well, actually, I'm sorry, are you asking the green space specifically?

Commissioner Gearin: I guess what I want to know is, how much of that open space not green space is, and is used as the walkway or the easement for the retail and the restaurant seating.

Mr. Novotny: So, I would just--I would just remind the commission this is a conceptual drawing, not a final design. We've taken some liberties with some design elements, but this is something that will be designed following any PDSP action in a public design process that we will actually conduct and fund. And so, whatever final design comes out of that I'm guessing will be different than what you're seeing on this screen, so it's hard for me to say specifics about this particular rendering because it truly is conceptual.

Commissioner Gearin: Understood. Yes.

Mr. Bonanno: I would just add to that that the full .81 acres will be the subject of that public design process. So, the retail buffers, other things that are shown are separate from the .1 acres that will be the subject of that design process. And what amount of that ends up green space, or hardscape, or you know, fountains, or courts, or other things will be decided in that public design process, in the .81 acres.

Commissioner Schroll: This is more a comment to staff that in the staff report, there's references to approximately an acre size park, and then there's references to a very precise 0.81 acres. And I

would encourage staff to just use the .81 acres as--unless there's something I missed about some additional flexibility, but some consistency within the staff document I think should be there.

Commissioner Gutshall: That particular point. I concur, Commissioner Schroll, but I would also like to ask staff to--or suggest that staff would verify the calculations there because this is--I'm not suggesting that there's any--that there's not good faith here, but going back to our conversation about 270 versus 275, I know a lot of things evolved along the way here. And I do think that this does--it's important not to beat the dead horse, but to set the expectations for the community so everyone is out in the open so that we don't come forth in that planning process and have to debate whether it was .81 or no, actually when you looked at where the lines are drawn, and these are not even necessarily scale drawings. So, just a suggestion to staff is to really, really pin those numbers down very clear so that everyone understands perfectly well going into the planning process exactly what's in play. Thanks.

Mr. Shriber: Just to clarify, you're right, I mean, these are illustrative documents. And just so everybody is clear where the .81 comes from, if you look at sheet C43 in the actual PDSP plan itself, it identifies the specific area of that. That's where the .81 acres is coming from. It clearly denotes this area, which is exclusive of the retail buffers, as well as the adjacent streetscapes. So, when you look at those illustrative plans, it looks really nice, it kind of flows into the streets and the sidewalks, and it's intended to look that way. And those are the things that we'll look at in the public park planning process. But very clearly on that sheet in the PDSP, it is calling out what the .81 is. So, that's where we would take our cue from with our future park planning efforts. So, it's not a fungible number. It is very clearly stated in the plan.

Commissioner Gutshall: And I see that that is dimensioned, so presumably those dimensions are rock solid then, the 124 foot, 8 inches, and the 265 feet, and 157 foot, 8 inches.

Commissioner Hughes: I promise not to repeat myself, madam chair, with a point that's a follow-up to Commissioner Gearin's question. It's to staff. It's that in the current county--there's a condition that requires the developers, they mention, to conduct a public planning process. And more specifically, it time bounds that process. My question to staff is the 120 days that was selected and is a condition, at least in my observations from recent park planning by developers, seems to be a rather aggressive timeline. So, what was the thought behind the 120 days?

Mr. Shriber: Well, the 120 days doesn't require that the full process, you know, we have a plan, it goes to the board, and for adoption. That's merely just for the public meetings and the survey. I would say that we do feel confident with that. Judging some of our other efforts, looking at a recent example would be the Penn Place project. That was set up in a similar post-approval process with a public park planning process that was completed I believe in a lesser amount of time than that. But once again, the 120 days does not mean that it goes to the board for adoption. It merely means that the public workshops and the survey would be completed. There would still be additional staff work, negotiations, finalization of the plan, and then ultimately board adoption. So, it's probably more like a 180-day period from beginning to end.

Commissioner Hughes: I would just say to my fellow commissioners I believe that the most recent adopted one, which was the one we just did last month, the form base code for George Mason, took well in excess of 120 days for the public process. It's an iterative process when it's truly done well with stakeholder engagement, and so 120 days seems highly aggressive. But I hope the applicant would be flexible, so.

Commissioner Siegel: Thank you. I wanted to move on to talk about the esplanade unless you wanted to see if there were any other questions about the central park. So, I can hold the esplanade question until you finish, if you'd like.

Commissioner Sockwell: I did. Thank you, madam chairman. I have some sympathy for Miss Haynes' letter on behalf of the Parks and Rec Commission when she raises the question of how is this approximately one acre. We're talking about .81 of an acre, and I guess I'd like to hear the staff's rationale for how the .81 actually meets the requirement for approximately 1 acre.

Mr. Shriber stated that in his analysis, and also looking back at the sector plan, you know, once again going back to the sector plan, the goal was an aspirational goal of approximately 1 acre, and then up to 2 acres available for large events when the adjacent streets are closed. And that's why it's important that Kent Street and 17th and 18th Streets, Arlington Ridge Road be designed with this curbless environment so they can be closed, you can expand it, and you can clearly meet that 2-acre figure. But at the .81 acres, you know, it's not set at a minimum. Really, the more important thing is, what are those programs which can be accommodate within that space? And that's why the public park planning process is so important. So, whereas the sector plan gives us some really good guidance in terms of what we want to achieve in that space, the design guidelines that accompany the PDSP give a little bit more detail. But it really is up to that public park planning process, and ultimately the board, to decide whether that space can accommodate the range of uses. So, I'm looking here at the examples. You know, we're looking at, you know, something that can accommodate festivals, and live music, and larger recreational courts, and smaller recreation courts, and children's play features, and outdoor dining and retail. So, in the number of configurations that the applicant has presented in their design guidelines, they've shown how they can incorporate those. But I think it's really important that we do wait until that public park planning process to see how we can fit all of those. I think that we could. We will have to, you know, absolutely be creative in terms of how some of those spaces are laid out. But I don't think that we can forget these other adjoining spaces that will be part of that public park planning process that will help to accommodate this. And really, length of space is between, you know, North Kent Street and Arlington Ridge Road, and then from north to south. So, the plan does not say a minimum of 1 acre. It is approximately. And as long as you can achieve these other things--and let's not forget there are some very specific design criteria that need to be met. Once again, it will still be up to the board to determine whether that criteria is met with the design. And if not, it only presents them from moving forward until they can accommodate it. So, if the park has to grow in order to accommodate that, those are the type of things that we would ultimately have to look at. Not saying that that would necessarily occur, but that's where the public park planning process and ultimately the individual final site plans that surround this are going to be critical.

Commissioner Sockwell: Well, I appreciate what you're saying about the importance of the programming process, but are there no opportunities for additional green space here? I mean, can we go beyond .81 acres?

Mr. Shriber: Well, as--once again, we're looking in isolation just at that one park space. And so, the applicant has clearly shown just on this block how you get--you know, you have the .81 acre for the Rosslyn Plaza Park. You also have the additional public open space, that .15 acres. We don't consider that part of Rosslyn Plaza Park. It is connected to it. It provides a direct link over to Arlington Ridge Road. It opens up a view corridor. It is still an integral aspect of that, but from the plan--or the sector plan's perspective, we were looking just in isolation at that area. So, I don't want to discount those other areas that contribute towards creating this space, but what we want to do is when we say Rosslyn Plaza Park, we are talking about this one area that's going to stand on its own, and hopefully can accommodate the range of uses here. So, for example, if you look in the applicant's design guidelines, they've shown in this .15 acre area, you know, additional tot lots, children play areas, so just once again contributing towards, you know, accommodating the range of recreational needs here.

Commissioner Sockwell: Well, I guess what I'm driving at is that the concept calls for a fairly significant and important park. And it's all well and good to talk about programming and I guess pointing toward how we're going to use the space, but we haven't even done shadow studies yet. It's not even clear that all of this space is going to be usable all of the time. So, I suggest that programming by itself may not be an answer.

Mr. Shriber: Well, I think that's ultimately a question for the developer. What I would say regarding the shadow studies, once again, we're only talking about building envelopes here, so where we have additional conditions here that mandate or require them to provide, you know, additional shadow studies, which is not a filing requirement. And we have that for the specific purpose of we need to look at how the buildings as they're designed impact that spaces because, once again, that will contribute towards their ability to achieve those maximum heights, and then ultimately what the shape of that roofline is. There may be opportunities where they can't achieve those maximum building heights because of it has too great of an impact on that public park space, so it--you know, for example, if an extra two stories puts that area in shade for another 2 hours a day, that could be deemed unacceptable. So, I think we have some additional controls in looking at that, but we'll have more analysis with the final site plans as well.

Commissioner Gearin: I wanted to ask about temporary spaces. So, if anyone else wants to--thank you, Commissioner Cole. So, if anyone else wants to talk about the Plaza Park.

Commissioner Iacomini then recognized Commissioner McSweeney.

Commissioner McSweeney: I just had a point of clarification, and I realize this may have been Commissioner Gutshall's question earlier, but I didn't quite understand. When I'm looking at the presentation that was given tonight, page 30, which is actually up here, and then I look at the design guidelines, page 35, was your answer that page 35 is actually the correct set of

measurements? Only because I see that there is a difference. The .81 acres is the same, but this one says .2, this one says .15, and it's the same area.

Mr. Shriber: That's correct, that was brought to our attention recently. There is an error in the design guidelines that would need to be updated. The .15 acres is the correct size, so the other documents will be updated accordingly.

Commissioner Cole: Thank you, madam chair. I want to go back and, surprisingly, focus on the sector plan and how it relates to the PDSP. And I particularly want to focus on the word "about." The sector plan calls for about 1 acre. And clearly staff has made a judgment that .81 is about 1 acre. And I'd like to hear a defense of that decision. It would be really helpful to us because I wonder whether .79 would have passed the laugh test on that, which is 200ths of an acre smaller. So, what's the test? And will we generally be expecting in the future applicants to be proposing four-fifths of whatever the community might actually want in terms of getting things? I want to know the staff thought process. You know, you had to reach a conclusion that you could defend this.

Mr. Shriber: Yes, staff looked at it from the perspective of all of the elements surrounding it and what can be achieved in its maximum area. So, once again, the sector plan says "of about." And then it lists a lot of programs that should be able to be accommodated in there, as well as a certain set of design criteria. So, we looked at those. The space did shrink. You're right, it was previously about .85 acres. That area was reduced because of our concern about the encroachment of retail areas, although I would state or remind everybody that outdoor dining in retail are considered programs that should be accommodated in the space. We just felt that, from a design perspective and really more of a logistic manner moving forward, we wanted to deal with the space in isolation, and not deal with any additional property rights encroaching on the public space. So, that's why we asked for those spaces to be backed out, although it's clearly considered an item that could accommodate, you know, the recreational goals here. So, in looking at that, we came to the conclusion that .81 acres would be sufficient to move forward, and would be consistent with the plan as long as there was a strong commitment to a public park planning process that was based on those design criteria from the sector plan, and that would result in a plan that would ultimately have to be adopted by the county board. So, after, you know, finalizing those site plan conditions with the applicant and considering it further, we came to the conclusion that that would be acceptable.

Commissioner Cole: I want to follow up on that if I might. Mr. Shriber, you're--if I understand, and tell me if I didn't understand, your basic justification is to say that this is a space which can accommodate the activities that the sector plan calls for. Is that correct?

Mr. Shriber: Well, that would be our preliminary determination. That's something that we'll have to finalize during the public park planning process.

Commissioner Cole: If the public park planning process says they can't be accommodated, would that imply that the park should be enlarged, or that some of those activities need to find a location elsewhere?

Mr. Shriber: I don't think that the park would be necessarily enlarged. I think that what we would have to do is the board would most likely withhold their approval until they could come up with a design that would meet all of those criteria.

Commissioner Cole: So, in your mind, it is absolutely possible to meet all of the criteria on a site that's .81 acres.

Mr. Shriber: I can't say for sure because we haven't engaged in that public park planning process yet.

Commissioner Cole: But you just said--

Mr. Shriber: I would say that our preliminary determination was, yes, that we believe that it could be done, but until we actually get into that effort, we can't say for sure.

Commissioner Cole: I will make it a different question, or question it differently, whichever. Can you give me a sense of, when you say about, at what level would it be insufficient to do this? If it had been a quarter of an acre, would that have been sufficient?

Mr. Shriber: I can't say.

Commissioner Iacomini then recognized Commissioner Siegel.

Commissioner Siegel: Yes. The Urban Forestry Commission letter includes--and I'll repeat what was stated at the podium that the reduced size and placement of the plaza in the sun shadow of surrounding buildings for most of the year raise questions about the ability of trees to thrive in the plaza. I'd like to know whether staff has done any analysis on that point about trees. There will be a lot of challenges to trees given the placement of the park and all of the activities, so I wondered whether staff had considered it. Do we have an analysis? Did the urban forester look at the issue?

Mr. Shriber: Yes, we analyzed this. This was done with the SPRC. I believe the applicant also has a number of shadow studies that do show impacts on the park during the various seasons, which is what led us to additional PDSP conditions requiring them to submit these sun--or these shadow studies with the submission of the final site plans so that we can study the impact of those buildings, mainly building two and three on these phases. Because, once again, that will play into their ability to achieve the maximum building heights. It will also play into the shape factor of these buildings, not just the envelope itself, but also the roof elements. Because the goal here would be to maximize the amount of sunlight, so those are the things that we'll have to look at further with each final--

Commissioner Siegel: And the cantilevers, the idea of the cantilevers?

Mr. Shriber: The same thing with the cantilevers. We have conditions addressing all of those elements.

Commissioner Iacomini then recognized Mr. Bonanno.

Mr. Bonanno: Sure. This is a really important issue that we've spent a lot of time on, both in SPRC and just ourselves. I mean, this is the heart of the project. And we want it to be an active, great space for all of Rosslyn, but also we think the success of this project hinges on this being a great space. So, I'm going to answer in 2 pieces, the 1 acre versus the .81. So, we think this is a 1 acre space, right? When you are in that space, the retail buffers, the streetscape, everything else is going to be part of what you experience. When you stand in Bryant Park, you experience the hardscape, the retail pavilions, everything else, it is all part of the environment. And we think this is going to be a great space. The second part is if you go to page 32 of our presentation and look at the 2 concepts proposed in the sector plan, neither of those are an acre. And then we showed you sort of the sizing of one. It is .72 of an acre. The other one might be a little bit more. Neither are an acre. So, we've gone to great lengths to try to make that space as big as possible without losing the programming around the edges that will really make that space great, which is the retail and everything else. We skinned down phase three. We're proposing a cantilever, which is actually a great structural expense when we go to build this building to cantilever it, to shift it over to increase this space to the size it is today. We think it will be a wonderful place. And again, about the trees, you know, there are plenty of places in Arlington where you can look at where the trees are in majority of shade during the day because of tall buildings. And if you plant the right species and maintain them, which is irrigation, fertilizer, et cetera, you know, they do well. And that can be shown in a number of places in Arlington. So, we are extremely satisfied internally that this space will be great, and think it will satisfy all the goals of the sector plan.

Commissioner Iacomini recognized Commissioner Gearin.

Commissioner Gearin: Thanks, madam chair. Several places in the staff report in phase one and phase two talk about potential creation of temporary parks. How can we make that more of a reality? How can we make sure that happens given the tenor of the discussion tonight and the sector plan calls for more open space, especially in this area?

Mr. Shriber: The applicant could agree to provide those with each of the phases, but the one thing I want to say about that is that when we start to look at these with individual final site plans, there will be community benefits analysis with each of the buildings. And per the Rosslyn sector plan, it's pretty detailed in terms of what those extraordinary community benefits could be considered for all projects in Rosslyn. And what's interesting is that a lot of those benefits that are explicitly stated in the sector plan really pertain to this site. And so, the majority or our preliminary numbers would just be that the majority of those benefits would be earned through the initial phases, through phases one, two, and three, because they're doing so much public infrastructure. They're fixing Wilson Boulevard, they're providing the new streets, and they're building the park. And so, a lot of stuff gets--you know, gets absorbed upfront. We expect to have those discussions with the applicant during the individual final site plans. There is a cost

associated with that, so to the extent that the applicant--that there is any additional density to be earned during those initial phases, that is one way in which the applicant could earn that, but it's really something that we expect to have that conversation at the time of final site plan, unless the applicant was willing to commit explicitly to those at this time.

Commissioner Gearin: Can you tell me again how long the development of the site is?

Mr. Shriber: I would expect it to be about 25 to 30 years.

Commissioner Gearin: I'd just like to throw out there the idea of adding some site conditions to have temporary parks put in place so we're not waiting that long for a usable open space. I hear what you're saying about the cost of providing the infrastructure to the site, but that's a very long time for this neighborhood to go without that open space.

Commissioner Iacomini recognized Commissioner Siegel for comments on the Esplanade.

Commissioner Siegel: I do. My concern has to do with the clear width of the--or the usable width of the esplanade, as Parks Commission pointed out, as Miss Haynes pointed out. And I just wanted to relate my personal experience with Arlington trails and pathways that allow for the use of people who want to stroll and people who are on bicycles. My experience is that people on bikes are racing. They're dressed in silks, they have helmets, and they are coming down the pathway in a very athletic, sort of devoted way. They are not taking the road in the same vein that I take a path, I like to stroll and look about. And I sometimes have a dog with me, but it really makes me terribly nervous. I was in Berlin not long ago, and there is--there really is paving on the ground that shows you where the bikes go, and where the people go. So, to me, it depends on what we want the esplanade to be. If we want it really to accommodate a lot of travel, bike, and foot travel that could comfortably accommodate both kinds of travel, the planned clear width is way too narrow. That seems way too narrow. If that's not the goal, then perhaps it isn't too narrow. So, my first question is, does the county have standards for such mixed-use accommodation? We are beginning to accommodate bikes, and it works well or less well given the place. But when we have an opportunity to really create a new system for bikes and pedestrians as we do here with the esplanade, are there standards that the county has put together for that?

Mr. Shriber: Yes, with the Rosslyn sector plan, there is specific guidance in terms of what the esplanade is intended to be, and as well as recommended sections. So, the full section of the esplanade is 22 feet, which consists of a 12-foot wide multiuse trail, and then an adjacent 10-foot landscaping and seating area. And that's because the esplanade is intended to serve a number of users. It's not just for, you know, circulation, for you know, bikers. It's also for walkers, and for strolling, and for sitting, and for enjoying the views. And so, that's why there are these two separate zones. And that's what the applicant has designed too, so that's where we feel that they are consistent with that.

Commissioner Siegel: Well, I guess I would just come back and say it does seem to me, given my experience in Arlington, that 12 feet is just not good for a stroller with the kind of bike use

that we have, which I'm not criticizing. I'm just saying I don't see that coexisting very well. And that's just my personal experience.

Commissioner Iacomini recognized Commissioner Siegel for a question about the possible construction order of the proposed phases in the PDSP.

Commissioner Siegel: Yeah, I guess I'll direct this question to staff in terms of what is envisioned in terms of phasing. So, is phase one phase one? That's what we can expect to be the first building to be developed--the first site plan to come forward would be phase one, the second would be phase two, et cetera?

Mr. Shriber: I mean, obviously it's going to be dependent upon market conditions, so the applicant might want to give you a better understanding of that. But the way we've looked at it and knowing where the most recent investment on the site was, and that's at the most northern of the existing buildings, and then considering how the infrastructure on the site works, it makes sense. We really do have to proceed either south to north, or north to south. And knowing that they just recently reinvested in that gateway--or excuse me, that Plaza North building, we would expect it to occur from south to north. So, that would be phase one. But what the phases do, it does not preclude them from combining phases. So, I think that there's a good opportunity to combine phases one and two, knowing about what infrastructure they have to provide. But it's really going to be based upon, you know, their funding and, you know, really the markets. So, I'm sure they could enlighten you more on their thoughts.

Commissioner Siegel: But they have that flexibility given--

Mr. Shriber: They do. But once again, like I said, I think it does have to proceed in a logical fashion from one direction because of what the existing infrastructure is like.

Commissioner Siegel: Perhaps the applicant can address that question too?

Mr. Bonanno: Sure, certainly. So, the phasing diagrams are conceptual in nature, so you're not going to find a hard dimension on the civil plans that says, you know, the end of Arlington Ridge Road is at this specific point just because it has to be engineered. All the grades, all existing additions, everything has to be taken into account. So, the phasing diagrams are conceptual, but in terms of sort of sort of the major phases of community benefits that are intended to be delivered with each phase, those are thought through and they should be consistent with what you see on a 4.1. Now, in an ideal world, maybe phases could be combined. Maybe we could come in with phase one and two together if the market conditions support that. It would certainly be our preference to build it in fewer phases. It's more economical to do that. Again, if the market is there to do that. So, you know, it is conceptual, but's our best estimate at this time of how it will be phased. Timing, you know, really unknown. You know, Aaron said 25 to 30 years. I'd like to see at least phases one through four happen much sooner than that. I agree phase five of Rosslyn Plaza North, that building was renovated 5 years ago. You know, it probably is 20+ years out before it gets redeveloped. The other four phases, you know, we'd love to see them sooner.

Commissioner Iacomini: Mr. Novotny, I apologize. You had wanted to make a comment about the temporary parks, the temporary open space.

Mr. Novotny: Thank you, madam chair. I think some of it may have just been mentioned. So, with the temporary space, a couple of items I think we're discussing is, one, it is an important community benefit discussion. I think the expectation will be from the county that there's a public easement placed on this temporary open space. And you know, so there is significant cost associated with it, and that discussion with the easement and so forth, that all will occur at final site plan. But I think we would like to deliver these spaces as you see. But without understanding that full discussion, it's hard to say upfront today. The other part that I think that was just mentioned is if we do build this site out in multiple phases, there's no way we could commit to temporary open space shown in phase one, for example, because if we built one and two together, that would preclude that opportunity to provide that space. So, logistically it's hard to make those types of commitments on temporary spaces.

Commissioner Iacomini noted that while the commission had talked about the proposed building heights in relation to issues of possible air travel conflicts, we had not really discussed the issues raised by the North Rosslyn Civic Association. Their representative had, on behalf of residents of the Waterview condominium called into question the building heights requested in Phases 4 and 5 of 390 feet and how those heights would affect their views. She noted that the heights of 390 feet are in the adopted sector plan. Commissioner Iacomini went on to say that the commission often hears from neighboring residential buildings concerning the heights of proposed new buildings adjacent to them.

She then turned to a discussion of the proposed Design Guidelines.

Commissioner Schroll: Thank you, madam chair. This question is for staff. Mr. Shriber, on page 27 of the staff report, there are--I'll let you get there. On that page, there are four bullets at the top of the page, the last of which says the building is located in proximity to the open space, and 18th Street should be signature buildings. I've been looking around in the conditions in the PDSP, also the Rosslyn Plaza guiding principles and other places to see how this is called out. I know this isn't--this is not site plan, but how is that enshrined in this document, if at all?

Mr. Shriber: I believe we do have a condition addressing the signature building nature. That's an issue that's raised in the Rosslyn sector plan. It's reflected in the design guidelines. And we know that that's one of the criteria for the Rosslyn Plaza Park. It's going to take me a second to find which condition that is. Thirty-nine. Yes, this is--this is from the perspective of the sunlight exposure as they relate to the Rosslyn Plaza Park. So, here it's stating that the developer agrees that the phase two and phase three buildings shall be designed in a manner that increases sunlight exposure during the expected peak usage periods for the Rosslyn Plaza Park, and present characteristics of signature buildings that respond to the Rosslyn Plaza Park in a positive fashion, as well as celebrating the view terminus of the Rosslyn Plaza Park as seen from vantages beyond the PDSP area. It's really the thought there was really giving some additional weight to that specific park performance criteria from the plan. And then also having another level of analysis during the individual final site plan to make those determinations.

Commissioner Schroll: Thank you, Mr. Shriber, that's helpful. Anyone else on architecture? All right, sun and shade studies. That's where we were. Oh, Commissioner Siegel.

Commissioner Siegel: I just wanted to ask a question about--and I don't know if it's appropriate at this stage or it would have to wait for a final site plan. Looking at page three, I guess, of the design guidelines, there are a number of criteria that the buildings have to respond to. In terms of nature, I mean, it seems that the buildings, many of them will be--there will be a lot of glass. And there is a concern that I think has been raised before about birds flying into buildings. And I'd kind of like to have staff talk about what they have considered in thinking about this issue, what improvements in glass, and shape I guess of the building, whether that can be--bird death can be mitigated. And is it part of the guidelines?

Mr. Shriber: It's not explicitly stated in the design guidelines. And I don't profess to be an expert on, you know, this issue. I know the applicant has their architect or they might be able to speak to advancements in, you know, the reflectivity of glass. And you know, we do address this in our LEED standards. We do--you know, that is something that can be achieved for the green building policy. It's like an Arlington--I forget the exact criteria, but you can earn a point for designing your building in a way that can be safer for, you know, birds. I don't know what type of things the applicant could potentially incorporate here to address that issue, so. It's not explicitly in the guidelines, but they may have some further thoughts on that issue.

Commissioner Siegel: Can you tell me a little about your thinking about glass buildings and how to minimize the mortality of birds flying into them?

Mr. Bonanno: I would have to say that I don't profess to be an expert in that.

Commissioner Siegel: But has it been a consideration in general without a further study? Just there is--well, there is guidance on the natural environment, but I guess that's guidance is meant to address how people enjoy nature.

Mr. Bonanno: And again, at this point we have not done any final facade designs of the buildings at all. You know, all of it has been master planning, massing other pieces. So, I think we could take that under advisement and be better prepared to answer that at a 4.1 stage. But I'm sorry, I don't have an answer for you tonight.

Commissioner Siegel: That's fine as long as it does become an issue, and we think about it, and we do--we adhere to the highest standards on that score.

Commissioner Iacomini recognized Commissioner Gearin

Commissioner Gearin: Thank you. There is some information on bird friendly windows, but there are some studies that also show simply implementing a lights out program during peak migratory periods mitigates some of that. And you would want to do this because they started a similar program in Washington DC in part because these beautiful buildings had all sorts of

migratory dead birds around them in the morning that people would walk past, so it's something to be explored.

Commissioner Iacomini recognized Commissioner Gutshall to discuss park design and process.

Commissioner Gutshall: I would like to ask about trees. Thank you, madam chair. So, reading the Urban Forestry Commission's very thorough comments, a question for staff because I don't understand why this keeps coming up. We keep talking about the right way to plant trees. It keeps being raised again and again. And I thought I understood that the previous answer was, well, we're working on very thorough standards that would be standardized so that we know we're doing the absolute most we can to plant--when we plant our tree canopy. But I read here in the Urban Forestry letter that tree planting methods will be determined site plan by site plan over the coming years. So, what am I missing? And what do we have to do to make sure that we are doing everything possible to have a vibrant, long-term tree canopy in our urban environment?

Mr. Siegel: Right, I think that, you know, we did address this in a specific condition, number 44. And I know we've had this discussion in SPRC and on other projects, and in terms of what is the optimal, you know, planting area. The county standard practice is what's reflected in this condition. It is a 5 by 12 foot tree pit with a minimum of 60 square feet of open soil or green space. But we have also added this additional clause, "Unless otherwise approved with each applicable final site plan," in order to address the emerging county standard, and to acknowledging possible future changes. So, if something more stringent goes into effect and the board would have the ability to determine what that should be at the time of final site plan? But our current standard promotes a standard that folks often complain about.

Commissioner Iacomini asked if there was anything in the design guidelines or in the PDSP itself that would preclude the inclusion in future phases of a more robust planting of trees.,

Mr. Shriber responded that this condition actually addresses what staff saw as something that was inconsistent in the PDSP plan itself in terms of not meeting that full tree planting standard. This condition requires the applicant to meet that standard but it would not preclude them from doing some more innovative treatments in the future should new standards be approved. He noted that the County doesn't always like to use structural soils anymore, but there could be something staff could consider.

Commissioner Gutshall: That's the disconnect in my brain. There's been talk about updating them, not actually work on updating them. Now I understand.

Commissioner Iacomini: And Mr. Shriber, just to be clear, there's nothing in the design guidelines or in the PDSP itself that would preclude the inclusion in future phases of a more robust planting of trees, and as we hopefully do amend our standards?

Mr. Shriber: No, this condition actually addresses what we saw as something that was inconsistent in the PDSP plan itself in terms of not meeting that full standard. So, this condition requires them to meet that, but it would not preclude them from doing some more innovative

treatments in the future should those, you know, come into place. I know we don't always like to use structural soils anymore, but there could be something that we could look at.

Commissioner Iacomini: Excellent. Commissioner Ciotti.

Commissioner Ciotti: You know, I just want to build on what Commissioner Gutshall has said. You know, this has been going on for several years, and it's the Urban Forestry Commission who advises. I don't get the disconnect that they keep, you know, producing studies showing the best practices for tall, successful, long-lasting urban trees is somewhere around 1,000 cubic feet of soil. And we--and not having the excessive drainage in them, and all the issues that have been outlined. And the same issues--it's been 5 years, I think, that we've been doing this, so I don't get the disconnect that we have a commission, and they've been offering these same guidelines for several years now, and we can't seem to move past this. What am I missing?

Mr. Shriber: Well, that's something that we can take back and have further discussion with our park and planning staff mainly, our urban forestry and landscape architect staff. But at the current time, we still have our standard that has not been revised. And until such time as it is, we will continue to promote what that is. We understand that there have been recommendations by the Urban Forestry Commission. I know that those are being taken under consideration. Just nothing has been changed as of yet.

Commissioner McSweeney: On page 28 and 29, I think that community benefits are listed. And I just have a point of clarification. If you could just tell me, are these the extent of the benefits we can expect? I know that in many of our other site plans, we have a lot of other benefits. And I do remember reading maybe it was even here that the exact community benefits could not be calculated right now, and I completely understand that. But I didn't see some of the standard ones listed, and so I wonder, are they a given? Or because of the extensive street and other improvements, are these the extent of the benefits?

Mr. Shriber: Those are the ones that would--we would consider above and beyond our standard site plan improvements.

Commissioner Cole: Mr. Shriber, this is returning a little bit to the distribution of density across the site. And your comment earlier that almost all of the--I guess its community benefits that the applicant will provide will be given at the end of phase three. Do I understand that correctly that, by the end of phase three, virtually all community benefits will be--will have been given to the community?

Mr. Shriber: No, not all of them. We would just, you know--we expect that the majority of the value would be earned through those first three phases because some of the large improvements would come online with those. So, it wouldn't be all of them. I would say, though, but most likely the majority because you've got the improvements to Wilson Boulevard, you've got the provision of 17th Street and 18th Street, you've got the esplanade, you've got the Rosslyn Plaza Park, and then you've got the reconfigured--the majority of the reconfiguration of North Kent Street as well as Arlington Ridge Road. They wouldn't be completely done by phase three, but in

most part all of those would be there. So, it would be subject to those future analyses to determine, is there additional density that needs to be earned?

Commissioner Cole: So, am I to understand correctly that some of the community benefits that would apply to, for example, phases four and five will have already been earned prior to phases four and five?

Mr. Shriber: It's possible. I can't say for sure, but that's really going to be up to the future analysis and depending upon what the market conditions, and most importantly what those values are at the time of the individual analysis. We'll know what the amount of density is, but we don't know what the value of what that density is. And that's why we don't have an analysis in front of you because we just don't think it would be prudent to try and fix what those costs are today, knowing that it's a 25 to 30 year, you know, excuse me, plan.

Commissioner Hughes: I guess this is a question for staff. We've recently been able to add to our reports generally the impact of the site plan for schools based on the school's analysis of the specific unit mix within the development. Has any attempt been made understanding that you cannot currently project what the exact unit mix of the square footage would be, but generally understanding that this square footage in this type of market has this sort of an impact? We have a current two apartment building establishment. Do we have sort of a delta number that we could sort of put forward as a knowledge to say that we've consciously thought of this as we move forward?

Mr. Shriber: We provided an analysis on page 18 from data that was provided by Arlington Public Schools. What I would do, though, is caution you that, as you mentioned, we can't project necessarily what the ultimate unit composition will be. That's something that we'll know at the time of final site plan. But the numbers that are presented here, that was--what we did was we kind of looked at similar projects in the area, looking at Central Place and some others, and just trying to guess at what we think that composition would be, which is what resulted in this generation of approximately--or not approximately, of 42 students. But do recognize that that number subject to change as we go through the individual final site plan stage once we have more information in terms of what that unit composition will be.

Commissioner Hughes: I apologize for not reading that thoroughly. Is 42 net or is 42 gross?

Mr. Shriber: its 42 gross. The public schools, they do not report on a generation of less than ten students for a building based on security reasons.

Commissioner Iacomini thanked Commissioner Cole for adding a discussion point of the PDSP's impact on parks in the area. She noted that a great deal of pressure is being put on our recreational and passive open spaces and this is particularly true in Rosslyn. She noted the current lack of usable open space in the Rosslyn area emphasizes the need for some of the potential temporary green spaces to be not so potential, but to be a little more realized.

Commissioner Iacomini then carried the item over to the recess meeting of Thursday, March 3, 2016.

Planning Commission Motions

Main Motion

Commissioner Cole moved that the Planning Commission recommend the County Board approve the rezoning and associated Phased Development Site Plan as outlined in the County Manager's "Draft" report dated February 22, 2016. Commissioner Iacomini seconded the motion.

Amendments to the Main Motion

Commissioner Cole led the Planning Commission through discussion of a number of amendments (9) to the Main Motion.

1. Commissioner Cole moved that Planning Commission recommend to the County Board that the Phased Development Site Plan be modified to set building heights on Phase 1 to 270 feet rather than 275 feet as proposed and that the final site plan process provides an appropriate vehicle for exceptions to be proposed to the Phased Development Site Plan. Commissioner Iacomini seconded the motion.

Commissioner Gutshall asked staff if the County Board could modify building heights at the time of final site plan approval. Staff member Aaron Shriber responded that the final site plan should be in agreement with the approved Phased Development Site Plan. Heights on the final site plan could not be approved without subsequently amending the Phased Development site plan. Commissioner Iacomini agreed that the approved Phased Development Site Plan does establish a firm line on building heights.

Commissioner Cole added that the Phase I building would likely be brought forward when the Central Place is finished so that the project can be reviewed for any potential impacts on the views from the Central Place Observation Deck.

Commissioner Iacomini noted that the *Realize Rosslyn* process established building heights should negate any review of obstructions or impacts on the view from the observation deck.

Commissioner Siegel expressed concern about providing any flexibility on building heights as this is a topic under consideration by ZOCO with amendments to the "C-O" Rosslyn zoning district.

The Planning Commission voted unanimously, (11-0), to support the amendment to the Main Motion. Commissioners Siegel, Ciotti, Brown, Iacomini, Gutshall, Sockwell, McSweeney, Hughes, Schroll, Cole and Gearin voted to support the amendment.

2. Commissioner Cole moved the Main Motion be modified to require that the Rosslyn Plaza Park size be at least .95 acres rather than the .81 acre proposed. Commissioner Schroll seconded the amendment.

Commissioner Gutshall asked if landscape buffers and areas adjacent to the park were included how large is the park? Mike Novotny, representing Vornado, responded that the park would be about .9 acres with adjacent retail/landscape buffers.

Commissioner Sockwell stated that the approved Sector Plan should provide guidance for the size of the park. He noted that comparisons were made in the Sector Plan to larger existing parks and that the Sector Plan referred to an open space of about one acre. Public open space should be “fully” meet (from Sector Plan). Commissioner Sockwell noted that the final site plans should maintain generous view corridors and the current design pinches some of the view corridors. He expressed concern about a .8-acre park and believes that a slightly upward size is the more appropriate way to go because more green space is needed in this location. Commissioner Hughes asked whether the measurement of the park space and the public access easement is comparable and that the intent of the public access easement should be close to an acre. Intent is that the easement itself should approach an acre.

The Planning Commission voted unanimously, (11-0), to amend the Main Motion to increase the size of the Rosslyn Plaza Park to .95 acres rather than the .81 acre currently proposed. Commissioners Siegel, Ciotti, Brown, Iacomini, Gutshall, Sockwell, McSweeney, Hughes, Schroll, Cole and Gearin supported the amendment to the Main Motion.

3. Commissioner Cole moved the Main Motion be amended to include all the open spaces on the Rosslyn Plaza site in the public park planning process for the Rosslyn Plaza Park and to increase the period of the public park planning process in Condition #31 from 120 days to 180 days. Commissioner Gutshall seconded the motion. The Commission discussed making sure to provide appropriate time for the public review process and not to rush.

Commissioner Brown questioned the practicality of planning all the open spaces at the same time given the PDSP is a 25-year plan. Commissioner Cole noted that adjustments could be made in the future and the challenge if the spaces are individually planned could be less open space than envisioned.

Commissioner McSweeney asked Commissioner Cole if his amendment to the Main Motion would include the planning for the interim parks. Commissioner Cole noted that there is no promise of interim parks and the amendment would not include interim treatments.

The Planning Commission voted unanimously, 11-0, to support the amendment to the Main Motion modifying Condition #31 to include all open spaces on Rosslyn Plaza in the park planning process and increase the duration of the public park planning process from 120 to 180 days. Commissions Siegel, Ciotti, Brown, Iacomini, Gutshall, Sockwell, McSweeney, Hughes, Schroll, Cole and Gearin supported the amendment to the Main Motion.

4. Commissioner Gearin move that the Main Motion be amended to indicate the Planning Commission recommends to the County Board that temporary and interim open spaces identified on the Phased Development Site Plan be required with each phase of development. Commission Hughes seconded the amendment.

Commissioner Cole noted that he was ambivalent to the motion because such consideration should occur during the final site plan review process when the full range of community benefits can be considered and tradeoffs best understood. He noted the interim treatments could prove to be expensive and transitory with long term benefit.

Commissioners Hughes and Iacomini noted the value of interim parks to sites in Arlington and the District of Columbia. Commissioner Cole noted that he was sensitive to these issues but believes that this is a final site plan issue. Hew wants to encourage staff to have this discussion and analysis with each final site plan phase.

The Planning Commission voted 8-3 to support the amendment to the Main Motion requiring that the temporary open spaces identified on the Phased Development Site Plan be required with each phase of development. Commissioners Siegel, Ciotti, Brown, Iacomini, Gutshall, McSweeney, Hughes and Gearin supported the amendment. Commissioners Sockwell, Schroll and Cole opposed the amendment.

5. Commissioner Siegel moved the Main Motion be amended so the Planning Commission recommends the County Board direct staff to revise its current policies regarding street trees. Specifically that staff review, revise and upgrade its standard site plan condition for street trees, including soil type and amounts, use of strata or silva cells, storm water management techniques, sun exposure and appropriate species selection, in order to ensure the healthy growth of Arlington's tree canopy and public space natural amenities. These revisions should be applied to all Rosslyn Plaza site plan applications as appropriate and be used in the Rosslyn Plaza Park community planning process. The revisions should be referenced in Conditions #36 on Cantilevers, Condition #38 on Solar Studies, and Condition #44 on Street Trees. Commissioner Ciotti seconded the amendment.

Commissioner Cole moved an amendment in the form of a substitute that the Urban Forestry Commission, in collaboration with other staff, include revisions to the County's Tree Planting Standard – specifically to direct staff to study revisions to the County's tree planting standards and to present the information to the County Board by the end of 2016. Commissioner Schroll seconded the substitute amendment.

The Planning Commission voted 10-0-1 to support Commissioner Cole's amendment. Commissioners Siegel, Ciotti, Brown, Iacomini, Sockwell, McSweeney, Hughes, Schroll, Cole and Gearin supported the amendment. Commissioner Gutshall abstained.

The Planning Commission voted unanimously, (11-0), to support Commissioner Cole's substitute amendment. Commissioners Siegel, Ciotti, Brown, Iacomini, Sockwell, McSweeney, Hughes, Schroll, Cole, and Gearin supported the substitute amendment.

6. Commissioner Gearin moved the Main Motion be amended to recommend to the County Board that a bird strike mitigation plan be prepared with the Phased Development Site Plan that should be implemented with each final site plan for development of the Rosslyn Plaza site. Commissioner Cole seconded the amendment.

Commissioner Gutshall questioned whether this was a countywide issue and would it be more appropriate to have a countywide policy.

The Planning Commission voted 8-0-3 to support the amendment to the Main Motion. Commissioners Siegel, Ciotti, Iacomini, Sockwell, McSweeney, Hughes, Cole, and Gearin supported the amendment. Commissioners Brown, Gutshall and Schroll abstained.

7. Commissioner Iacomini moved the Main Motion be amended to recommend that the County Board direct staff to consider One Engine Inoperative (OEI) procedures with the amendment to the "C-O" Rosslyn Zoning District. Commissioner Cole seconded the amendment. Commissioner Cole noted former Planning Commissioner Pebley's testimony and the Federal Aviation Administration role in safety, and the County's responsibility for safety for those on the ground. Commissioner Gutshall asked if there was any new information and that the Planning Commission should elevate this issue to the County Board and the Emergency Preparedness Commission. The Planning Commission voted unanimously, (11-0), to support the amendment to the Main Motion. Commissioners Siegel, Ciotti, Brown, Iacomini, Gutshall, Sockwell, McSweeney, Hughes, Schroll, Cole and Gearin supported the motion.

8. Commissioner Cole moved the Main Motion be amended that the Planning Commission recommends the County Board in the Phased Development Site Plan recognize that the building massing for individual site plan applications should be carefully considered for how each building meets the ground plane and meets the sky, specifically including the potential for appropriate step backs at building bases and tops, as called for in the Rosslyn Sector Plan Update. Commissioner Cole received this language from former Planning Commissioner Brian Harner.

Commissioner Cole continued to explain former Commissioner Harner's suggested language. "The intent of this motion is to ensure that buildings meet the ground in a way that well-defines open spaces and streets, creating high quality urban spaces, and encouraging step backs and tapering that improve solar access and the ambient environment at the ground place, as well as the visual interest of the building meeting the key. Step backs within the first 60 feet of the building help to create a pedestrian scale at the street level, and prioritize the definition of urban spaces over the potential for the building to take an "object" quality not responsive to the urban environment. Step backs help to substantially reduce the undesirable wind amplification that can occur with buildings of the proposed height. Importantly, step backs which allow more building FAR to be placed near the ground level, create greater opportunity for tapering at the top of the building." Commissioner Hughes seconded the amendment.

Commissioner McSweeney questioned whether the Rosslyn Plaza Design Guidelines already cover these urban design suggestions.

Commissioner Sockwell, as point of clarification, noted that Sector Plan details were discussed and that they evolved significantly. Commissioner Cole noted that five meetings of the site plan review committee were devoted to urban design/architecture guidelines. The total process took about four years.

Commissioner Gutshall will not support the amendment because he does not think it is fair to ask the applicant to meet requirements not in the Sector Plan and to reopen and reargue design guidelines. When site plans come forward how language is added can be considered at that time. Commissioner Cole noted that these requirements are included in the Sector Plan but are proposed to be excluded from the PDSP.

The Planning Commission voted 8-3 to support the amendment to the Main Motion to modify the Rosslyn Plaza Design Guidelines to provide additional information about how buildings will be sculpted at the ground and top levels of each building. Commissioners Siegel, Ciotti, Sockwell, McSweeney, Hughes, Schroll, Cole and Gearin supported the amendment. Commissioners Brown, Iacomini and Gutshall opposed the amendment.

9. Commissioner Sockwell moved the Main Motion be amended to recommend the County Board modify Condition #44 to state “or standards that apply at the time” to the end of the condition regarding tree planting standards. Commissioner Gutshall seconded the amendment.

The Planning Commission voted unanimously, (11-0), to support the amendment to the Main Motion. Commissioners Siegel, Ciotti, Brown, Iacomini, Gutshall, Sockwell, McSweeney, Hughes, Schroll, Cole and Gearin supported the amendment.

Main Motion Vote

The Planning Commission voted unanimously (11-0) to support the Main Motion with nine (9) amendments. Commissioners Siegel, Ciotti, Brown, Iacomini, Gutshall, Sockwell, McSweeney, Hughes, Schroll, Cole and Gearin voted in support of the Main Motion as amended.

Respectfully Submitted,
Arlington County Planning Commission

Nancy J. Iacomini