



City of Falls Church Village Preservation and Improvement Society  
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February 14, 2006

Mayor Daniel Gardner and Falls Church City Council Members  
City Hall, Falls Church, Va. 22046

**RE: Comments on Revised Read Building Special Exception Application**

Dear Mayor Gardner and City Council Members:

The Falls Church Village Preservation and Improvement Society (VPIS) responded to your request for comments on the application for a Special Exception for the project proposed for 402 West Broad Street, termed the "Read Building," with a letter dated January 12<sup>th</sup>. The applicant subsequently submitted a revised application dated January 18<sup>th</sup>. As the revised application includes important changes, VPIS is providing this letter responding to the changes.

VPIS believes that the current application is a significant improvement over the original application and, with the adoption of the recommendations described below, would sufficiently satisfy the primary and secondary criteria established by the City for approval of Special Exception applications.

**RECOMMENDATIONS:**

- 1) **VPIS recommends that the applicant be directed to comply with the City Affordable Housing Policy by assuring that 12 percent of the project units (i.e. 3 of the proposed 9 affordable units) be available to persons meeting the City's income and other criteria without respect to the priorities established by the applicant.**
- 2) **VPIS sees the proposed drive through facility as a significant negative element of the project and recommends that the special use permit needed for its inclusion be denied.**
- 3) **VPIS believes that the proposed landscape and setback buffer waivers are not well supported by the justification provided and should be denied.**
- 4) **VPIS recommends that the applicant be required to update the runoff and pollutant load estimates to reflect the project as now proposed.**

The Village Preservation and Improvement Society, founded in 1885, is a nonprofit citizen volunteer organization in the City of Falls Church, Virginia. The Society is comprised of concerned citizens who address many important issues that face our community. The Society works to preserve our natural and built environment, historic structures and landmarks, and promotes cultural activities. Members are primarily residents of the City of Falls Church and former residents or neighbors who have an interest in Falls Church City. Members are of all political persuasions and are bonded by their interest in and a commitment to improving the City of Falls Church.

- 5) **VPIS recommends that the applicant be required to provide a LEED score for the project as described in the most recent application to provide a point of reference for review of other projects.**
- 6) **VPIS recommends that, in the event that at least 3 affordable housing units are reserved under the City Affordable Housing Policy, that the payment per unit to the schools applies to these units (i.e. the City should not waive per unit school payments for affordable housing units in general).**

Key issues related to our recommendations are explained below:

- 1) **Compliance with City Affordable Housing Policy:** Although the revised application describes an improved program for subsidy of housing costs of new teachers, it does not comply with the City's Affordable Housing Policy. **VPIS strongly recommends that the Council require that the project application be amended to comply with the City Affordable Housing Policy (see proposed recommendation below).**

The proposal for Teacher Workforce Units is improved from the original proposal by making affordable units available to all City of Falls Church residents, after giving first priority to teachers and other City of Falls Church employees. Under the earlier application, any affordable units not occupied by teachers or other City employees would have been rented at market rates. {Note, however, that the Administration section of the application still indicates that the affordable housing units not occupied by City employees will be rented at market rates.}

Although the Teacher Workforce Unit program is improved by making all City residents meeting income criteria eligible, these people only become eligible if the affordable units are undersubscribed by people assigned higher priority (i.e. teachers or City employees). The City Affordable Housing Policy limits eligibility to persons making 60% of median income while the applicant would make persons with 80% of median income eligible for assistance. The real world effect of this program is to award affordable housing benefits to people near the top or above the City income eligibility range and thereby deny benefits to persons within the income range based on relative need. Under this program, a single mother living in the City making \$25,000 could be denied access to an affordable housing unit in the Read Building in order to give the unit to a teacher making a starting salary of \$45,000.

VPIS understands that the applicant proposes to significantly exceed the City policy target of 12 percent of new units being affordable and applauds this initiative. **However, this proposal to increase the percentage of affordable units in return for the right to fill ALL the units with persons from the very top of the income eligibility range or above the income range using priorities determined by the applicant does not constitute compliance with the City policy.**

**VPIS recommends that the applicant be directed to comply with the City Affordable Housing Policy by assuring that 12 percent of the project units (i.e. 3 of the proposed 9 affordable units) be available to persons meeting the City income and other criteria without respect to the priorities established by the applicant. (Recommendation # 1)** Six affordable units (i.e. those above the percentage called for in the City policy) would still be reserved for persons meeting the applicant's priorities.

This approach would confirm a clear commitment by the City to its affordable housing policy, establish a strong precedent for future projects, as well as provide a significant benefit to City teachers and other City employees.

- 2) **Parking, Transportation, and Drive Through:** The applicant has improved the project proposal by a commitment to record the shared parking arrangements in deeds and this improves the parking proposal.

As noted in our earlier letter, parking at the site does not appear to conform to City guidelines and the application is unrealistically optimistic with respect to availability of shared spaces, parking needs of the sport facility, and turnover of parking spaces during morning and evening periods. We also believe that spillover parking from this project will further limit already difficult parking options for the Mary Riley Styles Public Library.

VPIS also expressed concern that the proposed drive through facility is not consistent with the pedestrian friendly vision of this key area called for in the City Comprehensive Plan. The drivethrough exit to the street breaks pedestrian use of the street and is in addition to the in/out driveway to the project parking lot. The drive through facility discourages a “park and shop” use of this important downtown area. The drive through design also uses space that might otherwise be used for parking spaces to offset the overall deficit in parking spaces. There are also ongoing issues related to the hours of operation of the facility and noise and lighting impacts on nearby residences. Given the above concerns, **VPIS sees the drive through facility as a significant negative element of the project and recommends that the special use permit needed for its inclusion be denied. (Recommendation # 2)**

Finally, VPIS agrees that the proposed commercial use of the street level space (i.e. PNC Bank) contributes to the project’s net positive economic value to the City and that this is an improvement over the minimal economic value of the closed service station. At the same time, the applicant is seeking approval of a Special Exception Application and has an obligation to present a project that is as close to the City’s clearly stated goals as possible. A bank, with or without a drive through, does not expand the diversity of businesses in the immediate area already rich in banks, is not open and inviting for pedestrians as a retail store would be, and does little to help build the “stroll, shop, dine” downtown that the City has envisioned in the Comprehensive Plan and other documents.

- 3) **Green Roof and Landscaping/Buffers:** VPIS enthusiastically commends the applicant for amending the project application to include a commitment to construct a green roof. This is an important first for the City and VPIS hopes that other projects will adopt this practice.

The revised application, however, also includes a new request for the approval of 4 variances to reduce set-back and landscaping (e.g. reducing 10 foot buffers to 4 feet). A key justification for these variances is the value added of the green roof. These variances were not proposed in the original application which discussed, but did not commit, to a green roof.

A green roof has many environmental values, but these values do not altogether offset the values of street-level landscaping and buffers. The City should not set a precedent of waiving landscaping and buffer standards in exchange for a green roof. Rather, the established landscaping and buffer standards, which the applicant proposed to comply with in the original application, should remain in effect, unless there is a compelling design or engineering reason for a variance. For example, in the case of variance #2, the proposed wall is intended to support a “weep garden” to reduce runoff and this innovation might justify a variance. **VPIS recommends that the newly proposed landscape and buffer variances be denied, unless there is a compelling engineering reason for a variance that is unrelated to the green roof. (Recommendation # 3)**

The green roof is likely to reduce runoff volume and the pollutant loads of the runoff. The landscape waivers, if granted, may have an opposite effect. The revised application, however, contains the runoff and pollutant load estimates from the original application. **VPIS recommends that the runoff and pollutant load estimates in the application be updated to reflect the project as now proposed. (Recommendation # 4)**

The City staff should also clarify the applicable runoff standards for this project. The application indicates that pre-development runoff is not to exceed post-development runoff and that pollutant loading are to be reduced. The City Chesapeake Bay ordinance seems to require that post- development runoff be 10% less than pre-development runoff and to require load reductions much greater than those described by the applicant (see City Code 38-42(o)(2)(e)). The application should be revised as needed to correctly describe runoff requirements as well as performance of proposed best management practices for the project, including the green roof.

Finally, VPIS is concerned that the applicant has not provided a score for the project under the Leadership in Energy and Environmental Design (LEED) guidelines. This scoring system would have demonstrated in objective terms the relative energy and environmental values of changing the project to include a green roof as well as the impacts of reduced landscaping. **VPIS recommends that the applicant be asked to provide a score for the project as described in the most recent application to provide a point of reference for review of other projects. (Recommendation # 5)**

- 4) **Community Benefits:** The community benefits element of the application is strengthened by the commitment to providing payments in the amount of \$6,300 per market rate unit to the City schools. This amount is greater than the proposed \$5,127, while still below the City requested \$8,035, and it is to be made directly to the School System rather than to the Falls Church Education Foundation. **VPIS, however, recommends that, in the event that at least 3 affordable housing units are reserved under the City Affordable Housing Policy (see above), that the payment per unit apply to these units (i.e. the City should not waive per unit school payments for affordable housing units in general). (Recommendation # 6)**

The revised application indicates a desire to have the payment to the GEORGE system offset by the provision of annual passes by the City. VPIS commented that the value of the passes was greater than the payment, thus offsetting the benefit. City Staff, however, indicate that there is now an agreement not to provide these passes or other free service. This agreement should be formally included in the application.

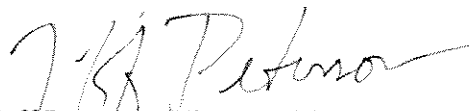
VPIS appreciates the willingness of the applicant to respond to questions and suggestions and to develop the application through this process in a very constructive and positive manner. VPIS also appreciates the willingness of the City staff to provide supporting information and helpful explanations of City ordinances and procedures.

As always, VPIS looks forward to assisting the Council and City staff as you negotiate final approval.

Sincerely,



Barry Buschow; President; VPIS



Jeff Peterson; Vice President and Chair,  
Design Development Committee

Letter approved by vote of the VPIS Board of Directors February 9, 2006

cc: City of Falls Church City Council  
City of Falls Church Planning Commission  
City of Falls Church Board of Zoning Appeals