



**DRAFT MINUTES OF THE
HISTORICAL AFFAIRS AND LANDMARK REVIEW BOARD**

Wednesday, July 20, 2022, 6:30 PM

This was a virtual public meeting held through electronic communication means.

MEMBERS PRESENT: Omari Davis, Vice Chair
Alexandra Foster
Sarah Garner
Carmela Hamm
Gerald Laporte
Joan Lawrence
Robert Meden
Rebecca Meyer
Andrew Wenchel
Richard Woodruff, Chair

MEMBERS EXCUSED: John Aiken
Robert Dudka
Jennie Gwin
Mark Turnbull

STAFF: Cynthia Liccese-Torres, Historic Preservation Program Manager
Lorin Farris, Historic Preservation Planner
Serena Bolliger, Historic Preservation Planner
Mical Tawney, Historic Preservation Specialist

CALL TO ORDER & ROLL CALL

The Chair called the meeting to order. Ms. Bolliger read the roll and determined there was a quorum.

EXPLANATION OF PUBLIC HEARING PROCEDURES

The Chair explained the virtual Historical Affairs and Landmark Review Board (HALRB) public hearing procedures and stated that the virtual meeting format was necessitated as a precaution to protect the Board, staff, and community members from the spread of COVID-19. He communicated the legal authority under which the County was able to hold virtual public hearings, citing the Governor's Executive Orders, legislation adopted by the Virginia General Assembly, and the County Board's Continuity of Operations Ordinance adopted in March 2020. Mr. Woodruff then described the logistics of how the virtual meeting would proceed via the Microsoft Teams platform and/or the call-in number.

APPROVAL OF MAY 18, 2022, AND JUNE 15, 2022, MEETING MINUTES

The Chair asked for comments or amendments on the draft minutes for May and June. Upon hearing none, Ms. Lawrence made a motion to approve the May minutes and Ms. Meyer seconded the motion. Ms. Bolliger called the roll and the motion passed 9-0-1, with Ms. Foster abstaining. Ms. Meyer then made a motion to approve the June minutes. Mr. Davis seconded the motion and Ms. Bolliger called the roll. The motion passed 6-0-4, with Ms. Foster, Ms. Garner, Ms. Hamm, and Mr. Woodruff abstaining.

**PUBLIC HEARING FOR CERTIFICATES OF APPROPRIATENESS (CoAs)
CONSENT AGENDA**

The Chair asked for any concerns or questions on the consent agenda. Upon hearing none, Mr. Laporte moved to approve the consent agenda and Ms. Hamm seconded the motion. Ms. Bolliger called the roll and the motion passed unanimously 10-0.

COLUMBIA PIKE FORM BASED CODE PROJECT: THE HAVEN APARTMENTS

Ms. Farris provided a brief introduction of the Columbia Pike Form Based Code (FBC) project concerning the Haven Apartments. She said the property is located in the Arlington Mill neighborhood, it was constructed between 1948 and 1949, it has a ranking of Notable in the Historic Resources Inventory (HRI), and also is identified in the “Garden Apartments, Apartment Houses and Apartment Complexes in Arlington County, Virginia 1934-1954” National Register Multiple Property Documentation form. Ms. Farris explained that it is located in the Neighborhood-FBC (N-FBC) area; however, the property does not have any protections or treatment guidance. She noted that the applicant will discuss how the project will involve the transfer of development rights (TDR) from the Haven Apartments to the Ballston Macy’s site plan project to receive bonus density. She said for the TDR to occur, the Haven Apartments, based on requirements from the N-FBC, would need protections via a historic preservation easement to become a Conservation Area [in the N-FBC]. Ms. Farris explained that the HALRB is involved in the review process for this N-FBC project because the property is being proposed as a Conservation Area and that the applicant is required to meet with the HALRB twice. She then introduced Lauren Riley from Walsh, Colucci, Lubeley & Walsh, P.C., and Sarah Davidson of Insight Property Group.

Ms. Riley, who is the zoning counsel for the project, gave a brief project overview:

The Insight Property Group filed a 4.1 site plan application last year to redevelop the Ballston Macy’s site with a 16-story mixed use building with about 44,000 square feet of grocery store on the ground floor and 555 residential units above. Approval [of the site plan] by the County Board is anticipated this fall. Concurrent with that 4.1 site plan, Insight also filed a FBC use permit to request TDR to the Ballston Macy’s site from the 118-unit Haven Apartments, formerly known as the Tyroll Hills Apartments, which Insight purchased in 2017. For the public review process with the FBC application, they have been to the Columbia Pike FBC Advisory Working Group three times and the ZOCO Committee [of the Planning Commission]. They expect the request to advertise for their proposed amendments to the FBC in September. The Haven Apartments, constructed in 1948 and 1949, are located 0.3 miles north of Columbia Pike within the western sub-area regulating plan of the N-FBC (which was adopted in 2013). The property contains a significant number of family-sized units with 31 one-bedrooms, 81 two-bedrooms, and 6 three-bedrooms, all of which are market rate affordable (MARKs) units that are rented at or around 60 percent of the area median income (AMI). The units are essentially workforce housing units serving the Columbia Pike neighborhood. The complex has substantial landscaped open space of almost 3.75 acres, which equates to about 80 percent open space, which is typical of garden apartments. The buildings are in good shape and the property has an ongoing capital investment from Insight.

Ms. Davidson, a principal at Insight Property Group, which is an Arlington-based real estate company that focuses on the acquisition and development of multi-family and mixed-use communities in the Washington, DC area, then provided an overview of the improvements completed to date and the general maintenance plan for the property:

Insight owns affordable workforce and mixed-use projects in the area. They purchased the subject property in 2017. The 10-year business plan includes drainage and landscaping improvements, window replacement, stairwell renovation, installation of LED lighting on building exteriors, replacement of building entry doors, tuckpointing masonry to mitigate moisture infiltration, replacement of interior utilities, and other general maintenance resulting from resident turnover. Many of the residents have incomes between 60 and 100 percent of the AMI.

The TDR mechanism has both historic preservation and affordable housing requirements. The TDR from the Haven Apartments to the Ballston Macy's site would be at a ratio of 2:1, which is in line with the N-FBC regulations and ultimately would result in a maximum of 236 units that are eligible to be transferred. Notably, the proposed TDR would not permit any additional height or density on the Ballston Macy's project site that is otherwise allowed per the Ballston C-O-2.5 zoning area, the Ballston Sector Plan, or the 4.1 site plan process. They are specifically asking for County Board approval to designate the Haven Apartments as a Conservation Area, to certify the Haven Apartments as the sending site and the Ballston Macy's site as the receiving site, and to certify the TDR from the 118 preserved affordable units from the Haven Apartments to the Ballston Macy's site at a 2:1 ratio (236 units). She concluded with an overview of the County zoning tools and goals with this project, including TDR, affordable housing, Conservation Areas, and historic preservation easements.

The Chairman thanked Ms. Riley and Ms. Davidson for their thorough presentation. Before turning to the other HALRB members for their feedback or questions, the Chairman asked if the County would hold the easement and how that would work. Ms. Farris replied that the County would hold the preservation easement on the property, and that the easement then would be recorded into the deeds; this would be an agreement with Insight and all future owners of the property. She explained how the Historic Preservation Program (HPP) staff could provide guidance to the property owner regarding preservation projects and maintenance, with larger projects likely requiring the review of the HALRB. She also noted that HPP staff would conduct regular easement inspections of the property.

Ms. Bolliger noted that Bernie Berne had provided a written public comment for the record (see below) as well as registered to speak this evening. Mr. Berne was invited to give his comments. In summary, Mr. Berne did not believe that either the applicant or HPP staff was telling the full story of the project. He said the applicant is proposing to demolish the Ballston Macy's building, which is the last building remnant of the historic Parkington shopping center and parking garage, which is included in the HRI. He focused on how the County discourages TDR being used from one historic property to another historic property that will result in its demolition. He also expressed concerns about how the MARKs are being converted into CAFs and how this was not the intention of the Affordable Housing Master Plan.

The written comment has been transcribed here for the record:

1. Columbia Pike Neighborhood Form Based Code Project Review: The Haven

Board members:

This message contains my objections to the proposed Transfer of Development Rights (TDR) and the proposed Neighborhoods Form Based Code (N-FBC) Amendment for the Haven Apartments. The Historical Affairs and Landmark Review Board (HALRB) will discuss the TDR and the N-FBC at its meeting of July 20, 2022.

Historic Resources Inventory:

The applicant partially justifies the TDR by stating that the sending site (The Haven) is on the County's 2011 Historic Resources Inventory (see <https://www.arlingtonva.us/files/sharedassets/public/Projects/Documents/HRI-Phase1.pdf>). Page 9 of the Inventory lists The Haven at 701 South Florida Street as "Notable". The Haven was originally named "Columbia Heights, Section 4" and later, "Tyroll Hills Apartments".

“Notable” is the third highest category on the Inventory, below “Essential” and “Important”. Page 1 of the Inventory ranks 11 garden apartments as “Essential”, pages 2-5 rank 67 apartments as “Important”, and pages 9-10 rank 31 apartments as “Notable”. These are not small numbers. It is therefore noteworthy that The Haven is one of a total of 109 garden apartments that the Inventory ranks as “Notable” or higher.

The Inventory ranks Fillmore Gardens and Barcroft apartments as “Essential”. The Barcroft Apartments has 1,092 units and covers 43.2 acres. Fillmore Gardens has 448 units and covers 17.6 acres. In contrast, The Haven is much smaller, as it has only 118 units within six sets of units and covers only 4.5 acres. This is a significant difference.

Transfer of Development Rights:

The applicant is requesting a TDR of 118 units from the The Haven site (one to two blocks north of Columbia Pike) to the Ballston Macy's site (701 N. Glebe Road) on a 2:1 ratio (236 units). The transfer would enable the applicant to construct on the TDR receiving site (the Ballston Macy's site) a 16-story residential building with a grocery store on its first two levels. The building would contain a total of 555 residential units.

The applicant is offering to provide at the Ballston Macy's site 10-11 committed affordable housing (CAF) units (about 2% of the 555 residential units) that would be affordable at the 80% area wide median income (AMI). The project would therefore add only a small number of CAF units to the Rosslyn-Ballston corridor, in contrast to the large number of luxury apartments that it would most likely add.

There can be no justification for awarding a TDR to a project that would provide such a small amount of affordable housing at a receiving site that is near a major transit facility (the Ballston Metro Station).

Further, the TDR would replace Market-Rate Affordable Units (MARKs) at a TDR sending site by adding new covenants that would re-designate the MARKs as CAFs. However, Objective 1.1.3 on page 19 of the Affordable Housing Master Plan (<https://www.arlingtonva.us/Government/Programs/Housing/Affordable-Housing/Master-Plan>) states: "Make every reasonable effort to prevent the loss of market-rate affordable rental housing."

The proposed TDR would result in the loss of 118 MARKs. The TDR would therefore contradict Objective 1.1.3. of the Master Plan. The TDR would also result in the displacement of the approximately 50% of The Haven's tenants whose income is too high to qualify for occupancy of its CAF units.

A TDR for The Haven would do little or nothing to accomplish any significant goal of a TDR or of a designation as a Neighborhood FBC Conservation Area related to historic preservation. The proposed TDR does not include the Monterey Apartments.

The Monterey garden apartment complex is on the opposite side of S. Florida Street from The Haven. Monterey Apartments, which was originally named “Columbia Heights, Section 3”, closely resembles The Haven (“Columbia Hights, Section 4”). Monterey had the same architect and was constructed by the same builder during the same time period (1949-1950) as was The Haven.

The County’s 2011 Historic Resources Inventory does not list Monterey Apartments. However, the illustration entitled “Existing Historic Resources, 2011” on page 4.19 of the 2012 Columbia Pike Neighborhoods Area Plan identifies Monterey’s site as a “Historic Property” (see <https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/31/2014/03/Columbia-Pike.pdf>). The Monterey’s site is immediately west of Greenbrier Street, within the same yellow area near the left side of the illustration that contains The Haven’s site. Five of Monterey’s seven original sets of units are still extant.

To provide a significant benefit for the historic preservation of the County’s garden apartments, the TDR, an accompanying TDR or a designation as a Neighborhood FBC Conservation Area must also include the property that contains the Monterey Apartments. It is not appropriate for the County to award such designations for only one of a pair of historically related adjacent properties, each of which the Columbia Pike Neighborhoods Area Plan identifies as a “Historic Property”.

Ballston Macy’s Site (former Parkington Shopping Center):

The TDR receiving site (The Ballston Macy’s site), contains the last intact remnant of the Parkington Shopping Center, except for its County-owned garage. Page 14 of the Historic Resources Inventory identifies Parkington as a historic resource. The applicant’s site plan proposes the demolition of this last building remnant of the Shopping Center, which was historically one of the most important features of the Ballston sector.

The County strongly discourages a TDR for a transfer such as this one by stating in page 2 of its web page entitled “Phase 1 Historic Resources Inventory (HRI) Goals and Property Objectives”, which the County Board adopted on October 18, 2011 (see https://www.arlingtonva.us/files/sharedasssets/public/Projects/Documents/HRI_Goals-and-Policy-Objectives_Adopted-Oct2011.pdf):

“The County will actively promote Transfer of Development Rights (TDR) in exchange for building preservation. However, a TDR received from an historic site for purposes of historic preservation by a receiving site plan that proposes demolition of a listed historic resource is strongly discouraged unless the combined community benefits derived from the sending and receiving sites are determined by the County Board to outweigh the loss of the receiving site’s historic resource and address valuable County initiatives.”

As stated above, the receiving site contains Parkington’s last surviving building remnant. The Phase 1 Historic Resources Inventory (HRI) Goals and Property Objectives” therefore strongly discourages the applicant’s proposed TDR.

Approval of a TDR to the Ballston Macy’s site will create more damage than than benefit to the community in which the site is located. The TDR will enable the applicant to:

1. Decrease the site’s publicly accessible ground level open space from the amount of such space that presently exists on the site.

2. Block distant views from several nearby residential buildings, some of which are lower than building that the TDR would enable the applicant to construct on the site, and,

3. Add only 10-12 CAF units to a new building that the applicant would construct near a Metro station. Those CAF units would constitute only 2% of the total number of apartment units that the TDR would enable the applicant to construct on the site.

The TDR would also create more damage than benefits to the community in which The Haven is located. The TDR would preserve The Haven. However,

1. The Haven is much smaller than such designated Local Historic Districts as Colonial Village, Buckingham Villages and Cambridge Courts and such other garden apartment complexes as Barcroft Apartments and Fillmore Apartments.

2. The Haven is only one of 109 garden apartments that the Historic Resources Inventory ranks as “Notable” or higher.

3. The TDR would not preserve Monterey Apartments.

4. The TDR would remove all of the MARKs that The Haven presently contains.

5. The TDR would displace residents of The Haven whose incomes are too high to qualify for CAF units.

The combined community benefits derived from the sending and receiving sites therefore cannot outweigh the loss of the receiving site’s historic resource.

Designation of The Haven as a Local Historic Preservation District:

The County does not need to grant a TDR to assure the preservation of The Haven. I have therefore nominated The Haven for designation as a Local Historic District Historic Preservation District (i.e., a Historic Preservation Overlay District) in accordance with Section 11.3 of the Arlington County Zoning Ordinance (ACZO). The HALRB will consider approving the further processing of my nomination during this meeting.

Designation as a Local Historic District would provide a greater protection to “The Haven” than a TDR would, as it would require that the HALRB or the County Board approve a Certificate of Appropriateness (CoA) for any changes to the exteriors of the buildings that a property owner may propose.

If the County Board designates The Haven as a Local Historic Preservation District, I will make efforts to nominate Monterey Apartments for the same designation.

Historic Preservation Easement:

The last slide in the applicant’s presentation to the HALRB outlines its plans for a Historic Preservation Easement (HPE) that it hopes to obtain for The Haven. The slide does not specify whether the Arlington County government, the Virginia Department of Historic Resources or an external non-profit organization will hold the HPE. This information is important, as each organization would have different requirements.

Easement-holding organizations typically require an application fee for a TDE. Most such organizations request – or may require – that the donation of a preservation easement be accompanied by a one-time financial donation to the easement-holding organization. Sometimes referred to as a "stewardship fee" or "endowment contribution," this financial donation helps ensure that the easement-holding organization will have the necessary resources to administer its preservation easements, including routinely monitoring properties as well as legally enforcing a preservation easement, if necessary (see The National Trust for Historic Preservation's web page entitled "Preservation Easements" at <https://forum.savingplaces.org/learn/fundamentals/preservation-law/easements> for further information about this subject).

The applicant may ask the Arlington County government to hold the HPE. In that event, the County's Historic Preservation Program and the HALRB will need to assure that the applicant will offer to pay application and stewardship fees that are comparable to those of other relevant easement-holding organizations.

An HPE would provide the applicant with larger initial tax deduction than would a designation as Local Historic Preservation District. However, an HPE might not provide the same state and federal tax benefits for the repair and maintenance of The Haven as would a designation as a Local Historic Preservation District.

Arlington County's webpage for an HDE at shows that the County holds an HPE for the 1830 Travers Family Graveyard (see <https://www.arlingtonva.us/Government/Projects/Plans-Studies/Historic-Preservation/Historic-Preservation-Easements>). The County has also designated that property as a County Historic Overlay District (i.e., a "Local Historic District)(see <https://www.arlingtonva.us/Government/Projects/Plans-Studies/Historic-Preservation/Local-Historic-Districts>).

It is therefore important to recognize that the County can grant to The Haven both an HPE and a designation as a Local Historic District, as it did for the Travers Family Graveyard. The two are not mutually exclusive, nor is one or the other redundant.

However, it is also important to recognize that an HPE may not be appropriate for The Haven, as the applicant does not own Monterey Apartments. The tax benefits of an HPE appear to be too large to be acceptable for a property that would contain only one half of a garden apartment complex whose similar halves the same architect designed and the same builder constructed during the same time period.

*Thank you.
Bernard Berne*

The item was now open to Board discussion. Mr. Laporte asked what the developer would be receiving from the TDR since he understood it that the Ballston Macy's site would not receive additional density. Ms. Riley explained:

The Ballston Macy's 4.1 [site plan] application proposed a certain amount of density with 555 units and 44,000 square feet of ground floor grocery store and retail. Some of that is above the base density that is allowed by the [County's] zoning ordinance. That extra density is called bonus density, which needs to be earned somehow through either a community benefits package or TDR. Insight wants to meet this bonus density on the Ballston Macy's site through TDR from the Haven Apartments to the Ballston

Macy's site, which would essentially preserve the property, and through the FBC use permit application process, establish the property as a Conservation Area. The TDR is not allowing any more density than otherwise would be allowed by the current zoning and sector plan recommendation for that area.

Ms. Davidson also stated there are many ways to earn bonus density, such as exceeding LEED requirements or increasing affordable housing. She said Insight is not proposing to go beyond the proposed building envelope at the Ballston Macy's site, which is allowed 16 stories per the existing zoning. Mr. Laporte asked for more clarification that they would be increasing the number of units by about 228 units in the proposed building envelope, but that they would be smaller units. Ms. Riley responded that the building envelope would be the same size no matter whether they were doing TDR or some other community benefit; they would have a 16-story building with 555 units and 44,000 square feet of ground floor retail but that the TDR would help earn that density.

Mr. Davis mentioned that he lives in the Arlington Mill neighborhood [near the subject property]. He asked if the maintenance plan would be part of the easement, if that was Insight's plan moving forward, and if that plan would affect how the easement is administered in the future. Ms. Farris stated that the maintenance plan for the property is not in conflict with how the County manages its existing easement portfolio (particularly multi-family type complexes). She pointed out that through there already have been changes made to the Haven Apartments (i.e., replacement of windows and exterior doors and alterations to the roofs), she noted the property still has architectural integrity. Ms. Farris said she plans to work with Insight concerning their maintenance plan to help streamline what projects could be approved within the parameters of the easement and what approaches might need to change with these projects to be good stewards of their property.

Ms. Lawrence noted that since statements had been made as to how the Haven Apartments would add to [the County's] affordable housing, she wanted to understand how the 118 units were being converted to CAFs instead of remaining as MARKs. She also asked if they would be retaining the same number of affordable housing units at the Haven Apartments, but that whatever is being added at the Ballston Macy's site is minimal and does not see how that would be increasing affordable housing stock.

Ms. Riley responded by stating that they will be adding to the affordable housing stock by converting the MARKs to CAF units for the next 30 years since there currently are no restrictions on raising rents at the Haven Apartments. She noted that the Affordable Housing Master Plan recommends preserving MARKs by committing them to CAFs because they will eventually disappear via redevelopment. She further stated that regionally there has been a substantial loss of market rate affordable housing, therefore it is essential to add to the affordable housing stock by converting MARKs to new CAFs.

Ms. Davidson said that Insight could sell the property at any time and there would be no plan for what would happen to the existing units. Ms. Farris asked if they could achieve the bonus density for the Ballston Macy's site plan project in other ways. Ms. Riley explained that they could get the bonus density without the TDR or historic preservation easement on the Haven Apartments. She said this is a situation where the owners of the Ballston Macy's site also own the Haven Apartments, which would allow for the TDR to preserve the historic property and the affordability of those units. Specifically with the Ballston Macy's site plan, Ms. Davidson said Insight is making the base affordable housing contribution that is required for all 4.1 site plan projects and an additional 10,000 square feet of their residential gross floor area (GFA) would become committed affordable units, which has been requested by the public to provide more affordable units in the Ballston neighborhood.

The Chairman asked for comments from other HALRB members. Mr. Laporte stated he would vote against the project without further clarification because he felt the HALRB members are not experts on affordable housing; it is the responsibility of the Housing Commission to decide whether there is enough

affordable housing being committed in this plan or not. Mr. Laporte said that the HALRB is responsible for determining if the Haven Apartments warrants sufficient historic preservation value to justify a substantial increase in the density at the Ballston Macy's project. He said he did not see that the Haven Apartments had sufficient historic preservation value and that the HALRB should have an opinion on which properties merit holding an exterior historic preservation easement. He acknowledged that the HPP staff has limited resources and felt that not all the garden apartments in Arlington should be preserved. He stated that the HALRB should not oppose change, should preserve the historic properties that warrant preservation, and that the Haven Apartments provides only a minimal historic preservation value. He believed that the HALRB should tell the Planning Commission or County Board that preserving the Haven Apartments was not worth the time to administer the historic preservation easement.

The Chairman understood that the HPP is excited about adding the Haven Apartments to the County's easement portfolio. He also asked staff to clarify if the HALRB needed to make a motion on the project this evening or if this was an informational item for feedback. Ms. Farris replied that no motion was needed now. She said this was the HALRB's first opportunity to provide feedback and ask questions, reminding the Board that the applicant will return.

Mr. Davis asked that with the conversion of the market rate housing into CAF units, what would happen to the current residents that may make too much or too little to afford to stay at the Haven Apartments? Ms. Riley responded that Insight is working with County Housing staff on parameters for a grace period for the current residents to allow for a graceful transition. She said their goal is not to displace anybody, but to preserve those affordable units at 60 to 80 percent of AMI. The Chairman asked about the time limit on the CAFs. Ms. Riley answered that it would be 60 percent of AMI for 30 years. There were no other comments from the HALRB on the project.

LOCAL HISTORIC DISTRICT PRELIMINARY DISCUSSION: THE HAVEN APARTMENTS

Ms. Bolliger stated that the HPP received a Local Historic District (LHD) nomination for the Haven Apartments from Mr. Berne. She said that the nomination now was being presented to the HALRB to decide if it had merit; if so, the HPP staff would add the nomination to its work plan, complete further research, then present the findings to the HALRB for further consideration at a later date. Ms. Bolliger informed the HALRB of the location of the Haven Apartments and noted several HRI-listed complexes nearby such as Columbia Knolls Condos, Arbor Heights Apartments, the Monterey Apartments, and the Sierra. She clarified that the HALRB would need to vote this evening to determine if the HPP should begin additional research on the LHD request. The Chairman clarified that Mr. Berne filed a petition for the Haven Apartments to become a LHD, which is the same property that was discussed in the prior agenda item for the FBC project.

Ms. Bolliger noted that Mr. Berne had submitted a comment to the commission in advance which is transcribed here:

1. Local Historic District Preliminary Discussion: The Haven Apartments

The Haven garden apartment complex contains six sets of buildings, each which has three interconnected individual buildings. Initially named "Columbia Heights, Section 4" and later, Tyroll Hills Apartments, the Haven is located in the Arlington Mill neighborhood, north of Columbia Pike and south of Upper Long Branch.

Haven was constructed in 1949-1950 along the west side of South Florida Street as one of a pair of garden apartment complexes that architect George E. Sullivan of Arlington designed and that the Jonathan Woodner Company of Washington, D.C. built. The same architect and builder designed and constructed "Columbia Heights, Section 3", now named Monterey Apartments, on the opposite side of South Florida Street during the same time period. The two halves of the pair have similar architectural features.

Each of Haven’s buildings are 2-3 stories high. All have low gable roofs and other features of Colonial Revival architecture that are typical of garden apartments constructed nationwide after World War 2, at a time that veterans were starting their families. The building sets are generally U-shaped except for one that is generally rectangular.

The Haven fulfills five of the criteria that the Zoning Ordinance requires for designation as a Local Historic District. The County has designated three other garden apartment complexes as Local Historic Districts: Colonial Village, Buckingham Villages and Cambridge Courts. The Havens is considerably smaller than any of these and was built later than any parts of the others that still exist.

The property owner is seeking a Historic Preservation Easement (HPE). As the Travers Family Graveyard has both an HPE and a designation as a Local Historic District, the two are neither mutually exclusive nor redundant. The Haven can have one or both.

The HALRB and the County Board can consider both at the same meetings. If the County Board designates Haven as a Local Historic District, I will make efforts to obtain this designation for Monterey. This would be likely be the County’s only opportunity to preserve Monterey.

Ms. Bolliger announced there were two public speakers for this item, Mr. Berne, and Ms. Linda LeDuc of Arlington Mill. Ms. Farris invited Mr. Berne to speak. In summary, Mr. Bernie stated that he opposed a historic preservation easement for the Haven Apartments because it would not provide protections for the neighboring Monterey Apartments, which was originally part of the same apartment complex. He provided a brief historical overview of the Haven Apartments. He also stated there are other historic properties in Arlington County that are both LHDs and hold historic preservation easements. Ms. Farris next invited Ms. LeDuc to speak. She stated that she has served on the Arlington Mill Civic Association (AMCA) for over ten years and has taken an interest in the issues that impact the neighborhood. She views Arlington Mill housing as primarily aging apartment complexes, duplexes, converted condos, and townhouses. She said the AMCA sees the [subject] LHD designation as a way to protect the Haven Apartments forever, prevent demolition, and ban any future redevelopment. Her opinion is that the property does not have any great defining architectural significance. She concluded, stating Arlington Mill has the most affordable housing located in the County and the AMCA is not supportive of the Haven Apartments nor the Monterey Apartments becoming LHDs.

The matter now was before the HALRB for discussion. The Chairman acknowledged the uniqueness of the situation concerning the Haven Apartments, with the property owner being willing to record a historic preservation easement and covert the MARKs into CAFs, and then the [separate] LHD request on the property. Although he stated he was not yet able to recognize the value of the Haven Apartments as a historic property, he did recognize its Notable ranking in the HRI. He said he did not see the need to consider the LHD request when there is already a mechanism to protect the historic property through a historic preservation easement through the TDR. The Chairman invited the HALRB members to discuss.

Ms. Foster stated that she did not understand its historic value other than it being a garden apartment complex and found it was fair to question the value of preserving the Haven Apartments into perpetuity. She proposed that the LHD nomination move forward for additional research. Ms. Meyer asked about the timeline for staff to conduct its research on the Haven Apartments. Ms. Bolliger replied that two more LHD applications would be presented to the HALRB soon, one completed nomination would be brought to the HALRB for a vote in the coming months, and four more LHD requests remain in staff’s queue. Thus, she said she believed it would take eighteen months for the HPP staff to complete its research on the Haven Apartments. Ms. Farris followed up by stating that the [proposed] historic preservation easement would be happening concurrently with the Ballston Macy’s site plan application, which is

scheduled to be presented to the County Board by fall 2022. Further, she said that if the historic preservation easement is agreed upon [and finalized] by the County and Insight, this would occur before the LHD request could be completed, and the easement would provide greater protection than a LHD. Ms. Bolliger stated that this would not preclude the LHD request from moving forward; the HPP staff could continue its research and present findings to the HALRB at a later date. She also mentioned that there are a number of LHDs in the County that also have historic preservation easements, such as the Maury School, the Glebe House, and the Eastman-Fenwick House.

The Chairman asked about the practical impact of a property that is both a LHD and has a historic preservation easement. Ms. Farris responded that the few historic properties in Arlington that have both were LHDs first, and there was some other element occurring (i.e., redevelopment), where the County was able to mitigate and request the strongest protections possible via a historic preservation easement. Ms. Farris clarified that both preservation tools offer protections, but historic preservation easements are permanent and there are no loopholes to demolition, which can be the case with a LHD. Ms. Bolliger explained how the HALRB did consider a [CoA] project recently involving demolition [of a contributing property] in a LHD because per the code of Virginia, if a property is advertised for sale and is appraised by a professional appraiser and has received no offers in twelve months, the property owner can apply for demolition. She reiterated that LHD designation does not preclude the option for demolition.

The Chairman then clarified that the [proposed] historic preservation easement would protect the Haven Apartments into perpetuity if the property does not fall into disrepair from neglect. Ms. Farris stated further that the County could help prevent the property from falling into disrepair from neglect through regular [easement] inspections and continuous communications with the property owner. Mr. Wenchel noted that the Haven Apartments are ranked as Notable in the HRI, which is below the Important and Essential categories. He said he believed the HPP staff has other projects to work on besides this LHD request given it may not be completed before the historic preservation easement is approved. He stated he does not want to pursue the LHD request of the Haven Apartments at this time.

Mr. Laporte suggested tabling the LHD request until there was a better understanding if the property owner would consent. He also stated that he believed he heard Mr. Berne say he would withdraw his LHD application because it did not make sense to consider it without the Monterey Apartments. Therefore, Mr. Laporte considered this an abandoned application. The Chairman said he did not want to presume that Mr. Berne would withdraw his LHD application. Mr. Berne responded that he would submit an LHD application for the Monterey Apartments after consideration was made for the Haven Apartments as an LHD.

Ms. Hamm expressed concerns about the lack of preservation of the Parkington Shopping Center in respect to the Ballston Macy's site plan, and that the HPP staff have other projects to focus on. Mr. Meden stated he agreed with Ms. Foster that he wanted more information about the Haven Apartments. Ms. Meyer likewise agreed with wanting to know more information. Ms. Garner agreed with the previous comments and also did not want to commit the HPP staff time if the Haven Apartments was likely going to be protected via a historic preservation easement. Mr. Davis agreed with Ms. Garner, and given the pace of the LHD process, he did not want the HPP staff to use their time towards this LHD request.

The Chairman recognized the commissioners' desire for more information on the Haven Apartments, but not to burden the HPP staff with the request for a formal study when there is a parallel process moving forward that could afford the property historic preservation protections regardless of if the HALRB agrees if it is worthy or not. The Chairman suggested a motion that would delay staff's action on the LHD request pending further developments on this [the easement] and wanting additional information on the Haven Apartments, including some affordable housing questions.

There was some discussion between the Chairman and the HPP staff regarding the proposed motion language. Ms. Liccese-Torres asked for clarification on the motion – would further consideration [by the

HALRB] be delayed but staff would still obtain additional information about the property? She asked if the historic preservation easement were to be approved, would the HALRB then consider the designation? The Chairman reworked his motion, with Ms. Liccese-Torres again confirming the intent of the motion and Ms. Tawney confirming some of the Chairman's chosen language.

Mr. Woodruff modified his motion as follows:

I move that the HALRB postpone consideration of the historic preservation application with respect to the ongoing discussions pending before the Board about the historic preservation easement pertaining to the Haven Apartments. Further, depending on the outcome of those discussions, the HALRB may return to the subject of the pending application at a later date.

Mr. Laporte seconded the motion. Ms. Bolliger called the roll and the motion passed 9-0-1, with Ms. Lawrence abstaining.

REPORTS OF THE CHAIRMAN AND STAFF

Chairman's Report

The Chairman had no items to report.

Staff and Other Reports

Ms. Liccese-Torres informed the commissioners that there was a volunteer opportunity to assist the HPP staff at the County Fair in August. She announced the two shifts on August 20 when volunteers would be helpful and asked members who were interested to contact staff as soon as possible.

Mr. Davis asked staff for an update about resuming in person [commission] meetings. Ms. Liccese-Torres replied that plans were still on track to begin meeting in person again in September. She said that staff would share more details with the Board soon.

The Chair adjourned the meeting at 8:27 pm.