



The Lyon Village Bulletin

www.lyonvillage.org

February 2007

*Lyon Village Citizen's Association
Arlington, VA
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Child-Care Training

Training in CPR and First Aid for Infants and Children to be taught by the American Red Cross. A one-day class from 9am to 5pm at the Lyon Village Community House, \$70 per student. Two classes tentatively scheduled for a Wednesday and a Saturday in late February/early March. Please contact Andrea Briere at 703-812-9703 for more information and to reserve a space. Space is limited to 10 students per class.

LV Directory Update

Caroline and Ben Holt just purchased a home in Lyon Village. They currently live in Lyon Park, and are making the big move across Wilson to 3175 17th Street North. Their 19-month old, Evan attends Tender Roots. They look forward to meeting more of their new neighbors!

Please let us know if you're new to Lyon Village so that we can publish your information for neighbors to pencil into their Lyon Village Directory. Send to markweinress@msn.com.

Arlington Relay for Life

The Arlington Relay for Life committee is looking for volunteers or groups to create teams for the event. The event this year will be held on June 23-24 at Wakefield High School. The Kick-Off Meeting is Tuesday, Feb 13th, at Mackey's Public House in Crystal City at 7pm. Please go to the website to find out more: www.relayarlington.org.

Toys in Clarendon

After 23 years in business, Kinder Haus Toys has moved from Lee Hwy to N Fillmore in Clarendon. Sue Pyatt, the owner, wants you to know that they can be found at 1220 N Fillmore, just off Clarendon Blvd. The Victorian style shop is filled with wonderful specialty toys, hobbies, crafts, shoes and sporting goods. Their latest addition will be a book department. Everything is for and about children. They even have a play area with a hand-painted carousel horse canopy that is already a kid favorite. Kinder Haus offers free gift wrap and can ship UPS to anywhere in the contiguous USA.

This Month the General Meeting Has Been Rescheduled for Monday, Feb 5 at 8pm

On Saturday, 1/27/07, the County Board approved the advertising of zoning law changes to allow any Arlington property, even residential property, to be rezoned to Commercial Redevelopment and, once rezoned, to allow building heights of over 100 feet (ten-stories) to be built. If successfully rewritten, those laws will no longer protect neighbors against any property being rezoned to Commercial Redevelopment if a developer persuades the Board to do so. These radical changes to the ordinance have not been subjected to the usual more lengthy process to ensure they are in the public interest. In light of this threat to our neighborhoods, the Lyon Village Executive Committee Meeting and General Meeting schedules will change for this month:

**7pm on Monday, 2/5/07 at the Community House
Executive Committee Meeting**

**8pm on Monday, 2/5/07 at the Community House
General Meeting**

County Zoning Changes to be Discussed

**7pm on Monday, 2/12/07 at the County Board Room
Planning Commission Meeting**

Planning Commission Meeting, Rm 307
2100 Clarendon Blvd.

Please consider attending the County Planning Commission Meeting in lieu of our regular Lyon Village General Meeting.

The County Board has approved advertising a resolution authorizing public hearings by the Planning Commission on February 12, and the County Board on February 24 to change zoning allowing construction of high-rise buildings adjacent to and even within residential neighborhoods. Please plan to attend the County Board Meeting at 2100 Clarendon Blvd on Saturday 2/24/07 at 9am and speak out on this issue.

**In addition, please contact your County Officials
to let them know your opinion:**

Paul Ferguson
Chairman
pferguson@arlingtonva.us

J. Walter Tejada
Vice-Chairman
wtejada@arlingtonva.us

Barbara Favola
Member
Resident of Lyon Village
bfavola@arlingtonva.us

Jay Fiset
Member
Resident of Ashton Heights
jfiset@arlingtonva.us

Christopher Zimmerman
Member
czimmerman@arlingtonva.us

Ron Carlee
County Manager
countymanager@arlingtonva.us

Stephen MacIsaac
County Attorney
smacisaac@arlingtonva.us
703-228-3100

**You can phone the County
Offices at 703-228-3130**

What Do You Think?

Please let the Lyon Village Bulletin know your thoughts on the issues. Send comments and Letters to the Editor at maw123@gmail.com. Also, remember to check out the web site at www.LyonVillage.org for the latest neighborhood updates. It's where you'll see the Bulletin first!

Bad Zoning and Poor Use of Affordable Housing Funds

This past Saturday, despite being advised that the proposed project remains illegal and that there is evidence that the Arlington Partnership for Affordable Housing (APAH) and the First Baptist Church at Clarendon (FBCC) may have discussed the possible misuse of affordable housing funds to subsidize FBCC costs, the County Board gave public notice that it intends to move forward with approval of the Clarendon Views project on the fastest track possible, with a Planning Commission vote scheduled for February 12.

The immediate result of this zoning change is that it will clear the way for the Clarendon Views project (mixed luxury and affordable apartment units) at the site of First Baptist Church of Clarendon. If constructed, this project will represent the most expensive affordable housing per square foot ever in Arlington County. The Baptist Church site at the intersection of Highland and Hartford Streets in Lyon Village facing Clarendon metro is, in fact a good location for affordable housing. It is not however, a good location for violation of the current zoning regulations which restrict the maximum height on this site to 55 feet. The proposed building would be approximately 100 feet, or ten-stories.

Zoning Changes

As the Virginia Supreme Court unanimously made clear a few months ago, only property actually zoned commercial may be rezoned to Commercial Redevelopment (CR). The zoning laws also make clear that, even on property zoned CR, buildings cannot exceed the height of 55 feet if located within 165 feet of residential property. The recent notice reveals that the County is engaging in an unprecedented rewrite of its zoning laws in what appears to be an attempt to help FBCC and its developer evade the consequences of the State Supreme Court's decision, which resulted in the prior rezoning of FBCC land and its Site Plan for development being held void.

The County now wants to rewrite the zoning laws to allow any Arlington property, even Residential property, to be rezoned to Commercial Redevelopment and, once rezoned, to allow building heights in excess of 100 feet. These radical changes to the ordinance have not been subjected to the usual Citizen, Civic Association or Sector Plan process to ensure they are in the public interest.

The County has publicly stated that these changes are meant to confirm longstanding policy. This seems not to be the fact. As testimony in the Virginia Supreme Court case mounted by Clarendon neighbors demonstrated, no Arlington land has ever been rezoned directly from Residential to Commercial Redevelopment.

Unfortunately, the County's current plan appears as illegal as the one voided by the Virginia Supreme Court late last year. It includes what appears to be spot-zoning and overrules provisions of the zoning laws that County documents show were developed to protect our neighborhoods. The County Board's public notice also shows that the County intends to award the FBCC, without any further public review, an additional \$2.1 million dollars in Arlington Housing Investment Fund (AHIF) moneys than previously approved, for a total of \$6.6 million of your tax dollars.

Financial Questions

The lawsuit filed by the Clarendon neighbors was focused on zoning, not financial issues. However, certain documents obtained in discovery and during the lawsuit provide disturbing information about the monetary arrangements for the project.

First, there was an agreement between the FBCC and APAH which provided that APAH would receive up to \$500,000 for providing services such as "leverag[ing] popular and political support throughout the redevelopment process." This gives the appearance that if APAH was able to persuade the County to give millions to FBCC, the FBCC would in turn, give APAH a half-million for having helped lobby the County to do so.

Second, while the appeal of the neighbor's lawsuit was pending - and after oral argument suggested that the State Supreme Court had grave concerns about the legality of the FBCC plan - County staff announced plans to "advance" affordable housing funds to FBCC in order to pay some of its advisors; including its lawyer, architect and the APAH. County staff even put this matter on the County Board's agenda to try to get these advisors paid out of affordable housing funds. This use of affordable housing funds was questioned by residents and the item was later removed from the agenda.

Third, and most troubling, the neighbors obtained an email sent from the APAH to the FBCC. The email describes how APAH and the FBCC communicated about using AHIF affordable housing money to cover a shortfall in the developer's fee, which the FBCC would use to fund its costs in building a new sanctuary. The email read as follows: "There is a shortfall on the First Baptist Church of Clarendon side (\$349,013) due to the limitations of the deferred developer's fee to be paid out of cash flow over the first 10 years. This is obviously a gap that has to be filled through AHIF—but then we have to figure out how to make the transaction work without the County appearing to subsidize church costs." In addition, as the application for AHIF funds was being finalized, an email was sent from County staff telling APAH: "for hopefully the last time, please take the church costs out of these spreadsheets."

It is important for concerned neighbors to take action and speak out on this poor use of our tax dollars. This ill-conceived project and related attempts by the County Board to violate zoning regulations has led to legal expenses in excess of \$200,000 for a group of our Clarendon neighbors. Over \$50,000 has been raised in the Clarendon neighborhood to help defray these costs. It appears that the County is betting against the ability of its citizenry to continue this fight. Lyon Village has rescheduled its community meetings this month to help fight the proposed zoning changes (see page 1). Please consider taking part in these meetings.

Safety from Family Watchdog

The goal at Family Watchdog is to provide people with the information needed to protect loved ones. The service provides information on known registered sex offenders and predators in the area. Knowing who these people are and what they've done can provide the best defense for protection - awareness.

For further information, visit their website at: <http://www.familywatchdog.us/>.

Village Market

Futon free to a good home: We must part with our much liked and very comfortable double-sized futon to make room in the nursery. Call Andrea at 703-812-9703.

LV Collectors Downsizing: A complete list and photos of items can be provided by email. Items include small vintage mahogany sideboard, vintage empire sofa, antique shaving mirror, antique wooden baby crib, child's wicker rocker, glass display case, oriental carpets, conference table, cowboy boots, WWII model airplanes, vintage 50s toy fire engines, old prints, 1st ed books, vintage doll houses, antique brass and more! If interested call Norm at 703-528-1660 or email nlemley2@comcast.net.

Experienced Babysitter Available: W&L Freshman lives in Lyon Village available to babysit weekend days, some weekday afternoons (after 3:30) and evenings (up to 11pm). Experience as a pre-school aide, summer camp counselor, and has watched her own 7 year old sister for years! Contact Dana Probasco at 703-527-0285 or Basco5860@aol.com.

Antique Desk For Sale: Unique cherry desk, 43" X 22" with 9-drawers, in excellent condition, \$225.00. Call Susan at 703-522-9864.

Seeking Reliable Babysitter: for 1-2 weekend nights a month. Please call 703.465.8027.