



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of November 15, 2008**

DATE: November 04, 2008

SUBJECT: SP #392 SITE PLAN AMENDMENT to modify the condition for submittal of the plat of excavated area; premises known as 1126, 1128, 1200, 1228 N. Irving St., 3217, 3225 Washington Blvd., (RPC #15-078-003, -004, -005, -013, -014, -015, -016, -017, -018, -023)

Applicant:

ZOM Clarendon L.P.
1530 Wilson Boulevard, Suite 120
Arlington, VA 22209

By:

Erika Byrd, Agent
8010 Towers Crescent Drive, Suite 300
Vienna, VA 22102

C.M. RECOMMENDATION:

Approve the site plan amendment request subject to the revised development condition #33 and to all previously approved conditions (#1 through #80).

ISSUES: A plat of excavated area depicting site elevations is necessary for staff to confirm that site plan construction commences at the elevation approved by the County Board. The condition as approved requires the plat be submitted for the issuance of a building permit. The developer's funding source requires issuance of the Footing to Grade Permit prior to approving the construction financing. No physical changes are proposed to the approved site plan, and there are no issues associated with the proposed site plan amendment.

SUMMARY: The developer of The Waverly at Clarendon Station Center requests the amendment to modify approved site plan Condition #33, which requires a plat of the site's excavated area be provided confirming that the construction drawings are consistent with the average site elevation and the building ground floor elevation prior to the issuance of a building permit. The developer is requesting that a Footing to Grade Permit be issued for the site and to submit the plat of excavated area prior to any construction related to the Footing to Grade Permit.

County Manager: _____

Staff: Neil Thompson, Planning Division, DCPHD

PLA- 5117

Staff supports the applicant's request that the County issue the Footing to Grade Permit prior to submission of the plat of excavated area. The County's interest that construction occurs consistent with the approval is protected by the plat submission confirming the elevation prior to beginning construction.

BACKGROUND: The Waverly at Clarendon Station (formerly Faison) was approved December 2005 as a residential development with ground floor retail.

The following provides additional information about the site and location:

Site: The 51,696 sq. ft. (1.187 acres) site is located on the west side of North Irving Street between Washington Boulevard and 13th Street North. This site is located within the Clarendon metro station area. The site has frontage on all three streets but does not include the corner property at the intersection of Washington Boulevard and North Irving Street. The site is currently developed with three smaller buildings and surface parking lots. Uses adjacent to the site include the following:

To the north: 13th Street North. Beyond the street (and slightly north-west of the property) are properties owned by the Clarendon Presbyterian Church as well as single-family residential dwellings. These properties are designated "Semi-Public" (Country clubs and semi-public recreational facilities. Churches, private schools and private cemeteries (predominant use on block) on the General Land Use Plan. These properties are zoned "R-5" One-Family, Restricted Two Family Dwelling District. To the north-east of the property) is the Clarendon Court Apartments (9 units), zoned "RA8-18" and designated "Low" Residential (1-10 units per acre) on the General Land Use Plan.

To the west: Red Top Cab operations and parking. These properties are zoned "C-3" and designated as "Medium Density Mixed-Use" on the General Land Use Plan.

To the east: North Irving Street. Numerous parking lots operated by the Red Top Cab company. These properties are zoned "C-3" and designated as "Medium Density Mixed-Use" on the General Land Use Plan.

To the south: Washington Boulevard. Across Washington Boulevard is the "PT Moran Company" building; zoned "C-3" and designated "Semi-Public" on the General Land Use Plan.

Zoning: The site is zoned "C-3" General Commercial Districts; consistent with the current General Land Use Plan designation.

Land Use: The site is designated on the General Land Use Plan as "Medium Density Mixed-Use" (3.0 FAR with special provision for up to an additional 1.0 FAR for residential). Zoning districts that typically correspond to this designation include: C-R, C-3 and MU-VS; therefore the existing zoning district is consistent with the General Land Use Plan designation.

Neighborhood: The property is located within the Lyon Village Civic Association. This property is also in proximity to the Clarendon-Courthouse Civic Association, the Ballston-Virginia Square Civic Association, the Lyon Park Civic Association and the Ashton Heights Civic Association.

DISCUSSION: The developer requests that Condition #33 (plat of excavated area) be amended. The existing condition language requires the plat of excavated area be submitted before issuance of a building permit. The amended condition will allow for the issuance of a Footing to Grade Permit and the plat of excavated area be submitted prior to commencing construction associated with the Footing to Grade Permit. The developer is requesting this amendment due to requirements imposed by their source of project funding. Staff has discussed this type of change with the representatives of the Northern Virginia Building Industry Association (NVBIA) and the National Association of Industrial and Office Properties (NAIOP), and their representatives support allowing this flexibility in site development given the current credit environment while protecting the public and County's interests. This proposal was reviewed with the County's Zoning Administrator and Building Official confirming that the necessary elevation information will be provided while permitting the developer to proceed with their project in a more expedient/timely manner.

CONCLUSION: Staff concludes that the developer's request to obtain a Footing to Grade Permit and provide the plat of excavated area prior to commencing construction, will facilitate the developer obtaining project funding without negative impact to the completion of the site plan as approved by the County Board. Therefore, staff recommends that the Site Plan Amendment be approved subject to all previous and the revised condition, as follows:

33. ~~The developer agrees to submit one (1) plat, drawn at the scale of 1 inch = 25 feet and 24 inches x 36 inches in size, of the excavated area showing spot elevations which confirm that the construction drawings are consistent with the average site elevation, and with the building's ground floor elevation(s) at the building's lowest level(s), as approved by the County Board and as indicated in the plans referenced in Conditions #1 and #10 above.~~ The developer may seek issuance and receive a Footing to Grade Permit prior to submission of the plat of excavated area. Construction pursuant to the Footing to Grade Permit shall not commence until a plat of the excavated area showing spot elevations is submitted and approved by the County. The Plat of Excavated Area shall confirm that the construction drawings are consistent with the average site elevation, and with the building's ground floor elevation(s) at the building's lowest level(s), as approved by the County Board on December 13, 2005, and as indicated in the plans referenced in Conditions #1 and #10 above. The Plat of Excavated Area shall be drawn at the scale of 1 inch = 25 feet and 24 inches x 36 inches in size.

PREVIOUS COUNTY BOARD ACTIONS:

December 13, 2005.

Approved a site plan request for approximately 155 dwelling units and approximately 18,540 square feet commercial space