



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of January 24, 2009**

DATE: January 7, 2009

SUBJECT: SP #391 SITE PLAN AMENDMENT to amend condition to extend the timing of sanitary sewer improvements, premises known as 6808, 6814, 6820, 6830, 6840 N. Fairfax Dr., 2011, 2025, 2101 N. Westmoreland St., and N. 19th Rd. (RPC #11-012-009)

Applicant:

Easton Partners I, LP
c/o Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
Attention: Nan Walsh / Megan C. Shilling
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201-3359

By:

Nan E. Walsh
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201-3359

C.M. RECOMMENDATION:

Approve the site plan amendment request subject to the revised development condition #24 and to all previously approved conditions (#1 through #82).

ISSUES: A section of sanitary sewer line is required to be abandoned and filled prior to the issuance of the Final Building Permit as a condition of the site plan approval. The developer requests that the timing for the abandonment of the sewer line be changed to prior to the issuance of the first certificate of occupancy.

SUMMARY: Final Site Plan Condition #24 pertains to sanitary sewer improvements generally and contained a provision for the abandonment in place and filling of a specified 8-inch sewer line prior to the issuance of the Final Building Permit. When establishing a staging plan for constructing the project, the applicant realized that a construction trailer needed on site for the benefit of contracting staff would be able to utilize that existing sewer line during the time that the site was under construction. Changing the time specified for the retirement of the sewer line

County Manager: _____

Staff: Neil Thompson, Planning Division, DCPHD

PLA- 5159

from prior to Final Building Permit to prior to the issuance of the first certificate of occupancy for the site allows the County to grant the use of the line during construction while maintaining control that the line be abandoned and filled to County standards.

BACKGROUND: The site plan is for a mixed-use development on Westmoreland Street with 214 residential units and approximately 6,490 square feet of retail. Access to the site will be off of Westmoreland Street. The site is currently occupied by a mixture of uses including office, retail and quasi-industrial businesses.

The site is zoned “C-O-1.5” Commercial Office Building, Hotel, and Apartment District and is consistent with the GLUP designation “Low” Office-Apartment-Hotel.

The site is located within the Arlington East Falls Church Civic Association boundaries.

DISCUSSION: The condition in question was crafted to require that sanitary sewer improvements needed to serve the site be designed, approved by County staff and constructed prior to the issuance of Final Building Permits. Included in the scope of work associated with those improvements the 8-inch sanitary sewer line located between manholes indentified as #1979 and #1980 at the northeastern corner of the site needed to be abandoned in place and filled.

While determining a staging plan of materials and equipment for constructing the site, the developer determined that beneficial use can be made of the existing 8-inch line to serve a construction trailer on site during the term of construction to meet the needs of contracting staff. The County’s interest to have the line abandoned and filled can be assured by altering the timing for the abandonment to prior to the issuance of the first certificate of occupancy for the site.

CONCLUSION: The request can be reasonably accommodated and the County’s interest in having the sanitary sewer line retired in place as specified is accomplished by controlling the issuance of the first certificate of occupancy. Therefore, staff recommends that timing for the abandonment in place and filling of the sanitary sewer line be specified as prior to the issuance of the first certificate of occupancy, subject to all previously agreed conditions, and the revised condition as follows:

24. The developer agrees to show, on the final engineering plans, and to construct sanitary sewer main improvements in accordance with the following. The sanitary sewer main improvements shall be constructed prior to the issuance of the Final Building Permit.

The 8-inch sanitary sewer line between manhole #1979 and #1980 (at northeastern corner of property) shall be abandoned in place with flowable fill prior to the issuance of the first certificate of occupancy.

The County will TV-Inspect the sanitary sewer lines serving the site and shall identify any improvements that are necessary to adequately service the development. The developer agrees to repair or replace any sections or appurtenances of the sanitary sewer

serving the development that are found to be deficient or damaged by the developer, as identified by County staff and as shown on the final engineering plan approved by the County Manager.

