



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of March 14, 2009**

REVISED REPORT

DATE: ~~February 24, 2009~~ March 11, 2009

SUBJECT: SP #256 renew comprehensive sign plan; 4250 Fairfax Dr. (RPC #14-050-031)

Applicant:

4250 N. Fairfax Owner LLC
c/o Wells Operation Partnership
6200 The Corners Pkwy. #250
Norcross, Georgia 30092

REVISION EXPLANATION: Correct a typographical error on the attached table and a clarification in the conclusion that while all four (4) signs are placed above 35 feet, only two (2) of the signs function as true rooftop signs.

C.M. RECOMMENDATION:

Renew the site plan amendment for a comprehensive sign plan, subject to all previous conditions and a revised Condition #41, with no further review.

ISSUES: This is a site plan amendment review for a comprehensive sign plan, no new signs are being requested, and no issues have been identified.

SUMMARY: The subject property is the Stuart Park office building, located in Ballston at 4250 N. Fairfax Drive. There is a current site plan amendment that permits the building to have four signs, divided between two tenants, located above 35 feet above grade and not exceeding 577.75 square feet of sign area. This is a scheduled review of the comprehensive sign plan, although typically the Board does not review or renew signs or comprehensive sign plans. No new signs are being requested. Although the existing signs do not technically comply with the sign guidelines, the applicant is compliant with the original site plan amendment approval, the signs do not have an adverse effect on the surrounding area, and therefore staff recommends renewal of the site plan amendment for a comprehensive sign plan, with no further review.

BACKGROUND: The Stuart Park office building site plan was approved by the County Board in 1996, along with two illuminated rooftop signs on the penthouse, one each on the east and

County Manager: _____

County Attorney: _____

Staff: Peter Schulz, DCPHD, Planning Division

west elevations, for the building's major office tenant, Qwest Communications. The original approved comprehensive sign plan did not separate rooftop signs from all other signs, as general practice has been and as the *Sign Guidelines for Site Plan Buildings* permits, and the total sign area for the office building was capped at 750 square feet.

In 1998, a 7.5 foot high x 30 foot wide unlit sign for Qwest was administratively approved to be placed on the building's entrance canopy on Fairfax Drive, more than 35 feet above street grade, with the result that Qwest effectively had three (3) roof top signs, although only two were actually at the roofline. In March 2004, a site plan amendment was adopted by the County Board to permit for an interim period one (1) additional unlit sign on each of the canopies for a new office tenant, "Pearson Government Solutions", for a total of five (5) rooftop signs on the condition that if Qwest Communications would vacate the building and their signs be removed, that Pearson replace Qwest's penthouse signs with their own signs. Condition #41 was modified to require Pearson to remove one of the canopy-top signs at an undetermined date in the future.

In June 2007, an administrative change was submitted to replace the two (2) "Pearson" signs that had been on the building canopies with two (2) signs with the "Vangent" tenant name and logo. The administrative change was approved by the Zoning Administrator, and sign permits were issued. The applicant removed the Pearson signs, erected one (1) "Vangent" sign on the canopy on Fairfax Drive, but did not erect the other.

Despite the fact that the 2004 site plan amendment represented Qwest as imminently leaving the Stuart Park office building, as of February 2009 Qwest remains the major office tenant.

The current tally of existing rooftop signage on the Stuart Park office building portion follows (does not include the approved but unbuilt second Vangent sign) is in Appendix 1.

DISCUSSION: Since the original County Board approval of this site plan amendment in 2004, Qwest remains the building's principal tenant and their three (3) rooftop signs remain. Pearson erected their two (2) permitted signs on the canopy in 2004, and then when they changed their name to Vangent in 2007, refaced only one of the signs and removed the other, although permits were issued to reface both signs.

While the *Sign Guidelines for Site Plan Buildings* limit the number of rooftop signs to two (2), there are currently four (4) placed on this building, in accordance with the approved site plan amendment adopted in 2004. Staff recommends allowing the applicant to keep their approved signage and deviate from the *Sign Guidelines*, as only two (2) of the signs are near the roofline—the "Qwest" signs on the east and west sides of the building's penthouse 200 feet above street grade. The other two "rooftop" signs meet the technical definition of the term, but are placed on top of the Fairfax Drive canopy, which is 32 feet, eight (8) inches above street grade. Since the lettering of the two signs ("Qwest" and "Vangent") is four feet in height, it means the signs themselves are approximately 36 feet, eight (8) inches above the street grade, exceeding the height of 35 feet above street grade which is how the *Guidelines* define a rooftop sign. In addition, they are also significantly smaller than the signs on the penthouse (see attached). They effectively act as street-level signs for pedestrians and close-up drivers, as opposed to the usual rooftop signs, which are at the top of the building and are meant to advertise

the building's principal tenant and be seen from a distance. Furthermore, the approved site plan for the office building designated the top of the entrance canopy as a place for tenant signage, thus treating these signs, effectively, as non-rooftop tenant signs.

Staff therefore recommends that the signs currently on the building be allowed to remain, subject to a modified condition #41 to limit the rooftop sign area available to the Stuart Park office building to what is currently there at the time of this report, 413.5 square feet. Staff recommends also modifying condition #41 in order to separate the maximum allowable sign area for rooftop signs from the maximum allowable sign area for all other signs, in conformance with the *Sign Guidelines for Site Plan Buildings* and current practice.

Since the Original Approval (March 2004):

Site Plan Amendment Conditions: The applicant is compliant with the conditions of the site plan amendment.

Community Code Enforcement: The Code Enforcement Office has no comments.

Fire Marshal's Office: The Fire Marshal's office has no comments.

Police Department: The Police Department has no comments.

Civic Associations: The Ballston-Virginia Square Civic Association has been notified and to date has not submitted comments.

CONCLUSION: Although the four (4) rooftop signs technically deviate from the *Sign Guidelines for Site Plan Buildings*, they function as tenant signs and therefore should be allowed to remain. Although having four (4) signs 35 feet above grade technically deviates from the *Sign Guidelines for Site Plan Buildings* which limits the number of "rooftop" signs to two (2), only two (2) of the signs (the two [2] Qwest signs on the east and west penthouse, 200 feet above grade) function as true "rooftop signs", being large, placed at the summit of the building and visible from a great distance. The other two (2) signs are much smaller and placed atop an entrance canopy 32 feet eight (8) inches above the sidewalk at Fairfax Drive, in an area designated for "Tenant Signage" on the original site plan, and are visible only to pedestrians and motorists only in close proximity to the building. The signs have been at these locations since the site plan amendment approval in 2004. The applicant is compliant with the site plan amendment adopted in 2004, and no issues have been identified. No new signs are proposed. Therefore, it is recommended that the County Board renew the site plan amendment for a comprehensive sign plan, subject to all previous conditions, with a modified condition #41 and no further review.

Revised condition #41:

41. ~~The developer agrees to restrict rooftop signs (2) to the east and west elevations of the building and (2) interim rooftop signs, located on the north and east elevations of the building above the canopy over the North Fairfax Drive entrance. The applicant agrees that rooftop signs are limited to two (2) signs of 150.75 square~~

~~feet each, one (1) each on the east and west penthouses; one (1) sign of 34 square feet on top of the Fairfax Drive canopy; and one (1) sign of 78 square feet on top of the Fairfax Drive canopy, totaling not more than 413.5 square feet. All rooftop signs shall have letter heights of (6) feet or less. The interim rooftop signage on the building shall be limited to 577.75 square feet. Total sign area for the project will be no greater than 956 square feet of signage in the interim, and 750 square feet of signage permanently office building, exclusive of rooftop signs, shall not exceed 597.4 square feet. All exterior signs other than those detailed above shall be consistent with the guidelines contained in "Sign Guidelines for Site Plan Buildings" and with Section 34 of the Zoning Ordinance, and the approved comprehensive sign plan. One (1) identification sign is permitted at the building's North Fairfax Drive entrance. The two (2) interim rooftop identification signs (Pearson) are permitted on the north and east elevations of the building as approved by the County Board on March 13, 2004. The Zoning Administrator shall determine whether the signs meet the standards of the Guidelines and the Ordinance. A comprehensive sign plan that includes building identification signs and retail signs shall be required. All signs are subject to sign permits being approved by the Zoning Administrator.~~

~~The applicant agrees that as the Qwest signs are no longer required by Qwest's lease to be available for Qwest's use, then Qwest's signage will be removed and the interim tenant's signage will either (1) replace the existing permanent major tenant signage on the building, or (2) the interim tenant signage would be designated as permanent. Prior to the interim tenant replacing any rooftop signs existing on March 12, 2003, with its own signage, the interim tenant shall remove one of its own rooftop signs, and shall not replace it. If the interim tenant chooses not to remove either of its rooftop tenant identification signs, then the "Qwest" sign shall be removed and shall not be replaced.~~

PREVIOUS COUNTY BOARD ACTIONS:

May 15, 1984	Approved purchase of 909 North Taylor Street.
July 11, 1987	Deferred site plan Z-2181-80-6 (SP-6) to August 15, 1987.
July 28, 1987	Approved resolution to condemn portion of 4251 Wilson Boulevard for Wilson Boulevard right of way.
August 15, 1987	Approved site plan Z-2181-80-6 (SP-6) for mixed-use office, commercial development and conceptually approved the residential development.
October 17, 1987	Approved site plan amendment Z-2181-80-6 (SP-6) to use a portion of the property as a parking lot (173 spaces) on an interim basis subject to a condition.
December 3, 1988	Authorized Advertising on the County Board's Own Motion a site plan amendment (Z-2181-80-6 (SP-6)) to modify Condition #56 to reflect the proposed reconfiguration of the pedestrian tunnel connection.
February 11, 1989	Approved site plan amendment (Z-2181-80-6 (SP-6)) to amend Condition #56 on the pedestrian tunnel.
March 18, 1989	Approved resolution to condemn portion of 4251 Wilson Boulevard for North Stuart Street right of way.
July 11, 1989	Deferred site plan (Z-2181-80-6 (SP-6)) to September 9, 1989.
September 9, 1989	Carried over site plan (Z-2181-80-6 (SP-6)) to September 12, 1989 meeting.
September 12, 1989	Deferred site plan (Z-2181-80-6 (SP-6)) to September 18, 1989 meeting.
September 18, 1989	Deferred site plan (Z-2181-80-6 (SP-6)) to October 7, 1989 meeting.

October 7, 1989	Deferred site plan (Z-2181-80-6 (SP-6)) to October 21, 1989 meeting.
October 21, 1989	Deferred site plan (Z-2181-80-6 (SP-6)) to October 30, 1989 meeting.
October 30, 1989	Approved site plan (Z-2181-80-6 (SP-6)) for the residential building subject to site plan conditions.
December 5, 1989	Approved contract to purchase 4251 Wilson Boulevard.
December 13, 1989	Approved site plan amendment (Z-2181-80-6 (SP-6)) to incorporate additional site area into the site plan for properties on Wilson Boulevard and North Taylor and Stuart Streets and for additional mixed-use development with four new conditions.
May 29, 1990	Approved conveyance of 909 North Taylor Street, delivery of the deed at the discretion of the County Manager under certain conditions.
June 13, 1992	Approved a site plan amendment (SP #256) to modify condition #57 to extend the term of the site plan from October 30, 1992 to October 30, 1995 for the parcels of real property known as the properties located in the 800 and 900 blocks of North Stuart Street and North Taylor Street, approval is granted and the parcels so described shall be used only according to the approval requested by the application, subject to all previous conditions and the amended condition #57 and new conditions #71 and #72.
October 9, 1993	Denied Site Plan Amendments SP #256 and SP #269 to permit the office density approved for the Jefferson Square site (SP #269) to be constructed on the Stuart Park site (SP #256), including approximately 616,161 square feet of office gross floor area, and to permit the residential density approved for the Stuart Park site to be constructed on the Jefferson Square site, including approximately 61,661 square feet of residential gross floor area, subject to final site plan approval, for premises known as Stuart Park - 800 and 900 blocks of North Stuart Street, on the west side, and

800 and 900 blocks of North Taylor Street, on the east side; and Jefferson Square - 904, 912, and 932 North Randolph Street, 903 North Stafford Street, and 4103 and 4107 North 9th Street.

May 20, 1995

Approved a site plan amendment (SP #256) to extend the site plan term from October 30, 1995 to October 30, 1998, for the parcels of real property known as the 800 and 900 blocks of North Stuart Street and North Taylor Street, approval is granted and the parcels so described shall be used only according to the approval requested by the application, subject to all previous conditions and the amended conditions number 57 and 71 and new condition number 73.

April 13, 1996

Deferred a site plan amendment (SP #256) request for construction of a residential building including approximately 462,935 square feet of gross floor area, associated parking, modification of use regulations for parking, compact space ratio, coverage and density to May 11, 1996.

May 13, 1996

Deferred a site plan amendment (SP #256) request for construction of a residential building including approximately 462,935 square feet of gross floor area, associated parking, modification of use regulations for parking, compact space ratio, coverage and density in the 800 and 900 blocks of North Stuart Street and North Taylor Street and related items to June 4, 1996.

June 4, 1996

Deferred a site plan amendment (SP #256) request for construction of a residential building including approximately 462,935 square feet of gross floor area, associated parking, modification of use regulations for parking, compact space ratio, coverage and density in the 800 and 900 blocks of North Stuart Street and North Taylor Street and related items to June 29, 1996.

June 29, 1996

Approved a site plan amendment (SP #256) request for construction of a residential building including approximately 462,935 square feet of gross floor area, associated parking, modification of use regulations for parking, compact space ratio,

coverage and density in the 800 and 900 blocks of North Stuart Street and North Taylor Street, subject to conditions which replace all of the 1989 site plan approved conditions for the residential building portion of the Stuart Park Site Plan, and to condition number 45 of the 1987 office building approval (the remaining office/commercial conditions from the 1987 approval are unchanged).

Approved and ratified agreement attached to County Manager's report dated June 12, 1996 between the County Board and Fidelio Properties for the sale of County-owned property at 4251-4257 Wilson Boulevard.

Approved vacation of portions of North Stuart Street and North Taylor Street, and abandonment and conveyance to Fidelio Properties of the portion of North Taylor Street, subject to conditions.

August 3, 1996

Approved site plan amendment (SP #256) for an office building containing approximately 306,000 square feet and associated parking, with modifications to conditions relating to tenant identification signs at the rooftop; County maintenance of the park; façade materials; contribution for pedestrian access improvements and park; and access to parking by retail tenants subject to conditions.

February 7, 2004

Deferred a site plan amendment (SP #256) for an amended comprehensive sign plan to the March 13, 2004 County Board meeting.

March 13, 2004

Approved a site plan amendment (SP #256) for an amended comprehensive sign plan, subject to an amended condition #41, with a County Board review in three (3) years (March 2007).

Approved Condition #41

41. The developer agrees to restrict rooftop signs (2) to the east and west elevations of the building and (2) interim rooftop signs, located on the north and east elevations of the building above the canopy over the North Fairfax Drive entrance. All rooftop signs shall have letter heights of six (6) feet or less. The interim rooftop signage on the building shall be limited to 577.75 square feet. Total sign area for the project will be no greater than 956 square feet of signage in the interim, and 750 square feet of signage permanently. All exterior signs shall be consistent with the guidelines contained in "Sign Guidelines for Site Plan Buildings" and with Section 34 of the Zoning Ordinance. One (1) identification sign is permitted at the building's North Fairfax Drive entrance. The two (2) interim rooftop identification signs (Pearson) are permitted on the north and east elevations of the building as approved by the County Board on March 13, 2004. The Zoning Administrator shall determine whether the signs meet the standards of the Guidelines and the Ordinance. A comprehensive sign plan that includes building identification signs and retail signs shall be required. All signs are subject to sign permits being approved by the Zoning Administrator.

The applicant agrees that as the Qwest signs are no longer required by Qwest's lease to be available for Qwest's use, then Qwest's signage will be removed and the interim tenant's signage will either (1) replace the existing permanent major tenant signage on the building, or (2) the interim tenant signage would be designated as permanent. Prior to the interim tenant replacing any rooftop signs existing on March 12, 2003, with its own signage, the interim tenant shall remove one of its own rooftop signs, and shall not replace it. If the interim tenant chooses not to remove either of its rooftop tenant identification signs, then the "Qwest" sign shall be removed and shall not be replaced.

Existing signs 35 feet above grade

Type	Locations	Height in feet above grade	Sign Area (Sq. ft.)	Text	Material
Rooftop sign	On east penthouse	Approx. 200 Approx. 200	150.75	<i>Qwest</i>	Illuminated channel letters, white
Rooftop sign	On west penthouse	Approx. 200 Approx. 200	150.75	<i>Qwest</i>	Illuminated channel letters, white
Rooftop sign	Atop Fairfax Drive entrance canopy	36	34	<i>Qwest</i>	Cast Metal letters, stainless steel
Rooftop sign	Atop Fairfax Drive entrance canopy	36	78	<i>Vangent</i> and logo	Illuminated channel letters

Total Existing Rooftop Signage	413.5 s.f.
Total Building Frontage	597.4 l.f.