



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of March 14, 2009

REVISED REPORT

DATE: ~~March 2, 2009~~ March 10, 2009

SUBJECT: SP #371 SITE PLAN AMENDMENT to modify the condition regarding LEED compliance at 1800 Wilson Boulevard (RPC # 17-010-038, -040 through -194)

Applicant:

1800 Wilson Boulevard, LLC
c/o Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
Attention: Nan Walsh / Kara Whisler
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

REVISION EXPLANATION: Incorrect Previous County Board Actions were included in original report.

C.M. RECOMMENDATION:

Approve the site plan amendment request subject to all previously approved conditions and revised condition #66.

ISSUES: Site Plan Condition #66 pertains to the encouragement of green building techniques recommended by the U.S. Green Building Council (USGBC). The developer is unable to document Leadership in Energy and Environmental Design (LEED) components as specified by the condition and is requesting consideration of a mitigation proposal.

SUMMARY: The developer is unable to document the incorporation of 25 LEED points as specified by condition #66. At the time this project was approved and built it was not required or common practice to have a LEED accredited professional on the project team. The absence of

County Manager: _____

Staff: Neil Thompson, Planning Division, DCPHD
Joan Kelsch, DES

PLA- 5204

this expertise led to a failure to adequately track and document points during construction as required. Projects are not permitted to retroactively earn LEED points. To meet the spirit of the condition to reduce the environmental impacts of buildings in Arlington County, the developer is proposing the installation of energy and water saving fixtures in existing Arlington Partnership for Affordable Housing (APAH) residential buildings. No bond was required for LEED compliance because no bonus density was approved. Bond amounts to insure LEED compliance are determined by a formula based on the bonus floor area approved.

BACKGROUND: On June 14, 2003 the County Board approved the site plan for a 153-unit residential development with ground floor retail and live/work units.

Site: Located at 1800 Wilson Blvd., the site is bound as follows:

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|---------------|--|
| To the north: | Wilson Blvd.; the Colonial Village Shopping Center; multi-family housing. |
| To the west: | Gas station, North Rhodes St.; retail uses. |
| To the east: | Various retail uses and vacant lots; office buildings. |
| To the south: | Clarendon Blvd.; Rhodeside Green Park; townhouses; multi-family buildings. |

Zoning: The site is zoned “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts

Land Use: The site is designated on the General Land Use Plan (GLUP) as mixed “Medium Office-Apartment-Hotel.”

Neighborhood: The site is located within the Radnor/Ft. Myer Heights Civic Association.

Arlington County’s pilot green building program began in January 2000. The program offered incentives for commercial buildings achieving the LEED Silver Certification standard introduced by USGBC in 1998 for commercial new construction. By March 2003 LEED-New Construction (NC) version 2.1 was implemented to include new commercial construction, major renovations and high-rise residential buildings.

At four stories, the 1800 Wilson project is considered a low-rise residential building for which there were no directly applicable LEED standards in June 2003. The site plan was approved with the condition that commercially reasonable efforts be made to achieve 25 points. At this early phase of the USGBC LEED program and Arlington County’s own green building program, LEED accredited professionals were not required and point tracking compliance was customarily self-enforced by the development team.

The absence of a LEED accredited professional on the development team and applying standards

intended for high-rise residential buildings to this low-rise residential building directly led to inadequate tracking of points during construction. Some points such as for site selection in a transit corridor are obvious, but other possible points such as use of specified excavation techniques require documentation during the actual time performed. Because of this the developer is unable to definitively determine the actual points achieved for the project. There was no bond requirement imposed to insure LEED compliance as no bonus FAR was included in the site plan approval.

DISCUSSION: The intent of the condition in question is to reduce the environmental impacts of buildings by incorporating specific green building components as outlined by the U.S. Green Building Council LEED certification program.

Upon completion of the project the applicant was unable to document the required project LEED score of 25 points specified to meet the condition. The USGBC does not permit projects to retroactively attain LEED credits so the developer proactively initiated discussions with DES staff to explore alternative measures that would meet the spirit of the condition by promoting green building measures.

Some of the Green building measures incorporated into the planning and construction of 1800 Wilson Boulevard that may be documented include but are not limited to the following prerequisites and credits representing at least 15 points:

Sustainable Sites

- Credit 1 Site Selection – Site does not meet any of the LEED restricted site criteria
- Credit 3 Urban Redevelopment
- Credit 4.1 Alternative Transportation, Public Transportation Access
- Credit 4.2 Alternative Transportation, Bicycle Storage
- Credit 4.4 Alternative Transportation, Parking Capacity
- Credit 6.1 Stormwater Design, Quality Control
- Credit 7.1 Heat Island Effect, Non-Roof – Underground Parking
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Materials and Resources

- Prereq 1 Storage & Collection of Recyclables
- Credit 5.1 Regional Materials

Indoor Environmental Quality

- Prereq 2 Environmental Tobacco Smoke (ETS) Control
- Credit 2 Increased Ventilation – Perimeter System Controllability
- Credit 6.2 Controllability of Systems, Thermal Comfort
- Credit 8.1 Daylight & Views, Daylight 75% of Spaces
- Credit 8.2 Daylight & Views, Views for 90% of Spaces

Innovation & Design Process

- Credit 1.1 Innovation in Design: Live-Work Units

Initially, the developer and DES staff explored the purchase of wind energy credits equivalent to 100% of the projects energy consumption for one year. The value of the wind energy credits was determined to be \$20,000. As the discussions progressed it was determined that rather than a cash contribution, an equivalent investment in durable energy and water conserving fixtures would yield a greater immediate and long term impact. The developer formulated a proposal to provide a \$20,000 subsidy to APAH for the installation of energy and water saving fixtures in five existing affordable housing buildings. Those buildings are Barkalow, Calvert Manor, Carlyn Springs, Courthouse Crossings and Queen's Court. A matrix of the options considered titled *Affordable Housing Efficiency Options* and the specific proposed installation spread sheet titled *Holladay – APAH Green Proposal* are attached.

The proposal includes coordinated onsite inspections to confirm installation of the fixtures and provision of data one year after the installation documenting recorded water and electric usage.

CONCLUSION: 1800 Wilson Boulevard was approved and constructed at an early phase of the LEED program and Arlington County's green building program. The development team regrettably failed to adequately track and document points during construction due to lack of experience and expertise. The LEED program does not allow attaining points retroactively. The amendment request reasonably mitigates the impact of not meeting the LEED goals for the project. The spirit of condition #66 was to reduce the environmental impacts of the project through proven green building techniques. Provision of the energy and water saving fixtures in existing buildings in need of energy and water saving retrofits meets the intent of the original condition. Staff recommends approval of the amendment subject to all previously approved conditions and the revised condition as follows:

66. Prior to application for a Master Certificate of Occupancy, the developer agrees to submit to the County Manager documentation of all building components that could earn the developer points under the U.S. Green Building Council's System for LEED Certification in order to determine the level of environmental "green building" technologies incorporated in the building. The developer agrees to use commercially feasible efforts to achieve a LEED scorecard total project score of 25 points. The developer agrees to immediately notify the County Manager and the Zoning Administrator of any certification level received from the U.S. Green Building Council.

In the event that the developer is unable to achieve a LEED score of at least 25 points the developer shall propose alternative compliance means acceptable to the County Board.

PREVIOUS COUNTY BOARD ACTIONS:

April, 2003

The County Board deferred the proposed GLUP, Rezoning and Site Plan to the May 17, 2003 County Board meeting.

The County Board approved an Amendment to the Master Transportation Plan to extend a segment of North Quinn Street between Clarendon Boulevard and Wilson Boulevard.

May, 2003

The County Board deferred the proposed GLUP, Rezoning and Site Plan to the June 14, 2003 County Board meeting.

June, 2003

The County Board approved the GLUP, Rezoning, and Site Plan for a mixed-use building containing 153 condominium units and approx. 6,000 sq. ft. of retail.