



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of April 25, 2009**

**DATE:** April 13, 2009

**SUBJECT:** SP #346 SITE PLAN AMENDMENT to modify conditions #69.b. regarding the timing of final Design Review by U.S. Green Building Council and #34 to eliminate the requirement to provide parking garage doors at Potomac Yard, Land Bay B; 2800 and 2850 S. Potomac Ave. (RPC # 34-027-066)

**Applicant:**

Potomac Yards Acquisition, L.L.C.

**By:**

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2200 Clarendon Boulevard, 13<sup>th</sup> Floor  
Arlington, VA 22201-3359

**C.M. RECOMMENDATION:**

Approve the site plan amendment request subject to all previously approved conditions and revised conditions #34 and #69.b.

**ISSUES:** Site Plan Condition #66.b.3) requires submission of final Design Review by the U.S. Green Building Council (USGBC) of the Leadership in Energy and Environmental Design (LEED) components of the site plan to the County Manager or his designee for review prior to the issuance of the Footing to Grade Permit. Delay in the completion of Design Review by USGBC will disrupt the applicant's construction schedule. The applicant requests shifting the requirement of submitting final Design Review for staff review to prior to issuance of Shell and Core Certificate so that their construction schedule may be maintained. Condition #34 requires roll-down doors for the parking garage. The applicant requests eliminating this requirement because the nature of hotel parking garage operation is that guests arrive and depart around the clock and the doors remain open at all times to accommodate them.

**SUMMARY:** The applicant submitted the LEED components of their plan to the USGBC for their final Design Review on November 17, 2008. The number of plans in the queue for review caused the USGBC to estimate that their review would not be complete until March or April

County Manager: \_\_\_\_\_

Staff: Neil Thompson, Planning Division, DCPHD

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2009, which has not been completed to this date. The applicant is concerned that the delay of the final Design Review by the U.S. Green Building Council will delay their construction schedule. The applicant's construction plans for Footing to Grade permit and Final Building permit have been reviewed by County staff and permits are ready to be issued were it not for the need for the USGBC Design Review. To maintain their schedule, the applicant requests shifting the requirement for final Design Review submittal to prior to Shell and Core Certificate of Occupancy (Condition #66.b.5).

The applicant is also requesting an amendment to condition #34 to eliminate the need to provide roll down garage doors. The last sentence of Condition #34 states, "Furthermore, the developer agrees that the garage doors shall contain specially designed roll-down doors fabricated of a translucent material with backlighting consistent with the drawings dated November 28<sup>th</sup>, 2007." Throughout the site plan approval process it was the applicant's intent for the hotel garage to operate 24 hour per day, seven days per week to match the needs of travelers obviating the need for roll up garage doors. Staff agrees and recommends the deletion of the referenced sentence.

**BACKGROUND:** On December 18, 2007 the County Board approved the Land Bay B site plan for 625 hotel rooms and 10,000 sq. ft. of retail space. The site is in the construction phase and the applicant is seeking building permits as required by the approval.

Site: The Potomac Yard PDSP is located in the South Tract, along the Jefferson Davis Corridor. It is generally bounded by the Airport Viaduct, the George Washington Memorial Parkway (the eastern edge of the railway corridor), Four Mile Run and the City of Alexandria, the Jefferson Davis Highway (Route 1) and Crystal Drive. Land Bay B is a triangular-shaped parcel bounded by Crystal Drive, 29<sup>th</sup> Street South and Potomac Avenue.

Zoning: The site is zoned "C-O-1.5", Commercial Office Building, Hotel and Apartment Districts.

Land Use: The site designation on the General Land Use Plan (GLUP) is a striped pattern of one-third "Medium" Residential (37-72 units/acre) and two-thirds "Low" Office-Apartment-Hotel (up to 1.5 FAR office density, up to 72 units/acre residential density, up to 110 units/acre hotel density), with Note 18.

Neighborhood: The site is adjacent to the Aurora Highlands and Arlington Ridge Civic Associations. Notices were sent by e-mail to both associations. Ted Saks responded as the Urban Planning Chair of the Aurora Highlands CA expressing no concern for the timing for the submission of the USGBC Design Review and advice that open garage bays in general deteriorate the pedestrian experience and that particular attention be paid to streetscape design to mitigate the impact of the open bays.

## **DISCUSSION:**

Condition #69 - Site plan condition #69.b.3 for the Potomac Yard Land Bay B (Marriott) project states, in part that prior to the issuance of the Footing to Grade permit, the applicant shall have submitted and received final Design Review for the LEED components from the US Green

Building Council, and that the results of the final LEED Design Review must be submitted to the County Manager or his designee.

The project team submitted the information required for the Design Review to the USGBC in a timely manner. Concurrently the LEED components of the site plan were submitted to County staff allowing coordination of review between County staff and USGBC. Close coordination between County staff, the project architect, project LEED consultant and USBGC concluded that twelve of the 21 credits have been approved, nine credits required clarification, and review of three credits was deferred to the LEED construction submission. That Design Review result is typical for a project at this stage and based on the conclusion reached by County staff, the project architect, project LEED consultant and USGBC deferring the requirement to provide the Design Review to prior to the issuance of the Shell and Core Certificate of Occupancy will not jeopardize achievement of LEED certification of the site.

Condition #34 - The section of the staff report at the time of approval included the following discussion regarding Loading Bay and Garage Access:

Loading Bay and Garage Access: The Potomac Yard Urban Design Guidelines recommend that the location of parking and loading access points be carefully controlled, limiting the impact on sidewalks and public spaces. Due to site constraints, which limit potential garage and loading locations to either 29<sup>th</sup> Street South or Potomac Avenue, the developer has proposed to place both the garage entrance and the loading dock on Potomac Avenue. The project proposes a 50-foot wide loading bay providing four (4) loading and trash berths. The loading bay is broken up into two (2) loading entrances created by the provision of a small pedestrian refuge area in the sidewalk as it crosses the entrances. Consistent with standard site plan conditions the applicant has agreed to keep the loading doors closed at all times except when vehicles are entering and exiting the loading dock. Two (2) of the loading berths have been designed with sufficient depth for both tour buses and full length tractor trailers. Located along Potomac Avenue between the porte-cochere and the loading lock is the entrance (24.5 feet wide) to the underground garage.

Since the time of approval it was always the applicant's intent that parking garage access be 24 hours a day, seven days a week, thereby obviating the need for roll down doors. This intent is supported in that the referenced drawings dated November 28, 2007 depict roll-down doors for the loading docks but not at the parking garage opening. Furthermore, the above discussion from the original staff report supports that the applicant had agreed to the doors on the loading docks with no reference to doors on the garage. Roll-down doors at the parking garage opening abutting the Potomac Avenue sidewalk will disrupt the desired pedestrian flow as vehicles queuing to enter the garage will block the sidewalk as the roll-down doors cycle up. The applicant's proposal is to regulate vehicle access and provide security with control gates within the interior entry aisle, allowing vehicles to queue inside the garage without inhibiting pedestrians. Finally, the proposed amendment would have a lesser impact given that the Potomac Avenue façade represents a secondary frontage of the hotel, facing the CSX Rail Corridor and existing maintenance facility across the right of way.

**CONCLUSION:** The applicant has met the conditions for the issuance of Footing to Grade permit as well as Final Building Permit with the exception of providing the Final Design review of the LEED components from USGBC. The applicant provided County staff with the materials submitted to USGBC for Design Review to allow for concurrent review and coordination with USGBC regarding the proposal components. Modifying condition #69.b. to allow for the submission of the USGBC Final Design review prior to the issuance of Shell and Core Certificate of Occupancy insures compliance with the original conditions intent and will not have an adverse impact on achieving the approved LEED points.

The elimination of condition #34 language requiring roll-down doors at the parking garage opening that is to be open 24 hours a days, seven days a week will improve the pedestrian function of the Potomac Avenue sidewalk by reducing conflicts with vehicles lined up to access the garage while the roll-down doors open. With the CSX rail corridor and maintenance facility across the Potomac Avenue right of way and no other office or residential uses, there are no adverse visual impacts to this requested deletion. Staff recommends approval of the amendment subject to all previously approved conditions and the revised conditions as follows:

**Façade Treatment of Buildings**

34. The developer agrees that the design of the facade treatment for the buildings and the materials to be used on the facades shall be as specified and shown on the submitted drawings identified in Condition #1 and as presented to the County Board and made a part of the public record on the County Board date identified in Condition #1, including all renderings, drawings, and presentation boards presented during public hearings. The developer agrees to submit colored drawings and renderings which label the materials and colors for each elevation of the building, including interior elevations (e.g. elevations adjacent to interior courtyards, plazas and access drives), and material samples, for review by the County Manager for consistency with this site plan approval prior to the issuance of the Footing to Grade Permit. The developer further agrees to obtain the approval of the County Manager of the façade treatment as being consistent with the County Board approval before the issuance of the Final Building Permit. The façade treatment for the buildings shall provide details of the wall design located above the outdoor deck on 29<sup>th</sup> Street South at the terminus of North Park Plaza, including, but not limited to, the dimensions, height, materials and color of materials to be used on the wall design. The final color to be used on the transition metal tower element shall be reviewed and approved by the County Manager prior to the issuance of the first Certificate of Occupancy for the site plan.

The developer agrees that all retail storefronts along public rights-of-way are required to have an overall minimum transparency of 50% as measured from floor to ceiling. In addition, the portion of the retail storefront that is located between three and eight feet from grade is required to be at least 80% transparent or as a percentage of transparency shown in the drawings dated November 28, 2007 and as approved and made a part of the public record on December 15, 2007. The purpose of this condition is to allow pedestrians to view the activity within the retail establishment and to allow patrons and employees of the retail establishments to view the activity on the sidewalk and street. “Transparency” shall mean using glass or other transparent exterior material offering a

view into an area of the retail establishment where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or the like. Provided that the exterior material is glass or other transparent material, a tenant may apply to the County Board for a site plan amendment to grant an exception to this condition for a specified duration.

~~Furthermore, the developer agrees that the garage doors shall contain specially designed roll down doors fabricated of a translucent material with backlighting, consistent with the drawings dated November 28, 2007.~~

### **LEED Credits and Sustainable Design Elements**

69. a. The developer agrees to contract with a LEED certified consultant as a member of the design and construction team. The consultant shall work with the team to incorporate sustainable design elements and innovative technologies into the project so that numerous building components may earn the developer points under the U.S. Green Building Council's system for LEED certification. Specifically, the developer agrees to include sustainable elements in design and construction that are sufficient to meet the requirements for at least a LEED Certified rating as outlined by the U.S. Green Building Council's LEED for New Construction (LEED-NC) rating system. Further, the developer agrees to register the project with the USGBC and submit the necessary fees and documentation for the full USGBC LEED review and certification. In addition, the developer agrees to implement a green hotel management program as part of its housekeeping services. Documentation describing the program shall be submitted to the County Manager prior to the issuance of the Certificate of Occupancy for hotel occupancy. For the commercial lighting areas of the hotel projects (lobbies, corridors, stairwells, common rooms, fitness rooms, office, etc.), the developer agrees to incorporate interior lighting in order to maximize energy efficiency. Strategies may include, but are not limited to, daylighting, efficient fixtures, bulbs, motion and light sensors, interior design (paint color), etc). The US Green Building Council's LEED for Commercial Interiors (LEED-CI) credit for *Optimizing energy Performance: Lighting Power* should be used as a goal. Fifty (50) percent of the light bulbs in hotel guest rooms shall be energy efficient, and the energy efficient bulbs shall be fluorescent or compact fluorescent. The developer shall submit to, and obtain approval of, the County Manager, or his designee, the lighting strategies used including a listing of lighting fixtures, bulbs, and components prior to issuance of the Core and Shell Certificate of Occupancy.
- b. The developer further agrees to submit, to the Department of Environmental Services (DES) and to the Zoning Office, a report prepared by the LEED consultant and documentation upon request to substantiate the report. Such reports will be submitted prior to issuance of the following permits or certificates of occupancy for construction of the project and will summarize the efforts to date of the inclusion of the sustainable elements within the project:
- 1) Clearing, Grading & Demolition Permit

- 2) Excavation, Sheeting and Shoring Permit
  - 3) Footing to Grade Permit (~~prior to issuance of the Footing to Grade permit, the applicant shall have submitted and received final Design Review for the LEED components from the US Green Building Council. The results of the final LEED Design Review must be submitted to the County Manager or his designee.~~)
  - 4) Final Building Permit
  - 5) Shell and Core Certificate of Occupancy (prior to issuance of the Shell and Core Certificate of Occupancy, the applicant shall have submitted and received final Design Review for the LEED components from the US Green Building Council. The results of the final LEED Design Review must be submitted to the County Manager or his designee prior to issuance of the Shell and Core Certificate of Occupancy.)
  - 6) Partial Certificate of Occupancy for occupancy for guest use.
  - 7) Master Certificate of Occupancy
- c. Prior to the issuance of the of the first Certificate of Occupancy for hotel and/or retail occupancy of the building, the developer agrees to provide the County Manager documentation of a submission to the U.S. Green Building Council for at least the LEED Certified rating for New Construction (LEED-NC). Prior to the issuance of the Master Certificate of Occupancy, the developer agrees to provide the County Manager documentation that the project received at least the LEED Certified rating under the U.S. Green Building Council's LEED for New Construction (LEED-NC) rating system. Pursuant to Condition #57 above, if the developer requests to extend the timeframe for obtaining the Master Certificate of Occupancy, then the extension request shall include documentation that it made a submission to the U.S. Green Building Council (USGBC) for at least the Certified rating for New Construction (LEED-NC). The County Manager or his designee may approve such extension if he finds that the developer is diligently continuing completion of the project and/or is awaiting certification from the USGBC for at least the Certified rating for LEED-NC.

If the developer fails to receive at least LEED Certification from the U.S. Green Building Council (USGBC) by the timeframe identified above, then the developer agrees to make a contribution to the County's Green Building Fund of \$13,200 (\$0.03 X 440,000 square feet). The payment shall be made to the Department of Environmental Services and evidence of compliance with this condition shall be provided to the Zoning Administrator in the form of a letter at the time of payment.

Furthermore, the developer agrees to permit the County Manager or his designee to access the USGBC records for the project and to provide the County Manager with such authorization as may be necessary to allow such access.

PREVIOUS COUNTY BOARD ACTIONS:

October 21, 2000

**South Tract:** Approved a General Land Use Plan (GLUP) Amendment to a striped pattern of 1/3 "Medium" Residential (37-72 units/acre) and 2/3 "Low" Office-Apartment-Hotel, with Note 18.

Approved Amendments to the Master Transportation Plan, including Part I to add public streets and designate several streets as private; Arlington Bicycle Plan to add on-street bike lanes; Arlington County Pedestrian Transportation Plan to add a pedestrian corridor; and establishment of a transitway.

Approved a rezoning from "M-1" to "C-O-1.5".

Approved a Phased Development Site Plan for a mixed use office, retail, hotel and residential development.

Adopted a resolution affirming Arlington County's commitments to developing transit facilities to provide high quality local transit service in the Jefferson Davis Corridor and facilitating traffic movements between U.S. 1 in Arlington and Potomac Avenue.

**North Tract:** Approved a General Land Use Plan (GLUP) Amendment for the area north of 6<sup>th</sup> Street South, from "Service Industry" to "Public".

Approved a General Land Use Plan (GLUP) Amendment for the area south of 6<sup>th</sup> Street from "Service Industry" to "Low" Office-Apartment-Hotel.

February 9, 2002

Deferred a site plan for a Land Bay A, for office and retail development totaling 654,000 square feet, including 6,000 square feet of initial retail, 11,784 square feet of potential retail, and 4,000 square feet of fitness center, to February 25, 2002 Planning Commission and March 23, 2002, County Board meeting.

March 23, 2002

Approved a final site plan for Land Bay A, for



	Bay A, to modify the first floor configuration and uses for the north and south office buildings, subject to amended Condition #57.
April 22, 2006	Approved a site plan amendment request to amend Condition #57(b) regarding a reduction in the size of the three (3) flat screen televisions (Land Bay A).
September 16, 2006	Approved site plan amendment request for a comprehensive sign plan (Land Bay F), subject to the proposed conditions.
December 9, 2006	Approved the site plan amendment request for a comprehensive sign plan for four (4) projecting retail tenant signs for Land Bay F, per the revised <i>Potomac Yard Sign Guidelines</i> to allow signs for retail tenants located on the interior courtyard of Land Bay F to have tenant signs along Route 1, for a period of ten (10) years.
January 27, 2007	Deferred a PDSP Amendment and final site plans for Land Bays D-East, D-West and E-West to the County Board meeting of March 17, 2007.
March 17, 2007	Approved a site plan amendment request for a comprehensive sign plan (Land Bay E-East).
March 20, 2007	Deferred a PDSP Amendment and final site plans for Land Bays D-East, D-West and E-West to the County Board meeting of April 21, 2007.
April 21, 2007	Approved a PDSP Amendment to convert office to residential in Land Bay D-West, to increase the maximum permitted residential units to 1,548 units, and to reallocate and convert densities within and between Land Bays B, C, D-East, D-West and E-West, subject to amended PDSP Condition #4.
	Approved a final site plan for Land Bay D-East, for a residential building containing 425,752 square feet of residential GFA, 360 units and 16,503 square feet of ground floor retail.
	Approved a final site plan for Land Bay D-West, for a residential building containing 398,435 square feet of residential GFA, 331 units and 15,868 square

feet of ground floor retail.

Approved a final site plan for Land Bay E-West, for an office development containing 374,379 square feet of office GFA and 71,418 square feet of ground floor retail.

Approved Conceptual Design Plan for Center Park.

November 13, 2007

Deferred PDSP Amendment to convert 22,313 square feet of office use in Land Bay C to ground floor initial and potential retail use in Land Bay C to December 15, 2007. (RPC #34-027-071, -072)

Deferred final site plan for Land Bay C for approximately 1,064,673 square feet office, approximately 23,675 square feet initial retail, 17,275 square feet potential retail, modification of use regulations for fewer loading bays than required, and to exclude approximately 5,598 square feet garage entry from GFA to December 15, 2007. (RPC #34-027-071, -072) (Potomac Yard Land Bay C)

December 18, 2007

Approved PDSP Amendment to convert 22,313 square feet of office use in Land Bay C to ground floor initial and potential retail use in Land Bay C. (RPC #34-027-071, -072)

Approved final site plan for Land Bay C for approximately 1,064,673 square feet office, approximately 23,675 square feet initial retail, 17,275 square feet potential retail, modification of use regulations for fewer loading bays than required, and to exclude approximately 5,598 square feet garage entry from GFA. (RPC #34-027-071, -072) (Potomac Yard Land Bay C)

Approved final site plan to construct approx. 625 hotel rooms, approx 10,000 sq ft retail with modification of use regulations for exclusion of storage area from gross floor area, parking ratio; (Land Bay B, RPC #34-027-066).

June 17, 2008

Deferred site plan amendment for an amendment to the comprehensive sign plan for Land Bay F to July

17, 2008.

July 19, 2008

Deferred site plan amendment for an amendment to the comprehensive sign plan for Land Bay F to September 13, 2008.

September 13, 2008

Approved a comprehensive sign plan amendment to add six (6) window signs for the Bank of America, increasing the existing site sign area by a total of 135.2 square feet.

October 18, 2008

Approved proposed amendment to the comprehensive sign plan for two (2) freestanding signs, pursuant to the conditions of the staff report, and with a County Board Review in ten (10) years (October 2018).

November 15, 2008

Approved a site plan amendment for a comprehensive sign plan (Land Bay E-West).