



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of June 13, 2009**

**DATE:** June 1, 2009

**SUBJECT:** U-3144-05-1 USE PERMIT AMENDMENT to increase the number of reserved commercial parking spaces and to modify sign requirements for retail tenant signs, directional signs and building identification signs at 2301 Columbia Pike (Siena Park project). (RPC: #27-017-098)

**Applicant:**

Woodfield Columbia Pike, LLC  
M. Catherine Puskar, Agent  
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.  
2200 Clarendon Blvd, 13<sup>th</sup> Floor  
Arlington, Virginia 22201

**C.M. RECOMMENDATION:**

1. Defer consideration of the use permit amendment for an increase in the number of reserved commercial parking spaces to the July 11, 2009 County Board meeting.
2. Approve the use permit amendment to modify the sign requirements for retail tenant signs, directional signs and building identification signs, subject to all previous conditions and new condition #26, requiring approval of a Comprehensive Sign Plan.

**ISSUE:** The applicant originally requested a reallocation of the approved parking quantities specified in the original use permit Condition #19. Staff can not administratively modify the approved Condition to allow adjustment to the parking allocations; therefore a Use Permit amendment is requested. However, the applicant has modified the requested change which necessitate a revised public notice; therefore, the request would need to be considered at a later date to allow the proper time for advertisement. The signs requested by the applicant cannot be reviewed administratively; therefore, the applicant must request a use permit amendment. As per Section 20. "CP-FBC" – Columbia Pike Form Based Code Districts of the Arlington County Zoning Ordinance, the County Board may modify signage regulations. No issues have been identified.

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

County Attorney: \_\_\_\_\_

Staff: Jennifer Smith, DCPHD, Planning Division

PLA-5279



**DISCUSSION:** The applicant is seeking special exception approval for two items: 1) to modify the approved parking allocations and 2) to modify regulations to permit three (3) types of signs for the “Siena Park” project.

Parking

The applicant is modifying the requested amendment to the parking arrangement which necessitates a new advertisement. Therefore, a deferral of this item to the July 11, 2009 County Board meeting is requested.

Signs

The applicant requests modifications to three types of signs: 1) building identification signs; 2) retail tenant signs; and, 3) directional signs. Signs are permitted to be modified under the FBC by special exception use permit approval. Concurrent with this request, the applicant is requesting administrative approval of a Comprehensive Sign Plan for all signs for the project; including signs that are compliant with the FBC and signs permitted by modification.

The following table summarizes the proposed signs in comparison with some of the permitted signs under the FBC.

Sign Types	Required / (Allowed)	Proposed (Specific deviations shown in <b>Bold</b> )
Building Identification Sign	One (1) masonry or bronze plaque with owner’s or building’s name  Placement: in cornice or under eaves above upper story windows  8 square feet maximum	<b>One (1) blade sign with building name (“Siena Park”)</b>  Placement: <ul style="list-style-type: none"> <li>• <b>within second story;</b></li> <li>• 21’ above grade (and below 35’)</li> </ul>
Blade Signs	For retail and office tenants, occupying the ground floor or second story  Placement: 9 feet above grade  6 square feet maximum	<b>54 square feet</b>  (see Attachment, pg. 1)
Retail Tenant Wall Signs  <i>(Tenants are also permitted to have Window signs; however, no modifications to those sign types are requested)</i>	Placement: <ul style="list-style-type: none"> <li>• affixed to wall,</li> <li>• located in sign band,</li> <li>• above ground floor windows/ below second story windows</li> <li>• 12’ – 18’ from grade</li> </ul> Letter height: 18” maximum Sign length: 20’ maximum	Placement: <ul style="list-style-type: none"> <li>• <b>on top of a canopy ledge</b> above ground floor windows and/or doors;</li> <li>• <b>not affixed to wall</b></li> <li>• approximately <b>10’ from grade</b></li> </ul> Letter height: 18” maximum Sign length: 20’ maximum  (see Attachment, pg. 2)

Sign Types	Required / (Allowed)	Proposed (Specific deviations shown in <b>Bold</b> )
Parking/Loading Directional Signs  <i>(By reference, these signs are regulated under Section 34 of the Zoning Ordinance)</i>	Two (2) “entrance” or “exit” signs  Placement: <ul style="list-style-type: none"> <li>• affixed to wall</li> <li>• at least 25’ apart</li> </ul> 3 square feet maximum, each	<b>Five (5)</b> parking and loading directional blade signs  Placement: <ul style="list-style-type: none"> <li>• (2) on Columbia Pike (greater than 25’ apart)</li> <li>• (1) ea. S. Wayne &amp; Adams Streets</li> <li>• (1) along rear alley</li> </ul> <b>6 square feet, each</b>  (see Attachment, pg. 1)

**Building Identification Sign:**

The first sign type proposed is a building identification sign in the form of a blade sign, up to 54 square feet, affixed to the main building façade on Columbia Pike at the corner of South Adams Street (see Attachment, 1 & 4). The 12’-4” long blade sign denoting the building name, “Siena Park”, would be approximately 21 feet above the adjacent sidewalk and would be located within the second story elevation, below a height limit of 35 feet. The sign would not be internally illuminated. The FBC allows a bronze or masonry plaque, up to 8 square feet placed near the roof line, to be used for building identification. In this case, the applicant is seeking additional visibility beyond what the plaque option would provide, particularly to identify not only the residential uses, but also the office uses provided on the second level. Additionally, blade signs are permitted for retail and office tenants under the FBC; however, blades signs are not specified as a standard option for building identification. Therefore, the applicant is requesting to modify the FBC requirements to allow for a larger blade sign, for building identification not solely for retail and office tenants, rather than relying solely on a small building identification plaque. In this case, the proposed blade sign would help to highlight the mixed-use project as well as to guide and orient future residents, employees, and visitors to the project, more so than the permitted wall plaque option. Additionally, the increased size the sign would be distinctive from the typical retail tenant blade signs placed near retail bays. The sign in this location may be more identifiable for this structure as it projects perpendicular from the façade making it more visible from the east and west. The blade sign location within the second story is consistent with the FBC regulations for retail tenant blade signs. Only one building identification sign is proposed. The typical address identification sign would be provided at the main building entrance under the canopy along Columbia Pike.

**Retail Tenant Signs:**

Second, the applicant proposes to modify the sign regulations for retail tenant wall signs in order to allow an additional sign alternative for the future retail tenants. As proposed, the tenant sign would be comprised of separate channel letters that would either be face-lit or halo-lit, and would sit atop canopies over ground floor windows and doors at a distance of approximately 10

feet above the sidewalk (see Sign Type A.4 on Attachment, pg. 2). The halo-lit design is created by two sets of letters, off set from one another with lighting between to create the halo lighting effect. The FBC allows retail wall signs to be located on the façade only at heights between 12' and 18' above the sidewalk. The proposed tenant signs would be forward of the façade. The signs would be no wider than 20' which is consistent with the permitted wall sign width under the FBC. The proposed tenant sign would be optional for each specific retail tenant. Staff recommends that each tenant be limited to either the standard wall-mounted sign allowed by the FBC or the proposed canopy sign, but not both. Each tenant would remain limited to a total of no more than three (3) window, wall, or the subject canopy signs, per the FBC. Staff is supportive of the modification to allow these signs in order to gain some additional retail sign diversity along the Pike and to enhance retail viability along the Corridor. The proposed sign placement may allow for more visibility for pedestrians. The proposed placement is also in keeping with the overall building design, makes additional usage of the canopies, and, where applicable, the placement in alignment with the window mullions on the top of the ground floor windows would not block the views of the retail bay interiors for pedestrians passing by the project.

#### Parking & Loading Directional Signs:

The third type of sign proposed are parking and loading directional signs that exceed the quantity and size provisions outlined in the Zoning Ordinance, Section 34.E.11, as allowed by references in the Form Based Code. The applicant proposes five (5) directional blade signs (see Attachment, pages 1 and 3-6), each 6 square feet, to direct motorists and delivery vehicles to the rear alley. Two directional blade signs would be located on Columbia Pike frontage at each corner of the building, one blade sign on each side street (S. Wayne and S. Adams) near the rear alley, and one blade sign along the rear alley. The signs will indicate the available parking garage with the universal "P" symbol as well as indicate the area for deliveries. The proposed signs exceed the Zoning Ordinance provisions which limit these signs to no more than two signs for every parking entrance/exit with a size limit of two square feet per sign. In this case, where only one parking garage entrance exists, the applicant would otherwise be limited to two signs, but requests approval for five. Staff supports the installation of the above-described five proposed signs. Although the proposed signs, which will be up to six (6) square feet each in size, exceed the size limits in the Zoning Ordinance, staff has determined that these signs, with their increased size, are needed to indicate the available parking supply to residents, visitors, and retail patrons traveling in either direction along Columbia Pike to this property. Due to the placement of the garage entrance and loading area at the rear of the building, and off a newly constructed alley, a greater need for way-finding exists on this site as compared to most, justifying the need for more, larger signs in this unique instance.

Finally, staff recommends that the applicant finalize and obtain administrative approval of a Comprehensive Sign Plan for all exterior signs that are in compliance with the Form Based Code sign regulations, as modified by this action, per a new Condition #26.

**Community Process:** Staff circulated a copy of the applicant's request to the members of the Form Based Code Advisory Working Group (FBC AWG) and the Presidents of the affected civic

associations (Penrose and Columbia Heights) for comment. From the feedback provided, generally, there was support for the proposed optional retail tenant signs, the blade sign, and the directional signage.

**CONCLUSION:** Staff concludes that a new advertisement is needed and, therefore, recommends the deferral of the adjustment to the parking allocations to the July 11, 2009 County Board meeting. In addition, staff concludes that the proposed sign modifications are appropriate and in keeping with the overall intent of the FBC to revitalize the Columbia Pike corridor with successful residential apartments and retail establishments. Staff also finds that the design will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use; nor be detrimental to the public welfare or injurious to property or improvements in the neighborhood. Therefore, staff recommends that the County Board defer consideration of the increase in commercial reserved parking spaces and approve the use permit amendment, modifying the Form Based Code regulations to allow a main building identification blade sign, to allow optional retail tenant canopy signs lower than the standard wall mounted signs, and to allow additional sign area and locations for directional signs subject to all previous use permit conditions and new Condition #26.

New Condition:

26. The developer agrees to develop and submit a comprehensive sign plan to the Zoning Administrator and that all exterior signs (including identification and directional signage) shall be consistent with the regulations contained within the Columbia Pike Form Based Code (Section 20. – Appendix A of the Zoning Ordinance), with the following modifications:
- a. Permit the signs shown as tenant signs Type A.4 on page 2, of the plans dated May 21, 2009, which may be used as a replacement for and instead of, but not in addition to, the type of retail signs otherwise permitted;
  - b. Permit a blade building identification sign as shown on the plans dated May 21, 2009, in lieu of a building name wall plaque that is otherwise permitted by the FBC.
  - c. Permit the five parking, loading, and directional signs to exceed the size limit of 2 square feet per sign provided they are no larger than 6 square feet per sign as shown on the plans dated May 21, 2009; and

All signs permitted by the modification of regulations shall be the size, location, and design shown on plans dated May 21, 2009. The Zoning Administrator shall determine whether the signs meet the Form Based Code regulations as modified. No sign permits will be issued until a comprehensive sign plan is approved by the Zoning Administrator as being consistent with the FBC sign regulations as modified above. The developer agrees to obtain approval from the Zoning Administrator of the comprehensive sign plan before the issuance of the Last Partial Certificate of Occupancy. Individual tenants must apply for and obtain sign permits, including the design, colors, and materials of the signs, which shall be reviewed by the Zoning Administrator to ensure consistency with the comprehensive sign plan.

Approved Use Permit Conditions:

Note: Where a particular County office is specified in these conditions, the specified office includes any functional successor to that office. Where the County Manager is specified in these conditions, "County Manager" includes the County Manager's designee. Whenever, under these conditions, anything is required to be done or approved by the County Manager, the language is understood to include the County Manager or his or her designee.

1. The developer (as used in these conditions, the term "developer" will include the property owner, the applicant, and their agents, employees, successors, and assigns) agrees to comply with the plans dated October 5, 2006 reviewed and approved by the County Board at the County Board meeting of October 14, 2006 together with any modifications proposed by the developer and accepted by the County Board or vice versa. This Columbia Pike Form Based Code Use Permit approval expires three (3) years after the date of County Board approval if the developer has not obtained a building permit for construction of the approved plan and commenced construction under that building permit. Extension of this approval shall be at the sole discretion of the County Board. The developer agrees that this discretion shall include a review of this Columbia Pike Form Based Code Use Permit and its conditions for their compliance with the County policies for land use, zoning and special exception uses current at that time.
2. The developer agrees to comply with the following before issuance of the any building permit and to remain in compliance with this condition until the Master Certificate of Occupancy is issued.
  - a. The developer agrees to identify a person who will serve as liaison to the community throughout the duration of construction. This individual shall be on the construction site throughout the hours of construction, including weekends. The name and telephone number of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site, and to the Zoning Administrator, and shall be posted at the entrance of the project.
  - b. Before commencing any clearing or grading of the site, the developer shall hold a meeting with those whose property abuts the project to review the construction hauling route, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The developer agrees to provide documentation to the Zoning Administrator of the date, location and attendance of the meeting before a Clearing, Grading and Demolition Permit is issued. Copies of plans or maps showing the construction hauling route, construction worker parking and temporary pedestrian and vehicular circulation shall be posted in the construction trailer and given to each subcontractor and construction vehicle operator before they commence work on the project.

- c. Throughout construction of the project, the developer agrees to advise abutting property owners in writing of the general timing of utility work in abutting streets or on-site that may affect their services or access to their property.
  - d. At the end of each workday during construction of the project, the developer agrees to ensure that any streets used for hauling construction materials and entrance to the construction site are free of mud, dirt, trash, allaying dust, and debris and that all streets and sidewalks adjacent to the construction site are free of trash and debris.
  - e. The developer agrees that construction activity, except for construction worker arrival to the construction site and indoor construction activity, will commence no earlier than 7 a.m. and end by 6:30 p.m. on weekdays and will commence no earlier than 10 a.m. and end by 6:30 p.m. on Saturdays, Sundays, and holidays. "Holidays" are defined as New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas. Indoor construction activity defined as activity occurring entirely within a structure fully enclosed on all sides by installed exterior walls, windows, and/or doors shall end at midnight each day, and any such activity that occurs after 6:30 p.m. shall not annoy or disturb reasonable persons of normal sensitivities. The developer agrees to place a minimum of one sign per street front around the construction site, indicating the permissible hours of construction, to place one additional sign within the construction trailer containing the same information, to provide a written copy of the permissible hours of construction to all subcontractors, and to require its subcontractors to observe such hours.
  - f. Storage of construction materials, equipment and vehicles shall occur on the site or an approved off-site location, or as approved by the County Manager.
3. The developer agrees to submit and obtain approval of final site development/engineering plans from the County Manager for consistency with this approval, any applicable statutes and ordinances, and County guidelines and policies. The final site development/engineering plan shall include the proposed location of water mains and service lines, storm and sanitary sewers, proposed underground utility services to the buildings, the trees to be preserved and new proposed trees on site. The plans shall be drawn at the scale of 1 inch = 25 feet and be 24 inches by 36 inches in size. No Building Permit shall be issued for this site until final site development/engineering plans and the sequence of construction has been approved by the County Manager or his designee. The developer further agrees that all construction on the site shall be in accordance with the approved final site development engineering plan.

4. Prior to issuance of any Certificate of Occupancy for any part of the project the developer agrees to install address indicator signs, which comply with Section 27-12 of the Arlington County Code or successor provision, in a location visible from the street and as shown on the final engineering plan.
5. The developer agrees to construct the project in strict conformance with the submitted drawings dated October 5, 2006 as presented to the County Board, and made a part of the public record at the October 14, 2006 County Board meeting, and modifications proposed by the developer and accepted by the County Board or vice versa at that time. Modifications to the design, height and placement of the buildings made subsequent to October 14, 2006 will require additional review by the Columbia Pike Form Based Code Administrative Review Team to ensure compliance with the Form Based Code and this approval provided, however, that this condition shall in no way relieve the developer of any obligation under any other condition.
6. The developer agrees that all required public deeds of easement and deeds of dedication shall be submitted by the developer to the Department of Environmental Services prior to the issuance of the First Certificate of Occupancy for all public walkway and street improvements described in Condition #11. The developer agrees to obtain the County Manager's approval of such deeds and to record them upon approval, among the land records of the Clerk of the Circuit Court of Arlington County, before the issuance of the Final Building Permit. Dedications for public street and sidewalk improvements constructed between the Required Building Line (RBL) and the existing street right-of-way shall be granted by the developer to the County in fee simple. A six-foot (6') wide portion of the above dedication may, at the County's discretion, be dedicated to the County as an easement for all public purposes adjacent to, and parallel to the RBL. The deed or deeds of easement for public purposes may provide that there is reserved unto the developer the right to construct and maintain, within specified portions of the boundaries thereof, appendages to buildings of the type and at the specific locations approved by the County Manager or designee as shown on the final engineering site design plans approved by the Department of Environmental Services, and as shown on the plat attached to the deed or deeds of easement. Any and all easements for public purposes shall be granted by deed, in form and substance acceptable to the County Manager or designee, and in form approved by the County Attorney.

The developer further agrees to dedicate to the County a 25-foot-wide public access surface easement over and across the alley located adjacent to, and parallel to the site's northern property line between South Wayne Street and South Adams Street, as shown on plans dated October 5, 2006. The public access surface easement shall be granted by deed, in form and substance acceptable to the County Manager or designee, and approved as to form by the County Attorney, for the maintenance by the developer of the surface improvements within the limits of the said alley.

7. Upon approval of the final site-engineering plan, the developer agrees to submit a performance bond estimate, for the construction or installation of all facilities within the public rights-of-way or easements, to the Department of Environmental Services for review and approval. Upon approval of the performance bond estimate, the developer agrees to submit a performance bond and agreement for the construction or installation of all these facilities within the public rights-of-way or easements to the Department of Environmental Services. This bond shall be executed by the developer in favor of the County before the issuance of the Final Building Permit.
8. The developer agrees to develop a final landscaping plan, consistent with final site development/engineering plans and with this use permit approval, and to obtain approval of such plan from the County Manager or his designee prior to issuance of a building permit. The landscape plan shall include a Street Tree Plan which shall be reviewed by the Department of Parks, Recreation and Community Resources and shall be accompanied by the site engineering plan and the two plans shall be compared to ensure that there are no conflicts between street trees and utilities; neither plan shall be approved until the landscape plan and the site engineering plan agree. The installation of all plant materials shown on the final landscape plan shall take place before the issuance of the first Certificate of Occupancy for the project. The final site development and landscape plan shall include the following details, if applicable:
  - a. The location and dimensions of traffic signal poles and control cabinets, utility meters, utility vaults and boxes, transformers, mechanical equipment, fire hydrants, standpipes, storm water detention facilities, the location of all existing and proposed utility lines and of all easements. The location of traffic control cabinets shall be shown on the final site engineering plan and placed so as not to obstruct pedestrian travel or be visually obtrusive. Traffic control cabinets shall not be located in the public sidewalk. Transformers shall not be placed in the setback area between the building and the street.
  - b. The location, dimensions, and materials for driveways, driveway aprons, parking areas, interior walkways and sidewalks as well as for address indicator signs;
  - c. The location and types of light fixtures for streets, for parking, walkway and plaza areas;
  - d. The location and dimension of the preserved open contiguous lot area located within the project;
  - e. Topography at two (2) foot intervals and the finished first floor elevation of all structures;

The developer further agrees that the approved landscape plan shall govern all construction on the site.

9. The developer agrees that landscaping on the site shall conform to Department of Environmental Services Standards and Specifications and to the following requirements:
- a. Planting materials shall be of good nursery stock and a nursery guarantee shall be provided by the developer for one year including the replacement and maintenance (to include but not be limited to pruning, feeding, spraying, mulching, weeding and watering) of all landscape materials following the issuance of the final Certificate of Occupancy;
  - b. Plant materials and landscaping shall meet the American Standard for Nursery Stock Z60.1-73, and shall also meet the following standards:
    - (1) Street Trees: Red Maple trees at a minimum caliper of 4 to 4 1/2 inches.
    - (2) Other Planted Materials:
      - a. Evergreen trees (such as Scotch Pines, White Pines, Hemlocks, etc.) - a minimum height of 8 to 10 feet.
      - b. Ornamental deciduous trees (such as Cherries, Dogwoods, Serviceberries, Hornbeams, etc.)- a height of 10 to 14 feet with a minimum caliper of 1 1/2 to 2 inches.
      - c. Shrubs - a minimum spread of 18 to 24 inches.
      - d. Groundcover - in 2" pots.
  - c. All new lawn areas shall be sodded; however, if judged appropriate by the County Manager or his designee, based on accepted landscaping standards, seeding may be substituted for sod. All sod and seed shall be state certified;
  - d. Exposed earth not to be sodded or seeded shall be well-mulched or planted in ground cover. Areas to be mulched may not exceed the normal limits of a planting bed;
  - e. Soil depth shall be a minimum of four (4) feet for trees and tall shrubs and three (3) feet for other shrubs. This requirement shall also apply to those trees and shrubs in raised planters. Soil depth for raised planters shall be measured from the bottom of the planter to the top of the planter wall. The walls of raised planters shall be no higher than seat-wall height (2 1/2 feet, maximum) above the finished grade adjacent to them;

- f. Finished grades shall not exceed a slope of three to one or the grade that existed before the site work began.
  - g. The developer agrees to maintain the site in a clean and well-maintained condition before the issuance of the Clearing, Grading and Demolition Permit and agrees to secure and maintain the site throughout the construction and phasing process.
  - h. The developer agrees to notify the Department of Parks, Recreation and Community Resources (DPRCR) Urban Forester at least 72 hours in advance of the scheduled planting of any street trees and to be available at the time of planting to meet with staff of DPRCR to inspect the plant material, the tree pit and the technique of planting. Soil used in the tree pit must meet the specifications for street tree plantings available from the DPRCR Urban Forester.
10. The developer agrees to contact all utility companies, including the electric, telephone and cable television companies, and offer them access to the site at the time of utility installation to install their underground cables. In order to comply with this condition the developer agrees to submit to the Zoning Administrator letters from the developer to the utility companies offering them access as stated above.
11. The developer agrees to show on the final engineering plans pavement, curb and gutter along all frontages of this site in accordance with the Columbia Pike Form Based Code Streetscape Standards, and/or the then-current Arlington County/Virginia Department of Transportation Standards for concrete curb and gutter and the then-current standards for pavement and according to the following dimensions. The pavement, curb and gutter shall be constructed prior to issuance of the first Certificate of Occupancy for occupancy of the applicable phase of the project.
- a. Columbia Pike site frontage: The face of curb shall be located 35 feet from the survey centerline and as shown on the final engineering plan approved by the County Manager or his designee, and a concrete sidewalk between the back of curb and the front façade of the building, and parking lane nubs at the South Wayne and Adams Street curb returns, as shown in the final site engineering plan.
  - b. South Wayne and Adams Street site frontages: The face of curb shall be located 18 feet from the survey centerline and as shown on the final engineering plan approved by the County Manager or his designee, and a concrete sidewalk between the back of curb and the front façade of the building, and a parking lane nub on South Adams and Wayne Streets at Columbia Pike, as shown in the final site engineering plan.
12. The developer agrees that all improvements to streets for pedestrians and/or vehicular access or circulation shall be in full compliance with the Americans with Disabilities Act and any regulations adopted thereunder. The developer further agrees that all improvements to curb, gutter, sidewalks, crosswalks, and streets for pedestrian and/or

vehicular access or circulation shall be as determined by the County Manager or his designee on the final Site Development and Landscape Plan and on the final Site Engineering Plan, in accordance with the Columbia Pike Streetscape Plan or other applicable urban design standards in effect at the time of final Site Engineering Plan Approval.

13. The developer agrees to remove or relocate to underground facilities all aerial utilities located along the South Wayne Street frontage of the site. In addition, all utility services serving the site shall be located below ground. Any utility improvements necessary to provide adequate utility services to this development shall be paid for by the developer and shall not result in the installation of any new utility poles. The transition from underground to overhead facilities shall occur off-site.
14. All engineering design plans and subsequent construction shall be in accordance with the latest edition of the Arlington County Department of Environmental Services Construction Standards and Specifications.
15. The developer agrees that all sanitary sewers and water mains, including water services, shall have a minimum of ten (10) feet horizontal clearance from each other and five (5) feet from all other utilities, and shall have a minimum of 10 feet horizontal clearance from buildings and other structures, or as approved by the County Manager or his designee. Water mains 16 inch and larger, and mains placed more than 10 feet below the surface shall have a minimum of 15 feet horizontal clearance from buildings and other structures; and sanitary sewers 15 inch and larger, or sewers placed more than 10 feet below the surface shall have 15 feet minimum clearance from buildings and other structures. All water mains and sanitary sewers shall meet County Standard design criteria.

The developer agrees to relocate the existing utilities in conflict with the proposed development, including the storm sewer, around the periphery of the underground garage as shown on the final site engineering plan as approved by the County Manager or his designee.

16. The developer agrees to show, on the final engineering plans, and to construct water main improvements in accordance with the following:

A 12-inch water main along the South Wayne Street frontage of the site and inter connected with the existing 12-inch water main in Columbia Pike and the existing 8-inch water main in South Wayne Street. The developer agrees to abandon the existing water main located in South Wayne Street to be replaced with the new 12-inch water main and reconnect any service to the new water main. The water main improvements shall be constructed prior to issuance of the Final Building Permit

17. The developer agrees to provide off-street parking for all construction vehicles during

construction of the subject site. Construction vehicles and/or construction worker vehicles are not permitted to park on the neighboring streets during the hours of construction.

18. Prior to the issuance of the first Certificate of Occupancy (to include temporary Certificates of Occupancy) for any building on the site, the developer agrees to submit a Loading and Delivery Management Plan to the Zoning Administrator for review and approval. This plan shall provide for service access using the public alley as shown in the plans dated October 5, 2006 and the final site engineering plan and located at the rear of the site. This plan shall further provide for monitoring of loading and unloading/deliveries by the management of the residential and commercial components of the project, the restriction of loading and deliveries using public streets for the parking of loading and delivery vehicles and shall include a contact name of a person with authority to control loading and unloading/deliveries to whom outsiders may report violations.
19. The developer agrees to construct 408 underground parking spaces as part of the development, and agrees that up to 263 of these spaces may be reserved for residential occupants; 38 of these spaces may be reserved for office and retail users; and at least 107 spaces shall be made available at all times to shoppers and visitors to the site on a non-reserved basis. The developers agrees to develop a parking management plan which outlines how guest and visitor parking for the building, parking for residential, office, and/or retail tenants' employees and customers, and general public parking will be provided, where the parking will be located and how guests and visitors, retail employees and customers, and the general public, will be directed to the parking spaces. The parking management plan shall also include the location of any secure areas and the location of security gates or other measures to restrict access. The parking management plan shall encourage parking by visitors and customers of the project, through ease of access to the parking spaces, signage, and fee structure. The fee structure shall discourage daily commuter parking. The developer shall submit the parking management plan, which shall include the parking fees and details of the validation program, to the Zoning Administrator and it shall be reviewed and approved by the County Manager prior to the issuance of the first Certificate of Occupancy for any portion of the site. The developer agrees to submit an annual report to the Zoning Administrator documenting compliance with the parking management plan as well as any changes to the plan. The developer further agrees that, if, at the discretion of the developer, either the residential unit count or commercial square footage is reduced subsequent to County Board approval of the use permit (U-3144-05-01) the parking ratios described in this report shall be maintained. The developer also agrees to provide 79 bicycle parking racks within the parking garage for residents and visitors to the site.
20. The developer agrees to develop and implement a Transportation Demand Management Plan to be approved by the County Manager or his designee before the issuance of the first Certificate of Occupancy. The Transportation Demand Management Plan shall

describe the developer's efforts to implement, but not be limited to, the following strategies:

*Program Participation and Funding*

- A. Maintain membership in Arlington Transportation Partners (ATP), or successor entity, at no cost to the developer, on behalf of the homeowners' association and/or the property management company. Promote membership in ATP for all building tenants.
- B. Designate a member(s) of the property management company as Property Transportation Coordinator to be primary point of contact and with responsibilities for coordinating and completing TDM obligations. The Property Transportation Coordinator shall be appropriately trained to provide rideshare, transit, and other information provided by Arlington County intended to assist with transportation to and from the site.
- C. Promote the formation of Employer Transportation Benefit Programs and encourage formation of transit-oriented commuting habits among office and retail employees.

*Promotions, Services and Progressive Employee Policies*

- D. Provide in the common area(s) of the property for a static display with printed materials to provide transportation-related information to residents and visitors, the content of which shall be approved by the developer and the Transportation Kiosk and materials provided by the Commuter Assistance Program.
- E. Provide SmarTrip cards on a one-time basis free to condominium purchasers during the initial sales period.
- F. Distribute transit information to residents and visitors of the project, to include the following items:
  - 1. Distribute a new resident package provided by Arlington County that includes site specific transit-related information to each person purchasing a condominium.
  - 2. Place a reference to the Pike Ride in promotional materials and advertisements.
  - 3. Distribute information in promotional materials regarding commute options and assistance services available.
  - 4. Cooperate with Arlington County to assist the County in implementing a

transit advertising program that will distribute information once a year to all owners.

5. Participate in Ozone Action Days and other regionally sponsored clean air, transit, and traffic mitigation promotions by advertising such promotions in a manner and at such locations within the building acceptable to the developer and homeowners' association.
- G. From first occupancy provide marketing support through coordination with Arlington County to encourage ridesharing and use of transit by employees of the property and of tenant companies through the following strategies:
1. Provide access to building or grounds at times acceptable to the developer to allow ATP and MWCOC's Commuter Connections to promote group riding among tenants of the building, by means acceptable to the developer.
  2. Distribute a new-tenant package to all persons or entities signing leases, with materials provided by Arlington County encouraging them to join Arlington Transportation Partners (or successor entity) and including site-specific transit-related information referencing the nearest Metro station and bus routes, and encouraging all employees to use Metrorail or bus services.
  3. Distribute rideshare and transit marketing materials provided by Arlington County to tenant managers for their use as part of recruiting and employment.
  4. Encourage tenants to display transportation posters, brochures, etc. in common work areas.
- H. Encourage building tenants to offer variable/flexible work hours to their employees in order to spread peak period transportation demands.
- I. Provide website hotlinks to [CommuterPage.com](http://CommuterPage.com) from the developer's and homeowners' association websites regarding this development.

#### *Coordinated Parking Management*

- J. In conjunction with the Division of Transportation, and subject to the approval by the County Manager or his designee, the developer shall prepare a plan regarding: taxi passenger loading and unloading; accessible paratransit pick-up, drop-off, access, and passenger waiting area; loading zones for short-term deliveries; bus stops; and on-and off-street parking for residents, employees, and visitors. Such plan shall include a schematic drawing depicting an area parking plan for all

block faces abutting the site. Additionally, this plan will note restrictions as to times that various activities (such as deliveries and parking) are permitted in the respective spaces.

- K. Provide effective directional signage subject to approval of a Comprehensive Sign Plan (parking, deliveries, taxi stand, etc.) to direct residents and visitors to appropriate locations on the property.

#### *Monitoring and Performance*

- L. Conduct one transportation performance monitoring study (two years after occupancy) and provide a report summarizing findings to the County. All data collection for this study must occur on the same day. The study must include an all-day count of site generated traffic and a voluntary mode split survey.
21. 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 use permit 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. In addition, the developer agrees to:
- a. Place all vents shown on the submitted plans (dated October 5, 2006) on the interior wall of the adjacent balconies, where possible.
  - b. Explore the use of newer technologies to reduce the height of the mechanical penthouse, and provide cladding similar in texture and color to the other exterior elements.
22. The developer agrees that at no time shall the areas labeled as “Mechanical Room” and “Office Storage” areas within the mezzanine level be used for residential storage or other uses associated with the residential functions of the building.
23. The developer agrees that the use permit approval (U-3144-05-01) for this project is subject to and conditioned upon County Board approval of related utility and right-of-way vacation and encroachment requests pertaining to the development of this site. The developer also agrees that the use permit approval shall be null and void, should the developer not cause all conditions of such vacations and encroachments to be met and, all

deeds of vacation and easement, and encroachment plat(s), which are to be approved by the County Manager, to be recorded among the land records of the Clerk of the Circuit Court of Arlington County on or before October 14, 2009.

24. The developer agrees to include a lighting plan for all public areas, including sidewalks and alleys, as part of the final site development and landscape plan. This lighting plan shall be subject to review by the County Manager or his designee. The developer shall include in the site development and landscape plan certification that the lighting plan meet the minimum standards of Section 2 Subsection H and Section 20 of the Zoning Ordinance, and the Illumination Engineering Society of North America Standards. The lighting shall be installed and tested prior to the issuance of the First Certificate of Occupancy.
25. The developer agrees to develop and implement (after approval) a plan for temporary pedestrian and vehicular circulation during construction. This plan shall identify temporary sidewalks, interim lighting, fencing around the site, construction vehicle routes, and any other feature necessary to ensure safe pedestrian and vehicular travel around the site during construction. The developer agrees to submit this plan to, and obtain approval of the plan from, the County Manager as meeting these standards, before the issuance of the Clearing, Grading and Demolition Permit. The County Manager may approve subsequent amendments to the plan, if consistent with this approval.

PREVIOUS COUNTY BOARD ACTIONS:

August 1961	Designated as “Undetermined Uses” on the General Land Use Plan.
December 1964	Designated “General Commercial” on the General Land Use Plan.
November 15, 1986	General Land Use Plan amended to include the Columbia Pike Special Revitalization District. Designated as “Service Commercial”.
December 17, 2002	Columbia Pike Special Revitalization District boundaries amended on the General Land Use Plan.
February 25, 2003	Columbia Pike Form Based Code (Section 20 of the Zoning Ordinance) adopted.
February 10, 2004	Columbia Pike Street Space Plan adopted and Form Based Code amended to include new Required Building lines.
December 10, 2005	U-3144-05-1 deferred to May 20, 2006.
May 20, 2006	U-3144-05-1 deferred to October 14, 2006.
October 14, 2006	U-3144-05-1 deferred to October 14, 2006.
October 26, 2006	U-3144-05-1 Use Permit (Form Based Code) approved for 2301 Columbia Pike project (now referred to as “Siena Park”).