

Addendum 6-19-07-A – SP #231 – Courthouse Plaza Hotel

APPROVED CONDITIONS.

17. The developer agrees to show on the final engineering plans pavement, curb and gutter along all frontages of this site in accordance with the then-current Arlington County Standard for concrete curb and gutter and the then-current standards for pavement and according to the following dimensions. The pavement, curb and gutter, including, by way of illustration and not limitation, all elements specified in this condition, shall be constructed prior to issuance of the first Certificate of Occupancy for occupancy of the applicable phase of the project.
 - f. The developer agrees to construct a nub at the northwest corner of the intersection of 14th Street North and North Wayne Street, that extends from the proposed driveway entrance east past the current existing driveway entrance and transitions to the existing curb alignment, as shown on the final engineering plan approved by the County Manager, or his designee.
 - h. In the event the developer finalizes the agreements from the property and building owners of Courthouse Plaza for the garage closure as called for in Condition #84 below, the developer agrees to eliminate the existing driveway apron in front of the existing garage opening to be closed. Furthermore, whether the agreements are finalized or not, the developer agrees to construct new sidewalk and streetscape, including street trees, along that frontage, as shown on the final site development and landscape plan and final engineering plan approved by the County Manager, or his designee. The sidewalk and streetscape, including street trees, shall be constructed, and plant materials and street tree species installed, consistent with the requirements contained in Conditions #14 and #18.
 - i. The developer agrees to install striping in 14th Street North, from North Veitch to North Wayne Streets, to delineate on-street parking and to create two 10-foot travel lanes, as shown on the final site engineering plan or as approved by the County Manager, or his designee.
 - j. The developer agrees to install a new crosswalk on 14th Street North, east of the intersection of 14th and Wayne Streets, including construction of a new handicap ramp on the north side of 14th Street North. The crosswalk shall be of material and style as shown on the final engineering plan or as approved by the County Manager, or his designee.
31. 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, 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 garage doors shall have a special design fabricated of a translucent material with backlighting, which shall be reviewed and approved by the County Manager for consistency with this approval as part of the review of the design of the building's facade treatment. The developer agrees to install doors that include measures to attenuate noise from the doors opening and closing, including, but may not be limited to, installation of nylon rollers and a cover over the motor. Drawings showing the attenuation measures shall be submitted as attachments to the facade reviews. The developer further agrees to obtain the approval of the County Manager of the facade treatment as being consistent with the County Board approval before the issuance of the Final Building Permit.
38. The developer agrees that new parking garages shall be designed to allow access and use by vans consistent with the Virginia Building Code, and shall be conveniently located on the level of the garage closest to street level, and shall have a minimum clearance of 98 inches. All other areas of the garage shall have a minimum clearance of 84 inches. In addition, the developer agrees that three (3) van accessible parking spaces shall be provided on the P1 level of the garage. The number of non-handicap parking spaces lost due to the redesigned van accessible spaces shall be recaptured elsewhere in the building's parking garage to achieve a minimum total of 88 hotel parking spaces, including the van accessible spaces, and 92 Courthouse Plaza spaces. Compliance with this condition shall be determined by review of the building plans by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit, which review shall not relieve the developer from constructing in accordance with this condition.
82. The developer agrees to submit to the Zoning Administrator a parking and loading management plan which outlines the route for deliveries to the hotel, retail and restaurant uses via the extended internal delivery connections accessed from North Veitch Street; and how parking for hotel guests, employees, visitors and the public will be provided, where the parking will be located, and how hotel guests, employees, visitors and the public will be directed to the parking spaces. Delivery and loading activities for the hotel, retail and restaurant uses shall utilize only the existing loading dock entrance on North Veitch Street. Use of the new garage entrance on 14th Street for delivery and loading activities shall be prohibited. The new garage entry on 14th Street shall be operated to allow ingress for

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solely hotel parking, and egress for the hotel and all other uses. The hotel may also utilize the other garage entries, including the Clarendon Boulevard and North Veitch Street entrances for ingress and egress. Signage shall be installed to direct vehicles to the hotel and monthly and hourly parking entries and spaces, and to note where handicap access parking is available. Furthermore, the garage doors shall be kept closed at all times during the non-peak hotel/commercial hours between 10:00 am and 4:00 pm, and between 7:00 pm and 7:00 am, except when in use for entering and exiting vehicles. The developer agrees to install mechanisms to trigger the garage doors to open when vehicles enter and exit the garage, as well as signage informing drivers of the vehicle-activated doors. During the peak hours from 7:00 am to 10:00 am, and from 4:00 pm to 7:00 pm, the garage doors may remain open. The plan shall also include, pursuant to Condition #48 above, information on taxi passenger loading and unloading; accessible paratransit pick-up, drop-off, handicapped access, and passenger waiting areas; loading zones for short-term deliveries; bus stops; and on- and off-street parking for hotel guests, employees, visitors and the public. Finally, the plan shall include strategies for advertising, electronically and in printed materials, the preferred route to the hotel, via Courthouse Road from Arlington Boulevard, for drop-off and pick-up of hotel guests, employees and visitors. The parking and loading management plan shall be submitted to the Zoning Administrator, and reviewed and approved by the County Manager, prior to the issuance of the first Certificate of Occupancy for the hotel building.

84. The developer agrees to finalize agreements from all building and property owners of Courthouse Plaza, that shall allow the existing garage entrance on 14th Street to be closed, prior to the issuance of the Footing to Grade Permit for the hotel. In the event the developer is unable to finalize the agreements prior to the issuance of the Footing to Grade Permit for the hotel, the developer agrees to make a financial contribution to Arlington County in an amount equal to the actual cost for the County to construct the improvements in accordance with a commercially reasonable scope of work for such improvements as such scope was discussed at the County Board's June 19, 2007 hearing, and shall deposit the sum of \$40,000 to the County towards such costs at the time of issuance of the aforesaid permit. In the event the agreements are finalized and the building owner prefers to construct the garage closure improvements itself, the developer agrees to make a financial contribution to Arlington County in an amount equal to the actual cost for the building owner to construct the improvements in accordance with a commercially reasonable scope of work for such improvements as such scope was discussed at the County Board's June 19, 2007 hearing, and shall deposit the sum of \$40,000 to the County towards such costs at the time of issuance of the aforesaid permit. To the extent the aforesaid deposit exceeds the actual costs to construct the improvements, the excess amount shall be refunded to the developer. In the event the agreements are finalized and the developer is permitted to construct the improvements, the developer agrees to close the existing garage opening and construct a masonry wall closure, or other design solution approved by the County Manager or his designee, and to modify the interior space to eliminate the vehicular parking spaces and replace them with 50 public bicycle parking racks, concurrent with construction of the hotel. The masonry wall, or other design solution approved by the County Manager, shall be consistent in design, materials and color, with the façade treatment for the residential building's 14th Street elevation. Drawings of the redesigned interior space, and the façade design for the garage closure, including a materials sample board, shall be submitted for review and approval by the County Manager as part of, or at the same time as, the review called for in Condition #31. Access to the redesigned public bicycle storage area shall be provided from both the interior of the garage and from 14th Street, which shall include oversized entry doors. Drawings showing the location, design and details of the public bicycle parking racks shall conform to the Arlington County Standard and shall be submitted for review and approval by the Zoning Administrator prior to the issuance of the Footing to Grade Structure Permit. Until the public bicycle parking racks are inspected and approved by Arlington County for meeting the requirements of the Arlington County Standard, the developer shall be responsible for maintaining the bicycle parking racks. Following approval by Arlington County, the County shall maintain and operate the bicycle parking racks. The required office/retail parking for Courthouse Plaza shall be reduced by eight (8) spaces with the elimination of the existing eight (8) vehicular parking spaces.