



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 11, 2009**

DATE: July 2, 2009

SUBJECT: SP #34 SITE PLAN AMENDMENT for an additional approx. 1,400 sq ft of retail GFA; located at 1501 Wilson Boulevard (RPC: 16-033-001).

Applicant:

Art Property Associates, LLC
c/o Monday Properties
1401 Wilson Boulevard, Suite 1005
Arlington, Virginia 22209

C. M. RECOMMENDATION:

Approve the subject site plan amendment, subject to all previously approved conditions and the conditions of the staff report applicable to this site plan amendment.

ISSUES: This is a site plan amendment request to increase the amount of retail density for Site Plan #34, Art Associates building, by approximately 1,400 square feet and no issues have been identified.

SUMMARY: Art Property Associates, LLC requests a site plan amendment to increase the amount of retail gross floor area for Site Plan #34 located at 1501 Wilson Boulevard. The increase in retail at approximately 1,400 square feet is proposed to provide for a better design of the existing retail space at the ground level. As currently designed the retail is recessed beneath the building's curtain wall of office gross floor area provided on floors three (3) through 13. The site plan project's current density is 4.14 FAR which, exceeds the maximum permitted 3.8 FAR in the "C-O" zoning district. The increase in retail would increase the site plan project's total FAR by 0.04 to 4.18 FAR. In association with the increased retail, the developer has committed to provide an ADA compliant building entrance and to make a contribution in the amount of \$80,000 toward streetscape improvements on N. Oak Street. Along the site's frontage, the County is exploring the possibility of reconstructing the street and streetscape to improve the pedestrian environment along N. Oak Street. Nevertheless, the applicant has agreed to address one of the major issues that the County project would intend to resolve, which is ADA access to the building caused by settling of the street. The project would create an enhanced design of the ground floor improving the retail and pedestrian experience along the site's Wilson Boulevard

County Manager: _____

Staff: Samia Byrd, CPHD, Planning
Robert Gibson, DES, Division of Transportation

PLA-5315

and N. Oak Street elevations. Finally, the retail is consistent with the *Rosslyn-Ballston Corridor Retail Action Plan*, which designates the site's Wilson and N. Oak Street frontages as streets designated as retail showing retail frontage on these streets in this location. Therefore, staff recommends the site plan amendment be approved, subject to all previously approved conditions and the new conditions of the staff report applicable only to this site plan amendment.

BACKGROUND: Site Plan #34, Art Associates building was approved in 1966 as a 13-story office building, with commercial gross floor area at the ground level. Following is additional information about the site.

Site: The 30,377 square foot site is located in Rosslyn at 1501 Wilson Boulevard and is comprised of a 108,836 square foot, office building with 16,917 square feet of commercial GFA at the ground floor. The site boundaries and adjacent uses are as follows:

North: 18th Street North; SP #31 – Twin Oak Residential Building

South: Wilson Boulevard; SP #41 – A-M Office Building

East: North Oak Street; SP #7 – Oak Street Office

West: SP #67 Art Associates West Office Building; SP #222 Kaempher/Safeway

Zoning: “C-O” Commercial Office Building Hotel and Multiple-Family Dwelling Districts.

General Land Use Plan Designation: High Office-Apartment-Hotel (3.8 FAR Office Density, up to 4.8 FAR Apartment Dwelling, and up to 3.8 FAR Hotel Density).

Civic Association: North Rosslyn Civic Association; Rosslyn Renaissance; and immediately north of the boundary of the Radnor/Ft. Myer Heights Civic Association.

DISCUSSION: The applicant requests an increase in retail density of approximately 1,400 square feet to extend the ground floor commercial area to meet the building curtain wall along the building's N. Oak Street elevation. In evaluating the requested increase in retail, it is significant to note that historically, commercial density for this project has exceeded that permitted by the Zoning Ordinance for the “C-O” zoning district. When the site plan was originally approved in 1966, the maximum permitted density in the “C-O” zoning district was 3.25 FAR for office gross floor area, of which five percent (5%) was allowed for accessory commercial uses. While the office gross floor area at that time was approved not to exceed 3.25 FAR (98,725 sq ft), commercial gross floor area was approved at 13,847 sq ft or nearly three (3) times that permitted at 4,936 sq ft. Subsequently there have been increases by site plan amendment to both the office and commercial density, with the latest increase approved in 1974. The Zoning Ordinance requirements for the “C-O” zoning district density have since been amended, and the maximum density permitted for office, commercial, and hotel gross floor area is 3.8 FAR where any building or group of buildings may have mixed office, multiple-family dwelling, commercial or hotel uses. Although the permitted density has increased and there is no

longer a restriction on the percentage of density that can be allocated for accessory commercial uses, the overall density for the project exceeds that allowed as indicated in the table below. A consideration at the time of original approval for permitting excess commercial density was that “commercial service and ‘night life’ [was] planned, and expected in quantity at the central core of Rosslyn’s pedestrian system...”

Following are statistics about the existing and proposed density for the site plan project.

Site Area		30,377 sq ft		
Maximum Permitted GFA		115,433 sq ft		
Maximum Permitted Density		3.8 FAR		
	Existing GFA (Square Feet)	Existing Density (FAR)	Proposed GFA (Square Feet)	Proposed Density (FAR)
Office	108,836	3.58	108,836	3.58
Commercial	16,917	.56	18,317	.60
TOTAL	125,753	4.14	127,153	4.18

As shown in the table above, the requested proposal for increased retail density would provide a minimal increase in the overall project density by 0.04 FAR from 4.14 to 4.18. This increase would result from redesigning the existing floor area, which would allow for the retail to provide more of a presence at the street and a more defined retail edge and building façade along N. Oak Street. The existing space is recessed behind a series of columns and underneath the existing floors of commercial gross floor area, with dark tinted glass windows. Bringing the retail out and down toward the sidewalk is consistent with County standards and practice for the design of retail at the ground floor. In addition, retail at this location, while in excess of that permitted is consistent with the *Rosslyn-Ballston Corridor Retail Action Plan*, which provides that retail be located on the site’s N. Oak Street and Wilson Boulevard frontages. According to the *Retail Action Plan*, both N. Oak Street and Wilson Boulevard are designated as retail streets indicating that they should have “retail frontage” at this location. They are identified as “shopping streets principally providing personal and business services”, such as: banks, dry cleaners, ticket agent, hair salon, etc. Current retail tenants include the Oak Street Café and Miracles (hair salon). Proposed Condition #1 addresses the requirements for design of the retail including window transparency.

Finally, in conjunction with the increased retail density, the applicant agrees to contribute \$80,000 toward the County’s reconstruction of the street and streetscape for the entire length of the property’s N. Oak Street frontage (Condition #9). Should the County proceed with the project, it would significantly improve the pedestrian environment along this section of N. Oak Street, by widening the sidewalk, regrading the street and sidewalk, and adding street trees. This County project is estimated to cost approximately \$200,000. The streetscape improvements would address settling of the street around the 1501 Wilson Boulevard underground garage that has occurred over the past 40 years since the project (and street) was originally constructed. The

existing conditions of the N. Oak Street frontage at 1501 Wilson Boulevard are severely degraded. The settling caused a significant two-foot crack along the existing sidewalk where the sidewalk has fallen away from the curb. This has languished and persists along the entire N. Oak Street frontage, causing a significant tripping hazard and hardship for pedestrians and individuals with disabilities. Physical ingress and egress movements between the building's lobby and N. Oak Street frontage are challenging given the degraded sidewalk. The applicant has further agreed to provide an ADA compliant building entrance (Conditions # 10). Also, the applicant has agreed to several standard construction-related site plan conditions modified to address the specifics of the construction.

CONCLUSION: The proposed site plan amendment to increase the project's ground floor retail would trigger a redesign of the building façade at the ground level that would update the retail store frontages; the proposed amendment would also permit the building's lobby to meet current ADA standards. The developer has also committed to contribute \$80,000 toward the County's improvement of the street, streetscape and sidewalk along the length of the building's N. Oak Street frontage. The additional retail would better define, activate and create an accessible design for the 1501 Wilson Boulevard building and entrance at the street frontage. The proposed improvements would greatly benefit the developer's ability to market to potential retail and office tenants given the newer office space options in the Rosslyn area. The proposal is supported by Rosslyn Renaissance and is consistent with the *Rosslyn Ballston Corridor Retail Action Plan*. Therefore, staff recommends the site plan amendment be approved subject to all previously approved conditions and the following new conditions applicable to the site plan amendment request.

1. The developer agrees that the redesign of the retail shall not exceed 1,400 sq ft of additional retail gross floor area.

~~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 facade treatment as being consistent with the County Board approval before the issuance of the Final Building Permit.~~

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 storefronts that is located between three and eight feet from grade is required to be at least 80% transparent. 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.

2. The developer shall construct and maintain an ADA compliant building entrance from the sidewalk at the building entrance of 1501 Wilson Boulevard located on the N. Oak Street frontage of the property. These improvements shall be shown on engineering plans and construction drawings to be submitted no later than 90 days from the approval of this site plan amendment of July 11, 2009 (unless otherwise extended by the Zoning Administrator), for review and approval by DES and the Zoning Administrator, respectively. The following Conditions applicable to this site plan amendment approval of July 11, 2009 (#3 through #14) must be met by the developer before issuance of the first Building Permit, unless otherwise specified, and are valid throughout the duration of construction of the aforementioned improvements at the building entrance of 1501 Wilson Boulevard on N. Oak Street.

3. **Pre-Construction Meeting**

The developer agrees to coordinate and conduct a pre-construction meeting in a County office building prior to the issuance of any permits for ~~the site plan construction of improvements associated with N. Oak Street as specified in Condition #2 above.~~ The meeting participants shall include the developer and its construction team, and relevant County staff. Relevant County staff will include the following personnel and division representatives: DCPHD Site Planner, ~~Arlington County Police, Code Enforcement, Department of Environmental Services (DES) Transportation Planner, Department of Parks, Recreation and Community Resources (DPRCR) site plan liaison, Landscape Plan team, Arlington Economic Development (AED), green building staff contact, WalkArlington staff, Housing Division,~~ and other departments as determined by the County Manager. The developer agrees to notify the above meeting participants of the meeting time and location at least two weeks in advance. The purpose of the pre-construction meeting is to discuss the requirements of the site plan conditions.

4. **Plan for Temporary Circulation During Construction**

4. The developer agrees to develop and implement (after approval of the site plan amendment by the County Board on July 11, 2009) a plan for temporary pedestrian and vehicular circulation during construction of the building entrance from the sidewalk at the building entrance on N. Oak Street at 1501 Wilson Boulevard. 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. Exceptions may be made only during an emergency as defined below, during actual demolition, and for such limited periods as are unavoidable for utility upgrades. 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 first Building Permit. The developer agrees to provide a copy of the approved plan to the appropriate civic associations. The County Manager may approve subsequent amendments to the plan, if consistent with this approval.

The developer agrees, during the hours of construction, to provide “flagmen” to assist in the direction of traffic along or around a street any time that any driving lane of such a street is partially or fully blocked due to temporary construction activities. In addition, the developer agrees to notify the appropriate civic associations and all abutting property owners in writing (or, by mutual agreement, by e-mail) at least seven calendar days in advance of any street closure, except in the case of an emergency, of more than one hour duration on any street. “Emergency” street closures may include, but not be limited to, those relating to rupture or potential rupture of a water or gas main, insecure building façade, or similar unforeseeable public danger. “Emergency” street closures shall not include closures for setting up or dismantling of a crane, exterior building construction, materials deliveries, or utilities work, or similar situations.

Where county street lighting has been removed or disconnected due to construction and not yet replaced or reconnected, the developer agrees to maintain lighting around the perimeter of the site between the start of construction and completion of the project. The lighting shall be designed to illuminate the temporary pedestrian walkways and roads around the perimeter of the site. The developer may do this by means of overhead lights (e.g. “cobra head” lights) that meet the lighting standards for Arlington County streets, or by stringing lamps of the kind used in “used car” lots or similar along sidewalks and streets along the perimeter of the site. If lighting is accomplished by the latter, such lighting shall be with 75 watt bulbs (or approximate equivalent) placed no more than 25 feet apart and 6 to 10 feet high. Lighting shall be turned on between dusk and dawn 7 days a week. Any high-intensity overhead lighting, such as lighting placed on construction cranes, shall be used only during construction hours (except lower levels after hours for safety and security reasons), and shall be placed so as not to directly illuminate residential dwellings or be a nuisance to neighboring property owners. For purposes of this condition, “completion of the project” shall mean the time when the County standard lighting fixtures are in place and operational around the perimeter of the site.

The developer agrees to maintain street surfaces adjacent to the site in a clean, smooth condition devoid of potholes at all times during the construction period. Whenever a significant portion of an adjacent road surface is disturbed for reasons relating to the construction, including utility work, the developer agrees to repair promptly the disturbed portion(s) of pavement with hot patching to return the road surface to a clean, smooth condition. The developer agrees to insure that the road surface is promptly repaired regardless of whether the excavation work or other damage to the road surface was done by the developer, the developer’s contractors, or private utility companies. The developer agrees to make reasonable efforts to schedule construction work so that digging in the street surfaces will not occur during the winter months. However, if the road surface is

disturbed during the winter months, the developer may temporarily restore the road surface using cold patching and then hot patch the disturbed surface at the earliest opportunity when weather conditions permit. If cold patching is used, it shall be properly maintained and resurfaced as necessary to maintain a clean, smooth road condition. The term “significant portion of a road” is understood to include, but not be limited to, a cut in the road surface that exceeds 10 feet in length or 100 square feet in size. This condition is in addition to any other conditions in this site plan and any County requirements relating to reconstruction and repaving of streets at the completion of construction.

Compliance with Federal, State and Local Laws

5. The developer agrees to comply with all federal, state and local laws and regulations not modified by the County Board's action on this plan and to obtain all necessary permits. In addition, the developer agrees to comply with all of the agreed-upon conditions approved by the County Board as a part of this site plan amendment approval of July 11, 2009. The developer specifically agrees that the County has the authority to take such actions as may be necessary, to include the issuance of a stop work order for the entire project, when the developer is not in compliance with the agreed-upon conditions. Further, temporary Certificates of Occupancy will not be issued without approval by the Zoning Administrator.

Community Liaison and Activities During Construction

6. The developer agrees to comply with the following before issuance of the first Building Permit and to remain in compliance with this condition until the 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 or construction of the site improvement, the developer shall hold a community 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 Zoning Administrator and the Arlington County Police representative must be notified once the community meeting dates/times are established. The developer agrees to provide documentation to the Zoning Administrator of the date, location and attendance of the meeting before a Building Permit is issued. The developer agrees to submit to the Zoning Administrator two (2) sets of plans or maps showing the construction hauling route, construction worker parking and temporary pedestrian and vehicular circulation (one set of which will be forwarded to the Police). 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. The location of all construction trailers shall be approved either by Administrative Change approval or to be shown on the Tree Protection Plan, with the construction staging's location and travel routes shown on a map approved as part of that plan. All trailers shall require approval by DES staff, and the site plan's Arlington County Police representative shall receive a copy of the aforementioned map.

- 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 work day 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 7:00 a.m. and end by 6:30 p.m. on weekdays and will commence no earlier than 10:00 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.

Utility Company Contacts

- 7. 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 copies of letters from the

developer to the utility companies offering them access as stated above ~~for each phase of the project~~ for the 1,400 square feet of retail approved by the County Board on July 11, 2009. The developer agrees to also contact the Development Services Bureau Chief, Transportation Division of the Department of Environmental Services in Arlington County not less than two (2) months prior to its planned commencement of utility undergrounding for each phase of the project to offer the County, at no cost to the County, access to the locations where the developer plans to excavate trenches or similar areas to install underground utilities so the County may install its fiber optic cable and/or conduit in those places concurrently with the developer's utility installation. Such access, and the terms and conditions under which access to the site will be provided and the undergrounding activities of the County and the developer will be coordinated, shall be set forth in an agreement approved by the County Manager and the County Attorney.

Final site engineering plan approval by DES

8. The developer agrees to submit final site engineering plans to the Department of Environmental Services. ~~The plans shall include a receipt from the Zoning Office that the landscape plan has been accepted. Staff comments on the final engineering plans will not be provided to the developer without submission of the landscape plan to the Zoning Office. The plans shall be drawn at the scale of 1 inch = 25 feet and be 24 inches by 36 inches in size. Neither the Excavation/Sheeting and Shoring permit nor the first Building Permit shall be issued until final site engineering plans which agree with the approved final site development and landscape plans, and the sequence of construction, has been approved by the Department of Environmental Services and the CPHD Site Planner, as consistent with all site plan approval requirements and all County laws. To ensure final sign-off, the plans shall include CPHD Site Planner review and signature blocks. Upon completion of the construction of a project, the developer agrees to submit one (1) set of as built mylar plans for sanitary, storm sewer and water main construction to the Department of Environmental Services for recording. The first Building Permit shall not be issued until final site engineering plans have been approved by the Department of Environmental Services, as consistent with all requirements of the site plan amendment of July 11, 2009 and all County laws.~~

Pavement, Curb and Gutter

9. The developer agrees to show on the final engineering plans the existing pavement, curb and gutter along all frontage the proposed N. Oak Street building entrance of 1501 Wilson Boulevard 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 shall be constructed prior to issuance of the first Certificate of Occupancy for occupancy of the applicable phase of the project.~~

a. _____

b. _____

~~All improvements to curb, gutter, sidewalks and streets for pedestrian and/or vehicular access or circulation shall be in full compliance with the Americans with Disabilities Act (ADA) and any regulations adopted thereunder, as well as any other applicable laws and regulations. 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 on the final Site Development and Landscape Plan and on the final Site Engineering Plan, in accordance with the Rosslyn-Ballston Corridor Streetscape Standards or other applicable urban design standards in effect at the time of final Site Engineering Plan Approval; provided, however, that the provision of such improvements shall not increase the projected cost anticipated for such improvements as shown on the site plan drawings dated _____ unless the County provides additional funding to offset such increased cost.~~

The developer agrees to contribute \$80,000 for the design, construction and other such costs for streetscape improvements by Arlington County along N. Oak Street prior to the issuance of the first Building Permit for the building improvements.

Sidewalk Design and Improvements

10. The developer agrees that the final sidewalk pattern/design and final selection of materials and colors to be used at the building entrance of 1501 Wilson Boulevard on N. Oak Street shall be as determined by the County Manager on the ~~final landscape plan and final civil engineering plan~~, in accordance with the Arlington County Streetscape Standards or other applicable urban design standards approved by the County Board and in effect at the time of the approval of ~~the final landscape plan approval~~ this minor site plan amendment dated July 11, 2009. The clear pedestrian zone of all public sidewalks shall also be indicated.

~~The sidewalk clear zones along the street frontages of this development shall be consistent with the Arlington County Streetscape Standards and shall be placed on a properly engineered base approved as such by the Department of Environmental Services. The developer agrees that the clear pedestrian zone sidewalk shall:~~

- ~~a. Continue across all driveway aprons for loading and garage entrances along all frontages of the site plan, and there shall be no barriers to impede the flow of pedestrian traffic.~~
- ~~b. Not be less than six feet wide at any point.~~
- ~~c. Allow encroachments by sidewalk cafes only in accordance with Condition # 67 and under the provisions of the Arlington County Streetscape Standards.~~
- ~~d. Allow pinch points only under the provisions of the Arlington County Streetscape Standards.~~
- ~~e. Use plain, un-tinted concrete or, subject to approval, an integral tint that harmonizes with its setting. Non-standard materials or surface treatments may be used subject to approval and under the provisions of the Arlington County Streetscape Standards.~~
- ~~f. Not contain joints or use patterns that create gaps of 1/4 in depth or greater at spacings of less than 30.”~~

The developer further agrees to construct the sidewalk improvements building entrance from the sidewalk at the building entrance of 1501 Wilson Boulevard on N. Oak Street detailed below prior to the issuance of the first Certificate of Occupancy for occupancy for occupancy of the applicable phase of the project of the 1,400 sq ft of retail gross floor area as approved by the County Board on July 11, 2009.

~~The sidewalks shall contain street trees placed in either tree pits, tree grates or planting strips, consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified below. Placement, planting and root enhancement options shall be consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified below. Street trees shall not be placed within the vision obstruction area. All public walkways shall be constructed to County Standard. The developer, or any subsequent owner, also agrees to maintain and replace the street trees and sidewalks for the life of the site plan. The sidewalk sections and street tree species shall be as follows:~~

The developer agrees to re-construct the 1501 Wilson Boulevard building entrance to be ADA accessible.

Existing Water Main or Fire Hydrant Service

11. The developer agrees that no existing water main or fire hydrant shall be taken out of service or made inaccessible without the prior approval of the Department of Environmental Services. This approval shall be obtained before the issuance of the Excavation/Sheeting and Shoring Permit first Building Permit for the 1,400 sq ft of retail approved by the County Board on July 11, 2009.

Replacement of Damaged Existing Curb, Gutter and Sidewalk

12. The developer agrees to remove and replace, according to the Arlington County Department of Environmental Services Construction Standards and Specifications Manual, any existing curb, gutter and sidewalk along the street frontages of this site damaged by the developer, prior to the issuance of the first Certificate of Occupancy.

Public Improvements Bond

13. 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 associated with the construction of the building entrance and sidewalk at the building entrance of 1501 Wilson Boulevard on N. Oak Street (to include street trees and all landscape materials) 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 by the Department of Environmental Services, the developer agrees to submit to the Department of Environmental Services a performance bond, in the approved amount of the estimate, and an agreement for the construction or installation of all these facilities (to include street trees and all landscape materials) within the public

rights-of-way or easements, which shall be executed by the developer in favor of the County before the issuance of the Final Building Permit.

~~Prior to the release of the public improvement bond, the developer agrees to submit as-built drawings showing the location and facilities for all underground utilities (water, sanitary sewer, and storm sewer) that will be maintained by Arlington County.~~

Snow Removal

14. The developer or owner agrees to remove snow ~~from all interior streets and interior and exterior sidewalks, including accessibility ramps and gutter areas within crosswalks~~ along N. Oak Street, within a reasonable time after snow has stopped falling but in no case later than snow removal provided for vehicular access to the site.

PREVIOUS COUNTY BOARD ACTIONS

- January 8, 1966
- Granted Z-1838-66-3 on County Board's Own Motion to rezone premises 1501 Wilson Blvd. from "C-2", "C-3" and RA-6-15 to "C-O".
- Approved the site plan for the premises allowing the commercial area as presented, subject to the conditions set forth in the report of the County Manager dated January 6, 1966 as amended during the course of the hearing.
- June 4, 1966
- Approved an amendment to the site plan of the 1501 Wilson Boulevard building to reduce parking area from 121,465 sq ft to 95,260 sq ft; construction of a 3-foot of right-of-way on the west side of N. Oak Street from Wilson Blvd. to 19th Street N.; Increase in first floor commercial area from 14,361 sq ft to 15,332 sq ft; reduction in building height from 136.9 ft to 127.8 ft.
- July 30, 1966
- Approved an amendment to the site plan for the 101 Wilson Blvd. building permitting the redesign of the loading ramp creating 1,585 sq ft of additional commercial area and approval of a 153 sq ft incinerator room on the second floor.
- May 13, 1967
- Granted use permit U-1757-767-1 permitting the operation of a private school for instruction in data processing at 1501 Wilson Blvd.
- December 16, 1967
- Approved a machine operated snack bar to consume no more than two bays or 960 sq ft of parking area on the third garage level of the 1501 Wilson Blvd. building.
- March 5, 1968
- Denied an amendment to the site plan of the Art Associates building (Z-1838-66-3, 1501 Wilson Blvd.) proposing a computer facility area in the third level of the garage.

January 12, 1974

Approved an amendment to add 8,468 sq ft of gross floor area to the penthouse level for Executive Suite as described in the staff report dated January 2, 1974.