



ARLINGTON COUNTY, VIRGINIA

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

DATE: July 2, 2009

SUBJECT: SP #65 SITE PLAN AMENDMENT REVIEW to construct basketball court on roof of the Century Center located at 2351 Jefferson Davis Hwy, 2450 Crystal Dr., 2461 S. Clark St. (RPC #34-020-032, -034, -035).

Applicant:

Lowe Enterprises Real Estate Group

By:

Nan E. Walsh, Attorney
Walsh, Colucci, Lubeley, Emrich & Walsh P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Renew the subject site plan amendment subject to all previous conditions and with a County Board review one (1) year after the certificate of occupancy is issued or July 2011, whichever is sooner.

ISSUES: This is a one (1) year review of an existing site plan amendment for a domed basketball court on the roof of the Century Center and there have been no issues identified.

SUMMARY: This is a review of an existing site plan amendment for a domed basketball court on the roof of the Century Center that was approved in July 2008. Although the dome has not yet been constructed, the applicant is working to secure the health club tenant that would require the basketball court. Therefore, it is recommended that the site plan amendment be renewed subject to all previous conditions and with a County Board review one (1) year after the certificate of occupancy is issued or July 2011, whichever is sooner.

County Manager: _____

Staff: Peter Schulz, DCPHD, Planning Division

PLA-5319

BACKGROUND: At the time of approval, the health club tenant for whom the dome would be constructed had not yet signed a lease. The applicant is still working to secure a health club tenant for a second floor secondary retail space, which is difficult to market.

DISCUSSION: Normally, site plan amendments for small additions to existing buildings are not required to have a review. However, the owner of a neighboring building expressed concerns about aesthetics and security matters, and staff recommended a one (1) year County Board review to see if those concerns were adequately addressed. Staff has requested but not received at this writing comment from the neighboring property owner's representative.

The dome has not yet been constructed. Staff therefore recommends a County Board review one (1) year after a certificate of occupancy is issued or in July 2011, whichever is sooner.

Since the original approval (July 19, 2008):

Site Plan Amendment Conditions: The subject site plan amendment has not been constructed to date.

Community Code Enforcement: Community Code Enforcement has not expressed any concerns regarding the subject use permit.

Fire Marshal's Office: The Fire Marshal's office has not expressed concerns regarding the subject use permit.

Police Department: The Police Department has no concerns regarding the subject use permit.

Civic Associations: The Century Center is not located in a civic association area, but the Aurora Highlands Civic Association has been notified and staff has not received comments.

CONCLUSION: The applicant is still actively marketing for health club use on the second floor of the Century Center in a secondary retail area with no direct access from the street. The proposed domed basketball court on the roof would attract a wider range of health club franchises. Therefore, staff recommends renewal of the approved site plan amendment subject to all previous conditions and a County Board review one (1) year after a certificate of occupancy is issued or July 2011, whichever is sooner.

PREVIOUS COUNTY BOARD ACTIONS:

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| January 20, 1968 | On the Board's own motion, authorized advertisement for the February 17, 1968 County Board meeting a rezoning from "M-2" to "C-O". |
| February 17, 1968 | Approved a rezoning from "M-2" to "C-O", and a site plan (Z-1909-68-1) for the National Center, Jefferson Davis Highway of four 12-story office buildings, one 8-story office building and one 12-story apartment building. This site plan was approved with a gross floor area not to exceed 2.0 F.A.R. and 603 apartment units. |
| October 26, 1968 | Approved a site plan amendment for National Center permitting subdivision of the property. |
| April 12, 1969 | Approved a site plan amendment for the National Center reconfiguring the approved plan and increasing densities. |
| June 4, 1969 | Approved the addition of 559 motel units to the National Center. |
| February 7, 1970 | Approved a site plan amendment to permit 1) approval for the revised configuration of the James Buchanan House, which contains 433 dwelling units, and 2) approval of the revised configuration of the Zachary Taylor office building. |
| September 12, 1970 | Approved a site plan amendment to permit the reconfiguration of the Pierce office building into two separate towers with no increase in approved office gross floor area. |
| February 24, 1971 | Approved a site plan amendment to permit 263,000 square feet of commercial floor area in the National Center complex. |
| August 7, 1971 | Approved a site plan amendment permitting the redesign in the approved motel and an increase in the number of units from 350 to 400 units. |
| November 6, 1971 | Approved a site plan amendment permitting the relocation of the approved Pierce office building |

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tower.

- June 8, 1972 Approved a site plan amendment permitting signs.
- December 1, 1973 Approved a site plan amendment for the Buchanan House to permit a canopy over the front entrance, change storefront façade, and signs.
- March 23, 1974 Denied a site plan amendment to convert commercial floor area and to delete a pedestrian tunnel.
- April 6, 1974 Approved a site plan amendment permitting a public dance hall and live entertainment in the second floor lounge of the Stouffer's Inn (2399 Jefferson Davis Highway).
- September 7, 1974 Approved a site plan amendment permitting a health and social club to occupy 5,800 square feet on the lower commercial level of the Zachary Taylor building.
- November 9, 1974 Approved a site plan amendment to convert 51,308 square feet of commercial space to office space on the upper commercial level of the Century building, and to convert 27,500 s.f. of commercial space to office space on the upper commercial level of the Zachary Taylor building, and to delete a required pedestrian tunnel.
- February 8, 1975 Denied a site plan amendment to delete a required pedestrian corridor through the Van Buren Building.
- March 8, 1975 Authorized advertising for May 10, 1975 a site plan amendment to remove a required wall between the Fillmore/Pierce and Buchanan buildings.
- April 15, 1975 Approved a site plan amendment for the Hayes building to convert approximately 44,250 square feet from commercial to office space, and to enclose approximately 12,750 square feet under the building for office space and restaurant.
- May 10, 1975 Approved a site plan amendment for the Fillmore-Pierce building and Buchanan House to remove the requirement of a temporary or permanent wall between the two buildings.

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June 17, 1975
Approved a site plan amendment to close the South entrance to the truck drive and convert to commercial space, reduce truck unloading area and relocate pedestrian corridor on the lower commercial level.

September 20, 1975
Approved a site plan amendment to permit one "box" sign; illuminated, visible in both directions.

October 4, 1975
Approved a site plan amendment for construction signs for one (1) year.

February 7, 1976
Approved a site plan amendment to permit computer facilities on the penthouse floor level of the Zachary Taylor building.

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August 7, 1976
Approved a site plan amendment to convert 26,484 square feet of first floor commercial space and 3,696 square feet of cafeteria to office in the Zachary Taylor building.

September 11, 1976
Approved a site plan amendment to use 19,872 square feet of the penthouse or executive offices, subject to an occupancy not to exceed one employee per 400 square feet in the Fillmore building, and to use 2,300 square feet of commercial space at the ground floor level for a cinematography studio in the Hayes building.

March 22, 1977
Approved a site plan amendment to convert 1,000 square feet of commercial space (snack bar and vending area) on the plaza level to office space in the Polk building, and approved a site plan amendment to install a connecting hallway at the third floor level between the Polk and Taylor buildings.

June 4, 1977
Approved a site plan amendment to permit two signs 2.5" X 15.5" each, one on Ball Street and one on 23rd Street South (Sharp Electronics) and to place the signs under the soffit.

July 30, 1977
Approved a site plan amendment to convert 8,000 square feet of commercial space to office space on the ground floor of the Century Building.

November 22, 1977
Administrative approval granted for the conversion of approximately 2,300 square feet from commercial to office space in the Century Building.

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December 10, 1977	Approved a site plan amendment to convert 34,074 square feet on the penthouse level to executive offices, subject to an occupancy not to exceed one employee per 400 square feet in the Zachary Taylor building.
March 4, 1978	Denied a site plan amendment to eliminate the condition concerning the penthouse level located at in the Zachary building.
	Approved a site plan amendment to install a seven (7) foot high chain link fence along the internal perimeter of garage levels B1, B2, and B3.
June 3, 1978	Approved a site plan amendment permitting an outdoor dining facility in conjunction with an existing restaurant.
November 18, 1978	Approved a site plan amendment to park up to 60 rental cars at the hotel parking garage.
February 13, 1979	Approved a site plan amendment to convert 7,600 square feet of street level commercial space in the Hayes Building to office use, and a change to the Taylor Building (unspecified in the minutes).
June 9, 1979	Renewed a site plan amendment permitting an outdoor dining facility and renewed a site plan amendment to convert 10,500 square feet of commercial space to office space at 2301 Jefferson Davis Highway,
June 10, 1980	Renewed a site plan amendment at 2301 Jefferson Davis Highway for one (1) year.
January 3, 1981	Approved a plan amendment to convert 7,000 square feet of cafeteria space to office space at 2521 and 2531 Jefferson Davis Highway.
December 12, 1981	Renewed a site plan amendment at 2301 Jefferson Davis Highway for one (1) year.
July 10, 1982	Approved a site plan amendment to modify the main entrance to the Buchanan House lobby by enclosing the vestibule.
December 4, 1982	Discontinued a site plan amendment for an outdoor
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dining facility.

- July 7, 1984 Approved a site plan amendment for a freestanding pylon identification sign reading "Century Building" plus logo.
- November 16, 1985 Approved a site plan amendment to increase office gross floor area by extending the 3rd floor over the mall; add 2 terraces on the 4th floor roof level; on premises known as 2341 Jefferson Davis Highway, Century Building.
- September 20, 1986 Approved a site plan amendment to convert 13,500 square feet of cafeteria space on the first floor to office gross floor area.
- July 11, 1987 Accepted withdrawal of a site plan amendment to permit a temporary banner, 3 feet by 15 feet, on the west elevation at the 12th floor level.
- July 8, 1988 Approved a site plan amendment to add 3,560 square feet of gross floor area to the upper mall level for the office uses.
- July 13, 1991 Approved a site plan amendment to permit dancing at Ondine's Lounge, 2399 Jefferson Davis Highway (Stouffer's).
- August 10, 1991 Approved a site plan amendment to delete the restriction on occupancy of the penthouse to no more than one employee per 400 square feet of space (Century Building).
- October 10, 1992 Approved site plan amendment (#65) to permit the existing building facade to be replaced with a flush curtain wall which will increase the gross floor area by 11, 500 square feet.
- November 14, 1992 Approved a site plan amendment to add 11,190 square feet of density to the Van Buren Building as part of a major renovation subject to two (2) conditions.
- March 10, 1993 Approved site plan amendment (#65) to delete Condition #3 of a February 24, 1971 site plan amendment, amended condition #2 of the October 10, 1992 site plan amendment to add density to the Van

Buren building.

- March 4, 1995 Approved a site plan amendment request to permit conversion of approximately 3,774 square feet of retail gross floor area to office use for a period not to exceed seven (7) years.
- December 7, 1996 Approved site plan amendment (SP #65) to permit conversion of 2,856 square feet of retail space to be used for a martial arts school for period not to exceed five (5) years.
- August 8, 1998 Approved site plan amendment (SP #65) to permit conversion of approximately 1,210 square feet of retail space for use by the University of Oklahoma for higher education classes for a period not to exceed five (5) years.
- April 10, 1999 Deferred site plan amendment request (SP #65) conversion of 41,544 square feet of retail space to office space and renovation and upgrade of approximately 30,710 square feet of retail along the street, the street, including modifications to the streetscape, exterior façade, and signage to the May 22, 1999 County Board meeting.
- May 22, 1999 Deferred site plan amendment request (SP #65) conversion of 41,544 square feet of retail space to office space and renovation and upgrade of approximately 30,710 square feet of retail along the street, the street, including modifications to the streetscape, exterior façade, and signage to the July 10, 1999 County Board meeting.
- July 10, 1999 Deferred site plan amendment request (SP #65) conversion of 41,544 square feet of retail space to office space and renovation and upgrade of approximately 30,710 square feet of retail along the street, the street, including modifications to the streetscape, exterior façade, and to permit a comprehensive sign plan to the August 14, 1999 County Board meeting.
- August 17, 1999 Approved site plan amendment request (SP #65) for the conversion of 41,544 square feet of retail space to office space and renovation and upgrade of

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approximately 30,710 square feet of retail along the street including modifications to the streetscape and exterior façade and to permit a comprehensive sign plan for 2301 Jefferson Davis Highway.

- January 29, 2000 Approved site plan amendment request (SP #65) for a comprehensive sign plan to permit building and tenant identification signs.
- November 17, 2001 Deferred site plan amendment request (SP #65) for a freestanding sign (Chili's Restaurant) to the first scheduled meeting in April 2002.
- April 20, 2002 Deferred site plan amendment request (SP #65) for a freestanding sign (Chili's Restaurant) to the June 8, 2002 County Board meeting
- June 8, 2002 Deferred site plan amendment request (SP #65) for a freestanding sign (Chili's Restaurant) to the October 19, 2002 meeting.
- October 19, 2002 Deferred site plan amendment requests (SP #65) for (Chili's Restaurant and Consolidated Engineering Services) to the first scheduled County Board meeting in February 2003.
- February 8, 2003 Deferred #65 Site Plan Amendment to amend comprehensive sign plan for Chili's Restaurant to the September 13, 2003 County Board meeting.
- Accepted withdrawal of #65 Site Plan Amendment to amend comprehensive sign plan by Consolidated Engineering Services.
- September 13, 2003 Approved site plan amendment request to a comprehensive sign plan to permit a non-traditional free-standing sign (Chili's Restaurant)
- May 7, 2005 Deferred site plan amendment request for addition of ground floor GFA, reconfiguration of ground floor GFA, streetscape improvements, outdoor seating, and a comprehensive sign plan for the Century I and II Buildings.
- June 18, 2005 Deferred site plan amendment request for addition of ground floor GFA, reconfiguration of ground floor

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GFA, streetscape improvements, outdoor seating, and a comprehensive sign plan for the Century I and II Buildings.

July 9, 2005

Approved site plan amendment request to add approximately 8,264 square feet of GFA; convert approximately 8,832 square feet of office to retail, convert approximately 5,584 square feet of retail to office, streetscape improvements, outdoor seating, and a comprehensive sign plan for the Century I and II Buildings.

December 10, 2005

Discontinued site plan amendment for the conversion of retail to a martial arts school.

January 27, 2007

Approved a site plan amendment to modify landscape and façade and add approximately 604 square feet of gross floor area.

May 17, 2008

Deferred to June 17, 2008 a site plan amendment to construct a basketball court on the roof.

June 17, 2008

Deferred to July 19, 2008 a site plan amendment to construct a basketball court on the roof.

July 19, 2008

Approved a site plan amendment to construct a basketball court on the roof, with a County Board review in one (1) year (July 2009).

Existing Conditions (For this Site Plan Amendment Only):

27. The applicant agrees that approval of this basketball dome shall be contingent upon the execution of a lease agreement between the landlord and a health club tenant, and shall be valid only for the life of this lease. The applicant agrees to pursue an administrative review of the dome prior to the issuance of a certificate of occupancy for the health club.

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28. The dome will be opaque white, with no exterior signage or advertising, and shall be no higher than 25 feet above the second floor roof.

29. The applicant agrees that use of the domed basketball court will be restricted to members of the health club or their guests. The dome shall not have any access (with the exception of any required emergency exits) other than from the enclosed corridor leading directly to the health club.

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30. The applicant agrees that the dome and the basketball court will be dismantled and completely removed and the roof restored to its original state within 60 days of the health club vacating the property.

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31. Unless otherwise approved by the County Manager or his designee, the blower/heater unit for the dome shall be screened by a solid wall or fence. There shall be no backup generator. The wall or fence will be shown on an Administrative Change to the Landscape Plan.