



ARLINGTON COUNTY, VIRGINIA

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

DATE: June 30, 2009

SUBJECT: SP #359 SITE PLAN AMENDMENT to permit retail spaces to be leased to Consumer and Business Services at Station Square at Clarendon located at 2900 Clarendon Boulevard (RPC: 18-014-328, -329)

Applicant:

2900 Clarendon Commercial, LLC
By: Nan E. Walsh
Walsh, Colucci, Lubeley, Emrich & Walsh
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

C. M. RECOMMENDATION:

Approve the site plan amendment to allow units 110 and 130 in Building A at 2900 Clarendon Boulevard to be leased to this electronics store/cellular telephone/telecommunications outlet and a salon, subject to one (1) revised condition.

ISSUES: This is a site plan amendment request to allow businesses characterized as Consumer and Business Services in ground-floor retail space at 2900 Clarendon Boulevard. Although the general category of use associated with this request is inconsistent with the type of retail envisioned by the *Rosslyn-Ballston Corridor Retail Action Plan* for this location, the specific uses being proposed are appropriate at this location. No issues have been identified.

SUMMARY: This is a site plan amendment request to amend Condition # 58 of the approved site plan to allow "Consumer and Business Services," specifically an electronics store (a cellular telephone/telecommunications outlet) and a salon, as opposed to "Entertainment and Main Street Retail" in two (2) retail spaces at 2900 Clarendon Boulevard. The two (2) spaces total approximately 10,000 square feet, although the applicant is requesting to only lease approximately 7,500 square feet (the remaining space is already leased to Le Pain Quotidien). The application states the vacant spaces have never been leased, despite significant efforts by the applicant to do so over the past several years. Per Condition #58, a Retail Attraction and Marketing Plan (RAMP), written in accordance with the policies of the *Rosslyn-Ballston Corridor Retail Action Plan* (RAP), was submitted by the applicant and approved by the County in 2003. The RAMP and RAP both classify this portion of Clarendon Boulevard as appropriate

County Manager: _____

Staff: Melanie Jesick, DCPHD, Planning Division

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for “Entertainment and Main Street Retail,” not “Business and Consumer Services” as the proposed businesses are classified. This location, within two (2) blocks of the Clarendon Metro, has developed into a highly-traveled pedestrian corridor, and a destination for dining, shopping, and other recreational/leisure activities. Consumer and Business services, as identified in the RAP, are uses that generally sell services as opposed to consumer goods, and typically do not have the same pedestrian traffic and customer turnover rate as Entertainment and Main Street retailers would. However, the specific proposed Consumer and Business Services, a salon and electronics store/ cellular telephone outlet, are uses that could be appropriate in this location, given their similarity to Entertainment and Main Street retail uses in terms of customer turnover rate and subsequent relationship to the streetscape. This particular type of electronics store/cellular telephone store proposed is a comprehensive retail store that not only offers cell phone services, but also a variety of phone products, internet, and television services. Furthermore, the particular salon proposed is a regional business, and thus in compliance with Condition #77 and the approved RAMP, which requires, “a minimum of 10% of the 2900 Clarendon Boulevard first floor retail gross floor area to be occupied by either a local, regional, or retained/displaced business.” Therefore, staff recommends approval of the site plan amendment to allow units 110 and 130 in Building A at 2900 Clarendon Boulevard to be leased to this electronics store/cellular telephone outlet and a salon, subject to one (1) revised condition.

BACKGROUND: The project, known as Station Square at Clarendon, was approved in 2002 with 322 residential units, approximately 65,000 square feet of office, and approximately 22,000 square feet of retail. Construction has been completed for several years. The following provides additional information on the site:

Site: The subject site is 95,014 square feet, and comprises the block bounded by Clarendon Boulevard on the north, North Fillmore Street on the east, 11th Street North on the south, and North Garfield Street on the west, but excludes a parcel at the northwest corner of the block (currently the site of Restaurant 3).

Zoning: The site is zoned “C-O” Commercial Office Building, Hotel, and Multiple-Family Dwelling Districts.

Land Use: The site is designated on the General Land Use Plan (GLUP) as “High” Office-Apartment-Hotel with a note that states “all structures in this area will be restricted to 110 feet in height.”

Neighborhood: The site is located within the Clarendon-Courthouse Civic Association. The Clarendon-Courthouse Civic Association has been contacted and, to date, has not provided a response on the site plan amendment.

DISCUSSION: Upon approval of SP #359, the applicant was required, per Condition #58, to submit a Retail Attraction and Marketing Plan (RAMP) for the subject spaces, which was to be approved by Arlington Economic Development (AED), and was to be consistent with the *Rosslyn-Ballston Corridor Retail Action Plan* (RAP). The RAMP was approved in 2003, and defined the types of uses the applicant would pursue for the first floor retail spaces stating the intention to market within the following categories: Category I included cafes, restaurants, fine

food concepts, and specialty grocery; Category II included local service retail and commercial uses, such as a beauty salon, florists, newsstand, real estate office, and phone store; and Category III included main street retailers, such as furniture, antiques, art galleries, appliances, pet shops, and jewelry stores. Although the RAMP stated the intention to market to a beauty salon and phone store, the RAMP also stated that the development “contains Entertainment and Main Street Retail on the Clarendon Boulevard frontage and Consumer and Business Services on Fillmore Street, as defined in the RAP.” Thus, under those approved policies, the proposed salon and phone store uses proposed along Clarendon Boulevard would be inconsistent with the RAMP and RAP.

The RAP contains a list of examples of the type of retail defined as Consumer and Business Services. Some of these uses listed are similar in terms of pedestrian and traffic activity, as well as relationship to the streetscape, as many Entertainment and Main Street retail uses. More specifically, similar uses have higher customer turnover rates and window transparency that allow pedestrians to view the activity within the space and to allow patrons and employees of the establishment to view the activity on the sidewalk and street. A beauty salon and an electronic store/cellular telephone outlet could be examples of such uses, if designed correctly with transparency. The type of electronics store/cellular telephone store proposed is a comprehensive, corporately-owned retail business that not only offers cell phone services, but also a variety of phone products, internet, and fiber-optic television services. This type of store could attract a wide customer base, creating more pedestrian and streetscape activity than, for example, a small cellular phone kiosk only offering a limited product or service.

Conversely, there are uses listed in the RAP’s Consumer and Business Services category that have a very different relationship to the streetscape, such as medical or dental offices, insurance offices, or catering establishments, to name a few. Such uses likely have a lower customer turnover rate, a lack of window transparency, and would thus be more appropriate on the “Shopping streets principally providing personal and business services” as delineated in the RAP, not in this area of Clarendon Boulevard.

The two (2) subject spaces have been vacant since approval of the site plan in 2002. As stated above, the proposed salon and electronics store/ cellular telephone outlet are appropriate uses at this location, given the relationship to the streetscape with the high customer turnover rates of these uses. The storefronts would be required to have transparency, per Condition #78, which states “all storefronts in the project along public rights-of-way must have an overall minimum transparency, in terms of glass or other transparent material, of 50%. 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.” In addition, the particular salon proposed for one (1) of the spaces is a regional business, with one (1) other location located in the Washington-Baltimore Consolidated Metropolitan Statistical Area (CMSA). Per the RAMP and the approved RAP, a minimum of 10% of the 2900 Clarendon Boulevard first floor retail gross floor area to be occupied by either a local, regional, or retained/displaced business.

Although not all Consumer and Business Services listed in the RAP would be suitable for this location, and would not be supported by staff, the proposed salon and electronics store/cellular

phone outlet can be supported, as they are similar in nature to what is envisioned as Entertainment and Main Street retail uses.

CONCLUSION: While the proposed request for Consumer and Business Services is not consistent with the policies of the *Rosslyn-Ballston Corridor Retail Action Plan* (RAP) and the project's approved Retail Attraction and Marketing Plan (RAMP), a salon and an electronics store/cellular telephone/telecommunications store of the proposed nature are appropriate uses at this location, given these particular uses' similarity to Entertainment and Main Street Retail uses. Condition #58 has been amended to allow this electronics store/cellular telephone/telecommunications outlet and a salon at 2900 Clarendon Boulevard, but limits the uses to the specific types of businesses proposed. Therefore, staff recommends approval of the site plan amendment to allow units 110 and 130 in Building A at 2900 Clarendon Boulevard to be leased to this electronics store/cellular telephone outlet and a salon, subject to one (1) revised condition.

Revised Condition # 58:

58. The developer agrees to develop a retail attraction and marketing plan for the retail space located on the first floor of Building A. The plan shall identify the types of retail desired, the marketing strategy to attract the retail, and strategies to retain the retail. The developer shall make every effort to attract businesses that complement existing uses or that provide goods and services not readily available in the area. The plan shall include measures to ensure occupancy of a portion of the retail space by local, regional, or retained/displaced businesses. The plan shall also include information regarding any anticipated joint promotional and/or advertising efforts to be undertaken by the applicant in conjunction with the retail occupants. The retail attraction and marketing plan shall be in accordance with the approved Retail Action Plan for the Rosslyn-Ballston Corridor, dated January 2001 and approved by the County Board in May 2001, with the exception that an electronics store/cellular telephone/telecommunications outlet is permitted in commercial unit 110 of Building A at 2900 Clarendon Boulevard, specifically one that is characterized as a comprehensive store that not only offers limited cellular phone services, but a variety of phone products and other products and services, such as Internet and television services. In addition, a salon is permitted in the approximately 2,002 square foot portion of commercial unit 130 in Building A at 2900 Clarendon Boulevard.

The plan shall be provided to the Clarendon-Courthouse Civic Association, the Lyon Village Citizens Association, the Lyon Park Citizens Association, the Ashton Heights Civic Association, and the Clarendon Alliance. The plan, plus any comments made by the above mentioned organizations, and the developer's response thereto, shall be reviewed and approved by the Department of Economic Development before being submitted to the Zoning Administrator. The above-grade building permit shall not be issued until documentation has been provided to the Zoning Administrator assuring that the plan has been approved by the Department of Economic Development. Any change in the use of the retail space from retail to office or other non-retail use shall require a site plan amendment.

The retail spaces shall be designed and constructed to include interior and exterior improvements necessary to ensure that they are functional and attractive to prospective retailers and that they animate the street frontage. These elements shall include, but not limited to: approximately 14 foot floor to ceiling heights; immediate access to the service corridor/areas; direct street frontage and access; provision for any venting systems required for any food preparation or restaurant use to the building roof; and sufficient transparency of the building facade to achieve adequate street exposure.

PREVIOUS COUNTY BOARD ACTIONS:

July 13, 1982	Approved height restriction to 110 feet.
September 14, 2002	Deferred rezoning Z-2487-02-1 and Site Plan SP #359 for 2900 Clarendon Blvd. to November 16, 2002 County Board meeting.
November 19, 2002	Approved Z-2487-02-1 and Site Plan SP #359 for 2900 Clarendon Blvd. for a mixed-use project with modifications for additional density and height in exchange for affordable housing.
July 19, 2003	Approved amendment to relocate office and residential lobbies and electrical vault, and for changes to the facades, subject to new Conditions # 81 and #82.