



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of November 14, 2009

DATE: November 10, 2009

SUBJECT: SP #387 SITE PLAN AMENDMENT to amend condition #11 regarding timing of construction activity, amend condition #17 regarding timing of improvements, and amend any associated conditions necessary for implementation of improvements alternative to those outlined in condition #17 to complete required Glebe Road turn lane improvements at The Alexan at South Glebe project located at 2400 S. 24th Rd. (RPC #32-024-003).

Applicant:

Glebe Road Residential, LLC

By:

Nan E. Walsh, Esq.
Walsh, Colucci, Lubeley, Emrich, & Walsh, PC
2200 Clarendon Blvd., 13th Floor
Arlington, Virginia 22201

C. M. RECOMMENDATION:

Approve the proposed site plan amendment, subject to all previous conditions, and revised conditions in the staff report.

ISSUES: This is a new site plan amendment request to amend several conditions for the Alexan at South Glebe project, as a result of construction of a turn lane and related improvements on Glebe Road South, and no issues have been identified.

SUMMARY: This is a new site plan amendment request to amend several conditions as a result of proposed, amended street improvements outlined in Condition #17. Condition #17 requires, among other improvements, the addition of a left turn lane at the intersection of South Glebe Road and 24th Road South. The left turn lane is critical to the transportation network of south Arlington.

Over the past several years, the applicant has been working with Virginia Department of Transportation (VDOT) to obtain approval of the design of the Glebe Road improvements as approved by the County Board on the original site plan. After protracted negotiations,

County Manager: BMD/GA

Staff: Melanie Jesick, DCPHD, Planning Division
Jennifer Fioretti, DES, Transportation

5.

PLA-5406

compromises have been reached and VDOT has preliminarily approved this revised plan. Given the County's goal of achieving the left turn at this intersection, staff finds the proposed amendments to Condition #17 acceptable. The proposed modifications to the street geometry to accommodate a new left turn lane design have no impact on pedestrian connectivity, mobility and accessibility along S. Glebe Road adjacent to the site. Because of the timing of VDOT's approval of these improvements, it is necessary to slightly delay other improvements related to sidewalk construction, landscaping, and street lighting in the vicinity of the turn lane work in order for the building to open according to schedule. Staff recommends that improvements in the vicinity of the turn lane work, along South Glebe Road, be delayed until "any partial Certificate of Occupancy for any units on the B1 level of the building, or two (2) years after County Board approval of this amendment on November 14, 2009, whichever comes first." The applicant anticipates receiving Certificate of Occupancies for this floor by the middle to end of 2010. However, should it take longer for the applicant to obtain any partial Certificate of Occupancy for units on the B1 level, the applicant, per the proposed condition language, will still be required to complete the turn lane work within two (2) years of this County Board approval on November 14, 2009. That should allow sufficient time for the applicant to complete the design, approval, and permitting required by VDOT to ensure the curb improvements related to the proposed turn lane are constructed.

Finally, the applicant is requesting an amendment to allow construction of these improvements within Glebe Road to be completed at night, as VDOT will not permit the work to be completed during the day. This is similar to the request approved by the County Board on April 28, 2009 for the dry utility improvements in Glebe Road. Staff finds the request appropriate, as much of the proposed noise will be concentrated around removal of an island near the Interstate 395 interchange, further removed from residential areas than the dry utility work proposed in April 2009. Furthermore, the applicant could receive noise exemption approval from the County on a one-week basis, which will allow time between approvals for the County to address any issues that might arise associated with construction noise. Therefore, staff recommends approval of the proposed site plan amendment, subject to all previously approved conditions, and revised conditions in the staff report.

BACKGROUND: On December 15, 2004, the County Board approved SP #387 for a 251 unit multi-family building located at 2400 24th Road South. On May 20, 2006, the County Board approved an amendment to the site plan to decrease the building height, decrease unit count to 217 units, reduce parking levels, and allow minor changes to the building footprint and grading. On February 24, 2007, the County Board approved a site plan amendment to Condition #63 regarding affordable dwelling units from sale to rental. On March 14, 2009 the County Board approved an amendment to Conditions #24 and #25 to delay the timing of certain improvements to the First Certificate of Occupancy rather than to the Final Building Permit. On April 25, 2009 the County Board approved an amendment to condition #11 regarding timing of construction activity to allow construction of the dry utility improvements to happen during the evening and nighttime hours.

The following provides additional information on the site:

Site: The roughly square site comprises 121,825 square feet (2.80 acres).

To the north: Private recreation/open space (Army-Navy Country Club)
To the east: 12-story residential building (Dolly Madison)
To the west: Across South Glebe Road, a 10-story residential building (Country Club Towers) and a 2-story hotel
To the south: I-395

Zoning: “RA-H” Residential Apartment – Hotel Districts.

General Land Use Plan (GLUP) designation: “Medium” Residential (32-72 units per acre).

Neighborhood: The site is not located within the boundaries of an established civic association. However, the project is adjacent to the Nauck Civic Association. The Nauck Civic Association has been contacted and, to date, has not responded regarding the site plan amendment request. Staff has received a letter from Country Club Towers understanding the need for the nighttime construction improvements.

DISCUSSION: There are three (3) primary site plan amendments being requested. The requests are a result of proposed, revised curb and gutter improvements along South Glebe Road, which are outlined in Condition #17.

Request to amend improvements in Condition #17 related to turn lane construction:

The first request, and the primary reason for the subsequent site plan amendment requests, is to amend the improvements as outlined in Condition #17 regarding curb placement and related transportation improvements. Condition #17 requires, among other things, construction of a left turn lane at the intersection of South Glebe Road and 24th Road South. Over the past several years, the applicant has been working with Virginia Department of Transportation (VDOT) to obtain approval of the design of the Glebe Road improvements as approved by the County Board in the original 4.1 plan. After several rounds of analysis and protracted negotiations, a revised design has been developed which meets the goal of providing a left turn lane at 24th Road South while modifying some of the details such as lane width and taper lengths. Staff considers the left turn lane to be critical to the transportation network of south Arlington. Currently 41 ART buses make this left turn each day, and as service frequency and routes increase this number will continue to grow. The concessions made from the original design, including lane widths, taper/transition lengths, turn lane storage length, and the presence of a substandard median, were required by VDOT for approval of the new left turn lane. VDOT refused to approve the design as previously approved and would not permit any left turn lane design that did not meet their requirements. The current proposed design was reached after several meetings between VDOT, Arlington County staff, and the developer and their consultants. The curb on the east side of Glebe Road remains in the location approved by the County Board on the original site plan. The proposed modifications to the street geometry to accommodate a new left turn lane design have no impact on pedestrian connectivity, mobility and accessibility along S. Glebe Road adjacent to the site. The addition of the left turn lane will allow for signal timing modifications that will improve pedestrian crossings, despite the addition of an additional lane of traffic.

The applicant has submitted the current proposed design to VDOT, and, while VDOT has not finalized plan approval, VDOT indicates that they concur with the proposed design and anticipates no changes. County staff finds the proposed amendments to Condition #17 acceptable as it will allow for the implementation of the needed left turn lane

Request to delay timing of some improvements:

In order to implement the above improvements, it is necessary to delay other work such as sidewalk construction, landscaping, and street lighting in the vicinity of the turn lane work, and thus amend Conditions #13 (landscaping), #17 (curb placement), #18 (sidewalk improvements), and #50 (street lighting). Staff has determined that it would be appropriate to delay these improvements, if they are adjacent to the South Glebe Road turn lane construction, until, “any partial Certificate of Occupancy for any units on the B1 level of the building, or two (2) years after County Board approval of this amendment on November 14, 2009, whichever comes first,” in order to provide the applicant sufficient time to complete the improvements. The applicant anticipates receiving the partial Certificate of Occupancy for this level in the middle to end of 2010. This would provide a sufficient amount of time for the improvements to be completed and would not provide any unnecessary delays to the project. However, should the developer encounter delays with obtaining Certificate of Occupancies for units on the B1 level, they would be required to complete the improvements within two (2) years of this County Board approval. All other improvements not related to the turn lane work would still be constructed. The applicant is required, per approved Condition #6 of the site plan amendment, to provide temporary vehicle and pedestrian circulation around the site during construction. In addition, staff has recommended temporary lighting also serve the area adjacent to the construction work until permanent lighting is implemented.

Regarding delay of the landscaping installation, staff is proposing that installation of the entire landscape plan be delayed until “any partial Certificate of Occupancy for any units on the B1 level of the building, or two (2) years after County Board approval of this amendment on November 14, 2009, whichever comes first.” The portion of the landscaping immediately adjacent to the turn lane work could not be installed until the streetscape is completed. In addition, the County’s urban forester has determined that the landscape materials should not be installed during this season, and that next spring would be a better time to begin this process. Therefore, staff is recommending to delay installation of the entire landscape plan to a later point in the project.

Request to complete turn lane improvements at night:

A third request of the applicant is to allow construction of the turn lane improvements at night, as VDOT will not permit this work within Glebe Road during the day. A Traffic Impact Analysis (TIA) submitted by the applicant, prepared by Wells & Associates, dated March 9, 2009, identified that the I-395/Glebe Road intersection operates at a Level of Service (LOS) “A” in the AM peak and LOS “B” in the PM peak, and the 24th Road/Glebe Road intersection operates at an overall LOS “C” during the AM peak and LOS “F” during the PM peak. Virginia Department of Transportation (VDOT) has indicated that attempting to make improvements during the day will cause significant traffic disruptions. Specifically, VDOT has raised the following concerns:

- High volume of traffic on South Glebe Road at the I-395 intersection.
- Lane closures will degrade Level of Service at the I-395/South Glebe Road and 24th Road South/South Glebe Road intersections.
- It will create an unnecessary safety hazard for construction workers.

The temporary construction work would be limited to six (6) consecutive weeks total, but the applicant would be required to obtain noise exemption approval, which is an administrative process, on a weekly basis. This would provide time to address any complaints before issuance of the next noise exemption.

Staff has reached out to the Nauck Civic Association and has not received a response regarding the proposed noise exemption request. Staff has received a letter from County Club Towers apartments, which states that the developer has been cooperative in mitigating impacts on surrounding neighbors, and which recognizes the need for doing the proposed improvements at night. As noted above, VDOT will not allow the proposed work to be completed in Glebe Road during the day, for several reasons, including that it would be a hazard for construction workers. Construction during the day would also likely cause disruptions to the Level of Service. There are benefits to the work being completed during off-peak hours, as the construction will be short term, and the nighttime work will allow construction to be completed at a faster pace. Additionally, it is anticipated that the loudest work will be related to demolition, and, as the turn lane is constructed, the demolition work will be moving further from residential areas from 24th Rd. South to the area of I-395.

CONCLUSION: The three (3) site plan amendment requests are necessary in order to complete the turn lane work on South Glebe Road in a timely manner and without project delay. The County has been working with the applicant and VDOT on a revised design which meets the goal of providing a left turn lane at 24th Road South while modifying some of the details such as modifications to the median, lane width and taper lengths, and the changes in improvements are reflected in the language in condition #17. The delay to various improvements adjacent to the turn lane work, including sidewalk installation, landscaping, and lighting are necessary until the curb is constructed. In addition, staff finds the request by the applicant to complete construction work at night is acceptable, as VDOT has indicated this construction cannot be completed during the day, as it will be a safety hazard for workers and impact the level of service. The applicant will be required to obtain noise exemption approval from Inspection Services, and noise exemptions could only be issued on a one (1) week basis. Therefore, staff recommends approval of the site plan amendment request, subject to all previous conditions, and with revised conditions in the staff report.

Revised conditions:

Construction during nighttime hours:

11. The developer agrees to comply with the following before issuance of the Clearing, Grading, and Demolition 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 a liaison to the community throughout the duration of construction. This individual or his designee 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 the 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 the duration 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 is 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. the stated time on each day shall

not annoy or disturb reasonable persons of normal sensitivities. The developer agrees to place a minimum of one sign per street front indicating the permissible hours of construction around the construction site, to place one additional sign within the construction trailer containing the same information, and to provide a written copy of the permissible hours of construction to all subcontractors.

For the purpose of constructing dry utility improvements and streetscape improvements associated with the dry utility construction immediately adjacent to South Glebe Road, as generally depicted on the plan submitted by the applicant titled "Dry Utility Construction Plan" dated March 16, 2009, staging and construction is temporarily permitted during the evening and nighttime hours, resulting in temporary allowable construction time of 24 hours, seven (7) days a week, for a limited time period of six (6) consecutive weeks. The six (6) consecutive week period begins with the start date identified in the Virginia Department of Transportation (VDOT) permit. A copy of the issued VDOT permit shall be furnished to the Zoning Administrator as soon as is practicable. In the event of delays in construction beyond the developer's control, the Zoning Administrator may extend this period of time for the dry utility work, one (1) time only, to be completed for the amount of days for which construction was lost, plus one (1) additional day. Delays in construction beyond the developer's control include but are not limited to: inclement weather delays, additional repairs, which may be required by VDOT related to the dry utility construction work, and/or an emergency situation. "Emergency" may include, but is not limited to, those situations relating to a rupture or potential rupture of a water or gas main, or similar unforeseeable public danger.

For the purpose of constructing improvements associated with the construction of the left turn lane as outlined in condition #17e, f, g, and h, and street improvements associated with the turn lane improvements, staging and construction is temporarily permitted during the evening and nighttime hours, resulting in temporary allowable construction time of 24 hours, seven (7) days a week, for a limited time period of six (6) consecutive weeks. The six (6) consecutive week period begins with the start date identified in the Virginia Department of Transportation (VDOT) permit. A copy of the issued VDOT permit shall be furnished to the Zoning Administrator as soon as is practicable. The applicant agrees that a noise exemption request will be submitted to the Inspections Services Division, and a noise exemption could be granted for one (1) week periods only. In the event of delays in construction beyond the developer's control, the Zoning Administrator may extend this period of time for the turn lane construction work, one (1) time only, to be completed for the amount of days for which construction was lost, plus one (1) additional day. Delays in construction beyond the developer's control include but are not limited to: inclement weather delays, additional repairs, which may be required by VDOT related to the turn lane construction work, and/or an emergency situation. "Emergency" may include, but is not limited to, those situations relating to a rupture or potential rupture of a water or gas main, or similar unforeseeable public danger.

- f. Storage of construction materials, and vehicles shall occur on the site or an approved off-site location, or as approved by the County Manager of his designee.

Landscaping/streetscape:

13. The developer agrees to submit to the Zoning Administrator and obtain approval from the County Manager a detailed final site development plan and a landscape plan prior to issuance of the Excavation/Sheeting and Shoring Permit. The final site development plan and landscape plan shall be submitted at a scale of 1 inch = 25 feet, in conjunction with the final site engineering plan as required in Condition #16 below, as well as a vicinity map with major streets labeled. The landscape plan shall be developed by, and display the professional seal of, a landscape architect certified to practice in the Commonwealth of Virginia. The developer further agrees that the final site development plan, the landscape plan, and the site engineering plan verify by means of survey that there are no conflicts between the street trees and utilities. The developer shall obtain approval by the County Manager or his designee for both plans as meeting all requirements of the County Board's site plan approval and all applicable county laws and plans before the issuance of the Excavation/Sheeting and Shoring Permit. The plan shall be consistent with the conceptual landscape plan approved as a part of the site plan, and, at a minimum, shall conform to the landscaping requirements in Condition #14 below; the *Rosslyn-Ballston Corridor Streetscape Standards* if applicable; the Sector Plans if applicable; the County's landscaping, planting, and sidewalk and driveway construction specifications; and/or other applicable urban design standards approved by the County Board. In order to facilitate comparison with the final site engineering plan, the landscape plan shall be at a scale of 1 inch = 25 feet; the County may require more detailed plans appropriate to landscape installation at a larger scale. The County may permit minor changes in building, street and driveway locations and other details of design as necessitated by more detailed planning and engineering studies if such changes are consistent with the provisions of the Zoning Ordinance governing administrative approval and with the intent of the site plan approval. The landscape plan shall include a Street Tree Plan which shall be reviewed by DPRCR and DCPHD, and shall be accompanied by the site engineering plan. 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 respective phase of construction~~ any partial Certificate of Occupancy for any units on the B1 level of the building, or two (2) years after County Board approval of this amendment on November 14, 2009, whichever comes first. The final site development and landscape plan shall include the following details:

- 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 above grade in the setback area between the building and the street.

- b. Intake and exhaust garage ventilation grates may not be located within public sidewalks or streets, or within areas between the street curb and any building which is used as a walkway. The developer agrees to provide drawings showing how the garage will be ventilated prior to submission of the post-County Board Administrative Regulation 4.1 drawings required in Condition #10 above. Ventilation grates shall be located and/or screened so as not to be visible from public rights-of-way. The developer shall obtain approval from the County Manager or his designee on the location and screening of all ventilation grates as part of the review of the final site engineering plan and the final site development and landscape plan before issuance of the Footing to Grade Permit.
- c. The location, dimensions, materials, and pavement pattern, where applicable, for driveways and access drives, automobile drop-off areas, driveway aprons, service drives, parking areas, interior walkways and roadways, plaza areas and sidewalks, as well as for address indicator signs. Brick, a concrete unit paver or scored concrete sidewalks shall be used on the access drives, automobile drop-off areas, plaza areas, and interior walkways and roadways. Interior walkways shall have a minimum width of four (4) feet. All plaza areas shall contain special paver treatments that coordinate in design, color and materials with the treatment of the public sidewalk. The materials and colors used are subject to approval by the County Manager or his designee according to adopted Sector Plans or other urban design standards approved by the County Board as a part of review and approval of the final site development and landscape plan.
- d. The location and types of light fixtures for streets, parking, walkway and plaza areas, and associated utilities, as contained in the lighting plan required in Condition #50 below.
- e. Topography at two (2) foot intervals, the finished first floor elevation of all structures, and top-of-slab elevation for any proposed underground structures.
- f. Landscaping for open space areas, plaza areas, courtyards, raised planters (including cross-sections of raised planters), surface parking areas, and service drives, including a listing of plant materials; details of planting, irrigation and drainage; and details of proposed furnishings for all areas, including but not limited to dimensions, size, style(s), materials(s), finish(s) and manufacturer(s) of seating, bollards, trash receptacles, bike racks, arbors, trellises, and water features, and other landscape elements or structures.
- g. The location and planting details for street trees in accordance with Department of Transportation Standards and Specifications for planting in public rights-of-way and as shown on the approved final site engineering plan.

h. The limits of demolition and construction.

Curb Placement:

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 shall be constructed prior to issuance of ~~the first Certificate of Occupancy for occupancy of the applicable phase of the project.~~ any partial Certificate of Occupancy for any units on the B1 level of the building, or two (2) years after County Board approval of this amendment on November 14, 2009, whichever comes first. The developer further agrees to do the following:

a. Provide crosswalks of materials as approved by the County Manager or his designee, built per the Department of Public Works Construction Standards and Specifications then in effect, along with all adjacent curb ramps at the following locations:

- (1) Across 24th Road South at Glebe Road South
- (2) Across Glebe Road South at 24th Road South (east)
- (3) Across Glebe Road South at 24th Road South (west)
- (4) Across I-395 ramp at Glebe Road South

as shown on the final engineering plan approved by the County Manager or his designee.

b. The developer agrees to contribute \$250,000 to be used for the following transportation improvements: enhanced traffic signal at the intersection of 24th Road South and Glebe Road South, re-alignment of 24th Road South on the western side of the intersection with Glebe Road South, modification to the 395 ramp at Glebe Road south, and traffic signal improvements to the intersection of Glebe Road South and the 395 ramp.

c. Remove existing asphalt sidewalk on northern side of 24th Road South and construct new curb and gutter on northern side of 24th Road South to tie in to existing curb and gutter at the intersection of Glebe Road South and continue down the length opposite the property, to end at a point opposite the applicant's property line on the eastern edge, as shown on the final engineering plan approved by the County Manager or his designee.

d. Construct new curb and gutter on 24th Road South adjacent to the site, approximately 11 feet from the Arlington County survey centerline as shown on the final engineering plan approved by the County Manager or his designee.

- e. ~~Widen and lengthen~~ Reconfigure the median at the northern part of the intersection of Glebe Road South and 24th Road South (west) and provide cross walk cut thru ~~with detectable warnings~~, as shown on the final engineering plan approved by the County Manager or his designee.
- f. ~~Widen and lengthen~~ Remove the median at the southern part of the intersection of Glebe Road South and 24th Road South (west) from 24th Road South (west) to the Interstate 395 ramp and ~~provide cross walk cut thru with detectable warnings~~, as shown on the final engineering plan approved by the County Manager or his designee.
- g. ~~Remove~~ Reconfigure small segment of island at the Interstate 395 ramp and Glebe Road South to accommodate new lane shift for addition of left turn lane.
- h. Construct new curb and gutter on Glebe Road South adjacent to the site, approximately ~~35 feet from the Arlington County survey centerline, to provide a left turn lane~~ 61.5 feet from the existing curb line of the west side of S. Glebe Road, as shown on the final engineering plan approved by the County Manager or his designee.
- i. All curb ramps are to be perpendicular to the face-of-curb.

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 or his designee 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 with cover sheet dated March 17, 2006, unless the County provides additional funding to offset such increased cost.

Sidewalk improvements:

18. The developer agrees that the final sidewalk pattern/design and final selection of materials and colors to be used shall be as determined by the County Manager or his designee on the final site development and landscape plan and final engineering plan, in accordance with the Rosslyn-Ballston Streetscape Standards or other applicable urban design standards approved by the County Board and in effect at the time of the final landscape plan approval. The developer further agrees to construct the sidewalk

improvements detailed below prior to the issuance of the first Certificate of Occupancy for occupancy of the applicable phase of the project, except where otherwise noted below in order to construct improvements outlined in condition #17e, f,g, and h. The sidewalks along the street frontages of this development shall be paved with brick, an interlocking concrete pavers or scored concrete and shall be placed on a properly-engineered base approved as such by the Department of Transportation. The sidewalk treatments shall 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. 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 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:

South Glebe Road –A minimum 8-foot wide clear sidewalk measured from the back of curb and a 5.5-foot wide planting stip located at the back of curb, planted with 4 to 4 ½ inch caliper Red Maple (*Acer rubrum*) street trees and such ground cover as liriopie muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), placed approximately 30 feet apart on center. The sidewalk improvements along South Glebe Road must be constructed prior to any partial Certificate of Occupancy for any units on the B1 level of the building or two (2) years after County Board approval of this amendment on November 14, 2009, whichever comes first. Temporary sidewalks, in accordance with condition #6 regarding “temporary pedestrian and vehicular circulation” shall be in place until the permanent sidewalk is installed.

24th Road South – A minimum 5-foot wide clear sidewalk measured from the back of curb and a 5-foot wide planting stip located at the back of curb, planted with 4 to 4 ½ inch caliper Red Maple (*Acer rubrum*)street trees and such ground cover as liriopie muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), placed approximately 30 feet apart on center.

Path along southern and eastern edge of site - The developer agrees to convey a public use access easement to the County, for the benefit of the County and the public at large, for access to and use, at all times, except as necessary for repairs, by the public at large, of the path along the southern and eastern edge of site prior to the issuance of the Final Building Permit. The public access easement shall not obligate or require the County to construct or maintain the path. The public access easement shall provide, among other things, that the grantor, its successors and assigns, shall indemnify and hold harmless the County Board, its elected and appointed officials, employees and agents from any liability, claims, damages, costs and expenses of whatever nature concerning the construction, maintenance, and regulation of the private path by the developer and use thereof by the general public and the developer or grantor. The public access easement shall be granted by deed, in form and substance acceptable to the County Manager and

the County Attorney, and shall be recorded among the land records of the Clerk of the Circuit Court of Arlington County. The developer shall be responsible for maintaining the private path. The developer agrees to extend the sidewalk/public pathway on the southeast corner of the property to connect with the adjacent property if that site re-develops and/or if owner desires the connection.

Project Lighting:

50. The developer agrees to include a lighting plan for all internal and external public areas, including parking areas, 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, including street lighting as described in Condition #27 above. The developer shall include in the site development and landscape plan certification that the lighting plan meets the minimum standards of the Zoning Ordinance, Section 2, Subsection H, and the Illumination Engineering Society of North America Standards. All lighting shall be installed and approved by the County Manager or his designee before the issuance of the First Certificate of Occupancy for occupancy of the applicable phase of the project. Any project lighting adjacent to, and thus affected by, the improvements outlined in condition #17e, f,g, and h, for the improvements related to curb placement and turn lane work on South Glebe Road, may be installed prior any partial Certificate of Occupancy for any units on the B1 level of the building or two (2) years after County Board approval of this amendment on November 14, 2009, whichever comes first, so long as interim lighting serves the temporary or permanent sidewalks in the vicinity of the improvements.

PREVIOUS COUNTY BOARD ACTIONS:

- December 15, 2004 Approved SP #387 for 251 dwelling units including modifications for density and coverage.
- May 20, 2006 Approved an amendment to SP #387 to decrease building height, unit count, parking levels and spaces, and minor changes to the building footprint and grading.
- February 24, 2007 Approved an amendment to SP #387 to amend Condition #63 relating to affordable dwelling units.
- March 14, 2009 Approved an amendment to Conditions #24 & #25 to delay the timing of certain improvements to the First Certificate of Occupancy rather than the Final Building Permit.
- April 25, 2009 Approved an amendment to Condition #11 regarding timing of construction activity to permit construction of dry utility improvements during evening and nighttime hours.
- September 26, 2009 Deferred site plan amendment request to amend condition #11 regarding timing of construction activity, amend condition #17 regarding timing of improvements, and amend any associated conditions necessary for implementation of improvements alternative to those outlined in condition #17 to the October 24, 2009 County Board meeting.
- October 24, 2009 Deferred site plan amendment request to amend condition #11 regarding timing of construction activity, amend condition #17 regarding timing of improvements, and amend any associated conditions necessary for implementation of improvements alternative to those outlined in condition #17 to the October 24, 2009 County Board meeting.

WRIT

WASHINGTON
REAL ESTATE
INVESTMENT
TRUST

Washington Real Estate Investment Trust
6110 Executive Blvd, Suite 800
Rockville, MD. 20852

Desk of: Jeff Lawson,
Director of Residential Management

November 5, 2009

Shahriar Amiri
Chief Building Official
Arlington County, Inspection Services Division
2100 Clarendon Boulevard
10th Floor
Arlington, VA 22201

RE: Alexan 24 Apartment Building – Intersection Improvements

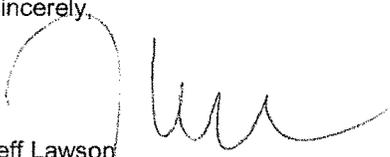
Dear Mr. Amiri:

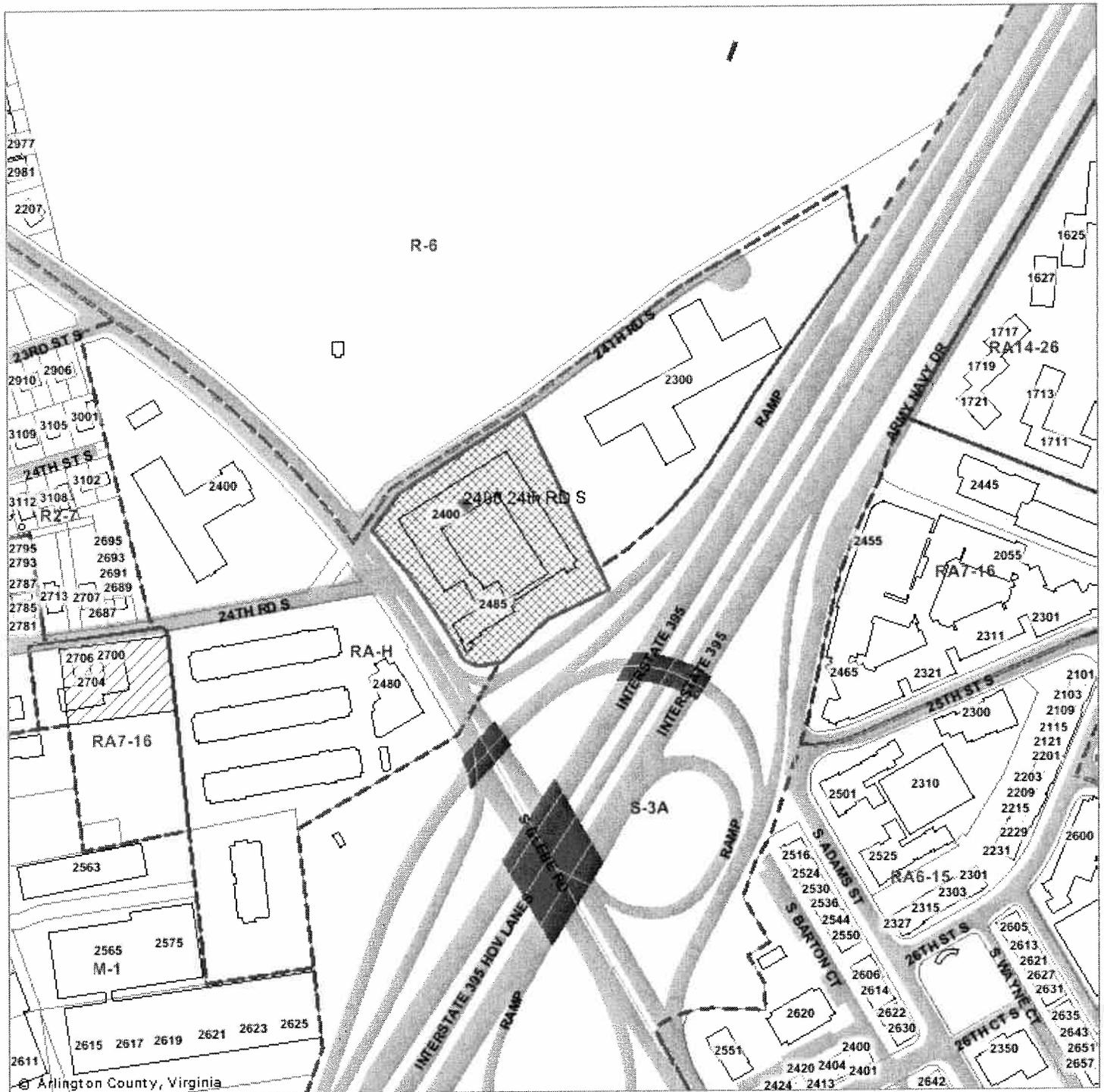
We (Country Club Towers Apartments) understand Glebe Road Development LLC is proposing to move forward with various road and intersection improvements associated with the current S. Glebe Road, 24th Road, and I-395 intersections that have been required as part of the site plan approval for the new Alexan South Glebe apartment building. We understand that Glebe Road Development LLC is proposing to do a portion of the improvements in the evening hours in order to minimize impacts to the surrounding community.

Representatives of Glebe Road Development LLC and TCR Mid-Atlantic Construction Inc. have been cooperative and have demonstrated a strong desire to minimize impacts to the surrounding residents and neighbors during past improvements. We expect the same level of cooperation and activity for these forthcoming improvements. We recognize the benefits of these improvements to the surrounding community and understand a temporary inconvenience is outweighed by the lasting, sustainable benefits to the Nauck neighborhood and Country Club Towers.

Please don't hesitate to contact me with any questions.

Sincerely,


Jeff Lawson
Director of Residential Management
Washington Real Estate Investment Trust



SP #387
2400 S. 24th Rd.
RPC #32-024-003



Not To Scale

Note: These maps are for property location assistance only.
 They may not represent the latest survey and other information.

