



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 7, 2007**

DATE: June 25, 2007

SUBJECT: SP #25 SITE PLAN AMENDMENT REQUEST, Waterview Office L.P., comprehensive sign plan, rooftop lighting, amend condition #64 and #67 re public art; 1919 N. Lynn street (Waterview) (RPC #16-018-004, -006, -020)

Applicant:

Waterview Office, L.P.

By:

Venable LLP
c/o John G. Milliken
8010 Towers Crescent Drive, Suite 300
Vienna, VA 22182

C.M. RECOMMENDATION:

- A. Defer the subject Site Plan Amendment Request of Waterview Office L.P., for a comprehensive sign plan and rooftop lighting to the September 8, 2007 County Board Meeting; and
- B. Approve the subject Site Plan Amendment Request of Waterview Office L.P., to amend conditions #64 and #67 re public art.

SUMMARY: The applicant is requesting a site plan amendment to permit two rooftop signs, add LED lights along the roofline of the two towers, and amend Site Plan condition language related to Public Art. This report considers the proposed amendment to the public art condition language. Staff recommends deferral of the site plan amendment request of the comprehensive sign plan and roof top lighting to the September 8, 2007 County Board Meeting, to allow for review by the Site Plan Review Committee consistent with Site Plan Condition #41. Staff recommends approval of the applicant's request to amend Site Plan Conditions #64 and #67 related to Public Art as discussed below.

BACKGROUND: The Waterview site plan was approved in July 2000 with major site plan amendments approved in 2002. Waterview is a mixed use office, hotel and residential

County Manager: _____

Staff: Samia Byrd, DCPHD, Planning Division

PLA-4711

development in two towers. The development is currently under construction.

DISCUSSION: The applicant proposes to provide a cash contribution in lieu of commissioning public art as required by Site Plan conditions #64 and #67 of the Waterview Site Plan. Currently, Condition #64 requires an artist as part of the development team to provide public art in the sidewalks of the esplanade and elsewhere off-site at a cost of \$150,000. Condition #67 requires the applicant to commission an artist at a cost of \$350,000 to provide public art in the site plan development. As amended, Condition #67 would be deleted and Condition #64 would require the developer to provide a total of \$500,000 for public art to the Public Art Fund. The County would use the contribution to the Public Art Fund to commission an artist to integrate public art into the County's Esplanade project and in Rosslyn along the North Lynn Street Corridor between the Key and Meade Street bridges. This includes the possibility of locating public art in the County's easement for public sidewalk for Waterview. In addition, the amendment ties the requirements for fulfilling this obligation to the issuance of the first tenant Certificate of Occupancy for the office building. To ensure the developer's continued involvement in the public art review process at Waterview, the developer will serve as a voting member of the Artist Advisory Panel responsible for review of the selected artist's concept.

Staff recommends approval of the following amendment to Conditions #64 and #67 as agreed to by Staff and the applicant.

64. The developer agrees to make a contribution to the Public Art Fund in the amount of \$500,000 in lieu of providing public artwork. Such contribution shall be made prior to the issuance of the first tenant certificate of occupancy for the office building or upon the approval of an artist's final design proposal by the Arlington Arts Commission, whichever shall occur first. The developer agrees that the County may locate public art within the County's easement for public sidewalk at Waterview. Such public art shall be in accordance with the Public Art Policy. The developer agrees to participate as a voting member of the Artist Advisory Panel which will review the selected artist's concept, as per the County-Initiated Project Guidelines. As a part of the esplanade improvements, a public art component shall be incorporated in the sidewalk treatment along the site's frontages on North Lynn and North 19th Streets consistent with Condition #62, and off-site on North Lynn Street to the Key Bridge Overlook and on North Kent Street to the Freedom Park consistent with Condition #63. The total budget for this "public art in walkways" component of the esplanade improvements shall be no less than \$150,000. The developer agrees to involve an artist as a member of the design team, working with the project architects and landscape architects to develop a design for the "public art in walkways" on and off the site, from the Key Bridge Overlook to Freedom Park. The developer agrees to fund the artistic design for the on and off site component and implement the on-site component at a cost within the total budget of \$150,000 for the "public art in walkways". Those funds shall be in addition to the other monies contributed under Condition #63 above. This budget amount shall include all costs of the

~~“public art in walkways” work, including the direct cost (e.g., maquettes or proposals) and indirect costs (e.g., third party reimbursables and shall not include any in-house or internal costs to the developer) of interviewing artists, artist and art consultant fees, and all costs of design, fabrication and installation. The developer shall document all direct and indirect costs for the “public art in walkways”, including installation of on-site art work, and provide the documentation to the County Manager or his designee for review and approval. The remainder of the \$150,000 shall be used for the installation of off-site art work by the County. The developer shall coordinate with the County Manager or his designee on the selection of the artist, the design, and the materials used in the sidewalk treatment. Anyone appointed by the County Manager to work with the developer shall attend all meetings with the artist and or art consultant as requested by the developer, and these appointees shall have binding authority to act on behalf of the County Manager. The County’s Art Commission and the Rosslyn Renaissance shall be consulted. The on-site public art shall be commissioned prior to the issuance of the First Tenant Certificate of Occupancy.~~

~~67. The developer agrees to involve an artist as a member of the project’s design team, working with the project architects, to provide public art in the site plan development. The developer agrees to fund the public art at a cost no less than \$350,000. The budget amount shall include all costs of the work, including the direct costs (e.g., maquettes or proposals) and indirect costs (e.g., third party reimbursables and shall not include any in-house or internal costs to the developer) of interviewing artists, artist and art consultant fees, all costs of design, fabrication and installation, and all costs of any structural enhancements to the building and or sidewalk to support said art work. The developer shall coordinate with the County Manager or his designee on the selection of the artist and the design, fabrication and installation of the public art. Anyone appointed by the County Manager to work with the developer shall attend all meetings with the artist and or art consultant as requested by the developer, and these appointees shall have binding authority to act on behalf of the County Manager. The County’s Art Commission and the Rosslyn Renaissance shall be consulted. The public art shall be commissioned prior to the issuance of the First Tenant Certificate of Occupancy for the site plan.~~

PREVIOUS COUNTY BOARD ACTIONS:

- December 16, 1961 Approved a rezoning (Z-1573-61-1) from "M-2" to "C-O" on the 1100 Block 19th Street North, north side, and part of 1900 Block North, east side.
- January 25, 1964 Approved site plan (Z-1573-61-1 and/or SP #25) for the Pomponio, Lynn and Donato Buildings at the northeast corner of North Lynn and 19th Streets North subject to conditions.
- September 26, 1964 Approved a site plan amendment (Z-1573-61-1 and/or SP #25) for conversion of sub-basement-mechanical space to parking; conversion of basement-mechanical space to parking; elimination of first floor up-ramp, parking placed in north side and added on east end; elimination of parking on second floor; and provision of office space on floors three to twelve.
- April 16, 1966 Approved a site plan amendment (Z-1573-61-1 and/or SP #25) for the Pomponio Building allowing an additional 10,974 square feet of parking structure.
- August 5, 1967 Approved a site plan amendment (Z-1573-61-1 and/or SP #25) for the Pomponio Building to permit construction of an antenna subject to all previous conditions of the site plan approval.
- September 23, 1967 Approved a site plan amendment (Z-1573-61-1 and/or SP #25) for the Pomponio Building relative to signs.
- August 3, 1974 Approved a site plan amendment (Z-1573-61-1 and/or SP #25) to permit a sign for State Loan Company of Rosslyn, Inc.
- October 12, 1976 Approved a site plan amendment (Z-1573-61-1 and/or SP #25) to permit counseling and therapy groups with a maximum of 8 clients, and seminars with 12 to 15 clients, at premises known as 1925

	North Lynn Street, subject to review in two years.
September 10, 1977	Approved a site plan amendment (Z-1573-61-1 and/or SP #25) to convert 14,185 square feet of parking (second floor) to commercial space and 6,480 square feet of gross floor area on premises known as 1111 19 th Street North, subject to conditions.
August 1, 1978	Approved a site plan amendment (Z-1573-61-1 and/or SP #25) to convert 3,824 square feet of approved parking area to commercial or office space, on premises known as 1111 19 th Street North, (Lynn Building), subject to the converted space being used for commercial purposes.
October 14, 1978	Continued site plan amendment (Z-1573-61-1 and/or SP #25) to permit counseling and therapy groups at 1925 North Lynn Street, subject to review in 5 years.
March 10, 1979	Approved a site plan amendment (Z-1573-61-1 and/or SP #25) to permit a building addition on premises known as 1117 19 th Street North subject to conditions.
February 9, 1980	Approved a site plan amendment (Z-1573-61-1 and/or SP #25) to permit a horizontal sign reading "Metropark" and a vertical sign reading "Park" for the parcel known as 1925 North Lynn Street.
	Approved a site plan amendment (Z-1573-61-1 and/or SP #25) to permit a horizontal sign reading "Metropark" for the parcel known as 1111 19 th Street North.
	Approved a site plan amendment (Z-1573-61-1 and/or SP #25) to permit a horizontal sign reading "Park" for the parcel known as 1117 19 th Street North.
October 1, 1983	Continued site plan amendment (Z-1573-61-1

and/or SP #25) to permit counseling and therapy groups at 1925 North Lynn Street, with no further review.

December 12, 1998

Approved the advertisement of a rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117 19th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008).

February 6, 1999

Deferred rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117 19th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008) to the July 10, 1999 County Board meeting.

July 10, 1999

Deferred rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117 19th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008) to the October 2, 1999 County Board meeting.

October 2, 1999

Deferred rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117 19th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008) to the December 11, 1999 County Board meeting.

December 11, 1999

Deferred rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117 19th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008) to the February 12, 2000 County Board meeting.

February 12, 2000

Deferred rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117 19th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008) to the March 11, 2000 County Board meeting.

March 11, 2000

Deferred rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117

	19 th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008) to the May 20, 2000 County Board meeting.
May 20, 2000	Deferred rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117 19 th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008) to the July 22, 2000 County Board meeting.
July 22, 2000	Approved a rezoning request (Z-2453-98-1) from "C-O" to "C-O Rosslyn" for 1001, 1111, and 1117 19 th Street North, 1925 N. Lynn Street, and vacant parcels (RPC #s 16-018-006 and 16-018-008). Approved a major site plan amendment request for a mixed use office, retail, hotel and residential development, including staff recommended improvements to the intersection at 19 th Street North and North Lynn Streets, subject to the conditions of the staff report which supersede all previous conditions.
May 18, 2002	Approved a major site plan amendment request for a mixed use office, retail, hotel and residential development, including previously approved improvements to the intersection at 19 th Street North and North Lynn Streets, subject to the conditions of the staff report which supersede all previous conditions.
October 2, 2004	Deferred a site plan amendment request to extend the term of the site plan from May 2005 to May 2007 to the December 11, 2004 County Board meeting.
December 11, 2004	Deferred a site plan amendment request to extend the term of the site plan from May 2005 to May 2007 to the February 2005 County Board meeting.
February 12, 2005	Deferred a site plan amendment request to extend the term of the site plan from May 2005 to May

2007 to the April 16, 2005 County Board meeting.

April 19, 2005

Approved a site plan amendment request to extend the term of the site plan from May 2005 to May 2007.

April 20, 2006

Approved a site plan amendment request to increase the amount of construction signage located at 1919 N. Lynn St., subject to all previous conditions and four (4) new conditions which apply solely to the subject construction sign.