



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of June 12, 2010**

DATE: June 8, 2010

- SUBJECTS:**
- A. GP-319-10-1 GENERAL LAND USE PLAN AMENDMENT from “Service Commercial” (Personal and business services. Generally one to four stories. Maximum 1.5 F.A.R. with special provisions within the Columbia Pike Special Revitalization District.) to “Medium” Office-Apartment-Hotel (up to 2.5 F.A.R. Office Density, up to 115 units/acre Apartment Density, up to 180 units/acre Hotel Density) for a property known as 1900 Wilson Boulevard, generally located on the western part of the block in the area bounded by Wilson Boulevard, the proposed North Troy Street extension, Clarendon Boulevard and North Rhodes Street.
 - B. Z-2547-09-1 REZONING from “C-2” Service Commercial – Community Business Districts and “RA8-18” Apartment Dwelling Districts to “C-O-2.5” Commercial Office Building, Hotel and Apartments Districts; premises known as 1900 Wilson Boulevard (RPC # 17-011-006, -007, -008, -017, -018, -019).
 - C. SP # 411 SITE PLAN to develop up to 201 dwelling units and up to 30,000 square feet commercial and modifications of zoning ordinance requirements for bonus density for LEED and other modifications necessary in order to achieve the proposed development; located at 16th Street North, 17th Street North, 1860, 1900 and 1916 Wilson Boulevard (RPC #17-011-006, -007, -008, -017, -018, -019, and portions of 17-011-009, and -019).

Applicant:

ZOM 1900 Wilson, L.P.

By:

Venable, LLP
8010 Towers Crescent Drive, Ste 300
Vienna, VA 22812

County Manager: MBMAA

County Attorney: WUM CAM

Staff: Samia Byrd, DCPHD, Planning Division
Matt Mattauszek, DCPHD, Planning Division
Robert Gibson, DES, Transportation Division

40. A., B., C.

PLA-5619

C.M. RECOMMENDATION:

1. Adopt the attached resolution to approve the General Land Use Plan Amendment from “Service Commercial” (Personal and business services. Generally one to four stories. Maximum 1.5 F.A.R. with special provisions within the Columbia Pike Special Revitalization District.) to “Medium” Office-Apartment-Hotel (up to 2.5 F.A.R. Office Density, up to 115 units/acre Apartment Density, up to 180 units/acre Hotel Density) for a property known as 1900 Wilson Boulevard, generally located on the western part of the block in the area bounded by Wilson Boulevard, the proposed North Troy Street extension, Clarendon Boulevard and North Rhodes Street.
2. Adopt the attached resolution to approve the rezoning request from “C-2” Service Commercial – Community Business Districts “RA8-18” Apartment Dwelling Districts to C-O-2.5” Commercial Office Building, Hotel and Apartments Districts; premises known as 1900 Wilson Boulevard.
3. Approve SP #411 to develop up to 198 residential units and up to 24,657 square feet commercial with modifications to zoning ordinance requirements for bonus density for LEED, subject to the conditions of the staff report.

ISSUES: A General Land Use Plan amendment, Rezoning, and Site Plan request has been submitted for the redevelopment of 1900 Wilson Boulevard. Several comments and questions were raised by the Planning Commission at its meeting of May 10, 2010 related to the affordable housing contribution, unit mix, flexible units proposed on Clarendon Boulevard and building design and architecture. The County Board voted 5-to-0 to defer consideration of the subject requests to the June 12, 2010 County Board hearing after giving guidance to the applicant on these issues. The applicant has provided additional detail and clarity of information that address the Commission and County Board’s comments, and there are no known issues.

SUMMARY: A five-story, residential building with ground floor commercial space is proposed in the area “in between” the Courthouse and Rosslyn metro station areas. 1900 Wilson Boulevard is commonly referred to as the Hollywood Video site, and is located immediately between two (2) previously approved site plan projects, 2001 Clarendon Boulevard (Elm Street Development, SP #389) and National Science Teacher’s Association (NSTA, SP #382). The applicant has requested the site be rezoned from “C-2” and “RA8-18” to “C-O-2.5” and the General Land Use Plan (GLUP) designation amended from “Service Commercial” to “Medium” Office-Apartment-Hotel to construct up to 198 dwelling units and up to 24,657 square feet of retail, with a request for bonus density for LEED silver certification. Also associated with the site plan request is a request for the vacation of a portion of 17th Street North, totaling 7,925 square feet and a portion of a 10’ sanitary sewer easement, totaling 220 square feet.

The County Board discussed the subject requests, providing guidance to the applicant at its meeting of May 22, 2010 and voted to defer consideration of the requests to its June 12, 2010 meeting in order to allow the applicant to provide additional information and further develop concepts on several issues raised by the Planning Commission at its meeting of May 10, 2010.

GP-319-10-1, Z-2547-09-1, SP #411

1900 Wilson Boulevard Site Plan

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PLA-5619

The applicant has addressed the primary issues raised by the Planning Commission and responded to guidance provided by the County Board as follows:

- Finalized the agreement regarding the affordable housing contribution associated with the General Land Use Plan amendment, with the County; However, in lieu of committing to units on-site or nearby at this time, the applicant retains the option of determining at a later time whether there would be an affordable housing cash contribution, units on-site or units nearby.
- Provided additional details on the design and use of the flexible units.
- Revised the building design and architecture at noted areas of concern to the Planning Commission and County Board, specifically the building's entrance at the corner of N. Troy Street and Clarendon Boulevard, the east façade of the building adjacent to the NSTA, and the materials proposed at the base of the building.

The Planning Commission reviewed the proposed changes on June 1, 2010 and voted unanimously (10-to-0) to recommend approval of the subject requests.

The development and improvements proposed by the site plan meet the requirements of Section 36.H.3 in that they provide the recommended building form, density and mix of uses largely consistent with the proposed zoning district and GLUP designation, and as recommended in the *Rosslyn to Courthouse Urban Design Study*; all while maintaining consistency with previously approved development projects immediately adjacent to the east and west. They also meet the County's goals and policies relevant to green building and sustainable design, retail and affordable housing. The proposal will not be harmful or detrimental to the property or improvements of the neighborhood, and is designed and located such that public health, safety and welfare will be promoted and protected. Therefore, staff recommends that the GLUP be amended to "Medium" Office-Apartment-Hotel, the site be rezoned to "C-O-2.5" Commercial Office Buildings, Hotel and Apartment Districts, and the site plan be approved subject to the conditions of the staff report.

BACKGROUND: A site plan is proposed for redevelopment of the site commonly referred to as the Hollywood Video site located in the area "in between" the Courthouse and Rosslyn metro station areas. The site plan includes demolition of existing one-story and three-story, brick commercial/office buildings and redevelopment of the site with a five (5)-story apartment building that would be comprised of up to 198 dwelling units and up to 24,657 square feet of ground floor commercial/retail. The proposal includes approximately seven (7) units on the ground floor on Clarendon Boulevard that would be designed as flexible space, to be built out as either commercial (retail or professional office) or residential loft units. A General Land Use Plan (GLUP) Amendment and rezoning are requested in order to achieve the proposed development program.

A land swap agreement is proposed between the County and the applicant that would result in the vacation of approximately 7,927 square feet of a portion of 17th Street North (an unconstructed paper street not designated as "street" on the Master Transportation Plan) by the County with the dedication of a portion of Clarendon Boulevard at approximately 8,234 square feet of area by the applicant. The applicant would also dedicate in fee to the County a small parcel of land immediately south of Clarendon Boulevard and at 16th Street North totaling approximately 2,763

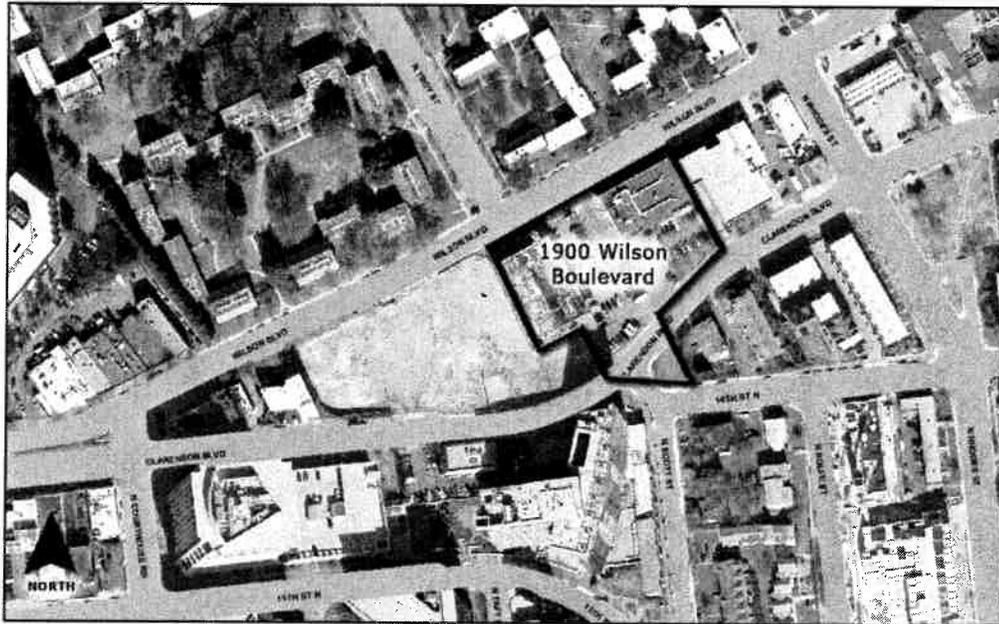
square feet. The developer has committed to provide \$100,000 in landscape improvements, a bus shelter, and public art on the parcel as part of the proposed site plan. The developer would be granted a one-time density credit resulting in a total of two (2) units for the proposed site plan for the dedication of this parcel and off-site improvements. These dedications and vacations allow the applicant to consolidate parcels of land in order to provide for a contiguous site area on which to develop the proposed project.

The following provides additional information about the site and location:

Site: The site is located within the Courthouse Metro Station area in a block generally bound by Wilson Boulevard to the north, N. Rhodes Street to the east, Clarendon Boulevard to the south, and N. Courthouse Road to the west. The area of the site at 81,403 square feet is comprised of several parcels of land that through the development process would either be exchanged with existing and adjacent private property owners or the County. This includes as a parcel of land (3,069 square feet) contemplated for exchange with 2001 Clarendon Boulevard (Elm Street Development, site plan #389) adjacent immediately west of the site for the construction of the future N. Troy Street extension, as well as area associated with 17th Street North (7,927 sq ft) and the small parcel of land (2,763 square feet) immediately south of Clarendon Boulevard at 16th Street North to be dedicated to the County as indicated above. Finally, the site incorporates a parcel of land (6,983 square feet) that is currently a surface parking lot associated with the National Science Teacher's Association (site plan #382) which was acquired by the developer for the proposed site plan project.

Adjacent and surrounding land uses include:

- To the north: Across Wilson Boulevard, the two-story Colonial Village Condominiums, colonial style brick buildings listed on the National Register of Historic Places and the Arlington Local Historic District; zoned "RA6-15" and designated "Low-Medium" Residential on the GLUP.
- To the west: Immediately west of the site is SP #389, 2001 Clarendon Boulevard (Elm Street Development) approved in 2007 for redevelopment with a six (6)-story residential building and ground floor retail. It is zoned C-O-2.5 and designated as "Medium Office-Apartment-Hotel" on the GLUP. The site is currently vacant.
- To the east: Immediately east of the site is SP #382, the National Science Teachers Association (NSTA) office building at four (4) stories, a two (2) story commercial building (Il Radicchio), and a one-story commercial building (Rhodeside Grill). The site is zoned C-O-2.5 and designated as "Medium" Office-Apartment-Hotel on the GLUP.
- To the south: Across Clarendon Boulevard (south of the site) are the 15 story Odyssey Condominiums zoned "RA4.8" and designated "High-Medium" on the GLUP and the three-story Bromptons at Courthouse townhomes zoned "RA8-18" and designated "Medium" Residential on the GLUP.



Zoning: “C-2” Service Commercial – Community Business Districts (RPC# 17-011-017, and -018), “RA8-18” Apartment Dwelling Districts (RPC# 17-011-006, 007, and -008), and “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts (RPC# 17-011-009, and -019). A rezoning has been requested for parcels currently zoned “C-2” and a portion of parcels north of Clarendon Boulevard zoned “RA-8-18” to “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts.

General Land Use Plan Designation: “Service Commercial” Personal and Business Services (Generally one to four stories, maximum 1.5 FAR with special provisions within the Columbia Pike Special Revitalization District) (RPC# 17-011-017, and -018); “Medium” Residential (32-72 units per acre) (RPC# 17-011-008, 007, and -006), and “Medium” Office-Apartment-Hotel (up to 2.5 F.A.R. Office Density, up to 115 units/acre Apartment Density, up to 180 units/acre Hotel Density) (RPC# 17-011-009, and -019). The block where the subject site is located was originally designated “Neighborhood Shopping” in 1961 and was changed to “Service Commercial” (Personal and business services; generally one to three stories; maximum 1.0 FAR) in 1975. The last GLUP amendment occurred in 1990 where the designation was changed to “Service Commercial” (Personal and business services; generally one to four stories; maximum 1.5 FAR). The applicant requests a GLUP amendment for the area of the subject site designated as “Service Commercial” to “Medium” Office-Apartment-Hotel.

Neighborhood: Radnor-Ft. Myer Heights Civic Association. The Colonial Village residential development is located across Wilson Boulevard from the site.

Proposed Development: A General Land Use Plan (GLUP) amendment, rezoning and site plan are proposed as follows:

General Land Use Plan (GLUP) Amendment: It is proposed that the GLUP for the primary area of the site located north of Clarendon Boulevard, east of the Elm Street development parcel, and west of the NSTA surface parking lot parcel be amended from “Service Commercial” to “Medium” Office-Apartment-Hotel, which would permit density and uses that are detailed in the table below.

	DENSITY ALLOWED/TYPICAL USE	MAXIMUM DEVELOPMENT ¹
Existing GLUP		
“Service Commercial” Site Area: 68,590	Personal and business services. Generally one to four stories, maximum 1.5 F.A.R. with special provisions within the Columbia Pike Special Revitalization district.	Commercial: 102,885 sq ft
Proposed GLUP		
“Medium” Office-Apartment-Hotel Site Area: 68,590	Up to 2.5 FAR (office), up to 115 units/acre (residential), up to 180 units/acres (hotel)	171,475 sq ft Office/Commercial, or 181 Residential Units, or 283 Hotel Rooms

Rezoning: The majority of the site is currently zoned “C-2” Service Commercial–Community Business District, with areas of the site zoned “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts, and “RA8-18” Apartment Dwelling Districts. The applicant is requesting a rezoning to “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts for portions of the site currently zoned “C-2” and “RA8-18”. The proposed zoning district is consistent with the proposed “Medium” Office-Apartment-Hotel GLUP designation. The table below provides a comparison of by-right and site plan development potential for the existing and proposed zoning for the affected areas of the site.

	DENSITY ALLOWED/TYPICAL USE	MAXIMUM DEVELOPMENT ²
Existing Zoning		
“C-2” By-Right Site Area: 61,469.5 sq ft	Hotel Units: 600 sq ft/Unit	102 Units (72 DU/Ac)
	Other Uses: 1.5 FAR	92,204 sq ft
“RA8-18” By-Right Site Area: 7,120.5 sq ft	Apartment Houses/Town House Dwellings: 1,200 sq ft/Lot	5 Units/Townhouses (36 DU/Ac)
“RA8-18” Site Plan Site Area: 7,120.5 sq ft	Townhouse, Semi-Detached Dwelling Units, Existing One-Family Dwelling: Up to existing GLUP (32-72 DU/Ac) but not to exceed 22 DU/Ac	3 Units
Proposed Zoning		
“C-O-2.5” By Right Site Area: 68,590 sq ft	Commercial: .60 FAR (20,000+ sq ft site)	41,154 sq ft
	One Family Dwellings: 6,000 sq ft/Lot	11 Dwellings (7 DU/Ac)
“C-O-2.5” Site Plan Site Area: 68,590 sq ft	Commercial/Office: 2.5 FAR	171,475 sq ft
	Residential: 115 DU/Ac	181 Units
	Hotel: 180 DU/Ac	283 Rooms

¹ Maximum development pertains only to the area of the site where the GLUP amendment is requested.

² Maximum development is based on areas of the site planned to be rezoned, this includes 17th street at 7,927 sq ft whose zoning is split between “C-2” and “RA8-18”.

The following table sets forth the preliminary statistical summary for the proposed development.

	Proposal
SITE AREA	75,573 sq ft ³ (1.73 acres)
Site Area Allocations	
Residential	68,945 sq ft (1.58 acres)
Retail	6,628 sq ft (.15 acres)
Density	
Residential ⁴	191 Units
Residential Density	121 DU/Ac
“C-O-2.5” Max. Permitted Residential Units	182 units
“C-O-2.5” Max. Permitted Residential Density	115 DU/Ac
Max. Permitted Bonus Residential GFA – LEED (.20 FAR)	13,789 sq ft
Max. Permitted Bonus Residential Units – LEED	14 Units⁵
Density Credit - Dedication of Public ROW	2 Units⁶
Max Permitted Base + Bonus Residential Units	198 Units
Max. Permitted Base + Bonus Residential Density	125 DU/Ac
Retail	17,563 sq ft
Retail Density	2.65 FAR
“C-O-2.5” Max. Permitted GFA (Office-Commercial)	16,570 sq ft
“C-O-2.5” Max. Permitted FAR (Office-Commercial)	2.5 FAR
Max. Permitted Bonus Commercial GFA – LEED (.15 FAR)	994 sq ft
Max. Permitted Base + Bonus Commercial GFA – LEED	17,563 sq ft
Max. Permitted Base + Bonus Commercial FAR – LEED	2.65 FAR
Building Height	
Average Site Elevation	190.32 feet
Main Roof Elevation	254.25 feet
Main Roof Height	62.92 feet
Penthouse Roof Elevation	261.00 feet
Penthouse Height	70.64 feet
Number of Stories	5 Stories
Rosslyn to Courthouse Urban Design Study Max. Bldg. Height	5 Stories

³ Site area is based on total area of the site for site plan development including the parcel acquired from NSTA (6,983 sq ft) after vacation by the County and dedication of land to the County in exchange for Clarendon Boulevard; Excludes 3,069 sq ft of site area that would be acquired by the developer in a land exchange with the property owner immediately west of the site; presumes a GLUP Amendment and rezoning in association with the site plan proposal.

⁴ Up to .20 FAR in LEED bonus permitted for residential with silver certification based on the LEED Policy accepted by the County Board in April 2009, and up to .15 FAR in LEED bonus permitted for office with silver certification. To determine the amount of bonus density that would be permitted for this project for residential units, .20 FAR was applied to the site area allocated for residential. To then determine the number of additional units that the bonus GFA for residential would yield, an average unit size was determined and the additional GFA divided by this number. This resulting number of additional units was then added to the base number of units permitted and the total converted to units per acre.

⁵ Based on average unit size of 979 sq ft

⁶ Density credit provided for dedication of “RA8-18” parcel.

Parking	
Residential	
Number of Spaces	194
Standard Spaces	162
Compact Spaces	22
Handicap Spaces	10
Parking Ratio	1 Sp/Unit
Required Residential Space (typ. Site plan)	191 spaces
Required Residential Ratio (typ. Site Plan)	1 Sp/Unit
Retail	
Number of Spaces ⁷	44
Standard Spaces	41
Compact Spaces	0
Handicap Spaces	3
Required Office-Commercial Parking Spaces (typ. Site Plan)	31
Required Office-Commercial Parking Ratio (typ. Site Plan)	1 Sp/580 sq ft
LEED	
LEED for Homes –Midrise	54.5 Points (Certified – Silver)

Density and Uses: The proposed redevelopment of the site includes a mix of uses to include up to 198 dwelling units and up to 24,657 square feet of ground floor commercial. This includes 14 units in bonus density for LEED silver certification and two (2) units for the dedication of a 2,763 square foot parcel zoned “RA8-18” immediately adjacent and south of Clarendon Boulevard at 16th Street North, on which the developer would construct and maintain \$100,000 worth of landscape improvements, along with a bus shelter, and on which public art would be located. The total number of residential units and square footage of commercial space would vary based on the use of the seven (7) units on the ground floor on Clarendon Boulevard as either residential lofts or commercial/retail space.

Post-Dedicated Site Density: As previously described, several parcels of land are considered for exchange between the County, the developer and property owners adjacent to the site. In order to provide for a contiguous site on which to develop the proposed site plan, a land exchange consisting of the vacation of 7,927 square feet associated with 17th Street North is requested for dedication in fee to the County of 8,234 square feet of area associated with Clarendon Boulevard and the 2,763 square foot parcel immediately south of Clarendon Boulevard at 16th Street North. In addition to the land exchange necessary to provide for a contiguous site area for the proposed development, in order to allow for the construction of N. Troy Street, the applicant would exchange 3,922 square feet of area with the developer of the Elm Street development (SP #389) adjacent to the west of the site. Upon construction of the road, the applicant would dedicate to the County 4,763 square feet of the area of N. Troy Street. The area associated with this dedication and exchange would be permitted for one-time use as density for the subject site plan, but will not be part of the site area in the future. Total site area for the site plan after the exchange and dedication of all parcels affected would be 69,955 square feet.

⁷ Residential on Clarendon, 13 parking spaces would be allocated for guest parking; commercial on Clarendon, 19 spaces would be designated for guest parking.

Site and Design: The design of the subject site includes the extension of N. Troy Street running north-south through the block, which would create a western boundary for the site plan project, once the land exchanges have occurred. The five-story, stick-frame residential building would be sited so that there would be building frontage on Clarendon Boulevard, N. Troy Street, and Wilson Boulevard. The building steps down from Clarendon and N. Troy Street, the highest point of the site at the western end, to the NSTA building at the eastern end. A building setback is proposed on Clarendon Boulevard to align with the NSTA building.

The Wilson Boulevard frontage would be comprised of approximately 12,698 square feet of ground floor retail along the entire frontage. The Clarendon Boulevard frontage at the ground level would comprise approximately 4,865 square feet of retail anchoring the corner of N. Troy Street and Clarendon Boulevard with the remainder of the frontage moving from west to east activated with either ground floor commercial or loft-style residential units. Retail proposed at the corner of Wilson and N. Troy would wrap around the N. Troy street frontage at the northern end. The N. Troy Street frontage would be comprised of entry points to the loading dock, a pick up and drop off, and a second building entrance. The southern end of N. Troy Street moving toward Clarendon Boulevard would be activated with the building lobby and amenity space at the ground floor including a fitness center, with the primary building entrance proposed at the corner of N. Troy Street and Clarendon Boulevard. The two-story entrance would be carved out at the base to provide for a landscaped courtyard and the opportunity for outdoor café seating. Two (2) secondary entrances are proposed; one on Wilson Boulevard and another mid-block on N. Troy Street. Retail along Wilson Boulevard would include multiple entrances as would the units along Clarendon Boulevard regardless of use. Interior access is proposed from the garage directly into the ground floor retail.



The building is proposed as a podium of concrete with wood construction four (4) floors above. The facades would be comprised primarily of red brick and masonry with fiber cement board trim. This same treatment would extend to the roof to screen mechanical equipment. Metal railings are proposed for balconies along residential units and facades provide for metal louvers and brick vents, painted to match the color of the brick facades. The base of the building would be treated with a three-foot pre-cast water table and buff color brick. The design of the ground floor retail on Wilson Boulevard would include floor to ceiling glass windows and doors with canopies, awnings and signs. Design of the flexible units on Clarendon Boulevard appear more residential in character, with generally less glass than the traditional retail space located on Wilson Boulevard, with the opportunity to provide for a two-foot shy zone to allow for plantings, to either include or not include awnings, and the opportunity for doors to be provided as primarily metal or glass depending upon the use of the units as either residential or commercial. The overall architecture is proposed as traditional on the Wilson Boulevard elevation to relate to Colonial Village and more modern on the Clarendon Boulevard elevation to relate to the high-rise Odyssey Condominiums. The façade on Wilson Boulevard would be broken up with the introduction of two (2) landscape courtyards running north south opening onto Wilson Boulevard at the second floor. The courtyards would be a private amenity for residents.

Loading is proposed along the future N. Troy Street extension to minimize curb cuts on Wilson and Clarendon Boulevards. Garage access is proposed to be shared with that of the NSTA property, east of the site. Two (2) levels of below grade parking would accommodate up to 249 parking spaces. The number of parking spaces proposed exceeds the total number of spaces



1900 WILSON BLVD. / VIEW FROM WILSON BLVD.

Perspective Along Wilson Boulevard

required for the project. It is intended that parking spaces beyond the total required would be dedicated to retail use. Parking spaces for the flexible units are proposed at a ratio required for

commercial use, which exceeds that required if the units would be residential. The applicant proposes standard streetscape improvements along all street frontages. Immediately south of the site, the applicant proposes to construct and maintain landscape improvements on a small parcel of land that is currently paved but otherwise unimproved. The landscape proposed would be further enhanced with public art which would be determined through the County's public art process.

LEED Scorecard: The applicant proposes that the development would be certified at "silver" under the U.S. Green Building Council's LEED for Homes Mid-Rise at 54.5 points (Condition 72). This includes committing to four (4) credits consistent with the County's goals and objectives for the Community Energy Plan. In addition, bonus density is requested with this certification. Under the current LEED policy, up to .20 FAR bonus density would be permitted for LEED silver for a residential project and up to .15 permitted for office (commercial).

The subject site plan would be the first project reviewed and certified under the LEED for Homes Mid-Rise category. This category specifically covers residential projects between four (4) and six (6) stories. It makes minor changes to LEED for Homes so as to enable mid-rise buildings to pursue LEED for Homes certification. In general, differences between LEED for Homes Certification and LEED for Homes Midrise include: 1) Credits that reference codes or standards not applicable to mid-rise buildings; 2) Credits that have reduced or limited value in mid-rise buildings; and 3) Credits that were constructed with performance assumptions based on single-family or low-rise designs that are not applicable to mid-rise buildings. The Mid-rise category is essentially designed as an addendum to LEED for Homes, so most of the prerequisites and credits from LEED for Homes still apply; the total number of prerequisites, the total number of points within each credit category, and the total number of points overall have not changed.

Affordable Housing: For site plan proposals that request changes to the GLUP designation, the Affordable Dwelling Unit Ordinance (Section 36.H.6.i) states: "*Site plan applications that include an application to change the GLUP designation of the site may be subject to an affordable housing requirement in addition to the above ADU requirement. Such affordable housing requirements shall be addressed separately in the process of the County Board's consideration of the approval of the site plan.*"

Due to the requested GLUP amendment, staff recommends that the increase in density over the existing GLUP in this project be calculated at \$15 per square foot, a level higher than the rates under the ordinance. Since this GLUP amendment is consistent with recommendations within an adopted plan, this proposed recommended level is less than recent site plan projects that requested a GLUP change that was not consistent with recommendations within an adopted plan. Those projects were calculated at \$25-30 per square foot depending on location within or outside of the metrorail corridor.

The value of the increased density calculated at \$15 per square foot results in a contribution of \$1,004,730. Staff prefers that this value be translated to committed affordable units on-site. Both the Housing Commission and Planning Commission also strongly recommend that units be provided on-site. The County Board further, in providing guidance to the applicant at its meeting of May 22, 2010 encouraged the developer to provide units on-site where possible or to consider

providing units nearby in the metro station area, continuing discussions with affordable housing developer Wesley Housing. The number of units is determined by dividing the calculated value by \$150,000 per unit (the value of the subsidy for the ADUs at 60% Area Median Income (AMI) for 30 years), which results in seven (7) units. Condition #68 provides the option for the developer to provide the affordable housing contribution associated with the GLUP amendment as either cash, units on-site or units nearby.

For the density allowed under the existing GLUP, the developer has the option per Section 36.H.6.b of providing units or a cash contribution per the 2009 rates. This would result in a cash contribution of either \$332,953, or approximately two (2) affordable housing units on-site, three (3) units off-site nearby or five (5) units off-site anywhere else in the County.

Transportation: The Master Transportation Plan classifies Wilson Boulevard and Clarendon Boulevard as Type A- Primary Retail Oriented Mixed Use Arterials. Wilson and Clarendon Boulevards operate as a one-way pair system with Wilson Boulevard operating in the westbound direction and Clarendon Boulevard operating in the eastbound direction. N. Troy Street is proposed to be constructed between Clarendon Boulevard and Wilson Boulevard on the western boundary of the subject site, and as part of the site plan, it would be classified as an Urban Center Local Non-Arterial street.

The Department of Environmental Services (DES) collects regular traffic counts on Wilson and Clarendon Boulevards near the site. As shown below, the volume of traffic on both streets has fluctuated. All day directional traffic volumes for Wilson Boulevard (westbound direction) and Clarendon Boulevard (eastbound direction) in the vicinity of the site are detailed below.

24-Hour Traffic Volumes

Street	2002	2003	2004	2006	2009
Wilson Boulevard @ North Troy Street	12,950	11,448	12,359	10,826	11,588
Clarendon Boulevard @ North Rhodes Street	11,560	11,111	NA	12,400	10,144

Trip Generation: A Traffic Impact Analysis (TIA) submitted by the applicant, prepared by Wells and Associates and dated October 21, 2009, assessed the impacts of the proposed development on the adjacent street system. Assuming a 220 residential unit development with 19,120 square feet of commercial/retail, the project is estimated to generate 87 a.m. and 191 p.m. peak hour vehicle trips, but relative to the existing vehicle trips at the site, the project is estimated to produce 29 new a.m. peak trips and 88 new p.m. peak trips (Note: The TIA assumed a slightly higher build out to be conservative in assessing the site impacts).

Streets and Sidewalks: The applicant’s proposed streetscape sections are consistent with the adopted streetscape standards for the Rosslyn – Ballston Corridor and the *Rosslyn to Courthouse Urban Design Study*. Wilson Boulevard currently measures 43-feet from curb to curb, with a bike lane on the north side of the street and on-street parking on both sides of the street. Clarendon Boulevard’s width varies between 36-feet and 47-feet with a bike lane on the south side of the street and on-street parking is also provided on the south side of the street. Clarendon Boulevard is proposed to be reconstructed to provide a consistent 43-foot width. Both Clarendon and Wilson Boulevards are proposed to be striped to each provide two 8-foot wide parking lanes,

a 6-foot wide bike lane, one 11-foot wide travel lane, and one 10-foot wide travel lane. The proposed street section will provide a unified constant section from N. Courthouse Road to N. Rhodes Street. The project proposes to construct N. Troy Street consistent with the “ultimate” design for the street as approved with the 2001 Clarendon Boulevard site plan (SP #389), adjacent immediately west of the subject site. The table below summarizes the existing and proposed street and sidewalk details.

Wilson Boulevard		
Existing Street	Existing Clear Sidewalk	Existing Total Sidewalk
43-feet – two westbound travel lanes, a westbound bike lane, with on-street parking on both sides of the street.	<u>North side</u> – varies. <u>South side</u> – varies.	<u>North side</u> – 5-foot wide sidewalk. <u>South side</u> – 5-foot wide sidewalk.
Proposed Street	Proposed Clear Sidewalk	Proposed Total Sidewalk
43-feet - one 11-foot travel lanes, one 10-foot travel lane, 8-foot parking lanes on the each side of the street and a 6-foot wide westbound bike lane.	<u>North side</u> – no change. <u>South side</u> – minimum 10-foot wide sidewalk.	<u>North side</u> – 5-foot wide sidewalk. <u>South side</u> – minimum 16-foot wide sidewalk with 5'x12' tree pits with street trees.
Clarendon Boulevard		
Existing Street	Existing Clear Sidewalk	Existing Total Sidewalk
36-feet one 12-foot travel lanes (including curb and gutter), one 11-foot travel lane, a 6-foot parking lane on the south side of the street and a 7-foot wide westbound bike lane.	<u>North side</u> – varies. <u>South side</u> – West of 16 th Street - 4-foot wide sidewalk. West of 16 th Street - minimum 10-foot wide sidewalk.	<u>North side</u> – 3.5-foot wide sidewalk. <u>South side</u> – West of 16 th Street - 6-foot wide sidewalk with 2-foot wide planning strip. West of 16 th Street - minimum 16-foot wide sidewalk with 5'x12' tree pits with street trees.
Proposed Street	Proposed Clear Sidewalk	Proposed Total Sidewalk
43-feet - one 11-foot travel lanes, one 10-foot travel lane, 8-foot parking lanes on the each side of the street and a 6-foot wide westbound bike lane.	<u>North side</u> – 11-foot wide sidewalk (8-foot clear adjacent to residential flex units). <u>South side</u> – No Change.	<u>North side</u> – minimum 16-foot 8-inch wide sidewalk with 5'x12' tree pits with street trees. <u>South side</u> – West of 16 th Street - 6-foot wide sidewalk with 2-foot wide planning strip. West of 16 th Street - minimum 16-foot wide sidewalk with 5'x12' tree pits with street trees.
North Troy Street		
Proposed Street	Proposed Clear Sidewalk	Proposed Total Sidewalk
<u>Varies</u> - 23-feet - two 10-foot wide travel lanes, with curb and gutter	<u>West side</u> – minimum 8-foot wide sidewalk. <u>East side</u> – minimum 7-foot wide sidewalk.	<u>West side</u> – minimum 14-foot wide sidewalk with 5'x12' tree pits with street trees. <u>East side</u> – minimum 13-foot to 14-foot wide sidewalk with 5'x12' tree pits with street trees.

circulation in the area between N. Courthouse Road and N. Rhodes Street due to the lack of north-south streets or pathways. The exceptionally long block lengths (1,050 and 1,170 feet, respectively) require motorists and pedestrians to travel out of their way in the wrong direction. Therefore, the planned N. Troy Street extension would break up the block and provide the needed north-south connection. This extension would also allow loading and garage access for the 2001 Clarendon Boulevard site and the proposed project (loading only), keeping curb cuts off Wilson and Clarendon Boulevards.

As part of the project, a portion of 17th Street North located between Wilson Boulevard and Clarendon Boulevard is proposed to be vacated. This section of 17th Street North is not currently used for vehicular access and the vacation would not negatively impact traffic operations in the area. The vacation, however, would allow for the consolidation of the properties between Clarendon and Wilson Boulevards, which allows for the development of a continuous building wall along Clarendon Boulevard, at the back of sidewalk, with flexible space that could be used as retail, commercial or residential space. This would improve the pedestrian experience and activation along this section of Clarendon Boulevard, consistent with the objectives of the *Rosslyn to Courthouse Urban Design Study*.

Public Transit: The site is well supported by public transportation. The property is located approximately 0.25 miles from the Courthouse Metrorail Station, which is served by the Metrorail Orange Line and bus connections to other areas in Northern Virginia and the District of Columbia. There is an existing bus stop located at the southeast corner of 16th Street North and Clarendon Boulevard, supporting bus service to the Rosslyn Metrorail Station in the eastbound direction. Bus service in the westbound direction from Rosslyn is available nearby on Wilson Boulevard with a bus stop located just west of the N. Troy Street intersection. Metrobus Route 4 provides service between Seven Corners and the Rosslyn Metrorail Station. Metrobus Route 38 provides service between Ballston and Farragut Square in the District of Columbia. ART Bus 61 provides service between Courthouse and Rosslyn.

As part of the site plan, at the property being dedicated to the County on the southeast corner of Clarendon Boulevard and 16th Street North, the applicant proposes to improve the existing bus stop to include a bus shelter.

Bicycle Access: The subject site has convenient access to the County's bike trail system. On-street bicycle lanes are signed adjacent to the site along Wilson and Clarendon Boulevards. The on-street bike lanes on Wilson and Clarendon Boulevards extend between Rosslyn and Clarendon and intersect near the site with on-street bike lanes on N. Rhodes Street. This provides connections to the Arlington Boulevard Trail to the south and the Key Boulevard Trail and Custis Parkway Trail to the north. The Custis Memorial Parkway Trail (I-66) and the Mount Vernon Trail are located approximately three-quarters of a mile to the north toward Lee Highway. Consistent with site plan development and the *Arlington Bicycle Transportation Plan*, the developer would also provide secure bicycle storage facilities for residents, visitors and guests to the site, for both residential and retail development.

The developer has agreed to meet the County's bicycle parking requirement (Condition #39) and proposes to provide approximately 70, Class I bicycle parking spaces in the garage for residents,

along with on street visitor bike racks around the site.

Parking and Loading Access: Consistent with good urban planning practices, garage and loading access for the site would be located from a side street or a shared driveway, thereby reducing the number of curb cuts along the site's primary frontages (Clarendon Boulevard and Wilson Boulevard). A total of three (3) existing driveway curb cuts would be removed with the proposed site plan from Clarendon Boulevard and Wilson Boulevard.

Access to the parking garage is proposed to be located off a shared driveway/alley with the NSTA site (SP #382) to the east of the site. The private driveway/alley with access from both Clarendon and Wilson Boulevards currently provides access to the existing NSTA underground parking garage. As part of the approved site plan conditions for the expansion of NSTA, condition #75 provides for closing the existing Wilson Boulevard curb cut coinciding with the construction of N. Troy Street as provided below: (the project does not propose changes to the approved condition for SP #382).

SP #382: Condition #75

Upon request of the County, the developer agrees to close the existing curb cut along Wilson Boulevard coinciding with the construction of the new North Troy Street extension. In addition, upon the closure of this curb cut, the developer may enclose approximately 1,000 square feet of space ("optional space") located within the drive-through passage. The developer agrees to submit and obtain approval by the County Manager of an administrative change request for such a closure. Such a request shall indicate that the build out of the space is consistent with the drawings dated August 12, 2005 and June 10, 2008, and presented to the County Board and made part of the public record on November 16, 2005 and July 19, 2008. The developer agrees to rent this optional space to a retail tenant, secondary retail tenant, or that the space may be used as an exhibit or art gallery area, or a similar use as approved by the Zoning Administrator or his designee.

In order to ensure that access to the proposed garage is maintained, the County requires, and the applicant agrees, to receive and record a private easement between the NSTA and the owner of the subject site plan. Since the garage opening is located on the 1900 Wilson Boulevard property line the Arlington County Chief Building Code Official requires input into the language and form of the private easement. (Condition #82)

The project proposes to locate loading and refuse off of N. Troy Street. The proposed 29-foot wide loading dock will have two (2) loading bays, a 40-foot deep loading bay and a 30-foot deep combined loading and refuse bay. The 40-foot loading bay would allow larger trucks to completely pull into the loading dock without blocking the sidewalk along N. Troy Street.

Transportation Management Plan (TMP): Consistent with site plan development and the County's adopted TDM Policy, staff recommends that the developer implement a TDM Plan to encourage reduced single occupancy vehicle (SOV) trips to and from the site. Similar residential buildings within the Courthouse Station area have been shown to have relatively low SOV trip rates when compared to suburban developments. The 2005 WMATA Development Related

Ridership Survey found that at Courtland Towers, about the same distance from the Courthouse Metro Station as 1900 Wilson Boulevard, the residential mode split broke down as follows:

- Metrorail 46%
- Metrobus 0%
- Auto 39%
- Walk/Other 15%

To further encourage multi-modal transportation use by residents of the site, staff recommends, and the applicant agrees, to implement the TDM strategies per Condition #51 that are briefly summarized below:

- Provide free SmarTrip cards for all new residents and employees.
- Provide a contribution toward new memberships in a carsharing program for residents of the site.
- Provide a contribution for an off-site bus stop improvement.
- Provide a Transportation Kiosk in the residential lobby.
- Maintain an on-site business center for residents who wish to telecommute.
- Distribute transit information, including a new resident package, to include site-specific transit-related information.
- Provide a Parking Management Plan including a schematic drawing depicting an area parking plan for all block faces abutting the site.
- Designate a member of the building management team as Property Transportation Coordinator with responsibility for completing and coordinating TDM Plan obligations.
- Conduct transportation monitoring studies of the site two (2) and five (5) years after initial occupancy of the site.

Utilities: Adequate water and sanitary sewer capacity is available to serve the proposed development. Approximately 225 feet of sanitary sewer line will be removed or abandoned along with corresponding manholes along the site's Wilson Boulevard frontage. To enhance the area's water service, the applicant has agreed to construct approximately 350-feet of new 8-inch water main to be located in N. Troy Street. The new water main would connect the existing 12-inch water main in Clarendon Boulevard and the existing 8-inch water main in Wilson Boulevard.

As part of the vacation of the portion of 17th Street North, the developer has agreed to relocate all existing public utilities located in the existing 17th Street North right-of-way. This includes an 8-inch sanitary sewer main and an 8-inch water main. These utilities would be relocated into Clarendon Boulevard without any disruption to existing service.

Consistent with site plan development and the Utility Undergrounding Plan, the developer agrees to contribute to the Utility Undergrounding Fund in the amount of \$86,500. The developer also

agrees to remove or relocate all existing aerial utility lines along the periphery of the site. The developer would be required to comply with the new Chesapeake Bay Preservation Ordinance and the Plan of Development requirements, including a Resource Protection Area Delineation (site is not located in an RPA), a Landscape Conservation Plan, a Storm Water Management Plan, and an Erosion and Sediment Control Plan.

DISCUSSION

Adopted Plans and Policies: The proposed development is generally consistent with the adopted plans and policies governing the subject site as further detailed in the analysis below.

General Land Use Plan (GLUP) Amendment: The portion of the block where the subject site is located was originally designated “Neighborhood Shopping” in 1961 and was changed to “Service Commercial” (Personal and business services – Generally one to three stories; Maximum 1.0 FAR) in 1975. The next and most recent GLUP amendment occurred in 1990 where the designation was changed to “Service Commercial” (Personal and business services – Generally one to four stories; Maximum 1.5 FAR). The GLUP is the primary policy guide for the future development of the County. Since its original adoption in 1961, the GLUP has been updated and periodically amended to more clearly reflect the intended use for a particular area. The GLUP may be amended either as part of a long-term planning process for a designated area or as a result of an individual request for a specific change.

In 2008, the County Board adopted a “Policy Statement Regarding Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts” (Attachment A). The policy statement stipulates “that a proposed GLUP amendment for any site not identified in a County Board adopted planning study as appropriate for such a GLUP amendment will not be considered until such a planning study or analysis has been completed and presented to the County Board.” In this case, however, a planning study is not required because this site has been studied as part of the *Rosslyn to Courthouse Urban Design Study* (the *Study*) of 2003. Although the *Study* did not propose specific densities, it was intended to provide a framework for future development. As such, the requested GLUP designation generally would allow for uses and form of development consistent with the plan’s recommended vision for the subject site. The *Study* has also been used to guide development projects on two (2) other sites similarly situated between Wilson and Clarendon Boulevards where the County Board approved the same GLUP designation of “Medium” Office-Apartment-Hotel. Specifically, SP #389, Elm Street Development located immediately west of the site and SP #382, NSTA located immediately east of the site between Wilson and Clarendon Boulevards.

Proposed Rezoning: The proposed site plan is inconsistent with the existing zoning designation of “C-2” and “RA8-18”. Thus, it is proposed that the site be rezoned from “C-2” and “RA8-18” at the southern portions of the site (north of Clarendon Boulevard) to “C-O-2.5”. The proposed “C-O-2.5” zoning district is compatible with the proposed GLUP designation of “Medium” Office-Apartment-Hotel. The “C-O-2.5” zoning district permits densities (maximum office and/or commercial floor area ratio of 2.5 to 1, a maximum of 115 apartment units per acre and a maximum of 180 hotel units per acre) and building forms which would be compatible with the recommendations of the *Rosslyn to Courthouse Urban Design Study* provided for the subject

site. Such a rezoning is at the discretion of the County Board, within standards of good zoning practice. A rezoning may be granted when a proposal is consistent with the County's comprehensive plan, and when it promotes plans for the area and the health, safety and welfare of the community. The proposed "C-O-2.5" zoning is consistent with recent rezoning of properties to the east and west of this site and within the parameters of the *Rosslyn to Courthouse Urban Design Study*.

Policy Guidance: In addition to the General Land Use Plan and Section 24 of the Zoning Ordinance, the following plans provide guidance relevant to the development of the subject site:

- *Courthouse Sector Plan and Addendum* (April 1981; November 13, 1993);
- *Rosslyn to Courthouse Urban Design Study* (March 15, 2003); and
- *Rosslyn-Ballston Corridor Retail Action Plan* (May 19, 2001).

The relevant guidance provided in these planning documents has evolved over time from general references in the *Courthouse Sector Plan* of 1981, to the *Courthouse Sector Plan and Addendum*, adopted in 1993 to the more prescriptive references in the *Rosslyn to Courthouse Urban Design Study*, adopted in 2003. Initially, references in the 1981 *Courthouse Sector Plan* provided that "any future proposals for redevelopment [in this block] should be considered in the context of established policy for Colonial Village and Fort Myer Heights and the policy of tapering density between the Court House and Rosslyn Station Areas". There are no references to a GLUP and zoning other than the site being identified as "Service Commercial" and "C-2" and "RA8-18". The *Courthouse Sector Plan Addendum* focused on the urban design of the Courthouse station area, and identified the subject site as a site with unscreened surface parking having poor edge treatments with overhead utilities and inadequate sidewalks. In the concept plan shown in the *Addendum*, the site is suggested in an area designated as "Medium Residential Mixed Use", and calling for build-to lines, pedestrian linkages and some open space, plaza or enhanced landscaping near such linkages. Further, shown as part of a larger key redevelopment site (bounded by Clarendon Boulevard, North Quinn Street⁸, Wilson Boulevard and Courthouse Road), the *Addendum* stated that development should be located at the back of the sidewalk; buildings along Wilson Boulevard should be compatible in design and scale to Colonial Village; and heights and building mass should taper down from Clarendon Boulevard to Wilson Boulevard.

More relevant and prescriptive guidelines regarding development of the subject site is provided in the *Rosslyn to Courthouse Urban Design Study*. It was initiated in response to increased development pressures in and around the area, as well as to the WRIT-Rosslyn Site Plan (SP #357). The Study provides a conceptual plan, urban design guidelines including "Guiding Principles" for the area, and site-specific design guidelines for the subject site, referenced as the Troy/Hollywood Video site (Parcel 4). The *Study* notes that the guidelines are designed to provide flexibility which can be interpreted in more detail through the site plan process and allow development to meet market demands in a manner consistent with the development goals of the County. The table below compares the proposed site plan to the guidelines identified for the site in the *Study*.

⁸ North Quinn Street was the street described in the key redevelopment site however; the associated map indicates this as North Rhodes Street. GP-319-10-1, Z-2547-09-1, SP #411

URBAN DESIGN RECOMMENDATIONS	SITE PLAN PROPOSAL
<ul style="list-style-type: none"> Potential extension of N. Troy Street through the site to create a new pedestrian oriented plaza street. 	<ul style="list-style-type: none"> The applicant has worked with the adjacent property owner to the west (2001 Clarendon Boulevard, SP #389) and with the County in jointly contributing to the construction of the proposed N. Troy Street extension. The function, location and design of the new N. Troy Street extension were established with the approval of SP #389 in 2007.
<ul style="list-style-type: none"> Mixed use development with retail/restaurant on ground floor and office/residential above. 	<ul style="list-style-type: none"> The proposed development contains 17,563 sq ft of ground floor retail and up to 191 residential units above. Ground floor retail would include provision for restaurant space at the corner of Clarendon and N. Troy as well as Wilson and N. Troy. Up to 7 units on the ground floor on Clarendon are proposed as flexible units to be used as residential lofts or commercial (retail and professional office).
<ul style="list-style-type: none"> Buildings no higher than 5 stories generally. 	<ul style="list-style-type: none"> 5-story residential building proposed.
<ul style="list-style-type: none"> Shared parking entrances with the adjacent site to the east on both Wilson and Clarendon Boulevard 	<ul style="list-style-type: none"> Parking entrance proposed to be shared with NSTA (adjacent immediately east of the subject site), accessible from Clarendon Boulevard.
<ul style="list-style-type: none"> Underground parking is recommended to support ground floor retail uses. 	<ul style="list-style-type: none"> Two-levels of below grade parking proposed with spaces designated for retail; Ground floor retail would be directly accessible from the garage by way of an internal retail corridor leading to all retail bays.
<ul style="list-style-type: none"> Continued 16' wide min. sidewalk and enhanced pedestrian experience along Wilson and Clarendon Boulevards. 	<ul style="list-style-type: none"> Sidewalks along Wilson and Clarendon Boulevards proposed at minimum 16 ft width. Streetscape proposed along all site frontages consistent with the R-B Corridor Streetscape Standards.
<ul style="list-style-type: none"> Bricks or materials with similar visual effect as prevailing materials for buildings and streetscapes. 	<ul style="list-style-type: none"> Brick and masonry elements proposed as the predominant materials for the building. Design and materials on all frontages visually relate to surrounding buildings and streetscapes.
<ul style="list-style-type: none"> Continued ground floor retail/restaurants uses preferred, with pedestrian friendly building treatments, such as glass doors and windows, awnings and banners. 	<ul style="list-style-type: none"> 17,545 sq of committed retail with the potential for up to 24,639 square feet of ground floor retail proposed as continuous frontage along both Wilson and Clarendon Boulevards with the loft units as all commercial. Treatment of retail at the ground floor would include glass doors and windows, awnings and signs to enhance the pedestrian experience.
<ul style="list-style-type: none"> Maximize number of metered street parking spaces along Wilson and Clarendon Boulevards. 	<ul style="list-style-type: none"> Metered, on-street parking spaces proposed on both Wilson and Clarendon Boulevards.

URBAN DESIGN RECOMMENDATIONS	SITE PLAN PROPOSAL
<ul style="list-style-type: none"> • ADA and Green Building practice encouraged. 	<ul style="list-style-type: none"> • LEED Silver Certification proposed. • All entrances would be ADA accessible; Electric eye or a power door opener for the main pedestrian entrances; Call boxes mounted and measured at the lowest given height under the ADA with hands-free remote capability; and entrances to the lobby from the 1st level of the parking garage proposed to have automatic door openers.

Finally, the adopted Concept Plan for this site along with guiding principles/area-wide design guidelines found in the *Study* provide the following information relevant to the subject site:

- Continued building form from property line to property line without setback to form continued street walls and multiple small urban spaces/plazas.
 - *The building setback proposed on Clarendon and Wilson Boulevards is consistent with the setback of the adjacent properties immediately west (SP# 389, Elm Street Development) and east (SP #382, NSTA) of the site.*
- Potential location of activity-based, pedestrian-oriented urban plaza, along the proposed new street extending N. Troy Street.
 - *Function and design of N. Troy Street extension was established with the approval of the adjacent site plan project (SP #389, Elm Street Development), approved in 2007.*
- Focal point/Activity node on the N. Troy Street extension.
 - *Function and design of N. Troy Street extension was established with the approval of the adjacent site plan project (SP #389, Elm Street Development), approved in 2007.*
- Building stepback/significant horizontal treatment on the 2nd floor to create architectural dialogue with buildings across the street (shown on Wilson Boulevard).
 - *The building does not provide a continuous 2nd story step back. However, landscape courtyards recessed at an average of 36 feet are proposed at the 2nd floor on Wilson Boulevard to break up the massing of the building wall and create a dialogue with the Colonial Village residential developments across the street.*
- Special architectural treatment (shown on N. Troy Street at both Wilson and Clarendon Boulevards).
 - *The corners of N. Troy Street at the intersection of both Wilson and Clarendon Boulevards would be anchored with retail development that would include additional architectural treatment and enhancements.*
- Approximate height of 25 feet stepback (shown on Clarendon) for creating architectural dialogue with lower buildings across the street.
 - *While not a physical building stepback, the setback of the building proposed on Clarendon and the proposed design and uses on the ground floor on Clarendon,*

including lofts units at up to 26 foot ceiling heights creates an appropriate means of relating to the townhouse developments across the street.

Retail Action Plan: The Retail Action Plan identifies Wilson and Clarendon Boulevards for the majority of this site as shopping streets providing personal and business services. The proposed site plan is generally consistent with the Retail Action Plan. Retail is proposed along the entire frontage of Wilson Boulevard. On Clarendon Boulevard, retail is proposed at the corner of Clarendon and N. Troy along with seven (7) units designed as flexible space stepping down east, which can accommodate either residential, retail or professional offices. Wilson Boulevard is the more activated and viable street to provide for a continuous frontage of retail that could be successful because there is more retail planned and proposed on Wilson Boulevard and more pedestrian traffic than on Clarendon Boulevard. The treatment of retail on the Clarendon Boulevard frontage is appropriate given that retail stepping east on Clarendon Boulevard is less continuous along the street's frontage heading toward Rosslyn and there is a significant grade change heading east on the site which limits the amount of pedestrian traffic as compared to that on Wilson Boulevard. Therefore, providing for continuous retail along this frontage would be less viable. Proposing retail at the corner to anchor the project would provide synergy with retail approved for the Elm Street development at the corner of Clarendon Boulevard and N. Troy Street and retail at the Odyssey Condominium development immediately adjacent from that intersection. In addition, providing for the flexible use of space as either residential or retail stepping east on Clarendon Boulevard, would provide a unique opportunity to continuously activate the street in this location and minimize the potential for unsuccessful, vacant retail.

Urban Design Analysis: The site design and architecture of the proposed development generally meet the guidelines set forth in the *Study*. The applicant has maintained retail on the ground floor along Wilson Boulevard, and has introduced design elements to activate the streetscape along Clarendon Boulevard with flexible spaces that can be used for either residential, retail or professional offices. The proposed development would enhance the pedestrian experience with wider sidewalks, street trees and building treatments and further allow for the completion of a new north-south street (N. Troy Street) which would enhance pedestrian and vehicular connectivity in this area. Also consistent with the *Study*, the building would be five (5) stories in height.

The proposed building does not have a significant stepback along Wilson Boulevard as recommended in the *Rosslyn to Courthouse Urban Design Study*. However, the *Study* suggests that "flexibility in heights could be approved to accommodate affordable housing, community facilities, special design considerations and/or new streets" and the applicant has proposed two (2) landscaped courtyards which would serve to recess a portion of the Wilson Boulevard façade on average by 36 feet, from the public sidewalk in an effort to relieve some of the massing. The proposed design meets the intent of the *Study* in providing a means to relate to the low-rise residential development across Wilson Boulevard. As proposed, the "E-Shape" design provides a unique and architecturally different means to achieve a visual stepback and taper than was otherwise contemplated in the *Study* for a continuous building wall along Wilson Boulevard. This particular project also provides for an alley to the east of the property and a new extended portion of N. Troy Street to the west of the property. Further, the existing buildings across Clarendon Boulevard to the south are much taller than those of Colonial Village. With the

existing buildings to the south, including the Odyssey at 17 stories and Courthouse Tower at 12 stories, the proposed building does provide a taper to Colonial Village when assessed at the block level. Therefore, with the provision of streets and the existing development patterns, a literal stepback as recommended in the *Study* may not be necessary.

Modification of Use Regulations: The applicant requests modifications to Zoning Ordinance requirements as described below in association with the proposed site plan application.

LEED Bonus: The current LEED bonus policy does not provide for a standard means to calculate bonus density for residential projects where density is determined on a unit per acre basis, but rather on density as Floor Area Ratio (FAR). Therefore, a modification is requested to permit up to .20 FAR in LEED bonus for Silver level certification for residential and .15 FAR for commercial, and for the methodology to apply the current LEED bonus factor to the proposed development. Consistent with current practice, up to .20 FAR of the site area allocated for residential would result in an additional 13,789 square feet of gross floor area that could be added to the proposed building, and based on a proposed average unit size of 979 square feet, yield up to an additional 14 units. This bonus density provides for an overall development program that meets the County's policy and goals and objectives related to green building and sustainable design. The bonus density in terms of the amount of gross floor area and the number of units would be consistent with the County's practice of providing for higher density development in and around Metro station areas and associated with other residential projects in the area, such as Rosslyn Commons (SP #412). Finally, the additional density would not inhibit development of a building scale and form on the site that would be consistent with the *Rosslyn to Courthouse Urban Design Study*. The bonus density appropriately distributed on the site would be acceptable to, and respectful of, the surrounding neighborhood and adjacent uses.

Community Benefits: The developer proposes the following community benefits in conjunction with the subject site plan request:

- Affordable Housing Contribution at \$15 per square foot for density above the GLUP and a contribution for density up to the GLUP consistent with the Ordinance;
- Utility Fund Contribution in the amount of \$86,500;
- \$75,000 contribution toward public art that would be located in conjunction with improvements of the open space parcel immediately south of Clarendon Boulevard at 16th Street North;
- Coordination and construction of the extension of N. Troy Street dedicated in fee to the County;
- Contribution of up to \$125,000 for design and signalization improvements that would be installed at the intersection of N. Troy Street and Clarendon Boulevard or Wilson Boulevard; and
- Construction and maintenance of \$100,000 worth of landscape improvements and a bus shelter on the small parcel located south of Clarendon Boulevard at 16th Street North.

Community Process: The proposed site plan was the subject of five (5) SPRC meetings convened on February 1, February 22, April 7, April 15 and April 26, 2010. During the community review process the primary issues that were discussed centered on land use and

zoning, building design and architecture, site design and layout, and compliance with the *Rosslyn to Courthouse Urban Design Study*, particularly with respect to the provision of a building stepback and the placement and location of retail on primary street frontages. The project received general support from the SPRC and those from the Radnor-Fort Myer Heights Civic Association and the Colonial Village Community who participated in the community review process.

Historic Affairs and Landmark Review Board: The project was presented as an information item to the HALRB on April 21, 2010. While the HALRB was generally in support of the project, the HALRB indicated a preference for use of a limestone or pre-cast material at the base of the building instead of the light color brick material currently shown.

Transportation Commission Recommendation: The Transportation Commission voted at its May 6, 2010 meeting to unanimously (7-0) support the site plan, rezoning and GLUP amendment with six (6) recommendations related to the following:

- The site plan conditions should be updated to specify a minimum 10-foot wide clear sidewalk along both Clarendon Boulevard and Wilson Boulevard.

Staff Response: Condition #21 specifies the sidewalk requirements for the project. Staff has incorporated language to specify that a minimum 10-foot wide clear sidewalk should be provided on Clarendon Boulevard and Wilson Boulevard adjacent to the residential lobby and retail bays. The condition also allows the applicant to put moveable planters in the shy zone adjacent the flexible units when the spaces are used as residences, narrowing the clear sidewalk width to 8-feet.

- The information regarding the project's community liaison should be provided to Colonial Village, the Radnor-Fort Myer Heights Civic Association and Odyssey Condominium Association.

Staff Response: Condition #11 regarding the requirement for a community liaison has been updated adding the requested organizations.

- Site plan condition #6 should be revised to require the developer to provide lighting around the site at the start of construction even if they have taken no actions impacting the existing lighting around the site.

Staff Response: The recommended changes have been incorporated into the condition.

- The number of visitor bicycle parking spaces around the site should be increased requiring three (3) visitor bicycle parking spaces for every 50 residential units. In addition, visitor bicycle parking should be provided all along the site frontage not just within 50-feet of the main building entrance.

Staff Response: Condition #39 related to bicycle parking has been revised consistent with the Commission's recommendation. As a result, the project would provide

approximately 18 visitor bicycle parking spaces around the site along with the residential bicycle parking provided in the garage.

- Require a minimum of a 5-foot wide sidewalk adjacent to the site along both Clarendon Boulevard and Wilson Boulevard throughout construction.

Staff Response: Condition #6 has been updated requiring that a minimum 5-foot wide sidewalk be provided during construction.

- The applicant should work to improve the façade of the blank wall located on the NSTA property line, possibly adding fake windows.

Staff Response: The applicant has revised the façade design for the wall in an effort to address the Commission's comments.

Housing Commission Recommendation: At its meeting of May 13, 2010, the Housing Commission recommended 7-to-0 to defer the project and indicated their strong preference to see on-site affordable units in the project. Since the deferral period, the proposal has been reviewed by the Housing Commission's Bricks and Mortar Sub-Committee at its meeting of May 27, 2010. The committee commended the applicant for its willingness to consider providing affordable housing units either on-site or nearby, noting their strong preference that units be provided on-site, however. Finally, the Housing Commission again reviewed the proposal at its meeting of June 3, 2010 and voted 6-to-2 to recommend that the subject requests be approved. The Commission maintained its preference that affordable housing units be provided on-site and advised the County Board to approve condition #68 as follows:

- **Affordable Housing Contribution**

- a. **Density within the GLUP:** The developer agrees to comply with Subsection 36.H.6. of the Zoning Ordinance, "Affordable Dwelling Units for Increased Density Within General Land Use Plan." Prior to the issuance of the first Certificate of Occupancy for the project, the developer shall have submitted to and obtained from the County Manager confirmation or approval of the developer's finalized plan for meeting the requirements of the affordable housing ordinance, and shall have executed all necessary documents to implement the approved or confirmed plan.

- b. **Density above the existing GLUP:** The developer agrees to send a written notice to the County Manager at least 90 days prior to obtaining the excavation, sheeting and shoring permit indicating the developer is planning to use the "On-site Program."

- (1) **On-site Program:** With this option, the developer would provide seven (7) units with bedroom mix, gross floor area, and accessibility mix proportionate to the rest of the units subject to County Manager approval. The apartments shall have rents affordable to households at or below 60% of the area Median Family Income.

Staff Response: While staff prefers units be provided on-site for the affordable housing contribution above the GLUP, since the GLUP amendment is consistent with an adopted area plan, the developer maintains the option of either providing the contribution in case, on-site units, or units nearby.

Planning Commission Recommendation: At its meeting of May 10, 2010, the Planning Commission recommended 9-to-2, that the subject GLUP Amendment, rezoning and site plan request be deferred identifying the following issues:

- Affordable Housing contribution above the GLUP and a strong preference for units to be provided on-site or nearby.
- Concerns regarding the unit mix comprised primarily of small, one-bedroom units.
- Design of the building's main entrance at the corner of N. Troy Street and Clarendon Boulevard.
- Design of the building façade on the east elevation adjacent to the NSTA property.
- Lack of contrast among textures and materials with the recommendation by HALRB that the base of the building be treated with either a light color pre-cast or limestone.
- Lack of details regarding materials and treatment of the façade on all building elevations.
- Concern regarding flexible units on Clarendon Boulevard proposed as either commercial or residential loft units.

The Planning Commission again reviewed the subject proposal at its meeting of June 1, 2010 and voted unanimously (10-to-0) to recommend approval of the subject requests, with the following recommendations:

- Add a condition that a limited use elevator be provided in the restaurant space to be located at the corner of N. Troy Street and Clarendon Boulevard for access to the second floor space and for accessible bathrooms as by Fair Housing.

Staff Response: While the applicant was agreeable to a condition in this regard, staff does not propose a condition at this time. Staff will further evaluate conditions related to accessibility in the context of developing a broader policy so as not to incrementally add conditions to site plan projects that might potentially be in conflict with the Building Code and other laws related to ADA and Fair Housing, under which both of the suggested items are covered. The provision of access to the second floor of the proposed restaurant space and accommodation for accessible bathrooms would meet the requirements of the building code and be consistent with ADA and Fair Housing regulations.

County Board Guidance: At its meeting of May 22, 2010, the County Board deferred the subject requests, providing the following guidance to the applicant on things it would like to see reviewed and refined during the period of deferral:

- Continue to make improvements to the building design and architecture at the corner of Clarendon Boulevard and N. Troy Street.

Staff Response: The applicant has provided revised drawings of the design of the corner enhancing its significance. Staff supports the proposed revisions.

- Material at the base of the building should provide for improved contrast and texture with emphasis on the quality of the material and types of contrast that could be provided.

Staff Response: The applicant has provided renderings that better illustrate the provision of a three (3)-foot water table at the base of the building that would be pre-cast. In addition, the applicant has provided improved renderings that depict the quality of the contrasting buff-color brick proposed. Staff supports the material proposed.

- The east façade of the building adjacent to the National Science Teacher’s Association was considered to be in a location that would be an important pedestrian link between Wilson and Clarendon Boulevards. It was thought that the façade in this location should be improved to provide more variety breaking up the monotony and blandness. A mural was an idea that was presented as well as providing for more vertical and horizontal segmentation as opposed to providing fake windows.

Staff Response: The east façade has been improved to provide for the extension of the vertical and horizontal elements banding shown on the Wilson and Clarendon Boulevard facades along this wall. Staff supports the improved design but recommends the fake windows still shown be removed and replaced with decorative brick work instead.

- The County Board directed the applicant to continue to refine the concepts proposed for the façade of the flexible units providing for them to appear more residential in character, with less glass and different doors and further render how they could be converted in this way to commercial. Additionally, the Board requested staff further evaluate the impact of the use of the shy zone for planting on the streetscape and how it would function, when the units are proposed as residential.

Staff Response: The applicant proposes a more residential façade for the flexible units, removing the awnings, providing for less glass and a door that is aluminum. Additionally, the developer has further refined the drawings to include planters in the shy zone. Condition #21 provides that when the units are used as residential, there would be a minimum of 8-foot wide clear sidewalk, allowing for moveable planters in the shy zone adjacent to the units. At all other times a minimum of a 10-foot wide clear sidewalk should be provided of a minimum 16-foot 8-inch, wide sidewalk measured from the back of curb. There would be minimum impact on the streetscape of providing for the shy zone to be used for this purpose.

- The County Board encouraged that where possible; the affordable housing contribution associated with the requested General Land Use Plan amendment result in on-site units. The applicant was also encouraged to continue discussions with Wesley Housing for the provision of units nearby or units that could be provided on-site and managed by the affordable housing entity. Finally the applicant was encouraged that units nearby in the

metro station area would also be supported in order to preserve market rate affordable units.

Staff Response: While staff prefers the affordable housing contribution for density above the GLUP be translated into on-site units, the option for the applicant to later commit to provide either a cash contribution, units on-site, or units nearby at a later date remains.

CONCLUSION: The applicant has designed a project that generally meets the goals of the *Rosslyn to Courthouse Urban Design Study* and is consistent with the proposed General Land Use Plan designation and zoning district for the subject site. Located between the NSTA site plan and the future Elm Street development, the proposed development would fulfill the development program envisioned for this site in the *Rosslyn to Courthouse Urban Design Study* and further the concept plan for the area with the provision of a street that would break up the super block, continuous building walls, mix of uses, additional residential development and ground floor commercial in scale, context, and form consistent with development in the surrounding area and development approved immediately adjacent to the site. The proposed development includes a number of improvements around the site including the construction and dedication of N. Troy Street and the dedication of a small paved parcel located immediately south of Clarendon Boulevard that would be improved with landscaping, a bus shelter and public art. The development and improvements proposed by the site plan meet the requirements of Section 36.H.3 in that it provides the recommended building form, density and mix of uses largely consistent with the proposed zoning district and GLUP designation, and as recommended in the *Rosslyn to Courthouse Urban Design Study*. It also meets the County’s goals and policies relevant to green building and sustainable design, retail and affordable housing. The proposed conditions ensure that the issues that have been raised and the impacts associated with the additional density from the General Land Use Plan amendment, rezoning and site plan would be ameliorated. Therefore, based on the merits of the project, its consistency with the Plan and approved policies, and good planning practices, staff recommends that the County Board adopt the resolutions to approve the General Land Use Plan amendment and the site rezoning, and approve the site plan request, subject to the following conditions.

Conditions:

Note: Where a particular County office is specified in these conditions, the specified office includes any functional successor to that office. Where the County Manager is specified in these conditions, “County Manager” includes the County Manager’s designee. Whenever, under these conditions, anything is required to be done or approved by the County Manager, the language is understood to include the County Manager or his or her designee.

- **The following Conditions of site plan approval (#1 through #14) are valid for the life of the site plan and must be met by the developer before issuance of the Clearing, Grading and Demolition Permit.**

1. **Site Plan Term**

The developer (as used in these conditions, the term “developer” shall mean the owner, the applicant and all successors and assigns) agrees to comply with the standard

conditions set forth below and as referenced in Administrative Regulation 4.1 and the revised plans dated May 13, 2010 and reviewed and approved by the County Board and made a part of the public record on June 12, 2010, including all renderings, drawings, and presentation boards presented during public hearings, together with any modifications proposed by the developer and accepted by the County Board or vice versa.

This site plan approval expires three (3) years after the date of County Board approval if a footing to grade building permit has not been issued for the first building to be constructed pursuant to the approved plan. Extension of this approval shall be at the sole discretion of the County Board. The owner agrees that this discretion shall include a review of this site plan and its conditions for their compliance with then current County policies for land use, zoning and special exception uses. Extension of the site plan is subject to, among other things, inclusion of amended or additional site plan conditions necessary to bring the plan into compliance with then current County policies and standards together with any modifications proposed by the owner and accepted by the County Board or vice versa.

2. **Pre-Construction Meeting**

The developer agrees to ~~request coordinate~~ and attend ~~conduct~~ a pre-construction meeting ~~in a coordinated by County staff office building~~ prior to the issuance of any permits for the site plan. 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.

3. **Tree Protection and Replacement**

- a. The developer agrees to complete a tree survey, which shows existing conditions of the site and locates and identifies all trees which are four (4) inches in diameter or greater. The survey shall include any tree on adjacent sites whose dripline extends onto the subject site.
- b. The developer agrees to file and implement a tree protection plan which will designate any trees proposed to be saved by the developer. Trees designated to be saved on the tree protection plan, or those specified to be saved by the approved site plan and shown on any filing in connection with this case, will be protected. This plan shall include any tree on adjacent sites whose dripline extends onto the subject site. The tree protection plan shall be developed by a certified arborist or other horticultural professional with a demonstrated expertise in tree protection techniques on urban sites and shall be submitted and approved, and found by the County

Manager to meet the requirements of this site plan, before the issuance of the Clearing and Grading or Demolition Permit.

- c. Upon approval of the tree protection plan the developer agrees to submit to the Department of Parks, Recreation, and Cultural Resources (DPRCR) a performance bond estimate for the trees to be saved. Upon approval of the performance bond estimate by the DPRCR, the developer agrees to submit to the DPRCR a performance bond, in the approved amount of the estimate, and the approved tree protection plan, which bond 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 to the DPRCR as-built drawings showing the location of all saved trees.
- d. The Developer agrees that any tree proposed to be saved on the tree protection plan or other filing shall be saved. At a minimum, this plan shall include:
 - (1) A site grading plan at two (2) foot intervals, including the location of all proposed improvements and utilities.
 - (2) Detailed specifications for any tree walls or wells proposed.
 - (3) A description of how and where building materials and equipment will be stored during construction to ensure that no compaction occurs within the critical root zone of the trees to be saved.
 - (4) Identification of tree protection measures and delineation of placement of tree protection.
 - (5) Any tree required to be saved pursuant to this condition, which dies (any tree which is 30% or more dead as determined by the County's Urban Forester shall be considered to have died) prior to, or within ten (10) years of, the issuance of the Master Certificate of Occupancy shall be removed and replaced by the developer at his expense with the number of major deciduous and evergreen trees consistent with the Tree Replacement Guidelines and which meet the minimum size and other requirements of Condition #15 below, provided, however, that replacement as specified in this subparagraph (3.d.5) does not relieve the developer of any violation resulting from the failure to save identified trees.
 - (6) The location of all construction trailers shall be approved either by Administrative Change approval or 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 proposed to be located in the public right-of-way shall require approval by DES and Zoning staff, and the site plan's Arlington County Police representative shall receive a copy of the aforementioned map.

- e. In addition to saving identified trees, the developer also agrees to replace all trees shown on the Tree Survey that are removed as a result of the new construction in accordance with the Arlington County Tree Replacement Guidelines. The developer agrees to submit tree replacement calculations and a tree replacement plan in accordance with the Arlington County Tree Replacement Guidelines. The tree replacement calculations shall be developed by a certified arborist or other horticultural professional with a demonstrated expertise in assessing the condition of trees. Any replacement trees shall conform to the standards and specifications set forth in Condition #15a below and any replacement trees that cannot be accommodated on site will be provided in a monetary amount to the Tree Canopy Fund coordinated with Arlington County's Department of Parks and Recreation. The developer agrees to submit and obtain approval of this plan by the County Manager as part of the final landscape plan.
- f. Per Condition #3.e above, the developer agrees to make a contribution to the County's Tree Canopy Fund of at least \$2,400.00 per tree, or a greater amount specified by the County Board, for every tree that cannot be planted on site. The contribution shall be required when tree planting requirements cannot be met on the property. The payment shall be delivered to the Department of Parks and Recreation Office prior to the issuance of the Excavation/Sheeting and Shoring Permit, and evidence of compliance with this condition shall be provided to the Zoning Administrator in the form of a letter at the time of payment.

4. **Photographic Record of Development**

The developer agrees to produce and submit to the Zoning Administrator a photographic record of development, starting with a record of the site as it appears before demolition is begun, including photographic records during construction, and ending with a photographic record of the development as it appears after completion of construction. These photographs shall comply with the following specifications:

All photographic records shall be taken using black and white film. Submission of a photo contact sheet and 8" x 10" prints on photographic paper shall be the minimum acceptable standard. Color photographs on compact disc must be submitted in addition to black and white photographs and the photo contact sheet at the end of the project prior to the issuance of the Master Certificate of Occupancy.

The photographic record shall include photos taken at the following points in construction, and photos shall be submitted as taken:

- a. Before Clearing, Grading and Demolition of the site (shall be submitted before issuance of the Clearing, Grading and Demolition Permit)—Views of north, south, east and west facades, as location permits, of buildings to be demolished, as well as at least one photo of the site before any clearing or grading including the existing physical relationship with adjacent buildings and streets. The photographic record shall also include all historic aspects of the facades of the

building to be demolished, consistent with the requirements described in Condition #54 below.

- b. Site Clearance (shall be submitted before issuance of the Footing to Grade Permit)–Views of cleared site facing north, south, east and west, as location permits, with adjacent buildings and streets included.
- c. Construction Phase (shall be submitted before issuance of the Shell and Core Certificate of Occupancy Permit)–At a minimum, views of the site: during excavation, upon completion of the first floor above grade, at topping out, and during the exterior cladding phase.
- d. Site Completion (shall be submitted before issuance of the Master Certificate of Occupancy)–North, south, east and west facades of completed building or buildings, as well as at least one view of completed project in context of adjacent buildings and streets.

The photographic records for which no time is specified above, including the completed compact disc with the entire photographic history, shall be delivered to the Zoning Administrator, before the issuance of a Master Certificate of Occupancy for placement in the County archives.

Utility Fund Contribution

- 5. In addition to funding and constructing the utility undergrounding work, the developer agrees to contribute in the amount specified in Site Plan conditions to the County utility fund before the issuance of the Final Building Permit ~~or prorated consistent with an approved phasing plan for the development~~. The total utility fund contribution for this site is \$86,500 (\$50,000 x 1.73 acres). These funds may, but need not, be used by the County for the purpose of providing the undergrounding of utilities along the properties which are not redeveloping in this undergrounding district. If the area of the site plan is subdivided, the contribution to be made by each owner shall be based proportionally on the amount of site area allocated to each subdivided parcel. The contribution, if not obligated by the County to pay for utility undergrounding projects within 10 years from the date of payment, will be refunded without any accrued interest to the development owners of record at the time of any refund.

Plan for Temporary Circulation During Construction

- 6. The developer agrees to develop and implement (after approval) a plan for temporary pedestrian and vehicular circulation during construction. 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. Throughout construction, the developer agrees to ensure that safe pedestrian access is maintained along Clarendon Boulevard and Wilson Boulevard, providing a minimum of a 5-foot wide clear sidewalk at all times adjacent to the site, exceptions may be made only during an emergency as defined below, during actual demolition, when the new sidewalks are being constructed, and for such limited

periods as are unavoidable for utility upgrades. 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 location of all construction trailers shall be subject to approval 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. 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 Clearing, Grading and Demolition 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.⁷ The developer agrees to supplement lighting as necessary 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 for this project. 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.

Residential Relocation

7. Intentionally Omitted.

Retail Relocation

8. The developer agrees to coordinate with the Department of Economic Development in order to provide the following relocation assistance to all retail tenants under lease as of the date of the approval of the proposed site plan:
- a. The developer agrees to keep all retail tenants informed of the redevelopment schedule by providing periodic updates with regard to material changes in the development program for the site, including the phasing of the project, anticipated schedules for eviction, construction and occupancy, and any anticipated material impacts on the tenants while they remain on the site, such as test borings, construction signs and fencing, asbestos removal, disruptions to customer parking and pedestrian paths, and the like.
 - b. The developer will assist the County to make available to all retail tenants, either directly or through the developer, information on available commercial space in the County, business counseling services and appropriate business courses.
 - c. The developer agrees to cooperate with the retail tenants by referring tenants who so request to private sources of professional assistance in regard to lease negotiation (i.e., understanding lease terms, trends and negotiation strategy), space planning and other related sources of help.
 - d. Except for provisions in any lease to the contrary, the developer agrees to maintain the site, structures and systems in good repair and in a businesslike appearance until the last retail tenant vacates or until the notice to vacate expires, whichever comes first.

- e. The developer agrees to show compliance with the terms of this condition to the Zoning Administrator before the issuance of the Clearing, Grading and Demolition Permit.

Compliance with Federal, State and Local Laws

- 9. 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 approval. 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.

Post-County Board 4.1 Filing

- 10. The developer agrees to file four copies of a site plan and the tabular information form, and digital copies on compact disc in JPEG, PDF, and DXF formats, which complies with the final approval of the County Board and with Administrative Regulation 4.1, with the Zoning Administrator within 90 days of the County Board approval and before the issuance of the Clearing, Grading and Demolition Permit, with the exception of the one (1) building addressed as 1916 Wilson Boulevard, which may be demolished at any time upon issuance of a demolition permit.

The developer agrees to include on the post-4.1 plans details regarding existing traffic signal system infrastructure, e.g., poles, meters, controller cabinets, and to indicate on the plans, if any part of the system will be moved and to where it is proposed to be moved.

The developer agrees to ~~convene~~ request and participate in a meeting with pertinent County staff to address requirements of the site plan approval.

The developer also agrees that no changes to the approved post-4.1 plans can take place in the field. ~~All post-4.1 plan changes must be approved by the lead DCPHD contact for the site plan.~~ Modifications to the approved 4.1 plans must be submitted for review and approval by either the Zoning Administrator or County Board.

Community Liaison and Activities During Construction

- 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 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 a representative of the following organizations: Colonial Village I, II, and III, Radnor Ft. Myer Heights Civic Association, and the Odyssey Condominium Association, 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 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 Clearing, Grading and Demolition 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.

C & D Waste

- 12. The developer agrees to provide a plan for diverting from landfill disposal the demolition, construction, and land clearing debris generated by the project. The plan should outline recycling and/or reuse of waste generated during demolition and/or construction. The plan should outline specific waste streams and identify the means by which waste will be managed (reused, reprocessed on site, removed by licensed haulers for reuse/recycling, etc.). The developer agrees to obtain the County Manager's approval of this plan prior to the issuance of the Clearing, Grading, and Demolition permit, and to implement the plan throughout demolition and construction of the project. Compliance with this condition may contribute to achieving LEED prerequisite 3.1 credits MR 2.1 and 2.2 (Construction Waste Management Planning) and credit 3.2 (Construction Waster Reduction).

Green Building Fund Contribution

- 13. (Intentionally Omitted).

14. Vacations and Encroachments

Except as otherwise specifically provided in these site plan conditions and, Prior to the issuance by the County of any permit for development of the site plan, except for demolition permits solely for buildings and structures not owned by the County or located on property within which the County has an interest, prior to the issuance by the County of an Excavation, Sheeting and Shoring permit for development of the site plan, the developer agrees to obtain approval of, and fulfill all required conditions of, all ordinances of vacation and/or ordinances of encroachment associated with and/or required to build the structures or facilities authorized by the site plan, project, or any portion thereof, as depicted on the site plan referenced in Condition # 1 of this Ordinance and in accordance with final County approved site engineering plans for the site plan project approved by the County. The satisfaction of the requirements of this condition may be phased (i.e., all ordinances of vacation or ordinances of encroachment associated with each approved phase of development must be enacted or obtained before issuance, by the County, of any permit for any work relating to, or necessary for, such phase, except for demolition permits for buildings or structures, not owned by the County or located on property within which the County has a legal interest) provided that such phasing is approved by the County Manager as part of a phasing plan as set forth in Condition #70.

The developer further agrees to obtain, immediately upon acceptance by the County of

any additional property rights that may be conveyed or dedicated to the County, any ordinances of encroachment that may be necessary or required in the future, to permit the location of any building, structure or utility in an area within the Site Plan area where property rights subsequently have been conveyed or dedicated to the County.

Irrespective of any other conditions set forth herein, the developer agrees that no building, structure or utility of any type shall encroach upon, or interfere with, the use of any County property or the exercise by the County of any property right or interest, unless and until the developer, before any Excavation/Sheeting and Shoring Permit is issued, first has: a) obtained an ordinance of vacation or an ordinance of encroachment, enacted by the County Board, permitting such use, encroachment or interference; and, b) met all of the conditions of such ordinance(s).

- **The following Conditions of site plan approval (#15 through #31) are valid for the life of the site plan and must be met by the developer before issuance of the Excavation/Sheeting and Shoring Permit.**
15. **Coordination of these plans: final site development, landscape and site engineering**
The developer agrees to attach the County Board meeting minutes outlining the approved conditions and the conditions themselves to each set of Building Permit drawings that they submit to the County. The developer agrees to submit to the Zoning Administrator and obtain approval from the County Manager a detailed final landscape plan prior to issuance of the Excavation/Sheeting and Shoring Permit. The final landscape plan shall be submitted at a scale of 1 inch = 25 feet, in conjunction with the final civil engineering plan as required in Condition #18 below, as well as a vicinity map with major streets labeled. The final 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 landscape plan and the final civil engineering plan shall 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 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 Conditions #16 and 21 below; the Arlington County 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 civil 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 to also be submitted. 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 civil engineering plan. All

hardscape features shown on the approved landscape plan shall be completed prior to the issuance of the Shell and Core Certificate of Occupancy. All plant materials shown on the final landscape plan shall be installed before the issuance of the first Partial Certificate of Occupancy for any space above grade ~~for the respective phase of construction~~, unless otherwise approved by the Zoning Administrator, based on the planting season and the availability of planting materials.

Upon approval of the final landscape plan and prior to the issuance of the first Certificate of Occupancy ~~for the respective phase of construction~~, the developer agrees to submit to the Department of Community Planning, Housing, and Development (DCPHD) a copy of the contract for construction and installation of all landscape materials. The final 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, bus stops, 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 civil engineering plan and placed so they do not obstruct pedestrian travel or be visually obtrusive. Traffic control cabinets (existing or proposed) shall not be located in the pedestrian clear zone of the public sidewalk, including but not limited to access areas to ADA ramps, crosswalks, building entrances, and interior walkways. Transformers shall not be placed above grade in the setback area between the building and the street.

The developer agrees to relocate existing traffic signal poles, traffic signal cabinets, and any other existing traffic-related items and equipment located on, or in the public right-of-way contiguous to, the development site as described below. The improvements shall conform to the DES Construction Standards and Specifications, and shall be shown on the final engineering plan. Installation of the improvements shall be completed prior to issuance of the first certificate of occupancy for the development. The developer agrees to install the following improvements:

None

- 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 as part 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 of the location and screening of all ventilation grates as part of the review of the final civil engineering plan and the final 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, ADA ramps, driveway

aprons, service drives, parking areas, interior walkways and roadways, plaza areas and sidewalks, as well as for address indicator signs. Interior walkways shall have a minimum width of four (4) feet. All plaza areas, access drives, automobile drop-off areas, interior walkways and roadways shall contain special 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 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 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 #53 below.
- e. Topography at two (2) foot intervals, and 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. Include public art information, if known.
- g. The location and planting details for street trees in accordance with Department of Environmental Services Standards and Specifications for planting in public rights-of-way and as shown on the final civil engineering plan.
- h. The limits of demolition and construction.

The developer agrees that once approved, the final landscape plan shall govern construction and/or installations of elements and features shown thereon, except as amendments may be specifically approved through an Administrative Change request.

Landscape Standards

- 16. The developer agrees that all landscaping shall conform to Department of Environmental Services Standards and Specifications and to at least the following requirements:
 - a. Plant materials and landscaping shall meet the then-current American Standard for Nursery Stock, and shall also meet the following standards:
 - (1) Major deciduous trees (shade or canopy trees such as Oaks, Maples, London Plane Trees, Japanese Zelkovas, etc.) other than street trees—a minimum caliper of 4 to 4 1/2 inches, except as indicated in Condition #21 below.

- (2) Evergreen trees (such as Scotch Pines, White Pines, Hemlocks, etc.)—a minimum height of 7 to 8 feet.
 - (3) Ornamental deciduous trees (such as Cherries, Dogwoods, Serviceberries, Hornbeams, etc.)—a minimum caliper of 3 to 3 1/2 inches. Multi-stem trees shall not be less than 10 feet in height.
 - (4) Shrubs—a minimum spread of 18 to 24 inches.
 - (5) Groundcover—in 2 inch pots.
- b. The developer agrees to plant all street trees prior to issuance of the first Partial Certificate of Occupancy for any space above grade ~~for the respective phase of construction~~, unless otherwise approved by the Zoning Administrator, based on the planting season and the availability of street trees. The developer also agrees to fulfill the Public Improvement Bond requirements (Condition #33). The developer agrees to notify the DPRCR Urban Forester at least 72 hours in advance of the scheduled planting of any street trees in the public right-of-way and to be available at the time of planting to meet with staff of DPRCR to inspect the plant material, the tree pit and the technique of planting. Soil used in the tree pit must meet the specifications for street tree planting available from the DPRCR Urban Forester.
 - c. All new lawn areas shall be sodded; however, if judged appropriate by the County Manager, based on accepted landscaping standards and approved in writing, seeding may be substituted for sod. All sod and seed shall be state certified.
 - d. Exposed earth not to be sodded or seeded shall be well-mulched or planted in ground cover. Areas to be mulched may not exceed the normal limits of a planting bed.
 - e. Soil depth shall be a minimum of four (4) feet plus 12 inches minimum of drainage material or other drainage material commonly used in the industry as reviewed and approved by the County Manager on the landscape plan, for trees and tall shrubs and three (3) feet for other shrubs. This requirement shall also apply to those trees and tall shrubs in raised planters. Soil depth for raised planters shall be measured from the bottom of the planter to the top of the planter wall. The walls of raised planters shall be no higher than seat-wall height (2 1/2 feet, maximum) above the adjacent finished grade.
 - f. Finished grades shall not exceed a slope of three to one or the grade that existed before the site work began.
 - g. The developer agrees to maintain the site in a clean and well-maintained condition before the issuance of the Clearing, Grading and Demolition Permit and agrees to secure and maintain the site throughout the construction and phasing process.

Further, the developer agrees to submit a maintenance agreement which shall ensure that all plaza areas and other landscaped areas located on private property are kept in a clean and well-maintained condition for the life of the site plan and to follow the terms of that maintenance agreement approved for that purpose by the Zoning Administrator, as required in Section 32A of the Zoning Ordinance.

Utility Company Contacts

17. 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~~. 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

18. 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.

Pavement, Curb and Gutter Along All Frontages

19. 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 Partial Certificate of Occupancy ~~for occupancy of the applicable phase of the project~~, Should the County Manager finds that it is not

reasonably practical to repave due to weather or seasonal related paving constraints, the County Manager may allow additional time for the completion of paving and paving related activities. In this case, the repaving must be completed prior to a date established by the County Manager and may be required prior to the issuance of a future permit.

- a. The developer agrees to construct new curb and gutter along Clarendon Boulevard, which results in a street cross section of approximately 43-feet, as shown on the final engineering plan approved by the County Manager. The developer agrees to nub the parking lanes along the north side of Clarendon Boulevard at the intersection of North Troy Street. The developer also agrees to construct one crosswalk and accompanying handicap ramps at the intersection of North Troy Street (west side) as shown on the final engineering plans approved by the County Manager.
- b. The developer agrees to construct new curb and gutter along Wilson Boulevard, so as to result in a street cross section of approximately 43-feet, as shown on the final engineering plan approved by the County Manager. The developer agrees to nub the parking lanes along the north side of Wilson Boulevard at the intersection of North Troy Street (a nub on both the east and west side of the intersection.). The developer also agrees to construct two crosswalks and accompanying handicap ramps at the intersection of North Troy Street (east and west side) as shown on the final engineering plans approved by the County Manager.
- c. The developer agrees to construct North Troy Street with an approximate 23-foot cross section as shown on the final engineering plans approved by the County Manager. This includes, but is not limited to, curb and gutter on both sides, crosswalks and accompanying handicap ramps as shown on the final engineering plan approved by the County Manager.
- d. The developer agrees to contribute, prior to the issuance of the final Certificate of Occupancy, \$125,000 to the County for the design, signalization and other such costs for signalization improvements installed at the intersection of Clarendon Boulevard and North Troy Street or Wilson Boulevard and North Troy, unless a lesser amount is requested by the County.
- e. The developer agrees to reconstruct the driveway entrance from Clarendon Boulevard accessing their garage (and the existing NSTA garage), providing a continuous sidewalk across the curb cuts as shown on the final engineering plans approved by the County Manager.
- f. The developer agrees to construct an additional crosswalk, accompanying nubs and handicap rams crossing Clarendon Boulevard at the intersection of 16th Street North if determined necessary, and as shown on the final engineering plans approved by the County Manager.

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 revised site plan drawings dated May 13, 2010 unless the County provides additional funding to offset such increased cost.

20. **Survey Monuments**

The developer agrees to submit, before issuance of the Excavation/Sheeting and Shoring Permit, a survey of the site adherent to the following:

Horizontal Datum - All Site Plans shall be referenced to the Virginia Coordinate System of 1983 (VCS 83). Two (2) adjacent corners or two points on every plan sheet shall be referenced to the VCS 83 with coordinate values shown in U.S. Survey feet. All plans shall be annotated as follows: "The site shown hereon is referenced to the Virginia Coordinate System of 1983 as computed from a field run boundary and horizontal control survey."

Vertical Datum - All Site Plans shall be referenced to the North American Vertical Datum of 1988 (NAVD 88). All plans shall be annotated as follows: "The site shown hereon is referenced to the North American Vertical Datum of 1988 as computed from a field run vertical control survey."

21. **Sidewalk Design and Improvements**

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 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 final landscape plan approval. 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 ¼-in depth or greater at spacings of less than 30.”

The developer further agrees to construct the sidewalk improvements detailed below prior to the issuance of the first Partial Certificate of Occupancy ~~for occupancy of the applicable phase of the project.~~

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:

Wilson Boulevard – A minimum 16-foot wide sidewalk measured from the back of curb (with a minimum of 10-foot wide clear sidewalk), including 5-foot by 12-foot tree pits planted with 4 to 4 ½ inch caliper Willow Oak street trees and such ground cover as liriopè muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), placed approximately 30 feet apart on center and a minimum of eight (8) inches back from the back of curb.

Clarendon Boulevard - A minimum 16-foot 8-inch, wide sidewalk measured from the back of curb (with a minimum of 8-foot wide clear sidewalk when the flexible units are used for residential use, allowing for movable planters in the shy zone adjacent to the flexible units, at all other locations and times a minimum 10-foot wide clear sidewalk should be provided ~~10-foot wide clear sidewalk~~), including 5-foot by 12-foot tree pits planted with 4 to 4 ½ inch caliper Willow Oak street trees and such ground cover as liriopè muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), placed approximately 30 feet apart on center and a minimum of eight (8) inches back from the back of curb.

North Troy Street - A sidewalk of varying width greater than 13-feet (providing a minimum of 7-feet of clear sidewalk) measured from the back of curb, including 5-foot by 12-foot tree pits planted with 4 to 4 ½ inch caliper Willow Oak street trees and such ground cover as liriopè muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), placed approximately 30 feet apart

on center and a minimum of eight (8) inches back from the back of curb.

Subsurface Structure-free Zone for Utilities and Streetscape

22. The developer agrees that in order to accommodate the subsurface requirements of utilities and streetscape elements (including street trees), the final design of the project shall provide a structure-free zone under the public sidewalk along all street frontages, as required in the *Standards for Planting and Preservation of Trees in Site Plan Projects*. This zone shall be a minimum of five (5) feet deep and shall extend from the back of the street curb to the far edge of the public sidewalk. No subterranean structures (such as parking garages) shall intrude into this five foot deep zone. Within the zone, underground utilities and utility vaults shall not be located in a manner that interferes with the appropriate spacing and replacement of street trees, consistent with the approved final site and development and landscape plan. Utility lines shall not be located beneath street trees. The location of all existing and proposed utility lines shall be shown on both the final landscape plan and the final site engineering plan.

Water Service Requirements

23. The developer agrees that the location of the water services will be determined at the time of the review of the final engineering plan, and shall be constructed in accordance with the standards defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual.

Existing Water Main or Fire Hydrant Service

24. 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.

Replacement of Damaged Existing Curb, Gutter and Sidewalk

25. 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 which is in poor condition or damaged by the developer, prior to the issuance of the first Certificate of Occupancy.

Street Lighting Requirements

26. The developer agrees to show on the final engineering plans street lighting along all frontages of the site prior to the issuance of the Excavation/Sheeting and Shoring Permit. The plans shall include the height and color of the street light poles. The developer agrees, at its cost, to purchase and install approved Arlington County street lighting along the frontages of the site prior to the issuance of the Shell and Core Certificate of Occupancy. In addition, the developer agrees to furnish and install all conduit and junction boxes necessary for the lighting system. All construction shall meet Arlington County standards.

The developer agrees to purchase and install double-globe Virginia Power "Carlyle"

standard street lights along the Clarendon Boulevard and Wilson Boulevard frontages of the site ~~and single-globe Virginia Power "Carlyle" standard street lights along North Troy Street in accordance with adopted County Street Lighting Policy. The developer agrees to purchase and install "Carlyle" standard street lights along all frontages of the site in accordance with adopted County Street Lighting Policy. The height of the street lights shall be ___ feet, measured from the sidewalk to the base of the luminaire.~~ The developer agrees to remove all standard thoroughfare lights from the site, unless the County decides that one or more are required to provide adequate lighting for street safety purposes at intersections. The developer agrees to pay the cost of moving existing or installing additional standard thoroughfare lights if required above.

Underground Existing Aerial Utilities

27. The developer agrees to remove or place underground all existing aerial utilities within or along the periphery of the entire site plan site as shown on the final site development and landscape plan and the final engineering plan approved by the County Manager. Any utility improvements necessary to provide adequate utility services to this development or utility work necessary to provide a terminus to the underground facilities shall be paid for by the developer and shall not result in the installation of any additional utility poles, or aerial devices. 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. All utility relocation shall be completed prior to the issuance of the Shell and Core Certificate of Occupancy.

Off-street Parking for Construction Workers

28. The developer agrees to provide off-street parking for all construction workers without charge to the workers. In lieu of providing parking, the developer may provide a subsidy for the construction workers in order that they may use Metro, provide a van for van pooling, or use another established method of transportation to provide for construction workers to arrive at the site. Compliance with this condition shall be determined based on a plan which shall be submitted to the Zoning Administrator, and for which the developer has obtained the Zoning Administrator's approval, before the issuance of the Excavation/Sheeting, and Shoring Permit. This plan shall set forth the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of Metro, carpooling, vanpooling, and other similar efforts. The plan shall also provide for a location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes, and carpooling and vanpooling information. If the plan is found to

be either not implemented or violated during the course of construction, a correction notice will be forwarded to the developer. If the violation is not corrected within ten (10) days, a "stop work order" will be issued, and construction halted until the violation has been corrected.

Address Indicator Signs

- 29. The developer agrees to install address indicator signs on the site which comply with Section 27-12 of the Arlington County Code or successor provision in a location visible from the street and as shown on the final site development and landscape plan.

Façade Treatment of Buildings

- 30. 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 and approval 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 façade 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.

Recordation of Deeds of Public Easements and Deeds of Dedications

- 31. Except as otherwise provided for in these site plan conditions, ~~The~~ developer agrees that, ~~for each phase, as phase is defined in the phasing plan required in Condition #70,~~ all required plats, deeds of conveyance, deeds of dedication, and deeds of easement associated with, and/or required by the final approved site engineering plans, for the construction of any public street, public infrastructure, public utility, public facility or public improvement (jointly "Public Improvements"), shall be: a) submitted by the developer to the Department of Environmental Services for review and approval prior to the issuance of any Excavation/Sheeting and Shoring Permit ~~for such phase;~~ and b)

approved by the County and recorded by the developer, among the land records of the Circuit Court of Arlington County, before the issuance of the first Certificate of Occupancy for the building(s) or any portion thereof ~~for such phase~~. Real estate interests conveyed by the developer to the County for public street or public right-of-way purposes shall be conveyed in fee simple, free and clear of all liens and encumbrances. Real estate interests conveyed by the developer to the County for Public Improvements or public uses, including, but not limited to, sidewalk, street trees, other streetscape planting, water mains, storm sewers, sanitary sewers, and other public utilities and facilities, which other public utilities and facilities ~~Public Improvements~~ are not located, or to be located, in the public street or public right-of-way may be granted to the County by deed(s) of easement, provided, however, that in the deed(s) conveying such real estate interests to the County, all liens and encumbrances shall be subordinated to the easement rights of the County.

N. Troy Street Dedication

Prior to the issuance of the first Partial Certificate of Occupancy for tenant occupancy, the Developer agrees to dedicate to Arlington County, in fee simple for public use, approximately 4,763 square feet of right-of-way along the westerly portion of the site, south of Wilson Boulevard, as shown on sheet C4.2 of the 4.1 Revisions Submission entitled "Preliminary Consolidation and Resubdivision Plat" prepared by Bowman Consulting, Ltd., and the revised drawings dated May 13, 2010 ("Troy Street Dedication").

The Developer will prepare, at its sole cost and expense, deed(s) of dedication and plat(s) of dedication for the Troy Street Dedication, which deed(s) and plat(s) shall be subject to the review and written approval of the County Manager, as to substance, and the Arlington County Attorney, as to form. The deed(s) and plat(s) of dedication shall be recorded, by the Developer, among the land records of the Clerk of Court of Arlington County, Virginia prior to the issuance of the first Partial Certificate of Occupancy for tenant occupancy for a building constructed under the Site Plan.

- **The following conditions of site plan approval (#32 through #40) are valid for the life of the site plan and must be met by the developer before issuance of the Footing to Grade Structure Permit.**

Plat of Excavated Area

32. The developer agrees to submit one (1) plat, drawn at the scale of 1 inch = 25 feet and 24 inches x 36 inches in size, of the excavated area showing spot elevations which confirm that the construction drawings are consistent with the average site elevation, and with the building's ground floor elevation(s) at the building's lowest level(s), as approved by the County Board and as indicated in the plans referenced in Conditions #1 and #10 above. Spot elevations shall be taken at spots determined at the time of the pre-construction meeting and shall at a minimum consist of two corners and spot elevations from 50 % of the total area to be excavated. The elevations shall be provided prior to the issuance of the footing to grade permit. Provided however, that when the Zoning Administrator determines that the excavated area will be greater than 20,000 square feet, the Zoning Administrator may reduce the area for which elevations must be provided before issuance

of a footing to grade permit. Additional elevations confirming the elevations of the remainder of the excavation shall be provided prior to issuance of any permit for above grade construction.

Public Improvements Bond

33. 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 (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 First Above Grade 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.

Underground Electrical Transformers

34. The developer agrees to install all new electric transformers, and all associated appurtenances, in underground utility vaults that shall meet both Dominion Virginia Power and County design and construction standards and specifications. The developer agrees to install all other underground utility vaults in conformance with the County design and construction standards and specifications, and all applicable construction standards and specifications of the owner of the utilities. Such underground utility vaults ("Utility Vaults") may be placed, in whole or in part, within the County right-of-way or public easement, only after the developer applies for, and there is enacted by the County Board, an encroachment ordinance, or other County Board approval, permitting use of the County right-of-way or public easement for such purpose. Upon enactment of the ordinance or approval, the developer agrees to comply with all the conditions of such ordinance and any other conditions prescribed in the site plan condition addressing vacations and encroachments, including, but not limited to, recordation of any deeds, plats, or ordinances, the payment of compensation and required fees. Any associated ventilation grates for such vaults shall not be permitted, located or constructed within any portion of the County right-of-way or public easement area for sidewalks or public streets, or within any areas that provide pedestrian access to any buildings, street, and public or private open spaces. The location and placement of the Utility Vaults shall not conflict with the physical operation or placement of other existing or proposed public or private utility facilities. The Utility Vaults shall have a minimum horizontal clearance of five (5) feet to conduits and manholes and a minimum horizontal clearance of ten (10) feet to public water mains and public sanitary sewers, unless a greater or lesser clearance is specifically shown on the site engineering plans and approved by the Department of Environmental Services. The developer shall obtain approval from the County Manager, or his designee, for the location of all Utility Vaults, ventilation grates, and associated

appurtenances, as part of the review and approval of the final site engineering plans by the Department of Environmental Services.

Interior Trash Collection and Recycling Areas

35. The developer agrees that interior space shall be provided and used for the collection, storage, compaction, and removal of trash, as well as appropriate facilities for the recycling of reusable materials as defined by the County. The collection, storage, compaction, and removal of trash shall not occur outside the interior loading space. This space may not conflict with the use of a loading berth. The developer agrees to obtain approval from the Zoning Administrator of drawings showing compliance with this condition before the issuance of the Footing to Grade Structure Permit.

Interior Loading Spaces

36. The developer agrees that all loading spaces shall be in the interior of the building and shall also comply with the following requirements: minimum 12-foot clear width ([including entrances), 30 foot-length and 14-foot height clearance. Any loading dock to be used for trash removal shall have a minimum interior height clearance of 18 feet. All loading docks shall contain roll-down doors. Use of the loading dock for deliveries or trash pick-ups, excluding moving vans, shall be limited to the hours from 8:00 a.m. to 6:00 p.m., seven (7) days a week. The loading dock door shall also be closed when the loading dock is in use, except when necessary for entry or exit of vehicles, venting of vehicle exhaust, or when required for similar operational or safety measures.

Parking Garage Van Access

37. The developer agrees that the new office parking garages shall be designed to allow access and use by vanpools. At least 1% ~~10%~~ of the total new parking supply shall be accessible to vans, shall be conveniently located on the level of the garage closest to street level, and shall have a minimum clearance of 98 inches. All other areas of the garage shall have a minimum clearance of 84 inches. Compliance with this condition shall be determined by review of the building plans by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit, which review shall not relieve the developer from constructing in accordance with this condition.

Parking Space Compliance with Zoning Ordinance

38. The developer agrees to ensure that all parking spaces comply with the requirements of Section 33 of the Zoning Ordinance. Unless otherwise approved by the County Board, the number of compact spaces may not exceed the Zoning Ordinance requirement. The developer shall submit drawings showing that these requirements are met, and shall obtain approval by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit.

Bicycle Storage Facilities

39. The developer agrees to provide, at no charge to the user, secure bicycle storage facilities in locations convenient to office, residential and retail areas on the following basis at a minimum:

Office and Residential Bicycle Storage Facilities:

~~For each office building, one (1) employee bicycle parking space for every 7,500 square feet, or portion thereof, of office floor area and one (1) additional such visitor space for every 20,000 square feet, or portion thereof, of office floor area.~~

For each residential building, one (1) resident bicycle parking space for every three (3) residential units, or portion thereof, of residential units and three (3) ~~one (1)~~ visitor spaces for every 50 residential units, or portion thereof, of residential units.

One (1) flex use bicycle parking space for every three (3) flex units, or portion thereof. The developer agrees to provide the flex use bicycle parking spaces within the Class I bicycle storage location constructed for the residential units. Further the developer agrees that regardless of the use of the flex use units the residents/employees using the space will be provided access to the Class I bicycle parking.

Employee and resident bicycle parking facilities shall be highly visible to the intended users and protected from rain and snow within a structure shown on the site plan. The facilities shall not encroach on any area in the public right-of-way intended for use by pedestrians or any required fire egress. The facilities for office users and resident bicycle parking must meet the acceptable standards for Class I storage space as contained in the Arlington Bicycle Transportation Plan, dated April 1994 with Amendments through March 2003, and be highly visible from an elevator entrance, a full-time parking attendant, a full-time security guard or a visitor/customer entrance. Visitor parking ~~must~~ shall be located within 50 feet of the primary building entrance as determined on final engineering plans. Any bicycle parking racks used on the site must conform to the Arlington County Standard or be approved by the Bicycle and Pedestrian Program Manager. Drawings showing that these requirements have been met shall be approved by the Bicycle and Pedestrian Program Manager before the issuance of the Footing to Grade Structure Permit. Residential condominium covenants shall not prohibit the storage of bicycles in individual condominium units.

~~In addition, the developer agrees that for each office building, for every 50,000 square feet or fraction thereof of office Gross Floor Area (GFA): The developer agrees that one One (1) shower per gender shall be installed, in the restroom of each flex unit. up to a maximum of three (3) showers per gender. Also, a minimum of one (1) clothes storage locker per gender shall be installed for every required employee bicycle parking space. The lockers shall be installed adjacent to the showers in a safe and secured area and both showers and lockers shall be accessible to all tenants of the building. The lockers will be a minimum size of 12" wide, 18" deep, 36" high, and shall be available for use on a 24 hour basis. The location, layout and security of the showers and lockers shall be reviewed by the Arlington County Police Department before issuance of the Footing to Grade Structure Permit. The developer agrees that an exercise/health facility containing a maximum of 1,000 square feet shall not count as density (FAR) but shall count as GFA if this facility meets all of the following criteria: 1). The facility shall be located in the interior of the building and shall not add to the bulk or height of the project; 2). Showers and clothes lockers shall be provided as required above; 3). The lockers shall be installed~~

~~adjacent to the showers in a safe and secured area within the exercise facility and both showers and lockers shall be accessible to all tenants of the project; 4). The exercise facility shall be open only to tenants of the project and shall not accept or solicit memberships from outside of the project. The exercise facility, including the showers and lockers, shall be open during normal working hours.~~

Retail Bicycle Storage Facilities:

Two (2) retail visitor/customer bicycle parking spaces for every 10,000 square feet, or portion thereof, of the first 50,000 square feet of retail floor area; one (1) additional retail visitor/customer space for every 12,500 square feet, or portion thereof, of additional retail floor area; and one (1) additional retail employee space for every 25,000 square feet, or portion thereof, of retail floor area. The retail visitor/customer bicycle spaces shall be installed at exterior locations as shown on the final engineering plans ~~within 50 feet of the primary entrance, and such locations shall be reviewed by the Division of Transportation.~~ The developer agrees to obtain approval of the location, design and details of the retail visitor/customer bicycle spaces as part of the final site development and landscape plan. Facilities for retail visitors/customers must meet the County standards for bicycle racks, be located close to retail visitor/customer entrances or the closest retail vehicle parking spaces, and be approved by the Bicycle and Pedestrian Program Manager before installation.

Emergency Vehicle Access/support on Parking and Plaza Areas

40. The developer agrees to construct all exterior building plaza areas used for vehicular access and all surface parking areas to support the live load of any fire apparatus. Architecturally designed bollards or curbs shall be used on pedestrian plazas to separate the areas intended for emergency vehicle use from areas intended for pedestrian use. No above-grade structure shall be allowed to obstruct fire lanes. The requirements of this condition shall be incorporated in the drawings submitted for the Footing to Grade Structure Permit.
- **The following conditions of site plan approval (#41 through #45) are valid for the life of the site plan and must be met by the developer before the issuance of the Final Building Permit.**

Wall Check Survey

41. The developer agrees to submit one (1) original and three (3) copies of a wall check survey to confirm its consistency with the plans approved by the County Board, as referenced in Conditions #1 and #10 above. The wall check survey shall show the location of the walls at the top level of the below-grade structure, and will be provided prior to the issuance of a permit for above-grade construction. The developer further agrees that, within thirty (30) days after approval of the wall check survey, to submit to the Zoning Administrator a wall check survey showing the location of the walls and the elevation of the slab, at grade.

Screening of Mechanical Equipment

42. Mechanical equipment shall be screened so as not to be visible from public rights-of-way.

Use of Penthouse

- 43. The use of any penthouse shall be limited to mechanical equipment and equipment maintenance space or telecommunication transmitter and/or receiver equipment as required in Condition #58 below.

Review by Crime Prevention Through Environmental Design (CPTED) Practitioner

- 44. The developer agrees to submit to the Operations Division of the Arlington County Police Department the approved post-4.1 drawings for review by the Crime Prevention Through Environmental Design (CPTED) practitioner in the Police Department for review of CPTED design elements.

FAA Documentation

- 45. The developer agrees to obtain from the Federal Aviation Administration (FAA), before the issuance of the final building permit, a written statement that the project is not a hazard to air navigation or that the project does not require notice to or approval by the FAA.

- **The following conditions of site plan approval (#46 through #55) are valid for the life of the site plan and must be met by the developer before the issuance of the First Certificate of Occupancy for Tenant Occupancy.**

Water Main Improvements

- 46. The developer agrees to show on the final engineering plans, and to construct, water main improvements in accordance with the standards defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual as well as the following as outlined below. The water main improvements shall be constructed prior to the issuance of the first Certificate of Occupancy ~~for the respective phases of construction.~~

The developer agrees to construct approximately 330 feet of new 12-inch water main in North Troy Street extended between Wilson Boulevard and Clarendon Boulevard, connecting to the existing 12-inch water main in Clarendon Boulevard and the existing 8-inch water main in Wilson Boulevard.

All proposed water meter services shall be provided from connections to the new 12-inch water main.

Sanitary Sewer Main Improvements

- 47. The developer agrees to show on the final engineering plans, and to construct, sanitary sewer main improvements in accordance with the standards defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual as well as the following as outlined below. The sanitary sewer main improvements shall be constructed prior to the issuance of the first Certificate of Occupancy ~~for the respective phases of construction.~~

The developer agrees to remove or abandon in place, with flowable fill, the approximate 380 foot segment of sanitary sewer from the new sanitary lateral to the west along Wilson Boulevard, which may include manhole #3433, #3432 and #2119.

The County will TV-Inspect the sanitary sewer lines serving the site and shall identify any improvements that are necessary to adequately service the development. The developer agrees to repair or replace any sections or appurtenances of the sanitary sewer serving the development that are found to be deficient or damaged by the developer, as identified by County staff and as shown on the final engineering plan approved by the County Manager.

Storm Sewer Improvements

48. The developer agrees to show on the final engineering plans, and to construct, storm sewer improvements in accordance with the standards defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual as well as the following as outlined below. The storm sewer improvements shall be constructed prior to the issuance of the first Certificate of Occupancy ~~for the respective phases of construction.~~

The developer agrees to construct new storm sewer improvements in North Troy Street as identified in the final engineering plan for the new segment between Clarendon Boulevard and Wilson Boulevard.

Fire Hydrant and Fire Department Connection Requirements

49. The developer agrees to show on the final engineering plan, and to install, fire hydrants at intervals of not more than 300 feet, as well as fire department connections in order to provide adequate fire protection. The County shall specify the kind of service and locations at the time of the final site engineering plan approval based on applicable safety standards. The fire hydrants and fire department connections shall be installed prior to the issuance of the first Certificate of Occupancy.

The developer agrees to provide calculations to demonstrate the needed fire flow as defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual. This information shall be clearly shown on the cover sheet of each final engineering plan set submitted.

Comprehensive Sign Plan

50. The developer agrees to develop and submit a comprehensive sign plan ~~and that for~~ all exterior signs (including identification and directional signs signage), which unless otherwise indicated in this condition, shall be consistent with Section 34 of the Zoning Ordinance and/or the guidelines contained in "Sign Guidelines for Special Exception Projects (Guidelines)." ~~If the total area of all exterior signs does not exceed the total area of all signs permitted on the site by Section 34 of the Zoning Ordinance, and the total signage is allocated by the developer to individual signs or tenants in a manner consistent with the Guidelines, the Zoning Administrator may approve the comprehensive sign plan. The Zoning Administrator shall determine whether the signs meet the standards of~~

~~the Guidelines and the total sign area is permitted under the Zoning Ordinance. If the total sign area contained in the comprehensive sign plan exceeds that permitted in Section 34 of the Zoning Ordinance, or the signs do not meet the standards of the Guidelines, then the comprehensive sign plan shall require a site plan amendment. The Zoning Administrator may approve the Comprehensive Sign Plan provided that all proposed signs are consistent with Section 34 of the Zoning Ordinance. A Comprehensive Sign Plan that includes signs not permitted by Section 34 of the Zoning Ordinance, shall require County Board approval.~~ The developer agrees to obtain approval of the comprehensive sign plan from the Zoning Administrator or the County Board before the issuance of the first Certificate of Occupancy. All proposed rooftop signs, defined as all signs that are 35 feet or more above the ground, shall require a site plan approval or amendment. No sign permits will be issued until the comprehensive sign plan is approved. All signs for the project shall comply with the approved comprehensive sign plan.

Transportation Management Plan

51. The developer agrees to develop and implement a Transportation Management Plan (TMP) in order to achieve the desired results of the Arlington County Transportation Demand Management (TDM) program. The developer agrees to obtain the approval of the County Manager or his designee for such plan before the issuance of the first Certificate of Occupancy for the building.

All dollar denominated rates will be adjusted for inflation by the U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index (CPI) Inflation Calculator from the date of site plan approval.

The Transportation Management Plan shall include a schedule and details of implementation and continued operation of the elements in the plan. The Transportation Management Plan shall include, but not be limited to, the following strategies:

Participation and Funding

- a. Maintain an active, on going relationship with Arlington Transportation Partners (ATP), or successor entity, on behalf of the property owner, at no cost to the developer.
- b. Designate a member(s) of building management as Property Transportation Coordinator (PTC) to be a primary point of contact with the County and undertake the responsibility for coordinating and completing all Transportation Management Plan (TMP) obligations. The applicant and /or building management will provide, and keep current, the name and contact information of the PTC to Arlington County Commuter Services (ACCS) or successor. The Property Transportation Coordinator shall be appropriately trained, to the satisfaction of ACCS, to provide rideshare, transit, and other information provided by Arlington County intended to assist with transportation to and from the site.

- c. In addition to supporting the ongoing activities of the Property Transportation Coordinator and other commitments of this TMP, the developer agrees to contribute to the Arlington County Commuter Services (ACCS), or successor, to sustain direct and indirect on-site and off-site services in support of TMP activities annual contributions of \$7,450 per year for thirty (30) years. Payment on this commitment will begin as a condition of issuance of the first Certificate of Occupancy. Subsequent payments will be made annually.

Facilities and Improvements

- a. Provide in any lobby one (1), information display per lobby, the content/design/location of which shall be approved by ACCS / ATP, to provide transportation-related information to residents and visitors. Management shall keep display(s) stocked with approved materials at all times, at minimal or no cost to the developer.
- b. Provide in the building lobby(s) a means to call a taxi.
- c. Maintain at least one on-site business center (including, at a minimum, access to copier, fax, personal computer, and internet services in a minimum 56 sq. ft. of space), which shall be made available to support residents of the building who choose to work from home.
- d. Comply with requirements of Site Plan conditions to provide bicycle parking/storage facilities, and construction worker parking.
- e. Provide a one time contribution of up to \$11,000 for bus stop improvements. Payment shall be a condition of issuance of the first Certificate of Occupancy.

Parking Management Plan

- a. Subject to the approval by the County Manager or his designee, the developer shall implement and enforce ~~prepare~~ a parking management plan regarding: taxi passenger loading and unloading; accessible paratransit pick-up, drop-off, handicapped access and passenger waiting area; loading zones for short-term deliveries; bicycle parking, bus stops; car sharing locations; and on-and off-street parking for residents, employees, and visitors. Such plan shall include a schematic drawing depicting an area parking plan for all block faces abutting the site. Additionally, this plan will note restrictions as to times that various activities (such as deliveries and parking) are permitted in the respective spaces
- b. No on-street loading will be permitted weekdays between the hours of 7 and 9 AM and 4 to 7 PM.
- c. Provide effective directional signage subject to approval of a Comprehensive Sign Plan to direct residents and visitors to appropriate locations on the

property, such plan to include provision for the items specified in the Parking Management Plan.

- d. Upon request of the County Manager or his designee, up to two (2) commercial parking spaces shall be set aside in the garage for car sharing services, if the demand exists, as determined by the County Manager or his designee for the additional spaces, and with a six (6) month written notice given to the owner by Arlington County. Upon a determination by the County Manager that such spaces are needed, the spaces shall be provided by the owner to the car sharing service at no cost for six (6) months and then at a negotiated rate, no higher than market rate, thereafter. These spaces shall be located convenient to the garage entrance, available to the members of the car sharing service twenty-four hours a day, seven days a week, without restrictions, (for security reasons the garage may be gated—members of the car sharing service would have access to the spaces via a key pad combination to a pass code system, or other similar device). There shall be internal and external signage to direct people to the spaces. Until requested, the spaces may be used for any parking use. Signs will be planned and included in the comprehensive sign plan. The car sharing spaces shall be counted towards the parking requirements of the project.

Promotions, Services, Policies

- a. Provide SmarTrip cards plus \$25.00 Metro fare media per person, for free, one time, to each residential lessee or purchaser, distributed no later than the day of move in. The program shall also be announced in any newsletter or website for the site. This program will be in effect for twenty (20) years from first Certificate of Occupancy for the first finished unit in the.
- b. Provide SmarTrip cards plus \$ 50.00 Metro fare media per person, for free, one time, to on-site property management and maintenance employees. Provide, administer, or cause the provision of a sustainable commute benefit program for these employees (the program shall include, at a minimum, pre-tax employee contributions and/or tax-free transit or vanpool monthly contributions). The program shall also be announced in any newsletter or website for the site. This program will be in effect for thirty (30) years from first Certificate of Occupancy for the first finished unit in the.
- c. Provide SmarTrip cards plus \$ 25.00 Metro fare media per person, for free, one time, to on-site employees of the retail and office tenants, distributed no later than the first day of work at the building. The program shall also be announced in any newsletter or website for the site. This program will be in effect for thirty (30) years from first Certificate of Occupancy for the first finished unit in the.
- d. Provide website hotlinks to CommuterPage.comTM under a “transportation

information” heading from the developer and property manager’s websites regarding this development.

- e. Provide a one time membership fee subsidy (up to \$40) in a car sharing plan for one new member, per residential unit (up to 32 memberships per year). This subsidy shall be paid on proof of membership in a car share service by first time or subsequent lessees and/ or condominium purchasers. The program shall also be announced in any newsletter or website for the site. This program will be in effect for thirty (30) years from first Certificate of Occupancy for the first finished unit in the.
- f. Distribute a new-resident package, or similar as specified by County TDM planner, material provided by Arlington County which includes site-specific ridesharing and transit-related information to each residential lessee or purchaser. Packages will be distributed to tenants and / or owners no later than the day of move-in at the building. Distribute equivalent package to new office and retail employees no later than their first day of work.
- g. Reference to the Courthouse Metro Station and local bus routes in promotional materials and advertisements.
- h. Cooperate with Arlington County to assist the County in implementing a transit-advertising program that will distribute information four times per year to all residents, tenants, employees, and visitors.
- i. Participate in Ozone Action Days and other regionally sponsored clean air, transit, and traffic mitigation promotions by posting notice of such promotions in locations within the building(s).

Performance and Monitoring

- a. Upon approval of the TMP by the County, the developer agrees to implement all elements of the plan with assistance when appropriate by agencies of the County.
- b. The Owner shall fund, up to a maximum cost of \$10,000, and participate in, a transportation performance monitoring study at two years, five years, and each subsequent five years (at the County’s option), after issuance of first Certificate of Occupancy. The County may conduct the study or ask the owner to conduct the study. The County will specify the timing and scope of the study. The study may include average vehicle occupancy, daily vehicle-trips to and from the site, and parking availability by time of day for the site and pedestrian traffic. The study may include an all-day count of site-generated vehicle traffic and a voluntary mode-split survey. The building owner and/or operator will assist and encourage residents, tenant’s employees, and building employees participation in mode split surveys which may be of

an on-line, or email variety. A report will be produced as specified by the County.

- c. During the first year of start up of the TMP and on an annual basis thereafter, the Applicant will submit an annual report, which may be of an on-line, email variety, to the County Manager, describing completely and correctly, the TDM related activities of the site.

Residential Parking and Parking Management Plan

52. The intent of this condition is to ensure that at least one parking space is available in perpetuity for parking use by each residential unit in the project. Accordingly, the developer agrees to offer the use, for rental units, and the purchase or use for condominium units, of at least one parking space for each dwelling unit.

Further, for condominium units, the developer agrees to notify the Zoning Administrator at the time of the settlement of the last dwelling unit. If excess parking spaces are available at the time of settlement of the last dwelling unit, the number of excess parking spaces equaling the number of dwelling units which were sold without a parking space, shall first be offered exclusively for a period of twelve (12) months to the owners of those dwelling units which were sold without a parking space. Any other remaining spaces shall be offered to all dwelling unit owners or transferred to the condominium, cooperative or homeowners association. By the end of twenty four (24) months following the settlement of the last dwelling unit, the developer agrees to relinquish in writing to the condominium, cooperative or homeowners association any and all remaining interest in the parking spaces or garage and a copy shall be filed with the Zoning Administrator. The future purchase of any parking spaces shall be limited to the dwelling unit owners or condominium, cooperative or homeowners association of the building.

For both rental and condominium buildings, the use of the parking spaces shall be limited to parking use ~~by the residents of the building and their guests~~, unless otherwise permitted by the Zoning Ordinance, and shall not be converted to storage or other use without approval of a site plan amendment.

The developer agrees to submit to the Zoning Administrator a parking management plan which outlines how guest and visitor parking for the residential building, and parking for retail tenants' employees and customers for retail located in the residential buildings, will be provided, where the parking will be located and how guests and visitors, and retail employees and customers, will be directed to the parking spaces. The developer further agrees to make a minimum of 8 residential visitor parking spaces, and 54 retail tenant parking spaces, available within the residential garage. The developer agrees to make the retail tenant parking spaces available to residential guests and visitors after the hours of the operations of the retail. The parking management plan shall be submitted to the Zoning Administrator, and reviewed and approved by the County Manager, prior to the issuance of the first Certificate of Occupancy for the ~~first~~ residential building. The developer agrees to implement the Parking Management Plan for the life of the site plan.

Lighting Plan for Public Areas

53. The developer agrees to include a lighting plan for all internal and external public areas, including parking areas, as part of the final civil engineering plan and the final landscape plan. This lighting plan shall be subject to review by the County Manager, including street lighting as described in Condition #30 above. The developer shall include in the final civil engineering plan and in the final 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. The developer agrees to obtain the approval of all lighting from the County Manager, and to install approved lighting, before the issuance of the First Certificate of Occupancy for occupancy of the applicable phase of the project.

Documentation of Historical Artifacts, Features and Buildings

54. The developer agrees to be responsible for documenting any historical artifact or historical natural feature uncovered during construction on the site. This documentation shall include written notation describing the artifact or natural feature, color photographs, and mapping of the location and/or depth of the site excavation at which the item was found. The developer agrees to submit a copy of this documentation to Arlington County before issuance of the First Certificate of Occupancy.

In the event an historical artifact or natural feature is found on the site, and is to be disturbed or removed from the site during construction, the developer agrees to contact the Arlington County Historic Preservation Program, Neighborhood Services Division before removing or disturbing the artifact or natural feature. Arlington County shall be given the opportunity to accept donation of the artifact or natural feature before the item is offered to any other organization or individual.

If historic buildings are located on the site, then photographic documentation shall be consistent with Historic American Building Survey (HABS) standards. Should the project be assessed as a possible archaeological site, the developer agrees to pursue, at a minimum, a level one and two archaeological study. The developer agrees to submit to the Arlington County Historic Preservation Program all written results of the level one and two archaeological study and all artifacts found on the site.

Availability of Site Plan Conditions to Residential Condos, Cooperatives and Homeowners Associations

55. If the project includes a residential condominium or cooperative component, then the developer agrees that a copy of the conditions of this site plan approval shall be made available to all prospective purchasers with the condominium's, cooperative's or homeowners association's bylaws or agreements. Documentation that this condition has been satisfied shall be provided to the County Manager before the issuance of the First Certificate of Occupancy. If the project includes a residential rental component that is converted to a condominium or a cooperative, then the developer agrees that a copy of the conditions of this site plan approval shall be made available to all prospective purchasers with the condominium's, cooperative's, or homeowners' association's bylaws or

agreements prior to the issuance of the first Certificate of Occupancy following the conversion.

- **The following condition of site plan approval (#56) is valid for the life of the site plan and must be met by the developer before the issuance of the Master Certificate of Occupancy.**

Building Height Certification

56. The developer agrees to submit, before the issuance of the Master Certificate of Occupancy, drawings certifying the building height as measured from the average site elevation to both the building roof and to the top of the penthouse roof.

- **The following condition of site plan approval (#57) is valid for the life of the site plan and must be met by the developer within 90 days of receipt of the partial Certificate of Occupancy for full occupancy of the building.**

Obtain Master Certificate of Occupancy

57. The developer agrees to obtain a Master Certificate of Occupancy within 90 days of receipt of any partial Certificate of Occupancy for full occupancy of the building.

- **Post Certificate of Occupancy: the following Conditions of site plan approval (#58 through #63) are valid for the life of the site plan.**

County Installation of Telecommunications Transmitter and/or Receiver Equipment

58. In order to maintain the effectiveness of the County's public safety systems, the developer/applicant hereby agrees to grant to the County in perpetuity the right to install telecommunications transmitter and/or receiver equipment and conducting wire in or on the penthouse or top floor, and antennae and traffic monitoring systems on the roof of the proposed buildings in a location and design that is acceptable to the County and the building owner based on a reasonable exercise of judgment by both upon request by the County. The developer agrees to provide, upon request by the County, access to electrical service separately metered, including auxiliary electrical power, and telephone radio control lines to the penthouse in the defined area. The developer is not required to pay for design and installation costs for such equipment. Any radio transmitter or receiver equipment and antenna to be installed or used by others must not interfere with the emergency communication system of the County.

In addition, to enhance the reach of the County's public emergency communications system-of-systems, the developer/applicant agrees to grant to the County in perpetuity the right to install tie-ins from the County's outdoor emergency warning system to the interior building fire/emergency warning annunciator systems using either land lines or emergency relay transceivers in or on the penthouse or top floor, antennae systems and along with hazardous material detection sensors on the roof of the proposed buildings in a location and design that is acceptable to the County and the building owner based on a reasonable exercise of judgment by both upon request by the County. The developer agrees to provide, upon request by the County, access to electrical service separately metered,

including auxiliary electrical power, and telephone radio control lines to the penthouse in the defined area. Any radio transmitter or receiver equipment and antenna to be installed or used by others must not interfere with the emergency communication system of the County.

Structural Additions

59. The developer agrees that any structural addition or changes to the facades or materials shall be subject to the approval of the County Manager. If the County Manager, in consultation with the Zoning Administrator determines that any proposed improvements or changes to the facades or materials have a significant impact on the site plan, or otherwise meet Zoning Ordinance requirements for site plan amendments that go to the County Board, a site plan amendment shall be required.

Snow Removal

60. 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, within a reasonable time after snow has stopped falling but in no case later than snow removal provided for vehicular access to the site.

Maintenance of Residential Common Areas

61. If the project includes a residential component, then the developer agrees that the maintenance of the common area, walkways, private drives and parking areas which are tied to condominium units shall be provided for by the condominium's, cooperative's or homeowners association's bylaws or agreements consistent with Section 2.D.6 of the Zoning Ordinance.

Retention of Approved Parking Ratio over Subdivided Site

62. The developer agrees to provide parking for each building according to the approved parking ratio; when this parking is not located within the parcel designation of each building but located within the overall project, it shall continue to be committed to the entire project for purposes of administering the Zoning Ordinance.

Retention of Approved Density over Subdivided Site

63. The density allocated for any new construction pursuant to the site plan on any subdivided parcel of the site shall be the same as the approved density for the entire site. No additional density shall be allowed on any individual parcel formed by subdivision of the site.

- **The following unique site specific conditions (#64 through #85) are valid for the life of the site plan and must be met before the issuance of the permit specified in each Condition.**

Retail Elements

64. With the exception of the seven (7) flexible units located on Clarendon Boulevard as shown on the revised plans dated May 13, 2010 and approved by the County Board on June 12, 2010, the developer agrees to market a minimum of 17,563 square feet of

~~committed retail (as identified in the *Rosslyn to Courthouse Urban Design Study* and by reference, the *Retail Action Plan for the Rosslyn Ballston Corridor* including “personal and business services”) space located on the first floor of the building on Wilson and Clarendon Boulevards for “personal or business services” or Entertainment and Main Street Retail” as shown in the *Retail Action Plan*, as may be amended from time to time, to uses consistent with the approved Retail Action Plan for the Rosslyn Ballston Corridor, dated January 2001 and the following:~~

- ~~1. The developer is encouraged permitted to lease space designated for “personal or business services” as shown in the *Retail Action Plan* to “Entertainment and Main Street Retail” businesses, as well.~~
- ~~2. The retail space shall be designed and used in a manner consistent with the *Rosslyn to Courthouse Urban Design Study*, adopted in March 15, 2003.~~
- ~~3. Each separate retail space shall have direct access to the building’s service corridor.~~
- ~~4. The developer shall build out the retail space to include the rough in of utilities, i.e., sprinkler heads, plumbing, electrical wiring, and stubs for extensions.~~

The developer agrees to submit an application for administrative change for any proposal for retail uses or parking not clearly consistent with the above. Unless otherwise provided in this site plan condition, Any change in the use of the retail space from retail to office or other non-retail use shall require a site plan amendment.

Flexible Units on Clarendon Boulevard

The developer agrees that loft units located on the ground floor of Clarendon Boulevard as shown on Sheet A-2 titled “Upper Ground Floor Plan in Context” and Sheet A-4 titled “Upper First Floor Plan” in the revised plans dated May 13, 2010 and approved by the County Board on June 12, 2010, shall be designed to be flexible space which may be used as residential units or commercial (retail – “personal or business services”, “entertainment and main street retail” or “consumer and business services” as provided in the *Retail Action Plan*, as may be amended from time to time). The maximum permitted density associated with the aforementioned units when used as commercial is 7,000 sq ft. The total maximum permitted units associated with the space when used as residential is up to seven (7) units. In no case shall the total project, regardless of the use of these units, exceed 24,657 square feet of commercial GFA and 125 units per acre residential.

Public art fund contribution

65. The developer agrees to make a contribution to the Public Art Fund in the amount of \$75,000 consistent with the requirements set forth in Condition #81 below, to support County public art initiatives described in the Public Art Master Plan (adopted December 2004) and the goals of the Public Art Policy (adopted September 2000). Such funds

shall be used to commission public art at _____. Such contribution shall be made to the Public Art Fund prior to issuance of the first above grade building permit. If the contribution is made more than 12 months after site plan approval, the contribution amount will be adjusted based on the Consumer Price Index.

In order to prevent the public art from conflicting with other elements of the site plan, the developer also agrees to represent the public art on the landscape plan, building elevation or other plan that represents the site of the art, in the normal course of submission of such plans as provided for in these site plan conditions. The plan(s) on which the art is represented will be determined based upon the art's chosen location within the site plan.

The developer may choose to make a contribution of \$ _____ to the Public Art Fund to fund County initiated public art projects in the _____ metro/ or other specified area in lieu of commissioning public art through the process set forth above. Such contribution shall be made to the Public Art Fund prior to issuance of the first above grade building permit. If the contribution is made more than 12 months after site plan approval, the contribution amount will be adjusted based on the Consumer Price Index.

After-hours Parking in Office Garages

66. Intentionally Omitted.

Outdoor Cafes

67. Intentionally Omitted.

68. Affordable Housing Contribution

- c. **Density within the GLUP: Density within the GLUP:** The developer agrees to comply with Subsection 36.H.6. of the Zoning Ordinance, "Affordable Dwelling Units for Increased Density Within General Land Use Plan." Prior to the issuance of the first Certificate of Occupancy for the project, the developer shall have submitted to and obtained from the County Manager confirmation or approval of the developer's finalized plan for meeting the requirements of the affordable housing ordinance, and shall have executed all necessary documents to implement the approved or confirmed plan.
- d. **Density above the existing GLUP:** The developer agrees to send a written notice to the County Manager at least 90 days prior to obtaining the excavation, sheeting and shoring permit ~~earliest permit for construction at the site~~ indicating which of the following three options the developer is planning to use: the "On-site Program," the "Off-site Program Alternative," or the "Cash Contribution."
- (1) **On-site Program:** With this option, the developer would provide seven (7) units with bedroom and GFA mix proportionate to the rest of the units. The apartments shall have rents affordable to households at or below 60% of the area Median Family Income.

- (2) **Off-site Program Alternative:** With this option, the developer may

propose an off-site program alternative for the County Manager's consideration, which will also be reviewed by the Housing Commission. In such event, the developer will send written notice to the County Manager outlining the proposed off-site program and the financial contribution of the developer towards such off-site program. The County Manager will then have sixty (60) days to respond to the proposed alternative.

- (3) **Cash Contribution:** With this option, the developer would contribute a total of \$1,004,730 to the County as follows: \$502,365 prior to issuance of the excavation, sheeting and shoring permit, earliest permit for construction of the project and \$502,365 prior to issuance of the first above grade building permit full building permit for the project.

In the event that the developer chooses the On-site Program option 1 above or an Off-site Program Alternative option 2 above, the following conditions will apply to the affordable units:

Affordable Rents: Affordable dwelling units designated pursuant to these conditions shall be made available to households with incomes that do not exceed 60% of the Washington-Arlington-Alexandria, DC-VA-MD Metro FMR Area Median Family Income ("Median Income" or "MFI"), as published annually by the U.S. Department of Housing and Urban Development (HUD) and adjusted for household size. The affordable rents shall not exceed the established affordability levels as published by HUD. To the extent that residents pay their own utility charges, the maximum monthly rents will be reduced by a utility allowance using the current Arlington County Section 8 Program Allowances for Tenant Furnished Utilities and Other Services, as renewed periodically, in accordance with HUD guidelines.

Rent Increases: Rents shall be adjusted no more frequently than annually, and rent increases for tenants continuing in occupancy shall be based on area Median Family Income increases as published by HUD for the Washington, D.C. Metropolitan area, subject to a maximum cap of 5% per year for the first five years for each tenant. Rents for households moving into vacated affordable units shall be set according to Condition 68a, above. After an initial 5 year period for each tenant, annual rent adjustments shall not exceed the established affordability level for the rents minus a utility allowance as in Condition #68a, above.

Compliance Period: The developer agrees that the affordable housing plan shall require units to remain affordable for a term of 30 years from the execution of the lease of the first unit.

Developer Affirmative Marketing Plan/Marketing Period: The developer will conduct a pre-occupancy marketing program for the affordable units (the "Pre-Occupancy Marketing Program") which shall commence at least 45 days prior to

the issuance of the first certificate of occupancy for any affordable unit. The Pre-Occupancy Marketing Program shall be designed to target tenants who would qualify for occupancy of the affordable units and shall specifically include an outreach component designed to attract income qualified households as included in the Affirmative Marketing Plan. The Affirmative Marketing Plan shall be in a form and substance acceptable to the County Manager, with the concurrence of the County Attorney, according to the County's criteria for such marketing plans.

69. **Building Security Requirements**

- a. The developer agrees to coordinate with County staff on the design of exterior building security measures in order to limit or mitigate any adverse impacts that these measures may have on the project's urban design (including street and retail base) and streetscape. All exterior building security measures shall be shown on, and approved as part of, the final site development and landscape plan and the approved façade treatment plan. The base of the buildings, as shown in the revised drawings dated May 13, 2010, and consistent with Condition #64 above, have been designed to accommodate retail uses and provide interest and activate the streetscape. Any change in the use and design of the base resulting from any proposal for exterior building measures shall require a site plan amendment.
- b. The developer agrees that it is the policy of the County to maintain the maximum number of on-street parking spaces around the perimeter of a site, and that it will not remove or reduce the number of on-street parking spaces around the perimeter of a site whether at the request of the developer or a tenant or otherwise. Accordingly, the developer agrees that it shall notify tenants of the aforesaid policy prior to execution of any lease with a tenant.

Phasing Plan

70. Intentionally Omitted.

Enclosure of Balconies

71. The developer agrees that no balconies, other than those identified in the approved site plan, shall be enclosed. Enclosure of any additional balconies shall constitute additional gross floor area and shall require a site plan amendment.

72. **Green Building Credits and Sustainable Design Elements**

- a. The developer agrees to include a LEED[®] Accredited Professional (LEED-AP) as a member of the design and construction team. The team will incorporate sustainable design elements and innovative technologies into the project so that numerous project components will earn the developer points under the U.S. Green Building Council's LEED green building rating system. Specifically, the developer agrees to meet the requirements for all LEED Prerequisites and achieve at least the number of LEED credits necessary to achieve LEED certification at the Silver level, including at least four (4) points from LEED *EA credit 1.3, Optimize Energy Performance*, using the LEED for Homes Mid-Rise green building rating system.

b. **Shell & Core CO**

- (1) For residential units, the developer agrees that any of the following types of appliances, fixtures, and/or building components initially installed in the project shall have earned the U.S. EPA's ENERGY STAR label (or an equivalent as approved by the County Manager or his/her designee): clothes washers, dishwashers, refrigerators, and ceiling fans.

Residential units will comply with the EPA's Advanced Lighting Package (or equivalent as approved by the County Manager or his/her designee). The developer shall submit to the County Manager (or designee) documentation confirming all ENERGY STAR-qualified components prior to issuance of the Shell and Core Certificate of Occupancy.

- (2) For residential units, the developer agrees that all the following fixtures initially installed in the project shall have earned the U.S. EPA's WaterSense label (or an equivalent as approved by the County Manager or his/her designee): toilets, showerheads, and bathroom sink faucets. The developer shall submit to the County Manager a documentation confirming all WaterSense-qualified components prior to issuance of the Shell and Core Certificate of Occupancy.

- c. **First Partial CO** - The developer agrees to submit documentation to the County Manager (or his/her designee) verifying that the prerequisites and credits needed to earn the above specified LEED certification have been included in the project. A site visit to verify LEED components will be accommodated as requested by staff.

- d. **Report Submittals** - The developer further agrees to submit to the Department of Environmental Services (DES) (with notification of submission to the Zoning Office), reports prepared by the LEED-AP and documentation upon request to substantiate the report. Such reports will be submitted prior to the issuance of the following permits or certificates of occupancy for construction of the project and will summarize the efforts to date of the inclusion of the sustainable elements within the project:

- (1) Demolition, Clearing & Grading Permit
- (2) Excavation/Sheeting & Shoring Permit
- (3) Above-Grade Building Permit
- (4) Shell and Core Certificate of Occupancy
- (5) Partial Certificate of Occupancy for occupancy of the last floor of space
- (6) Master Certificate of Occupancy

- e. The developer agrees to provide certification by a LEED-AP within ninety (90) days after the issuance of the first certificate of occupancy for any part of the last floor of building. The certification shall state that all of the LEED prerequisites and credits, as set forth above in the reporting mechanisms, have been

incorporated into the respective building and that, in the professional's opinion, the project will qualify for at least a LEED Silver Certification as outlined in the **LEED for Home Midrise** rating system, or more recent version at the discretion of the developer. The developer also agrees to submit all appropriate documentation to the USGBC (or their designee) for review and evaluation for LEED certification.

- f. Prior to the issuance of the first certificate of occupancy for tenancy, the developer agrees to provide to the County financial security (in the form of a bond or letter of credit or other form approved by the County Attorney) in the amount of \$588,640 [(\$40 per s.f.) x (14,716 s.f. of average LEED bonus density)] guaranteeing that, within twenty-four (24) months from the date of the issuance of the first certificate of occupancy for any part of the last floor of the building, the developer will have received from the U.S. Green Building Council its LEED Silver certification. If the total number of LEED points earned during certification is less than the number of points required to achieve the agreed upon LEED certification level, the developer shall automatically forfeit a percentage of the financial security as follows:

Points missed	Percentage of financial security forfeited
2	25%
3	50%
5	75%

The forfeited amount shall be paid to the County within 30 days of notification from the USGBC. The developer agrees that the County may take any amounts due under the condition out of the financial security as deposited with the County. For each building, should the developer miss six (6) points or more points, within the twenty-four (24) month period, (unless due to delay solely related to USGBC) the developer shall automatically forfeit 100 percent (100%) of the security. The forfeited amount shall be paid to the County within 30 days of notification from the USGBC . Should the developer earn only (3) points under *EA credit 1.3, Optimize Energy Performance* the developer shall automatically forfeit twenty-five percent (25%) of the security. Should the developer earn only two (2) points under *EA credit 1.3, Optimize Energy Performance* the developer shall automatically forfeit fifty (50%) of the security. The developer agrees that the County may take any amount due under the condition out of the financial security as deposited with the County.

- g. The developer agrees to permit the County Manager or his designee to access the USGBC records for the project, and to provide the County Manager with such authorization as may be necessary to allow such access. Should there be a dispute between the County and the developer as to whether any sustainable element has properly been included in the development so as to qualify for the applicable number of LEED rating system points, the County and the developer will select a

mutually agreeable third-party LEED-accredited individual, or other person with substantial experience in the LEED system as approved by the County Manager, and accept the determination of that individual as to whether the developer has qualified for those points. If the third-party person determines that the sustainable element has properly been included, the County will issue the permit. Such a determination shall in no way relieve the developer of the obligation to achieve the level of certification called for in this condition.

Public Use and Access Easements

73. Intentionally Omitted.

Refuse Delivery to County Disposal Facility

74. The developer agrees to deliver all refuse, as defined by the Arlington County Code, to an operating refuse disposal facility designated by the County Manager. Any facility designated by the County Manager will have competitive rates at or below other facilities in the region otherwise available to the developer. The developer agrees that if it intends to deliver its refuse from this project to a facility other than the disposal facility designated by the County Manager, then the developer will submit that decision in writing to the DES Solid Waste Bureau along with a comprehensive cost analysis justifying the developer's decision. The developer further agrees to stipulate in any future lease or property sale agreements and deeds that all tenants or property owners shall also comply with this requirement for the life of the site plan.

Towing of Impermissibly Parked Vehicles

75. The developer agrees to have, as a part of its parking management plan, provisions relating to the towing of impermissibly parked vehicles. Such provisions shall include, but not be limited to:
- a. Requirements for signage at the developer's parking lot(s) providing notice of all applicable parking restrictions enforced by towing, the location of the towing contractor(s)' impoundment yard, and the name and telephone number of the developer's on-site representative responsible for towing-related complaints, as well as the telephone number of the Arlington County Office of Citizen and Consumer Affairs;
 - b. Disclosure by the developer and its towing contractor(s), at the developer's parking lot(s), of all fees and charges for towing; and
 - c. Evidence that the developer has a contract with the towing contractor that requires the towing contractor to clearly display all fees and charges for towing.

Speed Bumps at Garage Exit Ramps

76. The developer agrees to install speed bumps adjacent to the top of garage exit ramps at locations where ramps abut the pedestrian sidewalk, in order to slow vehicular traffic prior to vehicles crossing the sidewalk. The locations of the speed bumps shall be shown

on the site engineering and building plans approved by the County Manager. The garage doors shall be setback from the sidewalk a minimum distance of six (6) inches.

Authorization for Police to Enter Residential Parking Areas

77. The developer agrees to develop procedures, subject to approval of the County Manager, whereby uniformed Arlington County Police will be authorized to enter the parking areas for purposes of enforcing compliance with County ordinances and state laws applicable to resident's motor vehicles.

Public Safety Radio Communications

78. The developer agrees to install and maintain in operable condition, in a manner acceptable to the County Manager, an internal antenna/amplifier system that permits public safety radio communications to transmit in the 806-825 MHz frequency and to receive in the 851-870 MHz frequency from all areas within the building. The developer agrees to provide documentation in the approved electrical engineering drawings that adequate accommodations have been made in the building to meet this requirement.

Historic Building Deconstruction

79. ~~The developer agrees to develop and implement a plan, prior to the issuance of the Clearing and Grading or Demolition permit, for the salvage and recycling of building elements and materials from the existing building(s) proposed to be demolished in the event the site contains a building that is identified and/or surveyed by Arlington County's Historic Preservation Program. The developer agrees to contact and permit the staff of the Historic Preservation Program to inspect the property and the existing building(s) to identify those historic building elements and materials to be salvaged. Provisions for such salvage shall be incorporated into the plan. The developer agrees~~ The developer agrees to pay for a recycling contractor or other licensed contractor to have the identified building elements and materials that are marked for salvage to be recycled or salvaged, removed from the building and the site consistent with the inspection of the subject site by Historic Preservation Staff on May 7, 2010 and as documented in the attached memo from the Historic Preservation Coordinator to Staff dated May 12, 2010.

Fee Dedications and other Compensation in Exchange for Vacation(s)

80. Prior to the issuance of any Excavation, Sheeting and Shoring Permit for the Site Plan, the Developer agrees to dedicate, to the County, in fee simple, for public purposes, the underlying fee interest for the portion of Clarendon Boulevard within which the County currently has a Street and Utilities Easement, which portion is designated as "Area to be Dedicated for Public Purposes Area = 8,234 Sq. Ft" ("Clarendon Boulevard Dedication") on Sheet C4.2 of the attached 4.1 plans entitled "Preliminary Consolidation and Resubdivision Plat 1900 Wilson Blvd. Arlington County, Virginia" prepared by Bowman Consulting Group, Ltd., last revised May 12, 2010 ("Plan") and the 2,763 square foot parcel designated as Parcel "B", Area to be Dedicated for Public Purposes Area = 2,763 Sq. Ft. on the Plan ("Parcel B Dedication").

The Developer shall prepare, at its sole cost and expense, deed(s) of dedication and plat(s) of dedication for the Clarendon Boulevard Dedication and the Parcel B

Dedication, which deed(s) and plat(s) shall be subject to the review and written approval of the County Manager, as to substance, and the Arlington County Attorney, as to form. Prior to the issuance of any Excavation, Sheeting and Shoring Permit for the Site Plan, the deed(s) and plat(s) of dedication shall be recorded, by the Developer, among the land records of the Clerk of Court of Arlington County, Virginia.

In addition to any other ordinances of vacation or encroachment that may be required or necessary to build the Site Plan, prior to the issuance of an Excavation, Sheeting and Shoring permit for the development of the Site Plan, Developer agrees to obtain enactment of, and to comply with all conditions of,: A) an ordinance of vacation to vacate a portion of 17th Street North ("Street Vacation") as shown on a plat entitled "Plat Showing the Vacation of a Portion of 17th Street North (Deed Book K-4, Page 335) Arlington County, Virginia," dated December 15, 2008, prepared by Bowman Consulting, Ltd. ("Street Plat"); and B) an ordinance of vacation to vacate a portion of a 10' sanitary sewer easement ("Sewer Vacation") as shown on a plat entitled "Plat Showing the Vacation of a 10' Sanitary Sewer Easement of Lot 26 Washington View (Deed Book K-4, Page 335) Arlington County, Virginia," dated June 6, 2008 and last revised March 29, 2010 ("Sewer Plat") (collectively, "Ordinance(s) of Vacation"). Developer agrees that, among other things, the conditions of the Street Vacation shall, among other things, include, as compensation to the County: A) the Clarendon Boulevard Dedication; B) the Parcel B Dedication; C) either: i) construction of \$100,000 of improvements to Parcel B as set forth in condition #81 ("Improvements"); or ii) submittal of a bond, letter of credit or other form of security, acceptable to and approved by the County Manager, or designee, in the amount of \$100,000 to guarantee installation and construction of the Improvements; and D) relocation and/or replacement, at Developer's cost, of all utilities and appurtenant facilities located in the Street Vacation. Developer agrees that, among other things, the conditions of the Sewer Vacation shall include the requirement that the Developer relocate and/or replace the sanitary sewer line and all appurtenant facilities at Developer's cost.

Public Art & Public Right-of-Way Improvements (Parcel B "Triangle Parcel")

81. The developer agrees to: 1) construct and maintain \$100,000 of improvements (including landscape design fees and installation fees for a bus shelter pad on the site) to the 2,763 square foot parcel ("Parcel B") bounded by 16th Street N. and the future location of Clarendon Boulevard, as shown on the revised plans dated May 13, 2010, and approved by the County Board on June 12, 2010, ("Improvements") prior to the issuance of the first Certificate of Occupancy for Tenancy and to maintain such improvements, or 2) prior to the issuance of the excavation, sheeting, and shoring permit, the County may require a cash payment of \$100,000 less design fees and installation of a bus shelter pad to be paid within 60 days in lieu of construction of the Parcel B improvements.

Prior to the issuance of the first above grade building permit, the County may notify the developer to install other improvements on Parcel B in lieu of installing the Improvements, as long as the cost to the developer does not exceed \$100,000 less design fees and cost to install a bus shelter pad.

The developer agrees to contribute \$75,000 to the Public Art Fund, with \$25,000 due prior to the issuance of the excavation, sheeting, and shoring permit, and the remaining \$50,000 due prior to the issuance of the first above grade building permit for tenancy. If the contribution, or any part thereof, is made more than 12 months after site plan approval, the contribution amount shall be adjusted based on the percentage change in the Consumer Price Index-Urban (CPI-U) between the date of site plan approval and the first day of the month in which the contribution is made.

NSTA Private Alley Easement

82. Prior to the issuance of the Footing to Grade Permit for the site plan, the developer agrees to obtain and record among the land records of the Clerk of the Circuit Court of Arlington County, a permanent private easement (“Driveway Easement”) from the owner of the NSTA Project Site (SP #382), to the developer, running to the benefit of the developer and the tenants of the building(s) of the site plan, to provide for shared use of the existing approximately 23-foot wide driveway/alley, located on the abutting property, as depicted on sheet C-3B of the attached 4.1 plans, as such sheet is entitled “NSTA Garage Access Easement”, last revised on May 13, 2010. The Driveway Easement shall provide access, for the developer and tenants of the building(s) of the site plan, to the garage for the Site Plan. Prior to recordation of the Driveway Easement, the Developer further agrees to submit the deed for the Driveway Easement and all required plats to the County Manager for review and to obtain approval of the Deed(s) as to form and substance by the Arlington County Chief Building Code Official.

The Driveway Easement shall provide that it shall be terminated only when the site plan terminates, is extinguished, revoked or otherwise ends or when the site plan condition is amended by the County to eliminate the requirement for the Driveway Easement. Further, the Driveway Easement shall not be terminated without the approval of the Arlington County Chief Building Code Official.

Vents on Facades

83. The developer agrees that the vents on the facades will be painted the same color as the brick as shown on the revised plans dated May 13, 2010 and approved by the County Board on June 12, 2010.

ADA Power Door Openers

84. In addition to the regulations and requirements established with ADA Federal law, the developer agrees to install an electric eye or a power door opener for the main pedestrian residential entrances to the residential building. In addition, at the secure interior doors, the developer agrees that call boxes, if used, shall be mounted and measured at the lowest given height under the ADA with hands-free remote capability. The entrances to the lobby of the residential elevators from the first level of the parking garage will have automatic door openers. These items shall be installed and functional prior to issuance of any certificate of occupancy for tenancy of the building.

85. **Site Area Modifications – Land Exchange**

- a. Site Plan #411 includes approximately 3,069 sq. ft. of property (the "Elm Exchange Parcel") located on the east side of future Troy Street which is owned by the adjacent property owner to the west ("Elm") and which is governed by Site Plan #389 (the "Elm Site Plan").
- b. The developer and Elm desire to exchange the Elm Exchange Parcel for 3,922 sq. ft. of property (the "ZOM Exchange Parcel") located on the west side of future Troy Street currently owned by the developer and which is governed by this Site Plan # 411.
- c. In order to facilitate the exchange of properties, the following events are expected to occur: The County Board approves an amendment to the Elm Site Plan (the "Elm Exchange Site Plan Amendment") which adds the ZOM Exchange Parcel to the Elm Site Plan with condition language that mirrors this Condition #85; and closing on the exchange of parcels ("Exchange Closing"), as evidenced by the recording of deeds among the land records conveying the Elm Exchange Parcel to ZOM and the ZOM Exchange Parcel to Elm.
- d. If the County Board approves an amendment to Site Plan # 389 to permit such administrative change, the Zoning Administrator may approve an administrative change to adjust the site plan boundaries for Site Plan # 389 so that the Elm Exchange Parcel is no longer subject to Site Plan # 389. The Zoning Administrator may approve such administrative change upon finding that the Exchange Closing has occurred based on reasonable evidence presented by the Developer. In addition, if the Zoning Administrator makes such finding, the Zoning Administrator may approve an administrative change to adjust the boundaries (if needed) of this Site Plan # 411 so that the Zom Exchange Parcel is not included in Site Plan # 411.
- e. This Condition #85, shall have no bearing or effect on the right of the property owner(s) of the Elm Site Plan to proceed with construction of the Elm Site Plan.

GENERAL LAND USE PLAN RESOLUTION

WHEREAS, the County Board of Arlington County has been presented with proposed amendments to the General Land Use Plan (“GLUP”), a part of the County’s Comprehensive Plan, to change a designation from “Service Commercial” (Personal and business services. Generally one to four stories. Maximum 1.5 F.A.R. with special provisions within the Columbia Pike Special Revitalization District.) to “Medium” Office-Apartment-Hotel (up to 2.5 F.A.R. Office Density, up to 115 units/acre Apartment Density, up to 180 units/acre Hotel Density) for a property known as 1900 and 1916 Wilson Boulevard, generally located on the western part of the block in the area bounded by Wilson Boulevard, the proposed North Troy Street extension, Clarendon Boulevard and North Rhodes Streets and as shown on the attached map entitled GP-319-10-1 (“Property”); and

WHEREAS, the subject site has been studied as part of the Rosslyn to Courthouse Urban Design Study, and therefore no additional planning study is required pursuant to the County Board “Policy Statement Regarding Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts” adopted by the County Board in June of 2008; and

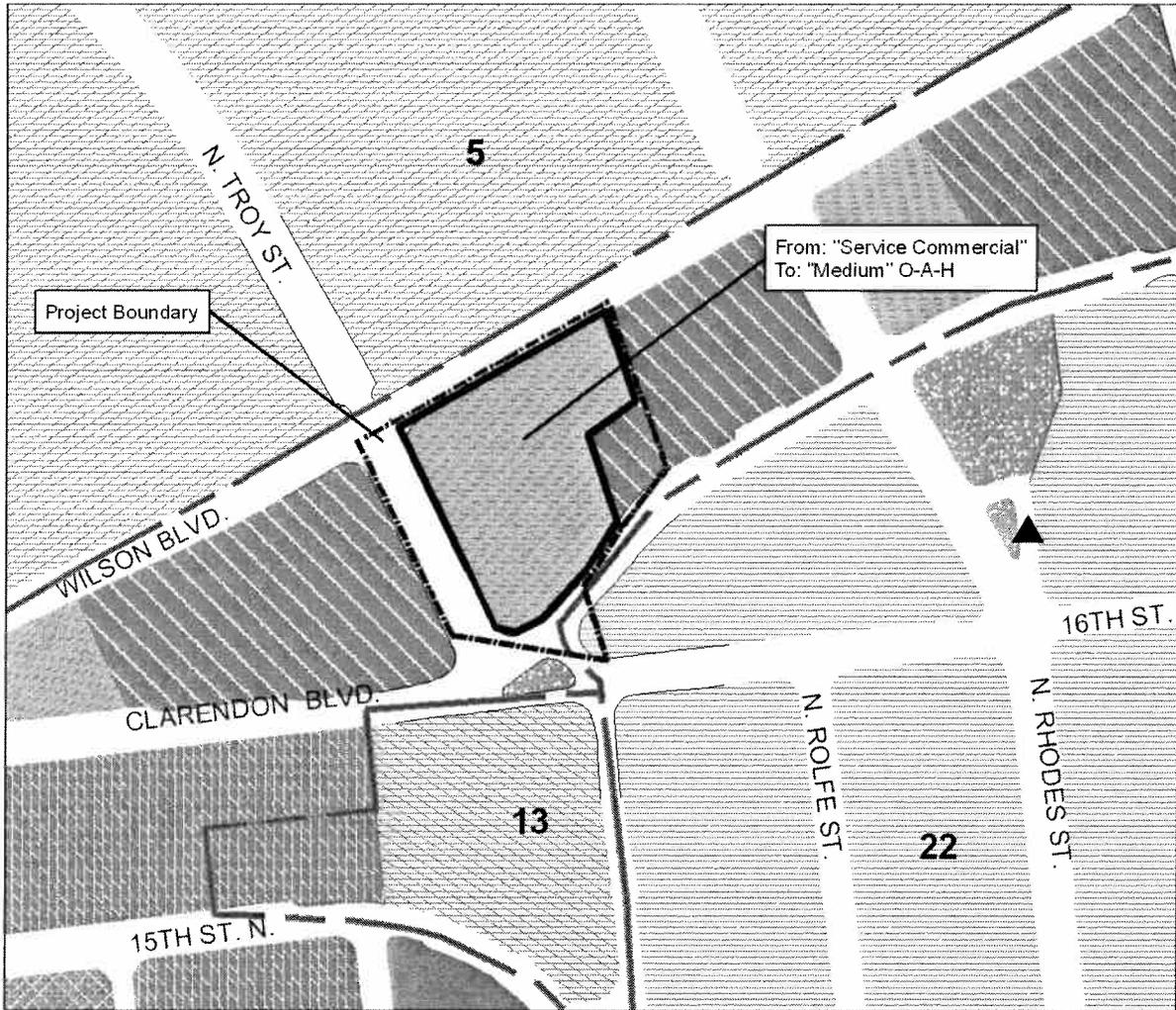
WHEREAS, the County Manager has recommended that the proposed amendment be approved; and

WHEREAS, the Planning Commission has recommended that the proposed amendment be approved; and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed amendments to the GLUP on June 12, 2010; and

WHEREAS, the County Board of Arlington County has considered the foregoing recommendations and the purposes of the GLUP and the Comprehensive Plan as set forth in these documents, the Arlington County Zoning Ordinance and the Code of Virginia.

NOW, THEREFORE, be it resolved that, based on the aforementioned considerations, deliberations and all public comments, the County Board of Arlington County finds that the proposed amendments to the GLUP should be, and hereby are, approved, designating the Property as “Medium” Office-Apartment-Hotel (Office up to 2.5 FAR; Apartment up to 115 units/acre; Hotel up to 180 units/acre).



**Recommendation: Approve
General Land Use Plan Amendment**

GP-319-10-1

Legend			
Land Use Category			
Residential	Commercial and Industrial	Mixed Use	Public and Semi-Public
<ul style="list-style-type: none"> Low-Medium Medium High-Medium High 	<ul style="list-style-type: none"> Service Commercial General Commercial 	<ul style="list-style-type: none"> High-Medium 	<ul style="list-style-type: none"> Public Government and Community Facilities Open Space
Notes:			
5. This area was designated a " Coordinated Preservation and Redevelopment District" on 4/23/77.			
13. These areas were designated a "Special Affordable Housing Protection District"; The Odyssey on 11/20/01;			
22. This area was designated the "Fort Myer Heights North Special District" on 4/16/06.			

ARLINGTON
VIRGINIA

Map prepared by Arlington County
GIS Mapping Center
This is not a legal document.
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Printed: April 2009

REZONING RESOLUTION

WHEREAS, the County Board of Arlington County (“County Board”) finds that ZOM 1900 Wilson, L.P. has requested a rezoning FROM “C-2” Service Commercial – Community Business Districts and “RA8-18” Apartment Dwelling Districts TO “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts of property located at 1900 Wilson Boulevard (RPC # 17-011-006, -007, -008, -017, -018) (“Property”); and

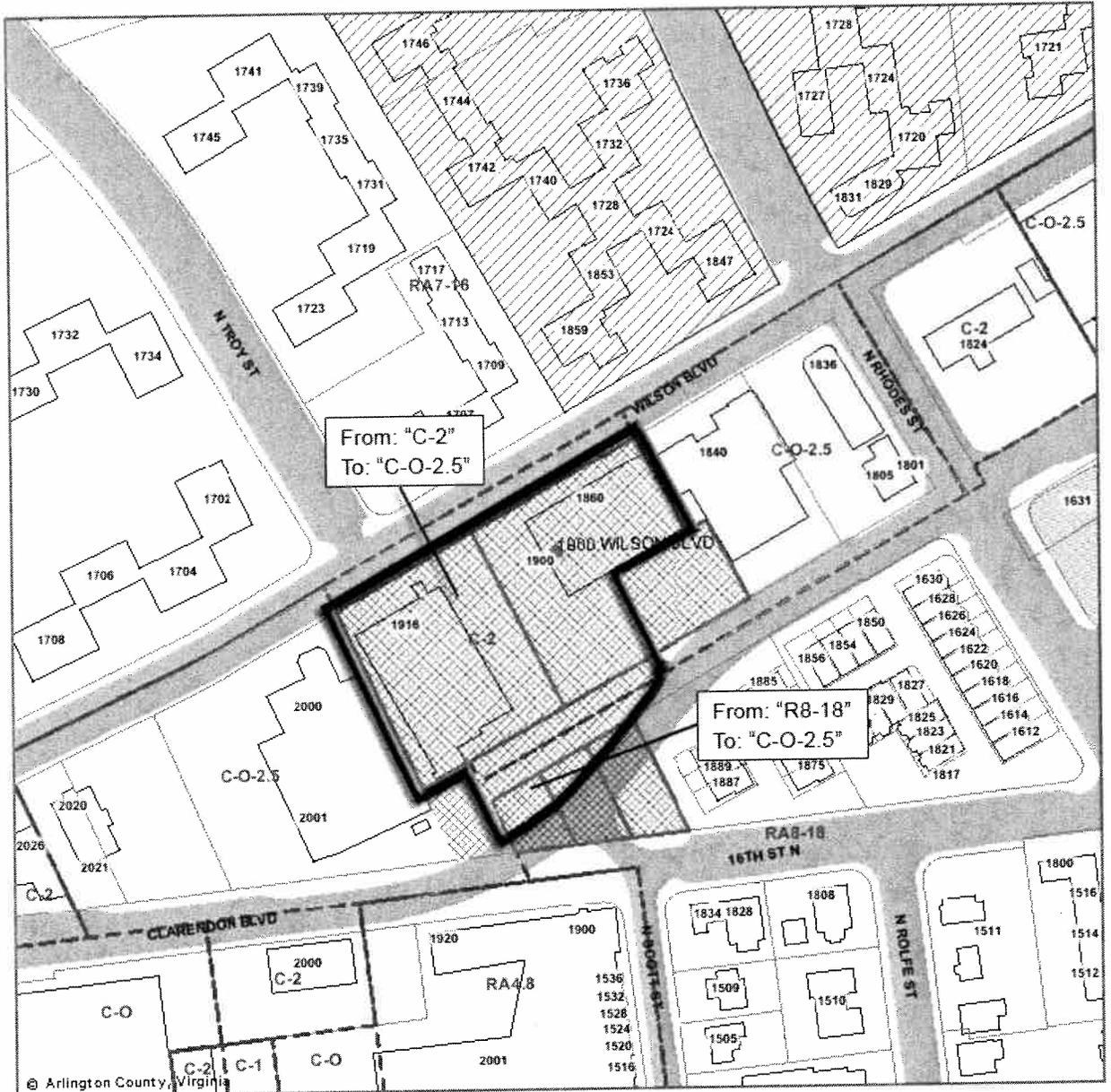
WHEREAS, the County Board finds that the rezoning to “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts will be consistent with the General Land Use Plan Designation for the Property; and

WHEREAS, the County Board finds that the rezoning to “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts will achieve goals and objectives set forth in the Courthouse Metro Station Area Land Use and Zoning guidelines; and

WHEREAS, the County Board finds that the rezoning to “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts is required by public necessity, convenience, general welfare, and good zoning practice; and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed rezoning on June 12, 2010.

NOW THEREFORE, be it resolved, that the Property located at 1900 Wilson Boulevard (RPC # 17-011-006, -007, -008, -017, -018) is hereby rezoned FROM “C-2” Service Commercial – Community Business Districts and “RA8-18” Apartment Dwelling Units TO “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts, as shown on the attached map (Z-2547-09-1).



SP#411
 1900 and 1916 Wilson Boulevard
 RPC: 17-001-006, -007, -008, -017, -018, and -019

 Portions of site impacted by rezoning to "C-O-2.5"

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

Department of Community Planning, Housing and Development


 Not To Scale

 Case Location(s)

Planning Division

Attachment A
County Board Policy Statement
Regarding
Consideration of General Land Use Plan Amendments
Unanticipated by Previous Planning Efforts

1. Arlington County has a longstanding tradition of carefully planning for growth and development in the County as set forth in various planning policies and documents including in particular the comprehensive plan, the general land use plan (GLUP), and associated documents such as sector plans, area plans, and other planning studies.
2. These planning policies and documents establish a framework for land use decision making and provide predictability to landowners, developers, and the community about the nature and scope of future growth and development on sites throughout the County.
3. While these planning policies and documents fall within the exclusive legislative authority of the County Board, landowners are free to request changes to them, particularly amendments to the GLUP, to accommodate development of their property. However, the County Board is not required to grant such requests, and is particularly unlikely to do so when the property has not been the subject of planning studies conducted outside the context of a specific development application with an opportunity to objectively assess the implications of the proposed changes and whether they comport with the County's long term planning principles and goals.
4. Amending the GLUP without fully identifying the range of issues associated with the proposed change, understanding whether it comports with the County's long term planning goals and principles, and obtaining full input from the Board's advisory commissions and the community, disserves, and may result in decisions contrary to, the County's planning principles and policies.
5. In light of the foregoing, the County Board expresses its intent, and directs the County Manager accordingly, that a proposed GLUP amendment for any site not identified in a County Board adopted planning study as appropriate for such a GLUP amendment will not be considered until such a planning study or analysis has been completed and presented to the County Board.

PREVIOUS COUNTY BOARD ACTIONS

- | | |
|--------------|---|
| May 20, 1995 | Approved U-2835-95-1 use permit for a comprehensive sign plan for Hollywood Video with a review in one year. |
| May 11, 1996 | Renewal of U-2835-95-1 use permit for a comprehensive sign plan for Hollywood Video with no further review. |
| May 22, 2010 | Deferred consideration of the GLUP Amendment, Rezoning, Vacation and site plan request to the June 12, 2010 County Board meeting. |



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT
Neighborhood Services Division

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MEMORANDUM

TO: Samia Byrd

Michael Leventhal, Historic Preservation

FROM: Coordinator

DATE: May 12, 2010

SUBJECT: 1900 and 1916 Wilson Blvd.

Last Friday morning (May 7, 2010) I met with Erica Byrd and the property owner of 1900 and 1916 Wilson Blvd. to inspect both buildings and note any historic elements, artifacts or materials that needed to be salvaged as well as building materials that needed to be recycled.

The building at 1900 Wilson Blvd. is a simple rectilinear masonry building of painted brick and a flat roof. On the Wilson Blvd elevation are large 3-part bays of single fixed glass windows with full length transom of 3-course glass block broken by several wood sash windows displaying 6 narrow vertical lites and a recessed entrance. On the elevation facing out to Clarendon Blvd. are simple grid bays with large sheet glass at the SW corner, an entrance surrounded by glass sidelights and transom, and a row of single glass fixed window down the side of the building. The interior is basically one open space, sparse of decorative treatment and totally utilitarian. The building was built c. 1941. Upon inspecting the complete exterior and interior of the building there are no historic building elements or historic materials in or on the building. The building materials are all of modern dating and as such, save for any hazardous elements like asbestos, the rest should be recycled as best as can be handled. For example, the masonry can be crushed; metals to salvage yards; shelving to jobbers; etc.

The building at 1916 Wilson Blvd., built c. 1940, is a simple 3 story brick building with relatively new fixed glass windows. There are two interesting design aspects to the building on the front (Wilson Blvd.) façade – the use of angled bricks to create a series of brick fluted columns that go run from the second and third stories; and the use of glass block between two sets of these angled brick breaks. While an interesting use of common elements to create some formal design on an otherwise very plain and unadorned building, these design elements are only worthy of recycling, not salvage. The materials of the building – interior and exterior – do not possess any historic building elements or materials. The building materials are all of modern dating and as such, save for any hazardous elements like asbestos, the rest should be recycled as best as can be handled. For example, the masonry can be crushed; metals to salvage yards; etc.