



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of September 25, 2010**

DATE: September 14, 2010

SUBJECT: SP #405 SITE PLAN AMENDMENT to amend Conditions #16 (planting of street trees), 35 (recording of public easements and dedications), 36 (plat of excavated area), 45 (wall check survey), and 68 (LEED sustainable design elements); located at 4349 North Pershing Drive (RPC #20-024-240, -241, -242, -243, and -244)

Applicant:

Paradigm Development Company

By:

Micheline Castan-Smith
Paradigm Development Company
1415 North Taft Street, Suite 100
Arlington, VA 22201

C.M. RECOMMENDATION:

Approve the Site Plan Amendment request subject to all previously approved conditions and amended Conditions #16, 35, 36, 45, and 68.

ISSUES: This is a site plan amendment request to modify the language of Site Plan Conditions #16, 35, 36, 45 and 68. There are no issues associated with the request.

SUMMARY: A site plan amendment is requested for Buckingham Village 1 to amend Conditions #16, 35, 36, 45 and 68. The applicant is requesting that modifications be made to address potential construction phasing and timing concerns. In addition, modifications to the LEED condition (#68) have been made to address current Energy Star and commercial lighting requirements. The proposed modifications primarily bring the conditions up to date with current standard requirements, which also, in some instances, provide greater flexibility and/or refinement of requirements. The proposed changes are consistent with current County policy and standards and retain the spirit and intent of the project as approved. Therefore, staff recommends that the site plan amendment be approved subject to all previously approved conditions and modifications to Conditions #16, 35, 36, 45 and 68.

County Manager:

MB GA

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Staff: Freida Wray, Planning Division, DCPHD

PLA-5677

BACKGROUND: This site plan, Buckingham Village 1, was approved by the County Board on June 9, 2007. It includes two multi-family residential buildings (A & B) containing a total of 506 units, of which 100 are affordable dwelling units, and 68 townhouse units. Construction on Building A, which contains the affordable dwellings, is complete and the building is occupied. Building B will be the next phase of construction, which will begin in the next few months.

The following is additional information about the property and site.

Site: The property, Village 1, is located in the Buckingham Village community. Village 1 is bounded by North Henderson Road, North George Mason Drive, North Pershing Drive and the Culpepper Garden development to the southwest.

To the north: To the northwest across N. Henderson Road, Barrett Elementary School. To the northeast, across George Mason Drive, Village 2, a by-right townhouse development, and the George Mason Apartments.

To the west: Contiguous to the southwest, Culpepper Garden elderly residential facility. Further southwest across N. Henderson Road, a single family neighborhood within the Arlington Forest civic association boundaries.

To the east: To the northeast, across North George Mason Drive, Village 2, a by-right townhouse development, and the George Mason Apartments. To the southeast, across North George Mason Drive, Village 3.

To the south: Across Pershing Drive, to the southeast, the Arlington Oaks Condominiums.

Zoning: The site is zoned "RA8-18" Apartment Dwelling Districts.

Land Use: The site is designated on the GLUP as "Low-Medium" Residential (16-36 units/acre).

Neighborhood: This site is located within the Buckingham Community Civic Association. Civic association representatives have been contacted and as of the date of this report, no issues have been raised by the civic association regarding this site plan amendment request.

DISCUSSION: The applicant requests to modify a number of conditions in order to primarily address potential construction phasing concerns. Staff is also recommending that the LEED condition be amended to bring it up to current requirements. The modification to Condition #16 would provide the flexibility necessary to allow the Zoning Administrator to approve the planting of street trees based on the planting season and the availability of species. The modification to Condition #35 would change the timing and make current the requirements for submission and approval of all required plats, deeds of conveyance, public deeds of easement and deeds of dedication. The modification to Condition #36 would make current the

requirements for submission and approval of the plat of excavated area, which also provides additional flexibility to allow the site to be excavated in phases while construction continues. The modification to Condition #45 would make current and clarifies the requirements for submission and approval of two wall check surveys. The modification to Condition #68 would make current the requirements for the LEED sustainable design elements, including Energy Star appliances/fixtures and commercial lighting in the common areas.

CONCLUSION: The proposed changes to Conditions #16, 35, 36, 45 and 68, would, in effect, bring them up to date with current requirements. The applicant has agreed to the changes. The proposed modifications to condition language maintain the spirit and intent of the approved site plan. Therefore, staff recommends that the site plan amendment be approved, subject to all previously approved conditions and the following modifications to Conditions #16, 35, 36, 45 and 68:

Landscape Standards

- 16. The developer agrees that all landscaping shall conform to Division of Transportation 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 coordinate with the DPRCR urban Forester to determine an appropriate and acceptable season in which to conduct planting. Planting is to occur during a season so as to best ensure the viability of the plantings. In addition, the developer agrees to plant trees prior to issuance of the first Certificate of Occupancy Permit~~ 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 #37).

- 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 of drainage material or a drainage board 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.
- h. 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.

Recordation of Public Easements and Dedications

35. Except as otherwise provided for in these conditions, the developer agrees that, for each phase, as phase is defined in the phasing plan required in Condition #66, Aall required plats, deeds of conveyance, public deeds of easement and deeds of dedication 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 to the ~~Division of Transportation~~ Department of Environmental Services for review and approval prior to the issuance of the Excavation/Sheeting and Shoring Permit for such phase; and b) be approved by the County and recorded by the developer, among the land records of the Clerk of the Circuit Court of Arlington County, by the developer before the issuance of

the Final Building Permit first Partial Certificate of Occupancy for tenant occupancy of the building(s) or any portion thereof for such phase. The developer agrees that there shall be no building construction within the easement area unless the Deed of Easement so provides. Dedications granted by the developer to the County, and acquisitions by the County, for street and public right of way purposes and improvements shall be dedicated and conveyed in fee simple to the County, free and clear of all liens and encumbrances, unless specifically permitted by the applicable Agreement of Sale for Buckingham Villages 1 and 3, respectfully. Dedications granted by the developer for improvements, including, but not limited to, sidewalks, street trees, other streetscape plantings, and water, storm sewer, sanitary sewer, and other utilities, may be dedicated by easement to the County.

Plat of Excavated Area

36. 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.

Wall Check Survey

45. 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.

LEED Credits and Sustainable Design Elements

68. The developer agrees to hire a LEED certified consultant as a member of the design and construction team. The consultant shall work with the team to incorporate sustainable design elements and innovative technologies into the project so that numerous building components may earn the developer points under the U.S. Green Building Council's system for LEED certification. Specifically, the developer agrees to include sustainable elements in design and construction that are sufficient to meet the requirements for seven

(7) LEED Prerequisites and include at least 20 LEED credits. The developer agrees to use commercially reasonable efforts to achieve additional LEED points.

For residential development, the developer agrees that all of the following types of appliances, fixtures, and/or building components used in the project shall have earned the U.S. EPA's Energy Star label: clothes washers, dishwashers, refrigerators, and ceiling fans, ventilation fans (including kitchen and bathroom fans), light fixtures (halls and common areas), and exit signs. To further enhance energy efficiency, the developer shall install exit signs with LED bulbs or photoluminescent material and choose two of the types of components listed and all of those two types of components installed or used in the project shall be Energy Star qualified: programmable thermostats (in all residential units. The developer agrees to provide each household with an easy-to-read instruction guide designed to help residents maximize energy savings with the installed programmable thermostat. In addition, the developer shall choose and install one of the following Energy Star qualified components in all residential units:); residential light fixtures; windows and doors; and HVAC systems.

For the commercial lighting in the common areas of the multi-family residential projects (by way of illustration and not limitation, these areas include lobbies, corridors, stairwells, common rooms, fitness rooms, etc.), the developer shall reduce the need for lighting (through daylighting where possible) and shall specify the use of energy efficient fixtures, bulbs, light sensors, motion sensors, timers, and interior design, e.g., paint color that maximize energy efficiency in lighting. The guidelines outlined by the USGBC's LEED for Commercial Interiors (LEED-CI) credit entitled *Optimizing Energy Performance: Lighting Power* (or equivalent as approved by the County Manager) shall be used to achieve the minimum LEED-CI EAc1.1 of >15% reduction in the common areas.

The developer shall submit to the County Manager a statement listing all Energy Star qualified components prior to issuance of the Core and Shell Certificate of Occupancy.

PREVIOUS COUNTY BOARD ACTIONS:

June 1946

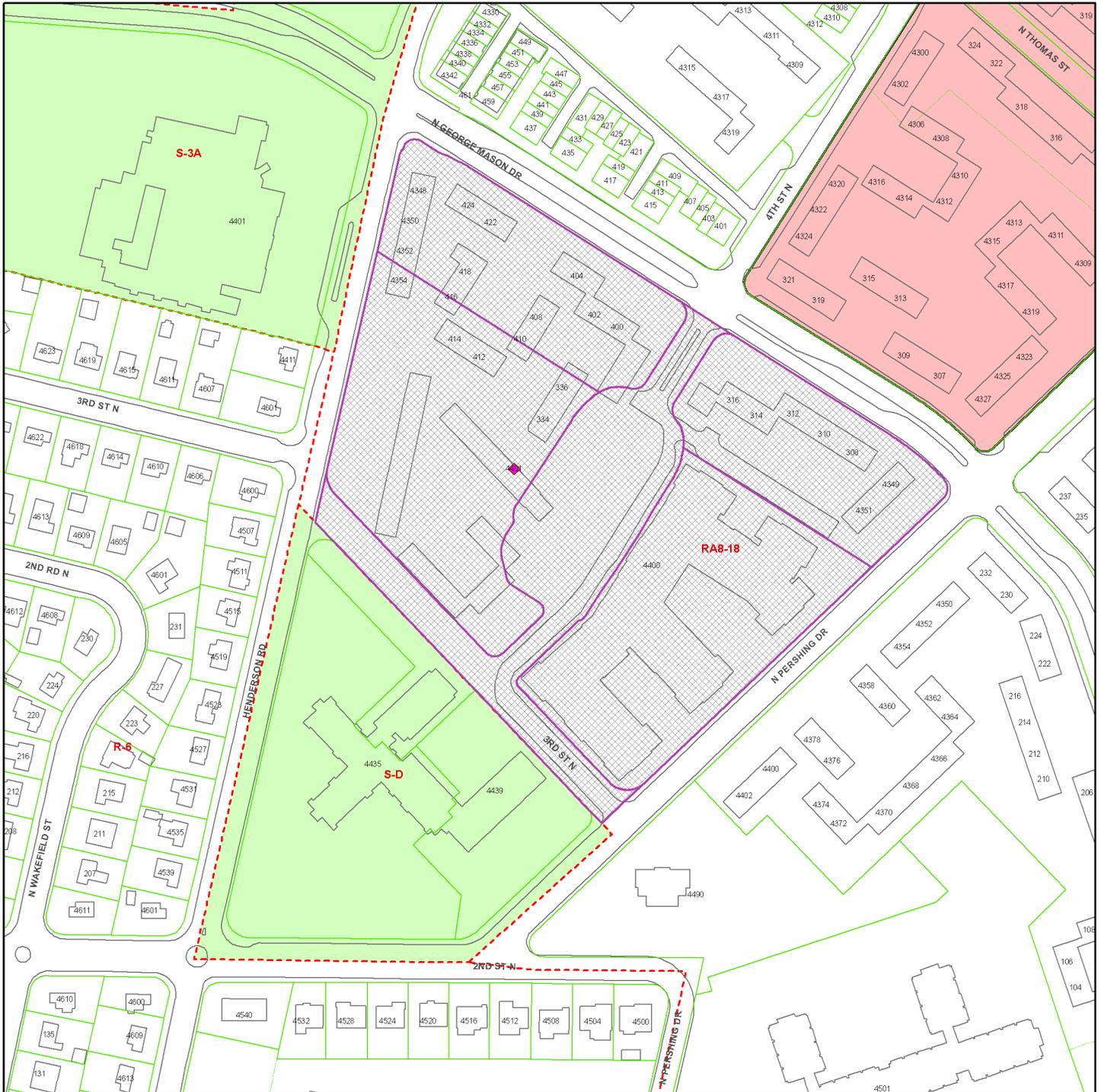
Approved a rezoning for part of the Village 1 site (Howell property) from “R-6” to “RA8-18”, except for the first 110 feet fronting on North Henderson Road.

June 9, 2007

Approved an amendment to the Comprehensive Plan-Master Transportation Plan-Part I to add new sections of 3rd Street North between North Pershing Drive and North Henderson Road and 4th Street North between George Mason Drive and the proposed new section of 3rd Street North.

Adopted a resolution to approve a rezoning for Village 1 from “R-6” One Family Dwelling Districts to “RA8-18” Apartment Dwelling Districts.

Approved a site plan for Village 1 for 574 apartment and townhouse units, including 100 committed affordable dwelling units.



SP#405

at 4401 4th Street North and 4349 North Pershing Drive

RPC#20-024-240, -241, -242, -243, and -244



 Case
 Location(s)
 Scale: 1:2,400

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

Planning Division