



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of September 25, 2010

SUPPLEMENTAL REPORT – REVISED CONDITIONS

DATE: September 22, 2010

SUBJECT: PDSP #161 PHASED DEVELOPMENT SITE PLAN AMENDMENT /SP-8 PLAN for an increase in residential gross floor area with landscaping, accessibility and other site improvements, with modifications of setback, parking and other modifications as may be necessary, located at 1702, 1704, 1706, 1708, 1714, 1716, 1718, 1720, 1722, 1724, 1726, 1728, 1730, 1732 and 1734 N. Troy St. and 2101, 2103, 2105, 2107, 2109, 2113, 2115 18th St. N. (RPC: 16-030027 and 16-026-505).

DISCUSSION: This supplemental report provides additional information regarding the community process that the Colonial Village “bump-out” renovation and Affordable Housing Investment Fund (AHIF) application have been subject to. In addition, this report includes revisions to SP-8 conditions 3.a, 4.b and 38.d.

Community Process:

Planning Commission: On September 13, 2010, the Planning Commission voted 9-1 to recommend approval of the subject PDSP amendment and SP-8 applications. The following motion was passed by the Planning Commission:

Approve the PDSP amendment and final site plan subject to the conditions in the staff report, and also recommend that that the County Board direct the County Manager to report back within the next two months detailing the process and staffing by which staff review and assure compliance with all accessibility standards in approved site plans.

Staff Response: Following the Planning Commission meeting, staff discussed issues related to accessible units in association with site plan projects. For accessibility purposes, standard site plan projects that do not involve Affordable Housing Investment Fund (AHIF) or Low Income Housing Tax Credit (LIHTC) funding are subject only to the requirements of the Virginia Uniform Statewide Building Code (VUSBC). Staff concludes that accessible units

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County Attorney: CUTM/GM

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should be committed to be constructed in accordance with the applicable provisions of the VUSBC and that site plan conditions should not be specific as to the type of features provided in each accessible unit, as it is more appropriate to address this issue during the building permit phase. Staff has expressed a concern that site plan conditions could potentially be written to require specific accessible features that may be incompatible with then-current provisions of the VUSBC at the time of building permit review. To avoid requiring subsequent site plan amendments to address this issue, staff recommends avoiding inclusion of specific accessibility features in site plan conditions.

That issue is not a direct concern for this site plan project, as it is being funded by LIHTC and a proposed AHIF loan, both of which can require additional accessible units and features beyond what is prescribed in the building code. In the case of this project, the applicant agreed in its application for Low Income Housing Tax Credits to provide 10% (or 17 units) as fully accessible units. Per Virginia Housing Development Authority (VHDA) requirements, all of these accessible units will include roll-in showers and roll under sinks, which is greater than that required by the building code. In addition, and since this project will be funded by LIHTC and a proposed AHIF loan, VHDA's construction inspectors will monitor the construction to ensure these higher standards are met, which go well beyond what is required under the building code.

As a point of clarification, the purpose of site plan Condition #38 is for the applicant to agree to execute an AHIF Agreement (prior to the issuance of the first Building Permit) that incorporates all of the loan terms and conditions set forth in the AHIF County Board report, including but not limited to the sections of Condition #38a-f then described.

Housing Commission: The Housing Commission recommended approval of the applicant's AHIF application on September 16, 2010.

SP-8 Conditions: Condition 3.a has been revised to comply with the requirements of the Chesapeake Bay Preservation Ordinance, Condition 4.b has been revised to reflect the phased development approach the applicant proposes to pursue, Condition 33 has been revised to provide a time limit for the removal of snow or ice internal to the site, and Condition 38.d has been revised to clarify that the accessible affordable units will be comprised of one- and two-bedroom models. The revised conditions are as follows:

3.a (Tree Protection and Replacement)

The developer agrees to complete a tree survey, which shows existing conditions of the area subject to this site plan and locates and identifies all trees which are three (3) ~~four (4)~~ inches in diameter or greater. The survey shall include any tree on adjacent sites whose dripline extends onto the area subject to this site plan.

4.b (Photographic Record of Development)

Site Clearance (shall be submitted before issuance of the initial Certificate of Occupancy Permit for the ~~project~~ respective phase of construction)—Views of cleared portions of the

site facing north, south, east and west, as location permits, with adjacent buildings and streets included.

33 (Snow Removal)

The developer or owner agrees to remove snow or ice from all interior streets and sidewalks within forty-eight (48) hours of the cessation of such snow fall or freezing-a reasonable time after snow has stopped falling but in no case later than snow removal provided to permit for the purpose to provide safe vehicular and pedestrian access throughout the site.

38.d (Affordable Housing)

Accessible Units: The developer agrees to provide and maintain a minimum of 17 of the affordable units as Type A Units under standards described in the Virginia Uniform Statewide Building Code. The applicant agrees that these accessible units shall consist of one- and two-bedroom units and to diligently market these accessible units according to the applicant's Affirmative Marketing Plan.