



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 9, 2011**

DATE: June 23, 2011

SUBJECT: U-2985-00-1 USE PERMIT REVIEW for educational program and parking at the Thurgood Marshall building; located at 2847 Wilson Blvd. (RPC# 15-065-019).

Applicant:

Arlington Public Schools
2770 S. Taylor St.
Arlington Virginia 22206

C.M. RECOMMENDATION:

Renew the use permit, subject to the new Condition #14 of the staff report, with no further scheduled County Board review.

ISSUES: This is a one (1) year review of a use permit for an educational program located at the Thurgood Marshall building in Clarendon, and no issues have been identified.

SUMMARY: The educational use has been in operation since 2000, and the parking use since 2004. Condition #14 requires the applicant, Arlington Public Schools (APS), to secure a parking operator for public parking on the "C-3" zoned portion of the site (the remainder of the parking lot is zoned "R-5" and operates as a transitional lot under two (2) separate use permits). Public parking was provided for approximately one (1) year in 2008, but the provider ceased operation due to lack of economic feasibility. The use permit was renewed in July 2010 for one (1) year to examine whether public parking would become feasible at the site given the impending move of the County Department of Human Services (DHS) from the Hartford Building, and free parking no longer being available at that location. Staff spoke with the owner of Federal Parking, the operator who provided public parking at the site from 2005 to 2008, who indicated that public parking continues to be not feasible at the site, even given increased demand due to free parking no longer being available close to the site. As a result, staff is recommending a modification to Condition #14 to no longer require APS to provide public parking on the site due to its infeasibility. Instead, APS has agreed to a new condition requiring that the "C-3" portion of the

County Manager:

BMD/GA

Staff: Matthew Pfeiffer, DCPHD, Planning Division
Dolores Kinney, DES, Transportation Division
Sarah Stott, DES, County Parking Manager

14.

PLA-5925

lot be used for parking for a future managed parking service in Clarendon, should one be facilitated by the County or requested by a private operator. As a specific plan for managed parking is not contemplated at this time, staff is recommending that when such a plan is developed a Memorandum of Understanding (MOU) for the specific details of managed parking would be agreed upon by APS and the County. APS has agreed to this modification of Condition #14. Therefore, staff recommends renewal of the use permit subject to the modified Condition #14 of the staff report, and with no further scheduled County Board review.

BACKGROUND: The New Directions Program, based at this location, is a specialized program for high school students who require additional academic or vocational training and counseling. The program offers an alternative structured curriculum for high school students with academic challenges and provides them the opportunity to earn academic credits toward a high school diploma. The subject use permit for this educational program was approved by the County Board in July 2000. In September 2004, the County Board approved a use permit amendment to increase maximum student enrollment to 35 students. The County Board further required that the County Manager, in consultation with Arlington Public Schools (APS), develop a Memorandum of Understanding and an on-site public parking management plan to allow parking for the “C-3” zoned portion of the parking lot. In consultation with the community, an on-site parking management plan was developed and approved by the County Board on January 18, 2005. Federal Parking was contracted to operate the facility and commenced the public parking use on December 1, 2005. In the July 2010 County Board review staff reported that Federal Parking had ceased to provide public parking at the site because it was economically infeasible due to operational costs, lack of demand, and the small supply of parking (only 25 spaces). Given the imminent relocation of DHS from the Hartford Building (located two (2) blocks from the Thurgood Marshall site) and loss of free public parking, the County Board renewed the use permit for one (1) year in order to reexamine the demand for public parking at this location.

DISCUSSION: (Since the last County Board review, July 11, 2010):

Use Permit Conditions: The applicant is compliant with all use permit conditions, with the exception of Condition #14, and there are no issues with the educational use. Condition #14 requires APS to provide attended public parking; the use was provided but ceased due to economic infeasibility. Staff is recommending the deletion of that requirement.

Community Code Enforcement: There are no code enforcement issues related to the educational or parking uses on site.

Civic Association: The site is located in the Lyon Village Civic Association. The Lyon Village Civic Association has commented to staff that they support the deletion of the requirement for APS to provide public parking. In addition, staff contacted the Clarendon Alliance. The Clarendon Alliance members have commented that they support a future managed parking use at this site. The Clarendon-Courthouse Civic Association received notice of this review, and has expressed to staff that they continue to value the school program and continue to support a prospective parking operation in some form at this site.

CONCLUSION: There are no issues related to the educational uses on site; however the public

parking use required by Condition #14 has ceased to operate. Staff has determined that public parking is not an economically feasible use at this site and recommends that Condition #14 be amended to delete the requirement for attended public parking. However, staff recommends that a parking use continue on the “C-3” portion of the site in the form of a managed service, either facilitated by the County or by a private operator. APS has agreed to allow a future managed parking use provided that the details are worked out in a revised Memorandum of Understanding as required in amended Condition #14. Staff will continue discussions with APS to facilitate completion of a final MOU. Therefore, staff recommends that the use permit be renewed subject to the modified Condition #14 of the staff report, with no further scheduled review.

Modified Condition #14:

14. ~~Arlington Public Schools (APS) agrees to provide (through a contractor or otherwise) attended public parking~~ allow a managed parking use in the evenings and on weekends and school holidays on the portion of the existing parking lot zoned “C-3.” ~~If, after diligent efforts, the Arlington Public Schools is unable to enter into a contract for attended parking in which the cost to APS does not exceed the parking revenues, the parking shall be determined through administrative review to be not economically feasible, as noted below.~~ The public parking managed parking use will be provided only when Schools is not having a function in the building. The details of the public parking any managed parking arrangement shall be incorporated in a signed Memorandum of Understanding (MOU) between the Superintendent and the County Manager. A copy of the MOU shall be provided to the Zoning Administrator, the Clarendon Alliance, and the Presidents of the Lyon Village and Clarendon Courthouse Civic Associations. This condition shall be reviewed administratively six months after approval. Such review shall consider, but not be limited to, the impact on local neighbors and the continuing economic feasibility of offering parking on this site. If staff finds that there are substantial negative impacts from the parking, or that providing such parking is not economically feasible, or other good reason, then the condition shall be brought to the County Board for review, and the County Board shall take whatever action it deems appropriate, including amending or withdrawing the condition pursuant to the use permit process.

PREVIOUS COUNTY BOARD ACTIONS:

May 10, 1958	Deferred use permit (U-1304-58-1) for operation of a public parking area as a transitional use for premises known as 1421 North Fillmore Street.
July 5, 1958	Deferred use permit (U-1304-58-1) for operation of a public parking area as a transitional use for premises known as 1421 North Fillmore Street.
July 19, 1958	Deferred use permit (U-1304-58-1) for operation of a public parking area as a transitional use for premises known as 1421 North Fillmore Street.
August 2, 1958	Approved use permit (U-1304-58-1) for operation of a public parking area as a transitional use for premises known as 1421 North Fillmore Street.
September 11, 1976	Deferred use permit (U-2083-76-2) for operation of a public parking area as a transitional use for premises known as 1425 North Fillmore Street.
November 6, 1976	Approved use permit (U-2083-76-2) for operation of a public parking area as a transitional use pursuant to business conducted by the applicant for premises known as 1425 North Fillmore Street.
July 31, 2000	Approved use permit (U-2985-00-1) for operation of public school educational programs with conditions and review in one year following issuance of a Certificate of Occupancy.
September 18, 2004	Approved amendment of condition #1 and review of use permit (U-2985-00-1) for operation of public school educational programs with conditions, and review at the December 11, 2004, County Board meeting to review a parking management plan.
December 11, 2004	Deferred review of use permit (U-2985-00-1) for operation of public school educational programs with conditions to the January 29, 2005, County Board meeting.
January 18, 2005	Renewed use permit (U-2985-00-1) for operation of public school educational programs and a public parking management plan with an administrative review in six

months (July 2005) and a County Board review in one year (February 2006).

February 25, 2006

Deferred renewal of a use permit (U-2985-00-1) for operation of public school educational programs and a public parking management plan to the April 2006 County Board meeting.

April 22, 2006

Deferred renewal of a use permit (U-2985-00-1) for operation of public school educational programs and a public parking management plan to the June 2006 County Board meeting.

June 10, 2006

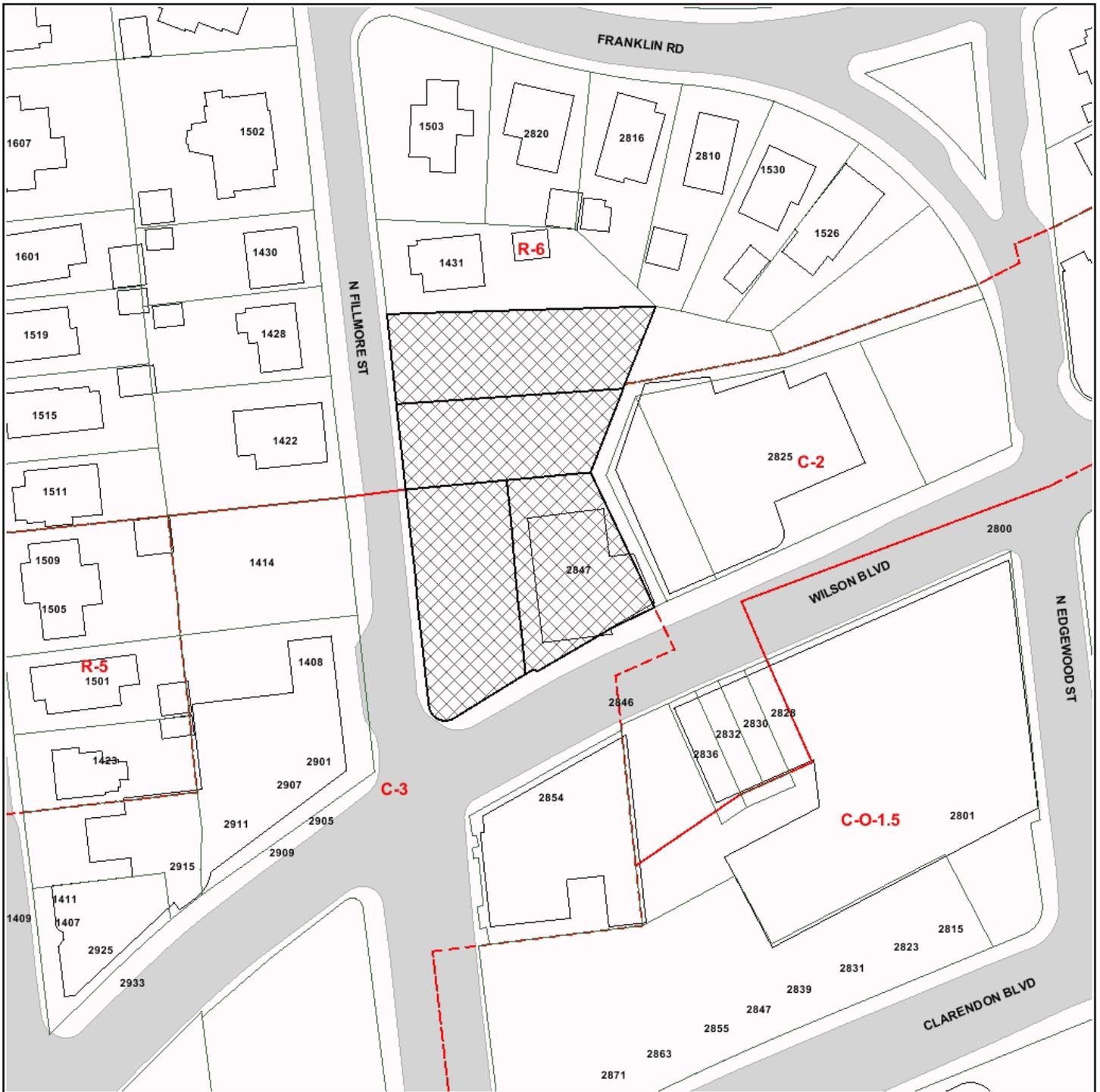
Renewed use permit (U-2985-00-1) for educational program and parking, subject to all previously approved conditions, and with a review in one (1) year (June 2007).

June 9, 2007

Renewed use permit (U-2985-00-1) for educational program and parking, subject to all previously approved conditions, and with a review in three (3) years (June 2010).

June 12, 2010

Renewed use permit (U-2985-00-1) for educational program and parking, subject to all previously approved conditions, and with a review in one (1) month (July 2010).



U-2985-00-1 USE PERMIT REVIEW
2847 Wilson Blvd. (Arlington Public Schools)
(RPC #15-065-019)


North

 Case
 Location(s)

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