



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of September 17, 2011**

DATE: September 7, 2011

SUBJECT: Z-2372-89-1 REQUEST FOR PROFFER AMENDMENT to amend the proffers associated with this rezoning application, to convert second-story office space to residential units, located at 925 N. Garfield St. (RPC# 18-029-007).

Applicant:
GWAY II, L.L.C.

By:
Benjamin T. Danforth
Lawson, Tarter & Charvet, P.C.
6045 Wilson Boulevard, Suite 100
Arlington, Virginia 22205

C.M. RECOMMENDATION:

Approve the attached resolution accepting the proposed proffer amendment to convert second-story office space to residential units at the Garfield Park project, subject to all previously approved proffers, amended proffers #1, 10, 47, 48, and 62, and new Proffer #81.

ISSUES: This is a request to amend a proffer agreement to convert 4,085 square feet of second floor office gross floor area to three (3) residential units at the Garfield Park project. An issue had been raised regarding outdoor café seating, which the applicant has addressed by proposing to amend Proffer #62 to require seasonal removal of tables, chairs, and barriers from the public right-of-way and public easements to reflect current County practice.

SUMMARY: The applicant requests to amend the proffers for the Garfield Park project to permit 4,085 square feet of office space located on the building's second story to be converted to three (3) additional residential units. The above-grade building permit for the project has been issued and the building is under construction. The office space was approved to be located on the

County Manager:

BMD/GA

County Attorney:

CCW

Staff: Matthew Pfeiffer, DCPHD, Planning Division
Robert Gibson, DCPHD, Transportation Division

53.

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second floor above the loading dock on the building's Garfield Street frontage. As proposed by the applicant, all modifications would be to the building's interior; no changes to the building's façade are anticipated with this proffer amendment. Ancillary changes to the building's interior include removal of a stairwell and elevator servicing the ground-floor office lobby at the south side of the loading dock, and partial removal of the stairwell servicing the office space on the north side of the loading dock. The 340-square foot office lobby would be converted and adjoined to the residential common area located on the ground floor of the building. The proposed change in use would not result in any changes to access to the ground floor uses or impacts to the streetscape.

The proposed amendment would not require additional parking spaces, as the development would remain over-parked. In addition, Proffer #47 regarding Transportation Demand Management (TDM) would be amended to reflect current County standards. Proposed changes to this proffer include provision of SmarTrip cards to lessees and management employees in perpetuity, in addition to purchasers; County review of the location of the transportation materials kiosk; and reimbursement to the County for performance monitoring studies conducted two (2)-years and five (5)-years after building occupancy, and recurring in five (5)-year increments.

Proffer #62 regarding outdoor cafés located in the public right-of-way and public easements would also be amended to reflect the current County practice of requiring tables, chairs and barriers to be removed seasonally. Staff recommends that the developer's proffer statement be approved as proposed because County policy and standard practice has been to require tables, chairs, and barriers, associated with outdoor cafes, located in the public right-of-way to be removed on a seasonal basis. Proffer #62, which regulates outdoor café seating in the public right-of-way and public easements at this site, has already been approved by the County; and as such, a separate use permit is not required.

The request for a proffer amendment was heard by the Planning Commission September 6, 2011. The Planning Commission recommended that the County Board accept the developer's proposed proffers, with one (1) additional new proffer to address the addition of power doors to the residential building's main entrances, which is addressed in a new proffer (#81) proposed by the applicant. Therefore, staff recommends that the County Board approve the attached resolution approving the proposed proffer amendment as described in the proffer agreement attached to this report.

BACKGROUND: The developer requests an amendment to the proffers for the Garfield Park project to permit the conversion of second floor office space to three additional residential units with no increase in the overall gross floor area (GFA) of the building. The County Board approved a rezoning of the property located at 2900 10th St. N. on November 18, 1989. Proffers accepted for the development were amended on October 9, 1993 and June 12, 2004. The accepted proffered development plan provides for a five (5)-story mixed use building containing 145 residential units, 8 live/work units, 20,757 square feet of retail GFA, 4,085 square feet of office GFA, and a three (3)-level underground parking garage containing 283 parking spaces.

The above-grade building permit for the project has been issued and the developer has

commenced construction of the building. The 4,085 square feet of office GFA located on the second floor of the building was to be used as the developer's offices. Due to market conditions, the developer now wishes to convert this space to three (3) additional residential units.

The following provides additional information about the site and location:

Site: The site is bound on the north by 10th Street North, on the northeast by Washington Boulevard, on the east by North Fillmore Street, on the south by an existing townhouse development, and on the west by North Garfield Street.

Zoning: The site is zoned "C-TH" Service Commercial Town House Districts.

Land Use: The site is designated on the General Land Use Plan (GLUP) as Commercial and Industrial "Service Commercial," and is located within the "Clarendon Revitalization District."

Neighborhood: The site is located within the Lyon Park Civic Association. A representative from the civic association has expressed to staff that they are in support of the developer's proposed proffer amendment. However, they requested that Proffer #62, regarding outdoor café seating, be brought into conformance with current County practice regarding seasonal removal of tables, chairs, and barriers. Proffer #62 regulates outdoor café seating in the public right-of-way and public easements along Garfield Street, 10th Street N., Washington Boulevard, and N. Fillmore Street; the developer is also considering locating seating within the plaza located at the northeast corner of the site (this plaza is located entirely on private property and is unencumbered by public easements). The developer proposes to amend Proffer #62 to require tables, chairs and barriers to be removed from the public right-of-way and all public easements during the months of December, January, and February. A member of the community has expressed that outdoor café furniture should be removed from the public right-of-way on a daily basis and should be subject to separate use permit approval rather than subject to Proffer #62. Staff recommends that the developer's proffers be approved as proposed because County practice has been to require outdoor café furniture located in the public right-of-way and public easements to be removed seasonally as opposed to daily. Staff is aware of one use permit, U-2968-99-1 for Hard Times Café originally approved by the County Board in 1999, where outdoor café seating was required to be removed daily, primarily because of the unusually narrow sidewalks at that location; in recent instances, including SP #194 for Mad Rose and SP #397 for Circa, outdoor café seating was required to be removed seasonally during winter months. The removal of tables, chairs, etc., presents numerous concerns regarding the logistics in storing café furniture on a nightly basis.

DISCUSSION: The developer proposes an amendment to the proffers for the Garfield Park project to permit the conversion of second-story office space to three (3) additional residential units. The following presents a statistical summary of the developer's proposal:

	Approved Development	Proposed Development
Site Area	72,536.98 square feet (1.67 acre)	72,536.98 square feet (1.67 acre)
Density		
Total GFA	209,539 square feet	209,539 square feet
Total GFA Maximum Allowed	No limit	No limit
Retail GFA	20,757 square feet	20,757 square feet
Office GFA	4,085 square feet	0
Total Residential Units	149 units (includes 8 live/work units)	152 units (includes 8 live/work units)
Parking	283 spaces	283 spaces
Required Minimum Parking	266 spaces	264 spaces
Required Minimum Total Residential Parking	224 spaces	228 spaces
Total Residential Parking	224 spaces	228 spaces
Required Minimum Retail/Office Parking	42 spaces	36 spaces
Total Retail/Office Parking	59 spaces	55 spaces

The five (5)-story mixed-use development is currently under construction. Due to market conditions, the developer no longer wishes to proceed with the small amount of office space proffered with the development, which was to be used as the developer’s offices. Instead, the developer proposes to convert this space to three (3) additional residential units consisting of a 1,109 square foot two (2)-bedroom unit, an 875 square foot one (1)-bedroom unit, and a 574 square foot efficiency unit. The office space to be converted is located on the second floor of the building’s Garfield Street frontage above the entrance to the loading dock. The proposed configuration would remove a stairwell and elevator access that was previously approved to provide access between the ground floor office lobby located at the south end of the loading entrance and the second floor office space. A stairwell providing access to the space from the ground floor on the north side of the loading dock is also proposed to be partially removed. The 340 square foot office lobby would be converted to additional community space and adjoined to the adjacent ground floor community room.

No alterations to building form or approved facades are anticipated with the proposed proffer amendment, and no additional density will be provided. All conversion of space and associated work would be internal to the building. Conversion of the ground floor space fronting North Garfield Street from an office lobby to additional community space will not impact access to the building from the adjacent sidewalk. There are no impacts to parking associated with this space conversion. While it would result in a net decrease of two (2) required parking spaces, the developer proposes to continue to provide the same number of spaces as approved. In addition, there will be no net increase in the requirement for bicycle parking as a result of the proposed conversion.

In order to accommodate the developer’s proposal, a number of the proffers will require

modification. Proffers #1 and #10 would include updated dates for plans and would require submission of a post-approval proffered development plan reflecting the subject amendment. Proffer #48 would be amended to reflect an accurate number of parking spaces required with the proposed space conversion.

The developer is also proposing an amendment to Proffer #47 regarding creation and implementation of a Transportation Demand Management (TDM) program. Currently, Proffer #47 references a letter to be submitted by the developer to the County outlining TDM measures to be implemented by the developer. Amended Proffer #47 would incorporate TDM language into the proffer itself, providing predictability for the developer and transparency to the community. The developer is proffering TDM language containing programmatic requirements greater than was previously considered. First, SmarTrip cards would be offered to residential unit purchasers, lessees, and management employees where originally they would have been provided only to purchasers of residential units. Second, the interior location of the kiosk providing transportation-related information to residents would be reviewed and approved by the County; previously this was not required. Finally, the developer would reimburse the County for transportation performance monitoring studies that would be conducted by the County two (2) years, five (5) years, and each subsequent five (5) year period for the life of the development. Previously, TDM language only required the developer to provide a study after two (2) years. In the updated language, the County would conduct the study and submit an invoice to the developer for reimbursement of services provided. While the County estimates that the studies would cost approximately \$5,000 to conduct, the developer has proffered to reimburse the County up to a maximum of \$10,000 (adjusted for inflation), providing the developer with predictability regarding the costs of such studies.

The Lyon Park Civic Association supports the developer's proposed proffer amendment, but has concerns regarding Proffer #62, which currently regulates outdoor café seating in the public right-of-way along Garfield Street, 10th Street N., Washington Boulevard, and N. Fillmore Street. As a result, the developer is proposing to amend Proffer #62 to remove tables, chairs, and barriers from the public right-of-way and public easements seasonally. This is consistent with current County practice.

Community Process:

The proposed proffer amendment was heard by the Planning Commission on September 6, 2011. The Planning Commission voted to recommend that the developer's proffer amendment be accepted as proposed, with the addition of a new proffer to address accessibility for the project. Specifically, the Planning Commission requested that power doors be required to be installed at main residential entrances to the building, including at the elevators from the first level of residential parking. The developer has agreed to a new proffer (Proffer #81) which would address the issues raised by the Planning Commission.

CONCLUSION: The developer is proposing to convert 4,085 square feet of office space located on the second floor to three (3) additional residential units, which results in the elimination of the small office component in the Garfield Park development. There will be no

impact to the building form, façades, or parking associated with this proffer amendment. All alterations will be interior to the building. The developer proposes to amend the proffers associated with its Transportation Demand Management program, and with its outdoor café seating to require seasonal removal of tables, chairs, and barriers. The developer also proposes an additional proffer regarding power doors at residential entrances to address issues raised by the Planning Commission. Therefore, staff recommends the County Board approve the attached resolution accepting the proposed proffer amendment as described in the proffer agreement attached to this report.

PREVIOUS COUNTY BOARD ACTIONS:

- November 18, 1989 Approved an amendment to Section 2 of the Zoning Ordinance permitting proffers on sites zoned “C-TH” and with site areas of 50,000 square feet or larger
- Approved a rezoning of the site located at 2900 10th Street North from “C-2” and “C-3” to “C-TH” Commercial Townhouse District.
- Approved a proffer for the site located at 2900 North 10th Street with conditions included in the agreement, for 250,000 square feet of office.
- October 9, 1993 Adopted proffer amendments that included the approval of Site Plan #304 for a townhouse project on the southern half of the block bounded by 10th Street North, North Fillmore Street, 9th Street North and North Garfield Street.
- December 6, 2003 Deferred a request for proffer amendment (Z-2372-89-1) to the February 7, 2004 County Board meeting.
- February 7, 2004 Deferred a request for proffer amendment (Z-2372-89-1) to the March 13, 2004 County Board meeting.
- March 13, 2004 Deferred a request for proffer amendment (Z-2372-89-1) to the April 24, 2004 County Board meeting.
- April 24, 2004 Deferred a request for proffer amendment (Z-2372-89-1) to the June 12, 2004 County Board meeting.
- June 12, 2004 Adopted proffer amendments for modification of proffers for (Z-2372-89-1) regarding building envelope, height, and gross floor area.

**RESOLUTION FOR
PROFFER AMENDMENT
GARFIELD PARK**

WHEREAS, GWAY II, L.L.C. (“Developer”) has requested that the County Board of Arlington County approve an Amended Proffer Agreement to modify the Proffered Rezoning first approved on November 18, 1989 (“Original Proffer”) for the property located at 925 N. Garfield Street and further identified as RPC# 18-029-007 on the County Record (“Property”); and

WHEREAS, the Original Proffered Rezoning was approved for development of 250,000 square feet of office gross floor area, and amended for 149 residential units, 20,757 square feet of retail gross floor area, 4,085 square feet of office gross floor area, a three-level underground parking garage containing 283 spaces, and included an outdoor café on existing public property; and

WHEREAS, Developer requests amendments to the previously approved proffers to permit conversion of 4,085 square feet of office gross floor area to three additional residential units, to amend requirements for a Transportation Demand Management program, to require the seasonal removal of the outdoor café’s tables, chairs, and barriers, and to add an additional proffer for installation of power doors at residential entrances to the building, subject to the Amended Proffer Agreement dated September 8, 2011 and attached to this Resolution as Attachment A and made a part hereof; and

WHEREAS, the County Manager has recommended that the proposed Amended Proffer Agreement be approved; and

WHEREAS, on September 6, 2011, the Planning Commission recommended that the proposed Amended Proffer Agreement be accepted by the County Board with the addition of a proffer to address the addition of power doors at residential entrances to the building; and

WHEREAS, the County Board has considered the foregoing recommendations, the Zoning regulations on the site, including the Original Proffer Agreement, the Comprehensive Plan, and the purposes of the Clarendon Sector Plan, and finds that the proposed Amended Proffer Agreement will achieve goals and objectives set forth in those documents, and

WHEREAS, the County Board finds that the proposed Amended Proffer Agreement is required by public necessity, convenience, general welfare, and good zoning practice; and

WHEREAS, the County Board held a duly advertised public hearing on the proposed Amended Proffer Agreement for the Property on September 17, 2011.

NOW, THEREFORE, be it resolved that, based on the aforementioned considerations, deliberations and all public comments, the County Board of Arlington finds that the proposed Amended Proffer Agreement dated September 8, 2011 set forth in Attachment A should be, and hereby is approved, and that all other previous proffers remain in full force and effect, and that the site known as 925 N. Garfield Street (RPC# 18-029-007), previously known as 2900 10th Street North (RPC# 18-029-007) shall remain zoned “C-TH” subject to the amended proffers.

ATTACHMENT A
Garfield Park Amended Proffer Agreement
Revised September 8, 2011

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended and in accordance with Section 2.G. of the Arlington County Zoning Ordinance, and contingent upon the Arlington County Board's approval of the rezoning application for the site known as 925 N. Garfield Street (RPC# 18-029-007), previously known as 2900 10th Street North (RPC# 18-029-007), the undersigned, the fee-simple owner of all properties incorporated in the application on behalf of itself and its successors and assigns, agrees to the following amended proffers and one new proffer (the "Proffers"). Shown below are amendments to the current proffers agreed to on the property, and the text of one new proffer. All proffers dated June 10, 2004, accepted by the County Board with the approval of Z-2372-89-1 on June 12, 2004, shall remain in full force and effect except as expressly revised as shown below:

[Revised Proffer 1 **bold and underlined** text will be added as shown below to existing Proffer 1]

1. The developer (as used in these proffers, the term developer shall mean the owner, the applicant and all successors and assigns) agrees to comply with the Proffers set forth below and the revised plans dated June 8, 2004, **further revised through August 9, 2011** and reviewed and approved by the County Board and made a part of the public record on ~~June 12, 2004~~ **September 17, 2011**, 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.

The existing use of restaurant, retail and office on the Property shall be permitted to continue until the development permitted by the Proffers as amended is implemented.

[Revised Proffer 10 **bold and underlined** text will be added as shown below to existing Proffer 10]

10. The developer agrees to file three copies of a proffered development plan and the tabular information form, and digital copies on compact disc in JPEG, PDF, and DXF formats, which comply with the ~~final approval of the~~ **plans dated August 9, 2011, reviewed and approved by the** County Board **and made a part of the public record on September 17, 2011** and with the Zoning Administrator within 90 days of the County Board approval and before the issuance of the Clearing, Grading and Demolition Permit.

[Revised Proffer 47 **bold and underlined** text will be added as shown below to existing Proffer 47]

47. ~~The developer agrees to develop and implement a transportation management plan as outlined in the attached letter from Kevin Sitzman, Wells and Associates (applicant) dated February 17, 2004 to Jeff A. Price (staff), and the attachment thereto prior to the issuance of the first Certificate of Occupancy. Such a plan shall include a schedule for and details of implementation and continued operation of the elements listed in the letter.~~

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 each respective building.

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.**
- 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.**

Facilities and Improvements

- a. **Provide in the lobby or lobbies, an information display(s), the number/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.**
- b. **Comply with requirements of the proffer agreement to provide**

bicycle parking/storage facilities. The developer agrees to develop a plan of operation of the bicycle facilities which shall include details of implementation and continued operation of the bicycle facilities and related systems.

- c. Bus stops and shelters within 25 feet of the property and contiguous to the property shall be maintained free of snow, ice, trash, and debris. A 6 foot wide path, or the full width of the sidewalk (if less than 6 feet), shall be maintained clear of snow and ice, to the main entrance of the building(s) from these bus stops.

Parking Management Plan

- a. Subject to the approval by the County Manager or his designee, the developer shall prepare a parking management plan regarding: taxi passenger loading and unloading; accessible paratransit pick-up, drop-off, handicapped access, bicycle parking, and passenger waiting area; loading zones for short-term deliveries; 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. Provide effective directional signage subject to approval of a
- c. 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.

Promotions, Services, Policies

- a. Offer SmarTrip cards, for free, one time, to each residential lessee or purchaser, during the initial sales period, distributed no later than the day of move in.
- b. Offer SmarTrip cards, 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).
- c. Provide website hotlinks to CommuterPage.com™ under a “transportation information” heading from the developer and

property manager's websites regarding this development.

- d. Distribute a new-resident package, 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.
- e. Reference to the nearest Metro Station and bus routes in all promotional materials and advertisements.
- f. 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.
- g. Participate in 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 reimburse the County for, 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 developer shall reimburse the County up to an aggregate maximum of \$10,000 for such studies. 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 a seven-day count of site-generated vehicle traffic and a voluntary mode-split survey. The building owner and/or operator will notify, assist, and encourage residents, tenant's employees, and building employees to participate 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, or email variety, to the County Manager, describing completely and correctly, the TDM related activities of the site.

[Revised Proffer 48 bold and underlined text will be added as shown below to existing Proffer 48]

48. The intent of this proffer 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 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 proffer 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 visitor, and retail employees and customers, will be directed to the parking spaces. The developer further agrees to provide a minimum of 283 total parking spaces for residential visitor [and retail patron], with a minimum of ~~224~~ 228 parking spaces for residential uses, and ~~59~~ 55 parking spaces for commercial uses within the parking garage. The parking management plan shall be submitted to the Zoning Administrator, and reviewed and approved by the County manager or his designee, prior to the issuance of the first Certificate of Occupancy for the first residential building.

[Revised Proffer 62 **bold and underlined** text will be added as shown below to existing Proffer 62]

62. Outdoor cafes shall be permitted in the public right-of-way or within public easements along Garfield Street, 10th Street North, Washington Boulevard, and North Fillmore Street in accordance with the applicable provisions of the Zoning Ordinance, with a maximum seating area and all other applicable requirements as set forth in the Zoning Ordinance and as determined by the Zoning Administrator. Irrespective of the current (or any future) requirements of the Zoning Ordinance a minimum of eight (8) feet of clear sidewalk width must be maintained along Garfield Street, 10th Street North, Washington Boulevard and North Fillmore Street. **The applicant agrees that all outdoor seating including tables, chairs, and removable barriers shall be removed from the public right-of-way and public sidewalk easements annually during the months of December, January, and February, with the exception that, should County practice regarding seasonal removal of tables, chairs, and barriers be modified to allow a shorter time period in which tables, chairs, and barriers must be removed, the Zoning Administrator may allow seasonal removal consistent with County practice.** Plans for all outdoor cafes shall be subject to prior administrative approval by the Zoning Administrator for consistency with County ordinances, regulations and policies. Any outdoor café shall be administratively reviewed one year following its approval to evaluate it after a season of operation. At that time, the Zoning Administrator may review the approval, impose conditions on the operation of the outdoor café, or revoke the prior approval.

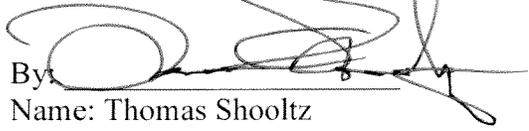
[New Proffer 81]

81. **In addition to regulations and requirements established with ADA Federal law, the developer agrees to install an electric eye or 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. Should the elevators from the first level of residential parking within the parking garage be within an elevator lobby, then such lobby doors shall have automatic door openers. These items shall be installed and functional prior to the issuance of any certificate of occupancy for tenancy of the building.**

Notwithstanding any of the foregoing, if the Building Official determines that any of the aforementioned installations are prohibited by law, the developer shall not be required to perform that respective requirement of this Proffer #81.

GWAY II, L.L.C., title owner of 925 N.
Garfield Street

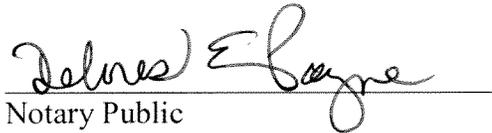
By: Garpark, Inc., its sole member



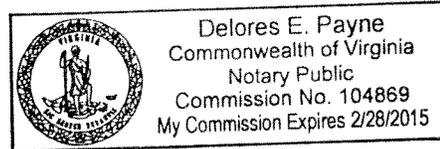
By: _____
Name: Thomas Shooltz
Title: President of Garpark, Inc.

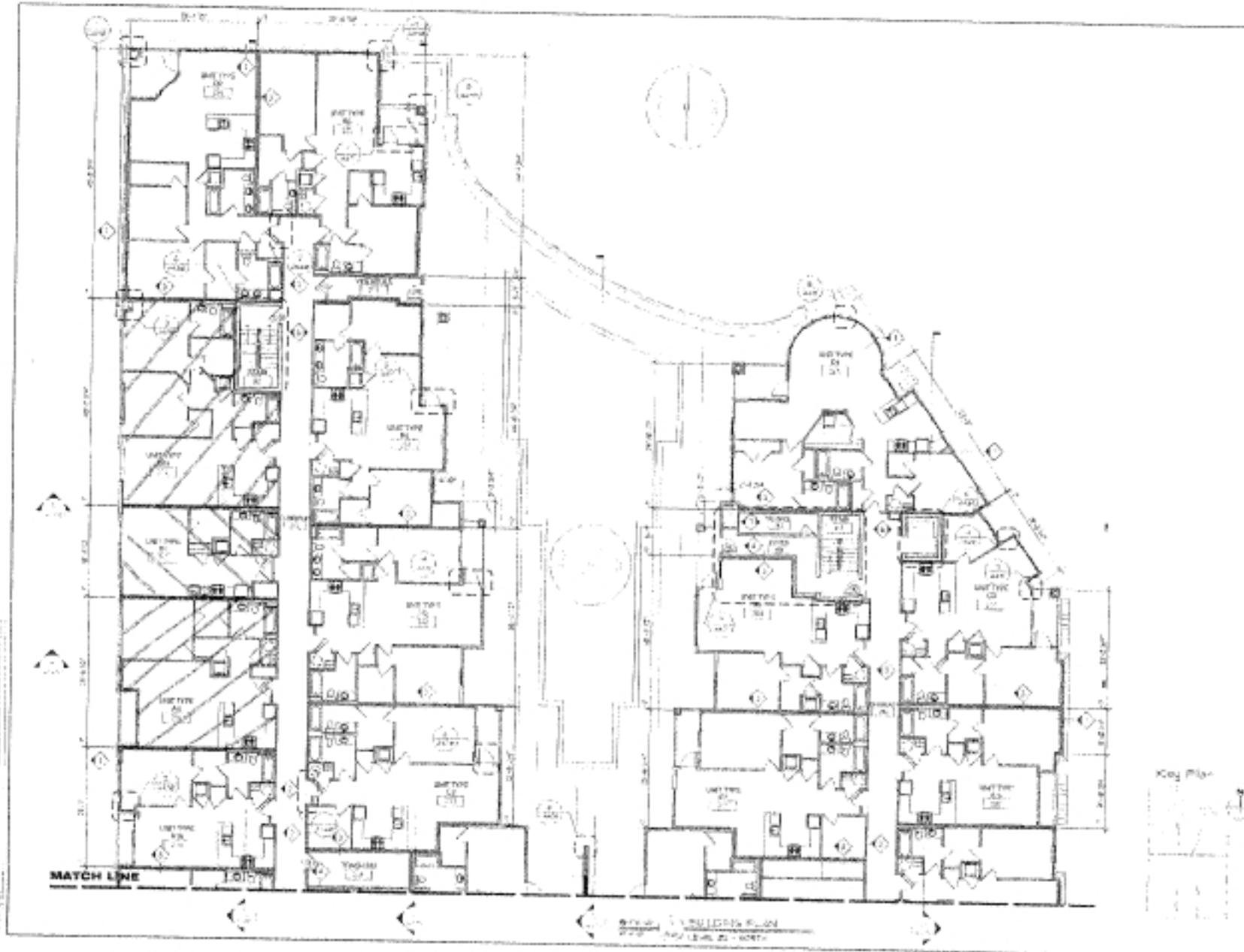
STATE OF Virginia
COUNTY OF Arden, to-wit:

The foregoing instrument was acknowledged before me this 8th day of
September, 2011, by Thomas Shooltz, President of Garpark, Inc., the sole member of
GWAY II, L.L.C., on behalf of said corporation.


Notary Public

My Commission Expires: 2-28-15
Notary Registration Number: 104869





JOB NUMBER: 10014
 DRAWN BY: JG
 CHECKED BY: JG

Sales Rollton Associates
 800 N. 1st Street
 Suite 200
 Schaumburg, IL 60196
 815-399-8800
 FAX: 815-399-8801



Revised:
 # Rev. Description



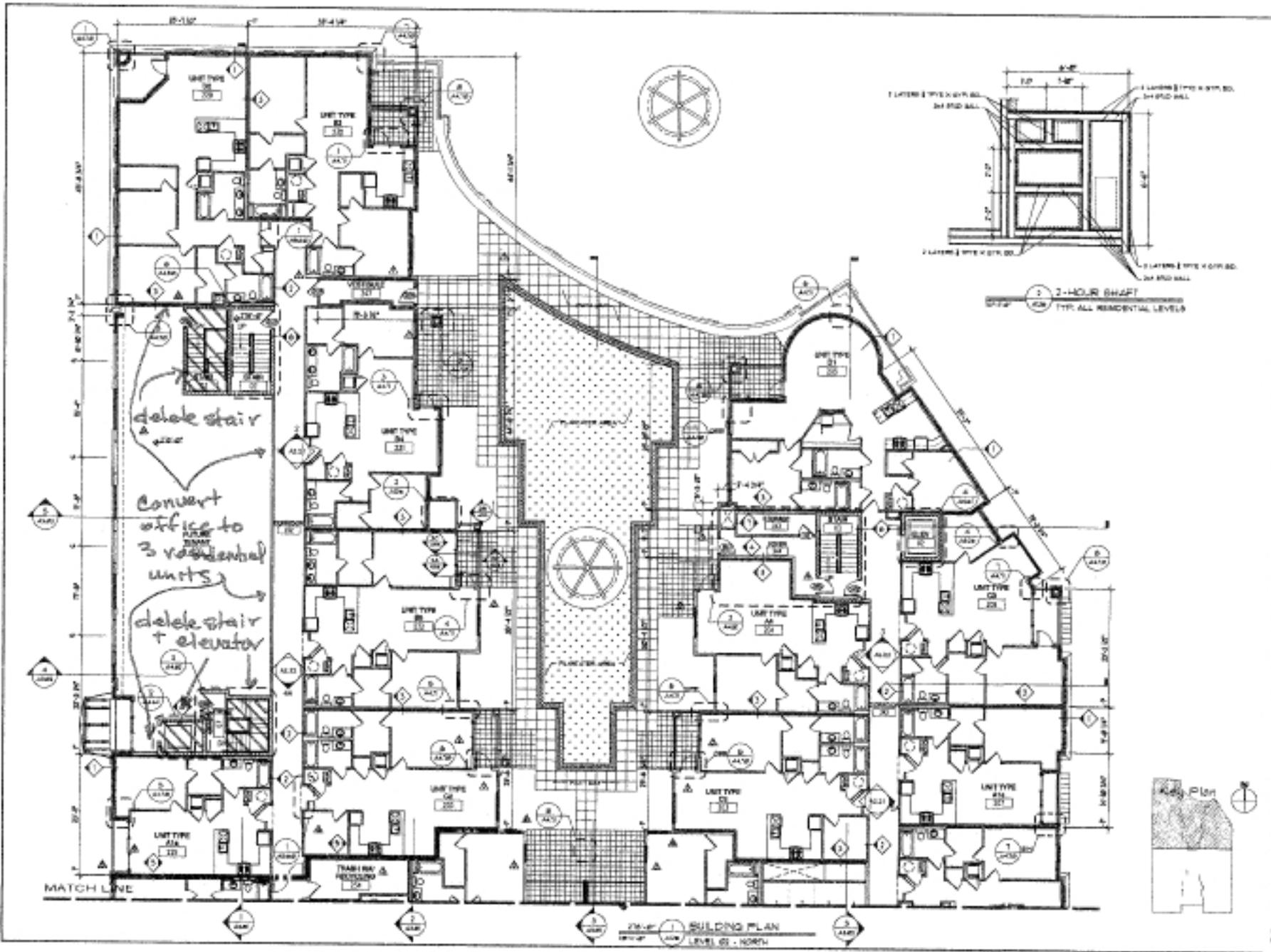
GARFIELD PARK
 COMMUNITY CENTER
 PROJECT

GARFIELD PARK

Room No.
 101-10

A1.26

8/09/11



JOB NUMBER: 07514
 DRAWN BY: JG
 CHECKED BY: BW

Niles Bellon Associates
 200 N. Elm Street
 Suite 100
 Alexandria, VA 22304
 703-839-0343
 FAX 703-839-1403

REVISIONS

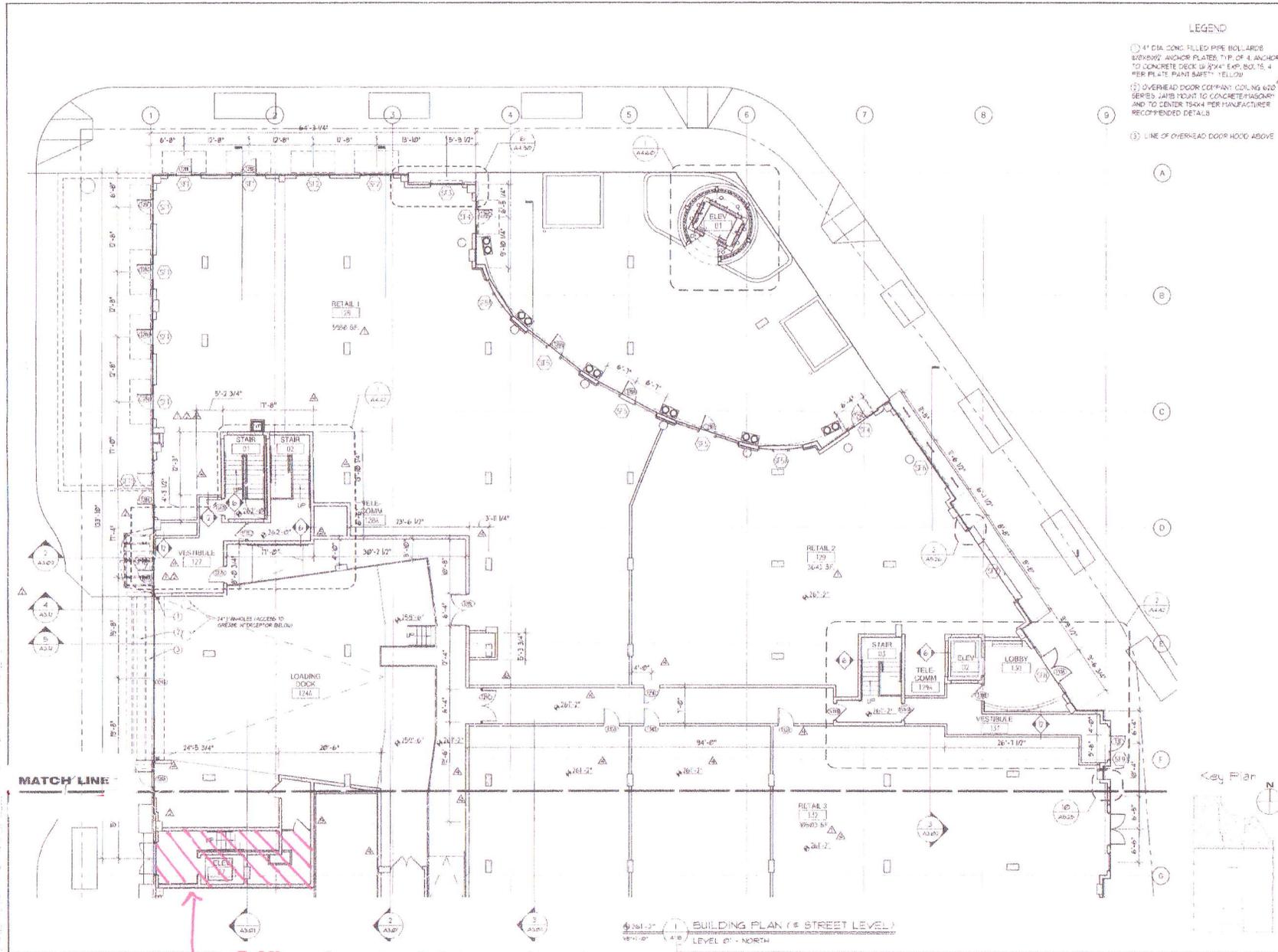
#	Date	Description
1	07/20/11	Final Design
2	08/09/11	Final Design
3	08/09/11	Final Design
4	08/09/11	Final Design
5	08/09/11	Final Design
6	08/09/11	Final Design
7	08/09/11	Final Design
8	08/09/11	Final Design
9	08/09/11	Final Design
10	08/09/11	Final Design

CAPFIELD PARK
 RECONSTRUCTION
 ALEXANDRIA, VA

Building Plan
 Level 02
 North

A1.26

8/09/11



- LEGEND**
- ① 4" DIA. CONC. FILLED PIPE BOLLARDS 1/2"X5/8" ANCHOR PLATES 3" P. OF 4 ANCHOR TO CONCRETE DECK W/ 3/4" EXP. BOLTS, 4 REB. PLATE PAINT BARRY - YELLOW
 - ② OVERHEAD DOOR COMPANY COILING 600 SERIES JAMB POINT TO CONCRETE/MASSW/ AND TO CENTER T54X4 PER MANUFACTURER RECOMMENDED DETAILS
 - ③ LINE OF OVERHEAD DOOR HOOD ABOVE

JOB NUMBER: 407014
 DRAWN BY: FW
 CHECKED BY: BW

Niles Bolton Associates
 300 N. Lee Street
 Suite 202
 Alexandria, VA 22314
 FAX: 703-881-8853

REVISIONS

#	Date	Description
1	5/24/06	Permit Comments
2	5/24/06	Permit Comments
3	6/26/06	Permit Comments
4	6/27/06	Permit Comments
5	6/28/06	Permit Comments



GARFIELD PARK

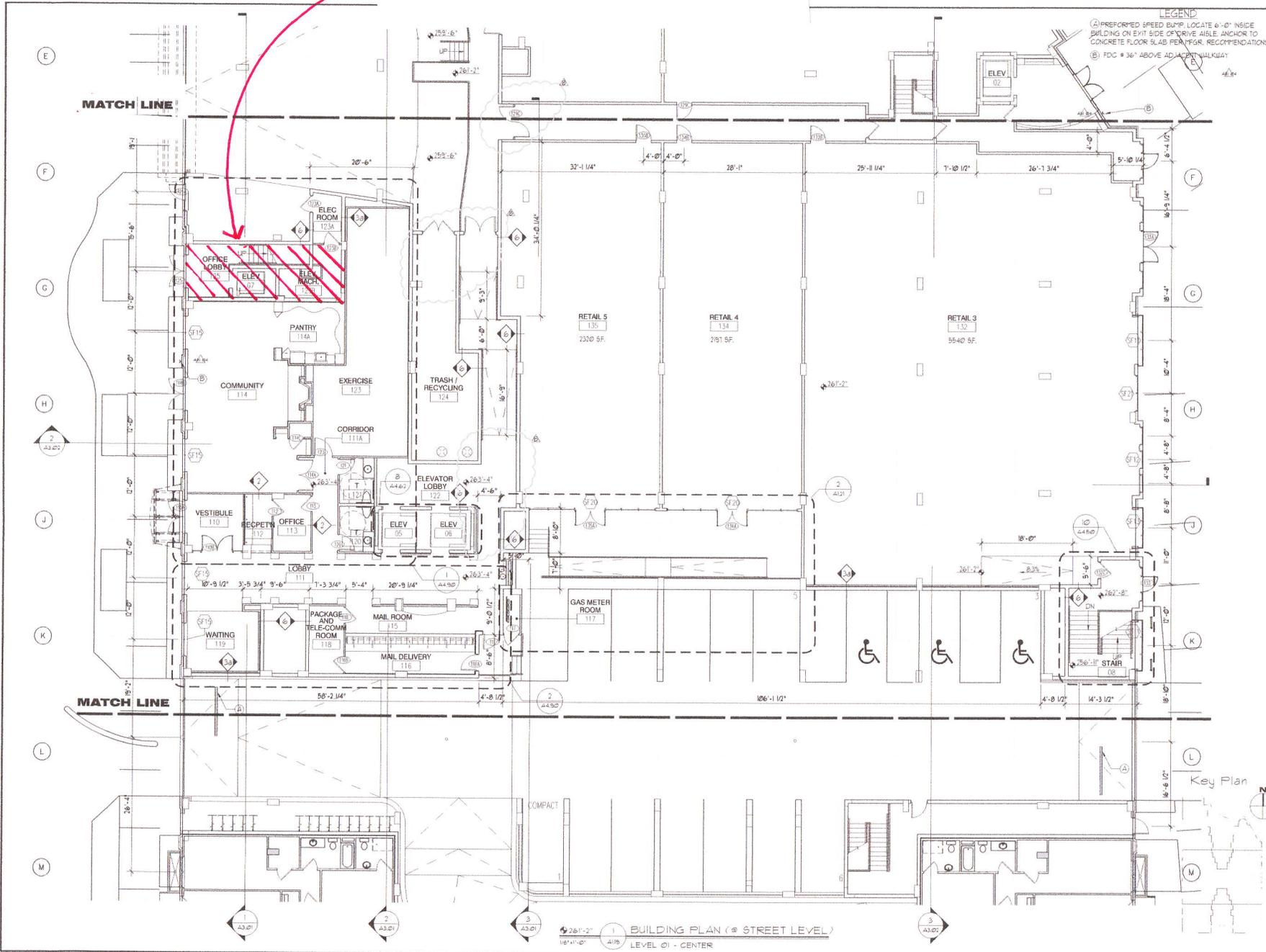
Building Plan
 (B Street (east))
 Level 01 - North

A1.18
8/09/11

Office elevator lobby and stair to residential common area (340 s.f.)

BUILDING PLAN (# STREET LEVEL)
 LEVEL 01 - NORTH

**Office elevator lobby and stair
to residential common area
(340 s.f.)**



JOB NUMBER: 407014
 DRAWN BY: FWW
 CHECKED BY: BVM

Niles Bolton Associates
 3000 N. Lee Street
 Suite 502
 Alexandria, VA 22314
 703-538-0915
 FAX 703-684-9653

REVISIONS

#	Date	Description
1	07/23/11	Permit Comments



GARFIELD PARK
 58 NORTH GARFIELD STREET
 ARLINGTON, VA

GARFIELD PARK

Building Plan
 (0 Street Level)
 Level 01 - Center

A1.19
8/09/11

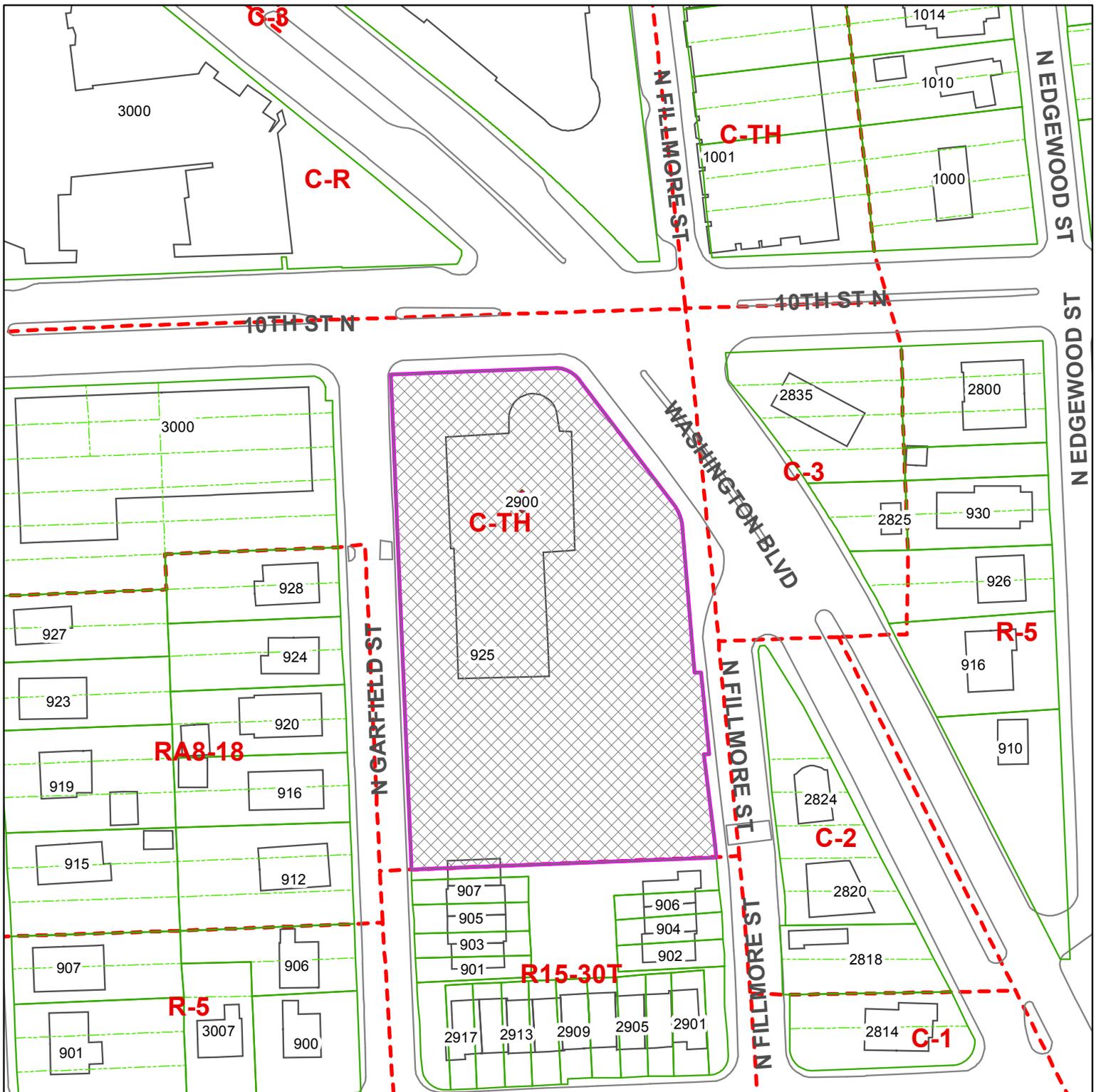
Z:\m\07\407014 - Garfield Park\03_03_08\03072711 (Permit Comments)\A1.19.dwg Plotter: Aug 08, 2011 - 8:48pm by mabab



FLOOR P

GARFIELD PARK

8/09/11



Z-2372-89-1

2900 10th Street North

RPC# 18-029-007



 Case Location(s)
 Scale: 1:1,200

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