



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of October 15, 2011

**DATE:** October 7, 2011

- SUBJECTS:**
- A. GP-316-11-2 General Land Use Plan Amendment to modify Note 20 to revise the amount of development density to be allocated to the Monument View Site Plan (SP #400) site area within the “North Tract Special Planning District” which is an area generally bordered by Shirley Highway Interstate 395 on the west, the George Washington Memorial Parkway on the north and east, and 10th Street South on the south.
  
  - B. SP #400 Site Plan Amendment for Monument View to permit a 453,422 square foot office building in lieu of 352 dwelling units, 323,229 square feet of office and 3,512 square feet of retail, and a comprehensive sign plan in the C-O-1.5 Zoning District under Section 36.H of the Zoning Ordinance. Property is approximately 204,966 square feet, located at 550 South Clark Street, 320 6th Street South, 901 South Clark Street, 608 South Ball Street, and portions of South Clark Street. The density of the previously approved Site Plan is 3.32 FAR. The proposed density is 2.21 FAR. Modification of Zoning Ordinance requirements include: parking, signage and other modifications as may be necessary to achieve the proposed development plan. (RPC# 34-024-345, 34-025-001, -003, -004, and -005.)

**Applicant:**

MR Monument View LLC/Monument Realty LLC  
1700 K Street, NW, Suite 600  
Washington, DC 20006

County Manager:

*BMD/GA*

County Attorney:

Staff: Aaron Shriber, CPHD, Planning  
Richard Tucker, CPHD, Planning  
Robert Gibson, DES, Transportation  
Jennifer Ives, AED

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## C. M. RECOMMENDATIONS:

1. Adopt the attached resolution to amend the General Land Use Plan to revise the amount of development density to be allocated to the Monument View Site Plan (SP #400) site area within the “North Tract Special Planning District” which is an area generally bordered by Shirley Highway Interstate 395 on the West, the George Washington Memorial Parkway on the North and East, and the southern edge of 10th Street South. (See Attachment 1).
2. Adopt the attached ordinance to approve a site plan amendment to SP #400 to permit an all office development consisting of a 453,422 square foot office building in lieu of a mixed-use development containing 352 dwelling units, 323,229 square feet of office and 3,512 square feet of retail, and approval of a comprehensive sign plan, subject to all previously approved conditions as amended and the addition of conditions #83 through 86.

**ISSUES:** This is a request for a GLUP amendment to modify Note 20 and a major amendment to the Monument View site plan (SP #400), originally approved in June 2008, to replace the approval for a 352 unit residential building and an office building consisting of 323,229 square foot of office space and 3,512 square feet of ground floor retail area with approval of a 453,422 square foot office building that will be constructed for The Boeing Company. Following the initial Planning Commission meeting on September 8, 2011, the applicant requested to defer the proposed GLUP amendment and site plan amendment to the October 15, 2011 County Board meeting. Issues have been raised by the community with regard to the single use of the building, lack of shared parking in the garage, vehicular entrance to the site, security features of the site design, building architecture, and presentation of the building to Long Bridge Park. No changes to the design or layout of the site have occurred since the Planning Commission meeting on September 8, 2011.

**SUMMARY:** A major amendment is proposed to the Monument View site plan (SP #400) that would permit the development of a single use office building in lieu of the previously approved mixed-use development consisting of a multi-family residential building and an office building with ground floor retail space. The subject property is currently owned by Arlington County and is subject to an agreement between the County and the applicant (MR Monument View LLC/Monument Realty LLC) to exchange the 4.705-acre subject site that is currently owned by the County for the applicant’s 7.09-acre Twin Bridges property. This exchange agreement provides the land necessary to permit construction of Phase 2 of Long Bridge Park, which will consist of the aquatics facility. The proposed site plan amendment would permit the development of a 453,422 square foot office building that will be constructed in two phases and will serve as the regional headquarters for The Boeing Company. Because the site is encumbered by an avigation easement that limits the height and placement of structures on the site, the maximum height of the building will be six-stories with two levels of below grade parking.

The applicant’s proposed site plan amendment will implement the goals of the *North Tract Area Plan Study* and will permit development of a building with a more appropriate use than

previously approved on the site, which is located adjacent to the active recreational uses (athletic fields) currently under construction at Long Bridge Park. As the site is identified as the recipient of additional development density from the Twin Bridges site, GLUP Note 20 will be amended to specify the amount of density that may be transferred to the subject site, which will be a reduction in the amount transferred with the original site plan approval.

At its September 1, 2011 meeting, the Transportation Commission voted to recommend denial of the proposed amendment to GLUP Note 20 and the site plan amendment to the County Board. The following recommendations were included with this recommendation for denial:

1. Condition #65 should be revised to increase the contribution for transportation mitigation services in lieu of providing public access to the parking garage.
2. Condition #6 should be modified to require site lighting around the perimeter of the property following approval of the site plan amendment.
3. Condition #65 should be revised to limit the provision of no public access to the parking garage solely to the Boeing Company.

On September 8, 2011, the Planning Commission voted to recommend to the County Board to defer the proposed GLUP amendment and the site plan amendment with the following recommendations:

1. Increase the site of the plazas and activate the 6<sup>th</sup> Street South frontage.
2. Relocate the garage entrance to South Ball Street.
3. Remove the penthouse/rooftop sign on the north façade and provide for County and stakeholder review of sign illumination after installation.
4. Ensure that the parking garage be made available for use by the public or provide adequate compensation in lieu of this feature.
5. Achieve LEED Gold certification.
6. Relocate the bike share station to within 100 feet of the building's pedestrian lobby entrance.

At its September 20, 2011 meeting, the County Board voted to defer the proposed GLUP Note amendment and the site plan amendment to its October 15, 2011 meeting; no changes to the design or layout of the site have occurred since the County Board deferred these items. This request was reheard by the Transportation Commission on September 29, 2011 and by the Planning Commission on October 5, 2011. The Transportation Commission reaffirmed their recommendation for denial at its September 29, 2011 meeting; the results of the October 5, 2011 Planning Commission meeting will be addressed in a supplemental report.

Though issues remain outstanding related to the design of the site and the building, the overall benefits of the proposal are significant in that it accommodates the retention of a major corporate tenant in the Crystal City area, assists in the implementation of the goals of the "North Tract Special Planning District," and preserves additional density on the Twin Bridges site for future use. Therefore, staff recommends the County Board adopt the attached resolution to amend GLUP Note 20 to revise the amount of development density to be allocated to the Monument View Site Plan, and adopt the attached ordinance approving the subject site plan amendment, subject to all previously approved conditions, as amended, and the addition of conditions #83 through 86.

**BACKGROUND:** On June 24, 2008, the County Board took the following actions on the subject 4.705-acre site:

- A. Approved a GLUP Amendment to modify Note 20 to designate additional development density for the Monument View Site Plan Application (SP #400);
- B. Rezoned (Z-2528-06-1) the subject site from the “M-2” Service Industrial Districts to the “C-O-1.5” Commercial Office Building, Hotel and Apartment Districts; and
- C. Approved the Monument View Site Plan (SP #400)

The applicant (MR Monument View LLC/Monument Realty LLC) requests a site plan amendment to the Monument View site plan (SP #400). The proposal involves a major amendment to SP #400 to provide a 100% office complex rather than a mixed-use development consisting of a multi-family residential building and an office building with ground-floor retail use. In addition, the applicant requests approval of a comprehensive sign plan that includes two rooftop signs. The proposed office complex will be constructed for, and occupied entirely by, The Boeing Company. The site is located within the “North Tract Special Planning District;” General Land Use Plan (GLUP) Note 20 provides guidance regarding the maximum amount of additional density that may be permitted at this site per an exchange agreement between the applicant and the County. In accordance with this agreement, which was initially approved by the County Board on July 16, 2007 and revised on September 29, 2010, the County will exchange the property subject to this site plan (4.705-acres) for the applicant’s Twin Bridges property (7.09-acres). As the applicant proposes to revise the use composition and layout of the site in a manner inconsistent with the current language contained within GLUP Note 20, an amendment to GLUP Note 20 is requested by the applicant to permit development of the site as proposed with this site plan amendment.

**The following provides additional information about the site and location:**

Site: The 204,966 square foot site (4.705-acres) is located on the block bounded by 6<sup>th</sup> Street South to the north, South Ball Street South to the east, 10<sup>th</sup> Street South to the south, and Old Jefferson Davis Highway to the west. A portion of South Clark Street bisects the site which is included in the application area and is proposed to be vacated. The site is surrounded by the following adjacent land uses:

To the north: 6<sup>th</sup> Street South and Long Bridge Park. The property is designated “Public” and “Low” Office-Apartment-Hotel on the General Land Use Plan (GLUP) and is zoned “M-2” and “P-S”.

To the east: South Ball Street and a self-storage facility, warehouse and the North Tract Lofts apartment building (SP #390). The properties are designated “Low” Office-Apartment-Hotel on the GLUP and are zoned “M-2” and “C-O-1.5”.

To the south: 10<sup>th</sup> Street South and the Gateway North office building (SP #229). The property is designated “Low” Office-Apartment-Hotel on the GLUP and is zoned “C-O-1.5”.

To the west: Old Jefferson Davis Highway and the Route 1 ramp onto I-395. The property is designated “Public” on the GLUP and is zoned “S-3A”.

Zoning: “C-O-1.5” Commercial Office Building, Hotel and Apartment Districts

General Land Use Plan Designation: “Low” Office-Apartment-Hotel (up to 1.5 FAR, 72 du/ac, or 110 hotel units/acre); public ownership; and GLUP Note 20.

Neighborhood: The site is located within the “North Tract Special Planning District.”



**Existing Development:** The 4.705-acre site is currently developed with a 45-room motel and five warehouse structures. All of the buildings on the site are currently vacant. At the present time, the site is owned by Arlington County, though the site will be transferred to the applicant (MR Monument View LLC/Monument Realty LLC) subject to an Exchange Agreement that will transfer ownership of the subject site to the applicant in exchange for their 7.09-acre Twin Bridges property that is located at the north end of Long Bridge Park.

**Development Potential:**

Site Area: 204,966 sq ft (4.705 ac)	DENSITY ALLOWED/TYPICAL USE	MAXIMUM DEVELOPMENT

"C-O-1.5" By-Right	Non-retail commercial uses: 0.60 FAR; or	122,979 sq ft; or
	One-family dwellings: 6,000 sq ft/lot	34 du
"C-O-1.5" Site Plan	Office/commercial/institutional uses: 1.5 FAR; or	307,449 sq ft; or
	Apartment use: 72 du/ac; or	338 dwelling units; or
	Hotel use: 110 units/ac	517 hotel units

**Proposed Development:** The following table sets forth the statistical summary for the proposed site plan amendment in comparison to the previously approved site plan.

	Approved	Proposed
<b>Site Area</b>	204,966 s.f. (4.705 ac.)	204,966 s.f. (4.705 ac.)
<b>Density</b>	681,381 s.f.	453,422 s.f.
<b>Commercial (Office/Retail)</b>		
Office GFA	323,229 s.f.	453,422 s.f.
Retail GFA	3,512 s.f.	--
<b>Residential</b>	354,640 (352 MFD)	--
<b>"C-O-1.5" Max. Permitted Commercial</b>	<b>1.5 FAR (307,449 s.f.)</b>	<b>1.5 FAR (307,449 s.f.)</b>
<b>"C-O-1.5" Max. Permitted Residential</b>	<b>72 du/ac</b>	<b>--</b>
<b>Height</b>		
<b>Height—Office</b>		
Main Roof	92.83 ft.	93.5 ft.
Penthouse Roof	111.5 ft.	111 ft.
Stories	8 stories	6 stories
<b>Height—Residential</b>		
Main Roof	67.16 ft.	--
Penthouse	73.5 ft.	--
Stories	7 stories	--
<b>"C-O-1.5" Max. Permitted Height – Office</b>	<b>8 stories</b>	<b>8 stories</b>
<b>"C-O-1.5" Max. Permitted Height – Residential</b>	<b>10 stories</b>	<b>--</b>
<b>Average Site Elevation</b>		
Office	20 ft.	18.5 ft.
Residential	18 ft.	--
<b>Parking</b>		
<b>Office/Retail</b>	591 spaces	739 spaces
Standard Spaces	482	666
Compact Spaces	78	57
Tandem Spaces	20	--
Handicap Spaces	11	13
Handicap Van Spaces	--	3
Parking Ratio	1 sp./558 s.f.	1 sp./613 s.f.
Min. Office Required Parking Ratio	1 sp./580 s.f.	1 sp./580 s.f.
Min. Office Required Parking Spaces	563	781
<b>Residential</b>	384 spaces	--
Standard Spaces	367	--
Compact Spaces	9	--
Tandem Spaces	0	--
Handicap Spaces	8	--

Parking Ratio	1.09	--
Min. Residential Required Parking Ratio	1.125 sp./first 200 units, then 1 sp./unit thereafter	--
Min. Residential Required Parking Spaces	368	--
<b>LEED Score</b>		
Office	23 points	50 points (Silver)
Residential	26 points	--

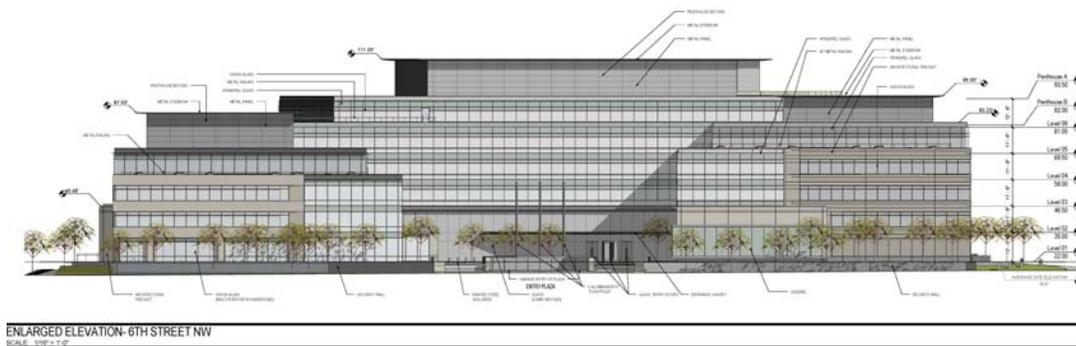
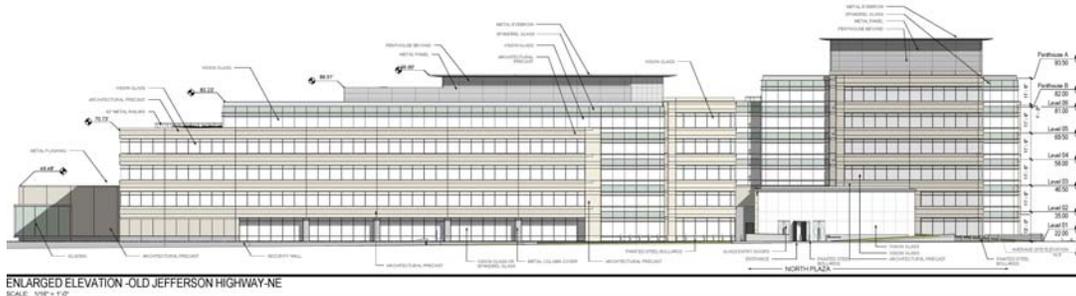
**Site and Design:** The 453,422 square foot office building will be built in two phases with the first phase constructed in an L-shape along Old Jefferson Davis Highway and 10<sup>th</sup> Street South, and the second phase completing the U-shape of the building by providing an addition along South Ball Street. Prior to construction of the second phase addition, that portion of the site will be utilized as a private event lawn enclosed by dense tree plantings. The details of the phases of construction are as follows:

Phase 1			
Level	Size	Floor Height	Elevation
P01	250 spaces		
P02	312 spaces		
Ground	71,973 sf	13 ft	22 ft
2	47,487 sf	11.5 ft	35 ft
3	62,524 sf	11.5 ft	46.5 ft
4	62,524 sf	11.5 ft	58 ft
5	53,942 sf	11.5 ft	69.5ft
6	23,458 sf	12.5 ft	81 ft
Penthouse		17.5 ft	93.5 ft
<b>Total</b>	<b>555 spaces</b> <b>322,084 sf</b>	<b>89 ft</b>	<b>111 ft</b>

Phase 2			
Level	Size	Floor Height	Elevation
P01	91 spaces		
P02	93 spaces		
Ground	31,659 sf	13 ft	22 ft
2	34,860 sf	11.5 ft	35 ft
3	35,279 sf	11.5 ft	46.5 ft
4	29,540 sf	11.5 ft	58 ft
Penthouse		18 ft	69.5 ft
<b>Total</b>	<b>184 spaces</b> <b>131,338 sf</b>	<b>65.5 ft</b>	<b>87.5 ft</b>

The building facades have been designed with elevations that differ between those located within the interior portions of the development and those along the exterior of the building adjacent to the public streets. The interior portion of the development will feature a glass curtain façade with vision glass windows and spandrel glass window headers that define each level of the building. The exterior portions of the building will incorporate the same window treatment as utilized along the interior portion of the building, but architectural precast rows will be introduced to differentiate between levels of the building. A two-story lobby sheathed with vision glass will be located in the southwest portion of the building with the doorways oriented to the pedestrian plaza along Old Jefferson Davis Highway. Rooftop mechanical equipment will

be concealed by multiple penthouses sheathed in scored metal panels and capped with metal eyebrow features. Two one-story portions of the building, one at the northern portion of the west wing of the building and the other in the southeast portion of the building, will contain sensitive operational functions and will be clad with architectural precast materials and ornamental spandrel glass panels. The walls of the loading dock will be clad with precast architectural panels that will screen the loading dock doors and loading operations from view.



The average site elevation (ASE) of the property is 18.5-feet, with an elevation that changes from 22-feet at the southwest portion of the property at the intersection of 10<sup>th</sup> Street South and Old Jefferson Davis Highway to 16-feet at the northeast portion of the property at the intersection of 6<sup>th</sup> Street South and South Ball Street. To provide an attractive and accessible entrance to the building, the primary pedestrian point of entry will be at the high portion of the property, which will be the building’s established ground floor elevation (22-feet). Rather than split the slab of the ground floor, the building has been designed to maintain a consistent ground floor elevation of 22-feet across the entire building, which does mean that portions of the ground floor will be elevated from the finished grade of the sidewalk.

Landscape and streetscape designs have received a significant amount of attention, especially considering the security requirements of the building’s tenant, which requires that the building be setback from the sidewalk in a manner uncharacteristic for new buildings within the County’s Metro corridors. Clear zone sidewalk widths around the site will be 8-feet along Old Jefferson Davis Highway and South Ball Street and 6-feet along 6<sup>th</sup> Street South and 10<sup>th</sup> Street South. Security walls with a maximum height of 48-inches will be provided adjacent to the sidewalk though separated from this pedestrian area by a planting strip of variable width. In order to

create an inviting environment for pedestrians using the sidewalks around the perimeter of the property, street trees will be provided adjacent to the curb and within the various planting strips and open areas on the site. In addition, and partly because of the aviation easement that limits development on the north side of the property, gravel walkways will be provided at the northwest and northeast corners of the property to permit public access to plaza areas that will be provided adjacent to 6<sup>th</sup> Street South. The northwest plaza along 6<sup>th</sup> Street South will contain tree plantings and historical markers set in the gravel walkway, while the northeast plaza along 6<sup>th</sup> Street South will contain tree plantings, benches and an electrical outlet to accommodate vendors and outdoor entertainment activities. Additional seating areas are proposed by way of benches incorporated into the raised planters at the main pedestrian entrance of the building.

Vehicular access to the building will be provided to the underground garage from the south side of 6<sup>th</sup> Street South opposite Long Bridge Park. Two lanes of ingress and egress will be separated by an approximately 32-foot wide landscaped median. From this entrance, vehicles will enter the site and descend into the underground garage. Vehicles entering the property to unload passengers will be able to bypass the garage entrance and proceed through this auto-court and access a lobby entrance to the building. The primary point of pedestrian entry to the building will be in the southwest corner of the building that will have a landscaped entry plaza protected by bollards and raised planters. Additional points of egress will be provided with walkways leading from doorways to the adjacent public streets.

**Security Design:** The building has been designed to serve as the regional headquarters for The Boeing Company. In addition to providing office space for Boeing employees, the building will include conference space for large meetings, as well as areas incorporating sensitive compartmentalized information facility (SCIF) design standards. Considering the classified and sensitive nature of Boeing's work, the building requires that certain security features be provided to protect the building and its inhabitants. Federal security design guidelines exist for buildings that contain federal agencies (the DARPA building under construction in the Founders Square development is an example), which require that certain setbacks and building materials be incorporated into the design for the purpose of preventing threats to the building from the public realm. The site has not been designed to incorporate these federal design requirements; rather, it provides security features desirable by Boeing that include minimum 25-foot setbacks from the face of the building to the back of the curb, as well as plantings, security walls, bollards and vehicular barriers. In combination, these features will allow for visual security of the site and to prevent vehicles from threatening the building. Access onto the property will be restricted to authorized persons only. Security stations will be located outside of public view within the lobby and in the underground garage.

**LEED and Energy Efficiency:** It is proposed that both phases of the building will achieve Silver certification through the US Green Building Council's LEED program, which the developer has agreed to (Condition #71). During the site plan review process, staff, and the community, encouraged the applicant to commit to a level of LEED certification greater than Silver. The building's tenant (Boeing) has indicated that they will attempt to achieve a LEED certification level higher than Silver, but cannot commit to anything greater at this point.

**Transportation:** The site is located on the block bounded by 6<sup>th</sup> Street South on the north, South Ball Street on the east, 10<sup>th</sup> Street South on the south, and Old Jefferson Davis Highway on the west. The portion of South Clark Street located between 6<sup>th</sup> Street South and 10<sup>th</sup> Street South is part of the site plan area and was previously approved to be vacated in connection with the site plan. With the vacation of South Clark Street, the project proposes to extend 6<sup>th</sup> Street South to Old Jefferson Davis Highway.

*Transportation Analysis: Trip Generation.* A Traffic Impact Analysis (TIA) submitted by the applicant, prepared by Gorove/Slade Associates, Inc., dated January 18, 2011, assessed the impacts of the development on the surrounding roadway network. The study looked at the following intersections:

- Army Navy Drive and 12<sup>th</sup> Street South (stop control intersection)
- Old Jefferson Davis Highway and 12<sup>th</sup> Street South (signalized)
- Old Jefferson Davis Highway and 10<sup>th</sup> Street South (stop control intersection)
- Proposed Old Jefferson Davis Highway and 6<sup>th</sup> Street South (stop control intersection)

The analysis estimated that the full build out of the site, with 443,300 square feet of office, the site would generate 556 a.m. and 518 p.m. peak hour trips. Due to the proximity of the site to three existing Metro stations (Pentagon, Pentagon City, and Crystal City), the Crystal City VRE station and bus service in the vicinity, the TIA assumed a conservative trip reduction of 10% for office trips. In comparison to the previously approved development on the site (323,299 square feet of office, 352 dwelling units, and 3,512 square feet of retail), the proposed development would generate 7 fewer trips in the a.m. and 57 fewer trips in the p.m. peak periods.

The TIA showed that at the existing intersection of Army Navy Drive and 12<sup>th</sup> Street South, the southbound Army Navy Drive approach currently operates at unacceptable levels of service (LOS) during the AM and PM peak hours. During the AM peak hour the approach operates at a LOS F and at a LOS E during the PM peak hour. In 2013, at the full build-out of the site, the operations at this intersection would further degrade with nearly 30% of the site-generated traffic using the intersection. To improve operations at this intersection, the TIA proposes to restripe the westbound 12<sup>th</sup> Street South approach, adding a dedicated right-turn lane. The proposed improvement would result in improving the southbound Army Navy Drive level of service to an acceptable LOS D during the PM peak hour; however the AM peak hour would continue to operate at a LOS F.

With the entrance to the project's garage proposed from 6<sup>th</sup> Street South, there was a great deal of concern during the Site Plan Review Committee (SPRC) discussion regarding the operation of the intersection of Old Jefferson Davis Highway and 6<sup>th</sup> Street South. The TIA shows that the intersection will operate at an acceptable level of service in both the AM and PM peak hour at the full build-out of the site. Since the intersection is proposed to operate under stop control with vehicles on Old Jefferson Davis Highway having the right of way, only vehicles on 6<sup>th</sup> Street South would experience any delays waiting to turn. As a result, traffic on Old Jefferson Davis Highway would experience very little impact by the proposed amendment to the site plan.

*Streets and Sidewalks.* The Master Transportation Plan (MTP) classifies all of the streets surrounding the site as Commercial Local Streets with the exception of Old Jefferson Davis Highway which is classified as a Type B Arterial Street. The table below summarizes the existing, previously approved and proposed street cross-sections and streetscapes for the streets adjacent to the site.

<b>Old Jefferson Davis Highway</b>		
<b>Existing Street</b>	<b>Existing Clear Sidewalk</b>	<b>Existing Total Sidewalk</b>
<u>52-feet</u> – two 12.5-foot travel lanes and two 13-foot travel lanes	<u>West side</u> - 4.5-foot wide sidewalk adjacent to the Route 1 retaining wall. <u>East side</u> - none.	<u>West side</u> - 4.5-foot wide sidewalk adjacent to the Route 1 retaining wall. <u>East side</u> – none
<b>Approved Street</b>	<b>Approved Clear Sidewalk</b>	<b>Approved Total Sidewalk</b>
<u>58-feet</u> - two 11-foot travel lanes, one 10-foot left-turn lane/planted median, 5-foot bike lanes in each direction, 8-foot parking lane on the west side.	<u>West side</u> - 6-foot wide sidewalk. <u>East side</u> - 8-foot wide sidewalk.	<u>West side</u> - 6-foot wide sidewalk. <u>East side</u> – 13.7-foot wide sidewalk with 5'x12' tree pits with street trees.
<b>Proposed Street</b>	<b>Proposed Clear Sidewalk</b>	<b>Proposed Total Sidewalk</b>
No changes from approved	<u>West side</u> - No changes from approved. <u>East side</u> – No changes from approved.	<u>West side</u> – No changes from approved. <u>East side</u> – No changes from approved.
<b>6<sup>th</sup> Street South</b>		
<b>Existing Street</b>	<b>Existing Clear Sidewalk</b>	<b>Existing Total Sidewalk</b>
<u>36.6-feet</u> – two 10-foot travel lanes, two 8.3-foot parking lanes.	<u>North side</u> – none. <u>South side</u> 8.5-foot paved curb.	<u>North side</u> – none. <u>South side</u> 8.5-foot paved curb.
<b>Approved Street</b>	<b>Approved Clear Sidewalk</b>	<b>Approved Total Sidewalk</b>
<u>36-feet</u> – two 10-foot travel lanes, two 8-foot parking lanes.	<u>North side</u> - - See Long Bridge Park Plan. <u>South side</u> – 6-foot wide sidewalk.	<u>North side</u> – See Long Bridge Park Plan. <u>South side</u> – 11.8-foot sidewalk with 5'x20' tree pits with street trees.
<b>Proposed Street</b>	<b>Proposed Clear Sidewalk</b>	<b>Proposed Total Sidewalk</b>
No changes from approved.	No changes from approved.	No changes from approved.
<b>South Ball Street</b>		
<b>Existing Street</b>	<b>Existing Clear Sidewalk</b>	<b>Existing Total Sidewalk</b>
<u>36.2-feet</u> – two 10-foot travel lanes, two 8.1-foot parking lanes.	<u>West side</u> – none. <u>East side</u> – variable width sidewalk.	<u>West side</u> – none. <u>East side</u> – variable width sidewalk and planting strip.
<b>Approved Street</b>	<b>Approved Clear Sidewalk</b>	<b>Approved Total Sidewalk</b>
<u>36-feet</u> – two 10-foot travel lanes, two 8-foot parking lanes.	<u>West side</u> – 6-foot wide sidewalk. <u>East side</u> – variable width sidewalk.	<u>West side</u> – 11.7-foot sidewalk with 5'x12' tree pits with street trees. <u>East side</u> – variable width sidewalk and planting strip.
<b>Proposed Street</b>	<b>Proposed Clear Sidewalk</b>	<b>Proposed Total Sidewalk</b>
No changes from approved.	<u>West side</u> – sidewalk increased to 8-foot wide. <u>East side</u> – No changes from approved.	<u>West side</u> – 13.8-foot sidewalk with 5'x20' tree pits with street trees. <u>East side</u> – No changes from approved.
<b>10<sup>th</sup> Street South</b>		
<b>Existing Street</b>	<b>Existing Clear Sidewalk</b>	<b>Existing Total Sidewalk</b>

<u>37-feet</u> – two 10-foot travel lanes, two 8.5-foot parking lanes.	<u>North side</u> – none. <u>South side</u> 10.8-foot wide sidewalk.	<u>North side</u> – none. <u>South side</u> 10.8-foot wide sidewalk and variable width planting strip.
<b>Approved Street</b>	<b>Approved Clear Sidewalk</b>	<b>Approved Total Sidewalk</b>
<u>36-feet</u> – two 10-foot travel lanes, two 8-foot parking lanes.	<u>North side</u> – 6-foot wide sidewalk. <u>South side</u> – 10.8-foot wide sidewalk.	<u>North side</u> – 11.7-foot sidewalk with 5’x12’ tree pits with street trees. <u>South side</u> 10.8-foot wide sidewalk and variable width planting strip.
<b>Proposed Street</b>	<b>Proposed Clear Sidewalk</b>	<b>Proposed Total Sidewalk</b>
No changes from approved.	No changes from approved.	<u>North side</u> – 11.8 foot sidewalk with 5’x20’ tree pits with street trees. <u>South side</u> –No changes from approved.

Most of the streetscape and roadway cross-sections previously approved have remained the same, with minor changes along South Ball Street and Old Jefferson Davis Highway. Along South Ball Street the applicant has proposed, and staff supports, widening the clear sidewalk to 8 feet from the 6 feet previously approved. The Old Jefferson Davis Highway street section has been modified from the approved plans to provide additional on-street parking without affecting the placement of street trees. This has resulted in the addition of approximately ten (10) new on-street parking spaces along the Old Jefferson Davis Highway frontage. The approved site plan would provide two (2) on-street parking spaces along Old Jefferson Davis Highway by placing the parking between the tree pits. The configuration proposed is consistent with the County’s typical streetscape which will provide on-street parking, a street furniture/tree pit zone, and a clear sidewalk.

One of the most significant changes between the approved project and the proposed project relates to 8<sup>th</sup> Street South. The approved site plan would have added a new street (8<sup>th</sup> Street South) located between 6<sup>th</sup> Street South and 10<sup>th</sup> Street South. Under the approved site plan the main building entrances for both the residential and office buildings would have been located off 8<sup>th</sup> Street South, focusing most of the activity internal to the site. The internal focus of the previously approved site plan was an issue as the project proceeded through the public review process. In contrast, the proposed project removes 8<sup>th</sup> Street South from the plan, locating the main lobby entrance along Old Jefferson Davis Highway, which helps to activate the street. However, the removal of 8<sup>th</sup> Street South results in not breaking up the large block (495-foot by 430-foot block) and creating a long building façade on Old Jefferson Davis Highway which may create a less pedestrian-friendly experience along the street.

Parking and Loading. With the proposed changes in the project from a mixed-use multi building project to one (1) single- use building, the number of parking and loading entrances is proposed to be reduced from four (4) to two (2).

The primary vehicle access to the project is proposed from a motor court/plaza located off 6<sup>th</sup> Street South. Vehicles entering the motor court may either proceed to a drop-off area or use a ramp to access the secure underground garage. The entrance along 6<sup>th</sup> Street South is located mid-block with a 24-foot wide entry lane and a separate 24-foot wide exit lane. Staff continues to work with the applicant to reduce the width of the entry lanes, considering 6<sup>th</sup> Street South has a travel-way of only 20-feet with a travel lane in each direction.

Parking for the building is proposed in a two-story underground garage that will accommodate 739 spaces (1 space/613 square feet). The parking garage will be constructed in two phases, with the first phase consisting of 562 parking spaces and the second phase containing 184 parking spaces. The project does not propose providing shared parking on evenings or weekends, and the parking is proposed to be provided for the exclusive use by the building's tenants and authorized visitors.

The project proposes providing space for on-street parking on all four of the site's frontages. This would provide room for approximately 59 on-street spaces, which is an increase of 19 spaces compared to the previously approved site plan. In addition, the change in use from mixed use with residential to all office would make it more likely that the on-street parking will be available on evenings and weekends during the peak usage periods for Long Bridge Park.

Loading will be provided along South Ball Street in the southeast corner of the building. The proposed loading dock will be directly across from a loading dock for the North Tract Lofts project located on the opposite side of South Ball Street. The loading area will be set back from the sidewalk and will accommodate two full sized loading vehicles and one refuse vehicle.

*Bicycle Access.* Arlington County is working to significantly improve the north/south bicycle access in the vicinity of the site. The approved plans for the reconstruction of Old Jefferson Davis Highway proposes new bike lanes adjacent to the site. The County is anticipating the completion of the Old Jefferson Davis Highway project in spring 2012. In addition, the Long Bridge Park plan envisions the "Esplanade" as an area for slower speed biking, providing a direct connection to the park from Crystal Drive at 12<sup>th</sup> Street South.

To support bicycling by building tenants, the applicant has agreed to provide employee and visitor bike parking consistent with Arlington County standard site plan conditions. This would provide a minimum of 61 employee and 22 visitor spaces at full build out (43 employee and 16 visitor spaces with Phase 1). The applicant has also agreed to execute a license agreement that would allow for a future Capital Bike Share station to be located on the site. The plans currently show the bike share station location along South Ball Street; however, staff would recommend that the station be located closer to the corner of Old Jefferson Davis Highway and 6<sup>th</sup> Street South adjacent to Long Bridge Park and the on-street bicycle lanes along Old Jefferson Davis Highway. As stated in Condition #84, the final location of this bike share station will be determined prior to approval of the final engineering and final landscape plans to allow staff and the applicant to determine the ultimate, and best, location for this facility.

*Transportation Demand Management.* The applicant has agreed to implement a Transportation Management Plan (TMP) to provide a program oriented towards decreasing single occupancy vehicle (SOV) trips to and from the site. Staff supports the proposed TMP program and finds it to be consistent with the County's adopted policies, though final details of the program continue to be discussed with the applicant. As proposed by Condition #50, the TMP program will be implemented by the developer and include strategies including the major elements summarized below:

- Designation of a Transportation Coordinator to oversee the TMP program.
- Contribution of \$0.042 per square foot of office space (\$19,000) per year for thirty (30) years to Arlington County Commuter Services (ACCS) in support of the TMP program.
- Designation of reserved parking spaces for carpools and vanpools with appropriate parking subsidies.
- Provision of SmartTrip<sup>®</sup> cards preloaded with a \$60.00 balance to each on-site employee.
- Display and distribution of transit related information to on-site employees.
- Reimbursement to the County for transportation performance monitoring studies at two (2) years, five (5) years and each subsequent five (5) year period for a maximum period of thirty (30) years.
- Submission of an annual report to the County regarding TDM activities of the site.

**Utilities:** The portion of South Clark Street located between 6<sup>th</sup> Street South and 10<sup>th</sup> Street South is approved to be vacated. In addition, a 10-foot water main easement and a 15-foot sanitary sewer and force main easement, both located on a portion of County owned land between South Clark Street and Old Jefferson Davis Highway, have been approved to be vacated. These vacations were initially approved by the County Board on June 24, 2008 along with SP #400. On April 16, 2011, the County Board enacted ordinances to extend the deadline of these vacations from June 17, 2011 to December 31, 2011, for the street vacation, and until April 16, 2014, for the utility easement vacations. This County Board action to extend the vacations was necessary to permit the reconfiguration of the site according to this site plan amendment request. In association with this site plan amendment, the applicant proposes to relocate the water line and sanitary sewer force main to Old Jefferson Davis Highway and to provide all other necessary utility connections to the site underground. The applicant's proposal does not result in any significant changes to utility service to the site.

## **DISCUSSION:**

**Density and Uses:** The site is currently zoned "C-O-1.5" and is the subject of an approved site plan (SP #400), which would allow the property to be developed with 681,381 square feet of development consisting of 323,229 square feet of office, 3,512 square feet of ground-floor retail, and 352 multi-family dwelling units. The amount of density approved on the site with SP #400 does exceed that permitted under the "C-O-1.5" provisions of the Zoning Ordinance, though GLUP Note 20 allows additional density to be provided at the subject site which is subject to an Exchange Agreement between the applicant and the County. Specifically, GLUP Note 20 states:

*This area was designated as the "North Tract Special Planning District" on April 24, 2004. In accordance with an agreement, dated July 16, 2007, between the County and MR Boundary Channel LLC, providing for the exchange of certain property owned by the County and property owned by MR Boundary Channel LLC known as the Twin Bridges site, the County Board, pursuant to Section 36.H.5 of the Zoning Ordinance, and in order to facilitate the implementation of the North Tract Master Plan for Park and Recreational Facilities, has designated the property owned by the County and to be transferred to MR Boundary Channel LLC as eligible for additional development density up to 19,362 square feet of commercial density (15,850 square feet of office and 3,512 square feet of retail) and 352 residential units over and above its base density.*

The applicant requests an amendment to SP #400 to reconfigure the site from a mixed-use development consisting of 681,381 square feet (3.32 FAR) to a development containing 453,422 square feet (2.21 FAR) of office space. Though the applicant's proposal will effectively reduce the density on the site, it does, nonetheless, continue to exceed that permitted in the "C-O-1.5" zoning district (307,449 square feet). Therefore, the applicant has requested that GLUP Note 20 be amended to revise the language regarding the amount of additional density that may be permitted on the subject site. In order to accommodate the applicant's request, 145,973 square feet of additional office density is required, which can be provided to the site from within the North Tract Special Planning District as permitted by GLUP Note 20. However, Note 20 will need to be amended to reflect the new amount of additional density that may be allocated to this site. This is the same mechanism that was utilized with the original approval of SP #400 for allocation of additional density to this site, though in a lesser amount. No LEED bonus density is requested by the applicant, though Silver certification will be achieved with both phases of construction.

**Site Design:** The applicant's current proposal seeks to amend the site plan to permit the development of a 453,422 square foot office building. Community concerns have been raised about the appropriateness of a secure office building at this site which is located north of Crystal City and across 6<sup>th</sup> Street South from Long Bridge Park. Staff believes that an office building at this location is an appropriate use (and a use that is in conformance with the recommendations of the *North Tract Area Plan Study*) to be situated next to Long Bridge Park because of the opposing peak usage periods and avoidance of potential residential tenant concerns related to light, noise and traffic impacts of the active recreational park use. Additionally, staff supports the location of a secure office building at this property because it is located on the edge of the redevelopment core of Crystal City and, unlike sites in the rest of Crystal City and the Rosslyn-Ballston Corridor, it is in a location where it is less necessary to have the building directly framing the sidewalk. Nevertheless, to address these concerns, the applicant has designed a streetscape environment that will provide an attractive area not just for employees and residents of the area to utilize, but also to facilitate the movement of people in a welcoming environment from the Crystal City underground and Pentagon City Metro Station Area to Long Bridge Park.

The subject site consumes the entire block, and a portion of South Clark Street, located adjacent to the southern end of Long Bridge Park. The "North Tract Area Special Planning District" recommends that sites within this district be redeveloped in a manner that advances the goal of implementing the development of Long Bridge Park. Currently, the subject site contains multiple vacant buildings and a portion of South Clark Street that is in poor condition. As proposed by the applicant, the site will be redeveloped with an office building and include streetscape improvements around the perimeter of the block. The portion of South Clark Street that currently exists between 6<sup>th</sup> Street South and 10<sup>th</sup> Street South will be vacated along with associated water and sewer utilities. Redevelopment of the site, and the associated streetscape and utility improvements, are significant improvements that will help improve the appearance and functionality of this area. Community concerns were raised during the site plan review process regarding the relationship of the site design to Long Bridge Park. As designed, the building will be constructed in two phases with the interim phase composing an L-configuration and the second phase completing the ultimate U-shape by constructing an addition parallel to

South Ball Street. The building will be oriented towards Long Bridge Park by presenting an opening to the north that will serve as the automobile entrance to the underground garage and an at-grade motor-court. Along 6<sup>th</sup> Street South, two public plazas will be constructed. This design results in a building whose height tapers upwards as you move away from Long Bridge Park and situates plaza areas, open space and landscaping on the north side of the site facing Long Bridge Park. Staff believes that this design accomplishes a positive transition from the urban nature of Crystal City to Long Bridge Park.

The security design features combined with the single use of the building and its form has raised community concerns that the building and site design is better suited for a more suburban setting. Certain factors influenced the design of the site and building, most notably the aviation easement, which limits the height and buildable area of the site, as well as the tenant's security requirements. The building has been designed to maximize the permissible height and buildable areas of the site, while providing a transition in height between Crystal City and Long Bridge Park. Security concerns of the building's tenant (Boeing) mandated the inclusion of setbacks between the building and the public realm. These setbacks will be enhanced by an extensive planting schedule and security walls (maximum height of 48 inches) that will be provided in an alternating pattern to reduce their presence as a security barrier. The architecture of the building provides a gateway appearance at the lobby and the interior portion of the building's U-shape that faces Long Bridge Park, while facades along Old Jefferson Davis Highway, South Ball Street and 10<sup>th</sup> Street South are less articulated. Staff and the community expressed concerns during the review process about the appearance of the building and encouraged the applicant to revise the elevations to present a greater relationship to the sidewalk. Specific comments were expressed regarding curving the building's western elevation along with the curve in Old Jefferson Davis Highway and to divide the façades into multiple elements to decrease the building's imposing form. Through the site plan review process, the applicant made changes to the materials of the penthouse and some of the unadorned portions of the building, but the mass and form of the building have remained unchanged.

### **Approved Policies and Plans:**

*North Tract Area Plan Study.* The *North Tract Area Plan Study* was accepted by the County Board on February 21, 2004. This small area study provides guidance for the redevelopment of former industrial properties for the purposes of facilitating development of a first-class recreational complex. The *North Tract Area Plan Study* focused on a 46-acre area bounded on the north by the Twin Bridges property, by the Roaches Run Water Fowl Sanctuary on the east, 10<sup>th</sup> Street South on the south, and Old Jefferson Davis Highway on the west. The Study presents a vision for the area of "a distinctive showplace of environmentally sound redevelopment, with a central expanse of attractive public green spaces and high-quality indoor and outdoor recreation facilities that are accessible to all Arlingtonians, conveniently linked with nearby urban corridors and the Potomac riverscape, and coupled with complementary private development."

As one of the Plan's major goals, it was recommended that the subject site be consolidated with adjacent County owned property and used for recreational purposes or redeveloped with health, rehabilitation, and/or residential or office use. Specifically, Goal 5 of the Study states:

*To forge creative partnerships with private entities, non-profit organizations, and other public agencies to complement direct county investments in the park and help to achieve, in cost-effective ways, the planned community facilities and the compatible, high-quality redevelopment of adjacent privately-owned sites.*

North Tract Special Planning District. Following the acceptance of the North Tract Area Plan Study, the County Board added a Note (Note 20) on the General Land Use Plan (“GLUP”) in April 2004 to establish the “North Tract Special Planning District”. The purpose of the District is to ensure that the vision, goals and policies of the North Tract Area Plan Study are achieved.

Revisions to GLUP Note 20. Concurrent with the approval of SP #400 on June 24, 2008, the County approved the following amendment to GLUP Note 20 (*language adopted in 2008 in italics*):

*This area was designated as the “North Tract Special Planning District” on April 24, 2004. In accordance with an agreement, dated July 16, 2007, between the County and MR Boundary Channel LLC, providing for the exchange of certain property owned by the County and property owned by MR Boundary Channel LLC known as the Twin Bridges site, the County Board, pursuant to Section 36.H.5 of the Zoning Ordinance, and in order to facilitate the implementation of the North Tract Master Plan for Park and Recreational Facilities, has designated the property owned by the County and to be transferred to MR Boundary Channel LLC as eligible for additional development density up to 19,362 square feet of commercial density (15,850 square feet of office and 3,512 square feet of retail) and 352 residential units over and above its base density.*

A GLUP Amendment is proposed to revise Note 20 to modify the amount of additional development density designated to the Monument View Site Plan area within the North Tract Special Planning District. Also the proposed revised language would acknowledge the revised property exchange agreement between the County and the applicant, as well as the applicant’s new name. The County Board would need to consider the proposed revised language, shown below, prior to consideration of the proposed Site Plan Amendment.

Staff proposes that the language in Note 20 be revised as follows:

*This area was designated as the “North Tract Special Planning District” on April 24, 2004. In accordance with an revised agreement, dated July 16, 2007 September 29, 2010, between the County and MR ~~Boundary Channel~~ Monument View LLC, providing for the exchange of certain property owned by the County and property owned by MR~~Boundary Channel~~ Monument View LLC known as the Twin Bridges site, the County Board, pursuant to Section 36.H.5 of the Zoning Ordinance, and in order to facilitate the implementation of the North Tract Master Plan for Park and Recreational Facilities, has designated the property owned by the County and to be transferred to MR ~~Boundary Channel~~ Monument View LLC as eligible for up to ~~19,362 square feet of commercial density (15,850 square feet of office and 3,512 square feet of retail)~~ and ~~352 residential units~~ 145,973 square feet of additional development density over and above its base density.*

A separate planning study, consistent with the County Board adopted “Policy Statement Regarding Consideration of General Land Use Plan Amendments Unanticipated by Previous Planning Efforts”, is not required in this case because this site has been studied as part of the *North Tract Area Plan Study* of 2004. No land use designation change is being requested for the subject site. Staff recommends the proposed revision to GLUP Note 20 as it is consistent with the goals of the *North Tract Area Plan Study* and the “North Tract Special Planning District.”

The proposed development is consistent with the *North Tract Area Plan Study* and will facilitate the development of Long Bridge Park. The proposed development will also preserve density within the North Tract Special Planning District for implementation of future park improvements. A range of potential uses for this site were identified in the Plan, including the proposed office development. As with the mixed-use project that was previously approved for this site, a single-use office project is appropriate for this location, as it is adjacent to the higher-density mixed-use core of Crystal City, where a mixed-use pedestrian environment is envisioned and encouraged. Additionally, an office-only development located adjacent to Long Bridge Park is an effective transition to the mixed-use core of Crystal City, given the potential impacts of a park on surrounding areas, such as noise, lighting, and on-street parking.

### **Transportation:**

*Shared Parking.* The previously approved mixed-use layout for the site included a condition (Condition #65) requiring that the 591 parking spaces associated with the office building be made available, to the public, on nights and weekends. The purpose of this condition was to provide excess parking for use by Long Bridge Park patrons during the peak usage period of the park, which is the opposite of the peak usage of the office building.

The applicant’s site plan amendment proposal requests approval of a development program that will replace the mixed-use layout with a single tenant office building. As previously mentioned, this office building will be constructed for The Boeing Company, which will own and operate this building for their sole use. A major component of Boeing’s decision to select this site was the ability to provide certain security features in the site and building design, including setbacks, security walls, bollards, etc. An additional feature, and one of equal importance to Boeing, is the ability to restrict use of the underground garage to employees of the building and their visitors, with no access provided to the general public during any time.

Long Bridge Park is currently under construction and has been designed to accommodate the parking needs of the facility during typical events. On occasion, Long Bridge Park will be utilized for special events. During these events, the parking supply at the park and on the adjacent roadways may become constrained, making it necessary for patrons to rely upon transit, walking, biking and off-site parking. Staff is understanding of Boeing’s security requirements and has worked with the applicant to design a site that maximizes the provision of on-street parking spaces. In addition, and as discussed during the SPRC process, the applicant has been encouraged to look for creative solutions to address the loss of the shared parking provided under the approved mixed-use site plan. As an alternative to providing shared parking on-site, the applicant has proposed a financial contribution for the purpose of providing transportation mitigation services in the neighborhood. These funds may be used for the provision of adequate

transportation services for use by Long Bridge Park patrons between the park and satellite parking facilities. PRCR staff estimates that, at full build out of Long Bridge Park, there may be between eight (8) and twelve (12) special events per year that would require off-site parking for patrons. Up to half of those special events may take place over multiple days, typically up to 3 days per event. Staff has analyzed the availability of public parking spaces within the vicinity and has identified an inventory of approximately 3,500 spaces located within garages north of 15<sup>th</sup> Street South in Crystal City that are available for use by the public during evenings and weekends. These spaces would provide sufficient capacity for use by Long Bridge Park patrons during special events, and could be made more convenient for use through the provision of shuttle service during these special events.

*On-Street Parking.* The applicant proposes to provide approximately 180 feet of on-street parking along Old Jefferson Davis Highway, which would accommodate parking for approximately ten (10) vehicles. In total the project would provide approximately 59 on-street parking spaces on the public roadways surrounding the site. Staff anticipates that these spaces would be metered to facilitate short and long term turnover of the spaces. As multi-space parking meters have become the County standard when installing new meters for on-street parking spaces, staff has proposed in the site plan conditions (Condition #83) that the applicant install this type of meter to service these on-street parking spaces. Staff anticipates that approximately eight (8) new multi-space parking meters would be required around the site to support the on-street parking spaces to be provided by the applicant. The applicant has agreed to this condition.

*Bicycle Share Station.* The applicant has agreed to permit a bicycle share station to be located on the subject site (Condition #84). To accommodate a bicycle share station consisting of nineteen (19) bicycles, a seven (7) foot by forty-five (45) foot area has been identified by the applicant in the northeast portion of the site adjacent to South Ball Street. Staff believes that the bicycle share station on site should be located in the northwest portion of the site adjacent to Old Jefferson Davis Highway, which would be a more convenient location for use by employees of the office building and patrons of Long Bridge Park. The applicant and staff continue to discuss the ultimate location of this bicycle share station, which will be determined prior to approval of the final landscape plan and final engineering plan.

**Comprehensive Sign Plan:** A comprehensive sign plan has been requested that seeks approval of all signs for the building including two rooftop signs. The applicant proposes to install various pedestrian and driver notification signs around the perimeter of the building. In addition, two rooftop signs bearing the name and corporate logo of the building's tenant (Boeing) are proposed. Each rooftop sign will be located on different portions of the building's penthouse, with one oriented north towards 6<sup>th</sup> Street South and Long Bridge Park and another west towards Old Jefferson Davis Highway and I-395. Concerns have been raised by the community that permitting rooftop signs on penthouses are not standard County practice and would set a negative precedent. In response to these concerns, staff analyzed this issue and has identified numerous buildings located throughout the County that have rooftop signs located on their penthouses in a manner similar to that proposed by the applicant. Therefore, staff does not believe that the proposed placement of rooftop signs on the proposed building contradicts current County policy.

As designed, the building has approximately 1,469 square feet of linear frontage along public roads; therefore, the building is permitted up to 1,469 square feet of sign area, each, for rooftop signs and for all other building and ground mounted signs. As proposed, the two rooftop signs will contain 742.78 square feet and the other signs will contain 20.1 square feet of sign area, which is consistent with the *Guidelines for Site Plan Buildings*. The orientation of the rooftop sign on the north side of the interior portion of the development was raised as a concern during the site plan review process. The applicant presented exhibits to the Site Plan Review Committee (SPRC) regarding the siting of the sign and the intensity of its illumination. This sign will be set back a significant distance from the northern property boundary and will not be visible from the George Washington Memorial Parkway. Typical site plan condition language is proposed that will limit the intensity of the illumination of these signs, as well as the daily permitted illumination period, which staff believes to be sufficient mitigation of these rooftop signs. Below is a description of the signs proposed by the applicant with their Comprehensive Sign Plan:

<b>Comprehensive Sign Plan Program</b>							
<b>Sign Type</b>	<b>Location</b>	<b># of Signs</b>	<b>Sign Dimensions</b>	<b>Sign Area</b>	<b>Text</b>	<b>Materials</b>	<b>Illumination</b>
Rooftop	North side of penthouse facing Long Bridge Park	1	61'2" wide x 14'5" tall	514.25 sf	"Boeing" (includes corporate logo)	White lexan face with aluminum case painted black	Internal
Rooftop	West side of penthouse facing Old Jefferson Davis Highway	1	40'9" wide x 9'4"/3'5" tall	228.53 sf	"Boeing" (includes corporate logo)	White lexan face with aluminum case painted black	Internal
			<b>Total</b>	<b>742.78 sf</b>			
			<b>Total Permitted</b>	<b>1,469 sf</b>			
Address	On security wall at main pedestrian entrance	1	2'8.5" wide x 6.5"/1.5" tall	0.55 sf	TBD	Satin aluminum letters	None
Pedestrian Notification	One along S. Ball St. sidewalk and two along internal sidewalks	3	11" wide x 3'6" tall	9.66 sf	Private property notice and Boeing logo	Aluminum marker with painted white text and blue logo	None
Driver Notification	Vehicular entrance to loading dock	1	15" wide x 5'1.5" tall	7.51 sf	Private property and delivery notice and	Aluminum panel with vinyl letters and logo	None

					Boeing logo		
Loading Notification	Pedestrian entrance to loading dock	1	8" wide x 8" tall	0.44 sf	Delivery notice	Aluminum panel with vinyl letters and logo	None
Fire Command Center	Door to fire command center	1	1'9.5" wide x 1'1" tall	1.94 sf	Fire Command Center	Grey vinyl letters	None
			<b>Total</b>	<b>20.55 sf</b>			
			<b>Total Permitted</b>	<b>1,469 sf</b>			

**Modification of Use Regulations:** The following modifications to Zoning Ordinance requirements are requested with the subject site plan proposal:

Reduced Parking Ratio for Office Parking. Office buildings subject to site plan approval are typically provided with a parking ratio of one (1) space per 580 square feet of gross floor area. The applicant proposes two levels of underground parking consisting of 739 parking spaces, which results in a parking ratio of one (1) space per 613 square feet. This parking ratio is exclusive of the on-street parking spaces to be provided by the applicant with the development of the site. In addition to traditional office space, the building will contain conference and demonstration facilities. The site is situated north of Crystal City and east of the Pentagon and Pentagon City Metro Station Area and is planned for additional transit operations that will provide service to the subject site and Long Bridge Park. The proposed parking ratio is consistent with County policy and will, in combination with a successful Transportation Management Plan, provide adequate parking for the uses proposed within this building.

Sign Modifications. Section 34.D.1 of the Zoning Ordinance does not permit signs to be located above the roofline of the building or at a height greater than 35 feet. The two rooftop signs will be located on the penthouse, though no portion will extend beyond the roofline of the penthouse, and like all rooftop signs, will be located at heights greater than 35 feet from the average site elevation (ASE). Placement of these rooftop signs on the penthouse is necessary to provide visibility for these signs on a building that is constructed well below the height limit permitted by the C-O-1.5 zoning district and to not block outside views through the windows of office space located in these portions of the upper (sixth) floor. These rooftop signs are not oriented towards residential uses and will not be visible from the George Washington Memorial Parkway, though the sign on the north side of the building will be visible from Long Bridge Park. In addition, these rooftop signs have been designed in a manner that is compatible with the architecture of the building. Typical site plan condition parameters regarding the intensity of illumination and permitted period of illumination for these rooftop signs is proposed to mitigate potential adverse impacts caused by these signs, which staff deems to be sufficient

**Community Benefits:** The following are considered significant community benefits in association with the subject site plan amendment:

- Exchange Agreement – As previously mentioned, the site is subject to an exchange agreement between the applicant and the County that was initially approved by the County Board on July 16, 2007 and amended on September 29, 2010. The purpose of this agreement is to exchange the County’s 4.705-acre property (subject site) for the applicant’s 7.09-acre property (Twin Bridges site) with a closing date for the transfer to occur no later than December 31, 2011. Once the exchange of properties is complete, the County will be able to proceed with its plans for Phase 2 of Long Bridge Park, which will consist of an aquatics facility and related infrastructure constructed on the former Twin Bridges site.
- Retention of The Boeing Company in Arlington County – Retaining Boeing as a corporate tenant in the County is of great value. The applicant’s proposed site plan amendment presents an opportunity to allow an existing company to move out of leased space, consolidate their presence, and make a long-term investment in the County by way of purchasing their own building. The project will preserve over 500 jobs within the County and provide a venue that will attract over 20,000 new visitors to Arlington County annually. With the onset of the federal government’s Base Realignment and Closure (BRAC) efforts that will greatly impact the County (specifically Crystal City), as well as declining federal leased space needs, it is in the strategic economic interest of the County to work with our current business community to secure a continued presence and allow the opportunity for a corporate tenant to grow and invest in Arlington County.
- Preservation of additional density on the Twin Bridges site– In 2008, the County Board approved an amendment to GLUP Note 20 regarding the allocation of additional development density from the Twin Bridges site to the subject site. The amount of additional development density permitted on the site included 19,362 square feet of commercial uses (15,850 square feet of office and 3,512 square feet of retail) and 352 residential units. The density remaining on the Twin Bridges site was 76,083 square feet of commercial uses or 83 dwelling units. As proposed with the subject GLUP amendment, GLUP Note 20 will permit the allocation of up to 145,973 square feet of office density from the Twin Bridges property to the subject site, which would leave on the Twin Bridges site to a development capacity of 317,059 square feet of commercial uses or 349 dwelling units. This amendment to GLUP Note 20 will effectively return density, in the amount of 240,976 square feet of commercial use or 266 dwelling units, to the Twin Bridges site for future use by the County.

In addition, the applicant has committed to the following financial contributions: \$1,501,645 for affordable housing purposes (Condition #67), \$75,000 to support public art initiatives at Long Bridge Park (Condition #64), and \$235,250 for the County’s Utility Fund (Condition #5).

**Community Process:**

*Site Plan Review Committee.* The subject site plan amendment was reviewed three (3) times by the Site Plan Review Committee (SPRC) on May 9, June 16 and July 11, 2011. Following are issues or concerns that were thoroughly discussed by the SPRC:

- Single use building rather than mixed-use project previously approved
- Vehicular entrance from 6<sup>th</sup> Street South opposite Long Bridge Park
- Architectural design of building
- Security features of site design
- Orientation of development to Long Bridge Park
- Sign orientation to Long Bridge Park
- Absence of shared parking for use by Long Bridge Park patrons
- Plaza designs in northern portion of site opposite Long Bridge Park
- Green building commitment
- Loading dock location on South Ball Street
- Phase 1 interim site design

Staff's responses to these issues are contained in the relevant portions of the report.

Transportation Commission. The Transportation Commission heard the proposed site plan amendment for the Monument View site plan (SP #400) at its September 1, 2011 meeting. The Commission recommended to the County Board to deny the proposed site plan amendment, with the recommendation that should the County Board decide to approve the site plan amendment, the following modifications should be considered:

1. Condition #65 should be modified, significantly increasing the monetary contribution proposed to include offsets for staff's time to plan, market and implement any possible shuttle route established to make up for the loss of the shared parking. The Commission also recommended to significantly increase the number of hours proposed for the shuttle service. Considering the approved site plan would have provided shared parking for the life of the site plan, the Commission felt that the term for the provision of a shuttle should be provided for the life of the site plan or as long as the site does not provide shared parking.
  - *Staff Response:* This issue is addressed below in response to a similar condition recommended by the Planning Commission (item #4).
2. The Commission recommended changes to Condition #6 by recommending that lighting be provided around the site, as needed, within 60 days following approval of the site plan by the County Board.
  - *Staff Response:* Condition #6 requires that interim lighting be addressed in the plan for temporary pedestrian and vehicular circulation during construction. This plan is required to be approved prior to issuance of the Clearing, Grading and Demolition Permit. Staff believes that this condition adequately addresses this issue, though recognizes that the interim lighting might be installed at a time that is greater than sixty (60) days from the date of approval of this site plan amendment.
3. The Commission requested that staff explore the feasibility of conditioning approval of the secure garage to the occupancy of the building by The Boeing Company.

- *Staff Response:* Site plan conditions are limited to mitigating the impacts of a proposed use and cannot be tailored to a specific tenant of that use. Therefore, staff has not proposed a revision to Condition #65 to limit shared parking of the garage to The Boeing Company only.

The Transportation Commission reheard this proposal on September 29, 2011 and reaffirmed their recommendation for denial for this site plan amendment.

*Planning Commission.* The Planning Commission heard the proposed GLUP amendment and site plan amendment at its carryover meeting on September 8, 2011. The Planning Commission voted to recommend to the County Board to defer the proposed GLUP amendment and site plan amendment with the following recommendations:

1. Increase the size of the plazas and provide more opportunities to activate the 6<sup>th</sup> Street frontage.
  - *Staff Response:* Staff believes that the size and design of these two plaza areas are appropriate, as they will provide passive recreational opportunities for employees of the office building and patrons of Long Bridge Park. As Long Bridge Park has been designed to be a major active recreational amenity for the County, staff has concluded that passive recreational areas consisting of seating and gathering areas are appropriate uses for these areas in the northern portion of the site.
2. Relocate the garage entrance to South Ball Street.
  - *Staff Response:* Staff has concluded that because the peak period of use for the office building (weekday mornings and afternoons) will occur in the opposite period of Long Bridge Park (weekday evenings and weekends) that vehicles entering and exiting the parking garage will not conflict with vehicles and pedestrians accessing Long Bridge Park. In addition, and because of The Boeing Company's desired security requirements that place the guard booths on the ramps below grade, relocation of the parking garage entrance would require significant changes to the garage and building that may result in placing more of the building in the northern portion of the building, which would conflict with the building height limitations of the existing aviation easement. Therefore, staff believes that the location of the entrance to the parking garage from 6<sup>th</sup> Street South is appropriate for the design of the site.
3. Remove the penthouse/rooftop sign on the north facade and condition that any illumination be reviewed by the County and stakeholders after implementation.
  - *Staff Response:* Though not commonly located on penthouses, there are many buildings throughout the County's Metro corridors with rooftop signs located on the penthouse. As proposed, the rooftop signs will allow for these signs to be visible to the public without obstructing views to the outside from the sixth story (uppermost floor) of the office building. In addition, Condition #49 has been proposed that will limit the hours and intensity of illumination of these rooftop signs, as well as the ability for the County

Manager to require further illumination restrictions should the illumination of these rooftop signs have an adverse impact on the surrounding neighborhood. Therefore, staff does not believe it necessary to relocate these rooftop signs or subject them to further community review after installation.

4. Ensure that either the parking garage is available for community use as originally approved or that adequate compensation for the loss of parking is included.
  - *Staff Response:* Staff has worked with the applicant on the composition of Condition #65 that will require the applicant to contribute \$150,000.00 to a transportation mitigation fund that will be used for transportation mitigation services within the area. These funds may be used for the implementation of shuttle service between Long Bridge Park and a satellite parking facility that would be operational during County sponsored special events at Long Bridge Park. Staff anticipates there to be between eight (8) and twelve (12) such special events per year at Long Bridge Park. Staff believes that Condition #65 is an appropriate level of mitigation for the lack of shared parking in the proposed office building. These mitigation funds will support additional transportation services in the area, which may include shuttle service to Long Bridge Park for special events until public transit opportunities are extended to this park facility.
5. Achieve LEED Gold certification.
  - *Staff Response:* Throughout the site plan review process, staff has encouraged the applicant to achieve a level of LEED certification greater than Silver. The applicant has agreed to Condition #71 that would require that both phases of the building achieve LEED Silver certification. The Planning Commission felt strongly that The Boeing Company should strive to achieve a level of LEED certification greater than Silver, which they felt was a minimal commitment. At the Planning Commission public hearing, the applicant responded to these concerns by stating that they would attempt to achieve a higher LEED level of certification, but would not be able to commit to anything higher than Silver which is the Boeing corporate policy. The applicant has not requested any bonus density associated with their LEED certification commitment. Staff agrees with the Planning Commission and continues to encourage the applicant to commit to a higher level of LEED certification.
6. Relocate the bike share station to within 100 feet of the building's pedestrian lobby entrance.
  - *Staff Response:* Staff believes that this bicycle share station should be located in the northwest portion of the site adjacent to Old Jefferson Davis Highway so that it can conveniently accommodate employees of the office building and patrons of Long Bridge Park. Per Condition # 84, the final location of the bicycle share station will be determined prior to approval of the final landscape plan and final engineering plan.

At its October 5, 2011 meeting, the Planning Commission will discuss this item. The results from this meeting will be addressed in a supplemental report.

**CONCLUSION:** The proposed site plan amendment would permit the development of a 453,422 square foot office building rather than a mixed-use development consisting of a residential building and an office building with ground floor retail use. As recommended by the *North Tract Area Plan Study*, redevelopment of the subject site should occur in furtherance of the goals of providing an environmentally sensitive development and implementation of the creation of a countywide active recreational facility. Phase 1 of Long Bridge Park is currently under construction with multi-purpose recreational fields, the “Esplanade,” and other associated facilities. The land necessary to permit construction of Phase 2 of Long Bridge Park is the Twin Bridges property that is currently owned by the applicant. An agreement was executed between the County and the applicant, initially on July 16, 2007 and revised on September 29, 2010, to exchange the Twin Bridges site (7.09 acres) for the area subject to this site plan (4.705 acres). This Exchange Agreement will permit development of Phase 2 of Long Bridge Park, by the County, and redevelopment of the subject site, by the applicant.

As proposed by the applicant with this site plan amendment, this office building will be provided for The Boeing Company, which will allow for the consolidation of Boeing’s leased space and the maintenance of their corporate presence in Arlington County. The single-use nature of the development in this edge location will provide an effective transition from Long Bridge Park to the mixed-use core of Crystal City, which is an adjacent planning area, and could help mitigate some of the impacts of the park, such as noise, lighting, and on-street parking. In addition, with acceptance of the adoption of the proposed amendment to GLUP Note 20, additional development density will be returned to the Twin Bridges site for future use by the County. Though issues remain unresolved related to the design of the site and the building, the overall benefits of this site plan amendment is significant in advancing various County goals. Therefore, staff recommends the County Board adopt the attached resolution to amend GLUP Note 20 to revise the amount of development density to be allocated to the Monument View Site Plan, and adopt the attached ordinance approving the subject site plan amendment, subject to all previously approved conditions, as amended, and the addition of conditions #83 through 86.

## Site Plan Amendment Ordinance

WHEREAS, an application for a Site Plan Amendment dated January 26, 2011 for Site Plan # 400, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in Staff Report[s] provided to the County Board for its October 15, 2011 meeting, and through comments made at the public hearing before the County Board, the County Manager recommends that the County Board approve the Site Plan Amendment subject to numerous conditions as set forth in the Staff Report[s]; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on October 15, 2011 and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning Administrator, that the improvements and/or development proposed by the Site Plan as amended:

- Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance and modified as follows:

**Modify the parking ratio to 1 space per 613 square feet of gross floor area of office use;**

**Permit signs above the building's roofline and above 35 feet.**

- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

NOW THEREFORE, BE IT ORDAINED that, as originally requested by an application dated January 26, 2011 for Site Plan # 400, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition 1 below and dated August 19, 2011 (which drawings, etc... are hereafter collectively referred to as "Revised Site Plan Application"), for a Site Plan Amendment for MR Monument View LLC/Monument Realty LLC to permit a 453,422 square foot office building in lieu of 352 dwelling units, 323,229 square feet of office and 3,512 square feet of retail, and a comprehensive sign plan, for the parcels of real property known as RPC# 34-024-345, 34-025-001, -003, -004, and -005 and located at address 550 South Clark Street, 320 6th Street South, 901 South Clark Street, 608 South Ball Street, and portions of South Clark Street, approval is granted and the parcels so described shall be used according to the Revised Site Plan Application, subject to the following conditions as amended from those previously approved:

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 ~~June 4, 2008~~ August 19, 2011 and reviewed and approved by the County Board and made a part of the public record on ~~June 24, 2008~~ October 15, 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.

This site plan approval expires three (3) years after the date of County Board approval if a 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, without violating the terms of the Exchange Agreement, 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 coordinate and conduct a pre-construction meeting in a County 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, Walk Arlington 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, Grading and 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 as listed in Condition #36, 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 #21 below, provided, however, that replacement as specified in this subparagraph (3.b.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 #21a below and shall be installed on the project site or on County-owned land, determined by the County Manager. The developer agrees to submit and obtain approval of this plan by the County Manager as part of the final site development and 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 #53 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.

If the developer uses the "Fast Track" Permit Process, the Site Clearance and Construction Phase photographs shall be submitted before the issuance of the Footing to Grade Structure Permit, or the first Building Permit, whichever comes first. The Construction Phase photographs, showing any construction to grade, shall be submitted before the Final Building Permit. The Construction Phase photographs showing all

construction above grade and the Site Completion Photographs and completed compact disc showing the entire photographic history of the site shall be submitted before issuance of the Master Certificate of Occupancy.

**5. Utility Fund Contribution**

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 First Above-Grade Building Permit or prorated consistent with an approved phasing plan for the development. The total utility fund contribution for this site is \$ 235,250 (\$50,000 x 4.705 acres). The Developer agrees that a prorated amount of \$167,081.14 shall be paid prior to the issuance of the First Above-Grade Building Permit for the first phase of construction. The remaining \$68,168.86 shall be paid prior to the issuance of the First Above-Grade Building Permit for the second phase of construction. In the event that the full building is constructed in the first phase of construction, then the full amount (\$235,250) shall be paid prior to issuance of the First Above-Grade Building Permit for the development. 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.

**6. Plan for Temporary Circulation During Construction**

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. 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 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 ~~that~~ 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, or 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 of the project, 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 caused by construction related to the project was done by the developer, the developer’s contractors, or private utility companies. 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.

## **7. Residential Relocation**

Intentionally omitted

8. **Retail Relocation**

Intentionally omitted

9. **Compliance with Federal, State and Local Laws**

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.

10. **Post-County Board 4.1 Filing**

The developer agrees to file three 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.

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 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.

11. **Community Liaison and Activities During Construction**

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 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~~ 7:00 p.m. on weekdays and will commence no earlier than 8:00 a.m. and end by 8:00 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.

**12. C & D Waste**

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 plan must include letters from contracted haulers, reprocessors, and recyclers indicating that they are able to manage waste from the project. 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 credits MR 2.1 and 2.2 (Construction Waste Management.)

~~13. **Green Building Fund Contribution**~~

~~The developer agrees to make a contribution to the County's Green Building Fund of \$20,441 (\$0.03 X 681,381 square feet). The payment shall be made to the Department of Environmental Services prior to the issuance of the Clearing, Grading, and Demolition Permit, and compliance with this condition shall be provided to the Zoning Administrator in the form of a letter at the time of payment. If the project achieves formal certification as a LEED Green Building from the U.S. Green Building Council within one year of issuance of the Master Certificate of Occupancy, the Green Building fund contribution shall be refunded within 90 days upon receipt of written request, and documentation of LEED certification, by the applicant.~~

Intentionally omitted

**14. Vacations and Encroachments**

Prior to the issuance of any Excavation, Sheeting, and Shoring Permit, the developer agrees to obtain enactment of all ordinance(s) of vacation and ordinances of encroachment associated with and/or required to develop the Project and construct the buildings authorized by the site plan referenced in Condition Number 1 of these conditions. Unless otherwise specifically provided in each ordinance(s) of vacation or ordinance of encroachment, the developer shall also fulfill all required conditions of such

ordinance(s) prior to the issuance of any Excavation, Sheeting and Shoring Permit for the site plan. Irrespective of any other condition set forth herein, the developer agrees that no structure or utility of any type shall encroach upon, or interfere with, the use of any property right or interest (easement or fee) of the County, unless the reservation of a right to encroach into an easement to be dedicated to the County as a condition of this Ordinance is specifically authorized by this Ordinance, or an ordinance of vacation or an encroachment ordinance permitting the encroachment into or use of an existing County property interest is applied for by the developer, and enacted by the County Board. Upon enactment by the County Board of such ordinance(s), and prior to the issuance of any Excavation, Sheeting and Shoring Permit, the developer agrees to comply with all of the conditions set forth in such ordinance(s) of vacation or encroachment, including, but not limited to, recordation of any deeds, associated plats and/or ordinance(s) among the land records of Arlington County, payment of any required fees, approval of any plans, relocation of any public utilities, submittal of any required performance bonds and agreements, dedication or conveyance of any additional easement or other property interests, and payment of any required or agreed to compensation, unless otherwise specifically provided in each ordinance(s) of vacation or encroachment.

- **The following Conditions of site plan approval (#15 through #35) 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, except as otherwise specified in the condition.**

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. However, following the developer's submission of a complete proposed final landscape plan, and if the County Manager or her designee determines that issuance of such Excavation/Sheeting and Shoring Permit prior to approval of the final landscape plan will not adversely impact the developer's ability to comply with all site plan conditions, then the Zoning Administrator may issue the Excavation/Sheeting and Shoring Permit prior to approval but after submission of the final landscape plan. 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 #21 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. However, following submission of complete proposed final landscape and final civil engineering

plans, and if the County Manager or her designee determines that issuance of such Excavation/Sheeting and Shoring Permit prior to approval of the final landscape plan and final engineering plan will not adversely impact the developer's ability to comply with all site plan conditions, then the Zoning Administrator may issue the Excavation/Sheeting and Shoring Permit prior to approval but after submission of the final landscape plan and final civil engineering plan. The final landscape 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 Condition #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. The installation of all plant materials shown on the final landscape plan shall take place before the issuance of the first Certificate of Occupancy for the respective phase of construction. 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.
- 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 #52 below.
- e. Topography at two (2) foot intervals, 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, rooftop terraces, 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..

## 16. **Landscape Standards**

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, Ginkgo, Thornless Honey Locust, Allee Elm, 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.~~ The developer agrees to plant all street trees prior to issuance of the first Partial Certificate of Occupancy for occupancy of any space above grade for the respective phase of construction, unless otherwise approved by the Zoning Administrator, if she finds that the planting season, the availability of street trees, and the weather make a delay necessary for the health of the trees to be planted. The developer also agrees to fulfill the Public Improvement Bond requirements (Condition #36). 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, 4 feet plus 6 inches minimum for ornamental trees and three (3) feet for other shrubs, with the exception of shrubs located adjacent to the interior

motor-court that may have a soil depth of less than three (3) feet. 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 3 feet, maximum above the adjacent finished grade, and the maximum height of security walls shall be no higher than four (4) feet, maximum above the 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.~~

#### 17. **Utility Company Contacts**

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.

#### 18. **Final site engineering plan approval by DES**

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. However,

following submission of complete proposed final site engineering plan, and if the County Manager or her designee determines that issuance of such Excavation/Sheeting and Shoring Permit prior to approval of the final site engineering plan will not adversely impact the developer's ability to comply with all site plan conditions, then the Zoning Administrator may issue the Excavation/Sheeting and Shoring Permit prior to approval but after submission of the final site engineering plan. 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.

**19. Pavement, Curb and Gutter Along All Frontages**

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 Certificate of Occupancy for occupancy of the applicable phase of the project.

- a. The developer agrees to construct new curb and gutter along 10<sup>th</sup> Street South creating a uniform 36-foot street width, which shall be approximately 18 feet from the Arlington County survey centerline, as shown on the final engineering plan approved by the County Manager. The developer also agrees to construct one crosswalk, curb nub, and accompanying handicap ramp at the existing intersection of Old Jefferson Davis Highway (east side) and one crosswalk, curb nub, and accompanying handicap ramp at the existing intersection of South Ball Street (west side).
- b. The developer agrees to construct new curb and gutter along 6<sup>th</sup> Street South creating a uniform 36-foot street width, which shall be approximately 18 feet from the Arlington County survey centerline, as shown on the final engineering plan approved by the County Manager. The developer also agrees to construct one crosswalk, curb nub, and accompanying handicap ramp at the existing intersection of Old Jefferson Davis Highway (east side) and one crosswalk, curb nub, and accompanying handicap ramp at the existing intersection of South Balls Street (west side)
- c. The developer agrees to construct new curb and gutter along South Ball Street creating a uniform 36-foot street width, which shall be approximately 18 feet from the Arlington County survey centerline, as shown on the final engineering plan approved by the County Manager .The developer also agrees to construct one crosswalk, curb nub, and accompanying handicap ramp at the existing intersection of 6<sup>th</sup> Street South (south side) and one crosswalk, curb nub, and accompanying handicap ramp at the existing intersection of 10<sup>th</sup> Street South (north side)

- d. The developer agrees to construct new curb and gutter along Old Jefferson Davis Highway creating a uniform 50-foot street width, and 58-foot street width where on-street parking will be provided, which will vary from approximately 20.5 feet and up to 22.8 feet from the new proposed Arlington County survey centerline, as shown on the final engineering plan approved by the County Manager.
- e. ~~The developer agrees to construct new curb and gutter to create 8<sup>th</sup> Street South between Old Jefferson Davis Highway and South Ball Street creating a 28.5-foot to 36-foot street width as shown on Final Site Plan. The developer also agrees to construct one crosswalk and accompanying handicap ramps at the intersection of Old Jefferson Davis Highway (east side), one crosswalk and accompanying handicap ramps at the intersection of South Ball Street (west side) and on crosswalk and accompanying handicap ramps located mid-block between the residential and office entrances.~~

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 site plan drawings dated ~~June 4, 2008~~ August 19, 2011 unless the County provides additional funding to offset such increased cost.

## 20. Survey Monuments

The developer shall submit a boundary survey of the site, with an error of closure within the limit of one (1) in twenty thousand (20,000), related 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 feet. If a conversion from meters to feet is necessary, the foot definition used for conversion is the U.S. Survey Foot of 1 ft = 1200/3937 E+00 meters. If the development is located more than one-half mile from an Arlington County Survey Control Network (ACSCN) monument, the developer shall utilize a Virginia Licensed Land Surveyor to establish a permanent second order accuracy (or higher) survey control monument. The surveyor shall comply with standards and specifications contained in the current VDES Survey Manual. The surveyor will be required to submit his or her computations to the Office of the County Surveyor for inclusion into the ACSCN. Plans referenced to the VCS 83 shall be annotated as follows: "The site shown hereon is referenced to the Virginia Coordinate System of 1983 as computed from a field survey which ties this boundary to the Arlington County Survey Control Network."

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
- ~~e. Allow encroachments by sidewalk cafes only in accordance with Condition # 66 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. Hardscape materials shall have a solar reflectance index (SRI) of at least 29.
- f. Not contain joints or use patterns that create gaps of 1/4-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 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. Alternative trees may be used, subject to approval by the County Manager, as provided in and under the provisions of the Arlington County Streetscape Standards. Modifications to the 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:

**Tenth Street South** – a minimum 11-foot, 8-inch wide sidewalk measured from the back of curb maintaining a 6-foot wide clear sidewalk, including 5 feet by ~~12~~ 20 feet tree pits with ~~tree grates ground cover~~, planted with 4 ½ inch caliper ~~Zelkova~~ Shumard Oak street trees, placed 28 to 32 feet on center and a minimum of eight (8) inches back from the back of curb.

**Sixth Street South** – a minimum 11-foot, 8-inch wide sidewalk measured from the back of curb maintaining a 6-foot wide clear sidewalk, including 5 feet by ~~12~~ 20 feet tree pits with ~~tree grates ground cover~~, planted with 4 ½ inch caliper ~~Zelkova~~ Shumard Oak street trees, placed 28 to 32 feet on center and a minimum of eight (8) inches back from the back of curb.

**South Ball Street** – a minimum ~~11~~ 13-foot, 8-inch wide sidewalk measured from the back of curb maintaining a ~~6~~ 8-foot wide clear sidewalk, including 5 feet by ~~12~~ 20 feet tree pits with ~~tree grates ground cover~~, planted with 4 ½ inch caliper ~~Zelkova~~ Shumard Oak street trees, placed 28 to 32 feet on center and a minimum of eight (8) inches back from the back of curb.

**Old Jefferson Davis Highway** – a minimum ~~11~~ 13-foot, 8-inch wide sidewalk measured from the back of curb maintaining a 8-foot wide clear sidewalk, including 5 feet by 20 feet tree pits with ground cover ~~a minimum of a 4 foot wide continuous planting strip~~, planted with 4 ½ inch caliper ~~Zelkova~~ Shumard Oak street trees, placed 28 to 32 feet on center and a minimum of eight (8) inches back from the back of curb. ~~The typical width of the planting strip should be 5 feet wide with only the pinch point located north of 8<sup>th</sup> Street South located between the face of the residential building and the County's proposed OJDH curb.~~

**Eighth Street South** – a minimum 8 foot, 6 inch wide sidewalk measured from the back of curb, ~~maintaining a minimum 6 foot wide clear sidewalk.~~

## 22. **Subsurface Structure-free Zone for Utilities and Streetscape**

The developer agrees ~~(with the exception of 8th Street South between Old Jefferson Davis Highway and South Ball Street)~~ 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.

**23. Water Service Requirements**

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

**24. Water Main Improvements**

The developer agrees to show, on the final engineering plans, 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 relocate the existing 12-inch water main in the median between Old Jefferson Davis Highway and South Clark Street. The developer agrees to construct approximately 500-feet of new 12-inch water main in Old Jefferson Davis Highway extending between 10th Street South and 6th Street South, connecting to the existing 12-inch water main in 10th Street South and the 16-inch water main in 6th Street South.

The developer agrees to relocate the existing 16-inch water main in 6th Street South as necessary into the street such that it is not under the proposed tree pits and is a minimum of 15-feet away from the proposed structure.

The developer agrees to abandon all existing 6-inch water mains around the site and reconnect to the appropriate new water mains any existing water services from the abandoned line.

**25. Sanitary Sewer Main Requirements**

The developer agrees to show, on the final engineering plans, 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 relocate all of the existing sanitary mains without disrupting service.

The developer agrees to relocate the existing 24-inch sanitary force main in South Clark Street. The developer agrees to construct approximately 550-feet of new 24-inch sanitary force main in Old Jefferson Davis Highway, with connections into the existing 24-inch sanitary force main in Old Jefferson Davis Highway and 10th Street South. The exact location will be determined during the review of the final engineering plans.

The developer agrees to relocate both the existing 27-inch gravity sanitary main in South Clark Street and the existing 10-inch gravity sanitary main in South Clark Street. The developer agrees to construct approximately 600-feet of new 27-inch gravity sanitary main in Old Jefferson Davis Highway, tying both the existing 27-inch gravity sanitary main and the 10-inch gravity sanitary main in South 10th Street South, into the new 27-inch gravity sanitary main and extending to the proposed tie-in in of the existing 27-inch gravity sanitary sewer main in Old Jefferson Davis Highway. The exact location will be determined during the review of the final engineering plans.

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.

**26. Storm Sewer Improvements**

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 approximately 410 feet of new 15-inch storm sewer in South Ball Street, connecting to existing 90-inch storm sewer in 6<sup>th</sup> Street South.~~

**27. Fire Hydrant and Fire Department Connection Requirements**

The developer agrees to show, on the final engineering plan, 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 kind of service and locations at the time of the final site engineering plan approval based on applicable safety standards. The fire hydrants ~~shall be installed prior to the issuance of the Final Building Permit,~~ 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 plan set submitted.

**28. Replacement of Damaged Existing Curb, Gutter and Sidewalk**

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. The Zoning Administrator may, for good cause shown and through the administrative change process, allow modifications to the timing of this condition where the Zoning Administrator finds that the season, weather, or other construction related issues do not permit installation of these features by the required timing.

**29. Street Lighting Requirements**

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 ~~Virginia Power~~ "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 16 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.

**30. Underground Existing Aerial Utilities**

The developer agrees to remove and/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. All utility relocation shall be completed prior to the issuance of the Shell and Core Certificate of Occupancy.

31. **Off-street Parking for Construction Workers**

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.

32. **Address Indicator Signs**

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.

33. **Façade Treatment of Buildings**

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 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 for each phase of construction.

~~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.

34. **Recordation of Deeds of Public Easements and Deeds of Dedications**

~~The developer agrees that, for each phase, as phase is defined in the phasing plan required in Condition #69, Aall required public plats, deeds of conveyance, deeds of easement and deeds of dedication associated with, and/or required by the final approval 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 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 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 Improvements or public uses. The developer agrees that there shall be no building construction within the easement area without approval by the County Manager or the County Board. Dedications granted by the developer for street and public right of way purposes and improvements shall be dedicated in fee simple to the County. 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 and facilities, which other Public Improvements are not located, or to be located, in the public street or public right-of-way may be granted 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 may be dedicated by easement to the County.~~

35. **Plat of Excavated Area**

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.

- **The following conditions of site plan approval (#36 through #43) 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.**

**36. Public Improvements Bond**

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 Final 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.

**37. Underground Electrical Transformers**

~~The developer agrees that all new electrical transformers shall be placed underground in vaults which meet Virginia Power standards. These vaults may be placed in the street right of way or in driveways if approved by the County on the final site engineering plan. Ventilation grates may not be located within public sidewalks or streets, or within areas used as a walkway between the street curb and any building. The locations of the vaults shall be coordinated with other utility locations so as to have a minimum clearance of five (5) feet to conduits and manholes and a minimum clearance of 10 feet to water mains and sanitary sewers unless otherwise approved by the owner of that utility. The developer shall obtain approval from the County Manager on the location of all vault ventilation grates and utilities as part of the review of the final site engineering plan and the final site development and landscape plan before the issuance of the Footing to Grade Structure Permit.~~

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.

**38. Interior Trash Collection and Recycling Areas**

The developer agrees that interior space shall be provided and used for the collection, storage, and-compaction of trash, as well as appropriate facilities for the recycling of reusable materials (to include glass, plastic, metal, paper and cardboard) as defined by the County. The collection, storage, and compaction of trash shall not occur outside the interior loading space, and that trash removal shall be consistent with the trash removal and truck maneuvering plan approved as part of this final site plan approval. 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.

**39. Interior Loading Spaces**

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 14 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.

40. **Parking Garage Van Access**

The developer agrees that new parking garages shall be designed to allow access and use by vans. At least 1% 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.

41. **Parking Space Compliance with Zoning Ordinance**

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.

42. **Bicycle Storage Facilities**

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:**

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.

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

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

be located within 50 feet of the primary building entrance. 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 Zoning Administrator 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 every 50,000 square feet or fraction thereof of office Gross Floor Area (GFA), one (1) shower per gender shall be installed, 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 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 that are convenient to the retail visitors/customers, and such locations shall be reviewed by the Department of Environmental Services. 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, and be located close to retail visitor/customer entrances or the closest retail vehicle parking spaces.~~

43. **Emergency Vehicle Access/support on Parking and Plaza Areas**

The developer agrees to construct all 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 (#44 through #48) are valid for the life of the site plan and must be met by the developer before the issuance of the Final Building Permit. If the developer uses the "Fast Track" Permit Process, then the following conditions of site plan approval (#44 through #48) are valid for the life of the site plan and must be met by the developer before the issuance of the Structure Permit.**

44. **Wall Check Survey**

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, or such other time as mutually agreed upon by the Zoning Administrator and the developer, to submit to the Zoning Administrator a wall check survey showing the location of the walls and the elevation of the slab, at grade.

45. **Screening of Mechanical Equipment**

Mechanical equipment shall be screened, in a manner as shown on the approved plans, so as not to be visible from public rights-of-way.

46. **Use of Penthouse**

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 #57 below.

47. **Review by Crime Prevention Through Environmental Design (CPTED) Practitioner**

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

48. **FAA Documentation**

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 (#49 through #54) 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.**

49. **Comprehensive Sign Plan**

~~The developer agrees to develop and submit a comprehensive sign plan and that all exterior signs (including identification and directional signage) shall be consistent with the guidelines contained in "Sign Guidelines for Site Plan Buildings" and with Section 34 of the Zoning Ordinance. The Zoning Administrator shall determine whether the signs meet the standards of the guidelines and the Ordinance. No sign permits will be issued until a comprehensive sign plan is approved. The developer agrees to obtain approval from the Zoning Administrator of the comprehensive sign plan before any sign permits are issued and 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, and their orientation shall be limited solely to the direction of 10<sup>th</sup> Street S. and Old Jefferson Davis Highway. The developer also agrees that the comprehensive sign plan will adequately address the provision of public parking by effectively directing Long Bridge Park visitors from Long Bridge Park to the public parking spaces.~~

The developer agrees to limit signs on the site only to those consistent with the comprehensive sign plan dated August 26, 2011, and reviewed and approved by the County Board and made a part of the public record on October 15, 2011. No sign permits shall be issued if the Zoning Administrator determines that the signs are not generally consistent with the comprehensive sign plan dated August 26, 2011.

Minor changes to the approved rooftop signs may be approved administratively by the Zoning Administrator. For the purposes of the preceding sentence, minor changes shall include only the following: (i) a minor adjustment in the location of the signs to meet field conditions at the discretion of the Zoning Administrator; or (ii) either a minor change in the area of the sign at the discretion of the Zoning Administrator or not to exceed the total sign area approved for each individual sign. All other changes to the approved rooftop signs will require site plan approval or amendment.

The developer agrees to install a rheostat, other appropriate variable resistor, or other mitigation measure that will allow the developer to adjust the rooftop signs' lighting intensity from a level of 0 LUX to 500 LUX. The developer further agrees that if the County Manager finds that the intensity of the rooftop signs' lighting has an adverse effect on the surrounding area, the developer will, within 24 hours notice from the County Manager, reduce the intensity of the lights to a level that, in the County Manger's reasonable judgment, will no longer have such an adverse effect.

The developer agrees that the rooftop signs' lighting hours of operation will be from dusk to 12:00 midnight. The developer further agrees that if the County Manager finds that the

rooftop lighting presents an undue adverse effect on the surrounding area, it will immediately carry out any recommendation by the County Manager to reduce the hours of operation.

50. **Transportation Management Plan**

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 for such plan before the issuance of the first Certificate of Occupancy for each respective building.

~~Annual assessment rates~~ All dollar amounts identified in the condition 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.
- b. Designate a member(s) of building(s) management as Property Transportation Coordinator(s) to be a primary point of contact with the county and undertake the responsibility for coordinating and completing all TMP obligations. The applicant and /or building management will provide, and keep current, the name and contact information of the PTC to ACCS. 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) to sustain direct and indirect on-site and off-site services in support of TMP activities ~~annual contributions of \$11,195.00~~ \$0.042 per square foot of office development per year for ~~ten (10)~~ thirty (30) years ~~for the office/retail portion of the project and annual contributions of \$32.70 per unit, per year for ten (10) years for the residential portion of the project.~~ ~~These contributions are out of the norm for this time frame (April 2008) due to the land swap contract between the developer and the County.~~ Payment on this commitment will begin as a condition of issuance of the first Certificate of Occupancy for the first phase of development finished unit in the first completed building and

shall be adjusted on a pro rata basis according to the aforementioned terms beginning with the issuance of the first Certificate of Occupancy for each subsequent phase of construction. Subsequent payments will be made annually thereafter.

### **Facilities and Improvements**

- a. Provide in each building, information displays, the number/content/design/location of which shall be approved by ACCS / ATP, to provide transportation-related information to ~~residents~~ employees and visitors.
- b. Provide in each building lobby a means to call a taxi.
- c. During construction, maintain or coordinate relocation of any existing bus stops at the developer's expense.
- d. Comply with requirements of Site Plan conditions to provide bus stop improvements.
- e. Bus stops and shelters within 50 feet of the property shall be maintained free of snow, ice, trash, and debris. A 6 foot wide path, clear of snow and ice, to the main entrance of the building(s) shall be maintained to bus stops.
- ~~f. Maintain one on-site business center in the residential building (including, at a minimum, access to copier, fax, pc, and internet services in a minimum 56 sq. ft. of space), which shall be made available to support residents of the buildings who choose to work from home.~~
- g. Comply with requirements of Site Plan conditions to provide bicycle parking/storage facilities, and construction worker parking. Bicycle clothing lockers will be a minimum size of 12" wide, 18" deep, and 36" high, and shall be available for use on a 24 hour basis in office buildings.

### **Parking Management Plan**

- a. Subject to the approval by the County Manager, the developer shall 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; 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. ~~Upon request of the County Manager, up to (6) spaces shall be set aside on 8<sup>th</sup> Street South between Old Jefferson Davis Highway and Ball Street for car sharing services, if the demand exists as determined by the County Manager. Until requested, the spaces for car sharing shall be used as street parking.~~
- c. Provide reserved spaces for carpools and vanpools for ~~retail and/or~~ office tenant employees that are conveniently located with respect to the elevators serving the buildings. If parking in the garage is provided for a fee, Oversee a program to provide carpools and vanpools with a parking subsidy. Subsidies shall be:
  - (a) Two-person car pool equal to two thirds the single-occupant vehicle monthly parking rate.
  - (b) Three-person (or more carpool) equal to one third the single-occupant vehicle monthly parking rate
  - (c) Provide registered vanpools with free parking.
- d. ~~No on-street loading will be permitted between the hours of 7 and 9 AM and 4 to 6 PM.~~
- e. ~~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.~~

**Promotions, Services, Policies**

- a. ~~Provide a one time membership fee subsidy in a car sharing plan for each residential unit. This subsidy shall be paid on proof of membership in a car share service by lessees and/or purchasers.~~
- b. Encourage corporate membership in a car sharing plan for each office tenant and their employees.
- c. Promote the formation of Employer Transportation Benefit Programs with each office/~~retail~~ tenant.
- d. Provide SmarTrip® cards plus ~~\$65.00~~ \$60.00 Metro fare media ~~once per unit, for free, to each of the initial lessees or purchasers of each residential unit, distributed no later than the day of move in at the building. Subsequent lessees or purchasers shall receive the same benefit for a period of ten (10) five (5) years unless the building is sold to a condominium association comprised of unit owners.~~
- e. ~~Provide SmarTrip cards plus \$ 60.00 Metro fare media per person, for free, to each on-site employee of the property management company and/or building operator distributed no later than the employee's first day of work at the~~

~~building. Provide or administer a sustainable commute benefit program for these employees (the program shall include, at a minimum, pre-tax employee contributions.)~~

- f. ~~Provide SmarTrip cards plus \$60.00 Metro fare media per person, for free, to each on-site of the office and retail employees (including property management and maintenance employees) distributed no later than the employee's first day of work at the building.~~
- g. Provide website hotlinks to CommuterPage.com<sup>TM</sup> under a ~~“transportation information”~~ “Transportation Information” heading from the developer and property manager's websites regarding this development.
- h. Distribute a new ~~resident~~ employee package, material provided by Arlington County, which includes site-specific ridesharing and transit-related information to each ~~lessee and / or purchasers~~ new employee. Packages will be distributed to ~~tenants~~ each new employee no later than ~~the day of move-in~~ their first day of employment at the building. ~~Distribute equivalent package to new employees of the buildings and office/retail tenants no later than their first day of work.~~
- i. Reference the nearest Metro Station(s), VRE Station and bus routes Pentagon City and Crystal City Metro Stations in promotional materials and advertisements.
- j. ~~Cooperate with Arlington County to assist the County in implementing a~~ Distribute transit advertising program that will distribute service information and promotional materials provided by Arlington County, four times per year to persons employed at the site. Information regarding transit routes, schedules, fares, etc. shall be distributed to all residents, tenants, on-site employees, and visitors shall be displayed in common work areas within the building.
- k. 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. For a period of no more than thirty (30) years, the developer agrees to reimburse the County, in an amount up to \$ 5,000.00 per study, for, and participate in, Conduct a transportation performance monitoring study at two

~~years, and five years, and each subsequent five years (at the County's option), after issuance of the first Certificate of Occupancy for the first phase of development and provide a report summarizing findings report findings to the County. The scope of each study will be determined in consultation between the County and the developer. The County may conduct the study or ask the developer 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. Such report shall include an all-day count of site-generated vehicle traffic and a voluntary mode-split survey. The building owner developer and/or operator will notify, assist and encourage tenant's on-site employees to participation 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 letter to the County Manager, describing completely and correctly, the TDM related activities of the site.

#### **51. ~~Residential Parking and Parking Management Plan~~**

~~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 15 residential visitor parking spaces. 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.~~

Intentionally Omitted

52. **Lighting Plan for Public Areas**

The developer agrees to include a lighting plan for all internal and external public areas, including parking areas, as part of the final site development and landscape plan. This lighting plan shall be subject to review by the County Manager, including street lighting as described in Condition #29 above. The developer shall include in the site development and 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.

53. **Documentation of Historical Artifacts, Features and Buildings**

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 or structures 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.

~~54. **Availability of Site Plan Conditions to Residential Condos, Cooperatives and Homeowners Associations**~~

~~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.~~

Intentionally Omitted

- **The following condition of site plan approval (#55) 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.**

55. **Building Height Certification**

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 (#56) 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, except as otherwise specified in the condition.**

56. **Obtain Master Certificate of Occupancy**

The developer agrees to obtain a Master Certificate of Occupancy within six (6) months of receipt of any partial Certificate of Occupancy for full occupancy of each phase of the building. The developer may request in writing to extend the timeframe for obtaining the Master Certificate of Occupancy. The request shall outline the reasons for the extension and shall be submitted to the County Manager for review of the outstanding issues one (1) month prior to the end of the six-month time frame. The County Manager may approve such extension if he finds that the developer is diligently continuing completion of the project.

- **Post Certificate of Occupancy: the following Conditions of site plan approval (#57 through #62) are valid for the life of the site plan.**

**57. County Installation of Telecommunications Transmitter and/or Receiver Equipment**

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. 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.

**58. Structural Additions**

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.

~~59. **Snow Removal**~~

~~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.~~

Intentionally Omitted

~~60. **Maintenance of Residential Common Areas**~~

~~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.~~

Intentionally Omitted

**61. Retention of Approved Parking Ratio over Subdivided Site**

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.

**62. Retention of Approved Density over Subdivided Site**

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 (#63 through #82) are valid for the life of the site plan and must be met before the issuance of the permit specified in each Condition.**

**63. ~~Retail Elements~~**

- ~~a. The developer agrees to develop and implement a retail attraction and marketing plan for the approximate 3,512 square feet of retail space located on the first floor of the office building as shown on the post 4.1 plans per Condition #10. The plan shall identify the types of retail desired, the marketing strategy to attract the retail, and strategies to retain the retail. The retail attraction and marketing plan shall be reviewed and approved by the Department of Economic Development before being submitted to the Zoning Administrator. The above grade building permit shall not be issued until documentation has been provided to the Zoning Administrator assuring that the plan has been approved by the Department of Economic Development. Any change in the use of the retail space from retail to office or other non-retail use shall require a site plan amendment.~~
- ~~b. The retail spaces shall be designed and constructed to include interior and exterior improvements necessary to ensure that they are functional and attractive to prospective retailers and that they animate the street frontage. These elements shall include, but are not limited to: approximately 11.92 foot floor to floor heights, as shown on the plans dated June 4, 2008 ; access to the service corridor/areas as shown on the architectural plans dated June 4, 2008 ; direct street frontage and access; rough-in of utilities, i.e., sprinkler heads, plumbing, electrical wiring, and stubs for extensions; provision for any venting systems required for any food preparation or restaurant use; and sufficient transparency of the building facade to achieve adequate street exposure.~~

Intentionally Omitted

**64. Public art site plan condition – standard language for Public art fund contribution**

The developer agrees to make a contribution to the Public Art Fund in the amount of \$75,000 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 Long Bridge Park. 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 by the same percentage increase as the increase in the Consumer Price Index (CPI) from the date of approval to the date of payment.

**65. After-hours Parking in Office Garages**

The developer agrees to comply with one of the following options: (a) make all parking in the garage available to the public for parking after standard office hours (weekday evenings after 6:00 p.m., weekends, and all legal holidays) until 12:00 midnight or until the close of business of retail operations or the close of Long Bridge Park and Aquatics Facility, whichever is later. ~~The developer further agrees to make some parking spaces on the G1 level of the garage available for use exclusively by the retail tenants' employees and customers; at a minimum, the number of spaces to be so reserved shall be consistent with the requirements of the Zoning Ordinance for the retail uses that occupy the space, but need to leave sufficient spaces for other uses. The developer agrees to implement a validation program to allow free use of such spaces for retail customers and employees between 6:00 p.m. and 12:00 midnight or until the close of business of retail operations, whichever is later. The comprehensive sign plan (Condition #49) must adequately address the provision of public parking;~~ or (b) contribute the sum of \$150,000.00 to Arlington County for transportation mitigation purposes. In the event this option is implemented by the developer, payment of this commitment shall be made prior to the issuance of the first Certificate of Occupancy for the first phase of the building.

**66. ~~Outdoor Cafes~~**

~~Outdoor cafes shall be permitted in the public right of way or within public easements along the new private street (8<sup>th</sup> Street South), 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. A minimum of six (6) feet of clear sidewalk width must be maintained along the new private street (8<sup>th</sup> Street South). 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. Outdoor café tables and seating may also be permitted on 8<sup>th</sup> Street South and in the 8<sup>th</sup> Street South plaza such that the tables and seating do not encroach into the sidewalk clear width as described in Condition #21. Plans for the outdoor cafes shall include delineation of the seating area and the maximum numbers of seats, shall comply with applicable standards~~

~~outlined in Section 31 of the Zoning Ordinance, and shall be subject to prior administrative approval by the Zoning Administrator for consistency with County ordinances, regulations and policies.~~

Intentionally Omitted

67. **Affordable Housing Contribution**

The developer agrees to make a housing contribution of ~~\$2,485,039~~ \$1,501,645 that is based on Subsection 36.H.6 of the Zoning Ordinance, "Affordable Dwelling Units for Increased Density Within General Land Use Plan." ~~One-half Consistent with the phasing of the project, a prorated amount, \$1,242,519.50 of \$1,066,168, shall be paid prior to the issuance of the first Certificate of Occupancy for the first phase of the office building. The remaining \$435,477, and one-half, \$1,242,519.50, shall be paid prior to the issuance of the first Certificate of Occupancy for the residential second phase of the building. In the event that the building is constructed in a single phase, the ultimate amount of the housing contribution shall be paid prior to issuance of the first Certificate of Occupancy for the office building.~~

68. **Building Security Requirements**

- a. The developer ~~agrees to~~ has coordinated 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 drawings dated June 4, 2008, and consistent with Condition #63 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.

69. **Phasing Plan**

The developer agrees to obtain approval of the County Manager of a phasing plan prior to the issuance of the Excavation, Sheet piling, and Shoring permits for the site plan, and to implement the approved plan. During the phasing of construction, the developer further agrees to appropriately maintain the site and any buildings located within it. This shall

include, but not be limited to, maintaining landscaping, keeping the grass mowed, and removing litter and debris from the site. Until the buildings are demolished, the developer agrees to maintain access on the site for fire emergency vehicles. Improvements required by these site plan conditions shall be constructed in phases, consistent with the phasing plan for construction of the project. Any changes in the project phasing shall require a new phasing plan approved by the County Manager prior to the issuance of any permits.

**70. Enclosure of Balconies**

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.

**71. LEED Credits and Sustainable Design Elements**

- a) The developer agrees to ~~include hire~~ a LEED Accredited Professional (LEED-AP) ~~certified consultant~~ as a member of the design and construction team. The ~~consultant shall work with the team will~~ will ~~to~~ incorporate sustainable design elements and innovative technologies into the project so that numerous building components will ~~may~~ earn the developer points under the U.S. Green Building Council's LEED green building rating system ~~for LEED certification~~. Specifically, The the Developer agrees to include sustainable design elements in design and construction that are (i) sufficient to meet the requirements for the seven (7) all LEED Prerequisites and (ii) at least 23 points for the office building using LEED for Core and Shell (LEED-CS) and 26 points for the residential building using LEED for New Construction (LEED-NC) and (iii) to use best efforts to increase the office and residential building LEED scores to 26 points. The Developer's LEED obligations in this site plan condition are subject to the provisions of the Exchange Agreement achieve at least the number of LEED credits necessary to achieve LEED certification at the Silver level for each phase of development using the LEED green building rating system in place on the date on which the site plan project is accepted by the County through the Administrative Regulation 4.1 process or a more recent version.

~~The developer agrees to use commercially reasonable efforts to achieve additional LEED credits which would qualify the building for certified levels.~~

~~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, 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 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 residential units); residential light fixtures; windows and doors; and HVAC systems. 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.~~

- b) 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.
  
- c) The developer further agrees to submit, to the Department of Environmental Services (DES) (with notification of submission to and to the Zoning Office), a reports prepared by the LEED-AP consultant and documentation upon request to substantiate the report. Such reports will be submitted prior to issuance of the following permits or certificates of occupancy for construction of each phase 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 and Shoring Permit
  - 3. ~~Footing to Grade Permit~~
  - 4. ~~First~~ Above Grade Building Permit
  - 5. ~~Final Building Permit~~
  - 6. Shell and Core Certificate of Occupancy
  - 7. Partial Certificate of Occupancy for occupancy of the last floor of space
  - 8. Master Certificate of Occupancy

~~In addition, prior to issuance of the first Certificate of Occupancy after the Shell and Core Permit, the developer will have its LEED consultant submit a certification to the County Manager that the elements to earn the above specified numbers of points have been included in the buildings.~~

- d) 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 the building. The certification shall state that all the prerequisites and the minimum number of LEED 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 New Construction Version 3 Rating System or a more recent version. The developer also agrees to submit all appropriate documentation to the USGBC (or their designee) for review and evaluation for LEED certification.
  
- e) Prior to the issuance of the Master Certificate of Occupancy for each phase of construction, the developer has the option to provide to the County either: (1) confirmation from the US Green Building Council of LEED Silver certification for the respective phase of construction; or (2) financial security (in the form of cash, a bond, letter of credit, or other form approved by the County Attorney) in

the amount of \$1 per gross square foot of the respective phase of development guaranteeing that, within twenty-four (24) months from the date of the issuance of the first certificate of occupancy for tenancy of any part of the last floor of the building of the applicable phase of development, 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:

<u>Points missed</u>	<u>Percentage of financial security forfeited</u>
<u>1-2</u>	<u>25%</u>
<u>3-4</u>	<u>50%</u>
<u>5</u>	<u>75%</u>

Should the developer miss six (6) or more points within the twenty-four (24) month period (unless due to delay related solely to the 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 the date 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.

- f) The developer agrees that the LEED points referenced in this condition refer to the version of LEED in use on the date of site plan acceptance. Any changes to the point valuations incorporated into future updates to the LEED Green Building Rating System must equal or exceed the requirements outlined in version of LEED in use on the date of site plan acceptance.
- 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.

**72. Public Use and Access Easements**

The developer shall grant a permanent public use and access easement (“Easement”), to the County Board of Arlington in favor of the County and the public at large, for the purpose of providing nonexclusive public use and access, including, but not limited to,

pedestrian passage through and public use of, the plaza, comprised of approximately ~~10,557~~ 3,457 square feet, near the intersection of 6<sup>th</sup> Street South and South Ball Street, in an area identified as the "Public Plaza" ("Plaza") in the post-4.1 plans as reviewed and approved per Condition #10.

The developer further agrees:

- 1) Before it is recorded, the final location of the Easement may change upon the review and approval by the County Manager, of the final building plans, the final site development plans or the final landscape plans.
- 2) To construct and landscape the Plaza according to final building plans, the final site development plans and the final landscape plans, as approved by the County Manager.
- 3) Construction and landscaping of the Plaza and any facility contained therein as set forth on the approved final building plans, the final site development plans, and the final landscape plans shall be completed and approved by the County Manager, prior to the recordation of the Easement.
- 4) The Easement must be recorded among the land records of the Clerk of the Circuit Court of Arlington County, Virginia prior to the issuance of the first certificate of occupancy, permitting tenant occupancy, of the project that is the subject of these conditions.
- 5) The Easement must be, in substance, acceptable to the County Manager, and, in form, acceptable to the County Attorney.
- 6) The Easement must state that the developer, its successors and assigns, remains the owner of all structures, facilities and features located within or on the Plaza.
- 7) The Easement must state that the developer, its successors and assigns, is responsible, at its sole cost and expense, for the continued care, maintenance, repair and replacement of the Plaza and any facilities located thereon or therein, including, but not limited to, provision of snow and ice removal, care of any trees and landscaping contained therein, any gravel courts, any water features, any benches or fixed seating, any concrete, bricks, masonry or stone work, any lighting, any banners or signage, any trash receptacles, any bicycle racks, any public art, any staircases or steps or any other structural or decorative feature.
- 8) The Easement shall provide that the developer or other grantor, its successors and assigns, shall indemnify and hold harmless the County Board, its elected and appointed officials, employees and agents from any liability, claim, damage, cost and expense of whatever nature concerning or arising out of the design, construction, maintenance, and regulation of the Plaza or any feature, structure or facility therein by the developer and use thereof by the general public and the developer or grantor. The Easement shall likewise provide that the County shall indemnify and hold harmless the developer, or

other grantor, its lenders, partners, successors and assigns from any liability, claim, damage, cost and expense of whatever nature concerning or arising out of the design, construction, maintenance, and regulation of the Plaza or any feature, structure or facility therein by the developer and use thereof by the general public.

9) The Easement shall provide that no bicycles, skateboards, scooters or similar non-motorized vehicles shall be allowed to be used on the Plaza and that no dogs can be on the Plaza unless they are on a leash and accompanied by their owner or other responsible individual.

10) The Easement shall provide that the Plaza shall be open for public access twenty-four hours a day, seven days a week.

11) ~~The Easement shall provide that vendors and vending cart use will be allowed only according to the terms of any permit that is issued for the vendor by Arlington County.~~ The developer shall incorporate into its project plans the provision of ~~Plaza~~ electrical connections close to the northeast Plaza areas ~~proposed for vending cart use and for use by vendors.~~

12) The Easement shall provide that, in addition to any other use set forth herein, the Plaza shall be available for vending carts, public recreation, ~~concerts, performances, speeches, rallies, public gatherings,~~ public dining and picnicking, and any other similar public use (“Public Uses”), as long as such Public Uses are approved and permitted (if applicable) by the appropriate authority or agency.

13) The Easement shall state that the developer, its successors or assigns, may reserve the right to make such use of the Plaza in any manner which is not inconsistent with the rights therein granted, or does not interfere with the use of the Easement for the purposes named.

### **73. Refuse Delivery to County Disposal Facility**

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. The designated facility must recycle glass, plastic, metal, paper and cardboard as required to achieve LEED certification.

### **74. ~~Towing of Impermissibly Parked Vehicles~~**

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.

Intentionally Omitted

**75. Speed Bumps at Garage Exit Ramps**

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.

Intentionally Omitted

**76. Authorization for Police to Enter Residential Parking Areas**

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 residents' motor vehicles.

Intentionally Omitted

**77. Public Safety Radio Communications**

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, with the exception of sensitive compartmented information facility (SCIF)-related spaces, as

identified on the approved final building plans, due to wall shielding. 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.

78. ~~8<sup>th</sup> Street South~~

~~The developer agrees, at its sole cost and expense, to construct and at all times to maintain, including, but not limited to, providing snow and ice removal, a private street called 8th Street South, as set forth on pages C 5A, 5B, 5C and C 7 of the plans dated June 4, 2008 and included in the 4.1 submission for the project. For the purposes of this condition and for the public use and access easement over 8th Street South shall include, in addition to the travelway, the areas shown in the final approved engineering plans (“8th Street South”). Developer further agrees to grant, and comply with all requirements thereof, a permanent public use and access easement to the County across, over, and through 8th Street South, for the benefit of the County and the public at large, for access to and use of 8th Street South, at all times, except as necessary for the developer to perform street maintenance and repairs (“Road Easement”).~~

~~The final design and installation of 8th Street South shall be approved by the County Manager as part of the final landscape plan and final engineering plan for Monument View as required in Condition #15. The developer agrees, at its sole cost and expense, to construct 8th Street South, and all improvements located therein, according to the final approved engineering plans and the final approved landscape plans. Construction of 8th Street South shall be completed prior to the recordation of the Road Easement.~~

~~The developer agrees that the permanent name for 8th Street South will be designated in accordance with County policy.~~

~~The developer agrees that the final location of the Road Easement shall be subject to review and written approval by the County Manager, consistent with the approved final landscape and final engineering plans.~~

~~The Road Easement shall be granted by deed, in substance, acceptable to the County Manager, or his designee, and, in form, acceptable to the County Attorney. The location of the Road Easement may change from the location in the site plan upon the review and approval by the County Manager, and shall be consistent with the final site engineering plan, the final site development plan and the final landscape plan for the project.~~

~~The Road Easement shall be binding upon the developer’s successors in title and interest, and the developer’s assigns and shall be recorded by the developer among the land records of the Clerk of the Circuit Court of Arlington County, Virginia prior to the issuance of the first Certificate of Occupancy for tenant occupancy (retail or otherwise) of the office building.~~

~~The developer agrees that the Road Easement shall include, among other things, the following provisions:~~

- a. ~~The Road Easement shall grant the County the right to use and control 8th Street South in the same manner as any other street and/or sidewalk in the County street system.~~
- b. ~~The Road Easement shall permit public use of 8th Street South for street, sidewalks, pedestrians, vehicular traffic and any other related purpose.~~
- c. ~~The Road Easement shall permit the County to regulate motor vehicle traffic, parking and signage, as well as pedestrian traffic, within the area of 8<sup>th</sup> Street South. The Road Easement may address additional subjects relating to the operation, maintenance and use of 8th Street South as deemed necessary by the County Manager for the protection of the public health, safety and welfare.~~
- d. ~~The Road Easement is a surface easement only. The developer shall retain the right to install, operate and maintain the underground garage, ramping, parking and related appurtenances, and any encroachments into the airspace above such surface easement as shown on the approved post 4.1 plans per Condition #10, as shown on the approved site plan, landscape plan and engineering plan under 8th Street South.~~
- e. ~~The developer shall not prevent access of emergency, police or fire vehicles in 8th Street South.~~
- f. ~~The County, its contractors and agents, and the public at large, shall have full and free use of the Road Easement for the purposes named and shall have all rights and privileges reasonably necessary to the exercise or the use of the Road Easement, including, but not limited to, the right of access to and from the Road Easement, and the right to use the adjoining land of the developer where necessary; provided, however, that the right to use the adjoining land (not including building interiors) shall be exercised only during periods of actual construction, maintenance, removal, repair, reconstruction, replacement and relocation, and further this right shall not be construed to allow the County to erect any building, structure or facility of a permanent nature on such adjoining land unless otherwise provided in such Road Easement.~~
- g. ~~The master developer or the Property Owners Association shall be responsible, at its sole cost and expense, for the construction, continued care and cleaning, maintenance, repair, replacement, installation and removal of 8th Street South and all facilities or structures located thereon or therein, including, but not limited to, any streets, sidewalk, paths, curb and gutter, drainage, trees, landscaping, benches, fire hydrants, bus stops, bus shelter, street lights or other lights, signage, trash receptacles and provision of snow and ice removal and trash removal. Any removal, replacement or changes to the final site engineering plan or final site development and landscaping plan must be approved by the County Manager or County Board as required by these site plan conditions or any other County ordinance.~~
- h. ~~The developer shall, at all times during the term of the Road Easement, maintain comprehensive liability insurance for 8th Street South, naming the County Board, its~~

~~elected and appointed officials, officers, employees, agents and contractors as additional insureds, in the initial coverage amount of not less than 1 million dollars per occurrence and not less than 2 million dollars, annual aggregate. The County Manager, in his sole discretion, can require an increase in the amount of comprehensive liability insurance, by prior written notice to the developer.~~

- ~~i. The developer shall indemnify and hold harmless the County Board, its elected and appointed officials, officers, employees, agents and contractors from all liability, personal injury, death, claims, damages, losses, costs and expenses, of whatever nature, concerning or arising out of the design, construction, installation, repair, maintenance, replacement, removal, care and cleaning and regulation of 8th Street South or any facility or structure therein or thereon, by the developer and use thereof by the public at large, the developer, and others.~~
- ~~j. 8th Street South shall be open for public access twenty four hours a day, seven days a week, except as may be reasonably limited, in time or in space, upon approval by the County Manager for events provided for in subsection B herein.~~
- ~~k. Include the consent of any lender of the underlying property to the Road Easement and subordination of all liens of the mortgage or deeds of trust to the Road Easement.~~
- ~~l. The developer reserves the right to allow building overhangs within the Road Easement as shown on the post 4.1 plans per Condition #10.~~

Intentionally Omitted

~~79. **Community benefits**~~

~~The developer agrees, per the Exchange Agreement dated July 16, 2007 between the County and the developer, to provide \$4.20/s.f. of GFA contribution for community benefits. The total amount of community benefits is equal to \$2,861,800 (681,381 s.f. x \$4.20/s.f.). Per Condition #67, \$2,485,039 shall be paid to the County for the Affordable Housing Contribution. The remaining \$376,761 shall be paid to the County prior to the issuance of the Footing to Grade Permit.~~

Intentionally Omitted

**80. Monitoring requirements**

The developer agrees to submit the property into the Voluntary Remediation Plan (“VRP”) program, administered by the Virginia Department of Environmental Quality (VDEQ) prior to the issuance of the Clearing, Grading, and Demolition Permit to address on-site contamination conditions. As part of the VRP the developer agrees to meet the VDEQ requirements for treatment of ground water contamination during construction and thereafter. The developer agrees to submit a Corrective Action Plan, as required by the VRP, to the County Manager for review prior to its submission to VDEQ.

81. **ADA and Universal Design**

The developer agrees to engage a universal design consultant and will incorporate as many recommendations as are deemed feasible by the Applicant in its sole discretion in the final site plan drawings and final site engineering and development plans. The developer also agrees that, in addition to the regulations and requirements established by ADA Federal law, all lobby entrances shall include proximity sensors (or other comparable technology) as shown on the post-4.1 plans.

~~82. **Old Jefferson Davis Highway office building façade treatment**~~

~~The developer agrees to submit for the façade plan review (Condition #33) updated facades for the Old Jefferson Davis Highway facade of the office building that reflect innovative architecture to help activate Old Jefferson Davis Highway. The developer agrees to coordinate with Historic Preservation staff to locate the appropriate photographs, graphics, and maps and to finalize the text for the display. The developer further agrees to make the following changes to the Old Jefferson Davis Highway facade of the office building:~~

- ~~a. Remove the planters;~~
- ~~b. Provide floor to ceiling glass (with or without muntin/mullion configuration to match the rest of structure);~~
- ~~c. Place film on the glass to create an artistic display that will require minimal maintenance and upkeep, similar to the perspectives (attached) presented to the County Board on June 24, 2008; and~~
- ~~d. Provide an updated elevation that clarifies the internal/expressed column on the southernmost bay of the OJD façade.~~

~~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 office building's Final Building Permit.~~

Intentionally Omitted

83. **Parking Meters**

The developer agrees to purchase and install, prior to the issuance of the first Certificate of Occupancy for the applicable phase of development (as such phases are defined in condition 69), at the developers expense in an amount not to exceed \$43,000.00, multi-space parking meter machines or single space parking meters of style and location, as determined by the County Manager, along all public road frontages where on-street parking is to be provided by the developer.

84. **Bicycle Share Station License Agreement**

The developer agrees to execute a license agreement with, and grant a license to the County to use an area of a maximum size of 7 feet by 45 feet to support a bicycle share station on site. The term of such license agreement shall be limited so that it will continue for only so long as a viable bicycle share program exists and Arlington County remains a participant, and there shall be no cost to the County for such license agreement or for the right to use the property. The license agreement shall be executed prior to issuance of the first Certificate of Occupancy for the first phase of development, and shall be, in substance acceptable to the County Manager, and in form acceptable to the County Attorney. The final size and location of the bicycle share station subject to such license agreement on site shall be shown on the final landscaping plan and final engineering plan as approved by the County Manager or her designee. This condition shall not require the developer to install any bicycle share facilities within the bicycle share station area subject to this license agreement, but only to provide the area and permit the County's use for this purpose. The developer further agrees to maintain vegetation and hardscape facilities on site, within the license area and in the vicinity of the bicycle share station to prevent any interference with the power supply or operation of the bicycle share station.

85. **Bus Stop and Bus Shelter Installation**

The developer agrees to provide and install for Arlington County a bus stop and bus shelter located on the east side of Old Jefferson Davis Highway prior to issuance of the first Certificate of Occupancy for the first phase of development. The design and location of the bus stop and bus shelter shall be approved by the County Manager or her designee prior to approval of the final engineering plan and shall be consistent with standards current at the time of County Board approval of the development, to include an accessible connection to streets, sidewalks or pedestrian paths, bus shelter, bench, a newspaper rack securement device and concrete pad that shall be a minimum of 4" thick, reinforced concrete for the full size of the bus shelter, construct a minimum 4' x 12' wide bus shelter, provisions for providing power to the shelter for the purpose of lighting and/or information technology (should the location be deemed appropriate for solar power then the developer may provide power by either conduit or solar technology), bus pole, and trashcan/recycling receptacle, to meet Arlington County guidelines and standards, and that will be fully compliant with current ADA standards.

86. **Historic Markers**

The developer agrees to develop and install on the site historical markers associated with the site, including at a minimum for Fort Runyan, in a location approved as part of the final landscape plan. The design and wording of the historical markers shall be coordinated with the County's Historic Preservation staff and shall be approved by the Historic Affairs and Landmark Review Board prior to installation. The markers shall be installed prior to completion of improvements to the northwest plaza where the markers are to be located, unless otherwise approved by the County Manager.

**GENERAL LAND USE PLAN RESOLUTION**

WHEREAS, the County Board of Arlington County has been presented with a proposed amendment to the Note 20 on the General Land Use Plan (“GLUP”), a part of the County’s Comprehensive Plan, to revise the amount of development density to be allocated to the Monument View Site Plan (SP #400) site area within the “North Tract Special Planning District” which is an area generally bordered by Shirley Highway Interstate 395 on the West, the George Washington Memorial Parkway on the North and East, and the southern edge of 10th Street South; and

WHEREAS, the subject site has been studied as part of the North Tract Special Planning District, 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

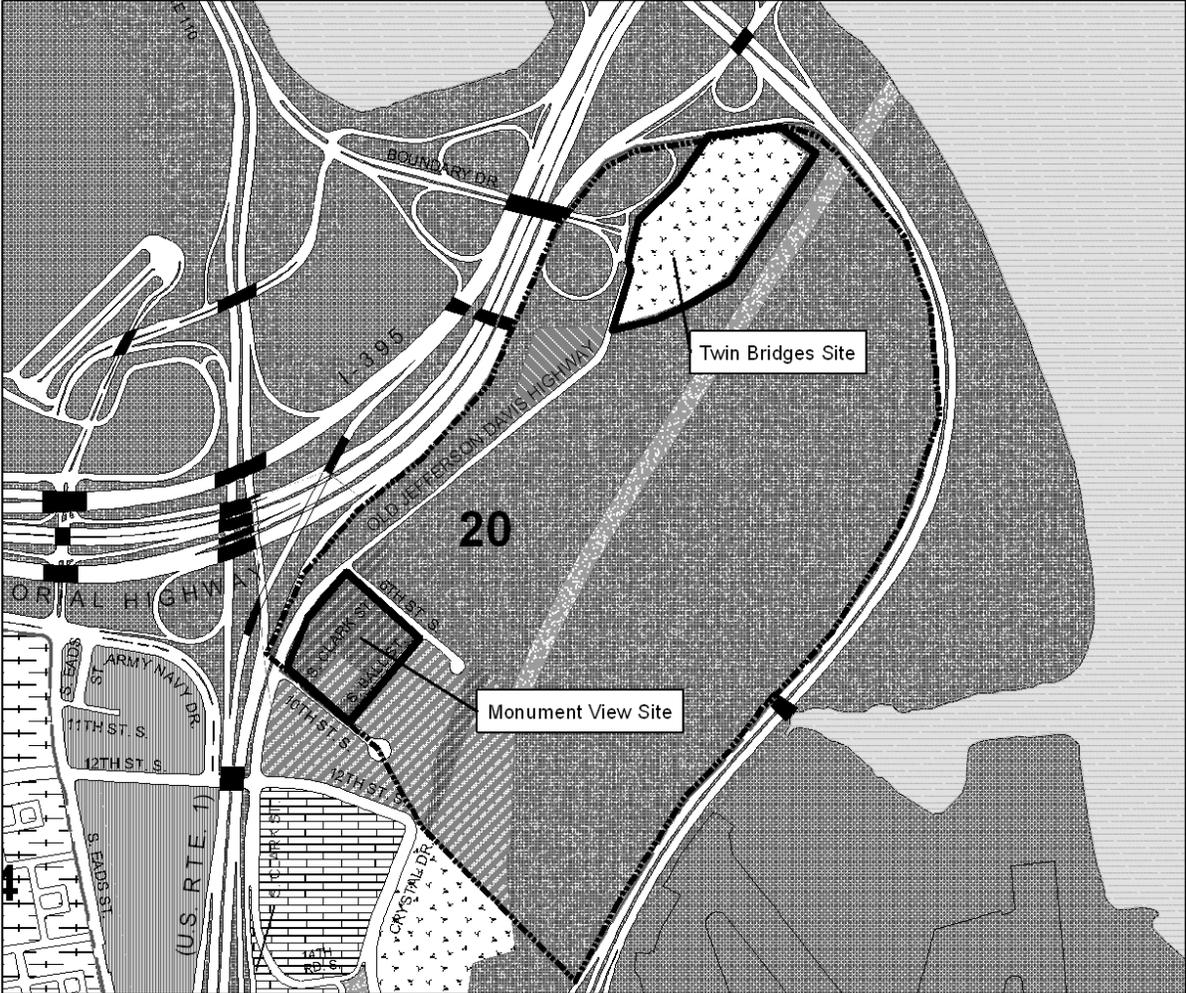
WHEREAS, the County Manager has recommended that the proposed amendment be approved; and

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

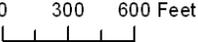
WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed amendment to the GLUP on October 15, 2011; and

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 public comments, the County Board of Arlington County finds that the proposed amendment to Note 20 on the GLUP should be, and hereby is, approved, modifying GLUP Note #20 to state that the property owned by the County and to be transferred to MR Monument View LLC is designated as eligible for up to 145,973 square feet of additional development density over and above its base density.



GP-316-11-2 General Land Use Plan Amendment to Note 20

<b>Legend</b>		<b>GOVERNMENT OWNED</b>	 0 300 600 Feet 
<p><b>Land Use Category</b></p> <p>High: 4.8 F.A.R. Res. 3.8 F.A.R. Hotel</p> <p><b>Commercial and Industrial</b></p> <p>Service Industry</p> <p><b>Office-Apartment-Hotel</b></p> <p>Low</p> <p>High-Med Res (.33) Med O-A-H (.67)</p> <p>High Res (.57) High O-A-H (.43)</p>	<p>Background Shading will Vary</p> <p><b>Public and Semi-Public</b></p> <p>Public</p> <p>Government and Community Facilities</p>	 <b>ARLINGTON</b> VIRGINIA Map prepared by Arlington County GIS Mapping Center This is not a legal document. Map © 2011 Arlington County, VA Printed: August 2011	
<p><b>Notes:</b></p> <p>20. This area was designated as the "North Tract Special Planning District" on April 24, 2004. In accordance with an revised agreement, dated <del>July 16, 2007</del> <b>September 29, 2010</b>, between the County and MR <del>Boundary Channel Monument View LLC</del>, providing for the exchange of certain property owned by the County and property owned by MR <del>Boundary Channel Monument View LLC</del> known as the Twin Bridges site, the County Board, pursuant to Section 36.H.5 of the Zoning Ordinance, and in order to facilitate the implementation of the North Tract Master Plan for Park and Recreational Facilities, has designated the property owned by the County and to be transferred to MR <del>Boundary Channel Monument View LLC</del> as eligible for up to <del>49,362 square feet of commercial density (15,850 square feet of office and 3,512 square feet of retail) and 352 residential units</del> <b>145,973 square feet of additional development density over and above its base density.</b></p>			

## Previous County Board Actions

June 24, 2008

Approved a) GP-316-08-1 GLUP Amendment to modify Note 20 to designate additional development density to SP #400; b) Z-2528-06-1 Rezoning of 4.705 acres from “M-2” to “C-O-1.5” Zoning District; and c) SP #400 to permit 352 dwelling units, 323,229 sq. ft. of office, and 3,512 sq. ft. of retail use with modifications of use.

September 20, 2011

Deferred a) GP-316-11-2 GLUP Amendment to modify Note 20 to designate additional development density to the SP #400; and b) site plan amendment (SP #400) to permit a 453,422 square foot office building in lieu of a 352 dwelling unit residential building and a 326,741 square foot office building containing 3,512 square feet of ground floor retail use with modifications of use.

# **Monument View**

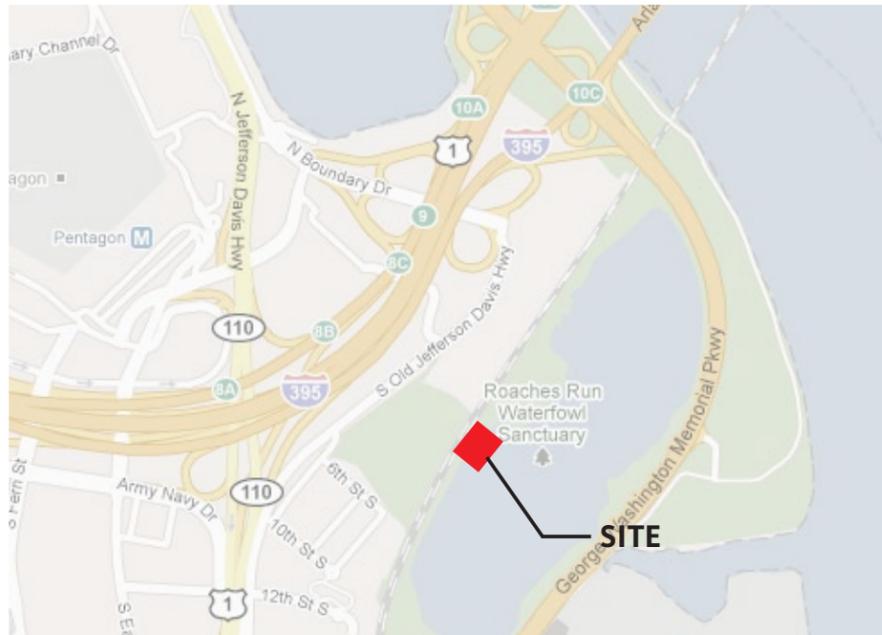
## Comprehensive Signage Plan Revision One

26 August 2011

# Table of Contents

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Sign Location Plan	5
Sign Type A1 & A2	6
Sign Type B1	11
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Signage Area Calculations	16

# Project Overview



VICINITY MAP



SITE PLAN

The purpose of the Comprehensive Sign Plan is to establish a comprehensive, distinctive and effective signage system for the Project.

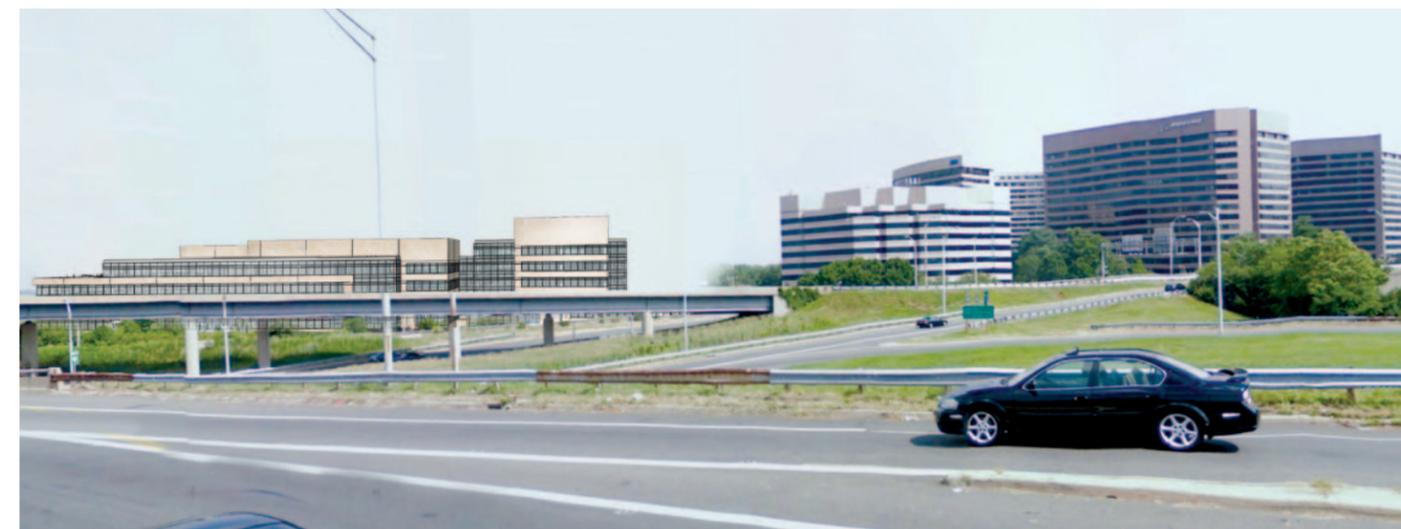
The Signs provide a consistent source of information while reflecting and enhancing the standards of design and visual quality of the Project.

The following pages provide illustrations, details, locations, and types of messages for the exterior signs of the Project.

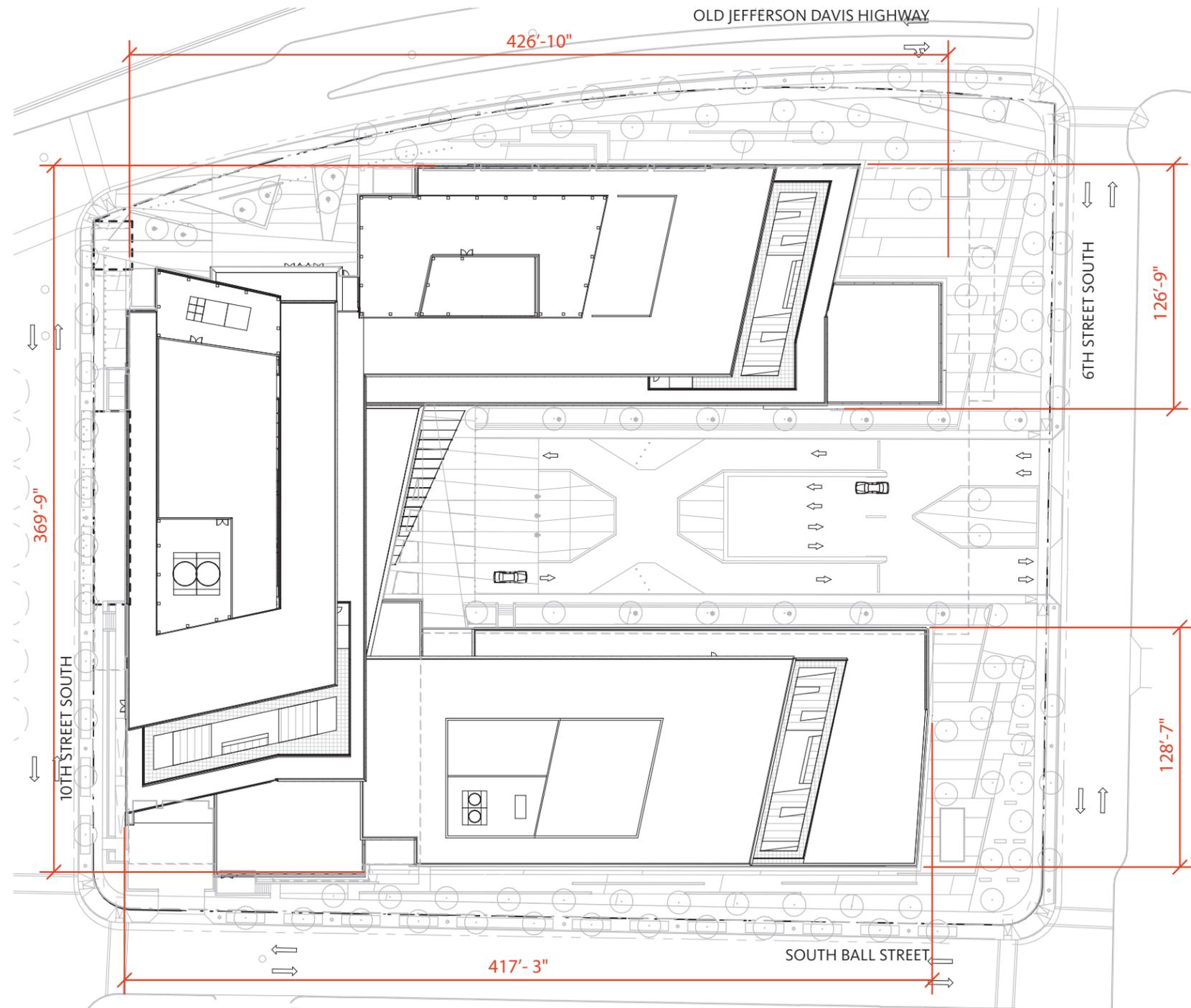
The subject site lies within Arlington County, Virginia.  
Acres: 4.70537 (204,966sf)  
Zone: C-0-1.5



SITE VIEWS



# Area Calculation



**LINEAR BUILDING FRONTAGE CALCULATION**

Linear building frontage, measured along the public street frontages  
 = **1,469.2 LF**

**ROOFTOP SIGN**

**MAXIMUM ALLOWABLE SIGN SIZE:**  
 One (1) square foot of sign area for each one (1) linear foot of building wall width measured along the street frontage.  
 = **1,469 SF**

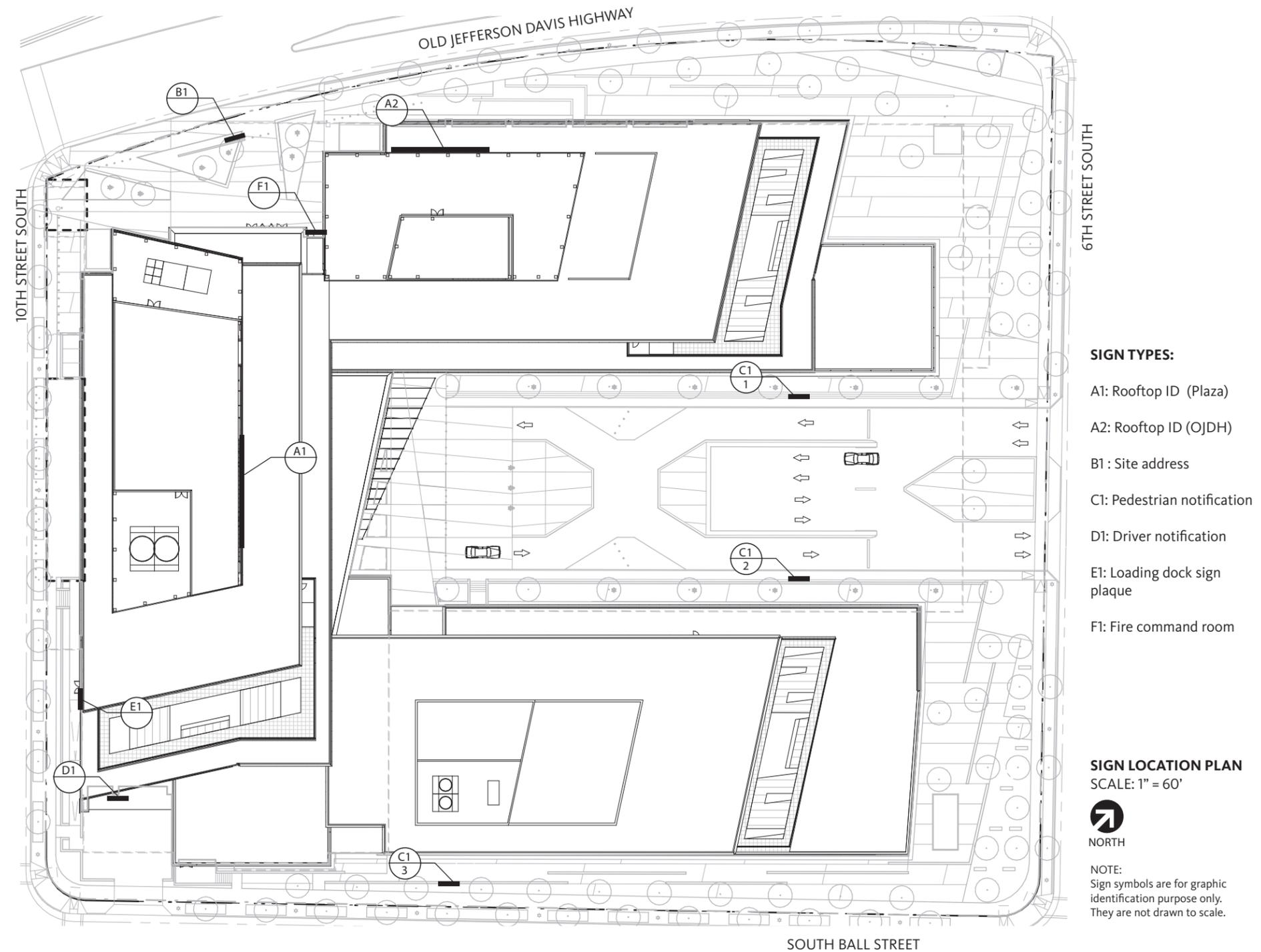
**ALL OTHER SIGNS VISIBLE FROM THE PUBLIC RIGHT OF WAY**

**MAXIMUM ALLOWABLE SIGN SIZE:**  
 One (1) square foot of sign area for each one (1) linear foot of building wall width measured along the public right of way.  
 = **1,469 SF**

**LINEAR BUILDING FRONTAGE CALCULATION**

Not to scale

# Sign Location Plan



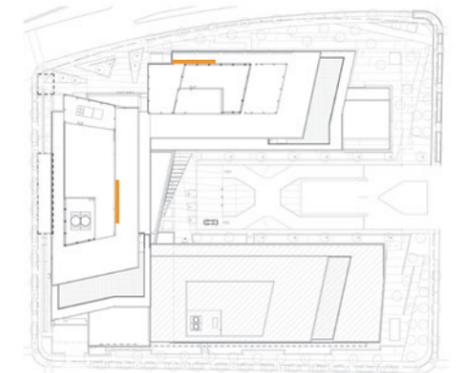
- SIGN TYPES:**
- A1: Rooftop ID (Plaza)
  - A2: Rooftop ID (OJDH)
  - B1 : Site address
  - C1: Pedestrian notification
  - D1: Driver notification
  - E1: Loading dock sign plaque
  - F1: Fire command room

**SIGN LOCATION PLAN**  
 SCALE: 1" = 60'

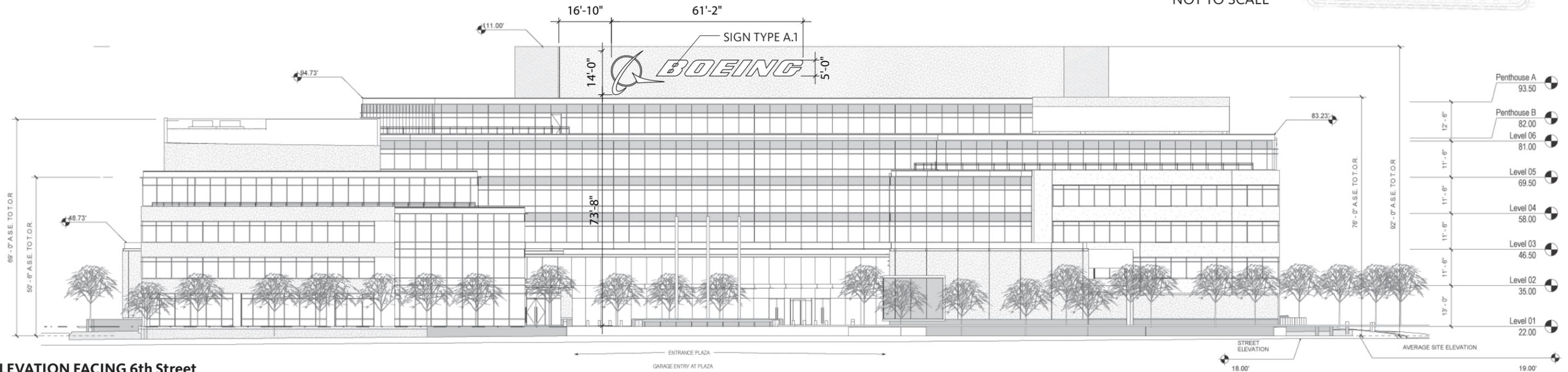
  
 NORTH

NOTE:  
 Sign symbols are for graphic identification purpose only. They are not drawn to scale.

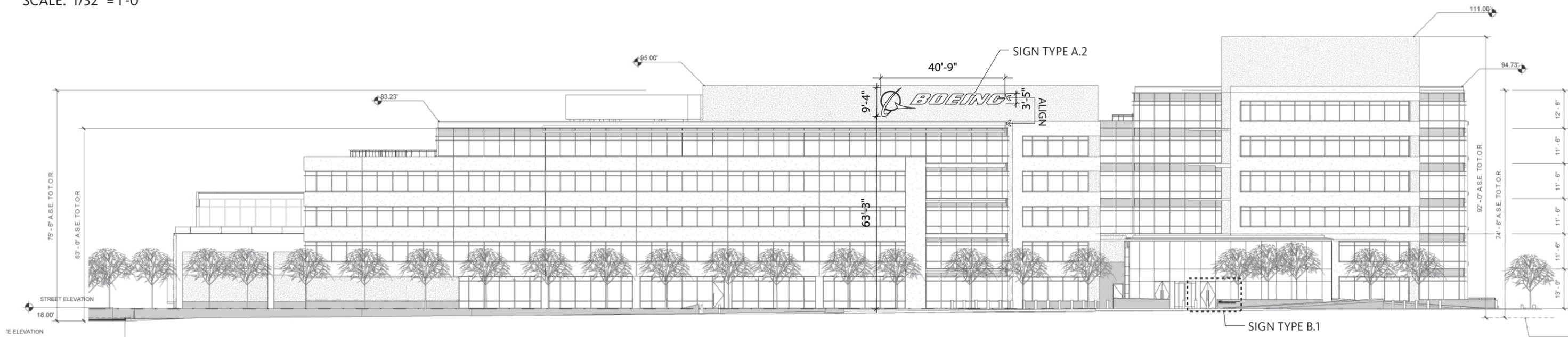
# Elevations: Sign type A1 & A2



KEY PLAN  
NOT TO SCALE

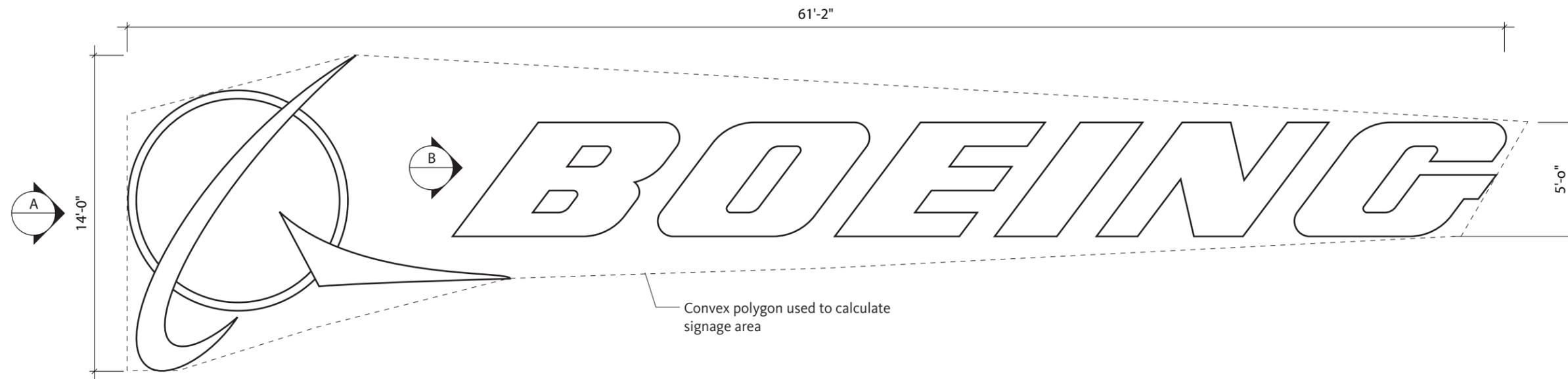


ELEVATION FACING 6th Street  
SCALE: 1/32" = 1'-0"



ELEVATION FACING OLD JEFFERSON DAVIS HIGHWAY  
SCALE: 1/32" = 1'-0"

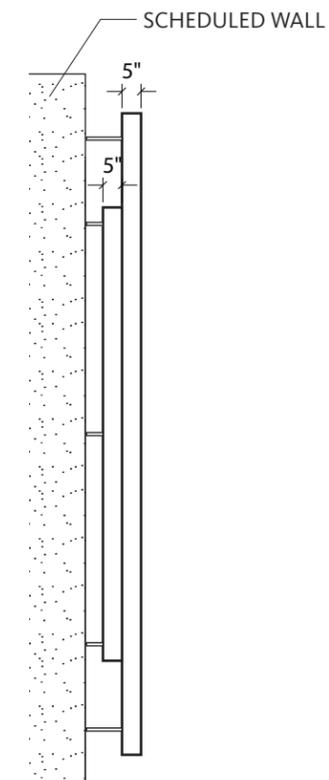
# Detail: Sign Type A1



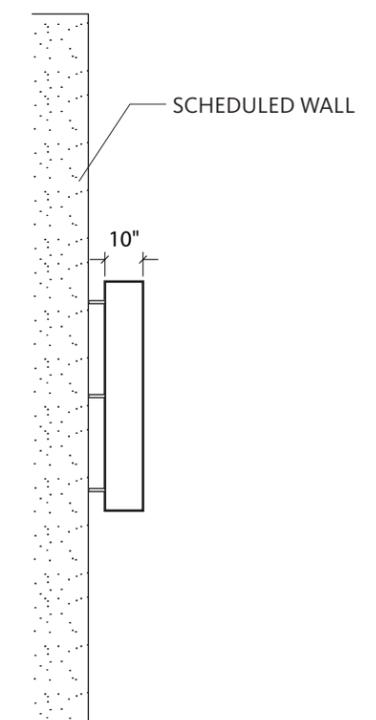
**FRONT ELEVATION**  
SCALE: 3/16" = 1'-0"

**SPECIFICATIONS: ONE (1) INTERNALLY ILLUMINATED SIGNAGE**

- FACES: 3/16" WHITE LEXAN
- RETAINERS: 1" WIDE FABRICATED .090" ALUMINUM PAINTED BLACK
- RETURNS: SYMBOL RETURNS 5" DEEP, LOGOTYPE 10" DEEP FABRICATED .080" ALUMINUM PAINTED BLACK
- BACKS: .125" ALUMINUM
- ILLUMINATION: WHITE LED
- MOUNTING: MECHANICALLY FASTENED WITH CORROSION FREE FASTENERS
- SIGN AREA: 514.25 SF
- ELECTRICAL REQUIREMENTS: 120V, 15AMP DEDICATED CIRCUIT. CONNECTED TO TIMER
- PROVIDE BLOCKING AND BRACING AS REQUIRED TO SUPPORT

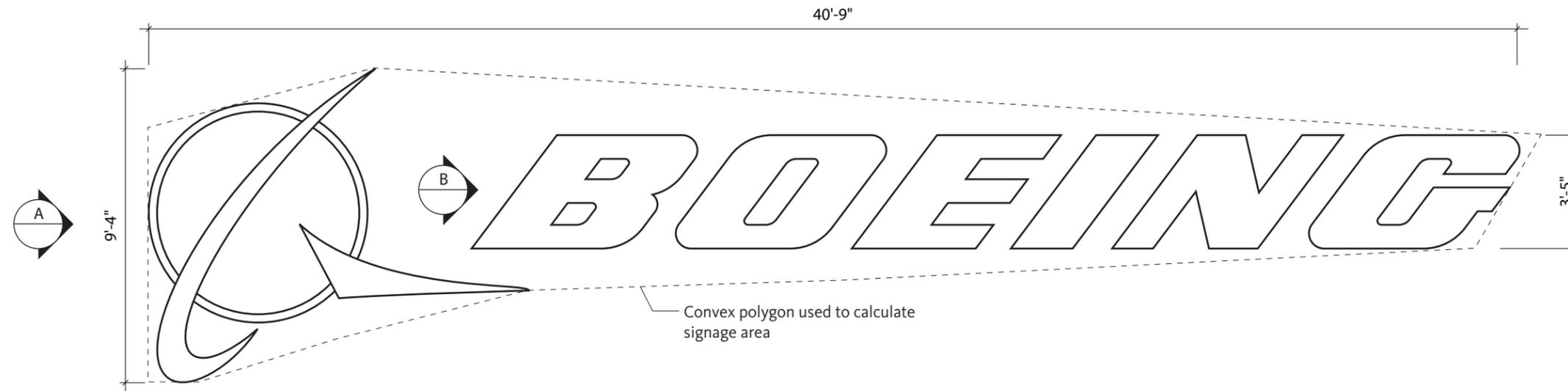


**A: SIDE ELEVATION (SYMBOL)**  
SCALE: 1/4" = 1'-0"



**B: SIDE ELEVATION (TEXT)**  
SCALE: 1/4" = 1'-0"

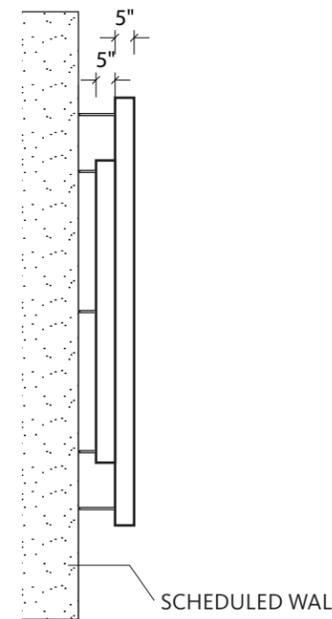
# Detail: Sign Type A2



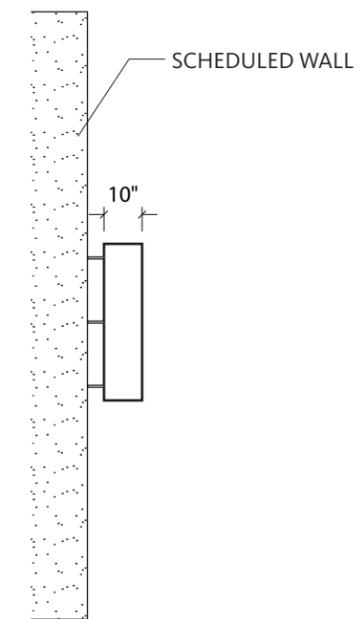
**FRONT ELEVATION**  
SCALE: 3/16" = 1'-0"

**SPECIFICATIONS: ONE (1) INTERNALLY ILLUMINATED SIGNAGE**

- FACES: 3/16" WHITE LEXAN
- RETAINERS: 1" WIDE FABRICATED .090" ALUMINUM PAINTED BLACK
- RETURNS: SYMBOL RETURNS 5" DEEP, LOGOTYPE 10" DEEP FABRICATED .080" ALUMINUM PAINTED BLACK
- BACKS: .125" ALUMINUM
- ILLUMINATION: WHITE LED
- MOUNTING: MECHANICALLY FASTENED WITH CORROSION FREE FASTENERS
- SIGN AREA: 228.53 SF
- ELECTRICAL REQUIREMENTS: 120V. 15AMP DEDICATED CIRCUIT. CONNECTED TO TIMER
- PROVIDE BLOCKING AND BRACING AS REQUIRED TO SUPPORT



**A: SIDE ELEVATION (SYMBOL)**  
SCALE: 1/4" = 1'-0"



**B: SIDE ELEVATION (TEXT)**  
SCALE: 1/4" = 1'-0"

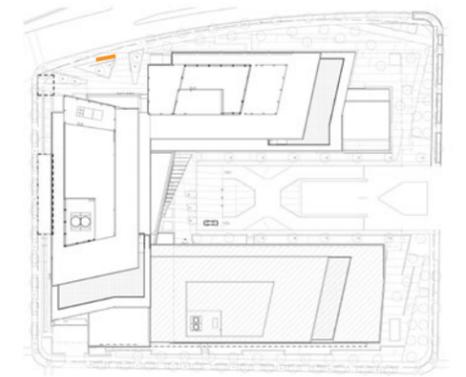
# View: Sign type A1



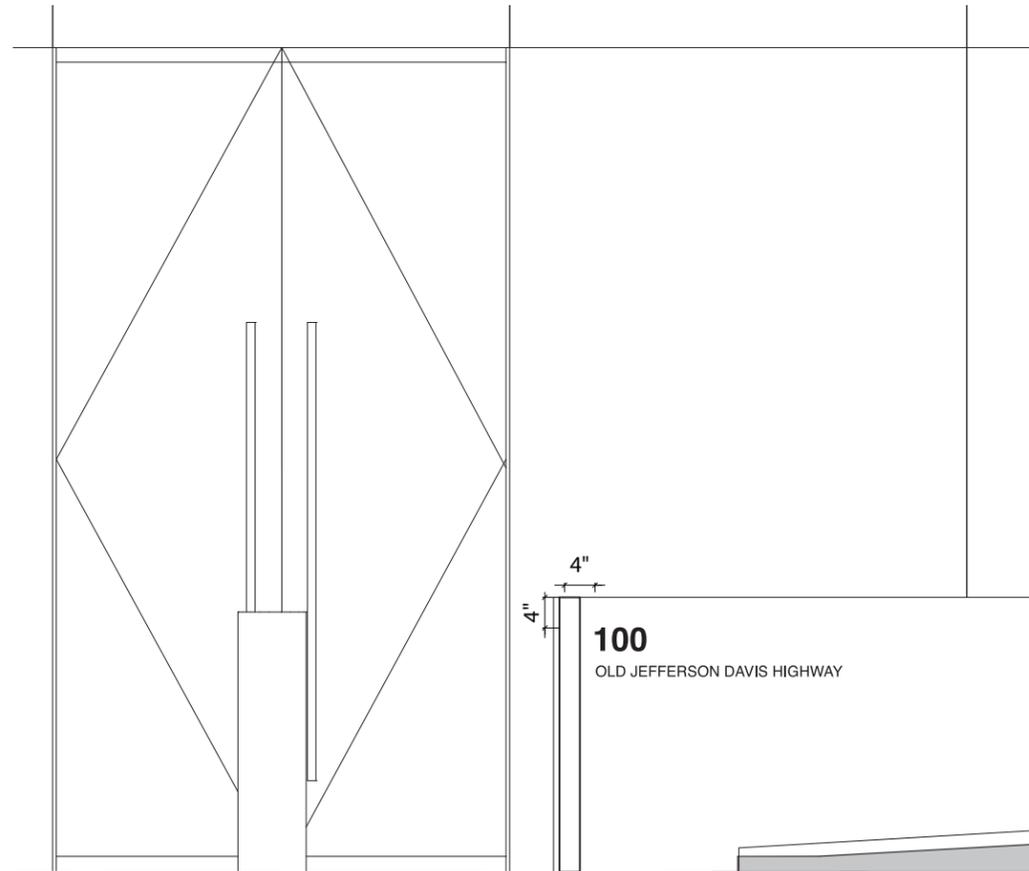
# View: Sign type A2



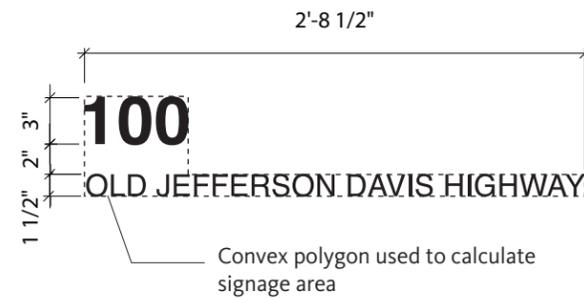
# Details: Sign Type B1



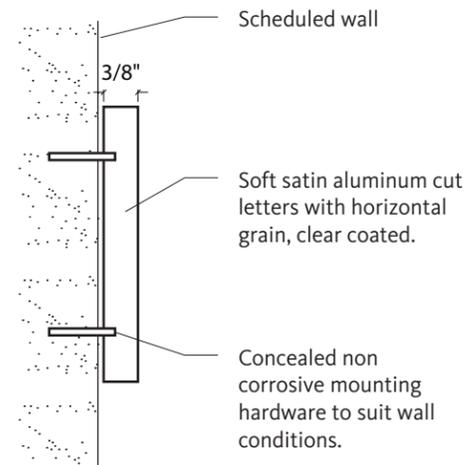
**KEY PLAN**  
NOT TO SCALE



**ELEVATION**  
1/2" = 1'-0"



**DETAIL**  
1" = 1'-0"



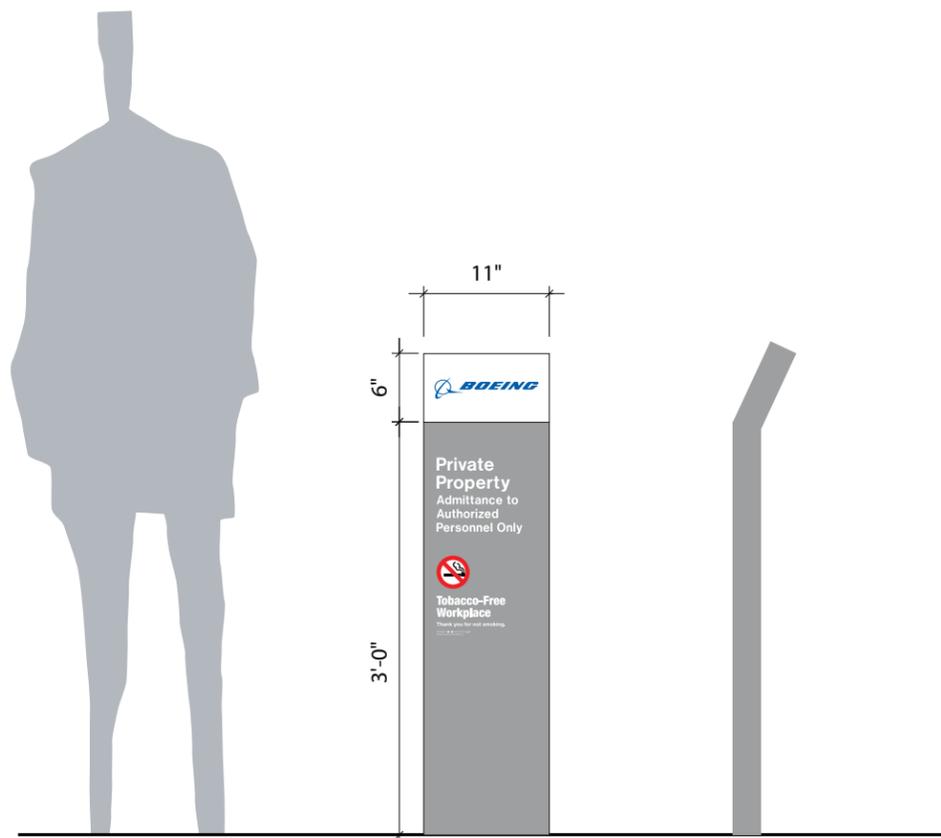
**SECTION**  
1:2

Area: 0.55 sf

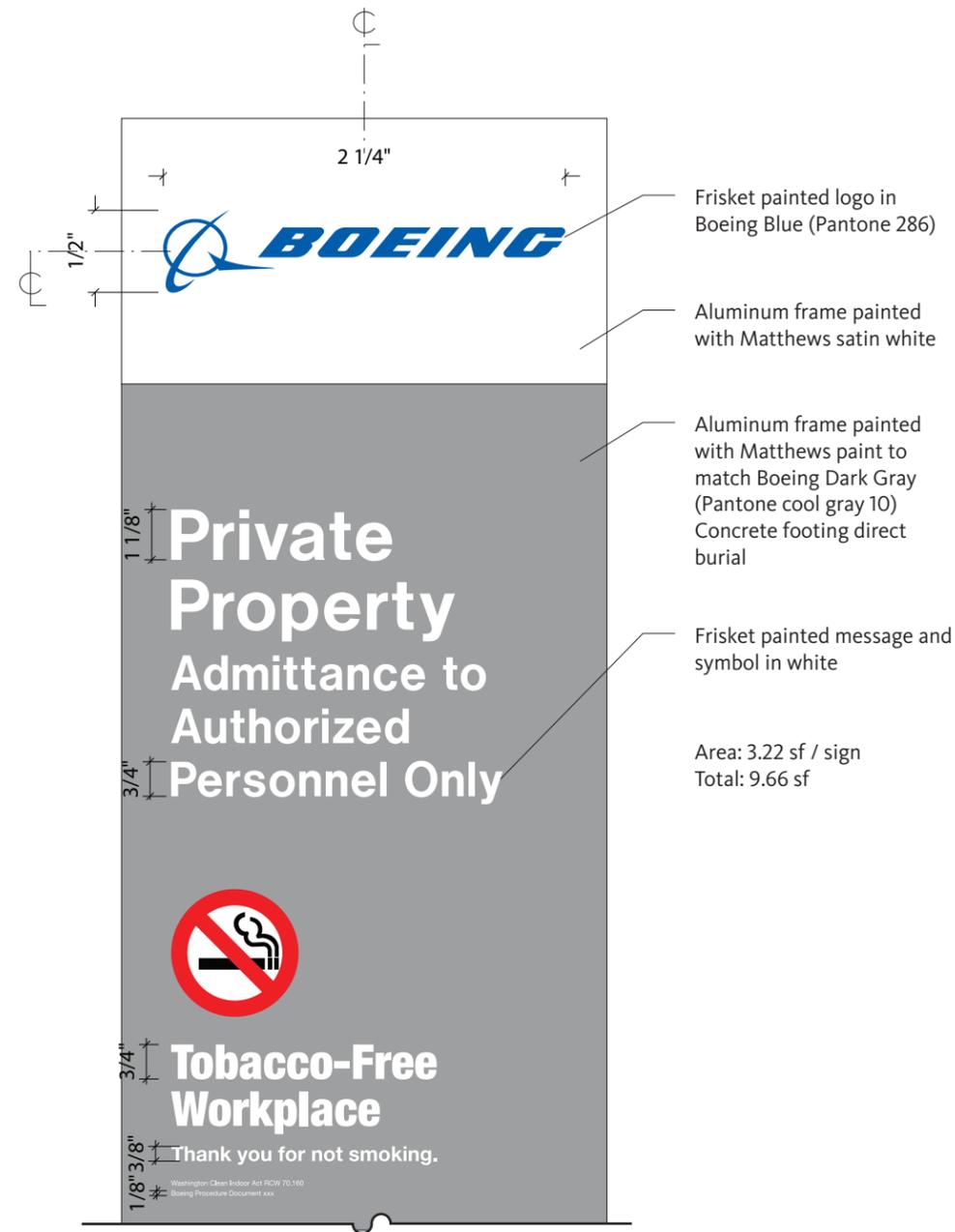


**ENTRANCE VIEW**  
NOT TO SCALE

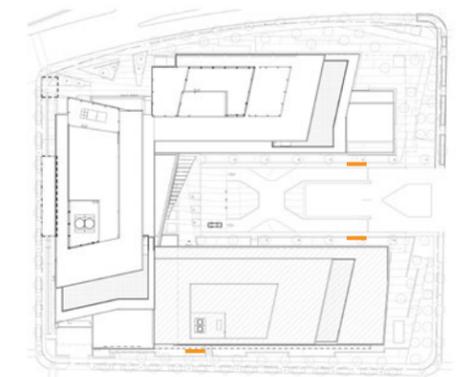
# Details: Sign Type C1



**ELEVATION**  
3/4" = 1'-0"



**ELEVATION**  
3" = 1'-0"



**KEY PLAN**  
NOT TO SCALE

Frisket painted logo in Boeing Blue (Pantone 286)

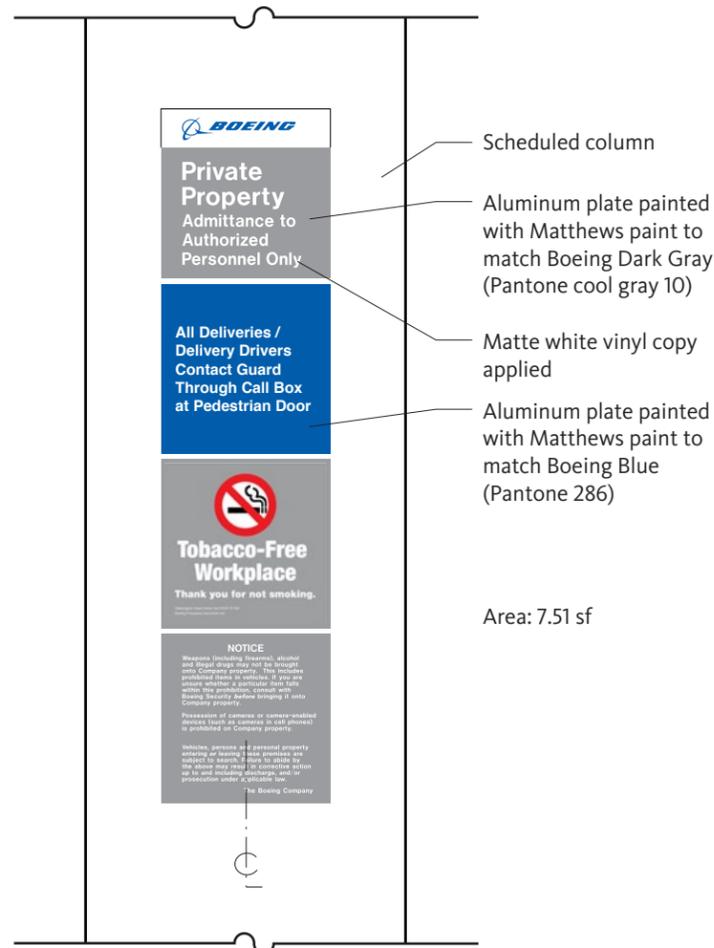
Aluminum frame painted with Matthews satin white

Aluminum frame painted with Matthews paint to match Boeing Dark Gray (Pantone cool gray 10)  
Concrete footing direct burial

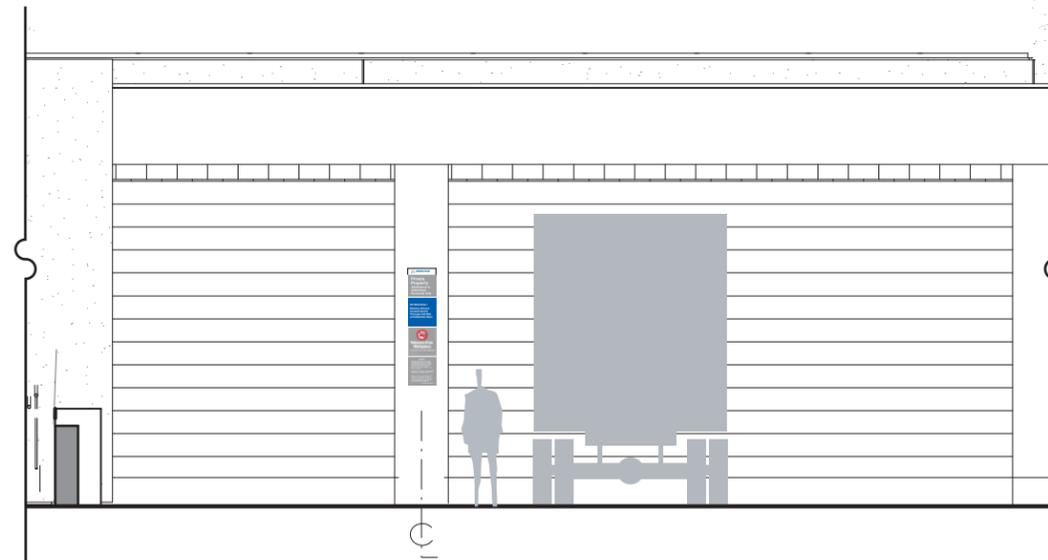
Frisket painted message and symbol in white

Area: 3.22 sf / sign  
Total: 9.66 sf

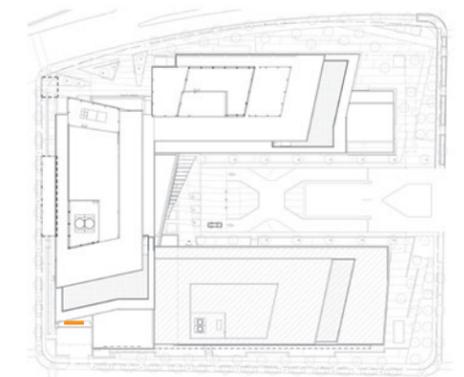
# Details: Sign Type D1



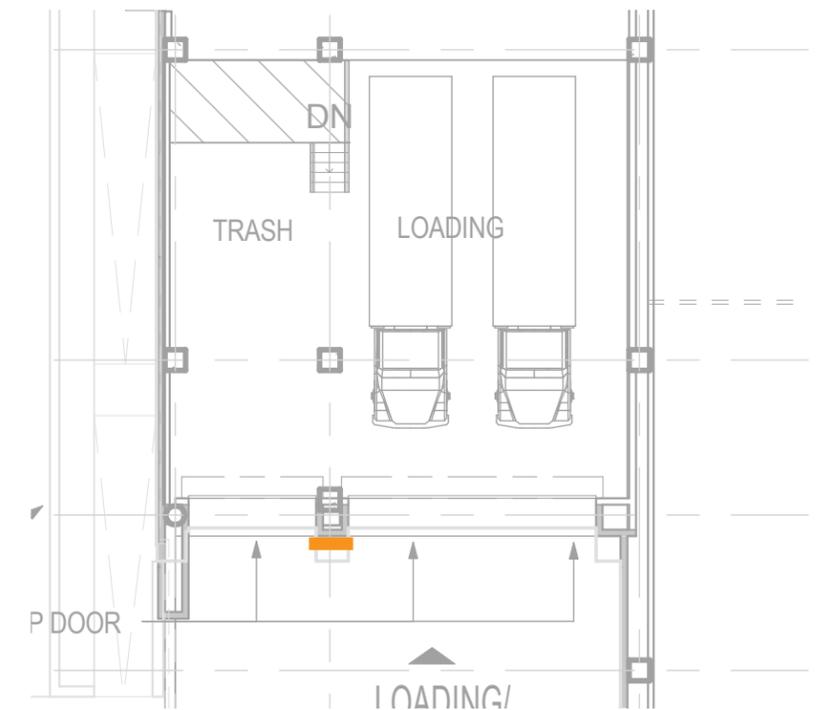
**ELEVATION**  
SCALE: 3/4" = 1'-0"



**ELEVATION**  
SCALE: 1/8" = 1'-0"

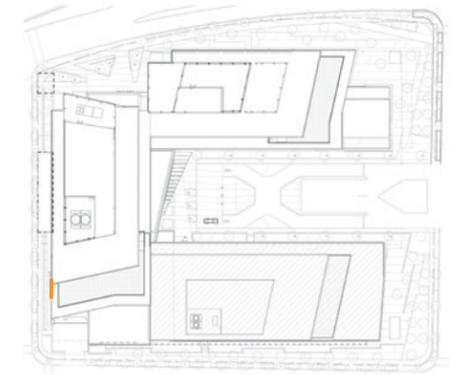


**KEY PLAN**  
NOT TO SCALE

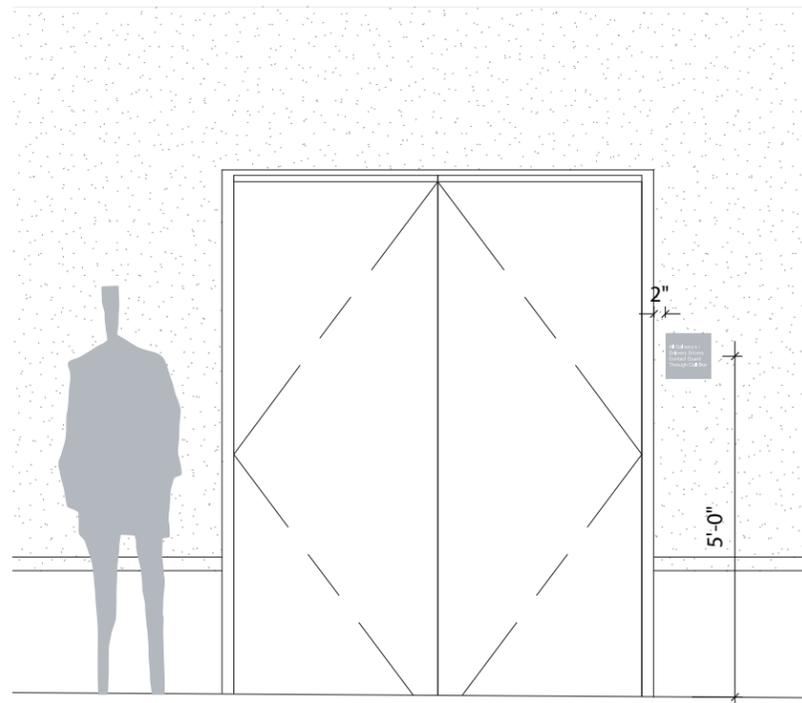


**PLAN**  
NOT TO SCALE

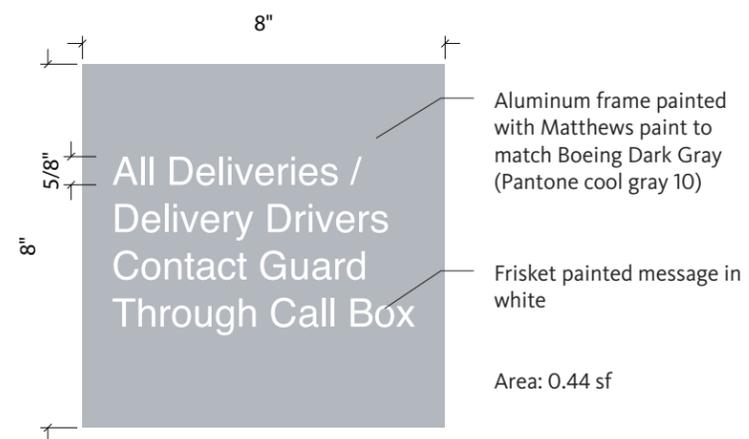
# Details: Sign Type E1



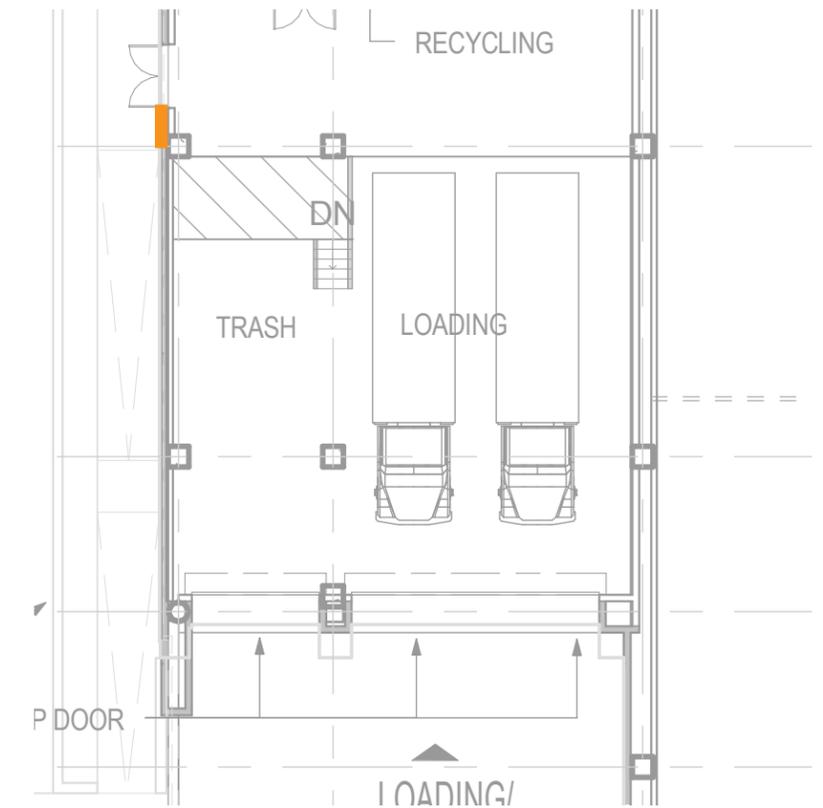
**KEY PLAN**  
NOT TO SCALE



**ELEVATION**  
SCALE: 3/8" = 1'-0"

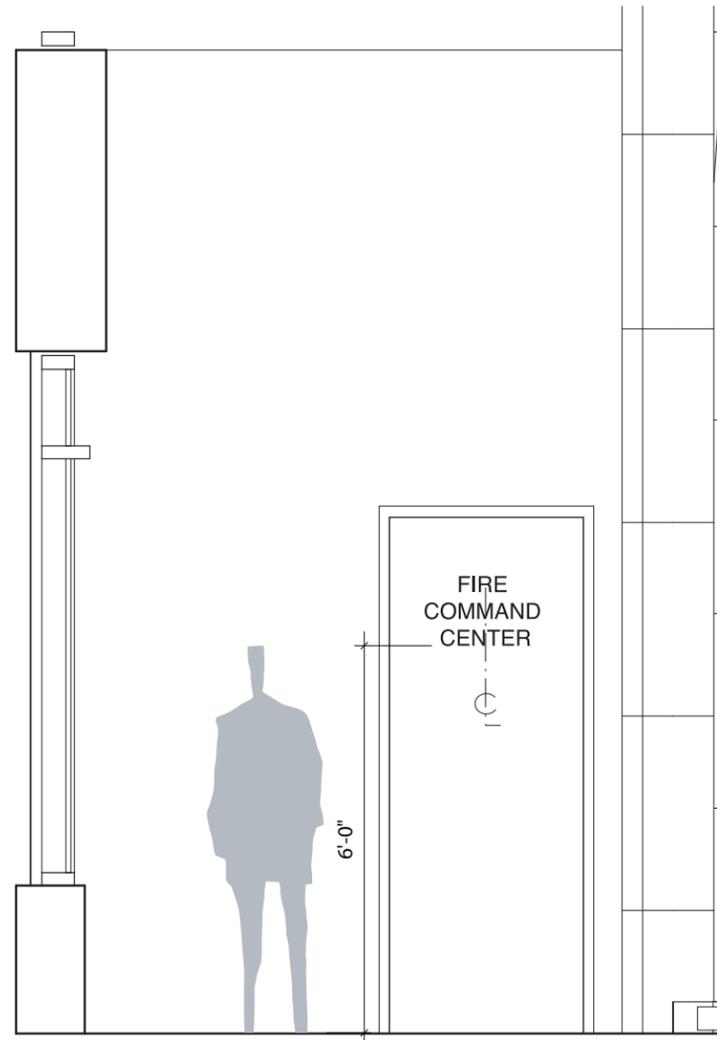


**ELEVATION**  
SCALE: 3" = 1'-0"



**PLAN**  
NOT TO SCALE

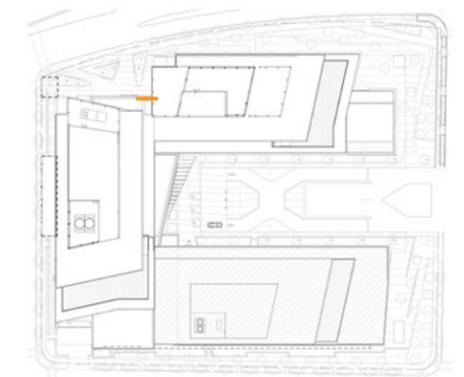
# Details: Sign Type F1



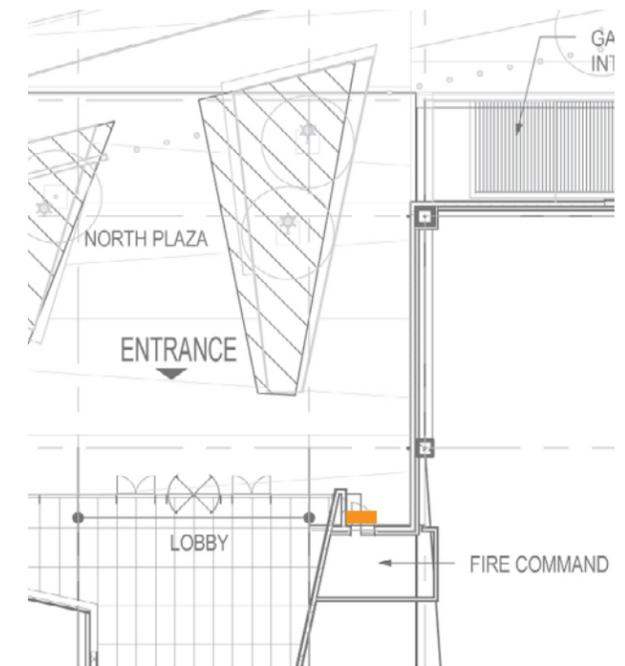
**ELEVATION**  
SCALE: 3/8" = 1'-0"



**DETAIL ELEVATION**  
SCALE: 1 1/2" = 1'-0"



**KEY PLAN**  
NOT TO SCALE



**PLAN**  
NOT TO SCALE

# Signage Area Calculations

TYPE		LOCATION	TEXT	SIZE	LIGHTING	# OF SIGNS	TOTAL SIGN AREA (sq.ft.)	MATERIALS/COLOR
A1	Rooftop ID	On penthouse façade facing 6th Street South	Boeing	61'-2"w, 14'-0"/5'-0"h	Internally illuminated	1	514.25	White illuminated lexan face in painted black aluminum case
A2	Rooftop ID	On penthouse façade facing Old Jefferson Davis Highway	Boeing	40'-9"w, 9'-4"/3'-5"h	Internally illuminated	1	228.53	White illuminated lexan face in painted black aluminum case
<b>TOTAL</b>							<b>742.78</b>	<b>Total sign area allowed by code is 1,469 SF</b>

TYPE		LOCATION	TEXT	SIZE	LIGHTING	# OF SIGNS	TOTAL SIGN AREA (sq.ft.)	MATERIALS/COLOR
B1	Site address	At pedestrian entry on Old Jefferson Davis Highway	100 OLD JEFFERSON DAVIS HIGHWAY	3'-10"w, 7 3/8"h	Not illuminated	1	0.55	Soft satin aluminum cut letters
C1	Pedestrian notification sign	On pedestrian walkways	See drawing	11"w, 3'-6"h	Not illuminated	3	9.66	Painted aluminum marker sign with blue logo and white messages.
D1	Driver notification	At loading dock entry near corner of South Ball Street and 10th Street South	See drawing	15"w, 5'-1 1/2"h	Not illuminated	1	7.51	Aluminum sign panels with vinyl graphic
E1	Loading dock sign plaque	By exterior door along 10th Street South	All Deliveries / Delivery Drivers Contact Guard Through Call Box	8" w x 8" h	Not illuminated	1	0.44	Aluminum sign panel with vinyl graphic
F1	Fire command center sign	On door to the fire command center	FIRE COMMAND CENTER	1'-9 1/2"w, 1'-1"h	Not illuminated	1	1.94	Dark gray vinyl cut letters
<b>TOTAL</b>							<b>20.1</b>	<b>Total sign area allowed by code is 1,469 SF</b>



## ARLINGTON COUNTY, VIRGINIA

### ARLINGTON COUNTY PLANNING COMMISSION

2100 CLARENDON BOULEVARD, SUITE 700  
ARLINGTON, VIRGINIA 22201  
(703) 228-3525 • FAX (703) 228-3543



ROSEMARY CIOTTI  
CHAIR

STEVE SOCKWELL  
VICE CHAIR

FREIDA WRAY  
COORDINATOR

GIZELE C. JOHNSON  
CLERK

September 12, 2011

Arlington County Board  
2100 Clarendon Boulevard  
Suite 300  
Arlington, Virginia 22201

- SUBJECT: 6. A. GP-316-11-2** General Land Use Plan ("GLUP") Amendment to modify Note 20 to revise the amount of development density to be allocated to the Monument View Site Plan (SP #400) site area within the "North Tract Special Planning District" which is an area generally bordered by Shirley Highway Interstate 395 on the West, the George Washington Memorial Parkway on the North and East, and the southern edge of 10th Street South.
- B. SP #400** MR Monument View LLC/Monument Realty LLC to permit a 453,246 square foot office building in lieu of 352 dwelling units, 323,229 square feet of office and 3,512 square feet of retail, and a comprehensive sign plan in the C-O-1.5 Zoning District under §36.H of the Zoning Ordinance. Property is approximately 204,966 square feet, located at 550 South Clark Street, 320 6th Street South, 901 South Clark Street, 608 South Ball Street, and portions of South Clark Street and is identified as RPC# 34-024-345, 34-025-001, -003, -004, and -005. The density of the previously approved Site Plan is 3.32 FAR. The proposed density is 2.21 FAR. Modification of Zoning Ordinance requirements include: parking, density, and other modifications as may be necessary to achieve the proposed development plan. Applicable Policies include: GLUP designation as "Low" Office-Apartment-Hotel, Public Ownership, and Note 20 on the GLUP; North Tract Special Planning District.

- RECOMMENDATIONS: A. Defer consideration of the resolution to amend the General Land Use Plan to modify Note 20 to revise the amount of development density to be allocated to the Monument View Site Plan (SP #400) site area within the "North Tract Special Planning District" which is an area generally bordered by Shirley Highway Interstate 395 on the West, the George Washington Memorial Parkway on the North**

**P.C. #55.A.B.**

**and East, and the southern edge of 10th Street South, to the October 3, 2011 Planning Commission and October 15, 2011 County Board meetings.**

**B. Defer consideration of an ordinance for a site plan amendment to SP #400 to permit an all office development consisting of a 453,246 square foot office building in lieu of 352 dwelling units, 323,229 square feet of office and 3,512 square feet of retail, and a comprehensive sign plan, to the October 3, 2011 Planning Commission and October 15, 2011 County Board meetings, with the following recommendations:**

- 1) Increase the size of the plazas and provide more opportunities to activate the 6<sup>th</sup> Street frontage.**
- 2) Relocate the garage entrance to South Ball Street.**
- 3) Remove the penthouse/rooftop sign on the north façade and condition that any illumination be reviewed by the County and stakeholders after implementation.**
- 4) Ensure that either the parking garage is available for community use as originally approved or that adequate compensation for the loss of parking is included.**
- 5) Achieve LEED Gold certification.**
- 6) Relocate the bike share station to within 100 feet of the building's pedestrian lobby entrance.**

Dear County Board Members:

The Planning Commission heard these items at its September 8, 2011 carry-over meeting. Aaron Shriber, CPHD Planning, described the requests for the change to GLUP Note 20, and the amendment to Site Plan #400. He described the ways in which staff believes the proposed site plan meets the goals envisioned in the North Tract Area Plan Study to further implement Long Bridge Park, and the proposed amendment to the GLUP Note. Also present were Richard Tucker, CPHD Planning, and Rob Gibson, DES Planning.

The development team for the applicant, Monument Realty, was present, including Kirk Salpini, Monument Realty, Evan Pritchard, attorney (Walsh Colucci Lubeley Emrich & Walsh), Raffael Scasserra, architect (Gensler), Chip Trageser, landscape architect (The Office of James Burnett), and Jeff Kreps, engineer (VIKA). Mr. Pritchard described the proposal and The Boeing Company's corporate commitment to the community. Mr. Scasserra presented the project details, including the building design, contextual relationship to Long Bridge Park, and the comprehensive sign plan. Mr. Trageser presented the details of the site design, including streetscape, plaza and open space areas, and landscaping.

## **Public Speakers**

Ben Helwig, representing the National Park Service (NPS) and the George Washington Memorial Parkway, commented that he had no issues with the proposed development, except the north-facing rooftop sign. He stated that preservation of the parkway's historical view shed is best met by the scale and size of buildings proposed in this site plan. Mr. Helwig expressed NPS's concern about the rooftop sign that will face 6th Street South and the parkway beyond, and its potential to impact the parkway's view shed. While he believes the impact will be minimal, he expressed an interest in revisiting the sign after it is installed, and before construction of Phase II, to identify and resolve any future concerns.

Christer Ahl, representing the Crystal City Homeowner's Association, is a member of the Long Bridge Park Design Advisory Committee. He identified several issues with the proposed amendment, including:

- This is not the right setting for a secure office building in relation to the park.
- The building is unattractive.
- The development is not transit-oriented. The proposed parking encourages single-occupant vehicle trips, which will result in significant traffic conflicts.
- The secure building precludes provision of shared parking
- The location of the garage and auto court entry adjacent to 6<sup>th</sup> Street and across from park will conflict with the park design and uses.
- The public spaces adjacent to 6<sup>th</sup> Street are inadequate.

Carrie Johnson, representing the Long Bridge Park Design Advisory Committee, noted that the first phase of the Park is scheduled to be completed by October 31, 2011. She expressed her gratitude that the revised exchange agreement will result in the County securing the Twin Bridges property by the end of 2011. She indicated her appreciation for the proposed amendment, which will result in relocating less density from the Twin Bridges property to the site plan. She welcomed Boeing, a fortune 50 corporation, whose plans are to remain a neighbor to the park and continue its strong corporate commitment to the Arlington County community. However, she expressed concerns about:

- The lack of shared public parking or assistance in transporting large crowds to the park during peak usage or special events. She requested a greater commitment by the applicant, to be reflected in the language in Condition #65, After Hours Parking in Office Garages. She referred to the letter from Tobin Smith, Chair of the Long Bridge Park Design Advisory Committee, which outlined acceptable concepts.
- The proposed public spaces are less hospitable than the approved plan, which were larger and designed with seating areas, kiosks, and pathways.

Karen Kumm Morris, a member of the Urban Forestry Commission, welcomed Boeing's corporate presence in Arlington. As her letter states, she supports the proposal. The site is unique and adjacent to the airport. Unfortunately, it is an all office development immediately adjacent to Long Bridge Park. Ms. Morris expressed concerns with the proposal's relationship to the park, and in particular the design of the public spaces adjacent to 6<sup>th</sup> Street. She stated that the design is very passive and uninviting, and the spaces should be activated to encourage greater use by employees

and park users. She made several suggestions on how this could be achieved, which are outlined in her letter.

### **Planning Commission Reports**

Commissioner Serie reported that the Transportation Commission reviewed the proposal on September 1, 2011. The Commission recommended against adopting the ordinance to approve the site plan. The proposed site plan was viewed as inferior to the previously approved site plan for the following reasons:

- Lack of street level retail. The proposal is for one large massive building with no nighttime activity to enliven the streetscape.
- Lack of a new 8<sup>th</sup> Street to break up the mega-block.
- Building façade does not meet the streets; it is set back too far.
- Development design oriented inward and lacking a strong street wall.
- Site design includes bollards, security walls and earthen embankments that are not pedestrian friendly.
- Development is auto-dominated and looks inward with a large garage entrance/auto court adjacent to 6<sup>th</sup> Street. Preference was to relocate the garage entrance to another street.
- Lack of shared parking.
- Self-imposed security standards that do not relate to the DARPA standards referenced in the staff report.

Commissioner Savela reported that the SPRC process included three (3) meetings held within a fairly expeditious time frame. She referred to the SPRC report and noted the 2008 Planning Commission letter to the County Board for the approved site plan, which highlighted several of the same issues discussed during this review. She commented that the SPRC was very eager to work with Boeing, recognizing it is a corporate citizen that has made significant commitments to the Arlington community. The SPRC identified a number of concerns relating to land use, site design, building architecture, location of garage access, loading dock access, and community benefits. Minor changes have been made to the building architecture, the size of use of the site edges that permit public access, and the applicant continues to make other changes to the development. However, the major changes raised at the SPRC remain unaddressed. She suggested the agenda for Planning Commission discussion include:

- Exchange Agreement – clarification on elements of the agreement, including the impact of the proposed amendment on the execution of the exchange and the remaining densities on the Twin Bridges site.
- Land use – impacts from changing the use from mixed use to all office.
- Site design.
- Building architecture.
- Comprehensive sign plan, including concerns identified by the National Park Service.
- Transportation impacts – street network, cross sections, bicycle and pedestrian ways, parking, garage and loading dock impacts.
- Public benefit package, including comparison between approved and proposed site plans.

### **Planning Commission Discussion**

Commissioner Klein read a statement informing the Commission that she was formerly employed by the developer's architect, Gensler. After consultation with the County Attorney, it was concluded that she could fully participate in the discussion and vote of the Commission.

#### Exchange Agreement

Mr. Shriber provided a brief explanation of the exchange agreement, including clarification of property ownerships and timing of the land settlement, which will occur 60 days from County Board action, or no later than December 31, 2011, regardless of the Board's action on the site plan. Approval or denial of the site plan will not affect the land deal and the County's ability to secure the property.

Commissioner Cole asked for further clarification regarding the obligations between Monument Realty and Boeing. Mr. Salpini responded that Monument Realty LLC will be obligated during construction of the project, and upon completion ownership will be transferred to Boeing.

Commissioner Savela asked for clarification on how the proposed site plan amendment will impact the densities affected by the land exchange. Mr. Shriber explained that the total proposed density of 453,246 square feet is less than the total approved density of 681,381 square feet. Therefore, approximately 241,000 square feet of density will return to the County. This is a significant benefit of the proposal.

Commissioner Hunt asked if this means it is a less expensive project, resulting in reduced contributions toward the Park. In the approved site plan, the contributions were capped and primarily targeted towards affordable housing. The current proposal results in a lesser contribution towards affordable housing due to reduced density. This is an issue of scale of development.

Commissioner Serie asked, and Mr. Shriber confirmed, that the County does not have to pay for the density being returned to it. Commissioner Serie requested clarification on how the County is benefiting from this. Mr. Shriber explained that the Twin Bridges site is larger (7 acres) than the County's North Tract parcel (4 acres). The approved site plan would have transferred all of the available density on the Twin Bridges site to the North Tract parcel. On the other hand, the current proposal does not propose to use all of the available density from the Twin Bridges site and will transfer less density to the North Tract. This allows the County to retain the balance of density left on the Twin Bridges parcel.

Commissioner Fallon summarized the differences between the approved and proposed site plans and the exchange agreement process, and concluded that the new agreement is better for the County. Regardless of the Board's action on the site plan, the County gets the desired site for the aquatic center and retains the higher density associated with the current County-owned parcel.

Commissioner Hunt responded that the proposed site plan now results in no affordable housing. Commissioner Fallon replied that the provision of affordable housing is consistent with the lower density associated with the revision. The County will retain the unused density, which can be used via TDR on another site, subject to County Board approval of future site plans. As this unused density is transferred to other sites, it will be subject to the terms of the affordable housing ordinance.

### Site Design

Commissioner Monfort inquired about the secure building requirements, and if they are standards set by Boeing or the Department of Defense. Mr. Salpini responded that Boeing's design standards are based on documented threats to the company, and address both global and domestic security. The design response is predicated upon security threats that they have experienced or anticipate to experience based on levels determined in cooperation with the FBI. Commissioner Monfort commented that he is having difficulty accepting proposed changes to the building and site design based on corporate security policies – especially when no one from Boeing is on hand to answer questions -- and that Lockheed Martin and many other defense contractors operate secure buildings in Arlington located over public garages.

Commissioner Malis asked if the threats to Boeing include threats to the general public. Mr. Salpini responded that they are primarily threats to Boeing's operations, including secure information and surveillance. Boeing has met with the County's security consultant contracted through AED, who has reviewed their design standards and security concerns. Boeing's current design addresses these issues.

Commissioner Hunt encouraged staff to accurately present the development as having additional security pursuant to Boeing's policies and standards. She commented that the site design could be revised to create more active open spaces, and that the building could share its parking with the public. She referred to FDIC in Virginia Square, which has a secure building but provides shared parking in cooperation with Giant Food Store and allows public access in open space areas.

Commissioner Savela inquired about security procedures for building and garage access. Mr. Salpini responded that the garage elevators access the lobby where everyone, including employees, must pass through security. Only invited pedestrians or visitors will be allowed to access the main lobby from the street. Commissioner Savela noted this procedure suggested that a separate jump elevator could accommodate public garage users, since there would be no way to directly access secure office space.

Commissioner Savela asked staff to clarify its description of the subject site, and therefore justification for the appropriateness of the proposed secure building, as isolated. Mr. Shriber responded that the site is located on the southern edge of the North Tract area, which is not a part of the connected urban fabric of Crystal City, but rather serves as a transition between Crystal City and Long Bridge Park. It is constrained by I-395 on one side and Jefferson Davis Highway on the other. It does not possess a lively pedestrian environment. Commissioner Savela followed that the North Tract Area Plan provided guidance for development of this site. Mr. Shriber responded that the Plan does not provide specific guidance, except to suggest that office use would be compatible with the site. Commissioner Savela asked if the Plan addressed development adjacent to the Park, and Mr. Tucker responded that it does not.

Commissioner Fallon stated that there are many developments in Crystal City that house defense contractors including Boeing and they are dealing with potential threats. However, those sites do not have the extensive setbacks, provide public parking, and have ground floor retail. He asked why Boeing is requiring a secure campus since it already manages those risks in other buildings. Mr.

Salpini responded that with building ownership Boeing has a different set of standards that they must comply with.

Commissioner Serie commented that the proposed building security was a major issue at Transportation Commission. He believes that if approved this will set a precedent that any building owner that contracts with the federal government can have exceeded security that preclude all amenity elements. While he really wants to welcome Boeing's presence, he is concerned about precedence.

Commissioner Malis stated that any company has the right to set any standards they wish, but the question before the Commission is whether the proposed development is compatible with County plans. She expressed concerned that staff does not believe the guidance provided in the North Tract Area Plan has the same weight as other sector plans. The Commission must consider what will work for the site. Mr. Tucker explained that metro station sector/area plans include specific urban design guidance not present in the North Tract Area Plan. The North Tract Area Plan refers to "compatible" uses. In the absence of specific guidance, it is suggested that the benefits of this proposal over the approved plan be discussed.

Commissioner Cole stated that the question is whether the County should accommodate Boeing's security standards. The Pentagon is a vital part of our community and the County has an obligation to be good neighbors with the Pentagon and the Defense Department. Part of this includes some accommodation of defense contractors with elevated security needs. In his view, the County should seek to accommodate them under certain circumstances. Given the site's context and location relative to the Pentagon, this proposal is one the County should consider. Boeing's security needs to not disqualify this application.

Commissioner Hunt suggested that the staff report reflect Boeing's plans for use of the site. She commented that Boeing, a Fortune 36 company, is a valued part of the Arlington community. She is disappointed with their lack of imagination. The development will be facing a premiere park environment. The proposed inactive open spaces and substantial auto court are incompatible with the park located across 6<sup>th</sup> Street from these uses. Boeing needs to rethink its design concept.

Commissioner Monfort concurs with Commissioner Serie's comments about precedent. Boeing is not unique in its security requirements, as SRA, Lockheed Martin, General Dynamics, and many other corporations have similar requirements from DOD and the intelligence community. He believes accepting these corporate standards in place of accepted County standards for items such as ground floor retail, transparency, and private parking that the proposal could ruin the urban fabric of the community.

Commissioner Cole commented that this site will not have a solely lobbying function. It will be home to this company's international division and defense and security businesses.

Commissioner Harner asked staff to review the differences between the proposed and approved plan in terms of site design, landscaping, streetscape, open space, loading and garage access, and contextual relationship to Long Bridge Park. Mr. Gibson described the site as being a semi-isolated area next to I-395 and the CSX railway. Vehicular and pedestrian traffic is expected from Jeff Davis

Highway and the Park esplanade. While a new street was included in the approved plan to break up the mega block, it had limited connectivity. Commissioner Harner inquired about the design of the open space in the adjacent North Tract Lofts Site Plan. Mr. Gibson responded that while they are a part of site plan, they are active spaces that provide connectivity to the Long Bridge Park esplanade.

Commissioner Hunt recognized that this is not Ballston and lot of retail in the area may not make sense, but noted that locating a massive vehicular entrance across from the park does not make sense either and suggested that it be relocated to a side street such as South Ball Street across from the self storage facility. The orientation of the project needs to be changed. Active edges should be created through the use of retail tailored to park uses, such as permanent kiosks. She also suggested locating a jump elevator in a separate portion of the garage to access the open space.

Commissioner Klein inquired about the active elements of the public spaces and their contextual relationship to Park. Mr. Trageser described the active elements along the 6<sup>th</sup> Street edge, which included seat walls, one vendor cart location, and a historic marker. Commissioner Monfort asked about the ability to add other locations for vendor carts. Mr. Trageser responded that it is dependent upon the vendor operator, as the space is approximately 15' x15'. Commissioner Monfort commented that multiple vendor carts provide more energy, and challenged the applicant to identify any location where only one vendor cart was present. More space should be added for vendors.

Commissioner Malis stated that when adjacent sites and development are considered (North Tract Lofts, self storage facility site, and Long Bridge Park), a vision can be created for the area that provides guidance. She disagrees with staff that the site is isolated, as residential, office and park uses are located there. She expressed concern that a standard is being set in response to its perceived isolation. The County should consider ways to make the area less isolated, such as how 6<sup>th</sup> Street is addressed. Mr. Shriber explains that the site is adjacent to I-395 and a self storage facility, and is not part of a continuous urban fabric. While it is viewed as isolated, many pedestrians will pass by the site en route to the park. Therefore, the proposed site plan will have wider sidewalks and enhanced streetscape in consideration of its contextual relationship to the park and Crystal City. While the approved plan had larger public open spaces with more kiosk locations, staff believes the primary focus should be on the park and that passive open space is more compatible to the park use. Commissioner Malis commented that the site is located in a community and efforts should be made to make it more sustainable and de-emphasize its "isolation".

Commissioner Harner commented that along Jefferson Davis Highway the approved plan created a rhythm with the incorporation of a new street. The residential use provided a sense of security and space, benefiting from "eyes on the street" in the evenings, and created a pedestrian environment. The mix of uses provided an appropriate scale, dissolved the super block, and kept vehicular access off of 6<sup>th</sup> Street. It provided a higher quality pedestrian environment, and the proposed development does not offer an improvement.

Commissioner Sockwell asked if a water feature or public art could be incorporated into the open spaces along Boeing's 6<sup>th</sup> Street edge to attract people from the park, as the current design creates a sterile environment with limited public access. Mr. Shriber responded that the open spaces are located in the no-build zone established by MWAA and incorporate sidewalk connections leading people to the areas. Their purpose is to provide a respite for Boeing's employees and people

walking to or from Long Bridge Park. They help in providing a transition from the building face to the park. They are not very large spaces or designed as destinations. Mr. Gibson added that they are comparable to the open spaces in the approved plan and are designed as gathering areas for people spilling out from the park.

Commissioner Savela concurred with Commissioner Harner's comments. She stated that staff presupposes that the self storage facility on the adjacent site is permanent. She also questioned staff's dismissal of the usefulness of the new street in the approved plan. She led the review of the North Tract Lofts Site Plan and worked hard to ensure that it provide public connections and pedestrian flows east-west through the site. The eventual redesign of the self storage site could provide the opportunity to continue this east-west permeability. Given that the approved plan has more density, there seems to be greater opportunity to redesign the proposed plan to achieve greater permeability.

Commissioner Serie commented that millions of dollars will be spent to build a premiere park and does not understand how the site can be referred to as isolated. The Crystal City BID does not view the site as isolated. He would like to see more vending carts on the Boeing side of 6<sup>th</sup> Street. The park will be hosting many major events.

Commissioner Hunt asked Ms. Johnson, Long Bridge Park Design Advisory Committee member, to describe the Park's planned facilities, including along the 6<sup>th</sup> Street edge. Ms. Johnson responded that the subject site is directly across the street from two (2) soccer fields. She continued to describe other programming planned for the park, including larger festivals that will occur further north. Vendor carts will be located along the esplanade. She suggested that the provision of seating and more vendor carts on the Boeing side will provide a nice respite for those using the soccer fields.

Commissioner Cole commented that throughout the SPRC process Commissioners repeatedly suggested that the applicant make certain design changes that would better meet the needs of both Boeing and the community. He expressed disappointment that their suggestions were ignored. He also commented that the location of the bike sharing stations, which would clearly serve Boeing's employees, were too far from the building's main entrance. More bikes sharing stations are planned to be located within the park.

Commissioner Ciotti commented that she would like to see corporate America respect what the community stands for. She stated that Arlington strives to plan for an integrated urban environment, a vibrant community that embraces the life of its families, as well as the Pentagon. The Boeing campus does not reflect the soul of Arlington. As designed, it will not be integrated into the Arlington community, but rather portrays that Boeing wants to live apart from Arlington.

Commissioner Serie commented that in Virginia Square a number of sites adjacent to Quincy Park will be proposed for redevelopment, and he does not want to set a precedent here that developments can turn their back on the County's public open spaces.

#### Architecture and Signage

Commissioner Cole stated that he is not aware of any other buildings in Arlington where rooftop signs have been approved on the penthouse structure. Ms. Wray explained the policy regarding

rooftop signs and that the sign guidelines speak to signs at or below the main roof. Commissioner Cole asked staff whether there were any other signs on penthouses in the County; staff indicated they were unaware of any others. Commissioner Cole also commented that the size (over 14 feet high for the corporate logo) and illumination of the sign on the north side facing Jefferson Davis Highway are excessive. He plans to make a motion on this issue.

Commissioner Monfort expressed concern about the sign facing the park. He does not view it as a way-finding sign because it will only be seen from people coming from the park. Mr. Shriber responded that both rooftop signs are geared toward vehicular traffic coming into Arlington from the north – I-395 and Jefferson Davis Highway.

Commissioner Serie stated that the signs fail the test that they need to help the public find the site because Boeing's visitors will already know where the site is by virtue of being invited guests. Also, the proposed sign location on the penthouse structure sets a bad precedent.

Commissioner Serie commented that Mr. Helwig, National Park Service, stated that the sign facing 6<sup>th</sup> Street can be seen from George Washington Parkway only during phase 1 and that with construction of phase 2 the sign will be blocked. Commissioner Cole noted that Mr. Helwig's conclusion that the phase 2 building will block visibility from the parkway is incorrect. The sign will occupy the penthouse wall above the sixth floor, while the phase 2 building will be only four stories high with a lower penthouse. The 6<sup>th</sup> Street facing sign will continue to be visible from the parkway, especially in the winter months.

Commissioner Harner stated that the building architecture does not speak to the site and differences in character of surrounding streets and the Park. The design is reminiscent of suburban office parks of the 1980's. While the stepping of massing is good, he is disappointed with the design.

#### Transportation

Commissioner Sockwell asked for clarification regarding the financial contribution toward the shuttle bus program of \$15,000 per year. Mr. Gibson explained that staff is coordinating with PRCR to determine their parking needs for special events, in which they project 8 to 12 multi-day events per year. PRCR anticipates significant gaps in parking for festivals and the 4<sup>th</sup> of July celebration. There are 3600 parking spaces within a five (5) minute walk to the park and additional parking is available further away in the Crystal City and Pentagon City areas. Two (2) buses would operate on a 20-minute loop, with 10 minute headways. Staff anticipates a total of 175 hours of shuttle bus service during any given year. Based on an hourly rate of \$85 per hour for the ART bus service, staff estimates that the shuttle bus program would cost approximately \$15,000 per year. Mr. Gibson further clarified that the hourly rate is commensurate with private buses operations. Arlington will contract the bus service. After 10 years, the contributions will terminate.

Commissioner Monfort noted that the proposed condition does not account for inflation, and added that 10 years is only one-half to one-third of the lifetime of the building. He suggested, per Ms. Johnson, that the shuttle bus program continue until additional public parking is provided near the park. Mr. Salpini responded that the applicant has evaluated the condition and agreed to the staff-proposed shared parking mitigation contribution of \$15,000 per year for 10 years.

Commissioner Serie commented that the annual contribution does not account for the time required for County staff to monitor and implement the service. He believes this is a missed opportunity for Boeing to show greater corporate citizenship.

Commissioner Savela commented that it was never envisioned during the Crystal City Sector Plan and its emphasis on shared parking that existing office garages would provide the only shared parking for park events. She asked staff about the parking supply's capacity to serve both Crystal City retail and other demands, as well as serving the park. Mr. Gibson responded that there is a significant supply of available parking in the area. The Crystal City Sector Plan does not call for significant retail at the north end, but envisions shared parking between office and residential uses.

Commissioner Fallon noted that \$15,000 per year for 10 years is inadequate. He asked if a cash-out option for the loss of shared parking was ever contemplated, to which staff responded no.

Commissioner Malis asked if a value was assigned to the shared parking previously approved in original site plan. Mr. Gibson responded no, in that it would be too difficult to determine based on the anticipated use of the spaces for a few hours at a time for only a limited time each year. Commissioner Malis followed that it seems to her there should be a value assigned to the parking, and it seems to be more than \$150,000. On the surface it doesn't seem like an equitable tradeoff.

Commissioner Savela inquired about the on-street parking along Old Jefferson Davis Highway. Mr. Gibson responded that the proposed site plan calls for three (3) on-street parking spaces, and staff is continuing to work with the applicant to maximize the on-street parking for an additional three (3) to six (6) spaces.

#### Public Benefits

Commissioner Monfort inquired about the condition for the historical marker, and Mr. Shriber responded that the language is under review.

Commissioner Cole commented that the proposed LEED Silver has become the base standard and should not be considered a community benefit. While it is consistent with county policy to provide bonus density for LEED Silver, he thinks the applicant should attempt to achieve LEED Gold.

Commissioner Fallon pointed out that the contribution to affordable housing is approximately \$90,000 less than the approved site plan because the proposed project has less density. He asked if the County is still getting a dollar for dollar contribution to which staff responded affirmatively.

Commissioner Cole asked if staff had explored working with the applicant to improve the area around the I-395 retaining wall located along Old Jefferson Davis Highway. Mr. Gibson responded that there is a plan for a County reconstruction project for this area of Jefferson Davis Highway, which would include redesigning the roadway and landscaping.

#### Planning Commission Motion

Commissioner Malis moved that the Planning Commission recommend the County Board defer the resolution to amend the GLUP to modify Note 20 to revise the amount of development density to be

allocated to the Monument View Site Plan (SP #400) site area within the “North Tract Special Planning District”. She also moved that the Planning Commission recommend the County Board defer adoption of the ordinance for a site plan amendment to SP #400 to permit a 453,246 square foot office building in lieu of 352 dwelling units, 323,229 square feet of office and 3,512 square feet of retail, and a comprehensive sign plan, with the following recommendations:

- 1) Increase the size of the plazas and provide more opportunities to activate the 6<sup>th</sup> Street frontage.
- 2) Relocate the garage entrance to South Ball Street.
- 3) Remove the penthouse/rooftop sign on the north façade and condition that any illumination be reviewed by the County and stakeholders after implementation.
- 4) Ensure that either the parking garage is available for community use as originally approved or that adequate compensation for the loss of parking is included.
- 5) Achieve LEED Gold certification.

Commissioner Fallon seconded the motion.

Commissioner Cole requested unanimous consent to amend the motion to add to the list of recommendations – to relocate the bike share station to within 100 feet of the building’s pedestrian lobby entrance. There was no objection, so the amendment became a part of the main motion.

Commissioner Sockwell asked for staff’s reaction to the bike sharing recommendation. Mr. Gibson responded that staff is working with the applicant to relocate the bike share station closer to the Park to facilitate multiple users, but believes that Old Jefferson Davis Highway frontage is the appropriate frontage for it.

Commissioner Malis expressed her belief that the Commissioners would like to welcome Boeing. The question is how the project can become more compatible with County plans. There are so many opportunities for Boeing to make this a much more interesting project. Its location is directly adjacent to a premier park. There is opportunity for Boeing’s history and story to be told through active public plazas. The North Tract Area Plan envisions developing partnerships. Her desire is that the emphasis be on how Boeing can work better with the community to design a good project.

Commissioner Serie was optimistic that there would have been more collaboration on Boeing’s part. This is a fabulous opportunity for Boeing, with a trophy location and a multi-million dollar publicly funded front lawn. He thinks the Commissions have made it clear that they have embraced Boeing and he hopes Boeing will take this opportunity to show the community that they are great corporate citizens.

Commissioner Fallon commented that the subject site is a gateway site and its development should be reflective of this. Unfortunately, on one end of Long Bridge Park there will be an architecturally stellar building – the County aquatics center -- and on the other end this proposed office building. The site’s open spaces should be designed as extensions of Long Bridge Park. Many businesses are operating with security risks and he is concerned for the loss of shared.

Commissioner Harner stated that he will support the motion. If the applicant decides to consider Commissioner Malis' points, there will be tremendous opportunities to significantly change the building and site, address important edges, and make the architecture speak to the site.

Commissioner Savela stated that she will not support the motion. She started the process hopeful that the site plan would transform from a monolithic development incompatible with the park to something that was positive with softened edges. The transformation did not take place through the process and she does not believe it will happen if the project is deferred. She would support a denial. She agrees that Boeing should be retained in the County, as she hears they are an excellent corporate citizen. Perhaps there are other sites in the County that could meet their needs and allow greater height so that they would not have to design such a suburban building, but rather a building that meets the County's urban design criteria. She took offense to categorizing the site as isolated. It would have been appropriate to include it in the Crystal City Sector Plan. The approved site plan, which did not receive Planning Commission approval, is much more aligned with the North Tract Special Area Plan, in terms of its contextual relationship to Long Bridge Park, the mix of uses, direct street entrances for residential units, and public spaces and courtyards. Even though the residential portion did not include retail, there would have been activity and people on the Old Jefferson Davis Highway sidewalk. The proposed plan's transportation network, including the loading and garage entrances and the large ceremonial auto court, are unacceptable given its location next to the park. The loss of shared parking is a huge issue. The building architecture is of great concern and agrees with Commissioner Harner's comments. Since it is not guaranteed that phase 2 will be built, the large interim green space may result in a space that is permanently off limits to the public – unlike the interim public open space provided through FDIC. Commissioner Savela stated that she is very disappointed in the results of the review and feels that a deferral will not result in any meaningful changes.

Commissioner Hunt made a substitute motion that the Planning Commission recommend the County Board deny the resolution to amend the GLUP to modify Note 20; and deny adoption of the ordinance for a site plan amendment. Commissioner Savela seconded the motion.

Commissioner Hunt commented that she has worked with the developer on the approved plan and the proposed plan, and does not believe that the developer will make substantive changes during a deferral period. She also commented that Commissioner Savela provided a very good overview of the process and issues.

Commissioner Ciotti concurs with Commissioners Hunt and Savela. She agreed that this is not an isolated site, but rather a premiere site with so much to offer as envisioned in the North Tract Area Plan.

Commissioner Sockwell stated that he will not support the motion to deny. There will be a balance of over 200,000 square feet of density left on the Twin Bridges site once the County secures the land which is a significant public benefit. Furthermore, the applicant has the general concept right: the design acknowledges that the site between Crystal City and Long Bridge Park is transitional. The PC may not like the design, but the applicant has made a good faith effort to provide a transitional building and design and we should talk more.

Commissioner Serie stated that a motion to deny could have the same or greater impact as the motion to defer. He expected more cooperation from Boeing. The Commission has made it clear that they embrace Boeing's corporate presence; however, the issue is with the precedence. He expressed concern that Boeing is not complying with the County's urban planning principles and, if approved, would set a precedent for other areas of the County. He supports a denial.

Commissioner Monfort stated that he very seriously considered supporting denial, but believes the site design and building would be acceptable at if Boeing addresses each of the points identified in the deferral motion. He will vote to defer.

The substitute motion to deny failed by a vote of 4-7. Commissioners Ciotti, Hunt, Savela and Serie supported the substitute motion. Commissioners Cole, Fallon, Harner, Klein, Malis, Monfort, and Sockwell opposed the substitute motion.

The Planning Commission voted 8-2-1 to recommend the County Board defer the resolution to amend the GLUP to modify Note 20 to revise the amount of development density to be allocated to the Monument View Site Plan (SP #400) site area within the "North Tract Special Planning District"; and defer adoption of the ordinance for a site plan amendment to SP #400 to permit a 453,246 square foot office building in lieu of 352 dwelling units, 323,229 square feet of office and 3,512 square feet of retail, and a comprehensive sign plan, with the following recommendations:

- 1) Increase the size of the plazas and provide more opportunities to activate the 6<sup>th</sup> Street frontage.
- 2) Relocate the garage entrance to South Ball Street.
- 3) Remove the penthouse/rooftop sign on the north façade and condition that any illumination be reviewed by the County and stakeholders after implementation.
- 4) Ensure that either the parking garage is available for community use as originally approved or that adequate compensation for the loss of parking is included.
- 5) Achieve LEED Gold certification.
- 6) Relocate the bike share station to within 100 feet of the building's pedestrian lobby entrance.

Commissioners Cole, Fallon, Harner, Hunt, Klein, Malis, Monfort, and Sockwell supported the motion. Commissioners Ciotti and Savela opposed the motion. Commissioner Serie abstained.

Respectfully Submitted,  
Arlington County Planning Commission



Rosemary Ciotti

Planning Commission Chair

## ARLINGTON COUNTY PLANNING COMMISSION

### SITE PLAN REPORT FOR 09-08-2011 (CARRYOVER) PC AGENDA ITEM #6, MAJOR SITE PLAN AMENDMENT TO MONUMENT VIEW

Submitted by Terry Savela

**SPRC Meeting Dates:** 5/9/11 (full three hours); 6/16/11 (full three hours); 7/11/11

#### **Project Summary:**

This property is the subject of an exchange agreement between Arlington County and Monument Realty, the owner of the Twin Bridges site on the north of Long Bridge Park. The exchange agreement, amended 9-28-2010, calls for the closing of this land swap to occur the early of 12/31/2011 or 60 days following the County Board taking any action on this site plan. The existing approved site plan was heard by the Planning Commission on 5-7-2008 and on 6-2-2008. The property is part of the North Tract Special Planning District and abuts the northern edge of the Crystal City Sector Plan boundary.

While technically a major "site plan amendment" (SPA) due to the existing approved site plan at this location, the proposed project represents a completely different development in terms of land use, site design including internal road network and vehicular access points, architectural design, and community amenities. In short, the proposal seeks to replace the approved mixed use project, which includes a residential building, an office building with some ground floor retail, and a new 8<sup>th</sup> Street South separating the two buildings, with a single secure office building of significantly lesser density that would serve as The Boeing Company's headquarters for government relations.

#### **Issues Addressed and Agreed upon by the Developer:**

Modifications to the proposed SPA advanced during the course of the SPRC process included:

- Minor adjustments to the architectural treatment of the facades to improve transparency and reduce the monolithic presentation of the building
- Incorporation and design for public use areas along the edge of the project at 6<sup>th</sup> Street and Old Jefferson Davis Highway and along the northern section of Ball Street.
- Softening of the security wall edges with increased landscaping
- Incorporation of on-street parking on Old Jefferson Davis Highway (originally prohibited by the applicant due to security concerns)

#### **Outstanding Issues:**

The majority of concerns raised at the SPRC, while discussed with the applicant during the process, remain unchanged. These include:

- Architecture - while some SPRC participants voiced some satisfaction with the revised architectural drawings, most indicated continued dissatisfaction, suggesting the facades were more suited to a suburban office park. Some of the criticisms related to the length

and width of the building, which is partly a result of the height limitations resulting from the avigation easement for the site. It was generally felt that this building does not “raise the bar” beyond the existing architecture in Crystal City. Many specific details were discussed and although some were addressed by the applicant, others remain (for example, the location of the loading dock at the corner of 10<sup>th</sup> and Ball Streets results in a long blank wall facing pedestrians).

- Land use – the land uses in the existing site plan were originally seen as much more fitting to its location abutting Long Bridge Park, with residential ensuring some street activity after dark year round, ground-level retail providing the opportunity for a small food shop, and office allowing for the existing condition permitting public use of the parking garage after office hours and on weekends. The proposed amendment replaces this with a secure building that is not only inaccessible to the public but which is designed to prohibit physical and visual trespassing. The garage is not proposed to be made available to the public, and there will be no publicly accessible retail.
- Use of road grid – the approved plan adds a new 8<sup>th</sup> Street, off of which some of the garage and loading was to occur. 6<sup>th</sup> Street was maintained as a very low-use street intended for purposes of maintaining a grid but not expected to accommodate much traffic. The proposed SPA places the one garage entrance off of 6<sup>th</sup> Street, with vehicles entering a large auto plaza and either using the ceremonial driveway to drop visitors at the door or descending into the secure garage. SPRC members expressed great concern about the amount of traffic this placed on 6<sup>th</sup> Street and the change in character of this street, immediately abutting Long Bridge Park.
- Green Building – SPRC members sought for an increased commitment to energy efficiency and LEED score, beyond the proposed silver LEED level. The applicant indicated that this commitment was not possible as the LEED silver level is Boeing’s “national standard.”
- Public amenities – Improvements were made to identifying and increasing the edge areas usable to the public, yet the majority of the potential space available (area eventually covered by the Phase II office building) remains off limits. The large ceremonial auto entrance off of 6<sup>th</sup> Street further limits opportunities for expanding the size of any publicly-accessible open space.

#### **Suggested Outline for Planning Commission Discussion:**

- Exchange agreement – questions regarding the land swap and the impact of this SPA on the execution of this exchange and the remaining density on the Twin Bridges site
- Land use (e.g., changes from approved SP, secure building issues)
- Site design
- Architecture and signage
- Transportation (including street network, cross sections, bicycle and pedestrian ways, parking, and garage and loading dock impacts not discussed above)
- Review of public benefit package / impact mitigation features (including a comparison of the existing site plan vs. proposed SPA)
- Other



LONG BRIDGE PARK DESIGN ADVISORY COMMITTEE

2100 Clarendon Blvd. Suite 414 Arlington, VA 22201  
TEL (703) 228-3318 FAX (703) 228-3328 TTY 703.228.4611 www.arlingtonva.us

August 31, 2011

The Honorable Christopher Zimmerman, Chairman  
Arlington County Board  
2100 Clarendon Boulevard, Suite 300  
Arlington, VA 22201

Re: Proposed Monument View Site Plan Amendment

Dear Chairman Zimmerman:

On behalf of the Long Bridge Park Design Advisory Committee (LBPDAC), I write to convey our serious concerns regarding the site plan amendment submitted by Monument Realty to Arlington County for the Monument View site. We strongly support the agreement through which the County will obtain the Twin Bridges property in exchange for the county holdings between 6<sup>th</sup> Street South and 10<sup>th</sup> Street South, and commend the Board's efforts to insure that this vital land transfer will finally happen this year. We also believe that private projects within the North Tract Special Planning District, especially at this gateway location along Old Jefferson Davis Highway, should meet the adopted plan's goals of complementary, compatible, high-quality redevelopment. That is the basis for our concerns.

The largest park-related problem with the proposed amendment is that it would eliminate all public access to the parking spaces in the proposed Boeing Company complex. Condition 65 of Site Plan #400, approved by the County Board on June 24, 2008, provides that all of the 571 parking spaces for the office part of that project will be available to the public "after standard office hours (weekday evenings after 6:00 p.m., weekends, and all legal holidays) until 12:00 midnight" or until the closing time of Long Bridge Park facilities if later. This is a very large community benefit which should not be allowed to evaporate.

Parking within Long Bridge Park has been planned to accommodate everyday uses and activity levels. Phase I of outdoor development, now nearing completion, includes 185 parking spaces in the surface lot plus 130 on-street parking spots. The LBPDAC anticipates that about 225 spaces will be added to serve the future first phase of the indoor Aquatics, Health & Fitness Facility, now being planned. We have always recognized that these resources will have to be augmented by a combination of transit and auxiliary parking for major events such as large tournaments, festivals, arts or food fairs, bicycle and foot races, and holidays that bring crowds to the riverfront. Public parking for over 500 cars at the Monument site next door to the park has been a key



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assumption in our evaluation of the park's capacities to welcome large groups and popular community events and festivals.

The LBPDAC therefore urges the Board to insure either that this benefit is maintained, or that adequate compensation for its loss is included in any revised site plan approved by the County. Specifically, if condition 65 is eliminated, we urge you to insist on a substitute condition that provides sufficient ongoing contributions from the developer to cover the costs of weekend and holiday shuttle services for park users to the closest Crystal City parking lots (e.g., parking at 201 South 12th Street, 1350 Crystal Drive, and the Pentagon overflow lots along Army-Navy Drive ) and to the Crystal City and Pentagon City Metro stations. Anything less than this would be a regrettable retreat from the supportive parking provisions already agreed to by the County and the developer, and would undermine the County's ability to provide great experiences for visitors to our signature park at peak periods.

LPBDAC members who have participated in site plan review also have concerns about other aspects of the Boeing proposal, including traffic impacts on 6<sup>th</sup> Street and the design and friendliness of public spaces around the project's perimeter. The DAC as a group has zeroed in on the parking provision because of its large implications for the park. We appreciate the Board's attention to this issue and stand ready to work with you, staff, advisory commissions, the community and the applicant to find a reasonable long-term solution.

Sincerely,

A handwritten signature in black ink, appearing to read "Tobin L. Smith".

Tobin L. Smith  
Chair  
Long Bridge Park Design Advisory Committee

cc: Members, Arlington County Board  
Barbara Donnellon, CMO  
Erik Beach, DPRCR  
Aaron Schriber, CPHD  
Rosemary Ciotti, Planning Commission  
William Gearhart, Transportation Commission  
Paul Holland, Park and Recreation Commission



**ARLINGTON COUNTY  
URBAN FORESTRY COMMISSION**



**2700 South Taylor Street  
Arlington, VA 22206**

September 12, 2011

Hon. Christopher Zimmerman  
Chairman  
Arlington County Board  
2100 Clarendon Blvd., Suite 300  
Arlington, VA 22201

Re: Monument View

Dear Mr. Zimmerman,

The Urban Forestry Commission has reviewed the final site plan for the Monument View project, and we note that it provides significantly more tree canopy than is typical for projects in high-density urban areas. Proposed plantings are fully consistent with the Crystal City Sector Plan, which calls for maintaining and increasing tree canopy. The extensive plantings in this plan will help to achieve the goal of maintaining the existing 17.6% canopy cover in Crystal City despite future density increases.

Proposed plantings include an allee (double row of trees) along Old Jefferson Davis Highway and South Ball Street, with multi-rows of canopy and ornamental trees along South 6<sup>th</sup> Street. Concerning tree species, the Commission encourages the planting of native canopy trees as appropriate.

Any changes in the curb line to provide more on-street parking should not reduce tree plantings. There is generous space between the building and the sidewalk that can be reduced to provide more on-street parking, so it would not be necessary to give up the allee of trees that is one of the more desirable elements of the plan.

The Commission supports the use of lawn panels along all street frontages to prevent compaction of soil around tree roots. In addition to benefiting the trees, the use of lawn panels will match the character of the streetscape by Long Bridge Park.

If trees are planted in pavement cut-outs as shown on the final plans, we recommend use of Silva Cells or other means of suspending the pavement over uncompacted soil to encourage healthy root growth. We also recommend the use of a loam-based soil mix, not a structural soil consisting primarily of crushed rock; this would benefit the trees and also assist in stormwater management.

Thank you for considering our suggestions.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Finch". The signature is fluid and cursive, with the first name "Larry" and last name "Finch" clearly distinguishable.

Larry Finch  
Chair, Urban Forestry Commission

cc: Barbara Donnellan, County Manager

## Aaron Shriber

---

**From:** Christer.Ahl <christer.ahl@comcast.net>  
**Sent:** Wednesday, August 24, 2011 9:19 AM  
**To:** Aaron Shriber  
**Cc:** 'Terry Savela'; 'judy freshman'; 'Jim Whittaker'; Carrie3219@aol.com  
**Subject:** SPRC Monument View -- SP # 400

**Importance:** High

Dear Aaron:

This is to place on record the concerns on behalf of the Crystal City community, where I have consulted with my active colleagues; I should add that, personally, I have an added interest in the site as a longstanding member of the planning efforts for Long Bridge Park.

I note that in the final SPRC meeting, Chair Savela took a very strong position in the summing-up, expressing serious misgivings both about the fundamental nature of the proposed development and about a number of specific aspects. From a Crystal City standpoint, however, it is was 'surprising' to see throughout the SPRC how relaxed and 'defeatist' the SPRC acted.

It is clear that there are serious reasons to be concerned about the SP amendment at a fundamental level. The existing SP emphasizes mixed-use development with many features that would offer a nice 'lead-in' and 'dovetailing' with the Long Bridge Park, on this site that completely dominates the approach to the Park. This involves the hope for an active streetscape in evenings (and during weekends), the expectation of attractive and welcoming buildings brought out to the street (Old Jeff Davis Hwy side), collaboration and synergy regarding open space, scope for retail, parking, public transportation etc.

The change to an all-office development, furthermore with substantial security requirements, by definition makes these expectations impossible. The proposal calls for a building and a setting that will be a complete misfit with the Park and its visitors, in terms of massing, set-backs, security arrangements, and the fact that the site will be 'dead zone' after hours.

It would seem clear that, as the proposed amendment is such a substantial departure from the existing Plan, the County would have substantial leverage, under the assumption that the basic amendment could be approved, to demand major ameliorations and accommodation. It is therefore frustrating to see that instead the SPRC process implied a willingness to 'bend over backwards' in the sense of being 'confused' by an applicant willingness to offer a large number of essentially cosmetic and unimportant changes, while refusing even to enter into serious discussion on some more fundamental issues.

One serious concern is the stubborn and unexplained insistence on turning 6<sup>th</sup> St into the location for not just the entrance to garage and driveway, but also the absolute refusal to entertain the notion of moving the exit to a side street. This would achieve the purpose of moving the evening exodus and traffic flow away from the street that is the 'border' between the site and the Park, an area where unavoidably Park visitors will be milling around, an area that had been intended as a peaceful transition, with emphasis on open space, retail and food services.

The secure nature of the building would also remove the expectation of an arrangement for parking sharing, during evenings and weekends. Such a disappointing outcome would clearly call for a very substantial compensation in terms of shuttle arrangements and/or financial compensation. For instance, it is hard to see that employees will not soon realize the need for a Metro shuttle, where the access and hours could then be extended to accommodate Park visitors, also during evenings and weekends. So it is a matter of concern that the only nod in the direction of public transit has been a seeming reluctant willingness to allow space for a miniature bus stop.

Clearly, any open space and any arrangements for food services at 6<sup>th</sup> street could only be a 'token', rather than the synergetic arrangements envisaged between residential development and the Park. Park visitors would be left with very few and small spots where access would not be forbidden, and where traffic would not make for a dangerous setting. Other community benefits, for instance art, can also best be described as token efforts.

In summary, while asking for a major amendment in the existing SP, the applicant is demonstrating an unwillingness to consider important changes, instead offering cosmetic changes and refusing to discuss the important issues. That this approach has not been met by very strong resistance by SPRC members is greatly disappointing. We must hope that this will be corrected as the matter is turned over to the Planning Commission in the next step.

Regards

Christer Ahl  
representing the Crystal City community

September 7, 2011

Planning Commission  
Arlington County, Virginia

Subject: Monument View  
Site Plan Amendment

Dear Planning Commissioners:

I am in support of the proposed Monument View Site Plan but am requesting that the Plan be approved with important modifications to the public space along 6<sup>th</sup> Street in order to invite use and public enjoyment. These modifications are:

- Provide a water feature such as a runnel or raised water table that will enliven the seating areas and attract families as shown on the applicant's submittal.
- Provide more vertical cultural or historic place making elements in addition to the proposed floor plaque. A vertical place making element such as an artwork will be more apparent and could celebrate the history of aviation or the Boeing Corporation's role in aviation. The Site Plan Review Committee had a number of excellent suggestions that should be pursued by the applicant.
- Increase seating with moveable chairs to accommodate different seating arrangements and attract users. The flexible seating arrangements will be enjoyed by employees as well as by the general public and park users.
- Utilize the Silva Cell pavement supporting system for the trees surrounded by pavement. This system increases non-compacted soil space for the street trees. Shade for public comfort is important and adequate soil volume will ensure that the tree's can grow into the tall, canopy trees envisioned by the designers.

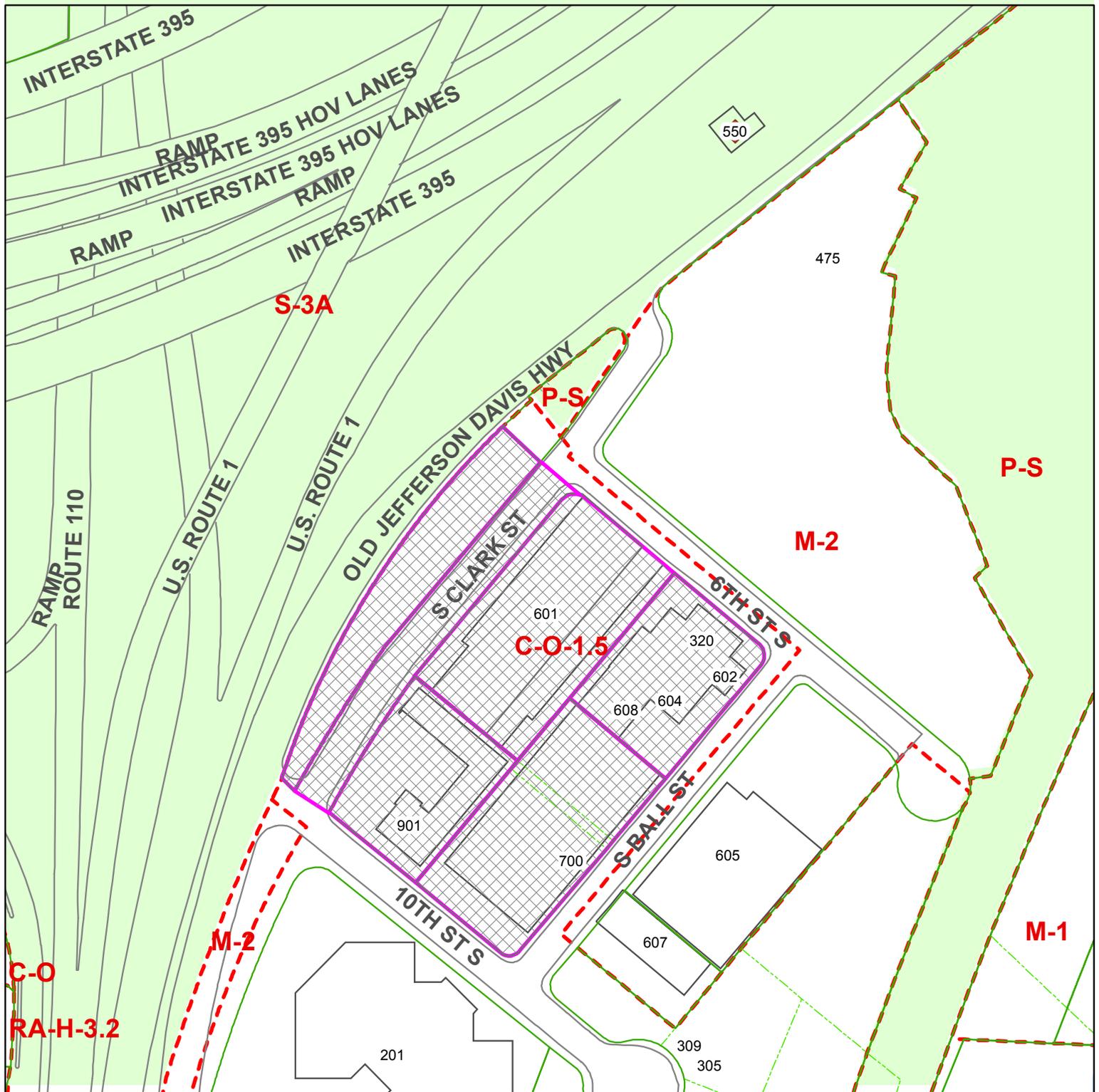
Activation of the 6<sup>th</sup> Street public space is important because this space is directly adjacent to Long Bridge Park and park users as well as employee needs should be addressed. As currently designed, the public space will be attractive but ultimately unused, "dead" space. There is nothing but a few angled benches to seat on and a floor plaque to read. The proposed vender will help but cannot be considered a permanent feature. Fortunately, the proposed shade trees will provide comfort but they need to have more soil volume to sustain tree health and height.

I hope that you will support the proposed development with these modifications or other revisions that will help attract people to use the public space along 6<sup>th</sup> Street. A development of this size and architectural quality should provide an equally successful public space.

Thank you for your time.  
Sincerely,



Karen Kumm Morris, RLA., ASLA, APA



**SP #400**

**550 South Clark Street, 320 6th Street South, 901 South Clark Street, 608 South Ball Street, and portions of South Clark Street**

**RPC# 34-024-345, 34-025-001, -003, -004, and -005**



 Case Location(s)  
Scale: 1:2,000

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