



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of November 19, 2011

**DATE:** October 27, 2011

**SUBJECT:** SP #105 SITE PLAN AMENDMENT to extend the approved dates for "M-1" zoning district uses by five additional years in the "C-0-2.5" district, located at 501, 525 15th Street South and 1200, 1232, 1400, 1410, 1420, 1430, 1440, 1450 South Eads Street. (RPC# 35-003-001, -002, -011, -015, -016, -017, -018, -019, -020, and -02).

**Applicant:**

VNO Pentagon Plaza LLC  
2345 Crystal Dr., Suite 1000  
Arlington, Virginia 22202

**By:**

John G. Milliken  
Venable LLP  
8010 Towers Crescent Dr., Suite 300  
Vienna, Vienna 22182

**C. M. RECOMMENDATION:**

Adopt the attached ordinance approving a site plan amendment to SP #105 to extend the approved dates by five years for "M-1" uses to continue on 501, 525 15th Street South and 1200, 1232, 1400, 1410, 1420, 1430, 1440, 1450 South Eads Street (Parcel 3 – Metropolitan Park). The proposed expiration dates are December 31, 2016, December 31 2018, and December 31, 2020.

**ISSUES:** This is a request for a site plan amendment to SP #105 to extend the approved dates for permitted "M-1" uses for the eastern half of Parcel 3 (Metropolitan Park) of the Pentagon City Phased Development Site Plan and no issues have been identified.

County Manager:

*BMD/GA*

County Attorney:

*[Signature]*

*[Signature]*

Staff: Natalie Sun, CPHD, Planning  
Melanie Jesick, DES, Planning

3.

PLA-6049

**SUMMARY:** The applicant requests to amend the Pentagon City Phased Development Site Plan (SP #105) to extend the time that permitted “M-1” uses are allowed on the subject property, which is zoned “C-O-2.5.” The applicant is requesting an extension of five years from the expiration dates approved on December 7, 2002.

**BACKGROUND:** This site is part of Parcel 3 of the Pentagon City Phased Development Site Plan (PDSP) which was originally approved in 1976.

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

Site: The 374,150 square foot site is located on Parcel 3 of the Pentagon City Phased Development Site Plan, specifically in the northwest quadrant of the 15<sup>th</sup> Street South/South Eads Street intersection. The site is surrounded by the following adjacent land uses:

To the north: A vacant site and a Marriott Residence Inn. The property is within the Pentagon City Coordinated Development District and is designated three-fourths “High-Medium” Residential and one-fourth “Medium” Office-Apartment-Hotel on the General Land Use Plan (GLUP) and is zoned “C-O-2.5.”

To the east: South Eads Street and the Warwick House I/II apartments and the Hampton apartments. The properties are designated “High” Office-Apartment-Hotel and on the GLUP and are zoned “RA-H-3.2.”

To the south: 15<sup>th</sup> Street South and the Eads Post Office, Crystal Towers apartments, and Lofts 590 at Crystal Towers apartments. The post office property is designated “High-Medium” Residential on the GLUP and is zoned “CM.” The residential properties are designated “High-Medium” Residential on the GLUP and are zoned “RA4.8.”

To the west: South Fern Street and the Pentagon Center commercial development. The property is designated “Medium” Office-Apartment-Hotel” on the GLUP and is zoned “C-O-2.5.”

Zoning: “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts.

Land Use: The GLUP designates the property as within the Pentagon City Coordinated Development District and is designated three-fourths “High-Medium” Residential and one-fourth “Medium” Office-Apartment-Hotel (Note 4).

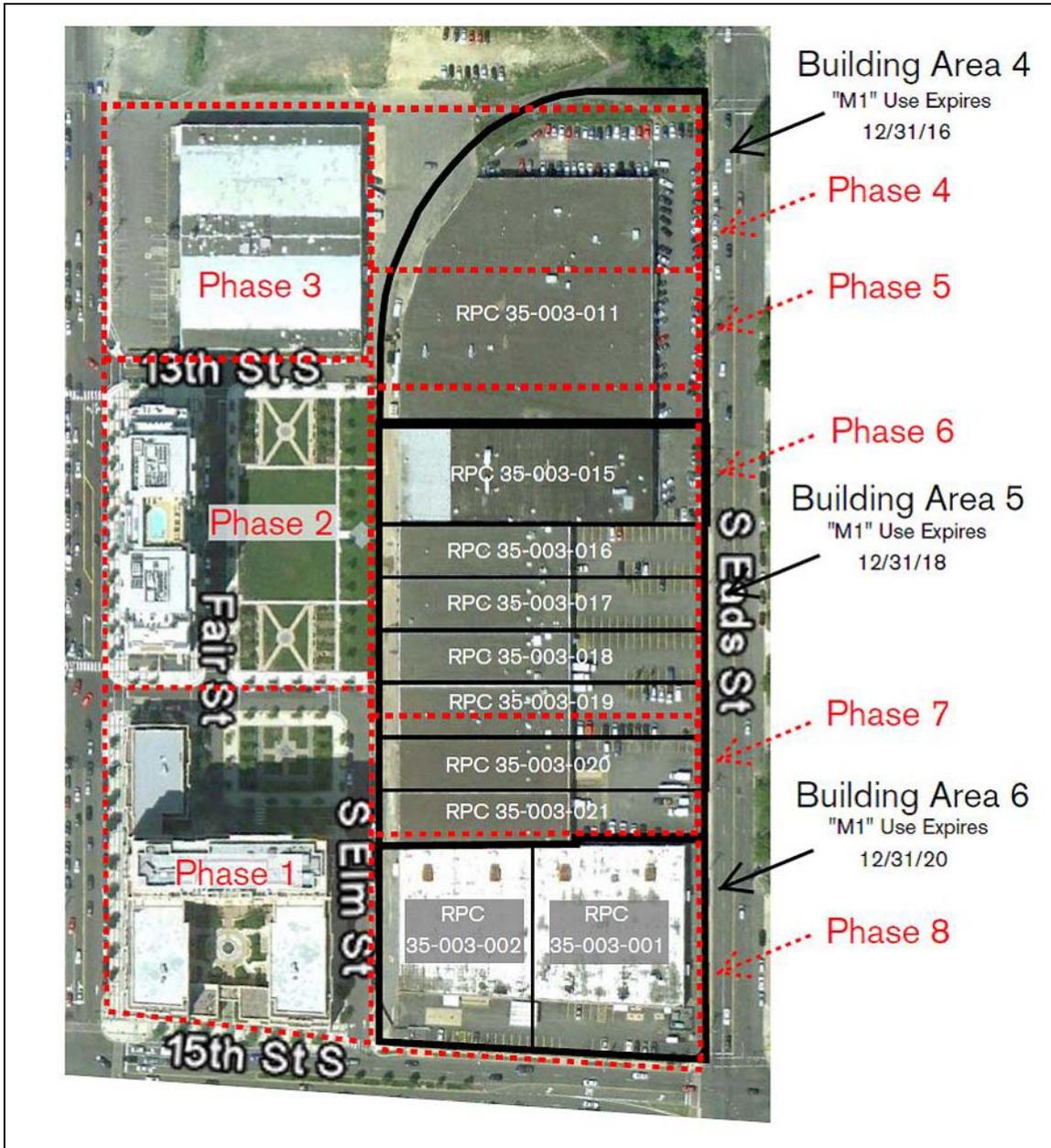
Neighborhood: The site is located within the boundary of the Aurora Highlands Civic Association (AHCA). The Arlington Ridge Civic Association boundary adjoins the AHCA boundary to the west and to the south. Representatives of these civic associations have been contacted, and to date, no comments have been received regarding this site plan amendment.

Prior to the 1976 approval, the zoning was “M-1” Light Industrial. Because Parcel 3 is part of the PDSP, the uses are governed by that approval. At the time of the original PDSP approval, redevelopment of Parcel 3 was anticipated to occur faster than it has occurred, and therefore interim uses of the parcel were not addressed in the PDSP conditions. In 1992 the County Board approved an amendment to permit those uses allowed by right under the previous “M-1” zoning to continue on Parcel 3 until such time as redevelopment occurred. That approval period was for ten years (until May 2002).

In 1994, the property owner was negotiating leases which involve occupancy until 2004 and requested an extension of the approval period. The County Board approved an amendment to extend the previous time period until 2004. In 2002, planning for the Metropolitan Park development located on Parcel 3 was underway. On December 7, 2002, the County Board approved another amendment to further extend the expiration dates for existing or new “M-1” uses to occupy Parcel 3. The expiration dates approved in 2002 are December 31 of the following years: Building Area 1 – 2005, Building Area 2 – 2007, Building Area 3 – 2009, Building Area 4 – 2011, Building Area 5 – 2013, and Building Area 6 – 2015. These expiration dates were based on the then anticipated schedule for filing, approval, and construction of the Metropolitan Park project. Since the December 2002 approval, Metropolitan Park Phases 1 and 2, which roughly coincide with Building Areas 1 and 2, respectively, have been constructed. Construction of Metropolitan Park Phase 3 is anticipated to commence in the near future. The current request to extend the expiration dates for “M-1” uses is for Building Areas 4 through 6 which coincide with Metropolitan Park Phases 4 through 8.

**DISCUSSION:** Approval of the PDSP was not intended to discourage the operation of existing uses or the continuation of leases for the existing buildings on the site. The PDSP set forth guidelines and parameters for the future redevelopment of the site. The applicant is requesting an extension of five years beyond the expiration dates approved in 2002 due to slower than expected redevelopment of the warehouses occupying the site and associated construction of Metropolitan Park Phases 4 through 8, primarily given the recent economic downturn. In addition, since the 2002 approval, ownership of the site has changed. Finally, having occupied warehouses on the site until such redevelopment occurs will also discourage vandalism in the area that vacant warehouses might otherwise attract. The new proposed expiration dates as shown in the following illustration would be December 31, 2016 through December 31, 2020.

Figure 1. Proposed extension of expiration dates for M-1 uses on Parcel 3 (Metropolitan Park) of the Pentagon City PDSP.



Representatives of the Aurora Highlands and Arlington Ridge civic associations have been contacted about the proposed extension of the existing “M-1” uses, and to date, no comments have been received regarding this site plan amendment. The property is generally well-maintained. However, staff is proposing minor revisions to the approved conditions from December 2002 to ensure that the property continue to be well-maintained and adequately lit. The applicant has agreed to these revised conditions.

**CONCLUSION:** This site plan amendment requests approval to extend the expiration dates for existing or new “M-1” uses on the eastern portion of Parcel 3 of the Pentagon City PDSP. Allowing “M-1” uses in the interim would permit the continuation of existing or new uses of the same type in the existing buildings without inhibiting redevelopment of the site. Therefore, staff recommends approval of the subject request with expiration dates for the “M-1” uses of December 31, 2016, December 31, 2018, and December 31, 2020, for Building Areas 4, 5, and 6, respectively, subject to the revised conditions included in the attached Ordinance.

### Site Plan Amendment Ordinance

WHEREAS, an application for a Site Plan Amendment dated August 29, 2011 for Site Plan # 105, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in Staff Report[s] provided to the County Board for its November 19, 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 November 19, 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;
- 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 August 29, 2011 for Site Plan # 105, for a Site Plan Amendment to extend the expiration dates for "M-1" uses, for the parcels of real property known as 501, 525 15th Street South and 1200, 1232, 1400, 1410, 1420, 1430, 1440, 1450 South Eads Street; RPC# 35-003-001, -002, -011, -015, -016, -017, -018, -019, -020, and -021, approval is granted and the parcel so described shall be used according to the Site Plan Amendment Application, subject to the amended conditions as follows:

#### Amended Conditions:

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 conditions stated below are those that were approved by the County Board on December 7, 2002 with additions indicated by underlined text and deletions indicated by ~~strikethrough text~~.**

1. The applicant agrees that there shall be no enlargement, extension or expansion of the structures as they exist on the site as of November 19, 2011~~December 7, 2002~~. The applicant further agrees that the approvals for existing uses expire on certain dates that fall between December 31, ~~2016~~2005 through December 31, ~~2020~~2015, as shown in Figure 1 of the map attached to the County Manager's November 21, 2002 report as presented at the November 19, 2011 County Board meeting labeled "Metropolitan Park PROPOSED extensions for expiration of M-1 uses,"~~"Phasing Schedule for Construction (2005-2015)"~~ (Attachment 2); or such other dates as may be set forth in any final site plan approved for this subject site, whichever date comes first. The date shown for each Building Area on Figure 1 of the County Manager's report as presented at the November 19, 2011 County Board meeting ~~the phasing schedule for each Building Area~~ shall be the date on which approval of all uses located in that Building Area shall terminate automatically and without further action by the Arlington County Board. Any further extension of the approval for any of the existing uses shall be at the sole discretion of the County Board.
2. The applicant agrees to complete the replacement of the existing gravel pathway between South Eads Street and the parking lot and drive aisle located on RPC #35-003-010, generally aligned with 12th Street South, as shown on the diagram attached to the County Manager's November 21, 2002 report (Attachment 3), with a six (6) foot wide asphalt pathway. The applicant agrees to provide lighting along the new pathway to ensure the safety of pedestrians and cyclists. The applicant also agrees to provide no fewer than four (4) litter receptacles along the new pathway. The applicant agrees to complete the improvements called for in this condition no later than December 31, 2003.
3. The applicant agrees to keep the property, and existing asphalt path between South Eads Street and the parking lot and drive aisle located on RPC #35-003-010 (generally aligned with 12<sup>th</sup> Street South), well-maintained at all times, until such time as the new temporary asphalt pathway required by the February 21, 2009 Metropolitan Park Phase 3 Final Site Plan approval is constructed. Maintenance shall include the cutting of grass, weeds, and other foreign growth (which may include trees or parts thereof) on such property when such growth on such property creates a health or safety hazard. In addition, the applicant agrees to ensure that lighting along the asphalt path continues to be provided and maintained, until such time as the new temporary asphalt pathway required by the February 21, 2009 Metropolitan Park Phase 3 Final Site Plan approval is constructed. Further, the applicant agrees that all litter shall be removed from litter receptacles as necessary, but not less frequently than weekly, and to maintain all litter receptacles on the property in a sanitary and serviceable condition.

PREVIOUS COUNTY BOARD ACTIONS:

- February 25, 1976                      Rezoned Pentagon City Tract - properties bounded on north by Army-Navy Drive; on west by South Joyce Street; on south by Arlington County property and 15th Street South; and on east by South Eads Street; excluding the Western Electric property - from "RA7-16," "RA6-15," "C-O," and "M-1" to "C-O-2.5."
- Rezoned 1601 South Hayes Street (future fire station) from "RA7-16" to "S-3A." Rezoned 1500 block of South Hayes Street through to South Joyce Street including adjoining County owned property on South Joyce Street from "R2-7" to "S-3A." Rezoned 1500 and 1600 blocks to South Hayes through to South Fern Street from "RA7-16" to "RA4.8."
- Rezoned 621 - 18th Street South from: S-3A" to "C-O-2.5."
- Approved Pentagon City Phased Development Site Plan (PDSP).
- January 8, 1977                      Approved a PDSP Amendment to: 1) permit 20 additional low-rise family housing units in Parcel 5; 2) permit removal of 300 non-subsidized dwelling units for the elderly from Parcel 5 and relocate 280 such unit in Parcel 3; 3) permit submittal of landscape maintenance agreement prior to issuance of building permit instead of with final site plan submission; and 4) provide that park dedication be held in escrow until rezoning and site plan approval held valid by final court decision.
- January 8, 1977                      Approved Final Site Plan (SP-1) for Parcel 5 to include 300 subsidized housing units for the elderly, a 300-bed nursing home, and 200 low-rise family units.
- October 15, 1977                      Approved a PDSP Amendment to permit a temporary Metro-related parking lot until December 30, 1980 in area bounded by Army-Navy Drive, 15<sup>th</sup> Street South, South Joyce Street and South Hayes Street.
- Approved Final Site Plan for a temporary Metro-related parking lot along the west side of South Hayes Street (between Army-Navy Drive and 15<sup>th</sup> Street South) and along north side of 15<sup>th</sup> Street South (between South Hayes and South Joyce Streets) until December 30, 1980.

June 3, 1978	Approved Final Site Plan Amendment for temporary Metro-related parking lot to eliminate the requirement for railroad ties or utility poles to separate parking aisles.
January 6, 1979	Approved Final Site Plan (SP-2) for a 12-story office building with approximately 253, 534 square feet of gross floor area located at 701 12 <sup>th</sup> Street South (northeast corner of 12 <sup>th</sup> Street South and South Hayes Street).
January 5, 1980	Approved Final Site Plan Amendment (SP-2) to extend approved plan for one year to January 6, 1981.
January 3, 1981	Approved PDSP Amendment to the PDSP and the Final Site Plan for temporary Metro-related parking lot to extend for one year to December 31, 1981.
April 1, 1981	Approved Final Site Plan (SP-3) for 12-story office building with approximately 309,574 square feet of gross floor area located at 601 12 <sup>th</sup> Street South.
November 14, 1981	Approved an Amendment to the PDSP and the Final Site Plan for temporary Metro-related parking lot to extend for two years to December 31, 1983. Approved Final Site Plan to enlarge temporary Metro-related parking lot in the 1000-1300 block of South Hayes Street.
May 20, 1982	Approved PDSP Amendment to transfer 200,000 and 290,000 square feet of gross office floor area from Parcels 2 and 3, respectively, to Parcel 1, and the transfer of 670 dwelling units from Parcel 1 to Parcel 3. (Conditioned on agreement being reached with MCI for use of the transferred space.) Reduced office and commercial parking requirement unless otherwise approved in final site plans.
September 11, 1982	Approved PDSP Amendment to permit temporary uses accessory to construction (eating facilities) on Pentagon City Tract.
January 8, 1983	Accepted withdrawal of Amendment to PDSP and Final Site Plan to enlarge temporary Metro-related parking lot.
April 9, 1983	Approved Amendment to Final Site Plan (SP-4) to extend the approval for two years to April 1, 1985 for residential condominium at 801 15 <sup>th</sup> Street South.

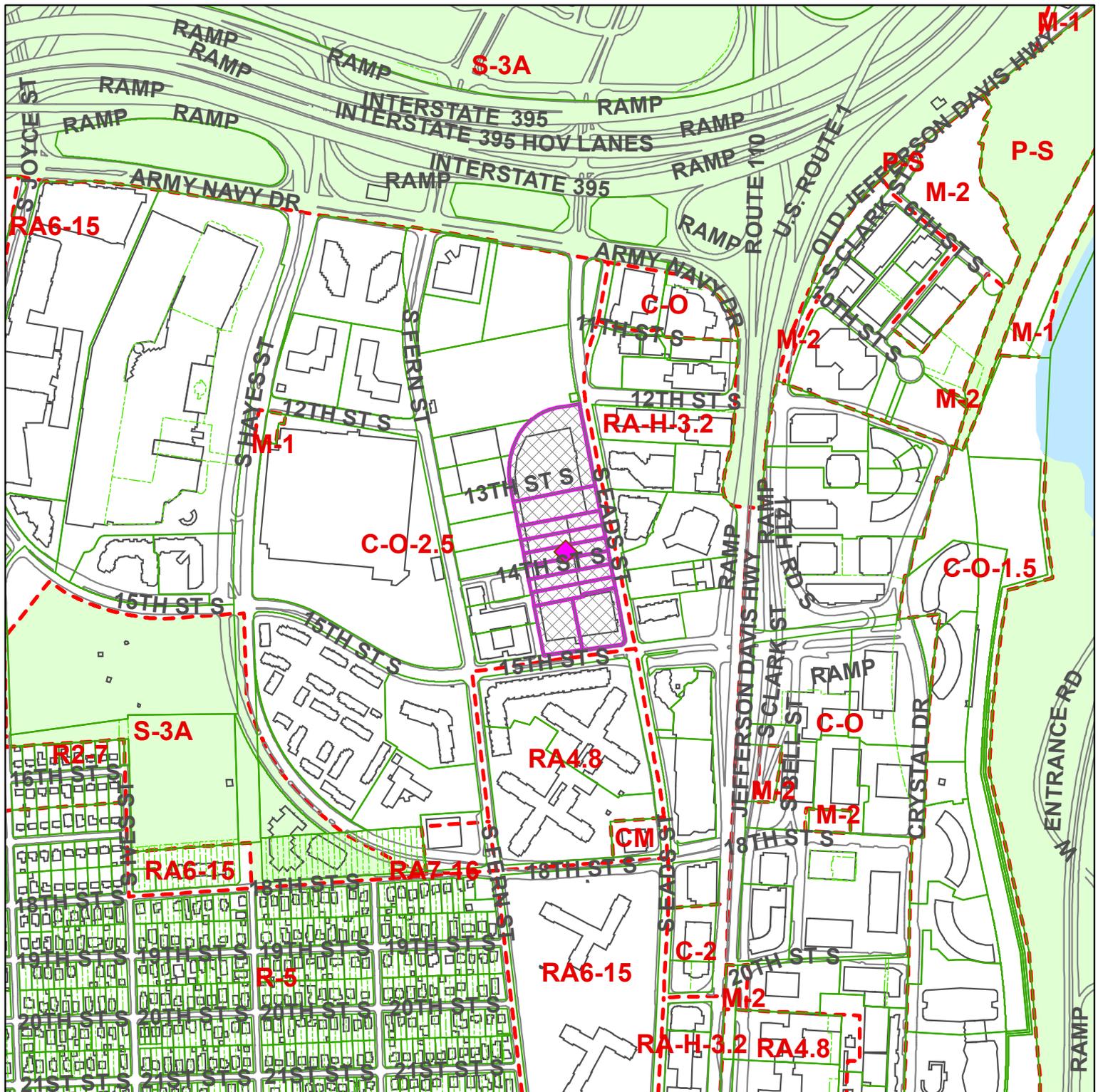
June 4, 1983	Deferred Amendment to Final Site Plans (SP-2 and SP-3) for signs at MCI office buildings.
June 18, 1983	Approved Amendment to Final Site Plans (SP-2 and SP-3) for signs at MCI office buildings.
August 13, 1983	Accepted withdrawal of Amendment to Final Site Plans (SP-2 and SP-3) for a freestanding sign/sculpture at MCI office buildings.
December 10, 1983	Approved Amendment to PDSP and Final Site Plan for a temporary Metro-related parking lot located in the 1000-1400 block of South Hayes Street to July 30, 1984.
July 11, 1984	<p>Approved a Phased Development Site Plan Amendment to redefine parcel boundaries, increase retail density, transfer 47,500 square feet of retail density from Parcel 3 to Parcel 1 and 2 and modify several conditions.</p> <p>Approved a Final Site Plan for a shopping mall (1,019,300 square feet), a hotel (450 units), an office building (172,000 square feet) and 4,173 parking spaces.</p> <p>Approved a Final Site Plan amendment to amend the boundaries of Parcel 2C.</p>
August 18, 1984	Approved a Phased Development Site Plan amendment to reduce the number of hotel units on Parcels 1B and 2B from 600 to 450 and on Parcel 1D from 1,100 units to 882 units.
September 8, 1984	Approved a PDSP Amendment to extend the approval of a temporary eating facility.
July 13, 1985	Approved Final Site Plan (SP-6) for two 12-story office buildings containing 514,892 square feet of gross floor area on Parcel 1C.
September 7, 1985	Approved Amendment to Final Site Plan to increase the site area of the shopping center by 18,853 square feet, to relocate and/or reconfigure the hotel, office tower, department stores, mall and parking structures with no change in gross floor area or height and to relocate the pedestrian access to Metro through the parking garage.

December 7, 1985	Approved Amendment to Final Site Plan to delete Condition #49, referring to the County Board's approval of a 25, 000 square foot performing arts center.
October 1, 1988	Deferred a Site Plan Amendment request for a comprehensive sign plan to December 3, 1988 County Board meeting.
December 3, 1988	Deferred a Site Plan Amendment request for a comprehensive sign plan to January 7, 1989 County Board meeting.
February 11, 1989	Approved a Site Plan Amendment request for a comprehensive sign plan.
March 4, 1989	Approved Site Plan Amendment request for a daycare center at 600 Army-Navy Drive.
May 13, 1989	Approved Final Site Plan (SP-7) for a 300-unit, 16-story hotel with two levels of underground parking in Parcel 1D at 1001 South Fern Street (northwest corner of South Fern Street and Army Navy Drive).
October 7, 1989	Approved Site Plan Amendment (SP-5) to substitute planters and landscaping for louvers on parking garage at Pentagon City Mall.
September 8, 1990	Approved Site Plan Amendment (SP-4) to allow 320 square feet of temporary leasing banners at the Parc Vista apartments.
October 6, 1990	Approved Site Plan Amendment (SP-4) to convert 550 square feet of storage space in the Parc Vista apartments to medical office use.
August 10, 1991	Approved a Site Plan Amendment to permit the operation of a convenience store on the first floor.
November 16, 1991	Approved a Site Plan Amendment for a special exception permitting off-site stockpiling of material excavated from 4201 North Wilson Boulevard on premises known as 1001 South Fern Street.
May 16, 1992	Approved PDSP Amendment to permit the uses allowed on M-1 to continue until redevelopment occurs, for 10 years.

September 12, 1992	Approved PDSP Amendment to permit operation of temporary uses accessory to construction (i.e., eating facilities for construction workers, subject to original conditions and a review in three (3) years.
December 15, 1992	Approved the abandonment, conveyance, and relocation of South Joyce Street at 15 <sup>th</sup> Street South subject to conditions and authorize the Chairman to execute the deed conveying the abandoned right of way.
March 10, 1993	Approved Use Permit (U-2764-93-1) for a comprehensive sign plan for 17 signs at River House I, II, and III.
June 5, 1993	Approved PDSP Amendment (SP #105) to permit the 200 parking spaces required to be constructed in the former South Joyce Street right of way be converted to a landscaped open space and bus stop subject to conditions and a one (1) year review.
January 8, 1994	Approved Site Plan Amendment (SP-7) to amend Condition #43 to allow a brick and EIFS treatment to hotel façade in Parcel 1D.
April 9, 1994	Approved PDSP Amendment to permit the uses allowed on M-1 to continue until redevelopment occurs, subject to no new floor space being created outside the existing building envelop for a period ending on July 31, 2004.
June 10, 1995	Continued PDSP Amendment (SP #105) to permit the 200 parking spaces required to be constructed in the former South Joyce Street right of way be converted to a landscaped open space and bus stop subject to conditions and a one (1) year review.
September 9, 1995	Approved PDSP Amendment to permit operation of temporary uses accessory to construction (i.e., eating facilities for construction workers, subject to original conditions and administrative review in five years (September 2000).
June 4, 1996	Continued PDSP Amendment (SP #105) to permit the 200 parking spaces required to be constructed in the former South Joyce Street right of way be converted to a landscaped open space and bus stop subject to conditions and no further review.

February 8, 1997	Approved Site Plan Amendment (SP-2 and SP-3) to permit extension of the building entrance lobbies by 900 square feet each.
September 6, 1997	Took no action on General Land Use Plan Amendment to change the striping pattern in the Pentagon City PDSP.
October 4, 1997	Deferred a PDSP Amendment (SP #105) to amend Condition #2 of the PDSP and Final Site Plan (SP-8) for mixed use residential and retail development and associated parking to recessed meeting of December 18, 1977.
December 18, 1997	Approved PDSP Amendment (SP #105) to amend Condition #2 thereby adding 300,000 square feet of retail gross floor area to Parcel 1A/2A, reducing the number of residential units in Parcel 1A/2A from 2, 176 to 830 units, and reallocating 249 residential units from Parcel 1A/2A to Parcel 3. Deferred Final Site Plan (SP-8).
February 7, 1998	Approved Final Site Plan (SP-8) for a mixed use development that includes up to 300,000 square feet of retail, 830 residential units, and associated parking.
May 20, 2000	Accepted withdrawal of Site Plan Amendment (SP #105) to permit an urgent care center, hospital storage facility and print shop, including signage, at 1311 South Fern Street.
October 19, 2002	Deferred PDSP Amendment to permit the continuation of "M-1" uses to November 16, 2002.
November 16, 2002	Deferred PDSP Amendment to permit the continuation of "M-1" uses to December 7, 2002.
December 7, 2002	Approved PDSP Amendment to permit the continuation of "M-1" uses to expiration dates from December 31, 2005 through December 31, 2015.
February 10, 2004	Approved a Final Site Plan (SP-9) for 399 dwelling units and 11,300 square feet of ground floor retail in Parcel 3 (Metropolitan Park Phase 1).
March 14, 2006	Approved Final Site Plan (SP-9) for 300 dwelling units and 8,119 square feet of ground floor retail in Parcel 3 (Metropolitan Park Phase 2).

- February 21, 2009                      Approved Final Site Plan (SP-105) for approximately 411 dwelling units and 16,350 square feet of ground floor retail in Parcel 3 (Metropolitan Park Phase 3).
- July 11, 2009                              Approved PDSP amendment to permit the reallocation of density between Parcel 1D and Parcel 3; more specifically, to permit 930 residential units allocated for Parcel 1D to be used either on that parcel or on Parcel 3, and to permit 300 hotel units allocated for Parcel 3 to be used either on that parcel or on Parcel 1D.
- October 23, 2010                      Approved Site Plan Amendment for 1201 and 1211 S. Fern St. (Metropolitan Park Phase 3) to amend Conditions #6, 15, 16, 19, 25, 65, and 70.



SP#105

501, 525 15th Street South and 1200, 1232, 1400, 1410, 1420, 1430, 1440, 1450 South Eads Street

RPC# 35-003-001, -002, -011, -015, -016, -017, -018, -019, -020, and -021.



 Case Location(s)  
 Scale: 1:7,213

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