



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of January 21, 2012**

DATE: January 4, 2012

SUBJECT: SP #153 SITE PLAN AMENDMENT to amend Condition #45 to convert 7,500 square feet of public dining facility space to office space at 1320 N. Courthouse Road (former Bell Atlantic building) (RPC# 18-003-113).

Applicant:
1320 Owner LP

By:
Nan E. Walsh, Esquire
Walsh, Colucci, Lubeley, Emrich & Walsh P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

C. M. RECOMMENDATION:

Adopt the attached ordinance to approve a site plan amendment to SP #153 for conversion of a public dining facility to office space at 1320 N. Courthouse Road, subject to all previous conditions and to the proposed conditions in this report applicable only to the building located at 1320 N. Courthouse Road.

ISSUES: This is a request to convert a public dining facility to office space; the applicant has agreed to provide improvements to the plaza in front of the building, to provide an improved public amenity in place of the dining facility, and to have the building serve as a polling place; no issues have been identified.

SUMMARY: This is a request to convert a public dining facility to office space; Site Plan #153 was initially approved in 1979 and had a major amendment in 1989 to allow a second building to be built. The original approval required that a 15,000 square foot dining facility be provided on

County Manager: *BMD/GA*

County Attorney: *[Signature]* *[Signature]*

Staff: Sophia S. Fisher, DCPHD, Planning Division

PLA-6092

5.

site that would be open to the public, but allowed for 7,500 square feet of that area to be converted to office uses without a site plan amendment. The condition specified that a change in use for the remaining 7,500 square feet would require a site plan amendment, which is the subject of this application. At the time, there were not very many dining options available in the area.

BACKGROUND: This office site plan was first approved in 1979; and, as a result, the first office building (1310 N. Courthouse Road) was built in the early 1980's. In 1989, a major site plan amendment authorized the addition of a second office building, 1320 North Courthouse. As part of the original site plan approval, the building owner was required by condition to provide a minimum 15,000 SF dining facility that was to be open to the public. Part of the major site plan amendment approval for 1320 N. Courthouse permitted the dining facility to be located in either building (Condition #45, subparagraph A). The condition reads as follows:

Condition 45.A:

The applicant shall provide a minimum of 15,000 square feet of public dining facility and a minimum of 2,000 square feet of retail space, open to the public, on site. The retail space shall be located on the ground floor of either 1310 or 1320 North Court House Road and shall face the public plaza areas. The applicant at its discretion may convert up to 7,500 square feet of the public dining facility space to office space. If retail is located in Building One, then the applicant shall close off the driveway and drive entrance to all traffic other than pedestrians between the hours of 11:00 a.m. and 2:00 p.m. on weekdays.

The applicant is only requesting to remove the requirement for the public dining space; the part of the condition dealing with the retail will remain unchanged.

Site: Located at 1320 N. Courthouse Rd., the site is bound as follows:

- | | |
|---------------|---|
| To the north: | 14 th St. N; surface parking lot; County Government Offices, County Courthouse |
| To the west: | N. Veitch St.; high-rise residential buildings |
| To the east: | N. Courthouse Rd.; hotel building, office building; high-rise residential buildings |
| To the south: | 13 th St. N; high-rise hotel and residential buildings; Arlington Boulevard |

Zoning: The site is zoned "C-O" Commercial Office Building, Hotel and Multiple-Family Dwelling Districts

Land Use: The site is designated on the General Land Use Plan (GLUP) as mixed “High Office-Apartment-Hotel.”

Neighborhood: The site is located within the Clarendon-Courthouse Civic Association, and proximate to the Radnor/Ft. Myer Heights Civic Association. The Clarendon-Courthouse Civic Association has requested that the applicant agree to a condition to continue the building’s current use as a polling place; the applicant has agreed to this condition.

Approved Plans and Policies: Zoning Ordinance Sections 25B, and the *Courthouse Sector Plan Addendum*.

Existing Development: SP #153 consists of a 342,002 square foot office building (1310 N. Courthouse); a 5,022 square foot plaza; and a 365,937 square-foot office building approved in 1989 (1320 N. Courthouse).

DISCUSSION: When SP #153 was originally approved in 1979, and later amended to permit the construction of the 1320 building in 1989, there was a lack of options for public dining in the immediate vicinity. In addition, the two buildings were originally under the same ownership (Bell Atlantic), which made it easier to support a cafeteria-style dining facility that was also open to the public. The cafeteria was closed in early 2007. Since then, the buildings have been sold, and are under separate ownership with multiple tenants (1320 was recently purchased by the applicant and is undergoing renovations in preparation for being leased out). The area around the site has changed significantly since 1989 as well: there are a number of dining and retail options that did not exist when the site was first developed. Staff finds that the applicant’s request to amend Condition #45.A to convert the remaining 7,500 square feet of public dining facility to office space is reasonable given the changes in building ownership and the general development that has taken place in proximity to the site over the past few years.

Because the dining facility was approved as a public amenity for the site plan development, the applicant is proposing to renovate the part of the plaza that is in front of the 1320 building in order to improve the public amenities offered onsite. The proposed improvements to the plaza include: new planters, new pavers, improved lighting, and a new access staircase from grade level on 14th Street down to the plaza. The planters and the pavers will be of a design that will be consistent with the plaza design in front of the 1310 building. Staff finds that the planned improvements to the plaza (shown on the landscape plan and referenced in new Condition #55) provide a public amenity in place of the public amenity previously provided by the dining facility. In addition, the applicant has agreed to a condition (new Condition #56) for a polling place in the building at 1320 N. Courthouse, with an option to work with the building owner at 1310 N. Courthouse in the event that the building is not available for an election. This condition serves to formalize an arrangement that has been in place at that location since the Woodbury Precinct was established in 1995. According to the Office of Voter Registration and Electoral Board, it is very difficult to find adequate space for polling places in the urban areas of Arlington County, and very strongly support the continuation of the polling place in that building.

CONCLUSION: The applicant’s request to amend Condition #45A and remove the requirement that there be a public dining facility at 1320 N. Courthouse Road is reasonable given

the increased development that has occurred since the building was first constructed and the change in market demand for the building itself, from a single-tenant facility to multiple tenants. In order to mitigate the impacts of removing the public benefit that was provided by the dining facility, the applicant has agreed to renovate a portion of the plaza adjacent to 1320 N. Courthouse Road, and has agreed to continue the current use of that building as a polling place in conjunction with the Office of Voter Registration and Electoral Board. Therefore, staff recommends that the County Board approve the site plan amendment subject to the amended Condition #45A, and with new Conditions #55 and 56.

Site Plan Amendment Ordinance

WHEREAS, an application for a Site Plan Amendment dated November 14, 2011 for Site Plan # 153, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in Staff Report provided to the County Board for its January 21, 2012 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; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on January 21, 2012 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
- 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 November 14, 2011 for Site Plan # 153 and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Conditions #55 and 56 below (which drawings, etc... are hereafter collectively referred to as "Revised Site Plan Application"), for a Site Plan Amendment for conversion of a public dining facility to office space, for the parcel of real property known as 1320 N. Courthouse Road (RPC# 18-003-113) approval is granted and the parcel so described shall be used according to the approval dated November 1998 as amended by the Revised Site Plan Application, subject to all previously approved conditions (numbers 1 through 54) with Condition #45.A amended as follows and new Conditions #55 and 56:

Amended Condition #45.A:

45.A. The applicant shall provide a ~~minimum of 15,000 square feet of public dining facility and~~ minimum of 2,000 square feet of retail space, open to the public, on site. The retail space shall be located on the ground floor of either 1310 or 1320 North Court House Road and shall face the public plaza areas. ~~The applicant at its discretion may convert up to 7,500 square feet of the public dining facility space to office space.~~

New Conditions:

55. Plaza Improvements to 1320 N. Courthouse: The applicant agrees that all plaza improvements to the 1320 N. Courthouse Road site shall be established and maintained in accordance with the "1320 Courthouse Road Proposed Plaza Plan" dated January 10,

2012 and approved by the County Board on January 21, 2012, and these conditions. The applicant agrees to obtain the County Manager's or designee's approval of any deviation from the "1320 Courthouse Road Proposed Plaza Plan" dated January 10, 2012. The construction of the plaza improvements shall be finished prior to the issuance of a Certificate of Occupancy for the use that includes the 7,500 square feet of public dining facility space converted to office space as approved by the County Board on January 21, 2012.

56. Polling Location: To the extent the Office of Voter Registration and Electoral Board is unable to secure publicly owned building space within a two block radius of 1320 N. Courthouse Road for use as a public election polling location, the applicant agrees to provide, on a commercially reasonable basis, a space for public election polling in the 1320 N. Courthouse Road building in accordance with the needs and requirements of the Office of Voter Registration and the Electoral Board. Any election-related activities and liabilities would be in accordance with and covered by the Commonwealth's Risk Management Plan, or successor to such plan. The extent of coverage provided by the Commonwealth's Risk Management Plan is subject to approval by the applicant.

Polling Place: The applicant agrees that space for a polling place will be provided at 1320 N. Courthouse Road in accordance with the needs of the Office of Voter Registration and the Electoral Board. In the event that space is not available at 1320 N. Courthouse for reasons such as construction or other temporary obstacles, the applicant agrees to work with the property at 1310 N. Courthouse to provide the polling place. Any election-related activities would be covered by the Commonwealth's Risk Management Plan, or successor to such plan.

1. PREVIOUS COUNTY BOARD ACTIONS:

November 1979	Approved a site plan for an office building and parking garage.
May 1980	Approved a site plan amendment to incorporate an adjacent 5,022 square foot lot at 2046 and 2050 – 14 th St. N.
February 1984	Approved a site plan amendment for building identification signage
November 1984	Deferred a site plan amendment to convert 13,220 sq ft of retail/commercial space to office space (upper and lower lobby levels) to re-advertise application.
December 1984	Approved part of a site plan amendment request; approved conversion of 7,105 sq ft of retail/commercial to office space (upper lobby level) for a period of four years; denied conversion of 4,115 sq ft of retail/commercial to office space (lower lobby level).
April 1985	Deferred site plan amendment to convert 6,115 sq ft of lower lobby retail/commercial space, east side, to office GFA.
May 1986	Approved site plan amendment to convert 6,115 sq ft of lower lobby retail/commercial space, east side, to office GFA on a temporary basis until December 1988.
March 1989	Deferred a General Land Use Plan Amendment from “Public” to “High” Office-Apartment-Hotel; a rezoning request from “R-5”, “C-2” and “C-3” to “C-O”; a site plan amendment request to modify Condition #8 to permit conversion of 6,217 sq ft of retail/commercial space on the lower lobby level to office GFA; a site plan amendment to incorporate addition site area and permit construction of an eight-story office building consisting of 293,174 sq ft of office GFA (including approximately 17,000 sq ft of bonus density).
April 1989	Deferred the above requests
May 1989	Deferred the above requests

July 1989	Approved a General Land Use Plan Amendment from “Public” to “High” Office-Apartment-Hotel; a rezoning request from “R-5”, “C-2” and “C-3” to “C-O”; a site plan amendment request to modify Condition #8 to permit conversion of 6,217 sq ft of retail/commercial space on the lower lobby level to office GFA; a site plan amendment to incorporate addition site area and permit construction of a nine-story office building consisting of 365,000 sq ft of GFA (including approximately 33,000 sq ft of bonus density and 795 parking spaces).
March 1990	Deferred a site plan amendment request to amend Condition #45 to relocate 2,156 sq ft of retail GFA from Building Two to the plaza of Building One.
April 1990	Deferred a site plan amendment request as described above.
May 1990	Approved a site plan amendment request to amend Condition #45 to relocate 2,000 sq ft of retail GFA from Building Two to the plaza of Building One.
July 1990	Approved a parking reduction for Building Two; accepted withdrawal of a request to amend Condition #20 to permit the transformer ventilation grates to be located in the public plaza area.
May 1991	Deferred a site plan amendment request for a 67-ft high radio frequency antenna.
July 1991	Deferred the above request.
September 1991	Deferred the above request
November 1991	Accepted withdrawal of a request for a 67-ft high antenna.
November 1997	Approved a site plan amendment request for four building/wall mounted signs with logo, including two rooftop signs, one wall mounted sign above the main pedestrian entrance and one four-sided monument sign.
December 1997	Approved a site plan amendment request to amend Condition #42 to extend the required demolition date from December 13, 1997 to December 31, 1998 and to allow construction of the plaza to commence up to one year after the demolition.

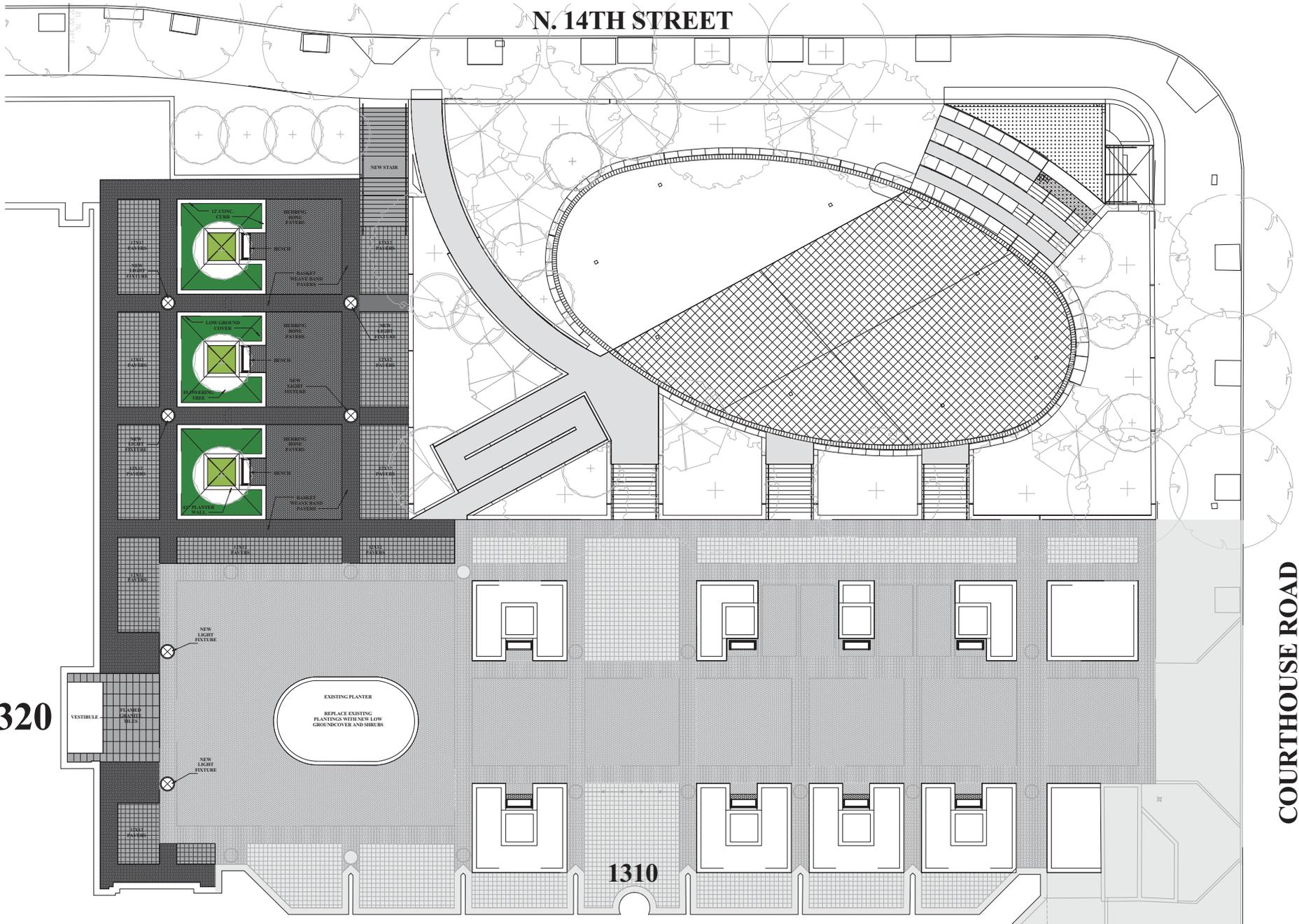
July 1998	Deferred a site plan amendment request to the September, 12, 1998 County Board meeting.
September 1998	Deferred a site plan amendment request to the October 17, 1998 County board meeting.
October 1998	Deferred a site plan amendment request to the November 14, 1998 County Board meeting.
November 1998	Approved a site plan amendment request to modify condition language regarding the requirement for retail on the public plaza, and to extend the date of demolition to July 31, 1999.
March 2009	Approved a site plan amendment to amend the conditions of the existing site plan in order to allow administrative re-facing of signs on a vent structure at the site, and to clarify the types, sizes, and locations allowed for the signs.

N. 14TH STREET

1320

1310

COURTHOUSE ROAD



JANUARY 10, 2012

1320 COURTHOUSE ROAD

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

PROPOSED PLAZA



From: Linda Lindberg
Sent: Wednesday, December 21, 2011 9:33 AM
To: Sophia S. Fisher
Subject: Use of 1320 N. Courthouse Rd. as polling place

Arlington County has used 1320 N. Courthouse Rd. as a polling place for our Woodbury Precinct since the precinct was established in 1995. Verizon, who owned the building until recently, has been very accommodating and considered such usage a community service.

When Cushman and Wakefield took over building ownership, they continued to allow us to use the facility for voting as a courtesy. But around the time of the November 2011 election, they informed us this service may not be able to continue because of renovation plans. We also had the perception, correct or not, that they were not as committed to providing this service as was Verizon.

We support inclusion of the facility as a polling place as a site plan amendment condition. It is extremely difficult to find adequate facilities for voting in Arlington's urban sections such as the Courthouse neighborhood. Not only has this facility served as a polling place for residents for many years, but the recent growth of residences in the vicinity of the building means it is more important than ever to maintain a voting location in this neighborhood.

We understand that the owners may have plans to renovate the Forum, which we currently use for voting, but are willing to work with them if such renovations appear to displace us temporarily for scheduled elections. Some years ago Verizon also renovated the Forum, and for several elections we were set up in an alternate location in the lobby.

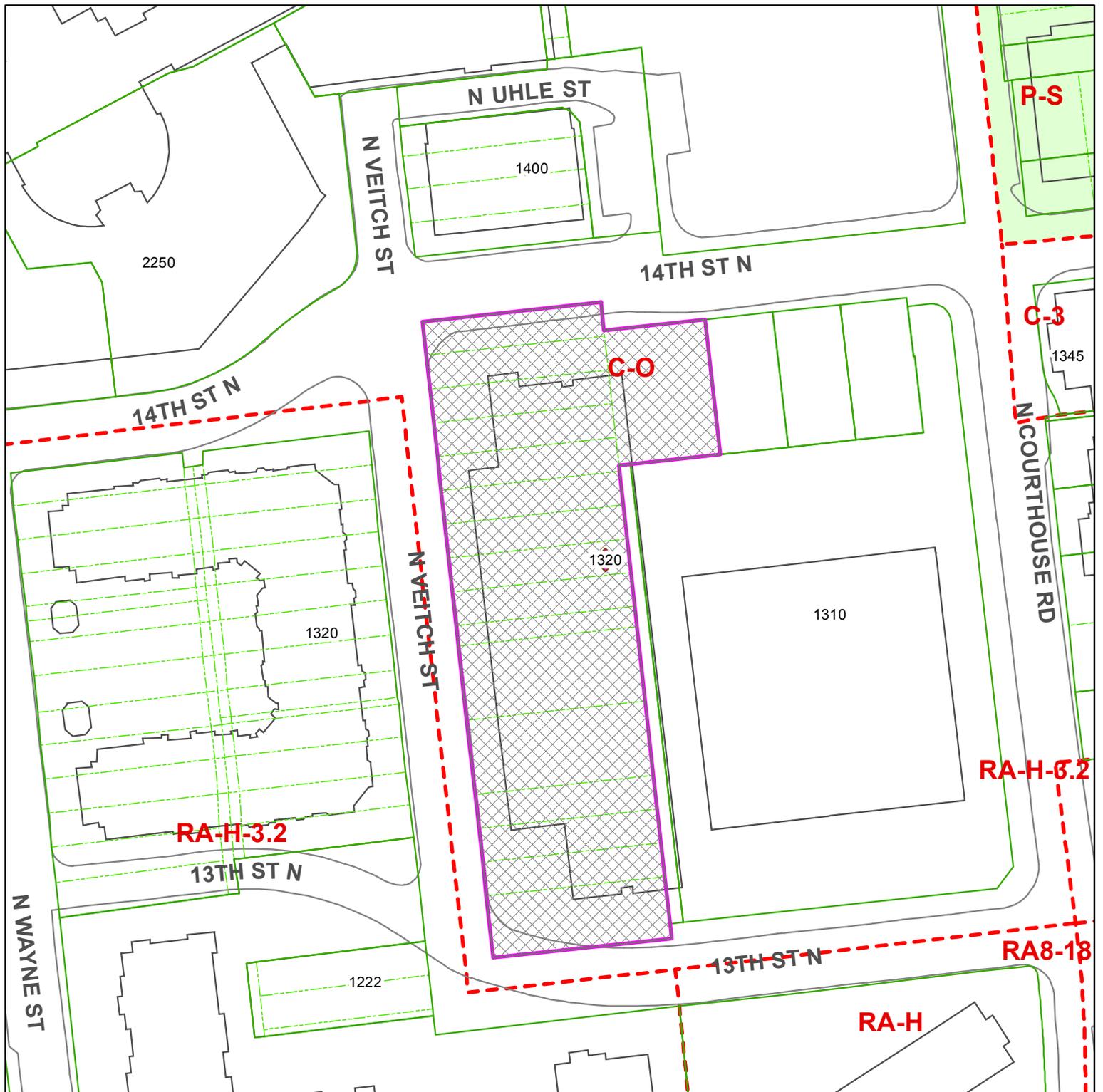
Please let me know if you need any additional information.

Linda Lindberg, General Registrar
Office of Voter Registration and Electoral Board
2100 Clarendon Blvd., Suite 320
Arlington, VA 22201-5400
703-228-3456 main office number
703-228-3462 direct line
703-228-3659 fax
703-228-4611 tty
571-481-8576 mobile
llindberg@arlingtonva.us
www.arlingtonva.us/vote

Please consider the environment before printing this e-mail.

This communication is subject to public disclosure under the Virginia Freedom of Information Act.

July 1998	Deferred a site plan amendment request to the September, 12, 1998 County Board meeting.
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SP# 153

1320 N. Courthouse Road

RPC# 18-003-113



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

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