



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of February 11, 2012**

**DATE:** February 2, 2012

**SUBJECT:** SP #105 SITE PLAN AMENDMENT to revise condition #1 to extend the term of the Metropolitan Park Phase 3 site plan approval for three (3) years until February 21, 2015, for the property located at 1201 and 1211 S. Fern St. (RPC# 35-003-009 and -010).

**Applicant:**

CLPF – Metropolitan Three Venture, L.P.  
1571 Pinnacle Drive #700  
McLean, VA 22102

**By:**

Benjamin T. Danforth, Esq.  
6045 Wilson Boulevard, Suite 100  
Arlington, VA 22205

**C.M. RECOMMENDATION:**

Adopt the attached ordinance to approve the subject site plan amendment to revise Condition #1 to extend the site plan term for three (3) years until February 21, 2015.

**ISSUES:** This is a site plan amendment request to extend the term for the Metropolitan Park Phase 3 site plan. No issues have been identified.

**SUMMARY:** Due to economic market conditions which have resulted in delayed construction of the Metropolitan Park Phase 3 project, the applicant has requested a three (3)-year extension of the site plan term of approval. The applicant has been diligently pursuing the project, and has already filed for relevant permits and also taken measures to fulfill several conditions of approval. Staff is recommending an amendment to Condition #1 to extend the term of the site plan to February 21, 2015 with no revisions to the other previously approved conditions of approval.

County Manager: *BMD/GA*

County Attorney: *CEW* *GA*

Staff: Natalie Sun, CPHD, Planning

PLA-6112

4.

**BACKGROUND:** On February 21, 2009, the County Board approved the Final Site Plan for the Metropolitan Park Phase 3 project, as part of SP #105. The approval was for approximately 411 dwelling units and 16,350 square feet of ground floor retail in Parcel 3 of the Metropolitan Park phased development. The following provides information about the site:

Site: Located in the Pentagon City Metro station area, the site is 91,050 square feet and is located on the block generally bounded by the future extension of 12<sup>th</sup> Street South and a vacant lot to the north, warehouse structures to the east, The Millenium (Metropolitan Park Phase 2) residential development to the south, and South Fern Street and the Pentagon Centre commercial development to the west. The site has frontage on one of the abovementioned streets and the site is currently vacant. Adjacent and surrounding land uses include:

To the north: The anticipated future extension of 12<sup>th</sup> Street South is immediately to the north. Further to the north are undeveloped land and the sixteen (16)-story Marriott Residence Inn.

To the south: The Millenium (formerly Metropolitan Park Phase 2), an eighteen (18)-story (plus penthouse) residential building is immediately to the south. This site is zoned “C-O-2.5” and designated three-fourths “High-Medium” Residential (maximum 3.24 FAR Residential) and one-fourth “Medium” Office-Apartment-Hotel (maximum 2.5 FAR Office, 115 units/acre Apartment, and 180 units/acre Hotel) on the GLUP.

To the east: Warehouse structures are immediately to the east. This site is zoned “C-O-2.5” and designated three-fourths “High-Medium” Residential (maximum 3.24 FAR Residential) and one-fourth “Medium” Office-Apartment-Hotel (maximum 2.5 FAR Office, 115 units/acre Apartment, and 180 units/acre Hotel) on the GLUP.

To the west: Across South Fern Street is Pentagon Centre, containing various retail stores and restaurants, including Costco. The property is zoned “C-O-2.5” and designated “Medium” Office-Apartment-Hotel (maximum 2.5 FAR Office, 115 units/acre Apartment, and 180 units/acre Hotel) on the GLUP.

Zoning: “C-O-2.5” Commercial Office Building – Hotel and Apartment District.

Land Use: Three-fourths “High-Medium” Residential (maximum 3.24 FAR Residential) and one-fourth “Medium” Office-Apartment-Hotel (maximum 2.5 FAR Office, 115 units/acre Apartment, and 180 units/acre Hotel).

Neighborhood: Staff contacted the Aurora Highlands Civic Association and they have expressed no objections with the proposed extension.

**DISCUSSION:** The applicant has begun the process of moving forward with construction of the approved Final Site Plan for Metropolitan Park Phase 3. However, due to market conditions which have required the developer to postpone commencement of construction of the project, the applicant is requesting to extend the term of the approved site plan for Metropolitan Park Phase 3.

The applicant has been diligently pursuing the Metropolitan Park Phase 3 project, and has already filed for various permits and also taken steps towards fulfilling several site plan conditions of approval. Recently, the warehouse structure previously occupying the subject site was demolished. The applicant provided staff with the following chronology reflecting site-related milestones related to execution of the site plan:

- **February 21, 2009:** Final Site Plan (SP-105) Approved for approximately 411 dwelling units and 16,350 square feet of ground floor retail in Parcel 3 (Metropolitan Park Phase 3).
- **October 23, 2010:** SP-105 Site Plan Amendment Approved (Modified Conditions #6, 15, 16, 19, 25, 65, 70).
- **April 3, 2011:** Landscape Plan Approved.
- **May 9, 2011:** Engineering Site Plan Approved.
- **May 25, 2011:** Developer made \$104,500 contribution to Arlington Utility Fund, per Site Plan Condition #5.
- **June 22, 2011:** Demolition Permits Issued.
- **June, 2011:** Utility work commenced.
- **June, 2011:** Demolition work commenced.
- **July 13, 2011:** Arlington Public Art Committee selects artist to create Metropolitan Park public art.
- **August 15, 2011:** Administrative Change #1 (Garage modifications) Approved.
- **September 26, 2011:** Excavation/Sheeting & Shoring Permit Submitted.
- **October 12, 2011:** Excavation/Sheeting & Shoring Status Comments.
- **November 18, 2011:** Administrative Change #2 (Landscape modifications) Submitted.
- **November 28, 2011:** Applied for Site Plan Extension.
- **December 18, 2011:** Final Building Permit Submission (Received response from Mechanical, Electrical, Plumbing, and Structural review).
- **January 6, 2012:** Filed Public Easements for 12<sup>th</sup> Street and On-Site and Off-Site Easements.

Another factor that further contributed to delay of this project is the coordination with an adjacent property owner to obtain various easements for 12<sup>th</sup> Street South, related to sidewalk, trail and other purposes.

Staff is not recommending revisions to other approved conditions for this site plan.

**CONCLUSION:** Market conditions have delayed development of a number of site plan projects, including Metropolitan Park Phase 3. The approved site plan, with its associated benefits and site plan conditions, is integral to realizing the approved Metropolitan Park residential development. Staff recommends that this site plan should be extended, at the request of the applicant, from its current expiration on February 21, 2012 to February 21, 2015. Therefore, staff recommends the County Board adopt the attached ordinance approving the subject site plan amendment subject to revised Condition #1 and all previously approved conditions.

### Site Plan Amendment Ordinance

WHEREAS, an application for a Site Plan Amendment dated November 28, 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 February 11, 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[s]; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on February 11, 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;
- 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 28, 2011 for Site Plan # 105 for a Site Plan Amendment to extend the term of the site plan approval, for the parcels of real property known as RPC# 35-003-009 and -010 located at address 1201 and 1211 South Fern Street, approval is granted and the parcels so described shall be used according to the Site Plan Amendment Application, subject to the amended conditions as follows and all previously approved conditions:

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 January 21, 2008 and reviewed and approved by the County Board and made a part of the public record on February 21, 2009, 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 on~~ February 21, 2015 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 together with any modifications proposed by the owner and accepted by the County Board or vice versa.

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.

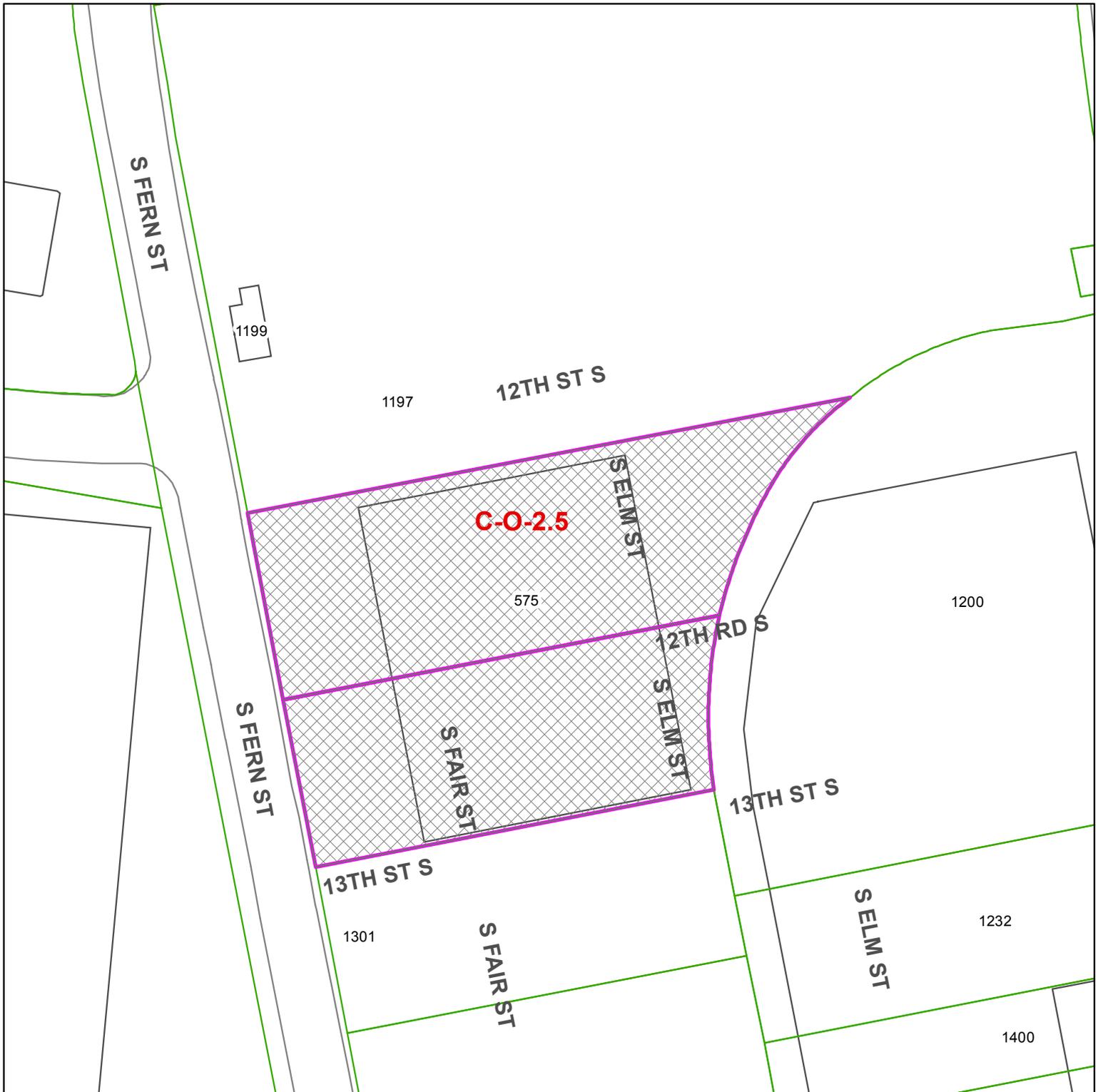
February 8, 1997	Approved Site Plan Amendment (SP-2 and SP-3) to permit extension of the building entrance lobbies by 900 square feet each.
September 6, 1997	Took no action on General Land Use Plan Amendment to change the striping pattern in the Pentagon City PDSP.
October 4, 1997	Deferred a PDSP Amendment (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).

October 23, 2010

Approved Site Plan Amendment (SP #105) to revise conditions #6, 15, 16, 19, 25, 65, and 70.



**SP#105**

**1201 and 1211 S. Fern Street**

**RPC# 35-003-010 and 35-003-009**



 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.