



## ARLINGTON COUNTY, VIRGINIA

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

**DATE:** April 12, 2012

**SUBJECT:** SP# 18 SITE PLAN AMENDMENT to modify Conditions #15 and #21 regarding the timing for the installation of required street trees; located at 1812 N. Moore St. (RPC# 16-037-004).

**Applicant:**

1812 Holdings, LLC  
c/o Monday Properties  
1000 Wilson Blvd, Suite 700  
Arlington, VA 22209

**By:**

Nan E. Walsh  
Walsh, Colucci, Lubeley, Emrich & Walsh, PC  
2200 Clarendon Blvd., 13<sup>th</sup> Floor  
Arlington, Virginia 22201

**C.M. RECOMMENDATION:**

Adopt the attached ordinance to approve a site plan amendment to SP #18, modifying conditions #15 and #21, to allow the required street trees on 19<sup>th</sup> Street to be installed following the installation of public art.

**ISSUES:** The applicant is requesting a modification to site plan Conditions #15 and #21 regarding the timing of street tree installation and no issues have been identified.

**SUMMARY:** The applicant is requesting a modification of two (2) site plan conditions to allow an alternative to the timing required for the installation of two (2) street trees proposed on the 19<sup>th</sup> Street frontage of SP #18. The applicant would like to maintain unfettered views of the art installation and claims that the street trees will hinder the viewing experience. Therefore, the applicant is asking that the street trees approved as part of the site plan be installed after the art is

County Manager:

*BMD/GA*

County Attorney:

*CCW*

Staff: Jason Beske, DCPHD, Planning Division

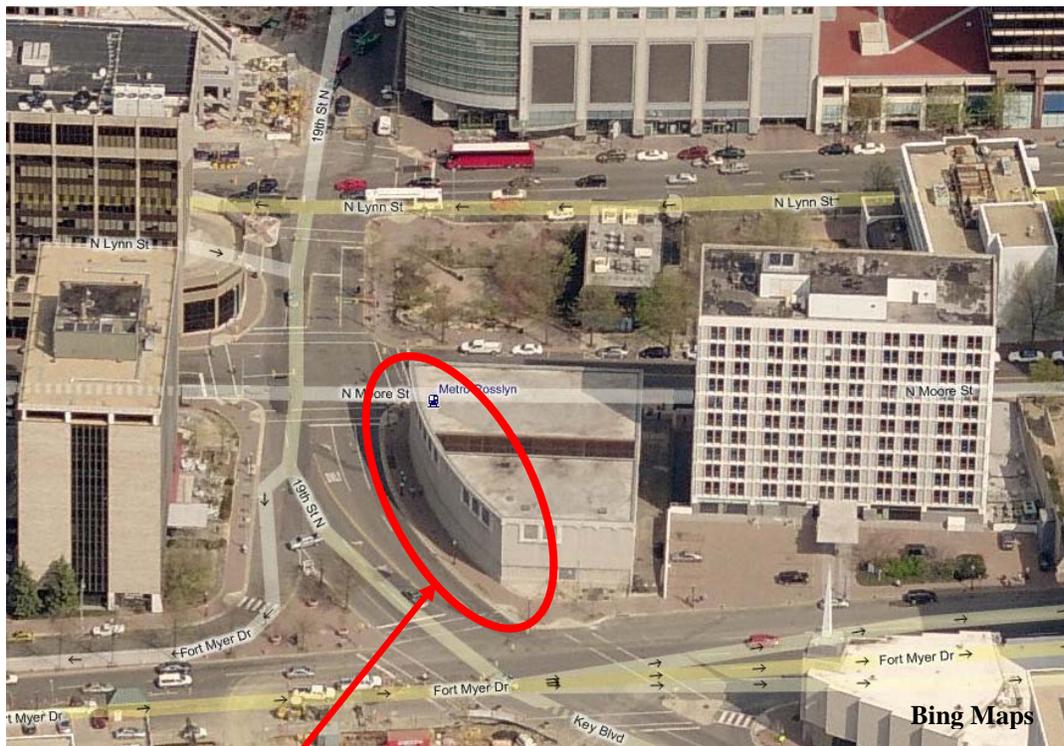
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installed to allow views of the art prior to determining whether the street trees, as approved, should be installed, or if another solution to the landscape plan and streetscape experience should be sought.

Staff is supportive of the applicant's request to modify the subject conditions and to delay the installation of the street trees until after the public art is installed. Support of the amended conditions does not indicate staff's support of removing the required street trees from the landscape plan. The streetscape will be evaluated after the installation of the artwork and an appropriate treatment will be recommended by the County Manager at that time; the street tree requirement could be deleted if the manager finds that their presence undermines the significance of the public art. Therefore, it is recommended that the County Board approve the Site Plan Amendment to revise Conditions #15 and #21 to allow the public art to be installed prior to the installation of the required street trees, and allow the County Manager to determine the appropriate streetscape solution for the 19<sup>th</sup> Street frontage.

**BACKGROUND:** In December 2007, the County Board approved a major amendment to SP #18, 1812 N. Moore Street, to allow construction of a 30-story office building comprised of 569,739 square feet of office gross floor area and 11,020 square feet of retail in North Rosslyn. The development project, which incorporates the adjacent existing Dominion Virginia Power substation, is currently under construction and includes the incorporation of a public art project and a revised landscape plan.



Area of public art and street trees

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

Site: This 1.38-acre site in North Rosslyn, includes the (2) parcels located at the northern end of the block generally bounded by 19th Street North to the north, N. Moore Street to the east, Wilson Boulevard to the south and N. Fort Myer Drive to the west. Adjacent and surrounding land uses are as follows:

To the north: 11-story Rosslyn South office building fronting 19th Street North on Moore Street; public parking garage and Continental pool lounge on the west side; 12-story office building on the east side is 1901 N. Moore Street.

To the east: Site of future Central Place JBG Site Plan (SP # 335) – approved May 2007.

To the south: Rosslyn Metro Station, Rosslyn Metro Mall, and Rosslyn Center office building.

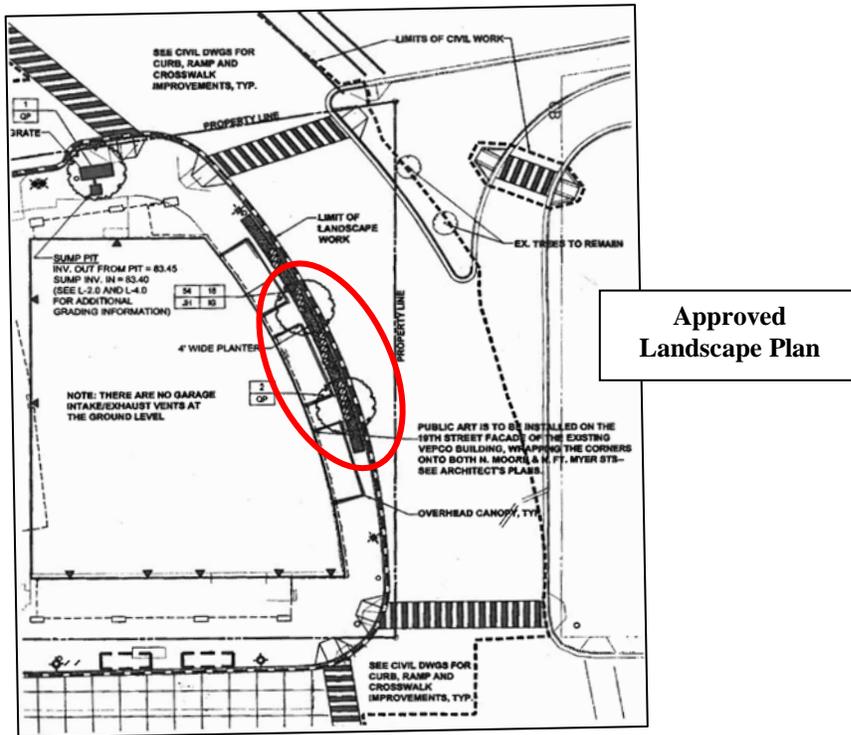
To the west: Hyatt Hotel, Ames Center (10-story office bldg) and Art Institute of Washington, and the Arlington Temple United Methodist Church.

Zoning: [“C-O Rosslyn” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts.](#)

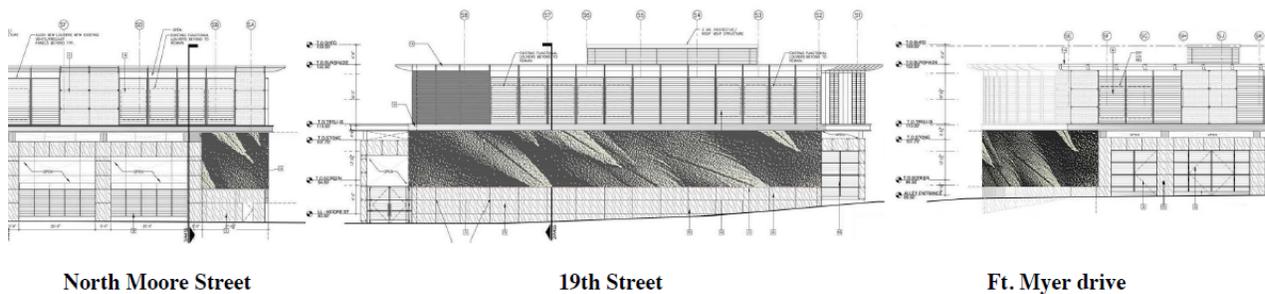
Land Use: “High” Office-Apartment-Hotel (Up to 3.8 FAR office density, up to 4.8 FAR apartment density, and up to 3.8 FAR hotel density); Located within the Rosslyn Coordinated Redevelopment District.

Neighborhood: North Rosslyn Civic Association; Rosslyn BID. Both have indicated that they support the applicant’s request to defer the installation of the required street trees following the installation of the public art project.

**DISCUSSION:** The site plan approval for SP #18, located at 1812 N. Moore Street, in 2007 included sidewalk improvements along N. 19<sup>th</sup> Street that require a minimum of 11.3-foot sidewalk with a 4-foot planting strip, 4 to 4 ½ inch caliper Willow Oak street trees and a variety of ground cover. The street trees are to be placed 30 feet apart on center and a minimum of eight (8) inches from back of curb. The developer also agreed to provide a minimum 9-foot clear sidewalk along 19<sup>th</sup> Street (see landscape plan below).



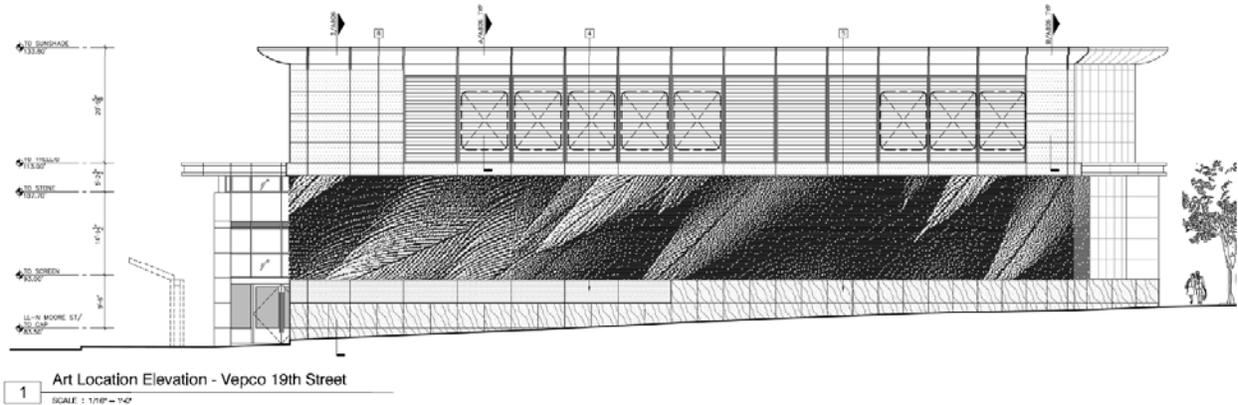
Also as part of the 2007 County Board approval of the site plan, the applicant is required to provide public art on the northern façade of the Dominion Virginia Power substation that fronts N. 19<sup>th</sup> Street. The public art underwent a selection and approval process, ultimately gaining approval from Arlington Commission for the Arts at their July 27, 2011 meeting.



Near Fort Myer Drive the installation will begin at approximately four (4) feet off the adjacent sidewalk and end about 20 feet above the sidewalk. Near North Moore Street the art installation will begin nearly 11 feet above the adjacent sidewalk and go to a height of nearly 30 feet above the sidewalk. The installation is 18 ½ feet tall and occupies the entire length of the façade along 19<sup>th</sup> Street, 20 feet along North Monroe Street and 17 feet along Fort Myer Drive.

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The street trees will be installed in front of a portion of the public art. The applicant is requesting the amendment in order to allow for the installation of the public art prior to the installation of the street trees. According to the applicant, this will allow staff the opportunity to view the art installation absent the trees, then to ascertain whether installing the trees would then significantly undermine views of the art installation.



The proposed amendment to Condition #15 specifies that the street tree installation be deferred until after the public art is installed (the public art is required in Condition #65 of SP #18). The applicant is requesting that the County Manager make the determination of whether the street trees will significantly undermine the views of the art following the installation of the art. Per the draft condition amendment, this could be accomplished through an Administrative Change application. The proposed amendment of Condition #21 further accommodates the deferral of street tree installation on 19<sup>th</sup> Street. In addition, the new language allows the tree species and location to be determined following the art installation; this will potentially minimize the impact of the trees adjacent to the art.

**CONCLUSION:** The applicant’s request to amend the site plan, which would defer the timing for the installation of the street trees on 19<sup>th</sup> Street and in correlation to the landscape plan for SP #18, has been considered by staff. Staff’s analysis has included input from the North Rosslyn Civic Association and the Rosslyn BID. All are generally in favor of the site plan amendment to allow the public art installation to be installed prior to the installation of the street trees that are required as part of the site plan landscape plan approval. Staff is not recommending the removal of the streets trees from the landscape plan. Following the consideration of the applicant’s proposal and input provided by various stakeholders, staff recommends that the County Board adopt the attached ordinance to approve the subject site plan amendment, subject to all previously approved conditions and modification to Conditions #15 and #21.

**SITE PLAN AMENDMENT ORDINANCE**

WHEREAS, an application for a Site Plan Amendment dated September 15, 2011 for Site Plan # 18, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in the Staff Report dated **April 21, 2012** 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 April 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 modified as follows:

**Amend Condition #15 and #21 to allow deferral of the required street tree installation following the installation of the approved public art installation on 19<sup>th</sup> Street for Site Plan #18; 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 September 15, 2011 for Site Plan #18, and as such application has been modified, revised, or

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amended to include the drawings, documents, conditions and other elements designated in Condition 1 below ( which drawings, etc... are hereafter collectively referred to as “Revised Site Plan Application”), for a Site Plan Amendment for the deferral of street tree installation, for the parcel of real property known as RPC# 16-037-004 and 1812 N. Moore St. approval is granted and the parcel so described shall be used according to the Site plan as originally approved on December 15, 2007 and amended from time to time as shown in the records of the Office of Zoning administration, and as amended by the Revised Site Plan Application, subject to all previous conditions and the following modified conditions:

15. The installation of all plant material shown on the final landscape plan shall take place before the issuance of the first Certificate of Occupancy for the respective phase of construction; however, installation of the street trees on 19th Street North shall be delayed until after the public art as required in Condition #65 is installed. The applicant shall submit an application for administrative change within 30 days following the installation of the public art requesting that the trees not be required to be installed. The County Manager shall then determine whether the street trees required on 19<sup>th</sup> Street North impede the view of the public art to an extent that the art experience is significantly undermined by the presence of the trees. Should the County Manager find that the street trees impede the view of the public art to such extent, the County Manager shall approve the deletion of the street trees from the final landscape plan. However, if the trees do not impede the view, the street trees shall be installed prior to the issuance of the Master Certificate of Occupancy."

21. Sidewalk Improvements

**19<sup>th</sup> Street North** – A minimum 11.3-foot wide sidewalk, measured from the back of curb, including 4-foot wide planting strip planted with ~~4 to 4 1/2 inch caliper Willow Oak street trees and such~~ ground cover as liriopie muscarii, hypericum, calycinum (Aaron's Beard), or juniperus conferta (Shore Juniper), place approximately 30 feet apart on center and a minimum of either (8) inches from back of curb. The developer agrees to provide a minimum 9-foot clear sidewalk along 19<sup>th</sup> Street North.

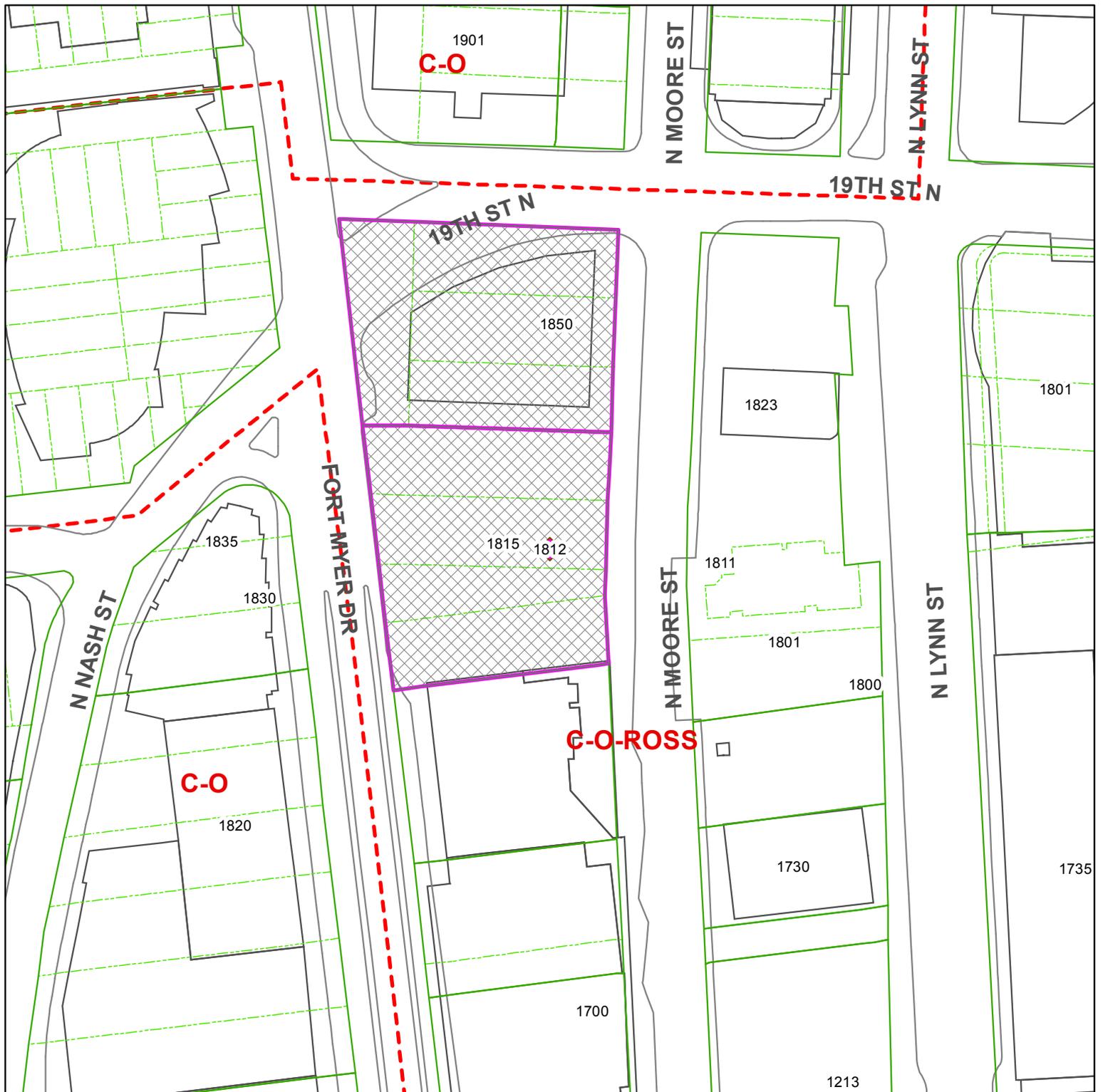
The presence of street trees on 19<sup>th</sup> Street will be determined upon review of an administrative change request submitted by the Applicant after the installation of the public art as provided for in Condition #15. If it is determined that street trees should be installed, the County Manager shall determine the species, to be consistent with the *Rosslyn-Ballston Corridor Streetscape Standards*, and final location of the street trees, at that time.

**PREVIOUS COUNTY BOARD ACTIONS:**

February 8, 1962	Approved a site plan (Z-1598-62-2 SP #18) for an 11-story office building.
January 6, 1968	Approved a site plan amendment for an exterior sign request.
December 10, 1975	Approved a site plan amendment for an exterior sign change.
March 10, 1979	Approved a site plan amendment to convert parking to retail / office space.
September 16, 1980	Approved a site plan amendment for an exterior sign request.
November 13, 2007	Deferred to the December 15, 2007 meeting, the subject Rezoning Z-2529-06-1 and Site Plan Amendment #18.
December 15, 2007	Approved a rezoning request (Z-2529-06-1) from “C-O” to “C-O Rosslyn” for 1815 North Fort Myer Drive and 1850 North Moore Street. Approved a site plan amendment to incorporate 1850 N. Moore St. (Dominion Virginia Power substation) into the site plan, and to construct approximately 569,739 square feet of commercial office, approximately 11,020 square feet of retail space, and retain the existing power substation.
October 22, 2008	Deferred a site plan amendment to modify Condition #92 to the November 15, 2008 County Board meeting.
November 15, 2008	Approved a site plan amendment to modify Conditions #11.e, 36, 45, 50, 52, 65 and 79, subject to the revised conditions and all previously approved conditions.
November 18, 2008	Approved a site plan amendment to modify condition #92.
June 13, 2009	Approved on the County’s own motion a public hearing at the July 11, 2009 meeting to consider site plan amendments for Site Plan 18 (1812 N. Moore St.) to modify site plan conditions #92 and #96.
May 22, 2010	Approved a site plan amendment to modify condition #68.

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October 13, 2010	Deferred consideration of the site plan amendment request to the November 13, 2010 County Board meeting to modify condition #50 and add condition #98.
November 16, 2010	Approved a site plan amendment to modify Condition 15, 16, 19, 29, 50 and 97.
February 12, 2011	Approved a site plan amendment to modify Condition #50, 65, and 97, and add a new condition #98.
September 17, 2011	Approved a site plan amendment to modify Conditions #26, 27, 28 and 30, and denied requests to modify Condition #88, delete Condition #87, and add new Condition #99.
November 29, 2011	Approved a site plan amendment to modify Condition #87 and add new Condition #99.
February 11, 2012	Deferred a site plan amendment to modify Conditions #84 and 85. Deferred a site plan amendment to modify plans and Condition #21.



**SP#18 modify Condition #21**

1812 N. Moore St.

RPC# 16-037-004



 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.