



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of May 19, 2012

SUPPLEMENTAL REPORT-ADDITIONAL CONDITION

DATE: May 17, 2012

SUBJECT: SP #72 SITE PLAN AMENDMENT to construct an approximately 139,100 square foot building with up to 163 residential units (approximately 136,868 square feet residential) and up to 2,203 square feet of commercial, including retail, office, education and personal services, and a comprehensive sign plan and modifications of zoning ordinance requirements for the parking ratio, tandem parking spaces, sign area and placement, landscaped open space, bonus density for LEED Silver certification and relationship to adjacent existing or permitted uses and buildings, exclusion of at-grade bicycle parking and service areas and below-grade fitness facility and other modifications necessary to achieve the proposed development plan; located at 650 N. Glebe Road (RPC# 20-12-359).

Applicant: 650 N. Glebe LLC

By:

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Blvd., 13th Floor
Arlington, Virginia 22201-3559

C.M. Recommendation:

Adopt the attached ordinance to approve a site plan amendment to SP #72 to permit development of an approximately 139,100 sq. ft. building with up to 163 units (approximately 136,868 square feet residential) and up to 2,203 square feet of commercial space with modifications of zoning ordinance requirements for the parking ratio, tandem parking spaces, sign area and placement, landscaped open space, bonus density for LEED Silver certification and relationship to adjacent existing or permitted uses and buildings, exclusion of at-grade bicycle parking and service areas and below-grade fitness facility, subject to the conditions of the ordinance.

County Manager:

BMD/GA

County Attorney:

CEW

Staff: Elizabeth Kays, CPHD, Planning Division
Robert Gibson, DES, Transportation Division

39. B.

PLA-6182

DISCUSSION: As requested by the Planning Commission at their May 7, 2012 meeting, the applicant and staff have further studied the feasibility of providing access to the adjacent property (The Carlin, 4300 N. Carlin Springs Road) from the extension of North Tazewell Street which is to be constructed and dedicated in-fee to the County as part of the proposed site plan amendment. Currently, The Carlin's driveway is located immediately west of the proposed North Tazewell Street extension. The modified access would involve closing The Carlin's existing driveway curb cut on Carlin Springs Road and constructing a new curb cut on the North Tazewell Street extension, as shown in the exhibit "Alternative Design" dated May 17, 2012, in order to reduce potential conflicts between adjacent curb cuts on North Carlin Springs Road. Based on staff's preliminary review, the provision of modified access may be feasible and merits further review.

Staff therefore recommends that the modified access be reviewed as part of the final engineering plan. Should the County Manager determine that the improvements are feasible as part of the final engineering site plan and the applicant receive consent from the owner of The Carlin, then the curb cuts will be constructed with the site plan. If the County Manager deems the improvements unfeasible during final engineering plan review or if the adjacent owner does not provide consent, then the developer would proceed with the construction of the new street without the modified access.

Staff recommends the addition of Condition #86 to address the coordination of review and construction of the modified access after County Board approval. The new condition is attached with the site plan ordinance to this supplemental report.

SITE PLAN AMENDMENT ORDINANCE

WHEREAS, an application for a Site Plan Amendment dated June 8, 2010 and significantly revised on September 5, 2011 for Site Plan #72, was filed with the Office of the Zoning Administrator; and

WHEREAS, the Planning Commission held a duly advertised public hearing on that Site Plan Amendment on May 7, 2012 and recommended that the County Board approve it, subject to numerous conditions and has provided a letter dated May 11, 2012; and

WHEREAS, as indicated in Staff Report[s] provided to the County Board for its May 19, 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 May 19, 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:
 - **Modification to Section 16A.B.1.a to permit increased density and exclude from density GFA associated with below-grade fitness facility and at-grade bicycle parking and service areas;**
 - **Modification to Section 16A.B.1.f to reduce the commercial parking ratio from 1 space per 580 square feet to 1 space per 2,203 square feet;**
 - **Modification to Section 33 to reduce the residential parking ratio from 1.125 spaces per unit to 1 space per unit as permitted by site plan approval in Section 16A.B.1f.**
 - **Modification to Section 33 to permit tandem parking spaces;**
 - **Modification to Section 16A.B.1.e to reduce the landscaped open space from 10% to 8.9%; and**
 - **Modification to Section 34 for sign area and sign placement.**
- 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 June 8, 2010 and significantly revised on September 5, 2011 for Site Plan #72, and as such application has been modified, revised, or amended to include the drawings (dated April 13, 2012), documents, conditions and other elements designated in the May 9th report, for this item and in Condition 86 below (which drawings, etc... are hereafter collectively referred to as "Revised Site Plan Application") for a Site Plan Amendment for the portion of Site Plan #72 located at 650 N. Glebe Road LLC to permit a 139,071 square foot apartment building with 163 units and 2,203 square feet of ground floor commercial uses for the parcel of real property known as RPC# 20-12-359 located at address 650 N. Glebe Road, approval is granted and the parcels so described shall be used according to the Site Plan as originally approved on December 7, 1968 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 the condition numbers 1 through 85 in the staff report dated May 9, 2012 and one additional condition listed below which replace those previously approved for this site (RPC# 20-12-359) only:

86. North Tazewell Street Extension Access for The Carlin

As part of the final engineering plan required by Condition #18, the developer agrees to submit, in addition to the design for the North Tazewell Street extension without shared access by the adjacent landowner ("standard design"), a second design for street access for the adjacent property at 4300 North Carlin Springs Road (RPC #20-012-360, also known as "The Carlin"), which includes closing The Carlin's existing curb cut on North Carlin Springs Road and providing a new curb cut on the North Tazewell Street extension as generally shown on the plan dated "May 17, 2012" and entitled "Alternative Design" ("alternative design"). At the time of the approval of the final engineering plan, the County Manager shall inform the developer, in writing, whether she has elected not to pursue the alternative design. If the County Manager elects not to pursue the alternative design, the developer shall proceed with the standard design and shall have no further obligations under this condition except to construct the standard design.

Unless the County Manager elects to not pursue the alternative design, the developer shall continue to show both designs on the final engineering plan and, prior to approval of the footing to grade permit, the developer agrees to contact the owners of The Carlin, by certified letter ("certified letter"), with a copy to the Zoning Administrator, requesting consent in the form of The Carlin owners' signing, at a minimum, a temporary access and construction easement permitting the developer to access their property in order to construct the alternative design. The certified letter shall include at a minimum:

- A request that the owners of The Carlin respond, within 60 days of receipt of the certified letter, by signing the reasonable temporary access and construction easement;

- A reasonable temporary access and construction easement, in a form meeting industry standards;
- A copy of the approved final engineering plan; and
- Information indicating that the cost of the improvements shall be borne by the developer and that there may be no compensation provided from the developer for the easement.

If the developer and Zoning Administrator receive the signed agreements from the owners of The Carlin within 60 days of receipt of the certified letter, the developer agrees to construct the alternative design consistent with the timing requirements of Condition #19 for pavement, curb and gutter improvements. In the event that the owners of The Carlin do not consent by timely signing the access agreements for the construction of the improvements or do not timely respond, then the developer shall proceed to construct the approved standard design.

In the event that the cost of the alternative design exceeds \$50,000, based on an estimate provided by the developer to the County prior to the approval of the final engineering plan, then the developer shall submit and the County Manager may approve modifications to the alternative design to meet the budget of \$50,000 if she finds that the design with modification provides similar access and transportation benefits to the unmodified alternative design. If the County Manager does not approve the design with modifications, then the developer shall proceed to construct the standard design.

The developer shall have no responsibility to apply for, pay for, or pursue any site plan amendment or other approval needed to permit construction of the alternative design.

