



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of June 16, 2012

DATE: June 5, 2012

SUBJECT: SP #400 SITE PLAN AMENDMENT to modify condition 11.e permitting extended hours of construction activity at Monument View; located at 929 Long Bridge Drive (RPC# 34-025-007).

Applicant:

MR Monument View, LLC
1700 K Street, NW
Washington, DC 20006

By:

G. Evan Pritchard, Agent/Attorney
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 #400 to modify Condition 11.e permitting extended hours of construction activity at Monument View.

ISSUES: This is a request for a site plan amendment to SP #400 to modify Condition 11.e to permit extended hours of construction activity at Monument View. No issues have been identified.

SUMMARY: The applicant seeks approval to amend SP #400 to modify Condition 11.e to permit extended hours of construction activities. As previously approved, Condition 11.e permits construction activities to occur between the hours of 7 a.m. and 7 p.m. on weekdays and between 8 a.m and 8 p.m. on weekends and holidays. Significant utility relocations are associated with construction of the Monument View development, as both water and sewer lines are located within portions of South Clark Street, which bisect the site and were vacated in

County Manager:

BMD/GA

County Attorney:

[Signature]

[Signature]

Staff: Aaron Shriber, DCPHD, Planning

PLA-6221

8.

association with the approval of SP #400. Considerable delays have been encountered with these relocations that have affected the applicant's ability to commence development of the Monument View site, which when completed will serve as a regional headquarters for The Boeing Company. In consideration of these unforeseen utility relocation complications, and to permit the construction of the first phase of the Monument View development to conclude in a timely manner, the applicant requests that the permitted hours of evening construction activity be extended to 9 p.m., which is consistent with the Noise Control provisions of the Arlington County Code (Chapter 15). Staff recommends that the County Board adopt the attached ordinance to approve an amendment to SP #400, subject to the conditions of this ordinance.

BACKGROUND: On [October 18, 2011](#), the County Board took the following actions on the 4.705-acre subject site:

1. Adopted a resolution to amend the General Land Use Plan to revise the amount of development density to be allocated to the Monument View Site Plan (SP #400) site area within the "North Tract Special Planning District" which is an area generally bordered by Shirley Highway Interstate 395 on the West, the George Washington Memorial Parkway on the North and East, and the southern edge of 10th Street South.
2. Adopted an ordinance to approve a site plan amendment to SP #400 to permit an all office development consisting of a 453,422 square foot office building in lieu of a mixed-use development containing 352 dwelling units, 323,229 square feet of office and 3,512 square feet of retail, and approval of a comprehensive sign plan, subject to all previously approved conditions as amended and the addition of Conditions #83 through 86.

Following the County Board's approval of this site plan amendment, the applicant has been pursuing approval of the final engineering and final landscape plans so that they may commence construction of the first phase of the Monument View development (322,724 square feet). To date, only the grading plan has been approved, which has permitted the applicant to demolish the structures and begin grading activities.

The following provides additional information about the site and location:

Site: The 204,966 square foot site (4.705-acres) is located on the block bounded by 6th Street South to the north, South Ball Street South to the east, 10th Street South to the south, and Long Bridge Drive to the west. A portion of South Clark Street formerly bisected the site, which has been vacated. The site is surrounded by the following adjacent land uses:

To the north: 6th Street South and Long Bridge Park. The property is designated "Public" and "Low" Office-Apartment-Hotel on the General Land Use Plan (GLUP) and is zoned "M-2" and "P-S".

To the east: South Ball Street and a self-storage facility, warehouse and the North Tract Lofts apartment building (SP #390). The properties are designated "Low" Office-Apartment-Hotel on the GLUP and are zoned "M-2" and "C-O-1.5".

To the south: 10th Street South and the Gateway North office building (SP #229). The property is designated “Low” Office-Apartment-Hotel on the GLUP and is zoned “C-O-1.5”.

To the west: Long Bridge Drive and the Route 1 ramp onto I-395. The property is designated “Public” on the GLUP and is zoned “S-3A”.

Zoning: “C-O-1.5” Commercial Office Building, Hotel and Apartment Districts

Land Use: “Low” Office-Apartment-Hotel (up to 1.5 FAR, 72 du/ac, or 110 hotel units/acre); public ownership; and GLUP Note 20.

Neighborhood: The site is located within the “North Tract Special Planning District.” Though the site is not located within any civic association area, staff has discussed the applicant’s request with members of the Crystal City Citizen Review Council (CCCRC), the building manager for the North Tract Lofts, and the Crystal City Business Improvement District. No comments about this site plan amendment request have been received by staff.



Existing Development: Demolition of the buildings that formerly occupied the site has occurred and preliminary grading activities have commenced for the construction of the first phase of the Monument View development.

DISCUSSION: The applicant proposes a site plan amendment to SP #400 to modify the permitted hours of construction activity. Condition 11.e allows construction activities on weekdays between the hours of 7 a.m. and 7 p.m. and on weekends and holidays between 8 a.m. and 8 p.m. To make up for construction time lost due to unforeseen utility relocations from the area of South Clark Street that bisects the site and was vacated in association with the approval

of SP #400, the applicant requests to extend the permitted hours of construction activity until 9 p.m. on all days. With the approval of this site plan amendment, the applicant will be afforded an additional twelve hours of construction activity per week. Extending these hours until 9 p.m. would not conflict with the Noise Control provisions of the Arlington County Code (Chapter 15), because those provisions already allow for some increased noise until 9 p.m. The Monument View project already includes a condition that it must comply with the noise ordinance, and that would remain. Therefore, both before and after the 9 pm time, the project would have to comply with these requirements. Considering the proximity of the site to Long Bridge Park (across 6th Street South to the north) and the North Tract Lofts residential building (across South Ball Street to the east), completing construction activities in a timely manner would be in the best interests of the neighborhood so as to conclude construction activities adjacent to these uses. However, this also raises the issue of noise later in the evening near a residential building. Staff concludes that the impact on the North Tract Lofts will not be too great however. That site's proximity to National Airport, active freight rail lines and Interstate 395 resulted in a condition of the North Tract Lofts' site plan approval that required the completion of an acoustical analysis and installation of mitigation measures, as deemed necessary, to ameliorate any noise impacts on residents. Given the inclusion of such acoustical measures at the North Tract Lofts, it is not anticipated that extending the hours of construction for Monument View, as requested by the applicant, would have an undue adverse impact.

CONCLUSION: The proposed site plan amendment requests that Condition 11.e be modified to permit construction activity to occur until 9 p.m. daily. Extending the hours of construction activity from 7 p.m. on weekdays and 8 p.m. on weekends and holidays is consistent with the Noise Control provisions of the Arlington County Code, and will not have too great of an adverse impact because the one residential building in the area has, by site plan condition, incorporated particular noise attenuation measures into the exterior treatment of the building. Therefore, staff recommends that the County Board approve the attached ordinance approving the site plan amendment, subject to the proposed conditions.

SITE PLAN AMENDMENT ORDINANCE

WHEREAS, an application for a Site Plan Amendment dated March 26, 2012 for Site Plan #400, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in Staff Report[s] prepared for the June 16, 2012 County Board 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 June 16, 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 March 26, 2012 for Site Plan #400, and as such application has been modified, revised, or 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 an office development consisting of a 453,422 square foot office building, for the parcel of real property known as RPC #34-025-007 and 929 Long Bridge Drive approval is granted and the parcel so described shall be used according to the Site Plan as originally approved on June 24, 2008 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 with condition 11.e amended as follows:

- e. The developer agrees that construction activity, except for construction worker arrival to the construction site and indoor construction activity, will commence no earlier than 7:00 a.m. and end by ~~7:00 p.m.~~ 9:00 p.m. on weekdays and will commence no earlier than 8:00 a.m. and end by ~~8:00 p.m.~~ 9:00 p.m. on Saturdays, Sundays, and holidays. "Holidays" are defined as New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas. Indoor construction activity defined as activity occurring entirely within a structure fully enclosed on all sides by installed exterior walls, windows, and/or doors shall end at midnight each day, and any such activity that occurs after 6:30 p.m. shall not annoy or disturb reasonable persons of normal sensitivities. The developer agrees to place a minimum of one sign per street front around the construction site, indicating the permissible hours of construction, to place one additional sign within the construction trailer containing the same information, to provide a written copy of the permissible hours of construction to all subcontractors, and to require its subcontractors to observe such hours.

PREVIOUS COUNTY BOARD ACTIONS:

June 24, 2008

Approved a) GP-316-08-1 GLUP Amendment to modify Note 20 to designate additional development density to SP #400; b) Z-2528-06-1 Rezoning of 4.705 acres from “M-2” to “C-O-1.5” Zoning District; and c) SP #400 to permit 352 dwelling units, 323,229 sq. ft. of office, and 3,512 sq. ft. of retail use with modifications of use.

September 20, 2011

Deferred a) GP-316-11-2 GLUP Amendment to modify Note 20 to designate additional development density to the SP #400; and b) site plan amendment (SP #400) to permit a 453,422 square foot office building in lieu of a 352 dwelling unit residential building and a 326,741 square foot office building containing 3,512 square feet of ground floor retail use with modifications of use.

October 18, 2011

Approved a) GP-316-11-2 GLUP Amendment to modify Note 20 to designate additional development density to the SP #400; and b) site plan amendment (SP #400) to permit a 453,422 square foot office building in lieu of a 352 dwelling unit residential building and a 326,741 square foot office building containing 3,512 square feet of ground floor retail use with modifications of use.



WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC

G. Evan Pritchard
(703) 528-4700 Ext. 5417
gepritchard@thelandlawyers.com

May 11, 2012

Via Hand Delivery

Norma Cozart
Arlington County Acting Zoning Administrator
2100 Clarendon Boulevard, Tenth Floor
Arlington, Virginia 22201

Re: Minor Site Plan Amendment Application, SP #400
Property: 929 Long Bridge Drive, RPC # 34-025-007 (formerly,
RPC #'s 34-024-345, 34-025-001, 34-025-003, 34-025-004 and 34-025-005, and
a portion of S. Clark Street) (approximately 204,966 square feet or 4.7 acres);
zoned C-O-1.5 (the "Property")
Applicant: MR Monument View LLC (the "Applicant")

Dear Ms. Cozart:

On behalf of the Applicant, the following is submitted as a statement of support to accompany a Minor Site Plan Amendment for the Property to modify Condition #11 regarding permitted construction hours.

By way of background, the County Board approved a major amendment to Site Plan #400 on October 18, 2011, to allow a 453,422 square foot office building on the Property. Demolition of the existing structures commenced on February 8, 2012 and has been completed. Site excavation is anticipated to commence on May 3, 2012. Although the Applicant has done everything within its power to adhere to its construction schedule, certain issues have arisen related to utility relocation that have caused significant delays. Specifically, the time lost is largely due to obstructions encountered in the field where the Applicant discovered that waterlines and sewer lines were located outside of their respective easement areas or in locations other than those indicated on the utility plans provided to the Applicant by the County. In addition, the County permitted Dominion Virginia Power to install network infrastructure on the Property without first notifying the Applicant. This infrastructure is now being relocated, which is materially delaying the Applicant's ability to proceed with its work.

As a result of these delays in construction, it is imperative that the Applicant be permitted to gain some of the time lost. The Applicant therefore requests that Condition #11.e be modified as follows:

The developer agrees that construction activity, except for construction worker

arrival to the construction site and indoor construction activity, will commence no earlier than 7:00 a.m. and end by ~~7:00 p.m.~~ 9:00 p.m. on weekdays and will commence no earlier than 8:00 a.m. and end by ~~8:00 p.m.~~ 9:00 p.m. on Saturdays, Sundays, and holidays. "Holidays" are defined as New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas. Indoor construction activity defined as activity occurring entirely within a structure fully enclosed on all sides by installed exterior walls, windows, and/or doors shall end at midnight each day, and any such activity that occurs after 6:30 p.m. shall not annoy or disturb reasonable persons of normal sensitivities. The developer agrees to place a minimum of one sign per street front around the construction site, indicating the permissible hours of construction, to place one additional sign within the construction trailer containing the same information, to provide a written copy of the permissible hours of construction to all subcontractors, and to require its subcontractors to observe such hours.

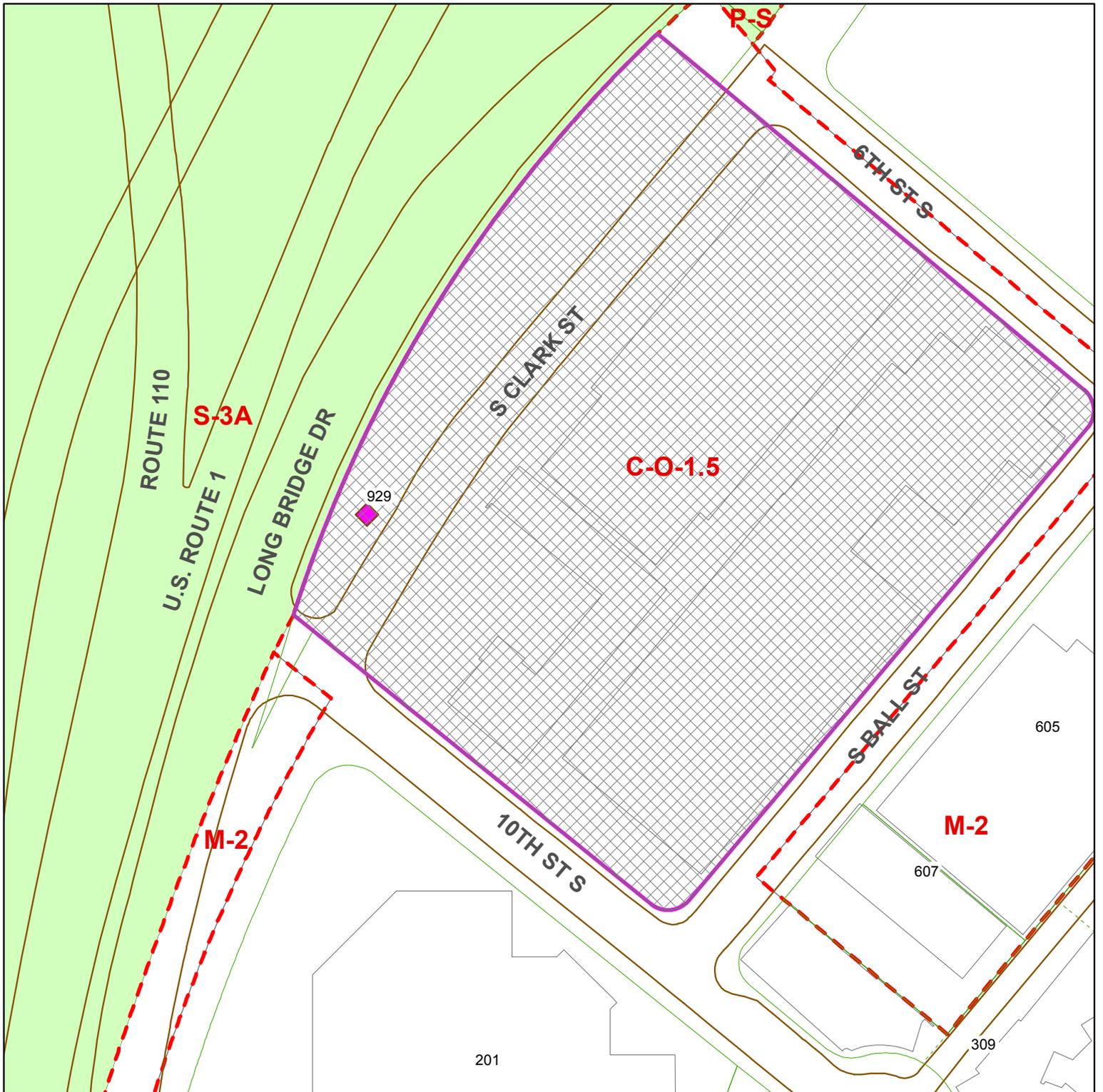
Thank you for your attention to this matter. If you have any questions or require any additional information, please do not hesitate to call.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & WALSH, P.C.


G. Evan Pritchard

cc: Aaron Shriber
Kirk Salpini
Martin D. Walsh



SP #400

929 Long Bridge Dr.;

RPC# 34-025-007



 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.