



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of July 21, 2012

DATE: July 12, 2012

SUBJECT: SP #416 SITE PLAN AMENDMENT to modify condition #6 to eliminate requirement to provide a pedestrian walkway on the east side of North Lincoln Street during construction for Virginia Square Towers; located at 900-920 N. Kansas St., 3440 and 3444 Fairfax Drive, 845-913 N. Lincoln St., and 3425 Wilson Blvd. (RPC# 14-035-001, -002, -003, -005, -006, -008, -010, -011, -013, -014, -015, -016, -018 through -025).

Applicant:

Ashton Overlook, LC

By:

Nan Walsh, Esq.
Walsh, Colucci, Lubeley, Emrich & Walsh, PC
2200 Clarendon Blvd, #1300
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Adopt the attached ordinance to approve a site plan amendment to SP #416 to modify Condition #6 to eliminate requirement to provide a pedestrian walkway on the east side of North Lincoln Street during construction for Virginia Square Towers.

ISSUES: This is a site plan amendment request to amend Condition #6 of existing site plan #416 to eliminate the requirement for a pedestrian walkway along North Lincoln Street during construction and no issues have been identified.

SUMMARY: This is a site plan amendment request to amend Condition #6 of existing site plan #416 to eliminate the requirement for a pedestrian walkway along North Lincoln Street during construction only, in order to prevent conflicts between construction vehicles and vehicle access to the condominiums across the street. North Lincoln Street is a minor local street with low

County Manager:

BMD/GA

County Attorney:

[Signature] *[Signature]*

Staff: Peter Schulz, DCPHD, Planning Division

PLA-6237

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pedestrian activity. The opposite side of North Lincoln Street currently has a 14-foot sidewalk that will be more than adequate for the small amount of increased foot traffic that might result from closing the other side of the street to pedestrians. The Department of Environmental Services (DES) supports the site plan amendment. Temporary pedestrian walkways will remain among all other frontages during construction. Staff supports the proposed amendment as it will have little impact on pedestrian circulation during construction, and will improve traffic circulation. Therefore, staff recommends the County Board adopt the attached ordinance approving a site plan amendment to SP #416 to amend Condition #6 to eliminate the requirement to provide a pedestrian walkway on the east side of North Lincoln Street during construction for Virginia Square Towers.

BACKGROUND: A site plan for up to 540 dwelling units and approximately 13,000 square feet of retail and service commercial space in the Virginia Square Metro station area was approved by the County Board on September 17, 2011. A site plan amendment was approved in February 2012 to amend the timing of the approval of civil engineering and landscaping plans in line with current County practice. The applicant is currently obtaining permits to begin construction on the first phase of construction (the North building) this year.

The following provides additional information about the site and location:

Site: The site is approximately 2.57 acres and is located within the block generally bound by Wilson Blvd. to the south, N. Kansas Street to the east, Fairfax Drive to the north, and N. Lincoln Street to the west. The site also includes area associated with an alley that is in the process of being vacated. The site currently consists of vacant lots on the southern half of the site, surface parking lots, and three (3) small one-to-two story office buildings on the north half of the site which are proposed to be demolished. Adjacent and surrounding land uses include:

- To the south: Immediately across Wilson Blvd., the Lincoln Court Townhomes, R.E. Michael Company and 7-Eleven convenience market zoned "C-2" and designated "Service Commercial" on the GLUP.
- To the east: Across N. Kansas Street the American Legion Hall and Japanese Auto Service zoned "C-2"; and the "aka" Hotel (SP # 377) zoned "MU-VS", and designated "Medium Density Mixed Use" on the GLUP.
- To the north: Across Fairfax Drive, the FDIC complex (SP# 248); zoned "C-O" and designated "High Office-Apartment-Hotel" on the GLUP.
- To the west: Across N. Lincoln Street, the Virginia Square Condominiums (SP #275) zoned "RA-H-3.2" and designated "High" Residential on the GLUP; and the Virginia Square Plaza Apartments (SP # 293) zoned "RC" and designated "High-Medium Residential Mixed-Use" on the GLUP.

Zoning: "[MU-VS](#)" Mixed Use-Virginia Square Districts.

General Land Use Plan Designation: "[Medium Density Mixed Use](#)" (3.0 FAR with special provision for up to an additional 1.0 FAR for residential), with Note #3 "[Special Coordinated Mixed Use District](#)" ("For the East End district of Virginia Square, designated as "Medium Density Mixed-Use" and bordered by Fairfax Drive, Wilson Blvd., N. Lincoln Street, and

[the intersection of 10th Street/Wilson Blvd./Fairfax Drive, shall be developed consistent with the Virginia Square Sector Plan adopted by the County Board on 12/7/02 and any adopted amendments thereto.](#)”).

Neighborhood: The site is located within the Ballston–Virginia Square Civic Association area and is across Wilson Boulevard from the Ashton Heights Civic Association area. The associations have been notified, and, as of the date of this report, no comments have been received.

DISCUSSION: The applicant proposes to amend Condition #6 to eliminate the requirement to maintain a pedestrian walkway along North Lincoln Street during construction. Typically, at the time of County Board approval of a site plan (and the attendant conditions) the exact mechanics of construction staging and loading is not fully worked out until after approval when the applicant submits a construction staging and Maintenance of Traffic Plan. In this case, the applicant designated, and the County approved, North Lincoln Street as the construction vehicle access point. The construction walkway, as is typical for such walkways, would be constructed in the streetbed of North Lincoln Street (occupying what would normally be the parking lane) on the east side of the street. North Lincoln Street is a minor local street with a 44’ foot right-of-way. Furthermore, the parking drop-off and loading access for the condominium complex across the street (on the west side of the street) is also on North Lincoln Street. To construct the required pedestrian access, adjacent to the applicant’s site on the east side of North Lincoln Street, would require a narrowing of the street to effectively one lane and would likely create vehicle conflicts between construction vehicles and local vehicle traffic entering the condominium complex. The problem would be exacerbated if construction vehicles queue on the street waiting to enter the construction site. The applicant will continue to provide pedestrian access per Condition #6 for all other frontages of the project (Wilson Boulevard., Fairfax Drive, and North Kansas Street)

Staff supports the applicant’s request. Pedestrian counts are low along North Lincoln Street, and more importantly, the opposite side of this street has a 14-foot wide sidewalk which can handle the small amount of foot traffic on it. The applicant’s proposal will allow North Lincoln Street to be as wide as possible during construction, avoiding conflicts with deliveries, passenger pick-up and drop-off, parking and loading in the Condominium complex across the street.

CONCLUSION: The applicant's proposed amendment will eliminate the requirement for a pedestrian walkway along the east side of North Lincoln Street during construction, in order to prevent conflicts between construction vehicles and vehicle access to the condominiums across the street. North Lincoln Street is a minor local street with low pedestrian activity. The opposite side of North Lincoln Street currently has a 14-foot sidewalk that will be more than adequate for the small amount of increased foot traffic that might result from closing the other side of the street to pedestrians. Temporary pedestrian walkways will remain among all other frontages during construction. Staff supports the proposed amendment as it will have little impact on pedestrian circulation during construction, and will improve traffic circulation. Therefore, staff recommends the County Board adopt the attached ordinance approving a site plan amendment to SP #416 to amend Condition #6 to eliminate requirement to provide a pedestrian walkway on the east side of North Lincoln Street during construction for Virginia Square Towers.

SITE PLAN AMENDMENT ORDINANCE

WHEREAS, an application for a Site Plan Amendment dated May 1, 2012 for Site Plan #416, was filed with the Office of the Zoning Administrator: and

WHEREAS, as indicated in the Staff Report prepared for the July 21, 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 all previous conditions with Condition 6 revised as shown below; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on July 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;
- 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 May 1, 2012 for Site Plan #416, and as such application has been modified, revised, or amended from time to time and to include all previous drawings and application materials and the revised Condition 6 as set forth below (which drawings, etc... are hereafter collectively referred to as

“Revised Site Plan Application”), for a Site Plan Amendment for modification to Condition 6 eliminating the requirement for a pedestrian walkway along North Lincoln Street during construction, for the parcels of real property known as 900-920 N. Kansas St., 3440 and 3444 Fairfax Dr., 845-913 N. Lincoln St., and 3425 Wilson Blvd (RPC# 14-035-001, -002, -003, -005, -006, -008, -010, -011, -013, -014, -015, -016, -018 through -025) approval is granted and the parcel so described shall be used according to the Site plan as approved September 17, 2011 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 6 revised as follows:

Plan for Temporary Circulation During Construction

6. The developer agrees to develop and implement (after approval) a plan for temporary pedestrian and vehicular circulation during construction. This plan shall identify temporary sidewalks, interim lighting, fencing around the site, construction vehicle routes, and any other feature necessary to ensure safe pedestrian and vehicular travel around the site during construction. Throughout construction, the developer agrees to ensure that safe pedestrian access is maintained along Fairfax Drive, ~~N. Lincoln Street~~, N. Kansas Street and Wilson Boulevard, providing a minimum of a 5-foot wide clear sidewalk at all times adjacent to the site. Exceptions may be made only during an emergency as defined below, during actual demolition, and for such limited periods as are unavoidable for utility upgrades. The location of all construction trailers shall be subject to approval either by Administrative Change or on the Tree Protection Plan, with the construction staging’s location and travel routes shown on a map approved as part of that plan. All trailers shall require approval by DES staff, and the site plan’s Arlington County Police representative shall receive a copy of the aforementioned map. The developer agrees to submit this plan to, and obtain approval of the plan from, the County Manager as meeting these standards, before the issuance of the Clearing, Grading and Demolition Permit. The developer agrees to provide a copy of the approved plan to the appropriate civic associations. The County Manager may approve subsequent amendments to the plan, if consistent with this approval.

PREVIOUS COUNTY BOARD ACTIONS:

- August 1961 Entire block designated “High-Medium” Residential (Multi-family) (14-39 units per gross acre)
- April 1975 Designated “High-Medium” Residential (73-90 units per acre Apt., 72-135 units per acre Hotel).
- March 1979 Designated “High” Residential (91-135 units per acre Apt., 136-210 units per acre Hotel).
- July 13, 1983 Adopted the Virginia Square Sector Plan.
- December 1983 Northern half of block designated “High” Residential (91-135 units per acre Apt., 136-210 units per acre Hotel). Southern half of block designated “High Medium Mixed-Use” Residential (Maximum 3.24 F.A.R. Including Associated Office and Retail Activities).
- December 2002 Adopted the *Virginia Square Sector Plan 2002*.
- June 14, 2003 Adopted an amendment to the General Land Use Plan (GLUP) (GP-287-03-2) to change the land use designation from “High” Residential (allowable up to 4.8 FAR for Residential and 3.8 FAR for Hotel) and “High-Medium Residential Mixed-Use” (allowable up to 3.24 FAR including associated office and retail activities) to “Medium Density Mixed-Use” (3.0 FAR with special provision for up to an additional 1.0 FAR for residential) for the area generally bordered by North Lincoln Street, Wilson Blvd., North Kansas Street, and Fairfax Drive; and designated the four-block area generally bordered by North Lincoln Street, Fairfax Drive, Wilson Blvd., and the 10th Street/Wilson Blvd./Fairfax Drive intersection as a “Special Coordinated Mixed Use District” (Note 3) on the GLUP and to allow density at the amount specified in the 2002 Virginia Square Sector Plan.
- January 21, 2006 Adopted an amendment to the General Land Use Plan (GLUP) amending note #3 and revising the GLUP booklet description of the East End.

Amended the GLUP legend for “Medium Density Mixed-Use” to refer to the East End and note #3.

September 17, 2011

Approved a rezoning (Z-2552-11-1) from “C-2” to “MU-VS” of the entire block between Kansas and Lincoln Streets and Fairfax Dr. and Wilson Blvd.

Approved a site plan (SP #416) for up to 540 dwelling units and up to 12,815 square feet of retail and service commercial space for the entire block between Kansas and Lincoln Streets and Fairfax Dr. and Wilson Blvd.

February 11, 2012

Approved a site plan amendment (SP #416) to amend conditions #15 and #18 to amend timing requirements for the civil engineering and landscaping plans.

