



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of October 20, 2012

DATE: October 10, 2012

SUBJECT: SP #386 SITE PLAN AMENDMENT ON THE COUNTY BOARD'S OWN MOTION to amend Condition #21 which specifies the type of street trees to be planted on North Quincy Street; located at 3901 N. Fairfax Drive (RPC# 14-030-057 and -058).

C.M. RECOMMENDATION:

Adopt the attached ordinance to approve a site plan amendment to Site Plan #386 Condition #21 to amend the required street tree specified for North Quincy Street from *Acer rubrum* (Red Maple) to *Ulmus americana* ' (American Elm).

ISSUES: This is a request, on the County Board's own motion, to amend Condition #21 of SP #386 to change the required street tree from *Acer rubrum* (Red Maple) to *Ulmus americana* (American Elm). No issues have been identified.

SUMMARY: This is a request to amend Condition #21 of SP #386 (3901 N. Fairfax Drive, owned by BDC Crimson LLC), which requires that Red Maple be used as street trees along the site's frontage on North Quincy Street. The request to change the type of street tree came out of the public charrette held for the planned public plaza at 3901 N. Fairfax Drive. Participants in the charrette identified a desire for a double allee of street trees to both provide additional shade and to help define the boundary of the plaza. In order to create the desired effect of the allee, it was determined that the Red Maples do not provide sufficient shade, and that the American Elm is the preferred alternate. Because the condition specifies the tree species, an administrative change was not possible. Therefore, and because the applicant needs this change to accomplish the recommended plaza design resulting from the charrette, staff recommends that the County Board adopt the attached ordinance to modify the type of tree required by Condition #21 of SP #386.

BACKGROUND: BDC Crimson LLC submitted a site plan amendment for SP #386 that was approved by the County Board on January 21, 2012. The site plan amendment includes a

County Manager:

BMD/GA

County Attorney:

[Handwritten signatures]

Staff: Sophia S. Fisher, DCPHD, Planning Division

PLA-6282

3.

201,627 square foot commercial building with 178,131 square feet of office space, 3,200 square feet of ground floor retail, a 12,985 square-foot black box theater, and a comprehensive sign plan. The approval included Condition #15.i, which outlined a post-approval charrette process to develop a concept design for the public plaza that will occupy the western portion of the site.

The following provides additional information about the site and location:

Site: Located in the Virginia Square Metro station area, the site is 45,508 square feet (1.045 acres) and is located on the block generally bounded by 10th Street North to the north, North Pollard Street to the east, Fairfax Drive to the south, and North Quincy Street to the west. The site has frontage on all four of the abovementioned streets and is currently used as an interim parking lot. Adjacent and surrounding land uses include:

To the north: Across 10th Street North is the two-story Arlington County Central Library and Quincy Park, zoned “S-3A” and designated “Public” on the General Land Use Plan (GLUP).

To the west: Across North Quincy Street is Quincy Street Station (SP# 255), an eight (8)-story office building, and the Avalon at Ballston (SP#255), a ten (10)-story residential building. This site is zoned “R-C” and designated as “High-Medium Residential Mixed-Use” on the GLUP.

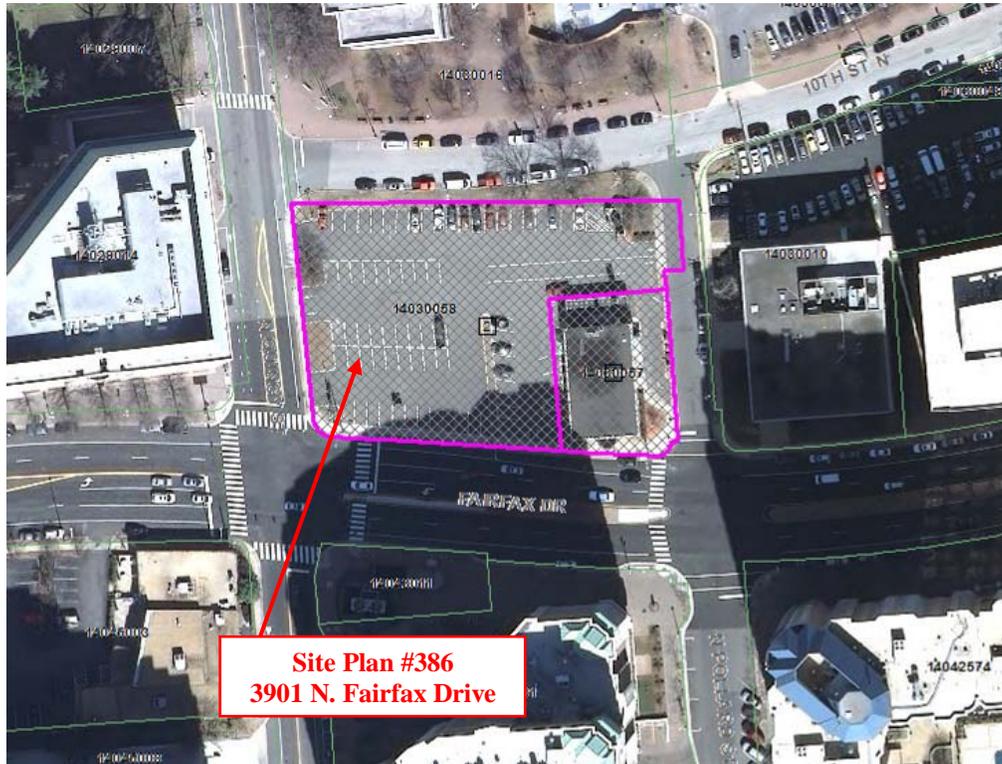
To the east: Across North Pollard Street is Georgetown Medical (by-right), a four (4)-story office building, zoned “C-2” and designated “Medium Office-Apartment-Hotel” on the GLUP.

To the south: Across Fairfax Drive is Quincy Plaza (SP# 358), a twenty one (21)-story residential building, zoned “RA-H-3.2” and designated “High Residential” on the GLUP.

Zoning: “[C-O-2.5](#)” Commercial Office Building – Hotel and Apartment District.

General Land Use Plan Designation: “[Medium Office-Apartment-Hotel](#).” Maximum 2.5 FAR allowable office density, up to 115 units per acre apartment density, and up to 180 units per acre hotel density.

Neighborhood: The site is located in the Ballston – Virginia Square Civic Association. The Civic Association - has stated that they have no objection to the proposed change to the street trees. Representatives from the Civic Association participated in the charrette process.



DISCUSSION: At the time of site plan approval in January 2012, the County Board wanted to give the public an opportunity to be involved in designing the proposed plaza. Therefore, Condition #15.i was added, which outlined a post-approval charrette process to gather community input and create a concept design, which would be implemented as part of the final landscape plan. One of the elements of the concept design that was proposed during the charrette, and that garnered support from all who attended, was a double allee of trees along North Quincy Street. Creating the allee would entail planting an additional row of street trees along the edge of the plaza where it meets the sidewalk. The double allee serves both to provide additional shade, and to help define the boundary of the plaza. At the time of the charrette, the type of tree desired for the allee was not discussed. However, when the Site Plan Review Committee (SPRC) discussed the plaza design at their July 2, 2012 meeting, staff did note that the tree species for North Quincy Street was subject to a condition and that a site plan amendment would be necessary to change the tree to a kind that would provide the kind of shade desired. The SPRC expressed support for the proposed site plan amendment.

The 2002 Virginia Square Sector Plan classified different kinds of streets, and what street tree would be anticipated for each type of street. North Quincy Street is classified as “Streetscape Type B,” and Red Maple is specified as the anticipated type of street tree. This was carried into the site plan conditions for SP #386, which specify that Red Maples shall be used along North Quincy Street (Condition #21). After the charrette concluded, staff met with the developer on the concept plan and determined that ' American Elm' is the preferred tree species for the double allee of trees because it produces better shade than Red Maples. However, since Condition #21 of the site plan approval specifies that Red Maples will be the street trees on North Quincy Street, a site plan amendment is required to change the type of tree. Staff and the developer

agreed that a cultivar of the American elm would provide the type of shade desired for the alley. The 'Princeton' cultivar of the American elm was initially identified by staff as the preferred cultivar; however, more recent research shows that the Princeton cultivar is more susceptible to Dutch Elm Disease than previously thought. Therefore, staff is recommending that no cultivar be identified in the condition to allow for the selection of the cultivar best suited to the site at the time that the trees are planted. Below is the section of Condition #21 that applies to North Quincy Street, with the proposed amendment shown:

North Quincy Street – A minimum 16-foot wide sidewalk measured from the back of curb, maintaining a 10-foot wide clear sidewalk, including 5 feet by 12 feet tree pits, planted with no less than a minimum of 3 ½ inches caliper ~~Red Maple~~ *Ulmus americana* (American Elm) street trees at 28- to 32-feet on center and such ground cover as liriopie muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), and placed a minimum of eight (8) inches back from the back of curb.

NOTE: SP #386 was included in a group of site plan and use permit projects that were amended on June 16, 2012 by the County Board to reduce the minimum required caliper 3 ½ inches for street trees. That change has been incorporated into this condition.

CONCLUSION: The applicant agrees to construct the revised plaza design (subject to cost limits in the conditions), but to achieve that design this site plan amendment is needed. Therefore, and because the applicant needs this change to accomplish the recommended plaza design resulting from the charrette, staff recommends that the County Board adopt the attached ordinance to modify the type of tree required by Condition #21 of SP #386.

SITE PLAN AMENDMENT ORDINANCE

WHEREAS, Site Plan Amendment for Site Plan #386 was recommended for advertisement on the County Board's own motion on September 15, 2012; and

WHEREAS, as indicated in Staff Report prepared for the October 20, 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; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on October 20, 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 for Site Plan #386 approval is granted and the parcels so described shall be used according to the Site Plan as originally approved and amended from time to time as shown in the records of the Office of Zoning Administration, with the following amended condition #21:

21. **Sidewalk Design and Improvements**

The developer agrees that the final sidewalk pattern/design and final selection of materials and colors to be used shall be as determined by the County Manager on the final landscape plan and final civil engineering plan, in accordance with the Arlington County Streetscape Standards or other applicable urban design standards approved by the County Board and in effect at the time of the final landscape plan approval. The clear pedestrian zone of all public sidewalks shall also be indicated.

The sidewalk clear zones along the street frontages of this development shall be consistent with the Arlington County Streetscape Standards and shall be placed on a properly-engineered base approved as such by the Department of Environmental Services. The developer agrees that the clear pedestrian zone sidewalk shall:

- a. Continue across all driveway aprons for loading and garage entrances along all frontages of the site plan, and there shall be no barriers to impede the flow of pedestrian traffic.
- b. Not be less than six feet wide at any point
- c. Allow pinch-points only under the provisions of the Arlington County Streetscape Standards
- d. Use plain, un-tinted concrete or, subject to approval, an integral tint that harmonizes with its setting. Non-standard materials or surface treatments may be used subject to approval and under the provisions of the Arlington County Streetscape Standards.
- e. Not contain joints or use patterns that create gaps of ¼-in depth or greater at spacings of less than 30.”

The developer further agrees to construct the sidewalk improvements detailed below prior to the issuance of the first partial Certificate of Occupancy for occupancy of the applicable phase of the project/tenant occupancy, as such phases are defined in condition #83.

The sidewalks shall contain street trees placed in either tree pits, or planting strips, consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified below. Placement, planting and root enhancement options shall be consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified below. Street trees shall not be placed within the vision obstruction area. All public walkways shall be constructed to County Standard. The developer, or any subsequent owner, also agrees to maintain and replace the street trees and sidewalks for the life of the site plan. The sidewalk sections and street tree species shall be as follows:

Fairfax Drive – A minimum 20-foot wide sidewalk measured from the back of curb, maintaining a 10-foot wide clear sidewalk, including 6 feet by 12 feet tree pits, planted with no less than a minimum of 3 ½ inches caliper Willow Oak street trees at 28- to 32-foot on center tree pits 6 feet by minimum of 12 feet with such ground cover as liriope muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), and placed a minimum of eight (8) inches back from the back of curb.

North Quincy Street – A minimum 16-foot wide sidewalk measured from the back of curb, maintaining a 10-foot wide clear sidewalk, including 5 feet by 12 feet tree pits, planted with no less than a minimum of 3 ½ inches caliper ~~Red Maple~~ Ulmus americana (American Elm) street trees at 28- to 32-feet on center and such ground cover as lirioppe muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), and placed a minimum of eight (8) inches back from the back of curb.

10th Street North – A minimum 14-foot wide sidewalk measured from the back of curb, maintaining a 8-foot wide clear sidewalk, including 5 foot wide Low Impact Development (LID) tree strips with understory bioretention plantings, planted with no less than a minimum of 3 ½ inches caliper London Plane Tree street trees at 24- to 28-foot on center and such ground cover as lirioppe muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), and placed a minimum of eight (8) inches back from the back of curb.

North Pollard Street – A minimum 10- to 14-foot wide sidewalk measured from the back of curb, maintaining a 8-foot wide clear sidewalk, including 5 feet by 12 feet tree pits, planted with no less than a minimum of 3 ½ inches caliper London Plane Tree street trees in tree pits 5 feet by 12 feet or as fits between parallel parking spaces and with such ground cover as lirioppe muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), and placed a minimum of eight (8) inches back from the back of curb.

PREVIOUS COUNTY BOARD ACTIONS:

July 9, 1983	Approved use permit (U-2380-83-2) for a cremation unit within a funeral home with a review in one year.
September 8, 1984	Continued use permit for a cremation unit within a funeral home with a review in three years.
September 12, 1987	Continued use permit for a cremation unit within a funeral home with no further review.
May 7, 1994	Approved use permit amendment for construction of a two-story garage and storage building, subject to all previous conditions, new conditions, and review in one year following issuance of a Certificate of Occupancy.
April 26, 2003	Approved General Land Use Plan amendment from “High-Medium Residential Mixed-Use” to “Medium” Office-Apartment-Hotel.
November 15, 2003	Deferred rezoning to “C-O-2.5” and site plan for approximately 140 dwelling units, community facility, public plaza, and retention of existing commercial use.
December 6, 2003	Denied site plan for approximately 140 dwelling units, community facility, public plaza, and retention of existing commercial use, and accepted withdrawal of rezoning to “C-O-2.5”
July 10, 2004	Approved Z-2516-04-1 rezoning from “C-2” Service Commercial – Community Business Districts to "C-O-2.5" Commercial Office Building, Hotel and Apartment Districts for premises known as 3901 N. Fairfax Dr ; and approved site plan for approximately 135 dwelling units, ground floor retail, community black box theater, plaza, existing funeral home, with modification of use regulations for density, setbacks, exclusion of community facility space and below grade storage from calculation of GFA.
September 8, 2007	Deferred to the October 13, 2007 County Board meeting the site plan amendment for approximately 120 dwelling units, ground floor retail, community black box theater, plaza, funeral home, with modification of use regulations

for density and exclusion of community facility space and below grade storage; 3901 N. Fairfax Dr.

October 13, 2007

Deferred to the November 13, 2007 County Board meeting the site plan amendment for approximately. 120 dwelling units, ground floor retail, community black box theater, plaza, funeral home, with modification of use regulations for density and exclusion of community facility space and below grade storage; 3901 N. Fairfax Dr.

November 27, 2007

Approved a site plan amendment for approximately 120 dwelling units, ground floor retail, community black box theater, plaza, funeral home, with modification of use regulations for density and exclusion of community facility space and below grade storage; 3901 N. Fairfax Dr.

January 21, 2012

Approved a major site plan amendment for a 201,627 square foot commercial building with 178,131 square feet of office space, 3,200 square feet of ground floor retail, a 12,985 square-foot black box theater, and a comprehensive sign plan with modifications of zoning ordinance regulations for parking ratio, increased sign area, changeable copy signage, and surface parking as an interim use, exclusions from density for the theater, below-grade storage and a below-grade fitness facility, bonus density for LEED Gold certification, affordable housing contribution, and specific construction problems and techniques needed for the black box theater and open space and environmental amenities; 3901 N. Fairfax Dr.

June 16, 2012

Approved, on the County Board's own motion, a site plan amendment to amend the conditions which stipulate minimum tree caliper size requirements from 4 to 4 1/2 inches to 3 1/2 inches.

September 15, 2012

Authorized advertisement of a public hearing to consider amending the type of street tree required by Condition #21 on North Quincy Street in order to accomplish the goals of the charrette process for the public plaza at 3901 N. Fairfax Dr.



**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Nan E. Walsh
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August 20, 2012

Via E-Mail Only

Ms. Sophia S. Fisher, AICP
Associate Planner
Arlington County CPHD
Planning Division, Suite 700
2100 Clarendon Boulevard
Arlington, VA 22201

**Re: 3901 Fairfax Drive – Site Plan #386
Minor Site Plan Amendment on County Board's Own Motion
Condition #21 – Request to change species of tree
Applicant: BDC Crimson, LLC**

Dear Sophia:

On behalf of the Applicant, and as a follow up to our meeting with Staff on July 19, 2012, the following letter serves to confirm the Applicant's agreement with Staff to modify the species of tree for the double allee of trees in the plaza from Red Maple to *Ulmus Americana* 'Princeton' (American Elm).

By way of background, Site Plan #386 was approved by the County Board on January 21, 2012. Pursuant to the approved site plan conditions, the Applicant has been working with Staff, the community, and SPRC in order to refine the final design of the on-site public plaza. As part of this collaborative process, it was recommended that a different species of tree would be more appropriate for the double allee of trees, which has been designed to run north-south along the Quincy Street side of the plaza.

Approved Site Plan Condition #21 specifies that Red Maple trees shall be planted along Quincy Street. After working with Staff and SPRC on the plaza details, our preference is to substitute the Red Maple trees with the Princeton American Elm because of the Elm's preferred growth habit. The Elm provides a more airy shade canopy with its upright vase shape branch habit, as opposed to the lower branching habit of the Red Maple. This particular Elm is also fast growing and is resistant to the Dutch Elm disease. When selecting the tree specimens at the nursery, care should be taken to hand select matching canopies and growth habit, since they vary from the seed/grafting propagation process.

PHONE 703 528 4700 ■ FAX 703 525 3197 ■ WWW.THELANDLAWYERS.COM
COURTHOUSE PLAZA ■ 2200 CLARENDON BLVD., THIRTEENTH FLOOR ■ ARLINGTON, VA 22201-3359

LOUDOUN OFFICE 703 737 3633 ■ PRINCE WILLIAM OFFICE 703 680 4664

{A0529661.DOCX / 1 Letter to Fisher - tree species 8-20-12 001076 000018}
ATTORNEYS AT LAW

August 20, 2012

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It is our understanding that the County Board intends to advertise this minor site plan amendment to modify the species of street tree as an amendment on the Board's Own Motion. The Applicant agrees to this modification.

Thank you for your attention to this matter. Please do not hesitate to contact me if you require any further information to proceed with this amendment for the October 20, 2012 County Board Hearing.

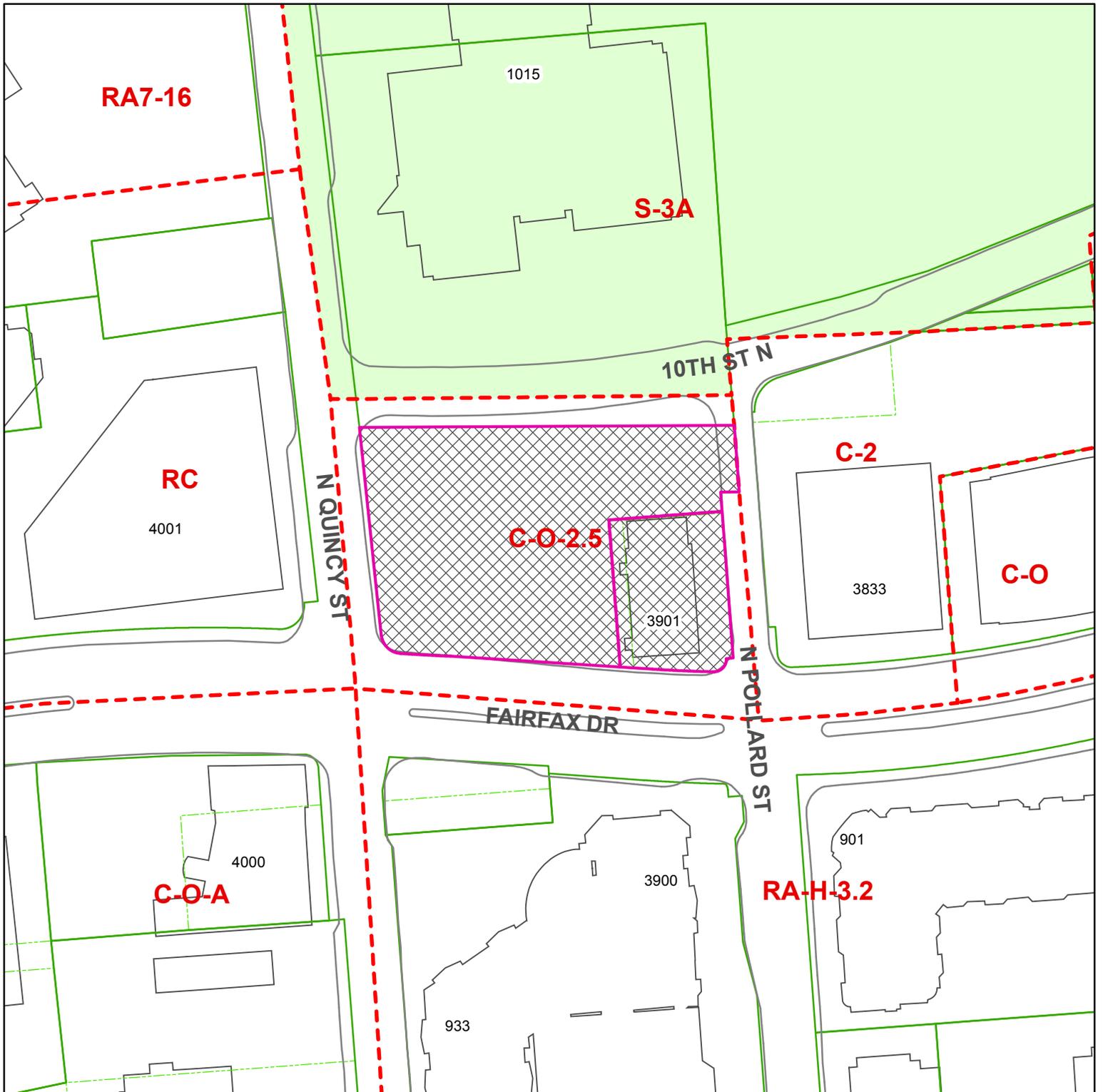
Very truly yours,

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

A handwritten signature in cursive script that reads "Nan E. Walsh by em".

Nan E. Walsh

cc: Chris Chambers
Chris Lukawski
Joe Plumpe
Loren Helgason
John Becker
John Lutostanski
Elizabeth McKeeby



SP# 386

3901 Fairfax Dr.

RPC 14-030-057 and -058

Note: These maps are for property location assistance only.
They may not represent the latest survey and other information.

Department of Community Planning, Housing and Development



 Case Location(s)
Scale: 1:1,200

Planning Division