



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of October 20, 2012

DATE: October 17, 2012

SUBJECT: SP #263 SITE PLAN AMENDMENT to approve construction of an approximately 157,844 sq ft commercial office building including approximately 7,842 sq ft retail, 7,000 sq ft childcare, 5,600 sq ft conference center, and 2,300 sq ft fitness center uses, and an approximately 6,183 sq ft stand alone retail building and modification of Zoning Ordinance requirements to parking ratio, bonus density for community facilities, LEED Gold certification, and ENERGY STAR building certification, and exclusions from density of gross floor area associated with childcare, conference center, below grade fitness center, and below grade mechanical equipment and other modifications as may be necessary to achieve the proposed development plan; located at 2201, 2305, 2311, and 2317 Wilson Boulevard, 1515 and 1519 N. Adams Street (RPC# 15-058-015, -016 and -017, 15-059-001, -002, -003, -004, -005, -006, -007, -008, -009, -010).

Applicant:

Otter Wilson Boulevard, LLC
2311 Wilson Boulevard
Arlington, Virginia 22201

By:

Bean Kinney Korman PC
2300 Wilson Boulevard
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Defer the subject site plan amendment to the December 8, 2012 County Board meeting.

ISSUES: This is a site plan amendment to permit construction of a commercial office building at 2311 Wilson Boulevard, as part of SP #263. The Lyon Village Civic Association is opposed to the height of the proposed office building. Further, while the applicant has made design modifications to the façade of the building in an attempt to address the neighborhood's concerns, the proposed modifications do not appropriately address the overall increase in height and mass

County Manager:

BMD/GA

County Attorney:

[Signature]

[Signature]

Staff: Samia Byrd, CPHD, Planning Division
Dolores Kinney, DES, Transportation Division

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of the building that is part of this amendment, and further work is needed before the project can be found to be in compliance with the Courthouse Sector Plan Addendum.

SUMMARY: A site plan amendment is proposed to SP# 263 to increase the height and density of an approved, yet un-built, office building. The site was to be developed with a mix of uses fronting on Wilson Boulevard, with publicly accessible open space as a means of transition to the adjacent single-family neighborhood located to the north and the northwest from the rear of the site. The 1989 site plan provided for an apartment building and an office building separated by a pedestrian walkway connecting the adjacent single-family neighborhood to the Courthouse Metro station area. After a site plan amendment revised the residential building, it was completed in 2000. What remains to be built is the balance of the approved development for an office building, the pedestrian connection through the site, and the publicly accessible open space. The approved office building provides for a 7-story, 93,078 square foot office building. The building was also approved with 3,500 square feet of gross floor area dedicated for the life of the site plan as childcare use. The applicant proposes to amend this approved building to an 8-story, 157,844 square foot office building with ground floor retail uses. The building would also provide for 7,000 square feet of gross floor area dedicated for the life of the site plan to a childcare center, and a 5,600 square foot conference center. In addition, there would be a 2,300 square foot, below grade fitness facility. (These uses are all requested as gross floor area exclusions for density purposes.) The applicant proposes that the building would be LEED Gold and ENERGY STAR certified under the County's most recently adopted *Green Building Density Incentive Program*. The applicant also proposes a \$1.6 million community facilities contribution to facilitate improvements to the Courthouse Station Metro elevators.

Concerns were raised by the community regarding the proposed density resulting in the additional height of the office building from the approved plan, and the appropriateness as to the form of this density, particularly with no taper to the residential neighborhood northwest of the site. At its September 4, 2012 meeting, the Planning Commission recommended that the County Board approve the subject site plan amendment request directing the applicant to develop an option for the County Board, working with community representatives, with the objective of reducing the apparent bulk of the building to the neighborhood, increasing the sunlight to the park, and enhancing the treatment of the frontage of the façade facing the park to provide an enhanced architectural treatment. To allow for additional time for the applicant to work with staff and the community on this issue, on September 18, 2012, the County Board deferred the subject request to its October 20, 2012 meeting. During the deferral period, the applicant revised the design of the north façade of the building in an effort to address concerns about the building's bulk and mass, and to provide for a more appropriate visual relationship between the scale of the proposed office building and the nearby single-family homes. While these improvements are of some consequence, a more substantial building taper beyond the architectural design modifications proposed, such as one that provides for a step back beginning at the seventh floor, should be provided in order to allow for an appropriate transition in height between the proposed office building and single family neighborhood. An appropriate taper on the north façade, could mean that the proposed density, height and mass of the building would be appropriate as it faces Wilson Boulevard, one block from the Metro and as it faces the single family neighborhood. Staff finds that a more appropriate transition could be provided to the neighborhood with a reduction in the overall proposed density, but that additional time is needed

for staff to work with the applicant on such a re-design and for the community to review the revisions. Therefore, staff recommends that the County Board defer the subject site plan amendment to the December 8, 2012 County Board meeting.

BACKGROUND: A site plan amendment is proposed for Site Plan #263, the Demar site in the Courthouse Metro Station area. In 1989, the County Board approved the redevelopment of the site with a mixed-use, 10-story residential building with ground floor retail, and a 7-story office building with ground floor retail and childcare uses. An amendment to the site plan in 1996 provided for the reconfiguration of the approved residential building with no changes to the approved office building. While the residential building was constructed as approved, the office building has not yet been constructed. The proposed site plan amendment would allow for the construction of an amended office building and a one-story retail pavilion on the portion of the site not yet developed under the site plan. The location of the proposed pavilion is a parcel that is owned by an entity other than the applicant for the subject site plan amendment and therefore, while part of the site plan amendment and while the owner of the pavilion parcel has consented to the amendment, it is not known when or whether the pavilion would be developed as proposed.

The following provides additional information about the site and location:

Site: The subject site is located in the Courthouse Metro station area on the block generally bounded by 16th Street North to the north, N. Veitch Street to the east, Wilson Boulevard to the south and N. Adams Street to the west. The surrounding land uses are as follows:

- To the north: Two-story, Key Elementary School, existing surface parking lot and vacated 16th Street North; zoned "S-3A" and designated Public on the General Land Use Plan. Single family residential zoned "R-6" and designated "Low Residential" on the General Land Use Plan.
- To the east: Across Veitch Street, 12-story Colonial Place office building and PDSP development; zoned "C-O-2.5" and designated "Medium" Office-Apartment-Hotel on the General Land Use Plan.
- To the south: 2200 Wilson Boulevard, 8-story Derand office building; 2300 Wilson Boulevard, 7-story Navy League office building; zoned C-O" and designated "High" Office-Apartment-Hotel on the General Land Use Plan.
- To the west: 2401 Wilson Boulevard, one-story retail development including Wilson Tavern (formerly Kitty O'Sheas), and single-family residential; zoned "C-2" and "R-6" and designated "Service Commercial" and "Low Residential" on the General Land Use Plan.



Zoning: “R-C” Apartment Dwelling and Commercial Districts.

Land Use: “High-Medium” Residential Mixed Use (Up to 3.24 F.A.R. including associated office and retail activities).

Neighborhood: Lyon Village Civic Association; Immediately adjacent north of the Clarendon-Courthouse Civic Association; and immediately adjacent west of the Colonial Village Civic Association.

Existing Development: The subject site outlined in yellow above is currently developed with a 10-story residential building and open space constructed under the existing site plan. The area of the site where the new development is proposed (which is shown on the photo above by red outlining) is currently developed with three, two-story commercial and office buildings and surface parking. Under the proposed site plan amendment, the residential building and open space would remain, while two of the three existing commercial and office buildings would be demolished and replaced with an 8-story commercial office building. The two-story commercial office building located at 2305 Wilson Boulevard, which is owned by an entity other than the applicant, and is currently occupied by Superstar Tickets would remain as an interim use until such time as it may be redeveloped under the proposed site plan amendment as a retail pavilion.

Development Potential: The following provides a summary of the site’s “by-right” and site plan maximum development potential.

Site Area: 100,565 sf “R-C” Zoning District	DENSITY ALLOWED/TYPICAL USE	MAXIMUM DEVELOPMENT
By-Right	Uses Permitted in “RA14-26” including apartment houses and townhouses	14 dwelling units ¹

¹ Excludes 74,800 sq ft allocated to existing residential development developed under the existing site plan as it no longer has its by-right density potential.

Site Area: 100,565 sf "R-C" Zoning District	DENSITY ALLOWED/TYPICAL USE	MAXIMUM DEVELOPMENT
	<ul style="list-style-type: none"> 1,800 sf min. lot area per dwelling unit 	
Site Plan	3.24 FAR Apartment; .62 sf for every one sf apartment uses proposed provided that total F.A.R. does not exceed 3.24: <ul style="list-style-type: none"> Retail and service commercial uses restricted to the first floor of any structure; and Offices, business and professional 	325,830 sf Apartment Project Apartment with Other Uses: 201,130 sf (2.0 FAR) Residential 124,700 sf (1.24 FAR) Retail and Service Commercial; Office, business and professional

Proposed Development:

The following table sets forth the preliminary statistical summary for the proposed site plan amendment for the commercial office building.

	Approved 1989	Proposed 2012
Site Area	98,057 sf	100,565 sf
Density		
Office/Commercial GFA	105,578 ² sf	164,023 sf ³
Office Building GFA	93,078 sf	157,844 sf
Office		150,002 sf
Retail		7,842 sf
Retail Pavilion GFA	---	6,183 sf
Density Exclusions		
Childcare Center	(3,500) sf	(7,000) sf
Conference Center		(5,600) sf
Below Grade Fitness Center		(2,300) sf
Below Grade Mechanical Equipment & Storage		(6,492) sf
Bonus Density		
LEED-CS Gold (.35 FAR @ 38%)		13,375 sf
ENERGY STAR Building Certification (.10 FAR @ 38%)		3,821 sf
Community Facilities (.25 FAR)		25,141 sf
Office/Commercial FAR	1.07 FAR	1.63 FAR
"R-C" Max. Permitted Density		
"R-C" Max. Permitted Mixed Use Density (3.24 FAR)	317,705 sf	325,831 sf
"R-C" Max Permitted Office/Commercial Density (.62 sf per 1 sq residential (1.24FAR)	121,591 sf	124,701⁴
Building Height		
Office Building Main Roof Height	72.10 ft	95.00 ft

² Includes 8,500 sq ft of commercial approved for the residential building and 3,500 sq ft of area dedicated exclusively to childcare in the office building. The County Board approved exclusion of the 3,500 sq ft of childcare GFA from density, and so it is not shown in the total GFA for the approved office building in the table.

³ Total proposed GFA includes requested bonuses and exclusions to GFA as listed in the table.

⁴ This number represents the maximum permitted commercial if there were no residential developed on the site with the cap for development consistent with the Zoning Ordinance provision of .62 square feet of other uses for every 1 square foot of residential so long as total floor area ratio does not exceed 3.24, which would mean 2.0 residential and 1.24 commercial. However, the maximum permitted commercial density less bonuses and/or exclusions with the site plan amendment has been calculated at .62 square feet for every 1 square foot of residential development approved and constructed less exclusions and bonuses at 196,258 sf for a total of 121,680 or approximately 1.21 FAR.

	Approved 1989	Proposed 2012
Office Building Penthouse Roof Height	88.10 ft	111.00 ft
Office Building Elevator Roof Height	---	119.00 ft
“R-C” Max. Permitted Main Roof Height	95.00 ft	95.00 ft
“R-C” Max. Permitted Penthouse Height (16 ft above main roof)	111.00 ft	111.00 ft
“R-C” Max. Permitted Height for Enclosed Area Above Penthouse (8 ft elevator overruns)	119.00 ft	119.00 ft
Parking		
Office Parking Spaces	See Below	237
Office Parking Ratio	See Below	1 sp/633 sf
Commercial Parking Spaces	See Below	14
Commercial Parking Ratio	See Below	1 sp/560 sf
Childcare Parking Spaces	---	14
Childcare Employee Parking Spaces	----	8
Childcare Drop-off and Pick-Up Parking Spaces	---	6
Office Building Spaces	246	265
Office Building Parking Ratio	1 sp/427 sf	1 sp/596 sf
“R-C” Required Office/Commercial Parking Spaces	175	274
“R-C” Required Office/Commercial Parking Ratio	1 sp/580 sq ft	1 sp/580 sq ft
LEED	NA	LEED CS – Gold 64 Points

Density and Uses: After the amendment, the site plan property would be developed as mixed use residential and office, with retail, as permitted by the “R-C” zoning. Existing density and uses include a 10-story, 212,250 square foot residential building including approximately 3,260 square feet of ground floor retail uses and three, two-story commercial office buildings. To replace the approved office building, the applicant proposes an 8-story office building comprised of approximately 150,002 square feet of office, 7,842 square feet of ground floor retail, a 7,000 square foot childcare center, a 5,600 square foot conference center and a 2,300 square foot fitness center. Future development would also include a 6,183 square foot retail pavilion. The applicant requests .35 FAR bonus density for LEED Core and Shell at the Gold certification level, .10 FAR bonus density for ENERGY STAR building Certification, and .25 FAR bonus density for community facilities. In addition, the applicant requests modifications to Zoning Ordinance requirements to exclude from density gross floor area associated with the proposed childcare center, conference center, a below grade fitness center, and below grade mechanical equipment and storage.

Site and Design: The rectangular shaped site is bisected diagonally by a vacated street, Custis Road, which forms two triangles, an upper and lower triangle. The proposed office building would be developed on the lower triangle or the southwest portion of the site, placing the bulk, mass and height away from Key School and the adjacent single-family neighborhood north and west of the site. The building would front on Wilson Boulevard and N. Adams Street with the rear of the site developed with approximately 22,085 square feet of publicly accessible open space immediately south of Key School and its surface parking. A fenced-in play area



for the ground floor childcare use at the rear of the building would also be located immediately adjacent to the north façade of the building. A through-block pedestrian connection is proposed from N. Adams Street to Wilson Boulevard. The connection would allow for access through the proposed open space area. Access to garage loading and parking is proposed off of N. Adams Street where access would be provided to 265 parking spaces in three levels below grade.

The proposed office building provides for modern and sustainable design. The building's south façade, fronting on Wilson Boulevard would be comprised of an all glass curtain wall of light blue solar glass, with spandrel glass banding, aluminum trim and aluminum sunshades. This treatment would wrap the building's east elevation adjacent to the residential building. The remaining area of the north, east and west elevations would be treated with a limestone colored pre-cast and a punched glass system of light blue solar glass and spandrel glass panels with aluminum trim. The ground floor on all elevations would be treated with a glass window storefront system accented with stone, aluminum wrapped canopies and spandrel glass. A 16-foot penthouse would be treated with a glass and spandrel glass system to be integrated with the overall design of the building. An additional 8-foot elevator overrun on top of the penthouse would be enclosed with silver panels. The applicant also proposes a green roof to provide for insulation of the building.



At the point where the pedestrian path through the site meets Wilson Boulevard, between the proposed office building and the existing residential building, would be a retail pavilion. In the immediate future, the Superstar Tickets retail use is expected to continue, but the developer has proposed a design for the space to show a possible direction for developing the site. The retail pavilion is proposed on the small triangular shaped parcel of the site not owned by the applicant. The pavilion is proposed as a triangular shaped, one-story glass structure, with the actual use of the building below. The glass façade would allow for transparency through the entire pavilion to the retail use below. The retail pavilion is the ultimate proposed redevelopment of the small triangular shaped parcel that makes up a portion of the overall commercial area of the site. Until such time as this parcel of the site is redeveloped, an interim condition is proposed to remain that would include the existing two-story, 1,722 square foot office building occupied by Superstar Tickets and the proposed office building.





Interim Condition – Existing Commercial Building

LEED: The applicant proposes that the building would be LEED certified at the Gold level under the U.S. Green Building Council’s LEED for Core and Shell (LEED CS) program. Bonus density is requested with the proposed development certification at this level, and a commitment to optimize energy performance through the use of design strategies and highly efficient equipment that would result in at least 20% energy savings. In addition, bonus density is requested for commitment to certify the building under the ENERGY STAR program after it is occupied.

Transportation: *The Master Transportation Plan* (MTP) classifies Wilson Boulevard as a Type A Primary Retail Oriented Mixed-Use Arterial and N. Adams Street as a Non-Arterial Urban Local Street. This site is located in the Rosslyn-Ballston (R-B) Corridor and subject to the *Rosslyn-Ballston Corridor Streetscape Standards*. The MTP recommends a minimum 10-foot sidewalk for arterial streets, while the *Rosslyn-Ballston Corridor Streetscape Standards* recommend a minimum 16.8-foot sidewalk. The following chart describes the street typology as indicated in the MTP and the *R-B Corridor Streetscape Standards*.

Street Name	Classification	Travel Lanes	Bike Access	Restricted Access	On-street Parking	MTP Sidewalk	R-B Sidewalk
Wilson Blvd.	Arterial	2-4 + turning	Bike/Shared	Yes	Yes	10-16 ft. s/w 6 ft. furniture zone or tree pits	Min. 16ft.8in. s/w and tree pits
N. Adams St.	Local Street	2	Bike/Shared	No	Yes	6-8 ft s/w 4-6 ft green strip	Min. 6 ft. s/w 4ft. planting strip

Transportation Analysis – Trip Generation: A Traffic Impact Analysis (TIA) submitted by the applicant, prepared by Wells and Associates, dated July 2011, assessed the impact of the development on the adjacent street network. The analysis estimates that currently there are

approximately 1,384 AM peak hour trips and 938 PM peak hour trips on Clarendon Boulevard, 716 AM peak hour trips and 1,313 PM peak hour trips along Wilson Boulevard, and 13 AM and 56 PM peak hour trips on N. Adams Street. The proposed development is expected to generate 171 AM peak hour vehicle-trips and 145 PM peak hour vehicle-trips.

“Levels of Service” (LOS) describes the operation of intersections as “A” through “F” with “A” having minimal delays and “F” having the greatest delays and generally considered a failing intersection. Intersections operating with an LOS “D” or better are generally considered to be operating at an acceptable level of service. The TIA indicates that currently the signalized intersection of Wilson Boulevard & N. Veitch Street operates at LOS F during the PM peak hours, and would continue to operate at overall LOS F during the PM peak hours, by 2015, with or without the proposed development. All other intersections would continue to operate at overall acceptable levels of service by year 2015 with the proposed development.

Streets: This section of Wilson Boulevard serves as a westbound roadway through the County with two travel lanes, two parking lanes, and a bike lane on the north side. N. Veitch Street serves as a north-south route with one northbound and one southbound travel lane, two bike lanes and parking on both sides. The intersection of N. Veitch Street and Wilson Boulevard is signalized. North Adams Street is a north-south local street which terminates at 16th Street N. with on-street parking on both sides of the street. The intersection of N. Adams Street and 16th Street North was permanently closed during the 1970's to minimize vehicular traffic into the residential neighborhood.

Sidewalks and Pedestrian Circulation: The sidewalks around the site are approximately 14 feet wide on Wilson Boulevard and approximately 10 feet wide on N. Adams Street. The *Rosslyn-Ballston Corridor Streetscape Standards* recommends a minimum 16.8-foot wide sidewalk on Wilson Boulevard including 5-foot wide tree pits. Staff recommends, and the plan proposes, a minimum 20-foot wide sidewalk on Wilson Boulevard from the back of curb to the closest building element to continue the existing sidewalk width on the eastern half of the block fronting the residential portion of the site plan which includes 5-foot by 12-foot tree pits. The *Rosslyn-Ballston Corridor Streetscape Standards* further recommends a minimum 10-foot wide sidewalk with a minimum 4-foot planting strip on N. Adams Street. This street would not have through traffic, but would accommodate significant parking and loading activities. Since this block is also the transition to the single family Lyon Village neighborhood to the north, staff recommends and the applicant proposes a slightly enhanced pedestrian environment with a 5-foot wide tree pits set back from the curb by 8 inches, and a minimum 6-foot wide clear sidewalk, for a total streetscape width of 11 feet, 8 inches.

Parking and Loading: On-site parking and loading are currently provided by a surface parking lot and a below grade garage under the residential portion of the site. Parking for the proposed office building would be provided by an underground parking structure, accessed from N. Adams Street, which will accommodate 265 parking spaces and 48 bike spaces. The allocation of the 265 parking spaces is proposed as follows along with details regarding the operation of the parking garage to accommodate the various uses proposed.

Use	Spaces	Proposed Ratio	Zoning Ordinance Required Ratio
Office	237	1 per 633	1 per 580
Retail	14	1 per 589	1 per 580
Childcare Center Employees	8	---	1 per Employee
Childcare Center Drop-Off and Pick Up	6	---	NA
Total	265		

Shared Parking: To maximize efficiency of garage use, staff recommends that all the office, retail, and childcare employee parking spaces be shared. Further, staff recommends that a minimum of 20 parking spaces on the top garage level most convenient to the elevators be signed for short-term parking to accommodate retail customers, short-term office visitors, and childcare drop-off and pick-up parking, in lieu of the standard segregation of retail parking uses. While sharing spaces could potentially mean that not all of the 14 calculated retail spaces would be occupied by retail customers, the actual access for retail parkers in the garage should be increased by the proposal. First, six short-term parking spaces to be dedicated to the childcare drop-off in the morning would revert to short-term parking during most of the garage operating hours. This would mean that those spaces would be accessible for retail parking above the 14 short-term spaces that represent the calculated site plan ratio for retail. Second, additional parking in the remainder of the garage would be available to retail customers and the general public, as well, on a space available basis. Overall, this scheme should accommodate more retail parkers than if 14 segregated retail spaces were to be provided. The applicant agrees to these parking management provisions.

Childcare Center Employee Parking: In order to evaluate the applicant's childcare staff parking proposal, staff estimated the likely capacity, staffing, and staff parking needs from a survey of similar childcare centers within the Rosslyn-Ballston and Jefferson Davis corridors and from code requirements. Based on these space requirements and the capacity of similar childcare facilities of various sizes, staff estimates the capacity of the proposed center at 105 to 135 children. This size center would require approximately 18-20 staff, which according to the Zoning Ordinance would require 18-20 parking spaces by-right. Comparable childcare centers report that an average of 40% of their staff drive to work, which would equate to eight parking spaces needed to meet the childcare staff demand for the proposed center. The proposed childcare center would likely have a similar mode split as the surveyed centers, and calculation of parking at the rate provided for the centers surveyed should be sufficient for the proposed childcare center. In addition, with the developer's commitment to share all parking spaces in the building among the uses, more than eight spaces may actually be available for staff parking. Therefore, staff recommends and the applicant agrees to provide a minimum of eight parking spaces for childcare center staff in the garage and further recommends that these spaces be shared with the office and retail spaces as discussed above.

Childcare Center Drop-Off and Pick Up: The Zoning Ordinance does not require separate drop-off and pick-up spaces for childcare centers. However, as part of the subject amendment, with the main entrance to the center proposed on N. Adams Street and a secondary entrance to the center proposed from the garage, the applicant proposes to design the office garage to accommodate childcare drop-off and pick-up, as well as to provide short-term parking on N.

Adams Street that can be used for curbside drop-off and pick up. Specifically, the applicant proposes that six parking spaces on the top level of the garage would be signed for childcare drop-off in the morning and to design the garage exit ramp to secondarily allow for drop-off. Evening pick-ups would be accommodated within any available spaces in the garage, as well as curbside on N. Adams Street. Based on staff's experience with other childcare centers, six dedicated spaces during the morning drop-off should be sufficient to accommodate the demand, with any additional demand able to be met in other parking spaces, which will be available since both the office and retail parking do not have peak use during this time. Since daily office parkers begin to leave before the peak of evening childcare pick-up, staff agrees that the proposal will accommodate this demand. Further, people picking up children can make use of available short-term parking spaces. The secondary childcare center entrance within the office lobby is also available and more directly accessible from the garage, and the developer has agreed to design this entrance to mitigate any physical barriers presented by the overall building design. The developer has further agreed to design the route to the interior childcare center entrance with high quality materials, finishes and appropriate signs on the doors to guide parents to this secondary entrance. Staff would work closely with the future operator of the childcare center as the use permit is reviewed to establish an appropriate drop-off and pick-up plan that would minimize stacking and/or double parking on Wilson Boulevard and N. Adams Street. Future reviews of the use permit for the childcare center would include analysis and evaluation of the drop-off and pick-up plan and may require additional measures by the childcare operator to address issues that are identified.

Loading: Loading for the proposed development would be accessed from N. Adams Street, adjacent to the entrance to the parking garage. The loading dock would accommodate up to 40 foot trucks and the applicant has agreed to limit trucks accessing the site to a maximum of 40 feet long. The applicant has proposed to reduce the loading dock door height to 12 feet from the standard 14 feet and to reduce the interior loading dock height to 14 feet from the standard 18 feet. The applicant has committed to using lower trucks for trash removal that also compact and load trash in a way that does not require the 18 foot height of standard overhead loading trash trucks. However, the loading dock, which has a single door to access all loading and trash removal, must accommodate a wide variety of trucks that may be taller than 12 feet, and staff does not want to preclude the use of the loading dock for taller trucks, which would otherwise stop to load within the street. Therefore, staff recommends the loading dock door remain at the standard height of 14 feet. Despite the applicant's commitment to contract only with trash companies using the compaction method proposed, any future use of a trash company that employs overhead dumping, while non-compliant with the site plan approval, would result in the truck loading its trash outside the building if the interior trash bay height is 14 feet rather than 18 feet. Staff would generally not support this possibility if it could impede vehicle flow on the County's street network. However, since the subject block of N. Adams Street has been closed to through traffic, any non-compliant trash loading on the street would not compromise the street network.

Transit: The site is across from the Courthouse Metro Station and is accessible to transit which includes ART Buses 41, 61 and 62, and Metro Buses 4B, 4E and 38B routes along Wilson Boulevard.

Bicycle Access: The minimum standards for bicycle parking spaces are 1 employee bicycle parking space for every 7,500 square feet, or portion thereof, of office floor area, one (1) additional such visitor space for every 20,000 square feet, or portion thereof, of office floor area, and 1 space per 10,000 square feet for retail. The plan proposes a total of 48 bicycle spaces in the garage which exceeds the County's bicycle standards.

Transportation Management Plan (TMP): Consistent with the County's adopted Transportation Demand Management (TDM) Policy; staff recommends that the applicant implement a TDM Plan to encourage reduced single occupancy vehicle (SOV) trips to and from the site. Staff recommends, and the applicant agrees, to implement the TDM strategies that are briefly summarized below:

- Designate a member of the building management team as Property Transportation Coordinator with responsibilities for completing and coordinating TDM Plan obligations.
- Provide transportation related information available to employees of the office building.
- Provide SmarTrip cards to employees of the building management company, and to office and retail employees.

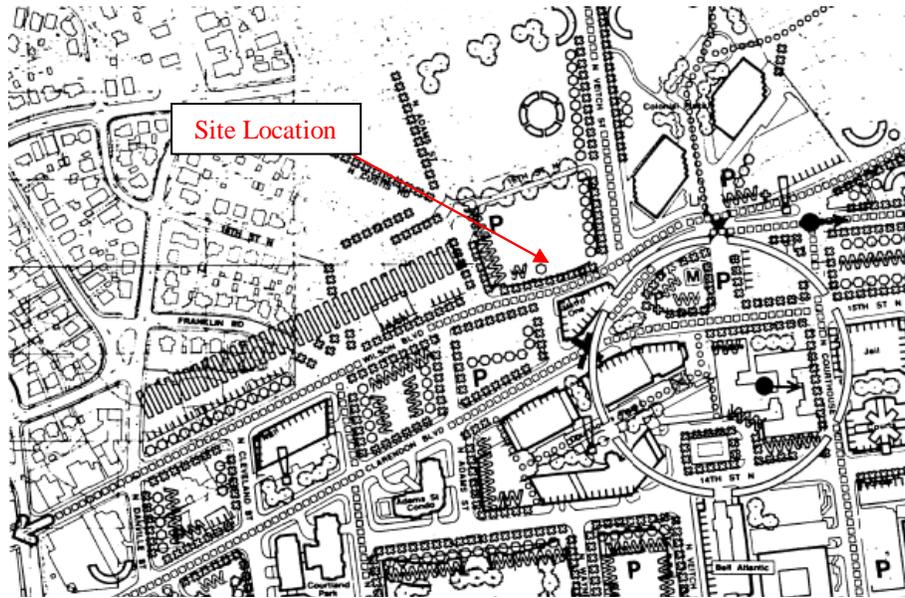
Utilities: Adequate water and sanitary sewer capacity is available to serve the proposed development. However, the applicant has agreed to relocate the existing water main, existing water and sanitary sewer easements, and abandon or remove existing water and sanitary sewer mains in the former N. Custis Road right of way, since the proposed building is planned on top of the existing mains. Aerial utilities would be undergrounded to comply with County policy for site plans.

DISCUSSION:

Approved Policies and Plans: In addition to Section 16.A. of the Zoning Ordinance and the General Land Use Plan, the *Courthouse Sector Plan* (1981), and the *Courthouse Sector Plan Addendum* (1993) provide guidance for redevelopment of the site. The vision for the Courthouse Metro Station area as expressed in these guiding documents has remained over the years as providing for a balance of high density residential and office uses surrounding the central government core. Key urban design concepts for the station area focus on four categories: 1) establish a visual identity for the Courthouse area, 2) Preserve existing residential neighborhoods, 3) Establish a coordinated open space system/network, and 4) Establish a coordinated circulation system.

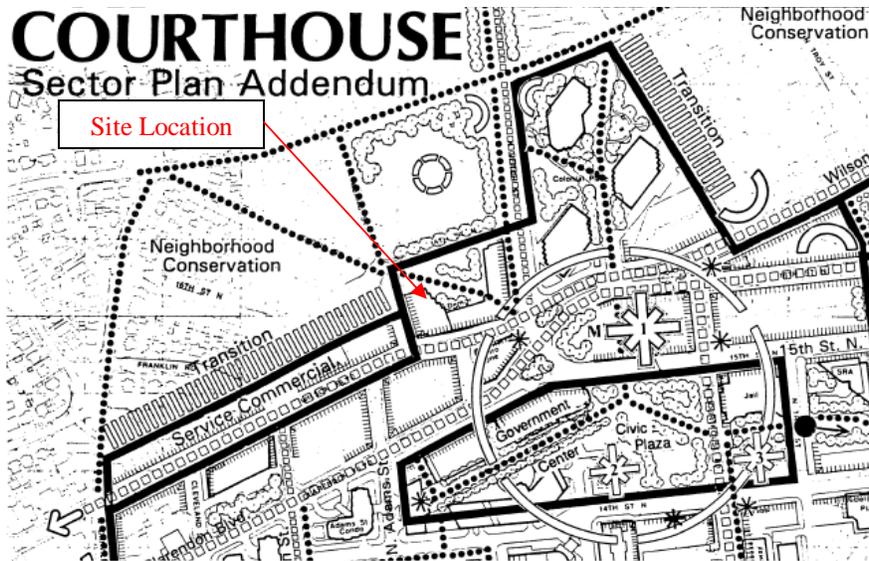
While neither the Sector Plan nor Sector Plan Addendum is prescriptive as to redevelopment of the subject site, they both contain some general provisions. Specifically, the 1981 Sector Plan encouraged support and improvement of the existing relationship between commercial properties along Wilson Boulevard and residential uses through County policies and that on a case-by-case basis, development proposals give attention to the transitions between redevelopment on the subject site and Key School and the Lyon Village Neighborhood (page 26). The 1993 Sector Plan Addendum, in a little more detail, provides an urban design analysis in which the subject site is shown un-developed with utility poles and overhead wires, inadequate/lacking sidewalks and streetscape, poor edge treatment at the site's western boundary of N. Adams Street between

the low-scale commercial and residential development and an open space buffer between the site and the property north, Key School.



Urban Design Analysis, Illustration 1

The Addendum then provides for a Concept Plan in which the approved site plan is shown for the subject site. As provided in the Concept Plan (see below), it was envisioned that there would be a pedestrian linkage diagonal through the site from N. Adams Street to the intersection of Wilson Boulevard and N. Veitch Street, the build-to line for the approved site plan building at the back of sidewalk fronting on N. Adams Street, Wilson Boulevard, and N. Veitch Street, and open space/plaza/enhanced landscape in the middle and rear of the site. This approved site plan was intended to meet the vision of the sector Plan and address urban design issues for the site to include poor edge treatment on N. Adams Street. Also, the proposed open space and the setback of the building from the rear property line, was intended to provide for a transition between the site and Key School north.



Concept Plan, Illustration 2

Although amended over time, the approved site plan has remained generally consistent with the Sector Plan Addendum providing for mixed use development with the density, mass and height on Wilson Boulevard and open space in the rear to provide a transition to the immediately adjacent Key School and distance from the neighborhood northwest of the site. It has also maintained a pedestrian connection through the site. Below are additional urban design guidelines provided in the Sector Plan Addendum, specifically for sites identified as key redevelopment sites. Although the subject site is not identified as such, as the site plan was approved and incorporated into the Plan Addendum at the time it was adopted by the County Board, these guidelines can be applied to the approved site plan as proposed to be amended.

Urban Design Redevelopment Guidelines	
Other Urban Plazas and Parks	• New public parks and plazas should offer frequent opportunity for public use and integrate well with the pedestrian network.
	• In addition to benches, seating can be built into urban plazas in the form of steps, walls, fountains, etc.
	• Trees of substantial size should be provided within public open spaces to help create a sense of scale and provide a canopy of shade.
Mainstreet and Pedestrian Open Space/Linkages	• Maintain a 24-hour adequate access route for pedestrian travel connecting activity nodes/focal points.
	• In full-block development, locate pathways to preserve existing views and vistas.
Transitions	• Sensitive transitions in height shall be provided between existing low-rise development and taller new structures.
	• The building mass should be broken into increments that correspond to the scale and massing of surrounding buildings through the use of setbacks, and variable roof heights.
	• Commercial areas adjacent to low density residential neighborhoods should provide effective transitions by using screening walls, fences, open space, topography, and/or landscaping.
Building Places and Character	• Infill buildings should be compatible with existing development and reinforce the elements that create design linkages. New development should respect a build-to-line, where appropriate, to create a

Urban Design Redevelopment Guidelines	
	consistently developed street edge, reinforce the urban development pattern, and enhance pedestrian orientation (Illustration 9). Building height and massing should be compatible with existing development.
Redevelopment of Full-Block Large Scale Development	<ul style="list-style-type: none"> Building mass should be articulated to create an aggregation of smaller forms as a means of reducing the perception of overwhelming bulk.

The proposed taper provided with this site plan amendment request for the office building would be inconsistent with the Sector Plan. In particular, it would be inconsistent with the Sector Plan guidance related to transitions and building mass and scale for full block redevelopment.

Density, Building Height and Massing: The amended plan proposes an office building with increased density and height greater than what was approved with the site plan of record in 1989. The additional density, height and therefore proposed building mass would result primarily from the approval of bonuses and exclusions that are requested with the subject site plan amendment. In 1989, a seven story, 88-foot tall office building was proposed comprised of 96,578 square feet of GFA. The subject request proposes an eight story office building comprised of approximately 179,236 square feet of gross floor area. However, gross floor area above grade that would impact the building height and massing is proposed at 170,444⁵. This does not include area below grade that is requested to be excluded from density.

	Approved	Proposed	Difference
Density			
Office/Commercial	93,078	157,844	+64,766
Childcare	3,500	7,000	+3,500
Conference Center		5,600	+5,600
<i>Totals</i>	<i>96,578</i>	<i>170,444</i>	<i>+73,866</i>
Height			
Main Roof	72.10	95.00	+22.90 ft
Penthouse Roof	88.10	111.00	+ 22.90 ft
Elevator Overrun	---	119.00	+8 ft

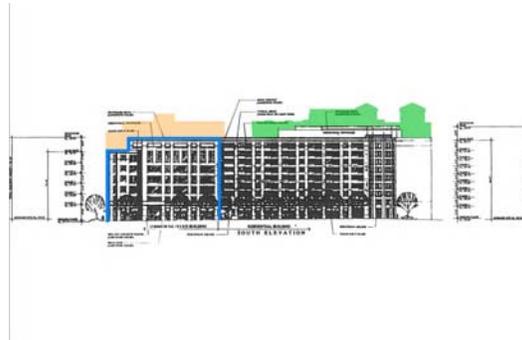
Based on the table above, the difference between the approved office building and the proposed office building is an overall increase in building height by one floor (approximately 23 feet) and an effective additional 73,866 square feet of overall gross floor area. Staff evaluated the proposed density, height and mass of the subject building in the context of the immediately adjacent blocks and the urban design guidelines of the Sector Plan Addendum. Consistent with the approved office building, the density and mass of the building is sited fronting on Wilson Boulevard and N. Adams Street with approximately 22,085 square feet of open space in the rear providing for a transition between Key School north of the site and the proposed office building. The building is proposed to be set back 90 feet from the property line north. In addition to the provision of open space, the approved office building provided for a taper stepping down to the neighborhood. While the applicant proposes to provide the same amount of open space as intended, in lieu of providing reduced building height, the applicant has proposed design

⁵ Approximately 2,300 square feet for a fitness center, and 6,492 square feet of mechanical and storage space would be located below grade.

elements that address the bulk, mass and scale of the building facing Key School, the open space, and the neighborhood. This includes providing a slight taper and step back on the north façade, while also changing the building materials to appear more relatable in scale to the single family homes, the open space, and Key School. However, the design changes and taper proposed are insufficient and do not meet the intent of the Sector Plan in providing an appropriate transition to the single family neighborhood. Below are drawings comparing both the approved and proposed office building site plan layout and building elevations to show the change in size, as well as elevations of the north and west façade.



Approved (Green) & Proposed (Blue) Footprint



Approved (Blue) & Proposed (Orange) Height



West Façade Elevation



North Façade Elevation

A main objective for the Courthouse Sector area as provided in the urban design guidelines in the Plan Addendum is to “preserve the integrity of lower density residential neighborhoods by visually and functionally improving transitions between office and residential uses”. While the subject site is not directly located on the Concept Plan of the Plan Addendum within the identified transition area or the area of neighborhood conservation, it is adjacent to a single family neighborhood located northwest of the site. The Plan Addendum contemplates concentrating higher density development around the Metro station but requiring, through the site plan process, and tapering of building mass and height from the commercial core to the lower-density residential neighborhoods. In the case of the subject site, the proposed office building has two distinct forms of development, high density mixed use urban development of the Courthouse Metro Station area within the Rosslyn-Ballston corridor south, east and west of the site, and single-family, low-density, residential development north and northwest of the site. Staff finds that the manner in which the proposed development faces the government core of higher density, mixed use development is appropriate as to height, density, mass and scale. It is

in keeping with the context and scale of existing and proposed development in the immediate vicinity of the site fronting on Wilson Boulevard. However, given the close proximity of single family homes to the subject site, to address the scale and mass of the building as it faces the neighborhood, staff recommends a taper that would, at least, step back beginning at the seventh floor along the north façade of the building. A tapering of the building at this location down to the immediately adjacent single family neighborhood would be consistent with planning goals and principles where mixed use development abuts and/or is immediately adjacent to single-family residential development. It would also be consistent with the urban design guidelines for redevelopment provided in the Courthouse Sector Plan and Addendum. The current proposal does not meet this standard from the plans, and therefore staff believes deferral is appropriate to enable the applicant to try to achieve that standard.

Interim Commercial Use: The subject site is comprised of multiple parcels with multiple owners. A portion of the area to be developed as commercial under the existing site plan is owned by an entity other than the applicant. Specifically, an approximately 5,110 square foot triangular shaped parcel, located mid-block on Wilson Boulevard between the existing residential building and proposed office building is currently developed with a two-story, 1,722 square foot commercial building. The existing use on that site is approved as an interim commercial use on the site, by site plan amendment approved by the County Board in July 2004. It is proposed that a 6,183 square foot retail pavilion would be developed as part of the subject site plan amendment on this parcel. Given the total area of the parcel and in order to provide for the full development of the site's potential density under the subject site plan given requirements that would need to be met for setbacks and the like, the primary use is proposed to be located below grade with the glass structure above as part of the site plan amendment. The proposed use would be commercial and/or retail uses consistent with entertainment, personal and business services, and independent retail uses as defined in the *Retail Action Plan*. During the site plan review process, a restaurant use was discussed as a potential use for the retail pavilion. Parking for the retail use would be governed by Section 33 of the Zoning Ordinance, which would not require a restaurant use to be parked given the close proximity of the site to the Metro, and a retail or service-commercial use would not be required to park the use up to the first 5,000 square feet.

It is unknown at this time if or when the parcel would be redeveloped as proposed under the subject site plan amendment. As it currently exists, the two-story, commercial building is permitted to remain as an interim use under the site plan until July 31, 2016. After that time, the use would become a non-conforming use that could remain until or unless the parcel is redeveloped as shown under the subject site plan amendment. Given the varying ownership and that the interim use is permitted to remain until July 2016, the subject site plan amendment would provide for development of the office building and all related improvements and contributions associated with that building by the applicant as an interim development phase. The ultimate phase of redevelopment would then provide for the redevelopment of the independently owned triangle parcel and improvements on that portion of that site, subject to conditions and contributions attributed to a future developer.

Childcare Center: The applicant proposes that approximately 7,000 square feet of gross floor area of the office building would be dedicated for a childcare center. The childcare center would

be located on the ground floor and in the rear of the commercial office building, immediately adjacent to the open space area and across from Key School. This would include a playground area for the childcare use immediately adjacent to the building. The main entrance to the center would be designed to be located on N. Adams Street with a secondary entrance proposed in the garage. The developer agrees that the area will be dedicated for the life of the site plan exclusively for a childcare center and further that the playground for the childcare center will be accessible to the public. The use is consistent with the previously-approved office building providing for a childcare center and would increase the approved gross floor area of that use from 3,500 square feet to 7,000 square feet. The increased size of the childcare center has been evaluated by staff and found to be an appropriate size for a viable childcare center in this location. A childcare center, one block from the Metro, would serve to provide access to childcare by residents of the neighborhood and greater community as well as government and office workers nearby. A childcare center in the subject building would require County Board approval of a Use Permit consistent with the provisions of Section 36.G of the Zoning Ordinance.

The drop-off and pick-up operations for the childcare center were expressed as an outstanding concern particularly as they relate to overall site circulation and potential conflicts between vehicles entering and exiting the garage, loading, and potential cueing of N. Adams Street. Furthermore, Childcare drop-off and pick-up will be addressed through the use permit approval process for that use.

Conference Center: An approximately 5,600 square foot conference center is proposed on the second floor of the subject office building. The conference center, while intended to serve the tenants of the office building, would also provide additional meeting space in the Metro station area for use by neighborhood/community groups and the government. The area would be dedicated for the life of the site plan as a conference center and would be accessible to neighborhood and community groups, as well as the government for meetings on a space available basis. With the recent loss of meeting space in the Courthouse Metro station including 3033 Wilson Boulevard, 2500 Wilson Boulevard and considering the demand to reserve space in the County Office building and the Navy League Conference room, this additional space would provide greater opportunity for community groups to reserve space for meetings.

Open Space: In 1989, the original approved site plan contemplated one U-shaped building, part residential and part office, with approximately 26,000 square feet space of open space in the middle and rear of the site. Through various site plan amendments, the building was modified providing for two separate buildings, residential and office, with the open space reconfigured and a pedestrian walkway separating the two uses. What was ultimately dedicated through easements for the project was approximately 22,085 square feet of open space. A portion of this, 5,039 square feet, is attributable to the residential development, while the remaining 17,055 square feet would be attributable to the proposed commercial and office development. The applicant proposes to provide approximately 17,055 square feet of open space in the same general location as shown on the currently approved site plan and consistent with the amount currently dedicated by a public use and access easement to provide for the full amount of dedicated open space today. As discussed in a companion report regarding requested vacations

in association with the subject site plan amendment, this area would be vacated and re-dedicated to the County as a surface public use and access easement.

As proposed, the site plan provides for two buildings separated by a tree-lined passive park-like open space, with pedestrian walkways and public access easements to create a through block pedestrian connection. The intent was to provide access through the site from the residential neighborhood north/northwest to the Courthouse Metro Station area. The proposed open space area would be privately owned and maintained, but with the dedication of the surface public use and access easement, would be accessible by the public 24 hours a day, seven days a week. Further, the childcare center playground would be included as part of the open space easement area and would also be accessible to the public. Consistent with the urban design guidelines of the *Courthouse Sector Plan* and the current approved site plan of record, the open space area would be pedestrian oriented in nature with interior pathways, seating and other such appropriate furnishings.

Modification of Use Regulations: Bonus density, density exclusions and a reduced parking ratio are requested with the subject site plan amendment as further detailed below.

Bonus Density: The applicant requests bonus density under Section 36.H.5.a(1) of the Zoning Ordinance, “Provisions made for open space and other environmental amenities”; Specifically, the applicant requests .35 FAR for the commitment to certify the proposed office building at LEED Gold, and .10 FAR for the commitment of an ENERGY STAR building certification after the building is occupied. Staff has evaluated these requests based on the June 2012 adopted revised *Green Building Density Incentive Program*, and finds the proposed request to be with the requisite policy. Specifically, the program provides that in exchange for LEED certification at the Gold level and a minimum 20% energy savings, up to .35 FAR bonus density may be granted. The policy further allows, in addition to LEED certification and energy efficient design and construction that up to .10 FAR may be granted for a commitment to either obtain a LEED for Existing Buildings certification or an ENERGY STAR building certification. The applicant agrees that the building would be constructed to ensure at least 20% energy savings above the baseline ASHRAE 90.1-2007 standard as defined under *LEED EA Credit 1 – Optimize Energy Performance* in the LEED 2009 rating system, and further to obtain the ENERGY STAR building certification, which evaluates energy performance based on energy utility data. Two financial securities would be posted by the developer. The first would assure the achievement of LEED Gold for the building’s design and construction, and the second would assure the achievement of the ENERGY STAR label for its post occupancy energy performance.

The applicant further agrees to provide to the County, ENERGY STAR portfolio manager utility reporting data after occupancy each year for 10 years. The subject site plan would be the first to implement and meet the requirements for bonus density under the revised Program. As the subject site plan amendment was adopted prior to the County Board approval of the revised Program, the applicant elected to opt-in to commit to the higher standards for energy efficiency for the building in terms of both construction and performance. The commitment to energy efficiency and performance as proposed for the bonus density is consistent with the County’s goals as expressed in the Community Energy Plan.

In addition to the above bonus density requests, the applicant requests up to an additional .25 FAR under Section 35.H.7.b. of the Zoning Ordinance. This provision provides that the County Board may permit additional density not to exceed .25 FAR in an office structure upon judging that a contribution to required community facilities has been provided. Community facilities may include but are not limited to the provision of space for a library, fire station, public school facility, public transit facility, or community recreation or health center, which may be provided at appropriate off-site locations. The applicant proposes a contribution of approximately \$1.6 million toward Courthouse Metro Station area improvements. The proposed contribution would specifically be applied toward Metro station elevator improvements, and would facilitate improvements proposed in the County’s Capital Improvement Plan not scheduled to occur until 2020, earlier than anticipated and further reduce the total costs to the County for these improvements.

In calculating the bonus densities requested, the commensurate amount of gross floor area for the bonus density request for LEED and ENERGY STAR has been determined based on the overall area of the site, with a proportionate share consistent with the density ratios of the “R-C” Zoning Ordinance attributed to each use. Specifically, of the total amount that the site plan could yield, 62 percent would be attributable to the residential use, while 38 percent would be attributable to other uses. However, the applicant requested to utilize the entire amount of a community facilities bonus that the site plan could achieve subject to review and approval by the County Board. In so doing, the applicant obtained the consent of all property owners under the site plan to utilize this entire amount of density understanding that this bonus provision would not be available for the site plan should it be approved by the County Board for any future redevelopment of the residential building.

Density Exclusions: The applicant requests that gross floor area be excluded from density as follows:

Requested GFA Exclusions	Amount (Sq Ft)
Childcare	7,000
Conference Center	5,600
Fitness Center	2,300
Mechanical and Storage	6,492

Staff supports the exclusion of 7,000 sq ft of gross floor area from project density for the childcare use as the space would be committed for the proposed use for the life of the site plan and would benefit the neighborhood and/or the broader public providing for childcare in the Metro station area convenient to office tenants, nearby office workers of the government, County employees and a convenient walk to Metro for residents of the community commuting to work throughout the region. Further, exclusion from density of the childcare gross floor area would facilitate the economic viability of the space such that the developer would be able to make the rents affordable to a future childcare provider. With the provision that this use be provided for the life of the site plan and further that the playground be made accessible to the public after hours and on weekends, staff finds the exclusion appropriate. Additionally, the exclusion of the area from density is consistent with the previous site plan approval where 3,500 square feet of childcare gross floor area was excluded for density purposes, as well as County Board approval of 15,766 square feet of bonus density for a childcare center in association with the former

Newseum space (SP #89) as a community facility as well as 6,800 square feet of bonus density for a childcare and community rooms and meeting space as a community facility in association with SP #212, the Windsor Plaza Condominiums at Ballston Station.

Similar to the exclusion of density for the childcare center, it is proposed that the 5,600 square foot conference center would be provided as dedicated space in the building for the life of the site plan. In addition, the space is also proposed to be made available to the neighborhood, community groups and the government for meetings for the life of the site plan, consistent with conference center space provided with such other site plans as the Navy League building (SP #351) where 3,658 sq ft was excluded, NRECA's (SP #249) 7,500 sq ft, Arlington Hospital (SP #177) excluding 6,658 sq ft, and the AUSA Building (SP #36) which excluded 3,000 sq ft. While this space is proposed to serve the neighborhood and public, increasing the amount of conference centers in the area, concern has been raised about the actual usefulness and accessibility of conference centers approved with site plans, to which similar provisions have been conditioned. Staff continues to evaluate the requested exclusion of this gross area from the project's density.

Finally, the applicant proposes to exclude from density 2,300 square of gross floor area for a below grade fitness center as well as 6,492 square feet of gross floor area associated with mechanical equipment and storage below grade in the garage. These areas, which are located below grade in the garage do not add to the bulk, height or mass of the building and therefore, staff supports the exclusion of these areas from density. This is consistent with the treatment of other projects.

Parking Ratio: The applicant requests a modification of use regulation to reduce the office parking ratio to 1 space per 633 square feet of office gross floor area from 1 space per 580 sq ft of office commercial gross floor area permitted by the Zoning Ordinance. With the proposed Transportation Demand Management (TDM) measures required, the location of the site one block from the Courthouse Metro, and the commitment to share parking among uses, staff finds that these measures are sufficient to mitigate the reduction from 1 space per 580 to 1 space per 633 square feet for the office parking ratio. Further, the \$1.6 million dollar contribution proposed for transit facilities, specifically Courthouse Metro elevator improvements, would serve to enhance transit access for the building occupants, which would also help to reduce parking demand.

Community Benefits: Contributions and public benefits associated with the project include:

- Utility Fund contribution in the amount of \$23,500;
- Public Art Fund contribution of \$65,000⁶;
- LEED Gold certification with a minimum commitment to 20% energy savings, as well as ENERGY STAR building certification;
- Affordable Dwelling Unit Ordinance contribution in the amount of \$473,945; and
- Transportation Demand Management totaling \$730,154.83 over a period of 30 years;

⁶ \$10,000 was put into escrow by condition of the residential developer to go toward the future office building as it was intended that public art would be located in the plaza with the future office development. This represents the balance of the standard current \$75,000 for a site plan project.

With the original approval there was not a commitment to energy efficiency or sustainable design, a condition required that by agreement \$78,600 would be contributed by the office developer to Arlington County's Affordable Housing Fund, and there was not a Transportation Demand Management policy in effect. Therefore, with the proposed office building there would be an increase in previous contributions and in some cases new contributions not previously required. In addition, the applicant proposes a contribution toward community facilities (public transit facility) in the amount of \$1.6 million. These funds are proposed for Courthouse Metro Station improvements.

Community Process: The subject site plan amendment was discussed at five (5) Site Plan Review Committee Meetings convened on September 12, 2011, September 26, 2011, October 24, 2011, December 5, 2011 and July 26, 2012. Issues discussed included: the proposed density and specifically, the requested bonuses and exclusions, the proposed sidewalk widths, the pedestrian path through the open space area and site, the proposed conference center and childcare uses, the building architecture at the ground floor, building cantilevers over the sidewalk, and site circulation, in particular, childcare drop-off and pick-up operations. At the conclusion of the SPRC process, the outstanding issues which remained included building height and massing and childcare drop-off and pick-up operations. These issues have been addressed throughout the report, providing staff response, clarification and recommendations where appropriate. However, the issue of building height and massing remains outstanding. Childcare drop-off and pick-up will be further addressed through the use permit approval process for that use.

Transportation Commission: The Transportation Commission reviewed the proposal at its August 30, 2012 meeting and voted 9-0 to recommend approval of the site plan amendment, with the following conditions:

- The external entrance to the day care should be the primary entrance.

Staff response: Staff can support the TC recommendation with the considerations regarding design and operation as described above.

- In conjunction with the improvements to the N. Adams Street cul-de-sac, the applicant is to provide at-grade access to the street north of the cul-de-sac for bikes.

Staff response: Staff and the applicant agree with the TC recommendation.

- Staff to examine dedicated short term parking on N. Adams Street for on-site childcare drop-off and pick-up.

Staff response: Staff supports the provision of short term parking on N. Adams Street. This will support childcare drop-off in the mornings, since demand for street parking at that time of day for other uses is otherwise very limited. For afternoon pick-ups, in addition to these spaces, short term parking would also be available in the office garage. Staff is unable to reserve street parking spaces for specific private uses.

- The County Manager may ask the developer to construct a fence, if needed, within five years of issuance of the Certificate of Occupancy.

Staff response: Public access easements are intended to be fully available to the public at all times. Constructing a fence around the park, even if open during daytime hours, presents the appearance of a private space at all times, therefore decreasing its value as public space. Staff does not support this provision.

- Staff to examine the possibility of on-site storage for daycare parents (regarding bike trailers, third wheels, etc.).

Staff response: Staff does not object to this concept and recommends that the developer examine the plans to identify opportunities for such storage.

In addition to the Transportation Commission's motion, the Transportation Commission discussed the applicant's request to provide a loading dock door with a height of 12 feet. Staff does not support reducing the loading dock door height from the standard 14 foot minimum, as discussed in the Parking and Loading section of the report.

Planning Commission: The subject site plan amendment was heard at the September 4, 2012 Planning Commission meeting. The Planning Commission voted 7 to 4 to recommend that the County Board approve the subject site plan amendment with the following amendments:

- Direct the applicant to develop an option for the County Board, working with community representatives as time permits, with the objective of reducing the apparent bulk of the building to the neighborhood, increasing the sunlight to the park, and enhancing the treatment of the frontage of the façade facing the park to provide an enhanced architectural treatment.

Staff response: The applicant has revised the north and west building façades to provide for them to better relate to the park and the neighborhood with respect to enhancing the treatment and architecture. Staff further recommended and the applicant agreed to integrate into the building design a taper and/or step back as a means of reducing the bulk and mass of the building facing the lower density residential neighborhood. Staff finds that the proposed revisions are insufficient to address the issues of building height and massing, and further are not consistent with the intent of the Sector Plan in providing for appropriate transitions between large scale commercial development and single-family neighborhoods in this area. Staff recommends that the proposed taper would be consistent with the Sector Plan if the step backs proposed on the north façade provide for more depth.

- Recommend the County Board not adopt any provisions to encourage construction of fencing around the open space at the rear of the building.

Staff response: Staff supports this recommendation. As provided above in response to the Transportation Commission's recommendation, public access easements are intended

to be fully available to the public at all times. Constructing a fence around the park would present the appearance of a private space, therefore decreasing its value as public space. This should not however preclude the construction of a fence around the childcare playground area located within the park should that be determined necessary by the Department of Human Services once a childcare provider comes forward to obtain a license and use permit.

- Support the Transportation Commission recommendation to examine dedicated short-term parking on North Adams Street for on-site childcare center drop-off and pick-up.

Staff response: As provided in the response above, staff supports the provision of short term parking on N. Adams Street as it would support childcare drop-off in the mornings, since demand for street parking at that time of day for other uses is otherwise very limited. For afternoon childcare pick-up, in addition to these spaces, short term parking would also be available in the office garage. Staff is unable to reserve street parking spaces for specific private uses.

- Amend Condition #15 to require that three movable tables, with chairs and shade umbrellas, be shown on the landscape plan in order to increase the functional use of the park.

Staff response: Staff is generally supportive of providing for movable tables, chairs and shade umbrellas in the open space area to increase its use and activity. Condition #15 will be amended to make this general provision without reference to a specific number of such furnishings, as such detailed specifications would be determined at the time of final landscape plan approval.

- Amend Condition #79 to require the developer to hold rents for the childcare space to childcare market rates similar to those for childcare providers in the R-B Corridor.

Staff response: By virtue of the fact that the site plan conditions would require the space to be childcare for the life of the site plan, rents would be inherently consistent with those of current market rate rents for the use. To address the concern that the rents remain affordable to a childcare provider and that the space would in fact be leased for such use, staff has included additional condition language that should the space not be leased within 90 days of receipt of the partial Certificate of Occupancy for the last floor occupancy of the office building (except the ground floor) for which any Certificate of Occupancy is issued, that the developer would share marketing information including general terms of the lease with Arlington Economic Development and meet to discuss the marketing strategy and plans, and identify and address any obstacles that may hinder successful lease up of the space by a childcare provider.

- Amend Condition #79 to require the childcare center to operate at least 50 weeks out of the year, Monday through Friday.

Staff response: Staff does not support this recommendation as the operation of any childcare center, including the hours, number of days per week, number of children and other details would be subject to review and approval by the County Board of a Use Permit consistent with Section 36.G of the Zoning Ordinance. Staff however has amended the condition to provide that the space identified as "Childcare" shall be leased for the life of the site plan for a childcare center as defined by Chapter 52 of the Arlington County Code.

- Amend the landscape plan to provide additional canopy trees at the northwest end of the site along North Adams Street to increase buffering of the community views of the proposed building.

Staff response: Staff agrees to work with the applicant to determine whether or not additional canopy trees can be incorporated into the final landscape plan along N. Adams Street to increase the buffer of the community views of the proposed building. Staff will require such additional trees to be incorporated on the landscape plan to the extent that there would be no conflicts with sub-surface utilities.

- Amend Condition #80 to require that the conference center be made available for public use no fewer than 18 times per year, or a number of times per year deemed appropriate by staff.

Staff response: Staff agrees and has amended this condition to provide for the conference center to be made available for public use no fewer than 18 times per year.

- Amend Condition #80 to require free parking at the conference center for those attending meetings to conduct official County business.

Staff response: The County has been working to avoid encouraging private vehicle use over other forms of transportation by not mandating free public parking in new development. In this case, since the subject site is highly accessible to multiple forms of alternate transportation, and in addition, the County office building two blocks from the site provides substantial free parking after business hours, staff does not support providing free parking for official County business in the conference center.

CONCLUSION: Concerns remain regarding the proposed density and additional height of the office building from what was originally approved, and the appropriateness as to the form particularly with no significant taper proposed to the residential neighborhood northwest of the site. Even with the proposed design modifications to the north façade, additional taper needs to be provided to better reflect that the building has two faces that are contextually different in terms of scale. Density, height and mass as proposed facing Wilson Boulevard is appropriate, while the building face toward the residential neighborhood is not. While the open space proposed in the rear provides an appropriate transition to Key School to the north and would serve to lessen the impact of the building height and mass on the neighborhood as intended with the original approval, a more significant stepback and taper should be provided. With a taper to provide for the building to better relate to the single-family neighborhood, the proposed

increased building height and density would be appropriate. In order to allow additional time for the applicant to develop alternative designs in response to community, staff and Planning Commission concerns that a substantive taper of the north façade and northwest corner of the building be provided, staff recommends that the County Board defer the subject site plan amendment the December 8, 2012 County Board meeting.

PREVIOUS COUNTY BOARD ACTIONS:

- January 7, 1989 Deferred a site plan, rezoning (Z-2356-88-2), GLUP amendment, and associated vacation to the February 11, 1989 County Board meeting.
- February 11, 1989 Deferred a site plan, rezoning (Z-2356-88-2), GLUP amendment, and associated vacation to the May 13, 1989 County Board meeting.
- May 13, 1989 Deferred a site plan, rezoning (Z-2356-88-2), GLUP amendment, and associated vacation to the July 8, 1989 County Board meeting.
- July 8, 1989 Approved a site plan, rezoning (Z-2356-88-2), GLUP amendment, and associated vacation for the “R-C” mixed use residential and office development.
- January 5, 1991 Approved a major site plan amendment to modify the approved residential and office building footprint and location.
- May 11, 1991 Approved a site plan amendment to amend condition #64 to extend the site plan from July 8, 1992 to January 5, 1994.
- May 20, 1992 Approved a site plan amendment to amend condition #68 of the approved site plan pursuant to conveyance of a portion of 16th Street North to the Arlington School Board and establish the conveyance as vesting the site plan subject to all previous conditions and adding new conditions #69 and #70.
- April 3, 1993 Deferred a site plan amendment to the May 15, 1993 County Board meeting, to obtain comments from Lyon Village Civic Association and from Key Elementary School personnel (PTA).
- May 18, 1993 Approved a site plan amendment for operation of a public parking lot with approximately 159, revised to 153, subject to conditions and a review in six months from issuance of a certificate of occupancy.

April 13, 1996	Deferred a site plan amendment request to permit construction of an amended residential building to the May 11, 1996 County Board meeting.
May 13, 1996	Deferred a site plan amendment request to permit construction of an amended residential building to the July 20, 1996 County Board meeting.
July 20, 1996	Approved a portion of the site plan amendment to allow the two commercial structures to be occupied by office and/or retail uses subject to conditions and modifications
	Deferred a site plan amendment request to permit construction of an amended residential building with ground floor retail to the September 21, 1996 County Board meeting.
September 21, 1996	Continued public hearing until October 1, 1996 on a site plan amendment request to permit construction of an amended residential building with ground floor retail.
October 1, 1996	Approved a site plan amendment request to permit construction of an amended residential building with ground floor retail subject to conditions.
May 17, 1997	Approved a site plan amendment to modify design features including relocating the pool; enclosing balconies, bays and first floor patios; modifying the elevation at the building entrance; and altering retail space subject to all previous conditions and amended conditions.
July 10, 2004	Approved a site plan amendment to allow two two-story buildings as interim until July 31, 2016.
January 27, 2009	Approved a site plan amendment for restaurant live entertainment for Listranis of Arlington at 2318 Wilson Boulevard for one (1) year.
January 23, 2010	Did not renew a site plan amendment for restaurant live entertainment for Listranis of Arlington at 2317 Wilson Boulevard due to lapse of use as of January 2010.

September 18, 2012

Deferred a site plan amendment to construct an approximately 157,844 sq ft commercial office building including approximately 7,812 sq ft retail, 7,000 sq ft childcare, 5,600 sq ft conference center, and 2,300 sq ft fitness center uses, and an approximately 6,183 sq ft stand alone retail building to the October 2012 County Board meeting.



ARLINGTON COUNTY, VIRGINIA

ARLINGTON COUNTY PLANNING COMMISSION

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STEVE SOCKWELL
CHAIR

BRIAN HARNER
VICE CHAIR

FREIDA WRAY
COORDINATOR

GIZELE C. JOHNSON
CLERK

September 13, 2012

Arlington County Board
2100 Clarendon Boulevard
Suite 300
Arlington, Virginia 22201

- SUBJECT:** **2. A. Enactment of an Ordinance to Vacate** a portion of a Public Use and Access Easement located on Parcel H2, Foster's Subdivision Being the Resubdivision, Vacation and Rededication of Parcel H Block 11 Aurora Heights, RPC No. 15058015, with Conditions.
- B. SP# 263** Otter Equities, LLC to construct an approximately 157,844 sq. ft. office building including 150,032 sq. ft. office, 7,812 sq. ft. retail, 7,000 sq. ft. childcare, 5,600 sq. ft. conference center, and 2,300 sq. ft. fitness center uses, and an approximately 6,183 sq. ft. stand-alone commercial retail building in the "R-C" zoning district under ACZO §16A. Property is approximately 100,565 sq. ft.; located at 2201, 2305, 2311, 2317 Wilson Blvd, 1515 and 1519 N. Adams St; and is identified as RPC# 15-058-015, 15-059-001, -002, -003, -004, -005, -006, -007, -008, -009, -010. The proposed density is 1.63 FAR office/commercial. Modifications of zoning ordinance requirements include: parking ratio, bonus density for community facilities, LEED Gold certification, LEED Existing Buildings certification, exclusion from density of GFA associated with childcare, conference center, below grade fitness center, below grade mechanical equipment and bathrooms, stairs and elevator on the roof, and other modifications as necessary to achieve the proposed development plan. Applicable Policies: GLUP "High-Medium" Residential Mixed Use (Up to 3.24 F.A.R. including associated office and retail activities), Courthouse Sector Plan, and Courthouse Sector Plan Addendum. **(2311 Wilson Boulevard)**

- RECOMMENDATIONS:** **A. The Planning Commission has determined that the proposed vacation of a portion of a public use and access easement is substantially in accordance with the adopted Comprehensive Plan or applicable part thereof and recommends that the**

P.C. #41.A.B.

County Board adopt the attached ordinance to vacate a portion of the public use and access easement.

- B. Adopt the ordinance to approve Site Plan #263 to construct an approximately 157,844 sq. ft. office building including 150,032 sq. ft. office, 7,812 sq. ft. retail, 7,000 sq. ft. childcare, 5,600 sq. ft. conference center, and 2,300 sq. ft. fitness center uses, and an approximately 6,183 sq. ft. stand-alone commercial retail building, with modifications of zoning ordinance requirements including parking ratio, bonus density for community facilities, LEED Gold certification, LEED Existing Buildings certification, exclusion from density of GFA associated with childcare, conference center, below-grade fitness center, below-grade mechanical equipment, and other modifications as necessary to achieve the proposed development plan, subject to the conditions of the staff report, with the following modifications:**
- 1. Direct the applicant to develop an option for the County Board, working with community representatives as time permits, with the objective of reducing the apparent bulk of the building to the neighborhood, increasing the sunlight to the park, and enhancing the treatment of the frontage of the façade facing the park to provide an enhanced architectural treatment.**
 - 2. Recommend the County Board not adopt any provisions to encourage construction of fencing around the open space at the rear of the building.**
 - 3. Support the Transportation Commission recommendation to examine dedicated short-term parking on North Adams Street for on-site childcare center drop-off and pick-up.**
 - 4. Amend Condition #15 to require that three movable tables, with chairs and shade umbrellas, be shown on the landscape plan in order to increase the functional use of the park.**
 - 5. Amend Condition #79 to require the developer to hold rents for the childcare center space to childcare center market rates similar to those for childcare providers in the Rosslyn-Ballston Corridor.**
 - 6. Amend Condition #79 to require the childcare center to operate at least 50 weeks out of the year, at least Monday through Friday.**
 - 7. Amend the landscape plan to provide additional canopy trees at the northwest end of the site along North Adams Street to increase buffering of the community views of the proposed building.**

- 8. Amend Condition #80 to require that the conference center be made available for public use no fewer than 18 times per year, or a number of times per year deemed appropriate by staff.**
- 9. Amend Condition #80 to require free parking at the conference center for those attending meetings to conduct official County business.**

Dear County Board Members:

The Planning Commission heard these items at its September 4, 2012 meeting. Samia Byrd, CPHD Planning, described the request associated with Site Plan #263. She set forth the ways in which staff believes the proposed site plan meets the goals envisioned in the Courthouse Sector Plan and Courthouse Sector Plan Addendum. Ms. Byrd addressed key details related to building density, height, massing and design; site design and site access; streetscape improvements, and parking. Staff had no recommendation at the time and was continuing to study the adequacy of the building's taper to the Lyon Village neighborhood. She also described the public review process. Finally, she provided a general outline of the community benefits package to include contributions toward utility undergrounding, public art, affordable housing, and transportation demand management. Also present were Lisa Maher and Dolores Kinney of DES Planning. Linda Collier, DES Real Estate Bureau, described the proposed ordinance to vacate a portion of a public use and access easement.

The development team for the applicant, Otter Wilson Boulevard, LLC, was present, including Michael Foster, architect and applicant; Jon Kinney, attorney (Bean, Kinney, Korman); Bob Cochran and Jeff Kreps, engineers (VIKA); and Robert Kohler, traffic consultant (Wells & Associates). Mr. Foster described the proposal; how the applicant believes it meets the goals of the Courthouse Sector Plan and Sector Plan Addendum; the various details of the building architecture, and the benefits that are proposed to be provided with the proposal, including streetscape, site design and access, and the LEED certification level. Mr. Foster also responded to issues raised by the Lyon Village Civic Association, including fencing around the park to address safety concerns, management and design of the loading to address noise concerns, provision of a northwest building taper immediately adjacent to the single-family neighborhood, and architectural plans for the parcel currently developed with the Superstar Tickets building.

Public Speakers

Miles Mason, representing the Lyon Village Civic Association, stated that he appreciated staff's comments regarding the applicant's most recent proposal for the building taper, which is still under review. He also appreciated the meeting that Mr. Foster attended with Mr. Lantelme, President of the Lyon Village Civic Association. The civic association's main concern continues to be the building's increased height and its impact on the neighborhood, and it wants assurance that an effective taper towards the neighborhood will be provided. Mr. Mason stated that the civic association is also concerned about the proposed bonus density and the precedent it may set for future development proposals adjacent to the neighborhood, and that the benefits to the community must be weighed against proposals for additional height and density.

Tatjana Vichnevsky, Director of the Full Circle Montessori School, stated that she is working with Mr. Foster to ensure that the proposed childcare facility will meet the needs of any childcare operation. She raised three concerns regarding preschools in Arlington County: 1) the lack of physical space available for operation of preschools and school expansions; 2) many existing preschools are operating in spaces that are inadequate; and, 3) the proposed site plan offers a good urban solution to the issues confronting preschools. She stated that it is rare for this type of redevelopment proposal to support the provision of a childcare center. Ms. Vichnevsky referred to the 2010 white paper prepared by Arlington Economic Development that outlined a childcare policy; however, the County Board did not adopt the policy. Commissioner Fallon inquired if she had any concerns regarding parking and vehicular access to the site. Ms. Vichnevsky responded that the main concern was with the drop off and pick up of children and that the design issues have been resolved. She commented that the proposal offers an opportunity to design the space from the ground-up rather than retrofitting the school's physical needs into existing spaces that are often inadequate. Commissioner Iacomini inquired about the ages of children in the Montessori School, to which Ms. Vichnevsky responded they were from 2 ½ to 12 years of age. Commissioner Kumm asked if there are concerns regarding the outdoor play area being accessible to the community during the hours that the center would not be in operation and if there are any state requirements that would preclude that, to which Ms. Vichnevsky responded no. The Montessori School is currently located in the basement of a church and their outdoor play space is a public playground located adjacent to the church. Commissioner Malis inquired whether the Montessori School is a childcare facility or a school, stating that if the students' ages go up to 12 years then it is a private school. Ms. Vichnevsky responded that the majority of the children's ages range from 2 ½ to 6 years, and the total number of children in the school ranges from 80 to 100. Commissioner Iacomini inquired about the school's hours, stating that a typical childcare center operates 5 days per week, from 8 am to 6 pm. Ms. Vichnevsky indicated that the Montessori School operated from 8 am – 3 pm. Commissioner Ciotti inquired about the number of children from Lyon Village, to which Ms. Vichnevsky responded that the majority of their children are from North Arlington, and many are from Lyon Village. Commissioner Harner commented that 80 to 100 children occupying a 7,000 square foot facility results in 70 – 90 square feet per child and given the state and county requirement for a minimum of 35 square feet per child, the total enrollment could increase to 200 children. Ms. Vichnevsky responded that the ratio is for classroom space only and does not include amenity and core spaces. Commissioner Fallon inquired if the childcare center operation would be considered through a use permit proposal, to which Ms. Byrd responded yes. Through the use permit process, staff would coordinate with the Department of Human Services Child Care staff and determine the appropriate enrollment, student-teacher ratio, program operation, physical facility, and traffic management. The proposed site plan provides a concept for the physical space. Childcare centers are defined by the Arlington County Code and the Arlington County Zoning Ordinance, and the definition excludes certain facilities such as public and private schools. One of the requirements of a childcare use permit is that the childcare operation complies with the Arlington County Code.

Public Advisory Commission Reports

Commissioner Kumm reported on the Urban Forestry Commission. She commended the applicant for responding to the request to plant additional street trees, which now total 12, almost doubling the number the original number proposed. She stated that it would be desirable if the applicant provides

additional canopy trees at the rear of the site or along North Adams Street to buffer the views from the neighborhood.

Commissioner Forinash reported on the Transportation Commission meeting held on August 30, 2012. The Commission recommended approval of the site plan. Of the seven issues discussed, the major issue was access to the childcare center and vehicular drop off and pick up. The Commission suggested that the two on-street parking spaces located immediately adjacent to the childcare center entrance be signed and reserved for vehicular drop-off and pick-up during the morning and afternoon hours. Commissioner Forinash also stated the Commission's desire that the childcare center make it a priority to enroll children of occupants of the building and adjacent residences in an effort to increase the walk/bike mode share. Other issues discussed by the Commission included delineating areas for strollers and bikes, reconfiguring the North Adams Street cul-de-sac to include a rolled curb and grasscrete for emergency vehicle and bike access, the applicant's request to lower the height of the loading dock door to 12 feet, and installing fencing adjacent to the park's pedestrian path and a gate that can be locked if needed to address safety concerns. While the civic association preferred that the park and pedestrian path be kept open, the Commission suggested that the gate be provided and locked in the future if deemed necessary.

Chair Sockwell reported on the Site Plan Review Committee (SPRC) review, for which there were five meetings. The overarching question was the appropriateness of the building's mass, height and density for this particular location; when viewed from the perspective of i the Courthouse Metro, the proposal makes sense; when viewed from the perspective of the neighborhood next door, it is more uncertain. While much of the discussion addressed the applicant's proposal to increase height and density over the previously approved site plan, by the end of the process staff and some committee members determined that the revised height and density were appropriate for the location. In general, the committee was impressed with the number of amenities proposed, including the conference center and childcare center. The neighborhood, however, continues to oppose the substantial increase in height and density. Chair Sockwell referred to the four outstanding issues outlined in the committee report and asked if the Commission wanted to identify additional issues for discussion. Commissioner Savela requested adding the childcare center as a discussion item in response to the earlier discussion during citizen testimony. Commissioner Cole asked whether it was appropriate to discuss the site plan proposal now, given the significant outstanding issues with building form and design that continue to remain unresolved. He suggested that the site plan be deferred until staff and the applicant could review the final design. Commissioner Ciotti responded that after five SPRC meetings the applicant has the right to be heard by the Commission. Chair Sockwell asked staff if there were additional outstanding issues. Ms. Byrd referred to the applicant's most recent building design and requested additional feedback on the appropriateness of the proposed taper adjacent to the neighborhood, for which there is no staff recommendation at this time. Commissioner Iacomini expressed agreement with Commissioner Cole regarding deferring the site plan, stating that she is uncomfortable with the various discussions the applicant has had with staff and the community on the different design approaches to the taper at the northwest corner, and is unclear about the definition of a childcare center.

Planning Commission Discussion

Site Plan #263

1. Appropriateness of the proposed building's mass, height and density for location.
2. Success of the applicant's design in providing transition to the neighborhood, including the use of open space to the rear of the building, the lack of taper or step back, or use of other strategies to effect a transition.
3. Childcare center.

Commissioner Fallon, responding to confusion about building taper, asked Mr. Foster to describe the current proposal for the building taper, which was contained in the Commission's packet. When asked, Mr. Mason responded that the Lyon Village civic association had not reviewed that proposal, but another one that is not under discussion by the Commission.

Commissioner Cole inquired about the amount of square feet that was removed from the building by chamfering the corners on the 7th and 8th floors. Mr. Foster responded that it resulted in a net zero loss because it was made up on the lower retail floors. He further stated that he is seeking the Commission's guidance on this architectural approach as he plans to present it to the County Board. He explained that he had previously explored with staff and Lyon Village the possibility of stepping back the top floor approximately 10 feet and making it up on the ground floor by projecting the rear of the building out into the park. Mr. Mason commented that he thought the neighborhood would support reducing the size of the park, but staff did not support this.

Commissioner Monfort stated that while he understood the aesthetic rationale for chamfering both corners at the top of the building, he did not understand the need for a proposed taper on other sides of the building. He noted that the issue is the design of the corner of the building that faces the neighborhood, which as currently designed provides an insubstantial transition to the neighborhood. Mr. Foster explained that it is rare to have a 90-foot deep park adjacent to and serving as a setback for a 95-foot tall building. He further noted that the building façade has been designed in such a way to locate the penthouse as far from the neighborhood as possible. The chamfered corners are set back 20 feet with 20-foot heights. The building is not symmetrical from front to back, but the pedestrian experience along North Adams Street and the pedestrian pathway through the park is informed by the notches in both corners at the base of the building.

Commissioner Harner confirmed that the bonus densities total .7 FAR, and that the density exclusions total 27,000 square feet or .2 FAR. He asked if the exclusions are typical, stating that essentially they are bonuses. Ms. Byrd responded that the original site plan excluded 3,500 square feet for the childcare center. She also referred to the white paper on childcare centers in the Rosslyn-Ballston Corridor that was drafted by AED. While the County Board did not take action on a proposed zoning ordinance amendment, there are examples of where the County Board has excluded density or approved bonuses in site plans for childcare centers. Ms. Byrd cited three such site plans, and the justification given was that the childcare centers were viewed as community facilities. Density exclusions have been approved for other building elements, such as mechanical shafts or storage, where they do not add to the bulk and mass of the building, through Section 36.H.5.a. of the Zoning Ordinance. Commissioner Harner inquired about how the density exclusions are evaluated by staff. Ms. Byrd responded that they are evaluated based on the appropriateness for the site, implications for the building design, the overall benefit to the community, and the effect on the overall form of the development.

Commissioner Harner commented that the proposed building taper does not relate to or enhance the building architecture. It is so minimal that it seems inconsequential or a token move. He noted that it would have been helpful to include in the drawings the proposed tapering, the affected square footage, as well as a shadow study.

Commissioner Iacomini stated that she agreed with comments made by Commissioners Monfort and Harner about the building taper and how it addresses the neighborhood. Other “R-C” developments in Ballston, on North Taylor and Utah Streets, have heights that effectively taper down to adjacent townhouse developments. She does not see the significant taper here.

Commissioner Monfort noted the three specific bonus density requests and the Zoning Ordinance language that allows bonuses “up to” a maximum level. Ms. Byrd responded that there is no guarantee that the maximum bonus would be approved. The County Board makes the determination as to whether the bonuses fit in with the development and if there are any neighborhood impacts. The Planning Commission can make a recommendation to the County Board regarding the level of bonus density.

Commissioner Malis noted that the applicant stated that the setback provided by the park obviates the need for a building taper. She asked if “R-C” zoning has a set back requirement. She wondered whether any taper would be measured from the property line or from a set back established inside the site. Ms. Byrd explained the setback requirement under “R-C” and stated that the County Board can modify the setbacks. Commissioner Malis stated that she is weighing whether the depth of the park is sufficient to compensate for the building taper.

Commissioner Kumm explained that tapering is a stepping of the building, not notching at the corners as proposed.

Commissioner Savela stated that she believes the park is an effective transition to the single-family neighborhood, as it is directly across North Adams Street from the single-family homes and the proposed office building is sited on a diagonal from the nearest single-family home. While in other districts more tapering would be desirable, one has to take into account that the site is two blocks from the Court House Metro and provides a substantial park in an area where parks are insufficient and lacking. Commissioner Savela commented that she agreed with Commissioner Malis and would prefer to see green space and the massing as proposed without the notches and putting all of the notching on the neighborhood side if it visually makes sense. She did not see the benefit of spreading the building footprint over a larger area and did not think the building mass is excessive for this area. It fits within the “R-C” district constraints, and these constraints, which are already pretty significant given other zoning districts typically within two blocks of a metro station and which allow greater massing. Commissioner Savela stated that she understands the concerns, but questions the utility of the two notches on the two back corners, and if some of that space could be concentrated on the northwest corner to create a more substantial setback, it makes sense architecturally and the neighborhood is happier, then she supports it. Her intent was to voice her support for the idea of a park being an appropriate transition.

Commissioner Cole associated his comments regarding the park with those of Commissioner Savela. He agrees that the park is a valuable element of the project. The proposed building taper is so

insignificant that he agreed with Commissioner Savelle that the corners should be squared off. He stated that his concern is more with how the Commission is dealing with this project, as they are being asked to make a decision on elements of the plan that were not reviewed by the SPRC. There are elements still outstanding, including the building massing and tapering, and the community benefits. He inquired as to whether the use of the conference center by public groups will include free parking and suggested a condition to require free parking. Mr. Foster responded that free parking is not proposed because the site plan proposes to discourage the incentive to drive. Commissioner Cole stated that the childcare center will not meet the needs of working Arlingtonians because of the hours it is open and suggested a condition to ensure that it will. He stated that during SPRC the applicant agreed to charge future childcare center operators the childcare center rates to lease the space, and Mr. Foster agreed to this commitment. Commissioner Cole also questioned the policy for how public art is calculated noting that regardless of the size of the site plan the standard contribution is \$75,000.

Commissioner Kumm stated that she supports the use of the park as a transitional element and community benefit. She asked that additional trees be planted to provide additional buffering from the community. She also recommended that movable tables, chairs and umbrellas be provided in the park to allow more active use of space.

Commissioner Ciotti noted that there was a lot of discussion during SPRC on access to the green roof by school children and using it as an opportunity to teach them about sustainable development and now those plans are not part of the final plan. Ms. Byrd responded that while staff is not opposed to providing access to the roof, the additional GFA associated with the elevator override and restrooms would count toward density beyond the maximum permitted in the site plan. Commissioner Ciotti stated that if this element is considered purely educational and a benefit to the community and Arlington Public Schools, then it should be treated similar to the childcare center, as bonus density or density exclusion. Ms. Byrd stated that staff would be willing to reevaluate it if the applicant requests it. Mr. Foster stated that because the space is not affiliated with either the office or retail component he could not take the GFA away from other areas in the building. He would be willing to incorporate it at the request of the Planning Commission or the County as purely public benefit space.

Commissioner Iacomini expressed her continued concern about the building taper or step back. She stated that this was an important design concept. One of the things that the County did well in Ballston was to approve site plans under "R-C" zoning where buildings were required to taper down in height to adjacent residential buildings. The proposed development should be respectful of adjacent densities and uses from the northwest corner. The proposed notches at the building corners do not adequately address the tapering concerns.

Commissioner Iacomini also agreed with Commissioner Cole that the childcare center must be useful for working Arlingtonians, whether they live or work in Arlington. She expressed caution about recommending density exclusions for private schools that close early in the afternoon, have high tuitions and are inconsistent with the state code or zoning ordinance definition of childcare center. She believes the intent of the childcare center provisions is for the care of children. The examples cited by Ms. Byrd, in which site plans were approved with bonus densities or density exclusions for childcare centers, did not include private schools.

Commissioner Monfort asked if the Zoning Ordinance speaks to the ages of children in its definition of childcare center or how it refers to private schools. Ms. Byrd read to the Commission the definitions contained in Chapter 52 of the Arlington County Code and in the Zoning Ordinance, neither of which included public or private schools as part of the definition of a childcare center. Commissioner Monfort stated that he shares Commissioner Iacomini's concerns about where the line is drawn regarding the childcare center versus private school. He is attempting to identify a way to subsidize the space for a childcare center and not a private school.

Commissioner Savela also associated her comments with those of Commissioner Iacomini's. For the 10 years she has served on the Planning Commission, she has been hearing about the lack of daycare centers for the care of children whose parents work. She was under the impression that the proposed site plan was creating a way to subsidize a daycare center, not a private school. She suggested that the site plan include a condition that provides greater detail on the type of childcare program required, including that it operate at least 50 weeks out of the year, five days a week and during regular working hours.

Commissioner Fallon stated that a lot of the aforementioned concerns are regulated through the use permit process for day centers. From a policy standpoint, the County Board could approve a density exclusion for the childcare center. He asked if the condition language could be strengthened to require a bond or some other enforcement mechanism to ensure the facility is providing care to children. Ms. Byrd agreed to review the language. Mr. Foster added that the market has shown that a number of operators are interested in the space for a childcare center, of which 99 percent are private.

Commissioner Malis stated that the language in the current condition for the childcare center does not outline any expectations regarding the nature or quantity of childcare that would be provided at the site. She feels it should be clear regarding the expectations. The condition also states that if the space is not used as a childcare center, a site plan amendment should be required. Commissioner Malis stated that the conditions should be clarified that it be a major site plan amendment with public review.

With regard to the conference center, Commissioner Malis noted that the condition as written provides community use of the conference center only on a space available basis. Under that condition it is possible that the center would never be available to the community. To consider this a true community benefit there needs to be an expressed agreement on how much usage the community could expect. Ms. Byrd responded that the condition attempts to address the requirements for when public and community groups can reserve the conference facility.

Commissioner Savela expressed concern that reservations for the conference facility must be made up to 90 days in advance because civic associations will not know when the conference facility will be unavailable.

4. The adequacy of transportation planning for: vehicular parking, pick up and drop off for the childcare facility, and pedestrian flow as commuters walk to the Metro and restaurants near the Courthouse area.

Commissioner Savela inquired about the factors contributing to a level of service (LOS) rating of F for the intersection of North Veitch Street and Wilson Boulevard. While the staff report states that the intersection is failing and will continue to fail with the additional traffic from the project, there is no information on how badly it is failing, or how much longer the delays will be in the future. She asked if the reason for the intersection failure is due partly to the closing off of North Adams Street, as she believes it is hard to imagine that it would not contribute to the failure of that intersection. Ms. Kinney responded that the intersection is currently not operating up to standard and she cannot state specifically that it is hard to imagine the North Adams Street closure does not contribute to delays at the North Veitch Street intersection. While the North Adams Street closure cannot be addressed through this site plan at this late date, she believes street closures should be re-examined in the Corridor, as she foresees many more choke points that may create dangerous vehicle and pedestrian interactions as development continues.

Chair Sockwell stated that he is not happy with the lack of an analysis of the intersection. If the intersection is already failing, and with another project the rating is retained, then more analysis is needed on the impacts of the project's impact on the intersection's LOS rating.

Commissioner Ciotti expressed frustration that while the County has a goal of not creating super blocks, the County's opposition to cutting through the North Adams Street cul-de-sac would retain a superblock.

Commissioner Forinash provided an explanation of the Transportation Commission's discussion of the intersection failure. He stated that there was support for opening up North Adams Street, but it was not a part of the motion because it was considered outside the context of the site plan. However, he thinks there will be support for opening up artificially truncated streets in the Metro corridors. Commissioner Forinash continued with an explanation of how intersection levels of service are typically analyzed and presented, which is based strictly on performance for vehicles and the average delays for vehicles. The Transportation Commission has continually expressed concern about the insufficient analysis for the types of site plan projects reviewed in Arlington. The Transportation Commission generally pays very little heed to conventional traffic analysis because of their limited scope, assessing only time of delay for vehicles, and does not consider the success or failure of an intersection based upon the effects on pedestrian or bicycle traffic. By the very conventional nature of their analysis, which is very inappropriate for Arlington and its Metro corridors, most intersections will fail. With regard to the intersection of North Veitch Street and Wilson Boulevard, Commissioner Forinash noted that he travels there often by vehicle, bike and on foot, and it is not failing except by the very narrow view of conventional traffic engineering.

Commissioner Monfort stated that he supports the staff position that fencing should not be installed around the park. He believes the park and the pathway should remain and have the appearance of being open to the public. He does not agree with the recommendation of the Transportation Commission and will recommend that the County Board not enforce the fencing.

Commissioner Fallon expressed surprise that the Transportation Commission would recommend fencing around the park to limit connectivity and asked Mr. Mason to explain the civic association's reasoning for the fence. Mr. Mason responded that the civic association was concerned about the

safety issue of people loitering in the park. Commissioner Fallon stated that there are a multitude of reasons for why the park should not be fenced in.

Commissioner Savela agreed with Commissioner Monfort that the Commission's recommendation should state its opposition to the fencing. With the review of the park by the Police Department's Crime Prevention Through Environmental Design (CPTED) practitioner, there is a review of safe design elements. She believes adding a fence may increase the safety concerns.

Commissioner Kumm asked about the provision of tree grates in the streetscape. Mr. Foster responded that tree grates would be used on Wilson Boulevard to continue the streetscape treatment and provide a continuity of treatment along that frontage of the development. The other frontages would include tree pits. Commissioner Kumm noted that while she understands the desire to achieve continuity in streetscape treatment, over time the use of tree grates are harmful to the health of street trees. The Urban Forestry Commission is opposed to the use of tree grates and current best practices are to replace them with ground cover.

Commissioner Cole inquired about the nub at the corner of North Adams Street and Wilson Boulevard. He is concerned that it may encourage pedestrians to cross Wilson Boulevard mid-block. Ms. Kinney responded that the nub is needed not as a pedestrian refuge but to define the space for on-street parking spaces.

Commissioner Harner supported the use of nubs, as they encourage pedestrian safety by slowing vehicles when turning onto North Adams Street.

5. Conditions 81: Existing Interim Commercial Uses; and Condition 82: Retail Pavilion.

Commissioner Harner inquired about how a retailer may be able to propose a different design, and if a modification would require a site plan amendment. He expressed concern that the design is very conceptual and he does not see how the plan could be applied. Ms. Byrd responded that the owner of the Superstar Tickets parcel has agreed to be a part of the site plan. Condition 81 permits the existing building to remain on the site as an interim use until 2016. After 2016, it is permitted to remain as a non-conforming use and any changes to it inconsistent with the proposed site plan will require a site plan amendment.

Planning Commission Motion

Site Plan #263

Commissioner Harner moved that the Planning Commission recommend that the County Board defer the ordinance to approve the amendment to site plan #263. Commissioner Cole seconded the motion.

Commissioner Harner explained the purpose for his motion. The project has come a long way and has great qualities; however, his concern is that the neighborhood is not yet completely comfortable with the building taper and staff is not either. This has the potential to be a great project, but needs another month to work out the massing and tapering. Transitions on edge sites are critical planning

issues. He is very concerned with precedent and the Commission needs to make sure that whatever is approved here is a good precedent for this area.

Commissioner Iacomini stated that she supports the motion to defer. It is not just about tapering and massing, but the Commission needs a better understanding of the community benefits associated with the proposed density exclusions/bonuses, the childcare center, the appropriateness of the meeting space for community groups and issue of paying for parking, and other elements of the project.

Commissioner Fallon offered a substitute motion and moved that the Planning Commission recommend that the County Board approve the site plan amendment. Commissioner Savela seconded the motion.

Commissioner Fallon stated that although he is sensitive to the motion to defer, after five SPRC meetings he does not think one additional month will resolve the tapering issue to everyone's satisfaction. He believes the building is attractive. The project takes advantage a number of bonus density incentives to further County goals, which is unusual. Overall, it is a good project.

Commissioner Malis stated that from a design standpoint, the only significant issue is the building taper and so far no specific guidance has been given to the applicant about the preferred treatment. While it is not possible to re-design the building during the hearing, the Planning Commission could weigh in on whether they believe a taper is required. She stated that she is inclined to support the motion, but is concerned about the lack of detailed information on community benefit conditions. She is concerned that at this point the specifics have not yet been nailed down.

Commissioner Savela also stated that the biggest outstanding issue is the tapering and she agreed with Commissioner Malis that the Commission has heard a variety of viewpoints on this issue but no specific guidance has been provided. If the substitute motion becomes the main motion, she will have a few amendments to add.

Commissioner Ciotti stated that she agrees with Commissioner Fallon and will have additional recommendations to address, for example, the availability of free parking for public groups that use the conference facility, provision of an educational component associated with the green roof (in support of Arlington Public Schools) and not counting the elevator override and restroom toward GFA.

Commissioner Harner stated that in light of the staff and community discussion on tapering, there were no studies presented to the Commission showing tapering alternatives, for instance, and the impacts to the park and neighborhood. The park could be a great transition, but that at this point there is no analysis to support such an argument.

Commissioner Monfort stated that there is already an approved site plan with an open space easement, so the applicant should not be given credit for retaining the open space. That being said, despite his concern for the lack of tapering and setbacks, he will support the project, and hopes the applicant will reconsider the setbacks and tapering

Commissioner Cole stated that he would oppose the substitute motion because, while the site plan has come a great distance from where it was months ago, a much better project could be achieved by deferring it one more month.

Commissioner Sockwell stated that he would oppose the motion. The applicant is proposing a substantial increase in density and, while all of the proposed amenities will benefit the public, there have been plenty of opportunities for the applicant to develop a better transition strategy. He agreed that the park is a transition strategy and somewhat ameliorates the issue, but the building is almost 70% larger than the approved building and there is no real attempt to provide a good transition to the neighborhood.

The Commission voted 6-5 to support the substitute motion, so it became the main motion. Commissioners Ciotti, Fallon, Kumm, Malis, Monfort, and Savela supported the substitute motion. Commissioners Cole, Forinash, Harner, Iacomini, and Sockwell opposed the substitute motion.

In order to address neighborhood compatibility and tapering, Commissioner Kumm moved to amend the motion to recommend that the upper 6th, 7th, and 8th floors be tapered consecutively 10 feet back, following the principle of a stepped staggered building, realizing this is a significant amount of floor area that would be taken out of the building but the applicant's request includes a substantial amount of bonus density; this would be comparable to other step backs in the R-B Corridor. There was no second, so the motion failed.

Commissioner Kumm moved to amend the motion to recommend that the step back at the northwest corner of the building occur on the 6th, 7th and 8th floors, with step backs of 10 feet consecutively, and extended halfway in the middle of the building, so that the northwest corner would achieve a tapered rather than a notched treatment. Commissioner Harner seconded the motion.

Commissioner Malis commented that an image of Commissioner Kumm's recommendation would be helpful and noted that it would be more useful for the Commission to provide guidance on the need for some sort of step back, or no step back, if that is what the Commission wants. It is difficult to provide specifics on design.

Commissioner Cole stated that he supports no cutouts in the building.

Commissioner Monfort suggested, as an alternative, generic language to encourage the applicant to revisit the step backs and tapering focusing on the corners of building.

Commissioner Harner, in expressing his concern for moving forward with this proposal, suggested that certain design principles could have been explored, including reducing the apparent bulk to the neighborhood, increasing sunlight to the park, and scaling the building to the park. He would be more comfortable expressing this in terms of design principles, rather than randomly notching corners, as a better solution.

Commissioner Kumm stated that she would not oppose the notion of design principles, as she was attempting to address the issue of compatibility to the neighborhood and tapering, which is consistent with the sector plan.

The Commission voted 0-10-1 to oppose the amended motion, so the motion failed. Commissioners Ciotti, Cole, Fallon, Forinash, Harner, Iacomini, Malis, Monfort, Savela, and Sockwell opposed the amended motion. Commissioner Kumm abstained.

Commissioner Savela moved to amend the motion to recommend that the Planning Commission direct the applicant to develop an option for the County Board, working with community representatives as time permits, with the objective of reducing the apparent bulk of the building to the neighborhood, increasing the sunlight to the park, and enhancing the treatment of the frontage of the façade facing the park to provide an enhanced architectural treatment. Commissioner Harner seconded the motion.

Commissioner Cole stated that the motion directs the applicant to do something but does not advise the County Board. Commissioner Savela responded that it is not ideal, but provides guidance to the applicant to work on the proposal up until the County Board meeting. Commissioner Monfort stated that the motion encourages the applicant to take another look at the building.

The Commission voted 9-1-1 to support the amended motion. Commissioners Ciotti, Fallon, Forinash, Harner, Kumm, Malis, Monfort, Savela, and Sockwell supported the amended motion. Commissioner Iacomini opposed the amended motion. Commissioner Cole abstained.

Commissioner Monfort asked for unanimous consent to amend the motion to recommend that the County Board not adopt any provisions to encourage construction of fencing around the open space at the rear of the building. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Malis asked for unanimous consent to amend the motion to recommend that the Planning Commission support the Transportation Commission recommendation to examine dedicated short-term parking on North Adams Street for on-site childcare center drop-off and pick-up. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Kumm asked for unanimous consent to amend the motion to recommend that Condition #15.f. be amended to require that three movable tables, with chairs and shade umbrellas, be shown on the landscape plan in order to increase the functional use of the park. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Cole asked for unanimous consent to amend the motion to recommend that, for the childcare center, Condition #79 be amended to restrict the lease amount charged by the building owner to market rates charged to similar childcare providers in the Rosslyn-Ballston corridor. There was an objection. Commissioner Cole moved that the Planning Commission amend the motion to recommend that Condition #79 be amended to require the developer to hold rents for the childcare space to childcare market rates similar to those for childcare providers in the R-B Corridor. Commissioner Monfort seconded the motion.

Commissioner Fallon inquired as to whether there have been conditions in other site plans that limited what a commercial building owner can charge to lease their space. Commissioner Savela stated that site plans have been approved in the past that restricted parking garage rates.

The Commission voted 8-2-1 to support the amended motion. Commissioners Cole, Forinash, Harner, Kumm, Malis, Monfort, Savela, and Sockwell supported the amended motion. Commissioners Ciotti and Fallon opposed the amended motion. Commissioner Iacomini abstained.

Commissioner Cole moved that the Planning Commission amend the motion to recommend that Condition #79 be amended to require the childcare center to remain open during regular working hours. Commissioner Monfort seconded the motion.

Commissioner Fallon stated that he opposes this motion. What is generating this motion is the fact that the Commission was presented an education-based Montessori curriculum option, which is one type of child care program. Therefore, this type of facility parallels the school year, vacation schedules, and regular school hours. The operating needs of this type of program are different from other child care options. The requirements of the employees would also be different. Commissioner Fallon stated that a motion, for a site plan condition, regarding the operating hours of a daycare facility is not within the purview of the Commission, but rather a decision of the County Board based on a subsequent use permit proposal. The Commission's purview would be to comment on the proposed density exclusion associated with the site plan

Commissioner Cole disagreed with Commissioner Fallon that the issue of operating hours is outside the Commission's purview. The childcare center is being proposed as a community benefit and, therefore, it is within the Commission's purview. Commissioner Cole explained that he is not recommending a motion for or against the Montessori program, and he does not believe the applicant is proposing a Montessori school. He believes the applicant is proposing space and he prefers that the community benefit recognize that the space should be available to take care of children for longer hours, and if the hours were shorter, the benefit to the community would be reduced because the people that would be able to use the facility would be reduced. Given the subsidy that the County is being asked to provide for the childcare facility, he believes it is reasonable to require that those who work full time should be able to benefit from it.

Commissioner Savela moved that the Planning Commission amend the motion to recommend that Condition #79 be amended to require the childcare center to operate at least 50 weeks out of the year, at least Monday through Friday. Commissioner Cole accepted this as a friendly amendment. Commissioner Monfort seconded the motion.

Commissioner Monfort stated that it is important to recognize that the applicant is not proposing a Montessori school. The Commission is trying to encourage additional childcare centers and not additional private schools. If it operates like a county school, then it's not a daycare center. This is a perfect location for a childcare center, which would be available to workers in this and surrounding buildings.

Commissioner Ciotti stated she believes the AED white paper on childcare in the County did not differentiate between the different types of programs. It was considering alternative pre-school options and did not set parameters for whether they should be year-round, all days, or every day of the week. She stated that there are so few good options in the County and she feels uncomfortable that the Commission would be requiring more.

Commissioner Malis noted that the space being developed is for 80 to 100 children, and that childcare is usually considered to be for younger children and not a school open to children of all ages. The priority is to provide adequate child care and that is what the white paper was addressing.

The Commission voted 9-2 to support the amended motion. Commissioners Cole, Forinash, Harner, Iacomini, Kumm, Malis, Monfort, Savela, and Sockwell supported the amended motion. Commissioners Ciotti and Fallon opposed the amended motion.

Commissioner Kumm moved that the Planning Commission amend the motion to recommend that the landscape plan include additional canopy trees along North Adams Street and on the northwest corner of the site to improve buffering of the community's views of the proposed building and improve compatibility, if the proposed building does not achieve a taper. Commissioner Ciotti seconded the motion.

The Commission voted 1-9-1 to oppose the amended motion. Commissioner Kumm supported the amended motion. Commissioners Cole, Ciotti, Fallon, Forinash, Harner, Malis, Monfort, Savela, and Sockwell opposed the amended motion. Commissioner Iacomini abstained.

Commissioner Kumm asked for unanimous consent to amend the motion to recommend that the landscape plan be revised to provide an additional four canopy trees on west side of North Adams Street and at the northwest corner of the site along North Adams Street to increase buffering of community views of the proposed building if the building does not achieve a taper on the upper floors.

Commissioner Monfort sought clarification of the motion, noting that it was too specific and that he would object to it as stated. Commissioner Kumm withdrew her motion.

Commissioner Kumm asked for unanimous consent to amend the motion to recommend that the landscape plan be revised to provide additional canopy trees at the northwest end of the site along North Adams Street to increase buffering of the community views of the proposed building. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Savela asked for unanimous consent to amend the motion to recommend that Condition #80 be amended to require that the conference center be made available for public use no fewer than 18 times per year, or a number of times per year deemed appropriate by staff. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Ciotti asked for unanimous consent to amend the motion to recommend that the elevator override and restrooms be put back in the penthouse so that the Arlington Public Schools can use the green roof as a learning lab. There was an objection. Commissioner Ciotti moved that the Planning Commission amend the motion to recommend that the elevator override go to the penthouse, along with appropriate restroom facilities, for the benefit of the Arlington Public Schools to use the green roof as a learning lab, and that the associated GFA not be charged against the applicant since there is no profit to be gained. There was no second so the motion failed.

Commissioner Cole asked for unanimous consent to amend the motion to recommend that Condition #80 be amended so that when meetings are called to conduct official County business, participants are excluded from paying for parking for those meetings. There was an objection.

Commissioner Cole moved that the Planning Commission amend the motion to recommend that Condition #80 be amended to require free parking at the conference center for those attending meetings to conduct official County business. Commissioner Monfort seconded the motion.

Commissioner Forinash stated that he does not believe it is reasonable to expect free parking as a benefit from private developers when the County does all it can to ensure that developers charge market rate for parking. If the developer finds that there is no market after-hours for the parking when public meetings are being held and decides not to charge for the parking, then that is okay. Otherwise, it is not a reasonable restriction. Furthermore, there is plenty of on-street parking in the area that is not metered after-hours, on North Veitch Street and Key Boulevard.

Commissioner Malis expressed concern that charging parking to participants of County-related meetings could limit their ability to participate and discourage those less able to pay.

Commissioner Monfort stated that he supports the amended motion, as it will benefit those going to meetings and volunteering their time to the County.

Commissioner Savela stated that while she is sympathetic to Commissioner Forinash's point, she supports the amended motion. She thinks free parking should be provided to those that are attending County-related meetings. Furthermore, there will be participants in the meetings that are elderly or who are unfamiliar with the area and may be uncomfortable walking late at night back to their cars.

The Commission voted 9-2 to support the amended motion, so it was incorporated into the main motion. Commissioners Cole, Ciotti, Harner, Iacomini, Kumm, Malis, Monfort, Savela, and Sockwell supported the amended motion. Commissioners Fallon and Forinash opposed the amended motion.

The Commission voted 7-4 to support the main motion to approve the site plan, with a number of recommendations. Commissioners Ciotti, Fallon, Harner, Kumm, Malis, Monfort, and Savela supported the main motion. Commissioners Cole, Forinash, Iacomini, and Sockwell opposed the main motion.

Ordinance to vacate a portion of a public use and access easement

Commissioner Fallon moved that the Planning Commission issue a finding that the proposed vacation of a portion of a public use and access easement is substantially in accordance with the adopted Comprehensive Plan or applicable part thereof and that the County Board adopt the attached ordinance to vacate a portion of the public use and access easement. Commissioner Forinash seconded the motion.

The Commission voted 10-0-1 to support the motion. Commissioners Ciotti, Cole, Fallon, Forinash, Harner, Kumm, Malis, Monfort, Savela, and Sockwell supported the motion. Commissioner Iacomini abstained.

Respectfully Submitted,
Arlington County Planning Commission

A handwritten signature in cursive script that reads "Stephen Sockwell". The signature is written in black ink and is positioned above the printed name.

Stephen Sockwell
Planning Commission Chair

Arlington County Planning Commission
Site Plan Report

SP#263 Site Plan Amendment
Better known as the "Clean Technology Project" at 2311 Wilson Blvd. "
Submitted by Steve Sockwell, Site Plan Chair

Meeting Dates: : The Site Plan Review Committee (SPRC) met five (5) times over the past year to review the proposed site plan. The meetings took place on September 12, September 26, October 24, and December 5, 2011; a final meeting took place on July 26, 2012.

Project Summary: The Applicant (Otter Equities, LLC) submitted a major site plan amendment to a commercial office building that sits near a prominent intersection (North Veitch Street and Wilson Blvd.) near the County Courthouse. The Applicant is proposing to build an 8 story office building of approximately 157,844 square feet. The proposal includes several amenities, such as a conference center available for public use, a below- grade fitness center, a child care facility, and LEED Gold certification

Major Issues Addressed by SPRC: The proposed building would face the busy arterial street, Wilson Boulevard, but abuts the Lyon Village neighborhood. Much of the discussion dealt with the Applicant's proposal to increase the height and density of a previously approved site plan for an office building. In fact, the hiatus in meetings occurred because staff and the Applicant engaged in discussions about the extent of the bonus density that the Applicant could claim. By the end of the SPRC process, the Applicant satisfied staff, and some committee members, that the height and density were appropriate to the location. Members of the neighborhood, however, continued to oppose the increased height and density. In addition, many, but not necessarily all, committee members felt the community benefits were commensurate with the bonus density being requested. These conclusions did not foreclose questions about how well the Applicant's proposal handled the transition to the neighborhood. Other issues that the SPRC discussed were the design of the site plan, including the effects of its height and fit with neighboring buildings to the east and west, the use of open space, and the site plan's effect on an existing pedestrian walkway to the east. SPRC members also discussed in some detail the anticipated flow of traffic and pedestrians around the project.

Outstanding Issues: Although the SPRC process resolved most issues, a few discrete open issues remain. I would suggest the following outline as a way to focus discussion:

- 1 Appropriateness of the proposed building's mass, height and density for the location.
2. Success of Applicant's design in providing transition to the neighborhood. This might include the Applicant's use of open space to the rear of the building, the lack of taper or step back or use of other strategies to effect a transition.
3. The adequacy of transportation planning for: vehicular parking, pick up and drop off for the childcare facility and pedestrian flow as commuters walk to the Metro and restaurants near the Courthouse area
4. Any other issues.

LYON VILLAGE CITIZENS ASSOCIATION

October 12, 2012

Arlington County Board Chairman Mary Hynes
Board Member Jay Fissette
Board Member J. Walter Tehama
Board Member Christopher Zimmerman
Board Member Libby Garvey

Re: 2311 Wilson Boulevard – Clean Technology Center

Dear Chairman Hynes and Members of the County Board:

I am writing on behalf of the Lyon Village Citizens Association to strongly oppose approval of the proposed site plan for the above named project that will be before you at the October 23rd County Board meeting. We have met with the applicant, Michael Foster, on a number of occasions and have not been able to resolve our objections to the project in its current form. We believe that, if approved, this project would be inconsistent with the Courthouse Sector Plan and Addendum and would result in a bad precedent for neighborhood edge developments.

During the series of Site Plan Review Committee meetings stretching over the course of a year, the LVCA raised concerns including the height of the building, lack of setbacks or taper on the sides facing the neighborhood, pedestrian access along the former Custis Road right-of-way, sidewalk widths around the project, density calculations carried over from the current site plan and the lack of value of community benefits offered by the developer for additional density. The majority of these concerns have not been satisfactorily addressed in the current plan.

Surprisingly, this project went before the Planning Commission without a planning staff recommendation. Specifically, the staff indicated that they were concerned about the taper into the neighborhood. Indeed, the week before this meeting the developer, at the behest of County planning staff, met with us to raise possible modifications to the shape of the building facing the neighborhood. We did not, and we continue not to, believe that the proposed modifications address the taper into the neighborhood. Further, at the Planning Commission meeting a majority of the commissioners were seriously concerned over the lack of taper facing the neighborhood, and did not think that the modifications addressed the issue. In fact, many dismissed the proposed “notches” in the building and thought the building was better without them since they didn’t add any taper at all. In addition, they raised concerns about the proposed child-care center and conference center and yet they approved the project expecting the County Board to resolve the open issues. While they voted 6-5 not to defer and thus send the project on to the County Board, they also voted for numerous amendments and more importantly directed the developer to work with the LVCA to come up with additional tapering solutions, and

with staff to provide more details on the conditions for the child-care and conference centers

Since that meeting and the project's deferral from the September 18th County Board meeting, the applicant has met with us to offer two more design changes to the sides of the building facing Lyon Village. These changes make aesthetic improvements to the building and add more notches to the top and corners but do not amount to any real taper and effectively leave a 95' cliff facing a low-density residential neighborhood. This is in stark contrast to the tapers approved in Ballston and other "edge" projects, and would be a significant change in county precedent for similar projects.

The Courthouse Sector Plan and its Addendum specifically address this site. The original Sector Plan encouraged the consolidation and rezoning of this site to R-C as has been done, but stated "Any development proposal should pay particular attention to the transition from these blocks to...the Lyon Village neighborhood" (p.26). The Addendum, in addressing "Transition Areas" including Lyon Village, has a suggested action "Through the site plan process require tapering of building mass and height from the commercial core to the lower density residential neighborhoods" (p.23). It further states that "Sensitive transitions in height shall be provided between existing low-rise development and taller new structures" and "The building mass should be broken into increments that correspond to the scale and massing of surrounding buildings through the use of setbacks, and variable roof heights" (p.40 and Illustration 8). Indeed the preamble to the R-C Zoning states that such projects should provide "for a mixed use transitional area between high density office development and lower density residential uses." The site plan now in effect followed those precepts with an approved, but un-built, six-story commercial building that tapers down from the built eight-story apartment building.

The applicant seeks a new site plan approval to construct a commercial building that would be an additional two stories higher by taking advantage of community and other benefits. We first note that under the site plan process bonus density is not a right. We do not believe a number of the offered benefits justify the additional density and lack of appropriate transition this project would entail, and we also believe that neither staff nor the developer has justified the value of these benefits.

First, we do not believe the offered conference space provides a meaningful benefit to either Lyon Village or the county as a whole. Experience with conference space in other buildings shows them to be hard to schedule, difficult to access and rarely used other than by building tenants. At a committee meeting earlier this year, the Planning Commission asked staff to look into the use of, and need for, such facilities, and to our knowledge, to date, no such study has been done. If indeed, a number of buildings have received similar bonus density for conference space, and such conference space is not being used, then in effect there is no benefit and the building should not receive additional density.

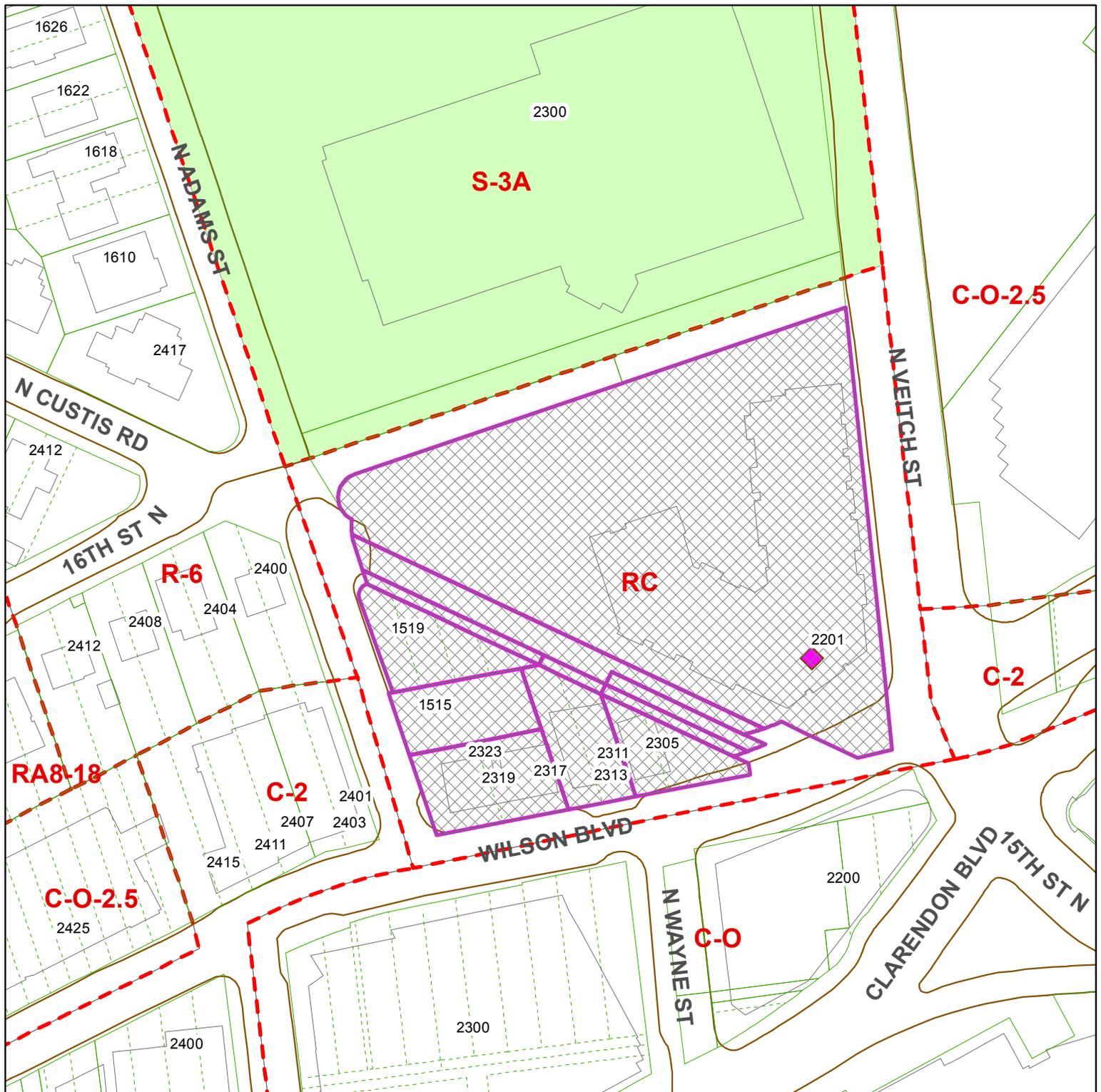
Second, the applicant proposes a \$1.6 million contribution to a second Courthouse Station elevator. We have not asked for an elevator. Further, such an elevator would be way down on the county's and Metro's priorities. The effect of the additional two floors will be seen and felt immediately and for the life of the building. The additional elevator may never come to pass. Again, where is the tangible benefit that warrants the additional density?

Third, a child-care center is in both the current and proposed site plans though the proposed plan enlarges it to 5000 square feet. We are not opposed to a child-care center, and in fact, there may be a need in the county for space for such additional facilities. However, based on past experience, we question whether child-care centers are ever viable in office buildings or whether there is a need for an additional center in this location. We also note that the applicant has been working with a Montessori school provider rather than a child-care provider. As the Planning Commission duly noted, while laudable, a Montessori school does not provide the same benefits to the community as a whole, as a child-care center, and as they further noted, it might not even qualify for the proposed benefit. Again, more work needs to be done to determine the viability of, and need for a child-care center in such a space before offering the applicant a density exclusion for such use — especially since a child-care center is a requirement of the current approved site plan. Despite the conditions proposed by the Planning Commission, without knowing how the conference and child-care centers will be used, is just setting the county up for failure once the building is built, high and close into the neighborhood, without any true benefits to the impacted community.

Lyon Village has in the past supported the rezoning and redevelopment of this site. We continue to believe that a well-designed building consistent with the sector plan will be a benefit to Lyon Village and the county as a whole. Unfortunately, the applicant's proposal falls short and this letter should be considered the LVCA's objection to the site plan with our request that you vote to deny.

Sincerely yours,
James T. Lantelme
President
Lyon Village Citizens Association
703-618-4315

cc: Barbara Donnelley
Samia Byrd
Michael T. Foster



SP# 263

2201, 2305, 2311, 2317 Wilson Blvd, 1515 and 1519 N. Adams St

RPC# 15-058-015, 15-059-001, -002, -003, -004, -005, -006, -007, -008, -009, -010



 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.