



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of September 8, 2007**

DATE: August 27, 2007

SUBJECT: Enactment of an Ordinance to Permit an Encroachment of an Underground Electric Vault Within the Right-of-Way of North 10th Street, Abutting Parcel B, Virginia Square Residences, Being the Vacation, Rededication and Vertical and Horizontal Resubdivision of Part of Lot 3, W.T. Burrows Estate, RPC Nos. 14030057 and 14030058, with Conditions.

Applicant: Renaissance Centro Arlington, LLC

Owner: Renaissance Centro Arlington, LLC

By: Martin D. Walsh, Esq.

Walsh Colucci Lubeley Emrich & Walsh PC

2200 Clarendon Boulevard, 13th Floor

Arlington, Virginia 22201

C. M. RECOMMENDATION:

Defer consideration of the proposed Enactment of an Ordinance to Permit an Encroachment of an Underground Electric Vault until the October 1, 2007 Planning Commission Meeting and the October 13, 2007 County Board Meeting.

ISSUE: None.

SUMMARY: The applicant has requested an encroachment into the County right-of-way in conjunction with an application for approval of an amendment to Site Plan #386. The applicant has requested permission to construct an underground electric vault in the County right-of-way for North 10th Street. Staff recommends deferral of the consideration of the proposed encroachment at this time to allow additional time for staff to discuss and resolve with the applicant issues relating to the site plan amendment. The applicant concurs with the recommended deferral.

DISCUSSION: The subject site is located on a block on the north side of Fairfax Drive in the Virginia Square Metro area. The site is currently developed with a funeral home and surface parking. In conjunction with its plans to redevelop property located at 3901 North Fairfax Drive, bounded by North 10th Street, North Pollard Street, North Fairfax Drive and North Quincy Street

County Manager: _____

County Attorney: _____

Staff: Betsy Herbst, DES, Real Estate Bureau

(the "Property"), the applicant obtained a rezoning of the Property and approval of Site Plan #386 ("Site Plan") at the County Board's recessed meeting on July 13, 2004. The site plan consisted of a proposal to construct a 12-story residential project including 135 dwelling units, retail space, a black box theater, and a public plaza on the site of the Arlington Funeral Home. The site plan was extended by the County Board in April, 2007, and expires on July 10, 2010. The applicant has recently submitted a request for a Site Plan Amendment proposing numerous design revisions.

In conjunction with the revised plans for redevelopment of the property, the applicant has requested an Ordinance of Encroachment to permit the construction of a privately owned and maintained underground electric vault within and under the right-of-way of North 10th Street between N. Pollard and N. Quincy Streets. Enactment of the Encroachment Ordinance is unnecessary until the Site Plan Amendment is considered by the County Board. Staff recommends deferral of the consideration of the proposed encroachment at this time to allow additional time for staff to discuss and resolve with the applicant issues relating to the proposed site plan amendment. The applicant concurs with the recommended deferral.

ATTACHMENT 1

