



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of September 8, 2007

DATE: September 10, 2007

SUBJECT: SP #407 SITE PLAN: J. Shaw, et, al., four (4) dwelling units (Residential Cluster);
2929 N. Glebe Rd. (RPC #03-047-003, -175)

Applicant:
Cathedral View, LLC

By:
JL Albrittain, Inc.
1019 N. Nelson Street
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Approve the site plan request to develop four (4) dwelling units (Residential Cluster).

ISSUES: Should the circular drive be modified to reduce the number of curb cuts proposed along North Glebe Road from two to one?

SUMMARY: The Cathedral View site plan proposes a residential cluster townhouse development in order to preserve natural land form and major open site area. The proposal for a six-unit cluster development was deferred by the County Board at its July 7, 2007 meeting in order to allow staff and the applicant time to resolve issues related to proposed density and the intent of the project in comparison to the cluster provision of the Zoning Ordinance. In response, the applicant has revised the site plan request. The revised plan proposes a reduced density of four units based on the design and configuration of the site. This results in a site layout and design that meets the intent and purpose of the cluster provision (Sec. 31.A.8.) and the requirements of the "R-10" zoning district, grouping the units on a portion of the site in order to permanently preserve a significant amount of open space as a wildlife habitat and rain garden that naturally filters storm water and reduces storm water runoff from impervious surfaces. In addition, developing the site with a residential cluster development is consistent with one-family residential development in the area, preserving, maintaining and enhancing its character. Therefore, staff recommends that the site plan be approved.

County Manager: _____

County Attorney: _____

Staff: Samia Byrd, DCPHD, Planning Division
Robert Gibson, DES, Division of Transportation

PLA-4740

BACKGROUND: The applicant is requesting site plan approval to develop a four-unit residential cluster development in an “R-10” zoning district.

Site: The 65,305 square foot site located at 2929 North Glebe Road is uniquely located between Marymount University and the Washington Golf and County Club. Primary attributes of the site are its open space and natural land form, which allow for a view of the Washington National Cathedral. Additional information below provides details on the site’s boundaries, zoning and land use.

- To the north: Washington Golf and Country Club parking lot, swimming pool and a one-story brick pool house.
- To the west: Across North Glebe Road, Washington Golf & Country Club tennis courts.
- To the east: Washington Golf and Country Club green and golf course fairways.
- To the south: Marymount University residential dormitories in multi-story stucco buildings.

Zoning: The site is zoned “R-10” One-Family Dwelling Districts.

Land Use: The General Land Use Plan designation of the site is “Semi-Public”.

Neighborhood: The site is adjacent to the Donaldson Run Civic Association, and is in the vicinity of the Rock Springs and Yorktown Civic Associations.

Existing Development: The site is currently developed with one (1), two-story, single family detached dwelling. The existing home will be demolished under the proposed site plan.

Approved Plans and Policies: The General Land Use Plan and Zoning Ordinance serve as a guide to the site’s development and uses. Subsection 31.A.8 of the Zoning Ordinance provides:

The purpose of this subsection is to allow, by site plan approval, the residential clustering of one-family dwellings, in order to preserve, maintain and enhance the character of one-family residential neighborhoods. It is intended that such clustering shall result in the preservation of natural land form, irreplaceable historical features, trees and foliage, and permit the preservation of major common open site area without increasing the overall density of the land use otherwise allowed for the site.

Proposed Development: The table on the following page sets forth the statistical summary for the project.

	Proposal
SITE AREA	65,305 sf 1.499 ac
Density	
Residential G.F.A.	31,073 sf
Residential Units	4
Units permitted by right	6
Units permitted by site plan	6
Proposed units per acre	2.7 units/acre
“R-10” Maximum units per acre by right and by Site Plan	4.0 units/acre
Building Height	
Average Unit Elevation ¹	Range: 415.3 – 422.2 ft
Main Roof Elevation	Range: 457.16 ft
Main Roof Height	Range: 32.9 – 34.9 ft
Number of stories	3 ½
“R-10” Maximum Height	35 feet
Parking	
Total Parking Spaces	18
Parking Ratio	4.5 sp/unit
“R-10” Required Parking Ratio	2.5 sp/unit
“R-10” Required Parking Spaces	10
Green Home Choice Score	185 points
Percent Coverage	33%

Site Design: The proposed design shows the site subdivided with four townhouse lots averaging 3,884 square feet, 19,019 square feet proposed as roads, and 30,750 square feet of the site preserved as open space. The site layout takes advantage of the natural land form clustering the townhouses at the front of the site and maintaining the sloping, open space at the rear of the site. Townhouses front North Glebe Road and are situated to provide views of the Washington National Cathedral. The project’s design will meet the accessibility requirements of the Fair Housing Act and Fair Housing Accessibility Guidelines.

The preserved open area of the site is proposed as a no-mow zone, and will be planted with indigenous species of plant material, implementing a naturalized wildlife habitat as a sustainable

¹ The Zoning Ordinance Section 1, defines building height as follows: *In-all “R” Districts, not including “RA Districts:* The vertical distance measured at the existing grade of the lot at the perimeter of the building to the highest point of the roof surface, if a flat roof, to the deck line of mansard roof and to the mean height level between eaves and ridge for gable, hip or gambrel roof. The vertical distance shall be calculated by averaging the above-described distance at four (4) points at the perimeter of the building. The four (4) points shall include two (2) points each on the front and rear of the building, at the points closest to the applicable side lot line.

landscape. A rain garden, grass terrace and viewing terrace are also proposed in the open space area for use by residents of the development. The rain garden is proposed to meet the storm water management requirements for the site. In addition, the applicant proposes to exceed the County’s certification requirements under the Green Home Choice residential program including implementing certain features of energy efficiency.

Transportation: The *Master Transportation Plan – Part I* classifies the 2900 block of North Glebe Road, a Virginia Department of Transportation (VDOT) maintained roadway, as a Principal Arterial.

Trip Generation: Trip generation estimates for the existing and proposed development are detailed below. As indicated, there will be minimal impact on the adjacent street system.

	Development Density	Vehicle Trips	
		All Day	Peak Hour
Existing	1 dwelling units	10	1
Proposed	4 dwelling units	40	2
<i>Increase</i>	<i>3 dwelling units</i>	<i>30</i>	<i>1</i>

Parking: A two-car garage, driveway pad to accommodate two additional vehicles, and an optional tandem space in the garage are proposed allowing for up to five spaces per unit. The development also proposes two visitor parking spaces.

Streets: The applicant proposes maintaining the existing North Glebe Road street width of 52.5 feet, providing two 10.5-foot travel lanes in each direction separated by a 4-foot concrete median. Vehicular access is proposed from a 20-foot driveway entrance off of North Glebe Road. The driveway extends approximately 270 feet into the site with a single 24-foot wide drive aisle providing access to townhouse garages. The driveway entrance is proposed in a similar location to the existing driveway. Use of an existing median break will allow full vehicle access to the site from both northbound and southbound North Glebe Road. The driveway entrance will require VDOT approval.

The applicant also proposes a circular drive providing one-way vehicular access into the site from northbound North Glebe Road, with a second curb cut along North Glebe Road. The circular drive will connect to the main driveway and provide for passenger drop-off along with a place for vehicles to make deliveries without stopping along North Glebe Road. Staff does not support the addition of the circular drive because of the additional curb cut required which will degrade the pedestrian environment along the site frontage.

Pedestrian Access: The applicant is not proposing any sidewalks internal to the site adjacent to the driveway or providing access to the back of the site. Currently an existing six-foot wide public sidewalk is provided adjacent to the site along North Glebe Road with a two-foot wide utility strip separating pedestrian and vehicular traffic. The existing streetscape provided adjacent to the site is consistent with the streetscape that extends along North Glebe Road for nearly three

nearly three (3) miles between I-66 and the county line. The applicant has agreed to provide the County with a sidewalk easement that would provide for the option of an 11-foot wide streetscape in the future. An 11-foot wide streetscape would allow for a 5-foot planting strip and a 6-foot sidewalk which is the typical streetscape required for medium density projects as identified in the Master Transportation Plan. By providing the easement, the short section of sidewalk adjacent to the site could easily be widened in the future if either Marymount or the Country Club redevelops making such streetscape improvements. Staff does not find it appropriate to widen the sidewalk adjacent to the site unless sidewalk improvements are made along the North Glebe Road frontage of either of the adjacent properties.

Public Transportation: Metrobus Routes 23A and 23C provide limited service between McLean and Crystal City, which stop along North Glebe Road about one block from the proposed site. The site is not in a Metrorail corridor. Rather than making improvements to the sidewalk adjacent to the site, the applicant has agreed to make a \$10,000 contribution to Arlington County for bus stop and bus shelter improvements.

Bicycle Access: There are no bicycle facilities provided on North Glebe Road adjacent to the site.

Utilities: Adequate water and sanitary sewer capacity is available to serve the proposed development. Site Plan Conditions #23-26 detail the requirements for water and sewer mains.

The applicant proposes to collect and treat storm water runoff from the site by constructing a bio-retention facility (rain garden). The rain garden will be designed to provide for both water quality and quantity management and entail enough volume of water storage area to accommodate the peak storm conditions as required for compliance with the Virginia Storm Water Management handbook and regulations. Site Plan Condition #54 requires maintenance of the rain garden in perpetuity by the Homeowner’s Association and that the rain garden meet performance and compliance standards as certified by a professional engineer.

DISCUSSION

Land Use and Zoning: The site’s “R-10” zoning presents three development options: 1) traditional “R-10” (by-right) subdivision; 2) Unified Residential District; and 3) Residential Cluster Development. The table below provides a side-by-side summary of a few distinguishing characteristics between these three options.

	Traditional “R-10” Subdivision	Unified Residential District	Residential Cluster Development
Required Approval	None	Use Permit	Site Plan
Permitted Unit Type	One-Family Dwelling	One-Family Dwelling	One-Family, <i>Semi-Detached, Townhouse</i>
Preservation	None	<ul style="list-style-type: none"> • Natural Land Form • <i>Significant</i> Trees and Foliage 	<ul style="list-style-type: none"> • Natural Land Form • Trees and Foliage • Irreplaceable Historical

		• Irreplaceable Historical Features	Historical Features
Density	6 Units	6 Units	6 Units
Maximum Coverage	32-40% (Per Lot)	50% (Site)	• <i>Major Open Site Area</i> 50% (Site)

To review the appropriateness of the proposed cluster, the applicant prepared both traditional (by-right) “R-10” subdivision and Unified Residential District (URD) concept plans. Four- and five-lot by-right plans show the minimum square foot lots and lot widths required by the zoning district and a private street for frontage adjacent to the Marymount property line with access to each lot. Lot coverage shown is the maximum permitted per lot based on the type of structures that would be developed. The entire site area would be utilized for the subdivision and assumes that a restrictive covenant in favor of Marymount University has no impact on development of the site. Two URD concept plans of a five- and six-lot layout show the minimum lot size required and a private street adjacent to the Washington Golf and Country Club property line allowing access to all lots. Both the five and six-lot URD layouts respectively propose site coverage at 48% and 49%, and preserve 11,145 square feet and 5,270 square feet as common open space (17% and 8% of the entire site).

The residential cluster development is the only option that allows for the development of townhouses without rezoning the site. Given the site’s land form and configuration, clustering townhouses results in a better layout and site design than one-family dwellings. On the subject site, a cluster design/layout allows for the preservation of open space and natural land form, minimizing the amount of grading necessary by locating the units to fit the topography and considering unit locations fronting North Glebe Road. In this respect, a residential cluster development is a more appropriate in-fill development under the site’s “R-10” zoning as compared to development by-right or through URD

Residential Cluster Development Requirements: The proposed cluster development is consistent with the Ordinance provision, proposing a density of four units based on the design and configuration of the site. This is less than the maximum number of units that could be approved by the County Board and less than or equal to the number of units that could be developed by-right, subject to any impact a restrictive covenant in favor of Marymount University may have. Site coverage proposed at 33% is 17% less than the 50% maximum allowed. This is consistent with previously approved cluster developments which have averaged 37% site coverage. In addition, common open area to be gained by clustering is 30,750 square feet, three times the 10,000 square feet required (See Appendix A).

The purpose of clustering per the Ordinance is to preserve, maintain and enhance the character of one-family residential neighborhoods. The proposed cluster development meets this purpose, as it is consistent with the current development on-site and one-family development in the neighborhood. The proposed cluster meets the intent of the Ordinance provision clustering the townhouses to preserve natural land form and open space. In the July 2007 issue of the American Planning Association’s *Planning* magazine, in “A Step by Step Guide to Sustainability,” Karen Walz discusses nine steps toward creating sustainable communities. The first step is to “design

first step is to “design with the local environment”, and clustering is referenced as a mechanism for such design. Clustering is noted as a means to design green spaces to protect important habitats, wetlands, and other natural areas in a damaged watershed or region. Further, design is encouraged that takes advantage of natural land forms and minimizes grading and filling, as well as employs the “building envelope” technique, limiting disturbances to sites and ensuring the local character of a community through the use of native plants. This in effect is the proposed open space wildlife habitat and rain garden to be gained by clustering the townhouse units along the most favorable building terrain.

Community Process: The six unit cluster development initially proposed was reviewed by the SPRC at three meetings. The proposal was also heard by the Planning and Transportation Commissions, who both recommended denial of the plan primarily related to two issues: 1) whether the proposal met the intent of the Ordinance and 2) the appropriateness of the proposed density. In July 2007, the site plan was deferred to September in order to allow staff and the applicant to continue to work toward resolving these issues. Comments from the community were received from Marymount University stating no opposition to the proposed plan, but the desire to disclose its intention to renovate dormitories immediately adjacent to the site in the future, and to enforce a restrictive covenant on the rear parcel of the site prohibiting the erection of any buildings. A letter was also received from the nearby Rock Spring Civic Association in support of the proposed site plan. The revised four-unit site plan was reviewed once by the SPRC. The proposed site design and layout directly responds to the issues and comments received during the public review and approval process related to the six-unit cluster proposal, reducing density, impervious surface area and increasing the amount of open space.

Transportation Commission Recommendation: On August 30, 2007 the Transportation Commission voted 4 to 1 with one member abstaining, to recommend to the County Board to approve the project subject to the following two conditions:

- The project should provide an 11-foot wide streetscape along Glebe Road providing a 5-foot planting strip with street trees and a 6-foot wide sidewalk.
 - *Staff Response:* Considering that it is unlikely that the adjoining properties will redevelop in the near future to provide a continuous 11-foot wide streetscape along a majority of the block, staff concurs with the Planning Commission recommendation to maintain the existing streetscape along the site frontage. The applicant has agreed to provide the County 3-feet of additional right-of-way in the form of a sidewalk easement to allow the County to widen the streetscape in the future if one of the adjoining properties redevelops making streetscape improvements along Glebe Road.
- The proposed circular drive should be removed limiting the site to a single curb cut from North Glebe Road.
 - *Staff Response:* Staff concurs with the Transportation Commission recommendation that the circular drive should be removed. The circular drive increases the number curb cuts

along Glebe Road resulting in a negative impact on the pedestrian environment. Staff believes that pick-up and drop-off can be provided at the building entrances without a full circular drive that requires a second curb cut.

Planning Commission Recommendation: On September 4, 2007, the Planning Commission voted 8 to 3, to recommend that the County Board approve the four (4) dwelling units (Residential Cluster Development) with the following conditions:

- Amend Condition #20 to call for a sidewalk consistent with the adjacent properties and require a developer contribution to the County.
 - *Staff Response:* Condition #20 has been updated to require an 11-foot wide streetscape (6-foot street, 2-foot planting strip and 3-foot sidewalk easement for future improvements). A condition has been added (Condition #57) to require a cash contribution to the County for bus stop and bus shelter improvements.
- Provide the circular driveway.
 - *Staff Response:* Staff concurs with the Transportation Commission recommendation that the circular drive should be removed. The circular drive increases the number of curb cuts along Glebe Road resulting in a negative impact on the pedestrian environment. Staff considers that pick-up and drop-off can be provided at the building entrances without a full circular drive that requires a second curb cut.
- Add a condition requiring all units to be handicap accessible.
 - *Staff Response:* Condition #56 has been added to address the Fair Housing Act accessibility requirements applicable to the proposal.

CONCLUSION: An initial proposal to develop a six-unit cluster development proposed a density based solely on the mathematical calculation of dividing the site area by the minimum lot size for the “R-10” zoning district, which was the maximum permitted density that could be approved by the County Board. Under this proposal, the amount of open space to be gained by clustering was insignificant with respect to the number of dwelling units proposed and their placement on the site. Based on the design and configuration of the site, staff determined that a proposal that resulted in a number and layout of townhouse units which provided less coverage and complimented a greater amount of open space to be preserved would better accomplish the purpose and intents of the Ordinance. The applicant therefore revised this proposal and is now requesting site plan approval to cluster four townhouses on a 65,305 square foot site to preserve 30,750 square feet of open site area as a wildlife habitat and rain garden. The proposal meets the intent and purpose of the Ordinance, is a more appropriate infill development than other development options for the site, and is consistent with the requirements of the “R-10” zoning district and Residential Cluster Development provisions of the Zoning Ordinance. The proposed site plan will comply with Section 36.H.3 of the Zoning Ordinance, including compliance with

County standards, policies and plans; functionally relating to other structures permitted in the district and not being injurious or detrimental to the property or improvements in the neighborhood; and, promoting and protecting the public health, safety and welfare. Therefore, staff recommends that the site plan be approved subject to the following conditions.

- **The following Conditions of site plan approval (#1 through #13) are valid for the life of the site plan and must be met by the developer before issuance of the Clearing, Grading and Demolition Permit.**

1. **Site Plan Term**

The developer (as used in these conditions, the term developer shall mean the owner, the applicant and all successors and assigns) agrees to comply with the standard conditions set forth below and as referenced in Administrative Regulation 4.1 and the revised plans dated July 18, 2007, and stamped “Received July 19, 2007”, (hereafter referred to “received July 19, 2007”) and reviewed and approved by the County Board and made a part of the public record on September 18, 2007, including all renderings, drawings, and presentation boards presented during public hearings, together with any modifications proposed by the developer and accepted by the County Board or vice versa.

This site plan approval expires three (3) years after the date of County Board approval if a building permit has not been issued for the first building to be constructed pursuant to the approved plan. Extension of this approval shall be at the sole discretion of the County Board. The owner agrees that this discretion shall include a review of this site plan and its conditions for their compliance with then current County policies for land use, zoning and special exception uses. Extension of the site plan is subject to, among other things, inclusion of amended or additional site plan conditions necessary to bring the plan into compliance with then current County policies and standards together with any modifications proposed by the owner and accepted by the County Board or vice versa.

2. **Pre-Construction Meeting**

The developer agrees to coordinate and conduct a pre-construction meeting in a County office building prior to the issuance of any permits for the site plan. The meeting participants shall include the developer and its construction team, and relevant County staff. Relevant County staff will include the following personnel and division representatives: DCPHD Site Planner, Arlington County Police, Code Enforcement, Department of Environmental Services (DES) Transportation Planner, Department of Parks, Recreation and Community Resources (DPRCR) site plan liaison, Landscape Plan team, Arlington Economic Development (AED), green building staff contact, WalkArlington staff, Housing Division, and other departments as determined by the County Manager. The developer agrees to notify the above meeting participants of the meeting time and location at least two weeks in advance. The purpose of the pre-construction meeting is to discuss the requirements of the site plan conditions.

3. **Tree Protection and Replacement**

- a. The developer agrees to complete a tree survey, which shows existing conditions of the site and locates and identifies all trees which are four (4) inches in diameter or greater. The survey shall include any tree on adjacent sites whose dripline extends onto the subject site.
- b. The developer agrees to file and implement a tree protection plan which will designate any trees proposed to be saved by the developer. Trees designated to be saved on the tree protection plan, or those specified to be saved by the approved site plan and shown on any filing in connection with this case, will be protected. This plan shall include any tree on adjacent sites whose dripline extends onto the subject site. The tree protection plan shall be developed by a certified arborist or other horticultural professional with a demonstrated expertise in tree protection techniques on urban sites and shall be submitted and approved, and found by the County Manager to meet the requirements of this site plan, before the issuance of the Clearing, Grading and Demolition Permit.
- c. Upon approval of the tree protection plan the developer agrees to submit to the Department of Parks, Recreation, and Cultural Resources (DPRCR) a performance bond estimate for the trees to be saved. Upon approval of the performance bond estimate by the DPRCR, the developer agrees to submit to the DPRCR a performance bond, in the approved amount of the estimate, and the approved tree protection plan, which bond shall be executed by the developer in favor of the County before the issuance of the Final Building Permit. Prior to the release of the public improvement bond, the developer agrees to submit to the DPRCR as-built drawings showing the location of all saved trees.
- d. The Developer agrees that any tree proposed to be saved on the tree protection plan or other filing shall be saved. At a minimum, this plan shall include:
 - (1) A site grading plan at two (2) foot intervals, including the location of all proposed improvements and utilities.
 - (2) Detailed specifications for any tree walls or wells proposed.
 - (3) A description of how and where building materials and equipment will be stored during construction to ensure that no compaction occurs within the critical root zone of the trees to be saved.
 - (4) Identification of tree protection measures and delineation of placement of tree protection.
 - (5) Any tree required to be saved pursuant to this condition, which dies (any tree which is 30% or more dead as determined by the County's Urban

Forester shall be considered to have died) prior to, or within ten (10) years of, the issuance of the Master Certificate of Occupancy shall be removed and replaced by the developer at his expense with the number of major deciduous and evergreen trees consistent with the Tree Replacement Guidelines and which meet the minimum size and other requirements of Condition #15 below, provided, however, that replacement as specified in this subparagraph (3.d.5) does not relieve the developer of any violation resulting from the failure to save identified trees.

- e. In addition to saving identified trees, the developer also agrees to replace all trees, as shown on the Tree Survey, that are removed as a result of the new construction in accordance with the Arlington County Tree Replacement Guidelines. The developer agrees to submit tree replacement calculations and a tree replacement plan in accordance with the Arlington County Tree Replacement Guidelines. The tree replacement calculations shall be developed by a certified arborist or other horticultural professional with a demonstrated expertise in assessing the condition of trees. Any replacement trees shall conform to the standards and specifications set forth in Condition #15a below and shall be installed on the project site or on County-owned land, determined by the County Manager. The developer agrees to submit and obtain approval of this plan by the County Manager as part of the final site development and landscape plan.

4. **Photographic Record of Development**

The developer agrees to produce and submit to the Zoning Administrator a photographic record of development, starting with a record of the site as it appears before demolition is begun, including photographic records during construction, and ending with a photographic record of the development as it appears after completion of construction. These photographs shall comply with the following specifications:

All photographic records shall be taken using black and white film. Submission of a photo contact sheet and 8" x 10" prints on photographic paper shall be the minimum acceptable standard. Color photographs on compact disc must be submitted in addition to black and white photographs and the photo contact sheet at the end of the project prior to the issuance of the Master Certificate of Occupancy.

The photographic record shall include photos taken at the following points in construction, and photos shall be submitted as taken:

- a. Before Clearing, Grading and Demolition of the site (shall be submitted before issuance of the Clearing, Grading and Demolition Permit)–Views of north, south, east and west facades, as location permits, of buildings to be demolished, as well as at least one photo of the site before any clearing or grading including the existing physical relationship with adjacent buildings and streets. The photographic record shall also include all historic aspects of the facades of the building to be

building to be demolished, consistent with the requirements described in Condition #41 below.

- b. Site Clearance (shall be submitted before issuance of the Footing to Grade Permit)–Views of cleared site facing north, south, east and west, as location permits, with adjacent buildings and streets included.
- c. Construction Phase (shall be submitted before issuance of the Shell and Core Certificate of Occupancy Permit)–At a minimum, views of the site: during excavation, upon completion of the first floor above grade, at topping out, and during the exterior cladding phase.
- d. Site Completion (shall be submitted before issuance of the Master Certificate of Occupancy)–North, south, east and west facades of completed building or buildings, as well as at least one view of completed project in context of adjacent buildings and streets.

The photographic record of the site as it appears before demolition shall be delivered to the Zoning Administrator prior to the issuance of a clearing, grading or demolition permit.

The photographic records for which no time is specified above, including the completed compact disc with the entire photographic history, shall be delivered to the Zoning Administrator, before the issuance of a Master Certificate of Occupancy, for placement in the County archives.

If the developer uses the "Fast Track" Permit Process, the Site Clearance and Construction Phase photographs shall be submitted before the issuance of the Footing to Grade Structure Permit, or the first Building Permit, whichever comes first. The Construction Phase photographs, showing any construction to grade, shall be submitted before the Final Building Permit. The Construction Phase photographs showing all construction above grade and the Site Completion Photographs and completed compact disc showing the entire photographic history of the site shall be submitted before issuance of the Master Certificate of Occupancy.

5. **Utility Fund Contribution**

In addition to funding and constructing the utility undergrounding work, the developer agrees to contribute in the amount specified in Site Plan conditions to the County utility fund before the issuance of the Building Permit or prorated consistent with an approved phasing plan for the development. The total utility fund contribution for this site is \$6,668 (\$1,667 x 4 units). These funds may, but need not, be used by the County for the purpose of providing the undergrounding of utilities along the properties which are not redeveloping in this undergrounding district. If the area of the site plan is subdivided, the contribution to be made by each owner shall be based proportionally on the amount of site area allocated to each subdivided parcel. The contribution, if not obligated by the County to pay for utility undergrounding projects within 10 years from the date of payment, will

payment, will be refunded without any accrued interest to the development owners of record at the time of any refund.

6. Plans for Temporary Circulation During Construction

The developer agrees to develop and implement (after approval) a plan for temporary pedestrian and vehicular circulation during construction. This plan shall identify temporary sidewalks, interim lighting, fencing around the site, construction vehicle routes, and any other feature necessary to ensure safe pedestrian and vehicular travel around the site during construction. The developer agrees to submit this plan to, and obtain approval of the plan from, the County Manager as meeting these standards, before the issuance of the Clearing, Grading and Demolition Permit. The County Manager may approve subsequent amendments to the plan, if consistent with this approval.

7. Residential Relocation

~~Intentionally Omitted. The developer agrees to coordinate with the Arlington County Relocation Program Coordinator in order to provide each rental household living in either an apartment unit or a single family dwelling which is displaced by the construction of this site plan, except those who sign initial leases for a unit in the project after the date of this site plan approval, with at least the following:~~

- ~~a. — A minimum of 120 days written notice to vacate.~~
- ~~b. — Relocation payments, in accordance with the Arlington County Tenant Relocation Guidelines adopted by the County Board and in effect on the County Board date identified in Condition #1.~~
- ~~c. — Relocation services in accordance with the Arlington County Tenant Relocation Guidelines adopted by the County Board and in effect on the County Board date identified in Condition #1.~~

~~If the developer decides to limit relocation benefits to persons who executed initial leases before adoption of the site plan, the developer agrees to notify, in writing any tenant moving in after the date that the site plan is approved of his/her ineligibility for relocation payments and services. Any tenant who has not signed a waiver of rights to relocation assistance must receive the assistance. In cases where State law requires 120-day notice to vacate (displacement from multi-family buildings containing four or more units), notice cannot be waived, but the lead time for such notice may be reduced by mutual agreement in writing. Evidence of compliance with this condition shall be provided to the Zoning Administrator before the issuance of the Clearing, Grading and Demolition Permit.~~

8. Compliance with Federal, State and Local Laws

The developer agrees to comply with all federal, state and local laws and regulations not modified by the County Board's action on this plan and to obtain all necessary permits. In

In addition, the developer agrees to comply with all of the agreed-upon conditions approved by the County Board as a part of this site plan approval. The developer specifically agrees that the County has the authority to take such actions as may be necessary, to include the issuance of a stop work order for the entire project, when the developer is not in compliance with the agreed-upon conditions.

9. **Post-County Board 4.1 Filing**

The developer agrees to file three copies of a site plan and the tabular information form, and digital copies on compact disc in JPEG, PDF, and DXF formats, which complies with the final approval of the County Board and with Administrative Regulation 4.1, with the Zoning Administrator within 90 days of the County Board approval and before the issuance of the Clearing, Grading and Demolition Permit.

The developer agrees to include on the post-4.1 plans details regarding existing traffic signal system infrastructure, e.g., poles, meters, controller cabinets, and to indicate on the plans if any part of the system will be moved and to where it is proposed to be moved.

The developer agrees to convene and participate in a meeting with pertinent County staff to address requirements of the site plan approval.

The developer also agrees that no changes to the approved post-4.1 plans can take place in the field. All post-4.1 plan changes must be approved by the lead DCPHD contact for the site plan.

10. **Community Liaison and Activities During Construction**

The developer agrees to comply with the following before issuance of the Clearing, Grading and Demolition Permit and to remain in compliance with this condition until the Master Certificate of Occupancy is issued.

- a. The developer agrees to identify a person who will serve as liaison to the community throughout the duration of construction. This individual shall be on the construction site throughout the hours of construction, including weekends. The name and telephone number of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site, and to the Zoning Administrator, and shall be posted at the entrance of the project.
- b. Before commencing any clearing or grading of the site, the developer shall hold a community meeting with those whose property abuts the project to review the construction hauling route, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Zoning Administrator and the Arlington County Police representative must be notified once the community meeting dates/times are established. The developer agrees to provide documentation to the Zoning

Administrator of the date, location and attendance of the meeting before a Clearing, Grading and Demolition Permit is issued. The developer agrees to submit to the Zoning Administrator two (2) sets of plans or maps showing the construction hauling route, construction worker parking and temporary pedestrian and vehicular circulation (one set of which will be forwarded to the Police). Copies of plans or maps showing the construction hauling route, construction worker parking and temporary pedestrian and vehicular circulation shall be posted in the construction trailer and given to each subcontractor and construction vehicle operator before they commence work on the project. The location of all construction trailers shall be approved either by Administrative Change approval or to be shown on the Tree Protection Plan, with the construction staging's location and travel routes shown on a map approved as part of that plan. All trailers shall require approval by DES staff, and the site plan's Arlington County Police representative shall receive a copy of the aforementioned map.

- c. Throughout construction of the project, the developer agrees to advise abutting property owners in writing of the general timing of utility work in abutting streets or on-site that may affect their services or access to their property.
- d. At the end of each work day during construction of the project, the developer agrees to ensure that any streets used for hauling construction materials and entrance to the construction site are free of mud, dirt, trash, allaying dust, and debris and that all streets and sidewalks adjacent to the construction site are free of trash and debris.
- e. The developer agrees that construction activity, except for construction worker arrival to the construction site and indoor construction activity, will commence no earlier than 7:00 a.m. and end by 6:30 p.m. on weekdays and will commence no earlier than 10:00 a.m. and end by 6:30 p.m. on Saturdays, Sundays, and holidays. "Holidays" are defined as New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas. Indoor construction activity defined as activity occurring entirely within a structure fully enclosed on all sides by installed exterior walls, windows, and/or doors shall end at midnight each day, and any such activity that occurs after 6:30 p.m. shall not annoy or disturb reasonable persons of normal sensitivities. The developer agrees to place a minimum of one sign per street front around the construction site, indicating the permissible hours of construction, to place one additional sign within the construction trailer containing the same information, to provide a written copy of the permissible hours of construction to all subcontractors, and to require its subcontractors to observe such hours.
- f. Storage of construction materials, equipment and vehicles shall occur on the site or an approved off-site location, or as approved by the County Manager.

11. **C & D Waste**

The developer agrees to provide a plan for diverting from landfill disposal the demolition, construction, and land clearing debris generated by the project. The plan should outline recycling and/or reuse of waste generated during demolition and/or construction. The plan should outline specific waste streams and identify the means by which waste will be managed (reused, reprocessed on site, removed by licensed haulers for reuse/recycling, etc.). The plan must include letters from contracted haulers, reprocessors, and recyclers indicating that they are able to manage waste from the project. The developer agrees to obtain the County Manager's approval of this plan prior to the issuance of the Clearing, Grading, and Demolition permit, and to implement the plan throughout demolition and construction of the project. ~~LEED credits MR 2.1 and 2.2 (Construction Waste Management.)~~

12. **Green Building Fund Contribution.**

The developer agrees to make a contribution to the County's Green Building Fund of \$1,049.76 (\$0.03 X 34,992 square feet). The payment shall be made to the Department of Environmental Services prior to the issuance of the Clearing, Grading, and Demolition Permit, and compliance with this condition shall be provided to the Zoning Administrator in the form of a letter at the time of payment. ~~If the project achieves formal certification as a LEED Green Building the U.S. Green Building Council within one year of issuance of the Master Certificate of Occupancy, the Green Building fund contribution shall be refunded upon receipt of written request, and documentation of LEED certification, by the applicant.~~

13. **Vacations and Encroachments**

The developer agrees to submit Vacation and Encroachment application(s) or waiver form(s) prior to the issuance of any permits for the site plan. Vacations and encroachments should be recorded before the Final Building Permit is issued.

- **The following Conditions of site plan approval (#14 through #34) are valid for the life of the site plan and must be met by the developer before issuance of the Excavation/Sheeting and Shoring Permit.**

14. **Coordination Of These Plans: Final Site Development, Landscape And Site Engineering**

The developer agrees to attach the County Board meeting minutes outlining the approved conditions and the conditions themselves to each set of Building Permit drawings that they submit to the County. The developer agrees to submit to the Zoning Administrator and obtain approval from the County Manager a detailed final site development plan and a landscape plan prior to issuance of the Excavation/Sheeting and Shoring Permit. The final site development plan and landscape plan shall be submitted at a scale of 1 inch = 25 feet, in conjunction with the final site engineering plan as required in Condition #17 below, as well as a vicinity map with major streets labeled. The landscape plan shall be developed

developed by, and display the professional seal of, a landscape architect certified to practice in the Commonwealth of Virginia. The developer further agrees that both the final site development and landscape plan and the site engineering plan shall verify, by means of survey, that there are no conflicts between the street trees and utilities. The developer shall obtain approval by the County Manager for both plans as meeting all requirements of the County Board's site plan approval and all applicable county laws and plans before the issuance of the Excavation/Sheeting and Shoring Permit. The plan shall be consistent with the conceptual landscape plan approved as a part of the site plan, and, at a minimum, shall conform to the landscaping requirements in Condition #15 below; the *Arlington County Streetscape Standards* if applicable; the Sector Plans if applicable; the County's landscaping, planting, and sidewalk and driveway construction specifications; and/or other applicable urban design standards approved by the County Board. In order to facilitate comparison with the final site engineering plan, the landscape plan shall be at a scale of 1 inch = 25 feet; the County may require more detailed plans appropriate to landscape installation at a larger scale to also be submitted. The County may permit minor changes in building, street and driveway locations and other details of design as necessitated by more detailed planning and engineering studies if such changes are consistent with the provisions of the Zoning Ordinance governing administrative approval and with the intent of the site plan approval. The landscape plan shall include a Street Tree Plan which shall be reviewed by DPRCR and DCPHD, and shall be accompanied by the site engineering plan. The installation of all plant materials shown on the final landscape plan shall take place before the issuance of the first Certificate of Occupancy for the respective phase of construction. The final site development and landscape plan shall include the following details:

- a. The location and dimensions of traffic signal poles and control cabinets, utility meters, utility vaults and boxes, transformers, mechanical equipment, fire hydrants, standpipes, storm water detention facilities, bus stops, the location of all existing and proposed utility lines and of all easements. The location of traffic control cabinets shall be shown on the final site engineering plan and placed so as not to obstruct pedestrian travel or be visually obtrusive. Traffic control cabinets (existing or proposed) shall not be located in the pedestrian clear zone of the public sidewalk, including but not limited to access areas to ADA ramps, crosswalks, building entrances, and interior walkways. Transformers shall not be placed above grade in the setback area between the building and the street.
- b. Intake and exhaust garage ventilation grates may not be located within public sidewalks or streets, or within areas between the street curb and any building which is used as a walkway. The developer agrees to provide drawings showing how the garage will be ventilated prior to submission of the post-County Board Administrative Regulation 4.1 drawings required in Condition #9 above. Ventilation grates shall be located and/or screened so as not to be visible from public rights-of-way. The developer shall obtain approval from the County Manager of the location and screening of all ventilation grates as part of the review

review of the final site engineering plan and the final site development and landscape plan before issuance of the Footing to Grade Permit.

- c. The location, dimensions, materials, and pavement pattern, where applicable, for driveways and access drives, automobile drop-off areas, ADA ramps, driveway aprons, service drives, parking areas, interior walkways and roadways, plaza areas and sidewalks, as well as for address indicator signs. Brick or a concrete unit paver shall be used on the access drives, automobile drop-off areas, plaza areas, and interior walkways and roadways. Interior walkways shall have a minimum width of four (4) feet. All plaza areas access drives, automobile drop-off areas, interior walkways, and roadways shall contain special paver treatments that coordinate in design, color and materials with the treatment of the public sidewalk. The materials and colors used are subject to approval by the County Manager according to adopted Sector Plans or other urban design standards approved by the County Board as a part of review and approval of the final site development and landscape plan.
- d. The location and types of light fixtures for streets, parking, walkway and plaza areas, and associated utilities, as contained in the lighting plan required in Condition #40 below.
- e. Topography at two (2) foot intervals, the finished first floor elevation of all structures, and top-of-slab elevation for any proposed underground structures.
- f. Landscaping for open space areas, plaza areas, courtyards, raised planters (including cross-sections of raised planters), surface parking areas, and service drives, including a listing of plant materials; details of planting, irrigation and drainage; and details of proposed furnishings for all areas, including but not limited to dimensions, size, style(s), materials(s), finish(es) and manufacturer(s) of seating, bollards, trash receptacles, bike racks, arbors, trellises, and water features, and other landscape elements or structures, including public art.
- g. The location and planting details for street trees in accordance with Division of Transportation Standards and Specifications for planting in public rights-of-way and as shown on the approved final site engineering plan.
- h. The limits of demolition and construction.
- i. Any overhang created by parking spaces located perpendicular to or abutting walkways shall not interfere with pedestrian movement on the walkway. The maximum overhang shall be three (3) feet and additional walkway shall be provided to accommodate the overhang.

- j. Building roof drains shall connect directly to the underground water detention system unless an alternative arrangement is approved by the County Manager on the final site development and landscape plan. In the case of an alternative arrangement, discharge of runoff shall be controlled to preclude sheeting of water onto sidewalks or patios.
- k. Mechanical equipment shall be located and/or screened so as not to be visible from public rights-of-way. The location of all transformers serving this site shall be approved by the County Manager as part of the final site development and landscape plan and shown on both the final landscape plan and the final site engineering plan.
- l. Privacy walls shall be constructed of durable materials such as brick, cedar or redwood and are subject to approval by the County Manager on the final site development and landscape plan. All privacy walls adjacent to the public right-of-way and any other walls as required by the County Manager shall be constructed of brick and shall not exceed a height of five and one-half (5 ½) feet above the adjacent sidewalk. All retaining walls shall be constructed of either masonry or brick and are subject to approval by the County Manager on the final site development and landscape plan.
- m. Once approved, the final site development and landscape plan shall govern construction and/or installations of elements and features shown thereon, except as amendments may be specifically approved by the County Manager.

15. Landscape Standards

The developer agrees that all landscaping shall conform to Division of Transportation Standards and Specifications and to at least the following requirements:

- a. Plant materials and landscaping shall meet the then-current American Standard for Nursery Stock, and shall also meet the following standards:
 - (1) Major deciduous trees (shade or canopy trees such as Oaks, Maples, London Plane Trees, Japanese Zelkovas, etc.) other than street trees—a minimum caliper of 4 to 4 ½ inches, except as indicated in Condition #20 below.
 - (2) Evergreen trees (such as Scotch Pines, White Pines, Hemlocks, etc.)—a minimum height of 7 to 8 feet.
 - (3) Ornamental deciduous trees (such as Cherries, Dogwoods, Serviceberries, Hornbeams, etc.)—a minimum caliper of 3 to 3 ½ inches. Multi-stem trees shall not be less than 10 feet in height.

- (4) Shrubs—a minimum spread of 18 to 24 inches.
- (5) Groundcover—in 2 inch pots.
- b. The developer agrees to coordinate with the DPRCR Urban Forester to determine an appropriate and acceptable season in which to conduct planting. Planting is to occur during a season so as to best ensure the viability of the plantings. In addition, the developer agrees to plant trees prior to issuance of the first Certificate of Occupancy Permit.
- c. All new lawn areas shall be sodded; however, if judged appropriate by the County Manager, based on accepted landscaping standards and approved in writing, seeding may be substituted for sod. All sod and seed shall be state certified.
- d. Exposed earth not to be sodded or seeded shall be well-mulched or planted in ground cover. Areas to be mulched may not exceed the normal limits of a planting bed.
- e. Soil depth shall be a minimum of four (4) feet plus 12 inches minimum of drainage material for trees and tall shrubs and three (3) feet for other shrubs. This requirement shall also apply to those trees and tall shrubs in raised planters. Soil depth for raised planters shall be measured from the bottom of the planter to the top of the planter wall. The walls of raised planters shall be no higher than seat-wall height (2 ½ feet, maximum) above the adjacent finished grade.
- f. Finished grades shall not exceed a slope of three to one or the grade that existed before the site work began.
- g. The developer agrees to maintain the site in a clean and well-maintained condition before the issuance of the Clearing, Grading and Demolition Permit and agrees to secure and maintain the site throughout the construction and phasing process. Further, the developer agrees to submit a maintenance agreement which shall ensure that all plaza areas and other landscaped areas located on private property are kept in a clean and well-maintained condition for the life of the site plan and to follow the terms of that maintenance agreement approved for that purpose by the Zoning Administrator, as required in Section 32A of the Zoning Ordinance.
- h. The developer agrees to notify the DPRCR Urban Forester at least 72 hours in advance of the scheduled planting of any street trees in the public right-of-way and to be available at the time of planting to meet with staff of DPRCR to inspect the plant material, the tree pit and the technique of planting. Soil used in the tree pit must meet the specifications for street tree planting available from the DPRCR Urban Forester.

16. **Utility Company Contacts**

The developer agrees to contact all utility companies, including the electric, telephone and cable television companies, and offer them access to the site at the time of utility installation to install their underground cables. In order to comply with this condition the developer agrees to submit to the Zoning Administrator copies of letters from the developer to the utility companies offering them access as stated above.

17. **Final Site Engineering Plan Approved By DOT**

The developer agrees to submit final site engineering plans to the Division of Transportation. The plans shall include a receipt from the Zoning Office that the landscape plan has been accepted. Staff comments on the final engineering plans will not be provided to the developer without submission of the landscape plan to the Zoning Office. The plans shall be drawn at the scale of 1 inch = 25 feet and be 24 inches by 36 inches in size. Neither the Excavation/Sheeting and Shoring permit nor the first Building Permit shall be issued until final site engineering plans which agree with the approved final site development and landscape plans, and the sequence of construction, has been approved by the Division of Transportation and the CPHD Site Planner, as consistent with all site plan approval requirements and all County laws. To ensure final sign-off, the plans shall include DCPHD Site Planner review and signature blocks. Upon completion of the construction of a project, the developer agrees to submit one (1) set of as-built mylar plans for sanitary, storm sewer and water main construction to the Division of Transportation for recording.

18. **Pavement, Curb and Gutter Along All Frontages**

The developer agrees to show on the final engineering plans pavement, curb and gutter along all frontages of this site in accordance with the then-current Arlington County Standard for concrete curb and gutter and the then-current standards for pavement and according to the following dimensions. The pavement, curb and gutter shall be constructed prior to issuance of the first Certificate of Occupancy for occupancy of the applicable phase of the project.

- a. North Glebe Road. North Glebe Road should remain in its current location and alignment along the site frontage maintaining a face-of-curb to face-of-curb width of 52 feet.

All improvements to curb, gutter, sidewalks and streets for pedestrian and/or vehicular access or circulation shall be in full compliance with the Fair Housing Act (FHA) ~~Americans with Disabilities Act (ADA)~~ and any regulations adopted there under, as well as any other applicable laws and regulations. The developer further agrees that all improvements to curb, gutter, sidewalks, crosswalks, and streets for pedestrian and/or vehicular access or circulation shall be shown as determined by the County Manager on the final Site Development and Landscape Plan and on the final Site Engineering Plan, in accordance with the Rosslyn-Ballston Corridor Streetscape Standards or other applicable

urban design standards in effect at the time of final Site Engineering Plan Approval; provided, however, that the provision of such improvements shall not increase the projected cost anticipated for such improvements as shown on the site plan drawings dated “received July 19, 2007” unless the County provides additional funding to offset such increased cost.

19. **Survey Monuments**

The developer shall submit a boundary survey of the site, with an error of closure within the limit of one (1) in twenty thousand (20,000), related to the Virginia Coordinate System of 1983 (VCS 83). Two (2) adjacent corners or two points on every plan sheet shall be referenced to the VCS 83 with coordinate values shown in feet. If a conversion from meters to feet is necessary, the foot definition used for conversion is the U.S. Survey Foot of 1 ft = 1200/3937 E+00 meters. If the development is located more than one-half mile from an Arlington County Survey Control Network (ACSCN) monument, the developer shall utilize a Virginia Licensed Land Surveyor to establish a permanent second order accuracy (or higher) survey control monument. The surveyor shall comply with standards and specifications contained in the current VDOT Survey Manual. The surveyor will be required to submit his or her computations to the Office of the County Surveyor for inclusion into the ACSCN. Plans referenced to the VCS 83 shall be annotated as follows: “The site shown hereon is referenced to the Virginia Coordinate System of 1983 as computed from a field survey which ties this boundary to the Arlington County Survey Control Network.”

20. **Sidewalk Design and Improvements**

The developer agrees that the final sidewalk pattern/design and final selection of materials and colors to be used shall be as determined by the County Manager on the final site development and landscape plan and final engineering plan, in accordance with the Arlington County Streetscape Standards or other applicable urban design standards approved by the County Board and in effect at the time of the final landscape plan approval. The clear pedestrian zone of all public streets shall also be indicated. The developer further agrees to construct the sidewalk improvements detailed below prior to the issuance of the first Certificate of Occupancy for occupancy of the applicable phase of the project.

The sidewalk clear zones along the street frontages of this development shall be consistent with the Arlington County Streetscape Standards and shall be placed on a properly-engineered base approved as such by the Division of Transportation. The sidewalk treatments shall continue across all driveway aprons for loading and garage entrances along all frontages of the site plan, and there shall be no barriers to impede the flow of pedestrian traffic.

The sidewalks shall contain street trees placed in either tree pits, tree grates or planting strips, consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified below. Placement, planting and root enhancement options shall

be consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified below. Street trees shall not be placed within the vision obstruction area. All public walkways shall be constructed to County Standard. The developer agrees to maintain and replace the street trees and sidewalks for the life of the site plan. The sidewalk sections and street tree species shall be as follows:

Glebe Road, North Side: A minimum of 8-foot wide streetscape measured from the back of curb, including a 6-foot wide sidewalk and a 2-foot wide grass strip adjacent to the street. In addition the applicant agrees to provide consistent with Condition #34, a sidewalk easement extending 3-feet from the back of sidewalk continuing along the entire site frontage of North Glebe Road to provide an 11-foot wide streetscape in the future.

21. **Subsurface Structure-free Zone for Utilities and Streetscape**

The developer agrees that in order to accommodate the subsurface requirements of utilities and streetscape elements (including street trees), the final design of the project shall provide a structure-free zone under the public sidewalk along all street frontages, as required in the *Standards for Planting and Preservation of Trees in Site Plan Projects*. This zone shall be a minimum of five (5) feet deep and shall extend from the back of the street curb to the far edge of the public sidewalk. No subterranean structures (such as parking garages) shall intrude into this five foot deep zone. Within the zone, underground utilities and utility vaults shall not be located in a manner that interferes with the appropriate spacing and replacement of street trees, consistent with the approved final site and development and landscape plan. Utility lines shall not be located beneath street trees. The location of all existing and proposed utility lines shall be shown on both the final landscape plan and the final site engineering plan.

22. **Water Service Requirements**

The developer agrees that the location of the water services will be determined at the time of the review of the final engineering plan in accordance with the following standards: water meter installations shall be located behind and adjacent to the curb line in an area clear of driveways, a minimum of five (5) feet clear of other utilities and a minimum of 10 feet clear of structures; a clear space 15 feet wide by 20 feet long by 10 feet deep shall be provided for three (3) inch and four (4) inch meter installations, and 20 feet wide by 25 feet long by 10 feet deep for six (6) inch and larger meter installations; and the building walls shall be adjusted as necessary to provide these clearances.

23. **Sanitary Sewer and Water Main Requirements**

The developer agrees that all sanitary sewers and water mains, including water services, shall have a minimum of ten (10) feet horizontal clearance from each other and five (5) feet clearance from all other utilities, and shall have a minimum of 10 feet horizontal clearance from buildings and other structures. Water mains 16 inch and larger, and mains placed more than 10 feet deep shall have a minimum of 15 feet horizontal clearance from

clearance from buildings and other structures; and sanitary sewers 15 inches and larger, or sewers placed more than 10 feet deep shall have 15 feet minimum clearance from buildings and other structures. All water mains and sanitary sewers shall meet County Standard design criteria.

The developer agrees that the minimum clear horizontal separation between each individual barrel of the storm sewer and proposed buildings or other permanent structures shall be as follows: 10 feet from the center line of storm sewer mains less than 27 inches in diameter and 10 feet or less in depth; 15 feet from the center line of storm sewer mains less than 27 inches in diameter and greater than 10 feet in depth; 15 feet plus half the diameter from the center line of storm sewer mains greater than 27 inches in diameter, at any depth.

24. **Existing Water Main or Fire Hydrant Service**

The developer agrees that no existing water main or fire hydrant shall be taken out of service or made inaccessible without the prior approval of the Division of Transportation. This approval shall be obtained before the issuance of the Excavation/Sheeting and Shoring Permit.

25. **Water Main Improvements**

The developer agrees to show on the final engineering plans, and to construct, water main improvements in accordance with the following. The water main improvements shall be constructed prior to the issuance of the Final Building Permit for the respective phases of construction.

8-inch water main from a connection to the existing 8-inch water main in North Glebe Road to a proposed fire hydrant located along the private drive. A proposed 6-inch water main shall continue in the private drive from the proposed fire hydrant connection to then serve water meter service for the six residential units. All proposed water meter services to the residential units shall be provided from the new water main in the private drive. The exact location of the fire hydrant and water meters shall be determined during final engineering.

26. **Sanitary Sewer Main Improvements**

The developer agrees to show on the final engineering plans, and to construct, sanitary sewer main improvements in accordance with the following. The sanitary sewer main improvements shall be constructed prior to the issuance of the Final Building Permit.

A privately maintained sanitary sewer outfall for Marymount University to the proposed publicly maintained manhole at the end of the private drive. A new 8-inch publicly maintained sanitary sewer main shall be constructed from the aforementioned manhole approximately 260 feet, with a minimum slope of one percent, to a connection to the existing 8-inch sanitary sewer located in North Glebe Road.

The County will TV-Inspect the sanitary sewer lines in North Glebe Road serving the site and shall identify any improvements that are necessary to adequately service the development. The developer agrees to repair or replace any sections or appurtenances of the sanitary sewer serving the development that are found to be deficient or damaged by the developer, as identified by County staff and as shown on the final engineering plan approved by the County Manager.

27. **Horizontal Standpipe or Fire Hydrant Requirements**

The developer agrees to show, on the final engineering plan, horizontal standpipes or fire hydrants at intervals of not more than 300 feet in order to provide adequate fire protection.

The County shall specify kind of service and locations at the time of the final site engineering plan approval based on applicable safety standards. The fire hydrants shall be installed prior to the issuance of the Final Building Permit, and horizontal standpipes shall be installed prior to the issuance of the first Certificate of Occupancy.

The developer agrees to provide calculations to demonstrate the needed fire flow as defined in the Arlington County Department of Environmental Services Standards and Specifications Manual. This information shall be clearly shown on the cover sheet of each plan set submitted.

28. **Replacement of Damaged Existing Curb, Gutter and Sidewalk**

The developer agrees to remove and replace, according to the Arlington County Department of Environmental Services Construction Standards and Specifications Manual, any existing curb, gutter and sidewalk along the street frontages of this site which is in poor condition or damaged by the developer prior to the issuance of the first Certificate of Occupancy.

29. **Street Lighting Requirements**

~~Intentionally Omitted. The developer agrees to show on the final engineering plans street lighting along all frontages of the site prior to the issuance of the Excavation/Sheeting and Shoring Permit. The plans shall include the height and color of the street light poles. The developer agrees, at its cost, to purchase and install approved Arlington County street lighting along the frontages of the site prior to the issuance of the Shell and Core Certificate of Occupancy. In addition, the developer agrees to furnish and install all conduit and junction boxes necessary for the lighting system. All construction shall meet Arlington County standards.~~

~~The developer agrees to purchase and install Virginia Power "Carlyle" standard street lights along all frontages of the site in accordance with adopted County Street Lighting Policy. The height of the street lights shall be ____ feet, measured from the sidewalk to the base of the luminaire. The developer agrees to remove all standard thoroughfare lights from the site, unless the County decides that one or more are required to provide adequate lighting for street safety purposes at intersections. The developer agrees to pay the cost of moving existing or installing additional standard thoroughfare lights if required above.~~

~~required above.~~

30. **Underground Existing Aerial Utilities**

The developer agrees to remove or place underground all existing aerial utilities within or along the periphery of the entire site plan as shown on the final site development and landscape plan and the final engineering plan approved by the County Manager. Any utility improvements necessary to provide adequate utility services to this development or utility work necessary to provide a terminus to the underground facilities shall be paid for by the developer and shall not result in the installation of any additional utility poles, or aerial devices. All utility relocation shall be completed prior to the issuance of the Shell and Core Certificate of Occupancy.

31. **Off-street Parking for Construction Workers**

The developer agrees to provide off-street parking for all construction workers without charge to the workers. In lieu of providing parking, the developer may provide a subsidy for the construction workers in order that they may use Metro, provide a van for van pooling, or use another established method of transportation to provide for construction workers to arrive at the site. Compliance with this condition shall be determined based on a plan which shall be submitted to the Zoning Administrator, and for which the developer has obtained the Zoning Administrator's approval, before the issuance of the Excavation/Sheeting, and Shoring Permit. This plan shall set forth the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of Metro, carpooling, vanpooling, and other similar efforts. The plan shall also provide for a location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes, and carpooling and vanpooling information. If the plan is found to be either not implemented or violated during the course of construction, a correction notice will be forwarded to the developer. If the violation is not corrected within ten (10) days, a "stop work order" will be issued, and construction halted until the violation has been corrected.

32. **Address Indicator Signs**

The developer agrees to install address indicator signs on the site which comply with Section 27-12 of the Arlington County Code or successor provision in a location visible from the street and as shown on the final site development and landscape plan.

33. **Façade Treatment of Buildings**

The developer agrees that the design of the facade treatment for the buildings and the materials to be used on the facades shall be as specified and shown on the submitted drawings identified in Condition #1 and as presented to the County Board and made a part of the public record on the County Board date identified in Condition #1, including all renderings, drawings, and presentation boards presented during public hearings. The developer agrees to submit colored drawings and renderings which label the materials and

and colors for each elevation of the building, including interior elevations (e.g. elevations adjacent to interior courtyards, plazas and access drives), and material samples, for review by the County Manager for consistency with this site plan approval prior to the issuance of the Footing to Grade Permit. The developer further agrees to obtain the approval of the County Manager of the façade treatment as being consistent with the County Board approval before the issuance of the Final Building Permit.

34. **Recordation of Public Easements and Dedications**

All required public deeds of easement and deeds of dedication shall be submitted to the Division of Transportation prior to the issuance of the Excavation/Sheeting and Shoring Permit, and be approved and recorded among the land records of the Clerk of the Circuit Court of Arlington County, by the developer before the issuance of the Final Building Permit. The developer agrees that there shall be no building construction within the easement area without approval by the County Manager or the County Board. Dedications granted by the developer for street and public right of way purposes and improvements shall be dedicated in fee simple to the County. Dedications granted by the developer for improvements, including, but not limited to, sidewalks, street trees, other streetscape plantings, and water, storm sewer, sanitary sewer, and other utilities, may be dedicated by easement to the County.

- **The following conditions of site plan approval (#35 through #37) are valid for the life of the site plan and must be met by the developer before issuance of the Footing to Grade Structure Permit.**

35. **Plat of Excavated Area**

The developer agrees to submit one (1) plat, drawn at the scale of 1 inch = 25 feet and 24 inches x 36 inches in size, of the excavated area showing spot elevations which confirm that the construction drawings are consistent with the average site elevation, and with the building's ground floor elevation(s) at the building's lowest level(s), as approved by the County Board and as indicated in the plans referenced in Conditions #1 and #9 above.

36. **Public Improvements Bond**

Upon approval of the final site engineering plan the developer agrees to submit a performance bond estimate for the construction or installation of all facilities (to include street trees and all landscape materials) within the public rights-of-way or easements to the Division of Transportation for review and approval. Upon approval of the performance bond estimate by the Division of Transportation, the developer agrees to submit to the Division of Transportation a performance bond, in the approved amount of the estimate, and an agreement for the construction or installation of all these facilities (to include street trees and all landscape materials) within the public rights-of-way or easements to the Division of Transportation, which shall be executed by the developer in favor of the County before the issuance of the Final Building Permit.

Prior to the release of the public improvement bond, the developer agrees to submit as-

built drawings showing the location and facilities for all underground utilities (water, sanitary sewer, and storm sewer) that will be maintained by Arlington County.

37. **Parking Space Compliance with Zoning Ordinance**

The developer agrees to ensure that all parking spaces comply with the requirements of Section 33 of the Zoning Ordinance. Unless otherwise approved by the County Board, the number of compact spaces may not exceed the Zoning Ordinance requirement. The developer shall submit drawings showing that these requirements are met, and shall obtain approval by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit.

- **The following conditions of site plan approval (#38 through #39) are valid for the life of the site plan and must be met by the developer before the issuance of the Final Building Permit.**

38. **Wall Check Survey**

The developer agrees to submit one (1) original and three (3) copies of a wall check survey to confirm its consistency with the plans approved by the County Board, as referenced in Conditions #1 and #9 above.

39. **Review by Crime Prevention Through Environmental Design (CPTED) Practitioner**

The developer agrees to submit to the Zoning Administrator and the Operations Division of the Arlington County Police Department documentation that a Crime Prevention Through Environmental Design (CPTED) practitioner referred by the Police Department has reviewed and accepted the site plan for meeting CPTED design requirements.

- **The following conditions of site plan approval (#40 through #43) are valid for the life of the site plan and must be met by the developer before the issuance of the First Certificate of Occupancy.**

40. **Lighting Plan for Public Access**

The developer agrees to include a lighting plan for all internal and external public areas, including parking areas, as part of the final site development and landscape plan. This lighting plan shall be subject to review by the County Manager, including street lighting as described in Condition #29 above. The developer shall include in the site development and landscape plan certification that the lighting plan meets the minimum standards of the Zoning Ordinance, Section 2, Subsection H, and the Illumination Engineering Society of North America Standards. The developer agrees to obtain the approval of all lighting from the County Manager and to install approved lighting, before the issuance of the First Certificate of Occupancy for occupancy of the applicable phase of the project.

41. **Documentation of Historical Artifacts, Features and Buildings**

The developer agrees to be responsible for documenting any historical artifact or historical

historical natural feature uncovered during construction on the site. This documentation shall include written notation describing the artifact or natural feature, color photographs, and mapping of the location and/or depth of the site excavation at which the item was found. The developer agrees to submit a copy of this documentation to Arlington County before issuance of the First Certificate of Occupancy.

In the event an historical artifact or natural feature is found on the site, and is to be disturbed or removed from the site during construction, the developer agrees to contact the Arlington County Historic Preservation Program, Neighborhood Services Division before removing or disturbing the artifact or natural feature. Arlington County shall be given the opportunity to accept donation of the artifact or natural feature before the item is offered to any other organization or individual.

If historic buildings are located on the site, then photographic documentation shall be consistent with Historic American Building Survey (HABS) standards. Should the project be assessed as a possible archaeological site, the developer agrees to pursue, at a minimum, a level one and two archaeological study. The developer agrees to submit to the Arlington County Historic Preservation Program all written results of the level one and two archaeological study and all artifacts found on the site.

42. **Availability of Site Plan Conditions to Residential Condos, Cooperative and Homeowners Associations**

The developer agrees that a copy of the conditions of this site plan approval shall be made available to all prospective purchasers with the condominium's, cooperative's or homeowners association's bylaws or agreements. Documentation that this condition has been satisfied shall be provided to the County Manager before the issuance of the First Certificate of Occupancy. If the project includes a residential rental component that is converted to a condominium or a cooperative, then the developer agrees that a copy of the conditions of this site plan approval shall be made available to all prospective purchasers with the condominium's, cooperative's, or homeowners' association's bylaws or agreements prior to the issuance of the first Certificate of Occupancy following the conversion.

- **The following condition of site plan approval (#43) is valid for the life of the site plan and must be met by the developer before the issuance of the Master Certificate of Occupancy.**

43. **Building Height Certification**

The developer agrees to submit, before the issuance of the Master Certificate of Occupancy, drawings certifying the building height as measured from the average existing grade at the proposed four corners of the building(s) site elevation to both the mid-point of the building roof(s) (mean height between the eave and the ridge of the roof) and to the top of the penthouse roof.

- **The following condition of site plan approval (#44) is valid for the life of the site plan and must be met by the developer within 90 days of receipt of the partial Certificate of Occupancy for full occupancy of the building.**
44. **Obtain Master Certificate of Occupancy**
The developer agrees to obtain a Master Certificate of Occupancy within 90 days of receipt of any partial Certificate of Occupancy for full occupancy of the building.
- **Post Certificate of Occupancy: the following Conditions of site plan approval (#45 through #47) are valid for the life of the site plan.**
45. **Structural Additions**
The developer agrees that any structural addition shall be subject to the approval of the Zoning Administrator consistent with Section 36.H.2.c of the Zoning Ordinance. If the Zoning Administrator determines that any proposed improvements have a significant impact on the site plan, or otherwise meet Zoning Ordinance requirements for site plan amendments that go to the County Board, a site plan amendment shall be required.
46. **Snow Removal**
The developer or owner agrees to remove snow from all interior streets and interior and exterior sidewalks, including accessibility ramps and gutter areas within crosswalks, within a reasonable time after snow has stopped falling but in no case later than snow removal provided for vehicular access to the site.
47. **Maintenance of Residential Common Area**
The developer agrees that the maintenance of the common area, walkways, private drives and parking areas shall be provided for by the condominium's, cooperative's or homeowners association's bylaws or agreements consistent with Section 2.D.6 of the Zoning Ordinance.
- **The following unique site specific conditions (#48 through #54) are valid for the life of the site plan and must be met before the issuance of the permit specified in each Condition.**
48. **Salvage and Recycling of Building Materials From Building to be Demolished**
The developer agrees to develop and implement a plan for the salvage and recycling of building materials from the existing building to be demolished. The developer agrees to contact and permit the staff of the County's Historic Preservation Program to inspect the property and the existing building to identify those historic materials and fabric to be salvaged. Provisions for such salvage by the County or by a recycling firm shall be incorporated into the plan. The developer agrees to obtain the County Manager's approval of this plan prior to the issuance of the Clearing, Grading and Demolition Permit for the existing buildings.

49. **Green Home Choice Program**

The developer agrees to register the project with Arlington's Green Home Choice program and will incorporate at least 185 credits in the project in order to receive Green Home Choice certification upon project completion. The developer agrees to request and complete two Green Home Choice inspections through the Inspections Services Division: the first inspection will occur prior to dry wall installation and the second inspection will occur at project completion. As required by the Green Home Choice program, a final report documenting compliance will be submitted to the Green Home Choice program coordinator for review and approval prior to issuance of the first Certificate of Occupancy for any unit.

50. **Refuse Delivery to County Disposal Facility**

If the project does not participate in the County's refuse collection system, then the developer agrees to deliver all refuse, as defined by the Arlington County Code, to an operating refuse disposal facility designated by the County Manager. The developer further agrees to stipulate in any future lease or property sale agreements and deeds that all tenants or property owners shall also comply with this requirement for the life of the site plan.

51. **Towing of Impermissibly Parked Vehicles**

The developer agrees to have, as a part of its parking management plan, provisions relating to the towing of impermissibly parked vehicles. Such provisions shall include, but not be limited to:

- a. Requirements for signage at the developer's parking lot(s) providing notice of all applicable parking restrictions enforced by towing, the location of the towing contractor(s)' impoundment yard, and the name and telephone number of the developer's on-site representative responsible for towing-related complaints, as well as the telephone number of the Arlington County Office of Citizen and Consumer Affairs.
- b. Disclosure by the developer and its towing contractor(s), at the developer's parking lot(s), of all fees and charges for towing; and
- c. Evidence that the developer has a contract with the towing contractor that requires the towing contractor to clearly display all fees and charges for towing.

52. **Authorization for Police to Enter Residential Parking Areas**

The developer agrees to develop procedures, subject to approval of the County Manager, whereby uniformed Arlington County Police will be authorized to enter the common parking areas for purposes of enforcing compliance with County ordinances and state laws applicable to resident's motor vehicles. Such procedures shall be approved prior to the issuance of the Master Certificate of Occupancy.

53. **Full Disclosure of Long-Range Plans by Marymount University**

The developer agrees to disclose to all future-prospective residents of Cathedral View townhouse units that Marymount University's long range plans include the renovation of existing dormitories and/or new construction immediately adjacent to the east of the site, abutting Lot 1. This disclosure statement shall be (1) provided to all prospective buyers of units of the development; and (2) recorded among the land records of Arlington County, Virginia.

54. **HOA Maintenance of the Rain Garden in Perpetuity**

The developer agrees to provide for perpetual maintenance of the rain garden, grass terrace, and viewing terrace by the HOA. The developer agrees to execute an Arlington County Stormwater Facility Maintenance and Monitoring Agreement for all stormwater management facilities required for the project herein referred to as the rain garden. In addition to recording this Agreement in the land records prior to receiving a building permit (as required by the Agreement), the developer agrees to provide a copy of the Agreement in the HOA documents. The developer also agrees to provide a copy in the HOA documents of the approved maintenance schedule(s) for the rain garden, along with estimated costs for performing the activities in the maintenance schedule(s). In addition, the developer agrees to establish a reserve fund with a "seed" amount of \$7,500 to be used by the HOA for any necessary capital repairs to and/or replacement of the rain garden.

Finally, the developer agrees to comply with the required plan condition that a professional engineer shall certify that the rain garden has been constructed in accordance with the approved plans and specifications. The developer also agrees to provide documentation to the County Manager that all of the above conditions have been met prior to receiving the first certificate of occupancy for any dwelling unit.

55. **Energy Efficiency**

The developer agrees to provide to all prospective homebuyers a copy of the U.S. EPA's *Homebuyers Brochure* detailing the benefits to homeowners of the Energy Star qualified new homes program and the developer agrees to implement features of this program in all townhouses. This includes implementing effective insulation, high performance windows, tight construction and ducts, and efficient heating and cooling equipment as points toward the minimum of 185 points that the developer agrees to achieve under the Green Home Choice program per Site Plan Condition #49. The developer agrees to offer to prospective homebuyers, efficient products that have earned the Energy Star blue label, specifically appliances and fixtures such as clothes washers, dishwashers, refrigerators, ceiling fans, ventilation fans (including kitchen and bathroom fans), residential light fixtures (comply with Energy Star's Advanced Lighting Package), and compact fluorescent bulbs. The developer shall submit to the County Manager a statement listing all Energy Star qualified new home features implemented prior to issuance of any Certificate of Occupancy.

56. Fair Housing Act and Accessibility

The developer will meet the requirements for accessibility in compliance with the Fair Housing Act and Fair Housing Accessibility Guidelines applicable to new multifamily housing consisting of four or more dwelling units and one or more elevators.

57. Transit Improvements

The developer agrees to make a contribution of \$10,000 to Arlington County for bus shelter improvements. The contribution shall be paid prior to the issuance of the first Certificate of Occupancy on the site.

PREVIOUS COUNTY BOARD ACTIONS:

July 7, 2007

Deferred a site plan request to develop six dwelling units (Residential Cluster); 2929 N. Glebe Rd (RPC #03-047-003, -175) to the September 8, 2007 County Board meeting.

Appendix A
Cathedral View Revised Plan
Zoning Ordinance Analysis

	Zoning Ordinance Requirement	Requirement Applied	Proposed	
Uses	One-family, Semi-detached, or Townhouse; and associated Open space		Townhouse and Open Space	
Site	Single Site; 1 – 2 acres		Single Site 65,305 sq ft (1.49 Acres)	
Density	Site Area ÷ Min Lot Area	6 DU @ 4.0 Units/Acre	4 DU @ 2.7 Units/Acre	
Lot Area	10,000 sq ft per/DU (min) 80 ft (min avg width)		Lot	Sq Ft
			1	4,061
			2	3,799
			3	3,799
			4	3,877
Building Height	35 ft (max)		Lot	Main Roof
			1	34.0 feet
			2	32.9 feet
			3	33.2 feet
			4	34.9 feet
Min Right of Way Width of Internal Streets	Public: 50 ft. R-O-W and 36 ft. pavement (min) Reduced to 40 ft and 30 ft. Private: Sufficient to serve needs		Private Streets 20 feet (side – WG&CC) 24 feet (rear)	
Setback and/or Yard	25 ft. (min)		47 feet (Glebe Road N.) 25 feet (WG&CC) 25 (Marymount) 357 feet (building to rear; 340 feet from balcony)	
Side Yard	5 ft. (min) – detached units		N/A	
Rear Yard	15 ft. (min) – each DU		Approx 20-21 ft (rear wall to TH lot lines) 15 feet @ patios	
Site Coverage	50% (max)		32.8% (21,422 sq ft)	
Common Open Area Gained by Clustering	2,500 sq ft per DU	10,000 sq ft	30,750 sq ft (7,687.5 sq ft per DU)	
Parking	2.5 spaces per DU	10 spaces	18 spaces (4.5 spaces per DU)	