



## ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item  
Meeting of October 13, 2007

### SUPPLEMENTAL REPORT

**DATE:** October 11, 2007

- SUBJECTS:**
- A. GP 312-07-1 GENERAL LAND USE PLAN AMENDMENT from “Service Commercial” (Personal and business services. Generally one to four stories. Maximum 1.5 F.A.R. with special provisions within the Columbia Pike Special Revitalization District.) to “Medium Office-Apartment-Hotel” (up to 2.5 F.A.R. Office Density, up to 115 units/acre Apartment Density, up to 180 units/acre Hotel Density) for a property known as 1716 Wilson Boulevard, generally located on the western part of the block in the area bounded by Wilson Boulevard, the proposed North Quinn Street extension, Clarendon Boulevard, and North Pierce Street.
  - B. Z-2537-07-1 REZONING: George Contis, from “C-1” Local Commercial Districts, “C-2” Service Commercial – Community Business Districts, “RA-6-15” Apartment Dwelling Districts to “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts; 1712 – 1716 Wilson Blvd., 1711 - 1717 Clarendon Blvd. (RPC #17-010-008, -009, -022, -023, -030)
  - C. SP #409 SITE PLAN: George Contis, construct approx. 108,753 sq ft office, approx. 27,996 sq ft retail, modification of use regulations for density, exclusion of density for storage, parking, comprehensive sign plan, and outdoor dining; 1712 – 1716 Wilson Blvd., 1711 - 1717 Clarendon Blvd. (RPC #17-010-008, -009, -022, -023, -030)

**DISCUSSION:** This report updates the preliminary statistical summary to reflect the actual amount of bonus density requested, updates the staff response to Transportation Commission and Planning Commission, provides the report from the Housing Commission, revises the Affordable Housing section of the report, provides additional analysis on construction of a street and plazas through bonus density, revises a portion of Condition #21 to allow for an increase in the

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Lorrie Pearson, DCPHD, Planning Division  
Anthony Fusarelli, DCPHD, Planning Division  
Robert Gibson, DES, Division of Transportation

PLA-4770

sidewalk clear width along North Quinn Street during final engineering review, and adds a condition on maintenance of the triangular plaza adjacent to the building (Condition #84).

**Revised Preliminary Statistical Summary (page 6-7 of October 4, 2007, staff report):**

	Proposed Site Plan Pre-Dedication	Proposed Site Plan Post-Dedication <sup>1</sup>
<b>Site Area</b>	<b>45,523 sf (1.045 acres)</b>	
<b>Site Area for Street Dedication</b>		<b>4,065 sf (.09 acres)</b>
<b>Post-Dedication Site Area</b>		<b>41,458 sf (.95 acres)</b>
<b>Density</b>		
Total GFA (FAR)	140,641 sf (3.09 FAR)	3.39 FAR
Office GFA (FAR)	114,922 sf (2.52 FAR)	2.77 FAR
Retail GFA (FAR)	25,719 sf (.56 FAR)	.62 FAR
Exclusions GFA, including:	6,841 sf (.15 FAR)	.17 FAR
Below grade storage (5,841 sf)		
Below grade tenant fitness center (1,000 sf)		
Total Net GFA (FAR)	133,800 sf (2.94 FAR)	<del>3.22</del> <b>3.23 FAR</b>
Bonus GFA, including:		<del>20,729 sf (.50 FAR)</del>
--Contribution for off-site portion of Quinn St. (10,364.5 sf or .25 FAR)(9,629 sf or .23 FAR)		<del>19,993 sf (.48 FAR)</del>
--LEED Silver Certification (10,364.5 sf or .25 FAR)		
One-time credit for dedication of on-site portion of Quinn St. (4,065 sf dedicated area x 2.5 FAR)		10,162.5 sf
<b>Total Net FAR, applying bonuses</b>	<b>102,909 sf (2.22 FAR)</b>	<b>102,909 sf (2.48 FAR)</b>
<b>“C-O-2.5” Permitted GFA</b>	<b>113,807.5 sf at 2.5 FAR</b>	<b>103,645 sf at 2.5 FAR</b>
<b>Building Height</b>		
Average Site Elevation	177.0 feet	
Main Roof Elevation (a.s.l.)	255.67 feet	
Main Roof Height	78.67 feet	
Penthouse Elevation (a.s.l.)	271.67 feet	
Penthouse Height	14.67 feet (93.33 feet a.s.e.)	
Number of Stories	3-5 stories	
“C-O-2.5” Permitted Height	12 stories	
<b>Parking</b>		
<b>Office</b>		
Number of Spaces	187 spaces	
Parking Ratio	1 space per 580 sf	
<b>Required Office Spaces</b>	<b>187 spaces</b>	
<b>Required Office Ratio</b>	<b>1 space per 580 sf</b>	
<b>Retail</b>		
Number of Spaces	44 spaces	
Parking Ratio	1 space per 580 sf	
<b>Required Retail Spaces</b>	<b>44 spaces</b>	
<b>Required Retail Ratio</b>	<b>1 space per 580 sf</b>	
<b>Total</b>	231 spaces	
<b>Total Required Spaces</b>	<b>231 spaces</b>	
<b>Bicycle – number of spaces provided</b>	<b>26</b>	
<b>Bicycle – number of spaces required</b>	<b>26</b>	
<b>Coverage</b>	<b>34,190 sf (75%)</b>	<b>34,190 sf (82.5%)</b>
<b>LEED Score – Core and Shell</b>	<b>31 points (Silver Certified)</b>	

<sup>1</sup> The area for the North Quinn Street extension that is within the boundaries of the site plan will be dedicated to the County. This column lists the density based on a site area that does not include the dedicated area.

**Revised Commission Responses and Reports (page 13-14 of October 4, 2007, staff report):**  
Transportation Commission: Among the recommendations at the Transportation Commission were:

- The project should provide public parking and public access to the garage between 6:00 p.m. and 7:00 a.m. to allow overnight shared parking. Should the developer choose not to operate the garage during these hours the developer must allow Colonial Village, Rosslyn Renaissance or the Rosslyn BID to operate the garage for public use during these hours. Should the garage be operated by any of these entities they would be responsible for all the operating costs (including insurance) associated with operating the garage for use by the public.  
*Staff Response:* ~~Staff and the applicant are discussing methods to provide shared parking.~~ Staff recommends revising Condition #66 to support use of the garage for shared public parking. The applicant has agreed to the revised condition. The revised condition supports the County's goal to maximize parking utilization through shared parking. By requiring the garage to be open to the public nights and weekends the garage can be used by patrons of the local restaurants and businesses to increase parking availability. The condition also requires the garage to provide overnight parking on a leased basis, which could provide additional parking for people in the surrounding residential neighborhoods.

Planning Commission: Among the recommendations at the Planning Commission were to:

- Provide additional analysis to the County Board on the use of bonus density for street and plaza construction.  
*Staff Response:* ~~Staff will provide additional analysis in a supplemental report~~ has provided additional analysis below.
- The applicant should work with staff to select more decorative garage and loading doors.  
*Staff Response:* ~~Staff and the applicant concur and are discussing a site plan condition~~ have added Condition #81 to require more decorative doors.
- Examine the use of power doors and/or proximity sensors and require the appropriate method for providing ADA access.  
*Staff Response:* ~~Staff and the applicant concur and are examining the issue.~~ The issue was raised as it relates to selecting a door that would balance the County goals to provide equal access and to maximize energy efficiency. Staff has found that the energy use to open either type of automatic door is relatively minimal, however there a concern over the loss of heated or conditioned air through doors that are opened frequently. Therefore staff recommends, and the applicant agrees, to Condition #82 which requires the applicant to examine the use of proximity sensors in consultation with the County Manager.
- That the Planning Commission recommendation is dependent on the Housing Commission determining that it has no serious reservations about the proposed affordable housing contribution.  
*Staff Response:* ~~The Housing Commission is scheduled to considered~~ the items at their October 4, 2007, meeting. The recommendation appears below.
- Evaluate the use of a stamped asphalt crosswalk across the North Quinn Street extension at Wilson and/or Clarendon Boulevards.

Staff Response: Staff is evaluating the request and the applicant concur and have revised Condition #19 to require an at-grade stamped and colored asphalt crosswalk.

- Include the standard building salvage site plan condition.

Staff Response: Staff concurs and has confirmed that Condition #12 addresses some of the concern and has added Condition # 83 to address the remainder of the issue is discussing with the applicant additional condition language.

Housing Commission: The Housing Commission is scheduled to consider these items at their October 4, 2007, meeting and voted to support the staff recommendation, provided that the calculation of the developer contribution was done in the same manner as was done for the 2000 Wilson Boulevard site plan. The FAR and contribution rate levels used for the calculations for the two projects are consistent. In addition, the site areas used for the calculations were both based on pre-dedication areas. However, since the 1716 Wilson project is using the density from the dedicated site area, the post-dedication site area has been used for the revised contribution amount, resulting in a higher contribution. The 2000 Wilson project does not make use of the density from the dedicated site area. If that density is the subject of a future site plan amendment, the affordable housing contribution would be increased according to the amount of additional density used over the post-dedication site area.

**Revised Affordable Housing Section (page 12 of October 4, 2007, staff report):**

Affordable Housing: Section 36.H.6.i states: "Site plan applications that include an application to change the GLUP designation of the site may be subject to an affordable housing requirement in addition to the above ADU requirement. Such affordable housing requirements shall be addressed separately in the process of the County Board's consideration of the approval of the site plan." If the standard formula were to be applied, the affordable housing contribution for this project would be \$314,669.

As there is an associated GLUP amendment, consistent with recommendations within an adopted plan, staff recommends, and the applicant has agreed to, a contribution of ~~\$460,785~~ \$497,288. The method for calculating the affordable housing contribution is the same as was done with 2000 Wilson Boulevard. This method treats the increase in GFA over the existing GLUP as if it were over 3.0 FAR. The contribution amount was calculated by applying the ADU formula at \$1.58 and \$4.23 per square foot to the density allowed under the existing GLUP (1.5 FAR) and applying the ADU formula at \$8.45 per square foot to the increase in GFA over the existing GLUP. Bonus density in this project results from the LEED certification and from the applicant's construction of the new street and is not attributable to the provision of affordable housing. In addition, an FAR credit results from the dedication of site area for the street. The calculation of the affordable housing contribution has been revised based on the post-dedication site area. This results in a higher contribution because more of the GFA is valued at the \$8.45 per square foot rate. The calculation for the 2000 Wilson project was based on the site area prior to the dedication of site area for street and alley purposes, but the project does not make use of the density from that dedicated site area. That density is reserved for possible future use subject to a future site plan amendment, at which time the affordable housing contribution on the additional density would be calculated at the highest rate over the post-dedication site area.

## **New Section of Staff Report:**

### Analysis of Bonus Density for Community Facility

When the Master Transportation Plan was amended in 2003 in part in response to the *Rosslyn to Courthouse Urban Design Study*, it identified an approximate location for a new extension of N. Quinn Street near the area of the subject site plan. Since that time, the County has acquired most of the property necessary to construct the street; the remainder has been provided by both the adjacent 1800 Wilson project and by the applicant of the subject site plan. As construction of the N. Quinn Street extension is a County goal and the County now owns a portion of the property on which the street would be constructed, the applicant has agreed to construct the street and adjacent plazas in their entirety. The initial estimate for the construction of the N. Quinn Street extension and adjacent plazas is between \$550,000 and \$600,000. In order to pay the costs of the construction, the applicant has requested additional density in the amount of 9,629 sf (revised from the original 10,364 sf listed in the staff report dated October 4, 2007). Staff estimates the value of office density in the area at \$60 per square foot. At this rate, the 9,629 sf of density would be valued at \$577,740. Therefore the value of the additional density requested is commensurate with the value of the street and plaza construction, especially when one considers that the applicant has agreed to construct the street and plazas consistent with the submitted plans and illustrations, regardless of the actual cost, even if the costs exceed the initial estimate.

The amount of additional density requested is also within the limits provided in the Zoning Ordinance by Section 36.H. This provision of the ordinance is applicable in this instance as this site plan request is unique. In a more typical site plan situation involving street construction, the location of the street might either be entirely within the site area of a proposed site plan, or shared among two or more site plan applicants. In the first case, construction of the street would provide benefit primarily to the single applicant and generally would be constructed as part of the site plan community benefits package. The developer may be permitted to use the land beneath the street for garage purposes if an easement is granted, or the developer may be permitted to receive a density credit on the site area if the land is dedicated. In the second case, the street construction costs would typically be shared among the multiple developers, and each may receive density credit for the portions of the street that might be dedicated.

In the current situation, however, the majority of the property for the street is owned by the County and requires a significant amount of improvement in order to construct the street, streetscape, and the two plaza areas. If the developer owned the entire area where the street is planned and agreed to dedicate the area, the County might grant a density credit for the entire area. In this case, there is only a density credit requested for the small portion (4,065 sf) of the street area that is owned by the developer. Since a density credit for the entire area of the street is not appropriate here, another mechanism is needed to provide for street construction to achieve the County goals outlined in the Master Transportation Plan and the *Rosslyn to Courthouse Urban Design Study*.

Section 36.H.5.a. of the Zoning Ordinance permits the County Board to modify use regulations in harmony with the general purpose and intent of the district. Section 36.H.7.b. (previously section 36.H.5.d.) provides guidance on the purpose and level of modification that the County Board may grant. Specifically, the provision allows the County Board to approve up to .25 FAR of additional density should the County Board judge that a contribution to a required community

facility has been provided. In this case, the required community facility would be the construction of the North Quinn Street extension and streetscape, the adjacent plaza areas, and maintenance of the plaza adjacent to the applicant's proposed building. The bonus density of 9,629 sf would allow the developer to make these improvements while adding a portion of the top floor to the building and better meeting the recommendations of the *Rosslyn to Courthouse Urban Design Study*.

This provision of the Zoning Ordinance has been applied to recent site plans including the Navy League, Fairmont, and the Virginia Square Park Condominiums. Site Plan #351 for the Navy League building at 2300 Wilson Boulevard was approved by the County Board in July 2001. As part of that site plan, an additional 5,811.6 sf of density was approved in light of financial contributions that the developer agreed to make to the Courthouse Area Improvement Fund. This fund could be used by the County Board to fund community facilities such as matching funds for design of a western entrance to the Courthouse Metro Station or programs to address the historic preservation issues raised by the review of this site plan or pedestrian improvements that may be needed in the area.

Site Plan #386, the Virginia Square Park Condominiums (now known as Club on Quincy) at 3901 North Fairfax Drive, was approved in July 2004. The approval included 10% additional density on the residential units and 0.25 FAR on the commercial density, for provision of a black box theater as a community facility.

Site Plan #331, the Arlington Gateway/Fairmont project at Fairfax Drive and North Glebe Road was amended in January 2006. The amendment included the approval of 8.54% of additional density on the Fairmont, Gateway Office, Gateway Hotel, and the Regent for the provision of metro station improvements.

The section in the Zoning Ordinance allowing the County Board to approve bonus density for the provision of community facilities has been applied on recent site plans. Application of the provision on this site plan would be consistent with previous applications and would permit construction of a street and streetscape recommended in the Master Transportation Plan and the *Rosslyn to Courthouse Urban Design Study* and construction of two public plazas. Staff supports the request for 9,629 sf of additional density to achieve these community facilities and has found that the value of the additional density is commensurate with the value of the community facilities attained.

**Revised Conditions:**

19. a. The developer agrees to construct new curb and gutter along Clarendon Boulevard creating a uniform 43-foot street width, which shall be approximately 21.5 feet from the Arlington County survey centerline, as shown on the final engineering plan approved by the County Manager or his designee. At the intersection of Clarendon Boulevard and North Quinn Street shall construct a nub narrowing the street to approximately 36.5 ft reducing the pedestrian crossing distance at the handicap ramp. The developer also agrees to construct one 10-foot

wide stamped colored asphalt crosswalk at street grade and accompanying handicap ramp at the intersection of North Quinn Street (east side).

b. The developer agrees to construct new curb and gutter along Wilson Boulevard creating a uniform 36.5-foot street width, which shall be approximately 14 feet from the Arlington County survey centerline, as shown on the final engineering plan approved by the County Manager or his designee. The developer also agrees to construct one 10 foot wide stamped colored asphalt crosswalk at street grade and accompanying handicap ramp at the existing intersection of North Quinn Street (west side).

21. **North Quinn Street** - A minimum 11.5-foot wide sidewalk measured from the back of curb, including 5-foot by 12-foot tree pits planted with 4 to 4 ½ inch caliper Willow Oak street trees and such ground cover as liriopie muscarii, hypericum, calycinum (Aarons Beard), or juniperus conferta (Shore Juniper), placed approximately 30 feet apart on center. and a minimum of eight (8) inches back from the back of curb.

#### **After-hours Parking in Office Garages**

66. ~~The developer agrees to make all parking in the garage available to the public for parking after standard office hours (weekday evenings after 6:00 p.m., weekends, and all legal holidays) until 12:00 midnight or until the close of business of retail operations, whichever is later. The developer further agrees to make some parking spaces on the B-1 levels of the garage available for use exclusively by the retail tenants' employees and customers; at a minimum, the number of spaces to be so reserved shall be consistent with the requirements of the Zoning Ordinance for the retail uses that occupy the space, but need to leave sufficient spaces for other uses. The developer agrees to implement a validation program to allow free use of such spaces for retail customers and employees between 6:00 p.m. and 12:00 midnight or until the close of business of retail operations, whichever is later.~~

Prior to the issuance of the first Certificate of Occupancy permitting tenant occupancy, the developer agrees to submit to the Zoning Administrator and to obtain the County Manager's approval of a parking management plan which outlines how office tenant and visitor parking for the building, and parking for retail tenants' employees and customers, will be provided, where the parking will be located, how parking rates will be established, and how visitors and other users will be directed to the parking spaces. The developer further agrees a minimum of 45 retail and visitor spaces will be available in the garage at all times the garage is open, with pricing as identified below. The parking management plan shall be submitted to Colonial Village I, II, III and Colonial Commons prior to submission to the Zoning Administrator. It is the intention that there will always be a charge for parking in the garage. The County Manger shall approve the parking management plan if he finds that it is consistent with this approval, the parking requirements in the Zoning Ordinance, and the requirements below.

The parking management plan shall include, but not be limited to, the following elements:

Long-term Parking Pricing: The developer agrees that the garage's long-term parking rates will be comparable to those in the rest of the Rosslyn -Ballston corridor.

Short-term Parking Pricing: The developer agrees to set parking rates for short-term parking, for the retail parking spaces and the parking after standard office hours, for the first two hours of parking with validation at rate not to exceed two times the County's then current short-term meter rates. (Note: 2007 Arlington County short-term parking meter rate of \$1.00 per hour.)

Night and Weekend Public Parking: The developer agrees to make all parking, in the garage available to the public on one of the following schedules, whichever will cause the parking to be open later.

- Monday - Thursday 6:00 p.m. to 12:00 a.m.
- Fridays - 6:00 p.m. to 12:00 a.m.
- Saturdays - 10:00 a.m. to 12:00 a.m.
- Sundays -10:00 a.m. to 10:00 p.m.
- All legal holidays - 10:00 a.m. to 12:00 a.m.

- or -

- From the opening times stated above until the close of business of retail operations.

Overnight Public Parking: The developer agrees to make the garage available to the public for overnight parking at market rates for daily parking, with public access limited to the hours of operation of the garage. The developer agrees not to tow vehicles parked in the garage overnight unless they show signs of abandonment.

Overnight Leased Parking: The developer agrees to make the garage available to the public overnight and at "off-peak" hours through a monthly lease at market rates. The "off-peak" hours shall be determined based upon the actual demand of the retail tenants. The parking management plan shall provide details regarding the process for accessing the garage when the garage is not open to the public. Periodic review shall allow for adjustment of "off-peak" hours based upon actual tenant mix and garage use.

### **Affordable Housing Contribution**

68. The developer agrees to comply with Subsection 36.H.6. of the Zoning Ordinance, "Affordable Dwelling Units for Increased Density Within General Land Use Plan." The affordable housing plan shall be as set forth and generally defined in a letter from the applicant to Hank Leavitt dated October-4-10, 2007. Prior to the issuance of the first Certificate of Occupancy, the developer shall have submitted to and obtained from the County Manager confirmation or approval of the developer's finalized plan for meeting the requirements of the affordable housing ordinance, and shall have executed all necessary documents to implement the approved or confirmed plan.

**New Conditions:**

81. The developer agrees to design and implement a decorative treatment for the parking garage and loading dock doors on North Quinn Street that provides pedestrian interest and architectural compatibility with the surrounding building façades. This design shall be submitted for approval as part of the façade plans as described in Condition #34, and shall be subject to the same procedures. The developer further agrees that the approved façade plans will govern the decorative treatment on the parking garage and loading dock doors.
82. The applicant agrees to consider the use of proximity sensors to operate the ADA compliant entry door for the office building. The applicant agrees to meet with the County Manager prior to the issuance of the building permit to discuss the appropriateness of such sensors, taking into consideration accessibility issues, energy efficiency and other design and operations' criteria.
83. The developer agrees to develop and implement a plan for the salvage and recycling of building elements and materials from the existing building(s) proposed to be demolished. One month prior to demolition, the developer agrees to contact and permit the staff of the Historic Preservation Program to inspect the property and the existing building(s) to identify those historic building elements and materials to be salvaged. Provisions for such salvage shall be incorporated into the plan. The developer agrees to pay all costs of such salvage using a recycling firm or other licensed contractor.
84. The developer agrees to be solely responsible for the inspection, maintenance, and repair of the off-site plaza area that is located on the County-owned property that is immediately abutting the developer's project on the East side of N. Quinn Street and located north of Clarendon Boulevard and east of Quinn Street (the "Plaza"), as shown on the plans dated September 24, 2007. All maintenance work shall be performed in accordance with manufacturer's recommendations, the Americans with Disabilities Act standards, standards and procedures set forth by DPRCR, and all successor procedures generally applicable to public Plazas in Arlington County, Virginia, as may hereafter be enacted or amended.

Prior to the issuance of the building permit, the developer agrees to submit an agreement (the "Agreement") to the County Manager, for maintenance, service, repair, and replacement of equipment and furnishings in the Plaza, in accordance to Department of Parks, Recreation and Cultural Resources maintenance and life cycle standards, and the terms contained in this condition. The developer agrees that the Agreement shall, among other things, identify the specific roles, responsibilities, insurance coverage requirements, liabilities, and terms and conditions related to the maintenance of the Plaza and shall be acceptable in substance to the County Manager.

The developer further agrees that the Agreement shall include, by way of illustration and not limitation, provisions describing the developer's obligation to maintain the plaza.

The Developer's annual maintenance obligation shall be based on a reasonable estimate of the costs of maintenance for one year, but not more than \$20,000. Prior to issuance of the Clearing and Grading permit, the Developer agrees to submit an estimate of the one-year maintenance costs to the County Manager, and obtain his approval of the estimate. The Obligation will be secured by either a Bond or an escrow account held by the County for that purpose and in that amount. The Developer agrees to post the bond or establish the escrow account, before issuance of the first Certificate of Occupancy for the building. Should the developer fail to maintain the Plaza in strict accordance with County Standards and the terms of the Agreement, then the County will provide the Developer with written notice of such deficiency. If the deficiency is not cured within ten (10) calendar days after receipt by the developer of the notice, then the County shall have the right to draw on the Bond or funds in the escrow account to pay for the necessary repairs and/or provide the necessary maintenance. The Agreement for maintenance shall be terminable by the County, in its sole discretion, should the developer fail to maintain the Plaza to the level required by this condition and the County's department of Parks Recreation and Community Resources, and provided the County gives notice as described above. Upon termination of the Agreement, the County shall be entitled to draw on all funds available under the Bond or in the Escrow Account, and to use all such funds for repair and or maintenance of the plaza.

The developer also agrees that the Agreement shall contain an obligation on the developer's part to create and maintain, through annual contributions, an escrow account for the sole purpose of assuring that there are adequate funds in the future to remove, replace amenities or elements within the Plaza when they reach the end of their life cycle. The amount of the annual contributions by the developer shall be based on an estimate contained in the Agreement. The developer, or its successor, shall provide the County with an annual statement showing the current amount of the escrow account funds and what items were deducted from the account over the preceding year. The account status information shall be provided to DPRCR by April 15th of each year, starting with the year of completion of the Plaza.