



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of December 15, 2007**

DATE: December 5, 2007

SUBJECT: SP #19 SITE PLAN AMENDMENT, 1881 Rosslyn Associates, LLC, modify Condition #63 re public art fund; 1881 N. Nash St. (RPC #16-022-001)

Applicant:

1881 Rosslyn Associates, LLC

By:

Timothy S. Sampson, Attorney/Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, PC
2200 Clarendon Boulevard, Suite 1300
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Approve the subject site plan amendment request of 1881 Rosslyn Associates, LLC, to modify Condition #63 regarding the public art fund.

ISSUES: None.

SUMMARY: The applicant requests a site plan amendment to modify condition language related to public art, allowing the developer to make a cash contribution to the Public Art Fund in lieu of commissioning public art for the site plan. Staff finds that this request is consistent with the County's *Public Art Policy* and *Public Art Master Plan*, and that the proposed amendment will have no significant impact on the urban design as intended for this site plan.

BACKGROUND: 1881 North Nash Street (Turnberry Tower) was approved as a major site plan amendment in June 2001, accompanying a rezoning request for the former Best Western Hotel site from "C-O" to "C-O Rosslyn". By site plan, 567,000 square feet of gross floor area including retail at 4,400 square feet was approved as the only exclusively residential

County Manager: _____

Staff: Samia Byrd, DCPHD, Planning Division
Angela Adams, DPRCR, Cultural Affairs

PLA-4838

development in the “C-O Rosslyn” zoning district.

Site: At 56,700 sq ft (1.3 acres) and located within the “*Rosslyn Coordinated Redevelopment District*,” the property occupies the northwest corner of Ft. Myer Drive and Key Boulevard. The site fronts North Nash Street to the west and is bounded by the Holiday Inn Westpark to the north.

Zoning: “C-O Rosslyn”.

General Land Use Plan Designation: “High Residential”; “*Rosslyn Coordinated Redevelopment District*”.

Neighborhood: Rosslyn.

Turnberry Tower is currently under construction. Upon completion, the development will comprise no more than 337 residential units in a 27-story, 300-foot building. The applicant proposes a minor Site Plan Amendment to Site Plan Condition #63 related to public art. Staff has reviewed the following approved plans and policies in reviewing the proposed minor Site Plan Amendment: Section 36.H. of the Zoning Ordinance; *Arlington County Public Art Policy*; *Arlington County Public Art Master Plan*.

DISCUSSION: The Turnberry Tower site plan proposed a unique pedestrian passageway at the corner of North Nash Street with a water feature, public art and landscaping. This is the subject of a special site plan condition, Condition #63, requiring an artist as part of the development team to provide public art at a cost of \$250,000, as well as the developer to fund a water feature on the site at a cost of \$239,000.

Arlington County’s *Public Art Policy* and *Public Art Master Plan* provide three opportunities to contribute public art to a special exception site plan: 1) funding for a specific art project in a proposed development, 2) funds for a project included in the *Public Art Master Plan*, or 3) a contribution to support the County’s public art program. As the Turnberry Tower project has evolved, the developer has found that a contribution to the Public Art Fund in the amount of \$250,000 in lieu of providing public art on site is a more appropriate means of contribution for this site plan. This request is consistent with the County’s current practice relevant to special exception site plans. Although there would no longer be a public art project associated with the Turnberry Tower site plan, the developer would be required to provide the water feature at \$239,000 and substantial landscaping, facilitating the intended pedestrian experience at the corner of North Nash Street.

CONCLUSION: Staff recommends approval of the following amendment to Condition #63 as agreed to by Staff and the applicant. This amendment is supported by public art staff, the Public Art Committee and the Rosslyn Renaissance Urban Design Committee, is consistent with current public art policy and will have no significant impact on the urban design character intended for

the site plan at the corner of North Nash Street.

63. The developer agrees to make a contribution to the Public Art Fund in the amount of \$250,000 in lieu of providing public artwork. Such contribution shall be made prior to the issuance of the first tenant certificate of occupancy for the site plan (#19). In addition to the \$250,000 Public Art Fund contribution, the developer further agrees to fund a water feature facing North Nash Street in the amount of \$239,000. ~~involve an artist as a member of the project's design team, working with the project architects, to provide public art in the site plan development. The total budget for the public art/water feature element is \$489,000. The developer agrees to fund the public art at a cost no less than \$250,000. The \$250,000 Arts Program budget will be spent as follows: \$25,000 contribution to the County's Public Art Fund, for a future youth arts program in Rosslyn. \$125,000 Funding for the Artist and consultants fees (design/engineering). \$100,000 for execution (fabrication/construction and installation). In addition, the design of the water wall facing North Nash Street will be included in the scope of work for the artist/design team and that an additional \$239,000 will be allocated for a water feature will be used to fund the artists' recommendations, designs, and construction of the water feature. The \$239,000 Water Feature budget will be spent as follows: \$30,000 for artist and consultation fees (design/engineering) and \$209,000 for execution (fabrication/construction and installation). The developer shall coordinate with the County Manager or his designee on the selection of the artist and the design, fabrication and installation of the public art. Anyone appointed by the County Manager to work with the developer shall attend all meetings with the artist and or art consultant as requested by the developer, and these appointees shall have binding authority to act on behalf of the County Manager. The County's Art Commission and the Rosslyn Renaissance shall be consulted. The public art shall be commissioned prior to the issuance of the First Tenant Certificate of Occupancy for the site plan.~~ The developer agrees to include an operations plan for the water feature, which outlines the general time and dates that the feature would be in operation.

PREVIOUS COUNTY BOARD ACTIONS:

October 2, 1962	Deferred site plan to the October 6, 1962 County Board meeting.
October 6, 1962	Approved a site plan for a 178-unit hotel.
March 7, 1965	Approved a site plan amendment to allow windows on the north elevation not shown on the site plan.
May 11, 1965	Denied a request to permit a freestanding trademark sign on the Fort Myer Drive frontage.
August 24, 1965	Deferred a request to relocate an approved rooftop sign to the restaurant level between the first and second floors.
October 16, 1965	Approved an additional sign at the restaurant levels.
May 14, 1966	Approved a site plan amendment to permit installation of a walk-in cooler on the third parking level of the garage.
January 25, 1969	Approved an amendment to the site plan to allow exterior detailing at the second level to remain the recently painted colors of yellow, green and white until December 1, 1969.
April 30, 1969	Approved the conversion of one off-street parking space to storage space.
November 26, 1969	Approved a site plan amendment permitting exterior detailing at the second floor level to be painted dark green.
April 12, 1980	Approved a site plan amendment to enclose 13 parking spaces on the third level for additional office and storage area and to construct a 2,255 square foot addition on the fourth level for additional storage, with conditions.

March 7, 1987	Denied site plan amendment request for a free standing sign.
April 21, 2001	Deferred rezoning and site plan amendment request to the June 9, 2001 County Board meeting.
June 9, 2001	Approved rezoning to “C-O Rosslyn” and site plan amendment subject to conditions.
May 18, 2002	Extended the term of the site plan approval to June 9, 2006.
April 24, 2004	Deferred site plan amendment request to the June 26, 2004 County Board meeting.
June 26, 2004	Approved site plan amendment request for minor building modifications resulting in a more suitable high-density residential project in Rosslyn, and to amend Conditions 1, 10, 13, 16, 26, 30, 37, 38, 39, 46, 58, 63, 66, 67, 68 from the 2001 approved site plan and add a new Condition 71, making the site plan consistent with 2004 site plan standards.