



ARLINGTON COUNTY, VIRGINIA

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

DATE: December 12, 2007

SUBJECT: SP #346 FINAL SITE PLAN to construct approximately 625 hotel rooms and approximately 10,000 sq ft retail, with modifications of use regulations for exclusion of storage area from GFA and for the hotel parking ratio. (RPC #34-027-066) (Potomac Yard Land Bay B)

Applicant:

Marriott International, LLC

By:

Martin D. Walsh, Attorney
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

C.M. RECOMMENDATIONS: Approve the final site plan request for approximately 625 hotel rooms and approximately 10,000 sq ft retail, with modification of use regulations for exclusion of storage area from GFA and for the hotel parking ratio, subject to the conditions in the staff report.

ISSUES: None.

SUMMARY: This proposal for a Final Site Plan for Land Bay B ensures that final development reflects the vision for the South Tract when the Potomac Yard PDSP was approved in October 2000. Land Bay B was envisioned to include a 625-room hotel development with a large conference/banquet facility that would help to foster the live-work-shop relationship and 24-hour

County Manager: _____

County Attorney: _____

Staff: Freida Wray, Planning Division, DCPHD
Robert Gibson, Planning Division, DES
Betts Abel, Housing Division, DCPHD

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vitality desired for this new urban community. This proposal achieves these goals and ensures the envisioned vibrancy and activity through provision of ground floor retail and restaurant uses, significant conference and banquet facilities, and two different types of hotel uses. Staff supports the modifications of use regulations that would allow density exclusion for tenant storage and inclusion of tandem parking in the required hotel parking ratio. The applicant has agreed to a number of community benefits including: an affordable housing contribution that complies with Section 36.H.6. of the Zoning Ordinance (the Affordable Housing Ordinance), contribution to the Utility Undergrounding Fund, the provision of public art consistent with the approved Potomac Yard PDSP Public Art Concept Plan, a significant Transportation Management Plan, and construction of the building that incorporates sustainable elements that would allow achievement of the US Green Building Council's LEED Certification.

BACKGROUND: The applicant, Marriott International, seeks approval of a Final Site Plan within the Potomac Yard PDSP, for a hotel development with ground floor retail. The Potomac Yard PDSP was approved by the County Board on October 21, 2000. The PDSP established the overall density, building locations, heights, uses and location of open space. Final site plans are required before building permits can be issued. Since 2000, six (6) final site plans have been approved for Land Bays A, D (East and West), E (East and West) and F. Of the remaining Land Bays, Land Bay B is the subject of this request and Land Bay C is also scheduled to be heard by the County Board at the December 15, 2007 meeting. The most recent approvals were on April 21, 2007, whereby the County Board approved a PDSP Amendment and final site plans for Land Bays D-East, D-West and E-West.



Approved PDSP Densities: The current approved distribution of uses and densities in the PDSP are as follows:

Land Bay	Office	Retail	Residential	Hotel	Total GFA
A	645,511	8,489 base (4,442 potential)	-	-	654,000
B	-	10,000 base (15,000 potential)	-	430,000 625 rooms	440,000
C	1,086,986	18,637 base	-	-	1,105,623
D-East	-	16,503 base	425,752 360 units	-	856,558
D-West	-	15,868 base	398,435 331 units	-	
E-East	-	4,143 base	391,714 378 units	-	841,654
E-West	374,379	71,418 base	-	-	
F	-	30,000 base 50,000 grocery store	482,000 479 units	-	512,000 50,000 grocery store
Total	2,106,876	175,058 base (19,442 potential) 50,000 grocery store	1,697,901 1,548 units	430,000 625 rooms	4,409,835 50,000 grocery store

The following provides additional information about the Land Bays and their locations:

Site: The Potomac Yard PDSP is located in the South Tract, along the Jefferson Davis Corridor. It is generally bounded by the Airport Viaduct, the George Washington Memorial Parkway (the eastern edge of the railway corridor), Four Mile Run and the City of Alexandria, the Jefferson Davis Highway (Route 1) and Crystal Drive. Land Bay B is a triangular-shaped parcel bounded by Crystal Drive, 29th Street South and Potomac Avenue.

Zoning: The PDSP is zoned “C-O-1.5”, Commercial Office Building, Hotel and Apartment Districts.

Land Use: The PDSP’s designation on the General Land Use Plan (GLUP) is a striped pattern of one-third “Medium” Residential (37-72 units/acre) and two-thirds “Low” Office-Apartment-Hotel (up to 1.5 FAR office density, up to 72 units/acre residential density, up to 110 units/acre hotel density), with Note 18.

Neighborhood: The PDSP is adjacent to the Aurora Highlands and Arlington Ridge Civic Associations.

Proposed Development: The following table sets forth the statistical summary for the proposed development in Land Bay B:

	Current PDSP Approval/Required	Proposal
SITE AREA (Land Bay B only)		69,816 sf (1.6 ac)
Site area allocated for density purposes		216,105 sf (4.96 ac)
Density		
Hotel G.F.A	430,000 sf	430,000 sf
Banquet & conference rooms		23,994 sf
Retail GFA	10,000 sf	10,000 sf
Building Storage exemption	-	6,428 sf
Hotel Rooms	625 rooms	625 rooms
Building Height		
Average Site Elevation		28.12 feet
Main Roof Height	166 feet	147.21 feet
Main Roof Elevation from A.S.E.		175.33 feet
Penthouse Roof Height		167.96 feet
Penthouse Roof Elevation from A.S.E.		196.08 feet
Height of Penthouse Structure		20.75 feet
Penthouse Screen Wall Height		172.21 feet
Penthouse Screen Wall Elev. from A.S.E.		200.33 feet
Height of Penthouse Screen Wall Struct.		25 feet at tallest point
Number of stories	13 stories	13 stories
Parking		
Total Parking Spaces	520 spaces	522 spaces
Tandem Spaces (%)	-	237 spaces (45%)
Direct Access Spaces (%)	520 spaces (100%)	285 spaces (55%)
Handicap Parking Spaces		8 spaces
Hotel Parking for Rooms Only	438 spaces	440 spaces
Hotel Parking Ratio for Rooms Only	.7 space/room	.704 space/room
Hotel Parking for Banquet & Conference Facilities Only	42 spaces	42 spaces
Retail Parking	40 spaces	40 spaces
Retail Parking Ratio	1 space/250 sf	1 space/250 sf
LEED Score		26 points with LEED Certification

Density and Uses: This final site plan for Land Bay B proposes up to 430,000 square feet of hotel, including 625 hotel rooms and 23,994 square feet of conference and banquet facilities, plus up to 10,000 square feet of retail, for a total of 440,000 square feet of GFA. The proposal includes two separately operating Marriott hotel brands - the Residence Inn, an extended-stay hotel with 325 rooms; and the Renaissance Hotel, a full-service hotel with 300 rooms. The

hotels would be joined at the garage and first few above-grade levels. They would have separate lobbies, but would share garage and loading access and facilities, mechanical and back-of-house facilities, and meeting and banquet facilities. Retail would be located on the ground floor adjacent to Crystal Drive.

The hotels’ amenities include an 11,512 square foot ballroom, 12,482 square feet of space for nine (9) meeting rooms, 11,577 square feet of prefunction space, a 2,899 square foot fitness center, and an indoor swimming pool. The retail would be located adjacent to the development’s Crystal Drive frontage and envisioned to include, among other retail uses, a 4,792 square foot restaurant with outdoor seating. A total of 6,428 square feet of building storage is located on the garage levels, which is proposed to be exempted from the density calculation. Three (3) levels of underground garage would span the building footprint and would provide a total of 522 parking spaces for the two hotel brands: 440 spaces (including tandem spaces) designated for the hotel rooms, 42 spaces (including tandem spaces) designated for the banquet and conference facilities, and 40 spaces designated for the retail use. Parking and loading facilities would be separately accessed from Potomac Avenue and would be shared between the two hotel brands.

By comparison, other hotels in Arlington with substantial meeting and banquet facilities include the following:

Hotels	Total Meeting and Banquet Facilities	Largest Ballrooms
Hilton Arlington and Towers (Ballston)	8,000+ sf	3,960 sf
Hilton Crystal City	18,641 sf	6,540 sf
Hyatt Regency Crystal City	50,000+ sf	23,000 sf and 13,284 sf
Hyatt Arlington at Washington’s Key Bridge (Rosslyn)	7,000+ sf	3,280 sf
Marriott Crystal City	14,486 sf	3,450 sf 4,902 sf Crystal Forum Theater
Marriott Crystal Gateway	33,600+ sf	16,000 sf and 12,000 sf
Marriott Key Bridge (Rosslyn)	14,000+ sf	4,290 sf
Radisson Hotel Regan National Airport (Crystal City)	5,790 sf	4,290 sf
Ritz Carlton Pentagon City	13,350 sf	7,200 sf
Sheraton Crystal City	10,620 sf	6,225 sf
Sheraton National (Crystal City)	25,000+ sf	9,690 sf
Westin Arlington Gateway (Ballston)	10,180 sf	7,000 sf

Site and Design: The building would be designed to include an approximately 48-foot tall base along the Crystal Drive frontage, with the 11-story tower set back approximately 80 to 150 feet from Crystal Drive. The base includes the first, mezzanine and second floors. The first floor is occupied with the restaurant and retail uses, the central plant, the hearthroom and lobby for the two hotel brands, administration and back-of-house functions, and two meeting rooms adjacent to the extended-stay (Residence Inn) hearthroom. The mezzanine level contains housekeeping and cafeteria space for hotel employees; and the second floor contains the ballroom, 7 meeting rooms, prefunction space, and banquet service and storage areas. The building tower, consisting

of floors three (3) through 13, is occupied with the hotel rooms – one side (primarily 29th Street side) dedicated to the extended-stay rooms and the other side (Potomac Avenue side) dedicated to the full-service rooms.

The building would have a design that distinguishes the two hotel brands. The portion of the building housing the extended-stay Residence Inn would have a facade treatment consisting of red brick-faced and blonde architectural precast. At the terminus of North Park, architectural elements consisting of an iridescent tile design and illuminated spire is proposed for that portion of the building's 29th Street elevation. The portion of the building housing the full-service Renaissance Hotel would have a facade treatment consisting of grey architectural precast, vision and spandrel glass window systems, an aluminum composite metal panel system, and a pre-finished aluminum screening wall for the rooftop mechanical equipment. Staff will continue to work with the applicant to refine the design transition between the two hotel brands.

Pedestrian access to the full-service Renaissance Hotel lobby is from Potomac Avenue near the Crystal Drive intersection, designed to include a two-lane porte-cochere setback approximately 23 feet from the sidewalk. An area designated for tour bus loading and unloading would be located near the porte-cochere on Potomac Avenue. Pedestrian access to the extended-stay Residence Inn's hearthroom is from 29th Street near the Potomac Avenue intersection.

The streetscape consists of minimum 12-foot wide sidewalks on Crystal Drive and Potomac Avenue, including minimum 5-foot wide planting strips; and a 14-foot wide sidewalk on 29th Street, including 5' x 12' tree pits. The proposed sidewalk widths are consistent with the Urban Design Guidelines.

LEED Scorecard: The proposed LEED Score is 26 points. This includes credits primarily for Sustainable Sites and Indoor Environmental Quality. The applicant has agreed to achieve LEED Certification through the US Green Building Council as indicated in Condition #69. Environmental attributes for the hotel development would be optimized, resulting in a LEED Certified rating for the project. A green roof will be considered for a portion of the building. Particular focus will be placed on energy efficiency and environmentally responsible management of the hotels.

TRANSPORTATION: The Potomac Yard Urban Design Guidelines and the PDSP outline the design specifications and required transportation infrastructure for Potomac Yard, which is envisioned as having a transportation network that focuses on creating an active and memorable pedestrian environment with excellent connectivity to public transit. This will be accomplished by providing a multimodal street network, a complete network of sidewalks and trails for pedestrian connectivity, and a dedicated transit-way.

This site is in a unique location within Potomac Yard at the location where both Crystal Drive and Potomac Avenue intersect, forming a triangular site bounded by only three streets (Potomac

Avenue, Crystal Drive and 29th Street South). Potomac Avenue is designated as a primary street with two lanes in each direction with on-street bike lanes and a center median which can be used to provide left-turn lanes. Twenty-Ninth Street South is designated as a secondary street that connects Potomac Avenue and Crystal Drive on the southern boundary of the site. The street has a single travel lane in each direction, along with on-street parking on both sides where available. South of 33rd Street South, northbound Route 1 splits forming Crystal Drive. Crystal Drive adjacent to the site is comprised of two northbound lanes. Separating the development in Land Bay B from Crystal Drive is a 26-foot wide limited access transit-way.

Background Traffic Data: All-day, non directional traffic counts for US Route 1 near the site are detailed below. The data shows that traffic volumes on US Route 1 north of South Glebe Road have been stable for the past few years.

	1998	1999	2000	2001
US Route 1 (south of 20th St. S.)	41,710	N/A	46,225	46,226

Source: Arlington County DES Traffic Engineering Department

N/A = No data available

	2003	2004	2005	2006
US Route 1 (north of Glebe Road)	N/A	45,000	45,000	44,000

Source: VDOT Daily Traffic Volume Estimates

N/A = No data available

Trip Generation The PDSP's strong multimodal transportation design, in conjunction with its transportation demand management goals and required funding, are projected to significantly reduce vehicle trips generated by the development. With effective implementation and management of the Transportation Management Plan (TMP), 40 percent of Potomac Yard's person-trips are expected to be made without use of an automobile. A Traffic Impact Analysis (TIA) submitted by the applicant (prepared by Wells and Associates and dated April 11, 2007) estimates that Land Bay B would generate 70 vehicle trips during the a.m. peak hour and 94 vehicle trips during the p.m. peak hour.

Streets: The Potomac Yard street network was planned to have a range of roadway classifications to serve the widest possible range of users. All of the roadways in Land Bay B conform to the design specifications envisioned in the Potomac Yard Urban Design Guidelines, as follows:

- Potomac Avenue, which is a public street, is 73 feet wide and provides eight (8) vehicle and bike lanes as follows: a 4-foot wide northbound on-street bike lane; two (2) northbound 11-foot wide travel lanes; an 11-foot wide left-turn lane or median; two (2) southbound 10.5-foot wide travel lanes; a 5-foot wide southbound on-street bike lane; and an on-street parking

lane in the southbound direction.

- Crystal Drive, which is 26 feet wide, has two (2) northbound travel lanes and curb and gutter. Between Crystal Drive and the proposed building there is a landscaped median and a 26-foot wide dedicated transit-way.
- 29th Street South, which would be dedicated as a public street, would be 38 feet wide and provide four (4) vehicle lanes as follows: two (2) 11-foot wide travel lanes, one in each direction; and two (2) 8-foot wide on-street parking lanes, one in each direction.

Loading Bay and Garage Access: The Potomac Yard Urban Design Guidelines recommend that the location of parking and loading access points be carefully controlled, limiting the impact on sidewalks and public spaces. Due to site constraints, which limit potential garage and loading locations to either 29th Street South or Potomac Avenue, the developer has proposed to place both the garage entrance and the loading dock on Potomac Avenue. The project proposes a 50-foot wide loading bay providing four (4) loading and trash berths. The loading bay is broken up into two (2) loading entrances created by the provision of a small pedestrian refuge area in the sidewalk as it crosses the entrances. Consistent with standard site plan conditions the applicant has agreed to keep the loading doors closed at all times except when vehicles are entering and exiting the loading dock. Two (2) of the loading berths have been designed with sufficient depth for both tour buses and full length tractor trailers. Located along Potomac Avenue between the porte-cochere and the loading lock is the entrance (24.5 feet wide) to the underground garage.

Transportation Demand Management (TDM) Program: Consistent with site plan development and the County's adopted TDM Policy, staff recommends and the developer has agreed to implement a TDM program to meet the PDSP's Transportation Management Program (TMP) goals.

PDSP Condition #28 outlines the agreed upon TMP for the Potomac Yard development. Some of the TMP policies in the PDSP include:

- The specific program details will be established annually by the Transportation Management Program Association (TMPA) and identified in the TMP Work Plan and evaluated by the County Manager or his designee to achieve the program goal of an average vehicle occupancy of 1.4 passengers per vehicle trip for office, hotel and residential trips and a mode split with 40 percent of trips made by transit, bike and walking.
- Each development within the Potomac Yard site will maintain an active membership in the TMPA providing funding annually as identified by the Annual TMP Work Plan to support TDM programs. At full build-out of the Potomac Yard site, the TDM could have an annual budget in excess of \$750,000.

The specific requirements to address these goals are outlined in the site plan's TDM condition

(Condition #51). Furthermore, sub-paragraphs f.(5-7) of Condition #51 outline the requirements for a hotel parking and vehicle management plan that is required to be developed by the applicant. The plan would address parking for hotel and retail guests, employees, visitors and the public; implementation at all times of an attendant-assisted parking management plan that addresses tandem parking and incorporates parking attendants to move cars which are blocked by other cars; the management and location of short-term (tour bus loading and unloading) and long-term/extended off-site tour bus parking; and the management of vehicle parking during peak periods of hotel functions (meetings and special events), including the provision of additional off-site vehicle parking within the PDSP, as required in the PDSP Area Parking Plan, or other nearby locations outside the PDSP.

Streetscape: The streetscape plan for Land Bay B is consistent with the Potomac Yard Urban Design Guidelines and would consist of the following minimum elements:

- Potomac Avenue - 12-foot wide sidewalk with street trees in a 5-foot wide planting strip located near the back of curb.
- 29th Street South – 14-foot wide sidewalk with street trees in 5’x12’ tree pits located near the back of curb.
- Crystal Drive – 12-foot wide sidewalk with street trees in a 5-foot wide planting strip located at the back of curb.

Standard parking nubs would be installed, where appropriate, along Potomac Avenue and 29th Street South. Standard cross-walk nubs would be installed along 29th Street South at Potomac Avenue and the transit-way (southeast and southwest corners of the site, respectively), and located approximately mid-block on 29th Street South across from North Park Road. Four (4) crosswalks would be installed in the following locations:

- Three (3) standard 10-foot wide crosswalks, installed across 29th Street South at the intersections of Potomac Avenue, North Park Road (east side), and the transit-way.
- One (1) standard 10-foot wide crosswalk, installed across Potomac Avenue at the intersection of Crystal Drive and the transit-way.

Public Transit: The site will be served by an extension of the Metro Bus S3 route. The completion of the transit-way should be in place by 2009, with dedicated right-of-way along Route 1, Crystal Drive and South Glebe Road, and three (3) major transit stations strategically located within the Potomac Yard development. Land Bay B is situated between Station “A”, which will be located on Crystal Drive in front of the EPA building approximately mid-block of Land Bay A, and Station “B”, which will be located at the northeast corner of the intersection of 33rd Street South and Crystal Drive adjacent to Land Bay C. Using the transit-way, the S3 will provide high frequency service between the Crystal City Metro Station and the Braddock Road Metro Station.

Bicycle Access: The design of Potomac Avenue includes on-street striped bicycle lanes with connections to the existing Four Mile Run trail.

UTILITIES: Adequate water and sanitary sewer system capacity is available to serve the proposed hotel development. A “Master Utility Plan” was developed and approved for the Potomac Yard PDSP detailing specific water, sanitary sewer and storm sewer improvements to be constructed by the developer to provide adequate infrastructure for the development. The developer has agreed to construct an additional 240 feet of new sanitary sewer main in 29th Street South, connecting to the existing sanitary sewer main located in Potomac Avenue. The new sanitary sewer main will provide service to both Land Bays B and C. All aerial utilities within Land Bay B have previously been removed.

Consistent with PDSP Condition #17(Condition #5 of the site plan), a contribution to the Underground Utility Fund at \$0.30 per square foot of gross floor area (GFA) is required. These funds enable the County to fund underground utility projects along other undeveloped properties in the area. Accordingly the applicant has agreed to make a contribution to the Underground Utility Fund for Land Bay B totaling \$132,000 (\$0.30 x 440,000 square feet of GFA)

DISCUSSION:

Adopted Plans and Policies: The approved Potomac Yard Phased Development Site Plan (PDSP) and the Potomac Yard Urban Design Guidelines guide development on the site. For the most part, the proposed final site plan is consistent with the PDSP and the Urban Design Guidelines.

Affordable Housing Contribution: PDSP Condition #25 requires that the developer “...*comply with the terms and conditions of the Arlington County Affordable Housing Guidelines for new development in effect at such time as each Final Site Plan is submitted for approval. In the case of commercial development, the developer agrees to contribute to the Housing Reserve Fund in accordance with the then-current guidelines, if any, at the time of Final Site Plan submittal. In the case of residential development, the developer or successors agrees to cooperate with the County or non-profit housing providers to develop onsite affordable housing or, in the event onsite affordable housing is not feasible, contribute to the Housing Reserve Fund, in accordance with the then current guidelines for on-site affordable housing and for such contributions, if any, is applicable at the time of Final Site Plan submittal.*” The developer has agreed to comply with the affordable housing requirements outlined in Section 36.H.6.b of the Zoning Ordinance.

The Potomac Yard PDSP was approved with an overall base density of 1.5 FAR (3,248,835 square feet of GFA) over the total land area that made up the South Tract (49.7 acres), plus a bonus of 1,161,000 square feet of GFA for the conveyance of the North Tract. The affordable housing contribution is calculated on the 1.5 FAR. Bonus density associated with the North Tract is not counted toward the affordable housing calculation.

The Housing Reserve Fund contribution for Land Bay C, which was calculated based on an effective GFA and an effective density of 1.5 FAR, would be \$798,058. Condition #67 addresses the affordable housing contribution requirement.

Issues: During the public review, there was significant discussion about the distinct façade treatment for the two hotel brands. Staff has worked with the applicant to refine the façade design to achieve greater compatibility. Various elements are shared between the two brands to unify the façade design, including the use of sun shades, punched windows, precast materials, the same window system (with the same mullion profile and color, glass and spandrel metal panels), the same color and finish for the metal panel system at the building base and top, and the provision of terraces. Staff will continue to work with the applicant on the appropriate color for the transition metal tower element, which is required to be resolved prior to the issuance of the first Certificate of Occupancy for tenant and hotel occupancy of the building (Condition #34).

In addition, the public review focused on the scale of the columns in front of the Renaissance Hotel porte-cochere, on Potomac Avenue near Crystal Drive. The applicant has refined the design to give them a more human scale by adding metal/glass canopies to divide and break up the height, incorporating granite at the base of each column, and inserting stone, decorative metal louvers and lighting in front of each column. Furthermore, the size of the larger column at the corner of Potomac Avenue and Crystal Drive has been significantly reduced.

Modification of Use Regulations: The applicant has requested modifications of use regulations to exclude GFA for tenant storage from the density and for the hotel parking ratio.

Density Exclusion: A total of 6,428 square feet of tenant storage is proposed to be exempted from the density calculations. The storage areas would be located on the garage levels. This is consistent with a number of previous site plans.

Hotel Parking Ratio: The applicant proposes to provide parking in accordance with the approved PDSP parking ratios, including a total of 522 spaces with a mix of direct access, tandem and handicap spaces located in three (3) levels of underground garage. The PDSP requires that the hotel comply with the following ratios:

- 0.7 space per room; plus,
- 3 spaces for each 1,000 square feet of floor area above 10,000 square feet of function facilities; plus,
- 1 space for each 250 square feet of retail space.

Due to the unusual shape and size of the parcel, the applicant proposes to optimize parking by incorporating a high percentage of tandem spaces (45%) into the garage design. Recognizing that this would pose unique operational challenges, especially during peak periods, the applicant has proposed to incorporate certain methods and technologies into the hotel parking and vehicle

management plan to address the use and management of the tandem spaces. A range of parking options, including self-parking, attendant-assisted parking and valet parking, are proposed. By incorporating attendant-assisted and valet parking into the parking and vehicle management plan, the applicant would be able to maximize utilization of the tandem spaces and maintain high quality of service to hotel guests. As outlined in Condition #51.f.(5-7), the applicant is required to submit a hotel parking and vehicle management plan that would provide details of the management and operation of the garage, including management of parking during peak periods of hotel operations. Through provision of a managed parking solution, the hotel will be able to utilize additional shared parking opportunities available in Potomac Yard and Crystal City, thereby increasing the parking supply for the hotel and conference facilities during unusually high periods of parking demand.

A modification of use regulations to count tandem spaces as required parking were approved for two (2) recent hotel site plans, the Westin at Arlington Gateway and The Palomar at Waterview. In each case the approved parking ratio was .5 space/room, and included no additional parking specifically designated for the conference and ballroom facilities. The modifications were supported with condition language requiring that the parking management plan provide details of and implement attendant assisted parking. Staff supports the proposed modification of use regulations to include tandem parking in the hotel parking ratio and recommends language in Condition #51.f.(5) to require that at all times an attendant-assisted parking management plan be instituted that addresses tandem parking and incorporates parking attendants to move cars which are blocking other cars.

Community Process:

- Site Plan Review Committee: The Site Plan Review Committee (SPRC) met four (4) times to review the proposed final site plan. The meetings occurred on September 24, 2007; October 11, 2007; October 25, 2007; and on November 8, 2007.
- Transportation Commission: The Final Site Plan was heard by the Transportation Commission at its November 29, 2007 meeting. The Commission recommended that the final site plan be deferred for one month to the January 2008 County Board, so that the following issues could be addressed:
 - Lack of appropriate community benefits to support the reduction of direct-access parking spaces.
Staff response: Staff does not concur that additional community benefits should be provided in exchange for a reduction of direct-access parking spaces. Modifications of use regulations to count tandem spaces as required parking were approved for two (2) recent hotel site plans, the Westin at Arlington Gateway and The Palomar at Waterview, subject to condition language requiring that the parking management plan provide details of and implement attendant assisted parking. Similar condition language is proposed in Condition #51.f.(5) of this staff report. Furthermore, the proposal would have a higher parking ratio (.704 space/room) than the

aforementioned site plans (.5 space/room), and would provide additional parking specifically designated for the hotel’s function facilities and retail uses. Finally Condition #51.f. requires a hotel parking and vehicle management plan, and the PDSP requires an Area Parking Plan, to address how parking would be managed and locations for off-site parking during peak parking demand.

- Additional clear sidewalk widths, above the PDSP requirements, should be provided. *Staff response:* The proposal provides minimum sidewalk clear widths, at the closest points, as follows:

	PDSP Required Full & Clear Sidewalk Widths	Proposed Minimum Full & Clear Sidewalk Widths
Crystal Drive	12’ full & 7’ clear	12’ full & 7’ clear
Potomac Avenue	12’ full & 6’ clear	21’ full & 11.5’ clear
29 th Street South	14’ full & 7.5’ clear	14’ full & 7.5’ clear

- Insufficient on-street parking on Potomac Avenue. *Staff response:* The applicant’s plan maximizes the on-street parking potential on Potomac Avenue adjacent to the site. The site plan provides one parking space for a tour bus and a two-car taxi stand. Through signage these spaces could easily be converted to short-term parking for visitors and guests in the future, if needed.
- **Planning Commission:** The Final Site Plan was heard by the Planning Commission at its carry-over meeting on December 5, 2007. The Commission voted to approved the final site plan, with modifications of use regulations, and with the following additional and revised condition language and comments:
 - Revise Condition #48 to clarify what is required and who is responsible for the cost of the CPTED (Crime Prevention Through Environmental Design) review. *Staff Response:* Officer(s) of the Arlington County Police Department trained in CPTED serve as CPTED practitioner(s) who review the post-4.1 site plan drawings for CPTED design elements. The developer submits the post-4.1 drawings directly to the Police Department’s Operations Division and the Department’s CPTED practitioner(s) coordinates with the developer on suggested design elements that provide enhanced safety and security in and around the site. There is no fee required of the developer for this review. Condition #48 has been revised to clarify that the CPTED review is conducted by the Arlington County Police Department’s CPTED practitioner.
 - Revise Condition #50 to include the Planning Commission review of the comprehensive sign plan and façade lighting. *Staff Response:* Staff recommends new language in Condition #50 to require a site plan amendment for exterior lighting illumination 35 feet or more above ground. Staff does not concur that the site plan amendment for proposed rooftop signs and

- o proposed rooftop façade lighting be reviewed by the Planning Commission.
- o Add condition language for the County Manager to review the tour bus management plan.
Staff Response: Staff recommends new language in Condition #51.f.(7) that hotel parking and vehicle management plan to address tour bus parking.
- o Staff to review the building penthouse height.
Staff Response: The Planning Commission inquired about why the penthouse for the hotel is taller than the 18-foot penthouse structures for the office development in Land Bay C. The applicant responded that some of the penthouse height is architectural, providing a contemporary curvature element. This element ranges from 23 feet to 25 feet in order to screen the 20-foot cooling tower, which is fairly large due to typical mechanical requirements of a large hotel development. Staff has reviewed with the applicant’s architect the various structures above the main roof of the Renaissance Hotel, and the applicant has agreed to redesign the penthouse screening wall and curvature element to lower the overall height to not exceed 23 feet. Staff recommends that Condition #47 be amended to require that the penthouse and penthouse screening wall not exceed 23 feet above the main roof height.
- County Board: The Final Site Plan is scheduled to be heard by the County Board at its December 15, 2007 meeting.

CONCLUSION: The applicant has agreed to comply with applicable PDSP conditions, and the guidelines contained in the Potomac Yard Urban Design Guidelines. The proposed site plan would 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.

Note: Where a particular County office is specified in these conditions, the specified office includes any functional successor to that office. Where the County Manager is specified in these conditions, “County Manager” includes the County Manager’s designee. Whenever, under these conditions, anything is required to be done or approved by the County Manager, the language is understood to include the County Manager or his or her designee. In the event that an expressed conflict exists between the PDSP conditions and the Final Site Plan conditions, the Final Site Plan conditions shall supersede the PDSP conditions, provided however that, where possible, the developer agrees to comply with both sets of conditions.

- **The following Conditions of site plan approval (#1 through #14) 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.**

Site Plan Term and Approved Site Plan Conditions

1. 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, the conditions of the approved Potomac Yard Phased Development Site Plan (PDSP), and the revised plans dated November 28, 2007 (Final Site Plan) and reviewed and approved by the County Board and made a part of the public record on December 15, 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, including and its conditions and all relevant PDSP 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 PDSP and final 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.

The developer agrees to attach the approved conditions to each set of permit drawings that are submitted to the County.

Pre-Construction Meeting

2. 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.

Tree Protection and Replacement

3. **Intentionally Omitted** ~~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.~~

- a. ~~— 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.~~

- b. ~~— 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.~~

- e. ~~— 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 #21 below, provided, however, that replacement as specified in this subparagraph (3.b.5) does not relieve the developer of any violation resulting from the failure to save identified trees.~~

- d. ~~In addition to saving identified trees, the developer also agrees to replace all trees 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 #21a 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.~~

Photographic Record of Development

4. 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 demolished, consistent with the requirements described in Condition #54 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 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.

Utility Fund Contribution

- 5. In addition to funding and constructing the utility undergrounding work, consistent with PDSP Condition #17, the developer agrees to contribute, at the rate of \$.30 per square foot of GFA, ~~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~~ Such contribution shall be made within 10 calendar days after the unappealable approval of this final site plan. The total utility fund contribution for this site is \$132,000 (~~\$.30~~ ~~50,000~~ x 440,000 square feet of GFA ~~acres~~). 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~~ GFA 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 be refunded without any accrued interest to the development owners of record at the time of any refund.

Plan for Temporary Circulation During Construction

6. The developer agrees to develop and implement (after approval) a plan for temporary pedestrian and vehicular circulation during construction. The developer further agrees to work with the County Manager to include in the plan a safe and, to the greatest extent possible direct, pedestrian route from Crystal City to Four Mile Run. 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 maintain lighting around the perimeter of the site at all times where pedestrian or vehicular access is located. Lighting shall conform to the “Arlington County Government Street Light Policy and Planning Guide”. The developer agrees, during the hours of construction, to provide “flagmen” to assist in the direction of traffic along or around a street or driveway any time that any driving lane of such street or driveway is partially or fully blocked due to temporary construction activities. The developer agrees to submit this plan to, and obtain approval of the plan from, the Zoning Administrator 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.

The developer agrees to maintain street surfaces adjacent to the site in a clean, smooth condition devoid of potholes at all times during the construction period. Whenever a significant portion of an adjacent road surface is disturbed for reasons relating to the construction, including utility work, the developer agrees to repair promptly the disturbed portion(s) of pavement with hot patching to return the road surface to a clean, smooth condition. The developer agrees to insure that the road surface is promptly repaired regardless of whether the excavation work or other damage to the road surface was done by the developer, the developer’s contractors, or private utility companies. The developer agrees to make reasonable efforts to schedule construction work so that digging in the street surfaces will not occur during the winter months. However, if the road surface is disturbed during the winter months, the developer may temporarily restore the road surface using cold patching and then hot patch the disturbed surface at the earliest opportunity when weather conditions permit. If cold patching is used, it shall be properly maintained and resurfaced as necessary to maintain a clean, smooth road condition. The term “significant portion of a road” is understood to include, but not be limited to, a cut in the road surface that exceeds 10 feet in length or 100 square feet in size. This condition

is in addition to any other conditions in this site plan and any County requirements relating to reconstruction and repaving of streets at the completion of construction.

Residential Relocation

7. **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.~~

Retail Relocation

8. **Intentionally Omitted** ~~The developer agrees to coordinate with the Department of Economic Development in order to provide the following relocation assistance to all retail tenants under lease as of the date of the approval of the proposed site plan:~~
- a. ~~— The developer agrees to keep all retail tenants informed of the redevelopment schedule by providing periodic updates with regard to material changes in the development program for the site, including the phasing of the project, anticipated schedules for eviction, construction and occupancy, and any anticipated material impacts on the tenants while they remain on the site, such as test borings, construction signs and fencing, asbestos removal, disruptions to customer parking and pedestrian paths, and the like.~~

- ~~b. The developer will assist the County to make available to all retail tenants, either directly or through the developer, information on available commercial space in the County, business counseling services and appropriate business courses.~~
- ~~c. The developer agrees to cooperate with the retail tenants by referring tenants who so request to private sources of professional assistance in regard to lease negotiation (i.e., understanding lease terms, trends and negotiation strategy), space planning and other related sources of help.~~
- ~~d. Except for provisions in any lease to the contrary, the developer agrees to maintain the site, structures and systems in good repair and in a businesslike appearance until the last retail tenant vacates or until the notice to vacate expires, whichever comes first.~~
- e. The developer agrees to show compliance with the terms of this condition to the Zoning Administrator before the issuance of the Clearing, Grading and Demolition Permit.

Compliance with Federal, State and Local Laws

- 9. 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 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. Further, temporary Certificates of Occupancy will not be issued without approval by the Zoning Administrator.

Post-County Board 4.1 Filing

- 10. The developer agrees to file three copies of a site plan and the tabular information form, 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 further agrees to file three digital copies on compact disc in JPEG, PDF, and DXF formats of the post-County Board 4.1 filing that has been approved by the Zoning Administrator. The developer also agrees that no changes to the approved post-4.1 plans can take place in the field without prior approval by the Zoning Administrator or the County Board.

Community Liaison and Activities During Construction

11. 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(s) who will serve as liaison to the surrounding communities 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, to the Aurora Highlands and Arlington Ridge Civic Associations, to the Eclipse Condominium Association, 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, the Aurora Highlands and Arlington Ridge Civic Associations, and the Eclipse Condominium Association, 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~~ 7:00 p.m. on weekdays and will commence no earlier than 10:00 a.m. and end by ~~6:30~~ 8:00 p.m. on Saturdays, Sundays, and legal holidays as "legal holidays" is defined in the Arlington County Noise Ordinance. ~~"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 and shall comply with the noise ordinance except as specifically modified in this condition. 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.

C & D Waste

- 12. 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 the plan prior to the issuance of the Clearing, Grading, and Demolition permit, and to implement the plan throughout demolition and construction of the project. Compliance with this condition may contribute to achieving LEED credits MR 2.1 and 2.2 (Construction Waste Management.)

Green Building Fund Contribution

13. **Intentionally Omitted** ~~The developer agrees to make a contribution to the County's Green Building Fund of \$_____ (\$0.03 X _____ 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 from 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.~~

Vacations and Encroachments

14. Prior to the issuance of any permits for the site plan, the developer agrees to submit vacation and encroachment application(s) or form(s) indicating that no vacations or encroachments are required to construct the site plan. Enacted ordinances of vacation and encroachment shall be recorded by the developer among the land records of Arlington County, Virginia and all conditions contained therein complied with before any Excavation/Sheeting and Shoring Permit is issued by the County.
- **The following Conditions of site plan approval (#15 through #35) 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.**

Coordination of final site development and landscape plan and final site engineering plan

15. The developer agrees to submit to the Zoning Administrator and obtain approval from the County Manager a detailed final site development and landscape plan prior to issuance of the Excavation/Sheeting and Shoring Permit. The final site development 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 #21 below, as well as a vicinity map with major streets labeled. The final site development and landscape plan shall be developed by, and display the professional seal of, a landscape architect certified to practice in the Commonwealth of Virginia. The developer further agrees that the final site development and landscape plan and the final 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 final site development and landscape plan shall be consistent with the conceptual landscape plan approved as a part of the site plan, the approved PDSP landscape plan, the approved PDSP Preliminary Infrastructure Plan (PIP), the approved Potomac Yard PDSP Urban Design Guidelines, and, at a minimum, shall conform to: the landscaping requirements in Condition #21

below; ~~the Rosslyn Ballston Corridor 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~~ partial Certificate of Occupancy for hotel 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, 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 shall not be located in the public sidewalk. 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, except as shown in the drawings dated October 19, 2007. 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 #10 above. Ventilation grates shall be located and/or screened so as not to be visible from public rights-of-way, or as approved by the County Manager. The plans shall show the garage ventilation grates, which shall be screened with landscaping or landscape elements, and/or designed as part of a structure, consistent with the drawings dated November 28, 2007. The developer agrees to construct the ventilation grates in a manner that will mitigate noise impacts on the adjacent streetscape. The details of the screening and design of the ventilation grates, and the measures that will be used to attenuate the noise, shall be approved as part of the final site development and landscape plan for this final site plan in Land Bay B. The developer ~~shall~~ agrees to obtain approval from the County Manager of the location, ~~and~~ screening and design of all ventilation grates as part of the 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, 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, or other decorative paving as approved by the County Manager, 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 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~~ for consistency with the PDSP Urban Design Guidelines adopted Sector Plans or and 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 #53 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, providing details of planters depressed below grade and planting depth), roof terraces and raised courtyards, 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(s) and manufacturer(s) of seating, bollards, trash receptacles, bike racks, arbors, trellises, and water features, and other landscape elements or structures, including public art, if applicable.
- g. The location and planting details for street trees in accordance with Division of Transportation Standards and Specifications, and the PDSP Urban Design Guidelines, for planting in public rights-of-way and as shown on the final site engineering plan.
- h. The limits of demolition and construction.

- i. Details of the 2nd floor roof treatment, including terraces, all landscape elements, and the vegetated green roof as shown in the drawings dated November 28, 2007.
- j. Details of the outdoor deck located adjacent to 29th Street South, at the terminus of North Park Plaza.
- k. Details of areas used for outdoor dining.

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.

Landscape Standards

- 16. 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 the standards identified in the PDSP Urban Design Guidelines, 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 1/2 inches, except as indicated in Condition #21 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 1/2 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. 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.

- c. 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.
- d. 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, consistent with the PDSP Urban Design Guidelines. 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 1/2 feet, maximum) above the adjacent finished grade.
- e. Finished grades shall not exceed a slope of three to one or the grade that existed before the site work began.
- f. 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.
- g. 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.

Utility Company Contacts

- 17. 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.

Final site engineering plan approval by DES

- 18. The developer agrees to submit final site engineering plans to the Division of Transportation. The plans will only be accepted by the Division of Transportation when

they include a receipt from the Zoning Office that the final site development and landscape plan has been submitted. 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 CPHD 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.

Pavement, Curb and Gutter Along All Frontages

19. 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 PDSP Preliminary Infrastructure Plan approved April 20, 2002, and approved final site plan drawings and the following dimensions. The developer agrees to complete construction of 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. 29th Street South –38 feet wide from face of curb to face of curb, to include three (3) crosswalks and accompanying handicap ramps at the intersections of Crystal Drive and Potomac Avenue, along with the mid-block crosswalk between Land Bays C and B.
 - b. Potomac Avenue –73 feet wide from face of curb to face of curb, to include one (1) crosswalk and accompanying handicap ramps at the intersection of Crystal Drive.

All improvements to curb, gutter, sidewalks and streets for pedestrian and/or vehicular access or circulation shall be in full compliance with the Americans with Disabilities Act (ADA) and any regulations adopted thereunder, 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 as determined by the County Manager on the final Site Development and Landscape Plan and on the final Site Engineering Plan, in accordance with 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 October 19, 2007 unless the County provides additional funding to offset such

increased cost.

Survey Monuments

20. 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."

Sidewalk Design and Improvements

21. The developer agrees that the final sidewalk pattern/design and final selection of materials and colors to be used shall be as ~~determined~~ approved by the County Manager on the final site development and landscape plan and final engineering plan, in accordance with the PDSP Urban Design Guidelines ~~Rosslyn-Ballston 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 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 sidewalks clear zones along the street frontages of this development shall be as specified below, consistent with the PDSP Urban Design Guidelines, consistent with the County's R-B Corridor Streetscape Standards shall comply with current ADA standards, and shall be placed on a properly-engineered base approved as such by the Department of Environmental Services ~~Division of Transportation~~. The sidewalk treatments shall continue across all driveway aprons for loading and garage entrances along all frontages of the site plan, except that the pavement patterns shall be differentiated, 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 PDSP Urban Design Guidelines, 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 along all public street frontages shall be as follows:

29th Street South - A minimum 14-foot wide sidewalk measured from the face of curb, including 5-foot by 12-foot tree pits, as specified in the PDSP Urban Design Guidelines. The sidewalks shall be constructed of a special paver treatment to include brick or interlocking concrete pavers with a 12-inch border of special paver banding adjacent to the back of curb, as specified in the PDSP Urban Design Guidelines. The tree pits shall be planted with 4 ½ inch caliper street trees from the selection of broad deciduous street trees identified in the PDSP Urban Design Guidelines, and such ground cover as liriopie muscarii, hypericum, calycinum (Aarons Beard), or juniperius conferta (Shore Juniper), placed approximately 30 feet apart on center and a minimum of eight (8) inches back from the back of curb.

Crystal Drive - A minimum 12-foot wide sidewalk, including a 5-foot wide continuous planting strip and appropriate curb within the transit way. The sidewalks shall be constructed of 4 feet by 4 feet scored concrete to include the color additive "lamp black", as specified in the PDSP Urban Design Guidelines. The planting strip shall be planted with 4 ½ inch caliper street trees from the selection of narrow deciduous street trees identified in the PDSP Urban Design Guidelines, and such ground cover as liriopie muscarii, hypericum, calycinum (Aarons Beard), or juniperius conferta (Shore Juniper). The street trees shall be placed approximately 30 feet apart on center and a minimum of eight (8) inches back from the back of curb.

Potomac Avenue - A minimum 14-foot wide sidewalk measured from the back of curb, including a minimum 5-foot wide planting strip. The sidewalks shall be constructed of 4 feet by 4 feet scored concrete to include the color additive "lamp black" with a 12-inch border of special paver banding adjacent to the back of curb, as specified in the PDSP Urban Design Guidelines. The planting strip shall be planted with 4 ½ inch caliper street trees from the selection of narrow deciduous street trees identified in the PDSP Urban Design Guidelines which shall be of the same species throughout the entire length of South Glebe Road, landscaping, and such ground cover as liriopie muscarii, hypericum, calycinum (Aarons Beard), or juniperius conferta (Shore Juniper), consistent with the plans dated November 28, 2007. The street trees shall be placed approximately 30 feet apart on center and a minimum of eight (8) inches back from the back of curb.

Subsurface Structure-free Zone for Utilities and Streetscape

22. 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.

Water Service Requirements

23. 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. Consistent with PDSP Conditions #11 and #18, the developer agrees to construct water services ~~shall be constructed~~ in locations consistent with the approved PDSP and with the approved Preliminary Infrastructure Plan (PIP).

Sanitary Sewer and Water Main Requirements

24. 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 inches and larger, and mains placed more than 10 feet deep shall have a minimum of 15 feet horizontal 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 and, consistent with PDSP Conditions #11 and #18, shall be constructed in locations consistent with the approved PDSP and with the approved PIP.

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.

Existing Water Main or Fire Hydrant Service

25. 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.

Water Main Improvements

26. The developer agrees to show, on the final engineering plans, 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.

Sanitary Sewer Main Improvements

27. 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.

The developer agrees to construct approximately 240 feet of new sanitary sewer main in 29th Street South, connecting to the existing sanitary sewer main in Potomac Avenue.

The County will TV-Inspect the sanitary sewer lines 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.

Horizontal Standpipe or Fire Hydrant Requirements

28. 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 Construction Standards and Specifications Manual. This information shall be clearly shown on the cover sheet of each plan set submitted. Consistent with PDSP Conditions #11 and #18, horizontal standpipes and fire hydrants shall be constructed in locations consistent with the approved PDSP and with the approved PIP.

Replacement of Damaged Existing Curb, Gutter and Sidewalk

- 29. 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.

Street Lighting Requirements

- 30. 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, shall be 16 feet along the transitway/Crystal Drive, 16 feet along 29th Street South, and 16 feet along Potomac Avenue. 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 adjacent intersections. The developer agrees to pay the cost within thirty (30) calendar days after written notice is sent by the County, of moving existing or installing additional standard thoroughfare lights if required above.

Underground Existing Aerial Utilities

- 31. The developer agrees to remove or place underground all existing aerial utilities within or along the periphery of the entire site plan site 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.

Off-street Parking for Construction Workers

- 32. 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.

Address Indicator Signs

33. 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.

Façade Treatment of Buildings

34. 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 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. The façade treatment for the buildings shall provide details of the wall design located above the outdoor deck on 29th Street South at the terminus of North Park Plaza, including, but not limited to, the dimensions, height, materials and color of materials to be used on the wall design. The final color to be used on the transition metal tower element shall be reviewed and approved by the County Manager prior to the issuance of the first Certificate of Occupancy for the site plan.

The developer agrees that all retail storefronts along public rights-of-way are required to

have an overall minimum transparency of 50% as measured from floor to ceiling. In addition, the portion of the retail storefronts that is located between three and eight feet from grade is required to be at least 80% transparent or as a percentage of transparency shown in the drawings dated November 28, 2007 and as approved and made a part of the public record on December 15, 2007. The purpose of this condition is to allow pedestrians to view the activity within the retail establishment and to allow patrons and employees of the retail establishments to view the activity on the sidewalk and street. "Transparency" shall mean using glass or other transparent exterior material offering a view into an area of the retail establishment where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or the like. Provided that the exterior material is glass or other transparent material, a tenant may apply to the County Board for a site plan amendment to grant an exception to this condition for a specified duration.

Furthermore, the developer agrees that the garage doors shall contain specially designed roll down doors fabricated of a translucent material with backlighting, consistent with the drawings dated November 28, 2007.

Recordation of Public Easements and Dedications

35. Except as otherwise specifically provided for in these site plan conditions for Land Bay B ~~The~~ developer agrees that all required plats, deeds of conveyance, deeds of dedication, and deeds of easement associated with the construction of any public street, ~~or~~ public infrastructure, or public improvements, shall be submitted by the developer to the Department of Environmental Services for approval prior to the issuance of the Excavation/Sheeting and Shoring Permit. The above described documents shall be subject to approval, and approved by the County and shall be recorded by the developer among the land records of the Clerk of the Circuit Court of Arlington County before the issuance of the Final Building Permit. After approval, ~~The~~ developer agrees that there shall be no ~~building~~ construction of buildings or other structures within the easement area without approval by the County Manager or the County Board. Real estate interests conveyed by the developer to the County for public street right-of-way purposes shall be conveyed in fee simple, free and clear of all liens and encumbrances. Real estate interests conveyed by the developer to the County for ~~other~~ public improvements not located within the public right-of-way, which public improvements shall includeing, but shall not be limited to, sidewalks, street trees, other streetscape plantings, water mains, storm sewers, sanitary sewers, and other public utilities and facilities, may be granted to the County by easement Dedications for Public Streets shall be recorded by the developer in strict accordance with Condition #76 as set forth below.
- **The following conditions of site plan approval (#36 through #44) 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.**

Plat of Excavated Area

36. 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 #10 above.

Public Improvements Bond

37. 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, 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.

Underground Electrical Transformers

38. The developer agrees that all new electrical transformers shall be placed underground in vaults which meet Virginia Power and Arlington County standards. These vaults may be placed in the County right-of-way or public easement, behind the back of curb, only after: the developer applies for, and the County Board enacts any required encroachment ordinance or other permission or right for such purpose; the developer complies with all conditions set forth in the encroachment ordinance; and, the location of the vault is approved by the County on the final site engineering plan. Ventilation grates may not be located within public sidewalks or streets, or within areas used as a walkway between the street curb and any building. The locations of the vaults shall be coordinated with other utility locations so as to have a minimum clearance of five (5) feet to conduits and manholes and a minimum clearance of ten (10) feet to water mains and sanitary sewers unless otherwise approved by the owner of that utility. The developer shall obtain approval from the County Manager on the location of all vault ventilation grates and utilities as part of the review of the final site engineering plan and the final site development and landscape plan before the issuance of the Footing to Grade Structure Permit. However, the developer may dedicate rights-of-way and easements subject to

encroachment. Such dedication shall not require application or public hearings for encroachment.

Interior Trash Collection and Recycling Areas

39. The developer agrees that interior space shall be provided and used for the collection, storage, compaction, and removal of trash, as well as appropriate facilities for the recycling of reusable materials as defined by the County. The collection, storage, compaction, and removal of trash shall not occur outside the interior loading space. This space may not conflict with the use of a loading berth. The developer agrees to obtain approval from the Zoning Administrator of drawings showing compliance with this condition before the issuance of the Footing to Grade Structure Permit.

Interior Loading Spaces

40. The developer agrees that all loading and trash collection spaces shall be in the interior of the building and shall also comply with the following minimum requirements: ~~minimum~~ 12-foot clear width (including entrances), 30 foot-length and 14-foot height clearance. Any loading dock to be used ~~for~~ in conjunction with trash removal shall have a minimum interior height clearance of ~~14~~ 14 feet which shall accommodate rear-loading trash trucks. All loading docks shall contain roll-down doors fabricated of a translucent material with backlighting, consistent with the drawings dated November 28, 2007. Use of the loading dock for deliveries-or trash pick-ups, excluding moving vans and tour buses, shall be limited to the hours from ~~8:00~~ 5:00 a.m. to ~~6:00~~ 10:00 p.m., seven (7) days a week. The loading dock door shall also be closed when the loading dock is in use, except when necessary for entry or exit of vehicles, venting of vehicle exhaust, or when required for similar operational or safety measures.

Parking Garage Van Access

41. The developer agrees that new parking garages shall be designed to allow access and use by vans consistent with the Virginia Building Code, and. ~~At least 1% of the total new parking supply shall be accessible to vans,~~ shall be conveniently located on the level of the garage closest to street level, and shall have a minimum clearance of 98 inches. All other areas of the garage shall have a minimum clearance of 84 inches. Compliance with this condition shall be determined by review of the building plans by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit, which review shall not relieve the developer from constructing in accordance with this condition.

Parking Space Compliance with Zoning Ordinance

42. The developer agrees to ensure that all parking spaces comply with the requirements of Section 33 of the Zoning Ordinance, or the number of spaces as approved by the PDSP and Final Site Plan approval for Land Bay B. 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.

Bicycle Storage Facilities

43. The developer agrees to provide, at no charge to the user, secure bicycle storage facilities in locations convenient to office, residential and retail areas on the following basis at a minimum:

Office and Residential Bicycle Storage Facilities:

~~One (1) employee bicycle parking space for every 7,500 square feet, or portion thereof, of office floor area and one (1) additional such visitor spaces for every 20,000 square feet, or portion thereof, of office floor area.~~

~~One (1) resident bicycle parking space for every three (3) residential units, or portion thereof, of residential units and one (1) visitor space for every 50 residential units, or portion thereof, of residential units.~~

~~Employee and resident bicycle parking facilities shall be highly visible to the intended users and protected from rain and snow within a structure shown on the site plan. The facilities shall not encroach on any area in the public right of way intended for use by pedestrians or any required fire egress. The facilities for office users and resident bicycle parking must meet the acceptable standards for Class I storage space as contained in the Arlington Bicycle Transportation Plan, dated April 1994 with Amendments through March 2003, and be highly visible from an elevator entrance, a full-time parking attendant, a full-time security guard or a visitor/customer entrance. Visitor parking must be located within 50 feet of the primary building entrance. Any bicycle parking racks used on the site must conform to the Arlington County Standard or be approved by the Bicycle and Pedestrian Program Manager. Drawings showing that these requirements have been met shall be approved by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit. Residential condominium covenants shall not prohibit the storage of bicycles in individual condominium units.~~

~~In addition, the developer agrees that for every 50,000 square feet or fraction thereof of office Gross Floor Area (GFA), one (1) shower per gender shall be installed, up to a maximum of three (3) showers per gender. Also, a minimum of one (1) clothes storage locker per gender shall be installed for every required employee bicycle parking space. The lockers shall be installed adjacent to the showers in a safe and secured area and both showers and lockers shall be accessible to all tenants of the building. The lockers will be a minimum size of 12" wide, 18" deep, 36" high, and shall be available for use on a 24 hour basis. The location, layout and security of the showers and lockers shall be reviewed by the Arlington County Police Department before issuance of the Footing to Grade Structure Permit. The developer agrees that an exercise/health facility containing a~~

maximum of 1,000 square feet shall not count as density (FAR) but shall count as GFA if this facility meets all of the following criteria: 1). The facility shall be located in the interior of the building and shall not add to the bulk or height of the project; 2). Showers and clothes lockers shall be provided as required above; 3). The lockers shall be installed adjacent to the showers in a safe and secured area within the exercise facility and both showers and lockers shall be accessible to all tenants of the project; 4). The exercise facility shall be open only to tenants of the project and shall not accept or solicit memberships from outside of the project. The exercise facility, including the showers and lockers, shall be open during normal working hours.

Retail Bicycle Storage Facilities:

Two (2) retail visitor/customer bicycle parking spaces for every 10,000 square feet, or portion thereof, of the first 50,000 square feet of retail floor area; one (1) additional retail visitor/customer space for every 12,500 square feet, or portion thereof, of additional retail floor area; and one (1) additional retail employee space for every 25,000 square feet, or portion thereof, of retail floor area. The retail visitor/customer bicycle spaces shall be installed at exterior locations that are convenient to the retail visitors/customers, and such locations shall be reviewed by the Division of Transportation. The developer agrees to obtain approval of the location, design and details of the retail visitor/customer bicycle spaces as part of the final site development and landscape plan. Facilities for retail visitors/customers must meet the County standards for bicycle racks, be located close to retail visitor/customer entrances or the closest retail vehicle parking spaces, and be approved by the Bicycle and Pedestrian Program Manager before installation.

One (1) space for every 10 hotel units, or portion thereof. These facilities shall be protected from rain and snow and shall not encroach on the sidewalk or on any area in the public right-of-way intended for use by pedestrians. These facilities for hotel users (guests and employees) must meet the acceptable standards for Class I storage space and be visible from an elevator entrance, a full-time parking attendant, a full-time security guard or a visitor/customer entrance if located in a parking facility; if located elsewhere in the building the room shall be access controlled by staff. These facilities shall be located in a minimum of two locations; half of the spaces shall be reserved and designated for employee only access and half for guest access. Spill over bike parking from guests or employees may be accommodated, as space permits, in either location.

In addition, the developer agrees that for every 50,000 square feet or fraction thereof of Gross Floor Area (GFA), one (1) shower per gender shall be installed, up to a maximum of two (2) showers per gender. Also, a minimum of one (1) clothes storage locker per gender shall be installed for every installed employee bicycle parking space. The lockers shall be installed adjacent to the showers in a safe and secured area and both showers and lockers shall be accessible to all hotel employees of the building. The lockers will be a minimum size of 12" wide, 18" deep, 36" high, and shall be available for use on a 24 hour

basis. The location, layout and security of the showers and lockers shall be reviewed by the Arlington County Police Department before issuance of the Footing to Grade Structure Permit.

In addition, one (1) visitor space for every 50 hotel units, or portion thereof shall be provided. These facilities for visitors/customers must meet the standards for Class III storage space and be highly visible from a main street level visitor/customer entrance. These visitor/customer bicycle spaces shall be installed at exterior locations within 50 feet of the primary entrance, or as approved, and such locations shall be reviewed by the Division of Transportation. The developer agrees to obtain approval of the location, design and details of these visitor/customer bicycle spaces as part of the final site development and landscape plan.

The number of retail visitor/customer bicycle spaces shall be calculated by the following formula: Two (2) visitor/customer spaces for every 10,000 square feet, or portion thereof, of the first 50,000 square feet of retail floor area; one (1) space for every 12,500 square feet, or portion thereof, of additional retail floor area; and one (2) employee space for every 25,000 square feet, or portion thereof, of retail floor area. These visitor/customer bicycle spaces shall be installed at exterior locations within 50 feet of the primary entrance(s), or as approved, and such locations shall be reviewed by the Division of Transportation.

All bicycle facilities must meet the County standards for bicycle racks and be approved by the Bicycle and Pedestrian Program Manager before installation. Drawings showing that these requirements have been met shall be approved by the Bicycle and Pedestrian Program Manager before the issuance of the Footing to Grade Structure Permit.

In lieu of providing Class I bicycle storage at a rate of one (1) space for every 10-hotel units, or portion thereof, the developer shall provide 48 Class I bicycle storage spaces in on the first floor of the garage as shown in the plans dated November 28, 2007; and in addition, the developer shall provided a minimum of 20 bicycles as an amenity to guests of the property. The hotel will be responsible for the management, storage and all maintenance of the bicycles and the rental of the bicycles. The bicycle shall not be stored in the Class I spaces as shown on the plans. The bicycles shall be advertised as an amenity of the site and included in both the list of amenities associated with the property on the web site for the hotel and in all list of amenities provided to hotel guest in the hotel. Should the hotel not provide the minimum number of bicycles as an amenity to guests, the hotel will be required to provided the required number of Class I bicycle spaces as required and to the standards identified above. A detailed implementation plan shall be submitted for review by the County Manager or his designee before approval of the First Certificate of Occupancy.

Emergency Vehicle Access/support on Parking and Plaza Areas

44. The developer agrees to construct all plaza areas used for vehicular access and all surface parking areas to support the live load of any fire apparatus. Architecturally designed bollards or curbs shall be used on pedestrian plazas to separate the areas intended for emergency vehicle use from areas intended for pedestrian use. No above-grade structure shall be allowed to obstruct fire lanes. The requirements of this condition shall be incorporated in the drawings submitted for the Footing to Grade Structure Permit.
- **The following conditions of site plan approval (#45 through #49) are valid for the life of the site plan and must be met by the developer before the issuance of the Final Building Permit.**

Wall Check Survey

45. 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 #10 above.

Screening of Mechanical Equipment

46. Mechanical equipment shall be screened so as not to be visible from public rights-of-way.

Use and Height of Penthouse

47. The use of any penthouse shall be limited to mechanical, electrical, plumbing and elevator equipment and equipment maintenance space or telecommunication transmitter and/or receiver equipment as required in Condition #58 below. The penthouse and penthouse screening wall shall not exceed 23 feet above the main roof height.

Review by Crime Prevention Through Environmental Design (CPTED) Practitioner

48. The developer agrees to submit to the ~~Zoning Administrator and the~~ Operations Division of the Arlington County Police Department the approved post-4.1 drawings for review by documentation that at the Crime Prevention Through Environmental Design (CPTED) practitioner referred by in the Police Department for review of ~~has reviewed the site plan for CPTED design requirements~~elements.

FAA Documentation

49. The developer agrees to obtain from the Federal Aviation Administration (FAA), before the issuance of the final building permit, a written statement that the project is not a hazard to air navigation or that the project does not require notice to or approval by the FAA.
- **The following conditions of site plan approval (#50 through #55) 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.

Comprehensive Sign Plan

50. The developer agrees to develop and submit a comprehensive sign plan that is consistent with the approved *Potomac Yard Overall Sign Guidelines*. ~~and that a~~ All exterior signs (including identification and directional signage) shall be consistent with the approved *Potomac Yard Overall Sign Guidelines*, the guidelines contained in "Sign Guidelines for Site Plan Buildings" and with Section 34 of the Zoning Ordinance. ~~The Zoning Administrator shall determine whether the signs meet the standards of the guidelines and the Ordinance.~~ No sign permits will be issued until a comprehensive sign plan for the final site plan for Land Bay B is approved by the County Board. The developer agrees to obtain approval from the County Board Zoning Administrator of the comprehensive sign plan before the issuance of the first Certificate of Occupancy. All proposed rooftop signs and rooftop façade lighting, defined as all signs and exterior lighting illumination that are 35 feet or more above the ground, shall require a site plan approval or amendment.

Transportation Management Plan

51. The applicant agrees to develop and implement a Transportation Management Plan (TMP) that consists of a number of strategies and tactics intended to contribute individually and in combination to achieving identified objectives contained in the conditions of the approved for Potomac Yard Phased Development Site Plan (PDSP). The applicant further agrees to coordinate and participate in elements and services which shall be implemented by the Potomac Yard Transportation Management Plan Association (TMPA).

The developer agrees that the Transportation Management Plan shall include, but not be limited to, the following strategies:

Facilities and Improvements

- a. Garage entrances and exits designed to permit van access to desirable parking locations.
- b. Electronic parking availability display units at garage entrances clearly visible from the street.
- c. Wayfinding, directional, and advisory signage will be displayed in coordination with the TMPA as approved by the County.
- d. Compliance with requirements of Site Plan conditions to provide bicycle parking/storage facilities.

- e. The developer shall provide one or more Transportation Information Centers (kiosks) purchased from or approved by ATP/ACCS, the number, design, content, and location, of which shall be approved by ACCS, to contain materials related to local transportation alternatives and maintain a stock of said materials at all times, in the building lobby(s).

Coordinated Parking Management

- f. Contribute to and participate in the management of parking assets within the development, as appropriate for the use of the building, and consistent with an Area Parking Plan (APP) to be prepared by the TMPA pursuant to Subparagraph 29(d)iii)5) of the PDSP to include:
- (1) Single occupancy vehicle (SOV) parking at fair market rates.
 - (2) Reserved, conveniently located, and free vanpool parking spaces.
 - (3) Reserved, conveniently located, and discounted carpool parking spaces. Parking for carpool vehicles shall be provided at a discounted rate, equal to or less than half the rate for SOVs.
 - (4) Convenient retail parking.
 - (5) The developer agrees to submit to the Zoning Administrator for approval a hotel parking and vehicle management plan which outlines how parking for hotel and retail guests, employees, visitors and the public will be provided; where the parking will be located; how hotel and retail guests, employees, visitors and the public will be directed to the parking spaces; and how the assisted and valet parking will be managed, including the location of the long-term and short-term (for queuing) valet spaces. The plan shall include, pursuant to the requirements contained in this condition, information on taxi passenger loading and unloading; accessible paratransit pick-up, drop-off, handicapped access, and passenger waiting areas; loading zones for short-term deliveries; bus stops; and on- and off-street parking for hotel guests, employees, visitors and the public. The plan shall also include strategies for advertising, electronically and in printed materials, the hotel's accessibility via public transit, including Metro and bus-rapid, for drop-off and pick-up of hotel guests, employees and visitors. Finally, the plan shall provide that at all times an attendant-assisted parking management plan be instituted that addresses tandem parking and incorporates parking attendants to move cars which are blocking other cars. The hotel parking and vehicle management plan shall be submitted to the Zoning Administrator, and reviewed and approved by the County Manager, prior to the issuance of the first Certificate of Occupancy for the hotel development

- (6) Depict as part of the hotel parking and vehicle management plan, an area parking plan encompassing all block faces around the site. This plan shall include a schematic drawing that designates proposed locations for a two-space taxi stand and car sharing, accessible paratransit pick-up/drop-off location, bus stops, loading zones for delivery vehicles, visitor bicycle rack locations, and on-street parking spaces. Additionally, this plan will note restrictions as to times that various activities (such as deliveries and parking) are permitted in the respective spaces.
- (7) The hotel parking and vehicle management plan shall also address tour buses and other hotel functions (meetings and special events), which shall include vehicle and tour bus ingress and egress, location of tour bus parking for short-term (tour bus loading and unloading) and long-term/extended tour bus parking, and a parking management plan for peak periods of hotel operations. Locations of long-term/extended tour bus parking shall be directed to approved Arlington County designated bus parking facilities, or other location(s) approved by the County Manager. The plan shall provide that during peak periods, in addition to an attendant-assisted parking management plan, locations for additional off-site vehicle parking within the PDSP, as prescribed in the PDSP Area Parking Plan, or other nearby locations, as approved by the County Manager, shall be identified.
- (8) No on-street loading will be permitted between the hours of 7AM to 9AM and 4PM to 6PM.

TMP Organization and Funding

- g. Participate and maintain an active membership in the TMPA or any successor entity via an annual assessment. The TMPA shall be responsible for ongoing operation and management of a TMP on behalf of tenants, residents, guests, and visitors of Potomac Yard. The TMP assessments shall be set by the TMPA based upon funding requirements of the TMP Work Plan established in accordance with the PDSP. The first payment equal to one-fourth of the maximum annual assessment for the building requiring Certificate of Occupancy will be made no later than the issuance of the first Certificate of Occupancy for that building.

Contribute an annual assessment to the TMPA. The maximum annual assessments shall not exceed (as adjusted annually by the U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index, Urban (CPI-U) for the Washington Area) \$60.00 per hotel room (CY 2000\$s), plus \$60.00 per additional parking space related to function facilities (CY 2000\$s). The applicant agrees to pay the assessment no later than 60 days from receiving an invoice from the TMPA.

- h. Comply with PDSP requirement should TMPA request other one-time contributions from its members.
- i. Designate a member(s) of the building management as Property Transportation Coordinator (PTC) who will be the primary point of contact with the TMPA and who will undertake coordination and completion of all TDM obligations. The applicant will provide the name of the Property Transportation Coordinator to the TMPA and the Arlington County TDM Program Manager. The PTC shall be responsible for monitoring the site TDM performance in coordination with the TMPA. The PTC shall be appropriately trained, to the satisfaction of the Potomac Yard TMA, to provide rideshare, transit and other information provided by the TMA, intended to assist with transportation to and from the site.

Services and Program Elements

- j. Distribute in a new-employees package, materials provided by TMPA including site-specific transit-related information and SmarTrip cards to all employees in the building. Packages will be distributed to each of the tenants' employees no later than their first full day of work at the building.
- k. Participate in Ozone Action Days and other regionally sponsored clean air and traffic mitigation promotions by posting notice of such promotions in locations within the building acceptable to the applicant.
- l. Coordinate with the TMPA on surveys, parking garage and cordon counts, other marketing research, reports, and development of APP.
- m. Provide website hotlinks to CommuterPage.comTM and to the Potomac Yard TMA's website under a "transportation information" heading from the developer and property manager's website regarding this development.

TMP Performance

- n. Implementation of the TMP shall be the responsibility of the TMPA and evaluated on an annual basis by the County Manager, or his designee, based on information derived from the surveys, traffic counts, marketing research, reports, etc., during the process of developing and Annual TMP Work Plan as outlined in the PDSP.

The applicant shall coordinate with the TMPA with an updated TMP report with the filing of Final Site Plan. This report, to be prepared by the TMPA, will

describe the status of the development in meeting vehicle occupancy and mode share goals, discuss area traffic conditions, analyze the expected impacts of the additional development covered by the Final Site Plan, and describe any additional TDM or TSM actions that might be needed.

Residential Parking and Parking Management Plan

52. **Intentionally Omitted** The intent of this condition is to ensure that at least one parking space is available in perpetuity for parking use by each residential unit in the project. Accordingly, the developer agrees to offer the use, for rental units, and the purchase or use for condominium units, of at least one parking space for each dwelling unit.

~~Further, for condominium units, the developer agrees to notify the Zoning Administrator at the time of the settlement of the last dwelling unit. If excess parking spaces are available at the time of settlement of the last dwelling unit, the number of excess parking spaces equaling the number of dwelling units which were sold without a parking space, shall first be offered exclusively for a period of twelve (12) months to the owners of those dwelling units which were sold without a parking space. Any other remaining spaces shall be offered to all dwelling unit owners or transferred to the condominium, cooperative or homeowners association. By the end of twenty four (24) months following the settlement of the last dwelling unit, the developer agrees to relinquish in writing to the condominium, cooperative or homeowners association any and all remaining interest in the parking spaces or garage and a copy shall be filed with the Zoning Administrator. The future purchase of any parking spaces shall be limited to the dwelling unit owners or condominium, cooperative or homeowners association of the building.~~

~~For both rental and condominium buildings, the use of the parking spaces shall be limited to parking use by the residents of the building and their guests, unless otherwise permitted by the Zoning Ordinance, and shall not be converted to storage or other use without approval of a site plan amendment.~~

~~The developer agrees to submit to the Zoning Administrator a parking management plan which outlines how guest and visitor parking for the residential building, and parking for retail tenants' employees and customers for retail located in the residential buildings, will be provided, where the parking will be located and how guests and visitors, and retail employees and customers, will be directed to the parking spaces. The developer further agrees to make a minimum of ___ residential visitor parking spaces, and ___ retail tenant parking spaces, available within the residential garage. The parking management plan shall be submitted to the Zoning Administrator, and reviewed and approved by the County Manager, prior to the issuance of the first Certificate of Occupancy for the first residential building.~~

Lighting Plan for Public Areas

53. 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 #30 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.

Documentation of Historical Artifacts, Features and Buildings

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

Availability of Site Plan Conditions to Residential Condos, Cooperatives and Homeowners Associations

55. ~~Intentionally Omitted~~ If the project includes a residential condominium or cooperative component, 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. 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 (#56) 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.**

Building Height Certification

56. The developer agrees to submit, before the issuance of the Master Certificate of Occupancy, drawings certifying the building height as measured from the average site elevation to both the building roof and to the top of the penthouse roof.

- **The following condition of site plan approval (#57) 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.**

Obtain Master Certificate of Occupancy

57. The developer agrees to obtain a Master Certificate of Occupancy within ~~90 days~~ seven (7) months of receipt of the partial Certificate of Occupancy for full occupancy of the building. The developer may request in writing to extend the timeframe for obtaining the Master Certificate of Occupancy. The request shall outline the reasons for the extension and shall be submitted to the County Manager or his designee for review of the outstanding issues one (1) month prior to the end of the seven-month time frame. As part of the request for extension, and pursuant to Condition #69 below, the developer shall submit documentation that it made a final submission to the U.S. Green Building Council (USGBC) for at least the Certified rating for New Construction (LEED-NC). The County Manager or his designee may approve such extension if he finds that the developer is diligently continuing completion of the project and/or is awaiting certification from the USGBC for at least the Certified rating for LEED-NC.

- **Post Certificate of Occupancy: the following Conditions of site plan approval (#58 through #63) are valid for the life of the site plan.**

County Installation of Telecommunications Transmitter and/or Receiver Equipment

58. In order to maintain the effectiveness of the County's public safety systems, the developer/applicant hereby agrees to grant to the County in perpetuity the right to install telecommunications transmitter and/or receiver equipment and conducting wire in or on the penthouse or top floor, and antennae and traffic monitoring systems on the roof of the

proposed buildings in a location and design that is acceptable to the County and the building owner based on a reasonable exercise of judgment by both upon request by the County. The developer agrees to provide, upon request by the County, access to electrical service separately metered, including auxiliary electrical power, and telephone radio control lines to the penthouse in the defined area. Any radio transmitter or receiver equipment and antenna to be installed or used by others must not interfere with the emergency communication system of the County.

Structural Additions

59. The developer agrees that any structural addition or changes to the facades or materials shall be subject to the approval of the County Manager. If the County Manager, in consultation with the Zoning Administrator determines that any proposed improvements or changes to the facades or materials 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.

Snow Removal

60. 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.

Maintenance of Residential Common Areas

61. ~~**Intentionally Omitted** If the project includes a residential component, then the developer agrees that the maintenance of the common area, walkways, private drives and parking areas which are tied to condominium units 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.~~

Retention of Approved Parking Ratio over Subdivided Site

62. ~~The developer agrees to provide parking for each building~~ the final site plan according to the approved parking ratio; ~~when this parking is not located within the parcel designation of each building but located within the overall project, it.~~ In the event of a subdivision, the parking shall continue to be committed to the entire project for purposes of administering the Zoning Ordinance and the parking requirement shall be calculated for the entire final site plan and not individual subdivided parcels.

Retention of Approved Density over Subdivided Site

63. The density allocated for any new construction pursuant to the site plan on any subdivided parcel of the site shall be the same as the approved density for the entire site. No additional density shall be allowed on any individual parcel formed by subdivision of the site.

- **The following unique site specific conditions (#64 through #81) are valid for the life of the site plan and must be met before the issuance of the permit specified in each Condition.**

Retail Elements

64. a. The developer agrees to provide a approximately 10,000 square feet of ground floor retail in the hotel building. Any change in the use of the retail spaces shall require a site plan amendment.
- 1) The developer agrees to develop and implement a retail attraction and marketing plan for the 10,000 square feet of retail space located on the first floor of the hotel building. The plan shall identify the types of retail desired, the marketing strategy to attract the retail, and strategies to retain the retail. The retail attraction and marketing plan shall be in accordance with the approved PDSP Urban Design Guidelines. The retail attraction and marketing plan shall be reviewed and approved by the Department of Economic Development before being submitted to the Zoning Administrator. The above-grade building permit shall not be issued until documentation has been provided to the Zoning Administrator assuring that the plan has been approved by the Department of Economic Development. Any change in the use of the retail space from retail to office or other non-retail use shall require a site plan amendment.
 - 2) The retail spaces shall be designed and constructed to include interior and exterior improvements necessary to ensure that they are functional and attractive to prospective retailers and that they animate the street frontages of the final site plan, consistent with the PDSP Urban Design Guidelines. These elements shall include, but are not limited to: a minimum 16-foot floor to ceiling heights consistent with the PDSP Urban Design Guidelines, as shown on the plans dated November 28, 2007; access to the service corridor/areas as shown on the architectural plans dated November 28, 2007; direct street frontage and access; rough-in of utilities, i.e., sprinkler heads, plumbing, electrical wiring, and stubs for extensions; provision for any venting systems required for any food preparation or restaurant use; and sufficient transparency of the building facade to achieve adequate street exposure.

Public Art

65. The developer agrees to comply with the approved PDSP Public Art Concept Plan, including the funding and implementation requirements.

Outdoor Cafes

66. Outdoor cafes shall be permitted in the public rights-of-ways or within public easements along 29th Street South, Crystal Drive, and Potomac Avenue, in accordance with the applicable provisions of the Zoning Ordinance, with a maximum seating area and all other applicable requirements as set forth in the Zoning Ordinance and as determined by the Zoning Administrator. A minimum of six (6) feet of clear sidewalk width must be maintained along the street frontages. Plans for all outdoor cafes shall be subject to prior administrative approval by the Zoning Administrator for consistency with County ordinances, regulations and policies, and this final site plan approval. ~~Any~~ Outdoor café(s) shall be administratively reviewed one year following its approval to evaluate it after a season of operation. At that time, the Zoning Administrator may review the approval, impose conditions on the operation of the outdoor café, or revoke the prior approval.

Affordable Housing Contribution

67. 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.” Prior to the issuance of the first Certificate of Occupancy for Land Bay B, 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.

Phasing Plan

68. The developer agrees to obtain written approval ~~of~~ from the County Manager of a phasing plan prior to the issuance of any building permits for the site plan. The developer agrees, and to implement the approved plan. During the phasing of construction, the developer further agrees to ~~appropriately~~ appropriately maintain the site ~~and any buildings located within it~~ according to all County ordinances, regulations and policies, and the provisions of these site plan conditions. This maintenance shall include, but not be limited to, implementation of the requirements contained in PDSP Condition #37, maintaining landscaping, keeping the grass mowed, and removing litter and debris from the site. The developer further agrees to maintain, at all times, access on the site for fire emergency vehicles. Improvements required by these site plan conditions ~~shall~~ may be constructed in phases, consistent with the phasing plan for construction of the project. Any changes in the project phasing shall require a new phasing plan approved, in writing, by the County Manager, prior to the issuance of any building permits.

LEED Credits and Sustainable Design Elements

69. a. The developer agrees to contract with a LEED certified consultant as a member of the design and construction team. The consultant shall work with the team to incorporate sustainable design elements and innovative technologies into the

project so that numerous building components may earn the developer points under the U.S. Green Building Council's system for LEED certification. Specifically, the developer agrees to include sustainable elements in design and construction that are sufficient to meet the requirements for at least a LEED Certified rating as outlined by the U.S. Green Building Council's LEED for New Construction (LEED-NC) rating system. Further, the developer agrees to register the project with the USGBC and submit the necessary fees and documentation for the full USGBC LEED review and certification. In addition, the developer agrees to implement a green hotel management program as part of its housekeeping services. Documentation describing the program shall be submitted to the County Manager prior to the issuance of the Certificate of Occupancy for hotel occupancy. For the commercial lighting areas of the hotel projects (lobbies, corridors, stairwells, common rooms, fitness rooms, office, etc.), the developer agrees to incorporate interior lighting in order to maximize energy efficiency. Strategies may include, but are not limited to, daylighting, efficient fixtures, bulbs, motion and light sensors, interior design (paint color), etc). The US Green Building Council's LEED for Commercial Interiors (LEED-CI) credit for *Optimizing energy Performance: Lighting Power* should be used as a goal. Fifty (50) percent of the light bulbs in hotel guest rooms shall be energy efficient, and the energy efficient bulbs shall be fluorescent or compact fluorescent. The developer shall submit to, and obtain approval of, the County Manager, or his designee, the lighting strategies used including a listing of lighting fixtures, bulbs, and components prior to issuance of the Core and Shell Certificate of Occupancy. ~~For the commercial lighting in common areas of the hotels (by way of illustration and not limitation, these areas include lobbies, corridors, stairwells, common rooms, fitness rooms, etc.), the developer shall reduce the need for lighting (through daylighting where possible) and shall specify the use of energy efficient fixtures, bulbs, light sensors, motion sensors, timers, and interior design, e.g., paint color, that maximize energy efficiency in lighting. The guidelines outlined by the US Green Building Council's LEED for Commercial Interiors (LEED-CI) credit entitled, *Optimizing Energy Performance: Lighting Power* shall be used toward the goal of maximizing energy efficiency in the lighting of common areas.~~

- b. The developer further agrees to submit, to the Department of Environmental Services (DES) and to the Zoning Office, a report prepared by the LEED consultant and documentation upon request to substantiate the report. Such reports will be submitted prior to issuance of the following permits or certificates of occupancy for construction of the project and will summarize the efforts to date of the inclusion of the sustainable elements within the project:
- 1) Clearing, Grading & Demolition Permit
 - 2) Excavation, Sheeting and Shoring Permit

- 3) Footing to Grade Permit (prior to issuance of the Footing to Grade permit, the applicant shall have submitted and received final Design Review for the LEED components from the US Green Building Council. The results of the final LEED Design Review must be submitted to the County Manager or his designee.)
 - 4) Final Building Permit
 - 5) Shell and Core Certificate of Occupancy
 - 6) Partial Certificate of Occupancy for occupancy ~~of the last floor of space~~ for guest use.
 - 7) Master Certificate of Occupancy
- c. Prior to the issuance of the of the first Certificate of Occupancy for hotel and/or retail occupancy of the building, the developer agrees to provide the County Manager documentation of a submission to the U.S. Green Building Council for at least the LEED Certified rating for New Construction (LEED-NC). Prior to the issuance of the Master Certificate of Occupancy, the developer agrees to provide the County Manager documentation that the project received at least the LEED Certified rating under the U.S. Green Building Council's LEED for New Construction (LEED-NC) rating system. Pursuant to Condition #57 above, if the developer requests to extend the timeframe for obtaining the Master Certificate of Occupancy, then the extension request shall include documentation that it made a submission to the U.S. Green Building Council (USGBC) for at least the Certified rating for New Construction (LEED-NC). The County Manager or his designee may approve such extension if he finds that the developer is diligently continuing completion of the project and/or is awaiting certification from the USGBC for at least the Certified rating for LEED-NC.

If the developer fails to receive at least LEED Certification from the U.S. Green Building Council (USGBC) by the timeframe identified above, then the developer agrees to make a contribution to the County's Green Building Fund of \$13,200 (\$0.03 X 440,000 square feet). The payment shall be made to the Department of Environmental Services and evidence of compliance with this condition shall be provided to the Zoning Administrator in the form of a letter at the time of payment.

Furthermore, the developer agrees to permit the County Manager or his designee to access the USGBC records for the project and to provide the County Manager with such authorization as may be necessary to allow such access.

Refuse Delivery to County Disposal Facility

70. 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. Any facility designated by the County Manager will have competitive rates at or below other facilities in the region otherwise available to the developer.

Towing of Impermissibly Parked Vehicles

71. 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.

Speed Bumps at Garage Exit Ramps

72. The developer agrees to install speed bumps adjacent to the top of garage exit ramps at locations where ramps abut the pedestrian sidewalk, in order to slow vehicular traffic prior to vehicles crossing the sidewalk. The locations of the speed bumps shall be shown on the site engineering and building plans approved by the County Manager. The garage doors shall be setback from the sidewalk a minimum distance of six (6) inches.

Public Safety Radio Communications

73. The developer agrees to install and maintain in operable condition, in a manner acceptable to the County Manager, an internal antenna/amplifier system that permits public safety radio communications to transmit in the 806-825 MHz frequency and to receive in the 851-870 MHz frequency from all areas within the building. The developer agrees to provide documentation in the approved electrical engineering drawings that adequate accommodations have been made in the building to meet this requirement.

Contribution to Transit Station Fund

74. Consistent with PDSP Condition #21(e)iii, the developer agrees to contribute to a County fund for transit stations and related improvements consistent with the Transit Corridor Plan and located within the PDSP area. The contribution to the fund shall be made before the issuance of any Building Permit for the final site plan. The total fund contribution for this site is \$51,920 (\$.118 x 440,000 square feet – The adjusted amount

for CY 2007, based on \$.10 adjusted annually to reflect changes in the Washington Consumer Price Index for Construction from October 2000 to January 2007).

Chesapeake Bay Preservation Ordinance

75. Consistent with PDSP Condition #26, the developer agrees to comply with the current Arlington County Chesapeake Bay Preservation Ordinance (CBPO).

Dedication of 29th Street

76. The developer agrees to dedicate, to the County, in fee simple, for public street and utilities purposes, 29th Street South, between Potomac Avenue and Crystal Drive, in Potomac Yard. The area dedicated for a portion of 29th Street South shall consist of a thirty-nine (39) foot right-of-way, measured from back-of-curb to back-of curb, or as otherwise shown on the final approved site engineering plans. The developer agrees to construct 29th Street South as shown on the street cross sections and other relevant drawings as set forth on the approved final site engineering plan.

Dedication of 29th Street South will not require a PDSP amendment. Upon the request of the County Manager, or his designee, the developer shall prepare, at its sole cost and expense, a deed and a plat of dedication, which deed and plat shall be subject to the review and approval of the County Manager, as to substance and by the Arlington County Attorney, as to form. The deed and plat of dedication shall be submitted by the developer to the Department of Environmental Services for review and approval prior to the issuance of the Final Building Permit for construction of any building in Land Bay B that abuts 29th street South or the last building constructed on the north side of the final site plan for Land Bay C, whichever is constructed last. The deed and plat of dedication shall be recorded, by the developer, among the land records of the Clerk of Court of Arlington County, Virginia prior to issuance of the final certificate of occupancy for the last building constructed on the north side of the final site plan for Land Bay C or construction of any building in Land Bay B that abuts 29th street South, whichever is constructed last.

In the deed, the developer may reserve the right, without cost to the developer, for any easement(s) for private and public utilities, underground parking structures and other encroachments in the public right-of-way to be dedicated that is required on the approved final site engineering plans.

ADA Power Door Openers

77. In addition to the regulations and requirements established with ADA Federal law, the developer agrees to install an electric eye or a power door opener for the main hotel building entrances. The entrance to the lobby of the hotel building elevators (if there is one) from the parking garage will have an automatic door opener. In addition, at the secure interior door, the developer agrees that a call box, if used, shall be mounted and

measured at the lowest height under the ADA and shall have hands-free remote capability.

PREVIOUS COUNTY BOARD ACTIONS:

October 21, 2000

South Tract: Approved a General Land Use Plan (GLUP) Amendment to a striped pattern of 1/3 "Medium" Residential (37-72 units/acre) and 2/3 "Low" Office-Apartment-Hotel, with Note 18.

Approved Amendments to the Master Transportation Plan, including Part I to add public streets and designate several streets as private; Arlington Bicycle Plan to add on-street bike lanes; Arlington County Pedestrian Transportation Plan to add a pedestrian corridor; and establishment of a transitway.

Approved a rezoning from "M-1" to "C-O-1.5".

Approved a Phased Development Site Plan for a mixed use office, retail, hotel and residential development.

Adopted a resolution affirming Arlington County's commitments to developing transit facilities to provide high quality local transit service in the Jefferson Davis Corridor and facilitating traffic movements between U.S. 1 in Arlington and Potomac Avenue.

North Tract: Approved a General Land Use Plan (GLUP) Amendment for the area north of 6th Street South, from "Service Industry" to "Public".

Approved a General Land Use Plan (GLUP) Amendment for the area south of 6th Street from "Service Industry" to "Low" Office-Apartment-Hotel.

February 9, 2002

Deferred a site plan for a Land Bay A, for office and retail development totaling 654,000 square feet, including 6,000 square feet of initial retail, 11,784 square feet of potential retail, and 4,000 square feet of fitness center, to February 25, 2002 Planning

	Commission and March 23, 2002, County Board meeting.
March 23, 2002	Approved a final site plan for Land Bay A, for office and retail development totaling 654,000 square feet, including 6,000 square feet of initial retail, 11,784 square feet of potential retail, and 4,000 square feet of fitness center.
April 20, 2002	Approved a Preliminary Infrastructure Plan (PIP) for the Potomac Yard PDSP.
December 9, 2003	Approved a final site plan for Land Bay E, for a residential rental building containing 391,714 square feet of residential GFA, 386 units and 4,120 square feet of ground floor retail.
December 9, 2003	Approved a final site plan for Land Bay F, for two residential condominium buildings containing 482,000 square feet of residential GFA, 479 units and 80,000 square feet of ground floor retail, including 50,000 square feet of grocery store use.
July 10, 2004	Deferred a site plan amendment for 2805 Crystal Drive for Potomac Yard PDSP to amend condition #25 to clarify affordable dwelling unit requirement to September 18, 2004.
September 18, 2004	Deferred a site plan amendment for 2805 Crystal Drive for Potomac Yard PDSP to amend condition #25 to clarify affordable dwelling unit requirement to November 16, 2004.
November 16, 2004	Deferred a site plan amendment for 2805 Crystal Drive for Potomac Yard PDSP to amend condition #25 to clarify affordable dwelling unit requirement to January 2005.
February 1, 2005	Deferred a site plan amendment for 2805 Crystal Drive for Potomac Yard PDSP to amend condition #25 to clarify affordable dwelling unit requirement to May 7, 2005.

May 17, 2005	Deferred a site plan amendment for 2805 Crystal Drive for Potomac Yard PDSP to amend condition #25 to clarify affordable dwelling unit requirement to a County Board meeting of a later date to be determined by staff and the applicant.
July 9, 2005	Approved a minor site plan amendment for Land Bay A, to modify the first floor configuration and uses for the north and south office buildings, subject to amended Condition #57.
April 22, 2006	Approved a site plan amendment request to amend Condition #57(b) regarding a reduction in the size of the three (3) flat screen televisions (Land Bay A).
September 16, 2006	Approved a site plan amendment request for a comprehensive sign plan (Land Bay F).
January 27, 2007	Deferred a PDSP Amendment and final site plans for Land Bays D-East, D-West and E-West to the County Board meeting of March 17, 2007.
March 17, 2007	Deferred a PDSP Amendment and final site plans for Land Bays D-East, D-West and E-West to the County Board meeting of April 21, 2007.
April 21, 2007	Approved a PDSP Amendment to convert office to residential in Land Bay D-West, to increase the maximum permitted residential units to 1,548 units, and to reallocate and convert densities within and between Land Bays B, C, D-East, D-West and E-West, subject to amended PDSP Condition #4.
	Approved a final site plan for Land Bay D-East, for a residential building containing 425,752 square feet of residential GFA, 360 units and 16,503 square feet of ground floor retail.
	Approved a final site plan for Land Bay D-West, for a residential building containing 398,435 square feet of residential GFA, 331 units and 15,868

square feet of ground floor retail.

Approved a final site plan for Land Bay E-West, for an office development containing 374,379 square feet of office GFA and 71,418 square feet of ground floor retail.

Approved a Conceptual Design Plan for Center Park.

November 13, 2007

Deferred a PDSP Amendment, a Final Site Plan for Land Bay C, and a Conceptual Design Plan for North Park Plaza, for one month to the County Board meeting of December 15, 2007.