



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of January 26, 2008

**DATE:** January 14, 2008

**SUBJECT:** U-3184-07-1 USE PERMIT for a drive-through bank at 5510 Lee Hwy. (RPC #10-001-007)

**Applicant:**

Commerce Bank, N.A.

**By:**

R. T. Lunger, attorney  
Bean, Kinney & Korman, P.C.  
2300 Wilson Boulevard, 7th Floor  
Arlington, Virginia 22201

**C.M. RECOMMENDATION:**

Approve the proposed drive-through facility, subject to the conditions of the staff report, and with a review in one (1) year following issuance of a Certificate of Occupancy or January 2010, whichever comes first.

**ISSUES:** Although this proposal facilitates an auto-oriented use, staff recommends approval of the proposed drive-through development which improves the condition of the site and includes off-site community benefits. County policy generally discourages drive-through facility uses except in circumstances where there are substantial compensating benefits, such as those proposed in this development, and there is strong community support for the project.

**SUMMARY:** The applicant proposes to construct a 4,300-square foot bank building with a detached drive-through facility and two drive-through teller lanes on the subject property. The proposed development is generally consistent with County goals to provide an urban streetscape by creating pedestrian connections around the site, maintaining a building setback line near the back of the sidewalk, and providing a gateway traffic calming feature. The proposed development will also support the County's goal of providing environmentally sustainable design by performing site remediation to mitigate environmental contaminants, installing landscaping to reduce the impervious area, and mitigating off-site stormwater runoff. Although, drive-through facilities are generally not consistent with the County's goal to discourage auto-oriented uses, this proposal provides a number of benefits to the community and could therefore be supported. The Leeway Overlee Civic Association has worked with the applicant to address community concerns and has provided a letter of support for the proposed development. Therefore, staff recommends approval of the proposed drive-through use, subject to the

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

Staff: Rasheda DuPree McKinney, DCPHD, Planning Division  
Robert Gibson, Department of Environmental Services  
PLA-4859

conditions listed in the staff report, and with a review in one (1) year following issuance of a Certificate of Occupancy or January 2010, whichever comes first.

**BACKGROUND:**

Site: The subject property is currently the site of Pure Gas Station and is located at the south west corner of the intersection of Lee Highway and North Illinois Street. The site is currently developed with a single-story brick building and four gasoline pumps under a single canopy. The subject site is comprised of 35,622 square feet and has a total of four curb cuts providing vehicular access to Lee Highway and North Illinois Street. Tuckahoe Apartments is immediately adjacent to the site along the west property line, single-story commercial strip development is located east of the site, single-family dwellings are immediately south of the site, and the First Virginia Bank with a drive-through and a Sunoco gas station are located to the north across Lee Highway.

Zoning: The site is zoned “C-1,” Local Commercial Districts and “RA8-18,” Apartment Dwelling Districts. The bank building, drive-through facility, and all site parking would be limited to the “C-1” portion of the site in conformance with zoning ordinance regulations.

Land Use: The site is designated on the General Land Use Plan (GLUP) as “Service Commercial” Personal and business services. Generally one to four stories. Maximum 1.5 F.A.R. with special provisions within the Columbia Pike Special Revitalization District.

Neighborhood: The site is located in the Leeway Overlee Civic Association, and is adjacent to the Yorktown Civic Association. The Leeway Overlee Civic Association has met with the applicant several times and has worked with the applicant extensively both prior to and throughout the use permit process. The Leeway Overlee Civic Association has submitted a letter supporting the proposed development. The Yorktown Civic Association has not responded to staff’s request for comment on this request. The Tara-Leeway Heights Civic Association has also provided a letter of support for the proposed Commerce Bank project.

Transportation: The subject site is located in the southwest corner of the intersection of Lee Highway and Illinois Street. Lee Highway (US 29) is maintained by the Virginia Department of Transportation (VDOT). The Arlington County Master Transportation Plan – Part 1 classifies Lee Highway as a principal arterial, and Illinois Street is classified as neighborhood minor street. Traffic volumes on Lee Highway near the site are detailed below. As shown below, the traffic volumes tend to show a gradual increase (1.2% annually) in traffic volumes over past few years at the County continues to develop.

**Daily Traffic Volumes**

<u>Street/Year</u>	<u>1997</u>	<u>1998 – 2000</u>	<u>2001</u>	<u>2002</u>	<u>2004</u>
Lee Highway					
Eastbound	13,740	14,080	14,810	15,660	15,730
Westbound	13,130	14,090	not available	14,990	13,540

Source: Arlington County

Trip Generation: A Traffic Impact Analysis (TIA) submitted by the applicant, prepared by Wells and Associates, dated December 14, 2007 (with updated memo submitted January 9, 2008), assessed the impacts of the development on the adjacent street system. The study shows that the site currently generates 36 vehicle trips during the a.m. peak hour and 52 trips during the p.m. peak hour. For the proposed development trip generation numbers were estimated based the observed traffic generation of the current BB&T Bank (with two drive-through tellers) located across Lee Highway from the site. Staff concurs with the applicant’s assertion that it is more appropriate to use observed traffic generation rates rather than the standard Institute of Transportation Engineers (ITE) trip generation estimated rates for the proposed use. The ITE trip generation rates for the existing BB&T Banks site (139 trips) were 173% greater than the observed rates (51 trips) during the critical p.m. peak hour. The table below presents the estimated total future trip generation for the site.

	<b>Vehicle Trip Generation</b>					
	<i>A.M. Peak Hour</i>			<i>P.M. Peak Hour</i>		
	<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>
Existing Development	22	14	36	29	23	52
Proposed Development	<u>30</u>	<u>23</u>	<u>53</u>	<u>38</u>	<u>46</u>	<u>84</u>
Increase	8	9	17	9	23	32

The development would not have a significant impact on traffic traveling on Lee Highway because Lee Highway operates under free flow, but traffic leaving the neighborhood using northbound North Illinois Street would experience a limited adverse impact during selective bank hours. Currently due to the high volumes of traffic on Lee Highway during the PM peak hour HCS estimates the delay for northbound Illinois Street traffic at approximately 35.7 seconds of delay per vehicle (LOS “E”). In the future with the addition of the projected 32 new p.m. peak hour trips, the delay for vehicles on northbound Illinois Street at the intersection of Lee Highway would increase to an estimated 126.7 second of delay per vehicle (LOS “F”). Staff does not believe the increase in delay will be quite this dramatic because the HCS analysis does not take into account gaps in traffic created by up and down street traffic signals located along Lee Highway at North Harrison Street and at North Lexington Street, however the additional traffic will still have a negative impact on northbound traffic on North Illinois Street at Lee Highway

Streets: The site has frontage on both Lee Highway and North Illinois Street. Adjacent to the site Lee Highway is constructed to a four-lane cross-section which varies in width between 54-feet and 60-feet from face of curb to face of curb. Along the site frontage Illinois Street is 35-feet from face of curb to face of curb. Traffic volumes on Lee Highway near the site are detailed below. As shown below, the traffic volumes tend to show a gradual increase (1.2% annually) in traffic volumes over past few years as the County continues to develop. The site currently has four (4) curb cuts along its site frontages with two (2) on Lee Highway and two (2) on Illinois Street. The proposed

development would provide a single vehicular entrance/exit to the site from Lee Highway and North Illinois Street. Vehicular flow would also be improve since the site access points along Lee Highway and North Illinois Street would be located further away from the intersection of Lee Highway and North Illinois Street than they are currently.

The applicant has agreed to construct in association with the project a new “Gateway Treatment” on North Illinois Street narrowing the road at Lee Highway from 36-feet to 25-feet. The “Gateway Treatment” would include a stamped colored asphalt treatment, a new crosswalk, new handicap ramps and the addition of street trees in a design that is intended to calm vehicular traffic as it enters the neighborhood from Lee Highway. The “Gateway Treatment” is shown in the plans dated January 10, 2008.

Parking: The applicant has proposed to provide a total of 20 surface parking spaces located to the side and rear of the site. The number of parking spaces is slightly more than the number of parking spaces required by the Zoning Ordinance (18 spaces). Access to the site and the parking spaces is provided by a driveway entrance off Lee Highway and another driveway entrance off North Illinois Street which provide full access.

Pedestrian Safety: As a condition of the use permit, the applicant has agreed to improve the sidewalk and the streetscape along the site’s Lee Highway and Illinois frontages. The streetscape adjacent to North Illinois Street would generally include a two-foot-wide utility/planting strip adjacent to the curb and a minimum six-foot-wide concrete sidewalk. The utility/planting strip would be widened to include street trees in the section which includes the “Gateway Treatment”. The streetscape adjacent to the Lee Highway frontage would include a five-foot-wide utility/planting strip adjacent to the curb and a minimum 10-foot-wide concrete sidewalk. Street pedestrian oriented lighting would also be provided around the site. Two driveway entrances to the site would also be closed reducing the number of curb-cuts associated with the site from four (4) to two (2). To enhance pedestrian safety staff recommends that the driveway entrances to the site be narrowed and constructed to the Arlington County standard driveway apron to provide a continuous, uninterrupted sidewalk across the driveway entrances.

Transit: Metrobus service is available adjacent to the site along Lee Highway (Route 3) between the Rosslyn Metrorail Station and Annandale.

Utilities: Adequate water and sanitary sewer system capacity is available to serve the proposed development. Local improvements will be required to provide service to the development. The developer will be required to comply with both the Stormwater Detention Ordinance and the Chesapeake Bay Preservation Ordinance before construction commences. Staff will review the final site engineering plan to ensure that the storm water runoff does not impact the adjacent residential property to the rear of the site.

**DISCUSSION:** The applicant proposes to construct a one-story Commerce Bank building and a detached drive-through facility with two drive-through teller lanes. The bank would be occupied

by 8-12 employees at any given time. The bank building could be constructed by-right on the “C-1” portion of the site. The drive-through requires special exception approval. The proposed hours of operation are as follows:

	<b>Bank Lobby</b>	<b>Drive-Through Tellers</b>
<b>Monday-Wednesday</b>	8:30a.m.-5:00 p.m.	7:30 a.m.-8:00 p.m.
<b>Thursday &amp; Friday</b>	8:30 a.m.-8:00 p.m.	7:30 a.m.-8:00 p.m.
<b>Saturday</b>	8:30 a.m.-3:00 p.m.	7:30 a.m.-6:00 p.m.
<b>Sunday</b>	11:00 a.m.-4:00 p.m.	11:00 a.m.-4:00 p.m.

The building would total approximately 4,300 square feet and would be located 25 feet from the north property line adjacent to Lee Highway. The proposed 25-foot building setback is consistent with the setback of the adjacent Tuckahoe Apartments building and reinforces the established streetscape along the Lee Highway frontage. The applicant proposes to eliminate one of two driveway entrances on Lee Highway and one of two driveway entrances on North Illinois Street. The site would retain a total of two driveway entrances, one on each street frontage, to access parking areas and the drive-through facility on the rear of the property. The building would have two pedestrian entrances accessed by walkways from Lee Highway.

The drive-through facility proposed would measure 10.75 feet high and would be located on the southern portion of the site behind the proposed bank building. Traffic flow would be directed to the drive-through facility from Lee Highway and would exit onto North Illinois Street. The applicant proposes to construct the drive-through facility 37 feet from the south property line to mitigate the impact of the use on the adjacent residences. Additionally, a 6-foot fence will be erected along the south property line to reduce potential visual and noise impacts associated with the drive-through. A combination of evergreen shrubs and deciduous landscaping will also be installed within this 37-foot wide buffer area to soften the appearance of the proposed fence and further mitigate impacts from the drive-through. The applicant also proposes to install a retaining wall along the south property line to reduce the site erosion and stormwater runoff which currently creates flooding conditions on the adjacent residences.

Further, the proposed development supports the County’s goal to promote sustainable development solutions and reduce environmental impacts. The applicant maintains that a condition of their lease agreement with the current owner of the site will require removal of all underground storage tanks, hazardous materials, and contaminated soils, and calls for site remediation. This would improve the physical condition of the site by removing harmful materials from the environment and would reduce the site’s overall environmental impact on the community.

The applicant proposes as number of site improvements which will improve the existing condition of the site and provide significant public benefits which support County goals:

**Creation of an Urban Streetscape:**

- The proposed building will decrease the existing building setback by siting the building at the established building setback line 25 feet from both the Lee Highway frontage. This

proposed setback is consistent with the existing building setback of the adjacent Tuckahoe Apartments building and helps to create a unified urban streetscape.

- The proposed drive-through facility would be located behind the proposed building at the rear of the site and the structure would have no visual impact on the Lee Highway streetscape.

**Improved Pedestrian Circulation:**

- The design will decrease the number of existing driveway aprons on the site from 4 down to 2, and reduce conflicts between pedestrian and vehicular traffic. Pedestrian walkways will be provided within the site and parking will be located primarily in the rear of the building to further eliminate these conflicts and achieve a more urban site design.
- The proposed development would increase the sidewalk width from approximately 4 feet wide to 10 feet wide with an additional 5-foot wide landscape strip on Lee Highway. The proposal will also install a new 6-foot wide sidewalk with a 2-foot wide planting strip along North Illinois Street. These design elements help to create an urban streetscape on both street frontages and promote walkable communities within the County.
- The proposed design includes a gateway treatment at the entrance of the residential neighborhood which incorporates urban design elements to create a safer street crossing for pedestrians.

**Creation of a Buffer Zone Through Increased Landscaping:**

- There is currently only a negligible amount of landscaping which is not maintained in good condition. The proposal will add a 37-foot wide landscape buffer between the site and adjacent residences to increase pervious site surface and mitigate potential flooding, visual, and noise site impacts.

**Reduction of Environmental Impacts:**

The applicant proposes to develop the site through removal of hazardous materials and site remediation which will support the County’s goal to reduce adverse environmental impacts.

**CONCLUSION:** While County policy generally discourages drive-through facilities, this proposal has several benefits which support a number of County policies. The proposed design incorporates some elements which are consistent with County goals to promote urban streetscapes and more walkable urban communities while mitigating environmental impacts. The proposed development will improve the physical condition of this site and will improve the environmental impact of this site on the adjacent community. The proposed development would comply with Zoning Ordinance regulations and with its “Service Commercial” GLUP designation. Therefore, staff recommends approval of the proposed drive-through use, subject to the following conditions, and with a review in one (1) year following issuance of a Certificate of Occupancy or January 2010, whichever comes first:

The following Conditions 1 through 5 of the use permit approval must be met by the developer before the issuance of the Clearing, Grading, and Construction Permit:

1. The developer agrees to comply with plans and building façade elevations dated January 10, 2008 as reviewed and approved by the County Board at its January 26, 2008 meeting and made a part of the public record, together with any modifications proposed by the developer and accepted by the County Board or vice versa. The approval of this use permit expires two years after the date of County Board approval if the approved plan is not under construction.
2. The developer agrees to comply with all state and local laws and regulations not modified by the County Board's action on this plan and shall obtain all necessary permits.
3. The developer agrees to file five (5) copies of a site development plan which complies with the final approval of the County Board with the Zoning Administrator within 90 days of County Board approval and before issuance of the Clearing, Grading, and Demolition Permit.
4. The developer agrees to submit a detailed final site development and landscape plan at a scale no larger than 1/16 inch = 1 foot before issuance of the Excavation/Sheeting and Shoring Permit or first Building Permit, whichever comes first, and the plan shall be approved by the County Manager or his designee before issuance of the final Building Permit. In order to facilitate comparison with the final site engineering plan, the landscape plan shall be at the same scale as the engineering drawing. The County may require more detailed plans appropriate to landscape installation at a larger scale (1/16 inch = 1 foot, 1/8 inch = 1 foot, or 1/4 inch = 1 foot). 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 development plan approval. The landscape plan shall include a Street Tree Plan which shall be reviewed by the Department of Parks, Recreation and Community Resources (DPRCR) and shall be accompanied by the site engineering plan and the two (2) plans shall be compared to ensure that there are no conflicts between street trees and utilities. Neither plan shall be approved until the landscape plan and the site engineering plan agree. The installation of all plant materials shown on the final landscape plan shall take place before issuance of the First Certificate of Occupancy. 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, and 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 be screened and shall not be placed in the setback area between the building and the street;

- b. The location, dimensions, and materials for driveways, driveway aprons, parking areas, interior walkways, and sidewalks as well as for address indicator signs;
  - c. The location and types of light fixtures for the building, streets, parking, and walkway areas: Lighting fixtures and lighting plan shall not result in any glare beyond the property line;
  - d. Topography at two (2)-foot intervals and the finished first floor elevation of all structures;
  - e. Landscaping for internal circulation areas, raised planters, and surface parking areas, including a listing of plant materials and showing details of planting, irrigation, and drainage; and
  - f. The location and planting details for street trees and shrubs in accordance with Department of Environmental Services (DES) Standards and Specifications for planting in public rights-of-way along Lee Highway and North George Mason Drive as shown on the approved final site engineering and landscape plans.
  - g. The applicant agrees that the architectural and streetscape details shall be consistent with the urban design recommendations of the Arlington County Planning Division and as shown in elevations as reviewed and approved by the County Board at its January 26, 2008 meeting. Final design of the building, consistent with the approved elevations of the building, shall be subject to the approval of the County Manager or his designee.
  - h. Prior to approval by the County Manager, the applicant shall send a copy of the final landscape plan to the President of the Leeway Overlee Citizens Association for review and comment.
5. Landscaping shall conform to Department of Public Works Standards and Specifications and to the following requirements:
- a. Planting materials shall be of good nursery stock. A nursery guarantee shall be provided by the developer for two (2) years including the replacement and maintenance (to include but not be limited to pruning, feeding, spraying, mulching, weeding, and watering) of all landscape materials following issuance of the Master Certificate of Occupancy;
  - b. Planting materials and landscaping shall meet American Standard for Nursery Stock Z50.1-73 and shall also meet the following standards:

- 1) Major deciduous trees (shade or canopy trees such as Oaks, Maples, London Planes, Japanese Zelkovas, etc.) - a height of 12 to 18 feet with a minimum caliper of 3 to 3 1/2 inches.
  - 2) Evergreen trees (such as Scotch Pines, White Pines, Hemlocks, etc.) - a minimum height of 8 to 10 feet.
  - 3) Ornamental deciduous trees (such as Cherries, Dogwoods, Serviceberries, Hornbeams, etc.) - a height of 10 to 14 feet with a minimum caliper of 1 1/2 to 2 inches.
  - 4) Shrubs - a minimum spread of 18 to 24 inches.
  - 5) Groundcover - in 2 inch pots.
- c. All new lawn areas shall be sodded; however, if judged appropriate by the County Manager or his designee, based on accepted landscaping standards, seeding may be substituted for sod. All sod and seed shall be state certified;
  - d. Exposed earth not to be sodded or seeded shall be well-mulched or planted in ground cover. Areas to be mulched may not exceed the normal limits of a planting bed;
  - e. Soil depth shall be a minimum of four feet for trees and tall shrubs and three feet for other shrubs.
  - f. Finished grades shall not exceed a slope of three to one or the grade that existed before the site work began.
  - g. The developer agrees to maintain the site in a clean and well maintained condition before 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 landscaped areas located on private property are kept in a clean and well-maintained condition after the expiration of the two (2) year guarantee required in condition number 5.a. above and to follow the terms of the maintenance agreement approved for that purpose by the Zoning Administrator.
  - h. The developer agrees to notify the DPRCR Urban Forester at 703-228-6557 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 the staff of the 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 DPRCR Urban Forester.

- i. The applicant agrees to coordinate with the Arlington County Urban Forester to develop, install, and maintain a supplemental planting plan for the Lee Highway frontage subject to review and approval of the Virginia Department of Transportation.
6. 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 cables. To comply with this condition, the developer agrees to submit to the Zoning Administrator letters from the developer to the utility companies offering them access as stated above before the issuance of any building permit.
7. The developer agrees that the final sidewalk pattern/design and final selection of materials and colors to be used shall be as determined by the County Manager or his designee on the final site development and landscape plan and final engineering plan, in accordance with the 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 along the street frontages of this development shall be concrete with brick banding and shall be placed on a properly-engineered base approved as such by the Department of Environmental Services (DES). The sidewalk treatments shall continue across all driveway aprons for loading and garage entrances along all frontages of the site plan, and there shall be no barriers to impede the flow of pedestrian traffic. The sidewalks shall contain street trees placed in either tree pits, tree grates or planting strips, consistent with the *Standards for Planting and Preservation of Trees in Site Plan Projects*, and as specified below. Placement, planting and root enhancement options shall be consistent with the *Standards for Planting and Preservation of Trees in Site Plan Projects*, and as specified below. Street trees shall not be placed within the vision obstruction area. All public walkways shall be constructed to County Standard. The developer agrees to maintain and replace the street trees and sidewalks for the life of the site plan. The sidewalk sections and street tree species shall be as follows:

Lee Highway – A minimum five-foot-wide utility/planting strip adjacent to the back of curb and a minimum 10-foot-wide concrete sidewalk. The developer also agrees to relocate the existing fire hydrant located at the southwest corner of Lee Highway and Illinois Street out of the clear sidewalk and into the new utility strip along Illinois Street providing all of the appropriate connections to the existing water main located in Lee Highway.

North Illinois Street - A minimum two-foot-wide utility/planting strip adjacent to the back of curb and a minimum 6-foot-wide concrete sidewalk.

8. The developer agrees to submit final site engineering plans to the Department of Public Works. The plans shall be drawn at the scale of 1 inch = 25 feet and be 24 inches by 36 inches in size. The Excavation/Sheeting and Shoring Permit shall not be issued for this

site until final site engineering plans and the sequence of construction has been approved by the Department of Public Works.

9. The developer agrees to provide at his total expense, underground utility services to the bank including any transformers needed to serve the proposed bank, such as electric, telephone services, etc. No new aerial utilities shall be permitted along the periphery of the site, and any utility link shall not result in the installation of any new utility poles and/or aerial lines on or off-site. The applicant agrees to cooperate with future County utility undergrounding projects along Lee Highway including any easements that may be necessary in the future so that existing utility lines and overhead transformers can be placed underground. The plan shall be designed so that there are no new utility poles or pole mounted transformers provided on or off-site.
10. The developer agrees to install address indicator signs which comply with Chapter 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.
11. The final design and materials of the proposed signs, along with their location and associated landscaping, shall be reviewed and approved by the County Manager or his designee before the issuance of any sign permits.
12. All required easements and right-of-way agreements shall be submitted to the DES for approval and be recorded by the developer before issuance of the Footing to Grade Structure Permit or first Building Permit, whichever comes first.
13. The developer agrees to submit a performance bond estimate for the construction of all facilities (to include street trees and all landscape materials) within the public rights-of-way or easements to the DES for review and approval upon approval of the final engineering plan and before issuance of the Footing to Grade Structure Permit. Upon approval of the performance bond estimate, the developer agrees to submit a performance bond and agreement for the construction or installation of all these facilities (to include street trees and all landscape materials) within the public rights-of-way or easements to the DPW and this bond shall be executed by the developer in favor of the County before the issuance of the Footing to Grade Structure Permit.
14. The final design and materials of the drive-through aisle, any trash storage and loading areas, retaining and screening walls and adjacent landscaping shall be subject to the approval of the County Manager or his designee before issuance of any building permit.
15. The developer agrees to ensure that all parking spaces comply with the requirements of Section 33 of the Zoning Ordinance. Drawings showing that these requirements are met shall be approved by the Zoning Administrator before issuance of the Footing to Grade Structure Permit.
16. Mechanical equipment shall be screened so as not to be visible from public rights-of-way.

17. The developer agrees to identify a community liaison for Commerce Bank who will be available to the adjacent residential community during the hours of operation to discuss any concerns of the community associated with the bank and the operation of the drive-through facility. The developer agrees to provide the name and telephone number of this representative to the Leeway Overlee Civic Association and the Zoning Administrator before issuance of the Certificate of Occupancy.
18. 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.
19. 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 16 feet.
20. The applicant agrees to construct Arlington County Standard driveway entrances to the site as shown on the final engineering plan approved by the County Manager or his designee.
21. The applicant agrees to dedicate an easement for public sidewalk and utilities purposes to the proposed back of sidewalk along both street frontages as shown on the final engineering plan approved by the County Manager or his designee prior to the issuance of the Certificate of Occupancy. The applicant agrees to dedicate an easement for public street and utilities purposes to the proposed back of curb along both street frontages as shown on the final engineering plan approved by the County Manager or his designee prior to the issuance of the Certificate of Occupancy.
22. The applicant agrees to show on the final engineering plans and construct pavement, sidewalk, curb and gutter along all frontages of this site in accordance with the Arlington County Standard for concrete sidewalk with brick banding, concrete curb and gutter current at the time of implementation. 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 as follows:

Lee Highway – Face of curb shall be located approximately 35 feet south of the survey centerline or as approved by the County Manager on the final engineering plan maintaining the existing curb alignment.

North Illinois Street – Construct a new curb and gutter narrowing the street to 25-feet from face of curb to face of curb for approximately the first 85-feet from the Lee Highway intersection south the providing the appropriate transition to the existing 36-foot face of curb to face of curb Illinois Street width as approved by the County Manager on the final engineering plan.

North Illinois Street Gateway Treatment – Construct a “Gateway Treatment” on North Illinois Street narrowing the road at Lee Highway from 36-feet to 25-feet. The “Gateway Treatment” shall include a stamped colored asphalt treatment, a new crosswalk, new handicap ramps and the addition of street trees in a design that is intended to calm vehicular traffic as it enters the neighborhood from Lee Highway. The “Gateway Treatment” is show in the plans January 10, 2008.

25. The applicant agrees that no building signs are permitted on the south or west facades in compliance with section 34.D.2.
26. The applicant agrees that eight (8) bicycle parking spaces will be provided for this project for the employees and visitors. The bicycle spaces shall be installed at exterior locations within 50 feet of the primary entrance, and such locations shall be reviewed by the Division of Transportation. Facilities for bicycle parking must meet the County standards for Class III bicycle racks. The developer agrees to obtain approval of the location, design and details of the bicycle spaces, by the Bicycle and Pedestrian Program Manager, as part of the final site development and landscape plan.
27. The applicant agrees to eliminate EIFS material from the proposed design and that each EIFS building element, as shown on the building facades on sheet #7 of the plans dated January 10, 2008, shall be replaced with masonry construction. The final façade design shall be submitted for review and approval by the County Manager prior to issuance of any building permit.

PREVIOUS COUNTY BOARD ACTIONS:

December 8, 1956      Approved use permit (U-1246-56-1) for operating a drive-in restaurant.