



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of July 19, 2008**

**DATE:** July 11, 2008

**SUBJECT:** SP #167 SITE PLAN REVIEW to convert approximately 11,000 square feet of first floor office and for a daycare use located at 2451 Crystal Dr. (RPC # 34-020-243)

**Applicant:**

Fifth Crystal Park Associates

**By:**

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Walsh, Colucci, Lubeley, Emrich and Walsh  
2200 Clarendon Boulevard, 13<sup>th</sup> Floor  
Arlington, Virginia 22201

**C.M. RECOMMENDATION:**

Renew the site plan amendment for office conversion to a daycare use, subject to all previously approved conditions, with an administrative review in three (3) months (October 2008), and a County Board review in three (3) years. (July 2011)

**ISSUES:** This is the review of an office conversion for a child care center use. Staff recommends revision of an existing sign regarding public access to the outdoor play area.

**SUMMARY:** This is a renewal of an office space conversion to a childcare center use on the ground floor of the Crystal Park V Building. This renewal was deferred for one (1) year from the July 2007 County Board meeting because construction on the space had not been completed. The childcare center is fully completed and occupied and operates in compliance with the child care regulations. However, the sign language posted on the outdoor play space is not consistent with the public access hours stated in approved site plan amendment Condition #6. The applicant's agent has been informed to correct the sign, and staff recommends a subsequent administrative review to verify the applicant's compliance with this condition. Therefore, staff recommends renewal of the site plan amendment for office conversion, subject to all previously approved conditions, with an administrative review in three (3) months (October 2008), and with a County Board review in three (3) years. (July 2011)

**BACKGROUND:** In 1989, the County Board approved Site Plan SP #167 for the construction of several buildings, including the subject eleven-story office building known as Crystal Park V

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

Staff: Rasheda DuPree McKinney, DCPHD, Planning

PLA-5018

Building. On July 8, 2006, the County Board approved a site plan amendment which permitted the conversion of approximately 11,000 square feet of ground floor office space in this building to a child care center use. The subject space was located next to a 124,312 square foot public use easement for recreational purposes, of which 6,964 square feet were vacated by the County to accommodate outdoor play equipment for the child care center. The conversion displaced one (1) of three (3) outdoor volleyball courts maintained by the applicant. The County is working with the applicant to identify other locations within the County to replace the volleyball court.

**DISCUSSION:** The child care center currently provides care for 64 children who range in age from infant to 6 years. The program operates well under the approved capacity of up to 160 children. The program operates on Mondays through Fridays from 7:30 a.m. to 6 p.m. The center currently operates with 25 staff including teachers and administrators. Employees of the child care center are provided parking in the existing parking garage. The applicant continues to maintain eight (8) on-site parking spaces designated for parent pick-up and drop-off.

Condition #6 provides the child care center exclusive use of the outdoor play area from 8 a.m. to 6 p.m. on Monday through Friday and on Veteran's Day. The condition also requires that the play area be available for public use and that the applicant must post a sign stating the hours of public access to the outdoor play area. The sign as written states that public access to the play area is permitted as follows:

'Monday-Friday 6:00 p.m. until ½ hour after dusk, Saturday and Sunday 8:00 a.m. until ½ hour after dusk, All Federal Holidays except Veterans Day'

The sign prohibits public use of the play area after '½ hour after dusk' which is not consistent with Condition #6 which permits public access to the play area during all hours when not in use by the child care center. The applicant will be required to correct the sign language prior to the proposed administrative review in October 2008.

**Since the site plan amendment approval (July 8, 2006):**

Site Plan Amendment Conditions: The child care center use is in compliance with Condition #'s 1-5 and 7-11 of the approved site plan amendment. The applicant must demonstrate compliance with Condition #6 by changing the existing sign.

Child Care Office: The Child Care Office states that there are no concerns regarding the continuation of this use.

Fire Marshal's Office: The Fire Marshal's Office has not reported any concerns regarding the continuation of this use.

Police Department: The Police Department has not reported any concerns regarding the continuation of this use.

Civic Association: The site is not located within an active civic association.

**CONCLUSION:** The child care center continues to provide a valuable resource to the community and supports the County's goal to increase child care opportunities in Arlington. The applicant works with the County Child Care Office to ensure continued compliance with County child care regulations. The sign language posted on the outdoor play area must be replaced with language that is consistent with Condition #6. Staff recommends review of the amended sign language in three (3) months. Therefore, staff recommends renewal of the site plan amendment for office conversion, subject to all previously approved conditions, with an administrative review in three (3) months (October 2008), and with a County Board review in three (3) years. (July 2011).

PREVIOUS COUNTY BOARD ACTIONS:

May 17, 1980	Approved a rezoning from "M-1" to "C-O-1.5" and approved a site plan for a mixed use development.
February 5, 1983	Approved a site plan amendment (SP #11, 56, 90, 135 and 167) for identification and directional signage for Crystal City and the Crystal Plaza Shops.
April 9, 1983	Deferred a site plan amendment for a comprehensive sign program.
May 21, 1983	Accepted a withdrawal of a site plan amendment to add 120 residential units.
January 7, 1984	Approved a site plan amendment to add 120 residential units, increase garage parking and revise loading dock area.
May 12, 1984	Deferred a site plan amendment to adjust boundaries to July 7, 1984.
July 7, 1984	Approved a site plan amendment to adjust the boundary of the Crystal Park project by removing 23,866 square feet of land from the south end and adding a like amount to the north end.
May 18, 1985	Deferred a site plan amendment to amend Condition #29 to increase office gross parking area to 1,600,700 square feet.
July 13, 1985	Approved a site plan amendment to increase office gross parking area to 1,584,100 square feet and increase retail commercial from 50,000 square feet to 77,917 square feet.
December 7, 1985	Approved a site plan amendment to permit subdivision into parcels with each building being on a separate parcel of land.
August 13, 1988	Deferred a site plan amendment to amend Condition #34 to permit rooftop signs on east and west elevations, 234 square feet each ( 2341 Crystal Drive).
September 10, 1988	Denied a site plan amendment to amend Condition #34 to permit rooftop signs on the east and west

	elevations, 234 square feet each (2341 Crystal Drive).
July 8, 1989	Deferred a site plan amendment (SP #11, 56, 90, 135 and 167) for a coordinated sign plan consisting of 60 new signs and retention of 13 existing signs to the August 12, 1989 County Board meeting.
August 12, 1989	Approved a site plan amendment (SP #11, 56, 90, 135 and 167) for a coordinated sign plan consisting of 60 new signs and retention of 13 existing signs including Metro Station and Buchanan House signage.
February 2, 1991	Approved a site plan amendment to amend the coordinated sign plan to permit two temporary office leasing beamers on two office buildings.
February 9, 1991	Approved a site plan amendment (SP #11, 56, 90, 135 and 167) to amend the coordinated sign plan to permit two temporary office leasing banners, at heights below 35 feet, on two office buildings until November 27, 1991, at 1225 and 2211 Jefferson Davis Highway.
March 2, 1991	Approved a site plan amendment with amended Conditions # 37 and #41 and the approved comprehensive sign plan to permit construction and operation of Virginia Railway Express commuter rail platform.
July 13, 1993	Approved a site plan amendment for conversion of approximately 2,450 square feet of retail gross floor area to office use for the parcel of real property known as 2231 Crystal Drive with the condition that the space being occupied is secondary retail uses.
November 21, 1995	Approved a site plan amendment for conversion of 1, 650 square feet of gross floor area to conference facilities for the Patent and Trademark Office for the parcel of real property known as 2121 Crystal Drive with one new condition.
March 18, 1995	Approved a site plan amendment for an amendment to the Crystal City Comprehensive Sign Plan to permit a rooftop sign of 531, revised to 426, square feet on the east building elevation for the parcel of

real property known as 2121 Crystal Drive with one new condition.

April 26, 2003

Approved a site plan for installation of an internally illuminated rooftop building identification sign, containing a logo and lettering, with a total sign area of 206.2 square feet on the southwest elevation of the Crystal Park V Office Building subject to one new condition.

September 18, 2004

Approved a site plan amendment for rooftop signage on the Crystal Park III building to one tenant identification sign on the southwest elevation. The total area for the rooftop sign shall be limited to no more than 200 square feet, and the sign shall be illuminated only as shown on the drawings dated February 25, 2004.

April 22, 2006

Approved a site plan amendment for a comprehensive sign plan for 2345 Crystal Drive to permit signs at the garage entrance. The size, design, location and color of the proposed garage entrance signs at 2345 Crystal Drive shall be as shown on the drawings prepared by Art Display Co. and dated October 27, 2005, except that the size of the circular portion of the sign structure shall be reduced in size and shall not exceed 33 square feet.

May 20, 2006

Deferred consideration of a site plan amendment to convert approximately 11,000 square feet of first floor office for daycare use located at 2451 Crystal Dr. to the June 10, 2006 County Board meeting.

June 10, 2006

Deferred consideration of a site plan amendment to convert approximately 11,000 square feet of first floor office for daycare use located at 2451 Crystal Dr. to the July 8, 2006 County Board meeting.

July 8, 2006

Approve the conversion of approximately 11,000 square feet of office space to child care use, subject to eleven (11) new conditions which apply solely to the subject child care use, and with a review in one (1) year (July 2007).

July 7, 2007

Defer review of the conversion of approximately 11,000 square feet of office space to child care use to the July 2008 County Board meeting.

Approved Conditions:

1. The applicant agrees that the hours of operation will be weekdays from 6:30 a.m. to 7:00 p.m., Monday through Friday, with a capacity of 160 children. Provided, however, that the Child Care Office may determine the final number of children that can be served in the program following the required renovations and improvements to the site. This number may be modified based on appropriate space ratios. The applicant agrees not to enroll more than 160 children, or such other number as the Child Care Office has determined can be accommodated and as evidenced by the certificate of occupancy.
2. The applicant agrees to meet all requirements of the Child Care Ordinance, Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a Certificate of Occupancy.
3. The applicant agrees to require parents of children attending the program (or persons designated by the parents) to escort their children to and from the center at all times. Pick-ups and drop-offs shall be within the short-term surface parking spaces located adjacent to the building. The applicant agrees to provide letters to the parents of the children in care explaining to procedures for dropping off and picking up children.
4. The applicant is aware and agrees that the required Virginia State and Arlington County Child Licenses will not be issued prior to the issuance of a certificate of occupancy for a child care center.
5. The applicant agrees that all outdoor play shall be planned at scheduled intervals acceptable to the Child Care Office. The applicant agrees to obtain the Child Care Office's approval of a plan for such play prior to the issuance of any certificate of occupancy for the child care use on the site.
6. The applicant agrees that, in order to accommodate the outdoor play area, the applicant must obtain approval to vacate a portion of the current easement, adjacent to the building, and rededicate the same portion of the easement with an exclusivity clause. The easement area shall be fully open to the public at large from Monday evenings through Friday mornings between the hours of 6:00 p.m. and 8:00 a.m., between 6:00 p.m. on Friday until 8:00 a.m. on Monday, year round and the following Federal holidays New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving and Christmas. The applicant shall have exclusive use of the easement area from 8:00 a.m. until 6:00 p.m. on Mondays through Fridays except the Federal holidays listed above. The applicant agrees to post a sign, at each entrance to the play area, indicating the hours of the public use for the play area. Such a vacation and rededication will not change the terms of the original easement.
7. The applicant agrees to design, acquire, construct and install the equipment within the outdoor play area, for children between the ages of infant through 5 years, to Arlington County standards. The applicant agrees, prior to the issuance of any certificate of occupancy for the child care use on the site and prior to construction and installation of

the equipment within the outdoor play area, to submit and obtain approval from the Department of Parks, Recreation and Cultural Resources (DPRCR) to ensure that the equipment choice and design meets DPRCR quality and national safety standards. The applicant agrees to obtain any and all necessary permits to erect the play area equipment. Additionally, the applicant agrees to maintain, to Arlington County standards, the outdoor play area and equipment.

8. The applicant agrees to construct and maintain a fence around the perimeter of the outdoor play area. The fence shall be designed in a manner that is compatible to the existing buildings and surroundings. The applicant agrees to submit and obtain approval from DPRCR on the type and installation of the fence. The applicant agrees to obtain any and all necessary permits to construct the fence.
9. The applicant agrees, during the staging and construction of the outdoor play area and the fence, to ensure that the remaining two (2) volleyball courts remain open for play.
10. Upon completion of the construction and installation of both the play area equipment and fencing, the applicant agrees to notify DPRCR and allow DPRCR the opportunity to inspect the improvements to ensure it meets Arlington County standards.
11. For the term of the easement, the applicant agrees to continue to maintain the remaining sand volleyball courts (with proper depth of sand in the courts) and easement areas.