DATE:  March 7, 2006

SUBJECT:  SP #105 FINAL SITE PLAN to construct approximately 300 dwelling units, approximately 8,119 square feet of retail, with modification of use regulations for height; 1221, 1301, 1311 S. Fern St. (RPC #35-003-006, -007, -008).

Applicant:
KSI Services, Inc.

By:
William Lawson
Lawson, Tarter & Charvet, P.C.
6045 Wilson Boulevard, Suite 100
Arlington, Virginia  22205

C.M. RECOMMENDATION:

Approve the site plan proposal to construct approximately 300 dwelling units and approximately 8,119 square feet of retail, subject to the conditions in the staff report

ISSUES:  None.

SUMMARY:  The proposed building is the second phase of redevelopment of Parcel 3 of the Pentagon City Phased Development Site Plan. The applicant has designed a 300 unit, 18-story residential building that is generally consistent with conceptual design guidelines approved for the Metropolitan Park block in February 2004. The applicant has worked to distinguish the design of the proposed building from the design of the adjacent phase one building that is under construction while relating the architectural styles and materials to that building. This phase would also implement approximately two-thirds of the block’s central park, which is the major public benefit of Parcel 3. Pursuant to a site plan condition requirement of the Virginia Hospital Center, the Virginia Hospital Center opened the Arlington Urgent Care Center on the subject site. The applicant has offered to help ease the transition of this facility, whose lease on the subject site expires in June 2006, by agreeing to a six month lease extension and a contribution

County Manager:  
County Attorney:  
Staff:  Lisa Maher, Planning Division, DCPHD
Adam Denton, Transportation Division, DES

PLA - 4264
of $125,000 toward relocation costs for the Urgent Care Center to move to another site. Additionally, the applicant has agreed to comply with the Zoning Ordinance requirement for affordable housing contributions for site plan projects, a $75,000 contribution toward public art, a transportation demand management program, and contributions for utility undergrounding and the County’s Green Building fund. For the above reasons, staff supports the site plan request.

**BACKGROUND:** The original Pentagon City PDSP approved in 1976 and since amended, “laid the foundation for a long term effort to build a new urban center with a dynamic mix of residential units, hotels, offices and retail establishments.”

Listed below are several milestones in the development of Pentagon City.

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1946</td>
<td>Cafritz &amp; Tompkins Families acquired 190 acres between Arlington Ridge Road and Route 1</td>
</tr>
<tr>
<td>1950s</td>
<td>Development of warehouses between South Eads Street and South Fern Street</td>
</tr>
<tr>
<td>1970s</td>
<td>County-wide planning for Metro</td>
</tr>
<tr>
<td>1976</td>
<td>County approval of the Phased Development Site Plan for Pentagon City</td>
</tr>
<tr>
<td>1984</td>
<td>Amended PDSP for the regional shopping mall Reconfigured the parcels of the PDSP and shifted the allocation of residential development</td>
</tr>
<tr>
<td>1993</td>
<td>Western Electric site redeveloped as the by-right retail center – Pentagon Centre (Costco)</td>
</tr>
<tr>
<td>1997</td>
<td>Pentagon City Planning Task Force presents report to the County Board in response to the proposed development of Pentagon Row located on the east side of South Joyce Street.</td>
</tr>
<tr>
<td>1998</td>
<td>County approval of Pentagon Row – a mixed-use development and the reallocation of residential development</td>
</tr>
<tr>
<td>2004</td>
<td>Approval of design guidelines for block between South Eads Street and South Fern Street, south of 12th Street extended, and approval of phase one for this block, called Metropolitan Park.</td>
</tr>
</tbody>
</table>

In 1997, the County Board established the Pentagon City Task Force and charged the task force to review the then-current planning for Pentagon City. The task force presented findings which reflected upon and refined the goals and principles of the original PDSP.

The task force also developed a concept plan for Pentagon City. The conceptual plan incorporated boulevards on South Hayes, Joyce and Eads Streets, Army-Navy Drive and 15th Street South; strong pedestrian connections with designed intersections; build-to lines and superblock restructuring.

The density and use distribution within the Pentagon City PDSP has been amended over the course of time. Since the original approval in 1976, several amendments have been approved for Parcel 3. With the approval of the Pentagon Row final site plan in 1998, the County Board reallocated residential densities (332 units) from Parcel 1A/2A to Parcel 3 as part of a PDSP.

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1 From the “Report of the Pentagon City Planning Task Force” presented to the Arlington County Board on November 12, 1997.
amendment (December 1997). Density remains only on Parcel 1D (between South Eads and South Fern Streets north of unbuilt 12th Street South) and Parcel 3 (South Fern Street to South Eads Street and 15th Street South to unbuilt 12th Street South—location of the subject site).

The chart below indicates the current distribution. The remaining balances are highlighted. Following the chart is a map of the Pentagon City PDSP with this information.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Current Approval</th>
<th>Final Site Plan</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office/Commercial GFA</td>
<td>Hotel/Residential Units</td>
<td>Park Space</td>
</tr>
<tr>
<td>1A/2A</td>
<td>0 Office/300,000 Commercial</td>
<td>0 Hotel/830 Residential</td>
<td>0 Park Space</td>
</tr>
<tr>
<td>1B/2B</td>
<td>172,000 Office/1,019,300 Commercial 450 Hotel/0 Residential</td>
<td>0 Park Space</td>
<td>0 Office/0 Commercial</td>
</tr>
<tr>
<td>1C</td>
<td>1,078,000 Office/0 Commercial 0 Hotel/0 Residential</td>
<td>0 Park Space</td>
<td>0 Office/0 Commercial</td>
</tr>
<tr>
<td>1D</td>
<td>0 Office/0 Commercial 882 Hotel/930 Residential</td>
<td>0 Park Space</td>
<td>0 Office/0 Commercial</td>
</tr>
<tr>
<td>2C</td>
<td>0 Office/0 Commercial 0 Hotel/624 Residential</td>
<td>0 Park Space</td>
<td>0 Office/0 Commercial</td>
</tr>
<tr>
<td>3</td>
<td>0 Office/0 Commercial 300 Hotel/2,282 Residential</td>
<td>0 Park Space</td>
<td>0 Office/0 Commercial</td>
</tr>
<tr>
<td>4</td>
<td>0 Office/0 Commercial 0 Hotel/0 Residential</td>
<td>0 Park Space</td>
<td>0 Office/0 Commercial</td>
</tr>
<tr>
<td>5</td>
<td>0 Office/2,500 Commercial 0 Hotel/820 Residential</td>
<td>0 Park Space</td>
<td>0 Office/0 Commercial</td>
</tr>
<tr>
<td>Totals</td>
<td>1,250,000 Office/1,321,800 Commercial 1,632 Hotel/5,486 Residential</td>
<td>Park Space</td>
<td>1,250,000 Office/1,333,100 Commercial 750 Hotel/2,673 Residential</td>
</tr>
</tbody>
</table>
Parcel 3 Development Capacity

<table>
<thead>
<tr>
<th></th>
<th>2/25/76</th>
<th>1/8/77</th>
<th>5/20/82</th>
<th>7/11/84</th>
<th>8/18/84</th>
<th>12/18/97</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office GFA</td>
<td>290,000</td>
<td>290,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Commercial GFA</td>
<td>50,000</td>
<td>47,500</td>
<td>47,500</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hotel Units</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>Residential Units</td>
<td>1,000</td>
<td>1,280</td>
<td>1,950</td>
<td>1,950</td>
<td>1,950</td>
<td>2,282</td>
</tr>
</tbody>
</table>
In February 2004, the County Board approved a final site plan for property located at the corner of South Fern Street and 15th Street South (in Parcel 3, across from the Costco site) for an apartment building containing 400 units with ground floor retail. Within the context of that application, the applicant proposed a conceptual layout for all of Parcel 3. The conceptual plan shows the potential of a density shift of hotel units from Parcel 3 to Parcel 1D and of residential units from Parcel 1D to Parcel 3, with the remaining residential capacity of 3,212 units all on the subject block (Parcel 3).

**Conceptual Block Plan**

**Metropolitan Park Design Guidelines**: Along with the final site plan for the first phase of development on Parcel 3, the developer submitted, and the County Board approved, the conceptual plan for the redevelopment of all of Parcel 3, as required by the original PDSP conditions, including urban design guidelines, called the Metropolitan Park Design Guidelines (January 23, 2004). An earlier version of this document that accompanies the Design Guidelines is called the Metropolitan Park Project Booklet (November 12, 2003). The layout for the entire block of Parcel 3 incorporates the 3,212 residential units described above, contained in numerous buildings. Each building would have ground floor retail designed to serve the residents of the buildings. The buildings would be designed at varying heights ranging from four stories to 22 stories.

Several internal parks, comprising approximately two acres, were incorporated into the design of the entire block. One large park of over one acre, designed to be public in nature, would be central to the layout. The approved design highlights a grid pattern street system with the introduction of 13th and 14th Streets South running east-west through the block and Elm Street bisecting the block on a north-south axis. These new streets, not originally envisioned in the original PDSP, were approved as an amendment to the Master Transportation Plan.

The Design Guidelines include elements related to each building phase and the park, against which the proposal will be evaluated. These elements include:

- Layout of individual building sites, streets, and buildings
- Building heights
- Location of retail space
- Exterior architectural features and details
- Interior elements, including retail height
- Park locations, general uses, and design
- Access to parks
- Residential, parking, and service entrances
- Phasing
- Streetscape standards
- Additional elements, including public art locations, street widths, and other details.

Attached to this report are several pages from the Design Guidelines that describe most of the items above to help the advisory commissions and the County Board evaluate the proposal for the proposed second phase of development.
The following provides additional information about the site and location:

- **Site:** This 2.57 acre site is part of Parcel 3 within the Pentagon City Phased Development Site Plan (PDSP) which was originally approved in 1976. The subject site, located on South Fern Street approximately midway between 15th Street South and the unbuilt 12th Street South, is developed with a warehouse structure built in the 1950s.

  To the north: Warehouse structures are immediately to the north. Further north is a surface parking lot, undeveloped land, and the Marriott Residence Inn. Currently, 12th Street South does not extend from South Fern and South Eads Streets. The properties are all designated as a mix of “High-Medium” Residential (3/4) and “Medium” Office-Apartment-Hotel (1/4) on the General Land Use Plan and zoned “C-O-2.5.”

  To the west: South Fern Street and Pentagon Centre, containing numerous retail stores and restaurants, including Costco. The property is designated “Service Commercial” on the General Land Use Plan and zoned “M-1.”

  To the east: South Eads Street and several high-rise apartment buildings (including Bennington Apartments, Warwick House I & II and Hampton House) designated “High” Residential on the General Land Use Plan and zoned “RA-H-3.2.”

  To the south: One Metropolitan Park (under construction) and 15th Street South. The Lofts at Crystal Towers and Crystal Towers are south of 15th Street South.

- **Zoning:** The entire block (Parcel 3), which includes the 2.57-acre subject site, is zoned “C-O-2.5” Commercial Office Building, Hotel and Apartment District.

- **Land Use:** The General Land Use Plan designates the site with a striped pattern of three-fourths “High-Medium Residential” (3.24 FAR residential) and one-fourth “Medium” Office-Apartment-Hotel (2.5 FAR office; up to 115 units per acre for apartments; and up to 180 units per acre for hotels). The Pentagon City area has a note (Note 4) stating, “This area was designated a “Coordinated Development District” on 2/9/74.”

- **Neighborhood:** The site is located near the Aurora Highlands Civic Association and the Arlington Ridge Civic Association.

**Proposed Development:** The following table sets forth the preliminary statistical summary for the proposed development:
<table>
<thead>
<tr>
<th>Site Area (&quot;C-O-2.5&quot;)</th>
<th>111,809 square feet (2.57 acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Land Use Plan</td>
<td>“Medium” Res”/“Medium” O-A-H</td>
</tr>
</tbody>
</table>

### Density

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Units</td>
<td>300 units</td>
</tr>
<tr>
<td>Residential GFA</td>
<td>342,999 sf</td>
</tr>
<tr>
<td>Retail GFA</td>
<td>8,119 sf</td>
</tr>
<tr>
<td>Total GFA</td>
<td>351,118 sf</td>
</tr>
</tbody>
</table>

### Units Permitted in PDSP

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total for Parcel 3</td>
<td>2,282</td>
</tr>
<tr>
<td>Remaining after phase 1</td>
<td>1,883</td>
</tr>
<tr>
<td>Phase 2</td>
<td>+/-285</td>
</tr>
</tbody>
</table>

### Effective Density:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential FAR</td>
<td>3.07</td>
</tr>
<tr>
<td>Retail FAR</td>
<td>0.07</td>
</tr>
<tr>
<td>Total FAR</td>
<td>3.14</td>
</tr>
</tbody>
</table>

(“C-O-2.5” Permitted FAR) (2.5 for office/commercial area)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Units per Acre</td>
<td>120 units per acre</td>
</tr>
<tr>
<td>(C-O-2.5” Units per Acre)</td>
<td>(115 units per acre)</td>
</tr>
</tbody>
</table>

### Building Height

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Site Elevation</td>
<td>39.6 ft. ASL</td>
</tr>
<tr>
<td>Main Roof Elevation</td>
<td>225.2 ft. ASL</td>
</tr>
<tr>
<td>Main Roof Height</td>
<td>185.6 ft.</td>
</tr>
<tr>
<td>Penthouse Elevation</td>
<td>238.2 ft. ASL</td>
</tr>
<tr>
<td>Penthouse Height</td>
<td>198.6 ft.</td>
</tr>
<tr>
<td>Number of Stories</td>
<td>18 stories plus penthouse</td>
</tr>
</tbody>
</table>

(Max. permitted height in “C-O-2.5”) 16 stories

PDSP permitted height  Up to 22 stories

Design Guidelines permitted ht. for phase 2 5-18 stories

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3 No building, excluding penthouse area, shall exceed twelve (12) stories for office buildings and sixteen (16) stories for apartment and hotel buildings. Parapet walls may be extended upward to screen a penthouse. This area shall not be counted as a story but may be enclosed and used for elevator, mechanical and maintenance equipment, private clubs, auditoriums, meeting rooms and restaurants.

4 Condition #54 of the PDSP (1976) states: “At the time of the final site plan, building heights of up to 22 stories for not more than four apartment building and/or hotel buildings shall be considered, for the purpose of improving the overall design without increasing density.”
**Parking**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total parking spaces</td>
<td>368 spaces</td>
</tr>
<tr>
<td>Retail</td>
<td>15 spaces</td>
</tr>
<tr>
<td>Residential</td>
<td>353 spaces</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Requirement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. by-right res. requirement</td>
<td>325</td>
</tr>
<tr>
<td>Min. by-right retail requirement</td>
<td>14</td>
</tr>
<tr>
<td>Min. site plan retail requirement</td>
<td>6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ratio</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>1.18 spaces per unit</td>
</tr>
<tr>
<td>Retail</td>
<td>1 space per 208 s.f.</td>
</tr>
</tbody>
</table>

**By Right Residential Parking Ratio**

1.125 spaces for the first 200 units

1 space per unit for units over 200

**By Right Retail Parking Ratio**

1 space per 250 sf

<table>
<thead>
<tr>
<th>Percent Coverage</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>40%</td>
</tr>
</tbody>
</table>

**Percent Coverage**

**By Right Percent Coverage**

56%

**LEED Score**

25 points

**Density and Uses:** The proposal is for 300 residential units in an 18 story building with swimming pool facilities and a party room on the penthouse level. The proposal also incorporates 8,119 square feet of retail space along the South Fern Street frontage – facing Pentagon Centre (the Costco site). The developer proposes that this retail use would help serve the needs of the residents. The building would also contain significant amenities for the residents, both on the ground floor on the eastern side of the building, and on the partial top level of the building with a rooftop pool. Parking for the units is provided in a garage entered from the proposed 13th Street on the north end of the building. A total of 368 parking spaces would be provided on two below-grade levels that would extend under the building and under a portion of the park planned to the east of the building. The parking for the residential units is provided at a 1.18 space per unit ratio, or 353 spaces. The project would also provide 15 retail parking spaces in the garage.

**Site and Design:** The building is designed as a north-south oriented rectangle, consistent with the design guidelines for Parcel 3. The first residential level, on the second floor, would have ceiling heights that are two feet higher than those of the remaining levels. This slightly different design, with larger windows that are similar to the storefront windows on the first floor, creates a two-story base for the building. Similarly, larger windows on the 18th floor and on the penthouse level, which includes facilities related to a rooftop swimming pool, define a top to the building. The two-story, 28-foot high residential lobby would cross through the center of the building, with full glass walls providing visibility through to the other side. The tower would be designed with two masonry vertical elements on each long face, with glass on the ends and in the center to

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5 Per the Zoning Ordinance - 5,000 sf may be exempted due to the proximity to the metro station entrance.
break up the visual mass of the building. The first floor storefronts would be metal and glass, and the remainder of the first floor would be brick with a stone base.

The proposal includes a roughly 1 ¼ acre park to the east of the building. The landscape plan includes the design for the extension of this park, as well as a small rectangular park to its north, which would be built with later phases of Parcel 3. The developer proposes a park for both passive and active uses, as recommended in the Design Guidelines. Finally, the proposal includes a portion of the new 13th Street South, extending east from South Fern Street to the eastern property line of the site and the new South Fair Street that would run north-south along the eastern edge of the proposed building. A temporary north-south alley would connect the eastern end of this street to the new portion of 14th Street South that is being constructed as part of phase one. Later phases of construction on this megablock would complete 13th and 14th Streets, as well as a new north-south street that would replace the alley and allow for completion of the large central park.

**LEED Scorecard:** The applicant has agreed to achieve 25 LEED points in the proposed project. Condition #69 addresses the applicant’s LEED scorecard and implementation of “green building” measures in the proposed project.

**TRANSPORTATION:** The Master Transportation Plan classifies South Fern Street as a neighborhood principal street. The Metropolitan Park Design Guidelines defines the proposed street grid for the project, as well as the cross-sections for all relevant streets. Arterial streets in the vicinity are US Route 1, Crystal Drive and Army-Navy Drive. Adjacent to the site, 15th Street currently provides two travel lanes and on-street metered parking in the westbound direction, while South Fern Street is two lanes with on-street metered parking in the southbound direction.

**Trip Generation:** All-day, non-directional traffic counts for several streets near the site are detailed below. As shown below, traffic counts in the area have been relatively stable over the past several years.

<table>
<thead>
<tr>
<th>Street (location)</th>
<th>1997</th>
<th>1998</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. Fern Street (south of 15th St. S)</td>
<td>5,075</td>
<td>5,040</td>
<td>4,705</td>
<td>4,510</td>
<td>4,427</td>
</tr>
<tr>
<td>15th Street S (east of S. Fern St.)</td>
<td>21,700</td>
<td>23,790</td>
<td>21,220</td>
<td>N/A*</td>
<td>21,193</td>
</tr>
<tr>
<td>15th Street S (west of S. Fern St.)</td>
<td>15,790</td>
<td>N/A*</td>
<td>16,075</td>
<td>N/A*</td>
<td>N/A*</td>
</tr>
<tr>
<td>S. Eads Street (south of 11th St. S)</td>
<td>12,510</td>
<td>12,315</td>
<td>12,910</td>
<td>13,165</td>
<td>11,715</td>
</tr>
</tbody>
</table>

Source: Arlington County Traffic Engineering Department

*N/A = Not available

A Traffic Impact Analysis (TIA) was prepared by a transportation consultant for the applicant to assess the impacts of the whole Metropolitan Park development on the adjacent street system. Future intersection Levels of Service (LOS) were evaluated for the weekday morning and evening peak hours for several intersections near the site, as well as the “shoulder hours” of the peak periods for the intersections of 15th Street/Fern Street and 15th Street/Eads Street.
“Shoulder hours” are the hours directly preceding and following the AM and PM peak hours.

The proposed building (300 dwelling units and 8,119 square feet of retail) was estimated to generate approximately 66 AM and 96 PM peak hour vehicle trips. The TIA analysis found that most intersections would continue to provide an acceptable level of service during the peak hours in the future with the build-out of One Metropolitan Park. The intersections continue to provide acceptable levels of service for the “shoulder hours” for the critical intersections of 15th Street/Fern Street and 15th Street/Eads Street. The results of this analysis are summarized in the following table.

### Critical Intersection Level of Service Analysis

<table>
<thead>
<tr>
<th>Intersection</th>
<th>AM Study Period</th>
<th>PM Study Period</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>S1*</td>
<td>S2*</td>
</tr>
<tr>
<td>15th St. South/South Fern St.</td>
<td>C [9.3]</td>
<td>C [29.0]</td>
</tr>
<tr>
<td>15th St. South/South Eads St.</td>
<td>C [27.3]</td>
<td>C [26.7]</td>
</tr>
</tbody>
</table>


*S1 = Shoulder 1, P H = Peak Hour, S2 = Shoulder 2
X [XX.X] = Level of Service [Average Delay, in seconds per vehicle]

### Loading Bay and Parking Garage Access

The parking garage entrance is proposed to be located on 13th Street South. The loading dock entrance is proposed to be located on 14th Street South.

Approximately 368 residential and retail parking spaces are provided. On-street parking will also be provided along the eastern side of South Fern Street and the western side of South Fair Street.

### Streetscape and Sidewalks

Concurrent with the first site plan, an amendment to the Comprehensive Plan - Master Transportation Plan to add the following new streets: South Fair Street, 13th Street South, and 14th Street South, to add new sections of South Fair Street, 13th Street South, and 14th Street South between South Eads Street and South Fern Street was approved. The new streets would be implemented as follows:

- South Fern Street will be approximately 49-feet in width and will be constructed to provide two 10-foot travel lanes, an 7 1/2 -foot on-street parking lane (including 1½-foot gutter pan), and two 10-foot wide-turn lanes.
- South Fair Street will be approximately 28.5-feet wide with two 10-foot wide lanes, one in each direction and a 7-foot wide on-street parking lane (including 1½-foot gutter pans, one of which is included in the parking lane width).
- 14th Street South will be approximately 29½-feet wide with one 10-foot lane and an eight-foot on-street parking lane (including 1½-foot gutter pan) in the eastbound direction and one 10-foot lane in the westbound direction.
• 13th Street South will be approximately 29½-feet wide with one 10-foot lane and an eight-foot on-street parking lane (including 1½-foot gutter pan) in the westbound direction and one 10-foot lane in the eastbound direction.

• A 22-foot wide existing drive isle located at the eastern property line will remain to provide circulation until the remainder of the park and streetscapes are built during the subsequent phases of development.

Pedestrian Access: The streetscape plan is consistent with the Metropolitan Park Design Guidelines. The proposed sidewalk along the east side of South Fern Street will provide a minimum width of 17 1/2 feet with a minimum clear sidewalk width of 11 feet, 10 inches (exclusive of outdoor café seating, where staff recommends an eight foot clear width). South Fair Street will provide a minimum 14-foot wide sidewalk on the west side, with a minimum clear width of 8 feet, 4 inches, and a 12-foot wide sidewalk on the east side of the street, with a minimum clear width of 6 feet, 4 inches. 14th Street South will provide a 34-foot sidewalk along the north side and a minimum 15-foot wide sidewalk on the south side (off-site). 13th Street South will provide 34-foot sidewalk on the southern side and a 15-foot wide minimum sidewalk on the northern side (off-site). At above mentioned 13th Street South and 14th Street South the 34-foot wide sidewalk will incorporate landscape and café seating with a 10-foot clear sidewalk provided. The above mentioned streets will all provide standard 5'x12' tree pits.

Standard crosswalks will be installed at the following intersections:
• 13th Street South / South Fair Street;
• 14th Street South / South Fair Street.

Standard crosswalk nubs will be installed at the following intersections:
• 13th Street South / South Fern Street;
• 14th Street South / South Fern Street.

Public Transit: The subject site is conveniently located near two Metrorail stations, Pentagon City and Crystal City. Both stations are within walking distance of the site. The site will also be served by existing Metrobus routes focused on 15th Street South and South Eads Street. The Metrobus 10A is currently routed along 15th Street South, with its destinations at the Pentagon and Hunting Towers, while the Metrobus 9A and 9E currently run along South Eads Street between the Pentagon and Alexandria. With the full development of Metropolitan Park, 12th Street South is to be connected between South Eads Street and South Fern Street. This is proposed to be a “transit way” which will facilitate the extension of various existing Metrobus routes, as well as help to create new routes, in order to incorporate this new connection. These new and extended existing routes will service both the Pentagon City and Crystal City Metro stations. The Metropolitan Park Design Guidelines includes provisions for these plans.

Bicycle Access: The design of 15th Street South includes on-street striped bicycle lanes, as a connection between Crystal Drive and South Joyce Street. The proposed cross-section of 15th Street South incorporates these lanes, and provides a width of five feet for each in both directions. Residential bicycle storage will be located in the parking garage, in secure lockers or storage areas, while the visitor and retail parking can be provided with on-street bike racks or
racks located in the parking garage.

**Transportation Demand Management Plan:** Consistent with site plan development and the County’s adopted TDM Policy, staff recommends that the developer implement a TDM program to encourage residents to utilize the local transportation system. Staff recommends, and the applicant agrees, that the applicant implement the standard TDM strategies that are briefly summarized below:

- **Transportation Coordinator:** The developer has agreed to designate a Property Transportation Coordinator to be a primary point of contact and with responsibilities for completing and coordinating TDM obligations. The Property Transportation Coordinator will submit an annual letter to the County Manager describing the TDM related activities of the preceding year.
- **Commuter Services:** The developer will provide an annual contribution to the Arlington County Commuter Services (ACCS) Program to sustain direct and indirect on-site and off-site services in support of TDM activities.
- **Transit Information Services:** The developer has agreed to distribute transit information including providing in the residential lobby an Electronic Transportation Kiosk to provide transportation and commuter-related information to residents, employees and visitors.
- **Parking Strategies:** The developer has agreed to implement parking management strategies such as providing a Coordinated Area Parking Plan for both garage and surrounding on-street parking. In addition, the developer has agreed to provide a Parking Management Plan which includes a description of visitor parking arrangements and management.
- **Transit Subsidy:** The developer has agreed to promote the use of transit for commuting to and from the site. SmarTrip cards will be provided for all tenants and property employees. Property employees will be eligible for a sustainable commute program.

**Utilities:** Adequate water and storm drain capacity is available to serve the proposed residential development. New connections and sewer laterals will be determined during the final engineering plan review.

The Master Utility Plan also recommends the removal of all aerial utility lines within the Parcel 3 boundaries. Consistent with site plan development and the Underground Utility Policy, new site plans and major amendments have included contributions to the Underground Utility Fund at $50,000 per acre. These funds are utilized to enable the County to fund underground utility projects along other undeveloped properties in the area. Staff recommends, and the applicant has agreed, that this approval be subject to a contribution of $128,339 ($50,000 x 2.56678 acres). Staff also recommends and the applicant agrees to relocate the existing aerial utilities located along South Fern Street frontage of the site to underground facilities.

**DISCUSSION:**
**Adopted Plans and Policies:** As described above, the site is subject to an approved Phased Development Site Plan, as well as a more detailed concept for the site included in the approved
Metropolitan Park Design Guidelines. This document sets forth both specific details for each portion of the block, including uses, heights, densities, location of retail, parking and service entrances, streets, and streetscape, as well as more general guidelines for such elements as building massing, architecture, building materials, signage, and park design.

Design and Site Layout: The Metropolitan Park Design Guidelines call for development in phase two to consist of one residential building, oriented north-south along South Fern Street. To the east of the building would be the central park, approximately 2/3 of which would be included in the phase two development. According to the Guidelines, the phase two building would be a maximum of 18 stories, pulled back from the new cross streets (13th and 14th Streets South). This phase would also include a new north-south street called South Fair Street (also called West Elm Street on some plans), and an alley along the eastern edge of the property, which would be replaced by the remainder of the park in a later phase of development. Retail and loading entrances would be on the north and south ends of the building, and the South Fern Street frontage of the building would have ground floor retail. The proposed project generally follows all these guidelines, but reverses the retail and loading entrances, which has no impact on the project.

The developer designed the facades of the proposed building to meet the architectural guidelines in the Metropolitan Park Design Guidelines, while providing some differentiation between the proposed building and the phase one building. The ground floor, pedestrian scale level of the proposed building is very similar to that of the phase one building, and the materials are also very similar. The proposed building also carries a cornice line above the fifth floor to relate to the phase one building. However, different proportions of the materials, a greater emphasis on vertical design, and glass, rather than height variations, break up the building mass, and clearly make it a different building.

The Metropolitan Park Design Guidelines show a residential building entrance running through the center of the building, from South Fern Street to the interior park. The developer designed this entrance as a major visual entrance to the park from the exterior of the Metropolitan Park block, with a two story, 28-foot high all glass lobby entrance on both sides of the building. While there was some community sentiment to design this as an open entrance, for instance an archway, the Metropolitan Park Design Guidelines do not call for this, and there was no consensus on the subject during development of the Metropolitan Park Design Guidelines. Staff has evaluated the benefit of providing an opening, or even public access, through the building. Staff concluded that more direct access is available for all pedestrians through the new blocks of 13th and 14th Streets South, unless they are crossing South Fern Street mid-block from the Costco block to the west of the site. Since crosswalks would likely be limited to 13th and 14th Streets South, mid-block crossings would endanger pedestrians and should not be encouraged. Staff therefore does not support public park access at this point, but supports provision of visual access through the building to the park, since physical access would be of limited benefit and would have safety impacts.

Density and Height: The proposed building would have 300 residential units instead of the plus/minus 285 as stated in the Metropolitan Park Design Guidelines. The developer has stated that it is likely that it would be difficult to fit all 425 residential units approved per the

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Metropolitan Park Design Guidelines into phase three of the project. The developer would be willing to commit to a reduction in phase three units to correspond to the additional 15 units in phase two over the number generally approved for phase two. Condition #77 revises the unit count in the Metropolitan Park Design Guidelines for phase three accordingly.

The developer has designed the eighteenth floor of the building to be stepped back on all sides of the building and faced in a metal and glass window system. In addition, the developer has proposed to construct 3,384 square feet of GFA on the penthouse level of the building, including swimming pool-related spaces and a party room. While this space is above the 18 story height recommended in the Metropolitan Park Design Guidelines, it does not include any living space, and this area counters the mechanical spaces on the roof to make the entire penthouse design symmetric. The bulk of the penthouse level space would be faced with a metal and glass window system, with precast and cast-in-place concrete above the two main masonry vertical elements of the building. Staff supports this use of the penthouse level.

Park/Landscaping: The Metropolitan Park Design Guidelines provides a conceptual design for the park. The applicant has proposed to closely follow the conceptual design in the proposed final site plan. Two issues emerged during public review of the site plan. The first is the specific focal point elements that would be located at the center of two “X” shaped pathways at the north and south ends of the park, and the second is two emergency egress stair structures that are required for the underground garage. Site Plan Review Committee (SPRC) members discussed issues including the location of these stair structures, as well as their design and whether they could serve multiple uses. SPRC members requested that a more detailed park design be brought back to SPRC for review and comment, and staff recommends that this design also be reviewed by the Parks and Recreation Commission and the Pedestrian Advisory Committee. The applicant agrees to Condition #72, which provides for these reviews.

Public Art: The Metropolitan Park Design Guidelines called for a master public art concept plan to be developed for the entire block. It would direct most or all of the public art contributions from the eight phases of Metropolitan Park to art on the block, with potentially a portion of the contributions directed to the block to the north, where a new conference center was planned. The applicant has agreed to contribute $75,000 toward public art with the proposed phase two site plan. The public art commitment for phase two would include the County’s standard process for art commissioned on site, with the option of a monetary contribution in lieu of commissioning art at the developer’s discretion. The art consultant process would also include development of a basic concept for public art for the entire Metropolitan Park block, to guide the public art contributions from phase one, phase two, and those of any subsequent contributions for use on this block from future phases.

Affordable Housing: In Condition #65, the applicant has agreed to comply with Section 36.H.6 of the Zoning Ordinance, which sets out the options among which site plan developers choose one, for contributions toward affordable housing. The options are affordable dwelling units that the developer could provide either on-site or off-site or a monetary contribution, the amount of which is based on a formula depending on project density.

The number of affordable units required is 5% of site plan density above 1.0 FAR for on-site
units, 7.5% of site plan density above 1.0 FAR within ½ mile of the project or within ½ mile of the nearest metro station if the project is located within a metro station area, or 10% of site plan density above 1.0 FAR elsewhere in the County. Estimated numbers of affordable units for each of these options are as follows:

- Estimated number of units for the on-site option is 12 units.
- Estimated number of units for the option to provide affordable units within ½ mile of the project site is 17 units.
- Estimated number of units for the option to provide affordable units elsewhere in the County is 24 units.
- The developer may propose any other off-site option to provide affordable housing for review by the Housing Commission and approval by the County Manager.

Monetary contributions are calculated at the following rate: $1.50 per square foot of GFA for the first 1.0 FAR, plus $4.00 per square foot of GFA from 1.0 to 3.0 FAR for residential use and $4.00 per square foot of all GFA above 1.0 FAR for non-residential uses, plus $8.00 per square foot of GFA above 3.0 FAR for residential use. Staff estimates the cash contribution for the developer’s proposal at approximately $1,187,000.

**Arlington Urgent Care Center:** Virginia Hospital Center operates the Arlington Urgent Care Center in a facility on the subject site pursuant to a site plan condition for the Virginia Hospital Center, approved in 2000. The urgent care center’s lease expires in June 2006. This facility would be required to close or relocate upon expiration of its lease or redevelopment of the site. The location and operation of the Center are not directly the responsibility of the applicant. Staff, the operator of the urgent care center, the applicant, and the underlying landowner of the subject site, have been working to resolve the question of the future of the center, by developing statistics on use of the center and engaging in the exploration of alternative sites. At this time, potential long term solutions include relocating to other space in South Arlington, including space in Crystal City, which appears to be the location of the majority of the center’s patients, or relocating to a new medical facility on the property of River House. These solutions would take from a few months to a few years to implement. A possible temporary solution would be relocation either to another portion of the Metropolitan Park block or to a site to the north of the Metropolitan Park block, which could be accomplished with a use permit or minor site plan amendment, depending on the site.

Regardless of the outcome of these efforts, the applicant has proposed two measures to provide assistance. The first is a six month extension of the center’s lease on the same terms as the current lease. The second is a contribution of $125,000 toward relocation expenses. Staff supports both measures, which will help to ensure a smoother transition for the urgent care center, and has included them as Condition #78.

**Modification of Use Regulations:** The applicant has requested modifications of use regulations for additional height. The site’s “C-O-2.5” zoning permits up to 16 stories for residential development by site plan. However, the Metropolitan Park Design Guidelines specifically calls for a residential building on the subject site with a maximum height of 18 stories, and the Pentagon City PDSP approval calls for building heights of above 16 stories on all of the phases.
of Parcel 3. Staff supports the modification of height as appropriate for this site plan. The “C-O-2.5” zoning district also permits the provision of elevator, mechanical and maintenance equipment, private clubs, auditoriums, meeting rooms, and restaurants on the penthouse level. The proposed party room use would be generally equivalent to the other uses specifically listed, and the rest rooms, lifeguard room, and storage for the rooftop swimming pool would reasonably need to be located adjacent to the pool. The applicant has designed the façade of the entire penthouse level to a very high level, consistent with the rest of the building, and staff supports the uses on the penthouse level as being consistent with the Pentagon City PDSP, which has already been approved for the proposed height. Therefore, no modification of regulations for height is needed.

COMMUNITY PROCESS: The applicant has attended three meetings of the Site Plan Review Committee.

The Transportation Commission heard the proposed site plan at its March 2, 2006 meeting, and recommended approval of the site plan request by a vote of seven in favor, none opposed, and one abstention. The recommendation included the following condition modifications:

- Condition #6: Require the South Fern Street sidewalk to remain open for pedestrians during construction. **Staff Response:** Staff and the applicant agree, and Condition #6 has been revised to include this requirement.
- Condition #18:
  - Clearly call out clear sidewalk widths. **Staff Response:** The applicant will clarify this.
  - Add handicap ramps at the mid-block of South Fair Street and remove two on-street parking spaces for provision of a mid-block crosswalk. **Staff Response:** Staff and the Planning Commission are concerned about maintaining the maximum number of on-site parking spaces. Therefore, staff recommends removing one space and adding a nub with a handicap ramp on the west side of South Fair Street, with a crosswalk and handicap ramp on the east site of South Fair Street.
  - Maintain sidewalk widths as approved in Design Guidelines. **Staff Response:** Since adoption of the Metropolitan Park Design Guidelines, there have been revisions to the fire code that dictate a wider travelway for access. In order to minimize disruption to the overall block plan, staff, the applicant, and the Planning Commission support the proposed widths of the South Fair Street sidewalks as described in the Pedestrian Access section of the report above and in Condition #18.

The Planning Commission considered the proposed site plan at its March 6, 2006 meeting. The Commission voted nine in favor and one opposed to support the site plan request with the following modifications:

- All public art contributions should be used on the Metropolitan Park block. **Staff Response:** Staff agrees that contributions for phases one and two should be used on site. Condition #63, regarding public art, does have a provision for a monetary contribution in lieu of commissioning art, which staff believes is important in case the project is sold to a
developer who does not have a commitment to commissioning art, which could result in an inferior art project.

- The applicant will make every effort to eliminate the emergency egress stairs in the park. **Staff Response:** Staff agrees, and the applicant is working with the Fire Marshal’s office to revise the garage to make these structures unnecessary.

- The applicant should design the parking garage door and visible interior walls of the garage ramp with maximum visual attractiveness. **Staff Response:** Staff and the applicant agree, and this has been included in Condition #18.

- The applicant will provide for the park size to be maintained due to increases in street width due to fire access requirements by reducing the dimensions of the phase 6 building. **Staff Response:** A total of 11 feet is required to be added to South Fair Street, and ultimately to South Elm Street when phase six is approved. Staff recommends making up two feet of this width by reducing sidewalk width by one foot each on the building sides of South Fair and South Elm Streets, leaving nine feet that must come out of some combination of the park and the phase six building. The applicant has agreed to remove three feet from the phase six building, and staff would like the opportunity to further evaluate the options and solutions for the remaining six feet separate from the subject site plan.

**CONCLUSION:** The applicant has worked to implement very closely the concepts and details of the *Metropolitan Park Design Guidelines*. The result is an attractive building that has its own design yet relates well to the Metropolitan Park phase one building currently under construction. This phase of Metropolitan Park would also result in the construction of the bulk of the major public benefit for the block—a public park. The applicant has also agreed to a lease extension and a contribution toward relocation of the Arlington Urgent Care Center located on the subject site and whose lease expires in June 2006. For these reasons among others, the proposed site plan would promote and protect the public health, safety, and welfare. Staff therefore recommends that the County Board approve the site plan request, subject to the following conditions.
CONDITIONS:

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.

- The following Conditions of site plan approval (#1 through #12) 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.

1. Site Plan Term
   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 Pentagon City PDSP, the Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003) and the revised plans dated February 10, 2006 and reviewed and approved by the County Board and made a part of the public record on March 14, 2006, 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. In the event of a conflict between these conditions and the revised plans and/or the Design Guidelines, these conditions and the revised plans shall control.

   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 and its 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 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.

2. Pre-Construction Meeting
   The developer agrees to conduct a pre-construction meeting, and to coordinate participation in the pre-construction meeting by the developer and its construction team, and relevant County staff. Relevant County staff will include staff from the Departments of Community Planning, Housing and Development (DCPHD) Planning, Zoning, Inspection Services; Transportation (DOT); Parks, Recreation and Community Resources (DPRCR); Environmental Services (DES (or their successor departments) and other departments as determined by the County Manager, prior to the issuance of any permits for the site plan. The purpose of the pre-construction meeting is to discuss the requirements of the site plan conditions.
3. **Intentionally Omitted**

**Tree Protection and Replacement**

a. 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.

b. 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. 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 #14 below, provided, however, that replacement as specified in this subparagraph does not relieve the developer of any violation resulting from the failure to save identified trees.

c. 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
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 #14a 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.

4. **Photographic Record of Development**

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 #51 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.

5. In addition to funding and constructing the utility undergrounding work, the developer agrees to contribute 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. The total utility fund contribution for this site is $128,339 ($50,000 x 2.56678 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 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.

6. The developer agrees to develop and implement (after approval) a plan for temporary pedestrian and vehicular circulation during construction including maintaining continuous pedestrian access along the east side of South Fern Street during construction. 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 submit this plan to, and obtain approval of the plan from, the County Manager 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.

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.

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.

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.

10. The developer agrees to file three copies of a site plan and the tabular information form, and digital copies on compact disc in JPEG, PDF, and DXF formats, 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.

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 who will serve as liaison to the community 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 either abuts the site or is across South Fern Street, 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 meeting with those whose property either abuts the project or is across South Fern Street 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 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. 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.
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 construction 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 9:00 p.m. on weekdays and will commence no earlier than 10:00 a.m. and end by 6:30 p.m. on Saturdays, Sundays, and holidays. “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. As of issuance of the first Certificate of Occupancy of the Metropolitan Park phase one building (Site Plan #105), construction activity as defined above shall end no later than 6:30 p.m. on all days. 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. 9:00 pm on weekdays or 6:30 pm Saturdays, Sundays, and holidays shall not be at a volume that would annoy or disturb reasonable persons of normal sensitivities. 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.

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 this 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.)
The following Conditions of site plan approval (#13 through #32) 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.

13. The developer agrees to submit to the Zoning Administrator and obtain approval from the County Manager a detailed final site development plan and a landscape plan prior to issuance of the Excavation/Sheeting and Shoring Permit. Approval of the landscape plan shall not include the focal/public art features or the design of the garage egress structures, which shall be approved prior to the above grade building permit per Condition #72. The final site development plan 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 #16 below, as well as a vicinity map with major streets labeled. The 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 plan, the landscape plan, and the 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 plan shall be consistent with the conceptual landscape plan approved as a part of the site plan, and, at a minimum, shall conform to: the landscaping requirements in Condition #14 below; the Rosslyn-Ballston Corridor Streetscape Standards if applicable; the Sector Plans if applicable; Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003); 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 Certificate of 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. 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. The developer shall obtain approval from the County Manager of the location and screening 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 shall be used per the Metropolitan Park Design Guidelines (January 23, 2004) 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 the adopted Sector Plans, the Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003) or 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 #50 below.

e. Topography at two (2) foot intervals, and 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), 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.

g. The location and planting details for street trees in accordance with Division of Transportation Standards and Specifications for planting in public rights-of-way and as shown on the approved final site engineering plan.
h. The limits of demolition and construction.

i. 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.

14. 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 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 #18 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. 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.

15. 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.

16. The developer agrees to submit final site engineering plans to the Division of Transportation. 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 Department of Transportation, as consistent with all site plan approval requirements and all County laws. 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 Department of Transportation for recording.

17. 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 following dimensions. 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. The developer agrees to construct at South Fern Street a 49-foot wide cross-section between face of curb on the east and west sides, providing one 10-foot wide travel lane in each direction, along with an alternating 10-foot left-turn lane, a 10-foot wide right turn lane, and an 7 1/2 -foot wide parking lane on the east side, as shown on the final engineering plan approved by the County Manager, or his designee.
The developer agrees to construct standard crosswalks and nubs along South Fern Street at the intersections with 13th Street South and 14th Street South and to provide standard crosswalks across South Fern Street at the intersections of 13th Street South and 14th Street South, as shown on the final engineering plan approved by the County Manager, or his designee.

b. The developer agrees to construct at 13th Street South a 29.5-foot wide cross-section between face of curb on the north and south sides, providing one 10-foot travel lane and an eight-foot parking lane in the westbound direction, and a 10-foot travel lane in the eastbound direction, as shown on the final engineering plan approved by the County Manager, or his designee.

The developer agrees to install brick or concrete paver crosswalks, along with all necessary resulting curb ramps, around the Phase II application property and as per the Crosswalk Plan in the Metropolitan Park Design Guidelines (January 23, 2004) as they may be amended and modified by the County Board from time to time, and as shown on the final engineering plan.

c. The developer agrees to construct at 14th Street South a 29.5-foot wide cross-section between face of curb on the north and south sides, providing one 10-foot travel lane and an eight-foot parking lane in the eastbound direction, and a 10-foot travel lane in the westbound direction, as shown on the final engineering plan approved by the County Manager, or his designee.

The developer agrees to install brick or concrete paver crosswalks, along with all necessary resulting curb ramps, around the Phase II application property and as per the Crosswalk Plan in the Metropolitan Park Design Guidelines (January 23, 2004) as they may be amended and modified by the County Board from time to time, and as shown on the final engineering plan.

d. The developer agrees to construct at South Fair Street a 28.5-foot wide cross-section between face of curb on the east and west sides, providing two 10-foot wide travel lanes and one seven-foot parking lane on the west side, as shown on the final engineering plan approved by the County Manager, or his designee.

The developer agrees to construct two standard crosswalks each at the intersections of South Fair Street with 14th Street South, and with 13th Street South. The developer also agrees to construct a nub mid-block on the west side of South Fair Street and standard crosswalk across South Fair Street. The above crosswalks shall be constructed per the Crosswalk Plan in the Metropolitan Park Design Guidelines (January 23, 2004) as they may be amended and modified by the County Board from time to time, and as shown on the final engineering plans.

The developer agrees that all curb ramps are to be perpendicular to the face of curb. 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 or his designee on the final Site Development and Landscape Plan and on the final Site Engineering Plan, in accordance with the Metropolitan Park Design Guidelines (January 23, 2004) as they may be amended and modified by the County Board from time to time, and the Metropolitan Park Project Booklet (November 12, 2003) or other applicable urban design standards in effect at the time of final Site Engineering Plan Approval; as shown on the site plan drawings dated February 10, 2006.

18. 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 on the final site development and landscape plan and final engineering plan, in accordance with the Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003), the Rosslyn-Ballston Streetscape Plan 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 along the street frontages of this development shall be consistent with the Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003), paved with scored concrete detailed with brick banding, brick, or an interlocking concrete paver and shall be placed on a properly-engineered base approved as such by the 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 paving pattern shall be slightly 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 Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003), 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:

**South Fern Street** - A minimum 17 1/2-foot wide sidewalk measured from the back of curb, including 5 foot by 12 foot tree pits, providing a 11-foot, 10-inch clear sidewalk. The tree pits shall be planted with 4 ½ inch caliper street trees (from the selection of broad deciduous street trees identified in the Metropolitan Park Design Guidelines (January 23, 2004) as they may be amended and modified by the County Board from time to time, and the Metropolitan Park Project Booklet (November 12, 2003)), and such ground cover as liriope muscarii, hypericum, calycinum (Aarons Beard), or juniperius
conferta (Shore Juniper), placed 28 to 32 feet apart on center or as otherwise approved by
the County Manager or his designee on the final site development and landscape plan and
a minimum of eight (8) inches back from the back of curb.

14th Street South - A minimum 34-foot wide sidewalk measured from the back of curb
along the north side with a 10-foot clear sidewalk and a minimum 15-foot wide sidewalk
measured from the back of curb along the south side with a 9-foot 4-inch clear sidewalk,
including 5 foot by 12 foot tree pits on both sides. The tree pits shall be planted with 4 ½
inch caliper street trees (from the selection of broad deciduous street trees identified in
the Metropolitan Park Design Guidelines (January 23, 2004) as they may be amended
and modified by the County Board from time to time, and the Metropolitan Park Project
Booklet (November 12, 2003)), and such ground cover as liriope muscarii, hypericum,
calycinum (Aarons Beard), or juniperius conferta (Shore Juniper), placed 28 to 32 feet
apart on center or as otherwise approved by the County Manager or his designee on the
final site development and landscape plan and a minimum of eight (8) inches back from
the back of curb.

13th Street South - A minimum 34-foot wide sidewalk measured from the back of curb
along the south side with a 10-foot clear sidewalk, including 5 foot by 12 foot tree pits,
and an approximately five-foot wide temporary sidewalk measured from the back of curb
along the north side. This temporary sidewalk will be reconstructed with phase 3 of
Metropolitan Park. The tree pits shall be planted with 4 ½ inch caliper street trees (from
the selection of broad deciduous street trees identified in the Metropolitan Park Design
Guidelines (January 23, 2004) as they may be amended and modified by the County
Board from time to time, and the Metropolitan Park Project Booklet (November
12, 2003)), and such ground cover as liriope muscarii, hypericum, calycinum
(Aarons Beard), or juniperius conferta (Shore Juniper), placed 28 to 32 feet apart on
center or as otherwise approved by the County Manager or his designee on the final site
development and landscape plan and a minimum of eight (8) inches back from the back
of curb.

South Fair Street - A minimum 12-foot wide sidewalk measured from the back of curb
along the east side with a 6-foot 4-inch clear sidewalk, and a minimum 14-foot wide
sidewalk measured from the back of curb along the west side with a 8-foot 4-inch clear
sidewalk, including 5 foot by 12 foot tree pits on both sides. The tree pits shall be
planted with 4 ½ inch caliper street trees (from the selection of broad deciduous street
trees identified in the Metropolitan Park Design Guidelines (January 23, 2004) as they
may be amended and modified by the County Board from time to time, and the
Metropolitan Park Project Booklet (November 12, 2003)), and such ground cover as
liriope muscarii, hypericum, calycinum (Aarons Beard), or juniperius conferta (Shore
Juniper), placed 28 to 32 feet apart on center or as otherwise approved by the County
Manager or his designee on the final site development and landscape plan and a
minimum of eight (8) inches back from the back of curb.

19. 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 and planting areas 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.

20. 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.

21. 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 inch 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.

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.

22. 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 Department of Transportation. This approval shall be obtained before the issuance of the Excavation/Sheeting and Shoring Permit.

23. 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. No water main improvements are required.

24. 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 shall connect the proposed sanitary sewer lateral to the existing 15-inch sanitary sewer in South Fern Street. The developer shall also abandon approximately 320-feet of existing 12-inch sanitary sewer along the South Fern Street frontage from the existing terminal manhole noted as "S7" on the One Metropolitan Park engineering plans to existing manhole # 8422. The developer shall reconnect all existing sanitary sewer laterals between the existing terminal manhole noted as "S7" on the One Metropolitan Park engineering plans to existing manhole # 8422 that are currently connected to the existing 12-inch sanitary to be abandoned, to the existing 15-inch sanitary sewer. Sanitary lateral reconnections shall include, but are not limited to, the Costco Tire Center.

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.

25. 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.

26. 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.

27. 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 16-feet, measured from the sidewalk to the base of the luminaire. The developer agrees to pay the cost of installing additional standard thoroughfare lights should the County decide that they are necessary to provide adequate lighting for street safety purposes.

28. The developer agrees to remove or place underground all existing aerial utilities within or along the periphery of the Phase II application property 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.

29. 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.

30. 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.

31. 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 include drawings for the parking garage door and the visible interior walls of the garage ramp that employ a high level of design and materials, for example glass in the garage door and/or not placing utilities on the visible interior ramp walls. 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. courtyards), 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 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. 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.

32. All required public deeds of easement and deeds of dedication shall be submitted to the Division of Transportation prior to the issuance of the Excavation/Sheeting and Shoring Permit, and be approved and recorded among the land records of the Clerk of the Circuit Court of Arlington County, by the developer before the issuance of the Final Building Permit. The developer agrees that there shall be no building construction within the easement area without approval by the County Manager or the County Board. Dedications granted by the developer for street and public right of way purposes and improvements shall be dedicated in easement, under the terms and standards set forth in Condition #70, fee simple to the County. Dedications granted by the developer for improvements, including, but not limited to, sidewalks, street trees, other streetscape plantings, and water, storm sewer, sanitary sewer, and other utilities, may be dedicated by easement to the County. The following conditions of site plan approval (#33 through #41) 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.

33. 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.

34. 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 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 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.

35. The developer agrees that all new electrical transformers shall be placed underground in vaults which meet Virginia Power standards. These vaults may be placed in the street right-of-way or in driveways if 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 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.

36. 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.

37. The developer agrees that all loading spaces shall be in the interior of the building and shall also comply with the following requirements: minimum 12-foot clear width (including entrances), 30 foot-length and 14-foot height clearance. Any loading dock to be used for trash removal shall have a minimum interior height clearance of 18 feet. All loading docks shall contain roll-down doors. Use of the loading dock for deliveries or trash pick-ups, excluding moving vans, shall be limited to the hours from 8:00 a.m. to
6:00 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.

38. The developer agrees that new parking garages shall be designed to allow access and use by vans. 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.

39. The developer agrees to ensure that all parking spaces comply with the requirements of Section 33 of the Zoning Ordinance. 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.

40. 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:**

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 space 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 75 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 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, and be located close to retail visitor/customer entrances or the closest retail vehicle parking spaces.

41. 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 encroach in 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 (#42 through #46) are valid for the life of the site plan and must be met by the developer before the issuance of the Final Building Permit.
42. 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.

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

44. The use of any penthouse shall be limited to uses shown on the plans dated February 10, 2006, as well as mechanical equipment and equipment maintenance space or telecommunication transmitter and/or receiver equipment as required in Condition #56 below.

45. The developer agrees to submit to the Zoning Administrator and the Operations Division of the Arlington County Police Department documentation that a Crime Prevention Through Environmental Design (CPTED) practitioner referred by the Police Department has reviewed and accepted the site plan for meeting CPTED design requirements.

46. 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 (#47 through #53) 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.

47. The developer agrees to develop and submit a comprehensive sign plan and that all exterior signs (including identification and directional signage) shall be consistent with the guidelines contained in "Sign Guidelines for Site Plan Buildings,” the Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003) 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 is approved. The developer agrees to obtain approval from the Zoning Administrator of the comprehensive sign plan before the issuance of the first Certificate of Occupancy and shall include both temporary and permanent wayfinding signs. All proposed rooftop signs, defined as all signs that are 35 feet or more above the ground, shall require a site plan approval or amendment.

The developer further agrees, without limiting the foregoing, that the only types of retail signs that shall be permitted shall be consistent with types of signs permitted by Section 34 of the Zoning Ordinance and the Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003) and shall include: building wall signs; blade signs; window signs; carved, painted or sculptural signs; canopy or awning signs; logo signs; and, permanent quotes on building walls and blade signs.
Individual tenants must apply for and obtain sign permits, including the design, colors, and materials of the signs, which shall be reviewed by the Zoning Administrator or his designee to ensure consistency with the comprehensive sign plan.

48. The developer agrees to develop and implement a Transportation Management Plan (TMP). The developer agrees to obtain the approval of the County Manager or his designee for such plan as outlined in the attached letter from [applicant] dated [date] to [staff] and the attachment thereto prior to the issuance of the first Certificate of Occupancy. The Transportation Management Plan shall include a schedule for and details of implementation and continued operation of the elements listed in the letter in the plan. The Transportation Management Plan shall include, but not be limited to, the following strategies:

**Program Participation and Funding**

Maintain membership in Arlington Transportation Partners (ATP), or successor entity, at no cost to the developer, on behalf of the property management company.

a. Designate a member(s) of building management as Property Transportation Coordinator to be a primary point of contact and with responsibilities for coordinating and completing TDM obligations.

b. Provide SmarTrip cards on a one-time basis, at a maximum cost to the developer of $5.00 per card, per person, for free to tenants signing leases and employees of the property management company for a period of ten years.

c. Contribute to the Arlington County Commuter Services (ACCS) formerly Commuter Assistance Program (CAP) to sustain direct and indirect on-site and off-site services in support of TMP activities for the residential building as follows: annual contributions of $10.00 per residential unit and $0.10 per square foot of occupied commercial space per year for a maximum total of $5,000 per year for a period of ten (10) years. Payment on this commitment will begin as a condition of issuance of the first Certificate of Occupancy for the first finished unit in the completed building. Subsequent payments will be made each year on the anniversary of the issuance of the first certificate of occupancy.

d. Provide or administer a sustainable commute benefit program for residential management employees working at the site, (which program shall include, at a minimum, at the developer’s option, pre-tax employee contributions and/or MetroChex contributions of at least $40 per month) for a period of ten years.

**Physical Facilities and Improvements**

e. Provide in the first floor residential common area, an Electronic Transportation Kiosk, the content/design/location of which shall be approved by the developer. The kiosk may include both a static display with printed materials and/or a
dynamic display with direct electronic link to CommuterPage.com™ to provide transportation and commuter-related information to residents, employees and visitors.

f. Maintain at least one on-site business center (including at a minimum, access to copier, fax and internet services), which shall be made available to support residents of the building who choose to work from home.

g. Comply with requirements of Site Plan conditions to provide bicycle parking/storage facilities, a parking management plan and construction worker parking.

h. Provide for taxi passenger loading and unloading (and a means to call, such as an operator provided hotline or access to a public telephone) at the main entrance to the residential building as approved by the Site Plan.

i. Designate an accessible paratransit pickup, drop-off and passenger waiting area at the main entrance to the residential buildings to be designated with appropriate signage, for use by building tenants, visitors and employees. The developer shall provide an accessible pathway to the area and sufficient space for loading and unloading of wheelchairs from vans.

j. Comply with requirements of Site Plan conditions to provide effective directional signage (parking, deliveries, taxi stand, etc.) to direct residents and visitors to appropriate locations on the property.

Parking Management Plan

k. Provide a Coordinated Area Parking Plan in conjunction with Traffic Engineering for both garage and surrounding on-street parking. In addition, provide a Parking Management Plan that includes a description of visitor parking arrangements and management. The plans prepared, as part of the 4.1 processes will be used to meet this required.

l. Comply with requirements of the 4.1 Site Plan submission to make three parking spaces available for rent at market rate to a car sharing service.

Promotions, Services, Policies

m. Distribute transit information to residents and visitors (and extend requirement to on-site businesses) to include the following items. In no event shall the Transportation Management Plan require the developer to seek or obtain County approval of the developer’s marketing information:

   1) Distribute in a new-resident package material that includes site-specific
transit-related information to each person signing a lease.

2) **Place a reference to Pentagon City and Crystal City Metro Station in promotional materials and advertisements.**

3) **Distribute information in recruiting and employment materials regarding commute options and assistance services available.**

4) **Implementing a transit-advertising program that will distribute information four times per year to all residents, tenants, employees, and visitors.**

5) **Participate in Ozone Action Days and other regionally sponsored clean air, transit and traffic mitigation promotions by posting notice of such promotions in locations within the building acceptable to the developer.**

n. **Provide website hotlinks to CommuterPage.com™ under a “transportation information” heading from the developer and property manager’s websites regarding this development.**

**Performance and Monitoring**

o. **Conduct one transportation performance monitoring study for the site two years after issuance of the first Certificate of Occupancy. Provide a report summarizing findings to the County. All data collection for this study must occur on the same day and include a determination of mode split, average vehicle occupancy, daily person vehicle trips to and from the site, and all vehicle parking demand and availability by time of day for the site.**

p. **Submit on each anniversary of the first Certificate of Occupancy an annual letter to the County Manager describing the TMP related activities of the preceding year.**

49. 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.

For condominium units, the developer also agrees to provide at least the minimum number of handicapped spaces required by the International Building Code then in effect, as adopted and amended by the Virginia Uniform Statewide Building Code, in the residential garage for the life of the site plan. These designated spaces, designed to accommodate handicapped use, may be sold to qualified purchasers (owner of a vehicle with handicapped license plates) or non-qualified purchaser, but if a future qualified purchaser demands one of the designated spaces, the developer shall have in place a mechanism that allows said qualified purchaser to exchange a non-handicapped space.
that said qualified purchaser bought as part of his/her condominium purchase for one of
the remaining designated spaces that is not already owned by a qualified purchaser.
This exchange must take place if and only if all designated spaces are not already owned
by qualified purchasers, or upon sale of a designated space from a qualified owner to a
non-qualified purchaser. Prior to the issuance of the first certificate of occupancy for any
occupancy of the building as a condominium, the developer agrees to obtain from the
Zoning Administrator approval of such a mechanism as meeting the standards of this
approval. This approved mechanism shall be incorporated into the condominium or
homeowners’ association documents to be implemented for the life of the project. The
developer further agrees to inform all prospective purchasers of their right to obtain a
handicapped parking space with the purchase of a condominium unit, provided all
handicapped spaces are not owned by qualified persons. If all designated spaces are
owned by qualified persons at the time of demand by a qualified purchaser, this exchange
must take place upon any sale of a designated space from a qualified owner to a non-
qualified purchaser.

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 15 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.
50. 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 #27 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 by 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.

51. 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.

52. 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.

53. The developer agrees to make a contribution to the County’s Green Building Fund of $10,534 ($0.03 X 351,118 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.

- **The following condition of site plan approval (#54) 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.**

54. 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 (#55) is valid for the life of the site plan and must be met by the developer within 90 180 days of receipt of the partial Certificate of Occupancy for full occupancy of the building.**

55. The developer agrees to obtain a Master Certificate of Occupancy within 90 180 days of receipt of any partial Certificate of Occupancy for full occupancy of the building.

- **Post Certificate of Occupancy: the following Conditions of site plan approval (#56 through #61) are valid for the life of the site plan.**

56. In order to maintain the effectiveness of the County's public safety systems, the County reserves 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 at no charge to the County 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.

57. The developer agrees that any structural addition shall be subject to the approval of the Zoning Administrator consistent with Section 36.H.2.c of the Zoning Ordinance. If the Zoning Administrator determines that any proposed improvements 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.

58. 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.

59. 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.

60. The developer agrees to provide parking for each building 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 shall continue to be committed to the entire project for purposes of administering the Zoning Ordinance.

61. 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 (#62 through #79) are valid for the life of the site plan and must be met before the issuance of the permit specified in each Condition.

62. Retail Elements
   a. The developer agrees to implement the broad retail attraction and marketing plan (RAMP) developed for the entire development per Condition #59 of the phase one development of Metropolitan Park, for the approximately 8,119 square feet of retail space located on the first floor of the residential building. Any change in the use of the retail space from retail to office or other non-retail use shall require a site plan amendment.

   b. 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 frontage. These elements shall include, but not limited to: approximately 14 foot floor-to-ceiling heights, as shown on the plans dated February 10, 2006; access to the service areas as shown on the plans dated February 10, 2006; direct street frontage and access; 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. As part of the broad retail attraction and marketing plan for the entire development as mentioned above and as per the Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003), the developer agrees to include appropriate loading and service corridor facilities internally.
c. The developer agrees that all retail storefronts along public rights-of-way, as shown on plans dated February 10, 2006, are required to have an overall minimum transparency of 50%. 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 on primary retail streets (South Fern Street and 12th Street South) and 50% on secondary retail streets. 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. To support transparency, retailers will be encouraged to locate merchandise cases at least 3 feet from the window frontages; to limit window displays to 4 feet in height; locate tables along window frontages; and for service establishments, service counters be located toward the rear or side of the store. Display cases, rear of shelving, interior walls, and non-activity areas shall be oriented away from the transparency areas. A tenant may either specify and receive approval within the RAMP or apply to the County Board for a site plan amendment for an exception to this condition.

d. The developer agrees to implement, per the RAMP, a Truck Delivery Management Plan. The Truck Delivery Management Plan shall address factors including, but not limited to, the delivery hours, routes and management control of truck deliveries and pick-ups, and identification of an on-site liaison between the neighborhood and the retail management office. This plan shall also state that delivery, loading and trash removal for retail uses shall occur on South Fern Street which shall have parking restrictions during the morning and evening. This on-street area shall be relocated to 14th Street South as per the phasing set forth in the Metropolitan Park Design Guidelines (January 23, 2004) and the Metropolitan Park Project Booklet (November 12, 2003).

63. The developer agrees to commission a professional artist to create public art in the Metropolitan Park central park for a minimum cost of $75,000, inclusive of artist fees, fabrication, installation, transportation, artist travel/expenses but exclusive of art consultant fees, fees for coordinating with artist or with other design professionals on the project (architect, landscape architect, engineer, etc.), and other in-house costs or fees. The public art shall respond to the themes and priorities discussed in the Public Art Master Plan (adopted December 2004) in support of the goals of the Public Art Policy (adopted September 2000). If the commission is made after 2006, the minimum cost will be adjusted from 2006 dollars based on the Consumer Price Index.

The developer agrees to obtain the approval of the County Manager for the process to be followed in the selection of artist, art proposal development, maintenance plan, placement and design of informational signage in accordance with Public Art Program signage specifications, and then to implement that approved process. The developer will retain a public art consultant to coordinate the artist selection process. In addition to coordinating the artist selection process, the public art consultant and/or artist, at the discretion of the
The developer, will develop a public art concept plan, in accord with the Public Art Master Plan, to include a description and diagram of opportunities for integrating public art within the Metropolitan Park site, and an implementation timeline for the construction and installation during the phased construction.

The developer agrees to notify the County Manager when the artist selection process is about to begin. The County Manager at his option may, within 15 business days following receipt of this notification, request that a panel process be undertaken and designate panel members to be included or artists to be considered. If requested, the developer agrees to use a panel to select the artist and the art. The panel used by the developer will consist of at least three persons, up to two of whom may be professional artists or arts professionals, as defined by the County, and should include representatives from the developer’s project team, including architect, landscape architect and other design professionals. The developer agrees to include in its panel those persons designated by the County Manager and to compensate them at a reasonable hourly rate agreed to by that individual.

The selection panel will consider at least three different artists for the commission, including any named by the County Manager as set forth in this condition. The developer agrees that artists who are currently under contract in the County will not be eligible for commissions for public art within four years after the time of signing a contract or otherwise being initially engaged to create public art. The developer agrees to present its or the panel’s choice of artist to, and obtain approval of this choice from the Arlington Commission for the Arts/Public Art Committee (ACA/PAC). The developer further agrees to present the art proposal to, and obtain approval from, the ACA/PAC. The art proposal shall consist of visual and written representations of the public art, its proposed location within the site, list of materials, proposed maintenance plan, and an itemized budget. The developer further agrees to resubmit the art proposal to reflect any revisions made in response to any recommendations made by ACA/PAC to the County Manager. The process described in this paragraph shall be completed prior to the issuance of the above grade building permit. The public art shall be installed prior to the issuance of the Certificate of Occupancy for the top floor of the building.

In order to prevent the public art from conflicting with other elements of the site plan, the developer also agrees to represent the public art, if feasible, on the landscape plan, building elevation or other plan that represents the site of the art, in the normal course of submission of such plans as provided for in these site plan conditions, or alternatively, on a revision of the landscape plan per Condition #72, building elevation or other plan that represents the site of the art, if the original plan has already been approved. The plan(s) on which the art is represented will be determined based upon the art’s chosen location within the site plan.

The developer may choose to make a contribution of $75,000 to the Public Art Fund to fund County-initiated public art projects in the Pentagon City Metro Station Area in lieu of commissioning public art through the process set forth above. Such contribution shall be made to the Public Art Fund prior to issuance of the first above grade building permit. If the contribution is made after 2006, the contribution amount will be adjusted from 2006 dollars based on the Consumer Price Index.
64. Outdoor cafes shall be permitted in the public right-of-way or within public easements along South Fern Street, 13th Street South, and 14th Street South 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 eight (8) feet of clear sidewalk width must be maintained along South Fern Street and ten (10) feet along 13th Street South and 14th Street South. Plans for all outdoor cafes shall be subject to prior administrative approval by the Zoning Administrator for consistency with County ordinances, regulations and policies. Plans for the outdoor cafes shall include delineation of the seating area and the maximum number of seats, and shall comply with applicable standards outlined in Section 31 of the Zoning Ordinance. Any outdoor café 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.

65. 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.”

66. Building Security Requirements

a. The developer agrees to coordinate with County staff on the design of exterior building security measures in order to limit or mitigate any adverse impacts that these measures may have on the project's urban design (including street and retail base) and streetscape. All exterior building security measures shall be shown on, and approved as part of, the final site development and landscape plan and the approved façade treatment plan. The base of the buildings, as shown in the drawings dated February 10, 2006, and consistent with Condition #62 above, have been designed to accommodate retail uses and provide interest and activate the streetscape. Any change in the use and design of the base resulting from any proposal for exterior building measures shall require a site plan amendment.

b. The developer agrees that it is the policy of the County to maintain the maximum number of on-street parking spaces around the perimeter of a site, and that it will not remove or reduce the number of on-street parking spaces around the perimeter of a site whether at the request of the developer or a tenant or otherwise. Accordingly, the developer agrees that it shall notify tenants of the aforesaid policy prior to execution of any lease with a tenant.

67. The developer agrees to obtain approval of the County Manager of a phasing plan prior to the issuance of any building permits for the site plan, and to implement the approved plan. During the phasing of construction, the developer further agrees to appropriately maintain the site and any buildings located within it. This shall include, but not be limited to, maintaining landscaping, keeping the grass mowed, and removing litter and debris from the site. Until the buildings are demolished, the developer agrees to maintain access on the site for fire emergency vehicles. Improvements required by these site plan conditions shall be constructed in phases, consistent with the phasing plan for
The developer agrees that no balconies, other than those identified in the approved site plan, shall be enclosed. Enclosure of any additional balconies shall constitute additional gross floor area and shall require a site plan amendment.

The developer agrees to hire 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 seven (7) LEED Prerequisites and 25 LEED credits. The developer agrees to use commercially reasonable efforts to achieve additional LEED credits which would qualify the building for certified levels.

For residential development, the developer agrees that all of the following types of appliances, fixtures, and/or building components used in the project shall have earned the U.S. EPA’s Energy Star label: clothes washers, dishwashers, refrigerators, ceiling fans, ventilation fans (including kitchen and bathroom fans), light fixtures (halls and common areas), and exit signs. To further enhance energy efficiency, the developer shall choose two of the types of components listed and all of those two types of components installed or used in the project shall be Energy Star qualified: programmable thermostats (in residential units); residential light fixtures; windows and doors; and HVAC systems. The developer shall submit to the County Manager a statement listing all Energy Star qualified components prior to issuance of the Core and Shell Certificate of Occupancy.

The developer further agrees to submit, to the County Manager, a report prepared by the LEED consultant and documentation upon request to substantiate the report. Such report 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:

- Demolition Permit
- Excavation, Sheeting and Shoring Permit
- Footing to Grade Permit
- First Above Grade Building Permit
- Final Building Permit
- Shell and Core Certificate of Occupancy
- Certificate of Occupancy for occupancy of the last floor of space
- Master Certificate of Occupancy

In addition, prior to issuance of the first Certificate of Occupancy after the Shell and Core Permit, the developer will have its LEED consultant submit a certification to the County
Manager that the elements to earn the above specified numbers of points have been included in the buildings.

70. The developer agrees to grant, for the life of the overall Metropolitan Park site plan a permanent public use access easement to the County Board of Arlington County for the benefit of the County and the public at large, for access to and use, at all times, except as necessary for street maintenance and repairs, of the streets, and sidewalks adjacent to South Fair Street and 13th Street South prior to the issuance of the first Certificate of Occupancy allowing tenant occupancy. The developer agrees that the County shall have the right to use and control the streets to the same degree as any other streets in the County system. The public access easement shall not obligate or require the County to construct or maintain the street or sidewalks (which shall be the developer’s responsibility pursuant to Condition #16 and shall include snow removal), but shall permit public use of the easement areas for street, sidewalk, utilities (to the extent such utilities are not inconsistent with other utilities required by this site plan as approved in the final site engineering plan), and related purposes and shall permit the County to regulate traffic and parking. The public access easement shall provide, among other things, that the grantor, its successors and assigns, shall indemnify and hold harmless the County Board, its elected and appointed officials, employees and agents from any liability, claims, damages, costs and expenses of whatever nature concerning or arising out of the construction, maintenance, and regulation of the private street by the developer and use thereof by the general public and the developer or grantor except to the extent said liability, claims, damages, costs and expenses are caused solely by the negligence of the County. Upon the issuance of the first Certificate of Occupancy for tenant occupancy of any part of the last building of Parcel 3 of the Pentagon City PDSP, the applicant shall dedicate the following streets (13th Street South and South Fair Street) to Arlington County in fee simple subject to the existence of, and right to maintain the approved and constructed encroachments.

The public access easement shall be granted by deed, in form and substance acceptable to the County Manager and the County Attorney, shall include the terms of the easement as set forth in this condition, and shall be recorded among the land records of the Clerk of the Circuit Court of Arlington County. Improvements of South Fair Street and 13th Street South shall be completed prior to the issuance of the first Certificate of Occupancy allowing tenant occupancy for any building that fronts on the private street. The developer shall be, and the public access easement shall state that the developer will be, responsible for maintaining South Fair Street and 13th Street South.

71. The developer agrees to grant a public use access easement to the County Board of Arlington County for the benefit of the County and the public at large, for access to and use, at all times, except as necessary for park maintenance and repairs, by the County and the public at large, of the park, identified in the Metropolitan Park Design Guidelines (January 23, 2004 as they may be amended and modified by the County Board from time to time) and the plans dated February 10, 2006, bounded by South Fair Street, 13th Street South, and the east property line for phase 2 prior to the issuance of the first Certificate of Occupancy allowing tenant occupancy. The developer agrees to work
jointly with the County to program the park to the same degree as any other passive-use public parks in the County system, which may include any appropriate signage clarifying the public nature of the park and special events sponsored by both parties. The public access easement shall not obligate or require the County to construct or maintain the park (which shall be the developer’s responsibility pursuant to Condition #13), but shall permit public use of the easement areas for park related purposes. The public access easement shall provide, among other things, that the grantor, its successors and assigns, shall indemnify and hold harmless the County Board, its elected and appointed officials, employees and agents from any liability, claims, damages, costs and expenses of whatever nature concerning or arising out of the construction, maintenance, and regulation of the park by the developer and use thereof by the general public and the developer or grantor except to the extent said liability, claims, damages, costs and expenses are caused by solely the negligence of the County.

The public access easement shall be granted by deed, in form and substance acceptable to the County Manager and the County Attorney, shall include the terms of the easement as set forth in this condition, and shall be recorded among the land records of the Clerk of the Circuit Court of Arlington County. Improvements to the park shall be completed prior to the issuance of the first Certificate of Occupancy allowing tenant occupancy. The developer shall be, and the public access easement shall state that the developer will be, responsible for maintaining the park bounded by South Fair Street, 13th Street South, 14th Street South, and the east edge of phase 2.

In addition, the developer agrees that the permanent name for the above-mentioned park will be designated in accordance with the Arlington County Policy for Naming and Renaming of County Facilities and Parks adopted on July 10, 1999 or the then-current Arlington County Park Naming Policy.

72. Prior to issuance of the above grade building permit, the developer agrees to obtain review and comment from the Site Plan Review Committee, the Parks and Recreation Commission, and the Pedestrian Advisory Committee on the focal point and public art elements of landscape plan, as well as final design of the garage egress structures. Further, the developer agrees to submit a revised landscape plan including the above items to the Zoning Administrator and obtain approval from the County Manager prior to issuance of the above grade building permit.

73. 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.

74. 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 set back from the sidewalk a minimum distance of six (6) inches.

75. The developer agrees to develop procedures, subject to approval of the County Manager, whereby uniformed Arlington County Police will be authorized to enter the parking areas for purposes of enforcing compliance with County ordinances and state laws applicable to resident's motor vehicles.

76. 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.

77. The developer agrees that the residential unit count per the Metropolitan Park Design Guidelines (January 23, 2004) will not exceed 1,110 for phases 1, 2, and 3 combined.

78. The developer agrees to extend the lease for the Arlington Urgent Care Center, at the current terms, until December 31, 2006, or later at the discretion of the developer, subject to the agreement of the Arlington Urgent Care Center. The developer further agrees to contribute $125,000 to Arlington County toward the relocation of the Arlington Urgent Care Center to another location in South Arlington. The developer shall make this contribution within 30 days of written request by Arlington County, but no later than December 31, 2006.

79. The developer agrees to preserve the view corridor through the residential lobby by minimizing obstructions such as walls, partitions, large furniture, and similar items and by the placement of the reception area in a manner to minimize its visual impact. Notwithstanding the foregoing, the second floor walkway shall be permitted as shown on the drawings dated February 10, 2006.
PREVIOUS COUNTY BOARD ACTIONS:

February 25, 1976  
Rezoned Pentagon City Tract - properties bounded on north by Army Navy Drive; on west by South Joyce Street; on south by Arlington County property and 15th Street South; and on east by South Eads Street; excluding the Western Electric property - from "RA7-16," "RA6-15," "C-O," and "M-1" to "C-O-2.5."

Rezoned 1601 South Hayes Street (future fire station) from "RA7-16" to "S-3A." Rezoned 1500 block of South Hayes Street through to South Joyce Street including adjoining County owned property on South Joyce Street from "R2-7" to "S-3A." Rezoned 1500 and 1600 blocks to South Hayes through to South Fern Street from "RA7-16" to "RA4.8."

Rezoned 621 - 18th Street South from: S-3A" to "C-O-2.5."

Approved Pentagon City Phased Development Site Plan (PDSP).

May 20, 1982  
Approved amendment to PDSP to transfer 200,000 and 290,000 square feet of gross office floor area from Parcels 2 and 3, respectively, to Parcel 1, and the transfer of 670 dwelling units from Parcel 1 to Parcel 3. (Conditioned on agreement being reached with MCI for use of the transferred space.) Reduced office and commercial parking requirement unless otherwise approved in final site plans.

September 11, 1982  
Approved Amendment to PDSP to permit temporary uses accessory to construction (eating facilities) on Pentagon City Tract.

July 11, 1984  
Approved a Phased Development Site Plan Amendment to redefine parcel boundaries, increase retail density, transfer 47,500 square feet of retail density from Parcel 3 to Parcel 1 and 2 and modify several conditions.

Approved a Final Site Plan for a shopping mall (1,019,300 square feet), a hotel (450 units), an office building (172,000 square feet) and 4,173 parking spaces.

Approved a Final Site Plan amendment to amend the boundaries of Parcel 2C.
<table>
<thead>
<tr>
<th>Date</th>
<th>Action Description</th>
</tr>
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<tbody>
<tr>
<td>August 18, 1984</td>
<td>Approved a Phased Development Site Plan amendment to reduce the number of hotel units on Parcels 1B and 2B from 600 to 450 and on Parcel 1D from 1,100 units to 882 units.</td>
</tr>
<tr>
<td>May 16, 1992</td>
<td>Approved PDSP amendment to permit the uses allowed on M-1 to continue until redevelopment occurs, for 10 years.</td>
</tr>
<tr>
<td>September 12, 1992</td>
<td>Approved PDSP amendment to permit operation of temporary uses accessory to construction (i.e., eating facilities for construction workers, subject to original conditions and a review in three (3) years.</td>
</tr>
<tr>
<td>April 9, 1994</td>
<td>Approved PDSP amendment to permit the uses allowed on M-1 to continue until redevelopment occurs, subject to no new floor space being created outside the existing building envelop for a period ending on July 31, 2004.</td>
</tr>
<tr>
<td>September 9, 1995</td>
<td>Approved PDSP amendment to permit operation of temporary uses accessory to construction (i.e., eating facilities for construction workers, subject to original conditions and administrative review in five years (September 2000).</td>
</tr>
<tr>
<td>May 20, 2000</td>
<td>Accepted withdrawal of Site Plan Amendment SP #105 to permit an urgent care center, hospital storage facility and print shop, including signage, at 1311 South Fern Street.</td>
</tr>
<tr>
<td>October 19, 2002</td>
<td>Deferred PDSP amendment to permit the continuation of “M-1” uses to November 16, 2002.</td>
</tr>
<tr>
<td>November 16, 2002</td>
<td>Deferred PDSP amendment to permit the continuation of “M-1” uses to December 7, 2002.</td>
</tr>
<tr>
<td>December 7, 2002</td>
<td>Approve PDSP amendment to permit the continuation of “M-1” uses to expiration dates from December 31, 2005 through December 31, 2015.</td>
</tr>
<tr>
<td>February 10, 2004</td>
<td>Approved Metropolitan Park Design Guidelines dated January 23, 2004 and approved a final site plan for a new building with approximately 399 dwelling units and ground floor retail.</td>
</tr>
</tbody>
</table>