



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of June 12, 2004**

REVISED REPORT

DATE: ~~June 9, 2004~~ June 15, 2004

SUBJECT: U-3079-04-01 USE PERMIT REQUEST for approval under the Columbia Pike Form Based Code, with appropriate modifications for building height, building placement, alley location, and streetscape details for 2906-2922 and 2926 Columbia Pike (RPC # 32-006-009, -010, -012, -013, -015, -016, -020).

REVISION EXPLANATION: The staff report has been revised to reflect additional recommendations and information regarding possible public financial participation in the project to implement public improvements in accordance with the Tax Increment Public Infrastructure Fund (TIPIF) Policy.

Applicant:

Columbia Station, LLC
8405 Greensboro Drive, Suite P130
McLean, VA 22102

By:

M. Catharine Puskar
Walsh, Colucci, Lubeley, Emrich & Terpak, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, VA 22201

C.M. RECOMMENDATION:

- A. Approve the use permit application, in accordance with the Columbia Pike Form Based Code (Section 20 of the Zoning Ordinance) with appropriate modifications for building height, building placement, and streetscape details, subject to the conditions in the staff report.

- B. Adopt the attached resolution authorizing the County Manager to negotiate and execute development agreements, as necessary, ~~and subject to County Board approval,~~ to facilitate the creation of public or shared parking, and to implement

County Manager: _____

County Attorney: _____

Staff: Richard Tucker, DCPHD
Dave Robinson, DPW

PLA-3677

other public infrastructure improvements ~~or community benefits~~, consistent with the Tax Increment Public Infrastructure (TIPIF) Policy with an overall funding amount not to exceed \$6.0 million and within the parameters set forth in the resolution.

- C. Authorize the County Manager to initiate the acquisition of right-of-way, design, and construction recommendations for the creation of 11th Street South, between Walter Reed Drive and South Highland Street. The estimated cost of 11th Street South is approximately \$1.3 million.

ISSUES: Should the proposed project include the construction of 11th Street South, which is an important component of the street network within the Town Center area? Should additional parking be built to address anticipated needs?

SUMMARY: The applicant is requesting Use Permit approval of a 257-unit condominium building with approximately 42,350 square feet of ground floor retail. The subject property is located within the Columbia Pike Special Revitalization District and is eligible for redevelopment using the Columbia Pike Form Based Code (FBC). The area within the subject property proposed for development includes the Arlington Hardware building (2906-2922 Columbia Pike), which was listed as an Historic Structure in the adopted FBC. In a separate staff report, staff has recommended that the Arlington Hardware building be reclassified as an Historic Façade, rather than an Historic Structure. The applicant has agreed to preserve the existing façade and incorporate it into the proposed new building.

The applicant proposes to demolish the building at 2926 Columbia Pike, which is the current home of the Arlington Free Clinic. The Arlington Free Clinic (the Clinic) is proposed to be relocated by the developer within the site in a portion of the new retail space to be created, which will allow the Clinic to continue to provide needed free and low-cost medical services to Arlington residents long-term.

The parking areas behind the Arlington Hardware building along South Walter Reed Drive, and the adjacent Dominion Virginia Power substation, are also part of the proposed site. The applicant is proposing to relocate and replace equipment off-site and re-engineer the electrical distribution network so that the substation would no longer be needed. The “Old Bank Building” on the corner of Columbia Pike and South Walter Reed Drive (now operating as Blanca’s Restaurant) is not part of this redevelopment project and will remain. The applicant has requested that a portion of the public alley behind Arlington Hardware (and not the portion of the alley behind Blanca’s Restaurant) be vacated. This matter is addressed in a separate staff report.

The proposed project will include 449 parking spaces, 128 of which will be available on a non-reserved basis at all times for visitors or shoppers in the area. This is the first opportunity to achieve the objective of creating a philosophy of shared parking along Columbia Pike.

The project conforms to the FBC, adopted by the County Board in February 2003 (See attached Form Based Code Project Review Checklist). The proposed development is also consistent with

the General Land Use Plan (GLUP) and the vision for Columbia Pike, as expressed in the Columbia Pike Initiative – A Revitalization Plan.

In order to facilitate this signature project in the Columbia Pike Town Center, use of the County's TIPIF Policy is recommended in order to achieve the range of public improvements desired as part of this project and to achieve the vision for revitalization. This includes the development of a phase of South 11th Street. The exact allocation and amount of public investment is still under review in order to achieve the full range of benefits outlined in this report, consistent with legal parameters. Final approval of the public investment is subject to County Board approval and will be fully reimbursed through the increased tax revenue which will be generated by the private investment in this project.

BACKGROUND: Under the FBC, projects involving sites greater than 40,000 square feet in area must be approved by Use Permit, subject to staff review and community input.

Site: The 70,508 square foot site is bounded on three sides by Columbia Pike, South Walter Reed Drive, and (proposed) 11th Street South.

Zoning: The site is zoned "C-2" Service Commercial - Community Business Districts, and is eligible, by reference, to be developed using the "CP-FBC" Columbia Pike Form Based Code District.

Land Use: The site is designated on the GLUP as "Service Commercial", which permits personal and business services of generally one to four stories and a maximum 1.5 F.A.R. with special provisions within the Columbia Pike Special Revitalization District. This project is located within the Columbia Pike Special Revitalization District.

Neighborhood: The site is within the Douglas Park Civic Association. Community review was coordinated through the Columbia Pike Revitalization Organization (CPRO) and included the Columbia Heights Civic Association, the Arlington Heights Civic Association, and the Penrose Civic Association in addition to Douglas Park.

Proposed Development:

	Required	Proposed
Site Area: 70,508 sq. ft.		
Density		
Total GFA		330,750 s.f.
Columbia Pike Form Based Code Requirements		
Height	<ul style="list-style-type: none"> • Main Street – Up to 8 stories (6 stories plus 2 stories on sites incorporating historic structures / facades, 94 feet) • Live / Work (Plus) – Up to 6.5 stories (4.5 stories plus 2 stories on sites incorporating historic structures / facades) 	<ul style="list-style-type: none"> • 8 Stories [Main Street frontage] • 6.5 Stories [Live / Work (Plus) Frontage]
Parking		
Residential (reserved) spaces	257 spaces*	301 spaces
Retail (reserved) spaces	8 spaces	20 spaces
Residential (shared) spaces	33 spaces	33 spaces
Retail (shared) spaces	35 spaces	35 spaces
County spaces		60 spaces
Total Parking	333 spaces	449 spaces
Parking Ratio	1.125 spaces per residential unit / 1 space per 1,000 sq. ft. of retail	1.29 per residential unit / 2.71 spaces per 1,000 sq. ft. of retail
Compact Ratio		3.48 %
Open Space – 15% of Buildable Area	9,607 square feet	9,618 square feet (15.02%)
Coverage		64,163 s.f. (91%)
LEED Score		14

* Based on current unit count. The applicant will agree to meet minimum parking requirements in the Zoning Ordinance, based on the final unit count.

Transportation: The subject site is located on the southwest corner of the intersection of Walter Reed Drive and Columbia Pike. The Master Transportation Plan classifies Columbia Pike and Walter Reed Drive as principal arterials. Columbia Pike is constructed as a five-lane cross-section, providing two westbound and eastbound travel lanes and an eastbound left-turn lane to Walter Reed Drive. Walter Reed Drive is constructed as a five-lane cross-section as well and provides two travel lanes in each direction separated by a raised landscaped median and a

northbound left-turn lane to westbound Columbia Pike. The intersection of Walter Reed Drive at Columbia Pike operates under traffic signal control.

Trip Generation: A Traffic Impact Analysis (TIA) submitted by the applicant, prepared by Wells & Associates, Inc., dated May 5, 2004, assessed the impacts of the development on the adjacent street system. Access to the site's loading dock and parking garage is proposed from driveway entrances off of Walter Reed Drive and 11th Street South. 11th Street South is currently a dead-end street and turns into South Garfield Street which is also a dead-end street south of the site. 11th Street South extends approximately 160 feet east of South Highland Street and is proposed to be extended to Walter Reed Drive, adjacent to the southern frontage of the subject development, by the County. The proposed development is estimated to generate approximately 164 AM and 259 PM peak hour vehicle trips. The critical intersections in the vicinity of this project are (1) Walter Reed Drive and Columbia Pike and (2) the site's garage entrance with Walter Reed Drive. The signalized intersection of Walter Reed Drive and Columbia Pike is estimated to continue to operate at an acceptable level of service (LOS) D during the AM and PM peak hour. The driveway entrance to the site is also located opposite to the southern driveway entrance to the Eckerd Drug Store site across Walter Reed Drive. The two driveway approaches to Walter Reed Drive (Columbia Station, Eckerd) are estimated to operate at an unacceptable LOS (LOS E/F) during the AM and PM peak hours. The trip generation estimates are conservative on the high side and the peak hour volumes may be lower which would improve the LOS. Extension of 11th Street South from its current dead-end to Walter Reed Drive and signalization of the intersection will improve the LOS of the driveway intersection.

Parking: The proposed 257-unit building provides a total of 449 parking spaces on three levels of below grade parking for the mixed use development. The applicant proposes to provide 334 parking spaces for the residents, visitors and guests (1.30 parking spaces per dwelling unit), 20 reserved parking spaces for use by Arlington Free Clinic staff and clients, 35 unreserved parking spaces for retail use (one space per 1,000 square feet of GFA), and 60 parking spaces for public use. Additional information on parking can be found in the "Discussion" section of this report. The applicant also proposes to provide storage space for up to 62 bicycles within the garage along with 10 sidewalk bicycle racks, which is consistent with the parking requirements of the FBC.

Streets: A short section of 11th Street South now exists, connecting the southwest corner of the site to South Highland Street. The Master Transportation Plan, Columbia Pike Initiative Plan and the Form Based Code Regulating Plan show 11th Street South being extended between South Edgewood Street and South Glebe Road. The Columbia Station site on its south side includes a part of the right of way for 11th Street, and the applicant proposes building the sidewalk portion of the new street. With this project, staff are seeking authorization to proceed with acquisition of the additional right of way needed to complete this segment of 11th Street South.

The site fronts on Columbia Pike and South Walter Reed Drive. The Columbia Pike street section is not planned to be changed by this project. For South Walter Reed Drive, a proposed change in the Required Building Line (addressed in a separate report) will permit wider sidewalks adjacent to the building. The Columbia Pike Implementation Team, a continuation of

the citizen task force empanelled by the County Board to address street space issues on Columbia Pike, has recommended that Walter Reed Drive have four 11-foot-wide travel lanes and a 10-foot-wide left-turn lane in the block adjacent to the site.

Pedestrian Access: The applicant's proposed streetscape standards are generally consistent with the adopted standards for the respective street frontages. However, the proposed Columbia Pike streetscape section varies between 8.5 feet and 10 feet in width in order to preserve the Arlington Hardware building façade, and as such is narrower than the adopted Street Space Plan for Columbia Pike. The proposed streetscape section along the Walter Reed Drive frontage of the site consists of a 21-foot-wide streetscape section, including a five-foot-wide by 12-foot-long tree pit adjacent to the back of curb. The proposed streetscape section along the 11th Street South frontage of the site consists of an 18-foot-wide streetscape section, including a eight-foot-wide tree pit area adjacent to the back of curb.

Bicycle Access: The subject site is conveniently located with respect to accessing a number of bicycle trail and route facilities. The Bicycle Transportation Plan was recently amended with adoption of the Columbia Pike Form Based Code Regulating Plan and Form Based Code Streetscape Standards. On-street bicycle lanes are proposed along Columbia Pike between South Jefferson Street and South Highland Street and between South Wayne Street and South Joyce Street. Staff will be developing parallel bike routes north and south of Columbia Pike including the planned 11th Street South to provide interim bikeways and to serve local trips along the corridor.

Public Transit: The site is well served by public transit. The Washington Metropolitan Transit Authority's Columbia Pike bus route was recently improved and designated "Pike Ride." It provides frequent service to both the Pentagon and Pentagon City Metrorail stations. In addition, the 16Y bus goes directly to Farragut Square during peak hours. Arlington Transit route 73 also serves Pentagon City during peak hours. North-south bus service is provided by the 10B Metrobus to Ballston and Shirlington. There is a bus stop for the 10B adjacent to the site on Walter Reed Drive. Arlington is participating with WMATA in the Pike Transit Initiative study, which is looking at future options for light rail or bus rapid transit service along Columbia Pike.

Utilities: Adequate water and sanitary sewer system capacity is available to serve the development. Staff recommends that the developer construct a new 12-inch water main along the site's Walter Reed Drive frontage of the site to provide adequate water pressure for residents and fire control. Staff recommends that the developer relocate an existing storm sewer pipe along the South Walter Reed Drive frontage of the site to accommodate street tree plantings as shown on the submitted plans. The utilities serving this site are designated to be placed underground per the requirements of the FBC. A portion of the site is currently improved with a Dominion Virginia Power substation serving South Arlington area. The applicant has proposed to purchase the land from Dominion Virginia Power, relocate equipment to the Four Mile Run substation, and re-engineer the electrical power distribution network throughout the neighborhood to negate the need for an electrical substation at the site.

DISCUSSION: As part of the Columbia Pike Special Revitalization District, the subject site is eligible for redevelopment under the FBC, subject to use permit approval, since the site area is greater than 40,000 square feet. The Regulating Plan (map) of the FBC specifies what Building Envelope Standards (BES) apply to each property. The BES sets forth regulations pertaining to building height, building placement, and permitted uses on parcels within the District. The FBC also specifies where open space is to be built or maintained. The subject site, having been assigned a BES, can be developed under the FBC according to its two (2) BES or building type designations; Main Street and Live / Work (Plus) [which is a sub-category of the Local BES]. The Main Street frontage, along Columbia Pike and South Walter Reed Drive, calls for a building between three (3) and six (6) stories in height. The Live / Work (Plus) frontage, along (proposed) 11th Street South, calls for a building between two (2) and four and one half (4 ½) stories in height. Because an historic property is included in the proposed project, the FBC allows the developer to increase the height of the project by two (2) stories. The applicant proposes a “U” shaped building with heights of eight (8) and six and one half (6 ½) stories.

The applicant has proposed a 257-unit condominium building and 42,350 square feet of ground floor retail. The applicant proposes to relocate the Arlington Free Clinic, which is currently located within the office building at 2926 Columbia Pike and proposed to be demolished, within the site. As required by the FBC, the applicant met with the Historic Affairs and Landmarks Review Board (HALRB) to address historic preservation issues as they pertain to this site. Two issues were discussed with HALRB: whether the Arlington Hardware building should be reclassified from an Historic Structure to an Historic Façade, and how best to incorporate the historic elements that were to be preserved into the larger redevelopment project.

The HALRB supports the reclassification of the Arlington Hardware building, since the structure sustained substantial fire damage and much of its historic value has been lost. Staff agrees with this recommendation, which is addressed in a separate Zoning Ordinance Amendment report. Over the course of five (5) meetings, the applicant worked closely with the HALRB to develop a project that complimented the architectural elements and scale of the Arlington Hardware building, as well as other surrounding buildings. On March 31, 2004, the HALRB issued a conditional Certificate of Appropriateness for the proposed project (see Attachment 1). Should the County Board grant the subject Use Permit, the applicant will be required to re-submit the application materials to the HALRB for final review. This extra step is intended to ensure that the important architectural details that were agreed upon between the applicant and the HALRB have not been altered as a result of further public review and comment.

Modifications: By Use Permit approval, modification of FBC requirements may be allowed. The specific instances where flexibility with respect to FBC requirements are listed in the FBC as: topography or street grade, the location of alleys and/or streets, breaks and passages between buildings, signs, streetscape details, existing buildings proposed to remain, and inclusion of mature trees.

- Alley location: The FBC requires that a public alley, generally running parallel to Columbia Pike, be created within the site, with the exact location of the alley to be determined at the time redevelopment is proposed. The applicant has proposed building an

at-grade driveway and pedestrian walkway through the garage access to serve as the alley through this site. The applicant further proposes to grant a public easement through the alley. Staff has determined that this approach meets the intent of the FBC in that it meets the goal of providing pedestrian and vehicular connectivity through the site.

- Streetscape details: The FBC allows historic facades to remain in their present location and requires that they be preserved, which reduces the amount of street space available for sidewalk and roadway use. The adopted Columbia Pike Street Space Plan acknowledges that within the historic segment of the Town Center (generally between Garfield and Cleveland Streets), less than optimal sidewalks and/or tree planting areas will result from the preservation of historic buildings. In this location along the Columbia Pike frontage, the applicant has agreed to retain the existing trees, planted in 4-foot wide pits, in their current location. Retaining these tree pits will reduce the clear sidewalk width to less than six (6) feet in some locations, which is less than minimum width established in the Columbia Pike Street Space Plan. However, the trees can act as a buffer between pedestrians on the sidewalk and the passing vehicular traffic and may serve to reduce traffic speeds by narrowing the visual field of drivers.
- The Required Building Line: The Required Building Line (RBL) is the location where the building is required to be placed and is expressed as a distance from the survey centerline of the roadway. For this site, the Columbia Pike RBL is 49 feet 2 inches; the South Walter Reed Drive RBL is 50 feet; and the proposed 11th Street South RBL is 37.5 feet. The new building is proposed to be built along the Required Building Line (RBL) along the 11th Street South and South Walter Reed Drive frontages. Along the Columbia Pike frontage, the adopted RBL, at 49 feet 2 inches from the centerline of Columbia Pike, would place the front façade of the new building 12 feet behind the adjacent Arlington Hardware and Charles buildings.

Both the Arlington Hardware and Charles buildings (listed as historic in the FBC) are not required to be moved to the adopted RBL as part of any redevelopment plan. Requiring the proposed new building to observe the RBL would create a saw-toothed street wall. As an alternative, staff has recommended that the applicant build the proposed new building generally along the same plane as the adjacent historic structures. This approach will restore the existing street wall to its previous form and reinforce the relationship between the new building and the preserved historic buildings. The FBC specifically allows modifications that are based on the inclusion of historic properties so that issue like building placement can be dealt with in a manner that is sensitive to the existing character of the street.

- Building Height: The applicant has requested a reduction of the height of the building at the RBL along the Columbia Pike and Walter Reed frontages. On these Main Street frontages, the minimum height of the building at the RBL must be three (3) stories and at least 75% of the building's façade must be on the RBL. The HALRB requested that the height of the new building along these frontages be similar to the height of the historic buildings that are proposed to remain. To satisfy this requirement, the applicant has set

back the new building above the first floor and mezzanine, 16 to 22 feet along Columbia Pike and has created a curved building along South Walter Reed Drive that slopes away from the adjacent “Blanca’s” building.

Staff supports this approach as a rational adjustment that addresses the issue of blending the existing and new building into one cohesive project. Since the Blanca’s building is not part of the project, a creative solution to turning the corner was developed. Staff and the HALRB have both deemed this treatment of the corner to be an acceptable compromise.

Public Participation Agreement(s): In order to encourage the development of this and other projects within the Columbia Pike Special Revitalization District, the County Board established the Tax Increment Public Infrastructure Fund (TIPIF) Policy. The TIPIF Policy is a mechanism to provide financing for public improvements and other community benefits that may facilitate private redevelopment projects. Staff estimates that the potential increase in real estate tax revenue (tax increment) that will be generated by this proposal, upon completion, will exceed \$600,000 annually. The TIPIF Policy specifies that, for up to fifteen (15) years, up to 85% of the tax increment may be applied to public infrastructure activities that either aid a specific project or benefit the Columbia Pike Special Revitalization District in general. For the Columbia Station project, it is anticipated that the total pool of funds available to offset public infrastructure costs is approximately \$7.7 million. The applicant has requested that the County provide funding to defray the cost of constructing shared underground parking, and other public infrastructure and community benefits, as necessary, to make the project financially feasible. Staff recommends that the County Board authorize the County Manager negotiate and execute, subject to County Board approval, development agreements with the applicant and for these public benefits improvements; with a total funding amount not to exceed \$6.0 million and repayment expected to come from anticipated parking fees and increases in real estate tax revenues as a result of this development.

As part of the development agreement to be developed between the developer and the County, the following elements will be examined in order to determine the best way for the County to meet its community development goals related to this project, subject to maximum expenditure by the County of \$6.0 million for public improvements. With the County’s participation up to this level, all of the following items will be achieved in the project. The final amount of County participation up to the maximum expenditure will be determined based on final projections for the project and will include recapture provisions if the project is more profitable than projected. Funding for the public infrastructure will come from the Commercial Revitalization Fund or Pay-Go sources.

Public Improvements: (All amounts are estimates)

<u>Parking -</u>	<u>3.28M</u>
<u>60 public spaces (\$25,600/ space) -</u>	<u>\$1.54M</u>
<u>68 required shared spaces -</u>	<u>\$1.74M</u>

<u>Arlington Free Clinic -</u>	<u>\$1.90M</u>
<u>Virginia Power Substation Removal -</u>	<u>\$1.60M</u>
<u>Streetscape Improvements -</u>	<u>\$500,000</u>
<u>New Alley -</u>	<u>\$791,500</u>
<u>Total</u>	<u>\$8.10M</u>

Parking: Of the 449 parking spaces proposed to be built, 321 reserved parking spaces will be available for exclusive use by the residential condominium users and the Arlington Free Clinic staff and visitors, 35 unreserved spaces for retail, and 33 unreserved spaces for residential visitors. The applicant has requested that the County pay for the construction of shared spaces, in keeping with the TIPIF Policy, to make the overall project more viable. In addition to the 68 unreserved spaces, 60 public parking spaces are proposed to be built as part of this project. Staff recommends that funding for these spaces come from the County. In all, 128 public or shared parking spaces are to be created as part of this project. The public and shared parking spaces are proposed to be available for use by the general public 24 hours a day, 7 days a week. The applicant has agreed to locate these spaces on the uppermost level(s) of the parking garage and to grant a public access easement over the portion of the garage where these spaces are located in order to ensure ease of use and access by the public. This is proposed as a first step in the County’s efforts to create a parking system on Columbia Pike ensuring that adequate public parking is dispersed in locations where it is needed. A second major target of shared parking is the block immediately east of this site.

Other Community Benefits: **The Arlington Free Clinic:** The Clinic is proposed to be relocated as part of this project. The applicant has agreed to provide temporary relocation assistance, including moving and rental assistance, during the construction period, and permanent relocation assistance by addressing moving and other related costs, and providing a new condominium space on the ground floor of the 11th Street frontage of the site. The Free Clinic is a major partner in Arlington’s safety net. By providing a permanent home for the clinic, the long-term sustainability of the clinic can be achieved.

Substation: Staff has worked with the applicant and Dominion Virginia Power on a plan to remove the Walter Reed substation. Dominion Virginia Power will remove the equipment located on the site, replacing it with more modern equipment at the Four Mile Run substation. As a component of the replacement plan, several overhead power lines will need to be replaced throughout South Arlington; which may result in sporadic power outages of short duration (30-60 minutes). Dominion Virginia Power plans to provide more information for customers prior to initiating the project.

~~As part of the development agreement to be developed between the developer and the County, these elements will be examined in order to determine the best way for the County to meet its~~

community development goals and meet the needs of this project.

Other Issues: 11th Street South: Both the FBC Regulating Plan and Master Transportation Plan show the continuation of 11th Street South through the southern portion of the project site. A portion of 11th Street South, at the southwest corner of the site, currently exists. The applicant proposes a garage entrance / exit at this location as a secondary access point. The adjacent property owner (BB&T Bank) has not consented to allow the applicant to complete the construction of the new street as this would require using some of BB&T's property. With County Board authorization, staff will bring forward whatever actions are necessary to acquire sufficient right of way to construct 11th Street South and complete construction in concert with the development of this project.

Streetscape and Alley: The applicant proposes to construct streetscape improvement along the Columbia Pike, South Walter reed Drive, and 11th Street South frontages of the site, including new curb and gutter, tree plantings, and sidewalks in accordance with the Streetscape Standards of the Form Based Code. The applicant also proposes to grant a public access easement for vehicles and pedestrians through the proposed alley within the project site. Both the sidewalk and alley improvements assist in increasing connectivity and pedestrian activity through the corridor.

Community Review Process: The applicant met informally with CPRO and members of the four affected Civic Associations prior to submitting the application in late March and a formal "community meeting", as required by the FBC, was held on May 12, 2004. Two concerns that were raised by the community were the need for additional public parking and the desire for 11th Street to be constructed by the County adjacent to this site contemporaneously with the proposed project.

The Use Permit request was also reviewed by the Planning Commission at their June 1, 2004 meeting. The Commission voted unanimously to recommend approval of the project with the following proposed conditions:

- No trucks be allowed on 11th Street prior to its completion and establish a date for the completion. *Staff Response*: Per Condition #19, the applicant has agreed to develop a Loading and Delivery Management Plan that will address ingress and egress issues for delivery vehicles using this site.
- All construction traffic be directed to use Walter Reed Drive to access the site. *Staff Response*: Per Condition #16, the applicant has agreed to limit access to the site for construction traffic to Walter Reed Drive.
- Street trees and sidewalks on Columbia Pike remain as is. *Staff Response*: The applicant has agreed to retain the tree pit locations along Columbia Pike, and will replant them with the required (Red Maple) trees. (See Condition #11)
- That LEED be added as a requirement for the Form Based Code. *Staff Response*: Revisions to the Form Based Code, including modifying green building standards, are planned for County Board review later in 2004.

- Additional parking be provided by the County in the project. *Staff Response:* The amount of public parking, to be constructed as part of this project is under review and is subject to a separate development agreement (Item B. of this report) that has yet to be negotiated.
- The developer, staff, and the community need to meet to discuss street furniture and sidewalk pavement treatment. *Staff Response:* The developer has agreed to incorporate any additional streetscape guidelines developed prior to the approval of the final site engineering plan for this project. (See Condition #11[e])

Staff has incorporated the conditions pertaining to the applicant listed above in the Use Permit Conditions attached to this report. Staff is also actively pursuing the acquisition of 11th Street, with the goal of completing construction prior to the opening of the proposed project. Staff is also evaluating options for developing public parking within the Columbia Pike Special Revitalization District, taking advantage of opportunities offered by this project and in consideration of anticipated opportunities in close proximity to this site.

CONCLUSION: Staff recommends that the County Board approve the Use Permit request with modifications as noted above, subject to the Use Permit conditions attached to this report. Staff also recommends that the County Board adopt the attached resolution, authorizing the County Manager to negotiate and execute development agreements, as necessary, to facilitate the construction of certain public improvements, with an overall funding amount not to exceed \$6.0 million. Finally, staff recommends that the County Board authorize the County Manager to initiate acquisition, design, and construction recommendations for the creation of 11th Street South between Walter Reed Drive and South Highland Street.

- RESOLUTION -

RESOLUTION TO DESIGNATE THE COLUMBIA STATION REDEVELOPMENT PROJECT AS A “DESIGNATED PROJECT” UNDER THE TAX INCREMENT PUBLIC INFRASTRUCTURE FUND (TIPIF) POLICY, AS ADOPTED BY THE COUNTY BOARD ON DECEMBER 17, 2002.

WHEREAS, the Columbia Station Redevelopment Project (“the Project”) is located within the Columbia Pike Special Revitalization District at a highly visible location in the Town Center development node; and

WHEREAS, the Project generates a clearly visible positive community benefit by virtue of its being the first Form based Code project, and thus, will foster additional similar development as well as through historic façade preservation, creation of public parking, enhanced infrastructure, and other improvements; and

WHEREAS, the Project is consistent with the principles, objectives, and guidelines set forth in the Columbia Pike Initiative: A Revitalization Plan; and

WHEREAS, the Project will eliminate infrastructure inconsistent with the adopted Master Transportation Plan; and

WHEREAS, the Project will generate economic benefits that exceed the cost of public improvements and is expected to stimulate other investment in the Town Center development node;

WHEREAS, the developer has demonstrated that the public infrastructure needed to support the proposed project significantly reduces the financial feasibility of the project without County participation;

Whereas, the project requires public infrastructure investment in order to achieve a commercially competitive and prevailing return;

Now, Therefore, BE IT RESOLVED, that the County Board of Arlington County hereby determines that the Columbia Station Redevelopment Project is a Designated Project under the Tax Increment Public Infrastructure Fund (TIPIF) Policy and is eligible for consideration for funding in accordance with the Policy;

BE IT FURTHER RESOLVED, that the County Board hereby authorizes the County Manager to negotiate and execute development agreements, as necessary and appropriate, to implement public parking, relocation assistance for Arlington Free Clinic, removal of the Virginia Power substation as necessitated by the acquisition of right-of-way for 11th Street South, and streetscape and alley improvements in an amount not to exceed \$6 million, and subject to appropriate recapture provisions to ensure a return on the County’s investment in public improvements.

Use Permit Conditions:

1. The developer (as used in these conditions, the term “developer” will include the property owner, the applicant, and its agents, employees, successors, and assigns) agrees to comply with the plans dated May 26, 2004 reviewed and approved by the County Board at the County Board meeting of June 15, 2004 together with any modifications proposed by the developer and accepted by the County Board or vice versa. This Columbia Pike Form Based Code Use Permit approval expires three (3) years after the date of County Board approval if the developer has not obtained a building permit for construction of the approved plan and commenced construction under that building permit. Extension of this approval shall be at the sole discretion of the County Board. The developer agrees that this discretion shall include a review of this Columbia Pike Form Based Code Use Permit and its conditions for their compliance with the County policies for land use, zoning and special exception uses current at that time.

2. The developer agrees to comply with the following before issuance of the any building 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. The developer agrees to provide the name and telephone number of this individual, in writing, to the Zoning Administrator and to representatives of the Douglas Park Civic Association, the Columbia Heights Civic Association, the Arlington Heights Civic Association, the Penrose Civic Association, and the Columbia Pike Revitalization Organization (CPRO) and to post that information at the entrance of the project.

 - b. Throughout construction of the project, the developer agrees to advise abutting property owners of the general timing of utility work, in abutting streets or on-site, that may affect their services or access to their property.

 - c. 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 or to enter the construction site are free of mud, trash and debris.

 - d. Throughout construction of the project, the developer agrees that construction work shall be in accordance with the Arlington County Noise Ordinance (Section 15 of the Arlington County Code). The developer agrees that any construction activity which produces noise levels which exceed the noise levels established in Table I of the Arlington County Noise Ordinance shall be permitted only during the daytime. Daytime is defined as between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and from 10:00 a.m. to 9:00 p.m. on Saturdays, Sundays and legal holidays.

3. The developer agrees to submit and obtain approval of final site development/engineering plans from the County Manager or his designee for consistency with this approval, any applicable statutes and ordinances, and County guidelines and

policies. The final site development/engineering plan shall include the proposed location of water mains and service lines, storm and sanitary sewers, proposed underground utility services to the buildings, the trees to be preserved and new proposed trees on site. The plans shall be drawn at the scale of 1 inch = 25 feet and be 24 inches by 36 inches in size. No Building Permit shall be issued for this site until final site development/engineering plans and the sequence of construction has been approved by the County Manager or his designee. The developer further agrees that all construction on the site shall be in accordance with the approved final site development engineering plan.

4. Prior to issuance of any Certificate of Occupancy for any part of the project at a particular address, the developer agrees to install address indicator signs, 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 engineering plan.
5. The developer agrees to construct the project in strict conformance with the Arlington County Form Based Code, Section 20 of the Arlington County Zoning Ordinance, as determined by the County's Administrative Review Team, with the following modifications:
 - a. Alley location – creation of a new alley, providing pedestrian and vehicular access from South Walter Reed Drive to 11th Street through the site as shown on the drawings dated May 26, 2004 and made a part of the record on June 15, 2004 and the final site engineering plan, as approved by the County Manager or his designee.
 - b. Building height at the RBL – new buildings proposed along the Columbia Pike and South Walter Reed Drive frontages shall be constructed at the height(s) shown on the drawings dated May 26, 2004 and made a part of the record on June 15, 2004 and on the final site engineering plan, as approved by the County Manager or his designee.
 - c. Streetscape details – the sidewalk along the Columbia Pike frontage shall include the construction of new curb and gutter in the same location and alignment of the existing curb and gutter, and the existing tree pits shall be retained, with new Red Maple trees to be planted.
 - d. Building placement – The new building to be constructed on the Columbia Pike frontage shall be built in the location shown on the drawings dated May 26, 2004 and made a part of the record on June 15, 2004 and on the final site engineering plan, as approved by the County Manager or his designee.

The developer agrees that the design, height, and placement of the buildings shall conform to the submitted drawings dated May 26, 2004 as presented to the County Board, as made a part of the public record at the June 15, 2004 County Board meeting, and modifications proposed by the developer and accepted by the County Board or vice versa at that time. Modifications to the design, height and placement of the buildings made subsequent to June 15, 2004 will require additional review by the Administrative Review Team to ensure compliance with the Form Based Code provided, however, that

this condition shall in no way relieve the developer of any obligation under any other condition.

6. The developer agrees that, except as otherwise specifically provided in these conditions, all required easements and right-of-way agreements shall be submitted to the County Manager or his designee for approval and be recorded by the developer before the issuance of any Certificate of Occupancy.
 - a. The developer agrees to record a public access easement through the proposed alley and pedestrian way shown on the attached drawings dated May 26, 2004 and as shown on the final site engineering plan, as approved by the County Manager or his designee.
 - b. The developer agrees to record a public access easement across all private property shown as public sidewalk along the periphery of the site as shown on the final site engineering plan, as approved by the County Manager or his designee. The developer agrees to provide on-going maintenance of sidewalks and landscape improvements along the periphery of the site.
7. 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 within the public rights-of-way or easements, to the Department of Public Works for review and approval. Upon approval of the performance bond estimate, the developer agrees to submit a performance bond and agreement for the construction or installation of all these facilities within the public rights-of-way or easements to the Department of Public Works. This bond shall be executed by the developer in favor of the County before the issuance of the Final Building Permit.
8. The developer agrees to develop a final landscaping plan, consistent with final site development/engineering plans and with this use permit approval, and to obtain approval of such plan from the County Manager or his designee prior to issuance of a building permit. The landscape plan shall include a Street Tree Plan which shall be reviewed by the Department of Parks, Recreation and Community Resources and shall be accompanied by the site engineering plan and the two plans shall be compared to ensure that there are no conflicts between street trees and utilities; neither plan shall be approved until the landscape plan and the site engineering plan agree. The installation of all plant materials shown on the final landscape plan shall take place before the issuance of the Certificate of Occupancy for the project. The final site development and landscape plan shall include the following details, if applicable:
 - 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 in the setback area between the building and the street.

- b. The location, dimensions, and materials for driveways, driveway aprons, parking areas, interior walkways and sidewalks as well as for address indicator signs;
- c. The location and types of light fixtures for streets, for parking, walkway and plaza areas;
- d. The location and dimension of the preserved open space located within the project;
- e. Topography at two (2) foot intervals and the finished first floor elevation of all structures;

The developer further agrees that the approved landscape plan shall govern all construction on the site.

- 9. Landscaping shall conform to Department of Public Works Standards and Specifications and to the following requirements:
 - a. Planting materials shall be of good nursery stock and a nursery guarantee shall be provided by the developer for one year including the replacement and maintenance (to include but not be limited to pruning, feeding, spraying, mulching, weeding and watering) of all landscape materials following the issuance of the final Certificate of Occupancy;
 - b. Plant materials and landscaping shall meet the American Standard for Nursery Stock Z60.1-73, and shall also meet the following standards:
 - (1) Street Trees: Red Maple trees at a minimum caliper of 4 to 4 1/2 inches.
 - (2) Other Planted Materials:
 - a. Evergreen trees (such as Scotch Pines, White Pines, Hemlocks, etc.) - a minimum height of 8 to 10 feet.
 - b. Ornamental deciduous trees (such as Cherries, Dogwoods, Serviceberries, Hornbeams, etc.)- a height of 10 to 14 feet with a minimum caliper of 1 1/2 to 2 inches.
 - c. Shrubs - a minimum spread of 18 to 24 inches.
 - d. Groundcover - in 2" pots.

- c. All new lawn areas shall be sodded; however, if judged appropriate by the County Manager or his designee, based on accepted landscaping standards, seeding may be substituted for sod. All sod and seed shall be state certified;
 - d. Exposed earth not to be sodded or seeded shall be well-mulched or planted in ground cover. Areas to be mulched may not exceed the normal limits of a planting bed;
 - e. Soil depth shall be a minimum of four (4) feet for trees and tall shrubs and three (3) feet for other shrubs. This requirement shall also apply to those trees and 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 finished grade adjacent to them;
 - f. Finished grades shall not exceed a slope of three to one or the grade that existed before the site work began.
 - g. The developer agrees to maintain the site in a clean and well-maintained condition before the issuance of the Clearing, Grading and Demolition Permit and agrees to secure and maintain the site throughout the construction and phasing process.
 - h. The developer agrees to notify the Department of Parks, Recreation and Community Resources (DPRCR) Urban Forester at least 72 hours in advance of the scheduled planting of any street trees 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 plantings available from the DPRCR Urban Forester.
10. 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 letters from the developer to the utility companies offering them access as stated above.
11. The developer agrees to construct pavement, curb and gutter, sidewalk, driveway and street entrances along all frontages of this site in accordance with the Columbia Pike Form Based Code Streetscape Standards, and/or Arlington County Standards prior to the issuance of the final certificate of occupancy of the first building in the project and according to the following specifications:
- a. The developer agrees to construct curb and gutter adjacent to the Columbia Pike site frontage in its present location and alignment as shown in the final site engineering plan as approved by the County Manager or his designee, and a concrete sidewalk between the back of curb and the front façade of the

buildings as shown in the final site engineering plan. The developer agrees to retain the existing tree pit locations along the Columbia Pike frontage, and re-plant them with the appropriate (Red Maple) trees.

- b. The developer agrees to construct curb and gutter at a distance of 28 feet 6 inches (face of curb) from the survey centerline along South Walter Reed Drive as shown on the final site engineering plan as approved by the County Manager or his designee, and a 21-foot wide concrete sidewalk consisting of 5'x12' tree pits and 16-foot clear walkway. The developer also agrees to provide a 10-foot by 40-foot clear area along Walter Reed Drive for the existing bus stop.
 - c. The developer agrees to construct curb and gutter at a distance of approximately 4 feet (face of curb) from the property line as shown on the final site engineering plan as approved by the County Manager or his designee, and an 19-foot wide sidewalk consisting of 8'x12' tree pits and a ten-foot wide concrete sidewalk adjacent to the curb along 11th Street South.
 - d. The developer agrees to relocate the existing storm sewer pipe located along the South Walter Reed Drive frontage of the site to accommodate planting street trees as shown on the final site engineering plan as approved by the County Manager or his designee.
 - e. The developer agrees that if the County develops streetscape paving and furniture guidelines in addition to the adopted Columbia Pike Form Based Code Streetspace Standards, as amended on February 10, 2004, prior to submission of the final site engineering plans, the streetscape paving and furniture guidelines shall be incorporated into the final site engineering plans.
12. All improvements to streets for pedestrians and/or vehicular access or circulation shall be in full compliance with the Americans with Disabilities Act and any regulations adopted thereunder.
 13. All utility services serving the site shall be located below ground. Any utility improvements necessary to provide adequate utility services to this development shall be paid for by the developer and shall not result in the installation of any new utility poles.
 14. All engineering design plans and subsequent construction shall be in accordance with the latest edition of the Arlington County Department of Public Works Construction Standards and Specifications.
 15. 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 from all other utilities, and shall have a minimum of 10 feet horizontal clearance from buildings and other structures, or as approved by the County Manager or his designee. Water mains 16 inch

and larger, and mains placed more than 10 feet below the surface shall have a minimum of 15 feet horizontal clearance from buildings and other structures; and sanitary sewers 15 inch and larger, or sewers placed more than 10 feet below the surface shall have 15 feet minimum clearance from buildings and other structures. All water mains and sanitary sewers shall meet County Standard design criteria.

16. The developer agrees to construct a 12-inch water main along the South Walter Reed Drive frontage of the site as shown on the final site engineering plan as approved by the County Manager or his designee.
17. The developer agrees to provide off-street parking for all construction vehicles during construction of the subject site. Construction vehicles and/or construction worker vehicles are not permitted to park on the neighboring streets during the hours of construction. The developer also agrees that all construction traffic shall enter and leave the site using South Walter Reed Drive.
18. The developer agrees to construct 389 underground parking spaces, up to 301 of which may be reserved for use by condominium owners, 20 may be reserved for use by Arlington Free Clinic staff and visitors, and 68 of which shall be made available to the general public on a non-reserved basis. The developer agrees to construct no fewer than 60 and no more than 210 additional public parking spaces, as set forth in a development agreement with the County regarding the construction of these additional public parking spaces and the payment arrangements for same.

Contingent upon executing a development agreement between the developer and the County regarding the purchase and construction of parking spaces, the developer agrees to make at least 128 substantially contiguous parking spaces on the uppermost level of the garage ("public spaces") available to the general public on an unreserved, high turnover, hourly basis for visitors and patrons from 7:00 a.m. to 6:00 p.m. on weekdays (other than the holidays listed below). These spaces shall be provided free of charge or at up to market rates. These spaces, and their availability for this use, shall be clearly labeled. Further, the spaces purchased by the County shall also be fully accessible to the general public, for free or up to market rates, after 6:00 p.m. weekdays and on weekends and all legal holidays (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). The developer may prohibit entry, but not exit, of vehicles between the hours of 2:00 a.m. and 6:00 a.m. Public access to these garage spaces shall be by means of the elevators and stairs that access the ground floor retail space.

The developer agrees to provide storage space for up to 62 bicycles within the garage along with 10 sidewalk bicycle racks in order to meet the bicycle parking requirements of the Form Based Code. The developer agrees to execute a development agreement requiring the developer to grant a public access easement over the public spaces, which easement shall be on terms satisfactory to the County Manager and approved by the County Board.

19. Prior to the issuance of the first Certificate of Occupancy (to include temporary Certificates of Occupancy) for any building on the site, the developer agrees to submit a Loading and Delivery Management Plan to the Zoning Administrator for review and approval. This plan shall provide for service access using the public alley as shown in the plans dated May 26, 2004 and the final site engineering plan and located between South Walter Reed Drive and 11th Street South. This plan shall further provide for monitoring of loading and unloading/deliveries by the management of the residential and commercial components of the project, the restriction of loading and deliveries using public streets for the parking of loading and delivery vehicles and shall include a contact name of a person with authority to control loading and unloading/deliveries to whom outsiders may report violations. The Loading and Delivery Management Plan shall prohibit ingress/egress to and from the site via 11th Street South and South Highland Street until such time as 11th Street South is extended through between South Highland Street and South Walter Reed Drive.
20. The developer agrees to develop a parking management plan which outlines how guest and visitor parking for the building, parking for residential, office and retail tenants' employees and customers, and general public parking will be provided, where the parking will be located and how guests and visitors, office and retail employees and customers, and the general public, will be directed to the parking spaces. The parking management plan shall also include the location of any secure areas and the location of security gates or other measures to restrict access. The parking management plan shall encourage parking by visitors and customers of the project, through ease of access to the parking spaces, signage, and fee structure. The fee structure shall discourage daily commuter parking. The developer shall submit the parking management plan, which shall include the parking fees and details of the validation program, to the Zoning Administrator and it shall be reviewed and approved by the County Manager or his designee, prior to the issuance of the first Certificate of Occupancy for any portion of the site. The developer agrees to submit an annual report to the Zoning Administrator documenting compliance with the parking management plan as well as any changes to the plan.
21. Prior to the issuance of any permit for any activity on the project site, the developer agrees to execute a development agreement with the County on terms satisfactory to the County. The developer agrees that the development agreement shall provide, at a minimum, for relocation of, and space in the new project for, the Arlington Free Clinic, (as set forth in a Memorandum of Understanding between the developer and the Arlington Free Clinic) and for a public access easement over certain parking spaces, and any other matters to be agreed upon between the developer and the County. The developer further agrees that, after execution by the County and the developer, the obligations undertaken by the developer in the development agreement shall be incorporated herein and become obligations under this use permit condition, and enforceable in the same manner as any use permit condition.

PREVIOUS COUNTY BOARD ACTIONS:

August 1961	Designated as “Undetermined Uses” on the General Land Use Plan
December 1983	Designated “General Commercial” on the General Land Use Plan
November 15, 1986	General Land Use Plan amended to include the Columbia Pike Special Revitalization District. Designated as “Service Commercial”.
December 17, 2002	Columbia Pike Special Revitalization District boundaries amended on the General Land Use Plan
February 25, 2003	Columbia Pike Form Based Code (Section 20 of the Zoning Ordinance) adopted
February 10, 2004	Columbia Pike Street Space Plan adopted and Form Based Code amended to include new Required Building lines.