



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of October 14, 2023

DATE: October 6, 2023

SUBJECT: UPER22-00050 USE PERMIT REVIEW for a private middle and high school with a maximum enrollment of 140 students (The Sycamore School); located at 1550 Wilson Blvd. (RPC# 17-004-016).

Applicant: The Sycamore School, Arlington VA

By: Andrew A. Painter Walsh, Colucci, Lubeley & Walsh PC 2200 Clarendon Boulevard, Suite 1300 Arlington, VA 22201

C.M. RECOMMENDATION:

Renew the use permit for a private middle and high school (The Sycamore School) with a maximum enrollment of 140 students, subject to the previously approved conditions, and with a County Board review in one year (October 2024).

ISSUES: This is a one-year review of a use permit for a private middle and high school with an enrollment of up to 140 students. At the date of this report, there are no identified outstanding issues with the use.

SUMMARY: The use permit for the Sycamore School was approved by the County Board in October 2022 with an enrollment of up to 140 middle and high school students. The private school was issued its Certificate of Occupancy and began operations in September 2023. Currently, the school has 65 students enrolled. The school occupies 14,000 square feet on the third floor of the 1550 Wilson Boulevard building. Operating hours are Monday through Friday, 8:30 a.m. to 3:30 p.m. from September until June each year, with drop-off beginning at 8:00 a.m. Extracurricular activities are scheduled on weekdays between 3:30 p.m. and 5:00 p.m. During the summer months, the school may offer summer camps from 8:00 a.m. to 5:00 p.m. Monday through Friday. In addition, the school may offer occasional school-related and community-

County Manager: MJS/SFW
County Attorney: MNC [Signature]
Staff: Shepard Beamon, DCPHD, Planning Division

based events in the evenings which conclude by 11:00 p.m. The site has a below-grade parking garage, and the school provides up to 23 undesignated parking spaces by way of agreement with the property owner. Pick-up and drop-off (PUDO) occurs in the below-grade garage.

BACKGROUND: The use permit for a private middle and high school was approved by the County Board on October 15, 2022, concurrent with a site plan amendment to add Condition #33 to Site Plan #219 (SP #219) which permitted a school in 14,000 square feet of the building approved for office. SP #219 was initially approved in 1984 and includes the existing office building at 1550 Wilson Blvd., an adjacent office building at 1560 Wilson Blvd., and a hotel to the south at 1533 Clarendon Blvd. The subject use permit was requested to accommodate the relocation of the Sycamore School from 4600 Fairfax Drive in Ballston to its current location due to a redevelopment proposal of the previous site. The use permit for the 4600 Fairfax Drive location was approved by the County Board on October 21, 2017, for up to 210 students.

Currently, the school occupies a portion of the third floor of the building and includes seven classrooms, a cafeteria, an exercise space, an art studio, and administrative offices. The Certificate of Occupancy was issued in September 2023 and allows up to 140 students, however, the school currently has 65 students enrolled, 75 less than the approved occupancy.

Address (RPC): 1550 Wilson Blvd. (RPC# 17-004-016)

Neighborhood: Radnor/Ft. Myer Heights Civic Association

Zoning: C-O “Mixed Use”

GLUP: “High” Office-Apartment-Hotel; and Rosslyn Coordinated Redevelopment District (Note 15).

Existing Land Use: The school is located within 14,000 SF of the third floor of an existing multistory office building, subject to Site Plan #219 which was approved by the County Board on May 12, 1984.

Figure 1: Aerial View



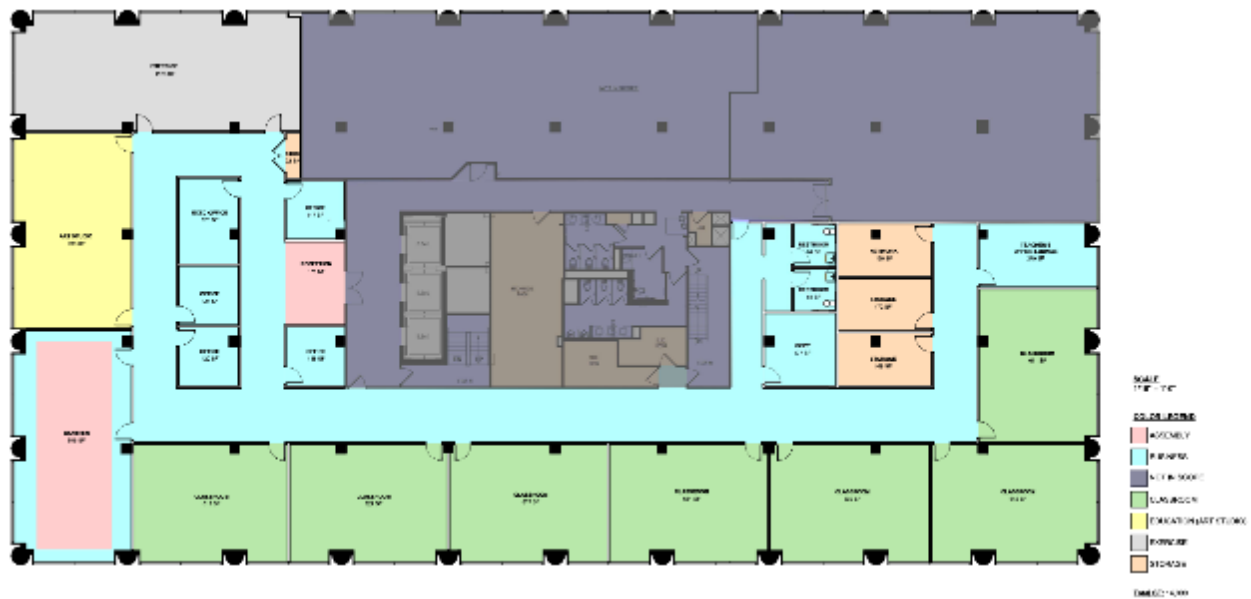
Figure 2-3: Street Views



Figures 4-5: Parking Ingress and Egress



Figure 6: Floor Plan



DISCUSSION: The use permit for a school with up to 140 students was approved in October 2022, and the Certificate of Occupancy permits the same occupancy, however, the school currently has less than half of the approved occupancy enrolled.

As required by Condition #6 of the use permit, the applicant agreed to submit a parking plan. The school has submitted a parking plan, which was approved by the Zoning Administrator on July 20, 2023, and explains that the School will have access to a minimum of 19 spaces and up to a maximum of 23 unassigned parking spaces, as required by the Zoning Ordinance, within the garage through a private agreement with the property owner.

REVIEWED USE:

Type of Use: Private school with up to 140 students (approx. 70 Middle School and 70 high school students) grades 5-12.

Hours: Mon. - Fri. 8:30 AM to 3:30 PM (Regular school year)
Extracurricular activities 3:30 PM - 5:00 PM
Occasional evening events/meetings
Summer: Mon. - Fri. 8:00 AM - 5:00 PM

Parking: Minimum-19/Maximum-23 parking spaces in the garage.

Pick-up/Drop-off: Drop-off: 8:00 AM - 8:30 AM
Pick-up: 3:30 PM - 3:45 PM

Outdoor Facilities: For outdoor activities, the school plans to utilize the several parks that are within walking distance. Per condition #5 of the approved use permit, the applicant is required to meet with the Department of Parks and Recreation (DPR) Athletic Facility Services Division staff before the new school year begins, to review the need for athletic and/or nonathletic field park space during the upcoming academic year. A one-year use permit review would allow sufficient time for DPR to assess the school's recreational activities since the school recently began operations in September.

ASSESSMENT:

Zoning Enforcement: Zoning staff conducted a site visit and confirmed that the applicant is operating in compliance with the use permit conditions.

ISD, Inspection Services: During staff's inspection no interior or exterior violations were observed at the time of inspection of the approved use permit. Emergency evacuation and exits are visible, fire extinguishers are up to date, and fire alarm systems and smoke detectors are in good working condition.

DES, Transportation: DES staff reports no issues identified, as there is adequate parking available and supports the renewal. The applicant has submitted a Parking Management Plan which complies with the conditions of the use permit.

CPHD, Planning: Staff supports the renewal of the use permit. The renewal of this use permit will not: a) adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use; b) will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and c) will not be in conflict with the

purposes of the master plans of the County. Since the school began operations in September 2023, no issues have been observed. Staff recommends renewal with a one-year County Board review to allow adequate time to further assess the operations after the school has completed a full term.

PUBLIC ENGAGEMENT:

Level of Engagement:

Communicate

This level of engagement is appropriate because the continued operation of the use is not anticipated to adversely impact the neighborhood.

Outreach Methods:

- Public notice was given in accordance with the Code of Virginia §15.2-2204. Notices of the County Board hearing on the use permit were placed in the October 2, 2023, and October 9, 2023, issues of the Washington Times for the October 14, 2023, County Board Meeting.
- Placards were placed in various locations surrounding the subject property within seven (7) days of the public hearing.

In addition to the above legal requirements:

- Civic associations were informed of the application via email communication. The subject property is located within the Radnor/Ft. Myer Heights Civic Association boundary and is adjacent to the North Rosslyn Civic Association. The site is also within the Rosslyn Business Improvement District (BID).

Community Feedback:

Radnor/Ft. Myer Heights Civic Association (RAFOM): Staff contacted the RAFOM for comment and no response has been received as of the date of this report.

North Rosslyn Civic Association (NRCA): Staff contacted the NRCA for comment and no response has been received as of the date of this report.

Rosslyn BID: Staff contacted the BID for comment on the subject use permit and they responded with support for renewal.

CONCLUSION: Staff supports renewal of the approved use permit, as the operation has not adversely affected the health or safety of persons residing or working in the neighborhood and is not in conflict with the purposes of the master plans of the County. At the time of this review, the

school has been in operation less than one month and no issues have been identified in this short period of time. Therefore, staff recommends the County Board renew the use permit, subject to all previously approved conditions, and with a County Board review in one (1) year (October 2024), to provide sufficient time for the school to complete a full one-year school term and allow for assessment of the use by the community, staff and the County Board.

Approved Conditions:

1. The applicant agrees to comply with all applicable requirements set forth in all applicable ordinances, codes, and regulations, including but not limited to the currently adopted editions of the Virginia Uniform Statewide Building Code, Parts I, II, and III, and its related regulations; the Virginia Fire Prevention Code; the Arlington County Zoning Ordinance; and the Arlington County Health Regulations. Furthermore, the applicant agrees to actively and promptly pursue obtainment of all required associated building and operational permits and occupancy certificates from the various administrative and regulating agencies.
2. The applicant agrees to ensure that the Sycamore School's (the "School") hours of operation for academic classes and extracurricular activities will be from 8:00 a.m. to 5:00 p.m. Monday through Friday, including student pick-up and drop-off. This condition shall not restrict the School from holding summer camps and programs, and if such events occur, will follow the same hours of operation. The applicant agrees to ensure that school related and/or community-oriented evening events will conclude by 11 p.m.
3. The applicant agrees to ensure that the maximum permitted enrollment at any one time shall be 140 students. The applicant further agrees that the maximum total occupant load shall be as determined and designated by the Inspection Services Division in accordance with the Virginia Uniform Statewide Building Code, which may also be fewer than the maximum noted above.
4. The applicant agrees to ensure that the School designates a neighborhood liaison to communicate with nearby residents and neighbors to address concerns that may be related to this private school. The name, telephone number, and electronic mail address (if available) of the liaison shall be submitted by the School to the Zoning Administrator, Radnor/Ft. Myer Heights Civic Association, North Rosslyn Civic Association, and Rosslyn BID prior to issuance of a Certificate of Occupancy for the private school use.
5. The applicant agrees to ensure that the School meets annually with representatives of the Department of Parks and Recreation (DPR) Athletic Facility Services Division before the new school year begins, to review the need for athletic and/or non-athletic field park space during the upcoming academic year. The applicant further agrees to ensure that the School pays all applicable DPR field rental fees if the School seeks to reserve athletic facilities for a non-recurring event.
6. The applicant agrees to submit a parking plan and obtain the review and approval of such plan by the Zoning Administrator. The applicant agrees that the plan shall be approved if

it shows the general location of the on-site staff parking spaces. The parking spaces shall comply with all requirements set forth in all applicable ordinances and regulations, including, by way of illustration and not limitation, those administered by Section 14 of the Arlington County Zoning Ordinance. The Zoning Administrator's approval shall be obtained prior to issuance of a certificate of occupancy for the private school use.

7. Bicycle Parking

- a. Unless otherwise specified, the applicant agrees that all individual elements of this bicycle parking condition shall be operational prior to September 30, 2023.
- b. The applicant agrees to provide a minimum of one (1) bicycle parking space per ten (10) staff and one (1) bicycle parking space per ten (10) students in the existing Class III-equivalent bicycle facilities that are located within the parking garage. These spaces shall meet, at a minimum, the standards for Class III storage space as defined in the Arlington County Bicycle Parking Standards, 2016 Update, or subsequent revision in effect on the date of approval, or be approved as equal to that shown in the Standards, or as otherwise approved by the County Manager or his designee. The applicant agrees to provide bicycle parking under cover from weather wherever possible. The required bicycle parking for the use may be provided as a subset of the required bicycle parking for building/site plan, if the proposed use does not utilize more than 50% of the building's/site plan's overall required bicycle parking.
- c. The applicant agrees to provide for every required staff bicycle parking space, a minimum of one (1) clothes storage locker per ten (10) staff. The lockers shall be a minimum size of 12 inches in width, 18 inches in depth, and 36 inches in height. The applicant agrees to provide no fewer than two (2) lockers. The school may utilize locker space within the building as long as school staff is provided access or the school may provide it within school's leased area for exclusive use by school staff.
- d. The applicant agrees to ensure that the School provides a Bicycle Facilities Management Plan included in the Transportation Management Plan once the School has 100 or more enrolled students. This plan shall include:
 - i. A description of how access and security to lockers will be provided and how school staff will be notified periodically of the bike parking and lockers.

- ii. Management of locker assignments, and re-assignments, to bicycle commuters.
- iii. Hours of operation or availability to users. Lockers for school staff shall be available to employees during all hours in which employees may access the building. Bicycle commuters shall be permitted to use the lockers for storage 24 hours per day, 7 days per week, to facilitate bicycle commuting.
- iv. A description of how student enrollment and staff will be evaluated and reported on an annual basis and what steps will be taken to expand bike parking and locker facilities as necessary based on the ratio above each year.

8. Transportation Management Plan

The applicant agrees to ensure that the School obtains approval from the County Manager of a Transportation Management Plan (TMP). Such approval shall be given if the County Manager finds that the TMP includes a schedule and description of implementation and continued operation, throughout the life of the Use Permit, of all elements outlined below under sub-sections A (Participation), B (Facilities and Improvements), C (Promotions, Services, and Policies), and D (Performance and Monitoring). The applicant agrees to submit a draft TMP to the County prior to issuance of a certificate of occupancy for the private school use.

Upon approval of the TMP by the County Manager, the applicant agrees to ensure that the School implement all elements of the plan with assistance, when appropriate, by agencies of the County.

Unless otherwise specified, the applicant agrees that all individual elements of this TMP shall be operational prior to September 30, 2023 unless otherwise specified.

Unless otherwise specified, all dollar denominated rates shall be adjusted for inflation by the U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index (CPI) Inflation Calculator from the date of first approval, October 21, 2017, of this condition.

a. Participation

- i. Establish and maintain an active, ongoing relationship with Arlington Transportation Partners (ATP), or successor entity.
- ii. Designate a member of school management as Transportation Coordinator (TC) to be a primary point of contact with the County and undertake the responsibility for coordinating and completing all Transportation Management Plan (TMP) obligations. The school management will

provide, and keep current, the name and contact information of the TC to Arlington County Commuter Services (ACCS) or successor. The TC shall be appropriately trained, to the satisfaction of Arlington County Commuter Services (ACCS) or successor, to provide rideshare, transit, and other information provided by Arlington County or the Arlington County Commuter Services (ACCS) or successor intended to assist with transportation to and from the site.

b. Facilities and Improvements

- i. Provide an information display, the number/content/design/location of which shall be approved by Arlington County Commuter Services (ACCS), to provide transportation related information to students, staff, and visitors. School management shall keep display stocked with approved materials at all times.

c. Promotions, Services, Policies

- i. Prepare, reproduce and distribute a welcome package, digital or hard copy, consisting of informational materials provided by Arlington County, which includes site-specific ridesharing and transit-related information, to each new school employee and to the parent/guardian of each new student, at the start of each school year.
- ii. The applicant agrees to ensure that the School provides, under a “transportation information” heading on the school website:
 1. Links to the most appropriate Arlington County Commuter Services web page(s). Obtain confirmation of most appropriate link from ACCS.
 2. A description of key transportation benefits and services provided at the building, pursuant to the Transportation Management Plan.
- iii. The applicant agrees to ensure that the School provides the following promotions, services, or policies once the school has 100 or more enrolled students:
 1. The applicant agrees to ensure that the School provides one time, per person, to each new school employee, whether employed part-time or full-time, directly employed or contracted, who moves into or begins employment in the building, the choice of one of the following:
 - a. \$65.00 Metro fare on a SmarTrip card or successor fare medium
 - b. A one year bikeshare membership
 - c. A one year carshare membership

- d. The TDM Planning Program Manager may approve additions to, or substitution of one or more of these choices with a comparable transportation program incentive, as technology and service options change, if he/she finds that an incentive shall be designed to provide the individual with an option other than driving alone in a personal vehicle, either by removing a barrier to program entry, such as a membership cost, or by providing a similar level of subsidized access to a public or shared transportation system, program or service.
2. The applicant agrees to ensure that the School provide, administer, or cause the provision of a sustainable commute benefit program for each school employee, whether employed part-time or fulltime, directly employed or contracted, which program shall include, at a minimum, a pre-tax transportation benefit, as defined by the IRS, or a subsidized/direct transportation benefit, as defined by the IRS.
3. The applicant agrees to ensure that the School provide one time, per person, to each new student, a \$25 iRide SmarTrip card. Distribution of this card may be incorporated into school curriculum involving sustainable transportation to introduce students to local transportation services and travel options.

d. Performance and Monitoring

- i. On an annual basis, the applicant agrees to ensure that the School submit an annual report by September 30, beginning in 2023 and each year thereafter, as specified by the TDM Planning Program Manager, describing completely and correctly, the TDM related activities of the school. This report will include updated student enrollment figures and total employees to facilitate evaluation of bike parking and locker needs at the school. In addition, the report will include transportation performance monitoring survey results, which shall include at minimum one or a combination of the following kinds of data: classroom student tallies, parent surveys, and/or employee mode-split surveys. The applicant agrees to ensure that the School agrees to notify, assist, and strongly encourage participation by students, parents, and employees in these mode-split surveys. The applicant agrees to ensure that the School agrees to work with Arlington Transportation Partners to conduct these surveys, and will provide summary results and data in the form specified by the County.

PREVIOUS COUNTY BOARD ACTIONS:

- May 12, 1984 Amended the General Land Use Plan (GP-160-841) for the northwestern portion of the block (Wilson Boulevard frontage only) bounded by Wilson Boulevard, North Oak Street, North Pierce Street and 17th Street North from "High Residential" (maximum 4.8 Floor Area Ratio [FAR] Apartment; 3.8 FAR Hotel) to "High Office-Apartment-Hotel" (up to 3.8 FAR Office/Hotel; 4.8 FAR Apartment). Approved a site plan (Z-2258-84-2) for a mixed-use office/hotel/retail project with Conditions #1 through #27; approved a rezoning (Z-2258-84-2) from "RA6-15" and "C-3" to "C-O" and "RA-H3.2."
- March 2, 1985 Accepted withdrawal of a site plan amendment (Z2258-84-2) to reconfigure the approved hotel to increase the Gross Floor Area, the number of units and the height of the building, and to add a health club and other hotel amenities.
- December 2, 1986 Approved a site plan amendment (Z-2258-84-2) to permit an interim surface parking lot and new Conditions #28 through #31.
- July 11, 1987 Approved a site plan amendment (Z-2258-84-2) for a rooftop sign reading "Columbia First" on the western facade of the 1560 Wilson Blvd. Building.
- November 7, 1987 Approved a site plan amendment (Z-2258-84-2) for a freestanding project identification sign in the plaza near the intersection of Wilson Boulevard and North Pierce Street.
- February 11, 1989 Approved a site plan amendment (Z-2258-84-2) to reconfigure the hotel by reducing the Gross Floor Area from 101,140 square feet to 98,500 square feet, reducing the Floor Area Ratio to 3.6 F.A.R., increasing the number of hotel units from 127 to 162 units, and reducing the parking ratio from 1 space per

	unit to .86 space per unit, and new Condition #28 (unique from Condition #28 approved on December 2, 1986).
August 12, 1989	Approved a site plan amendment (Z-2258-84-2) to permit modifications in the approved facade and the installation of three identification signs, with revised Conditions #28 and new Condition #29 (unique from Conditions #28 and #29 approved on December 2, 1986).
May 22, 1990	Approved a site plan amendment (SP #219) to reduce the clearance of the loading dock from 14 feet to 11.5 feet, subject to new Condition #1 requiring that no delivery or loading vehicles be permitted to use Clarendon Boulevard for loading, maneuvering or servicing the hotel.
September 18, 1991	Approved a site plan amendment (SP #219) permitting the installation of a 2.8 meter satellite dish antenna on the hotel roof, and new Condition #30 (unique from Condition #30 approved on December 2, 1986).
March 6, 1993	Deferred to April 3, 1993, a site plan amendment (SP #219) for the conversion of 2,651 square feet of penthouse space to office use at 1550 Wilson Boulevard.
April 3, 1993	Deferred to May 15, 1993, a site plan amendment (SP #219) for the conversion of 2,651 square feet of penthouse space to office use at 1550 Wilson Blvd.
May 18, 1993	Denied a site plan amendment (SP #219) for the conversion of 2,651 square feet of penthouse space to office use at 1550 Wilson Blvd.
June 4, 1994	Approved a site plan amendment (SP #219) for the conversion of approximately 1,992 square feet of retail space to office/retail use at 1550 Wilson Blvd.

October 17, 1995	Approved a site plan amendment (SP #219) for a temporary leasing sign of approximately 210 square feet at the roof line of the west elevation for the parcel of real property known as 1560 Wilson Blvd.
May 23, 2000	Approved a site plan amendment (SP #219) for the conversion of approximately 5,462 square feet of retail space to office space at 1560 Wilson Blvd.
September 9, 2000	Approved a site plan amendment (SP #219) for a sign to be placed above the height limit at 55 feet instead of 35 feet as permitted, for the parcel of real property known as 1550 Wilson Blvd.
March 13, 2004	Approved a site plan amendment (SP #219) for live entertainment and dancing at 1560 Wilson Blvd., with a County Board review in one (1) year (March 2005).
March 12, 2005	Renewed a site plan amendment (SP #219) for live entertainment and dancing at 1560 Wilson Blvd. with a County Board review in three (3) years (March 2008).
February 21, 2009	Approved a site plan amendment (SP #219) for a rooftop sign located at 1550 Wilson Blvd., subject to all previously approved conditions and an amended condition #21.
March 14, 2009	Renewed a site plan amendment (SP #219) for live entertainment and dancing at 1550 Wilson Blvd. with a County Board review in five (5) years (March 2014) and with new Condition #5.
March 15, 2014	Renewed a site plan amendment (SP #219) for live entertainment and dancing at 1550 Wilson Blvd., subject to all previously approved conditions and with new Condition #30 specifying that the use is temporary (and replacing live entertainment Conditions #1 through #5), and with a County Board review in five (5) years (March 2019).

September 19, 2015

Approved a site plan amendment to allow for office use in addition to retail use within space located at 1550 and 1560 Wilson Blvd., subject to all previously approved conditions and new Condition #32.

March 16, 2019

Approved a site plan amendment to delete condition #30, pertaining to Café Asia, thereby discontinuing the live entertainment and dancing use at Café Asia as previously approved.

October 15, 2022

Approved a site plan amendment (SP #219) to permit school use in a portion of a commercial building located at 1550 Wilson Boulevard, subject to all previously approved conditions and new condition #33 of the Ordinance.

Approved a use permit for a private middle and high school (The Sycamore School) with a maximum enrollment of 140 students, subject to conditions and a County Board review in one (1) year (October 2023).