



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of January 20, 2024

DATE: January 16, 2024

SUBJECT: UPER22-00021 USE PERMIT REVIEW of a commercial parking lot; located at 1425 N. Quincy St. (RPC# 15-040-067).

Applicant: Arlington County, Department of Environmental Services (DES)

By:

George May
Deputy Director, DES Facilities and Engineering
2100 Clarendon Blvd., Suite 900
Arlington, VA 22201

C.M. RECOMMENDATION:

Renew the use permit for a commercial parking lot on a portion of the property located at 1425 N. Quincy St. (RPC# 15-040-0674), subject to the previously approved conditions and with a County Board review in one year (January 2025).

ISSUES: This is a review of a use permit for a commercial parking lot operating as a temporary use accommodating the storage of up to 29 ART buses to park on a portion of the property located at 1425 N. Quincy St. This use permit was initially approved by the County Board on May 14, 2022, and scheduled for annual reviews by the County Board. Planning staff erred in initiating a review of the use permit administratively rather than with the County Board. After recognizing this error, staff proceeded with preparing the item for review by the County Board at their December 2023 meeting. In consultation with the Ballston-Virginia Square Civic Association, the review of the use permit was deferred for consideration by the County Board at their December 16, 2023, meeting to the January 20, 2024, meeting to allow for greater community involvement in the review. Staff has not identified any outstanding issues with the operation of this use permit. While members of the community have expressed concern about this temporary operation in the past, staff has not received any official comments from the community as of the date of this report. Therefore, staff recommends that the use permit be renewed with a County Board review in one (1) year (January 2025), which will allow an

County Manager:

MJS/SFW

County Attorney:

MNC

CR Sanders

Staff: Aaron Shriber, DCPHD, Planning Division

assessment of the use and potentially offer the opportunity to discontinue the use permit if the permanent facility accommodating the storage of these ART buses is complete.

SUMMARY: This is a review of a use permit for a commercial parking lot for up to 29 ART buses on a portion of County-owned property located at 1425 N. Quincy St.. The use permit was initially approved in May 2022 as a temporary use until no later than December 31, 2025, as accommodations for a portion of the ART fleet serving routes in the northern portion of Arlington County. The temporary accommodations were necessitated by the creation of a permanent ART Operations and Maintenance Facility (AOMF) at 2631 and 2635 Shirlington Road. The AOMF is currently under construction with an anticipated completion date in late 2024. Staff will provide updates on the construction schedule of the AOMF as it progresses. With staff's review of this use permit, no outstanding issues were identified and the use has been found to be operating in compliance with the approved conditions. The applicant has maintained project status updates about the temporary ART facility (subject use permit) and the permanent AOMF on the County's website and has hosted community meetings about the temporary use, with the latest occurring on November 29, 2023. Further, though related not to this use permit but rather to the site plan governing the subject site, landscaping improvements including the installation of a new fence and plantings were completed along the southern border of the site in spring 2023. In the past, community members have expressed opposition to the temporary use of the subject property for ART bus storage; however, no official comments on the current review have been received as of the date of this report. As the use has been found to be operating in compliance with the approved use permit conditions, along with other applicable codes and ordinances, staff recommends that the use permit be renewed with a County Board review in one (1) year (January 2025), which will afford the community, staff, and the County Board the opportunity to review the use, with the potential of possibly discontinuing the use permit should construction of the permanent AOMF be completed by then, which is anticipated to occur by the end of 2024. Staff will provide updates on the AOMF construction schedule as it progresses.

BACKGROUND: The subject parcel is a 6.11 acre (266,190 square feet) interior lot with frontage and access from North Quincy Street. The parcel is split zoned R-5, CM, C-O-1.0, and M-1, with the use permit occurring on the M-1 zoned portion of the property. The parcel was acquired by the County in 2017 to accommodate public facility uses.

Address / RPC: 1425 N. Quincy St. (RPC# 15-040-067)

Neighborhood: The site is located within the Ballston-Virginia Square Civic Association (BVSCA) and adjacent to the Cherrydale Citizens Association (CCA).

Zoning (Use Permit Area): "M-1", Light Industrial District.

GLUP: "Low" Residential (1-10 units/acre); Public Ownership; Public Facilities Map-"Operations" use category (E7. Quincy I-IV).

Existing Land Use: The County-owned parcel contains surface parking and four (4) buildings that are utilized for various County public facility operations. The subject use occurs in two (2) areas located on the east and west sides of the Quincy 2 building. The property is adjacent to

Interstate 66 to the north, Hayes Park to the east, single-detached dwellings to the south, and North Quincy Street to the west.

Figure 1: Subject Property (red boundary) with Use Permit ART Parking (blue clouded areas)



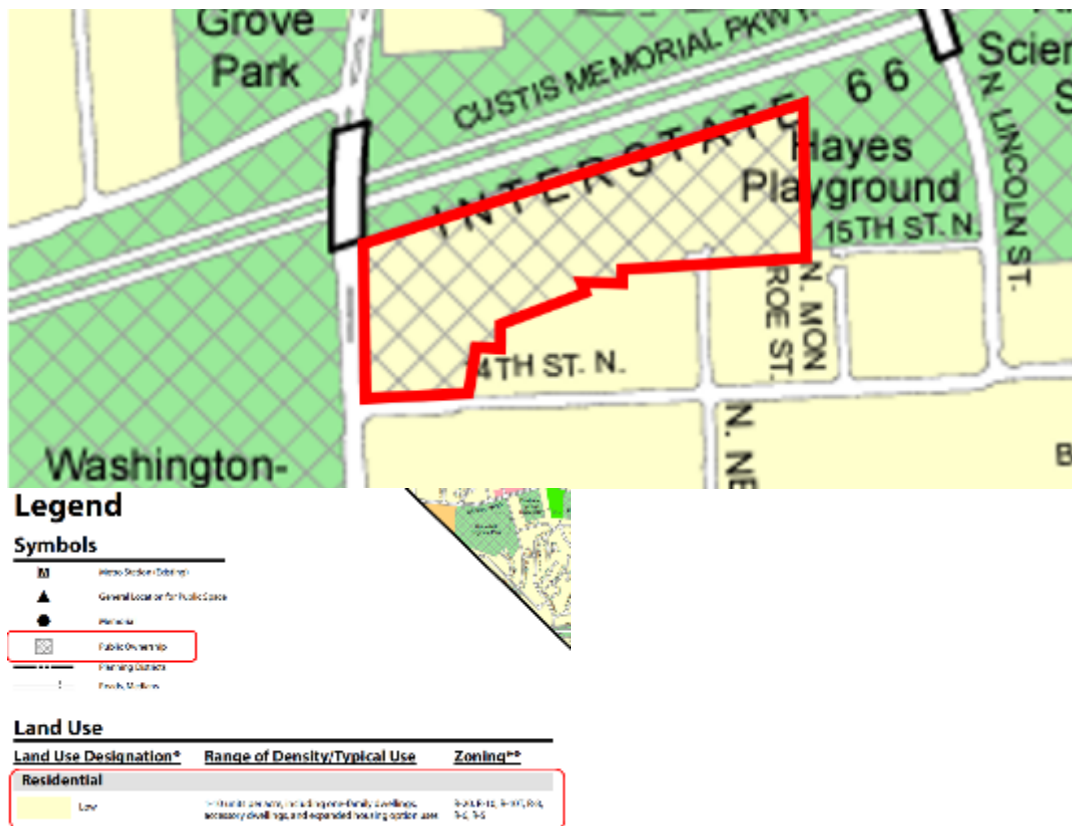
Source: Pictometry

Figure 2: Zoning Boundaries (Property Outlined in Green)



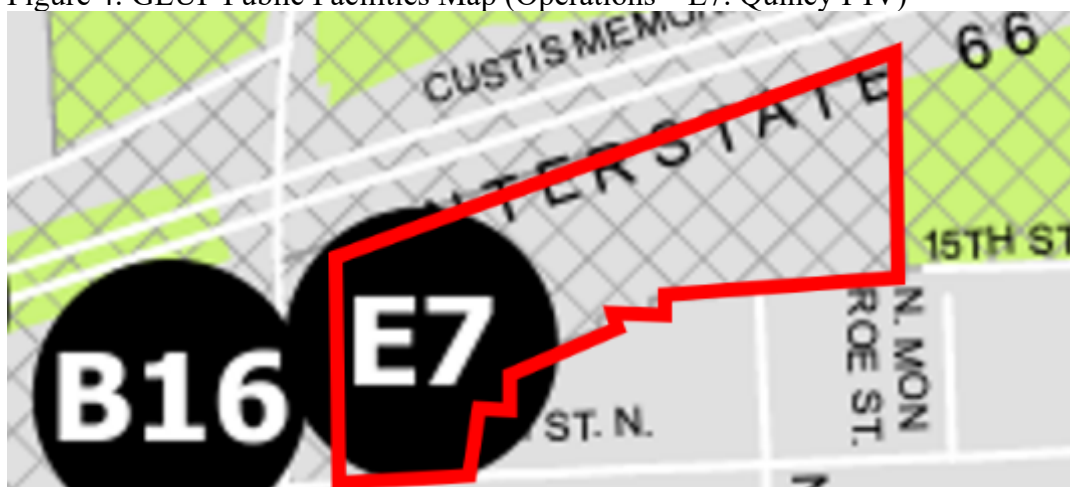
Source: Pictometry

Figure 3: GLUP Designation



Source: General Land Use Plan

Figure 4: GLUP Public Facilities Map (Operations – E7. Quincy I-IV)



Source: GLUP Public Facilities Map

DISCUSSION: The following details the existing use and staff assessment:

REVIEWED USE:

Type of Use:

Commercial parking lot for up to 29 ART buses in an approximately 38,200 square foot portion of the M-1 zoned area of the site. The use permit is term-limited, by use permit condition, to cease operations no later than December 31, 2025.

ASSESSMENT:

Inspection Services:

ISD staff conducted an inspection of the use on November 15, 2023, and identified no violations of applicable code provisions.

Zoning Enforcement:

Zoning staff conducted an inspection of the use on November 16, 2023, and identified no violations of use permit conditions or applicable provisions of the Zoning Ordinance.

Commercial parking is allowed in the M-1 zoning district either as: A) permitted by-right if accommodating less than 50 spaces or less than 20,000 square feet; or B) permitted by use permit if accommodating more than 50 spaces or greater than 20,000 square feet. Though less than 50 spaces are utilized (29 ART bus parking spaces), the use does consume more than 20,000 square feet as the parking is located in two areas on the east and west sides of the Quincy 2 building. The [use permit application](#) was approved by the County Board on May 14, 2022, where the temporary commercial parking lot use was found to be consistent with the Comprehensive Plan, Zoning Ordinance, Site Plan #235, and Deed of Covenant for a portion of the property. As discussed and analyzed in the staff report for the May 14, 2022, County Board meeting for this use permit, the site has a documented history of use restrictions on the property; however, the use permit area and use have been deemed to not be in conflict with any of the existing site plan conditions or recorded covenants on the property.

DES has been operating the commercial parking lot on the subject property since approval of a Certificate of Occupancy (CO2200390) that was issued on June 16, 2022, following County Board approval of the use permit. In reviewing this use permit, staff assessed conformance with the approved use permit 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; and the Arlington County Zoning Ordinance. Furthermore, the applicant agrees to actively and promptly pursue obtainment of all required associated building, fence, and operational permits and occupancy certificates from the various administrative and regulating agencies.

Staff Observation: Through inspections of the property, the use has been found to be operating in compliance with all applicable ordinances, codes, and regulations.

2. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns that may be related to this use. The name, telephone number, and electronic mail address of the liaison shall be submitted by the applicant to the Zoning Administrator, the Ballston-Virginia Square Civic Association, and the Cherrydale Citizens Association prior to commencement of the use and issuance of a Certificate of Occupancy. The applicant further agrees to host a community meeting with the aforementioned civic organizations to address questions or concerns related to the use permit at least once per year, for the life of the use permit. The applicant shall record and submit meeting minutes from each community meeting to the Zoning Administrator following each community meeting.

Staff Observation: Liaison contact information has been provided to the Zoning Administrator, Ballston-Virginia Square Civic Association, and the Cherrydale Citizens Association. Further, DES has maintained an active website for this [temporary use](#) and the [permanent AOMF](#) building under construction. This website includes copies of the materials presented during the community meetings, with the most recent meeting occurring on November 29, 2023.

3. The subject use permit for commercial parking of buses applies only to the portion of the property zoned “M-1,” Light Industrial District, and the areas shown on the sheet titled “Proposed Plan” dated March 16, 2022, and attached to the staff report.

Staff Observation: During inspection of the use, staff confirmed that the commercial parking of ART buses is limited to the M-1 portion of the property.

4. The subject use permit is valid only until December 31, 2025, and thereafter is void, unless otherwise reviewed and renewed by the County Board.

Staff Observation: The use is term-limited by this condition. However, this use permit may potentially be discontinued sooner once the permanent AOMF building is completed, which is anticipated to occur by the end of 2024.

5. The applicant agrees to install, prior to commencement of the use, a noise abating acoustical barrier at the locations labeled “Acoustical Barrier” as shown on Exhibit A attached to the staff report. The applicant shall maintain the acoustical barrier in working order according to the manufacturer’s specifications for the life of the use permit.

Staff Observation: Staff confirmed that the acoustical barrier has been installed as evidenced in Figure 5.

Figure 5: Photograph of Eastern Section of ART Bus Parking (Note Fencing and Acoustical Barrier)



Source: CPHD Staff

Figure 6: Photograph of Western Section of ART Bus Parking (Note Fencing)



Source: CPHD Staff

PUBLIC ENGAGEMENT:

Level of Engagement: **Communicate**

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 January 8, 2024, and January 15, 2024, issues of the Washington Times for the January 20, 2024, County Board Meeting.

In addition to the above legal requirements:

- Placards were placed in various locations surrounding the subject property within seven (7) days of the public hearing.

- Civic associations were informed of the review of this use permit via email communication. The subject property is located within the Ballston-Virginia Square Civic Association and is adjacent to the Cherrydale Citizens Association.

Community Feedback:

Ballston-Virginia Square Civic Association (BVSCA): In coordination with BVSCA leadership, the County Board deferred consideration of this use permit review at their December 2023 meeting in order to allow additional time for the community to participate in the review of this use permit. As of the date of this report, BVSCA leadership has not provided staff with any substantive comments on the current review of this use; however, BVSCA leadership and several of its members did oppose the use permit when it was initially approved by the County Board in May 2022.

In addition, previous community concerns have periodically been raised with various ongoing public uses on the County-owned property as a whole, separate from this subject use permit, which staff have addressed as appropriate.

Cherrydale Citizens Association: The Cherrydale Citizens Association has not provided any responses to staff inquiries regarding this use permit as of the date of this report.

CONCLUSION: The subject use (commercial parking) is permitted in the M-1 zoning district via use permit, which the County Board approved in May 2022 as a temporary use of the property until no later than December 31, 2025. Since the time of approval, the use has commenced, and through inspections of the property, the use has been found to be operating in compliance with the approved use permit and applicable provisions of appropriate codes and ordinances. As a temporary use, the parking of ART buses on the property while the permanent AOMF building is under construction in Arlington's Green Valley neighborhood has allowed DES to maintain efficient levels of service for ART routes serving the northern portion of Arlington County. This temporary use is consistent with the Comprehensive Plan, specifically the GLUP Public Facilities Map that identifies the site for operational public uses, which was designated as such in February 2020. The approved use permit conditions have been complied with, including community meetings and installation of an acoustical barrier for the eastern parking area to mitigate noise impacts on the adjacent residential uses. Further, though associated with site plan compliance for SP# 235 that governs the site, DES replaced fencing and installed new landscaping along the southern border of the property adjacent to existing single-detached dwellings. Staff continues to believe that the use permit does not have an adverse impact on the health and safety of persons residing or working in the neighborhood of the use, is not detrimental to the public welfare or injurious to property or improvements in the neighborhood, and is not in conflict with the purposes of the master plans of Arlington County. Therefore, staff recommends that the County Board renew the use permit for a commercial parking lot for ART buses on the property located at 1425 N. Quincy St. (RPC# 15-040-067) with a County Board review in one (1) year (January 2025). The scheduled County Board review will afford the community, staff, and the County Board the opportunity to assess operations of the use and to consider an early discontinuance of the use permit prior to December 31, 2025 if

the permanent AOMF building has been completed by that time, which is anticipated to occur by the end of the 2024.

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; and the Arlington County Zoning Ordinance. Furthermore, the applicant agrees to actively and promptly pursue obtainment of all required associated building, fence, and operational permits and occupancy certificates from the various administrative and regulating agencies.
2. The applicant agrees to designate a neighborhood liaison to communicate with nearby residents and neighbors to address concerns that may be related to this use. The name, telephone number, and electronic mail address of the liaison shall be submitted by the applicant to the Zoning Administrator, the Ballston-Virginia Square Civic Association, and the Cherrydale Citizens Association prior to commencement of the use and issuance of a Certificate of Occupancy. The applicant further agrees to host a community meeting with the aforementioned civic organizations to address questions or concerns related to the use permit at least once per year, for the life of the use permit. The applicant shall record and submit meeting minutes from each community meeting to the Zoning Administrator following each community meeting.
3. The subject use permit for commercial parking of buses applies only to the portion of the property zoned "M-1," Light Industrial District, and the areas shown on the sheet titled "Proposed Plan" dated March 16, 2022, and attached to the staff report.
4. The subject use permit is valid only until December 31, 2025, and thereafter is void, unless otherwise reviewed and renewed by the County Board.
5. The applicant agrees to install, prior to commencement of the use, a noise abating acoustical barrier at the locations labeled "Acoustical Barrier" as shown on Exhibit A attached to the staff report. The applicant shall maintain the acoustical barrier in working order according to the manufacturer's specifications for the life of the use permit.

PREVIOUS COUNTY BOARD ACTIONS:

April 18, 1953	Approved a use permit (U-1081-53-1) for a public parking area as a transitional use at 1423 N. Nelson St.
January 5, 1985	Deferred a site plan application for a parking lot (Z-2276-85-3; SP #235) to March 1985
March 2, 1985	Deferred a site plan application for a parking lot (Z-2276-85-3; SP# 235) to April 1985
April 13, 1985	Deferred a site plan application for a parking lot (Z-2276-85-3; SP# 235) to July 1985
July 13, 1985	Approved a rezoning (Z-2276-85-3) from R-5 to C-O-1.0 on the premises known as 1422, 1500 and part of 1510 and 1511 N. Nelson ST, to the existing R-5/M-1 zoning line without regard to the centerline of 15 th St. N. and part of 1429 N. Quincy St. Approved a site plan (Z-2276-85-3; SP# 235) for a parking lot, subject to the conditions of the staff report.
June 14, 1986	Withdrew, on its own motion, a site plan amendment (Z-2276-85-3; SP# 235) to delete the requirement for a walkway from N. Nelson St. to Hayes Park.
May 14, 2022	Approved a use permit (UPER22-00021; U-3615-22-1) for a commercial parking lot until December 31, 2025 with annual County Board reviews.