



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of March 13, 2025

DATE: March 10, 2025

SUBJECT:

- A. GP-368-25-1 GENERAL LAND USE PLAN AMENDMENT to change the land use designation for an approximately 1.44-acre parcel located at 2480 South Glebe Road (RPC #31-034-025) from "Service Industry" to "Medium" Residential.
- B. Master Transportation Plan Map Amendment to add a new segment of South Garfield Street, new segment of 25th Court South, and a new street titled South Fillmore Court, located in the vicinity of 2480 South Glebe Road (RPC #31-034-024, -025).
- C. SPLA23-00053 SITE PLAN AMENDMENT (SP #111) to construct up to 531 residential units, with modifications for additional density, lot area per unit, lot coverage, reduced residential parking ratios, required loading spaces, density exclusions, and other modifications necessary to achieve the proposed development; located at 2480 South Glebe Road (RPC# 31-034-024, -025).

Applicant:

CC Rock Arlington Owner, LLC
601 S. Tryon Street, Suite 800
Charlotte, NC 28202

By:

Kedrick Whitmore
Venable LLP
1850 Towers Crescent Plaza, Suite 400
Tysons, VA 22182

C.M. RECOMMENDATION:

1. Adopt the attached Resolution to approve the General Land Use Plan amendment to change the land use designation for an approximately 1.44-acre parcel located at 2480

County Manager:

County Attorney:

Staff: Kevin Lam, DCPHD, Planning Division
Bryce Johnson, DES, Development Services Bureau
Alex McMillen, DCPHD, Housing Division

South Glebe Road (RPC #31-034-025) from "Service Industry" to "Medium" Residential, as indicated on the attached map (Attachment A).

2. Adopt the attached Resolution to amend the Master Transportation Plan Map to add a new segment of South Garfield Street, new segment of 25th Court South, and a new street titled South Fillmore Court, as indicated on the attached map (Attachment B).
3. Adopt the attached ordinance for SPLA23-00053 (SP #111) to permit the construction of up to 531 residential units, with modifications for additional density, lot area per unit, lot coverage, reduced residential parking ratios, required loading spaces, density exclusions, and other modifications necessary to achieve the proposed development; located at 2480 South Glebe Road, subject to the conditions of the attached ordinance.

ISSUES: This is a set of applications for a General Land Use Plan (GLUP) amendment, Master Transportation Plan (MTP) Map amendment, and major site plan amendment (SPLA23-00053 aka SP #111) to facilitate construction of up to 531 residential units. As of the date of this report, staff has not identified outstanding policy issues with the applicant's proposal. However, during the public review process, members of the community expressed concerns regarding potential impacts to traffic on 24th Road South, which is further discussed in this report.

SUMMARY: The applicant, CC Rock Arlington Owner, LLC, proposes to demolish two (2) existing hotels and surface parking area and construct up to 531 residential units containing approximately 621,477 sf of residential GFA. The proposal consists of five (5) buildings, which include one (1) 8-story multifamily building with a penthouse level wrapped around an above-grade parking structure, one (1) townhouse building, and three (3) townhouse-style multifamily buildings. To facilitate the redevelopment, the applicant is requesting to change the GLUP designation for a portion of the site from "Service Industry" to "Medium" Residential and amend the Master Transportation Plan Map to add a new segment of South Garfield Street, new segment of 25th Court South, and a new street titled South Fillmore Court. The applicant proposes to construct these three (3) new streets, dedicate an approximately 10,311 sf public use and access easement adjacent to the neighboring Lomax AME Zion Church, and install and maintain landscaping and pedestrian improvements within the privately-owned public space. In addition, the applicant will dedicate a public street easement in the future that would allow for an inter-parcel connection through the site to the adjacent property for the purpose of connecting 24th Road South to Shirlington Road.

The proposal advances several goals of the Four Mile Run Valley (4MRV) Area Plan, which, specific to the subject site that is located within Subarea D, recommends redevelopment with hotel and multifamily residential uses, along with dedicated open space and a new street connecting 24th Road South and Shirlington Road. By maintaining multifamily residential use with height transitions facing the Lomax AME Zion Church and cemetery, the project ensures compatibility with the surrounding context. The proposal provides public space along the western property line with landscaping and pedestrian improvements, which serves as a

welcoming green buffer with the historic church and cemetery. The proposal also contributes to a potential future street connection between 24th Road South and Shirlington Road by installing a new segment of South Garfield Street and reserving area for a future dedication of a public street easement to permit construction, by others, of a street connection through the properties to the west allowing vehicular access through the blocks between 24th Road South and Shirlington Road.

The redevelopment project deviates from guidance from the 4MRV Area Plan related to maximum building height, and the location of a public space and new street on the subject site. However, staff finds that these deviations result in positive site elements that provide greater buffering and transitions between the proposed development and the adjacent Lomax AME Zion Church and cemetery, which is designated a Local Historic District. In addition, the proposal presents improvements over existing site conditions by widening adjacent streetscapes, eliminating three (3) curb cuts, and redeveloping several aging hotel buildings and large surface parking area. Overall, staff finds the proposed site plan amendment to be generally consistent with the requested GLUP designation, the 4MRV Area Plan, and applicable requirements of the ACZO (with modifications as requested), and advances several key County goals and objectives, such as:

- Affordable housing: Provides seven (7) on-site CAFs at 60% of the Area Median Income (AMI) and the base affordable housing contribution (choice of \$2,004,471 or approximately 10 on-site units, 15 off-site nearby units, or 20 off-site units), advancing the goals and objectives of the [Affordable Housing Master Plan](#).
- Transportation improvements: Provides street, streetscape, and transit infrastructure improvements on South Glebe Road and 24th Road South, constructs a new street and street segments, and will dedicate a public street easement in the future to allow for an inter-parcel connection to the property to the west, consistent with the goals of the 4MRV Area Plan and the [Master Transportation Plan](#).
- Public space improvements: Provides an approximately 10,311 sf public use and access easement and installs and maintains landscaping and pedestrian improvements within the privately-owned public space, consistent with the recommendations of the 4MRV Area Plan and the [Public Spaces Master Plan](#).
- Sustainable design: Achieves LEED Gold certification and compliance with the Green Building Incentive Program (GBIP) (0.25 FAR level), supporting the sustainability goals of the [Community Energy Plan](#).

Overall, staff finds the proposal to be consistent with the County's adopted plans and policies, specifically related to the 4MRV Area Plan, and will not result in adverse impacts to surrounding streets or neighborhoods. Therefore, staff recommends the County Board adopt the attached ordinances to approve the site plan amendment for the Hotel Pentagon redevelopment project,

GLUP amendment, and MTP Map amendment.

BACKGROUND: The 5.52-acre (240,335 sf) site is located at 2480 South Glebe Road in the Green Valley neighborhood. The site is bordered by the Alister Arlington Ridge apartments to the north across 24th Road South, the Bell Arlington Ridge apartments to the east across South Glebe Road, the Interstate 395 (I-395) on-ramps and low-density warehouses to the south, and the Lomax AME Zion Church and cemetery and low-density warehouses to the west. The Lomax AME Zion Church is designated a Local Historic District and listed on the National Register of Historic Places.

Figure 1. Location of the Hotel Pentagon Site.



Source: AC Staffmap.

Address / RPC: 2480 South Glebe Road (RPC# 31-034-024, -025).

Neighborhood: The site is located within the Green Valley Civic Association.

Zoning: "RA-H" Hotel District.

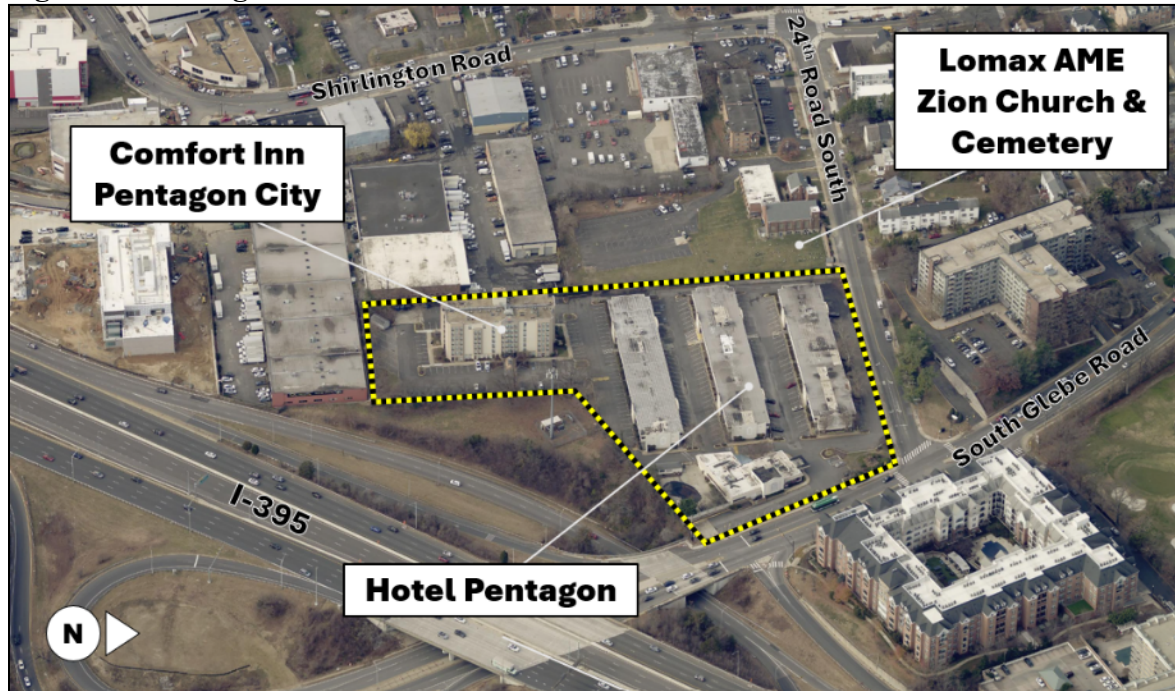
GLUP: Existing: "Medium" Residential and "Service Industry".

Proposed: "Medium" Residential.

Existing Land Use: The site is currently occupied by two (2) hotels: Hotel Pentagon and Comfort Inn Pentagon City. Hotel Pentagon consists of

approximately 209 rooms across four (4) 2-story hotel buildings. Comfort Inn Pentagon City consists of approximately 120 rooms in a single 7-story hotel building. The site features two (2) curb cuts on South Glebe Road and one (1) curb cut on 24th Road South providing access to 296 surface parking spaces supporting the hotels.

Figure 2. Existing Site.



Source: Pictometry.

Figure 3. Views from South Glebe Road.



Source: CPHD.

Figure 4. Views from 24th Road South.



Source: CPHD.

Site History & Context: The site has been occupied by hotel use dating back to the 1960s. In 1957, the County Board approved a rezoning for a portion of the subject site from "R2-7" Two-Family Dwelling District to "RA-H" Hotel District. Subsequently in 1961, the site was developed with a motel and restaurant in accordance with the by-right provisions of the ACZO. However, in 1964 the ACZO was amended to require site plan approval for developments in the "RA-H" zoning district. In 1976, the County Board approved site plan #111 (SP #111) to allow for live entertainment use at the existing motel and restaurant. In 1985, the County Board approved a rezoning for the remaining portion of the subject site from "M-1" Light Industrial District to "RA-H" Hotel District and a site plan amendment to SP #111 for the construction of a 7-story hotel at the rear of the site and renovations to the existing motel.

Adopted Plans and Policies: The following regulations, plans, and guiding documents are applicable to development on this site:

- [General Land Use Plan](#)
- ["RA-H" Zoning District Regulations](#)
- [Four Mile Run Valley Area Plan](#)
- [Affordable Housing Master Plan](#)
- [Master Transportation Plan](#)

GLUP: The site is currently designated "Medium" Residential (up to 37-72 units per acre) and "Service Industry" (wholesale, storage, and light manufacturing uses, including those relating to building construction activity). The applicant is requesting to amend the GLUP designation for the portion currently designated "Service Industry" to "Medium" Residential to align with the site's existing "RA-H" zoning district classification. It would also align the site with the vision of the 4MRV Area Plan which recommends future land uses of hotel/multifamily residential, rather than wholesale, storage, and light manufacturing uses typical of the "Service Industry" GLUP designation. Although a portion of the site was rezoned in 1985 to bring the entire site under the "RA-H" zoning district and facilitate development of the 7-story hotel building, for reasons

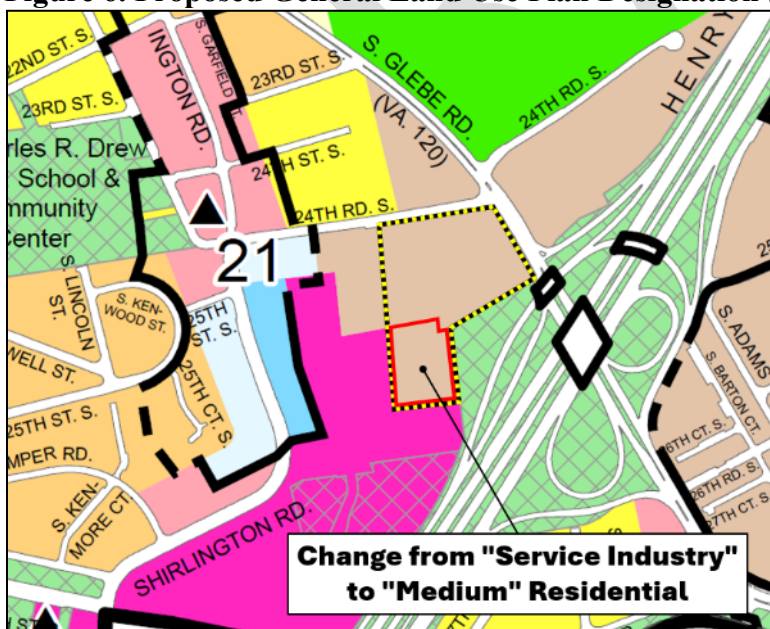
unknown, the GLUP designation was not amended at the time of the rezoning. Since the proposed GLUP designation of "Medium" Residential is consistent with the "RA-H" zoning district and future land use vision of the 4MRV Area Plan, staff supports the proposed GLUP amendment.









Figure 5. Existing General Land Use Plan Designation (See next page for legend)



Source: CPHD.

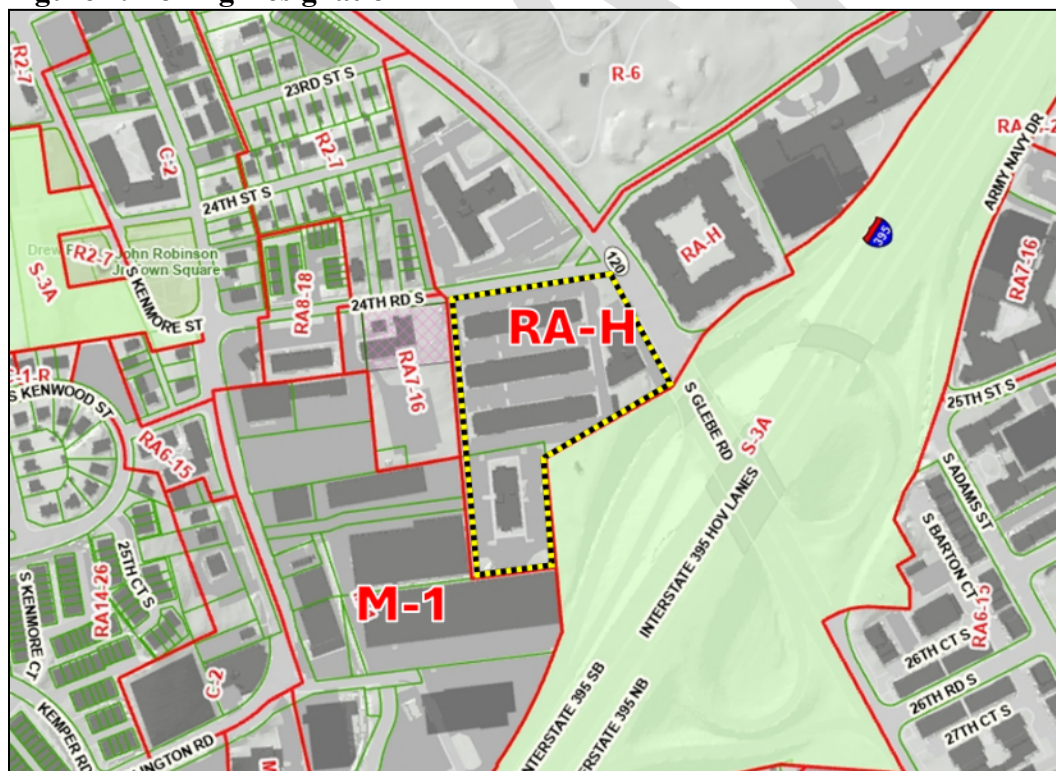
Figure 6. Proposed General Land Use Plan Designation (See next page for legend)



Land Use Designation*	Range of Density/Typical Use	Zoning**
Residential		
 Low	1-10 units per acre	R-20, R-10, R-10T, R-8, R-6, R-5
 Low	11-15 units per acre	R2-7, R15-30T
 Low-Medium	16-36 units per acre	R15-30T, RA14-26, RA8-18
 Medium	Up to 37-72 units per acre	RA7-16, RA6-15, RA-H
 High-Medium	Up to 3.24 F.A.R. (Floor Area Ratio) Residential	RA-4.8
 High	Up to 4.8 F.A.R. Residential Up to 3.8 F.A.R. Hotel	RA-H-3.2, C-O Rosslyn
Commercial and Industrial		
 Service Commercial	Personal and business services. Generally one to four stories, with special provisions within the Columbia Pike Special Revitalization District.	C-1-R, C-1, C-1-O, C-2, C-O-1.0, C-TH
 Service Industry	Wholesale, storage, and light manufacturing uses, including those relating to building construction activity.	CM, M-1, M-2

Source: CPHD.

Figure 7. Zoning Designation



Zoning: The site is currently zoned "RA-H" Hotel District, which typically corresponds with the proposed "Medium" Residential GLUP designation. Additional "RA-H" site plan requirements,

specific to ACZO Section 7.4 and relevant to the subject site include:

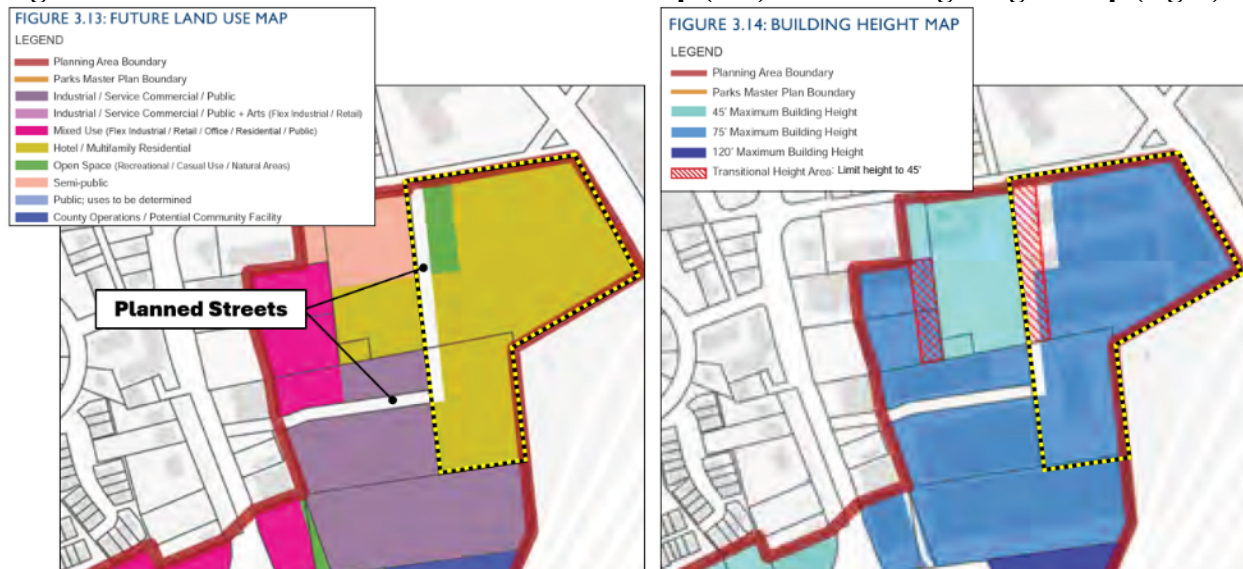
- Site Area: The ACZO requires a minimum site area of 100,000 sf. The proposal meets this requirement as the proposed site area is 240,335 sf.
- Lot Area Per Unit: The ACZO requires a minimum lot area of 600 sf per unit. The proposal has a lot area of 452 sf per unit. Therefore, the applicant is requesting a modification to the minimum lot area per unit, as further discussed below.
- Lot Width: The ACZO requires a minimum lot width of 200 feet. The proposal meets this requirement as the site's lot width is 299 feet.
- Building Height: The ACZO allows for maximum building heights up to 125 feet and 12 stories. The proposal meets this requirement as the building height is approximately 84.5 feet as measured from the average site elevation and eight (8) stories with a penthouse level.
- Lot Coverage: The ACZO allows for a maximum lot coverage of 50%. The proposal has a lot coverage of approximately 65%. Therefore, the applicant is requesting a modification to the maximum lot coverage, as further discussed below.

Four Mile Run Valley Area Plan: Adopted in 2018, the Four Mile Run Valley (aka 4MRV) Area Plan outlines a future vision for the Four Mile Run Valley, especially as it relates to environmental sustainability, open space planning, building form, land use mix, street design, and transportation networks. Focused primarily on the industrial area south of Four Mile Run Drive and east of Shirlington Road, the 4MRV Area Plan establishes a vision where the Four Mile Run Valley “will be safer, healthier, more accessible, and more responsive to the natural environment,” through strategies including:

- Reducing stormwater impacts and flooding;
- Expanding transportation options and increasing safety;
- Addressing parking needs;
- Integrating aesthetic improvements to streetscapes;
- Expanding open space and recreational resources, incorporating public art; and
- Preserving existing land uses while providing flexibility for new arts and cultural uses.

The subject site is located in Subarea D of the Concept Plan, which recommends preserving existing uses at heights already prevalent in the area. As a result, the 4MRV Area Plan recommends future land uses of hotel/multifamily residential and open space (recreational/casual use/natural areas), along with a new street connection between 24th Road South and Shirlington Road. The recommended building height at the subject site is primarily 75 ft, with a transitional height area adjacent to the Lomax AME Zion Church property of 45 ft.

Figure 8. 4MRV Area Plan: Future Land Use Map (left) and Building Height Map (right).



Source: CPHD (annotation added by staff with this report to indicate location of proposed planned street connecting 24th Road South and Shirlington Road).

In addition, the 4MRV Area Plan outlines Design Guidelines to “reinforce the pedestrian realm and a community vision for industrial character infused with arts.” At the subject site, new buildings should reflect the industrial aesthetic by incorporating materials such as brick, concrete or stone masonry, and metal and glass windows and entrances, and contribute to safer and more inviting streetscapes through building placement, open space, outdoor seating, or public art.

Affordable Housing Master Plan: The applicant is required to meet the base affordable housing requirements of the ACZO. Prior to issuance of the Shell and Core Certificate of Occupancy for the first building constructed, the applicant may choose among providing a cash contribution of \$2,004,471 to the Affordable Housing Investment Fund (AHIF), or approximately 10 on-site units, 15 off-site nearby units, or 20 off-site units. Additionally, pursuant to ACZO Section 15.5.9, the applicant is requesting additional density for the provision of seven (7) on-site CAFs, consisting of two (2) 1-bedroom units, four (4) 2-bedroom units, and one (1) 3-bedroom unit. All CAFs will be affordable for a term of 30 years at 60% AMI.

The proposed development meets several of the County’s goals, objectives and policies of the Affordable Housing Master Plan (AHMP), including:

- Policy 1.1.1 – Project will provide seven (7) on-site units of committed affordable rental housing.
- Policy 1.1.8 – Project will include four (4) 2-bedroom and one (1) 3-bedroom affordable units.
- Policy 2.5.3 – Project will provide one (1) Type A accessible unit, thereby helping to maintain a sufficient supply of affordable units accessible for persons with physical disabilities.

- Policy 3.2.2 – Project is located on the Primary Transit Network identified in the MTP and has high levels of access to transportation options.
- Policy 3.3.1 & 3.3.2 – Project will achieve LEED Gold certification with ENERGY STAR appliances and WaterSense fixtures, furthering the goals of the Community Energy Plan.

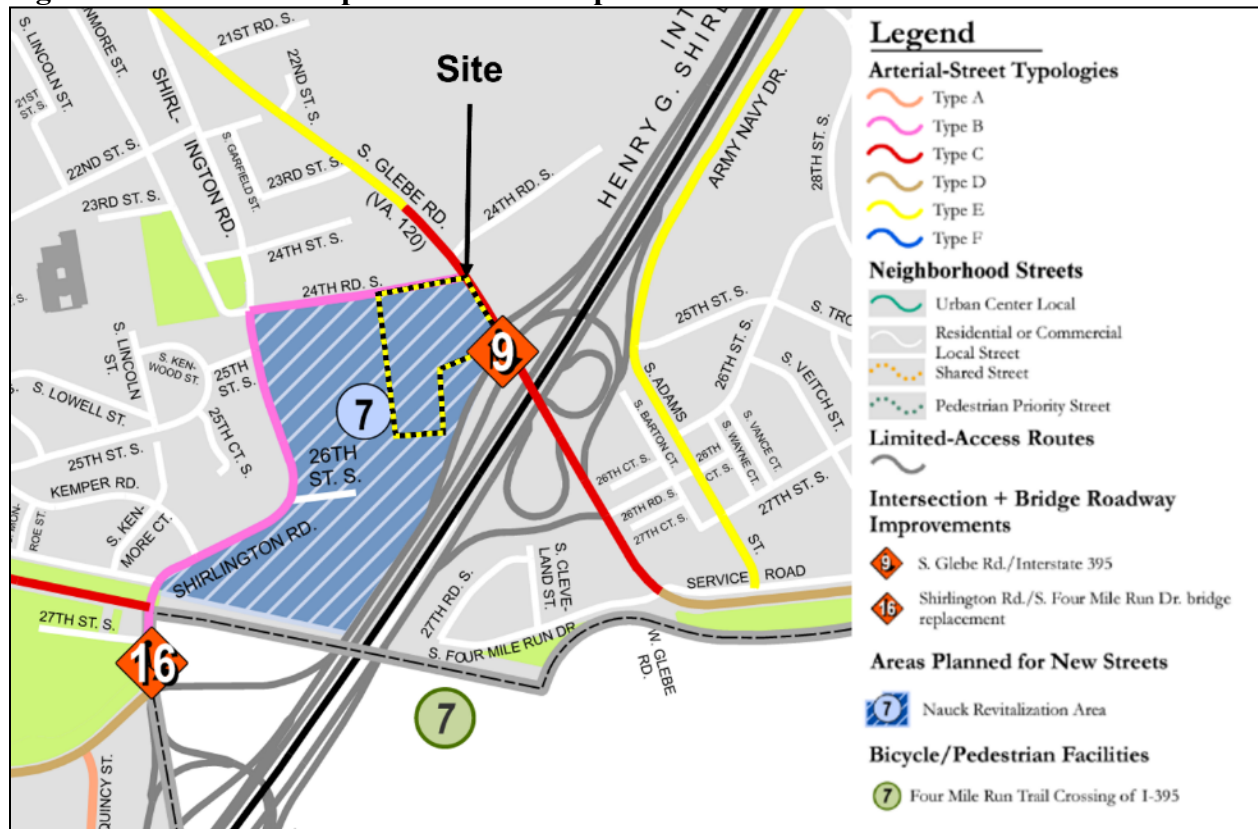
Master Transportation Plan: The MTP currently identifies the site as located in an *Area Planned for New Streets shown in the Nauck Revitalization Area* (now referred to as the Green Valley Revitalization Area). As identified in the 4MRV Area Plan, a planned north-south street along the western edge of the site is recommended, which would connect 24th Road South to a planned east-west street through the adjacent industrial properties connecting to Shirlington Road. The applicant proposes three (3) new streets which are to be privately-owned and maintained. These streets connect from 24th Road South to the rear of Building E, the proposed townhouse and townhouse-style buildings, and an area reserved for a future street extension. These streets will allow the applicant to consolidate site access to the public road network by replacing three (3) existing curb cuts (two (2) on South Glebe Road and one (1) on 24th Road South) with a single new street connection to 24th Road South.

Figure 9. Proposed Streets and Future Street Extension Area.



Source: Applicant.

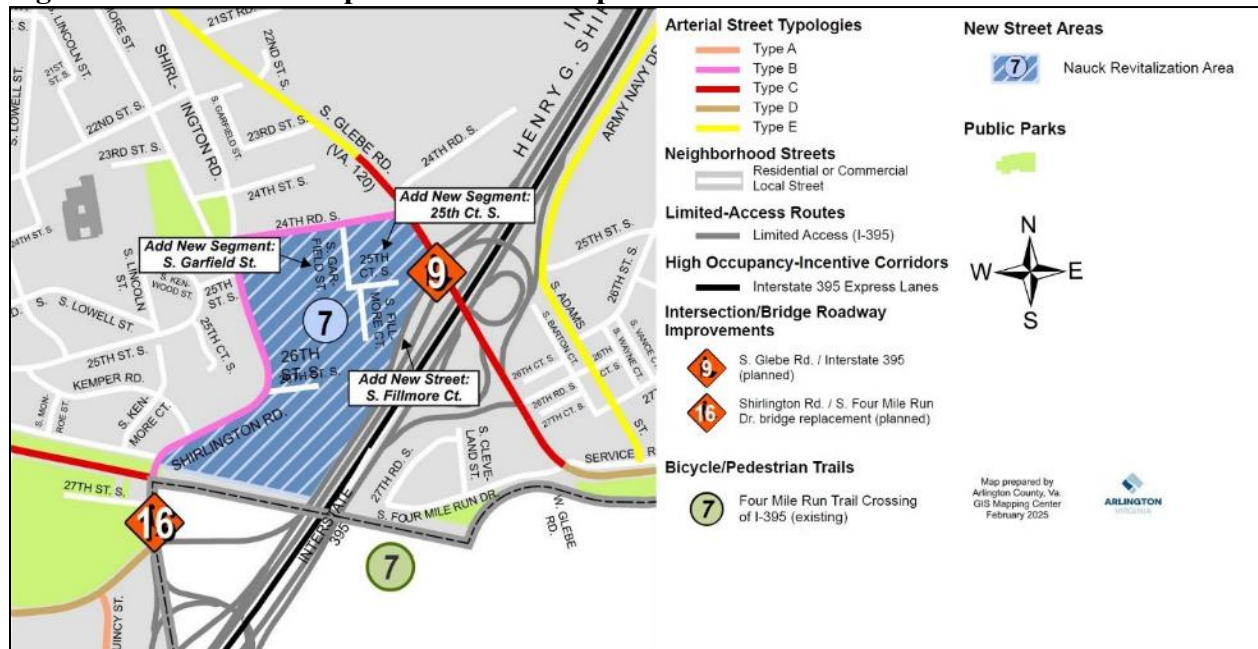
Figure 10. Master Transportation Plan Map.



The proposal includes an MTP Map amendment to name and incorporate the new streets into the MTP Map as non-arterial, neighborhood streets. Since 1932, Arlington County has had a street naming system in place and has used that system for all new street additions. Generally, the naming system stipulates that north-south streets be named alphabetically starting from the east, east-west streets be named numerically starting at Arlington Boulevard, and either a “north” or “south” designation be utilized dependent on the street’s location relative to Arlington Boulevard. According to the street naming system, these streets are to be named South Garfield Street, 25th Court South, and South Fillmore Court. Each of the proposed streets will be privately-owned and maintained with an easement for emergency vehicles access and public water utility purposes. In addition, South Garfield Street will be subject to a future easement for public street purposes to facilitate a future potential connection through the adjacent industrial

properties to Shirlington Road.

Figure 11: Master Transportation Plan Map Amendment.



Development Proposal: The applicant is proposing to demolish the two (2) existing hotels and surface parking area and construct up to 531 units containing approximately 621,477 sf of residential GFA. The proposal consists of five (5) buildings, which include one (1) 8-story multifamily building with a penthouse level wrapped around an above-grade parking structure (“Building E”), one (1) townhouse building (“Building A”), and three (3) townhouse-style buildings (“Buildings B, C, and D”). The townhouse and townhouse-style buildings include individual private entrances and single-car garages. The project includes 549 total parking spaces, with 512 parking spaces located in Building E’s above-grade parking structure and 37 parking spaces in Buildings A-D’s private garages. The site will also include a new segment of South Garfield Street, a new segment of 25th Court South, a new street titled South Fillmore Court, an area reserved for a future street extension linking South Garfield Street to the adjacent property for purposes of connecting 24th Road South and Shirlington Road, and approximately 10,311 sf of privately-owned public space.

Figure 12. Rendering of Proposed Development from South Glebe Road.



Source: Applicant.

Proposed Development Statistics: The following provides a statistical summary for the proposed site plan amendment and comparison to applicable Zoning requirements.

SPLA23-00053 – Hotel Pentagon Site		
	Base Zoning/ Requirement	Proposed
Site Area		
Before Street Dedication		240,335 sf (5.52 ac)
After Street Dedication ¹		237,393 sf (5.45 ac)
Density		
Residential Units		531 units
Building A (Townhouse)		7 units
Building B (Townhouse-style)		10 units
Building C (Townhouse-style)		10 units
Building D (Townhouse-style)		10 units
Building E (Multifamily)		494 units
Average Unit Size ²		1,170 sf
Total GFA		621,477 sf
Building A (Townhouse) GFA		14,486 sf
Building B (Townhouse-style) GFA		21,894 sf
Building C (Townhouse-style) GFA		21,894 sf
Building D (Townhouse-style) GFA		21,894 sf
Building E (Multifamily) GFA		541,227 sf
Density Exclusions		7,939 sf
Total Density	min. 600 sf lot area/unit (400 units)	531 units (96.2 du/ac)

Base Density		400 units (72.5 du/ac)
Additional Density ³		131 units (23.7 du/ac)
Building Height		
Building A (Townhouse)		
Main Roof Height (from ASE)	125 ft	44.2 ft
Stories	12 stories	4 stories
Buildings B, C & D (Townhouse-style)		
Main Roof Height (from ASE)	125 ft	39.9 to 44.5 ft
Stories	12 stories	4 stories
Building E (Multifamily)		
Main Roof Height (from ASE)	125 ft	84.5 ft
Stories	12 stories	8 stories
Parking		
Total Parking Spaces	571 spaces	549 spaces
Overall Residential Parking Spaces	571 spaces	549 spaces
<i>Building A (Townhouse) Spaces</i>	<i>16 spaces</i>	<i>7 spaces</i>
<i>Building B (Townhouse-style) Spaces</i>	<i>12 spaces</i>	<i>10 spaces</i>
<i>Building C (Townhouse-style) Spaces</i>	<i>12 spaces</i>	<i>10 spaces</i>
<i>Building D (Townhouse-style) Spaces</i>	<i>12 spaces</i>	<i>10 spaces</i>
<i>Building E (Multifamily) Spaces</i>	<i>519 spaces</i>	<i>512 spaces</i>
Overall Residential Parking Ratio	N/A	1.03 spaces/unit
<i>Building A (Townhouse) Ratio</i>	<i>2 spaces/unit, plus 0.2 additional spaces/unit for visitors</i>	<i>1 space/unit</i>
<i>Building B (Townhouse-style) Ratio</i>	<i>1.125 spaces/unit for the first 200 units, plus 1 space/unit over 200 units</i>	<i>1 space/unit</i>
<i>Building C (Townhouse-style) Ratio</i>		<i>1 space/unit</i>
<i>Building D (Townhouse-style) Ratio</i>		<i>1 space/unit</i>
<i>Building E (Multifamily) Ratio</i>	<i>1.125 spaces/unit for the first 200 units, plus 1 space/unit over 200 units</i>	<i>1.03 spaces/unit</i>
Loading Spaces	3 spaces	2 spaces
Notes: ¹ The applicant proposes to dedicate 2,942 sf of site area for fee-simple street dedication. Pursuant to ACZO Section 15.9, the applicant will be granted density credit for the dedication, resulting in a site area of 240,335 sf for purposes of calculating density. ² Average unit size is calculated based on the gross residential GFA, inclusive of residential amenities and common areas. ³ Additional density is permitted through the provision of features and amenities per ACZO Section 15.5.9, including affordable housing and green building commitments.		

DISCUSSION:

Land Use & Density: The development includes 531 units containing 621,477 sf of residential GFA, for a proposed residential density of 96.2 dwelling units per acre (du/ac). While the proposed residential density exceeds the "RA-H" zoning district's maximum density, pursuant to ACZO Section 15.5.9, the County Board may approve additional density through the provision of features and amenities that benefit the community, including affordable housing and certain sustainable design commitments.

Figure 13: Proposed Unit Mix

Building	Studio	1-bed	2-bed	3-bed	Total
Building A	-	-	-	7 units	7 units
Building B	-	-	-	10 units	10 units
Building C	-	-	-	10 units	10 units
Building D	-	-	-	10 units	10 units
Building E	14 units	364 units	107 units	9 units	494 units
Total	14 units	364 units	107 units	46 units	531 units

Source: Applicant.

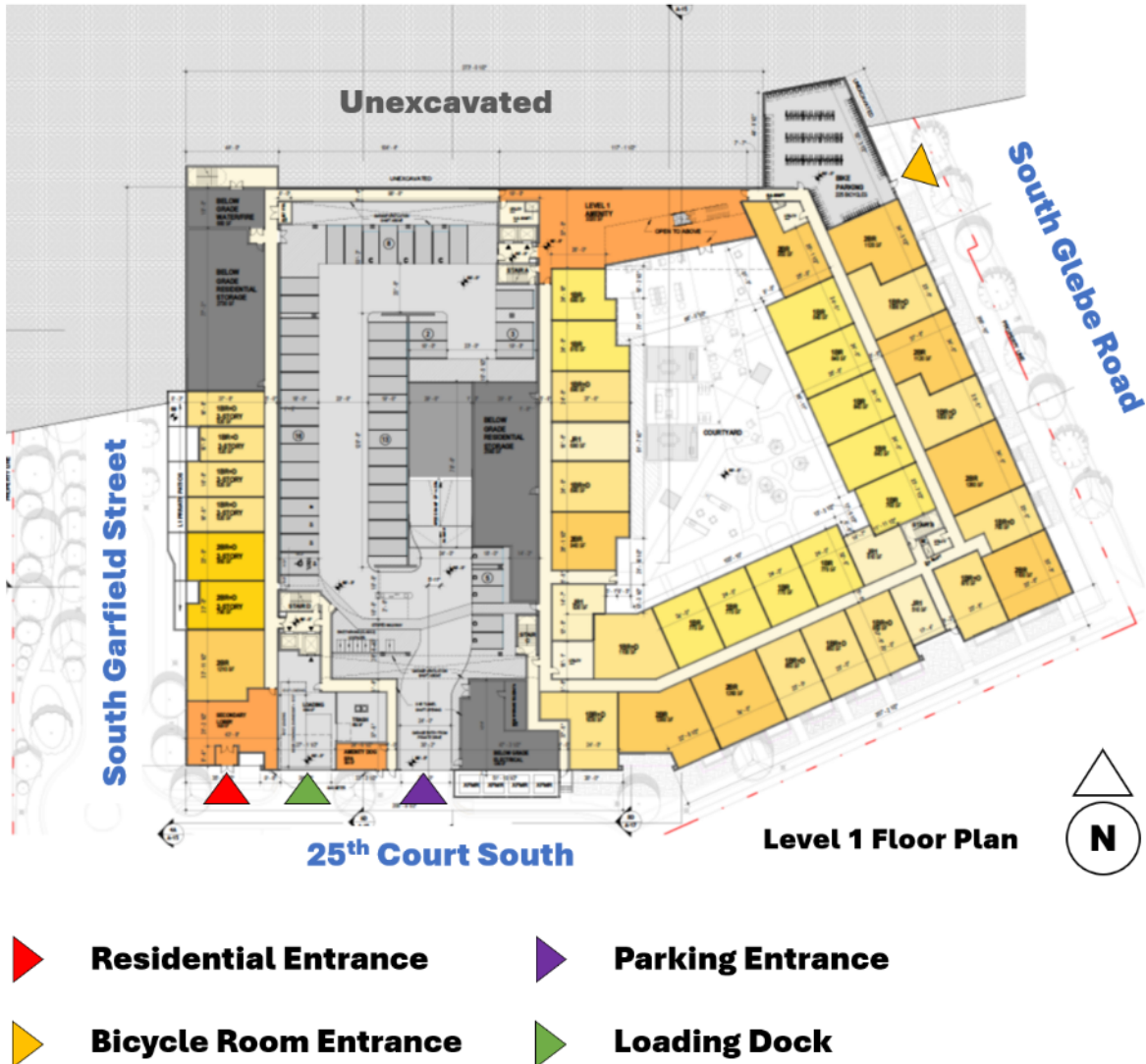
Proposed Site Design & Layout: The 8-story multifamily building with penthouse level is located on the northern portion of the site adjacent to South Glebe Road and 24th Road South. The building wraps around an above-grade parking garage and includes an interior private courtyard. The building is setback approximately 28-31 ft from the South Glebe Road right-of-way, approximately 21-38 ft from the 24th Road South right-of-way, and approximately 82 ft from the western property line adjacent to the Lomax AME Zion Church. The main residential entrance is located on level 2 of the building along the 24th Road South frontage. One (1) of the parking garage entrances is also located on level 2 of the building along South Garfield Street. Given the site's topography, there is also a secondary residential entrance, secondary parking garage entrance and loading dock area located on level 1 of the building along the 25th Court South. Level 1 also features stoops along the South Glebe Road frontage and the pedestrian pathway along the southeastern property line.

Figure 14. Proposed Site and Level 1 Layout.



Source: Applicant.

Figure 15. Proposed Building E Level 1 Floor Plan (top) and Level 2 Floor Plan (bottom).



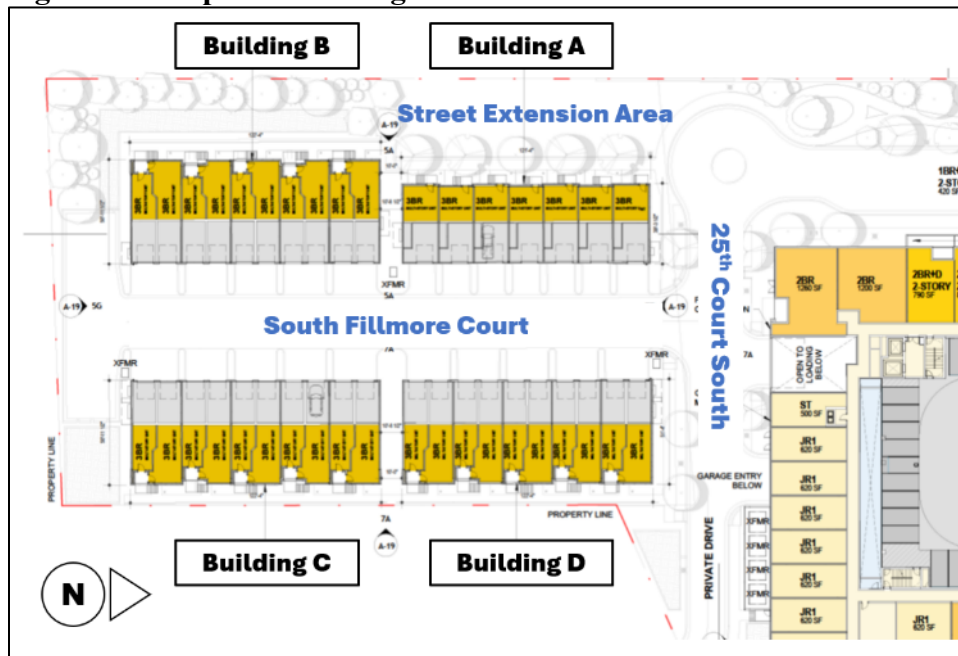


Source: Applicant.

The southern portion of the site consists of one (1) townhouse and three (3) townhouse-style buildings with access from the proposed South Fillmore Court. Each unit features ground floor pedestrian access and a single-car parking garage. Building A incorporates a “side-by-side townhouse” floor plan, where each unit has a front door and single-car garage and only shares a side wall. Meanwhile, Buildings B, C, and D incorporate “back-to-back townhouse” floor plans, where each unit has a front door and single-car garage and shares both a side wall and rear wall.

The site also includes a new segment of South Garfield Street and privately-owned public space along the western property line. South Garfield Street connects 24th Road South and 25th Court South and features a roundabout and layby for pick-up/drop-off. To accommodate a future street extension through the property to the west to connect with Shirlington Road, the applicant has reserved potential space south of the roundabout. The public space located between the Lomax AME Zion Church property and South Garfield Street will serve as a green buffer with trees, landscaping, and a pedestrian pathway.

Figure 16. Proposed Buildings A-D Level 1 Floor Plan.



Source: Applicant.

Building Height, Form & Architecture: Building E consists of an 8-story building at a height of approximately 84.5 ft as measured from the average site elevation (ASE). ASE is the calculated average elevation measured at the perimeter of the subject site. Although the ASE of the subject site is 70.2 feet above sea level, the 5.52-acre site includes significant grade changes, as evident in an approximately 21.5-foot grade difference from the northwest corner (measured at 84.2 feet above sea level) to the southeast corner (measured at 62.7 feet above sea level) of the site. Therefore, given the site's topography the portion of the building visible above-grade in the northwest corner adjacent to the church property is approximately 75 feet and seven (7) stories, while the portion in the southeast corner adjacent to South Glebe Road is approximately 96 ft and eight (8) stories. Relative to the surrounding context, the height of Building E is comparable to the adjacent Alister Arlington Ridge apartments (8 stories and approximately 96 feet) and Bell Arlington Ridge apartments (6 stories and approximately 72 feet) north and east of the site, respectively. Building E also includes a penthouse level for mechanical and residential amenity purposes atop the parking garage. The penthouse level is approximately 14-20 ft in height and consists of an approximately 12,000 sf structure providing access to the rooftop pool and terraces. The penthouse structure is setback approximately 35-60 ft from the western roof edge of the building.

Figure 17. Rendering of Building E from 24th Road South.



Source: Applicant.

Figure 18. Penthouse Level Setbacks from Roof Edge.

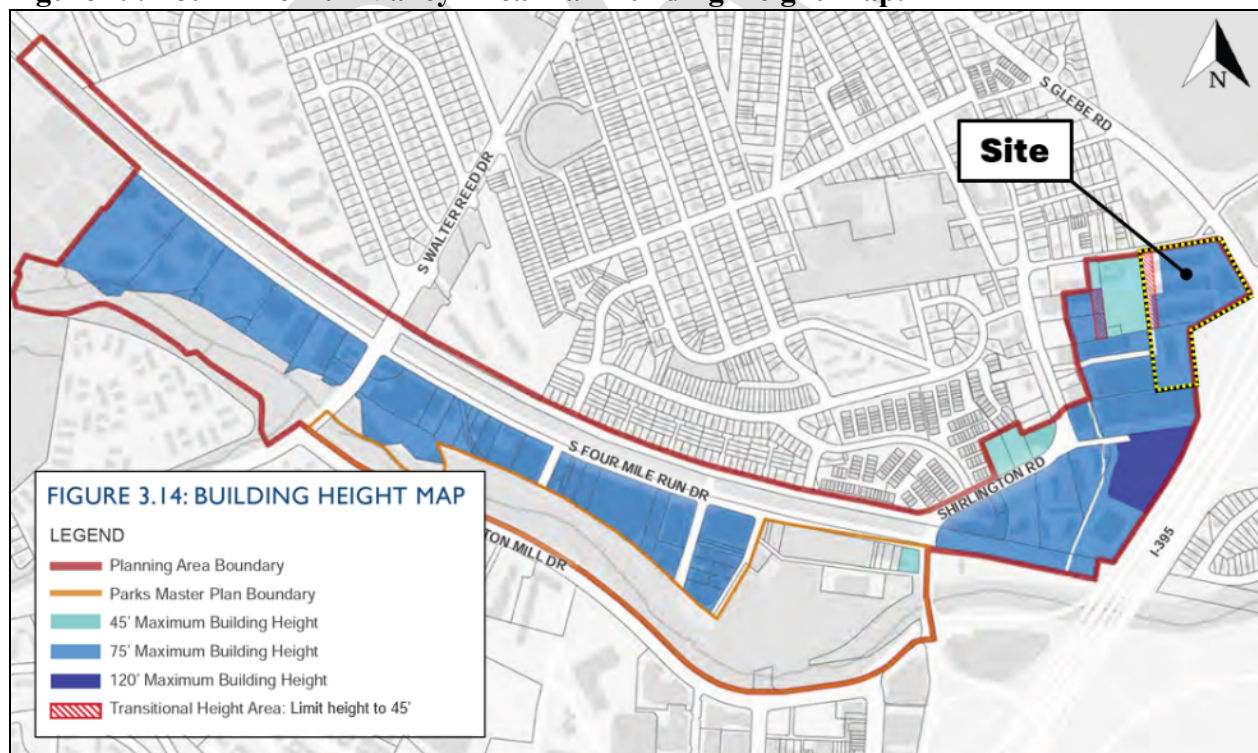


Source: Applicant.

Although Building E is consistent with the "RA-H" zoning district maximum building height of 125 feet and 12 stories, it exceeds the 4MRV Area Plan recommended building height for this

site. As outlined in the 4MRV Area Plan Building Height Map, a building height of 75 feet is recommended at this site. In preserving existing industrial uses as a goal of the 4MRV Area Plan, the basis for this building height policy guidance is to “maintain building height in the majority of the study area at 75 feet, which is consistent with the "M-1" and "M-2" zoning.” While the adjacent parcels to the south and southwest of the subject site are zoned "M-1" and "M-2", which allows a maximum building height of up to 75 feet through the by-right provisions of the ACZO, the site has been zoned "RA-H" and occupied by hotel uses since the 1950s, which permits building heights of up to 125 feet and 12 stories via special exception site plan. Although outside the planning boundaries of the 4MRV Area Plan, it should also be noted the adjacent parcels to the north and northeast of the subject site are also zoned "RA-H". The 4MRV Area Plan also identifies a transitional height area adjacent to the Lomax AME Zion Church property with a height limit of up to 45 feet. In addition, the 4MRV Area Plan recommends new development “reinforce guidance from the Nauck Village Center Action Plan, with similar heights, density, and use mix, for sites indicated for “Broader Uses” within Subarea D.” Although the Nauck Village Center Action Plan study area focuses on sites on Shirlington Road, it envisions a pedestrian-friendly Town Square and to “develop Shirlington Road south from the Town Square east side street frontage of Shirlington Road as higher density housing, mixed-use, retail, commercial and housing (4-5 stories north of 25th Street South and 5-8 stories at the south end with setbacks above 6 or 7 floors to match heights on west side of street) and increasing density and heights eastwards towards I-395.” The proposal supports this vision by locating higher density housing at 8-stories away from the Town Square and proximate to I-395.

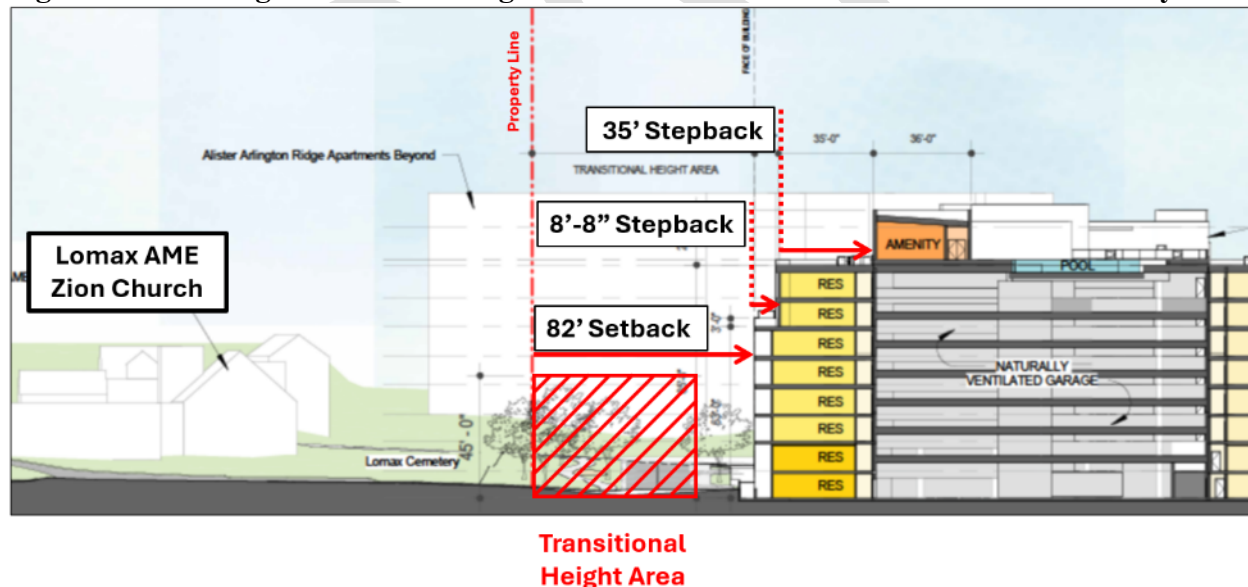
Figure 19. Four Mile Run Valley Area Plan Building Height Map.



Source: CPHD.

To further advance the land use recommendations of the 4MRV Area Plan and mitigate Building E's visual impact on the Lomax AME Zion Church, the applicant incorporated additional building sculpting and design treatments on the building's western frontage improving the compatibility between Building E and the church property. First, the applicant concentrated the building's massing and height toward South Glebe Road and 24th Road South, street frontages that currently exhibit greater building densities and heights. Meanwhile, Building E is set back approximately 82 feet from the western property line with the historic church and cemetery to respect the scale of the surrounding context. As a result, Building E not only adheres to the transitional height area of up to 45 feet as recommended by the 4MRV Area Plan, but the entire building is well clear of this transitional area by an additional 22 feet. Instead, the transitional height area includes public space with trees, shrubs, and grasses serving as a green buffer, as well as a new street segment lined with street trees to further soften this transition. To ensure appropriate building height transitions, Building E also steps back approximately 8.7 ft on the 7th floor and another 35 ft on the penthouse level facing the church property. Lastly, the applicant prioritized a red brick and dark masonry western building façade to promote architectural compatibility with the historic church and cemetery. Based on these additional setbacks, stepbacks, and façade treatments to advance the subject site's land use vision in the 4MRV Area Plan and mitigate Building E's impact on the adjacent church property, staff finds Building E to be appropriate and consistent with the 4MRV Area Plan guidance.

Figure 20. Building Section: Building E and Lomax AME Zion Church and Cemetery.



Source: Applicant.

Architecturally, Building E consists of a gray stone and brick base with stoops lining South Glebe Road and the pedestrian pathway along the building's eastern frontage, as well as a gray, brown, and red masonry and fiber cement façade. The building also features balconies with metal railings and an interior private courtyard.

Figure 21. East Elevation: Building E (South Glebe Road Frontage).



Source: Applicant.

Figure 22. North Elevation: Building E (24th Road South Frontage).



Source: Applicant.

Figure 23. West Elevation: Building E (South Garfield Street Frontage).



Source: Applicant.

Meanwhile, Buildings A-D are 4 stories with a main roof height of approximately 39.9 ft to 45.5 ft as measured from the ASE, exclusive of the approximately 4 ft mechanical equipment. The

mechanical equipment is screened by a 3-4 ft parapet wall. Architecturally, the Buildings A-D consist of gray and black masonry and white and gray fiber cement façades with metal railings and canopies.

Figure 24. Front Elevation: Building A (left) and Building B (right).



Source: Applicant.

Open Space, Landscaping and Biophilic Design: The site includes approximately 10,311 sf of new public space along the western property line, located between Building E and the Lomax AME Zion Church. While the space will be privately-owned, installed, and maintained by the applicant, it will be publicly accessible with a public use and access easement. As identified in the 4MRV Area Plan, this public space is intended to serve as a recreational and casual use area and act as a transition to the historic church and cemetery to the west. The public space aligns with the Public Spaces Master Plan Design Guidelines for privately-owned public spaces, including visibility and accessibility from 24th Road South, seating areas in areas of shade and sun, and contiguous open space with areas for social interaction. The public space includes a linear 6-foot pedestrian pathway and landscaping, including trees, shrubs, and grasses, which create a green buffer with the church property. Though the 4MRV Area Plan identifies this public space to be located between the new street adjacent to the western property boundary and the proposed development, staff finds the proposed layout more effective in providing a meaningful public space and buffer adjacent to the Lomax AME Zion Church and cemetery.

Figure 25. Renderings of Open Space from 24th Road South.



Source: Applicant.

Building E also contains an approximately 13,500 sf interior private courtyard with trees and planter beds, as well as a rooftop amenity atop the parking garage. Within the limits of disturbance, approximately 79 trees are proposed to be removed and replaced per the County's tree replacement standards. Overall, there will be approximately 111 new trees planted that contribute to a tree canopy coverage of 11%. New street trees will be located along the South Glebe Road, 24th Road South, and South Garfield Street streetscapes.

Figure 26. Rendered Conceptual Landscape Plan.



Source: Applicant.

Transportation Network: The site is bounded by South Glebe Road to the east and 24th Road South to the north. The MTP identifies the site as located in an *Area Planned for New Streets* shown in the *Nauck Revitalization Area*. Please note South Glebe Road is owned and maintained by the Virginia Department of Transportation (VDOT), and any improvements to it will need to be approved by VDOT as well. Existing and proposed transportation facilities are further discussed in detail below.

Transportation	Existing Condition	Proposed Condition
Bike Parking	-	225 Class I Bike Spaces 12 Class II Bike Spaces 10 Class III Bike Spaces
South Glebe Road		
Street	61.5 ft	66.5 ft
Streetscape	7.5 ft (with planting strip)	20 ft (with planting strip)
Access Management	2 Driveways	No Driveway
Curbside Management	-	-
24th Road South		
Street	36 ft	38-39 ft 44.5 ft (with parking lane)
Streetscape	5-6 ft (no planting strip)	18-25.2 ft (with planting strip)
Access Management	1 Driveway	1 Street Connection
Curbside Management	5 spaces (north side)	6 parking spaces (south side)
South Garfield Street		
Street	-	26 ft 34 ft (with layby)
Streetscape (East Side Only)	-	13 ft (with planting strip) 6 ft (with no planting strip)
Access Management	-	1 Driveway
Curbside Management	-	3 short-term parking spaces
25th Court South		
Street	-	26 ft 20 ft (east of Building E garage entrance)
Streetscape	-	12 ft (with planting strip) 5 ft (with no planting strip)
Access Management	-	2 Driveways
Curbside Management	-	-
South Fillmore Court		
Street	-	26 ft
Streetscape	-	-
Access Management	-	22 Driveways (private garages)
Curbside Management	-	-

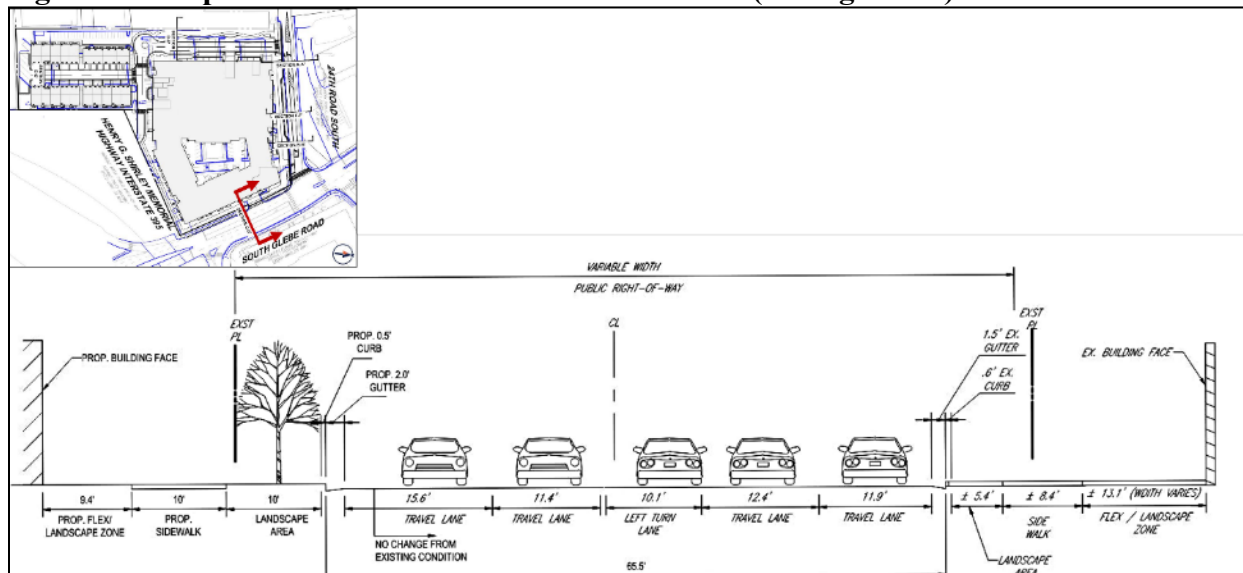
Streets and Sidewalks

South Glebe Road: South Glebe Road is classified on the MTP as a Type C – Primarily Commercial Centers arterial road, with a posted speed limit of 35 miles per hour (mph) adjacent to the site. The MTP describes a Type C arterial as a road that serves low- and medium-density

commercial areas that may be equally oriented to retail, service, and industrial uses. The MTP plans for a Type C arterial to contain four (4) travel lanes plus turning lanes, no restrictions on driveway access, low on-street parking priority, a 6 ft wide landscape strip, and a 6-8 ft wide sidewalk. The MTP also notes the adjacent segment of South Glebe Road will be subject to a planned intersection and bridge roadway improvement project at the interchange with I-395 to the southeast of the site. However, there is no available timeline for these nearby improvements. VDOT has completed an initial study to assess other nearby improvements on I-395 to the immediate south of the site leading to Shirlington Village, including the South Glebe Road ramp near the subject site, but no timeline is available regarding next steps or any future improvements. The applicant is coordinating the proposal with VDOT, and staff has not identified any conflicts between the proposal and the VDOT project at this time. As noted previously, VDOT must approve any changes to South Glebe Road.

The adjacent segment of South Glebe Road consists of an existing 61.5 ft wide street section, including four 11.7-12.5 ft wide travel lanes (two in either direction) and a 10.7 ft wide turn lane to enter the site or turn onto 24th Road South. Currently the site contains two (2) driveway entrances which provide access to the surface parking lot and a 7.5 ft wide streetscape consisting of a 2 ft wide planting strip, a 3.9 ft wide sidewalk, and a 1.6 ft wide planting strip behind the sidewalk. The applicant proposes to close both driveway entrances, and generally maintain the existing street section. Based on feedback from VDOT regarding the proposed development, the applicant will install VDOT standard 2 ft wide gutter pans and straighten the associated new curbline which will result in an up to 66.5 ft wide street section. The applicant proposes to expand the streetscape from 7.5 ft to 20 ft in width, including a 10 ft wide planting strip and a 10 ft wide sidewalk. When incorporating the minimum 9.4 ft wide landscape/flex zone, the building will be setback at least 29.4 ft from the street. Staff finds that the proposed streetscape improvements are consistent with the minimum standards of the MTP for a Type C arterial road.

Figure 27. Proposed South Glebe Road Cross Sections (Facing North).



Source: Applicant.

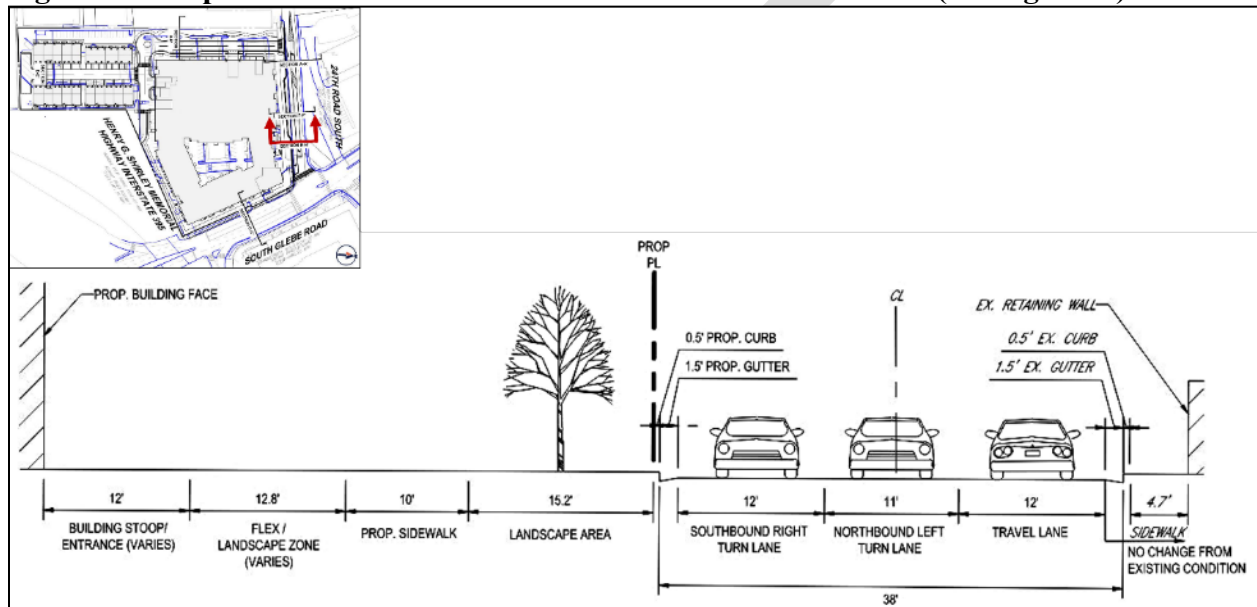
24th Road South: 24th Road South is classified on the MTP as a Type B – Primarily Urban Mixed-Use arterial road with a posted speed limit of 25 mph adjacent to the site. The MTP describes a Type B arterial road to serve a dense mixed-use area that is fronted by a variety of commercial, institutional, government, and/or residential uses. The MTP plans for a Type B arterial to contain four (4) travel lanes plus turning lanes, restrictions on driveway access, a 6 ft wide planting strip, and a 6-12 ft wide sidewalk.

The adjacent segment of 24th Road South consists of three (3) vehicle lanes and gutter pan. Leaving the intersection with South Glebe Road, this section consists of a 12.1 ft wide southbound right-turn lane, 8.9 ft wide northbound left turn lane, and 12 ft wide westbound travel lane. Further to the west away from the intersection, the street section consists of a 13.6 ft wide eastbound travel lane, 11.9 ft wide westbound travel lane, and 8 ft wide parking lane providing five (5) parking spaces on the north side of the road (opposite the site). Along the site's frontage, there is currently a 5-6 ft wide streetscape consisting of 5-5.6 ft wide sidewalk.

The applicant proposes to increase the typical street section width from approximately 36 feet to 39 feet along the site's frontage, consisting of three 11-13 ft wide vehicle lanes plus 1.5 ft wide gutter pans. For the eastern segment leading from the intersection with South Glebe Road, the new street section will include a 12 ft wide southbound right-turn lane, an 11 ft wide northbound left-turn lane, and a 12 ft wide westbound travel lane. For the central portion of this street segment, the applicant proposes the street be up to 44.5 ft wide, additionally allow an 8 ft wide inset parking lane to allow six (6) on-street parking spaces along the site's frontage. For the western segment leading to the site entrance, the new street section will include a 12 ft wide eastbound travel lane, 11 foot wide left-turn lane to access the site, and a 13 ft wide travel lane. For the streetscape, the applicant proposes an 18.7-25.2 ft wide streetscape section. The applicant proposes the wider 25.2 ft wide streetscape sections be located near the intersection with South

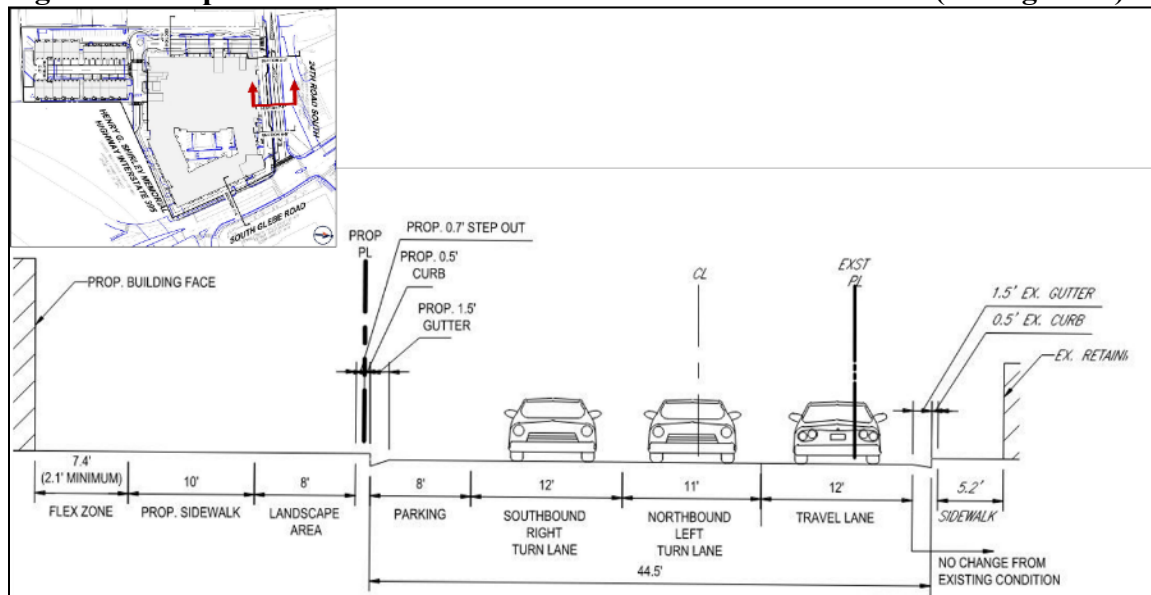
Glebe Road and the site entrance, and to consist of a 15.2 ft wide landscape area and 10 ft wide sidewalk. The applicant proposes the narrower 18.7 ft wide streetscape section be where there will be on-street parking. The 18.7 ft wide section will include an 0.7 ft wide step out area, 8 ft wide landscape area, and 10 ft wide sidewalk. The total building setback from the street will be up to 50 feet to include the streetscape, additional landscaping, building stoop area, and flex zone. Staff finds that the proposed street and streetscape improvements are consistent with the minimum standards of the MTP for a Type B arterial road, and will provide a safer, more consistent street section compared to the existing conditions.

Figure 28. Proposed 24th Road South Eastern Portion Cross Section (Facing West).



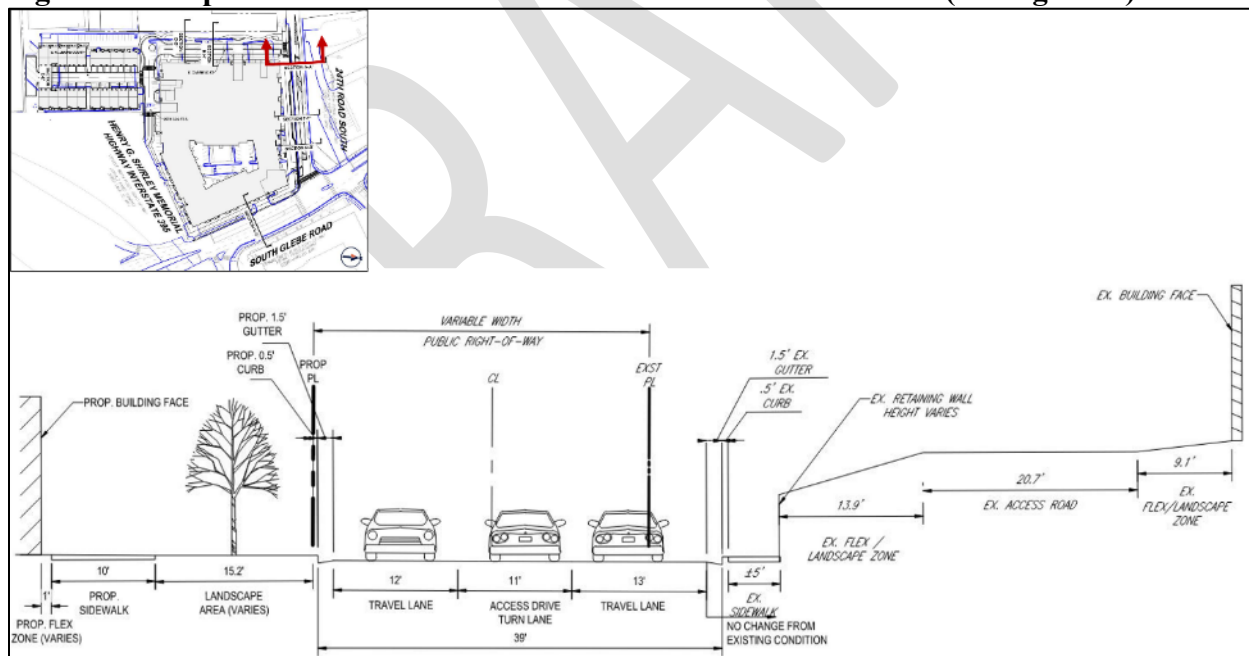
Source: Applicant.

Figure 29. Proposed 24th Road South Central Portion Cross Section (Facing West).



Source: Applicant.

Figure 30. Proposed 24th Road South Western Portion Cross Section (Facing West).

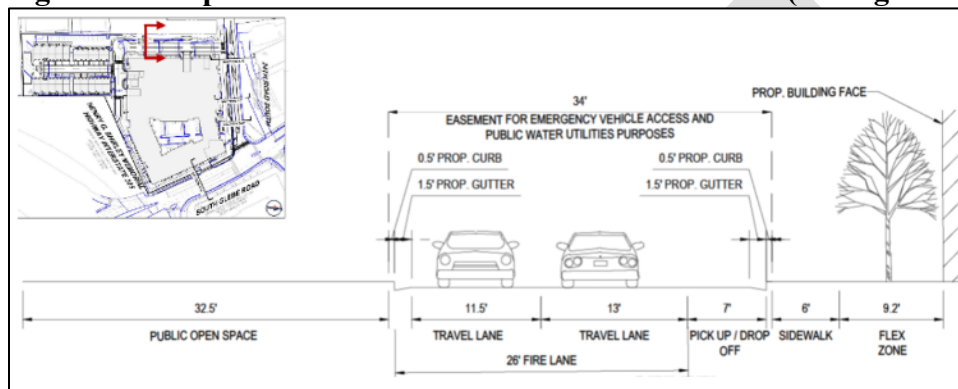


Source: Applicant.

South Garfield Street: The applicant proposes South Garfield Street along the western side of Building E. For this street segment, the applicant proposes a garage entrance to the above-grade parking structure, a layby for pick-up/drop-off activities, and a roundabout to serve a future street extension. The typical street section will be 26 ft wide to serve as a fire aerial access lane,

including two (2) 11.5 ft travel lanes (one in either direction) and 1.5 ft wide gutter pans (one on either side). For a portion of the street, the applicant proposes a 34 ft wide section to include a 7 ft wide pick-up/drop-off layby. To maintain the required fire aerial access lane, the applicant proposes one travel lane expand from 11.5 to 13 ft in width for this section. On the western side, the applicant proposes a 6 ft wide sidewalk which meanders through the privately-owned public space. On the eastern side of the street adjacent to Building E, the applicant proposes a 13 ft wide streetscape, consisting of a 7 ft wide landscape area and 6 ft wide sidewalk. Where the layby is located, the applicant proposes the streetscape will not contain the landscape strip. The proposed street section for South Garfield Street is shown below.

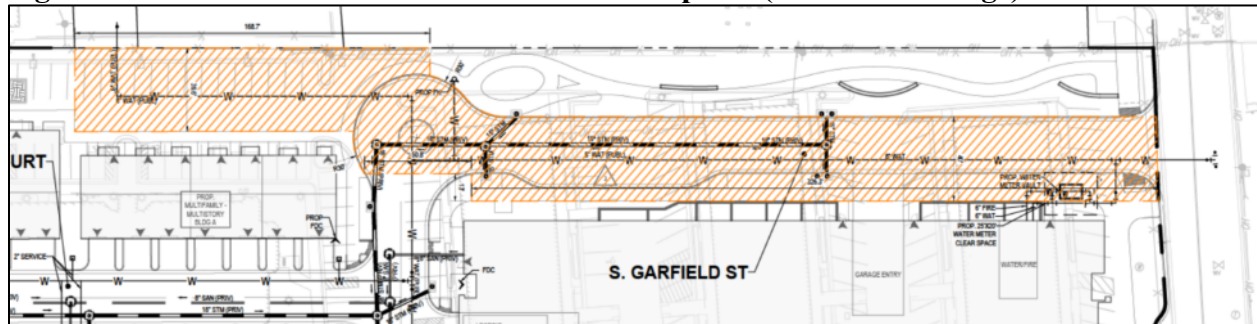
Figure 31. Proposed South Garfield Street Cross-Section (Facing North).



Source: Applicant.

At the southern end of the roundabout, the applicant proposes to reserve a 39.6 ft wide area for a future street extension to connect through to the properties to the west and ultimately to Shirlington Road. This future street connection is dependent on future redevelopment occurring on the adjacent properties to the west. Staff notes the 4MRV Area Plan anticipates these properties continuing to support industrial uses, and does not have a timeline for when the future street connection may occur. The applicant proposes both South Garfield Street and the future street extension area be subject to an easement for public street purposes, which will be granted at the request of the County upon agreement on the location of the street connection. The exact easement area will be determined when the design of the street connection is finalized. This easement will allow construction of the future street connection and public access upon completion of the connection. Given the inability to connect to Shirlington Road under current conditions, staff finds that the proposed South Garfield Street and associated future easement meet the guidance of the 4MRV Area Plan for a street connection at this location.

Figure 32. Future Easement for Public Street Purposes (Shown in Orange).

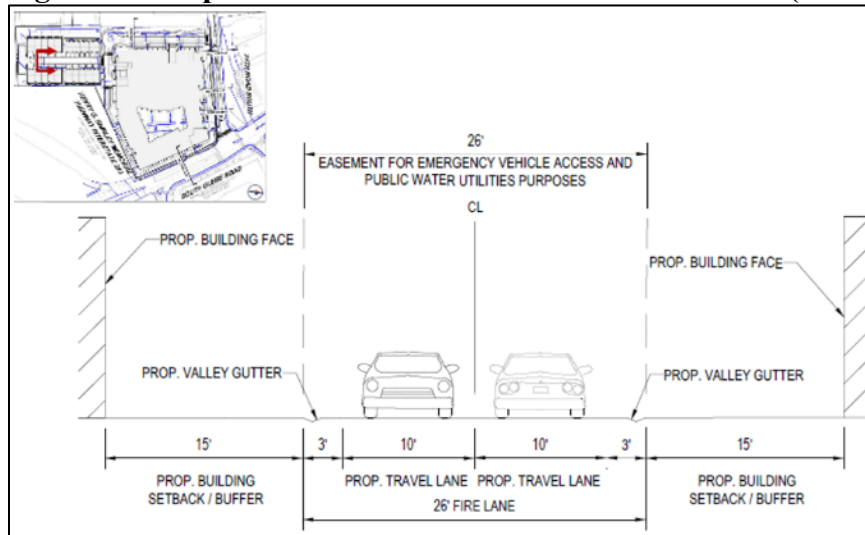


Source: Applicant.

25th Court South: On the eastern end of the roundabout, the applicant proposes 25th Court South, which extends along the southern side of Building E. For this segment, the applicant proposes the street provides vehicular access to the Building E via a loading and trash entrance, a second garage entrance, and to maintain access to a nearby existing monopole. The applicant proposes the street be 26 ft wide for fire aerial access, but narrow to be 20 ft wide east of the proposed garage entrance where the street provides access to the nearby monopole in VDOT right-of-way. On the southern side of this street, the applicant proposes a 12 ft wide streetscape, consisting of a 6 ft wide landscape strip and a 6 ft wide sidewalk. East of the street's intersection with South Fillmore Court, the applicant proposes the southern landscape strip narrow to be 4.9 ft wide. The applicant proposes no southern sidewalk at the far east end adjacent to the nearby monopole, where a crosswalk will allow pedestrians to cross to the north side of the street. On the northern side of the street, the applicant proposes a 10 ft wide streetscape, consisting of a 5 ft wide landscape strip and 5 ft wide sidewalk. East of the street's intersection with South Fillmore Court, the applicant proposes no landscape strip. An additional 6 ft wide sidewalk is proposed on the south side of Building E providing a pedestrian connection from 25th Court South to South Glebe Road.

South Fillmore Court: The final new street segment is South Fillmore Court, located between the two rows of townhouse and townhouse-style buildings. The applicant proposes this street be 26 ft wide to serve as a fire aerial access lane and as access to the private garages. This street section consists of two (2) 10 ft wide travel lanes (one in either direction) and 3 ft wide valley gutters along either side of the street, with a hammerhead at the end for a fire truck to be able to turnaround. The street connects to 15 ft long driveways serving Buildings A-D. The applicant proposes 5 ft wide sidewalks be located on the outer edges of the Buildings A-D to provide pedestrian access to each unit's front entrance.

Figure 33. Proposed South Fillmore Court Cross-Section (Facing North).



Source: Applicant.

Bicycle Facilities: The MTP identifies planned bicycle lanes for the adjacent segment of South Glebe Road, and no dedicated bicycle facilities for the adjacent segment of 24th Road South. The MTP Bicycle Element identifies South Glebe Road as a Primary Bicycle Corridor. The adjacent segment of South Glebe Road contains no existing bicycle lanes. Consistent with the MTP, Shirlington Road (to the west of the site) contains shared lane markings (sharrows) to travel north, and standard bicycle lanes that connect south to the Four Mile Run and W&OD Trails. There are two (2) Capital BikeShare stations nearby, located at South Kenmore Street and 24th Street South (0.2 miles away) and at the W&OD Trailhead at Shirlington Road and South Four Mile Run Drive (0.4 miles away).

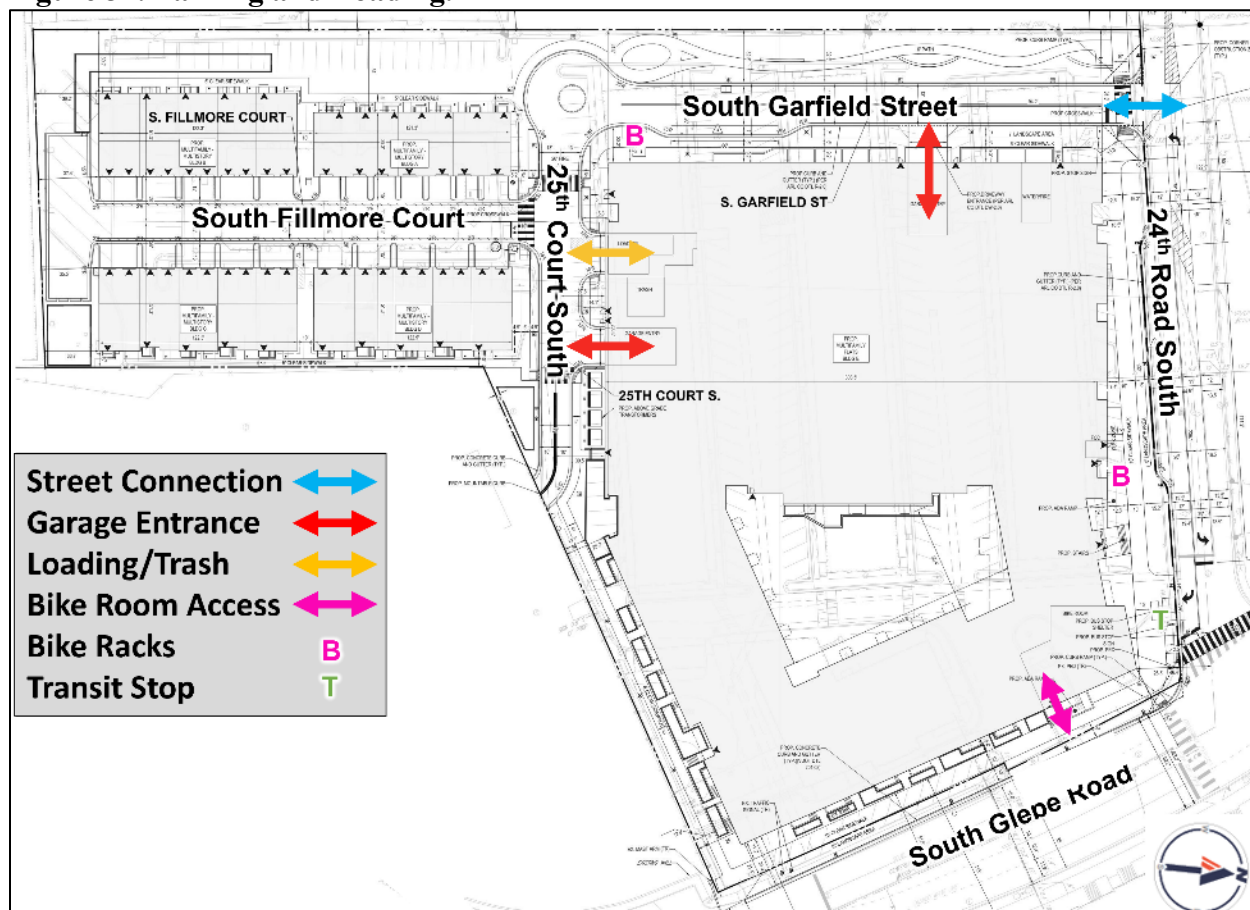
The applicant proposes 225 Class I (long-term, secured) bicycle parking spaces, located partially below-grade on the first floor of Building E with direct access onto South Glebe Road. The applicant proposes 12 Class II (short-term, sheltered) bicycle parking spaces located on the first floor of the Building E's garage with access from 25th Court South. The applicant proposes 10 Class III (short-term, unsheltered) bicycle parking spaces for visitors located outside along South Garfield Street and at the main pedestrian entrance on 24th Court South. Although the MTP anticipates bike lanes along South Glebe Road, staff does not recommend the applicant install bike lanes for just the site's frontage because these lanes would not safely connect to other bicycle infrastructure at this time. Additionally, VDOT has not recommended bike lanes be installed at this time as part of their review of the project. Therefore, staff finds the proposed bicycle facilities are consistent with the MTP which does not identify other planned on-street bicycle facilities at this location and recommends the provision of bicycle parking.

Transit Service: The MTP identifies the adjacent segment of South Glebe Road as a primary transit network, and the adjacent segment of 24th Road South as a secondary transit network. Arlington Transit (ART) and MetroBus serve the site via six (6) transit routes. ART routes 84 and 87 directly serve the site with a bus stop on either side of 24th Road South, including the

site's frontage. ART route 87 and MetroBus routes 10B, 23A, 23B, and 23T provide service with a bus stop on either side of Shirlington Road, located less than 1,000 feet walking distance to the west of the site. Upon implementation of [Metro's 2025 Better Bus Network](#) in summer 2025, Metro will consolidate the existing Metrobus routes into route A70 which will continue to serve the corridor. The applicant proposes to improve the existing 24th Road South bus stop on the site's frontage by providing a bus shelter and relocating the stop closer to the intersection with South Glebe Road to be consistent with the County's current Bus Stop Guidelines and Standards Manual. The new bus stop location will better serve the ART and MetroBus routes which turn right (southward) at the intersection and will therefore more easily access the new stop with less conflicts with the flow of traffic. Staff finds the proposed transit improvements are consistent with the policies of the MTP Transit Element because the proposal enhances the existing stop according to County standards.

Parking and Loading: The applicant proposes a total of 549 parking spaces at an overall residential parking ratio of 1.03 spaces per unit. The applicant allocates the parking spaces as 512 parking spaces for Building E in an above-grade garage at a parking ratio of 1.03 spaces per unit, and 37 parking spaces for Buildings A-D in private single-car garages at a parking ratio of one (1) space per unit. The applicant is proposing two (2) loading spaces, with an adjacent area for trash operations, to be located in Building E's garage, accessed from the southern side of the building. In addition, the applicant proposes six (6) on-street parking spaces on 24th Road South and three (3) short-term parking spaces on South Garfield Street.

Figure 34. Parking and Loading.



Source: Applicant.

Multimodal Transportation Analysis and Trip Generation: The applicant submitted a Multimodal Transportation Assessment (MTA) which was prepared by Gorove Slade, dated August 16, 2024, and revised through November 1, 2024. The analysis assumes that approximately 35 percent of all trips will not use a personal vehicle. During the AM peak period, the analysis anticipates 144 vehicle trips, 66 transit trips, 10 bicycle trips, and 16 pedestrian trips. During the PM peak period, the analysis anticipates 135 vehicle trips, 61 transit trips, 10 bicycle trips, and 15 pedestrian trips. The analysis also conducted driveway counts to assess vehicle trips associated with the existing hotels. Compared to the current development's AM and PM peak period trip generation, the proposal results in 74 net new vehicle trips in the AM peak period and 55 net new vehicle trips in the PM peak period.

The analysis assessed five (5) signalized and three (3) unsignalized intersections within the vicinity of the site, and evaluated the intersections under existing conditions, future conditions without the proposed development, and future conditions with the proposed development. For each intersection, the MTA considered both the level of service (LOS), which assesses the delays to vehicle traffic, and a vehicle queuing analysis, which assesses the length to which

vehicles queue when stopped at an intersection. The MMTA concluded that all intersections operate at an overall acceptable LOS and will continue to do so with or without the proposed development.

Figure 35. Anticipated Transportation Trips.

Mode of Travel	AM Peak Trips	PM Peak Trips
Proposed Trips		
Private Automobile	144	135
Transit	66	61
Bicycle	10	10
Pedestrian	16	15
Net New Trips (Compared to Existing Use)		
Private Automobile	74	55

Source: Applicant.

Utilities and Stormwater Management: The project includes necessary storm sewer, sanitary sewer, and water main improvements to support the proposed development. The project will meet all stormwater management requirements as specified in Virginia's Chesapeake Bay Preservation Ordinance. On-site stormwater is to be treated for both quantity and quality via bioretention planters and a stormwater filtration system.

Sustainable Design: All proposed buildings will be designed to achieve LEED Gold certification and the applicant is requesting additional density under the [Green Building Incentive Policy](#) (GBIP). The applicant is proposing to participate in the GBIP's incentive program at the 0.25 FAR level. In addition, all buildings will be required to meet the minimum energy optimization performance, include ENERGY STAR appliances and WaterSense fixtures, as well as provide 10 years of energy reporting.

APS Student Generation Estimates¹: Based on analysis prepared by Arlington Public Schools (APS), the proposed development is estimated to generate the following number of students:

- Number of Elementary School Students (K-5) generated: 29 to 40 students.

¹ Student generation estimates are developed using recent historical student generation factors. Should these housing unit characteristics or the student generation factors change, then the student generation estimates would also change. The completion and occupancy of an approved residential development may occur within a variable timeframe depending on developer interest, market conditions, and construction timelines. Some projects, like Phased Development Site Plans, may yield completed buildings over decades rather than years. The County does not regulate the bedroom distribution of market rate residential projects. Given the relevant zoning district within the site plan and use permit process, the County regulates residential density according to the Gross Floor Area or the Units per Acre of the project. Bedroom distribution is a market driven decision within the constraints of the relevant zoning district. Form Based Code projects are subject to density restrictions based on form based regulating characteristics (height, setbacks, etc.) and do not regulate based on Gross Floor Area or Units per Acre. Housing Unit characteristics of all types of projects may change after County Board approval through either site plan amendments or administrative changes. Information provided by CPHD is the 'best available' within these constraints. APS provides no guarantee that any proposed residential development will continually be served by the same elementary, middle and high school(s).

- Number of Middle School Students (6-8) generated: 8 students.
- Number of High School Students (9-12) generated: 11 to 16 students.
- Total: 48 to 64 students.

The subject site is zoned for the following school districts: Drew Elementary School, Gunston Middle School, and Wakefield High School attendance areas. No students currently reside at the site. The above estimates are generated using the housing characteristics presented prior to County Board approval and using the 2024 student generation factors in the 2024 Student Generation Rates.

Modifications of Use Regulations: The following provides a summary of the applicant's requested zoning modifications, and staff's analysis thereof:

Additional Density (ACZO §15.5.9): The applicant is requesting 131 additional residential units above the standard site plan base density allowed in the "RA-H" zoning district, which is approximately 72 du/ac. The following outlines the commitments the applicant has made to achieve the additional density, advancing the goals of the AHMP, Community Energy Plan, Public Spaces Master Plan, and 4MRV Area Plan.

- Provision of seven (7) on-site CAFs including two (2) 1-bedroom, four (4) 2-bedrooms, and one (1) 3-bedroom units;
- LEED Gold certification at the 0.25 FAR level and compliance with the GBIP;
- Dedication of an approximately 10,311 sf public use and access easement;
- Installation and maintenance of privately-owned public space landscaping and pedestrian improvements; and
- Future dedication of a public street easement on South Garfield Street and on the future street extension area.

Lot Area Per Unit (ACZO §7.4.3.B): The applicant is requesting a reduced lot area per unit of 452 sf, which results in 531 units for the subject site area. The ACZO allows a minimum lot area per unit of 600 sf, which results in 400 units for the subject site area. Since the applicant is requesting 131 additional residential units above the site plan base density allowed in the "RA-H" zoning district, the applicant is also requesting a reduced lot area per unit. Effectively, the proposed density is approximately 96 du/ac. Staff supports this modification as it accommodates the requested additional density with an appropriate building form and site layout, pursuant to the goals of the AHMP, Community Energy Plan, and 4MRV Area Plan.

Lot Coverage (ACZO §7.4.3.B): The applicant is requesting an increased lot coverage of approximately 65%. The ACZO requires a maximum lot coverage of 50%. While the proposed buildings will occupy approximately 50% of the site, given the construction of three (3) new streets approximately 15% of the site will be comprised of vehicular area. The remaining 35% of the site will be dedicated to pedestrian and planting areas. Staff supports this modification since the creation of new streets is consistent with the recommendations of the MTP and 4MRV Area Plan.

Required Residential Parking Ratio (ACZO §14.3.7.A): The applicant is requesting reduced residential parking ratios, for a total of 549 residential parking spaces, as shown in Figure 36 below. For townhouses (Building A), the ACZO requires 2 spaces per unit, plus 0.2 additional spaces per unit for visitors. For multifamily buildings (Buildings B, C, D, and E), the ACZO requires 1.125 spaces for each of the first 200 units and one (1) space for each additional unit above 200 units. There are two (2) existing bus stops located adjacent to the site on 24th Road South, serving local ART routes. There are also two (2) existing bus stops located on Shirlington Road less than 1,000 feet walking distance from the site, serving ART route 87 and MetroBus routes 10B, 23A, 23B, and 23T (to be consolidated into MetroBus route A70 in summer 2025). The Parking and Curb Space Management Element of the MTP recommends that excessive parking not be built, and that reduced parking be considered when a development is proximate to transit facilities and includes a transportation demand management (TDM) plan. To mitigate the reduced residential parking ratio, the applicant is implementing a transportation demand management (TDM) plan to further mitigate single occupancy vehicle trips (Condition #40). Given the project's access to transit facilities and proposed TDM measures, staff supports this modification.

Figure 36. Residential Parking Ratios.

	Required	Proposed
Total Parking Spaces	571 spaces	549 spaces
Overall Residential Parking Spaces	571 spaces	549 spaces
<i>Building A (Townhouse) Spaces</i>	<i>16 spaces</i>	<i>7 spaces</i>
<i>Building B (Townhouse-style) Spaces</i>	<i>12 spaces</i>	<i>10 spaces</i>
<i>Building C (Townhouse-style) Spaces</i>	<i>12 spaces</i>	<i>10 spaces</i>
<i>Building D (Townhouse-style) Spaces</i>	<i>12 spaces</i>	<i>10 spaces</i>
<i>Building E (Multifamily) Spaces</i>	<i>519 spaces</i>	<i>512 spaces</i>
Overall Residential Parking Ratio	N/A	1.03 spaces/unit
<i>Building A (Townhouse) Ratio</i>	<i>2 spaces/unit, plus 0.2 additional spaces/unit for visitors</i>	<i>1 space/unit</i>
<i>Building B (Townhouse-style) Ratio</i>	<i>1.125 spaces/unit for the first 200 units, plus 1 space/unit over 200 units</i>	<i>1 space/unit</i>
<i>Building C (Townhouse-style) Ratio</i>		<i>1 space/unit</i>
<i>Building D (Townhouse-style) Ratio</i>		<i>1 space/unit</i>
<i>Building E (Multifamily) Ratio</i>	<i>1.125 spaces/unit for the first 200 units, plus 1 space/unit over 200 units</i>	<i>1.03 spaces/unit</i>

Reduced Loading Spaces (ACZO §14.3.8): The applicant is requesting a reduced number of loading spaces to two (2) loading spaces. The ACZO requires one (1) loading space for each 200 units or fraction thereof, for a total of three (3) loading spaces. The applicant is providing two (2) loading spaces, with each loading space 40 ft and 25 ft in length, respectively, and a separate trash room. The proposed loading spaces are located off a private street (25th Court South) in the rear of the Building E, with no anticipated impact to the public right-of-way. Staff supports this

modification given the projected utilization of the residential loading spaces and minimal impacts to the public right-of-way.

Density Exclusions: The applicant is requesting a total of 7,939 sf in density exclusions for below-grade mechanical, service, and storage space and above-grade vertical shafts. Since these areas do not affect the bulk, mass or height of the building, consistent with the Zoning Administrator's advice on density exclusions for site plans, staff supports this modification.

Site Plan Features and Improvements: The applicant agrees to provide certain features, improvements, and amenities to mitigate the impacts of the proposed development on adjacent properties and the neighborhood. This includes but is not limited to:

- New pavement, sidewalk, curb and gutter on street frontages;
- Streetscape and landscape improvements on-site;
- Public art contribution;
- Utility undergrounding fund contribution;
- Transportation demand management program;
- Installation of an in-building wireless first responders' network; and
- General conformance with the 4MRV Area Plan guidance.

In addition to these standard site plan improvements, this project furthers the County's goals and objectives by providing:

Affordable Housing: The applicant is providing seven (7) on-site CAF units at 60% AMI. These include two (2) 1-bedroom units, four (4) 2-bedroom units, and one (1) 3-bedroom (family-sized) unit. The applicant will also provide the base affordable housing contribution. Staff supports this component of the project as it advances the recommendations of the AHMP.

Transportation: In addition to street, streetscape, and bus stop improvements on South Glebe Road and 24th Road South, the applicant is constructing a new street and street segments that will allow for future improvements to connect Shirlington Road to 24th Road South. Staff supports this component of the project as it furthers the recommendations of the MTP.

Public Space: The applicant is providing an approximately 10,311 sf public use and access easement and installing and maintaining landscaping and pedestrian improvements within the privately-owned public space. The public space includes a pedestrian pathway, seating areas, and landscaping in the form of trees, shrubs, and grasses, which serve as a green buffer with the historic church and cemetery. Staff supports this component of the project as it advances the recommendations of the Public Spaces Master Plan and the 4MRV Area Plan by providing an effective landscaped buffer area between the proposed development and the adjacent historic Lomax AME Zion Church and cemetery.

Sustainable Design: The applicant is participating in the County’s adopted GBIP and has agreed to achieve a LEED Gold certification and provide other sustainable design elements at the 0.25 FAR credit level. As noted above, the proposal meets the green building certification criteria and provides the baseline prerequisites of the GBIP. Staff supports this component of the project as it furthers the sustainability goals of the Community Energy Plan.

Equity Principles: In September 2019, the County Board adopted an [Equity Resolution](#), which defines equity as “all populations having access to community conditions and opportunities needed to reach their full potential and to experience optimal well-being.” It also acknowledges “community conditions that affect individual opportunity and well-being including the economy, environment, housing, land use policy, public facilities and infrastructure, healthcare, neighborhoods, education, and social connectedness.” The Equity Resolution references the April 2019 report [Destination 2027](#), an Arlington-based plan which calls for expanding access to the resources and opportunities needed for optimal health and wellbeing, including “affordable (but not substandard) housing, transportation, food, child care, education, financial services, among others.” The County Board also adopted a [Resolution for Equitable Development](#) in April 2024 that furthers equitable principles and goals in Arlington County. Together, these initiatives suggest redevelopment activities may present specific opportunities to advance the County’s equity goals in a variety of ways, including but not limited to:

- Affordable housing;
- Public space;
- Transportation improvements.

The applicant’s proposal is making significant commitments towards advancing the County’s equity objectives in each of these areas. In addition to the base affordable housing requirements of the ACZO, the applicant will provide seven (7) on-site CAF units with a total of 13 bedrooms with five (5) of those units being 2- and 3-bedroom units. The applicant will dedicate, install, and maintain public space adjacent to the historic church and cemetery that will benefit all members of the public. Lastly, the applicant will improve adjacent streetscapes with wider sidewalks and upgrade an existing bus stop with a new bus shelter to create a safer, more accessible, and more comfortable environment for all users, including an internal street network that will allow future redevelopment on adjacent properties to connect Shirlington Road through the subject property to 24th Road South.

PUBLIC ENGAGEMENT:

Level of Engagement:

Communicate, Consult, and Involve

This level of engagement is appropriate because the applicant proposes a GLUP amendment, MTP amendment, and a major site plan amendment.

Outreach Methods:

- Public notice was given in accordance with the Code of Virginia §15.2-2204. Notices of the March 24, 2025, Planning Commission Meeting were placed in the March 12, 2025, and March 17, 2025, issues of the Washington Times.
- Public notice was given in accordance with the Code of Virginia §15.2-2204. Notices of the April 5, 2025, County Board Meeting were placed in the March 21, 2025, and March 28, 2025, issues of the Washington Times.
- Public notice was provided to an adjacent jurisdiction (City of Alexandria) in accordance with the Code of Virginia §15.2-2204 for the proposed comprehensive plan amendments within 10 days of the public hearings.
- Placards were placed in various locations surrounding the property indicating the subject of this GLUP amendment, MTP Map amendment, and site plan amendment application and the time and place of the public hearing in accordance with Arlington County Zoning Ordinance §15.1.3.B.

In addition to the above legal requirements:

- Representatives from the host civic association, Green Valley Civic Association, and adjacent homeowner associations (HOA), including Arlington Overlook HOA and Towns of 24th HOA, were invited to participate in the SPRC meetings for this project.
- The SPRC reviewed the proposal through an online engagement opportunity in September/October 2024, and at two (2) SPRC meetings in November 2024 and January 2025. In addition to the standing Planning Commission membership, adopted membership for this SPRC Sub-Group included representatives from the:
 - Transportation Commission;
 - Housing Commission;
 - Park and Recreation Commission;
 - Forestry and Natural Resources Commission;
 - Historical Affairs and Landmark Review Board;
 - Disability Advisory Commission;
 - Economic Development Commission;
 - Climate Change, Energy and Environment Commission;
 - Pedestrian Advisory Committee;
 - Green Valley Civic Association;
 - Lomax AME Zion Church;
 - Arlington Overlook HOA; and

- Towns of 24th HOA.

The SPRC project chairs also provided time at the end of each meeting for public comments.

- County staff created and maintained a [project webpage](#) for the proposed development on the County website with project information and meeting materials, which is standard practice for site plan projects. A virtual site walking tour was also provided on the project webpage.

Community Feedback:

Online Engagement Opportunity: Staff conducted an online engagement opportunity from September 30 to October 10, 2024, which garnered 70 participants and 385 comments. A [summary of responses](#) has been posted to the project webpage. Overall, many feel the residential use and building types are an improvement over existing conditions, though several also expressed strong concerns about the proposed number of units and feel it will negatively impact local traffic and on-street parking availability. Although some suggest additional building height would be appropriate if it increases housing capacity, others believe the 8-story building overshadows the Lomax AME Zion Church and nearby homes. Many respondents believe the surrounding streets are already congested and the proposal will exacerbate traffic backups on 24th Road South, especially during rush hour. There are mixed opinions on the amount of parking provided. While some feel the amount of parking is adequate given nearby transit options, others believe it is insufficient given the project's location and will negatively impact on-street parking availability in the area. At the same time, others feel the proposed parking is excessive and the site dedicates too much space for parking instead of open space and trees.

Site Plan Review Committee: On November 14, 2024, and January 27, 2025, the SPRC discussed the following topics which were informed by feedback received during the online engagement opportunity and issues raised by staff:

- Land Use & Density
- Site Design & Layout
- Building Height, Form & Architecture
- Transportation
- Open Space, Landscaping, & Biophilic Design
- Green Building & Sustainability

Generally, the project was received positively by the SPRC who agreed it is an improvement for the neighborhood over the existing conditions. SPRC members appreciated changes made by the applicant based on SPRC feedback on ensuring compatibility with the Lomax AME Zion Church and cemetery such as the architectural improvements to the building façades and provision of seven (7) on-site CAFs. The SPRC discussed strategies to further mitigate Building E's visual and noise impacts on

the church and cemetery through additional tree plantings within the open space green buffer and placement of a solid brick wall along the shared property line. SPRC members, including those representing the Green Valley Civic Association, Lomax AME Zion Church, Arlington Overlook HOA, and Towns of 24th HOA, expressed concerns about potential impacts to traffic on 24th Road South and ensuring safety for pedestrians, cyclists, and bus and school bus users. They noted 24th Road South often experiences traffic backups between South Glebe Road and Shirlington Road and raised questions about the applicant's MMTA and traffic analysis. As a result, the SPRC encouraged staff and the applicant to explore the installation of a traffic signal or crosswalk at the intersection of 24th Road South and South Garfield Street.

Staff Response: As discussed above, the applicant proposes a new 24th Road South condition which will provide additional queuing space and better facilitate eastbound travel through the removal of a driveway entrance and relocation of a bus stop to be closer to the intersection with South Glebe Road. The applicant's MMTA did not identify existing or future queuing issues along 24th Road South, and found that the proposal will not create a need for a new traffic signal or other improvements at this location.

Transportation Commission: A representative from the Transportation Commission participated in the SPRC process. The Transportation Commission will consider this project at its March 13, 2025, meeting.

Planning Commission: The Planning Commission will consider this project at its March 24, 2025, meeting.

Housing Commission: A representative from the Housing Commission participated in the SPRC process. The Housing Commission will consider this project at its March 27, 2025, meeting.

CONCLUSION: The subject GLUP amendment from "Service Industry" to "Medium" Residential, MTP Map amendment to add a new street and street segments, and site plan amendment are consistent with adopted County plans, including the 4MRV Area Plan, and applicable provisions of the ACZO. The proposal improves the site's existing conditions by installing wider streetscapes, eliminating three (3) curb cuts, and replacing several aging hotel buildings and large surface parking area with new housing opportunities in Green Valley. The proposal furthers many County's goals and objectives by providing significant affordable housing, public space, transportation, and green building commitments. The applicant has been responsive to staff and community feedback during the review process, revising their plans to improve the open space, architectural, and streetscapes elements of the proposal. Staff finds that the project is: a) consistent with the Arlington County Comprehensive Plan and any applicable and relevant adopted or accepted County Board plans and policies, and with the uses permitted and use regulations of the district as set forth in the ACZO or as the same may be modified by the County Board as provided herein; b) functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the

neighborhood; and c) designed and located that the public health, safety and welfare will be promoted and protected. Therefore, staff recommends County Board approval of the GLUP amendment (GP-368-25-1), MTP Map amendment, and site plan amendment (SPLA23-00053) to construct up to 531 residential units, with modifications for additional density, lot area per unit, lot coverage, reduced residential parking ratios, required loading spaces, density exclusions, and other modifications necessary to achieve the proposed development, subject to the conditions of the attached ordinance.

DRAFT

GENERAL LAND USE PLAN AMENDMENT RESOLUTION

RESOLUTION TO AMEND THE GENERAL LAND USE PLAN TO CHANGE THE LAND USE DESIGNATION FOR AN APPROXIMATELY 1.44 ACRE PARCEL LOCATED AT 2480 SOUTH GLEBE ROAD (RPC #31-034-025) FROM "SERVICE INDUSTRY" TO "MEDIUM" RESIDENTIAL.

WHEREAS, the County Board of Arlington County has been presented with a proposed amendment of the General Land Use Plan ("GLUP"), a part of the County's Comprehensive Plan, to:

- Amend the General Land Use Plan map to change the land use designation from "Service Industry" to "Medium" Residential for an approximately 1.44 acre parcel located at 2480 South Glebe Road (RPC #31-034-025) as shown on the General Land Use Plan Amendment GP-368-25-1, 2480 South Glebe Road, dated X 2025 and attached (Attachment A) to the County Board report for the April 5, 2025, meeting.

WHEREAS, the County staff has, pursuant to County policy, studied the property, and the County's policies and goals and has studied relevant Zoning and Planning purposes that apply to this Property; and

WHEREAS, the proposed GLUP amendment would be consistent with the County's development and growth goals stated in the GLUP, would accomplish the harmonious development of the County or promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants as set forth in the GLUP Booklet; and

WHEREAS, the County Board adopted the *Four Mile Run Valley Area Plan* on November 17, 2018; and

WHEREAS, the Planning Commission has recommended [REDACTED] of the proposed GLUP amendment at its meeting on March XX, 2025; and

WHEREAS, the County Manager has recommended that the proposed GLUP amendment be adopted; and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed amendment to the GLUP on April 5, 2025.

NOW, THEREFORE, be it resolved that, based on the aforementioned considerations, deliberations and all public comments, the County Board of Arlington County hereby adopts the proposed amendment to the GLUP, as shown in the attached GLUP Amendment Map exhibit (Attachment A), dated X.

MASTER TRANSPORTATION PLAN MAP AMENDMENT RESOLUTION

RESOLUTION TO ADOPT AN AMENDMENT TO THE MASTER TRANSPORTATION PLAN (MTP) MAP IN ORDER TO ESTABLISH A NEW A NEW SEGMENT OF SOUTH GARFIELD STREET DEPARTING IN A SOUTHERN DIRECTION FROM 24TH ROAD SOUTH, A NEW SEGMENT OF 25TH COURT SOUTH DEPARTING IN AN EASTERN DIRECTION FROM THE NEW SEGMENT OF SOUTH GARFIELD STREET, AND A NEW STREET TITLED SOUTH FILLMORE COURT DEPARTING IN A SOUTHERN DIRECTION FROM THE NEW SEGMENT OF 25TH COURT SOUTH AS SHOWN ON ATTACHMENT B.

WHEREAS, the County Board of Arlington County has been presented with a proposed amendment to the Master Transportation Plan (MTP) Map: a part of the County's Comprehensive Plan; and

WHEREAS, the proposed amendment to the MTP Map is shown on Attachment B, entitled Master Transportation Plan Amendment, in the County Board Report dated April 5, 2025, and attached to this Resolution; and

WHEREAS, the County Manager recommends that the proposed MTP Map amendment be approved and adopted by the County Board; and

WHEREAS, the Planning Commission after a duly advertised public hearing, recommends MTP Map amendment to the County Board; and

WHEREAS, The County Board of Arlington County has considered the foregoing recommendation in light of purposes of the Master Transportation Plan (MTP) and the Comprehensive Plan, the Arlington County Zoning Ordinance, the Arlington County Subdivision Ordinance, and the Code of Virginia; and

WHEREAS, on April 5, 2025, the County Board of Arlington County held a duly advertised public hearing on the proposed amendment to the MTP Map,

NOW, THEREFORE, BE IT RESOLVED THAT, based on the aforementioned recommendations, considerations, deliberations, and public comments, the County Board of Arlington County hereby approves and adopts the proposed amendment to the MTP Map establishing a new segment of South Garfield Street departing in a southern direction from 24th Road South, a new segment of 25th Court South departing in an eastern direction from the new segment of South Garfield Street, and a new street titled South Fillmore Court departing in a southern direction from the new segment of 25th Court South as shown on Attachment B.

SITE PLAN AMENDMENT ORDINANCE (SPLA23-00053) (SP #111)

WHEREAS, an application for a Site Plan Amendment dated December 14, 2023, for SPLA23-00053 (SP #111), was filed with the Office of the Zoning Administrator; and

WHEREAS, the Planning Commission held a duly advertised public hearing on the Site Plan Amendment on March 24, 2025, and recommended that the County Board [REDACTED] it; and

WHEREAS, as indicated in the Staff Report prepared for the April 5, 2025, County Board meeting and through comments made at the public hearing before the County Board, the County Manager recommends that the County Board approve the Site Plan Amendment subject to conditions as set forth in the Staff Report; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on April 5, 2025, and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning Administrator, that the improvements and/or development proposed by the Site Plan Amendment:

- Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance and modified as follows:
 - **Allow additional density above 400 dwelling units (ACZO §7.4, §12.3.7, and §15.5.9);**
 - **Reduce lot area per unit to approximately 452 sf (ACZO §7.4);**
 - **Increase lot coverage to approximately 65% (ACZO §7.4);**
 - **Reduce the residential parking ratio for Buildings A, B, C, and D to a minimum of 1.0 space per dwelling unit (ACZO §14.3.7.A);**
 - **Reduce the residential parking ratio for Building E to a minimum of 1.03 spaces per dwelling unit (ACZO §14.3.7.A);**
 - **Reduce the number of required loading spaces to two (2) spaces total (ACZO §14.3.8);**
 - **Exclude 7,939 sf of gross floor area dedicated to below-grade mechanical space and above-grade vertical shafts; and**
 - **Other modifications necessary to achieve the proposed development project.**

- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

NOW THEREFORE, BE IT ORDAINED that, as originally requested by an application dated December 14, 2023, for SPLA23-00053 (SP #111), and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition 1 below and dated February 24, 2025, (which drawings, etc... are hereafter collectively referred to as “Revised Site Plan Amendment Application”), for a Site Plan Amendment to construct up to 531 residential units and , with modifications of zoning ordinance requirements described above, for the parcel of real property known as RPC #31-034-024 and 31-034-025 located at 2480 South Glebe Road, approval is granted and the parcels so described shall be used according to the conditions of this Site Plan Amendment Ordinance provided below.

Note: Where a particular County office is specified in these conditions, the specified office includes any functional successor to that office. Where the County Manager is specified in these conditions, “County Manager” includes the County Manager or his/her/their designee. As used in these conditions, the term “Developer” shall mean the owner, the applicant, and all successors and assigns.

The general sequence of permits and certificates of occupancy is as follows: Demolition Permit; Land Disturbing Activity Permit; Excavation, Sheeting and Shoring Permit; Footing to Grade Permit; Final Building Permit; Shell and Core Certificate of Occupancy; Partial Certificates of Occupancy for Tenant Occupancy; and Master Certificate of Occupancy. In the event that the Developer does not obtain all permits separately, the Developer agrees that the requirements for all permits as set forth or as otherwise may be modified in the conditions below will be included in the permit that is applied for up to and including those requirements set forth to be met before the permit that is being applied for has been issued. In the event that the Developer only applies for and receives a Final Building Permit, the requirements for the Demolition Permit; Land Disturbing Activity Permit; Excavation, Sheeting and Shoring Permit; and Footing to Grade Permit must also be met prior to issuance of the Final Building Permit.

1. Overall Compliance Requirements

The Developer agrees that nothing in these conditions relieves the Developer from complying with all Federal, State and/or local laws and regulations. The Developer agrees that these conditions are valid for the life of the Site Plan. The Developer also agrees that no changes to the approved post-4.1 plans (referred to in Condition #3) shall be made in the field. The Developer agrees to obtain the Zoning Administrator’s review and approval of all post-4.1 plan changes, who will determine whether the changes are

acceptable, need an administrative change, or require site plan amendment approval. Unless otherwise stated in the conditions below, all required submissions shall be filed through the PermitArlington (or any successor) system, or by electronic submission with the Zoning Administrator.

2. Site Plan Compliance and Expiration

- A. **Compliance (Life of the Site Plan)** The Developer agrees to comply with the standard conditions set forth below and as referenced in Administrative Regulation 4.1, and the revised plans dated February 24, 2025 and reviewed and approved by the County Board as part of the Site Plan approval (as used in these conditions, the term “Site Plan” shall refer to the approved special exception SP #111) and made a part of the public record on April 5, 2025, including all renderings, drawings, and presentation boards presented during public hearings, together with any modifications proposed by the Developer and accepted by the County Board or vice versa, except as specified in the conditions below.
- B. **Expiration (Footing to Grade Permit)** If a Footing to Grade Permit has not been issued for the first building to be constructed pursuant to the approved Site Plan, then this Site Plan approval expires on April 30, 2028, unless otherwise extended by the County Board. 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 Site Plan and its conditions for their compliance with then current County policies for land use, zoning and special exception uses. Extension of the Site Plan is subject to, among other things, inclusion of amended or additional Site Plan conditions necessary to bring the plan into compliance with then current County policies and standards together with any modifications proposed by the owner and accepted by the County Board or vice versa.
- C. The Zoning Administrator is authorized to administer and interpret the conditions of this Site Plan in the same manner as she administers and interprets the Arlington County Zoning Ordinance, but in no event shall such administration and interpretation allow the Zoning Administrator to alter, amend, waive, delete, or add any condition(s) to this Site Plan, except to the extent allowed under Section 15.5.3.C (“Administrative Change”) of the Arlington County Zoning Ordinance, as amended, or as provided for in the specific conditions of this Site Plan. The Zoning Administrator is authorized to enforce violations of the conditions of this Site Plan in the same manner as violations of the Arlington County Zoning Ordinance.

3. Post-County Board 4.1 Filing (Demolition and Land Disturbing Activity Permits)

- A. The Developer agrees to submit Site Plan drawings and the Site Plan Specification Form called for in Administrative Regulation 4.1 within 90 days of the County Board approval, and before issuance of the Land Disturbing Activity Permit or Demolition Permit. The Developer also agrees to submit, color images of all renderings and photos of presentation boards, and PowerPoint presentations shown to the County

Board, including any changes made during the County Board meeting, of the approved 4.1 plans. The submittal shall comply with the final approval of the County Board and with Administrative Regulation 4.1. No permits shall be issued for this Site Plan until the post-County Board 4.1 filings have been approved by the County Manager or his/her/their designee.

- B. The Developer agrees to submit to the Planning Division, digital files by way of an electronic submission, copies of the approved Post-County Board 4.1 drawings and color images of all renderings in the following formats: JPEG, PDF, DWF, and DXF.

4. Site Plan Conditions Review Meeting (Demolition and Land Disturbing Activity Permits)

The Developer agrees to request and attend, along with its construction team, a Site Plan Conditions Review Meeting coordinated by the Zoning Office prior to the issuance of any permits for the Site Plan. The meeting is intended to inform the Developer of the following: 1) requirements of each of the Site Plan conditions that apply to the approved Site Plan; 2) the general process and contacts for obtaining permits, including plan review and approval and overview of associated Site Plan compliance requirements; and 3) the potential need to attend additional pre-permit and pre-construction meetings coordinated by the Inspection Services Division (ISD) and the Department of Environmental Services (DES).

5. Multi-Building Phasing Plan (Demolition and Land Disturbing Activity Permits)

The developer agrees that improvements shown on the Civil Engineering Plan and Final Landscape Plan ("Improvements") shall be provided and operational prior to any tenant occupancy of site plan buildings, unless otherwise stated in these conditions. For purposes of this condition, one stick of townhouses is the equivalent of one building. Prior to the issuance of any Demolition or Land Disturbing Activity Permits, for site plans having more than one building, the developer may submit a phasing plan ("Phasing Plan") to the County Manager, for his review and approval, that permits phasing of construction of Improvements reasonably associated with one or more buildings (for example streetscape along the frontages of each building and landscape surrounding each building) in separate phases ("Phases"). The developer agrees that the County Manager will require certain Improvements to be constructed in certain phases in order to support the associated buildings and provide or maintain, during construction and between phases, good design and proper functioning of infrastructure (for example water and sewer, streetlight, or stormwater management facilities). The developer further agrees that no Phase of such Phasing Plan may consist of Improvements without an associated building. The developer agrees that installation and construction of such Improvements, and satisfaction of all requirements concerning property vacations and encroachments, in each associated Phase, shall be: a) constructed consistent with the approved Phasing Plan; and b) be completed per the timing for the applicable Phase pursuant to the applicable condition. The developer agrees to obtain approval from the County Manager or

his/her/their designee for any revisions to the approved Phasing Plan prior to the issuance of any subsequent permits for the project.

6. Vacations and Encroachments (Demolition and Land Disturbing Activity Permits)

A. Approval of Ordinance (Demolition and Land Disturbing Activity Permits) The Developer agrees to obtain approval of, and fulfill all required conditions of, all ordinances of vacation and/or ordinances of encroachment associated with and/or required to build the site plan project, or any portion thereof, as shown on the plans referenced in Condition #2, prior to the issuance of Demolition and Land Disturbing Activity Permits, with the exception of demolition or Land Disturbing Activity Permits solely for buildings and structures not owned by the County and not located on property within which the County has an interest.

B. Obtain Ordinance (~~Excavation, Sheet piling and Shoring~~ Footing to Grade Permit for Building E) Further, the Developer agrees that, in addition to vacations and encroachments shown on the plans referenced in Condition #2, no building, structure or utility of any type shall encroach upon, or interfere with, the use of any County property or the exercise by the County of any property right or interest, unless the Developer has first, before ~~any Excavation, Sheet piling and Shoring~~ the Footing to Grade Permit for Building E is issued:

- a) Obtained an ordinance of vacation or an ordinance of encroachment, enacted by the County Board, permitting such use, encroachment or interference; and,
- b) Met all of the conditions of such ordinance(s).

For any encroachments, including but not limited to utility vaults, within a new easement area required to be conveyed pursuant to Condition #23, the Developer shall apply for and obtain approval of an ordinance of encroachment prior to the issuance of the First Certificate of Occupancy for Tenant Occupancy.

C. Phasing of Vacation(s) and/or Encroachment(s). Completion of the requirements and conditions of Vacation and/or Encroachment Ordinance(s) associated with and/or required to build the site plan project may be phased pursuant to a Phasing Plan approved per Condition #5, provided that:

- i. Density from the vacated area is not required to support the density approved by the site plan;
- ii. Each pertinent phase is limited to construction of a separate structure or facility located on a discrete physical area of the site plan property for which separate building permits can be issued; and
- iii. The County Board has enacted separate Ordinance(s) of Vacation and/or Encroachment applicable solely to such approved phase; and
 - a. Each such Ordinance has its own separate conditions, including any designated compensation; and
 - b. The conditions of each such Ordinance can be satisfied without negatively affecting the existing utilities or public infrastructure serving the site plan property or any surrounding properties.

Any phased completion of the requirements of a Vacation and/or Encroachment Ordinance shall not affect or change the timing of completion of all conditions set forth in the Ordinance, or the timing of completion of all conditions set forth in any other Vacation and/or Encroachment Ordinance required to build the site plan project.

7. Tree Conservation and Replacement (Demolition and Land Disturbing Activity Permits for each phase of development)

A. (Demolition and Land Disturbing Activity Permits) The Developer agrees to do the following prior to the issuance of the Demolition and Land Disturbing Activity Permits for each phase of development, as part of the Civil Engineering Plan:

- 1) **Tree Survey.** Complete a tree survey which meets the standards set forth below in subparagraph C, and consistent with the Chesapeake Bay Preservation Ordinance (County Code 61).
- 2) **Tree Protection Plan.** Submit to and obtain the County Manager's review and approval of a tree protection plan for those trees identified on the tree protection plan to be saved according to the standards set forth below in paragraph C, and consistent with the Chesapeake Bay Preservation Ordinance (County Code 61).
- 3) **Bond Estimate.** Upon approval of the tree protection plan, the Developer agrees to submit to and obtain the Department of Parks and Recreation's (DPR) Urban Forester review and approval of, a bond estimate for the trees to be saved based upon Arlington County's Tree Replacement Formula or an amount approved by the County Manager. The Developer agrees to protect all trees designated to be saved on the tree protection plan, and those specified to be saved by the approved Site Plan and shown on any filing in connection with this Site Plan.
- 4) **Bond.** Upon approval of the bond estimate by the County Urban Forester, the Developer agrees to submit to DPR a bond, in the form of cash or letter of credit in the approved amount of the estimate, and the approved tree protection plan.

B. Tree Replacement and Tree Replacement Bond for Conservation of Trees on Developed or Adjacent Property (Post Master Certificate of Occupancy for each phase of development)

- 1) **Tree Replacement.** Unless otherwise specified, any tree required to be conserved pursuant to this condition, which dies, as determined by the County's Urban Forester, prior to or within three (3) years of the issuance of the Master Certificate of Occupancy for each phase of development, shall be removed and replaced by the Developer at his expense with the number of major deciduous and evergreen trees consistent with the Tree Replacement Guidelines. Failure to provide the required number of replacement trees on site shall cause default of the Tree Protection Bond. The County shall draw from the Tree Protection Bond the

bonded amount for each dead or removed tree not adequately replaced. All funds drawn from the bond shall be placed in the County's Tree Canopy Fund.

- 2) **Final Inspection & Bond Release.** The Developer agrees to request a final inspection of all trees required to be conserved, consistent with the approved Tree Protection Plan, three (3) years after the issuance of the Master Certificate of Occupancy for each phase of development. The bond will be released upon satisfaction of all tree protection requirements, including conservation of protected trees.

C. Submission of Tree Replacement Plan and Calculations (Land Disturbing Activity Permit for each phase of development)

- 1) In addition to conserving identified trees, the Developer also agrees to replace all trees shown on the Tree Survey that are removed as a result of the new construction. Such replacement shall be completed in accordance with the Arlington County Tree Replacement Guidelines. The Developer agrees to submit a Tree Replacement Plan, and Tree Replacement Calculations, as part of the Final Landscape Plan per Condition #21.
- 2) **Approval of Tree Replacement Plan and Calculations, and Tree Canopy Fund Donation (Final Building Permit for each phase of development)** The Developer agrees that any replacement trees that cannot be accommodated on site shall be provided in a monetary amount to the Tree Canopy Fund prior to the issuance of the Final Building Permit for each phase of development. The Developer agrees to make a contribution to the County's Tree Canopy Fund of at least \$2,400.00 per tree, or a greater amount specified by the County Board, for every tree that cannot be planted on site. The contribution shall be required when tree planting requirements cannot be met on the property. If the Developer fulfills the requirements through a monetary contribution, the Developer shall make the check payable to the Arlington County Treasurer, and deliver the check to the Arlington County Urban Forest Manager, accompanied with a letter outlining the tree replacement calculations and referencing the project / site plan number. The Developer shall also provide evidence of compliance with this condition to the Zoning Administrator in the form of a letter at the time of payment.

D. Tree Protection and Tree Protection Plan Standards

- 1) The tree survey shall show existing conditions of the site and locate and identify all trees which are three (3) inches in diameter or greater. The survey shall include any tree on adjacent sites whose critical root zone extends onto the subject site.
- 2) The tree protection plan will designate any trees proposed to be saved by the Developer. This plan shall include any tree on adjacent sites whose critical root zone extends onto the subject site. The tree protection plan shall be developed by

a certified arborist or other horticultural professional with a demonstrated expertise in tree protection techniques on urban sites. At a minimum, this plan shall include:

- a. Detailed specifications for any tree walls or wells proposed.
- b. A description of how and where building materials and equipment will be stored, and a description and map of construction travel routes, during construction to ensure that no compaction occurs within the critical root zone of the trees to be saved.
- c. The location of all construction trailers, which may not be located within any tree protection area.

8. Construction Trailers Located in Whole or In Part on Private Property within the Site Plan Site Area (Demolition and Land Disturbing Activity Permits)

The Developer agrees, if there are to be construction trailers located on private property either in whole or in part, to submit and obtain the approval of the Zoning Administrator of a construction trailer plan, which shall show the location of construction trailers, prior to the issuance of the Demolition and Land Disturbing Activity Permits, and prior to locating any trailers on the site, for each applicable phase of the project consistent with the provisions of Condition #5. Construction trailers may not be located above public utilities, within public easements for said utilities or within 10 feet of each actual utility when easements do not provide such minimum clearances, unless otherwise approved by the County Manager or his/her/their designee as providing sufficient protection for structural and maintenance purposes. The plan may show construction trailers located within the setback area as long as they are not located in the vision obstruction area or tree protection area. If all construction trailers for the project are shown on the Tree Protection Plan (Condition #7.A), then that Plan can be used to satisfy this condition's submittal requirements, provided it has been reviewed and approved as set forth herein. Construction trailers and field offices may be permitted above the covered walk structure, subject to review, approval, and permitting through Inspection Services Division.

9. Photographic Record of Development (Demolition and Land Disturbing Activity Permits for each phase of development)

- A. For each phase of development, The Developer agrees to produce and submit to the Zoning Administrator a photographic record of development, starting with a record of the site as it appears before demolition is begun, including photographic records during construction, and ending with a photographic record of the development as it appears after completion of construction, for placement in the Arlington County Library Community Archives. These submissions shall comply with the standards provided in subparagraph B below.

The photographic record shall include photos taken at the following points in construction for each of phase development, and photos shall be submitted before issuance of the permit specified in each sub-paragraph below for each of phase development:

- 1) **(Demolition and Land Disturbing Activity Permits)** Before issuance of the Demolition and Land Disturbing Activity Permits for the site – Views of north, south, east and west facades, as location permits, of buildings to be demolished, as well as at least one photo of the site before any clearing or grading including the existing physical relationship with adjacent buildings and streets. The photographic record shall also include all historic aspects of the facades of the building to be demolished, consistent with the requirements described in Condition #33 below.
- 2) **(Footing to Grade Permit)** Before issuance of the Footing to Grade Permit – Photos of Site Clearance: Views of cleared site facing north, south, east and west, as location permits, with adjacent buildings and streets included.
- 3) **(Shell and Core Certificate of Occupancy)** Before issuance of the Shell and Core Certificate of Occupancy– Photos of Construction Phase: At a minimum, views of the site during excavation, upon construction of the first floor above grade, at topping out, and during the exterior cladding phase.
- 4) **(Master Certificate of Occupancy)** Before issuance of the Master Certificate of Occupancy – Photos of Site Completion: north, south, east and west facades of completed building or buildings, as well as at least one view of completed project in context of adjacent buildings and streets.

B. Photographic Record of Development Submittal Standards

All photographic records shall be submitted as high-resolution photographs in a digital format via an electronic submission as approved by the Zoning Administrator and must be date stamped.

10. Construction Related Measures (Demolition and Land Disturbing Activity Permits for each phase of development)

A. Maintenance of Traffic Plans

- 1) All Maintenance of Traffic Plans (MOT) for this site plan shall include the hours permitted for construction activities in the public right-of-way. Construction activity within the public right-of-way may occur between 9:00 a.m. and 3:30 p.m., Monday through Friday and/or between 10:00 a.m. and 6:00 p.m. on weekends and holidays. Construction activity within the public right-of-way shall not occur between 6:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:30 p.m., Monday through Friday. The foregoing construction hours may be modified by the County Manager if he/she/they find that, 1) for right-of-way improvements

required by the site plan, construction activity must be conducted outside the hours stated above in order to avoid disruption of traffic or other transportation systems; or 2) the construction activity requires certain utility work and/or street closures outside the hours stated above. "Holidays" are defined as New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and Christmas Day. The Developer agrees to place a minimum of one sign per street front around the site indicating the permissible hours of construction within the right of way, to provide a written copy of such hours of construction to all subcontractors, and to require its subcontractors to observe such hours.

- 2) The Developer agrees to maintain a 5-foot minimum clear width pedestrian access along 24th Road South and South Glebe Road adjacent to the site throughout construction. However, if the Developer is unable to maintain a 5-foot minimum clear width pedestrian access adjacent to the site, an alternative pedestrian access route may be approved with the Maintenance of Traffic Plan review process. The alternative pedestrian access route will be reviewed to balance: a) safety; b) use of the public sidewalk/right of way for construction activities; and c) operation of the transportation network in a safe, efficient, and accessible manner. Exceptions may be made during an emergency as defined in condition #13.C, when the County Manager or his/her/their designee has determined that pedestrian access adjacent to the site should be limited for safety reasons, and/or for such limited periods as are unavoidable for utility upgrades or construction of the sidewalk along 24th Road South and South Glebe Road.
- 3) For each phase of development, The Developer agrees to: a) submit documentation to the Zoning Administrator that the Developer has provided each approved Construction Hauling Route Plan to the Green Valley Civic Association, the Lomax AME Zion Church, and to the Arlington County Police Department. Plans or maps shall also be posted in the construction trailer and given to each subcontractor and construction vehicle operator before they commence work on the project.

- B. On-Site Construction Activity Hours (Demolition and Land Disturbing Activity Permits to Throughout Construction of the Site Plan)** On-site construction activity, including, by way of illustration and not limitation, delivery of materials and equipment, except for construction worker arrival to the construction site and indoor construction activity, shall commence no earlier than 7:00 a.m. and end by 9:00 p.m. on weekdays, and shall commence no earlier than 9:00 a.m. and end by 9:00 p.m. on weekends and holidays. Indoor construction activity defined as activity occurring entirely within a structure fully enclosed on all sides by installed exterior walls, windows, and/or doors shall end at midnight each day. The Developer may submit to the Zoning Administrator, through the 4.1 administrative change process, a request to permit on-site construction activity during hours other than those identified above.

The Zoning Administrator may approve such request only if the Developer can show that the on-site construction activity requires certain utility work and/or street closures outside the hours stated above. "Holidays" are defined as New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, and Christmas Day. The Developer agrees to place a minimum of one sign per street front around the construction site, indicating the permissible hours of on-site construction, to place one additional sign within the construction trailer containing the same information, to provide a written copy of the permissible hours of on-site construction to all subcontractors, and to require its subcontractors to observe such hours.

- C. **Maintenance of Street Surfaces.** The Developer agrees to maintain street surfaces adjacent to the site in a clean, smooth condition devoid of potholes at all times during the construction period. Whenever a significant portion of an adjacent road surface is disturbed for reasons relating to the construction, including utility work, the Developer agrees to repair promptly the disturbed portion(s) of pavement with hot patching to return the road surface to a clean, smooth condition. The Developer agrees to ensure that the road surface is promptly repaired regardless of whether the excavation work or other damage to the road surface was done by the Developer, the Developer's contractors, or private utility companies for work associated with this Site Plan. The Developer agrees to make reasonable efforts to schedule construction work so that digging in the street surfaces will not occur during the winter months. The term "significant portion of a road" is understood to include, but not be limited to, a cut in the road surface that exceeds 10 feet in length or 100 square feet in size. This condition is in addition to any other conditions in this Site Plan and any County requirements relating to reconstruction and repaving of streets at the completion of construction. All temporary street patching shall be performed per Arlington County Construction Standards and Specifications
- D. **Temporary Lighting Plan.** During construction the Developer agrees to provide adequate temporary lighting for roadway users, including pedestrian and vehicular traffic, along all frontages of the site, including the interiors of covered pedestrian walkways. Lighting levels shall conform to minimum luminance levels approved by the County, based on the Arlington County Lighting Specifications. The Developer agrees to submit and obtain approval of, a temporary lighting plan prior to issuance of the Demolition and Land Disturbing Activity Permits for each phase of development. Lighting shall be turned on between dusk and dawn 7 days a week. Any high-intensity overhead lighting, such as lighting placed on construction cranes, shall be used only during construction hours (except lower levels after hours for safety and security reasons), and shall be placed so as not to directly illuminate residential dwellings or be a nuisance to neighboring property owners. The approved temporary lighting plan shall be implemented prior to issuance of the Excavation Sheeting and Shoring Permit for each phase of development and prior to the shut-down or removal of any existing lighting and operated from implementation until

lighting fixtures as approved in Condition #19 are in place and operational around the perimeter of the site.

E. **Off-Street Parking for Construction Workers (Demolition and Land Disturbing Activity Permits for each phase of development)**. The Developer agrees to develop and submit to the Zoning Administrator a plan for off-street parking for construction workers prior to the issuance of the Demolition and Land Disturbing Activity Permits for each of phase development. The Developer agrees to obtain the review and approval by the Zoning Administrator of such plan prior to the issuance of the Excavation, Sheeting and Shoring Permit for each of phase development. The Developer agrees that the plan shall provide for off-street parking and shall be provided for all construction workers, including sub-contractors, without charge to the workers. In lieu of providing parking, the Developer may provide a subsidy for the construction workers in order that they may use Metro or another form of public transportation, provide a van for van pooling, or use another established method of transportation to provide for construction workers to arrive at the site. The Developer agrees to implement the approved plan throughout all phases of construction on the project. If the plan is found to be either not implemented or violated during the course of construction, a notice to correct the violation will be issued to the Developer. If the violation is not corrected within ten (10) days, appropriate enforcement actions will be taken in accordance with Article 17 of the Zoning Ordinance. The Developer agrees that the plan shall include the following:

- 1) The location of the parking to be provided at various stages of construction.
- 2) The number of parking spaces that will be provided at various stages of construction.
- 3) The number of construction workers that will be assigned to the work site at various stages of construction.
- 4) Mechanisms which will be used to encourage the use of Metro or other public transportation, carpooling, vanpooling, and other similar efforts.
- 5) The location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes, and carpooling and vanpooling information.
- 6) The contact person responsible for communicating parking and transportation options to workers.

11. Residential Relocation (Demolition and Land Disturbing Activity Permits)
Intentionally omitted.

12. Retail Relocation (Demolition and Land Disturbing Activity Permits)

Intentionally omitted.

13. Community Outreach During Construction (Demolition and Land Disturbing Activity Permits for each phase of development)

The Developer agrees to comply with the requirements of this condition prior to the issuance of the Demolition and Land Disturbing Activity Permits for each phase of development, and to remain in compliance with this condition until the Master Certificate of Occupancy is issued for each phase of development.

- A. **Community Liaison.** The Developer agrees to identify a person(s) who will serve as liaison to the community throughout the duration of construction. This individual shall be on the construction site or readily accessible throughout the hours of construction, including weekends. The name, e-mail address and telephone number of the individual(s) shall be provided in writing to residents, property managers and business owners whose property abuts the site (including the Green Valley Civic Association, the Lomax AME Zion Church, and the Arlington Overlook and Towns of 24th Homeowners Associations), and to the Zoning Administrator, and shall be posted at the entrance of the project.
- B. **Community Meeting.** Before commencing any clearing or grading of the site, the Developer agrees to hold a community meeting with those whose property abuts the project to review the Construction Hauling Route Plan, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, temporary lighting plan, and hours and overall schedule for construction. The Zoning Administrator and the Arlington County Police representative shall be notified in advance of the meeting date once the community meeting dates/times are established. The Developer agrees to provide documentation to the Zoning Administrator of the date, location and attendance of the meeting.
- C. **Temporary Closures of Any Traffic Lanes (Demolition and Land Disturbing Activity Permits – 7 days in advance of street closures)** The Developer agrees to notify the appropriate civic associations and all abutting property owners in writing (or, by mutual agreement, e-mail) at least seven calendar days in advance of any street closure, except in the case of an emergency, of more than one hour duration on any street. “Emergency” street closures may include, but not be limited to, those relating to rupture or potential rupture of a water or gas main, unsecured building façade, or similar unforeseeable public danger. “Emergency” street closures shall not include closures for setting up or dismantling of a crane, exterior building construction, materials deliveries, utilities work, or similar situations.
- D. Throughout construction of the project, the Developer agrees to advise abutting property owners in writing (or, by mutual agreement, email) of the general timing of

utility work in abutting streets or on-site that may affect their services or access to their property.

14. Construction Site Maintenance Requirements (Demolition and Land Disturbing Activity Permits to Throughout Construction of the Site Plan)

A. The Developer agrees to the following site maintenance requirements during construction of the site plan:

- 1) That the site and any buildings located within it are secured and kept in a well-maintained condition after County Board approval of the site plan and throughout construction, consistent with the requirements outlined below in this condition. This shall include, but not be limited to, maintaining landscaping, keeping the grass mowed, removing litter and debris from the site, and properly disposing of recyclable materials.
- 2) Maintain access on the site for fire emergency vehicles including access to existing fire hydrants and fire department connections.
- 3) In the event that construction activity on the site or portions of the site ceases for a period of ten (10) consecutive months, then the Developer shall prepare, and receive the approval of the County Manager, of an interim condition plan for site improvements only in the event that such improvements are intended to include more than permitted landscaping, fencing, and publicly accessible pathways, and that such interim condition plan will be implemented within twelve (12) months of the dates that construction activities on the site or portions of the site have ceased or not yet begun.
- 4) At the end of each work day during construction of the project, any streets used for hauling construction materials and entrance to the construction site shall be free of mud, dirt, trash, allaying dust, and debris, and all streets and sidewalks adjacent to the construction site shall be free of trash and debris.

B. Storage of Construction Materials (Throughout Construction of the Site Plan)

The Developer agrees that storage of construction materials, equipment and vehicles shall occur only on the site, unless otherwise approved by the County Board at an off-site location.

15. Historic Sites (Demolition and Land Disturbing Activity Permits)

Intentionally omitted.

16. Green Building Fund Contribution (Demolition and Land Disturbing Activity Permits)

Intentionally omitted.

17. Public Art (Demolition and Land Disturbing Activity Permits)

The Developer agrees to either commission public art or provide a public art fund contribution as set forth below.

A. Commissioning Public Art (Demolition and Land Disturbing Activity Permits for the first building or phase of development)

Commission Professional Artist. The Developer agrees to follow the *Public Art Program Guidelines for Site Plan/Developer Projects* for commissioning art on-site. The Developer agrees to commission a professional artist to create public art for a minimum cost of \$75,000, inclusive of artist fees, artist travel/expenses, fabrication, transportation, and installation, but exclusive of art consultant fees, fees for coordinating with artist or with other design professionals on the project (architect, landscape architect, engineer, etc.), and other in-house costs or fees. If the commission is made more than 12 months after Site Plan approval, the minimum cost will be increased by the same percentage as the percentage change in the Consumer Price Index (CPI-U) from the date of initial County Board approval of the Site Plan to the first day of the month on which the contribution is made. The public art shall support the themes and priorities discussed in the Public Art Master Plan (adopted November 2021) and the goals of the Public Art Policy (adopted September 2000). The developer retains ownership of the work of art and is responsible for its maintenance in perpetuity. The developer agrees that the artwork cannot be relocated or removed without approval by the County Manager. Should the owner desire to permanently remove the artwork from the site, the removal must go through a formal de-accessioning process, per the *Public Art Program Guidelines*, as may be amended from time to time. Should an artwork be permanently removed from the site, it should be replaced by (a) a new artwork of equivalent or greater cost increased by the same percentage as the percentage change in the CPI-U since issuance of the Partial Certificate of occupancy for any part of the top floor of the first building, and, approved through the standard approval process for site plan negotiated on site public art projects, or; (b) a contribution to the Public Art Fund of \$75,000 or the original required contribution amount in Condition #17.B., increased by the same percentage as the percentage change in the CPI-U since issuance of the Partial Certificate of occupancy for any part of the top floor of the first building.

The Developer agrees to complete the following Public Art Requirements before the issuance of the indicated permit/milestone for the first building or phase of development:

- 1) **Artist Approval (Demolition and Land Disturbing Activity Permits)** The Developer agrees to obtain approval of its choice of artist from the Arlington Commission for the Arts/Public Art Committee (ACA/PAC) prior to issuance of the Demolition and Land Disturbing Activity Permits.

- 2) **Art Proposal Approval (Excavation, Sheeting and Shoring)** The Developer agrees to obtain approval of the art proposal from the ACA/PAC prior to issuance of the Excavation, Sheeting and Shoring Permit.
- 3) **Re-submit Art Proposal if necessary (Footing to Grade)** The Developer agrees to resubmit to the County Manager or his/her/their designee if necessary, the art proposal, which shall reflect any revisions made in response to recommendations made by ACA/PAC, prior to issuance of the Footing to Grade Permit.
- 4) **Installation (Partial Certificate of Occupancy for top floor of building)** The Developer agrees that installation of the public art shall be completed prior to the issuance of the Partial Certificate of Occupancy that permits occupancy of any part of the top floor of the building.

In order to promote integration of the public art with other elements of the Site Plan, and to enable the County to review plans for the location of the art, the Developer agrees to represent the public art on the Final Landscape Plan, building elevation or other plan that includes the site of the art, in the normal course of submission of such plans as provided for in these Site Plan conditions. The plan(s) on which the art is represented will be determined based upon the art's chosen location within the Site Plan.

B. Public Art Fund Contribution (Final Building Permit for the first phase of development)

If the Developer chooses to make a contribution of \$75,000 to the Public Art Fund to fund County-initiated public art projects in the Four Mile Run Valley Area Plan area ~~metro~~/or other specified area in lieu of commissioning public art through the process set forth above, then the Developer agrees to notify the County Manager in writing, and make the total financial contribution, prior to issuance of the Final Building Permit for the first phase of development. If the contribution is made more than 12 months after Site Plan approval, the contribution amount shall be increased by the same percentage as the percentage change in the Consumer Price Index (CPI-U), from the date of the initial County Board approval of the Site Plan to the first day of the month on which the contribution is made.

18. LEED Credits and Sustainable Design Elements (Demolition and Land Disturbing Activity Permits)

The Developer agrees to obtain LEED credits and implement sustainable design elements as described and required below:

A. For Development without Bonus Density:
Intentionally omitted.

B. For Townhouse Development or Single-Family Dwellings: Green Home Choice (Final Building Permit):

Intentionally omitted.

C. For Development with Additional Density for LEED Design and Construction and Energy Star Post-Occupancy Building Certification

1) LEED Certification.

- a. The Developer agrees to include a LEED® Accredited Professional (LEED-AP) as a member of the design and construction team. The team will incorporate sustainable design elements and innovative technologies into the project so that numerous project components will earn the Developer points under the U.S. Green Building Council's LEED green building rating system. Specifically, the Developer agrees to meet the requirements for all LEED Prerequisites and achieve at least the number of LEED credits necessary to achieve LEED certification at the Gold level using the LEED NC version 4 or 4.1 (Multifamily Midrise) green building rating system, or a more recent version as approved by the County Manager.

As part of the LEED Gold certification, the Developer agrees to:

- For Building E, at least ~~24~~**20**% Energy Performance Improvement Savings from LEED EA credit, "Optimize Energy Performance/Annual Energy Use"
- For Buildings A, B, C, and D, a HERS index of 60 or lower from LEED version 4.1 Multifamily EA credit Optimize Energy Performance Option 3 HERS index rating
- Electric vehicle charging stations for at least ~~46~~% of all parking spaces and electric vehicle ready infrastructure for at least 15% of all parking spaces from LEED version 4.1 LT credit Electric Vehicles.

The Developer agrees to submit all appropriate documentation to the USGBC (or their designee) for review and evaluation for LEED certification.

- (1) **(Shell and Core Certificate of Occupancy for each building) Baseline Prerequisites.** In addition to the LEED Gold certification the Developer agrees to the following Baseline Prerequisites as specified in Appendix 1 for the 2020 Green Building Incentive Policy (or equivalent as approved by the County Manager), and as summarized below in (a) – (h). The Developer agrees to submit to the County Manager or his/her/their designee documentation sufficient to confirm the Baseline Prerequisites have been included in the project prior to issuance of the Shell and Core Certificate of Occupancy for each building.

- (a) **Refrigerant Leakage.** Commissioning of any on-site refrigerant charging to reduce refrigerant leakage

- (b) **Equity, Diversity, and Inclusion Program.** At least one firm represented on the development team shall have as part of its management operations, a racial and ethnic diversity, equity, and inclusion program.
- (c) **Air Sealing of Central Ventilation Supply.** Air sealing of all central vertical and horizontal supply ductwork with aerosolized duct sealant
- (d) **Air Sealing of Central Exhaust.** Testing and performance of central ventilation exhaust as required by Energy Star Multifamily High-Rise certification
- (e) **Human Interaction with Nature (Biophilia).** Submit a narrative describing how the development incorporates human interaction with nature (biophilia).
- (f) **Bird-Friendly Materials.** For the exterior wall envelope associated openings between 8 feet and 36 feet above grade, the use of bird friendly materials with a maximum threat factor of 30 in accordance with the American Bird Conservancy Collision Deterrence Material Threat Factor Reference Standard. Alternatively, the exterior wall envelope between 8 feet and 36 feet above grade, and any associated openings, shall on a weighted average be constructed to achieve a maximum total building Bird Collision Threat Rating (BCTR) of 15 or less according to the methodology of LEED credit Bird Collision Deterrence. Materials other than bird friendly materials shall not exceed an aggregate of 10 square feet within any 10 feet by 10 feet square area of exterior wall between 8 and 36 feet above grade.
- (g) **Renewable Energy.**
 - a. On-site solar energy generation (or other forms of renewable energy as approved by the County Manager) equal to at least 2.0 watts per square foot of roof area (including mechanical equipment area); or
 - b. **Renewable Energy Alternative Compliance Path.** Developments without sufficient solar exposure for on-site renewable energy or without acceptable off-site renewable energy as required and defined in Appendix 1 of the 2020 Green Building Incentive Policy, shall contribute to the County's Green Building Fund in the amount of \$4/square foot of roof area (including mechanical equipment) prior to the issuance of the Shell and Core Certificate of Occupancy. The payment shall be made out to Treasurer, Arlington County, and delivered to the Department of

Environmental Services, Office of Sustainability and Environmental Management (OSEM). Compliance with this condition shall be provided to the Zoning Administrator in the form of a letter at the time of payment.

- (h) **Light Pollution Reduction.** At least 90% of exterior fixtures, excluding streetlights as required by the County, shall meet Dark Sky-approved criteria according to the 2020 Green Building Incentive Policy. Exterior emergency lighting and lighting required by code for health and safety purposes shall be exempted from the following requirements:
- a. Motion sensor controls, integrative photovoltaic cells, photosensors or astronomic time-clock operation.
 - b. Fully shielded luminaires emitting no light above 90 degrees without sag or drop lenses, without side light panels, and without up-light panels.
 - c. Luminaires employing warm-toned (3000K and lower) white light, amber, or filtered LED light sources.

- 1) **(Shell & Core Certificate of Occupancy for each building)** The Developer agrees that for residential/~~hotel~~ development:

- (a) **ENERGY STAR appliances.** All of the following types of appliances, fixtures, and/or building components initially installed in the residential/~~hotel~~ units in the project shall have earned the U.S. EPA's ENERGY STAR label (or equivalent as approved by the County Manager): clothes washers, clothes dryers, dishwashers, refrigerators, and ceiling fans. At least 90% of the light fixtures in residential/~~hotel~~ units will be LED or ENERGY STAR labeled. The Developer agrees to submit to the County Manager or his/her/their documentation sufficient to confirm that such components are ENERGY STAR qualified (or equivalent as approved by the County Manager) prior to issuance of the Shell and Core Certificate of Occupancy for each building.

- (b) **WaterSense fixtures.** All the following fixtures initially installed in the residential/~~hotel~~ units in the project shall have earned the U.S. EPA's WaterSense label (or equivalent as approved by the County Manager): toilets, showerheads, and bathroom sink faucets. The Developer agrees to submit to the County Manager or his/her/their designee documentation sufficient to confirm that such components are WaterSense qualified (or equivalent as approved by the County Manager) prior to issuance of the Shell and Core Certificate of Occupancy for each building.

- 2) **(Shell and Core Certificate of Occupancy) Extra List Options.** In addition to the LEED Gold certification and Baseline Prerequisites, the Developer agrees to include in the project at least _____ (#) “Extra List Options” as specified in Appendix 2 of the 2020 Green Building Incentive Policy (or equivalent as approved by the County Manager), and as summarized below in (a) – (m). The Developer agrees to submit to the County Manager or his/her/their designee documentation sufficient to confirm the “Extra List Options” have been included in the project prior to issuance of the Shell and Core Certificate of Occupancy.

- ~~(a) Envelope Commissioning and Whole Building Air Leakage Test~~
- ~~(b) Renewable Energy~~
- ~~(c) Optimize Energy Performance~~
- ~~(d) Renewable Energy plus Storage~~
- ~~(e) Electric Vehicle Charging Infrastructure~~
- ~~(f) Advanced Energy Metering~~
- ~~(g) Building or Building Materials Reuse~~
- ~~(h) Grid Harmonization~~
- ~~(i) Grid Optimal Building ACP~~
- ~~(j) No Combustion in Domestic Hot Water Heating (multifamily and hotel only)~~
- ~~(k) No Combustion in Ventilation (multifamily and hotel only)~~
- ~~(l) Affordable Housing (multifamily only)~~
- ~~(m) Social Equity within the Operation and Maintenance Staff~~

- 3) **Report Submittals.** The Developer further agrees to submit to the Department of Environmental Services (DES) (with notification of submission to the Zoning Office), reports prepared by the LEED-AP and documentation upon request to substantiate the report. Such reports will be submitted prior to the issuance of each of the following permits or certificates of occupancy for construction of each building the project (with appropriate updates as the project progresses) and will summarize the efforts to date of the inclusion of the sustainable elements within each building the project:

- (a) Demolition and Land Disturbing Activity Permits
- (b) Excavation/Sheeting & Shoring Permit
- (c) Above-Grade Building Permit
- (d) Shell and Core Certificate of Occupancy
- (e) Partial Certificate of Occupancy for occupancy of the last floor of space
- (f) Master Certificate of Occupancy

- 4) **Site Visits (First Partial Certificate of Occupancy for Tenant Occupancy for each building)** The Developer agrees to permit and cooperate with site visits as

requested by the County Manager to verify that all LEED components as agreed to as part of this Condition #18 have been included in each building the project.

- 5) **LEED-AP Verification (Partial Certificate of Occupancy for space on last floor for each building)** The Developer agrees to provide a verification letter from the Development Team's LEED-AP prior to issuance of the Partial Certificate of Occupancy for any space on the last floor of space for which a Certificate of Occupancy is issued for each building. The verification shall state that all the prerequisites and the minimum number of LEED credits, as set forth above in the reporting mechanisms, have been incorporated into the building for which the Certificate of Occupancy permit has been issued, and that, in the professional's opinion, the project will qualify for at least a LEED Gold Certification as outlined in LEED version 4 or a more recent version.
- 6) **Bond or Letter of Credit (Partial Certificate of Occupancy for space on last floor for each phase of development)** For each phase of development, tThe Developer agrees to provide to the County a proportional share of the total amount of financial security (in the form of a bond or letter of credit or other form approved by the County Attorney) ~~in the amount of \$1,193,300 [(\$40 per s.f.) x (59,690 s.f. of LEED bonus density) x 50%]~~ prior to the issuance of the Partial Certificate of Occupancy for any space on the last floor of space for which a Certificate of Occupancy is issued guaranteeing that, within twenty-four (24) months from the date of the issuance of the Partial Certificate of Occupancy for any space on the last floor of space for which a Certificate of Occupancy is issued, the Developer will have received from the U.S. Green Building Council its LEED Gold certification. The proportional share of the total amount shall be determined by the percentage of the total gross floor area of the project to be constructed in the respective phase pursuant to Condition #5. If the total number of LEED points earned by that date through certification is less than the number of points required to achieve the agreed upon LEED certification level, or if the Developer misses any "Baseline Prerequisites" or "Extra List" requirements listed above, the Developer shall automatically forfeit a percentage of the financial security as follows:

Points missed	Percentage of financial security forfeited
1-2	25%
3-4	50%
5- 6	75%

Should the Developer miss seven (7) or more points within the twenty-four (24) month period (unless due to delay related solely to the USGBC), the Developer shall automatically forfeit 100 percent (100%) of the security. The forfeited amount shall be paid to the County within 30 days of the date of notification from

the USGBC. The Developer agrees that the County may take any amounts due under the condition out of the financial security as deposited with the County.

2. ENERGY STAR Building Certification

- a. In addition to LEED Gold certification for new construction, the Developer agrees to meet the requirements and achieve the US Environmental Protection Agency's (USEPA) ENERGY STAR certification for the building(s) with an ENERGY STAR score of at least 75. The certification will be based on 12 months of actual energy utility data and the Developer agrees to complete all data tracking, documentation, and verification required to earn the ENERGY STAR certification.
- b. The Developer agrees to permit and cooperate with site visits by the County Manager to verify progress, and will upon request, provide documentation to substantiate the certification. The Developer also agrees to submit all appropriate documentation to the US EPA (or their designee) for review and evaluation for ENERGY STAR certification in sufficient time to achieve ENERGY STAR certification within forty-eight (48) months after issuance of the Partial Certificate of Occupancy for any space on the last floor for which a Certificate of Occupancy is issued.
- c. **Bond or Letter of Credit (Partial Certificate of Occupancy for space on last floor for each phase of development)** For each phase of development, ~~t~~The Developer agrees to provide to the County a proportional share of the total amount of financial security (in the form of a bond or letter of credit or other form approved by the County Attorney)-in the amount of \$1,193,300 [(\$40 per s.f.) x (59,690 s.f. of additional density)x 50%] prior to the issuance of the Partial Certificate of Occupancy for any space on the last floor of space for which a Certificate of Occupancy is issued, guaranteeing that, within forty-eight (48) months from the date of the issuance of the Partial Certificate of Occupancy for any space on the last floor of space for which a Certificate of Occupancy is issued, the Developer will have received from the US EPA its ENERGY STAR certification with a score of at least 75. The proportional share of the total amount shall be determined by the percentage of the total gross floor area of the project to be constructed in the respective phase pursuant to Condition #5. If the ENERGY STAR score of 75 is not earned within 48 months of the date of the issuance of the Partial Certificate of Occupancy for any space on the last floor of space for which a Certificate of Occupancy is issued, the Developer agrees that it shall automatically forfeit one hundred percent (100%) of the financial security.

3. **Energy Reporting (March 31st of year after issuance of Partial Certificate of Occupancy of last floor for each building)** The Developer agrees to provide a complete ENERGY STAR Portfolio Manager report (or equivalent as approved

by the County Manager), as outlined in County guidelines entitled “Submission Requirements for Development with Portfolio Manager Conditions,” for each building the project each year for a period of ten (10) years. The first report shall be due on or before March 31 of the year following issuance of the Partial Certificate of Occupancy of the last floor of space for each building. The Developer agrees to install energy monitoring equipment capable of tracking whole building energy use data.

4. The Developer agrees that the LEED points referenced in this condition for new green building design and construction refer to the LEED version 4 or 4.1 rating system. If the Developer requests to use an updated version of LEED, then any changes to the point valuations incorporated into future updates to the LEED Green Building Rating System must equal or exceed the requirements outlined in LEED version 4 or 4.1.
5. The Developer agrees to permit the County Manager or his/her/their designee to access the USGBC records for the project, and to provide the County Manager with such authorization as may be necessary to allow such access. Should there be a dispute between the County and the Developer as to whether any sustainable element has properly been included in the development so as to qualify for the applicable number of LEED/ENERGY STAR rating system points, the County and the Developer will select a mutually agreeable third-party LEED-accredited individual, or other person with substantial experience in the LEED or ENERGY STAR system as approved by the County Manager, and accept the determination of that individual as to whether the Developer has qualified for those points. If the third-party person determines that the sustainable element has properly been included, the County will issue the permit. Such a determination shall in no way relieve the Developer of the obligation to achieve the level of certification called for in this condition.
6. The Developer agrees that all sustainable design elements and innovative technologies incorporated into the project for which the Developer earned points under the USBGC’s LEED green building rating system, or an equivalent element as approved by the County Manager, shall remain as part of the Site Plan for the life of the Site Plan.

19. Civil Engineering Plan (Land Disturbing Activity Permits)

A. Submission and Approval (Land Disturbing Activity Permits)

- 1) **Submission (Land Disturbing Activity Permits)** The Developer agrees to submit a complete set, as determined by the Department of Environmental Services, of a Civil Engineering Plan for each applicable phase of the project consistent with the approved Phasing Plan for the development, pursuant to Condition #5 above, based on the Minimum Acceptance Criteria and Guidelines

dated December 17, 2020 or subsequent amended acceptance criteria document, prior to the issuance of the Land Disturbing Activity Permit for that phase.

- 2) **(Excavation, Sheet piling and Shoring Permit)** The Developer agrees that in the event it seeks an Excavation Sheet piling and Shoring Permit prior to approval of the Civil Engineering Plan, such permit may only be issued if the following requirement has been met for the applicable phase pursuant to Condition #5:

- a. **Finding of no substantial risk to County.** A minimum of one complete County staff review of the Civil Engineering Plan has been completed that results in a finding by the County Manager or his/her/their designee that the limits and method of Excavation, Sheet piling and Shoring proposed on the plan will not interfere with, limit, damage, or pose a substantial risk of damage, to existing and proposed public infrastructure and adjacent public or private property.

Approval of Plan (Footing to Grade Permit) The Developer agrees to obtain approval of the Civil Engineering Plan by the County Manager or his/her/their designee prior to the issuance of the Footing to Grade Permit, for any phase of the project (approved pursuant to Condition #5). The Developer further agrees that the approved Civil Engineering Plan shall conform to this Site Plan approval, the approved Final Landscape Plan, and the sequence of construction, and shall be consistent with all site plan approval requirements and all County codes, standards and specifications, and policies. The Developer further agrees that any changes to the approved Civil Engineering Plan shall be subject to the same conformance requirements. The Developer agrees to obtain approval from the County Manager or his/her/their designee of a revised Civil Engineering Plan for such changes, and if such changes are also features shown on the Final Landscape Plan, shall also obtain approval from the County Manager or his/her/their designee of a revised Final Landscape Plan per Condition #21.

Virginia Department of Transportation (VDOT) approval of the Civil Engineering Plan and any other VDOT plans and permits are required in order to perform work in VDOT right-of way on South Glebe Road. If VDOT requests Civil Engineering Plan revisions subsequent to Civil Engineering Plan approval, the Developer agrees to submit and obtain approval from the County Manager or his/her/their designee of a revised Civil Engineering Plan for such changes, and if such changes are also features shown on the Final Landscape Plan, shall also obtain approval from the County Manager or his/her/their designee of a revised Final Landscape Plan per Condition #21.

- B. **Infrastructure Improvements.** The Developer agrees to design and incorporate, at a minimum, the following elements in addition to other information required to be provided on the Civil Engineering Plan:

1) Structure Free Zone

- a. In order to accommodate the subsurface requirements of utilities and streetscape elements (including street trees), the Civil Engineering Plan shall provide a structure-free zone under the public sidewalk along all street frontages.
 - i. This zone shall be a minimum of five (5) feet in depth, as measured from the approved finished sidewalk elevation, and shall extend from the back of the final location of the street curb, to the far edge of the public sidewalk.
 - ii. No subterranean structures (such as parking garages or storm water detention facilities) shall intrude into this five (5) foot deep zone, unless otherwise approved by the County Board and as shown on the Civil Engineering Plan.
 - iii. Notwithstanding the foregoing provisions, there shall be a minimum of fifteen (15) feet in depth, as measured from the approved finished sidewalk elevation, at specific street intersections adjacent to the site, within the triangular zone formed by the Point of Intersection and fifteen (15) feet beyond the Points of Tangent and Points of Curvature of the two intersecting street curbs, as listed below.

(1) N/A

- iv. Within the structure-free zone, underground utilities and/or utility vaults shall not be located in a manner that interferes with the appropriate spacing of street trees shown on the approved Final Landscape Plan nor shall utility lines be located beneath street trees.

2) Water Mains and Services

- a. Water services and public water main improvements, as listed below.
 - i. Construct approximately 650 linear feet of a new 8" water main in 24th Road South replacing the existing 8" water main along the site's frontage.
 - ii. Construct approximately 380 linear feet of a new 8" water main in the proposed South Garfield Street, connecting to the 8" water main in 24th Road South.
 - iii. Construct approximately 125 linear feet of a new 8" water main in the proposed 25th Court South, connecting to the 8" water main in South Garfield Court.
 - iv. Construct approximately 325 linear feet of a new 8" water main in the proposed South Fillmore Court connecting to the 8" water main in 25th Court South.

Their exact sizes, lengths, and locations shall be determined by the County as part of the Civil Engineering Plan review, which will be based on final engineering design and on evaluation of existing conditions and capacity of the water mains to serve the subject site, while maintaining the reliability of the water system. These improvements shall be constructed in accordance with the standards set out in the DES Construction Standards and Specifications Manual.

3) Sanitary Sewer

a. Public sanitary sewer main improvements, as listed below.

- i. Construct approximately 85 linear feet of an 8" sanitary main in 24th Road South, connecting to manhole 13558 and extending to a new manhole for the 8" sanitary main in South Glebe Road.
- ii. Construct approximately 80 linear feet of an 8" sanitary main in South Glebe Road, connecting from a new manhole, replacing manhole 13565, and extending toward manhole 13601

Their exact location shall be determined as part of the Civil Engineering Plan review based on final engineering design. These improvements shall be constructed in accordance with the standards set out in the DES Construction Standards and Specifications Manual.

- b. The Developer agrees that the County may TV-Inspect the sanitary sewer lines serving or along the frontages of the site and shall identify any improvements that are necessary to adequately provide sanitary sewer service to the development. The Developer shall repair or replace any sections or appurtenances of the sanitary sewer serving or along the frontages of the development that are found to be deficient or as shown on the Civil Engineering Plan.

4) Storm Sewer

a. Public storm sewer improvements and public storm water management facilities as listed below.

- i. Construct approximately 40 linear feet of a 15" storm main in 24th Road South connecting to the 24" storm main in South Glebe Road.
- ii. Construct approximately 470 linear feet of a 24" storm main in South Glebe Road along the project frontage.

Their exact location shall be determined as part of the Civil Engineering Plan review based on final engineering design. These improvements shall be constructed in accordance with the standards set out in the DES Construction Standards and Specifications Manual.

5) Electric Service and Appurtenances

- a. All new electric transformers and all associated appurtenances ~~shall be installed in underground utility vaults.~~ may be placed above grade as shown on Sheet C401 entitled "Plot and Location Plan" of the 4.1 Plans approved by the County Board, and shall be in locations so as not to be clearly visible from the public right-of-way and shall otherwise be screened from public view.

6) Undergrounding of Aerial Utilities

- a. Removal and/or undergrounding of all existing aerial utilities located within or along the periphery of the entire site plan to a distance of approximately five (5) feet beyond the site boundaries or the limits of disturbance/clearance, whichever is greater.
- b. All utility improvements necessary to provide adequate utility services to the development, or utility work necessary to provide terminus facilities associated with the undergrounding of utility lines shall not result in the installation of any new or additional permanent utility poles, push braces, or aerial utility lines or devices.

7) Underground Utility Vaults

- a. The location of all underground utility vaults, ventilation grates, and associated appurtenances, which shall meet the following standards:
 - i. Installation of all underground utility vaults shall be in conformance with County design and construction standards and specifications, and all applicable construction standards and specifications of the owner of the utilities. Underground utility vaults for electric transformers and all associated appurtenances shall meet both Dominion Virginia Power and County design and construction standards and specifications.
 - ii. Underground private utility vaults may not be placed, in whole or in part, within the County right-of-way or public easement unless the Developer obtains County Board approval of an encroachment ordinance or other County approval, as appropriate, permitting use of the County right-of-way or public easement for such purpose. Upon enactment of an ordinance or approval, the Developer agrees to comply with all the conditions of such ordinance and any other conditions prescribed in the site plan addressing vacations and encroachments, including, but not limited to, recordation of any deeds, plats, or ordinances, the payment of compensation, and required fees.

- iii. The location and placement of underground utility vaults shall not conflict with the physical operation or placement of other existing or proposed public or private utility facilities.
- iv. Underground utility vaults shall have a minimum horizontal clearance of five (5) feet to conduits, manholes, public water mains and public sanitary sewers, unless a lesser clearance is specifically approved by the County Manager.
- v. Ventilation grates for underground utility vaults, or for garage air intake and exhaust vents, shall not be located within public sidewalks, streets, or within any portion of the County right-of-way or public easement area for sidewalks or public streets, or within any areas that provide pedestrian access to any buildings, street, and public or private open spaces.

8) Pavement, Curb and Gutter

- a. Pavement, curb and gutter, parking spaces, and parking space sensors, along all site frontages, as listed below, and as shown on the approved Civil Engineering Plan. Additionally, the Developer will be responsible for the cost of installation of new sensors if existing sensors are damaged or paved over during construction.
 - i. South Glebe Road – Construct street section of approximately 66.5 feet in width, as shown on the civil engineering plan approved by the County Manager. The Developer agrees to construct ADA ramps as necessary to provide a pedestrian crossing on the south side of the intersection of 24th Road South and South Glebe Road.
 - ii. 24th Road South – Construct street section of approximately 38 feet in width (exclusive of a parking lane) to 44.5 feet in width (inclusive of a parking lane) as shown on the civil engineering plan approved by the County Manager. The Developer agrees to construct ADA ramps and a crosswalk as necessary to provide a pedestrian crossing on the west side of the intersection of 24th Road South and South Glebe Road.
 - iii. South Garfield Street – Construct a new street section of approximately 26 feet in width (exclusive of a pick-up/drop-off lane) to 34 feet in width (inclusive of a pick-up/drop-off lane), as shown on the civil engineering plan approved by the County Manager. The Developer agrees to construct ADA ramps and a crosswalk as necessary to provide a pedestrian crossing on the south side of the intersection of South Garfield Street and 24th Road South.
 - iv. 25th Court South – Construct a new street section of approximately 26 feet in width (western segment with access to the garage of Building E) to 20 feet in width (east of the garage entrance to Building E), as shown on the civil engineering plan approved by the County Manager. The Developer

agrees to construct curb ramps and crosswalks as necessary to provide pedestrian crossings on the west side of the intersection of 25th Court South and South Fillmore Court, and midblock to the east of the proposed Building E garage entry.

- v. South Fillmore Court – Construct a new street section of approximately 26 feet in width. The Developer agrees to construct ADA ramps and a crosswalk as necessary to provide a pedestrian crossing on the south side of the intersection of South Fillmore Court and 25th Court South.

- b. Pavement, curb, and gutter, including all improvements for pedestrian and/or vehicular access or circulation along all frontages shall be designed and constructed in compliance with the Department of Environmental Services Construction Standards and Specifications Manual or subsequent standards as amended.

9) Streetscape

- a. The final streetscape design including sidewalks, street trees, tree pits, bicycle racks, parking meters, and sidewalk pattern/design along with the final selection of materials and colors to be used, and the limits of the clear pedestrian zone of all public sidewalks and pedestrian access. Along with street lighting per subparagraph B.11 below, the final streetscape design shall include, but not be limited to, the following elements:

South Glebe Road:

- Minimum streetscape width measured from the back of curb: 20 feet
- Minimum clear sidewalk width: 10 feet
- Tree pits/planting strip dimensions: 10 feet and distance from back of curb: minimum eight (8) zero (0) inches

24th Road South:

- Minimum streetscape width measured from the back of curb: 18 feet (where adjacent to an inset parking lane) to 25.2 feet (where not adjacent to an inset parking lane)
- Minimum clear sidewalk width: 10 feet
- Tree pits/planting strip dimensions: 8 feet (where adjacent to an inset parking lane) to 15.2 feet (where not adjacent to an inset parking lane) and distance from back of curb: minimum eight (8) inches (where adjacent to an inset parking lane) and zero (0) inches (where not adjacent to an inset parking lane)

South Garfield Street (east side only):

- Minimum streetscape width measured from the back of curb: 6 feet (where adjacent to an inset pick-up/drop-off lane) to 12 feet (where not adjacent to an inset pick-up/drop-off lane)

- Minimum clear sidewalk width: 6 feet
- Tree pits/planting strip dimensions: 0 feet (where adjacent to an inset pick-up/drop-off lane) to 6 feet (where not adjacent to an inset pick-up/drop-off lane) and distance from back of curb: minimum ~~eight (8)~~ zero (0) inches

25th Court South (north side only):

- Minimum streetscape width measured from the back of curb: 5 feet (east of garage entry to Building E) to 10 feet (west of garage entry to Building E)
- Minimum clear sidewalk width: 5 feet
- Tree pits/planting strip dimensions: 0 feet (east of garage entry to Building E) to 5 ft (west of garage entry to Building E) and distance from back of curb: minimum ~~eight (8)~~ zero (0) inches

25th Court South (south side only):

- Minimum streetscape width measured from the back of curb: 0 feet (east of Building D frontage) to 10.9 feet (Building D frontage) to 12 feet (Building A frontage)
- Minimum clear sidewalk width: 0 feet (east of Building D frontage) to 6 feet (Buildings D and A frontages)
- Tree pits/planting strip dimensions: 4.9 feet (Building D frontage) to 6 feet (Building A frontage) and distance from back of curb: minimum ~~eight (8)~~ zero (0) inches

South Fillmore Court:

- Minimum clear sidewalk width: 5 feet

- b. Public sidewalks designed in conformance with the Department of Environmental Services Construction Standards and Specifications Manual or subsequent standards as amended and as required to be shown on the Final Landscape Plan per Condition #21.B.8.
- c. The clear sidewalk along all street frontages of the site shall be in compliance with applicable streetscape guidelines or standards, and shall be not less than six (6) feet wide at any point, including across all driveways, with no obstructions to impede the passage or flow of pedestrian traffic (clear sidewalk). However, pinch points may be permitted in conformance with the Master Transportation Plan and/or other applicable plans.
- d. Street trees shall be spaced 28-32 feet apart on center, or as approved by the County Manager. The location and planting details for street trees shall be in compliance with the Arlington County Landscape Standards; the Standards for Planting and Preservation of Trees on Site Plan Projects, Administrative Regulation 4.3: Tree Planting on Public Land; and other applicable streetscape

guidelines or standards, or urban design standards approved by the County Board.

- e. Individual or multi-space parking meters per the County Manager's determination shall be located where parking meters are called for along the site frontages, based on County plans and policies and the operation of the street.

10) Visitor Bicycle Parking

Provide visitor bicycle parking spaces in the following amounts:

- a. ~~Office uses: one (1) visitor space for every 20,000 square feet, or portion thereof, of office floor area.~~
- b. Residential uses: one (1) visitor space for every 50 residential units, or portion thereof.
- c. ~~Retail uses: two (2) visitor spaces for every 10,000 square feet, or portion thereof, of the first 50,000 square feet of retail floor area; and one (1) additional visitor space for every 12,500 square feet, or portion thereof, of additional retail floor area.~~
- d. ~~Hotel uses: one (1) visitor space for every 50 hotel room units, or portion thereof.~~

Visitor bicycle parking shall conform to Class II or Class III Arlington County bicycle parking standards in effect on the date of site plan approval, or as approved in the Civil Engineering Plan as substantially equal to, that shown in the standards. Such facilities shall be installed at exterior locations that are highly visible to, and within 50 feet of, the primary building entrances, unless there are physical obstructions that cannot be changed or moved to accommodate the bicycle parking within the 50 foot distance, in which case they shall be sited as close to the 50 foot distance as physically possible. Such facilities shall not encroach on any area in the public right-of-way intended for use by pedestrians or any required fire egress.

11) Street Lighting

- a. Arlington County standard street lights along all frontages of the site in accordance with the then current Arlington County Lighting Specifications and VDOT Traffic Engineering design manuals, as applicable. This shall include installation of a street lighting system including, but not limited to, poles, meters, service cabinets, conduit, junction boxes and power connection appurtenances along all frontages of the site, in locations as determined at the time of review of the Civil Engineering Plan.

- b. Removal of all mastarm mounted streetlights (typically cobrahead lights mounted at 25' to 35' above grade) from all street frontages of the site. If the County decides that such streetlights are required to provide adequate lighting for street safety purposes at intersections or when the lights are part of a traffic signal mastarm system, they shall be called out on the Civil Engineering Plan.

12) Traffic Signal Equipment

- a. Relocation of existing traffic signal poles, traffic signal cabinets, and any other existing traffic-related items and appurtenances in the public right-of-way along all frontages of the site, and installation of new traffic signal poles, traffic signal cabinets, and any other traffic-related items and appurtenances in the public right-of-way as listed below, in locations as determined by the County Manager or his/her/their designee at the time of the review of the Civil Engineering Plan:
 - i. Install a new pedestrian push button pole at the southwest corner of the intersection of South Glebe Road and 24th Road South.

13) Communication Conduit

- a. Four (4), 2-inch communication conduits (HDPE or equivalent County standard for communication conduits) and related equipment along all site frontages, and two (2), 2-inch conduits from a County handhole into the communications room, all for the sole and exclusive use by Arlington County, unless the County Manager or his/her/their designee determines that less conduit is required for the purpose of providing necessary public safety and communication network access and connectivity.

C. Implementation Timing. The Developer agrees to implement the approved Civil Engineering Plan as follows:

1) (Shell and Core Certificate of Occupancy) The Developer agrees to construct and/or install the following improvements as shown and approved on the Civil Engineering Plan, as applicable, prior to the issuance of the Shell and Core Certificate of Occupancy for each respective phase of construction:

- a. Undergrounding of aerial utilities, including removal of all permanent and temporary poles, lines, and other devices.
- b. Public water main and appurtenances, including fire hydrants and fire department connections.
- c. Public sanitary sewer main and appurtenances.

d. Public storm sewer improvements.

e. Communication conduit.

The Zoning Administrator may, through the 4.1 administrative change process, allow reasonable modifications to the timing of Condition #19.C.1) a. above if the Zoning Administrator determines that: 1) the Developer has installed all necessary conduit and other infrastructure required to implement the utility undergrounding; 2) the Developer can demonstrate that it has made all reasonable efforts to implement the required undergrounding; 3) the only remaining work is the responsibility of private utility companies and related completion of streetscape; 4) the timing of these elements will unnecessarily impede progress of the project; and 5) the Developer agrees that completion of this work will occur by the time approved by the Zoning Administrator but in no case later than prior to issuance of the Master Certificate of Occupancy for the building(s) adjacent to the utility pole(s) and/or utility line(s).

2) (First Partial Certificate of Occupancy for Tenant Occupancy) The Developer agrees to construct and/or install the following improvements as shown and approved on the Civil Engineering Plan, as applicable, prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy for the respective phases of construction:

a. Public street pavement, sidewalk, curb and gutter improvements.

b. Fire Apparatus Access Roads (Fire Lanes).

c. Street lighting elements including but not limited to: poles, meters, service cabinets and power connection appurtenances, and all conduit and junction boxes necessary for the lighting system, or, at the County's option, full payment to the County to cover the cost for such improvements and relocation.

d. Traffic signal improvements and the relocation of existing traffic signal equipment or, as determined by the County Manager, pay in full to the County, the cost to cover such improvements and relocation.

e. Parking meters, or, as determined by the County Manager, pay in full to the County, the cost to cover such parking meters.

f. Parking space sensors and space delineations, as applicable, or, as determined by the County Manager, pay in full to the County, the cost to cover such parking space sensors and space delineations.

- g. Transit facilities.
- h. Visitor bicycle facilities.
- i. Stormwater management facilities, (SWMF) with accepted certification letter(s) and construction inspection checklist(s) for each SWMF on the approved plan, such letters and inspection checklists to be certified by a licensed professional (licensed in Virginia), except those provided pursuant to Condition #19.C.3) below.
- j. All other elements shown in the approved Civil Engineering Plan.

The Developer agrees to remove and replace, in accordance with the Arlington County Department of Environmental Services Construction Standards and Specifications Manual, any existing curb, gutter and sidewalk along the street frontages of this site plan which is in poor condition or damaged by the Developer, prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy.

The Zoning Administrator may, through the 4.1 administrative change process, allow reasonable modifications to the timing of Condition #19.C.2) above, requiring construction or installation of public improvements, if the Zoning Administrator determines that: 1) the Developer is diligently pursuing the work; 2) timing of improvements as approved above will unnecessarily impede progress of the project; 3) the installation of the public improvements during extreme weather conditions will not meet County Standards and Specifications; and 4) the Developer has provided reasonable assurances that the work will be completed in accordance with the Site Plan's approved design.

3) Final Partial Certificate of Occupancy for Tenant Occupancy) The Developer agrees to construct and/or install the following improvements as shown and approved on the Civil Engineering Plan, as applicable, prior to the issuance of the Final Partial Certificate of Occupancy for Tenant Occupancy for the respective phases of construction:

- a. Vegetated stormwater management facilities (SWMF) on private amenity levels, defined as any private spaces elevated above grade on podiums, terraces, or roof levels and not accessible from the exterior of the building with accepted certification letter(s) and construction inspection checklist(s) for each SWMF on the approved plan, such letters and inspection checklists to be certified by a licensed professional (licensed in Virginia).

The Zoning Administrator may, through the 4.1 administrative change process, allow reasonable modifications to the timing of Condition #19.C.2) above, requiring construction or installation of public improvements, if the Zoning

Administrator determines that: 1) the Developer is diligently pursuing the work; 2) timing of improvements as approved above will unnecessarily impede progress of the project; 3) the installation of the public improvements during extreme weather conditions will not meet County Standards and Specifications; and 4) the Developer has provided reasonable assurances that the work will be completed in accordance with the Site Plan's approved design.

D. As-Built Civil Engineering Plan (Master Certificate of Occupancy) The Developer agrees to submit to, and obtain approval from, the County Manager or his/her/their designee of an as-built Civil Engineering Plan for each phase of the site plan pursuant to Condition #5, certified by a professional engineer or surveyor registered in the state of Virginia, prior to issuance of the Master Certificate of Occupancy. The Developer agrees that the as-built Civil Engineering Plan shall show all sanitary sewers, storm sewers and storm water management facilities, water mains, street lights, traffic signalization, curb and gutter, sidewalks, street paving, pavement markings, and all appurtenant facilities related to these items. The as-built Civil Engineering Plan shall include a separate schematic drawing showing all storm sewer structures; all sanitary sewer structures; and water meters, valves, blow-offs, and hydrants. Each of these items shall be labeled with horizontal coordinates and with vertical rim elevations and inverts of incoming and outgoing pipes.

E. Maintenance of Public Infrastructure. The Developer agrees to maintain, repair and replace all sidewalks and street trees shown on the approved Civil Engineering Plan and approved Final Landscape Plan, which are installed within the public right-of-way or public easement for the life of the Site Plan.

20. Utility Company Notification (Land Disturbing Activity Permit for each phase of development)

In order to coordinate timing of utility work during construction of the project, the Developer agrees to notify all utility companies and County agencies that provide dry utility services in Arlington County of the limits of development and general timing of construction prior to issuance of the Land Disturbing Activity Permit for each phase of development. By way of illustration and not limitation, these utility services include electric, telephone, cable television, telecommunications, and gas. Utility companies consist of those providing existing utility services within the limits of development and others that regularly provide these services in Arlington County. The Developer also agrees to offer utility companies site access, as well as site coordination for their work within the public rights-of-way or easements that permit utilities, whether existing or that will be dedicated by the development, so that utility companies may install their utilities at the time the Developer will be disturbing or paving in the areas described above. The Developer further agrees to submit to the Zoning Administrator copies of communication from the Developer to the utility companies providing such notifications.

21. Final Landscape Plan (Land Disturbing Activity/ Footing to Grade for each phase of development)

A. Submission (Land Disturbing Activity)

- 1) The Developer agrees to submit a detailed Final Landscape Plan prior to issuance of the Land Disturbing Activity Permit for each phase of development. The plan shall conform to the approved 4.1 site plan drawings per Condition #2, and, where applicable, the following administrative guidelines. In the event there are conflicts between administrative standards and the approved drawings per Condition #2, the approved 4.1 site plan drawings shall rule.
 - a. The landscaping requirements contained herein;
 - b. The landscaping, planting, and sidewalk and driveway construction specifications and standards;
 - c. Arlington County Landscape Standards, including the Standards for Planting and Preservation of Trees on Site Plan Projects;
 - d. All applicable streetscape guidelines or standards or urban design standards approved by the County Board and in effect at the time of the Final Landscape Plan approval.
- 2) The Developer agrees that the Final Landscape Plan shall, at a minimum, contain the following information, in accordance with the checklist in the Arlington County Landscape Standards:
 - a. Drawings from the Civil Engineering Plan showing the location of utilities, lighting, equipment, and other elements which may impact landscape elements on the site.
 - b. Exterior building security measures for office developments only, if applicable.
 - c. The locations of all trees, showing that there are no conflicts between trees and existing or proposed utilities.
 - d. The location and depth of all existing and proposed utility meters, underground utility vaults and boxes, utility lines, transformers, and at-grade mechanical equipment.
 - e. The location of all existing, proposed and relocated traffic signal poles, traffic signal cabinets, and any other traffic-related items and equipment located on or in the public sidewalk contiguous to the site.
 - f. The location of all existing and proposed fire hydrants and standpipes, storm sewers and storm water management facilities, and sanitary sewers and appurtenances.

- g. The location of all on-street parking spaces, bus stops, bicycle rack locations, bike share stations, and other facilities as identified during the review of the plans.
- h. The location and dimensions of all ventilation, intake, or other grates, including those for garages and transformer vaults, and screening for ventilation grates, which shall meet the requirements of the conditions contained herein.
- i. The location of all street light fixtures, poles, meters, service cabinets and power connection appurtenances along the frontages of the site.
- j. The location, dimensions, materials, and pavement pattern for driveways and access drives, automobile drop-off areas, curb ramps, driveway aprons, service drives, crosswalks, parking areas, interior walkways and roadways, plaza areas and sidewalks, as well as for address indicator signs. Interior walkways shall have a minimum width of four (4) feet.
- k. The final streetscape design, including sidewalks, street trees, tree pits, bicycle racks, and sidewalk pattern/design and final selection of materials and colors to be used.
- l. The limits of clear pedestrian zones of all public sidewalks and pedestrian access.
- m. Landscaping for open space areas, plaza areas, courtyards, private rooftop amenity spaces, raised planters (including cross-sections of raised planters), surface parking areas, and service drives, including a listing of plant materials; details of planting, irrigation and drainage; and details of proposed furnishings for all areas, including, but not limited to, dimensions, size, style(s), materials(s), finish(s), and manufacturer(s) of seating, bollards, trash receptacles, lighting, arbors, trellises, water features, and other landscape elements or structures.
- n. The location, design and details of the retail visitor/customer bicycle spaces, pursuant to Condition #19 above.
- o. The location of public art, pursuant to Condition #17 above.
- p. The location of public use and access easement areas, including final landscape design and installations in these areas.
- q. Location of green or “living” walls on the façade, if any, including details of planting location, irrigation and other manufacturer details.

3) **Approval of Plan (Footing to Grade Permit for each phase of development).**

The Developer agrees to obtain approval of the Final Landscape Plan by the County Manager, prior to issuance of the Footing to Grade Permit for each phase of development. The Developer further agrees that the approved Final Landscape Plan shall conform to the Civil Engineering Plan, and the sequence of construction, and shall be consistent with the conceptual Final Landscape Plan approved by the County Board as a part of the Site Plan approval, all site plan approval requirements, and all County codes, standards and specifications, and policies.

B. Standards and Requirements. The Developer agrees that the Final Landscape Plan shall, at a minimum, meet the following standards and requirements:

- 1) The plans shall be drawn to on sheets 24 inches by 36 inches in size.
- 2) The plan shall be developed by, and display the professional seal of, a landscape architect certified to practice in the Commonwealth of Virginia.
- 3) The Tree Replacement Plan, and associated Tree Replacement Calculations, shall be in accordance with the Arlington County Tree Replacement Guidelines and Chesapeake Bay Ordinance requirements. The tree replacement calculations shall be developed by a certified arborist or a landscape architect certified to practice in the Commonwealth of Virginia. Any replacement trees shall conform to the standards and specifications set forth in subparagraph 11 below.
- 4) All existing and proposed traffic signal poles and traffic signal cabinets, and any other traffic-related items, on and around the perimeter of the site shall not obstruct pedestrian travel and shall not be located in the clear sidewalk, including, but not limited to, access areas to ADA ramps, crosswalks, building entrances, and interior walkways.
- 5) Transformers ~~shall not~~ may be placed above grade, per Condition 19.B.5 between the building and the street as shown on Sheet C401 entitled "Plot and Location Plan" of the 4.1 Plans approved by the County Board, and shall be in locations so as not to be clearly visible from the public right-of-way and shall otherwise be screened from public view.
- 6) The Developer agrees that the location of all ventilation, intake or other grates shall not be located within public sidewalks or streets, or within areas between the street curb and any building which is used as a walkway. The Developer agrees that ventilation grates shall be located and/or screened so as not to be visible from public rights-of-way.

- 7) All plaza areas, access drives, automobile drop-off areas, interior walkways and roadways shall contain special treatments that coordinate in design, color and materials with the treatment of the public sidewalk. The materials and colors used are subject to approval by the County Manager or his/her/their designee for conformity with adopted Sector Plans or other urban design standards approved by the County Board as a part of review and approval of the Final Landscape Plan.
- 8) The final sidewalk pattern/design and final selection of materials and colors shall comply with the requirements outlined below. To the extent that the County's requirements and policies for sidewalk pattern/design and materials/colors change, subsequent to this Site Plan approval, the County Manager or his/her/their designee shall review, at the time of construction, for approval, the final treatment for compliance with the then current standards.
 - a. The clear sidewalk along all street frontages of the site shall be in compliance with the 4.1 site plan drawings per Condition #2 and all applicable streetscape design guidelines or standards, and shall:
 - (1) Continue across all driveway aprons for loading and garage entrances along all frontages of the Site Plan, and not contain any barriers that would impede the flow of pedestrian traffic.
 - (2) Be not less than six (6) feet wide at any point, including across all driveways, with no obstructions to impede the passage or flow of pedestrian traffic (clear sidewalk). However, pinch points may be permitted only as specifically permitted in conformance with the Master Transportation Plan and/or other applicable plans.
 - (3) Be designed and installed in compliance with Department of Environmental Services Construction Standards and Specifications.
 - (4) Use plain, un-tinted concrete or, subject to approval, an integral tint that harmonizes with its setting. Non-standard materials or surface treatments may be used subject to approval by the County Manager, and under the provisions of all applicable streetscape guidelines or standards.
 - (5) Not contain joints or use patterns that create gaps of 1/4-inch in depth or greater at a spacing of less than 30 inches.
 - (6) Any garage entrance adjacent to a sidewalk shall be designed and constructed so that the location of the garage doors are recessed a minimum distance of six (6) inches from the building wall's surface.

- b. The Developer agrees to design and construct all elements of the streetscape, including, but not limited to, public sidewalks and street trees within the public right-of-way or public easement as follows:

South Glebe Road:

- *Minimum streetscape width, clear sidewalk width, and planting strip dimensions shall be as required by Civil Engineering Plan condition 19.B.9.a*
- *Tree size: minimum 3½ inches caliper*
- *Tree spacing: ~~25-30~~ 28-32 feet apart on center, or as approved by the County Manager or his/her/their designee per the Arlington County Landscape Standards and the Standards for Planting and Preservation of Trees in Site Plan Projects*

24th Road South:

- *Minimum streetscape width, clear sidewalk width, and planting strip dimensions shall be as required by Civil Engineering Plan condition 19.B.9.a*
- *Tree size: minimum 3½ inches caliper*
- *Tree spacing: ~~25-30~~ 28-32 feet apart on center, or as approved by the County Manager or his/her/their designee per the Arlington County Landscape Standards and the Standards for Planting and Preservation of Trees in Site Plan Projects*

South Garfield Street (east side):

- *Minimum streetscape width, clear sidewalk width, and planting strip dimensions shall be as required by Civil Engineering Plan condition 19.B.9.a*
- *Tree size: minimum 3½ inches caliper*
- *Tree spacing: ~~25-30~~ 28-32 feet apart on center, or as approved by the County Manager or his/her/their designee per the Arlington County Landscape Standards and the Standards for Planting and Preservation of Trees in Site Plan Projects*

25th Court South (south side):

- *Minimum streetscape width, clear sidewalk width, and planting strip dimensions shall be as required by Civil Engineering Plan condition 19.B.9.a*
- *Tree size: minimum 3½ inches caliper*
- *Tree spacing: ~~25-30~~ 28-32 feet apart on center, or as approved by the County Manager or his/her/their designee per the Arlington County Landscape Standards and the Standards for Planting and Preservation of Trees in Site Plan Projects*

- 9) The sidewalks shall contain street trees placed in either tree pits with continuous soil panels or planting strips, consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified above. The location, soil volume enhancements, and planting details for street trees shall be in compliance with; the Arlington County Landscape Standards; the Standards for Planting and Preservation of Trees in Site Plan Projects; and other applicable streetscape guidelines or standards, or urban design standards approved by the County Board. Street trees shall not be placed within the vision clearance (corners), as defined in Section 3.2.6.A.4 of the Zoning Ordinance.
- 10) The plan shall provide a structure free zone, except for structures used for soil expansion, per Condition #19.B.1.
- 11) Plant materials and landscaping shall meet the then-current American Standard for Nursery Stock, and shall also meet the following standards:
 - a. Major deciduous trees (shade or canopy trees) other than street trees—a minimum caliper of 2-2 ½ inches.
 - b. Evergreen trees—a minimum height of 7 to 8 feet.
 - c. Ornamental deciduous trees—a minimum caliper of 2 to 2 ½ inches for single stem trees. Multi-stem trees shall not be less than 8 feet in height.
 - d. Shrubs—a minimum spread of 18 to 24 inches.
 - e. Groundcover—in minimum 2 inch pots.

C. Installation and Maintenance of Landscape Plan Elements (First Partial Certificate of Occupancy for Tenant Occupancy)

The Developer agrees to implement the approved sidewalk, landscaping and street tree improvements of the Final Landscape Plan as follows:

- 1) **Installation (First Partial Certificate of Occupancy for Tenant Occupancy).**

The Developer agrees that all improvements shall be constructed and/or installed prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy of any space above grade for the respective Phase of construction (as “Phase” is determined pursuant to the approved Phasing Plan required in Condition #5 above).

 - a. The Zoning Administrator may, for good cause shown and through the administrative change process, allow modifications to the timing of installation of all improvements based on the planting season, availability of plant materials, weather, or other construction-related issues, which may not

permit installation of hardscape features, plant materials and/or street trees by the required timing.

b. The following standards for Installation apply:

- (1) The Developer agrees to notify the DPR Urban Forester at least 72 hours in advance of the scheduled planting of any street trees in the public right-of-way and to be available at the time of planting to meet with staff of DPR to inspect the plant material, the tree pit and the technique of planting. Soil used in the tree pit must meet the specifications for street tree planting available from the DPR Urban Forester.
- (2) All new lawn areas shall be sodded; however, if judged appropriate by the County Manager, based on accepted landscaping standards and approved in writing, seeding may be substituted for sod. All sod and seed shall be state certified.
- (3) 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.
- (4) Continuous soil panels shall be used instead of individual street tree pits. Soil and drainage material depth shall be as specified in appropriate Arlington County tree planting standard details, and as approved by the County Manager or his/her/their designee on the landscape plan. Soil volume, depth, and drainage requirements also apply to trees in raised planters.
- (5) Finished grades shall not exceed a slope of three to one, unless otherwise shown on the approved plans.
- (6) The Developer agrees to install approved lighting before the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy, exclusive of the garage, for the applicable Phase of the project pursuant to the approved Phasing Plan required in Condition #5 above.

- 2) **Installation of Private Amenity and Roof-Level Landscaping (Final Certificate of Occupancy for Tenant Occupancy).** The Developer agrees that all landscaping improvements on private amenity levels, defined as any private spaces elevated above grade on podiums, terraces, or roof levels and not accessible from the exterior of the building, shall be constructed and/or installed prior to the issuance of the Final Partial Certificate of Occupancy for Tenant Occupancy, for the respective Phase of construction (as "Phase" is determined

pursuant to the approved Phasing Plan required in Condition #5 above).

- 3) **Maintenance and Replacement (Life of Site Plan)** The Developer agrees to maintain the site in a clean and well-maintained condition and ensure that the entirety of the site and its landscaping, including all hardscape, site furniture, and plantings, are kept in a clean and well-maintained condition for the life of the Site Plan in accordance with the approved Final Landscape Plan and the Landscape Maintenance Management Program per the Arlington County Landscape Standards.

The Developer agrees to contact the Department of Parks and Recreation to arrange for a site meeting with an Urban Forester to review and approve the scope of work prior to performing any pruning of street trees. An International Society of Arboriculture (ISA) Certified Arborist must be on site during all pruning of street trees.

- D. **Administrative Changes.** The County Manager or his/her/their designee may consider minor revisions to landscape plans as long as such changes are consistent with the intent of the Site Plan approval. The Developer agrees that any change to the approved landscape plan requires approval of a revised landscape plan by the County Manager. The Final Landscape Plan shall govern construction and/or installations of elements and features shown thereon, except as amendments may be specifically approved by the County Manager. If proposed changes impact the Civil Engineering Plan, then a revision to the Civil Engineering Plan must also be reviewed and approved.

22. FAA Documentation (Excavation, Sheeting and Shoring Permit for Building E)

The Developer agrees to obtain from the Federal Aviation Administration (FAA) a written statement, based on the highest points (including the penthouse) of the building, that the project is not a hazard to air navigation, or that the project does not require notice to or approval by the FAA, prior to the issuance of the Excavation, Sheeting and Shoring Permit for Building E.

23. Recordation of Deeds of Public Easements and Deeds of Dedications (Submission - Footing to Grade Permit; Recordation – First Partial Certificate of Occupancy for Tenant Occupancy)

- A. **Fee Interests.** Unless otherwise specifically provided for elsewhere in these Site Plan conditions, the Developer agrees to convey real estate interests called for by this Site Plan approval to the County for public street or public right-of-way purposes or for the conveyance of parcels or portions thereof, in fee simple ("Fee Interests"), free and clear of all liens and encumbrances. Unless otherwise deemed unnecessary by the County Attorney, for all Fee Interests, the Developer agrees to provide to the County:
- i) a Phase 1 Environmental Site Assessment; ii) an ALTA Land Title Survey; and iii) a Title Report (collectively, "Property Documentation") acceptable to the County

Attorney, demonstrating to the County's satisfaction, in its sole discretion, that the Fee Interests are in a condition suitable for the County's intended uses.

- B. **Easement Interests.** Where public improvements or public uses, including, but not limited to, sidewalks, street trees or other streetscape plantings, water mains, storm sewers, sanitary sewers, and other public utilities and facilities (collectively, "Public Improvements") are not located, or to be located, in the public street or public right-of-way, the Developer agrees to convey to the County by deed(s) of easement, all real estate interests for such Public Improvements. The Developer further agrees that all liens and encumbrances shall be subordinated to the easement rights of the County conveyed by such deed(s) of easement.
- C. **General Requirements.** Unless otherwise specifically provided elsewhere in these Site Plan conditions, the Developer agrees for each Phase of the project, pursuant to the approved Phasing Plan required in Condition #5 above, all required plats, deeds of conveyance, deeds of dedication, and deeds of easement associated with, and/or required by the final approved Civil Engineering Plan for the construction of any public street, public infrastructure, public utility, public facility or public improvements, or required by these Site Plan conditions, to:
- 1) **Submission for Review (Footings to Grade Permit)** Submit for review by the County Manager or his/her/their designee all required plats, Property Documentation, deeds of conveyance, deeds of dedication, and deeds of easement associated with, and/or required by the final approved Civil Engineering Plan, prior to the issuance of the Footings to Grade Permit for such phase; and
 - 2) **Approval and Recordation (First Partial Certificate of Occupancy)** Obtain approval of required Property Documentation, deeds and plats, and record such plats, deeds of conveyance, deeds of dedication, and deeds of easement associated with, and/or required by the final approved Civil Engineering Plan, among the land records of the Circuit Court of Arlington County prior to issuance of the First Partial Certificate of Occupancy for Tenant Occupancy of the building(s) or any portion thereof for such phase.
- D. As long as the Developer is diligently pursuing construction of the Site Plan, or an approved Phase of the Site Plan, if the Site Plan is being phased, once the Developer records any easements required by this Condition #23, the Developer may continue construction of Site Plan improvements located within such easement area without a right-of-way permit provided that the Developer meets the requirements set forth in Condition #19.C.

24. Secure Bicycle Parking, ~~Shower and Locker~~ Facilities (Footing to Grade Permit for Building E)

The Developer agrees to provide, as a part of the project and at no charge to the user, secure bicycle parking, ~~shower and locker~~ facilities for Building E ~~each building~~ as described below:

A. Design of Class I Secure Bicycle Parking, Shower and Locker Facilities (Footing to Grade)

- 1) The Developer agrees to obtain approval by the County Manager or his/her/their designee of the secure bicycle parking, ~~shower and locker~~ facilities for Building E ~~each building~~ that comply with the standards below as part of the applicable architectural floor plans, prior to issuance of the Footing to Grade Permit for that building. If no secure bicycle facilities for a building are located below grade, then approval shall be obtained prior to the issuance of the Final Building Permit for that building.
- 2) The Developer agrees that all Class I (secure) bicycle parking shall meet Arlington County Bicycle Parking Standards, 2020 Update, or subsequent revision in effect on the date of site plan approval or be approved as equal to that shown in the Standards.
- 3) The Developer agrees to provide the following Class I bicycle parking spaces:
 - a. ~~Office uses: One (1) employee bicycle parking space for every 6,000 square feet, or portion thereof, of office floor area.~~
 - b. Residential uses: One (1) resident bicycle parking space for every 2.5 residential units, or portion thereof.
 - c. ~~Retail uses: One (1) employee bicycle parking space for every 25,000 square feet, or portion thereof.~~
 - d. ~~Hotel uses: One (1) space for every 10 hotel room units, or portion thereof.~~
In addition, the hotel shall provide adequate space in a locked luggage storage facility, controlled by the hotel staff, inside the hotel, to accommodate guest's bicycles along with guest's luggage.
- 4) ~~The Developer agrees to provide the following shower and locker facilities:~~
 - a. ~~For office/retail/hotel buildings of up to 100,000 square feet of Gross Floor Area (GFA), one (1) shower per gender, for every 50,000 square feet or fraction thereof.~~

- b. ~~For office/retail/hotel buildings between 100,001 square feet of GFA and 300,000 square feet of GFA, three (3) showers per gender.~~
- c. ~~For office/retail/hotel buildings greater than 300,000 square feet of GFA, three (3) showers per gender, plus one (1) shower per gender for each additional 100,000 square feet of GFA or portion thereof above the first 300,000 square feet of building GFA.~~
- d. ~~In residential buildings, for retail uses equal to or greater than 25,000 square feet of GFA and less than 50,000 square feet of GFA, a minimum of one (1) unisex shower. For retail uses equal to or greater than 50,000 square feet of GFA, a minimum of one (1) shower per gender.~~
- e. ~~If retail employees will not have access to shower facilities required for office or hotel employees, shower facilities for retail employees shall be provided in accordance with the ratios specified in Condition #24 A.4).d. above.~~
- f. ~~For every required employee bicycle parking space, either 1) a minimum of one (1) clothes storage locker per gender if in gender-specific changing rooms, or 2) a minimum of one (1) clothes locker if outside of gender-specific changing rooms. Each locker shall be a minimum size of 12 inches in width, 18 inches in depth, and 36 inches in height.~~

~~The showers and lockers shall be located adjacent to one another in a safe and secure area. If there is no shower required, clothes locker(s) shall be located adjacent and convenient to the bicycle parking location itself.~~

~~The showers and lockers may be provided as an element of an exercise/health facility, which facility shall be made available to users of the bicycle parking spaces according to the minimum standards stated above.~~

B. Installation of Secure Bicycle Parking, ~~Shower and Locker~~ Facilities (First Partial Certificate of Occupancy for Tenant Occupancy for Building E)

The Developer agrees that prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy for Building E ~~each respective building or phase of construction per Condition #5~~, all secure bicycle parking, ~~shower and locker~~ facilities in approved permit drawings per Condition #24.A.1) above for that building ~~or phase of construction~~, shall be fully installed and operational.

25. Façade Treatment of Buildings (Footings to Grade for each phase of development)

- A. The Developer agrees that the design of the facade treatment for the buildings and the materials to be used on the facades shall be consistent, in terms of massing, materials, fenestration, rhythm and overall architectural vocabulary, with the intent of this Site Plan approval and the drawings identified in Condition #2 as presented to the County

Board and made a part of the public record on the date of County Board approval of this Site Plan.

B. Submission of Facade Elevation Drawings and Material Samples (Footing to Grade for each phase of development)

The Developer agrees to submit for review by the County Manager or his/her/their designee prior to the issuance of the Footing to Grade Permit for each phase of development, architectural line drawing elevations drawn to scale, which label the materials and colors for each elevation of the building, including living green walls and interior façade elevations (e.g. elevations adjacent to interior courtyards, plazas and access drives), and which identify any proposed change from the drawings identified in Condition #2, along with a written summary and explanation of the proposed changes. The Developer further agrees to submit, as part of the submission, a high-resolution photograph of a material sample board documenting proposed façade materials as shown on the elevations and any other supplemental information necessary to support material description.

C. Approval of Facade Elevation Drawings and Material Samples (Final Building Permit for each phase of development)

The Developer agrees to obtain the approval of the County Manager or his/her/their designee of the façade elevation drawings and material samples submitted per this Condition #25, as being consistent with the intent of the County Board's approval of the Site Plan, including any changes approved administratively or through site plan amendment, prior to the issuance of the Final Building Permit for each phase of development.

D. Inspection and Approval of Built Façade (Shell and Core Certificate of Occupancy for each building)

The Developer agrees to obtain approval of the County Manager or his/her/their designee of the built building façades as being consistent with the approved façade elevations and materials prior to the issuance of the Shell and Core Certificate of Occupancy for each building.

E. Ground Floor and Retail Storefront Facades.
Intentionally omitted.

F. Standards for Façade Treatment of Buildings:

- 1) **Mechanical Equipment.** The Developer agrees that all mechanical equipment, regardless of location, shall be screened so that the mechanical equipment is not visible from the public right-of-way. The screening shall have an opaque or opaque-like treatment. Screening for the penthouse mechanical equipment shall consist of a solid wall treatment. Any mechanical equipment, including equipment located on the ground or at roof top, and screening for the penthouse mechanical equipment, shall be shown on all elevation drawings. The Developer

agrees to obtain the County Manager's review and approval of the details of the screening treatment, including height, material and color, as meeting this standard, as part of the approval for the façade elevations and façade materials.

- 2) **Window Transparency.** ~~The Developer agrees that all retail and retail-equivalent (as defined in the Arlington Retail Plan adopted July 2015, or as may be further amended) storefronts along public rights-of-way are required to have an overall minimum transparency of [fill in retail plan transparency recommendation from page 46 of the ACRP and/or any negotiated transparency requirement as part of the site plan review process, including exceptions for bird-friendly material]. The purpose of this condition is to allow pedestrians to view the activity within the retail establishment and to allow patrons and employees of the retail establishments to view the activity on the sidewalk and street. "Transparency" shall mean using glass or other transparent exterior material offering a view into an area of the retail establishment where human activity normally occurs and does not include views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or the like.~~
- 3) **Architectural Illumination.** The Developer agrees that the illumination, up-lighting, or the like, of any architecture, including buildings, structures, sites and facades, shall not be permitted unless specifically called out on the Site Plan and approved by the County Board. Minor adjustments to architectural illumination shown on the façade elevations that were not specifically shown on the Site Plan approved by the County Board may be approved by the Zoning Administrator through the administrative change process subject to the standards of this subparagraph F.3). The Zoning Administrator may approve minor adjustments to architectural lighting located on building base or podium facades provided such changes do not result in excessive up-lighting, wall washing, hot spots, glare, obtrusive light, light pollution, light trespass, or visual nuisance, and are designed in a coordinated fashion to accentuate key architectural elements of the building. Any architectural illumination that includes lighting of roof lines of buildings at heights greater than 75 feet as defined in Section 13.2.3.D ("Architectural lighting and embellishments and lighting of rooflines") of the Arlington County Zoning Ordinance, shall require a Site Plan Amendment.

26. Plat of Excavated Area (Footing to Grade Permit for Building E)

- A. **Submission (Footing to Grade Permit) For Building E,** ~~t~~The Developer agrees to submit a PDF copy of a plat, drawn at the scale of 1 inch = 25 feet and 24 inches x 36 inches in size, of the excavated area showing spot elevations which confirm that the construction drawings are consistent with the average site elevation, and with the building's ground floor elevation(s) at the building's lowest level(s), as approved by the County Board and as indicated in the plans referenced in Conditions #2 and #3 above.

B. **Spot Elevations at 50% (Footing to Grade Permit)** The Developer agrees to provide the Zoning Administrator spot elevations which shall, at a minimum, consist of two corners and spot elevations from 50% of the total area to be excavated, prior to the issuance of the Footing to Grade Permit for Building E. If the excavated area will be greater than 20,000 square feet, the Zoning Administrator or her designee may agree to reduce the area for which elevations must be provided before issuance of a Footing to Grade Permit for Building E.

C. **Elevations Confirming Remainder of Excavation (Final Building Permit)** The Developer agrees to submit to the Zoning Administrator additional elevations confirming the elevations of the remainder of the excavation prior to the issuance of the Final Building Permit for Building E.

27. Public Improvements Bond (Footing to Grade Permit)

A. **Bond Estimate (Footing to Grade Permit)** The Developer agrees to submit to the Department of Environmental Services (DES) a performance bond estimate for the construction or installation of all facilities (to include street trees and all landscape materials) that will be located within the public rights-of-way or easements, erosion and sediment controls, and storm water management facilities, upon approval of the Civil Engineering Plan for each Phase of the project, consistent with the approved Phasing Plan pursuant to Condition #5 above, and prior to the issuance of the Footing to Grade permit for such Phase.

B. **Bond (Final Building Permit)** Upon approval of the performance bond estimate by DES, the Developer agrees to submit to DES a performance bond, in the approved amount of the estimate, and an agreement for the construction or installation of all facilities (to include street trees and all landscape materials) within the public rights-of-way or easements, erosion and sediment controls, and storm water management facilities; which bond shall be executed by the Developer in favor of the County before the issuance of the Final Building Permit.

C. **Repair/Replace Infrastructure (Release of Public Improvement Bond)** The Developer agrees to replace any curb, gutter and sidewalk in poor condition and/or existing or new infrastructure damaged during construction, at the direction of the County Manager, prior to release of the public improvement bond.

28. Interior Trash Collection and Recycling Areas (Footing to Grade Permit for Building E)

The Developer agrees to obtain approval from the Zoning Administrator of drawings showing compliance with this condition prior to the issuance of the Footing to Grade Permit for Building E. The Developer agrees to provide and use interior space for the collection, storage, compaction, and removal of trash. The space shall not be outside the interior loading space and shall not conflict with the use of a loading berth. The Developer agrees to provide and use appropriate interior facilities for the recycling of

reusable materials as defined by the County. Interior spaces for trash collection shall be consistent with the loading space dimensions provided for in Condition #29.

29. Interior Loading Spaces (Footing to Grade Permit for Building E)

The Developer agrees to obtain approval from the Zoning Administrator of drawings showing compliance with this condition prior to the issuance of the Footing to Grade Permit for Building E. The Developer agrees that all loading spaces shall be in the interior of the building and shall also comply with the following requirements:

- A. Minimum 12-foot clear width, including entrances, and minimum 14-foot clear height, however, any loading dock to be used for trash removal shall have a minimum interior height clearance of 15 feet.
- B. At least one loading space shall have a minimum 40-foot clear length.
- C. The loading area shall be kept clear at all times except for the temporary loading/unloading of vehicles.
- D. All loading docks shall contain closable doors.
- E. Use of the loading dock for deliveries or trash pick-ups, excluding moving vans, shall be limited to the hours from 8:00 a.m. to 6:00 p.m., seven (7) days a week.
- F. The loading dock door shall be closed when the loading dock is in use, except when necessary for entry or exit of vehicles, venting of vehicle exhaust, or when required for similar operational or safety measures.

30. Emergency Vehicle Access/Support on Surface Parking and Plaza Areas (Footing to Grade Permit for each phase of development)

The Developer agrees that the requirements and standards of this condition shall be incorporated in the construction drawings, which shall be submitted to the Inspection Services Division for the Footing to Grade Permit for each phase of development. The Footing to Grade Permit shall not be issued until evidence has been provided to the Zoning Administrator that the terms of this condition have been met.

- A. The Developer agrees that all plaza areas used for vehicular access and all surface parking areas shall be constructed to support the live load of any fire apparatus, and agrees to construct these elements in accordance with the approved drawings.
- B. Architecturally designed bollards or curbs shall be used on pedestrian plazas to separate the areas intended for emergency vehicle use from areas intended for pedestrian use.
- C. No above-grade structure shall be allowed to obstruct fire lanes.

31. Parking (Footing to Grade Permit for each phase of development)

A. Site Plan Requirements

1) Site Plan Parking Requirements

- a. The Developer agrees that, unless specifically identified in this condition, parking shall be provided consistent with Section 14.3 of the Zoning Ordinance. The Developer agrees to submit to, and obtain review and approval from the Zoning Administrator, of drawings showing all parking spaces and drive aisles comply with the requirements of 14.3 of the Zoning Ordinance prior to the issuance of the Footing to Grade Permit for each phase of development.
- b. The Developer agrees that the required minimum number of parking spaces for the project, "Required Spaces", equals the sum of the project/building's uses times the parking ratio for each use type. The approved parking ratios, by use type, are presented below.

Use Type	Approved Parking Ratio
Residential -	<u>1.03 spaces per unit for Building E and 1.0 spaces per unit for Buildings A, B, C, and D</u> (to include residents, residential visitors, accessible spaces & residential building employees)
Residential Visitor-	0.05 spaces per unit for the first 200 units of a building designated residential visitor parking. Visitor spaces shall be available for visitor use at all times and must be located on-site within each building.
Office-	1 space per _____ square feet of GFA (to include office employees, office visitors, building management employees, and accessible spaces)
Commercial/Retail-	1 space per _____ square feet of GFA, after approved exclusion for proximity to Metro Station (to include retail customers, retail employees and accessible spaces)
Hotel-	_____ spaces per guest room (to include hotel employees, guests, visitors, and accessible spaces)
Other-	_____

- c. The Developer agrees that the number of compact spaces counted toward the total number of "Required Spaces", ~~exclusive of those spaces required for retail,~~ shall not exceed 15% of the total number of "Required Spaces".
~~"Required Spaces" for retail and guest or visitor parking shall not be compact.~~

Spaces provided in excess of the “Required Spaces” total may be either standard or compact spaces.

- d. The Developer may use spaces not designated as retail or visitor for carshare, which shall count toward the required parking ratio for the applicable use.
- e. The Developer agrees that the “Required Spaces” shall not be converted to storage or other non-parking use without approval of a Site Plan amendment. Parking spaces constructed in excess of the “Required Spaces” may be converted from automobile parking to parking for other modes of transportation (i.e., motorcycles, scooters, bicycles, etc.) at the discretion of the Developer.
- f. The Developer agrees that no fewer than one (1) accessible parking space shall be provided for each “Type A” accessible dwelling unit being provided consistent with the requirements of Condition #41, if applicable.

B. Operation and Management-Related Requirements

1) Residential Parking

- a. The Developer agrees that for projects that include rental residential units, the rental agreement shall not require rental of a parking space and the cost of parking shall be shown in such agreement separately from the cost of renting the residential unit.
- b. For both rental and condominium buildings, the Developer agrees that the use of the residential parking spaces shall be limited to parking use by the residents of the building and their guests.
- c. The Developer agrees to inform all potential tenants and/or purchasers of the County’s Residential Permit Parking policy.

2) Office Parking

Intentionally omitted.

3) Shared Parking

Intentionally omitted.

4) External Signs

- a. The Developer agrees to install “P” parking sign(s) per County standards on the outside of the building in those cases where parking is available for retail or the general public. The “P” sign(s) shall be visible from every vehicular approach as appropriate except where building design obstructs their visibility.

- b. In cases where parking is available to the public, the Developer agrees to install rate and hour signs on the interior entrance wall of the garage, visible from the street.

5) Garage and Parking Management Plans (Footing to Grade Permit for Building E)

a. Garage Plan (Footing to Grade Permit for Building E)

The Developer agrees to submit to, and obtain approval from, the County Manager or his/her/their designee of a Garage Plan prior to the issuance of the Footing to Grade Permit for Building E. The Garage Plan shall show where parking for the different user groups, including, when applicable, residents, visitors, employees, retail patrons, and the general public, including overnight public parking, will be located. The Garage Plan shall also show the location(s) of any parking control equipment, locations of queueing, and a queueing analysis that demonstrates vehicle queueing will be accommodated entirely within the garage or other privately controlled areas of the site plan, with all parking spaces designed to be accessible to the public located outside of parking control equipment that prohibits entry to the public. The Garage Plan shall incorporate all elements for such plan listed in the *Department of Environmental Services Minimum Acceptance Criteria for Garage Plans* dated February 15, 2016, or subsequent version.

b. Parking Management Plan (First Partial Certificate of Occupancy for Tenant Occupancy) ~~[Do not require for 100% residential projects and residential projects with less than 5,000 sf of ground floor retail]~~

The Developer agrees to submit to, and obtain approval from the County Manager or his/her/their designee of a Parking Management Plan prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy. The Parking Management Plan shall follow the ~~Guidelines and Minimum Acceptance Criteria for the Preparation and Submission of Parking Management Plans~~ dated February 15, 2016, or subsequent version. The Developer further agrees that the plan shall be designed to ensure that vehicle queueing for site parking shall not occur in the public right-of-way. The Zoning Administrator may approve a parking count of 98% or more of the required number of spaces, if causes beyond the control of the Developer makes compliance impractical.

c. Implementation. ~~If applicable, the Developer agrees to implement the approved Parking Management Plan for the life of the Site Plan. The Developer agrees to obtain the prior review and approval of any amendments to the approved Parking Management Plan by the County Manager.~~

32. Documentation of Historical Artifacts, Features and Buildings (Footing to Grade Permit)

- A. The Developer agrees to submit documentation to Arlington County Historic Preservation Program, Neighborhood Services Division (HPP), regarding any historical artifact or historical natural feature uncovered during construction on the site prior to the issuance of the Footing to Grade Permit for the building, or each building in a multi-building project. This documentation shall include written notation describing the artifact or natural feature, color photographs, and mapping of the location and/or depth of the site excavation at which the item was found.
- B. In the event an historical artifact or natural feature is found on the site, and is to be disturbed or removed from the site during construction, the Developer agrees to contact the HPP before removing or disturbing the artifact or natural feature. Arlington County shall be given the opportunity to accept donation of the artifact or natural feature before the item is offered to any other organization or individual.
- C. Should the project be assessed as a possible archaeological site, the Developer agrees to pursue, at a minimum, a level one and two archaeological study. The Developer agrees to submit to the HPP all written results of the level one and two archaeological study and all artifacts found on the site.

33. Underground Utility Fund Contribution (Final Building Permit)

The Developer agrees to contribute to the County underground utility fund in the amount specified by this site plan condition, in addition to funding and constructing the utility undergrounding work required by this Site Plan approval, prior to the issuance of the Final Building Permit. The total utility fund contribution for this site is \$358,425 (~~\$60,230~~65,050 x 5.51 acres). [The Underground Utility Fund Contribution of \$50,000 per acre (2011 dollars) has been adjusted by the change in the Consumer Price Index All Urban Consumers (CPI-U) from 2011 Annual Average to 2021~~2022~~ Annual Average, reflecting a ~~20.46~~30.10% increase. The rate shall be fixed from County Board approval until the payment is made by the Developer prior to issuance of the Final Building Permit.] The Developer may request and obtain approval from the County Manager or his/her/their designee (DES) to prorate the total utility fund contribution for this site consistent with the approved Phasing Plan for the development pursuant to Condition #5 above. These funds may, but need not, be used by the County for the purpose of providing for undergrounding of utilities along the properties which are not redeveloping in this undergrounding district. If the area of the Site Plan is subdivided, the contribution to be made by each owner shall be based proportionally on the amount of site area allocated to each subdivided parcel. The contribution, if not obligated by the County to pay for utility undergrounding projects within 10 years from the date of payment, will be refunded upon receipt of written request without any accrued interest to the development owners of record at the time of any refund.

34. Wall Check Survey

- A. Submission of Wall Check Survey.** The Developer agrees to submit a wall check survey for each building to confirm its consistency with the plans approved by the County Board, as referenced in Conditions #2 and #3 above
- B. Walls/Elevations of Slab at Grade (Prior to pouring the second-floor slab or at completion of the slab on grade for each building)** The Developer further agrees to submit to the Zoning Administrator and obtain the Zoning Administrator's approval as meeting the requirements of this approval, of a wall check survey showing the location of the walls, and the elevation of the slab, at grade, prior to pouring the second floor slab, or at completion of the slab on grade for each building. This shall not prevent the developer, at its own risk, from completing construction of the concrete podium prior to approval of the wall check survey for each building. The completion of the podium may include installation of support columns from the at-grade slab to the bottom side of the second floor slab, as well as installation of the second floor cast in place framed slab. The developer agrees that all such work shall conform to current codes and building permit requirements. No additional above-grade construction, beyond construction of this podium with support columns, shall be permitted prior to approval of the wall check survey. The developer acknowledges that this additional work above the at grade slab will be at its own risk should the wall check survey not be approved as submitted, and that should any changes to the podium or columns, or other construction be needed based upon review of the wall check plat, the developer shall be fully responsible for completing such changes before any further permits are issued.

35. Use of Penthouse (Final Building Permit for Building E)

The Developer agrees that requirements of this condition shall be incorporated in project drawings prior to the issuance of the Final Building Permit for Building E. The use of any penthouse shall be limited to mechanical equipment and equipment maintenance space and/or telecommunication transmitter and/or receiver equipment as required in Condition #38 below, unless otherwise approved as part of this Site Plan with such uses subject to approval of Inspections Services Division where applicable.

36. Review by Crime Prevention Through Environmental Design (CPTED) Practitioner (Final Building Permit for each phase of development).

The Developer agrees to submit to the Operations Division of the Arlington County Police Department the approved post-4.1 drawings, which shall be reviewed by the Crime Prevention Through Environmental Design (CPTED) practitioner in the Police Department of CPTED design elements prior to the issuance of the Final Building Permit for each phase of development. The CPTED practitioner will review the post-4.1 drawings and provide comments on such plans for the purpose of ensuring that its design elements do not create a substantial risk of criminal activity at the location of the site plan.

37. Developer Installation of In-Building First Responder Network (Final Building Permit for Building E)

In order to maintain the effectiveness of the County's public safety systems, the Developer/applicant hereby agrees to design, construct, install, and maintain in an operable condition, an over-the-air radio in-building emergency responder communication and distribution system that will include, as defined in Attachment A:

- a. a donor antenna in a location and design that is acceptable to the County.
- b. single mode fiber optic backbone;
- c. conditioned and secured-access space with dedicated backup power to locate fiber distribution equipment;
- d. secured head-end equipment to support bi-directional radio transmissions over the air and via internet protocol fiber optic link;
- e. related hardware in a number and configuration that is appropriate for radio transmission in frequencies established by the County;
- f. dedicated communications conduits from property line to the head-end equipment room;
- g. alarm reporting to the County's designated recipient.

The Developer agrees to submit to the County Manager or his/her/their designee for review and approval, engineering drawings indicating that adequate accommodations have been made in the building to meet this requirement prior to issuance of the Final Building Permit for Building E. The County Manager will approve the drawings if he/she/they finds that the drawings meet the standards of this site plan condition.

In addition, the Developer agrees to submit to and obtain the County Manager's or his/her/their designee's review and approval of, reports verifying that the level of radio communications coverage in the building is sufficient to permit emergency responder communication throughout the building, according to the testing procedure outlined in Attachment A. The Developer agrees to submit and obtain review and approval of these reports at the following times for Building E: a) prior to the issuance of the first certificate of occupancy for any space in the building; b) every one year after the date of issuance of the first certificate of occupancy for any space in the building. The County Manager may waive this condition in the future if he/she/they determines that the level of radio communications coverage within the building can be monitored and verified to be at an acceptable level by the County through the County's ConnectArlington fiber optic network or other mutually acceptable means. In addition, the County Manager or his/her/their designee may waive coverage requirements in secure areas as well as in cases where State and County requirements overlap.

38. Ground Floor Elements (Final Building Permit)
Intentionally omitted.

39. Safety Measures at Garage Exit Ramps (Final Building Permit for Building E)

The Developer agrees to install safety measures, which may include but shall not be limited to speed bumps, at garage exit ramps at locations where ramps abut the pedestrian sidewalk, in order to slow vehicular traffic prior to vehicles crossing the sidewalk. The Developer agrees to show the locations of the safety measures on the ground level final building floor plans and shall obtain review and approval by the Zoning Administrator of the safety measures as meeting this condition prior to the issuance of the Final Building Permit for Building E.

40. Transportation Management Plan (First Partial Certificate of Occupancy for Tenant Occupancy or as specified below)

The Developer agrees to obtain approval from the County Manager or his/her/their designee of a Transportation Management Plan (TMP) prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy for each respective building or phase of construction per Condition #5. Such approval shall be given if the County Manager or his/her/their designee finds that the TMP for each building includes a schedule and description of implementation and continued operation, throughout the life of the Site Plan, of all elements outlined below under sub-sections A (Participation and Funding), B (Facilities and Improvements), C (Carpool and Vanpool Parking), D (Promotions, Services, and Policies), and E (Performance and Monitoring).

The Developer agrees to ensure consistency between this TMP and the Parking Management Plan, to the extent TMP provisions are applicable to the operation and management of parking facilities.

Upon approval of the TMP by the County Manager, the Developer agrees to implement all elements of the plan with assistance, when appropriate, by agencies of the County. Unless otherwise specified, the Developer agrees that all individual elements of this TMP shall be operational prior to issuance of the First Partial Certificate of Occupancy for Tenant Occupancy.

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 of this condition.

A. Participation and Funding

- 1) Establish and maintain an active, ongoing relationship with Arlington Transportation Partners (ATP), or successor entity, on behalf of the property owner.
- 2) Designate and keep current a member of building management as Property Transportation Coordinator (PTC) to be primary point of contact with the County and undertake the responsibility for coordinating and completing all

Transportation Management Plan (TMP) obligations. If applicable, designate and keep current a regional manager, or equivalent, as a secondary point of contact. The PTC shall be trained, to the satisfaction of ACCS, to provide, transit, bike, walk, rideshare and other information provided by Arlington County intended to assist with transportation to and from the site.

- 3) Contribute annually to ACCS, or successor, to sustain direct and indirect on-site and off-site services in support of TMP activities. Annual contribution shall be calculated based on a rate \$0.06 per square foot of GFA for commercial (office, retail, hotel) use and \$0.035 per square foot of GFA for residential use, escalated by CPI from the year 2008, per year for 30 years. Payment on this commitment shall begin as a condition of issuance of the First Partial Certificate of Occupancy for Tenant Occupancy for each respective building or phase of construction. Subsequent payments shall be made annually.

B. Facilities and Improvements

- 1) Provide in the lobby or lobbies, a transportation information display(s), the number/content/design/location of which will be approved by ACCS prior to the issuance of the Final Building Permit. The developer agrees that the required transportation information displays shall meet the Arlington County Neighborhood Transportation Information Display Standards in effect on the date of the site plan approval, or equivalent as approved by the County Manager.
- ~~2) Provide an ADA-compliant hotel van (with lift) to provide shuttle service to and from designated Metro station(s) for employees and guests. The van shall be staffed by a full-time employee, with a dedicated van-accessible parking space provided on the ground level of the mixed-use parking garage. The van shall be parked in this space when not in service. A communication device shall be provided with the hotel for on-call service (hotel-only).~~
- 3) Provide, within the TMP a Bicycle Facilities Management Plan to support the infrastructure provided through Conditions #19 and #24. This plan shall include a description of how the facilities will be managed and operated, including:
 - a. ~~Hours of operation and availability to users. Secure bicycle storage, showers, and lockers for office/hotel/retail uses 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.~~
 - b. Management of registration and access of persons and bicycles to use the facilities.

- c. Management of locker assignments, and re-assignments, to bicycle commuters.
 - d. Methods to notify building occupants of the amenities, and the frequency of the notifications.
 - e. Policy for abandoned bicycles.
- 4) Bus stops, shelters, and bikeshare stations on the sidewalk within 50 feet of the property within the site plan or on the periphery of the site plan, shall be maintained free of snow, ice, trash, and debris. A minimum six (6) foot wide path, clear of snow and ice, to the main entrance of building(s) shall be maintained for these bus stops and bikeshare stations.

C. Carpool and Vanpool Parking

~~Carpools and Vanpools (for buildings with a minimum of 50,000 square feet of gross floor area of non-residential uses)~~

- ~~1) Operate a carpool/vanpool program with required elements including, at minimum:~~
 - ~~a. Provide reserved, signed, spaces for carpools and vanpools conveniently located with respect to main entrances/elevators serving the building.~~
 - ~~b. Provide two person or more carpools with a parking subsidy equal to one-half the single-occupant vehicle monthly rate.~~
 - ~~c. Provide vanpools, as recognized by the Internal Revenue Service (IRS), with free parking.~~

D. Promotions, Services, and Policies

- 1) Prepare, reproduce and distribute, in digital or hard copy, materials provided by Arlington County, which includes site-specific transit, bike, walk, and rideshare-related information, to each new residential lessee or purchaser, and office, retail, hotel, property management, or maintenance employee, from initial occupancy through the life of the site plan. These materials shall be distributed as a part of prospective tenant marketing materials, as well as communications associated with lease signing, on-boarding, or similar activities.
- 2) Provide one time, per person, to each new residential lessee or purchaser, and each new office, retail, hotel, property management, or maintenance employee, whether employed part-time or full-time, directly employed or contracted, who moves into

or begins employment in the building throughout initial occupancy, 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

Purchase 50% of the anticipated need for such fare medium options prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy, and maintain stock on hand thereafter.

The County Manager or his/her/their designee 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.

- 3) Provide, administer, or cause the provision of a sustainable commute benefit program for each on-site property management, maintenance, and hotel employee, whether employed part-time or full-time, directly employed or contracted. This commute benefit program shall offer, at a minimum, a monthly pre-tax transit and vanpool benefit, as defined by the IRS, or a monthly subsidized/direct transit and vanpool benefit, as defined by the IRS.
- 4) Provide, under a “transportation information” heading on the Developer and property manager’s websites regarding this development:
 - a. Links to the most appropriate Arlington County Commuter Services and/or external transportation-related web page(s). Obtain confirmation of most appropriate link from ACCS.
 - b. A description of key transportation benefits and services provided at the building, pursuant to the TMP.

E. Performance and Monitoring

- 1) During the first year of start-up of the TMP and on an annual basis thereafter, the Developer shall submit an annual report, which may be of an online, or e-mail variety, to the County Manager, describing completely and correctly, the TDM-related activities of the site and changes in commercial tenants during each year.

- 2) The Developer agrees to reimburse the County the full cost up to a maximum of \$10,000 (\$8,000 per land use type for multi-use buildings and \$10,000 total for a single-use building) for, and participate in, a transportation and parking performance monitoring study at two years, five years, and each subsequent five years (at the County's option), after issuance of the First Partial Certificate of Occupancy for Tenant Occupancy, for the life of the site plan. The County may conduct the study or ask the owner to conduct the study (in the latter case, no reimbursement payment shall be required). As part of the study, a report shall be produced as specified below by the County. The study may include:

- a. building occupancy rates,
- b. average vehicle occupancy,
- c. average garage occupancy for various day of the week and times of day,
- d. parking availability by time of day,
- e. average duration of stay for short term parkers on various days of the week and times of day,
- f. pedestrian traffic,
- g. a seven-day count of site-generated vehicle traffic,
- h. a voluntary mode-split survey,
- i. Hourly, monthly, and special event parking rates.

The building owner and/or operator shall notify, assist, and encourage building occupants and visitors on site to participate in mode-split surveys which may be of an on-line or email variety.

41. Affordable Housing Contribution

A. For Development with Base Density for Affordable Housing (ACZO Section 15.5.8 (C) (Shell and Core Certificate of Occupancy))

- 1) Prior to the issuance of the Shell and Core Certificate of Occupancy for the first building, the Developer must provide written notification to the County Manager or his/her/their designee, of how the requirements of subsection 15.5.8 (C) of the Arlington County Zoning Ordinance (ACZO) will be fulfilled (either through a monetary contribution or provision of on-site or off-site residential units).
- 2) If the Developer elects to fulfill the requirements of ACZO 15.5.8 (C) through a monetary contribution, then the Developer shall, prior to issuance of the Shell and Core Certificate of Occupancy for the first building, deliver a check or provide another form of payment acceptable to the County Manager or his/her/their designee, to the Arlington County CPHD Housing Division, made payable to the Arlington County Treasurer for the requisite amount of the monetary contribution as provided under ACZO 15.5.8(C)(4).

- 3) If the Developer elects to fulfill the requirements of ACZO 15.5.8 (C) through the provision of either on-site or off-site committed affordable housing (CAF) units, the Developer shall, prior to the issuance of the Shell and Core Certificate of Occupancy for the first building, execute all necessary documents, as determined by the County Attorney for meeting the requirements of providing on-site or off-site CAF Units, including a CAF Agreement (“Implementation Documents”), and deliver the Implementation Documents to the County Manager and County Attorney for approval and execution.

B. For Development with Additional Density for Affordable Housing (First Partial Certificate of Occupancy for Tenant Occupancy for Building E) (ACZO 15.5.9)

1) Documentation of Proposed CAF Units (Final Building Permit for Building E)

The Developer agrees to submit documentation evidencing that the proposed CAF Units meet the requirements of the “CAF Units” (paragraph a) and “Accessible Units” (paragraph e) below for review and approval by the County Manager or his/her/their designee.

2) Execution of Implementation Documents (First Partial Certificate of Occupancy for Tenant Occupancy for Building E)

The Developer agrees to execute all Implementation Documents, as determined by the County Attorney, necessary to evidence agreement to all of the terms and conditions for the CAF Units, including, but not limited to, the conditions, as set forth below, prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy for the Building E project:

- a. **CAF Units:** The Developer agrees to provide seven (7) units, consisting of two (2) one-bedroom units, four (4) two-bedroom units and one (1) three-bedroom units in approximately 8,178 gross square feet or 6,974 rentable square feet as CAF Units. Each bedroom in the CAF Units shall contain at least one window to the exterior of the building. Each of the two (2) one-bedroom CAF Units shall meet the **Virginia Statewide Building Code and the Virginia Maintenance Code** minimum standard for occupancy by at least two (2) persons, with the bedroom size being adequate for a minimum of two (2) person occupancy. Each of the four (4) two-bedroom CAF Units shall meet the **Virginia Statewide Building Code and the Virginia Maintenance Code** minimum standard for occupancy by at least four (4) persons, with each bedroom size being adequate for a minimum of two (2) person occupancy. Each of the one (1) three-bedroom CAF Units shall meet the **Virginia Statewide Building Code and the Virginia Maintenance Code** minimum standard for occupancy by at least six (6) persons, with the bedroom size being adequate for a minimum of two (2) person occupancy. Residents of the CAF Units shall have access to all amenities offered

within the development. CAF Units shall be distributed throughout the building and not concentrated in any one area or floor of the building.

- b. **Affordable Rents:** The CAF Units shall have rents affordable to households at or below 60% of Area Median Income (AMI) as published by the U.S. Department of Housing and Urban Development (HUD) for the Washington, DC Metropolitan Statistical Area, adjusted for household size. The Developer agrees that the affordable rents of the CAF Units shall not exceed 30% of the 60% AMI level as published by HUD, minus a utility allowance (if applicable) as per the schedule of Allowances for Tenant-Furnished Utilities provided by the Housing Division. These CAF Units shall be leased only to households whose incomes do not exceed 60% of AMI as published by HUD for the Washington, DC Metropolitan Statistical Area, adjusted for household size.
- c. **Rent Increases:** The Developer agrees that rent increases for CAF Units will be limited to increases provided by the Housing Division using AMI-based income limits published by HUD. For the first five (5) years of occupancy by each household in a CAF Unit, the Developer agrees to a cap on the increase in rent of 5% per year in years where the AMI-based income limits published by HUD exceed 5%.
- d. **Compliance Period:** The Developer agrees that the CAF Units will remain affordable as defined in Paragraph b “Affordable Rents” and Paragraph c “Rent Increases” above for a term of 30 years from the date of issuance of the Certificate of Occupancy for the last CAF Unit that is able to be occupied for the building in which the CAF Units are located.
- e. **Accessible Units:** The Developer agrees to maintain a minimum of one (1) of the CAF Units as Type A units (“Accessible Units”) under standards described in the American National Standards Institute “Accessible and Usable Buildings and Facilities” (ICC/ANSI A117.1) as adopted by the Virginia Uniform Statewide Building Code. The Developer agrees to diligently market the Accessible Units to income-qualified households with persons with physical disabilities for a period of 60 days during the initial marketing and leasing period. If after 60 days the Developer is unable to rent the Accessible Units to income-qualified households with persons with disabilities, the Developer agrees to continue to make best efforts to market and lease the Accessible Units to income-qualified households with persons with disabilities, but the Developer may market and lease the Accessible Units to any income-qualified households regardless of disability. The Developer agrees to market the Accessible Units as part of the Developer's Affirmative Marketing Plan, described below.
- f. **Developer Affirmative Marketing Plan:** The Developer agrees to prepare and implement an Affirmative Marketing Plan in substantially the form as required by the Housing Division. The Developer shall accept tenant-based vouchers from the

Housing Choice Voucher Program and the Arlington County Department of Human Services Housing Grants Program for the CAF Units. The Developer agrees that the Affirmative Marketing Plan shall call for the initial advertising and marketing of all the CAF Units for a period of at least sixty (60) days prior to the projected occupancy of the complex.

In addition, employees of the Owner, Developer and/or Property Management Company shall not submit applications for the CAF Units until the CAF Units have been openly marketed for a minimum of four (4) weeks.

- g. **Condominium Conversion:** If at any time prior to the end of the 30-year compliance period for the CAF Units the Owner or Developer proposes to subject the property, including the CAF Units, to a condominium regime pursuant to the Virginia Condominium Act, Title 44, Chapter 4.2, Section 79.39 et seq. of the Code of Virginia, 1950 Edition, as amended, then the Developer agrees (a) to notify the County Manager or his/her/their designee of the proposed condominium conversion not less than sixty (60) days prior to recording the Declaration of Condominium, and (b) to concurrently record with the Declaration of Condominium a Deed of Declaration of Restrictive Covenants, approved by the County Manager or his/her/their designee and in a form approved by the County Attorney, identifying with specificity which of the CAF Units shall continue to be operated as CAF Unit rental units by the Developer, subject to the terms and conditions of this Affordable Housing Contribution Site Plan Condition for the remainder of the thirty (30) year compliance period. Alternatively, the CAF Units, or some equivalent portion thereof, may be offered for sale to qualifying income eligible homebuyers at an affordable price subject to an Affordable Dwelling Unit Homeownership Program Agreement to be approved by the County Board.

C. For Development with Additional Density for Affordable Housing (ACZO 15.5.9) [When there are on-site for-sale Ownership Committed Affordable Units (Ownership CAF Units)]

Intentionally omitted.

42. Availability of Site Plan Conditions to Residential Condos, Cooperatives and Homeowners Associations (Shell and Core Certificate of Occupancy for each building)

The Developer agrees to submit proof to the County Manager or his/her/their designee that it has satisfied this Site Plan Condition prior to the issuance of the Shell and Core Certificate of Occupancy for ~~the~~ each building.

- A. If the project includes a residential condominium or cooperative component, then the Developer agrees that a copy of the conditions of this Site Plan approval shall be made available to all prospective purchasers with the condominium's, cooperative's or homeowners association's bylaws or agreements.

- B. If the project includes a residential rental component that is converted to a condominium or a cooperative, then the Developer agrees that a copy of the conditions of this Site Plan approval shall be made available to all prospective purchasers with the condominium's, cooperative's, or homeowners' association's bylaws or agreements prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy following the conversion.

43. Obtain Master Certificate of Occupancy (Within 12 months of Receipt of the Certificate of Occupancy that permits full occupancy for each phase of development)

The Developer agrees to obtain a Master Certificate of Occupancy within twelve (12) months of receipt of the Certificate of Occupancy that permits full occupancy for each phase of development. The Developer may request in writing to extend the timeframe for obtaining the Master Certificate of Occupancy. The request shall outline the reasons for the extension and shall be submitted to the Zoning Administrator for review and approval at least one (1) month prior to the end of the twelve-month time frame. The Zoning Administrator may approve such extension upon finding that the Developer is diligently and in good faith pursuing completion of the project, and will apply for and meet all requirements of a Master Certificate of Occupancy within a reasonable amount of time.

44. Building Height Certification (Master Certificate of Occupancy for each phase of development)

The Developer agrees to submit to, and obtain review and approval by the Zoning Administrator of one set of drawings certifying the building height as measured from the average site elevation to both the building roof and to the top of the penthouse roof prior to the issuance of the Master Certificate of Occupancy for each phase of development.

45. Structural Modifications and Balconies (Life of Site Plan)

- A. The Developer agrees that any structural modification or changes to the facades or materials shall be subject to the approval of the County Manager. If the County Manager or his/her/their designee determines that any proposed changes to the facades or materials have a significant impact on the Site Plan, or otherwise meet Zoning Ordinance requirements for Site Plan amendments that require approval by the County Board, a Site Plan amendment shall be required.
- B. The Developer agrees that no balconies, other than those identified in the approved Site Plan, shall be enclosed. Enclosure of any additional balconies shall constitute additional gross floor area and shall require a Site Plan amendment.

46. Building Security Measures (Life of Site Plan)
Intentionally omitted.

47. Snow Removal (Life of Site Plan)

The Developer agrees to remove snow and ice from all sidewalks within or adjacent to the site, from adjacent bus stops, from all interior streets, and from required Fire Apparatus Access Roads (fire lanes) for the purpose of providing safe vehicular and pedestrian access throughout the site. Snow or ice fall less than six (6) inches shall be removed within twenty-four (24) hours, and six (6) inches and greater shall be removed within thirty-six (36) hours of the cessation of such snow fall or freezing. (Snowfall as measured by the National Oceanic and Atmospheric Administration at National Airport).

48. Maintenance of Residential Common Areas (Life of Site Plan)

If the project includes a residential component, then the Developer agrees that the maintenance of the common area, walkways, private drives and parking areas which are tied to condominium units shall be provided for by the condominium's, cooperative's or homeowners association's bylaws or agreements consistent with Section 14.1 of the Zoning Ordinance.

49. Retention of Approved Parking Ratio over Subdivided Site (Life of Site Plan)

The Developer agrees to provide parking for each building according to the approved parking ratio; when parking is not located within the parcel designation of each building but located within the overall project, it shall continue to be committed to the entire project for purposes of administering the Zoning Ordinance.

50. Density and Approved Site Areas over Subdivided Site (Life of Site Plan)

- A. Pursuant to the Site Plan, the total density allocated for any new construction on any subdivided parcels of the Site Plan shall not exceed the total approved density for the entire Site Plan. No additional density shall be allowed on any individual parcel formed by subdivision of the site.
- B. Within multi-building site plans, the applicant agrees that the site area shall be allocated as follows:

<u>Building A</u>	<u>3,168 sf</u>
<u>Building B</u>	<u>4,526 sf</u>
<u>Building C</u>	<u>4,526 sf</u>
<u>Building D</u>	<u>4,526 sf</u>
<u>Building E</u>	<u>223,589 sf</u>

51. Refuse Delivery to County Disposal Facility (Life of Site Plan)

The Developer agrees to deliver all refuse, as defined by the Arlington County Code, to an operating refuse disposal facility designated by the County Manager, before issuance of the Master Certificate of Occupancy. Any facility designated by the County Manager will have competitive rates at or below other facilities in the region otherwise available to

the Developer. The Developer agrees that if it intends to deliver its refuse from this project to a facility other than the disposal facility designated by the County Manager, then the Developer shall submit that decision in writing to the DES Solid Waste Bureau along with a comprehensive cost analysis justifying the Developer's decision. The Developer further agrees to stipulate in any future lease or property sale agreements and deeds that all tenants or property owners shall also comply with this requirement for the life of the Site Plan.

52. Canopies and Awnings (Life of the Site Plan)

The Developer agrees that it will not construct or permit to be constructed any structures within areas dedicated, or to be dedicated, as public sidewalk easements and public sidewalk and utilities easements pursuant to the conditions of this site plan, except canopies, awnings and/or other similar architectural details as depicted in the final site plan or subsequent site plan amendments or administrative changes on the face of the building ("canopies and awnings"), within such easement areas, provided that all such canopies and awnings shall be consistent with the final design and site engineering plans approved by the County Manager. Such canopies and awnings shall also, among other requirements, meet the following minimum standards: each canopy or awning shall (i) be suspended from the face of a building or structure; (ii) have no ground supports; (iii) extend no more than six (6) feet into the adjoining public sidewalk easement or public sidewalk and utility easements; (iv) contain no permanent fixtures, such as, among other things, fans, heaters and sprinklers; (v) extend no more than six feet in any location from the face of the building to the outer edge of the canopy or awning; (vi) extend into the easement area no further than to a point that is five feet behind the back of the curb line; (vii) not be located in the clear space above any utility vault; and, (viii) maintain a clearance of at least eight feet above the public sidewalk to the lowest part of the canopy or awning, provided, that if such canopy or awning incorporates a sign, the canopy or awning and the sign shall meet all applicable zoning ordinance provisions.

In the event such canopies and awnings are approved by the County Board as part of the final site plan or subsequent site plan amendments or approved by the Zoning Administrator as administrative change(s), the Developer further agrees for itself, its successors in title and interest, and assigns, to indemnify and hold harmless the County Board of Arlington County, Virginia and County officials, officers, employees, and agents from all claims, negligence, damages, costs and expenses arising from the canopies and awnings. The Developer agrees that, in the event of an emergency, the County may remove the canopy or awning and shall not be liable for any loss or damage to the canopy, awning or building that may result from such removal. In such event, the County shall not be responsible for replacing such canopy or awning.

The Developer agrees that in the event of need for routine utility work in the area of a canopy or awning, or need for County infrastructure repairs in the regular course of business in the area of the canopy or awning, the County may, by written notice delivered to the Developer, require the Developer, at the Developer's sole cost and expense, to remove the canopy or awning within fourteen (14) days of delivery of said notice. The

Developer further agrees that, if the canopy or awning is not removed within fourteen (14) days of delivery of said notice, the County may, at the sole cost and expense of the Developer remove the canopy or awning and the Developer agrees that the County shall not be liable for any loss or damage to the canopy, awning or building that may result from such removal, or for replacing such canopy or awning.

The Developer agrees that, if the County Manager or his/her/their designee determines that any canopy or awning, whether or not approved, interferes with public access or is otherwise inconsistent with the public welfare, zoning ordinance requirements, or future development, the Developer agrees to, at its sole cost and expense, to remove the canopy or awning and fully restore any affected surface areas of the canopy, building or easement. The Developer agrees to complete removal of any canopy or awning upon notice of the County Manager's determination. The Developer agrees that, if the Developer fails to remove the canopy or awning within the time specified, the County may remove the canopy or awning, at the expense of the Developer, and that the County shall not be liable for any loss or damage that may occur as a result of such removal.

53. Emergency Vehicle Access & Public Water Utility Purposes Easement (First Partial Certificate of Occupancy for Tenant Occupancy for the first building)

The Developer agrees to grant to the County Board of Arlington County, Virginia, a permanent easement for emergency vehicle access and public water utility purposes, more particularly shown as: "Emergency Vehicle and Public Water Utility Purposes Easement to be Dedicated Area = 27,758 +/- SF," on Sheet C302 – Easement Dedication Exhibit of the 4.1 plan set for this Site Plan ("Easement Exhibit"), which easement shall be granted free and clear of any liens and encumbrances, approved and recorded prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy for the first building. The final location of the easement may change with the preparation of the final building plans. The easement for emergency vehicle access and public water utility purposes shall be granted by deed, in form acceptable to the County Attorney and in substance acceptable to the County Manager or his/her/their designee, and shall be recorded among the land records of the Clerk of the Circuit Court of Arlington County. The Developer, at its cost and expense, shall be responsible for preparing and submitting: 1) a Deed of Easement to the Department of Environmental Services, Real Estate Bureau; and 2) an easement plat to the Arlington County Subdivision and Bonds Administrator, for review. With the exception of the public water utility facilities, the Developer shall be responsible for maintaining the areas and all facilities, improvements, private utilities (including all private sanitary and storm sewer lines), hardscape, and landscape located within the easement area for emergency vehicle access and public water utility purposes. The easement for emergency vehicle access and public water utility purposes shall include, among other items, the following provisions:

- A. The Developer and the grantors of the easement for emergency vehicle access and public water utility purposes, and their successors and assigns, shall be responsible, at their sole cost and expense, to perform and pay for the continued care, cleaning and maintenance, including snow and ice removal, repair, replacement, installation and

removal of all facilities, improvements, private utilities (including all private sanitary and storm sewer lines), hardscape, and landscape located within the easement for emergency vehicle access and public water utility purposes area, with the exception of the public water utility facilities located within the easement for emergency vehicle access and public water utility purposes area.

- B. The Developer and the grantors of the easement for emergency vehicle access and public water utility purposes, and their successors and assigns shall indemnify and hold harmless the County Board, its elected and appointed officials, officers, employees, and agents (collectively, "County") from all liability, personal injury, death, claims, damages, losses, costs and expenses of whatsoever nature concerning or arising out of the design, construction, installation, care, cleaning, maintenance, repair, use, access, regulation, repair and removal of the easement for emergency vehicle access and public water utility purposes by the Developer, the County or the property owners.

54. Public Use and Access Easement

- A. **Grant Easement to County (First Partial Certificate of Occupancy for Tenant Occupancy for the first building)** The Developer agrees to grant a permanent public use and access easement free and clear of any liens and encumbrances to the County Board of Arlington County, Virginia, providing for public use and access to the open space to the west of the proposed interior private segment of South Garfield Street and abutting 24th Road South, as more particularly shown as: "Public Use and Access Easement to be Dedicated Area = 10,311 +/- SF," on Sheet C302 – Easement Dedication Exhibit, of the 4.1 Submission, dated March 3, 2025. The Developer, at its cost and expense, shall be responsible for preparing and submitting: 1) a Deed of Easement to the Department of Environmental Services, Real Estate Bureau; and 2) an easement plat to the Arlington County Subdivision and Bonds Administrator, for review and approval. The public use and access easement shall be acceptable in substance to the County Manager or his/her/their designee, approved as to form by the County Attorney, and recorded among the Arlington County Land Records prior to the issuance of the First Partial Certificate of Occupancy for Tenant Occupancy for the first building. The final location of the easements may change with the preparation and approval of the final civil engineering plans.
- B. **Construction and Landscaping (Prior to granting public use and access easement)** The Developer agrees to construct and landscape the public use and access easement area, as shown on the aforementioned Sheet C302, as well as on the landscape plans of the 4.1 Submission dated March 3, 2025. Final landscape design and installation shall be in accordance with the Final Landscape Plan approved by the County Manager or his/her/their designee. The Developer agrees to complete the construction and landscaping of these areas prior to the recordation of the public use and access easement. If the Developer requests, the Zoning Administrator may, pursuant to acceptable guarantees, modify the timing of the installation of landscape features and/or plant

materials, so that the public use and access easements may be granted prior to such installation. In such case, the Developer agrees to take all necessary measures, including but not limited to, fencing or barriers, to protect the general public, residents or customers during the time that such installation is incomplete and during the construction/installation of the same.

C. The Developer shall be responsible for maintaining the areas and all facilities, hardscape and landscape, located within the public use and access easement. The public use and access easement shall include, among other items, the following provisions:

- 1) The Developer and the grantors of the public use and access easement, and their successors and assigns, shall be responsible, at their sole cost and expense, to perform and pay for the continued care, cleaning and maintenance, including snow and ice removal, repair, replacement, installation and removal of all facilities and improvements installed within the public use and access easement area.
- 2) The Developer, its successors in title and interest, and its assigns shall indemnify and hold harmless the County Board, its elected and appointed officials, officers, employees, and agents (collectively, "County") from all liability, personal injury, death, claims, damages, losses, costs and expenses of whatsoever nature concerning or arising out of the design, construction, installation, care, cleaning, maintenance, repair, use, access, regulation, and removal of the facilities in public use and access easement area.

55. Future Public Street and Utilities Easement

- A. Upon request by the County, the Developer agrees to grant a permanent easement for public street and utilities purposes, free of liens and encumbrances, to the County Board of Arlington County over the proposed South Garfield Street and adjacent approximately 40-foot-wide undeveloped area. The proposed future street easement is more particularly identified as: "Future Street Easement to be Dedicated (Once Roadway Interconnection is completed to Western Property) Area = 21,250 +/- SF," on Sheet C302 of the 4.1 Submission, dated March 3, 2025 ("Future Street Easement"). The Future Street Easement shall be approved and recorded among the Arlington County Land Records within 180 days of the request by the County Manager. The final location of the Future Street Easement may change with the preparation of the final engineering plans. At the time the County requests the Future Street Easement, it may request a smaller area than described in this condition.
- B. Until the County Manager requests the Future Street Easement, the proposed South Garfield Street shall remain a private street as shown on Sheet C302 of the 4.1 Submission dated March 3, 2025, and the adjacent approximately 40-foot-wide

undeveloped area shall remain undeveloped aside from the landscaping and underground utilities shown on said Sheet C302.

DRAFT

Attachment A
In-Building First Responder Network Definitions and Testing Protocol
Edited 10/5/2023

Definitions

As used in the standard site plan condition entitled “Developer Installation of In-Building First Responder Network”, unless the context requires a different meaning:

“alarm reporting” means an SNMP (Simple Network Management Protocol)-based monitoring system that sends notifications of faults or diminished performance.

“dedicated communications conduit” means conduit assigned to contain only the fiber optic cable used for public safety communications;

“dedicated backup power” means a secondary source of power, whether from battery or emergency generator, supplying automatically when the primary power source is lost, continuously operational for no less than 12 hours and, if from a battery, charging itself automatically in the presence of an external power input and contained in a NEMA 4 enclosure;

“donor antenna” means a bi-directional antenna mounted to the roof of a building interconnected to optical signal conversion and distribution equipment;

“fiber distribution equipment” means one or more modules capable of converting optical signals into radio frequency signals for distribution to all interconnected omni-directional antennas;

“head-end equipment” means one or more modules capable of receiving radio frequency signals from a donor antenna, amplifying the radio frequency signals, and converting the radio frequency signals into optical signals for distribution via fiber optic cable to all fiber distribution units throughout the building and are contained in a NEMA 4 enclosure;

Testing Protocol

When an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system “the system” tested to ensure that two-way coverage on each floor of the building reveals a minimum signal strength of -95 dBm in 95 percent of the building’s area. In addition, the quality of radio signal should be no less than Delivered Audio Quality (DAQ) 3.4 as defined by the Telecommunications Industry Association (TIA). Critical areas, including fire command centers, fire pump rooms, exit stairs, exit passageways, elevators, elevator lobbies, standpipe cabinets, sprinkler sectional valve locations, and other areas deemed critical by the AHJ, shall be provided with 99 percent floor area radio coverage. The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal areas.

2. The test shall be conducted using a calibrated portable radio of the latest brand and model used by the County.
3. The test shall be considered failed if more than two nonadjacent grid areas do not meet the signal strength requirements.
4. In the event that three nonadjacent areas fail the test, in order to be more statistically accurate, the floor shall be divided into 40 equal areas. The test shall be considered failed if more than four nonadjacent grid areas do not meet the signal strength requirements. If the system fails the 40-area test, the system shall be modified to meet the 95 percent coverage requirement, or 99 percent coverage requirement in critical areas.
5. A test location approximately in the center of each grid area shall be selected for the test. The radio shall be enabled to verify two-way communications to and from the outside of the building through the public agency's radio communications system. Once the test location has been selected, that location shall represent the entire area. If the test fails in the selected test location, that grid area shall fail. Prospecting for a better location within the grid area shall not be allowed.
6. The gain values of all amplifiers shall be measured and the test measurement results shall be kept on file within the building so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the developer shall be required to rerun the acceptance test to reestablish the gain values.
7. As part of the installation a spectrum analyzer or other suitable test equipment shall be utilized to ensure false oscillations are not being generated by the subject signal booster.
8. The antennas, cable, and other passive components of the system shall be rated to operate at least between 400MHz and 5.0 GHz.

The minimum qualifications of the system designer, tester and lead installation personnel shall include:

1. A valid FCC-issued General Radio Operators License; and
2. Certification of in-building system training issued by a nationally recognized organization or school or a certificate issued by the manufacturer of the equipment being installed.

Personnel may be exempt from these requirements upon successful demonstration of adequate skills and experience satisfactory to the County Manager or designee.

PREVIOUS COUNTY BOARD ACTIONS:

November 20, 1957	Approved rezoning from "R2-7" to "RA-H".
December 4, 1976	Approved a site plan for "RA-H" portion of existing motel.
August 9, 1980	Approved a site plan amendment to enclose a swimming pool and renovate a restaurant.
March 20, 1982	Approved a site plan amendment to add a game room and delete an indoor swimming pool.
September 7, 1985	Approved rezoning 140,637 sf of the site plan from "M-1" to "RA-H".
	Approved a site plan amendment to construct a 7-story hotel.
February 28, 1987	Approved a site plan amendment for one building identification sign.