

**SITE PLAN REVIEW COMMITTEE  
MEETING AGENDA**

**DATE:** Monday, March 23, 2015  
**TIME:** 7:00 – 8:25 p.m.  
**PLACE:** Courthouse Plaza  
2100 Clarendon Boulevard  
Conference Room 109/110 (C&D)  
Lobby Level  
Arlington, VA 22201

**SPRC STAFF COORDINATOR:** Samia Byrd, 703-228-3525

**Item 1. Plaza 6 (SP #11) 7:00pm–8:25pm**  
(RPC# 34-020-017)  
Scheduled to be heard no earlier than the May 2015 CB meeting.  
*Samia Byrd (CPHD Staff)*

The Site Plan Review Committee (SPRC) is comprised of Planning Commission members, representatives from other relevant commissions and several appointed citizens. The SPRC reviews all site plans and major site plan amendments requests, which are submitted to the County Board and the Planning Commission for consideration. The major responsibilities of the SPRC are the following:

1. Review site plan or major site plan amendment requests in detail.
2. Advise the Planning Commission by recommending the appropriate action in regard to a specific plan and any conditions, which it might determine to be necessary or appropriate.
3. Provide a forum by which interested citizens, civic associations and neighborhood conservation committees can review and comment on a particular plan, or the effects that the proposed project might have on the neighborhood.

In order to save copying costs, staff has selectively chosen the reduced drawings to be included in this package. The complete full size drawings are available for review in the Arlington County Zoning Office, 10<sup>th</sup> Floor, Courthouse Plaza, 2100 Clarendon Boulevard and also in the Central Library's Virginia Room, 1015 N. Quincy St., (703) 228-5990.

For more information on the Arlington County Planning Commission, go to their web site  
<http://commissions.arlingtonva.us/planning-commission/>

For more information on the Site Plan public review process, go to the Arlington County Planning Division's web site on Development Proposals/Site Plans  
<http://projects.arlingtonva.us/private-development/>

To view the current Site Plan Review Committee schedule, go to the web site  
<http://commissions.arlingtonva.us/planning-commission/sprc/>

**ITEM 1**  
**Plaza 6 (SP #11)**  
(RPC# 32-020-002, -010)  
Erik Gutshall, SPRC Chair

**SPRC AGENDA**

- 1) Informational Presentation
  - a) Overview of Site Plan Proposal (Staff)
  - b) Presentation of Site Plan Proposal (Applicant)
  
- 2) Land Use & Zoning
  - a) Relationship of site to GLUP, sector plans, etc.
    - i) Requested changes (if any)
    - ii) Justification for requested changes (if any)
  - ~~b) Relationship of project to existing zoning~~
    - ~~i) Special site designations (historic district, etc.)~~
    - ~~ii) Requested bonus density, height, etc. (if any)~~
    - ~~iii) Requested modification of use regulations (if any)~~
  
- 3) Site Design and Characteristics
  - a) Allocation of uses on the site
  - ~~b) Relationship and orientation of proposed buildings to public space and other buildings~~
  - ~~c) Streetscape Improvements~~
  - ~~d) View vistas through site~~
  - ~~e) Visibility of site or buildings from significant neighboring perspectives~~
  - ~~f) Historic status of any existing buildings on site~~
  - ~~g) Compliance with adopted planning documents~~
  
- 4) Building Architecture
  - a) Design Issues
    - ~~i) Building form (height, massing, tapering, setbacks)~~
    - ~~ii) Facade treatments, materials, fenestration~~
    - ~~iii) Roof line/penthouse form and materials~~
    - ~~iv) Street level activism/entrances & exits~~
    - v) LEED/Earthcraft/Green Home Choice Score
    - vi) Accessibility
    - ~~vii) Historic Preservation (if applicable)~~
  - ~~b) Retail Spaces (if applicable)~~
    - ~~i) Location, size, ceiling heights~~
    - ~~ii) Storefront designs and transparency~~
    - ~~iii) Mix of tenants (small v. large, local v. national)~~
  - ~~c) Service Issues~~
    - ~~i) Utility equipment~~
    - ~~ii) Venting location and type~~
    - ~~iii) Location and visibility of loading and trash service~~

~~iv) Exterior/rooftop lighting~~

5) Transportation

- a) Infrastructure
  - ~~i) Mass transit facilities and access~~
  - ~~ii) Street systems (w/existing and proposed cross sections)~~
  - ~~iii) Vehicular and pedestrian routes~~
  - ~~iv) Bicycle routes and parking~~
- b) Traffic Demand Management Plan
- c) Automobile Parking
  - i) Proposed v. required (tenant, visitor, compact, handicapped, etc.)
  - ii) Access (curb cuts, driveway & drive aisle widths)
- d) Delivery Issues
  - i) Drop offs
  - ii) Loading docks
- e) Signage (parking, wayfinding, etc.)

6) Open Space

- a) Orientation and use of open spaces
- ~~b) Relationship to scenic vistas, natural features and/or adjacent public spaces~~
- ~~c) Compliance with existing planning documents and policies~~
- d) Landscape plan (incl. tree preservation)

~~7) Community Benefits~~

- ~~a) Public Art~~
- ~~b) Affordable Housing~~
- ~~c) Underground Utilities~~
- ~~d) Historic Preservation~~
- ~~e) Other~~

~~8) Construction issues~~

- ~~i) Phasing~~
- ~~ii) Vehicle staging, parking, and routing~~
- ~~iii) Community Liaison~~

**Site Location:** 77,000 square foot site (1.77 acres) is located in the Crystal City Metro Station area, on the block generally bounded by 23<sup>rd</sup> Street South to the south, Crystal Drive to the east, 20<sup>th</sup> Street South the north and S. Clark Street (Jefferson Davis Highway) to the west.

**Applicant Information:**

**Applicant**  
CESC Plaza Limited Partnership  
c/o Vornado/Charles E. Smith  
2345 Crystal Drive, Suite 1100

**Attorney**  
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**BACKGROUND:** In July 2014, the County Board approved a major site plan amendment to change the use of the existing 12 story, Crystal Plaza 6 office building, to a 252-unit residential building with approximately 5,848 square feet of ground floor retail. As approved, the building will provide for small, efficiency units in a floor plan that connects the residential units to common amenity and gathering spaces between floors. The proposed site plan amendment would further the sharing of ideas and space beyond the residential community into the work environment as the applicant further requests that two floors of the approved residential building totaling approximately 24,960 square feet of residential gross floor area would be allowed for use as office gross floor area. The proposal would incorporate the concept of “[We Work](#)”, which provides flexible shared work spaces to companies and individuals while fostering an environment of collaboration and community with the concept for the residential program for the building.

**The following provides additional information about the site and location:**

Site: The 77,000 square foot site is located on the southwest corner of the block generally bounded by 20<sup>th</sup> Street South to the north, Crystal Drive to the east, 23<sup>rd</sup> Street South to the south and S. Clark Street (Jefferson Davis Highway) to the west. Immediate surrounding land uses and development include:

- To the north: 2221 and 2101 Jefferson Davis Highway, Crystal Plaza Apartment buildings constructed in 1966. Zoned “RA-4.8”, “M-2” and “C-O”; GLUP designation, “High” Office-Apartment-Hotel.
- To the east: 223 23<sup>rd</sup> Street, 12-story Crystal Plaza 5 office building constructed in 1965 with approximately 155,000 square feet of office. Zoned “C-O”; GLUP designation, “High” Office-Apartment-Hotel.
- To the south: 320 23<sup>rd</sup> Street, South, 13-story, Buchanan Apartments (SP #65) approved in 1968 and constructed in 1972 with approximately 442 residential dwelling units

and 53,549 square feet of retail. Zoned “C-O”; GLUP designation “High” Office-Apartment-Hotel.

To the west: Across S. Clark Street and Jefferson Davis Highway, 2221 S. Eads Street, BB&T Bank, by-right development of approximately 2,350 square feet of retail constructed in 1979. Zoned “C-2”; GLUP designation “High” Office-Apartment-Hotel.



**Zoning:** The site is zoned “C-O” Commercial Office Building, Hotel and Multiple-Family Dwelling district, and “M-2” Service, Industrial District.

**Land Use:** The site’s General Land Use Plan designation is “High” Office-Apartment-Hotel which permits up to 3.8 FAR office density, 4.8 FAR apartment density, and 3.8 FAR hotel density.

**Neighborhood:** The subject site is located within the Crystal City Civic Association and is in the vicinity of the Aurora Highlands and Arlington Ridge Civic Associations.

**Existing Development:** Crystal Plaza 6 is one of eight buildings which comprises the mixed used, multiple building Crystal Plaza site plan (SP #11). The site plan which was approved in 1963 with all buildings largely constructed in the mid-1960s today comprises approximately 785,572 square feet of site area (18.03 acres) and is approved for approximately 832,037 square feet of office, 202,458 square feet of retail, and 1,295,855 square feet of residential for a total of approximately 2,330,350 square feet of development. The Crystal Plaza 6 building which was constructed in 1965 is currently vacant. The 12-story building is comprised approximately of 158,377 square feet of gross floor area approved for residential use with ground floor retail.

**Proposed Development:** The following table sets forth the preliminary statistical summary for the proposed site plan amendment.

<b>Crystal Plaza 6 – Statistical Summary</b>		
	<b>Approved 2014</b>	<b>Proposed 2015</b>
<b>Site Area</b>	<b>77,000 sf (1.768 Ac)</b>	<b>77,000 sf (1.768 Ac)</b>
“C-O”	73,731 sf (1.693 Ac)	73,731 sf (1.693 Ac)
“M-2”	3,269 sf (.075 Ac)	3,269 sf (.075 Ac)
<b>“C-O” Site Area</b>	<b>73,731 sf (1.692 Ac)</b>	<b>73,731 sf (1.692 Ac)</b>
<b>“C-O” Site Area Allocation</b>		
Office/Commercial/Retail	3,080 sf (0.070 Ac)	11,709 sf (0.269 Ac)
Residential	70,651 sf (1.621 Ac)	62,022 sf (1.424 Ac)
<b>Density</b>		
Office GFA	---	24,960 sf
Retail GFA	5,848 sf	5,848 sf
Residential GFA	152,529 sf (252 Units)	127,569 sf (216 Units)
Office Commercial/Retail Density	1.90 FAR	2.63 FAR
Residential Density	2.06 FAR	2.06 FAR
<b>“C-O” Max. Permitted Office, Commercial GFA</b>	<b>11,704 sf</b>	<b>44,494 sf</b>
<b>“C-O” Max. Permitted Office, Commercial Density</b>	<b>3.8 FAR</b>	<b>3.8 FAR</b>
<b>“C-O” Max. Permitted Residential GFA</b>	<b>339,124 sf</b>	<b>297,706 sf</b>
<b>“C-O” Max. Permitted Residential Density</b>	<b>4.8 FAR</b>	<b>4.8 FAR</b>
<b>Height</b>		
Average Site Elevation	40.81 feet	40.81 feet
Main Roof Elevation	176.75 feet	176.75 feet
Main Roof Height	135.94 feet	135.94 feet
Penthouse Roof Elevation	194 feet	194 feet
Penthouse Roof Height	153.19 feet	153.19 feet
<b>“C-O” Max. Permitted Height Office, Commercial</b>	<b>153 feet</b>	<b>153 feet</b>
<b>“C-O” Max. Permitted Height Apartment, Hotel</b>	<b>180 feet</b>	<b>180 feet</b>
<b>Parking</b>		
Parking Spaces	154 Spaces	156 Spaces
Office	---	23 Space
Retail	12 Spaces	12 Spaces
Residential	142 Spaces	121 Spaces
Parking Ratio		
Office	---	1 Sp Per 1085 sf
Retail	1 Sp Per 487 sf	1 Sp Per 487 sf
Residential	.56 Sp Per Unit	.56 Sp Per Unit
<b>“C-O” Required Parking Ratio, Site Plan – Office, Retail, Service Commercial</b>	<b>1 Sp Per 530 sf GFA</b>	<b>1 Sp Per 530 sf GFA</b>
<b>“C-O” Required Parking Ratio, Site Plan – Multiple Family Dwelling</b>	<b>1 Sp Per Unit</b>	<b>1 Sp Per Unit</b>

“C-O” Required Parking Spaces, Site Plan – Office, Retail, Service Commercial	11 Spaces	58 Spaces
“C-O” Required Parking Spaces, Site Plan – Multiple-Family Dwelling	252 spaces	216 Spaces

**Density and Uses:** The applicant proposes to reduce the amount of residential gross floor area approved at 152,529 square feet (252 units) to 127,569 square feet in 216 dwelling units. This change in approximately 24,960 square feet would allow for this amount of gross floor area to be used for office. Approximately 5,848 square feet of retail approved for the building would remain. There would be no change to the total amount of building gross floor area of 158,377 square feet. The proposed change in use and resulting density is consistent with the site’s “C-O” zoning and GLUP designation of “High” Office-Apartment Hotel.

**Site and Design:** There are no changes proposed to the existing site or building design as approved in July 2014. As approved, there would be modifications to the exterior of the building to include painting the “fins” of the existing precast concrete on each façade of the building to create a lenticular in alternating colors. The addition of several new entry doors approved in 2014 would provide access around the site to the building lobby and ground floor retail. There would be a single entrance for both the residential and office uses.



The addition of paved walkways on both the north and south sides of the building to new entrances, a new access drive immediately adjacent north of the existing building and a new loading dock accessible from this drive on the east side of the building are proposed to remain as approved in July 2014. Similarly, the approved changes to the landscaping and streetscape are proposed to be maintained. Access to parking as discussed below are also proposed to remain as approved in July 2014.

**LEED:** There is currently no proposed commitment to LEED Certification with the subject site plan amendment for the proposed office use. With the site plan amendment of July 2014, the applicant committed to a number of sustainability features for the residential component of the building. These included such things as Energy Start appliances, energy efficiency fixtures and light bulbs, occupancy sensors, and WaterSense labels.

**Transportation:** The Crystal Plaza site is easily accessible by multiple modes of transportation to allow for flexibility in transportation options. The site is half-mile from the Crystal City Metro Station, several bus stops including one in front of the building, and seven Capital Bikeshare stations.

Streets: The [Master Transportation Plan](#) and [Crystal City Sector Plan](#) identifies S. Clark Street as a Type B-Primarily Urban Mixed-Use Arterial and 23rd Street South as a Type A-Primarily Retail Oriented Mixed-Use Arterial. At this location, S. Clark Street is a three lane road one-way southbound with no parking on either side. Twenty-third Street South is a two-way road with a large median, Cheerios Park, in the middle. The westbound direction consists of three travel lanes with no parking on either side and the eastbound direction consists of two travel lanes with parking on both sides. Vehicular access to the subject building is provided along a service road adjacent to the building that is accessed from S. Clark Street south of the subject building. The service road provides access to a surface parking lot adjacent to the subject building and continues north providing access to additional parking and building entrances throughout the block. The proposed project does not provide any substantive changes to the surrounding roads, service road, or access to the surface parking. The approved new curb cut north of the subject building to provide access to a new loading dock on the east side of the building adjacent to the existing surface parking lot are proposed to remain as approved in July 2014. This will allow trucks to not have to drive through the entire plaza area to reach the street network.

Sidewalk and Pedestrian Circulation: The subject building is accessible from S. Clark Street via sidewalks on the north and south side of the building. However, there is no direct pedestrian access to 23<sup>rd</sup> Street South. The approved new walkways to the building entrances on the north and south side of the building and improvements to the intersection of S. Clark Street and 23<sup>rd</sup> Street South and along the site's frontage on 23<sup>rd</sup> Street South are proposed to remain as approved in July 2014.

Parking and Loading: The applicant does not propose with the site plan amendment to construct any additional parking spaces as the building is currently served by a shared parking garage under the entire block. The amendment proposes to reallocate 23 existing parking spaces from the 142 parking spaces approved for the residential use to the office use. This would provide for a total of 121 parking spaces to be allocated for the 216 residential units. Since the approval in July 2014, an administrative change related to the bicycle parking was approved that resulted in reclaiming two (2) parking spaces that were removed as part of the July 2014 approval. With this reallocation, there would be no changes to the approved residential parking ratio of 0.56 spaces per unit. The resulting ratio for the office would be 1 space per 1,085 square feet of gross floor area. The site plan permitted ratio for office, commercial, retail in the "C-O" zoning district is 1 space per 530 square feet of gross floor area, which in this case would be 58 spaces. Twelve existing parking spaces allocated to the retail use under the July 2014 amendment would remain.

Consistent with the 2014 amendment, no spaces will be reserved specifically for the residents or office employees, but they may purchase a monthly pass to park anywhere in the garage that is not reserved. Currently, the garage has reserved spaces for residents of 220 20<sup>th</sup> Street South and the Crystal Plaza Apartments only. The garage has a total of 2000 parking spaces with the applicant controlling 1,450 of these spaces that are a combination of standard, compact and sub-compact spaces. There are approximately 800 unreserved spaces in the garage available to monthly pass holders which would include prospective residents and office employees of the subject building and others who have purchased a parking pass. There are approximately 180 spaces available to the public at all hours for a fee. Additionally, the garage is available free of charge for public parking after 4 p.m. on weekdays and all day on weekends and holidays in any

unreserved space. While the garage is under the entire block, the parking garage is designed such that there are four distinct areas accessed from separate entrances that do not connect. The closest accessible garage entrance to the subject building is on 23<sup>rd</sup> Street South with a total of 213 unreserved parking spaces available for permit holders. The approved new loading dock is proposed to remain as approved in July 2014. Additionally, bicycle parking is proposed to meet the minimum office use standards with the inclusion of showers and lockers.

**Transportation Demand Management:** The approved Transportation Demand Management program for the project is sufficient to support the residential parking ratio of .56 space per unit, and is proposed to be augmented to include office employee needs to support the commercial parking ratio of 1,085 spaces per unit. The proposed program is further outlined in the Discussion section of this report.

**Utilities:** No upgrade to the surround utilities are proposed with the subject site plan amendment. Adequate water and sanitary sewer capacity is available to serve the proposed residential use.

## DISCUSSION

**Adopted Plans and Policies:** In addition to Section 7.13 of the Zoning Ordinance and the General Land Use Plan, the *Crystal City Sector Plan* (The Plan) adopted in 2010 provides additional guidance for the subject site. Following is background information related to the Crystal Plaza 6 site in regard to the Plan.

- The subject site is located within Crystal City's "Business Core", a major neighborhood district. It is immediately adjacent to the Crystal Drive Shops which exists as a major destination/node.
- The Crystal Plaza 6 office building is shown in the *Crystal City Sector Plan* as a "potential redevelopment site" with the opportunity for new development site area shown immediately south and west, extending north around the site. It is one of approximately 50 potential redevelopment sites defined by the Plan. "The plan is premised on the expectation over the next 50 years, that buildings will be renovated, reconfigured, or demolished and replaced."
- The *Crystal City Sector Plan* envisions a "Market Plaza" at the southwest corner of the block at the intersection of a proposed Clark-Bell Street and 23<sup>rd</sup> Street. This is the existing location of the Crystal Plaza 6 office building. The site is further shown in the proposed "Entertainment District".
- It is intended that the proposed "Entertainment District" would be recognized for its offering of culture and arts, and the creation of a robust and active restaurant and retail experience. It would build upon existing entertainment, restaurant and retail programming along Crystal Drive, 23<sup>rd</sup> Street and the Underground. The Concept Plan for the "Entertainment District" proposes:

- The realignment of Clark-Bell Street where new development sites would be created along Jefferson Davis Highway (Route 1) between 20<sup>th</sup> Street and 23<sup>rd</sup> Street (adjacent to the subject site) as indicated above.
- Greater circulation for pedestrians, vehicles and transit along with the provision of some relief to cross street intersections at Jefferson Davis Highway with the realignment of Clark-Bell Street. Specifically, with the proposed realignment of Clark-Bell Street, a new intersection with 23<sup>rd</sup> Street would be created that would further simplify the intersection with Jefferson Davis Boulevard.
- The 23<sup>rd</sup> Street Market Plaza mentioned above, to be a principal district center at approximately 13,000 square feet and provide for an active pedestrian urban space. It would have retail frontage, café zones, landscaping and hardscaping elements and opportunities for public art.
- The long-term vision of 23<sup>rd</sup> Street to be classified as a Type A, retail oriented, mixed use arterial and the long-term vision for Clark-Bell Street to be classified as a Type B, urban, mixed use arterial.
- The reconfiguration of 23<sup>rd</sup> Street by removing the center median and accommodating two-way travel in the southern half of the existing right of way.
- A bike route on 23<sup>rd</sup> Street;
- Sidewalks on both sides of 23<sup>rd</sup> Street and Clark-Bell Street.
- A mid-term transitway alignment as an option for Clark-Bell Street.
- A transit stop at the intersection of Clark-Bell Street and 23<sup>rd</sup> Street.
- The expansion of ground floor retail along the frontage of 23<sup>rd</sup> Street with 23<sup>rd</sup> Street shown as one where on-street retail is required.
- The accommodation on 23<sup>rd</sup> Street of a wide sidewalk, parking lane, bike lane and travel lanes in both directions with a proposed 110' build-to line from building face to building face.
- A cycle track on Clark-Bell Street.

The *Crystal City Sector Plan* is intended to be a guiding document when considering future reinvestment and development proposals in Crystal City. Staff also notes that as stated in the Plan, that by its adoption, the Plan does not modify any entitlements or development rights that exist at the time the plan was adopted, but instead attempts to communicate a preferred vision for the type of development the County would like to realize through proposed block plan and final site plan submissions. Further, with regard to transportation elements and improvements that the Plan envisions, it is recognized that the renovation, reconfiguration, demolition and replacement of buildings would occur over a period of 50 years. The Plan notes that it is not possible to implement modifications recommended to the transportation network in a single phase. Instead

it is acknowledged that improvements to public streets, intersections, trails and transit services would likely need to be realized in phases in order to attract and support new development conditions. Further, the pace and timing of redevelopment and phased implementation of the transitway are anticipated to be what would determine the timing and phasing of transportation improvements envisioned in the Plan.

**Mitigation Measures:** With the site plan amendment of July 2014, the County Board also approved revisions to the site plan conditions to bring them up to current standards. The County Board also approved certain amenities and design features with the permission to reuse the building with its site-plan approved parameters in return for approval for maintaining those conditions for an additional 20 years, and to permit the requested change in use. With the current proposal, it is not proposed that any of these amenities or features, conditions of approval would be changed, except the proposed Transportation Demand Management program and bicycle parking with the inclusion of provisions for the office employees. Additional TDM elements and bicycle parking elements associated with the office employees are shown separately below. All of the other improvements continue to be appropriate based on the scope of the proposed amendment to allow two floors of the building to be used for office. The improvements as approved and documented in the 2014 site plan amendment conditions (attached) are listed below.

#### Site-Level Streetscape Improvements (23rd Street South)

- Construction of improvements up to \$175,000 in construction costs
- Removal of a small portion of a landscape wall on 23rd Street South;
- Relocation of a pedestrian signal pole;
- Installation of a new driveway apron and narrowing of the driveway;
- Installation of new curb and gutter and wider sidewalk for approximately 300 linear feet on 23rd Street South to narrow the roadway and increase the sidewalk width adjacent to the existing landscape wall;
- Construction of three ADA ramps to meet current standards; and
- Marking of a new crosswalk and lanes striping based on new curb and gutter and ramp locations.

#### Site Landscaping Improvements

- Installation of moveable furniture;
- Installation of trees and shrubs – planted or potted;
- Provision of alternative paving treatment; and
- Provision of cosmetic improvements to the landscaping wall.

#### Transportation Demand Management (TDM) Plan

- Annual ACCS Contribution of approximately \$6,000 per year for 20 years;
- Provide a SmarTrip (or other fare media card) with \$65 value per person to each residential lessee at initial lease-up;
- Reimburse the County for the cost of performance monitoring study at two, five, and each subsequent five years (at County option); for garage area owned by the applicant
- Provision of Information kiosks in the lobby with transit information; and

- New resident package with transit related information.
- Provide additional parking for the Crystal Plaza 6 residents if there is demand and the space is available in the garage, realizing any additional spaces allocated for the Crystal Plaza 6 residents would be at the discretion of the applicant. This would be for any additional spaces above the 142 residential parking spaces that are proposed to be allocated for Crystal Plaza 6 residents.
- Provide overflow parking at the Crystal Park garage during the hours that the Crystal Plaza garage is open to the public. Residents who cannot find parking in the Crystal Plaza garage during these hours would be permitted to park at Crystal Park.
- Offer a parking space within the block to a carsharing service, such as ZipCar. This could be within one of the parking spaces controlled by the applicant.
- Provide enhanced performance and monitoring for the garage portion utilized by Crystal Plaza buildings 1 through 6 and bicycle parking spaces for Crystal Plaza 6. This would include more frequent and detailed reports showing how many permits are utilized per building, and utilization of the bicycle spaces. With this data staff would be able to meet with the developer on a regular basis and know whether or not parking (vehicular and bicycle) is sufficient to support the use/users.
- Provide a space for bike repair within the building that has tools and equipment available for use. This would incentivize those utilizing bicycles as their primary mode of transportation for commuting purposes.

#### Proposed Additional Elements

- Bicycle parking for office employees; and
- Showers and lockers for office employees.

**Modification of Use Regulations:** The County Board approved a parking ratio for the residential use at .56 spaces per dwelling unit with the applicant's agreement to several mitigation measures to include an enhanced TDM program as outlined above. With the proposed reallocation of the approved parking spaces among uses, while the .56 parking ratio would remain unchanged for the residential use, the parking ratio for the office use would be 1 space per 1,085 square feet of gross floor area. The parking ratio for the residential and office use is based on the assumption the residents and office employees are not the same individuals. With this scenario, the addition of the "WeWork" co-sharing office space in the building, it is anticipated that residents would both live and work in the building and the demand for parking would be lower than a typical mixed use building and would reduce the number of vehicle trips to and from the site. The current standard for office parking in the: C-O" zoning district by site plan is one space per 530 square feet of gross floor area for office commercial use. The resulting ratio for the building would provide for 35 less spaces than required (58 spaces required, 23 spaces proposed).

The Reduced Parking Policy for Site Plan Office Buildings provides a methodology for a developer to propose a parking ratio that results in less parking than the amount identified by the County as being adequate to meet the needs of the project. The Policy states that County staff will continue to perform an analysis of each proposal to determine the adequacy of parking and mitigation and staff could recommend a departure from the policy if there are conflicts with other County policies or goals or unusual site or project characteristics. In this case, there is no

new parking proposed as this is the reuse of an existing building with a parking garage under the entire block.

*The Master Transportation Plan*, TDM policy provides that all site plan and use permit development would incorporate TDM and that parking levels approved below those amounts set forth in the Zoning Ordinance are mitigated by increased TDM contributions, and/or similar alternative mitigation and community benefits. Specifically, there are defined TDM policies to:

*“incorporate comprehensive TDM plans for all site plans and use permit developments to minimize vehicular trips and maximize the use of other travel options.”*

As mentioned previously, the subject site is in close proximity to a wide variety of transit options including metrorail, bus, and Capital Bikeshare. Additionally, there are three ZipCar locations in the vicinity of the site that provide another option for travel that does not require having a vehicle that is parked on site.

**Issues:** Staff has not identified any preliminary issues with the subject site plan amendment request.

SPRC Neighborhood Members:

Christer Ahl	Crystal City Civic Association	<a href="mailto:Christer.ahl@comcast.net">Christer.ahl@comcast.net</a>
Barbara Selfridge	Crystal City Civic Association	<a href="mailto:bars00@yahoo.com">bars00@yahoo.com</a>
Joel Nelson	Aurora Highlands Civic Association	<a href="mailto:write2jn@gmail.com">write2jn@gmail.com</a>
Arthur Fox	Arlington Ridge Civic Association	<a href="mailto:Alfoxii@lnllaw.com">Alfoxii@lnllaw.com</a>

Interested Parties:

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Planning Commissioner Chairing This Item:

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Attachment – Approved Site Plan Conditions  
July 19, 2014

## SITE PLAN AMENDMENT ORDINANCE

WHEREAS, an application for a Site Plan Amendment dated April 14, 2014, for Site Plan #11, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in Staff Report[s] prepared for the July 19, 2014, 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 all previous conditions with new conditions #1-62 applicable to the building at 2221 S. Clark Street only, as set forth below and in the Staff Report[s]; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on July 19, 2014, 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:

- 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:
  - **Reduced Parking Ratio from 1 space per dwelling unit to .56 space per dwelling unit; and**
  - **Other Modifications as necessary to achieve the proposed development plan.**
- 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 approved on August 13, 1963, pursuant to an application for Site Plan #11, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition 2 below (which drawings, etc... are hereafter collectively referred to as “Revised Site Plan Application”), for a Site Plan Amendment to change the use of an existing office building to a residential building with ground floor retail for the parcel of real property known as RPC# 34-020-003 and 2221 S. Clark Street, approval is granted and the parcel so described shall be used according to the Site Plan as originally approved on August 13, 1963, as shown in the records of the Office of Zoning administration, and as amended from time to time and as amended by the Revised Site Plan Application, subject to all previously-approved conditions (#1 through #15 as approved in 1963 and subsequent generally-applicable conditions), and with new Conditions #1-62 as follows and applicable only to the property at 2221 S. Clark Street:

The applicant is providing the features, design elements, uses, services or amenities called for in these conditions in return for approval to use a building and property that has density and other benefits not permitted by right in the district as follows:

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 designee. As used in these conditions, the term “Developer” shall mean the owner, the applicant, and all successors and assigns.

**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 agrees to paste to the permit application drawings the approved minutes of the County Board meeting at which the Site Plan was approved. This is to be done whenever the Developer needs and applies for a permit for the Site Plan. The Developer also agrees that no changes to the approved post-4.1 plans shall be made in the field. Unless otherwise

stated in the conditions below, all required submissions shall be filed with the Zoning Office.

**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 June 5, 2014 and June 6, 2014 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 #11) and made a part of the public record on July 19, 2014, 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 (~~Building Footing to Grade Permit~~)** If a ~~Footing to Grade Building~~ 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 July 19, 2017 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. **Term of Use (Life of Site Plan)** The applicant acknowledges the recommended goals for improving the site of the building located at 2221 S. Clark Street originally approved as an office building with this Site Plan #11 in 1963 as set forth in the Crystal City Sector Plan adopted by the County Board on September 28, 2010. As such, the applicant agrees that the residential use permitted at 2221 S. Clark Street is a temporary use that has been approved for a limited 20 year period, and not longer. During the 20 year period the use is permitted subject to all site plan conditions, and subject to the same reviews that could otherwise be made of any site plan. The applicant further agrees that approval for the use will terminate after a period of 20 years from the issuance of the Master Certificate of Occupancy and not later than July 19, 2036 without further action by the County Board. The applicant agrees that it will cease use of the space for the purposes of residential use on or before July 19, 2036. The applicant acknowledges and agrees that after July 19, 2036, it shall have no right to use the space for residential use unless specific approval is obtained from the County Board.

**3. Post-County Board 4.1 Filing (~~Demolition and Land Disturbance Permits~~ **Building Permit**)**

- A. (~~Demolition and Land Disturbance Permits~~ **Building Permit**) The Developer agrees to file four copies of a Site Plan 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 Disturbance Permit or Demolition~~ any Building Permit. The Developer also agrees to submit four digital copies on compact disc, including final Site Plan drawings (JPEG, PDF, DWF, and DXF formats), color images of all renderings and photos of presentation boards (JPEG and PDF formats), and Powerpoint presentations (PPT format) shown to the County Board, including any changes made during the County Board meeting, of the approved post-4.1 plans. The submittal shall comply with the final approval of the County Board and with Administrative Regulation 4.1. No building permits shall be issued for this Site Plan until the post-County Board 4.1 filings have been approved by the County Manager.
- B. The Developer agrees to show on the post-4.1 plans:
- 1) Existing traffic signal system infrastructure, e.g., poles, meters, controller cabinets, and indicate on the plans if any part of the system will be moved and to where it is proposed to be moved.
  - 2) The location of intake and exhaust garage ventilation grates.
- C. The Developer agrees that no changes to the approved post-4.1 plans shall take place 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.

**4. Site Plan Conditions Review Meeting (~~Building Permit Demolition and Land Disturbance 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**  
Intentionally Omitted.

**6. Tree Survey, Tree Protection Plan, and Tree Protection Bond**

- A. (~~Demolition and Land Disturbance Permits~~ Building Permit) The Developer agrees to do the following prior to the issuance of the Building Permit ~~Demolition and Land Disturbance Permits~~:
- 1) **Tree Survey.** Complete a tree survey which meets the standards set forth below in subparagraph C, Tree Protection and Tree Protection Plan Standards.

- 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, Tree Protection and Tree Protection Plan Standards.
- ~~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) 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 Preservation of Trees on Developed or Adjacent Property (Post Master Certificate of Occupancy Permit)**~~

- ~~1) **Tree Replacement.** Unless otherwise specified, any tree required to be saved 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, 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 preserved, consistent with the approved Tree Protection Plan, three (3) years after the issuance of the Master Certificate of Occupancy. The bond will be released upon satisfaction of all tree protection requirements, including preservation of protected trees.~~

**C. 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 four (4) 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. A site grading plan at two (2) foot intervals, including the location of all proposed improvements and utilities.
- b. Detailed specifications for any tree walls or wells proposed.
- c. 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.
- d. Identification of tree protection measures and delineation of placement of tree protection.
- e. The location of all construction trailers, if any, within any tree protection areas.

**7. Right-of-Way Permits (~~Demolition and Land Disturbance Permits~~)**

The Developer agrees to obtain from the Department of Environmental Services, Development Services Bureau, Public Right-of-Way Use Permits (PROW) and/or Transportation Public Right-of-Way Permits (TPROW), as required, prior to the commencement of work in the public rights-of-way along all frontages of the site.

**8. Location of Construction Trailers**

Intentionally Omitted.

**9. Photographic Record of Development**

Intentionally Omitted.

**10. Plan for Temporary Circulation During Construction (~~Building Permit Demolition and Land Disturbance Permits~~)**

A. The Developer agrees to do the following prior to the issuance of ~~the Demolition and Land Disturbance~~ any Building Permits:

- 1) Develop, submit and obtain the County Manager's approval of a Plan for Temporary Circulation During Construction as meeting the standards set forth below, which shall show temporary pedestrian and vehicular circulation during construction and the construction hauling route. The County Manager may approve subsequent amendments to the Plan, if consistent with this approval.
- 2) Submit two (2) sets of the Plan for Temporary Circulation During Construction (or maps) to the Zoning Administrator, one set of which will be forwarded to the Police Department. Copies of plans or maps shall be posted in the construction trailer and given to each subcontractor and construction vehicle operator before they commence work on the project.
- 3) Implement the approved Plan for Temporary Circulation During Construction.

- 4) Provide a copy of the approved Plan for Temporary Circulation During Construction to the appropriate civic associations and provide documentation of this to the Zoning Administrator.
- B.** Construction activity within the public right-of-way shall not occur between 6:30 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:30 p.m. Monday through Friday. 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 6:30 p.m. on weekends and holidays. The Developer may submit to the Zoning Administrator, through the 4.1 administrative change process, a request to permit construction activity during hours other than those identified above. The Zoning Administrator may approve such request only if the Developer can show 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, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas. The Developer agrees to place a minimum of one sign per street front around the construction site, indicating the permissible hours of construction, to place one additional sign within the construction trailer containing the same information, to provide a written copy of the permissible hours of construction to all subcontractors, and to require its subcontractors to observe such hours. The developer agrees to obtain necessary Right-of-Way Permits per Condition #7 prior to the commencement of any work in public rights of way.
- C. Standards.** The Developer agrees that the Plan for Temporary Circulation During Construction shall meet, at a minimum, the following standards. The plan shall identify temporary sidewalks, interim lighting, fencing around the site, construction vehicle routes, means for maintaining access to existing fire hydrants and fire department connections, and any other feature or mechanism such as cones, signage, or flaggers, necessary to ensure safe pedestrian and vehicular travel around the site during construction. The developer agrees to maintain 5-foot minimum clear pedestrian access along 23<sup>rd</sup> Street South and S. Clark Street adjacent to the site throughout construction. In addition, the plan shall address the operational conditions outlined below. Exceptions may be made only during an emergency as defined below, ~~during actual demolition~~ when Inspection Services Division has determined that pedestrian access adjacent to the site should be limited for safety reasons, and for such limited periods as are unavoidable for utility upgrades and construction on the specific sidewalks.
- 1) **Temporary Closures of Any Traffic Lanes (~~Building Permit Demolition and Land Disturbance 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, by 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.

- 2) ~~**Temporary Lighting Plan (Demolition and Land Disturbance Permits)**~~ 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 will conform to minimum luminance levels approved by the County, based on the ~~Arlington County Traffic Signal and Streetlight Specifications~~. A temporary lighting plan shall be submitted and approved prior to issuance of the ~~Demolition and Land Disturbance Permits~~ permit. 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 the shut down or removal of any existing lighting and operated from implementation until lighting fixtures as approved in Condition #20 are in place and operational around the perimeter of the site.
- 3) **Maintenance of Street Surfaces During Construction.** 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 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. Off-Street Parking for Construction Workers (Building Permit Demolition and Land Disturbance Permits)**

The Developer agrees to develop and submit to the Zoning Administrator for review and approval, a plan for off-street parking for construction workers prior to the issuance of ~~the any Building Permit Demolition and Land Disturbance Permits~~. ~~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.~~ 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, 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 correction notice will be issued to the Developer. If the violation is not corrected within ten (10) days, a "stop work order" will be issued, and construction halted until the violation has been corrected. 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, 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**  
Intentionally Omitted.

**12. Retail Relocation**  
Intentionally Omitted.

**13. Community Outreach During Construction (Building Permit Demolition and Land Disturbance Permits)**

The Developer agrees to comply with the requirements of this condition prior to the issuance of any Building Permit ~~the Demolition and Land Disturbance Permits~~, and to remain in compliance with this condition until the Master Certificate of Occupancy is issued.

- 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 and/or available for direct and immediate contact throughout the hours of construction, including weekends. The name 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 Crystal City, Aurora Highlands, and Arlington Ridge Civic Associations and Crystal Plaza Apartments Homeowners Association), and to the Zoning Administrator, and shall be posted at the entrance of the project.
- B. **Community Meeting.** Before issuance of any Building Permit ~~clearing or grading of the site~~, the Developer agrees to hold a community meeting with those owners whose property abuts the project to review the construction hauling route, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Zoning Administrator and the Arlington County Police representative must be notified 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. Throughout construction of the project, the Developer agrees to advise abutting property owners in writing of the general timing of utility work in abutting streets or on-site that may affect their services or access to their property.

**14. Construction Site Maintenance Agreement**  
Intentionally Omitted.

**15. Construction and Demolition Waste (Building Permit Demolition and Land Disturbance Permits)**

The Developer agrees to submit and obtain the Zoning Administrator's review and approval of at least a one plan for diverting from landfill disposal the demolition, construction, and ~~land clearing~~ debris generated by the project prior to the issuance of the Building Permit ~~permits identified in the sub-paragraphs below~~. The plan shall outline recycling and/or reuse of waste generated during demolition and/or construction. The plan shall outline specific waste streams and identify the means by which waste will be managed (reused, reprocessed on site, removed by licensed haulers for reuse/recycling, etc.).

~~A. **Historic Sites (Demolition and Land Disturbance Permits)** In the event the site contains a building that is identified and/or surveyed by Arlington County's Historic Preservation Program, the Developer agrees to develop, submit, and obtain review and approval by the County Manager (Historic Preservation Program) of a plan for the salvage and re-use or recycling of building elements and materials from the existing building(s) proposed to be demolished, prior to the issuance of the Land Disturbance or Demolition Permits. The Developer further agrees to implement such plan throughout the respective phases of construction. The Developer agrees to contact by written notice and permit the staff of the Historic Preservation Program to inspect the property and the existing building(s) to identify those historic building elements and materials to be salvaged and/or re-used. Provisions for such salvage and/or re-use shall be incorporated into the plan. The Developer agrees to contact local firms/organizations that may be interested in removing these materials without expense to the Developer prior to demolition of the buildings, and submit evidence of compliance with the terms of this condition to the County's Historic Preservation Program staff before any demolition is initiated. If, as a result of the Developer's efforts, there is little or no interest by local firms/organizations to remove these materials, then the Developer agrees to pay for a recycling contractor or other licensed contractor to have the identified building elements and materials that are marked for salvage and/or re-use to be removed from the building and the site.~~

~~B. **Demolition and Construction Waste Management Plan (Demolition and Land Disturbance Permits)** The Developer agrees, prior to the issuance of the Demolition and Land Disturbance Permits, to submit and obtain review and approval by the County Manager of the Demolition and Construction Waste Management Plan to divert demolition, land clearing, and construction debris generated by the project from landfill disposal and/or incineration. The County Manager will approve the plan if she finds it is consistent with LEED credits MR 2.1 and 2.2 (Construction Waste Management). The Developer further agrees to implement such plan throughout the respective phases of demolition and construction. Compliance with this condition may contribute to achieving LEED credits MR 2.1 and 2.2 (Construction Waste Management).~~

~~C. **Updated Construction Waste Management Plan (Final Building Permit)** The Developer agrees, prior to the issuance of the Final Building Permit, to submit and obtain review and approval by the County Manager of an updated construction waste management plan. The County Manager will approve the plan if she finds it is consistent with LEED credits MR 2.1 and 2.2 (Construction Waste Management). The Developer further agrees to implement such plan throughout the respective phases of construction. Compliance with this condition may contribute to achieving LEED credits MR 2.1 and 2.2 (Construction Waste Management).~~

16. **Green Building Fund Contribution**  
Intentionally Omitted.

17. **Vacations and Encroachments**  
Intentionally Omitted.

**18. Public Art**  
Intentionally Omitted.

**19. ~~LEED Credits and Sustainable Design Elements~~**

The Developer agrees to ~~obtain LEED credits and~~ implement sustainable design elements ~~in one of four ways~~, as described and required below:

**A. For Development without Bonus Density:**

- ~~1) The Developer agrees to include a LEED<sup>®</sup> 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 \_\_\_\_\_ level using the LEED version 2009 green building rating system or a more recent version as approved by the County Manager. At least \_\_\_\_\_ points from LEED EA credit 1, "Optimize Energy Performance", shall be included in the certification of the project.~~

The Developer agrees to fulfill the following before issuance of the indicated permit:

**a. (Shell & Core CO)** The Developer agrees that for residential development:

- (1) **ENERGY STAR label.** All of the following types of appliances, fixtures, and/or building components initially installed in residential units in the project shall have earned the U.S. EPA's ENERGY STAR label (or an equivalent as approved by the County Manager): clothes washers, dishwashers, refrigerators, and ceiling fans. ~~Residential units shall comply with the EPA's Advanced Lighting Package (or equivalent as approved by the County Manager). The Developer shall submit to the County Manager 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.~~
- (2) **WaterSense label.** All the following fixtures initially installed in residential 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 documentation sufficient to confirm that such components are WaterSense qualified (or equivalent flow rate as approved by the County Manager) prior to issuance of the Shell and Core Certificate of Occupancy.

(3) ~~For the commercial lighting in common areas of multifamily residential projects lighting in the project, where new lighting will be installed in all or a portion of a room or area,~~ (by way of illustration and not limitation, these areas include residential units, lobbies, corridors, stairwells, common rooms, fitness rooms, etc., and excluding the garage, penthouse and any rooms or areas where no new lighting will be installed), the developer shall reduce the need for lighting (through daylighting where possible) and shall specify the use of energy efficient fixtures, bulbs, light sensors, motion sensors, timers, and interior design, e.g., paint color, that maximize energy efficiency in lighting. The guidelines outlined by the US Green Building Council's LEED for Commercial Interiors (LEED-CI) 2009 credit prerequisite entitled, Optimizing Energy Performance: Lighting Power~~EAP2: Minimum Energy Performance~~ shall be used toward the goal of maximizing energy efficiency in the lighting of ~~common areas~~ the building.

~~b. **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 shall be submitted prior to the issuance of each of the following permits or certificates of occupancy for construction of the project (with appropriate updates as the project progresses) and shall summarize the efforts to date of the inclusion of the sustainable elements within the project:~~

- ~~(1) Demolition and Land Disturbance Permits~~
- ~~(2) Excavation, Sheeting & Shoring Permit~~
- ~~(3) Final Building Permit~~
- ~~(4) Shell and Core Certificate of Occupancy~~
- ~~(5) Partial Certificate of Occupancy for occupancy of any part of the last floor of space~~
- ~~(6) Master Certificate of Occupancy~~

c. **Site Visits (First Partial CO for tenant occupancy)** The Developer further agrees to permit and cooperate with site visits as requested by the County Manager to verify that all LEED components sustainable design elements as referenced above in this condition #19 as agreed to as part of this Condition #19 have been included in the project.

~~d. **LEED Certification (Within 90 days after issuance of Partial CO for space on last floor)** The Developer agrees to provide certification by a LEED-AP within ninety (90) days after 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 certification 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 \_\_\_\_\_ Certification as outlined in the 2009 version of LEED or a more recent version. The Developer also agrees to submit all appropriate documentation to the USGBC (or their designee) for review and evaluation for LEED certification.~~

e. **Energy Reporting (January 31 of year after issuance of Partial Certificate of Occupancy of last floor)** ~~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 Site Plans with Portfolio Manager Proffers, for the project each year for a period of ten (10) years. The first report shall be due on or before January 31 of the year following issuance of the Partial Certificate of Occupancy for the last floor of space.~~

- 2) ~~All sustainable design elements and innovative technologies incorporated into the project for which the Developer earned points under the U.S. Green Building Council's LEED green building rating system shall remain as part of the Site Plan for the life of the Site Plan. No part of the LEED related building elements for which LEED points were earned may be eliminated from the building unless the Developer obtains administrative change approval for such elimination. The Zoning Administrator may approve such change if the Zoning Administrator finds that the LEED points associated with the change are equivalent to or greater than the points for the eliminated elements.~~
- 3) ~~The Developer agrees that the LEED points referenced in this condition refer to the LEED version 2009 rating system. If the Developer requests to use an updated version of LEED, then any point valuations incorporated into future updates to the LEED Green Building Rating System must be equal to or exceed the requirements outlined in the 2009 version of LEED.~~

## 20. **Civil Engineering Plan (~~Land Disturbance Permits~~)**

### A. **Submission and Approval (~~Land Disturbance Permits~~)**

- 1) **Submission (Building Permit ~~Land Disturbance Permits~~)** ~~The developer agrees to submit a complete set, as determined by the Department of Environmental Services, of civil engineering plans 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 November 20, 2012 or subsequent amended acceptance criteria document prior to the issuance of the ~~Land Disturbance Permit~~ the Building Permit for that phase.~~
- 2) ~~(**Excavation, Sheet piling and Shoring Permit**) The developer agrees to meet the following requirements prior to issuance of the Excavation, Sheet piling and Shoring Permit:~~

- a. ~~**Maintenance of Traffic Plan.** Approval by the County Manager of a Maintenance of Traffic Plan for, at a minimum, the Excavation, Sheeting and Shoring phase of work;~~
- b. ~~**Tieback Plan.** Approval by the County Manager of a tieback plan, or alternatively, submission of a statement from the developer confirming that tiebacks will not be placed or extend into the public right of way during construction of the project; and~~
- c. ~~**Finding of no substantial risk to County.** A minimum of one complete County staff review of the civil engineering plans that results in a finding by the County Manager that the limits of Excavation, Sheeting 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.~~

~~The developer also agrees to obtain all approvals and permits prior to commencing excavation, sheeting, and shoring.~~

- 3) **Approval of Plan (Shell and Core Certificate of Occupancy Footing to Grade Permit)** The developer agrees to obtain approval of civil engineering plans and maintenance of traffic plans by the County Manager prior to the issuance of the Shell and Core Certificate of Occupancy Footing to Grade Permit, or the issuance of the Final Building Permit for any phase consisting only of buildings on slab. The Developer further agrees that the approved civil engineering plans 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.
- 4) The developer agrees to include the following information on the civil engineering plans, in addition to other information required to be provided on civil engineering plans:
  - a. ~~A minimum of two coordinate grid marks per plan sheet, labeled with state plane coordinates as defined in Condition #24 (Survey Monuments)~~
  - b. The location of existing ventilation grates for utility vaults, and for underground garage intake and exhaust.
  - c. ~~A tieback plan, or alternatively, submission of a statement from the developer confirming that tiebacks will not be placed in the public right of way as part of any sheeting and shoring during construction of the project.~~

- d. The final streetscape design including sidewalks, ~~street trees, tree pits/grates,~~ bicycle racks, and sidewalk pattern/design along with the final selection of materials and colors to be used.
- e. The limits of the clear pedestrian zone of all public sidewalks and pedestrian access.
- f. ~~A curbside management plan showing, if applicable: on-street parking spaces, taxi stands, accessible para-transit pick-up/drop-off locations, bus stops, on-street loading zones for delivery vehicles, bicycle rack locations, car sharing spaces, bike share stations, and other facilities as identified during the review of the plans. The Developer understands that Arlington County will be responsible for use, management, and restrictions of the curb space.~~

The Developer further agrees to submit any other information required by the Department of Environmental Services during the review of the civil engineering plans that will help ensure compliance with all aspects of the Site Plan, development policies or standards and specifications.

- 5) The Developer agrees that, upon approval of the civil engineering plan, said plan shall govern construction and/or installations of all elements and features shown thereon. The Developer further agrees to submit revisions, minor changes or amendments to the approved civil engineering plans for review by, and approval from, the County Manager. Such revisions, changes and amendments to the approved civil engineering plans shall be limited to building, street, sidewalk, driveway locations and other design features as necessitated by more detailed planning and engineering studies, provided such changes are consistent with the intent of the Site Plan approved by the County Board.

The developer agrees and understands that any revisions, changes or amendments to the civil engineering plans shall be in conformance with the approved final landscape plan, or any approved revisions thereto.

**B. Standards.** The developer agrees that the Civil Engineering plans shall meet, at a minimum, the following standards:

- 1) ~~The location and planting details for street trees shall be in compliance with The Rosslyn Ballston Corridor Streetscape Standards; Sector Plans; the Arlington County Landscape Standards; the Standards for Planting and Preservation of Trees on Site Plan Projects; and other applicable streetscape guidelines or standards, or urban design standards approved by the County Board.~~
- 2) ~~To accommodate the subsurface requirements of existing or future utilities and streetscape elements (including street trees), the final design of the project shall provide a structure free zone under the public sidewalk along all street~~

~~frontages. 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, through the full width of the public sidewalk. No subterranean structures (such as parking garages or storm water detention facilities) shall intrude into this five foot deep zone. 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. Utility lines shall not be located beneath street trees~~

- 3) Any proposed new ~~V~~ventilation grates for utility vaults, or for garage air intake and exhaust vents, shall not be located within public sidewalks, streets, or within areas that are to be used as walkways to which the general public has access. Existing ventilation grates for utility vaults, or for garage air intake and exhaust vents within the public sidewalks, streets, or within areas that are to be used as walkways to which the general public has access may remain.
- 4) All new public walkways shall be constructed in conformance with the Department of Environmental Services Construction Standards and Specifications Manual or subsequent standards as amended.
  - a. The materials and colors of the sidewalk pattern and design to be used shall be in compliance with the Rosslyn-Ballston Corridor Streetscape Standards or other applicable streetscape guidelines, plans, or standards approved by the County Board and in effect at the time of the final landscape plan approval, and shall be installed on a properly engineered base. Developer may elect to use sidewalk pavers at its cost.
  - b. Non-standard materials or surface treatments may be used subject to approval by the County Manager, and under the provisions of the Rosslyn-Ballston Corridor Streetscape Standards or other applicable streetscape guidelines or standards.
- 5) The new clear sidewalk along all street frontages of the site shall be in compliance with the Rosslyn-Ballston Corridor Streetscape Standards or other applicable streetscape guidelines or standards, and shall be not less than six (6) feet wide at any point, including across all driveways, with no proposed obstructions to impede the passage or flow of pedestrian traffic (clear sidewalk). Existing sidewalks to remain as is that do not have a minimum six (6) feet clear may remain. ~~In addition~~However, pinch points may be permitted in conformance with the Master Transportation Plan and/or other applicable plans. ~~For the avoidance of doubt, fire hydrant and utility work and associated replacement of existing sidewalk shall not mean that the sidewalk will be considered new.~~

- 6) New pavement, curb, and gutter, including all improvements for pedestrian and/or vehicular access or circulation along all frontages, but excluding private, interior areas, shall be designed and constructed in compliance with the Department of Environmental Services Construction Standards and Specifications Manual or subsequent standards as amended. For the avoidance of doubt, fire hydrant and utility work and associated replacement of existing pavement, curb, or gutter shall not mean that such pavement, curb or gutter will be considered new.
- 7) ~~Permanent street lighting shall be in compliance with the latest Arlington County Traffic Signal and Streetlight Specifications and VDOT Traffic Engineering design manuals, as applicable.~~

**C. Infrastructure Improvements.** The developer agrees to incorporate, at a minimum, the following elements in the civil engineering plans:

**1) Undergrounding of Aerial Utilities**

- a. ~~Removal and/or undergrounding of existing aerial utilities located within or along the periphery of the entire Site Plan to a distance of approximately five (5) feet beyond the limits of disturbance/clearance.~~
- 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, such improvements shall not result in the installation of any new or additional permanent utility poles, push braces, guy wires, or aerial utility lines or devices.~~
- c. ~~The developer agrees to pay all costs associated with the undergrounding of aerial utilities.~~

**2) ~~Water Mains and Services~~**

- a. ~~The developer agrees to design and construct water services and public water main improvements, as listed below, in locations determined at the time of the review of the civil engineering plan.~~

**3) Sanitary Sewer**

- a. ~~The Developer agrees to design and construct public sanitary sewer main improvements, as listed below, in locations as determined at the time of the review of the civil engineering plan.~~
- b. 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. Upon such inspection, the Developer agrees to 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. ~~The Developer agrees to design and construct public storm sewer improvements and stormwater management facilities as listed below, in locations as determined at the time of the review of the final civil engineering plan.~~

**5) Streetscape**

- a. The developer agrees to design and construct all elements of the streetscape, including but not limited to public sidewalks, street lighting per subparagraph C.7 below, and street trees within the public right-of-way or public easement as follows:

23rd Street South:

- Minimum sidewalk width measured from the back of curb: 6 feet 3 where proposed sidewalk is constructed to transition to the existing sidewalk.
- Minimum clear sidewalk width: 6 feet 3 inches where proposed sidewalk is constructed to transition to the existing sidewalk
- ~~Tree pits with tree grates/tree pits without tree grates/planting strip dimensions: \_\_\_\_\_ and distance from back of curb: minimum eight (8) inches~~
- ~~Tree size and type: 3½ inches caliper~~  
\_\_\_\_\_
- ~~Tree spacing: 28-32 feet apart on center, or as approved by the County Manager per the Arlington County Landscape Standards~~

**6) Pavement, Curb and Gutter**

The developer agrees to design and construct pavement, curb and gutter along all site frontages, as listed below, and as shown on the approved civil engineering plan.

The developer agrees to construct certain streetscape improvements on 23<sup>rd</sup> Street South and S. Clark Street as presented to, and approved by the County Board on July 19, 2014 totaling up to ~~\$125,000~~ 175,000 in construction costs, which shall not include design or permit costs, or other soft costs, to complete the improvements. The construction of the new driveway apron on the north side of the existing building as described below is not included within the ~~\$125,000~~ 175,000 construction costs. All of the improvements shall be designed and approved on the civil engineering plans but construction shall be completed based on the priority order, or as determined by the County Manager. Improvements to the northeast corner of 23<sup>rd</sup> Street South including the removal

of the wall, new driveway apron, new curb and gutter at this corner, ADA ramps and relocated pedestrian signal as further described below shall be prioritized first, with other improvements to be prioritized as determined by the County Manager based on construction cost. If there are funds remaining after construction of the items listed below, the developer shall provide the remaining money to the County for streetscape improvements within Crystal City. Improvements to be completed are described as follows:

- a. Removal of approximately 3-4 feet of the existing wall on the north side of 23<sup>rd</sup> Street South east of S. Clark Street. Wall removal shall not be required beyond the existing Crystal City Shops sign located within the wall.
- b. A new driveway apron on S. Clark Street at the existing driveway entrance to the plaza level approximately 20 feet north of 23<sup>rd</sup> Street South. Narrowing of this entrance area by installing new curb and gutter on the south side of the driveway entrance to allow for a 20 foot wide entrance. The entrance shall be narrowed for approximately 50 feet, but not result in the removal of any existing parking spaces.
- c. ADA ramps to connect to the southbound and westbound crosswalks at the northeast corner of 23<sup>rd</sup> Street South and S. Clark Street.
- d. Installation of new curb and gutter at the northeast corner of 23<sup>rd</sup> Street South and Clark Street and approximately 50 linear feet on 23<sup>rd</sup> Street South.
- e. Relocation, but not upgrade, of the existing pedestrian pole ~~to be~~ adjacent to the new wall edge on the northeast corner of the intersection of 23<sup>rd</sup> Street South and S. Clark Street.
- f. ADA ramp on the east side of the median north of the 23<sup>rd</sup> Street South westbound travel lanes between S. Clark Street and Jefferson Davis Highway northbound travel lanes.
- g. New street cross section of approximately 33 feet along the 23<sup>rd</sup> Street South project frontage and associated new curb and gutter, and sidewalk for a total of approximately 300 linear feet that ties into the existing curb location.
- h. Other than the pole relocation described above in 20.C.6.e, no relocation, replacement or upgrade of traffic or pedestrian signal equipment or hardware shall be required.

## **7) Street Lighting**

- a. The developer agrees to relocate the existing street light at the northwest corner of the site on South Clark Street to accommodate the proposed driveway entrance per these Site Plan Conditions and the current Arlington County Street Light Specifications. ~~purchase and install Arlington County~~

~~standard street lights along all frontages of the site in accordance with the then current Arlington County Traffic Signal and Streetlighting Specifications. 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. ~~The developer agrees to remove all mastarm mounted streetlights (typically cobrahead lights mounted at 25' to 35' above grade) from all site street frontages. 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 plans. The developer agrees to pay the cost of relocating existing or installing new mastarm mounted streetlights if standard pedestrian scale street lighting is not adequate for the roadway conditions.~~

**8) ~~Traffic Signal Equipment~~**

- a. ~~The Developer agrees to relocate existing, or to install new, 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 listed below, in locations as determined by the County Manager at the time of the review of the civil engineering plan to be consistent with post-development conditions of the site:~~

**9) ~~Communication Conduit.~~**

~~The developer agrees to construct/install four (4) 2 inch communication conduits (HDPE or equivalent County standard for communication conduits) and junction boxes along all site frontages, for the sole and exclusive use by Arlington County, unless the County Manager determines that less conduit is required at the time of Civil Engineering Plan approval.~~

**D. Implementation Timing.** ~~The Developer agrees to implement the approved civil engineering plans as follows:~~

- 1) ~~(Shell and Core Certificate of Occupancy) The Developer agrees that the following improvements shall be constructed and/or installed, for each respective phase of construction 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, guy wires, 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 and stormwater management facilities.~~
- e. ~~Communications conduit.~~
- f. ~~Fire Apparatus Access Roads (Fire Lanes)~~

2) **(First Partial Last Certificate of Occupancy for any tenant occupancy)** The Developer agrees that the following public improvements shall be constructed or installed as shown and approved on the civil engineering plans prior to the issuance of the First Partial Last Certificate of Occupancy for any tenant occupancy for the respective phases of construction:

- a. Public street pavement, sidewalk, curb and gutter improvements, and pedestrian signal pole described in this Condition # 20. C. 6. above ~~prior to the Master Certificate of Occupancy .~~
- b. Street lighting elements described in this Condition #20.C.7. above ~~including but not limited to: poles, meters, service cabinets and power connection appurtenances, and all conduit and junction boxes necessary for the lighting system.~~
- c. Public water main and appurtenances, including fire hydrants and fire department connections.
- d. All other elements shown in the approved civil engineering plan.

The Zoning Administrator may, through the 4.1 administrative change process, allow reasonable modifications to the timing of Condition #20.D.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 conditions as originally approved 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.

**E. As-Built Civil Engineering Plans (Master CO)** The Developer agrees to submit to, and obtain approval from, the County Manager as-built civil engineering plans ~~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 plans shall show the 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 plans 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 as defined in Condition #24.~~ Upon notification from DES that the as-built civil engineering plans are acceptable, the Developer agrees to submit one (1) set of these plans printed on mylar and an electronic version of these plans on a disk or memory card.

**F. 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.

**21. Final Landscape Plan (~~Excavation, Sheetting and Shoring~~)**

**A. Submission and Approval (~~Building Permit Shell and Core Certificate of Occupancy~~ Footing to Grade, except as otherwise provided)**

- 1) **Submission and Approval.** The Developer agrees to submit to the Zoning Administrator a detailed final landscape plan, and obtain the review and approval of the final landscape plan by the County Manager, prior to issuance of the Shell and Core Certificate of Occupancy Footing to Grade Permit. 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. The plan shall conform to, where applicable or as otherwise approved with the Civil Engineering Plan or Final Landscape Plan:
  - a. The landscaping requirements contained herein;
  - b. Rosslyn-Ballston Corridor Streetscape Standards;
  - c. Sector Plans;
  - d. The landscaping, planting, and sidewalk and driveway construction specifications and standards;
  - e. Arlington County Landscape Standards, including the Standards for Planting and Preservation of Trees on Site Plan Projects;
  - f. Master Transportation Plan;
  - g. Other 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. ~~Tree Replacement Plan and Calculations (Footing to Grade)~~**
    - ~~(1) In addition to saving identified trees, consistent with Condition #6 above, 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 and obtain the review and approval of a Tree Replacement Plan, and Tree Replacement Calculations, as part of the final landscape plan.~~

~~(1) **Tree Canopy Fund (Excavation, Sheeting and Shoring)**~~

~~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 Excavation, Sheeting and Shoring Permit. 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. The Developer agrees to deliver the payment to the Department of Parks and Recreation, and provide evidence of compliance with this condition, which shall be provided to the Zoning Administrator in the form of a letter at the time of payment.~~

- b. Drawings from the civil engineering plan showing the location of utilities, lighting, equipment, and other elements which may impact landscape elements on the site.
- c. ~~Exterior building security measures for office developments only, if applicable.~~

~~(1) The Developer agrees to coordinate with County staff on the design of exterior office building security measures in order to limit or mitigate any adverse impacts that these measures may have on the project's urban design (including street and retail base) and streetscape. All exterior office building security measures shown on and approved as part of the landscape plan shall also be shown on and approved as part of the façade elevation drawings, consistent with Condition #29.~~

~~(2) The Developer agrees that the design of exterior office building security measures shall not adversely impact the base of the office buildings, as shown in the drawings dated \_\_\_\_\_, and that have been designed to accommodate retail uses and provide interest and activate the streetscape.~~

~~(2) The Developer agrees that the design of exterior office building security measures shall not result in the removal or reduction in the number of on-street parking spaces around the perimeter of a site, whether at the request of the Developer or a tenant or otherwise. The Developer agrees to notify each prospective tenant of the office~~

~~building, prior to execution of any lease with a tenant, of the requirement to maintain the number of on-street parking spaces around the perimeter of a site in accordance with the approved civil engineering plan and striping plan.~~

- d. A street tree plan and street tree survey, which shall show the location of street trees and that there are no conflicts between the street trees and utilities.
- e. The location and depth of all existing and proposed utility meters, underground utility vaults and boxes, utility lines, transformers, and at-grade mechanical equipment.
- f. 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.
- g. The location of all existing and proposed fire hydrants and standpipes, storm sewers and storm water management facilities, and sanitary sewers and appurtenances.
- h. 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.
- i. The location and dimensions of intake and exhaust garage ventilation grates and screening for ventilation grates, which shall meet the requirements of the conditions contained herein.
- j. The location of all street light fixtures, poles, meters, service cabinets and power connection appurtenances along the frontages of the site.
- k. 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. New interior walkways shall have a minimum width of four (4) feet.
- l. The final streetscape design, including sidewalks, street trees, tree pits/grates, bicycle racks, and sidewalk pattern/design and final selection of materials and colors to be used.
- m. The limits of clear pedestrian zones of all public sidewalks and pedestrian access.

- n. Landscaping for open space areas, plaza areas, courtyards, raised planters (including cross-sections of raised planters), surface parking areas, and service drives, including a listing of plant materials; details of planting, irrigation and drainage; and details of proposed furnishings for all areas, including, but not limited to, dimensions, size, style(s), materials(s), finish(s), and manufacturer(s) of seating, bollards, trash receptacles, arbors, trellises, water features, and other landscape elements or structures.
- o. The location and planting details for street trees.
- p. The location, design and details of the retail visitor/customer bicycle spaces, pursuant to Condition #27 below.
- ~~q. The location of public art, pursuant to Condition #18 above.~~
- ~~r. The location of public use and access easement areas, including final landscape design and installations in these areas.~~
- s. The final submission of the landscape plans shall include a copy of the contract for construction and installation of all landscape materials, prior to issuance of the Master Certificate of Occupancy.
- t. Further, the developer agrees to submit a maintenance agreement which shall ensure that all plaza areas and other landscaped areas located on private property are kept in a clean and well-maintained condition for the life of the Site Plan and to follow the terms of that maintenance agreement approved for that purpose by the Zoning Administrator, as required in Section 14.2 of the Zoning Ordinance, prior to issuance of the Master Certificate of Occupancy.

**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 a horizontal scale of 1 inch = 25 feet on sheets 24 inches by 36 inches in size and a vertical size of 1 inch = 5 feet 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. The tree replacement calculations shall be developed by a certified arborist or other horticultural professional with a demonstrated expertise in assessing the condition of trees. Any replacement trees shall conform to the standards and specifications set forth in 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. All existing traffic signal pedestrian poles, traffic signal cabinets, and any other traffic-related items may remain, except the pedestrian pole described in Condition #20.C.6.
- 5) ~~Transformers shall not be placed above grade in the setback area between the building and the street.~~
- 6) ~~The location of intake and exhaust garage ventilation grates.~~—The Developer agrees that any proposed intake or exhaust ventilation 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, and the grate locations shall comply with the Virginia Uniform Statewide Building Code (VA USBC) regarding location relative to the property line. The Developer agrees that ventilation grates shall be located and/or screened so as not to be visible from public rights-of-way. Existing ventilation grates for utility vaults, or for garage air intake and exhaust vents within the public sidewalks, streets, or within areas that are to be used as walkways to which the general public has access may remain.
- 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 for new plaza areas and interior walkways are subject to approval by the County Manager 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 for new sidewalks 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 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 new street frontages of the site shall be in compliance with the Rosslyn-Ballston Corridor Streetscape Standards or other applicable streetscape 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). Existing sidewalks to remain as is that do not have a minimum six (6) feet clear may remain. 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 the Rosslyn-Ballston Corridor Streetscape Standards or other applicable streetscape guidelines or standards.
  - (5) Not contain joints or use patterns that create gaps of ¼-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 materials and colors of the sidewalk pattern/design to be used shall be in compliance with the Rosslyn-Ballston Corridor Streetscape Standards or other applicable streetscape guidelines, plans or standards approved by the County Board and in effect at the time of the final landscape plan approval.
  - c. 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:

23rd Street South:

- *Minimum sidewalk width measured from the back of curb: 6 feet 3 inches where proposed sidewalk is constructed to transition to the existing sidewalk*
- *Minimum clear sidewalk width: 6 feet 3 inches where proposed sidewalk is constructed to transition to the existing sidewalk.*

- ~~Tree pits with tree grates/tree pits without tree grates/planting strip dimensions: \_\_\_\_\_ and distance from back of curb: minimum eight (8) inches~~
  - ~~Tree size and type: 3½ inches caliper~~
  - ~~Tree spacing: 28-32 feet apart on center, or as approved by the County Manager per the Arlington County Landscape Standards~~
- 9) ~~The sidewalks shall contain street trees placed in either tree pits, tree grates or planting strips, consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified above. The location, root enhancement, and planting details for street trees shall be in compliance with The Rosslyn Ballston Corridor Streetscape Standards; Sector Plans; 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) ~~To accommodate the subsurface requirements of existing or future utilities and streetscape elements (including street trees), the final design of the project shall provide a structure free zone under the public sidewalk along all street frontages, as required in the Standards for Planting and Preservation of Trees in Site Plan Projects. This zone shall be a minimum of five (5) feet in depth, as measured from the approved finished sidewalk elevation, and shall extend from the back of the final location of the street curb, through the full width of the public sidewalk. No subterranean structures (such as parking garages or storm water management facilities) shall intrude into this five foot deep zone. Within the structure free zone, underground utilities and/or utility vaults shall not be located in a manner that interferes with the appropriate spacing and replacement of street trees shown on the approved final landscape plan. Utility lines shall not be located beneath street trees.~~
- 11) New ~~P~~lant 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 such as Oaks, Maples, London Plane Trees, Japanese Zelkovas, etc.) other than street trees—a minimum caliper of 3½ inches, except as indicated in Condition #21B8)c above.
  - b. Evergreen trees (such as Scotch Pines, White Pines, Hemlocks, etc.)—a minimum height of 7 to 8 feet.

- c. Ornamental deciduous trees (such as Cherries, Dogwoods, Serviceberries, Hornbeams, etc.)—a minimum caliper of 3 to 3½ inches. Multi-stem trees shall not be less than 10 feet in height.
- d. Shrubs—a minimum spread of 18 to 24 inches.
- e. Groundcover—in 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) For new plantings, Soil depth shall be a minimum of four (4) feet plus 12 inches, or other drainage material commonly used in the industry as reviewed and approved by the County Manager on the landscape plan, for trees and tall shrubs and three (3) feet for other shrubs. This requirement shall also apply to those trees and tall shrubs in raised planters. Soil depth for raised planters shall be measured from the bottom of the planter to the top of the planter wall. The walls of raised planters shall be no higher than seat-wall height (2 1/2 feet, maximum) above the adjacent finished grade.
- (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) **Maintenance and Replacement (Life of Site Plan)** The Developer agrees to maintain the site in a clean and well-maintained condition and ensure that all plaza areas, and other landscaped areas located on private property, are kept in a clean and well-maintained condition for the life of the Site Plan in accordance with the ~~Phasing Plan requirements outlined in Condition #5 and the~~ maintenance agreement outlined in Condition #21.A.2)t.

The Developer also agrees to maintain and replace the street trees and sidewalks for the life of the Site Plan. All pruning of street trees must be performed in accordance with the last version of, or revision to, the ANSI A300 Pruning 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 may consider minor revisions to landscape plans based on changes in building, street and driveway locations and other details of design as necessitated by civil engineering and architecture 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.

**22. Internal and External Lighting Plan**  
Intentionally Omitted.

23. **Utility Company Contacts**  
Intentionally Omitted.

24. **Survey Monuments**  
Intentionally Omitted.

25. **FAA Documentation**  
Intentionally Omitted.

26. **Recordation of Deeds of Public Easements and Deeds of Dedications**  
Intentionally Omitted.

27. **Bicycle Storage Facilities (~~Excavation, Sheet piling and Shoring Permit~~)**

A. The Developer agrees to provide, at no charge to the user, secure bicycle storage and repair facilities in locations convenient to ~~office, hotel,~~ residential and retail areas. The developer further agrees that the following shall apply:

B. **Requirements for Visitor Bicycle Parking Spaces.** The Developer agrees that ~~office,~~ residential ~~and hotel~~ visitor bicycle parking must meet the standards for Class III parking as defined in the Arlington Bicycle Parking Standards in effect on the date of approval. The Developer agrees to provide visitor bicycle parking spaces according to the following standards:

1) Number of bicycle parking spaces:

- a. ~~For Office uses: one (1) visitor space for every 20,000 square feet, or portion thereof, of office floor area.~~
- b. For Residential uses: one (1) visitor space for every 50 residential units, or portion thereof, of residential units.
- c. For Retail uses: two (2) visitor bicycle parking 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: one (1) Class III visitor space for every 50 hotel room units, or portion thereof. In addition to the spaces required above, the hotel will provide adequate space (minimum 8ft x 12ft, for six (8) bicycles, parked on the floor) in addition to normal space for luggage storage in a locked luggage storage facility, controlled by the hotel staff, inside the hotel, to accommodate guest's bicycles~~

2) **Approval of Spaces (Shell and Core Certificate of Occupancy ~~Excavation, Sheet piling and Shoring Permit~~)** The Developer agrees to obtain approval from

the County Manager of the spaces as meeting the standards in this condition, as part of the final landscape plan, pursuant to Condition #21.A.2) above, prior to issuance of the Shell and Core Certificate of Occupancy ~~Excavation, Sheet piling and Shoring Permit~~. The Developer agrees that the location, design and details of facilities for visitor bicycle parking spaces must meet the following standards.

- a. The 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.
- b. The facilities shall not encroach on any area in the public right-of-way intended for use by pedestrians or any required fire egress.
- c. Any bicycle parking racks used on the site must conform to the Arlington County Bicycle Parking Class ~~1-3~~ Standards, or be approved by the County Manager as substantially equal to a rack shown in the standards.

C. **Bicycle Storage Facility Plan (~~Building Permit~~ ~~Footing to Grade Permit~~)** The Developer agrees to submit to and obtain review and approval by the County Manager of a Bicycle Storage Facility Plan as part of the Preliminary Parking Management Plan prior to the issuance of the Building Permit ~~Footing to Grade Permit~~. Further the Developer agrees to include the approved Bicycle Storage Facility Plan as part of the Final Garage Plan (required prior to the issuance of the ~~Shell and Core~~ First Partial Certificate of Occupancy) and ultimately as part of the approved Final Parking Management Plan (required prior to the issuance of the First Partial Certificate of Occupancy for tenant occupancy). The Bicycle Storage Facility Plan shall include architectural drawings showing the location of and access to the bicycle storage and repair facilities within the context of the floor on which it is located; the layout of the facilities; and details of the enclosure, security elements, bicycle racks, lockers, and other elements of the facilities. The Bicycle Storage Facility Plan shall show compliance with the requirements set forth below.

The Developer agrees that ~~office, residential and hotel~~ bicycle storage facilities must meet the standards for Class I storage space as defined in the Arlington Bicycle Parking Standards in effect on the date of approval, ~~and be visible from~~ be near an elevator entrance within the existing garage, the location within the garage where a full-time parking attendant is housed, areas within the garage that a full-time security guard oversees, or at a visitor/customer entrance or located on a residential floor. The Developer agrees to meet the following minimum requirements for Bicycle Storage Facilities:

- 1) Number of bicycle parking spaces:
  - a. ~~For Office uses: One (1) employee bicycle parking space for every 6,000 square feet, or portion thereof, of office floor area.~~

- b. For Residential uses: One (1) resident bicycle parking space for every 2.5 residential units, or portion thereof. The existing 20 Class 1 bicycle parking spaces located on the west side of the G-2 level of the garage shall count toward this required total.
- c. For Retail uses: One (1) employee bicycle parking space for every 25,000 square feet, or portion thereof.
- ~~d. For Hotel uses: One (1) space for every 10 hotel room units, or portion thereof. These facilities for hotel users (guests and employees) must meet the standards for Class I storage space and be visible from an elevator entrance, the location within the garage where a full-time parking attendant is housed, areas within the garage that a full-time security guard oversees, or a visitor/customer entrance if located in a parking facility; if located elsewhere in the building the room shall be access-controlled by staff. These facilities shall be located in a minimum of two locations; half of the spaces shall be reserved and designated for employee only access and located convenient to the employee changing area, and half for guest access. Spill-over bike parking from guests or employees may be accommodated, as space permits, in either location. These facilities shall be protected from rain and snow and shall not encroach on the sidewalk or on any area in the public right of way intended for use by pedestrians.~~
- e. **Approval of Plan for Access and Notification of Facility's Availability for Use (Shell and Core Certificate of Occupancy)** The Developer agrees to obtain, prior to the issuance of the Shell and Core Certificate of Occupancy, the County Manager's review and approval of a plan that details how the required access will be provided and how residents, guests, and tenant employees will be notified periodically of the facilities. The County Manager will approve such plan if she finds that it provides, at a minimum:
- (1) Identification of party(s) (person, agency, organization) responsible for managing the bicycle storage facility, including implementation of the plan for access and notification of facility.
  - (2) A description of how the bicycle storage facility will be managed and operated, including:
    - (a) Hours of operation or availability to users.
    - (b) Methods to notify residents, guests and tenant employees of the amenity and the frequency of the notifications.
    - (c) Management of registration of persons and bicycles using the facility.
    - (d) Management of locker assignments, and re-assignments, to bike commuters.

(e) Policy for abandoned bicycles-

- 2) ~~**Approval of Racks used for LEED Credit (Prior to installation)**~~ The Developer agrees to obtain approval by the County Manager of all bicycle racks used for LEED credits before installation and must remain for the life of the Site Plan. The County Manager will approve the bicycle racks when the racks meet the Arlington Bicycle Parking Standards or is substantially equal to a rack shown in the standards.
- 3) **Bicycle Repair Facility** – The Developer agrees to provide and maintain a bicycle repair facility either in the building or garage near the bicycle parking spaces. Residents shall have access to and use of the facility, which will include secured tools for the maintenance and repair of bicycles.

**D. Requirements for showers and lockers:**

1) ~~For Office Uses:~~

- a. ~~For every 50,000 square feet or fraction thereof of office Gross Floor Area (GFA), one (1) shower per gender, up to a maximum of three (3) showers per gender, shall be installed for buildings 300,000 square feet of GFA and below, and one (1) shower per gender for each additional 100,000 square feet of GFA or portion thereof.~~
- b. ~~The showers shall be located in a safe and secured area.~~
- c. ~~**Approval of Location, Layout and Security (Footing to Grade Permit)**~~  
~~A minimum of one (1) clothes storage locker per gender shall be installed for every required employee bicycle parking space. The lockers shall be installed adjacent to the showers in a safe and secured area. Before issuance of the Footing to Grade Permit, the Developer agrees to obtain the review and approval of the Arlington County Police Department for the location, layout and security of the showers and locker room. The Arlington County Police Department will approve the location, layout and security of the showers and locker room if it finds them to be reasonably safe and secure.~~
- d. ~~The lockers shall be a minimum size of 12 inches in width, 18 inches in depth and 36 inches in height, and shall be available to bicycle commuters during normal building operating hours; provided, however, that bicycle commuters shall be permitted to use the lockers for storage 24 hours per day, 7 days per week.~~
- e. ~~Both the showers and lockers shall be available to all tenants of the building.~~
- f. ~~If employees of retail establishments will not have access to shower facilities required by the previous paragraph, employee restrooms for these~~

~~employees will be provided, one for each gender, and each restroom will have at least one shower with a changing area.~~

~~g. The showers and lockers may be provided as an element of an exercise/health facility, pursuant to Condition #28 below, which facility shall be available to users of the bicycle parking spaces. The lockers shall be a minimum size of 12 inches in width, 18 inches in depth and 36 inches in height, and shall be available to bicycle commuters during normal building operating hours, provided, however, that locker users shall be permitted to use the lockers for storage 24 hours per day, 7 days per week.~~

~~h. **Approval of Plan for Access and Employee Notification (Shell and Core Certificate of Occupancy)** The Developer agrees to obtain, prior to issuance of the Shell and Core Certificate of Occupancy, the County Manager's review and approval of a plan that details how the required access will be provided and how tenant employees will be notified periodically of the facilities. The County Manager will approve such plan if she finds that it provides, at a minimum:~~

~~(1) Identification of party(s) (person, agency, organization) responsible for managing the bicycle storage facility, including implementation of the plan for access and notification of facility.~~

~~(2) A description of how the bicycle storage facility will be managed and operated, including:~~

~~(a) Hours of operation or availability to users.~~

~~(b) Methods to notify residents, guests and tenant employees of the amenity and the frequency of the notifications.~~

~~(c) Management of registration of persons and bicycles using the facility.~~

~~(d) Management of locker assignments, and re-assignments, to bike commuters.~~

~~(e) Policy for abandoned bicycles.~~

~~2) **For Hotel Uses:**~~

~~a. A minimum of one (1) clothes storage locker shall be installed for every required employee bicycle parking space.~~

~~b. The lockers shall be a minimum size of 12 inches in width, 18 inches in depth and 36 inches in height, and shall be available to bicycle commuters during normal building operating hours, provided, however, that locker users shall be permitted to use the lockers for storage 24 hours per day, 7 days per week.~~

~~c. **Approval of Plan for Access and Employee Notification (Shell and Core Certificate of Occupancy)** The Developer agrees to obtain, prior to~~

~~issuance of the Shell and Core Certificate of Occupancy, the County Manager's review and approval of a plan that details how the required access will be provided and how hotel employees will be notified periodically of the facilities. The County Manager will approve such plan if she finds that it provides, at a minimum:~~

~~(1) Identification of party(s) (person, agency, organization) responsible for managing the bicycle storage facility, including implementation of the plan for access and notification of facility.~~

~~(2) A description of how the bicycle storage facility will be managed and operated, including:~~

~~(a) Hours of operation or availability to users.~~

~~(b) Methods to notify residents, guests and tenant employees of the amenity and the frequency of the notifications.~~

~~(c) Management of registration of persons and bicycles using the facility.~~

~~(d) Management of locker assignments, and re-assignments, to bike commuters.~~

~~(e) Policy for abandoned bicycles.~~

## 28. Interior Exercise/Health Facilities

Intentionally Omitted.

## 29. Façade Treatment of Buildings (~~Footing to Grade~~)

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 Façade Elevation Drawings and Material Samples (Building Permit ~~Footing to Grade~~)

The Developer agrees to submit to the Zoning Office, and obtain review and approval by the County Manager prior to the issuance of the Building Permit ~~Footing to Grade Permit~~, three (3) copies of colored elevations and one (1) copy of black and white architectural elevations at 24" x 36", which label the materials and colors for each elevation of the building, including interior 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, as well as one (1) sample material board at no larger than 24" x 36". The County Manager will approve such drawings if s/he finds that they are consistent with the intent of this Site Plan approval.

**C. Approval of Façade Elevation Drawings and Material Samples (Shell and Core Certificate of Occupancy~~Final Building Permit~~)**

The Developer agrees to obtain the review and approval by the County Manager of the façade elevation drawings and material samples 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~~ Shell and Core Certificate of Occupancy.

~~D. Mock-up of Approved Elevation (Final Building Permit — Before start of above grade construction)~~ Following approval of the façade elevation drawings and material samples, and prior to start of above grade construction, the Developer agrees to provide, on the construction site, a mock up of an approved building elevation that includes the approved building materials and colors. The mock up is intended to verify compliance with the approved façade treatment and to inform contractors and citizens of the approved treatment, and therefore will be updated if changes are approved.

**E. Inspection and Approval of Built Façade (First Partial Certificate of Occupancy~~Shell and Core Certificate of Occupancy~~)**

The Developer agrees to obtain approval of the County Manager of the built building façades as being consistent with the approved façade elevations and materials prior to the issuance of the First Partial Certificate of Occupancy ~~Shell and Core Certificate of Occupancy~~.

**F. Retail Storefront Facades.**

- 1) Minor adjustments to the approved façade for retail storefronts, as outlined in subparagraphs C and ~~D~~ above, shall be submitted to and reviewed by the Zoning Administrator, who may administratively approve the change(s) if s/he determines that the change(s) meets the intent of the approved Site Plan and the following guidelines and characteristics:
  - a. **Creative design of storefront facades.** Storefront facades may vary in color, texture, material, size, scale, and signs. Both the shell building and retail business storefronts shall be designed to maximize transparency into each store consistent with paragraph F.2 below.
  - b. **Special architectural treatment.** Building materials are predominantly comprised of the following: natural stone (marble, limestone, granite, terrazzo), masonry (brick, arriscraft, stone, CMU), ceramic and quarry tile, precast concrete, metal panels, glass and glazing, and wood. Other materials of similar high quality may be used with approval of the County Manager.

For the purposes of this subparagraph F.1), minor adjustments shall include only the following: (i) adjustment in the location of the access points and window or door placements for retail along the street frontage on the ground floor; and (ii) changes to the materials, provided that the proposed materials are in keeping with

the general intent of the approved Site Plan design; and (iii) adjustments required due to adjustments of the elements of the retail space as described in Condition #44 below. All other changes to the approved retail will require a Site Plan amendment.

- 2) Any change to the façade which does not meet the above description of minor adjustment or any structural element that requires an encroachment into County right-of-way shall require a Site Plan amendment.

#### **G. Standards for Façade Treatment of Buildings:**

- 1) **Mechanical Equipment.** The Developer agrees that all mechanical equipment, regardless of location, shall be contained within existing screened areas so that the mechanical equipment is not visible from the ground level. Any new mechanical equipment that is not contained within the existing screened area, regardless of location shall also be screened so that the mechanical equipment is not visible from the ground level. ~~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, for any new mechanical equipment not contained within existing screened areas.
- 2) **Window Transparency.** The Developer agrees that all retail storefronts along public rights-of-way are required to have an overall minimum transparency of 50% as measured from floor to ceiling. In addition, the portion of the retail storefronts that is located between three and eight feet from grade is required to be at least 80% transparent. The purpose of this condition is to allow pedestrians to view the activity within the retail establishment and to allow patrons and employees of the retail establishments to view the activity on the sidewalk and street. "Transparency" shall mean using glass or other transparent exterior material offering a view into an area of the retail establishment where human activity normally occurs and does not include views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or the like. Notwithstanding the foregoing, the transparency as existing today and as shown on the plans referenced in Condition #2 above shall be deemed to comply with this condition #44.
- 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. Any architectural illumination shown on the façade elevations that was not specifically shown on the Site Plan approved by the County Board shall require a Site Plan amendment.

30. **Plat of Excavated Area**  
Intentionally Omitted.
31. **Public Improvements Bond (~~Footing to Grade Permit~~)**
- A. **Bond Estimate (~~Shell and Core Certificate of Occupancy Footing to Grade Permit~~)** The Developer agrees to submit to, and obtain the approval from, the Department of Environmental Services (DES) of 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 Conditions #5 above, and prior to the issuance of the ~~Footing to Grade Shell and Core Certificate of Occupancy permit for such Phase.~~
- B. **Bond (~~First Partial Certificate of Occupancy Final Building Permit~~)** Upon approval of the performance bond estimate by DES, the Developer agrees to submit to DES a performance bond or other form of surety approved by the County, 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~~ First Partial Certificate of Occupancy.
- C. **Repair/Replace Infrastructure (Release of Public Improvement Bond)** The Developer agrees to repair or replace existing or new infrastructure, at the direction of the County Manager, damaged during construction prior to release of the public improvement bond.
- D. **As-Built Civil Engineering Plan (Release of Public Improvement Bond)** The Developer agrees to submit to, and obtain approval from, DES as-built civil engineering plans, certified by a professional engineer, prior to, and as a condition of, the release of the public improvement bond. The Developer agrees that the as-built civil engineering plans shall show the 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. Upon notification from DES that the as-built civil engineering plans are acceptable, the Developer agrees to submit one (1) set of these plans printed on mylar and an electronic version of these plans on a disk or memory card.
32. **Underground Utility Vaults**  
Intentionally Omitted.
33. **Interior Trash Collection and Recycling Areas (~~Building Permit Footing to Grade Permit~~)**

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 Building~~ Permit. The Developer agrees to provide and use interior space for the collection, storage, compaction, and removal of trash. The space shall ~~not be outside~~ maintain an interior connection to 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.

**34. Interior Loading Spaces (~~Building Permit Footing to Grade Permit~~)**

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 Building~~ Permit. 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 18 feet.~~
- B. At least one loading space shall have a minimum ~~40~~30-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 except that if any tenant demonstrates the need, based on the nature of the tenant's business, for earlier deliveries, for example of baked goods or other perishable items, to accommodate morning patrons, the hours may be administratively changed by the Zoning Administrator through an Administrative Change request and notifications to the tenants of the building on site if the Zoning Administrator finds the need for such deliveries outweighs any increase in the impact on neighboring properties.
- 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.

**35. Parking Space and Drive Aisle Compliance with Zoning Ordinance (~~Footing to Grade Permit~~)**

- A. **Approval of Drawings.** The Developer agrees to submit to, and obtain review and approval from the Zoning Administrator, of drawings showing that all parking spaces and drive aisles located in the garage associated with buildings located at 2001 S. Clark Street, 2221 S. Clark Street, 220 20th Street South, 2100 Crystal Drive, and 2200 Crystal Drive, also known as Crystal Plaza 1-6 comply with the requirements of Section 14.3 of the Zoning Ordinance except as otherwise exists as shown on the

plans dated June 5, 2014 and June 6, 2014, and approved by the County Board on July 19, 2014, prior to the issuance of the Building Permit for the building at 2221 S. Clark Street also known as Crystal Plaza 6 Footing to Grade Permit.

- B. **Preliminary Garage Plan.** The Developer agrees to submit to and obtain review and approval from the County Manager of a Preliminary Garage Plan for the buildings located at 2001 S. Clark Street, 2221 S. Clark Street, 220 20th Street South, 2100 Crystal Drive, and 2200 Crystal Drive, also known as Crystal Plaza 1-6 prior to the issuance of the ~~Footing to Grade~~ Building Permit for the building located at 2221 S. Clark Street also known as Crystal Plaza 6. The Developer may revise the previously submitted Parking Management Plan dated October 20, 2009, to reflect changes to the parking and submit as the Garage Plan. The Preliminary Garage Plan shall show ramping systems, line striping details, traffic directional arrows, vehicle queuing lanes, access gates, overhead doors, pay stations and any other access and revenue control (PARC) equipment or automated parking control equipment, and secure Class 1 bicycle storage facilities. Details of the Class 1 bicycle storage facilities shall be shown on the plan, including the room or cage walls, wall material, door, cage wall and/or door security plates, lock, strike guard, details of bike racks contained within, the dimensions between the bike racks and from the racks to the walls, and dimensions of enclosures and aisle widths with bicycles in place. ~~The approved Preliminary Garage Plan shall be incorporated into the submitted and approved Footing to Grade Permit drawings~~

36. **Emergency Vehicle Access/Support on Surface Parking and Plaza Areas**  
Intentionally Omitted.

37. **Parking (~~Footing to Grade Permit~~)**

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, except as otherwise exists as shown on the plans dated June 5, 2014 and June 6, 2014, and approved by the County Board on July 19, 2014. The drawings submitted shall indicate all dimensions that do not comply with Section 14.3 of the Zoning Ordinance.
- 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.

<u>Use Type</u>	<u>Approved Parking Ratio</u>
Residential -	<u>.56</u> spaces per unit (to include residents, residential visitors, accessible spaces & residential building employees)

- ~~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 487 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, except as otherwise exists as shown on the plans dated June 5, 2014 and June 6, 2014, and approved by the County Board on July 19, 2014, shall not exceed 15% of the total number of “Required Spaces”. “Required Spaces” for retail parking shall not be compact. Spaces provided in excess of the “Required Spaces” total may be either standard or compact spaces.
- d. 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.

**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 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 that valid parking permit holders of Crystal Plaza 6 may park free of charge in the garage serving the Crystal Park block with an entrance at 2345 Crystal Drive upon finding that the parking garage associated with Crystal Plaza buildings 1 through 6 is full.~~
- d. The Developer agrees that if there is demand for additional parking above the 142 residential parking spaces allocated to Crystal Plaza 6, the Developer shall either provide additional dedicated permits, as necessary, up to 110 or

work with the County Manager to agree upon a plan that provides for an agreed upon number of additional parking spaces within the Crystal Plaza block parking or TDM measures to meet the demand of Crystal Plaza 6 residents.

**2) ~~Shared Parking~~**

- a. ~~The Developer agrees to designate and make available a minimum of \_\_\_\_\_ short-term (two hours maximum) parking spaces on the \_\_\_\_\_ level of the parking garage for use by customers of the retail establishments or visitors to office establishments during the hours of operation of the retail or office establishments. The designated short-term parking spaces shall be shown on, and approved as a part of, the Preliminary Garage Plan. Short-term parking spaces shall not be reserved for specific businesses.~~
- b. ~~The Developer agrees that in office buildings no more than 20% of the total parking supply shall be reserved for individual persons.~~
- c. ~~In addition, for projects with office space the Developer agrees to make at a minimum \_\_\_\_\_ (describe number and location of spaces) in the garage available to the public for parking after standard office hours (weekday evenings after 6:00 p.m., weekends, and all legal holidays) until 12:00 midnight or until thirty minutes after the close of business of retail operations, whichever is later.~~
- d. ~~The Developer also agrees to make \_\_\_\_\_ office spaces available to the general public for overnight parking. The Developer agrees to describe in the Parking Management Plan how overnight parking spaces will be managed when applicable.~~

**3) ~~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) should be visible from every vehicular approach as appropriate except where building design obstructs its visibility.~~
- b. ~~In cases where there is parking 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.~~

**4) Submission of Parking Management and Garage Plans (First Partial Certificate of Occupancy Footing to Grade Permit)**

- a. **Preliminary Parking Management Plan and Preliminary Garage Plan (First Partial Certificate of Occupancy Footing to Grade Permit)**  
The Developer agrees to submit to, and obtain approval from, the County Manager of a Preliminary Parking Management Plan (PMP) for the buildings located at 2001 S. Clark Street, 2221 S. Clark Street, 220 20th Street South,

2100 Crystal Drive, and 2200 Crystal Drive, also known as Crystal Plaza 1-6 prior to the issuance of the ~~Footing to Grade Permit~~ First Partial Certificate of Occupancy for the building located at 2221 S. Clark Street also known as Crystal Plaza 6. The Developer may revise the previously submitted Parking Management Plan dated October 20, 2009, to reflect changes to the parking and submit as the Parking Management Plan. The Preliminary Parking Management Plan shall demonstrate how parking for the different user groups, including, when applicable, residents, visitors, employees, retail patrons, and the general public, will be provided and managed, and where the parking is located. The Preliminary Parking Management Plan shall include the Preliminary Garage Plan and information listed under “Preliminary Parking Management Plan” in the *Parking Guidelines for Special Exception Projects* located on the Arlington County website.

- b. **Final Parking Management Plan (First Partial Certificate of Occupancy for tenant occupancy)** The Developer agrees to submit to, and obtain approval from the County Manager of a Final Parking Management Plan for the buildings located at 2001 S. Clark Street, 2221 S. Clark Street, 220 20th Street South, 2100 Crystal Drive, and 2200 Crystal Drive, also known as Crystal Plaza 1-6 prior to the issuance of the First Partial Certificate of Occupancy for tenant occupancy for the building located at 2221 S. Clark Street also known as Crystal Plaza 6. The Final Parking Management Plan shall incorporate all elements of the Preliminary Parking Management Plan, any upgrades to that document as well as plan drawings and information related to how motorists will be directed to parking spaces, and how pedestrians will be directed to payment equipment and garage entrances and exits. The Final Parking Management Plan shall include information listed under “Final Parking Management Plan” in “Parking Guidelines for Special Exception Projects” located on the Arlington County website and a copy of the Final Garage Plan.
- c. **Final Garage Plan (First Partial Certificate of Occupancy for tenant occupancy)** The Developer agrees to submit to, and obtain the approval from, the County Manager of a Final Garage Plan for the buildings located at 2001 S. Clark Street, 2221 S. Clark Street, 220 20th Street South, 2100 Crystal Drive, and 2200 Crystal Drive, also known as Crystal Plaza 1-6, which shall be submitted and approved as part of the Final Parking Management Plan. 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. Any changes to the approved Final Garage Plan must be submitted as an administrative change and approved by the Zoning Administrator.
- d. The Developer agrees to implement the approved Parking Management Plan for the life of the Site Plan. The Developer agrees to obtain the review and

approval of any changes to the approved Parking Management Plan by the County Manager.

**5) Reporting and Monitoring (~~Last Certificate of Occupancy for Tenant Any Space in the Building~~ post Master Certificate of Occupancy)**

- a. For ~~any~~ the buildings that ~~is~~ are office, commercial or contains mixed land uses, beginning two years after issuance of the ~~Master~~ Last Certificate of Occupancy for Any Space in the Building located at 2221 S. Clark Street and known as Crystal Plaza 6, and every six months for the first three years, ~~and~~ then every ~~two~~ five years thereafter for the life of the Site Plan, the Developer agrees to submit building occupancy rates, and if the parking garage has parking access and revenue control (PARC) equipment, information generated from an annual report: average duration of stay for short term parkers to include typical weekday periods as well as evening/weekend periods, and average occupancies for typical weekday day and evening periods, as well as weekend day and evening periods. For garages without PARC equipment, the Developer agrees to submit building occupancy rates and average occupancies for typical weekday day and evening periods, as well as weekend day and evening periods. ~~Buildings that are entirely residential at two years, five years and each subsequent five year period,~~ the Developer shall supply to the County building occupancy information and overnight residential parking occupancy counts recorded between 11p.m. and 5a.m. at the intervals described above. The Developer agrees to provide the total number of parking permits allocated for Crystal Plaza buildings 1 through 6 and the permit utilization per month for the Crystal Plaza 6 building. In addition, the Developer shall provide bicycle storage utilization information for the Crystal 6 building. The requested information described above shall be provided for the buildings and associated garage areas located at 2001 S. Clark Street, 2221 S. Clark Street, 220 20<sup>th</sup> Street South, 2100 Crystal Drive, and 2200 crystal Drive, also known as Crystal Plaza 1 through 6, as applicable.

~~Buildings that are entirely residential at two years, five years and each subsequent five year period, shall supply to the County building occupancy information and overnight residential parking occupancy counts recorded between 11p.m. and 5a.m.~~

- 38. **Documentation of Historical Artifacts, Features and Buildings**  
Intentionally Omitted.
- 39. **Underground Utility Fund Contribution**  
Intentionally Omitted.
- 40. **Wall Check Survey**  
Intentionally Omitted.
- 41. **Use of Penthouse**

Intentionally Omitted.

42. **Review by Crime Prevention Through Environmental Design (CPTED) Practitioner**  
Intentionally Omitted.

43. **County Public Safety / Emergency Communications Systems (Final-Building Permit)**

A. **Telecommunications Transmitter/Receiver Equipment & Conducting Wire.** In order to maintain the effectiveness of the County's public safety systems, the Developer hereby agrees to grant to the County in perpetuity the right to install telecommunications transmitter and/or receiver equipment and conducting wire in or on the penthouse or top floor, and antennae and traffic monitoring systems on the roof of the proposed buildings in a location and design that is acceptable to the County and the building owner based on a reasonable exercise of judgment by both upon request by the County. The Developer agrees to provide, upon request by the County, access to electrical service separately metered, including auxiliary electrical power, and telephone radio control lines to the penthouse in the defined area. The Developer is not required to pay for design and installation costs for such equipment. Any radio transmitter or receiver equipment and antenna to be installed or used by others must not interfere with the emergency communication system of the County.

B. **Tie-ins from County Outdoor Emergency Warning System.** To enhance the reach of the County's public emergency communications system-of-systems, the Developer agrees to grant to the County in perpetuity the right to install tie-ins from the County's outdoor emergency warning system to the interior building fire/emergency warning enunciator systems using either land lines or emergency relay transceivers in or on the penthouse or top floor, antennae systems and along with hazardous material detection sensors on the roof of the proposed building(s) in a location and design that is acceptable to the County and the Developer based on a reasonable exercise of judgment by both upon request by the County. The Developer agrees to provide, upon request by the County, access to electrical service separately metered, including auxiliary electrical power, and telephone radio control lines to the penthouse in the defined area. Any radio transmitter or receiver equipment and antenna to be installed or used by others must not interfere with the emergency communication system of the County.

C. **Internal Antenna/Amplifier System.** The Developer agrees to install and maintain in operable condition, in a manner acceptable to the County Manager, an internal antenna/amplifier system that permits public safety radio communications to transmit in the 806-825 MHz frequency and to receive in the 851-870 MHz frequency, or other range of transmitting and/or receiving frequencies deemed appropriate by the County Manager to meet current County requirements, from all areas within the building. The Developer agrees to provide documentation in the approved electrical engineering drawings that adequate accommodations have been made in the building to meet this requirement.

**44. Retail Elements (Final Building Permit)**

The Developer agrees to meet the requirements of this condition prior to the issuance of the Final Building Permit.

A. The Developer agrees to the following for retail space, as shown on the plans referenced in Condition #2 above, within the Site Plan:

- 1) ~~If the project is located within the Rosslyn Ballston Corridor, then the Developer will market a minimum of \_\_\_\_\_ square feet of retail space located on the first floor of the building to uses as shown for that location in the approved Retail Action Plan for the Rosslyn Ballston Corridor, dated May 2001, or other applicable retail policy documents in effect at the time of County Board approval, and consistent with the standards in this Condition #44.~~

~~If the project is located outside of the Rosslyn Ballston Corridor, then the Developer agrees to market a minimum of 5,848 square feet of retail space located on the first floor of the building to uses consistent with the listings under "Retail Categories" as listed on pages 5-6 in the approved Retail Action Plan for the Rosslyn-Ballston Corridor, dated May 2001, or other applicable retail policy documents in effect at the time of County Board approval, and any other uses which the Zoning Administrator may determine are of the same general character (as same general character is described in Section 15.1.6 of the Zoning Ordinance), provided that they are consistent with the standards in this Condition #44.~~

~~The Developer will be marketing the above referenced retail space to a variety of vendors purveying goods and services. The Developer therefore agrees that, if after two years of the date of issuance of the Certificate of Occupancy for tenant occupancy, or no later than July 19, 2017, that such an endeavor results in less than 3,000 square feet of retail space being used for these vendors, The Developer agrees to submit the marketing material and/or a letter detailing the marketing efforts, and first floor plans consistent with the standards in this Condition #, and obtain approval of such material or letter from the Zoning Administrator as having met the standards of this condition.~~

- 2) ~~The Developer is encouraged to lease space designated for "personal or business services" in the Retail Action Plan to "Entertainment and Main Street Retail" businesses.~~
- 3) ~~The retail space shall be designed and used in a manner consistent with the Crystal City Sector Plan, adopted in 2010.~~
- 4) ~~If For retail space greater than 3,000 square feet of retail space is not used in the vendor concept as set forth in this Condition #44 above, the Developer agrees to retain a retail broker and meet with AED to discuss the strategy and marketing plans for the retail space. The Final Building Permit shall not be issued until~~

documentation has been provided to the Zoning Administrator from AED that this meeting has occurred and a retail broker retained-

- 5) **Standards for Retail Spaces:** The retail spaces shall be designed and constructed to include interior and exterior that are functional and attractive to prospective retailers and that animate the street frontage, including but not limited to the following:
- a. Approximately 19 foot floor to floor heights, as shown on the plans dated June 5, 2014 and June 6, 2014.
  - b. Access to the service corridor/areas as generally shown on the architectural plans dated June 5, 2014 and June 6, 2014.
  - c. Rough-in of utilities, i.e., sprinkler heads, plumbing, electrical wiring, and stubs for extensions. If the tenant(s) is unknown at the time of construction, the Developer may, in lieu of rough-in of utilities, include such work as part of the tenant improvement budget at the Developer's cost.
  - d. Provision to connect to venting systems and grease traps required for any food preparation or restaurant use.
  - e. Sufficient transparency of the building facade to achieve adequate street exposure, as set forth in Condition #29 above. The Developer agrees to notify all tenant(s) of this requirement.
  - f. Parking as set forth in Condition #37.
- B. Changes to Retail Spaces:
- 1) The Developer agrees that minor adjustments in the approved retail Gross Floor Area (GFA), or to details of the retail spaces as outlined in this Condition #44, shall be submitted to and may be approved by the Zoning Administrator if she finds that such changes are minor, as defined below, and are consistent with the original Site Plan approval. For the purposes of the preceding sentence, minor adjustments shall include only the following: (i) a minor adjustment in the location of the retail along the street frontage on the ground floor; or (ii) a minor adjustment in the GFA for the retail space, as long as the total approved retail GFA for the entire Site Plan does not change; or (iii) a minor adjustment in the elements of the retail space as described in this Condition #44. All other changes to the approved retail will require a Site Plan amendment.
  - 2) Any change in the use of the retail space from retail to office or other uses inconsistent with this Condition #44 shall require a Site Plan amendment.

**45. Safety Measures at Garage Exit Ramps**  
Intentionally Omitted.

**46. Public Use and Access Easements**  
Intentionally Omitted.

**47. Transportation Management Plan (~~Shell and Core Certificate of Occupancy~~)**

The developer agrees to develop, and obtain review and approval by the County Manager of, a Transportation Management Plan (TMP) prior to the issuance of the Shell and Core Certificate of Occupancy for the each respective building. Such approval shall be given if the County Manager finds that the TMP meets the standards outlined below under subparagraphs A (Participation and Funding), B (Facilities and Improvements), C (Carpool, Vanpool and Carshare Parking), D (Promotions, Services and Policies), and E (Performance and Monitoring).

All dollar denominated rates will 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 Site Plan approval.

The TMP shall include a schedule, and details of implementation and continued operation, throughout the life of the Site Plan, of the elements in the plan. The TMP shall include, but not be limited to, the following strategies:

**A. Participation and Funding.** The Developer agrees that the TMP will include provisions and details that provide, at a minimum, a detailed explanation of how and when the following elements will be provided:

- 1) Maintain an active, ongoing relationship with Arlington Transportation Partners (ATP), or successor entity, on behalf of the property owner.
- 2) Designate a member(s) of building management as Property Transportation Coordinator (PTC) to be a primary point of contact with the county and undertake the responsibility for coordinating and completing all Transportation Management Plan (TMP) obligations. The applicant and /or building management will provide, and keep current, the name and contact information of the PTC to Arlington County Commuter Services (ACCS) or successor. The Property Transportation Coordinator shall be appropriately trained, to the satisfaction of ACCS, to provide rideshare, transit, and other information provided by Arlington County intended to assist with transportation to and from the site.
- 3) **Contribution to Arlington County Commuter Services (First Partial Certificate of Occupancy for tenant occupancy)** In addition to supporting the ongoing activities of the Property Transportation Coordinator and other commitments of this TMP, the developer agrees to contribute to the Arlington County Commuter Services (ACCS), or successor, to sustain direct and indirect on-site and off-site services in support of TMP activities. Annual contribution is 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 the term of use as described in Condition #2 ~~30 years~~. Payment on this commitment will begin as a condition of issuance of the First Partial Certificate of Occupancy for tenant occupancy. Subsequent payments will be made annually.

**B. Facilities and Improvements.** The Developer agrees that the TMP will include provisions and details that provide, at a minimum, a detailed explanation of how and when the following elements will be provided:

- 1) The number of kiosks for the building.
- 2) A plan of operation of the bicycle facilities, which shall include details of implementation and continued operation of the bicycle facilities and related systems.
- 3) Provide in the lobby or lobbies, an information display(s), the number/content/design/location of which shall be approved by ACCS / ATP, to provide transportation-related information to residents and visitors. Management shall keep display(s) stocked with approved materials at all times.
- 4) Comply with requirements of Site Plan conditions to provide bicycle parking/storage facilities. ~~Bicycle clothing lockers shall be a minimum size of 12" wide, 18" deep and 36" high and shall be available for use on a 24 hour basis (office, hotel, retail). Provide an 8' by 12' space for 6 bicycles as well as the normal amount of luggage storage in a locked luggage storage facility, controlled by the hotel staff, in the hotel to accommodate guest's bicycles (hotel only).~~ The developer agrees to develop a plan of operation of the bicycle facilities which shall include details of implementation and continued operation of the bicycle facilities and related systems.
- 5) Comply with requirements of Site Plan conditions to provide construction worker parking.
- 6) Bus stops and shelters within 50 feet of the property, ~~and~~ contiguous to the property, and not on third party private property, shall be maintained free of snow, ice, trash, and debris. A 6 foot wide path, or the full width of the sidewalk (if less than 6 feet), shall be maintained clear of snow and ice, to the main entrance of the building(s) from these bus stops.
- 7) ~~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 will 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 will be parked in this space when not in service. A communication device will be provided with the hotel for on-call service (hotel only).~~

**~~C. Carpool, Vanpool and Carshare Parking.~~** The Developer agrees that the TMP will include provisions and details that provide, at a minimum, a detailed explanation of how and when the following elements will be provided:

- ~~1) How the parking rates will be determined.~~
- ~~2) A plan of operation of the carpool/vanpool program, which shall include details of implementation and continued operation.~~
- ~~3) A detailed plan to implement the car share subsidy.~~
- ~~4) Establish monthly parking rates for single occupant vehicles (SOV) consistent with comparable buildings located in the Arlington County development corridors.~~
- ~~5) Provide reserved, signed, spaces for carpools and vanpools that are conveniently located with respect to the elevators serving the building.~~
- ~~6) Provide registered vanpools with free parking.~~
- ~~7) Oversee program to provide carpools with a parking subsidy. Subsidies will be:
  - ~~(a) Two person carpool subsidy shall equal one third the single occupant vehicle monthly parking rate.~~
  - ~~(b) Three person (or more carpool) subsidy shall equal two thirds the single occupant vehicle monthly parking rate. Provide a one time membership fee subsidy in a car sharing plan per residential unit. This subsidy shall be paid on proof of membership in a car share service by lessees or purchasers (Residential Use).~~~~

**D. Promotions, Services and Policies.** The Developer agrees that the TMP will include provisions and details that provide, at a minimum, a detailed explanation of how and when the following elements will be provided:

- 1) The Developer agrees to, prior to issuance of the First Partial Certificate of Occupancy for tenant occupancy, purchase 50% of the SmarTrip cards and obtain the review and approval from the County Manager of a plan for distribution of the cards.
- ~~2) A plan detailing the sustainable commute benefit for hotel employees (if applicable).~~
- ~~3) The correct link to the commuterpage website.~~
- 4) A sample new-residence/new-employee package with details of distribution.
- 5) Provide SmarTrip cards plus \$65.00 Metro fare media per person, for free, one

time, to each residential lessee or purchaser, distributed no later than the day of move in at initial lease-up.

- 6) Provide SmarTrip cards plus \$ 65.00 Metro fare media per person, for free, one time, to on-site property management and maintenance employees (directly employed or contracted). Provide, administer, or cause the provision of a sustainable commute benefit program for these employees (the program shall include, at a minimum, pre-tax employee contributions and/or tax-free transit or vanpool monthly contributions).
- 7) Provide SmarTrip cards plus \$ 65.00 Metro fare media per person, for free, one time, to on-site employees of the ~~office tenants~~, retail tenants, and ~~hotel employees~~, distributed no later than their first day of work at the building.
- ~~8) Provide, administer, or cause the provision of a sustainable commute benefit program for each on-site employee of the hotel (directly employed or contracted) of at least \$70.00 per month. The employer will set up a pre-tax employee transportation benefit program. This program will be functional before the first day of operation of the hotel (hotel only)~~
- 9) Provide website hotlinks to [www.CommuterPage.com](http://www.CommuterPage.com) and other related transit focused websites as applicable under a “transportation information” or similar heading from the ~~developer and~~ property manager’s websites regarding this development.
- 10) Distribute a new-resident/new-employee package (material provided by Arlington County) which includes site-specific ridesharing and transit-related information to each employee or residential lessee/purchaser. Packages will be distributed to tenants, owners, or employees no later than the day of move-in or first day of work.
- ~~11) Place a reference to the nearest Metro stations in promotional materials, in room hotel information/welcome materials, and advertisements for businesses located on the site (hotel only).~~
- ~~12) Make available (sell) transit fare at the front desk or through the concierge (hotel only).~~
- 13) Reference to the nearest Metro Station and bus routes in all promotional materials and advertisements.
- 14) Cooperate with Arlington County to assist the County in implementing a transit-advertising program that will distribute information four times per year to all residents, tenants, employees, and visitors.
- 15) Participate in regionally sponsored clean air, transit, and traffic mitigation

promotions by posting notice of such promotions in locations within the building(s).

- 16) Offer one parking space allocated to Crystal Plaza 6 to a carsharing service, such as ZipCar. The developer shall provide documentation of the offer and results to the Zoning Administrator prior to the issuance of the First Partial Certificate of Occupancy. In the event that the carsharing service accepts such a space prior to issuance of the First Partial Certificate of Occupancy, the required vehicle parking ratio for the development shall be reduced by one space for the duration of the use of such space. In the event that the carsharing service does not accept such space prior to issuance of the First Partial Certificate of Occupancy, the space may continue to be used for residential or retail parking allocation to Crystal Plaza 6.

**E. Performance and Monitoring.** The Developer agrees that the TMP will include provisions and details that provide, at a minimum, a detailed explanation of how and when the following elements will be provided:

- 1) Upon approval of the TMP by the County, the developer agrees to implement all elements of the plan with assistance when appropriate by agencies of the County.
- 2) The owner shall reimburse the County for, and participate in, a transportation performance monitoring study at two years, five years, and each subsequent five years (at the County's option), after issuance of first Certificate of Occupancy. The County may conduct the study or ask the owner to conduct the study. The County will specify the timing and scope of the study. The study may include average vehicle occupancy, daily vehicle-trips to and from the site, and parking availability by time of day for the site and pedestrian traffic. The study may include a seven-day count of site-generated vehicle traffic and a voluntary mode-split survey. The building owner and/or operator will notify, assist, and encourage residents, tenant's employees, and building employees to participate in mode split surveys which may be of an on-line, or email variety. A report will be produced as specified by the County.
- 3) During the first year of start up of the TMP and on an annual basis thereafter, the developer will submit an annual report, which may be of an on-line, or email variety, to the County Manager, describing completely and correctly, the TDM related activities of the site, ~~and continuous reports of changes in commercial tenants during each year.~~

**48. Affordable Housing Contribution**  
Intentionally Omitted.

**49. Availability of Site Plan Conditions to Residential Condos, Cooperatives and Homeowners Associations**  
Intentionally Omitted.

- 50. Authorization for Police to Enter Residential Parking Areas (First Partial Certificate of Occupancy for tenant occupancy)**  
The Developer agrees to develop, submit to, and obtain approval by the County Manager, of procedures whereby uniformed Arlington County Police will be authorized to enter the parking areas for purposes of enforcing compliance with County ordinances and state laws applicable to resident's motor vehicles prior to the issuance of the First Partial Certificate of Occupancy for tenant occupancy.
- 51. Replacement of Damaged Existing Curb, Gutter and Sidewalk (First Partial Certificate of Occupancy for tenant occupancy)**  
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 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 this Condition #51 if the Zoning Administrator determines that: 1) the Developer is diligently pursuing the work; 2) timing of the condition as originally approved 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.
- 52. Obtain Master Certificate of Occupancy (Within 6 months of Receipt of the Certificate of Occupancy that permits full occupancy)**  
The Developer agrees to obtain a Master Certificate of Occupancy within six (6) months of receipt of the Certificate of Occupancy that permits full occupancy. 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 six-month time frame. The Zoning Administrator may approve such extension if he or she finds 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.
- 53. Building Height Certification**  
Intentionally Omitted.
- 54. Existing Water Main or Fire Hydrant Service (Life of Site Plan)**  
The Developer agrees, for the life of the site plan, that no existing water main or fire hydrant shall be taken out of service or made inaccessible without the prior approval of the County Manager, which approval shall be given if the County Manager finds that adequate alternate fire hydrant coverage is available.
- 55. Structural Modifications (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 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.

**56. Snow Removal (Life of Site Plan)**

The Developer agrees to remove snow or ice from all interior streets and sidewalks, 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 below six (6) inches shall be removed within twenty-four (24) hours, and six (6) inches or above 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).

**57. 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.

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

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

**59. Retention of Approved Density over Subdivided Site (Life of Site Plan)**

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.

**60. 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. 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, though they shall not all be required to deliver their refuse to the same facility as long as each tenant or property owner complies with this requirement.

**61. Modifications to Approved Interior (Life of Site Plan)**

The developer agrees that, except as provided below, any change to the number of units or any change in the gross floor area of the residential common areas from what is called for on the plans referenced in Condition #2 dated June 5, 2014 and June 6, 2014, and approved by the County Board on July 19, 2014 shall require a site plan amendment.

Notwithstanding the foregoing, however, the Zoning Administrator may approve, by administrative change, any of the following:

- a. A change in the gross floor area of the residential common areas of not more than 5% for reasons related to design; or
- b. A change in the gross floor area of the residential common areas of greater than 5% but not more than 10%, if the Zoning Administrator determines also that such change is either (i) required for building code compliance, or (ii) is a structural modification identified during the time of the review of Building Permits by the Inspection Services Division; or
- c. a change to the number of units of not greater than 5%, if the Zoning Administrator determines also that such change is either (i) required for building code compliance, or (ii) is a structural modification identified during the time of the review of Building Permits by the Inspection Services Division.

**62. Power Door Openers (Life of Site Plan)**

The developer agrees to install power door openers for the main pedestrian entrances to the residential building. In addition, at the secure interior doors, the developer agrees that call boxes, if used, shall be mounted and measured at a height that allows for hands-free remote capability. The entrances to the lobby of the residential elevators from the first level of the parking garage will have automatic door openers. These items shall be installed and functional prior to issuance of any certificate of occupancy for tenancy of the building.