

**Supplemental Information for Public Facilities Review Committee (PFRC) Meeting  
Wednesday, September 2, 2015**

*Abingdon Elementary School Renovation/Addition  
3035 S. Abingdon St.*

**STAFF COORDINATOR:** Michelle Stahlhut, 703-228-3541

**Site Location:**

Abingdon Elementary School  
3035 South Abingdon Street  
Arlington, Virginia 22204

**Applicant:**

John Chadwick  
Arlington Public Schools  
2770 S. Taylor Street  
Arlington, Virginia 22206

**Architect:**

Paul R. Lund, Principal  
Hord Coplan Macht (HCM)  
2000 Duke Street, Suite 120  
Alexandria, Virginia 22314

**Staff Members:**

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**Background Information (Abingdon Use Permit Conditions – Development)**

There are two use permits associated with the Abingdon Elementary School project. Use Permit U-3415-15-1 is for the addition and renovation of Abingdon School. Use Permit U-3421-15-1 is for the associated secondary parking agreement between APS and Fairlington Villages Unit Owners Association.

***1. What are Use Permit Conditions?***

Use permits and minor site plan amendments have “standard” conditions that are established practice and should be changed only when there is significant reason to do so.

Writing New Conditions: when new conditions are proposed, it is important to work closely with all essential County agencies to ensure that the language is acceptable and appropriate, and accomplishes what is intended. As a general rule, conditions ***must be enforceable by the County***, and any powers that will be delegated to administrative review should contain standards by which approval will be granted. In addition, many requirements should be tied to concrete timing; for example, if requiring that a Parking Management Plan be approved, it should be tied to issuance of a permit such as a Certificate of Occupancy.

Negotiating Language with Applicants: applicants must review and agree to all recommended conditions. If an applicant does not agree to condition language that staff supports, then additional negotiation between the applicant and the County is required.

## **2. *Standard Use Permit Conditions for Schools***

County staff and Arlington Public Schools (APS) staff have worked to standardize use permit conditions associated with school projects. Every site has site specific circumstances and issues that must be addressed. Therefore, County and APS staff negotiate “site specific use permit conditions” to address those needs.

Substantive changes to the standard use permit conditions for Abingdon have currently been identified for:

- Proposed Condition #20: Civil Engineering Plan
- Proposed Condition #21: Final Landscape Plan

County and APS staff are continuing to negotiate these conditions.

Additionally, Staff has identified (for the purposes of the Abingdon Elementary School project) various changes to the “Standard Use Permit Conditions for Schools” that are not substantive in nature, but provide further clarification for site specific purposes. These changes have not been highlighted as part of this report.

For example: Proposed Condition #13 of this use permit (“Community Outreach During Construction”) contains site specific condition language within the standard use permit condition set identifying an APS community liaison that should be contacted for any questions/issues related to construction. A list of the associated civic/citizens’ associations are provided within this condition which are unique to this site (Fairlington Citizens’ Association, Fairlington Villages Unit Owners Association, and Court Bridge I and II condominiums).

## **3. *New, Site Specific Use Permit Conditions***

Staff has currently identified the need to include new, site specific use permit conditions related to the modification of the school parking requirement (Proposed New Condition #65 for U-3415-15-1) and new conditions associated with the secondary parking agreement between APS and the Fairlington Villages Unit Owners Association (associated with use permit U-3421-15-1: Proposed Conditions #1-4). County and APS staff are continuing to negotiate these conditions.

## **Abingdon Elementary School – DRAFT Use Permit Conditions**

**Highlighted BLUE** = May Require Substantive Changes / Refinements  
**Highlighted GREEN** = Notable Site Specific Additions  
**Highlighted YELLOW** = Intentionally taken out (not applicable to APS projects).

*\*To be noted, there is site specific language within various conditions reflecting the timing of permits, specific community associations, specific use permit numbers, etc. These modifications are **NOT** highlighted in blue, green, or yellow; however, all considered modifications/additions to the standard use permit conditions are identified in ~~strikethrough~~ and underlined language.*

### **A. Conditions for U-3415-15-1:**

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 her designee. Whenever, under these conditions, anything is required to be done or approved by the County Manager, the language is understood to include the County Manager or his or her designee. Where “Final Building Permit” is referenced in these conditions, it shall refer to the building permit which permits any construction of any level of the building. Where “Final Certificate of Occupancy” is referenced, it shall refer to the first certificate of occupancy that permits occupancy of the last unoccupied floor of the building addition or phase of the project. In addition, where “Arlington Public Schools” is used in these conditions it includes the Arlington County School Board and its staff, employees, and any successors or assigns.

The following permits may be obtained in the course of construction of the addition approved by the use permit:

- Demolition and Land Disturbance Permits
- Excavation, Sheeting, and Shoring Permit
- Footing to Grade Permit
- Final Building Permit (as defined above)

APS agrees that, in the event it requests approval for work covered by more than one permit listed above at the same time, or if APS requests approval for a permit listed above without having requested all permits normally obtained prior to (in order of the list above) the requested permit, the requested permit will not be issued until APS has met all requirements and fulfilled all conditions that are to be met before all permits listed prior to (above) the requested permit. Arlington Public Schools agrees that all conditions to be met prior to issuance of all listed permits shall be met prior to a Final Building Permit being issued.

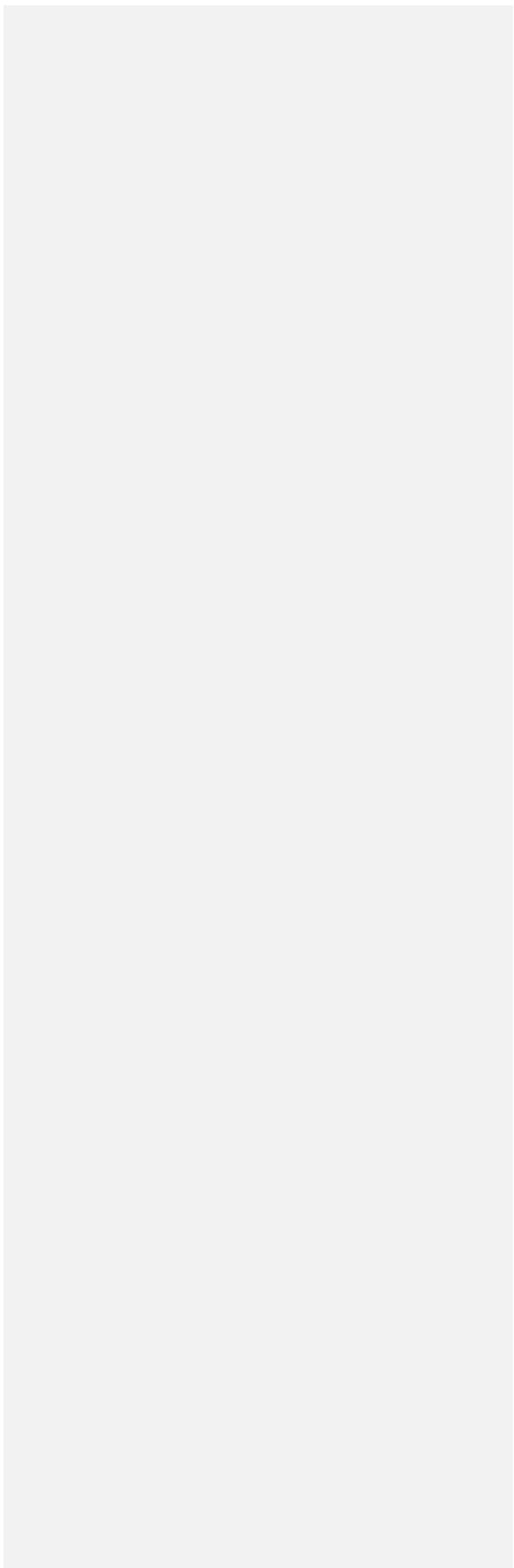
The following Certificates of Occupancy will be obtained for the project:

- Shell and Core Certificate of Occupancy

- First Certificate of Occupancy for educational use
- Final Certificate of Occupancy (as defined above)
- Master Certificate of Occupancy

In the event APS chooses to get more than one Certificate of Occupancy at one time, then it shall meet all conditions required to be met before either permit is issued.

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**1. Overall Compliance Requirements (Life of Use Permit)**

Arlington Public Schools agrees that nothing in these conditions relieves Arlington Public Schools from complying with all Federal, State and/or local laws and regulations. Arlington Public Schools agrees that these conditions are valid for the life of the Use Permit. Arlington Public Schools agrees to paste to all permit application drawings the approved minutes of the County Board meeting at which the Use Permit was approved, together with any subsequently approved condition deletions, revisions, and/or additions. Arlington Public Schools also agrees that no changes to the approved post-County Board Approved Use Permit 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. Use Permit Compliance and Expiration**

A. **Compliance (Life of the Use Permit)** Arlington Public Schools agrees to comply with the standard conditions set forth below and the plans dated July 17, 2015 and reviewed and approved by the County Board as part of the Use Permit approval (as used in these conditions, the term “Use Permit” shall refer to the approved special exception U-3415-15-1) and made a part of the public record on September 19, 2015, including all renderings, drawings, and presentation boards presented during public hearings, together with any modifications proposed by Arlington Public Schools and accepted by the County Board or vice versa, except as specified in the conditions below.

B. **Expiration (Building Permit)** If a Building Permit has not been issued for the first building to be constructed pursuant to the approved Use Permit, then this Use Permit approval expires on September 19, 2018 unless otherwise extended by the County Board. Extension of this approval shall be at the sole discretion of the County Board. Arlington Public Schools agrees that this discretion shall include a review of this Use Permit and its conditions for their compliance with then current County policies for land use, zoning and special exception uses. Extension of the Use Permit is subject to, among other things, inclusion of amended or additional Use Permit conditions necessary to bring the plan into compliance with then current County policies and standards together with any modifications proposed by Arlington Public Schools and accepted by the County Board or vice versa.

**3. Post-County Board Approved Use Permit Plans Filing (Demolition and Land Disturbance Permits)**

A. **(Demolition and Land Disturbance Permits)** Arlington Public Schools agrees to file four copies of a Use Permit Plan within 90 days of the County Board approval, and before issuance of any Permits for development pursuant to the Use Permit. Arlington Public Schools also agrees to submit four digital copies on compact disc, including final Use Permit 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-County Board Use Permit plans. The submittal shall comply with the final approval of the County Board. No permits shall be issued for this Use Permit until the post-County

Board Use Permit filings have been approved by the County Manager as being consistent with the County Board approval.

Arlington Public Schools further agrees to submit a schedule with the post use permit filing containing construction milestones and the planned opening date for the subject school (or addition), including deadlines for when permits must be obtained. Arlington Public Schools agrees to work with County staff to develop the schedule such that adequate review time is provided for County Staff.

B. Arlington Public Schools agrees that the project will be constructed per the approved plans and permits and that no changes to the approved post-County Board Use Permit plans shall take place in the field. Arlington Public Schools agrees to obtain the Zoning Administrator's review and approval of all post-County Board Use Permit plan changes. The Zoning Administrator will determine whether the changes are acceptable, need an administrative change, or require Use Permit amendment approval.

**4. Use Permit Conditions Review Meeting (Demolition and Land Disturbance Permits)**

Arlington Public Schools agrees to request and attend, along with its construction team, a Use Permit Conditions Review Meeting coordinated by the Zoning Office prior to the issuance of any permits for development pursuant to the Use Permit. The meeting is intended to inform Arlington Public Schools of the following: 1) requirements of each of the Use Permit conditions that apply to the approved Use Permit; 2) the general process and contacts for obtaining permits, including plan review and approval and overview of associated Use Permit 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. Phasing Plan (Demolition and Land Disturbance Permits)**

Arlington Public Schools agrees to obtain approval from the County Manager of a phasing plan ("Phasing Plan") if the Use Permit will be developed in more than one phase, as defined by requiring more than one final building permit, setting forth each defined phase ("Phase") of the Use Permit, prior to the issuance of any permits, and to implement the approved Phasing Plan. Arlington Public Schools agrees that it shall comply with the site maintenance requirements outlined in Condition #14 below as part of the Phasing Plan. Improvements required by this Use Permit condition shall be constructed in phases, consistent with the approved Phasing Plan, if such Phasing Plan is deemed necessary pursuant to this condition. Any changes in the project phasing shall require a new Phasing Plan approved by the County Manager prior to the issuance of any subsequent permits for the project.

**6. Tree Protection (Demolition and Land Disturbance Permits)**

Arlington Public Schools agrees to develop, submit to, and gain approval from the County Manager of a Tree Protection Plan prior to the issuance of any permits for development pursuant to the Use permit. The Tree Protection Plan shall include the following elements:

- A. **Tree Survey.** Arlington Public Schools agrees that the tree survey shall meet the Landscape Conservation requirements, including tree preservation standards, set forth in the current version of the Arlington County Chesapeake Bay Preservation Ordinance Guidance Manual.
- B. **Tree Protection Plan.** Arlington Public Schools agrees that the tree protection plan shall designate any trees proposed to be saved by Arlington Public Schools. 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. 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. All construction trailers shall be reviewed and approved pursuant to Condition #8.

Arlington Public Schools agrees that any tree designated to be saved on the tree protection plan which dies, as determined by the County's Urban Forester, prior to or within three (3) years of the issuance of the Final Certificate of Occupancy, shall be removed and replaced by Arlington Public Schools at their expense with the number of major deciduous and evergreen trees consistent with the Tree Replacement Guidelines, and which meet the minimum size and other requirements of Condition #21 below.

Arlington Public Schools 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 Final Certificate of Occupancy.

Arlington public schools may request revisions to the approved plan. The applicant agrees that it will apply to the County Manager for changes and obtain the County Manager's review and approval of such changes. The County Manager shall approve such changes if the tree protection plan as amended meets the standards of this condition. At all times the approved tree protection plan shall govern installation of tree protection elements and features shown thereon.

7. **Right-of-Way Permits**  
Intentionally omitted.

8. **Location of Construction Trailers (Demolition and Land Disturbance Permits)**  
Arlington Public Schools agrees to submit a construction trailer plan, which shall show the location of construction trailers, to the County Manager, and obtain review and

approval of such plan from the County Manager prior to the issuance of the Demolition and Land Disturbance Permits, and prior to locating any trailers on the site. The plan may show construction trailers located within the setback area as long as they are not located in the vision obstruction area or tree protection area. The plan shall show the location of construction staging and include a map of the construction travel routes. If all construction trailers for the project are shown on the Tree Protection Plan (Condition #6.B) above), then that Plan can be used to satisfy this condition's submittal requirements, provided it has been reviewed and approved as set forth herein. If construction trailers are proposed to be located in the public right-of-way or public right-of-way easement, then they shall be shown on a Maintenance of Traffic (MOT) plan approved by DES, and shall not be installed until their location is approved by DES and a right-of-way permit is approved and issued.

**9. Photographic Record of Development (Demolition and Land Disturbance Permits)**

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

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

- 1) **(Demolition and Land Disturbance Permits)** Before issuance of any permits for development pursuant to the Use Permit – Views of north, south, east and west facades, as location permits, of buildings to be demolished, as well as at least one photo of the site before any clearing or grading including the existing physical relationship with adjacent buildings and streets.
- 2) **(Final Building Permit) (Shell and Core Certificate of Occupancy Permit)** Photos of Site Clearance: Views of cleared site facing north, south, east and west, as location permits, with adjacent buildings and streets included.
- 3) **(Shell and Core Certificate of Occupancy Permit)** Before issuance of the Shell and Core Certificate of Occupancy Permit – Photos of Construction Phase: At a minimum, views of the site during excavation, upon completion of the first floor above grade, at topping out, and during the exterior cladding phase.
- 4) **(Final Certificate of Occupancy)** Before issuance of the Final Certificate of Occupancy – Photos of Site Completion: North, south, east and west facades of completed building or buildings, as well as at least one view of completed project in context of adjacent buildings and streets. Color photographs on compact disc

must be submitted in addition to black and white photographs and the photo contact sheet.

- 5) **(Final Certificate of Occupancy)** Before the issuance of the Final Certificate of Occupancy– The photographic records for which no time is specified above, including the completed compact disc with the entire photographic history, shall be delivered to the Zoning Administrator.

**B. Photographic Record of Development Submittal Standards**

All photographic records may be either color or black and white. Submission of a photo contact sheet and 8" x 10" prints on photographic paper shall be the minimum acceptable standard. Color photographs on compact disc, print copies of the photographs, and the photo contact sheet, must be date-stamped and submitted at the end of the project prior to the issuance of Final Certificate of Occupancy.

**10. Construction-Related Measures (Demolition and Land Disturbance Permits)**

**A. Maintenance of Traffic Plans:**

- 1) Arlington Public Schools agrees that all Maintenance of Traffic Plans (MOTs) submitted pursuant to the Minimum Acceptance Criteria and Guidelines referenced in Condition #20 for this use permit shall include the hours permitted for construction activities in the public right-of way. Construction activity within the public right-of-way may occur between 9:00 a.m. and 3:30 p.m. Monday through Friday and/or between 10:00 a.m. and 6:00 p.m. on weekends and holidays. Construction activity within the public right-of-way shall not occur between 6:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:30 p.m. Monday through Friday. The foregoing construction hours may be modified by the County Manager if she finds that: 1) for right-of-way improvements required by the use permit, 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. Arlington Public Schools 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.
- 2) Arlington Public Schools agrees to submit one (1) set of each approved MOT to the Zoning Administrator within 30 days after approval of the MOT. Copies of plans or maps shall be also be posted in the construction trailer and given to each subcontractor and construction vehicle operator before they commence work on the project.

- 3) Arlington Public Schools agrees to provide one (1) copy of each approved MOT to each appropriate civic association, one (1) copy to the Arlington County Police Department, and provide documentation of these submissions to the Zoning Administrator within 30 days of approval of the MOT.

**B. Maintenance of Street Surfaces During Construction:**

Arlington Public Schools 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, Arlington Public Schools agrees to repair promptly the disturbed portion(s) of pavement with hot patching to return the road surface to a clean, smooth condition. Arlington Public Schools 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 Arlington Public Schools, Arlington Public Schools' contractors, or private utility companies for work associated with this Use Permit. Arlington Public Schools agrees to make reasonable efforts to schedule construction work so that digging in the street surfaces will not occur during the winter months. The term "significant portion of a road" is understood to include, but not be limited to, a cut in the road surface that exceeds 10 feet in length or 100 square feet in size. This condition is in addition to any other conditions in this Use Permit 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.

**C. Temporary Lighting Plan (Demolition and Land Disturbance Permits):**

Arlington Public Schools 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 during construction. Arlington Public Schools agrees to submit to, and obtain review and approval from the County Manager of a temporary lighting plan prior to issuance of Demolition and Land Disturbance Permits. The County Manager will approve the temporary lighting plan if it meets the standards of this condition. Lighting levels shall conform to minimum luminance levels approved by the County, based on the Arlington County Traffic Signal and Streetlight Specifications. Arlington Public Schools agrees that the approved temporary lighting plan shall be implemented within 90 days after issuance of the Land Disturbance Permit and prior to the shut-down or removal of any existing lighting, and shall be operated from implementation until lighting fixtures as approved in Condition #20 are in place and operational around the perimeter of the site. Temporary lighting shall be turned on between dusk and dawn seven (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.

**D. Off-Street Parking for Construction Workers (Demolition and Land Disturbance Permits)**

Arlington Public Schools agrees to obtain the review and approval, as meeting the standards of this Condition #10, by the Zoning Administrator of a plan for off-street parking for construction workers prior to the issuance of the Demolition and Land Disturbance Permits. Arlington Public Schools agrees that the plan shall provide for off-street parking which shall be provided for all construction workers, including sub-contractors, without charge to the workers. In lieu of providing parking, Arlington Public Schools 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. Arlington Public Schools 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 Arlington Public Schools. 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. Arlington Public Schools agrees that the plan shall include, at a minimum, 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 estimated 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 (Demolition and Land Disturbance Permits)**

Intentionally Omitted.

**12. Retail Relocation (Demolition and Land Disturbance Permits)**

Intentionally Omitted.

**13. Community Outreach During Construction**

Arlington Public Schools agrees to comply with the requirements of this condition prior to the issuance of any permits for development pursuant to the Use Permit, and to remain in compliance with this condition until the Final Certificate of Occupancy is issued.

- A. **Community Liaison (Demolition and Land Disturbance Permits).** Arlington Public Schools agrees to identify a person or persons who will be the liaison to the community throughout the construction of the site. The name and telephone number of the initial liaison and, if different, of the permanent liaison, shall be provided in writing or by email to the residents, property managers and business owners whose properties abut the Project; the Fairlington Citizens Association, Fairlington Villages Unit Owners Association, and Court Bridge I and II Condominiums; and the Zoning Administrator; and shall be posted at the entrance of the Project. Throughout the duration of construction, the individual shall be on the site throughout the hours of construction, including construction on weekends.
- B. **Community Meeting (Demolition and Land Disturbance Permits).** Arlington Public Schools agrees to hold a community meeting before the issuance of any permit for work pursuant to this Use Permit, with those whose property abuts the project, and the presidents of the Fairlington Citizens Association, Fairlington Villages Unit Owners Association, and Court Bridge I and II Condominiums, to review the Construction Vehicle Routing Plan, 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. Arlington Public Schools agrees to provide documentation to the Zoning Administrator of the date, location and attendance of the meeting.
- C. **Temporary Closures of Any Traffic Lanes (7 days in advance of street closures)** Arlington Public Schools agrees to notify the Fairlington Citizens Association, Fairlington Villages Unit Owners Association, and Court Bridge I and II Condominiums and all abutting property owners in writing (or, by mutual agreement, via 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, insecure building façade, or similar unforeseeable public danger. “Emergency” street closures shall not include closures for setting up or dismantling of a crane, exterior building construction, materials deliveries, utilities work, or similar situations.
- D. **Timing of Utility Work.** Arlington Public Schools agrees to advise abutting property owners in writing (or, by mutual agreement, via e-mail) of the general timing of utility work in abutting streets or on-site that may affect their services or access to their property throughout construction of the project.

**14. Construction Site Maintenance (Demolition and Land Disturbance Permits)**

- A. **Site Maintenance Requirements (Throughout Construction of the Use Permit)** Arlington Public Schools agrees to provide a site maintenance plan which shall contain the following standards for site maintenance during construction, and to post said plan and standards in prominent locations onsite:

- 1) That the site and any buildings located within it are secured and kept in a well-maintained condition throughout construction, consistent with the requirements outlined below in this condition, and the requirements contained in Condition #21.D. This shall include, but not be limited to, maintaining landscaping, keeping the grass mowed, removing litter and debris from the site, and properly disposing of recyclable materials.
- 2) Maintain access on the site for fire emergency vehicles including access to existing fire hydrants and fire department connections.
- 3) Address sites that have been cleared, but construction has either ceased for a period of time or not yet begun. The plan shall include an interim site maintenance plan that provides details on interim landscaping, site screening and site maintenance.
- 4) At the end of each work day during construction of the project, any streets used for hauling construction materials and entrance to the construction site shall be free of mud, dirt, trash, allaying dust, and debris, and all streets and sidewalks adjacent to the construction site shall be free of trash and debris.
- 5) On-site construction activity, including, by way of illustration and not limitation, delivery of materials and equipment, except for construction worker arrival to the construction site and indoor construction activity, shall commence no earlier than 7:00 a.m. and end by 6:30 p.m. on weekdays, and shall commence no earlier than 10:00 a.m. and end by 6:30 p.m. on Saturdays, Sundays, and holidays. Indoor construction activity defined as activity occurring entirely within a structure fully enclosed on all sides by installed exterior walls, windows, and/or doors shall end at midnight each day. Arlington Public Schools may submit to the Zoning Administrator, as an administrative change to the use permit, a request to permit construction activity during hours other than those identified above. The Zoning Administrator may approve such request only if Arlington Public Schools can show that 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. Arlington Public Schools 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.

**B. Storage of Construction Materials (Throughout Construction of the Use Permit)** Arlington Public Schools agrees that the storage of construction materials, equipment and vehicles shall occur only on the site. Arlington Public Schools may submit a request for the County Manager's review and approval of

an off-site location, which the County Manager shall approve if he or she finds that the storage of construction materials, equipment and vehicles off-site, or their transportation to the site neither adversely impact the public health or safety of the off-site location nor of the persons or the area affected by the storage and/or transportation.

- 15. Construction and Demolition Waste (Demolition and Land Disturbance Permits)** Arlington Public Schools agrees to submit and obtain the County Manager’s review and approval of at least one plan for diverting from landfill disposal the demolition, construction, and land clearing debris generated by the project. Such approval of a plan for debris disposal shall be obtained prior to the issuance of the 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, Arlington Public Schools 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 any permits for development pursuant to the Use Permit. Arlington Public Schools further agrees to implement such plan throughout the respective phases of construction. Arlington Public Schools 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. Arlington Public Schools agrees to contact local firms/organizations that may be interested in removing these materials without expense to Arlington Public Schools 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 Arlington Public Schools’ efforts, there is little or no interest by local firms/organizations to remove these materials, then Arlington Public Schools 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)** Arlington Public Schools agrees, to submit to, and obtain review and approval, by the County Manager of the Demolition Waste Management Plan prior to the Demolition and Land Disturbance Permits. The Demolition Waste Management Plan shall provide a plan to divert demolition, land clearing, and 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). Arlington Public Schools further agrees

to implement the approved plan throughout the respective phases of demolition. 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** Arlington Public Schools agrees to include a provision in the scope of work for the General Contractor for the use permit project stating that the management of debris generated during construction will comply with the requirements of LEED Credits MR2.1 and 2.2 (Construction Waste Management) and will earn those credits as part of the LEED Certification.

**16. Green Building Fund Contribution (Demolition and Land Disturbance Permits)**  
Intentionally Omitted

**17. Vacations and Encroachments (Demolition and Land Disturbance Permits)**

- A. **Approval of Ordinance (Demolition and Land Disturbance Permits)** Arlington Public Schools agrees to obtain approval of, and fulfill all required conditions of, all ordinances of vacation and/or ordinances of encroachment associated with and/or required to build the project, or any portion thereof, as shown on the plans described in Condition #2, prior to the issuance by the County of the first permit for development pursuant to the Use Permit, or for a pertinent phase approved by the County Manager as part of the Phasing Plan required in Condition #5, except for demolition permits solely for buildings and structures not owned by the County and not located on property within which the County has an interest.

- B. **Obtain Ordinance (Final Building Permit)** Further, Arlington Public Schools agrees that no building, structure or utility of any type shall encroach upon, or interfere with, the use of any County property or the exercise by the County of any property right or interest, unless Arlington Public Schools has first, before an Excavation, Sheeting and Shoring Permit is issued, or if Arlington Public Schools does not obtain an Excavation, Sheeting and Shoring Permit, then before the Final Building Permit for the applicable phase of the project is issued, a) obtained an ordinance of vacation or an ordinance of encroachment, enacted by the County Board, permitting such use, encroachment or interference; and, b) met all of the conditions of such ordinance(s).

**18. Public Art (Demolition and Land Disturbance Permits)**  
Intentionally Omitted

**19. LEED Credits and Sustainable Design Elements (Final Building Permit)** Arlington Public Schools (APS) agrees to obtain LEED credits and implement sustainable design elements as follows:

- A. **LEED Condition for New Construction**  
Intentionally Omitted

B. LEED Condition for an Addition

- i. Arlington Public Schools agrees to maintain a LEED Accredited Professional (LEED-AP) as a member of the design and construction team. This LEED-AP will incorporate sustainable design elements and innovative technologies into the project so that the project minimizes environmental impact. Any references to the LEED green building rating system refer to the LEED for Building Design and Construction: Schools (LEED BD&C: 2009) or a more recent version of LEED. Specifically, Arlington Public Schools agrees that any renovation in the existing building will be done using LEED as a guideline. APS further agrees that it will do the following: For the entire school (additions and existing building):
  1. Design, install, and commission energy efficient building systems that are designed to achieve a 10% modeled reduction in site energy intensity (kBtUs/square foot/year) in the entire school, using as a baseline the average energy intensity from Abingdon Elementary School for the previous 3 years (the average site energy intensity calculated for FY 13, FY 14, and FY 15 is 60 kBtUs/sf). Thus the project should be designed to achieve an Energy Use Intensity of 54 kBtUs/sf.
  2. Track energy use in the building and share annually using Energy Star's Portfolio Manager (or equivalent as approved by the County Manager).
  3. All outdoor lighting fixtures shall meet the requirements outlined in LEED Light Pollution Reduction credit, with the exception of Arlington County standard street lights. No uplighting will be installed.
  4. Minimize site disturbance and, where possible, preserve or restore natural habitat, using as a guide LEED credits entitled *Site Development – Protect or Restore Habitat and Maximize Open Space*.
  5. The roof of the entire school will meet the requirements of the LEED credit SS 7.2, Heat Island Effect – Roof.
  6. The project will achieve 30% modeled water use reduction in the entire school as outlined in the LEED Indoor Water Use Reduction credit.
  7. The project will recycle or salvage at least 75% of the total construction and demolition debris (include at least three materials streams.) as outlined in LEED Construction and Demolition Waste Management credit.
- ii. APS agrees to achieve the following LEED standards in the northwest gymnasium addition and the southeast three-story classroom addition and will strive to meet these standards in the

existing portions of the building where renovation work is being done::

1. IEQ Prerequisite 1 (Minimum indoor Air Quality performance)
  2. IEQ Prerequisite 2 (Environmental Tobacco Smoke Control)
  3. IEQ Prerequisite 3 (Minimum Acoustical Performance)
  4. IEQ Credit 1 (Outdoor Air Delivery Monitoring)
  5. IEQ Credit 3.1 (Construction indoor Air Quality Management Plan – During Construction)
  6. IEQ Credit 4.1 (Low-Emitting Materials – Adhesives and Sealants)
  7. IEQ Credit 4.2 (Low-Emitting Materials – Paints and Coatings)
  8. IEQ Credit 4.3 (Low-Emitting Materials – Flooring Systems)
  9. IEQ Credit 4.4 (Low-Emitting Materials – Composite Wood and Agrifiber Products)
  10. Conduct building commissioning in accordance with the LEED Energy and Atmosphere Prerequisite 1 (Fundamental Commissioning of Building Energy Systems).
  11. Reduce the need for lighting (through daylighting where possible) and 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) credit entitled, Optimizing Energy Performance (Interior Lighting Power) shall be used toward the goal of maximizing energy efficiency in the lighting.
- iii. The project will strive to meet the following additional LEED standards:
1. IEQ Credit 4.5 (Low-Emitting Materials – Furniture and Furnishings)
  2. IEQ Credit 4.6 (Low-Emitting Materials – Ceiling and Wall Systems)
- iv. Site Visits (First Certificate of Occupancy for educational use). Arlington Public Schools agrees to permit and cooperate with site visits as requested by the County Manager to verify that all LEED components as agreed to as part of this Condition have been included in the Project.

- v. In cooperation with Arlington County DES/OSEM, develop a green building educational program for the school including signs and a brochure describing green building features. A green building tour will also be developed.
- vi. Arlington Public Schools agrees to submit to the Department of Environmental Services (DES) reports prepared by the LEED-AP and documentation upon request to substantiate the report. Such reports will be submitted prior to the issuance of the following permits or certificates of occupancy for construction of the project and will summarize the efforts to date of the inclusion of the sustainable elements within the project:
  - (1) Final Building Permit
  - (2) First Certificate of Occupancy for educational use
  - (3) Final Certificate of Occupancy

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

### **A. Submission and Approval**

- 1) Submission (Demolition and Land Disturbance Permits)** Arlington Public Schools agrees to submit a complete set, as determined by the Department of Environmental Services, of Civil Engineering Plan for each applicable phase of the project consistent with the approved Phasing Plan for the development, pursuant to Condition #5 above, based on the Minimum Acceptance Criteria and Guidelines dated November 1, 2014 or subsequent amended acceptance criteria document, prior to the issuance of the Land Disturbance Permit for that phase.
- 2) Prior to Excavation Sheeting and Shoring (Excavation, Sheeting and Shoring Permit)** Arlington Public Schools agrees that in the event it seeks an Excavation, Sheeting and Shoring Permit prior to approval of the Civil Engineering Plan, such permit may be issued only if the following requirements have been met for the applicable phase pursuant to Condition #5:
  - a. A minimum of one complete County staff review of the Civil Engineering Plan has been completed that results in a finding by the County Manager 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;
  - b. Approval by the County Manager of a Maintenance of Traffic Plan for, at a minimum, the Excavation, Sheeting and Shoring phase of work; and

**Commented [MR1]:** Several components within this condition may need to be substantively refined/changed.

- c. Approval by the County Manager of a tieback plan, or alternatively, submission of a statement from Arlington Public Schools confirming that tiebacks will not be placed or extend into the public right of way during construction of the project.

- 3) **Approval of Civil Engineering Plan (Footing to Grade Permit)** Arlington Public Schools agrees to obtain the approval of the Civil Engineering Plan by the County Manager prior to the issuance of the Footing to Grade Permit, or the issuance of the Final Building Permit whichever comes first for any phase of the project (approved pursuant to Condition #5) Arlington Public Schools further agrees that the approved Civil Engineering Plan shall conform to this Use Permit approval, the approved Final Landscape Plan, the sequence of construction, and shall be consistent with all County codes, standards and specifications, and policies, unless modified by the approved Use Permit.
- 4) **Civil Engineering Plan Post Approval and Amendments** Arlington Public Schools agrees that, upon approval of the Civil Engineering Plan, said plan shall govern construction and/or installation of all elements and features shown thereon. Arlington Public Schools further agrees to submit revisions, minor changes or amendments to the approved Civil Engineering Plan for review by, and approval from, the County Manager. Such revisions, changes and amendments to the approved Civil Engineering Plan shall be approved, provided such changes conform to this Use Permit approval, the approved Final Landscape Plan, the sequence of construction, and shall be consistent with all County codes, standards and specifications, and policies, unless modified by the approved Use Permit.

## **B. Infrastructure Improvements**

Arlington Public Schools agrees to design and incorporate, at a minimum, the following elements in the Civil Engineering Plan:

### **1) Structure Free Zone**

- a. In order to accommodate the subsurface requirements of utilities and streetscape elements (including street trees), the Civil Engineering Plan shall provide a structure-free zone under the public sidewalk along all street frontages.
  - i. This zone shall be a minimum of five (5) feet in depth, as measured from the approved finished sidewalk elevation, and shall extend from the back of the final location of the street curb, to the far edge of the public sidewalk.
  - ii. No subterranean structures (such as parking garages or storm water detention facilities) shall intrude into this five (5) foot

deep zone, unless otherwise approved by the County Board and as shown on the Civil Engineering Plan.

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

## 2) Water Mains and Services

- a. Water services and public water main improvements, as listed below.
  - i. No public water main improvements required.

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

## 3) Sanitary Sewer

- a. Public sanitary sewer main improvements, as listed below.
  - i. No public sanitary sewer main improvements required.

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

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

## 4) Storm Sewer

- a. Public storm sewer improvements as listed below.
  - i. No public storm sewer improvements required.

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

**5) Electric Service and Appurtenances**

- a. The location of all new electric transformers, and all associated appurtenances. All new electric transformers, and all associated appurtenances shall be installed, in underground utility vaults or in locations at grade to the side or rear of the building screened from public view if feasible, or if such at-grade locations are not feasible, in locations to minimize their visual impact and screened from public view.

**6) Undergrounding of Aerial Utilities**

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

**7) Underground Utility Vaults**

- a. The location of all underground utility vaults, ventilation grates, and associated appurtenances, which shall meet the following standards:
  - i. Installation of all underground utility vaults shall be in conformance with the County design and construction standards and specifications, and all applicable construction standards and specifications of the owner of the utilities. Underground utility vaults for electric transformers and all associated appurtenances, shall meet both Dominion Virginia Power and County design and construction standards and specifications.
  - ii. Underground private utility vaults may not be placed, in whole or in part, within the County right-of-way or public easement unless Arlington Public Schools obtains County Board approval of an encroachment ordinance or other

County approval, as appropriate, permitting use of the County right-of-way or public easement for such purpose. Upon enactment of an ordinance or approval, Arlington Public Schools agrees to comply with all the conditions of such ordinance and any other conditions prescribed in the Use Permit addressing vacations and encroachments, including, but not limited to, recordation of any deeds, plats, or ordinances, the payment of compensation, and required fees.

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

## 8) Streetscape

- a. 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, and the limits of the clear pedestrian zone of all public sidewalks and pedestrian access. Along with street lighting per subparagraph B.11 below, the final streetscape design shall include, but not be limited, to the following elements:

29<sup>th</sup> Street South (South side of the road along proposed parking lot.)

- *Minimum clear sidewalk width: 6-feet wide*

- b. Public sidewalks designed in conformance with the Department of Environmental Services Construction Standards and Specifications Manual or subsequent standards as amended.
  - i. The materials and colors of the sidewalk pattern and design to be used shall be in compliance with applicable streetscape guidelines, plans, or standards approved by the County Board and in effect at the time of the Civil Engineering Plan and Final Landscape Plan approval, and shall be installed on a properly engineered base.
  - ii. Non-standard materials or surface treatments may be used subject to approval by the County Manager, and under the provisions of applicable streetscape guidelines or standards.
- c. The clear sidewalk along all street frontages of the site shall be in compliance with applicable streetscape guidelines or standards, and shall be not less than six (6) feet wide at any point, including across all driveways, with no obstructions to impede the passage or flow of pedestrian traffic (clear sidewalk). However, pinch points may be permitted in conformance with the Master Transportation Plan and/or other applicable plans.
- d. The location and planting details for street trees shall be in compliance with the Arlington County Landscape Standards; the Standards for Planting and Preservation of Trees on Site Plan Projects; and other applicable streetscape guidelines or standards, or urban design standards approved by the County Board.

#### **9) Outdoor Bicycle Facilities**

- a. A minimum of 1 bicycle space per 20 students, and a minimum of 1 bicycle space per 10 students for middle and high schools, and adult learning centers, conveniently located throughout the site, under weather cover where possible, as approved by the County Manager. All bicycle racks shall meet the Arlington Bicycle Parking standards or be substantially equivalent.

#### **10) Pavement, Curb and Gutter**

- a. Pavement, curb and gutter along all site frontages, as listed below, and as shown on the approved civil engineering plan.
  - i. 29<sup>th</sup> Street South, along site frontage: Arlington Public Schools agrees to maintain the existing roadway width and location as shown on the Civil Engineering Plan approved by the County Manager. Arlington Public Schools agrees to construct new curb and gutter along its frontage on the east

side of 29<sup>th</sup> Street South as shown on the Civil Engineering Plan approved by the County Manager.

At the intersection of South Woodrow Street Arlington Public Schools agrees to relocate the existing pedestrian crossing providing high visibility crosswalks and accompanying handicap access ramps with ADA compliant detectable warning surfaces (both sides of South Woodrow Street and across the parking lot) as shown on the Civil Engineering Plan approved by the County Manager.

- ii. **29<sup>th</sup> Street South and South Abington Street intersection:** Arlington Public Schools agrees to provide high visibility crosswalks across all four legs of the intersection with accompanying handicap access ramps with ADA compliant detectable warning surfaces as shown on the Civil Engineering Plan approved by the County Manager.
- iii. **South Abington Street, west of 30<sup>th</sup> Street South.** Arlington Public Schools agrees to replace the existing mid-block crosswalk with a raised crosswalk in approximately its same location as shown on the Civil Engineering Plan approved by the County Manager. As part of the raised crosswalk Arlington Public Schools agrees to construct new curb extensions on the north and south sides of South Abington Street, with accompanying handicap access ramps with ADA compliant detectable warning surfaces as shown on the Civil Engineering Plan approved by the County Manager.

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

## 11) Street Lighting

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

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

## **12) Traffic Signal Equipment**

- a. Relocation of existing, or installation of 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:
  - i. No traffic signal equipment improvements required

## **13) Communication Conduit.**

- a. 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.

## **14) Site Circulation and Arrival and Dismissal Procedures**

- a. As part of the Civil Engineering Plan, Arlington Public Schools agrees to include a plan detailing site circulation and arrival/dismissal procedures. The plan may include, but not be limited to:
  - i. Site access and circulation for vehicles, school buses, pedestrians and bikes.
  - ii. The street frontage on streets adjacent to the school property, parking lots or garages internal to the site, drop-off and pick-up areas, bus loops, sidewalks and internal walkways, internal roadways and any other areas on the property that would be used for parking, loading or site circulation.
  - iii. "Arrival and Dismissal Procedures" including but not limited to:
    - 1. A narrative describing the management of traffic (all modes) for arrival and dismissal periods, before- and after-school activities, regular school hours and school wide events.
    - 2. Details showing onsite and offsite marking and signage associated with site circulation or arrival and dismissal operations

3. Details showing location of temporary traffic control devices and personnel (crossing guards, volunteers or staff) associated with arrival and dismissal.
- iv. Location and signage for carpool, staff and visitor parking.
- v. Existing or proposed locations for off-site parking that would be used by faculty, staff or special events' attendees.

**C. Implementation Timing.** Arlington Public Schools agrees to implement the approved Civil Engineering Plan as follows.

- 1) Arlington Public Schools agrees to construct and/or install the following improvements as shown and approved on the Civil Engineering Plan, as applicable, prior to the issuance of the Shell and Core Certificate of Occupancy, or if no Shell and Core Certificate of Occupancy is issued, the issuance of the First Certificate of Occupancy for educational use, for each respective phase of construction:
  - a. Public water main and appurtenances, including fire hydrants and fire department connections.
  - b. Public sanitary sewer main and appurtenances.
  - c. Public storm sewer improvements.
  - d. Communications conduit.
- 2) Arlington Public Schools agrees to construct and/or install the following improvements as shown and approved on the Civil Engineering Plans, as applicable, prior to the issuance of the First Certificate of Occupancy for educational use for the respective phases of construction:
  - a. Public street pavement, sidewalk, curb and gutter improvements.
  - b. Fire Apparatus Access Roads (Fire Lanes)
  - c. Street lighting elements including but not limited to: poles, meters, service cabinets and power connection appurtenances, and all conduit and junction boxes necessary for the lighting system.
  - d. Traffic signal improvements and the relocation of existing traffic signal equipment.
  - e. Stormwater management facilities.

- f. All other elements shown in the approved civil engineering plan.

Arlington Public Schools agrees to remove and replace, according to the Arlington County Department of Environmental Services Construction Standards and Specifications Manual, any existing curb, gutter or sidewalk along the street frontages of this site which is in poor condition or damaged by APS, prior to the issuance of the First Certificate of Occupancy for educational use for the respective phases of construction.

The Zoning Administrator shall, through the administrative change process, allow reasonable modifications to the timing of Condition #20.C.2) above, requiring construction or installation of public improvements, if the Zoning Administrator determines that: 1) Arlington Public Schools 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) Arlington Public Schools has provided reasonable assurances that the work will be completed in accordance with the Use Permit's approved design.

- D.** Arlington Public Schools agrees to the following prior to the issuance of the Master Certificate of Occupancy, but no later than the date established by Condition #52:

- 1) Submit to, and obtain approval from, the County Manager for as-built civil engineering plans "As-Built" for each phase of the Use Permit pursuant to Condition #5, certified by a professional engineer or surveyor registered in the Commonwealth of Virginia.

APS agrees that the As-Built shall show all sanitary sewers, storm sewers and storm water management facilities, water mains, street lights, traffic signalization, curb and gutter, sidewalks, street paving, pavement markings, and all appurtenant facilities related to these items.

The As-Built 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.

Upon notification from the County Manager that the As-Built plans are complete and accurate, Arlington Public Schools 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.

- 2) Arlington Public Schools agrees to repair or replace existing or new infrastructure, at the direction of the County Manager, damaged during

construction prior to County Manager acceptance of public improvements described in Condition 20.D.3 (below).

- 3) Arlington Public Schools agrees to obtain from the County Manager a letter accepting the public improvements shown on the Civil Engineering Plans and described in these conditions (including street trees and all landscape materials) which are in public rights-of-way or easements, for maintenance and operation by the County. The County Manager shall accept the public improvements if she finds that all elements have been properly constructed and found not to be deficient.

## **21. Final Landscape Plan (Footing to Grade Permit)**

### **A. Submission and Approval (Footing to Grade Permit)**

- 1) **Submission and Approval.** Arlington Public Schools 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 as meeting all standards set forth in this condition, prior to issuance of the Footing to Grade Permit. Arlington Public Schools 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 Use Permit approval, all Use Permit approval requirements, and all County codes, standards and specifications, and policies. The plan shall conform to, where applicable:
  - a. The landscaping requirements contained herein;
  - b. Sector Plans;
  - c. The landscaping, planting, and sidewalk and driveway construction specifications and standards;
  - d. Arlington County Landscape Standards, including the Standards for Planting and Preservation of Trees on Site Plan Projects;
  - e. Master Transportation Plan;
  - f. 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) Arlington Public Schools agrees that the final landscape plan shall contain, at a minimum, the following information, in accordance with the checklist in the Arlington County Landscape Standards:
  - a. Tree Replacement Plan and Calculations (Footing to Grade Permit)
    - (1) In addition to saving identified trees, consistent with Condition #6 above, Arlington Public Schools 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. Arlington Public Schools agrees to submit and obtain the review and approval

**Commented [MR2]:** Several components within this condition may need to be substantively refined/changed.

of a Tree Replacement Plan, and Tree Replacement Calculations, as part of the final landscape plan. Any replacement trees shall conform to the standards and specifications set forth in Condition #21.B and any replacement trees that cannot be accommodated on site will be shown within a tree replacement plan demonstrating where trees will be planted on another Arlington Public Schools location determined prior to the approval of a final landscape plan.

- 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. 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.
- d. The location and depth of all existing and proposed utility meters, underground utility vaults and boxes, utility lines, transformers, and at-grade mechanical equipment.
- e. The location of all existing, proposed and relocated traffic signal poles, traffic signal cabinets, and any other traffic-related items and equipment located on or in the public sidewalk contiguous to the site.
- 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 of all street light fixtures, poles, meters, service cabinets and power connection appurtenances along the frontages of the site.
- j. The location, dimensions, materials, and pavement pattern for driveways and access drives, automobile drop-off areas, curb ramps, driveway aprons, service drives, crosswalks, parking areas, interior walkways and roadways, plaza areas and sidewalks, as well as for address indicator signs. Interior walkways shall have a minimum width of four (4) feet.
- k. The final streetscape design, including sidewalks, street trees, tree pits/grates, bicycle racks, and sidewalk pattern/design and final selection of materials and colors to be used.

- l. The limits of clear pedestrian zones of all public sidewalks and pedestrian access.
- m. Landscaping for open space areas, plaza areas, courtyards, 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.
- n. The location and planting details for street trees.
- o. The location of public use and access easement areas, including final landscape design and installations in these areas.
- p. The final submission of the landscape plans shall include a copy of the contract for construction and installation of all landscape materials.

**B. Standards and Requirements.** Arlington Public Schools 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 8 below.
- 4) All existing and proposed traffic signal poles and traffic signal cabinets, and any other traffic-related items, on and around the perimeter of the site shall not obstruct pedestrian travel and shall not be located in the clear sidewalk, including, but not limited to, access areas to ADA ramps, crosswalks, building entrances, and interior walkways.
- 5) All plaza areas, access drives, automobile drop-off areas, interior walkways and roadways shall contain special treatments that coordinate in design, color and materials with the treatment of the public sidewalk. The materials and colors used are subject to approval by the County Manager 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.

- 6) The final sidewalk pattern/design and final selection of materials and colors shall comply with the requirements outlined below. To the extent that the County's requirements and policies for sidewalk pattern/design and materials/colors change, subsequent to this Use Permit 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 street frontages of the site shall be in compliance with applicable streetscape guidelines or standards, and shall:
    - (1) Continue across all driveway aprons for loading and garage entrances along all frontages of the Use Permit, and not contain any barriers that would impede the flow of pedestrian traffic.
    - (2) Be not less than six (6) feet wide at any point, including across all driveways, with no obstructions to impede the passage or flow of pedestrian traffic (clear sidewalk). However, pinch points may be permitted only as specifically permitted in conformance with the Master Transportation Plan and/or other applicable plans.
    - (3) Be designed and installed in compliance with Department of Environmental Services Construction Standards and Specifications.
    - (4) Use plain, un-tinted concrete or, subject to approval, an integral tint that harmonizes with its setting. Non-standard materials or surface treatments may be used subject to approval by the County Manager, and under the provisions of 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. Arlington Public Schools 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 shown on the final landscape plan and the civil engineering plan.
- 7) 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 Use Permit 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 Use Permit 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.
- 8) Plant materials and landscaping shall meet the then-current American Standard for Nursery Stock, and shall also meet the following standards:
- a. Major deciduous trees other than street trees—a minimum caliper of 2 inches, except as indicated in Condition #21.B.6) above, **or Condition 21.B.10), below.**
  - 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 1 to 1½ 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.
- 9) Pursuant to the Natural Resources Management Plan Recommendations # 13 & 14, no invasive plants will be incorporated into any plantings. Pursuant to Recommendation #11, native plants will be used where possible.
- 10) Along the Northwest forested edge of the Abingdon School property, a reforestation area shall be defined. This reforestation area shall have:**
- a. Boundaries defined by leaf mulch. This area shall not be sodded or seeded with regular turfgrass.**
  - b. A native seedmix, to be reviewed by the Urban forester, for suitable upland Oak-hickory forest shall be spread in this reforestation area**

- c. 1 to 1½ inch caliper trees, native to Arlington County, shall be used for 1 replacement tree each in this area, at a reduced spacing of 10 feet.
- d. The reforestation area, including the existing forest, shall have an invasive species control plan prepared, in coordination with the urban forester, for the five (5) years following the first date of construction.
- e. No hardscape or other structure shall be planned in the reforestation area.

**C. Installation of Landscape Plan Elements (First Certificate of Occupancy for Educational Use)**

Arlington Public Schools agrees to implement the approved sidewalk, landscaping and street tree improvements of the final landscape plan as follows:

**1) Installation (First Certificate of Occupancy for Educational Use)**

Arlington Public Schools agrees that all hardscape elements shown on the final landscape plan including but not limited to sidewalks, plazas shall be constructed and/or installed prior to the issuance of the First Certificate of Occupancy for educational use. Arlington Public Schools further agrees that landscape elements including but not limited to trees, shrubs, and other plant materials shall be installed no later than two (2) months after the issuance of the Final Certificate of Occupancy 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 shall approve an administrative change to the timing of installation of all landscape improvements if he or she finds that, due to the planting season, availability of plant materials, weather, or other construction-related issues, APS will be unable to meet the timelines, and further finds that APS is diligently pursuing completion of the work and will complete the landscaping in a reasonable amount of time.
- b. The following standards for Installation apply:
  - (1) Arlington Public Schools 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 approved in writing by the County Manager, based on accepted landscaping standards, 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) Soil depth shall be a minimum of four (4) feet plus 12 inches minimum of drainage material, 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) Arlington Public Schools agrees to install approved lighting within the use permit site (exclusive of the Right-of-Way) before the issuance of the First Certificate of Occupancy for educational use exclusive of the garage, for the applicable Phase of the project pursuant to the approved Phasing Plan required in Condition #5 above.

**D. Maintenance and Replacement (Life of Use Permit)** Arlington Public Schools agrees to maintain the site in a clean and well-maintained condition and ensure that all plaza areas are kept in a clean and well-maintained condition for the life of the Use Permit (in accordance with the Phasing Plan requirements outlined in Condition #5) as required by Section 14.2 of the Zoning Ordinance. Arlington Public Schools agrees to ensure that all plaza areas, landscaped areas, and large plantings on school property are kept in a clean and well-maintained condition for the life of the use permit. Arlington Public Schools agrees to water, prune, replace, and provide for any other necessary maintenance for all trees and landscaping located on the school property.

All pruning of street trees must be performed in accordance with the last version of, or revision to, the ANSI A300 Pruning Standards. Arlington Public Schools 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.

**E. 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 Use Permit approval. Arlington Public Schools 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 (Footing to Grade Permit)**
  - A. Approval (Footing to Grade Permit)** Arlington Public Schools agrees to submit a lighting plan for all outdoor public areas on the site and including parking areas, but not including street lights or other lighting in the public right of way, as part of the final landscape plan, and obtain the County Manager’s review and approval of such lighting plan prior to issuance of the Footing to Grade Permit. Arlington Public Schools agrees to include, in the lighting plan, certification that it meets the then minimum standards of the Illumination Engineering Society of North America Standards.
  - B. Implementation (First Certificate of Occupancy for educational use)** Arlington Public Schools agrees to implement the approved lighting plan and install all approved lighting prior to the issuance of the First Certificate of Occupancy for educational use of the applicable Phase of the project pursuant to the approved Phasing Plan required in Condition #5 above, or as otherwise required by law.
- 23. Utility Company Contacts (Excavation, Sheeting, and Shoring Permit).**

In order to ensure the timely and efficient coordination of site utility installation, Arlington Public Schools agrees to contact all utility companies and County agencies that provide utility services in Arlington County prior to the issuance of the Excavation, Sheeting and Shoring Permit. By way of illustration and not limitation, these utility services include electric, telephone, cable television, telecommunications, gas, water, sewer, and storm sewer service, both existing providers and others that regularly provide these services in Arlington County (collectively “utility companies”). Arlington Public Schools agrees to offer the utility companies access to public rights-of-way or easements that permit utilities, whether existing or to be dedicated by the developer, so that the utility companies may install their utilities at the time Arlington Public Schools will be disturbing or paving in the areas described above. Arlington Public Schools further agrees to submit to the Zoning Administrator copies of letters from Arlington Public Schools to the utility companies offering them access as stated above.
- 24. Survey Monuments (Excavation, Sheeting, and Shoring Permit)**

Intentionally Omitted.
- 25. FAA Documentation (Excavation, Sheeting and Shoring Permit)**

Intentionally Omitted.
- 26. Deeds of Public Easements and Deeds of Dedications (Footing to Grade Permit)**

- A. Arlington Public Schools agrees to convey real estate interests called for by this Use Permit approval to the County, for public street or public right-of-way purposes, in fee simple, free and clear of all liens and encumbrances. Real estate interests conveyed by Arlington Public Schools to the County for Public Improvements or public uses, (including, but not limited to, sidewalk, street trees, other streetscape planting, water mains, storm sewers, sanitary sewers, and other public utilities and facilities), that are not located, or to be located, in the public street or public right-of-way, may be granted to the County by deed(s) of easement, provided, however that, in the deed(s) conveying such real estate interests to the County, all liens and encumbrances shall be subordinated to the easement rights of the County.
- B. Unless otherwise specifically provided elsewhere in these Use Permit conditions, Arlington Public Schools agrees that, for each Phase of the project, pursuant to any approved Phasing Plan required in Condition #5 above, it will do the following:
- 1) **Submission for Review (Footing to Grade Permit)** Submit for review by the County Manager all-plats, deeds of conveyance, deeds of dedication, and deeds of easement associated with, and/or required by the Use Permit approval or the approved civil engineering plans, for the construction of any public street public infrastructure, public utility, public facility or public improvement (jointly “Public Improvements”), prior to Footing to Grade Permit for such phase; and
  - 2) **Approval and Recordation (First Certificate of Occupancy for Educational Use)** Obtain approval of and record such plats, deeds of conveyance, deeds of dedication, and deeds of easement associated with, and/or required by the Use Permit approval or the approved civil engineering plans for the construction of any Public Improvements, among the land records of the Circuit Court of Arlington County prior to issuance of the First Certificate of Occupancy for educational use or any portion thereof for such phase.

**27. Bicycle Storage Facilities (Footing to Grade Permit)**

Arlington Public Schools agrees to submit to, and obtain approval of the County Manager for, indoor bicycle storage facilities, showers and lockers for staff prior to issuance of the Footing to Grade Permit. The bicycle facilities, showers and lockers shall be shown on the architectural drawings depicting their location and access within the context of the floor(s) on which they are located; the layout of the facilities; and the details of the enclosure, security elements, bicycle racks, showers, lockers, and other elements of the facilities. Arlington Public Schools agrees to provide the following:

- (1) A minimum of one (1) bicycle space per 10 staff in Class I secure facilities, which shall meet the standards for Class I storage space as defined in the Arlington Bicycle Parking Standards in effect on the date of approval of the final building permit;
- (2) A minimum of one (1) shower per gender; and

- (3) A minimum of one (1) clothes storage locker for each required staff bicycle parking space.

Showers and lockers shall meet the following criteria:

- (1) The lockers shall be installed adjacent to the showers in a safe and secured area.
- (2) 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;
- (3) The showers and lockers may be provided in conjunction with the gymnasium; and
- (4) Both the showers and lockers shall be available to all school staff.

**Plan for Bicycle Facility, Shower, and Locker Operations (Shell and Core Certificate of Occupancy).** Arlington Public Schools agrees to obtain, prior to the issuance of the Shell and Core Certificate of Occupancy or, if no Shell and Core Certificate of Occupancy is required the First Certificate of Occupancy for educational use, the County Manager's review and approval of a plan for the operation of the indoor bicycle storage facility, showers and lockers if she finds that, at a minimum, the plan includes the following elements:

- (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 staff of the amenity at least two times per year, at or before the beginning of each semester.
  - (c) Management of registration of persons and bicycles using the Class 1 facility.
  - (d) Management of locker assignments, and re-assignments, to bike commuters.
  - (e) Policy for abandoned bicycles.

Arlington Public Schools agrees to implement the approved plan for the life of the use permit.

**28. Interior Exercise/Health Facilities (Footing to Grade Permit)**

Intentionally Omitted.

**29. Façade Treatment of Buildings (Footing to Grade Permit)**

A. Arlington Public Schools 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 Use Permit 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 Use Permit.

**B. Submission of Façade Elevation Drawings and Material Samples (Footing to Grade Permit)**

Arlington Public Schools agrees to submit to the Zoning Office, and obtain review and approval by the County Manager prior to the issuance of the 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 she finds that they are consistent with the intent of this Use Permit approval.

**C. Approval of Façade Elevation Drawings and Material Samples (Final Building Permit)**

Arlington Public Schools 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 Use Permit, including any changes approved administratively or through Use Permit amendment, prior to the issuance of the Final Building Permit.

**D. Inspection and Approval of Built Façade (Shell and Core Certificate of Occupancy)**

Arlington Public Schools 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 any Certificate of Occupancy.

**E. Standards for Façade Treatment of Buildings:**

- 1) **Rooftop Mechanical Equipment.** New mechanical equipment shall be either screened so as not to be visible from public rights-of-way or treated to minimize the visual impact of the equipment. 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. Arlington Public Schools agrees to obtain the County Manager's review and approval of the details of the screening treatment, including height, material, placement, and color, as meeting this screening/treatment standard, as part of the approval for the façade elevations and façade materials.
- 2) **Architectural Illumination.** Arlington Public Schools 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 Use Permit drawings listed in Condition #2 and approved by the County Board. Any architectural illumination shown on the façade elevations that was not specifically shown on the Use Permit approved by the County Board shall require a Use Permit amendment.

**30. Plat of Excavation (Footing to Grade Permit or prior to commencement of above-grade construction activity, whichever comes first )**

Arlington Public Schools agrees to submit one (1) plat, drawn at the scale of 1 inch = 25 feet and 24 inches x 36 inches in size, of the excavated area showing spot elevations which confirm that the construction drawings are consistent with the average site elevation, and with the building's ground floor elevation(s) at the building's lowest level(s), as approved by the County Board and as indicated in the plans referenced in Condition #2 above. Arlington Public Schools agrees to provide the Zoning Administrator spot elevations taken at spots (determined at the time of the pre-construction meeting) which shall, at a minimum, consist of two corners and spot elevations from 50 % of the total area to be excavated prior to the commencement of above-grade construction activity. Provided however, that at the point during construction where the excavated area is greater than 20,000 square feet, as determined by the Zoning Administrator, the Zoning Administrator may issue an above-grade building permit based on elevations submitted for a reduced area if she finds that the elevations submitted for the reduced area provide reasonable assurance that the construction is being done according to the use permit approval. Arlington Public Schools agrees to submit to the Zoning Administrator and obtain the Zoning Administrator's approval of, additional elevations confirming the elevations of the remainder of the excavation prior to issuance of the Footing to Grade Permit, or if APS does not obtain a Footing to Grade Permit, then prior to commencement of above-grade construction activity.

**31. Acceptance of Public Improvements (Final Certificate of Occupancy)**

Moved to Condition #20, Civil Engineering Plan

**32. Underground Utility Vaults (Footing to Grade Permit)**

Moved to Condition #20, Civil Engineering Plan

**33. Trash Collection and Recycling Areas ( Footing to Grade Permit)**

Arlington Public Schools agrees to obtain approval from the Zoning Administrator of drawings showing compliance with this condition prior to the issuance of the Footing to Grade Permit. Arlington Public Schools agrees that all collection, storage, compaction, and removal of trash, as well as appropriate facilities for the recycling of reusable materials as defined by the County shall occur in areas that are screened from public view and neighboring properties, in locations as shown on the plans referenced in Condition #2.

**34. Loading Spaces (Footing to Grade Permit)**

Arlington Public Schools agrees to obtain approval from the Zoning Administrator of drawings showing compliance with this condition prior to the

issuance of the Footing to Grade Permit. Arlington Public Schools agrees that all loading spaces shall be located as shown on the plans referenced in Condition #2 in areas screened from public view and neighboring properties.

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

**Approval of Drawings.** Arlington Public Schools agrees to submit to, and obtain review and approval from the Zoning Administrator of, drawings showing that all parking spaces and drive aisles comply with the requirements of Section 14.3 of the Zoning Ordinance (except as otherwise expressly approved by the County Board through use permit approval) prior to the issuance of the Footing to Grade Permit.

**36. Emergency Vehicle Access/Support on Surface Parking and Plaza Areas (Footing to Grade-Permit)**

Arlington Public Schools agrees that the requirements and standards of this condition shall be incorporated in the construction drawings, which shall be submitted to the Inspection Services Division for the Building Permit, and reviewed and approved by the Zoning Administrator, prior to issuance of the Footing to Grade Permit.

A. Arlington Public Schools agrees that all plaza areas used for vehicular access and all surface parking areas shall be constructed to support the live load of any fire apparatus, and agrees to construct these elements in accordance with the approved drawings.

B. No above-grade structure shall be allowed to obstruct fire lanes.

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

Arlington Public Schools agrees to provide a total of 83 parking spaces on site, as shown on the plans referenced in Condition #2. Arlington Public Schools further agrees to maintain 83 parking spaces for the life of the use permit.

**38. Documentation of Historical Artifacts, Features and Buildings (~~Footing to Grade Permit~~) (Shell and Core Certificate of Occupancy Permit)**

A. Arlington Public Schools agrees to submit documentation to Arlington County Historic Preservation Program, Neighborhood Services Division (HPP), regarding any historical artifact or historical natural feature uncovered during construction on the site. Such documentation will be submitted prior to the issuance of the Footing to Grade Permit for the building. This documentation shall include written notation describing the artifact or natural feature, color photographs, and mapping of the location and/or depth of the site excavation at which the item was found.

B. In the event an historical artifact or natural feature is found on the site, and is to be disturbed or removed from the site during construction, Arlington Public Schools agrees to contact the HPP before removing or disturbing the artifact or natural feature. Arlington County shall be given the opportunity to accept donation of the artifact or natural feature before the item is offered to any other organization or individual.

- C. If historic buildings, as identified and/or surveyed by Arlington County's Historic Preservation Program, are located on the site, then photographic documentation shall be consistent with Historic American Building Survey (HABS) standards.
- D. Arlington Public Schools agrees to pursue, at a minimum, a Phase I archaeological study within the boundaries of the project area as it has been identified as a potential archaeological site. If the project archaeologist and HPP staff agree upon review of the Phase I study that a Phase II study is warranted, Arlington Public Schools shall undertake a Phase II Archaeological study. Arlington Public Schools agrees to submit to the HPP all written results of the Phase I (and potential Phase II) archaeological study and, subject to the provisions of #38.B, to offer to the HPP all artifacts found on the site. All Archaeological work shall be completed prior to the issuance of any Demolition or Land Disturbance permits. Should the Phase I or II report(s) recommend it, Arlington Public Schools shall agree to continued monitoring of the site during construction by an archaeologist. Arlington Public Schools will work with the HPP staff to properly conserve and interpret any artifacts found as a result of the archaeological investigations.

39. **Underground Utility Fund Contribution (Final Building Permit)**  
Intentionally Omitted.

40. **Wall Check Survey**  
**Walls/Elevations of Slab at Grade (completion of the slab on grade)**  
Arlington Public Schools agrees to submit to the Zoning Administrator, and obtain the Zoning Administrator's approval of a wall check survey to confirm that the elevations of the foundation and its locations on the site are consistent with the Plans, at completion of the slab on grade.

41. **Use of Penthouse (Final Building Permit)**  
Intentionally Omitted.

42. **Review by Crime Prevention Through Environmental Design (CPTED) Practitioner (Final Building Permit).**  
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, Arlington Public Schools 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. Arlington Public Schools agrees to provide, upon request by the

**Commented [MR3]:** Staff will need to discuss how to best execute this condition; more refined/substantive language may be needed.

County, access to electrical service separately metered, including auxiliary electrical power, and telephone radio control lines to the penthouse in the defined area. Arlington Public Schools 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, Arlington Public Schools 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 Arlington Public Schools based on a reasonable exercise of judgment by both upon request by the County. Arlington Public Schools 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.

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

Intentionally Omitted.

**45. Safety Measures at Garage Exit Ramps (Final Building Permit)**

Intentionally Omitted.

**46. Public Use and Access Easements (Shell and Core Certificate of Occupancy)**

Intentionally Omitted.

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

Arlington Public Schools agrees to submit to, and obtain review and approval from the County Manager of a Transportation Demand Management Plan (TDM Plan), prior to issuance of the Shell and Core Certificate of Occupancy, in order to achieve the following:

- The desired results of the Arlington County Transportation Demand Management (TDM) program;
- Mitigation of the potential adverse impacts of parking demand and disruption of parking patterns within affected neighborhoods that could result from the approved parking count and locations;
- Mitigation of traffic impacts generated by users of the Elementary School, including staff, students, parents of students, and other visitors.

Arlington Public Schools further agrees to implement the TDM Plan for the life of the use permit. Arlington Public Schools agrees to post the approved TDM on the web page for [School].

Arlington Public Schools agrees to develop, with the assistance of County staff, an Arlington Public Schools-division-wide TDM Master Plan (“TDM Master Plan”) for district-wide use, to serve as a framework for individual TDM Plans at each facility.

TDM Strategies. The TDM Plan shall include, but not be limited to, the strategies set out below, provided, however, that the County Manager may, through the Administrative Change process, amend these strategy provisions to conform to the TDM Master Plan if she determines the amendments would achieve the goals noted above:

(a) General.

- i. APS agrees to maintain an ongoing relationship with Arlington Transportation Partners (“ATP”).
- ii. Arlington Public Schools agrees to appoint a School Transportation Coordinator (STC) to be a primary point of contact with the county and undertake the responsibility for coordinating and completing all TDM obligations for this use permit. The STC responsibilities will include overseeing the operation of the TDM, including the issuance of school parking permits, providing information on and establishing carpools, developing incentives for alternative transportation and coordinating with DPR. The STC shall work actively with the School’s Principal, staff, students and their parents/guardians, and visitors to maximize the use of non-single occupant vehicle transportation to and from the school, including by bus, bicycle, walking and car/vanpools, and shall maintain records of employee Motor Free transportation options (bike/walk to work). Arlington Public Schools shall provide, and keep current, the name and contact information of the STC to Arlington County Commuter Services (ACCS) or successor. The STC shall be appropriately trained, per the Transportation Demand Management: Knowledge Standards for Appropriately Trained School Transportation Coordinators, Version: Schools (April 2014) or subsequent version, to provide rideshare, transit, and other information provided by Arlington County intended to assist with transportation to and from the site.

(b) Incentive Programs and Policies.

- i. All dollar denominated rates shall be adjusted annually for inflation by the U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index (CPI) Inflation Calculator from the date of use permit approval.
- ii. Provide an information display(s), the number/content/design/location of which shall be approved by ACCS / ATP, to provide transportation-related information to staff and visitors. Arlington Public Schools shall keep display(s) stocked with approved materials at all times.

- iii. Each employee who participates in a carpool or vanpool will be entitled to such incentive as established by the Superintendent of Schools for the subject school specifically, or based on the TDM Master Plan, for each person in the pool, and preferred/reserved parking, except two-person pools, whose participants will receive a 50% incentive.
- iv. Each employee who participates in a carpool with a non-APS employee and who does not use APS parking facilities will be entitled to an incentive as established by the Superintendent of Schools for the subject school specifically, or based on the TDM Master Plan.
- iii. Each employee who participates in a carpool with non-APS employees and who uses a parking space at the subject school will be entitled to a monetary incentive equal to a 2-person carpool and will be entitled to preferred/reserved parking. Non-APS employees will be required to register with the STC.
- iv. Employees who participate in carpools and vanpools will be informed of the **Guaranteed Ride Home** program to assist with rides home when personal emergencies or emergency work requirements make using the carpool or van pool arrangements impossible.
- v. Metrorail, metro bus, and ART bus incentives as established by the Superintendent of Schools for the subject school specifically, or based on the TDM Master Plan, will be issued monthly to participating employees on the first day of each month in the form of a SmarTrip card or equivalent fare media provided by APS or issued in the employee's name. To the extent permitted by law, such incentives will be paid for by APS and/or drawn from pre-tax funds issued to or paid by the employee.
- vi. Arlington Public Schools shall report on usage of the incentive programs to the Arlington Public Schools Human Resources Department, which will be responsible for maintaining payroll records sufficient to compensate persons enrolled in incentive programs and arranging for the establishment of taxable and no-tax incentive payments to employees. Supervisors of employees will be responsible for the enforcement of employee honesty in completing enrollment forms.
- vii. Arlington Public Schools agrees to encourage students to use alternative transportation to travel to and from the subject school with an initial goal of 20% reduction in drop-off/pick-up trips, proportional to school enrollment, in private vehicles compared with the school year prior to the year for which the first Certificate of Occupancy for educational use in the new addition is issued.

- viii. Arlington Public Schools agrees to provide website hotlinks to CommuterPage.com™ under a “transportation information” heading, or other heading as approved by the County Manager, from the school’s website regarding this school.
- ix. Arlington Public Schools agrees to distribute a new-employee package which includes site-specific ridesharing and transit-related information provided by Arlington County to each new employee no later than the first day of employment at the school.
- x. Arlington Public Schools agrees to cooperate with and assist Arlington County Commuter Services (“ACCS”) in implementing a transit-advertising program that distributes information four times per year to all employees, students and/or their parents, and visitors.
- xi. Arlington Public Schools agrees to participate in regionally sponsored clean air, transit, and traffic mitigation promotions by posting notice of such promotions in locations within the school building.

(c) Performance Monitoring.

Arlington Public Schools agrees to participate in a transportation performance monitoring study at two (2) years, five (5) years, and (at the County’s option) every subsequent fifth year after the issuance of the First Certificate of Occupancy for educational use. The County may conduct the study, in which case Arlington Public Schools agrees to reimburse the County for the cost of the study within 30 days of notice of cost, or request that Arlington Public Schools conduct the study. In the latter case, the County would specify the timing and scope of the study, which may include average vehicle occupancy, daily vehicles trips to and from the site, parking availability by time of day for the site, pedestrian traffic, a seven (7) day count of site-generated vehicle traffic, and a voluntary mode-split survey. Arlington Public Schools agrees to notify, assist, and strongly encourage participation by students, parents, faculty, and employees to participate in mode-split surveys, which may be on-line or by email. Arlington Public Schools agrees to produce and submit to the County a report in the form specified by the County for every transportation performance monitoring study it undertakes.

- 48. Affordable Housing Contribution (Shell and Core Certificate of Occupancy)**  
Intentionally Omitted.
- 49. Availability of Site Plan Conditions to Residential Condos, Cooperatives and Homeowners Associations (Shell and Core Certificate of Occupancy)**  
Intentionally Omitted.

50. **Authorization for Police to Enter Residential Parking Areas (First Partial Certificate of Occupancy for tenant occupancy)**  
Intentionally Omitted.
51. **Replacement of Damaged Existing Curb, Gutter and Sidewalk (First Partial Certificate of Occupancy)**  
Moved to Condition #20, Civil Engineering Plan.
52. **Obtain Master Certificate of Occupancy (Within 6 months of the Final Certificate of Occupancy)**  
Arlington Public Schools agrees to obtain a Master Certificate of Occupancy within six (6) months of issuance of the Final Certificate of Occupancy, or by no later than two (2) years after issuance of the Final Building Permit, whichever comes first. Arlington Public Schools may request by administrative change to extend the deadline 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 either the end of the six-month time frame, or than two (2) years after issuance of the Final Building Permit, whichever comes first. The Zoning Administrator shall approve such extension if he or she finds that Arlington Public Schools 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 (Final Certificate of Occupancy)**  
Arlington Public Schools agrees to submit to, and obtain review and approval by the Zoning Administrator of one set of drawings certifying the building height as measured from the average site elevation to both the building roof and to the top of the penthouse roof prior to the issuance of Final Certificate of Occupancy.
54. **Existing Water Main or Fire Hydrant Service (Life of Use Permit)**  
Intentionally Omitted.
55. **Structural Modifications (Life of Use Permit)**  
Arlington Public Schools 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 Use Permit, or otherwise meet Zoning Ordinance requirements for Use Permit amendments that require approval by the County Board, a Use Permit amendment shall be required.
56. **Snow Removal (Life of Use Permit)**  
Arlington Public Schools agrees to remove snow from all exterior sidewalks for the Abingdon Elementary School Campus including accessibility ramps and gutter areas within crosswalks as required by ordinance. Snow removal for interior roadways, parking lots and associated sidewalks will precede the resumption of administrative activities on

the site and snow removal for the remaining interior sidewalks will precede the resumption of normal school operation on the site.

**57. Maintenance of Residential Common Areas (Life of Use Permit)**  
Intentionally Omitted.

**58. Retention of Approved Parking Ratio over Subdivided Site (Life of Use Permit)**  
Intentionally Omitted.

**59. Retention of Approved Density over Subdivided Site (Life of Use Permit)**  
Intentionally Omitted.

**60. Refuse Delivery to County Disposal Facility (Life of Use Permit)**  
Arlington Public Schools 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 Arlington Public Schools. Arlington Public Schools 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 Arlington Public Schools shall submit that decision in writing to the DES Solid Waste Bureau along with a comprehensive cost analysis justifying Arlington Public Schools' decision. Arlington Public Schools 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 Use Permit.

**61. Arlington Public Schools Installation of In-Building First Responder Network (Final Building Permit)**  
In order to maintain the effectiveness of the County's public safety systems, Arlington Public Schools agrees to design, construct, install, and maintain in an operable condition, an over-the-air radio in-building emergency responder communication and distribution system that will include, as defined in the document entitled "In-Building First Responder Network Definitions and Testing Protocol" as attached to this condition:

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

Arlington Public Schools agrees to submit and obtain the County Manager's review and approval of, engineering drawings indicating that adequate accommodations have been made in the building to meet this requirement prior to issuance of the Final Building Permit. The County Manager will approve the drawings if she finds that the drawings meet the standards of this use permit condition.

In addition, Arlington Public Schools agrees to submit to and obtain the County Manager's review and approval of, reports verifying that the level of radio communications coverage in the building is sufficient to permit emergency responder communication throughout the building, according to the testing procedure outlined in the document entitled "In-Building First Responder Network Definitions and Testing Protocol" as attached to this condition. Arlington Public Schools agrees to submit and obtain approval of these reports at the following times: a) prior to the issuance of the Final Certificate of Occupancy; b) every one year after the date of issuance of the Final Certificate of Occupancy. The County Manager may waive this condition in the future if he/she determines that the level of radio communications coverage within the building can be monitored and verified to be at an acceptable level by the County through the County's Connect Arlington fiber optic network. In addition, the County Manager may waive coverage requirements in secure areas as well as in cases where State and County requirements overlap.

**62. Power Door Openers (Life of Use Permit)**

Arlington Public Schools agrees to install power door openers for the secure, main pedestrian entrance to the building prior to the first Certificate of Occupancy for educational use and maintain them for the life of the use permit. Call boxes allowing secure entry shall be mounted and measured to provide for hands free operation after a push-button initiation of a call.

**63. Pick-up and Drop-off Procedures (Life of Use Permit)**

- A. Arlington Public Schools agrees to maintain and implement written Arrival and Dismissal Procedures for the school (originally approved as part of the Civil Engineering Plan per Condition #20.B.14) for the life of the use permit, which may be revised by Arlington Public Schools at its discretion. The procedures shall be made available to the County or the public on request.
- B. Arlington Public Schools agrees to identify a person(s) who will serve as a liaison(s) to the community for arrival and dismissal concerns for the site. Arlington Public Schools agrees to provide the contact information for the liaison(s) on the web page for the school and to the Fairlington Citizens Association, Fairlington Villages Unit Owners Association, and Court Bridge I and II Condominiums prior to the issuance of the First Certificate of Occupancy for educational use. APS agrees to investigate and respond to community concerns in a timely manner.

- C. Arlington Public Schools agrees that it will, within six (6) months of issuance of the First Certificate of Occupancy for educational use, review and study the operations and impacts of the Arrival and Dismissal Procedures. The scope of the review shall be developed in consultation with DES staff in advance of the study.

Data collection and observations for the review shall be performed on a typical school day (Tuesday through Thursday), as well as on a day when inclement weather (cold, rainy or snowy) occurs during the arrival period.

Arlington Public Schools agrees to invite representatives of the Fairlington Citizens Association, Fairlington Villages Unit Owners Association, and Court Bridge I and II Condominiums to participate in the data collection and observations. Arlington Public Schools shall provide a minimum of five (5) business days of advance notice to the civic associations before data collection and observations are conducted for the typical school day. The data collection and observations conducted on an inclement weather day shall be coordinated with the invited civic associations to the extent possible.

- D. Arlington Public Schools agrees, within eight (8) months of issuance of the First Certificate of Occupancy for educational use to submit a report to the County Manager documenting the collected data and analysis, along with, if appropriate, recommendations to improve the Arrival and Dismissal Procedures. Copies of the report shall be provided to representatives of the Fairlington Citizens Association, Fairlington Villages Unit Owners Association, and Court Bridge I and II Condominiums.
- E. Based on the report and its findings, in conjunction with DES, Arlington Public Schools shall amend their Arrival and Dismissal Procedures as appropriate and implement such revised procedures in a timely manner, as applicable.
- F. The timing in sections C and D of this condition may be modified by the County Manager if she finds that data collection and observations, and/or the subsequent report, would be more effective if performed at a later date.

**64. Design, Construction, and Use of Public Facilities (Life of Use Permit)**

- A. **Coordination of Existing Programs.** Arlington Public Schools agrees to coordinate with the County Manager the use of the indoor and outdoor facilities used by [School] and by the community sports leagues during out of school hours to include: evening, weekend, holiday and summer use. Facility use will be permitted by Arlington Public Schools consistent with the Arlington Public Schools Use of School Facilities Policy particularly the Arlington Public Schools standalone PIP, joint-use PIP and/or as outlined in the operations and cost sharing MOA.
- B. **Design and Construction of Athletic Fields.** Arlington Public Schools agrees to design and construct a field as shown on the Use Permit plans referenced in

Condition #2, above. Field design shall be shown on the approved Landscape Plan, as provided for in Condition #21, and reviewed and approved by the County Manager.

**65. Secondary Parking Agreement with Fairlington Villages Condominium Association (Life of Use Permit)**

Arlington Public Schools agrees to submit written documentation demonstrating renewal of the secondary parking agreement between Arlington Public Schools and the Fairlington Villages Unit Owners Association to the County Manager or her designee by April 1<sup>st</sup> of every year. Arlington Public Schools agrees to notify the County Manager if the parking lot owned by the Fairlington Villages Unit Owners Association will no longer be used for off-site parking. Such notification shall be provided at least six (6) months before the parking agreement is set to expire, or no later than 30 days after notification from the Fairlington Villages Unit Owners Association of non-renewal of the parking agreement, as specified in the use permit application documents for the secondary parking use (U-3421-15-1) submitted August 13, 2015 and approved by the County Board on September 19, 2015. When the Fairlington Villages Unit Owners Association notifies the County Manager that off-site parking will no longer be available, Arlington Public Schools agrees to identify an alternative mechanism to maintain compliance with the parking requirements specified within the Arlington County Zoning Ordinance, in the form of: (1) a new use permit application demonstrating where a new, secondary parking arrangement has been identified, and/or (2) a use permit amendment to this use permit should they consider an on-site parking alternative (including further analysis of an existing parking alternative as shown within the use permit plans dated July 17, 2015), (3) a use permit amendment to this use permit for continued use of Transportation Demand Management (TDM) strategies to further reduce the number of on-site parking at Abingdon Elementary School, and/or (4) another mechanism as specified within the Arlington County Zoning Ordinance. The selected, alternative mechanism(s) shall be subject to a meeting of the Public Facilities Review Committee (PFRC) prior to the scheduled County Board meeting.

**B. Conditions #1-4 – U-3421-15-1 (Fairlington Villages Parking for APS – Abingdon ES)**

1. Arlington Public Schools agrees that the secondary use of parking at the site be limited to a maximum of 15 vehicles at any one time after receipt of the Master Certificate of Occupancy for the property, and will be restricted to between the hours of 7 a.m. to 5 p.m. Monday through Friday. Parking shall be limited to employees' personal and non-commercial vehicles only. Arlington Public Schools agrees that the use of the Fairlington Villages Community Center parking lot for 15 spaces will be used from September through June, beginning and ending on the days when staff is present, exclusively for school use. Arlington Public Schools agrees that the Fairlington Villages Community Center parking lot will be used as shown on the application package dated August 13, 2015 and approved by the County Board on September 19, 2015.
2. Arlington Public Schools agrees to submit a plan to be approved by the Zoning Administrator prior to the commencement of use. This plan shall include the following:
  - a. A plan for maintenance at the site, including the clean-up of trash and other debris within the secondary parking lot when it is used by school employees.
  - b. The name, telephone number, and e-mail address of an Arlington Public Schools appointed community liaison.

A copy of this approved plan shall be provided to the Fairlington Villages Unit Owners Association, the Fairlington Citizens Association, and Court Bridge Condominiums I and II, and the Zoning Administrator. This plan may be modified through an administrative change approved by the Zoning Administrator. All changes shall be provided to the Fairlington Villages Unit Owners Association, the Fairlington Citizens Association, and Court Bridge Condominiums I and II for informational purposes.

3. Arlington Public Schools agrees to maintain a record that includes a complaint log on the secondary parking use, a list of responses to the complaints and how they were resolved during the reporting year. The record will be available to the public upon request.
4. Arlington Public Schools agrees to submit written documentation demonstrating renewal of the secondary parking agreement between Arlington Public Schools and the Fairlington Villages Unit Owners Association to the County Manager or his designee by April 1<sup>st</sup> of every year. Arlington Public Schools agrees to notify the County Manager if the parking lot owned by the Fairlington Villages Unit Owners Association will no longer be used for off-site parking. Such notification shall be provided at least six (6) months before the parking agreement is set to expire, or no later than 30 days after notification from the Fairlington Villages Unit Owners Association of non-renewal of the parking agreement as specified in the use permit application documents submitted August 13, 2015 and approved by the County Board on September 19, 2015. When the Fairlington Villages Unit Owners Association notifies the County Manager that off-site parking will no longer be available, Arlington Public Schools agrees to identify an alternative mechanism to maintain compliance with the parking requirements specified within the Arlington County Zoning Ordinance, in the form of: (1) a new use permit application

demonstrating where a new, secondary parking arrangement has been identified, and/or (2) a use permit amendment to U-3415-15-1 (Abingdon Elementary School use permit) should they consider an on-site parking alternative, and/or (3) another mechanism as specified within the Arlington County Zoning Ordinance. The selected, alternative mechanism(s) shall be subject to a meeting of the Public Facilities Review Committee (PFRC) prior to the scheduled County Board meeting.

**Commented [MR4]:** This language may need to change/be substantively refined to reflect the details within the “parking agreement” between APS and Fairlington Villages Unit Owners Association.

DRAFT