



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of July 8, 2006

DATE: June 21, 2006

SUBJECT: SP #167 SITE PLAN AMENDMENT to convert approximately 11,000 square feet of first floor office for daycare use located at 2451 Crystal Dr. (RPC # 34-020-243)

Applicant:

Fifth Crystal Park Associates

By:

M. Catharine Puskar, Attorney
Walsh, Colucci, Lubeley, Emrich and Walsh
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

C.M. RECOMMENDATION:

Approve the conversion of approximately 11,000 square feet of office space to child care use, subject to eleven (11) new conditions which apply solely to the subject child care use, and with a review in one (1) year (July 2007).

ISSUES: There is a loss of one (1) sand volleyball court because of the child care requirements for a programmed play area.

SUMMARY: This site plan amendment for the Crystal Park V Building, located at 2451 Crystal Drive, would permit the conversion of approximately 11,000 square feet of ground floor office space to a child care center. The subject space is located next to a 2.85-acre easement area, currently improved with three (3) outdoor volleyball courts, picnic tables, and an outdoor exercise area maintained by the applicant.

In encouraging business relocation to Arlington, Arlington Economic Development has been questioned by such businesses about child care providers in Arlington County. In reviewing the county's resources, it became evident that Arlington is currently underserved by child care providers in the Crystal City area. The applicant has presented an opportunity for Arlington to realize additional child care services (approximately 160 children) in Crystal City. However, such a resource does come at a cost to existing recreational resources maintained by the applicant – one of the three sand volleyball courts will be eliminated for the required programmed play

County Manager: _____

Staff: Jill Griffin, DCPHD, Planning Division
Carol Ann Perovshek, DPRCR
Jennifer Ives, AED

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area. Staff has worked with the applicant to mitigate the impacts of the play area to the remaining volleyball courts. Additionally staff will commit to obtaining the resources and finding the space necessary to replace the loss of this volleyball court. Based on the needs for child care and the efforts to mitigate the loss of a volleyball court, staff concludes that the request to convert the ground floor office space (approximately 11,000 square feet) to child care use is appropriate. Therefore, staff recommends that the County Board approve the request to convert the office space to child care use subject to eleven (11) new conditions which apply solely to the subject child care use and with a review in one (1) year (July 2007).

BACKGROUND: In 1989, the County Board approved Site Plan SP #167 for the construction of several buildings, including the eleven-story office building at 2451 Crystal Drive. Since construction, the space had been occupied by the Department of Defense and the Patent and Trademark Offices (PTO); PTO vacated the space in March 2005.

The following provides additional information about the site and location:

Site: The site is bounded by Crystal Drive to the west, the Airport Road ramp to the south, a service drive and railroad tracks to the east, and the Crystal Park IV building (2345 Crystal Drive) to the north. Major developments in the surrounding area are the Century I, the Shops at Century and the Pierce and Buchanan Mall buildings to the west, and the remaining buildings in the Crystal Place development to the north.

Zoning: "C-O-1.5" Commercial Office Building, Hotel and Apartment Districts

Land Use: Two-thirds "Low" Office-Apartment-Hotel (1.5 FAR office; up to 72 units per acre apartment and up to 110 units per acre hotel) and one-third "Medium" Residential (32 – 72 units per acre)

Civic Association: The site is not located in an active civic association.

When originally approved, the site plan included a condition requiring that the developer grant, to the County, a 30-year, 124,312 square foot public use easement for recreational purposes. The public use easement, which commenced on December 15, 1989, is currently improved with three outdoor volleyball courts, picnic tables, and an outdoor exercise area. These facilities are maintained by the applicant.

DISCUSSION: Charles E. Smith Commercial Realty, the owner of the subject site, and Arlington Economic Development (AED) staff recently worked together to attract two large, well-respected organizations to Crystal City: National Cooperative Bank (NCB) and Conservation International. These two organizations represent the types of organizations that will transform the Crystal City submarket as Arlington realizes the effects of the Base Realignment and Closure (BRAC) decisions. These two leases will bring over 600 new jobs to Arlington and occupy over 175,000 square feet of commercial space at a time when tenancing Crystal City is a priority for the County. Both organizations required child care as a contingency in their leases. These requests have highlighted the absence of child care in Crystal City.

This is not the first time organizations have made similar requests. KBR recently expanded its operations in Arlington by 160 jobs which necessitated relocation from Rosslyn to Crystal City. PBS relocated from Alexandria to Crystal City which brought 450 new jobs to Arlington. In both instances, the idea of the subject child care center was discussed, and ultimately, was one of the amenities to help attract both tenants to the Crystal City submarket.

Additionally, AED staff has experienced an increase in private companies and non-profit organizations requesting help in addressing the lack of child care options when considering relocating or expanding in Arlington. Child care has become an essential amenity for companies to attract and retain qualified workers because Arlington County has limited full-day child care options. In certain Arlington zip codes, child care facilities for infants to 2 year olds have 24-36 month wait-lists (Child and Family Services, DHS, May 2006). In fact, Crystal City has only two full-day child care facilities: serving 117 children between the ages of 8 weeks to 5 years, both having waitlists of 18-24 months.

To meet this need for child care in Crystal City, the applicant would like to convert office space to a child care center serving up to 160 children from the ages of infant to 6 years old operating Monday through Friday during the hours of 6:30 a.m. to 7:00 p.m. The applicant proposes to utilize approximately one-half of the first floor of the office building for the child care center. The space has not been built-out at this time. If approved, the applicant will be required to work with the Child Care Office, the Fire Marshal's Office, the Department of Environmental Services – Environmental Health, and the Department of Community Planning, Housing and Development – Inspection Services Division to make the appropriate improvements which would include, but is not limited to, the following: sprinkling; installation of a complete fire alarm system; emergency lighting; appropriate exits on each floor; handicap accessibility; and appropriate fencing of the play area.

Children will be escorted to and from the school by their parents. Access to the site is provided from a private driveway, off Crystal Drive, which serves Crystal Park III, IV and V of the Crystal Park complex (approximately one million square feet of office space). The applicant will be dedicating eight surface parking spaces, which are off of the driveway, to facilitate the ease of pick-up and drop-off periods in the morning and evening. The Zoning Ordinance does not have a parking requirement for a child care center. It does require that nursery schools provide a parking space for each of its employees. In the past, staff has used this as a guide for determining the requirement for child care centers per the requirements of the Section 33.C.5.a. of the Zoning Ordinance. The applicant anticipates that approximately 30 staff would be associated with the child care center. Employees of the child care center will be provided parking in the existing parking garage.

Local and state codes require that child care centers have outdoor play areas at a ratio of 75 square feet per child. The applicant has proposed to vacate a portion of the recreational easement (as discussed in a companion report) to accommodate the outdoor play area. This will result in the loss of one of the three lighted sand volleyball courts. These three lighted volleyball courts, maintained by the applicant, are a unique and valuable recreational resource in Arlington

County. These courts attract volleyball enthusiasts who live or work in the County and they are used regularly from Spring through Fall, particularly in the evenings and weekends.

The applicant will construct and maintain the outdoor play area and its equipment to Arlington County standards and will permit public use of the facility from 6 p.m. through 8 a.m. Mondays through Fridays, on certain Federal holidays and all day on the weekends. The applicant has agreed to construct appropriate fencing to enclose the play area and locate the fencing far enough from the remaining volleyball courts to ensure maximum compatibility. The applicant has further agreed to ensure the viability of the remaining two courts during construction of the play area and throughout the remaining term of the public access easement.

In addition, the County Board has tasked staff to explore opportunities elsewhere in the County where a volleyball experience and venue, similar to the one that currently exists at 2451 Crystal Drive, could be created. Staff will begin a process of examining and analyzing potential locations to determine preliminary feasibility based on several factors including, but not limited to: access to Metro, proximity to Crystal City, presence of existing lighting, availability of adequate space and compatibility with existing recreational uses.

FISCAL IMPACT: The County is currently providing \$60,000 for the relocation, design and construction of replacement volleyball courts off site. If additional funding is needed to achieve the desired outcome, those monies would need to be identified and secured in the future.

CONCLUSION: Staff recommends approval of the conversion of the subject space from office to child care use. Based on the needs for child care and the efforts to mitigate the loss of a volleyball court (due to play area requirements for child care), staff conclude that the request to convert the ground floor office space (approximately 11,000 square feet) to child care use is appropriate. Therefore, staff recommends that the County Board approve the request to convert the office space to child care use subject to eleven (11) new conditions which apply solely to the subject child care use and with a review in one (1) year (July 2007).

1. The applicant agrees that the hours of operation will be weekdays from 6:30 a.m. to 7:00 p.m., Monday through Friday, with a capacity of 160 children. Provided, however, that the Child Care Office may determine the final number of children that can be served in the program following the required renovations and improvements to the site. This number may be modified based on appropriate space ratios. The applicant agrees not to enroll more than 160 children, or such other number as the Child Care Office has determined can be accommodated and as evidenced by the certificate of occupancy.
2. The applicant agrees to meet all requirements of the Child Care Ordinance, Community Code Enforcement Office, Environmental Health Bureau and the Fire Marshal's Office, including securing the appropriate assembly permit prior to the issuance of a Certificate of Occupancy.
3. The applicant agrees to require parents of children attending the program (or persons designated by the parents) to escort their children to and from the center at all times.

Pick-ups and drop-offs shall be within the short-term surface parking spaces located adjacent to the building. The applicant agrees to provide letters to the parents of the children in care explaining to procedures for dropping off and picking up children.

4. The applicant is aware and agrees that the required Virginia State and Arlington County Child Licenses will not be issued prior to the issuance of a certificate of occupancy for a child care center.
5. The applicant agrees that all outdoor play shall be planned at scheduled intervals acceptable to the Child Care Office. The applicant agrees to obtain the Child Care Office's approval of a plan for such play prior to the issuance of any certificate of occupancy for the child care use on the site.
6. The applicant agrees that, in order to accommodate the outdoor play area, the applicant must obtain approval to vacate a portion of the current easement, adjacent to the building, and rededicate the same portion of the easement with an exclusivity clause. The easement area shall be fully open to the public at large from Monday evenings through Friday mornings between the hours of 6:00 p.m. and 8:00 a.m., between 6:00 p.m. on Friday until 8:00 a.m. on Monday, year round and the following Federal holidays New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving and Christmas. The applicant shall have exclusive use of the easement area from 8:00 a.m. until 6:00 p.m. on Mondays through Fridays except the Federal holidays listed above. The applicant agrees to post a sign, at each entrance to the play area, indicating the hours of the public use for the play area. Such a vacation and rededication will not change the terms of the original easement.
7. The applicant agrees to design, acquire, construct and install the equipment within the outdoor play area, for children between the ages of infant through 5 years, to Arlington County standards. The applicant agrees, prior to the issuance of any certificate of occupancy for the child care use on the site and prior to construction and installation of the equipment within the outdoor play area, to submit and obtain approval from the Department of Parks, Recreation and Cultural Resources (DPRCR) to ensure that the equipment choice and design meets DPRCR quality and national safety standards. The applicant agrees to obtain any and all necessary permits to erect the play area equipment. Additionally, the applicant agrees to maintain, to Arlington County standards, the outdoor play area and equipment.
8. The applicant agrees to construct and maintain a fence around the perimeter of the outdoor play area. The fence shall be designed in a manner that is compatible to the existing buildings and surroundings. The applicant agrees to submit and obtain approval from DPRCR on the type and installation of the fence. The applicant agrees to obtain any and all necessary permits to construct the fence.
9. The applicant agrees, during the staging and construction of the outdoor play area and the fence, to ensure that the remaining two (2) volleyball courts remain open for play.

10. Upon completion of the construction and installation of both the play area equipment and fencing, the applicant agrees to notify DPRCR and allow DPRCR the opportunity to inspect the improvements to ensure it meets Arlington County standards.
11. For the term of the easement, the applicant agrees to continue to maintain the remaining sand volleyball courts (with proper depth of sand in the courts) and easement areas.

PREVIOUS COUNTY BOARD ACTIONS:

May 17, 1980	Approved a rezoning from "M-1" to "C-O-1.5" and approved a site plan for a mixed use development.
February 5, 1983	Approved a site plan amendment (SP #11, 56, 90, 135 and 167) for identification and directional signage for Crystal City and the Crystal Plaza Shops.
April 9, 1983	Deferred a site plan amendment for a comprehensive sign program.
May 21, 1983	Accepted a withdrawal of a site plan amendment to add 120 residential units.
January 7, 1984	Approved a site plan amendment to add 120 residential units, increase garage parking and revise loading dock area.
May 12, 1984	Deferred a site plan amendment to adjust boundaries to July 7, 1984.
July 7, 1984	Approved a site plan amendment to adjust the boundary of the Crystal Park project by removing 23,866 square feet of land from the south end and adding a like amount to the north end.
May 18, 1985	Deferred a site plan amendment to amend Condition #29 to increase office gross parking area to 1,600,700 square feet.
July 13, 1985	Approved a site plan amendment to increase office gross parking area to 1,584,100 square feet and increase retail commercial from 50,000 square feet to 77,917 square feet.
December 7, 1985	Approved a site plan amendment to permit subdivision into parcels with each building being on a separate parcel of land.
August 13, 1988	Deferred a site plan amendment to amend Condition #34 to permit rooftop signs on east and west elevations, 234 square feet each (2341 Crystal Drive).

September 10, 1988	Denied a site plan amendment to amend Condition #34 to permit rooftop signs on the east and west elevations, 234 square feet each (2341 Crystal Drive).
July 8, 1989	Deferred a site plan amendment (SP #11, 56, 90, 135 and 167) for a coordinated sign plan consisting of 60 new signs and retention of 13 existing signs to the August 12, 1989 County Board meeting.
August 12, 1989	Approved a site plan amendment (SP #11, 56, 90, 135 and 167) for a coordinated sign plan consisting of 60 new signs and retention of 13 existing signs including Metro Station and Buchanan House signage.
February 2, 1991	Approved a site plan amendment to amend the coordinated sign plan to permit two temporary office leasing beamers on two office buildings.
February 9, 1991	Approved a site plan amendment (SP #11, 56, 90, 135 and 167) to amend the coordinated sign plan to permit two temporary office leasing banners, at heights below 35 feet, on two office buildings until November 27, 1991, at 1225 and 2211 Jefferson Davis Highway.
March 2, 1991	Approved a site plan amendment with amended Conditions # 37 and #41 and the approved comprehensive sign plan to permit construction and operation of Virginia Railway Express commuter rail platform.
July 13, 1993	Approved a site plan amendment for conversion of approximately 2,450 square feet of retail gross floor area to office use for the parcel of real property known as 2231 Crystal Drive with the condition that the space being occupied is secondary retail uses.
November 21, 1995	Approved a site plan amendment for conversion of 1, 650 square feet of gross floor area to conference facilities for the Patent and Trademark Office for the parcel of real property known as 2121 Crystal Drive with one new condition.

March 18, 1995	Approved a site plan amendment for an amendment to the Crystal City Comprehensive Sign Plan to permit a rooftop sign of 531, revised to 426, square feet on the east building elevation for the parcel of real property known as 2121 Crystal Drive with one new condition.
April 26, 2003	Approved a site plan for installation of an internally illuminated rooftop building identification sign, containing a logo and lettering, with a total sign area of 206.2 square feet on the southwest elevation of the Crystal Park V Office Building subject to one new condition.
September 18, 2004	Approved a site plan amendment for rooftop signage on the Crystal Park III building to one tenant identification sign on the southwest elevation. The total area for the rooftop sign shall be limited to no more than 200 square feet, and the sign shall be illuminated only as shown on the drawings dated February 25, 2004.
April 22, 2006	Approved a site plan amendment for a comprehensive sign plan for 2345 Crystal Drive to permit signs at the garage entrance. The size, design, location and color of the proposed garage entrance signs at 2345 Crystal Drive shall be as shown on the drawings prepared by Art Display Co. and dated October 27, 2005, except that the size of the circular portion of the sign structure shall be reduced in size and shall not exceed 33 square feet.
May 20, 2006	Deferred consideration of a site plan amendment to convert approximately 11,000 square feet of first floor office for daycare use located at 2451 Crystal Dr. to the June 10, 2006 County Board meeting.
June 10, 2006	Deferred consideration of a site plan amendment to convert approximately 11,000 square feet of first floor office for daycare use located at 2451 Crystal Dr. to the July 8, 2006 County Board meeting.