



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 8, 2006
Recessed to July 10, 2006**

DATE: July 10, 2006

SUBJECTS:

1. U-3157-06-01 USE PERMIT REQUEST for approval under the Columbia Pike Form Based Code, 2301 Columbia Pike (RPC #25-016-006, -009, -011)
2. Enactment of an Ordinance to Vacate a Sanitary Sewer Easement, a 10-foot wide Storm Sewer Easement, and a Storm and Sanitary Sewer Easement, which easements are located on the Property owned by Arlington Heights Properties, a Virginia Limited Partnership, at 2501 and 2405 Columbia Pike, Arlington, Virginia (RPC #25-016-006 and #25-016-009, respectively), and to Vacate a Portion of a Sanitary Sewer Easement on Part of the Property Owned by Arlington Heights Properties, a Virginia Limited Partnership, at 2501 Columbia Pike (RPC #25-016-006), with Conditions.

Applicant:

Carbon Thompson Development, LLC
1144D Walker Road
Great Falls, Virginia 22066

By:

M. Catharine Puskar
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201

C.M. RECOMMENDATIONS:

1. Accept the applicant's withdrawal of the use permit request.
2. Authorize advertisement "On the County Board's Own Motion" of a public hearing to consider a General Land Use Plan amendment from "Service Commercial" to "Medium" Office-Apartment- Hotel, a rezoning from "C-2," Service Commercial - Community Business Districts to "C-O-2.5," Commercial Office Building, Hotel and

County Manager: _____

County Attorney: _____

Staff: Richard Tucker, DCPHD, Planning
Dave Robinson, DES

PLA-4391

Apartment Districts, and a site plan application for Penrose Square for the October 14, 2006 County Board meeting.

3. Defer consideration of the attached Ordinance to Vacate a Sanitary Storm Sewer Easements to the October 14, 2006 County Board meeting.

ISSUES: How should the community weigh the opportunity for redevelopment, including a grocery store and significant public open space against concerns related to sidewalk space, retail heights, grocery store size, and loading difficulties?

SUMMARY: The applicant is proposing redevelopment of the Adams Square Shopping Center, located at 2405 Columbia Pike, with a mixed-use development. The subject property is located within the Columbia Pike Special Revitalization District and is eligible for redevelopment using the Columbia Pike Form Based Code (the Code).

In addition to the redevelopment of this underutilized property, the proposed project provides several benefits to the community, including a grocery store and approximately half of the proposed Penrose Square open space. The grocery store will fill a vital need created by the loss of grocery operations along the Pike over time, including the closure of the Safeway store on an adjacent property. The mix of residential and retail development proposed in the project will add to the vitality of Columbia Pike, provide the desired urban form, and create a sense of place through the new public square.

The Planning Commission unanimously recommended rejection of the amendments to the Form Based Code that would have been necessary to achieve this project. A general consensus has emerged that amending the Form Based Code in this manner is not a desirable public policy. The site plan process is already established to provide the County Board the flexibility to modify conditions specific to individual projects and sites.

To provide timely consideration for this project – which has been in process since February 2005 – it is recommended that the County Board advertise on its own motion the zoning and land use changes necessary for a site plan. The site plan would be heard at the County Board’s meeting in October, as would ancillary actions related to easements and transportation.

For the site plan process to be successful staff anticipates that the applicant will need to address the following in the site plan review process:

- Reduction in the size of the grocery store,
- Additional retail on the second floor,
- Garage access on 9th Road,
- Design and functioning of the public square,
- Retail loading issues, and
- Vehicular circulation around the site.

It is also expected that other items would be discussed during the review of the site plan and that
U-3157-06-01 Use Permit Request - 2 -
2405 Columbia Pike

a good faith effort is expected to address the issues.

DISCUSSION: The basic question before the County Board, community, and the applicant is: does the project as now proposed come close enough to achieving the desired objectives of the Columbia Pike Revitalization Plan that the site plan process should be used to achieve an approvable site plan in October?

If the answer is “no”, the County Board should deny the use permit application and related actions. If the answer is “yes”, the recommended site plan process should be authorized with County Board guidance to expedite review and bring the project back to the Board in October.

If the project does not proceed, the applicant essentially has two options:

- (1) Re-lease the retail space (which has been vacated in order for the proposed redevelopment to proceed) and delay redevelopment to a future cycle.
- (2) Negotiate a buy-out of the Giant lease and redevelop according to the Form Based Code without a grocery store.

The proposed site plan process is predicated on objective of obtaining a new, modern full-service grocery store on Columbia Pike and in the Town Center and achievement of the major goals of adopted plan. While the community has expressed its desire for a new grocery store, many have expressed concerns that the grocery store, as currently proposed, is too large, to the detriment of other retail uses. The applicant has indicated a willingness to reduce the size of the grocery store; however, specific commitments have not been made. One of the central issues to be resolved through a site plan review is the size of the grocery store. If a compromise is not achieved, it must be understood that there is a high possibility that there may be no major grocery store on Columbia Pike for some time period.

Consideration of the proposal under the site plan process would require a rezoning and an amendment to the General Land Use Plan. The existing proposal is at a density level that would be allowed under the “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts. This zoning district is consistent with the “Medium” Office-Apartment-Hotel designation on the General Land Use Plan. The Request to Advertise is the first step in the GLUP amendment process. Authorizing the advertisement of an amendment would not imply that the County Board supports the proposed change.

Site Plan Review Process: The applicant will be required to submit a 4.1 application in order to initiate the site plan review process. The current use permit submission does not include all relevant drawings and information required as part of a 4.1 application. Once these materials are submitted, Site Plan Review Committee (SPRC) meetings should be scheduled as soon as possible. Community members that had previously participated in the use permit review process would be invited to these meetings. The goal of these additional meetings would be to review changes to the proposal that address the outstanding issues as discussed above.

RESOLUTION TO ADVERTISE PUBLIC HEARINGS ON A GENERAL LAND USE PLAN (GLUP) CHANGE FROM “Service Commercial” to “Medium” Office – Apartment – Hotel Districts, and a zoning change from “C-2” Service Commercial, Community Business Districts to “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts, and a site plan for the Penrose Square project.

The County Board of Arlington hereby authorizes advertisement of a General Land Use Plan (GLUP) change from “Service Commercial” to “Medium” Office – Apartment – Hotel Districts, and a zoning change from “C-2” Service Commercial, Community Business Districts to “C-O-2.5” Commercial Office Building, Hotel and Apartment Districts, and a site plan for the Penrose Square project for public hearings by the Planning Commission on October 3, 2006 and the County Board on October 14, 2006 to preserve and promote mixed-use retail and other commercial activity within commercial districts; and for other reasons required by the public necessity, convenience and general welfare and good zoning practice; as well as to facilitate the creation of a convenient, attractive and harmonious community; to protect against destruction of or encroachment upon historic areas; and to encourage economic development activities that provide desirable employment and enlarge the tax base.

PREVIOUS COUNTY BOARD ACTIONS:

August 1961	Designated as “Undetermined Uses” on the General Land Use Plan
December 1964	Designated “General Business” on the General Land Use Plan
April 1975	Designated as “Service Commercial” on the General Land Use Plan
November 15, 1986	General Land Use Plan amended to include the Columbia Pike Special Revitalization District.
December 17, 2002	Columbia Pike Special Revitalization District boundaries amended on the General Land Use Plan
February 25, 2003	Columbia Pike Form Based Code (Section 20 of the Zoning Ordinance) adopted
February 10, 2004	Columbia Pike Street Space Plan adopted and Form Based Code amended to include new Required Building lines.