

**From:** Benjamin Spiritos <bspiritos@jbgsmith.com>  
**Sent:** Thursday, January 24, 2019 12:06 PM EST  
**To:** Rosa Achour <rachour@arlingtonva.us>; Arlova Vonhm <avonhm@arlingtonva.us>  
**CC:** Jeanine Finch <jfinch@arlingtonva.us>  
**Subject:** FW: ZADM180756 Open Road - Rosslyn Central Place.

Hi Rosa/Arlova,

Hope all is well. Can we please schedule a meeting to discuss the Open Road storefront with you next week?

Rick forwarded me the below email and I think it will be a very expensive and time consuming exercise to go back and create exhibits for already-approved storefronts. I do however have the tenant's architect working on the exhibit for the Open Road storefront tabulations and hopefully that will be enough. We're extremely excited about the concept and would love to figure this out so the tenant can start construction and hopefully open for the summer.

Let me know what days/times would work for you to meet and look forward to catching up!

Best,

Ben

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**From:** rflather@ds2i.net <rflather@ds2i.net>  
**Sent:** Wednesday, January 23, 2019 1:02 PM  
**To:** Benjamin Spiritos <bspiritos@jbgsmith.com>  
**Cc:** 'Matthew Carlin' <mcarlin@eatmhg.com>; 'Nichole Barta' <nbarta@eatmhg.com>; PJ Bautista <pbautista@jbgsmith.com>  
**Subject:** RE: ZADM180756 Open Road - Rosslyn Central Place.

**CAUTION: EXTERNAL EMAIL**

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**From:** Rosa Achour <Rachour@arlingtonva.us>  
**Sent:** Wednesday, January 23, 2019 9:46 AM  
**To:** rflather@ds2i.net  
**Cc:** Kris Krider <Kkrider@arlingtonva.us>  
**Subject:** RE: ZADM180756 Open Road - Rosslyn Central Place.

Hi Rick,

I apologize for the delay on this again and for all this emails.

After discussing this with Arlova and Kris, we think that the tabulation is not sufficient to determine if the calculation is correct and most importantly not enough for the project record.

Please provide exhibit showing the linear dimensions for each store front as well as elevations supporting the available transparency numbers shown on the tabulation.

Let me know if you have any questions.

Best Regards,

**Rosa Achour**  
**Arlington County, Virginia**  
**DCPHD/Zoning Division**  
**PH: (703)-228-7579**  
**Fax:(703)-228-3896**

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**From:** rflather@ds2i.net [mailto:rflather@ds2i.net]  
**Sent:** Wednesday, January 9, 2019 1:35 PM  
**To:** Rosa Achour <Rachour@arlingtonva.us>  
**Cc:** Kris Krider <Kkrider@arlingtonva.us>  
**Subject:** RE: ZADM180756 Open Road - Rosslyn Central Place.

Hi Rosa –

Thank you for considering my request to waive the lower level from the transparency requirements and I understand we must include it with the other store fronts to meet the minimum store front transparency requirement.

As requested previously, I'm attaching our Transparency Calculations we have used since beginning with McDonald's and have now

incorporated Open Road. We hope this is sufficient evidence to show we're meeting transparency with our existing design for Open Road. Visiting the site I see our lower level store front shares Lynn Street for the office tower with CAVA and Compass Coffee. The upper level space faces the plaza level alongside the Observation Deck.

Our attached calculations are based on credit applied to the guardrails and the columns as they do not allow viewing beyond them. After reviewing your previous sketches and taking into consideration removing the guardrails, I performed a separate calculation incorporating the entire opening to the lower level (almost doubling the opacity) and applying the 80% transparency requirement from grade to ceiling (vs. just the area between 3'-8') and we still met the 80% transparency requirement.

I understand Zoning would like to see our space open more than it is already, but based on the requirements for transparency we're already exceeding the required minimum. As we're only missing this last approval for transparency for final permit approval, we hope the supporting information will help us with a speedy approval. Both Open Road and JBG Smith are excited to begin construction and open this new restaurant at Central Place.

Please let me know if you have any questions.

Thanks...rick

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**From:** Rosa Achour <[Rachour@arlingtonva.us](mailto:Rachour@arlingtonva.us)>  
**Sent:** Wednesday, December 26, 2018 2:19 PM  
**To:** [rflather@ds2i.net](mailto:rflather@ds2i.net)  
**Cc:** Kris Krider <[Kkrider@arlingtonva.us](mailto:Kkrider@arlingtonva.us)>  
**Subject:** RE: ZADM180756 Open Road - Rosslyn Central Place.

Hi Rick,  
Thank you for your detailed analysis of the transparency requirements/proposal for the subject space.

After discussions with Arlova and Kris, we still believe that this space is not exempt from the transparency requirements. This store front is the only one on Lynn Street for the office tower and worth finding a design which will achieve both the tenant's desire for usable space and an animated front which will conform to the site plan condition requirements and intent.

Please take a look at the attached sketches from Kris and let us know if you (and the tenant) would be willing to make the revisions. We also welcome any suggestions for review.

Let me know if you have any questions or if you want to meet to discuss.

Best Regards,

**Rosa Achour**  
**Arlington County, Virginia**  
**DCPHD/Zoning Division**  
**PH: (703)-228-7579**  
**Fax:(703)-228-3896**

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**From:** [rflather@ds2i.net](mailto:rflather@ds2i.net) [<mailto:rflather@ds2i.net>]  
**Sent:** Tuesday, December 18, 2018 2:21 PM  
**To:** Rosa Achour <[Rachour@arlingtonva.us](mailto:Rachour@arlingtonva.us)>  
**Cc:** Kris Krider <[Kkrider@arlingtonva.us](mailto:Kkrider@arlingtonva.us)>  
**Subject:** RE: ZADM180756 Open Road - Rosslyn Central Place.

Rosa –

'Grade' is directly called out as highlighted in **blue** below with your yellow highlights. We're still under the belief that due to restrictions caused by the location of the lower level being 3'2" below grade we should not be held to the transparency requirements. In addition to the finished floor area being 3'2" below the storefront grade is the county code requiring installation of guard rails at the storefront grade, thus raising the 'viewing' height of the lower level to a range of 6'8"-9'. We're questioning any activity being viewed as called out by our Proffer at this height from or to the lower level and therefore, we believe the lower level should be exempt from the transparency requirement.

To present the activity areas I've prepared the following descriptions from the pedestrian standpoint at the storefront grade looking inside and the patrons standpoint looking out from the lower level.

"The purpose is to allow pedestrians to view the activity within the retail establishment" – Viewing inside the tenant space is 100% transparent at 'grade'. The viewing area to the lower level from grade offers the storefront pedestrian an eye height of 3'6"-5'10", however the viewing area of the lower level is from 6'8"-9'. The only activity viewing at that height would be patrons at a minimum standing height of 6'8" from the storefront eye height of 3'6" or possibly light fixtures attached to the ceiling up to the storefront height

of 5'10", none of which includes "activity within the establishment".

"...and to allow patrons and employees of the retail establishments to view the activity on the sidewalk and street" - The available viewing area from the lower level is 28" starting from the bottom of the drop ceiling, or a viewing area between 6'8"-9'. Based on the height of the viewing area from the lower level, patrons from within our establishment would have to be standing at their tables with a minimum eye height of 7' to be able to view the outside, however at this height it would be very difficult to see the sidewalk and street. Patrons sitting at their tables will not be able to see beyond the lower level finished floor area.

The developer agrees that all retail storefronts along public rights-of-way will have an overall minimum transparency of 50% as measured from floor to ceiling. In addition, the portion of the retail storefronts that is located between three and eight feet from grade is required to be at least 80% transparent. The purpose of this condition is to allow pedestrians to view the activity within the retail establishment and to allow patrons and employees of the retail establishments to view the activity on the sidewalk and street. "Transparency" shall mean using glass or other transparent exterior material offering a view into an area of the retail establishment where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or the like. Provided that the exterior material is glass or other transparent material, a tenant may apply to the County Board for a site plan amendment to grant an exception to this condition for a specified duration.

Please let me know this additional information is sufficient justification to remove the transparency requirement for the lower level.

Thanks...rick

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**From:** Rosa Achour <[Rachour@arlingtonva.us](mailto:Rachour@arlingtonva.us)>  
**Sent:** Monday, December 17, 2018 5:02 PM  
**To:** [rflather@ds2i.net](mailto:rflather@ds2i.net)  
**Cc:** Kris Krider <[Kkrider@arlingtonva.us](mailto:Kkrider@arlingtonva.us)>  
**Subject:** RE: ZADM180756 Open Road - Rosslyn Central Place.

Hi Rick,

The site plan condition call out transparency along public Right of way (grade is not mentioned). We still believe that as designed, the space will not be in compliance with the site plan condition.

Please let me know if we need to meet to discuss.

Best Regards,

#### **Façade Treatment of Buildings**

The developer agrees that the design of the facade treatment for the buildings and the materials to be used on the facades shall be as specified and shown on the submitted drawings identified in Condition #1 and as presented to the County Board and made a part of the public record on the County Board date identified in Condition #1, including all renderings, drawings, and presentation boards presented during public hearings. The developer agrees to submit colored drawings and renderings that 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 material samples, for review by the County Manager for consistency with this site plan approval. The developer agrees to submit such drawings and renderings prior to the issuance of the Footing to Grade Permit. The developer further agrees to obtain the approval of the County Manager of the façade treatment as being consistent with the County Board approval before the issuance of the Final Building Permit for each phase.

The developer agrees that all retail storefronts along public rights-of-way will have an overall minimum transparency of 50% as measured from floor to ceiling. In addition, the portion of the retail storefronts that is located between three and eight feet from grade is required to be at least 80% transparent. The purpose of this condition is to allow pedestrians to view the activity within the retail establishment and to allow patrons and employees of the retail establishments to view the activity on the sidewalk and street. "Transparency" shall mean using glass or other transparent exterior material offering a view into an area of the retail establishment where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or the like. Provided that the exterior material is glass or other transparent material, a tenant may apply to the County Board for a site plan amendment to grant an exception to this condition for a specified duration.

**Rosa Achour**  
**Arlington County, Virginia**  
**DCPHD/Zoning Division**  
**PH: (703)-228-7579**  
**Fax:(703)-228-3896**

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**From:** [rflather@ds2i.net](mailto:rflather@ds2i.net) [<mailto:rflather@ds2i.net>]  
**Sent:** Friday, December 14, 2018 4:32 PM  
**To:** Rosa Achour <[Rachour@arlingtonva.us](mailto:Rachour@arlingtonva.us)>  
**Cc:** Kris Krider <[Kkrider@arlingtonva.us](mailto:Kkrider@arlingtonva.us)>  
**Subject:** RE: ZADM180756 Open Road - Rosslyn Central Place.

Hi Rosa –

My apologies for taking so long to get back to you. I had emergency surgery Monday and I was out until Wednesday, and catching up now.

In reading the transparency requirement, the Proffer measurements call out applicable storefront areas at grade. Our design meets

100% of the transparency requirement as the storage cabinets are at the back of the grade level storefront. I don't believe the area beyond the storage walls qualify for the transparency as this area does not exist on grade; the finished floor area beyond the storage cabinets drops 3 feet below grade.

Thanks...rick

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**From:** Rosa Achour <[Rachour@arlingtonva.us](mailto:Rachour@arlingtonva.us)>  
**Sent:** Friday, December 7, 2018 4:11 PM  
**To:** Rick Flather <[rflather@ds2i.net](mailto:rflather@ds2i.net)>  
**Cc:** Kris Krider <[Kkrider@arlingtonva.us](mailto:Kkrider@arlingtonva.us)>  
**Subject:** ZADM180756 Open Road - Rosslyn Central Place.

Hi Rick,

We have finished reviewing the referenced admin.change above and we have the following comment:

1. As you may recall when the admin.change # ZADM# 170001 was approved for McDonald's fit out, an exhibit showing the remaining transparency for all retail spaces, was submitted and approved as a condition to the approval of the design of the MC 's store front. (exhibit attached). The admin.change under review shows the Lynn Street store front transparency as 0% due to the storage walls being proposed behind the store front creating a hall/vestibule with no view into the restaurant space. Please provide an exhibit showing the transparency calculation for the subject spaces to make sure the overall percent is maintained as previously approved.

Let me know if you have any questions.

Best Regards,

**Rosa Achour**  
**Arlington County, Virginia**  
**DCPHD/Zoning Division**  
**PH: (703)-228-7579**  
**Fax:(703)-228-3896**

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