



Encroachment #2019-0006
10 Duke Street – The Mill

Application	General Data	
Request: Public Hearing and consideration of a request for an Encroachment for a balcony, steps and signage into the public right-of-way on Duke Street.	Planning Commission Hearing:	November 7, 2019
	City Council Hearing:	November 16, 2019
Address: 10 Duke Street	Zone:	W-1 / Waterfront Mixed-Use
Applicant: Murray Bonitt, represented by Duncan W. Blair, attorney.	Small Area Plan:	Old Town / Waterfront Plan

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewer:

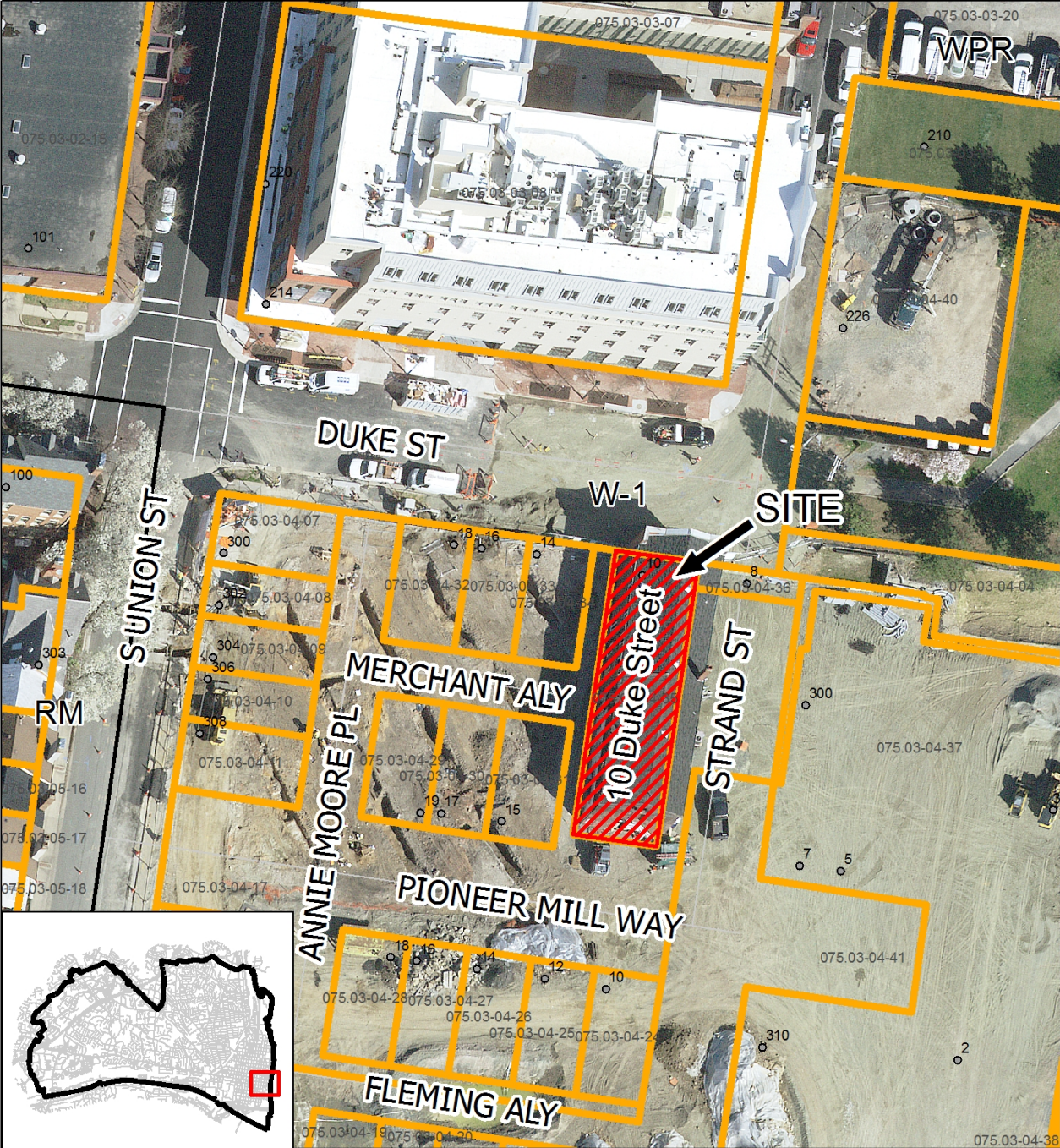
Femi Adalakun, femi.adalakun@alexandriava.gov
 Catherine Miliaras, Catherine.Miliaras@alexandriava.gov

PLANNING COMMISSION ACTION, NOVEMBER 7, 2019: On a motion by Commissioner Lyle and seconded by Commissioner Brown, the Planning Commission voted to recommend the approval of Special Use Permit #2019-0079 and Encroachment #2019-0006. The motion carried on a vote of 7 –0.

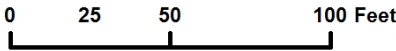
Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Duncan Blair, attorney, spoke in support of the encroachment request. He noted clarified that the proposed encroachment was necessary due to the proposed width of the restaurants stoop and balcony.



Special Use Permit #2019-0079
Encroachment #2019-0006
10 Duke Street



PROJECT LOCATION MAP

I. DISCUSSION

The applicant, Murray Bonitt, represented by Duncan W. Blair, attorney, requests approval for an encroachment into public right-of-way of a stoop and cantilevered balcony for a restaurant building to be reconstructed at 10 Duke Street.

SITE DESCRIPTION

The subject site is located on one rectangle-shaped parcel of record. The lot has approximately 33 feet of frontage on Duke Street and a lot depth of approximately 107 feet. The lot area is 3,280 square feet and is developed with a currently vacant late-19th-century brick warehouse, previously addressed as 2 Duke Street. The subject location is within the redevelopment site identified in the Alexandria Waterfront Plan as the Robinson Terminal South block, a 3.22 acre (140,240 square feet) site bounded by South Union Street to the west, the Potomac River to the East, Duke Street to the north and Wolfe Street to the south. The property, which is currently under construction and named Robinson Landing, was approved with DSUP #2014-0006. It features a unique mix of uses including residential (townhouses and multifamily buildings), retail/commercial, and a restaurant. The project is supplemented by open space and a pedestrian friendly design including the promenade as envisioned by the Waterfront Plan as well as underground parking.

Due to the subject site's location within Old Town and adjacent to the Potomac River, the site is surrounded by a variety of uses. Retail, hotel, restaurant and office uses are located within one block north of the site, while residential uses, including Harborside and Waterford Place, are located south and west of the site.



Figure 1: Subject site

BACKGROUND

The site's redevelopment proposal was approved with DSUP #2014-0006 in April 2015. Concurrently with the DSUP were special use permits for a retail shopping establishment, a facility for docking boats, a restaurant and a Transportation Management Plan SUP. The entire site is currently under construction and is expected to be fully completed by summer 2020. As part of the redevelopment of the site, and due to its location within a floodplain, the grade was raised by over four feet from the floodplain by adding approximately 15,000 cubic yards of fill material.

The Alexandria Waterfront Plan identified all of the building's east of Union Street that possess historic, cultural or architectural merit. One of the buildings identified in this survey is the building on the subject parcel, currently addressed 10 Duke Street. The Development Guideline #8 of the Waterfront Plan further states that "The historic 2 Duke Street (now 10 Duke St.) warehouse shall be preserved and adaptively reused".

Planning Commission and City Council will review separately the proposal for the restaurant Special Use Permit for the same location as part of SUP #2019-0079 on the November 2019 docket.

PROPOSAL

The applicant proposes to add a stoop and cantilevered balcony as part of the re-construction of the historic warehouse into a restaurant at 10 Duke Street. Both the proposed stoop and second-story balcony will encroach 4.02 feet into the public right-of-way and will extend 21.32 feet, for a total encroachment of 86 square feet into the public right-of-way. The proposed balcony will be located above the stoop and the stoop will be canted at the corners. For reference, a stoop or steps extending no more than four feet by twelve feet is a permitted encroachment per Section 5-2-29 of the City Code. The proposed area of the encroachment is shown in Figure 2 and 3, below.



Figure 2: Proposed encroachment area

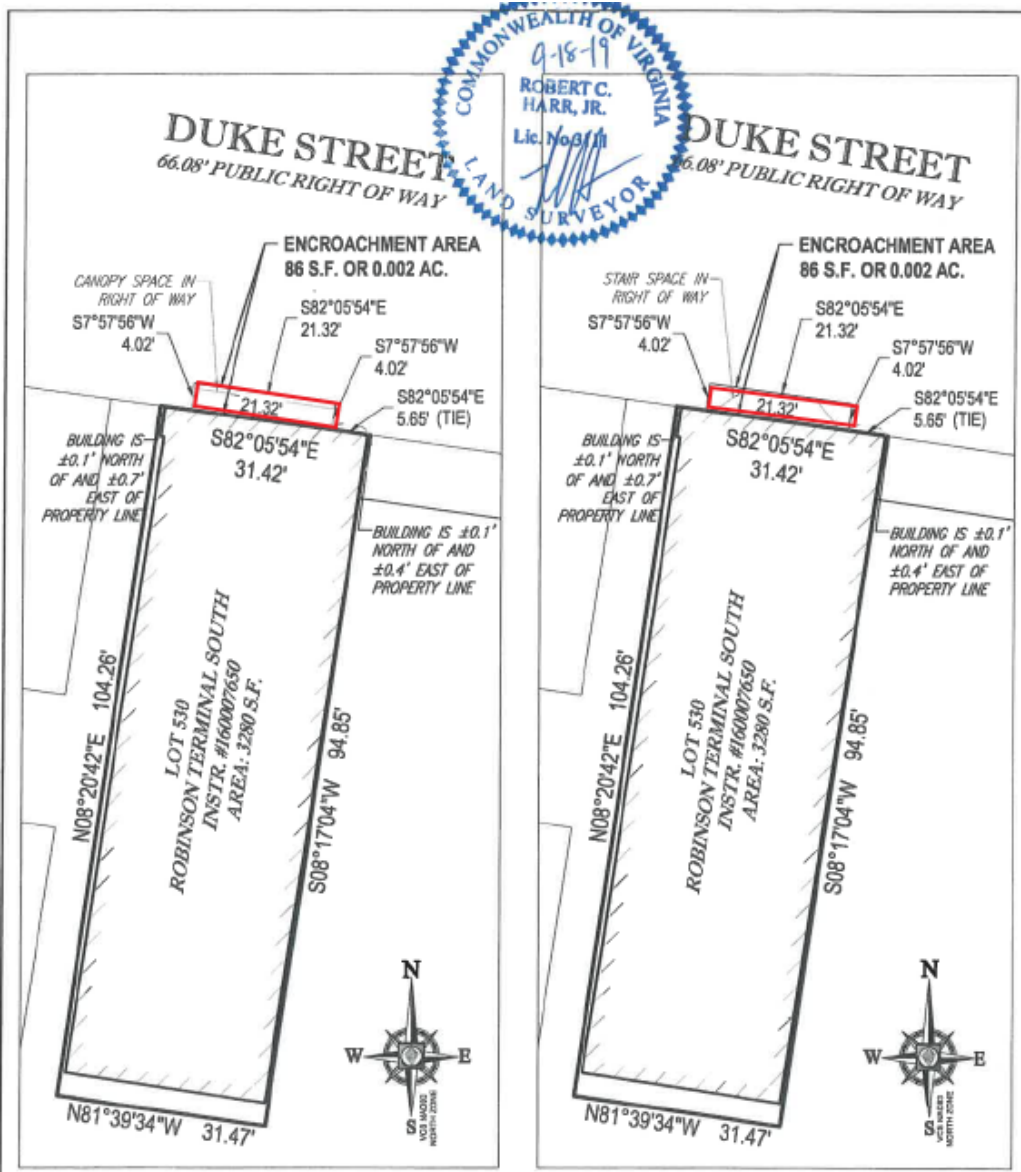


Figure 3: Proposed encroachment area and measurements

ZONING/MASTER PLAN

The subject site is located in the W-1 / Waterfront Mixed-Use. Section 5-303(N) of the Zoning Ordinance allows a restaurant in the W-1 zone only with Special Use Permit approval.

The proposed use is consistent with the Old Town / Waterfront Plan chapter of the Master Plan which designates the property for mixed-use developments. The subject site is located within the locally regulated Old and Historic Alexandria District. All exterior alterations require BAR approval.

In addition, staff review of the proposal includes an evaluation of its consistency with the Waterfront Plan Policy for Restaurant/Hotel/Commercial Uses. The Waterfront Plan offers guidelines for all new restaurant uses. The policy asks staff and council to investigate the uses potential impact on adjacent uses. More specifically, the Plan advises that such uses should A) Enhance the enjoyment of the waterfront for residents and visitors alike, B) Appropriately locate other uses which are consonant with public open spaces, development sites and the river; and C) Maintain compatibility with both the historical and residential character of the adjacent neighborhood.

VALUE OF ENCROACHMENT

Section 3-2-85 of the City Code states that an annual commercial encroachment fee shall be assessed. The fee is based on the real estate tax that would be assessed on the encroachment area. The Department of Real Estate Assessments estimates that the annual fee would be \$280.00 (rounded). Details on this estimate can be found in the attached Memorandum dated October 15, 2019.

II. STAFF ANALYSIS

Staff supports the applicant's encroachment request. Staff believes that the encroachment request is reasonable, as the proposed stairs and balcony will only encroach 86 square feet into the public right of way. The proposed encroachment is not anticipated to have any negative impacts but rather will add to the vitality and activity associated with the restaurant use.

Pedestrian movement along the adjacent sidewalk will not be impacted because a minimum five-foot clearance in the public right-of-way will be maintained along the entire encroachment area.

Subject to the conditions contained in Section III of this report staff recommends approval of this request.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The encroachment of the stairs/landing shall maintain a minimum effective sidewalk width of 5 feet between the stairs/landing and the existing Fire hydrant, streetlight as well as any other proposed improvements such as tree wells. (T&ES)
2. Neither the City nor any private utility company shall be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
3. In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
4. The applicant shall bear all cost associated with the removal of the encroachments. (T&ES)
5. Ensure 8 feet minimum vertical clearance between landing and balcony as well as sidewalk and balcony. (T&ES)
6. Provide the clear distance on the sidewalk between the front of the proposed encroachment and the curb. (Transportation Planning)
7. The owner shall obtain and maintain a policy of general liability insurance in the amount of \$1,000,000 which will indemnify the owner (and all successors in interest); and the City as an additional insured, against claims, demands, suits and related costs, including attorneys' fees, arising from an bodily injury or property damage which may occur as a result of the encroachment. (sec. 5-29(h)(1))

Please submit Insurance Certificate:

City of Alexandria

T&ES

Attn: Development Services

301 King Street, Room 4130

Alexandria, VA 22314

STAFF: Tony LaColla, AICP, Division Chief, Land Use Services
Catherine Miliaras, Principal Planner
Femi Adedokun, Urban Planner II

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 Traffic Engineering has no comments. (T&ES)
- F-2 Per City Code 5-2-29, a landing and steps that 12 feet or less in length and projects less than 4 feet into the right of way would be allowed by right. (T&ES)
- R-1 The encroachment of the stairs/landing shall maintain a minimum effective sidewalk width of 5 feet between the stairs/landing and the existing Fire hydrant, streetlight as well as any other proposed improvements such as tree wells. (T&ES)
- R-2 Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
- R-3 In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
- R-4 The applicant shall bear all the cost associated with the removal of the encroachments. (T&ES)
- R-5 Ensure 8 feet minimum vertical clearance between landing and balcony as well as sidewalk and balcony. (T&ES)
- R-6 The owner shall obtain and maintain a policy of general liability insurance in the amount of \$1,000,000 which will indemnify the owner (and all successors in interest); and the City as an Additional Insured, against claims, demands, suits and related costs, including attorneys' fees, arising from any bodily injury or property damage which may occur as a result of the encroachment. (Sec. 5-29 (h)(1)) (T&ES)

Please submit Insurance Certificate:
City of Alexandria
T&ES
Attn: Heather Diez
301 King Street, Room 4130
Alexandria, VA 22314

Code Enforcement:

- C-1 A building code permit, Plan review and inspections are required prior to the start of construction.

Health Department:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments.

Fire Department:

No comments or concerns.

Real Estate Assessments:

See attached Memorandum, dated October 15, 2019.



APPLICATION

ENCROACHMENT

ENC# _____

10 Duke Street, Alexandria, Virginia 22314

PROPERTY LOCATION: _____
TAX MAP REFERENCE: 75.03 04 35 **ZONE:** W-1

APPLICANT
Name: Murray Bonitt, or permitted assigns
Address: 1305 Leslie Ave, Alexandria, VA 22301

PROPERTY OWNER
Name: 2 Duke Street, LLC, a Delaware Limited liability company
Address: c/o EYA 4800 Hampden Lane, Suite 300 Bethesda, Md. 20814

PROPOSED USE: Adoption of an Encroachment to permit the encroachment of a balcony, steps and signage over and into the Duke Street public right-of-way.

INSURANCE CARRIER (copy attached) _____ **POLICY #** _____

A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

THE UNDERSIGNED hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby applies for an Administrative Use Permit in accordance with the provisions of Article VI, Section 6-600 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED I so attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Duncan W. Blair, Attorney
Print Name of Applicant or Agent
524 King Street
Mailing/Street Address
Alexandria, Virginia 22314
City and State Zip Code

Signature
703 836-1000 703 549-3335
Telephone # Fax #
dblair@landcarroll.com
Email address
August __, 2019
Date

Application Received: _____ Date and Fee Paid: \$ _____
ACTION - PLANNING COMMISSION: _____ ACTION - CITY COUNCIL: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/26/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ashcraft Associates Insurance Agency 4604 Pinecrest Office Park Dr Suite H Alexandria VA 22312		CONTACT NAME: Service Central PHONE (A/C, No, Ext): (703) 354-3501 E-MAIL ADDRESS: customerservice@ashcraft-assoc.com FAX (A/C, No): (703) 914-8748	
INSURED BONITT BUILDERS INC 1305 LESLIE AVE ALEXANDRIA VA 22301-1616		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Erie Insurance Exchange	NAIC # 26271
		INSURER B: Flagship City	NAIC # 35585
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 19/20 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			Q37-0158282	01/01/2019	01/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Employee Benefits \$ 1,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			Q01-0133776	01/01/2019	01/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Medical payments \$ 5,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/> CLAIMS-MADE			Q25-0175337	01/01/2019	01/01/2020	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ \$
B	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N <input type="checkbox"/> N/A	Q85-5104611	01/01/2019	01/01/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

City of Alexandria Department of Planning and Zoning
301 King Street

Alexandria

VA 22314

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

	Name	Address	Percent of Ownership
1	Murray Bonitt	305 Leslie Ave. Alex. VA.	100%
2			
3			

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 10 Duke Street, Alexandria, Virginia 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

	Name	Address	Percent of Ownership
1			
2			
3			

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationships [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council; Planning Commission, etc.)
Murray Bonitt	See Attached	See Attached
2		
3		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby certify that the information provided above is true and correct.

subject to the best of my ability that

August 28, 2019

Duncan W. Blair



Date

Printed Name

Signature

Revised 9/13/19

Ownership and Disclosure Statement

10 Duke Street

Murray Bonitt

Campaign Contribution
Section 11-350 (A)(6)

City Council Member
Redella "Del" Pepper.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

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1.		
2.		
3.		

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1. See Attached		
2.		
3.		

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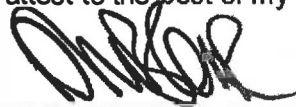
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. See attached.	None	
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

August 20 2019

ANDREW W BLAIR



Date

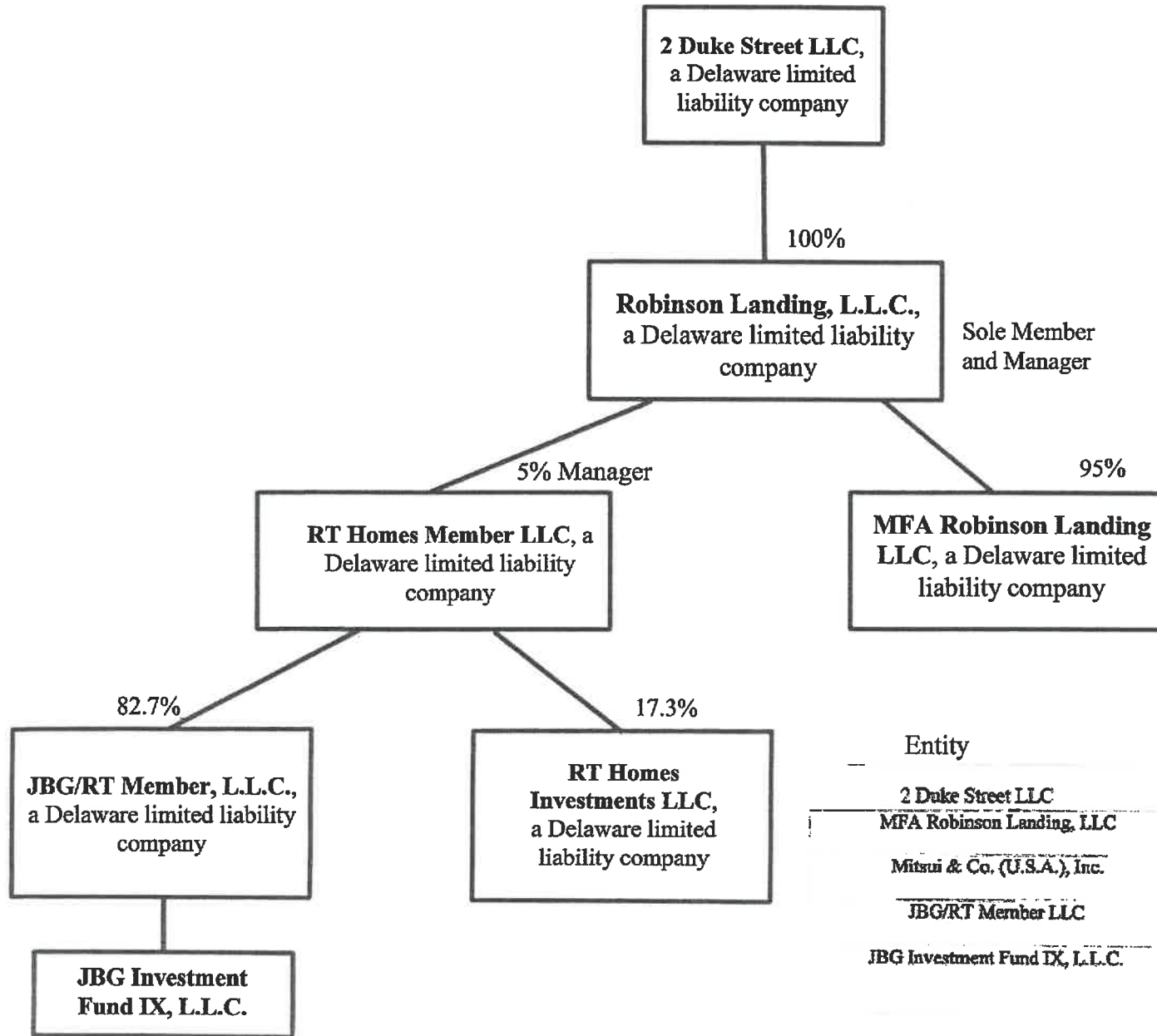
Printed Name

Signature

Robinson Terminal Organizational Chart

[2 DUKE STREET LLC ONLY]

Post-Closing with Mitsui



Entity	Address
2 Duke Street LLC	4800 Hampden Lane, Suite 300, Bethesda, MD 20814
MFA Robinson Landing, LLC	1251 Avenue of the Americas, New York, NY 10020
Mitsui & Co. (U.S.A.), Inc.	1251 Avenue of the Americas, New York, NY 10020
JBG/RT Member LLC	4445 Willard Avenue #400 Chevy Chase, MD 20815
JBG Investment Fund IX, L.L.C.	c/o The JBG Companies, 4445 Willard Avenue, Suite 400, Chevy Chase, Maryland 20815, Attn: A. Leslie Ludwig



2019 City of Alexandria Business License

Finance Department, Revenue Administration Division, City of Alexandria
301 King Street, Room 1700, Alexandria, VA 22314
Phone: 703.746.3903 <http://www.alexandriava.gov/>

License Number: 110827-2019
Account Number: 110827
Tax Period: 2019
Business Name: Land, Carroll & Blair PC
Trade Name: Land, Carroll & Blair PC
Business Location: 524 KING ST
Alexandria, VA 22314

License Classification(s):

Professional Occupations/Businesses
9-071-007
Attorney-At-Law

LAND, CARROLL & BLAIR PC
524 KING ST
Alexandria, VA 22314-3104

January 28, 2019

Dear Taxpayer:

This is your 2019 City of Alexandria Business License. The bottom portion of this page is perforated to allow you to tear off and post the business license in your establishment.

If you paid for your business license via check, please be aware that if your check is not honored by your financial institution, this business license shall be invalid.

With all taxes, our goal is to administer Business License taxes fairly and in accordance with Commonwealth and Locality code. Our staff strives to provide professional assistance and quality customer service. Your satisfaction is important to us and your comments are always welcome.

If you have any questions regarding this letter, please visit <http://www.alexandriava.gov/> or contact my office via phone at 703.746.3903.

Finance Department, Revenue Administration Division, City of Alexandria

Keep this letter for your records.

City of Alexandria Business License

Revenue Administration Division, City of Alexandria, 301 King Street, Room 1700, Alexandria, VA 22314



License Number: 110827-2019
Account Number: 110827
Tax Period: 2019
Business Name: Land, Carroll & Blair PC
Trade Name: Land, Carroll & Blair PC
Business Location: 524 KING ST
Alexandria, VA 22314

License Classification(s): Professional Occupations/Businesses
9-071-007
Attorney-At-Law

This license has been issued by the Revenue Administration Division of the City of Alexandria and is granted to:

Land, Carroll & Blair PC
524 KING ST
Alexandria, VA 22314







**METES AND BOUNDS DESCRIPTION
ENCROACHMENT AREA**

ALL THAT CERTAIN LOT OR PARCEL OF REAL PROPERTY, TOGETHER WITH IMPROVEMENTS THEREON AND APPURTENANCES THEREUNTO BELONGING, LYING, AND BEING SITUATED IN THE CITY OF ALEXANDRIA, VIRGINIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 530, ROBINSON TERMINAL SOUTH (INSTRUMENT NO. 160007650), ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LIMITS OF DUKE STREET (66.08' WIDE RIGHT-OF-WAY), THENCE WITH SAID SOUTHERLY RIGHT-OF-WAY LINE;

A. NORTH 82° 05' 54" WEST, 5.65 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED ENCROACHMENT AREA, THENCE CONTINUING WITH THE SAID SOUTHERLY RIGHT-OF-WAY LIMITS;

1. NORTH 82° 05' 54" WEST, 21.32 FEET, THENCE DEPARTING SAID SOUTHERLY LIMITS AND WITH A LINE THROUGH SAID DUKE STREET, THE FOLLOWING THREE (3) COURSES AND DISTANCES;

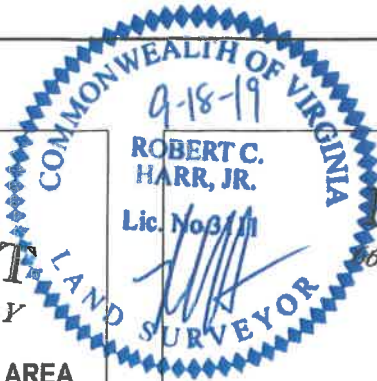
2. NORTH 07° 57' 56" EAST, 4.02 FEET, THENCE;

3. CONTINUING, SOUTH 82° 05' 54" EAST, 21.32 FEET, THENCE;

4. CONTINUING, SOUTH 07° 57' 56" WEST, 4.02 FEET, TO PLACE OF BEGINNING.

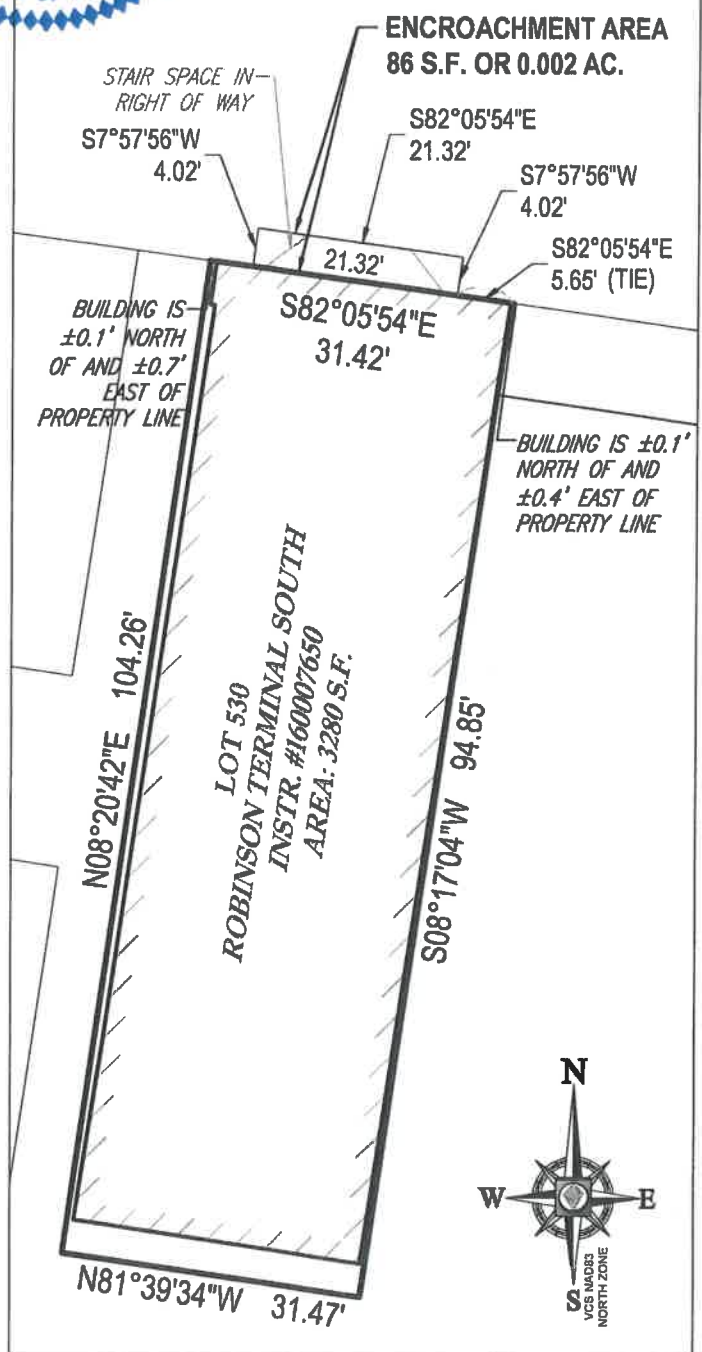
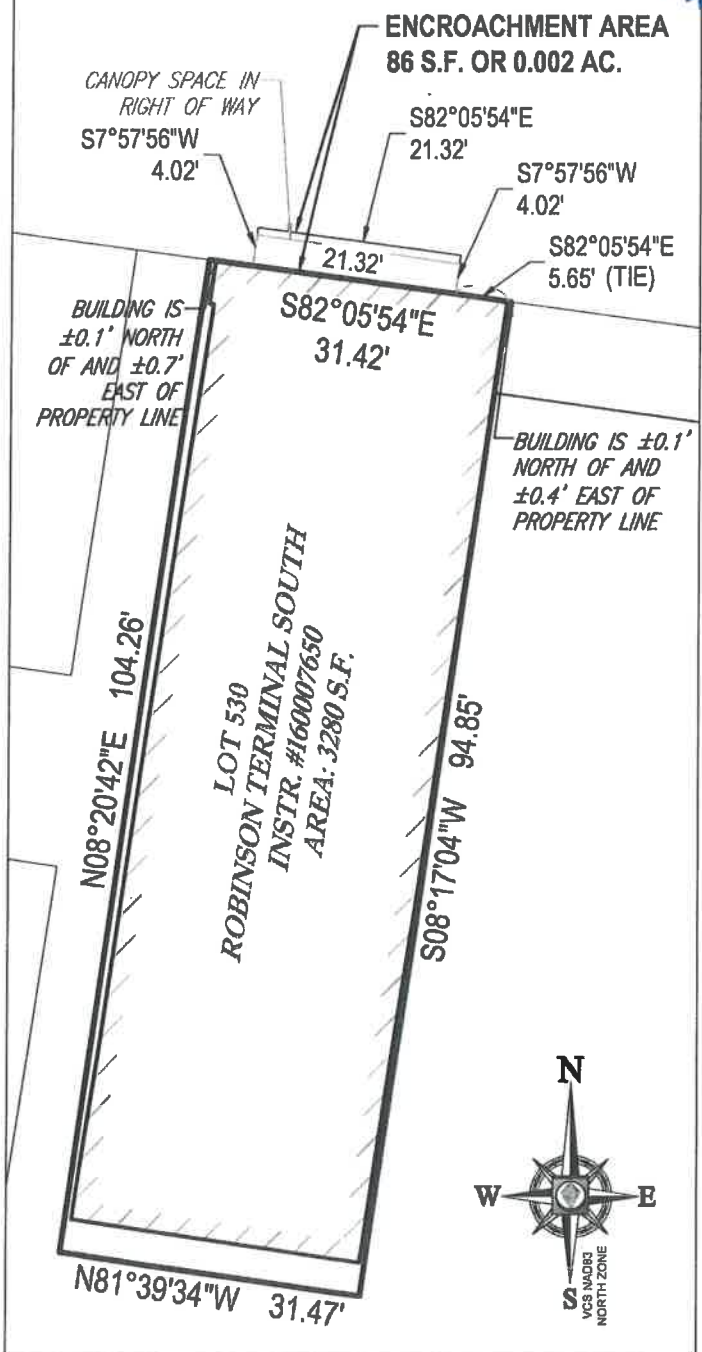
CONTAINING 86 SQUARE FEET OR 0.002 ACRES





DUKE STREET
66.08' PUBLIC RIGHT OF WAY

DUKE STREET
66.08' PUBLIC RIGHT OF WAY



PLAT SHOWING
ENCROACHMENT AREA
WITHIN RIGHT OF WAY

ROBINSON LANDING
10 DUKE STREET
CITY OF ARLINGTON
ARLINGTON, VIRGINIA

SS132178ENCO



BOHLER
ENGINEERING

12825 WORLDGATE DRIVE, SUITE 700
HERNDON, VIRGINIA 20170
703.709.9500

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- BALTIMORE, MD ■ SOUTHERN MARYLAND ■ NORTHERN VIRGINIA ■ WASHINGTON, DC ■ CENTRAL VIRGINIA ■ CHARLOTTE, NC ■ RALEIGH, NC

SCALE: 1" = 20' DATE: SEPTEMBER 17 30, 2019
DRAWN: S.U. SHEET 1 OF 1

City of Alexandria, Virginia

MEMORANDUM

DATE: OCTOBER 15, 2019

TO: KARL MORITZ, DIRECTOR
DEPARTMENT OF PLANNING AND ZONING

FROM: WILLIAM BRYAN PAGE SRA, RM, REAL ESTATE ASSESSOR
OFFICE OF REAL ESTATE ASSESSMENTS

SUBJECT: ENCROACHMENT OF 86 SQUARE FEET ON DUKE STREET,
ALEXANDRIA, VIRGINIA 22314

PROJECT: ENCROACHMENT #2019-00006

Per your request, we have reviewed the proposed 86 square-foot encroachment to permit entry steps, immediately below an open balcony and signage into the Duke Street right-of-way. The existing building, which carries an address of 10 Duke Street, represents the commercial component of Robinson Landing, a luxury mixed-use development located along the Potomac River in the Old Town area of the City of Alexandria. Robinson Landing is being developed with 70 condominium flats and 26 conventional townhouse units; both of which are being marketed at base prices that range from \$1.2 to \$5.0 million. The property at 10 Duke Street is essentially a masonry shell with open wood frame rafters and is proposed to be repurposed into a 187 seat (indoor) restaurant with seasonal expansion up to 239 seats. Duke Street is a publicly dedicated right-of-way that is asphalt-paved with curb, gutter and sidewalk.

The encroachment area is essentially rectangular in shape on the building's north elevation, and measures approximately 4.02 feet by 21.32 feet. The building is a two-story masonry building constructed in the 1800s and containing a gross floor area of 6,018 square feet (6,574 including balconies) and is situated on a 3,280 square-foot site zoned W-1 (Waterfront Mixed-Use). The entire property is located entirely within (Zone AE) with base flood elevations determined.

Because this is not a vacation on the part of the City, the value of the encroachment is determined by the application of **Section 3-2-85** of the City Municipal Code which defines the annual charge for commercial encroachments to be the equivalent of what would be the real estate tax upon the land being encroached if it were owned by the owner or owners of the encroaching property. Based on a 2019 land value of \$288.75 per square-foot, a total encroachment area of 86 square feet, and the 2019 tax rate of 1.13/\$100 of assessed value, the indicated annual fee for the encroachment is **\$280.00 (rounded)**.

Two Hundred and Eighty Dollars

This analysis does not constitute a fully documented real property appraisal report and should not be purported as such. The analysis is based on the current 2019 per square-foot assessed values of similarly zoned parcels in the immediate area of the subject property that are impacted by 100-year flood plain, and complies with City policies and guidelines.

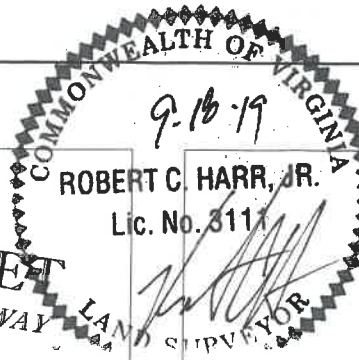
Attachments:

Encroachment Plat (dated September 18, 2019)

City of Alexandria Map Showing Extent of 100-Year Flood Plain

Metes and Bounds Description (Encroachment Area)

cc: Catherine Miliaras, Principal Planner
Femi Adelokun, Urban Planner II

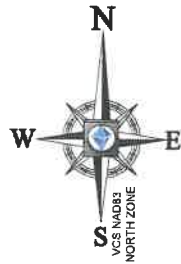
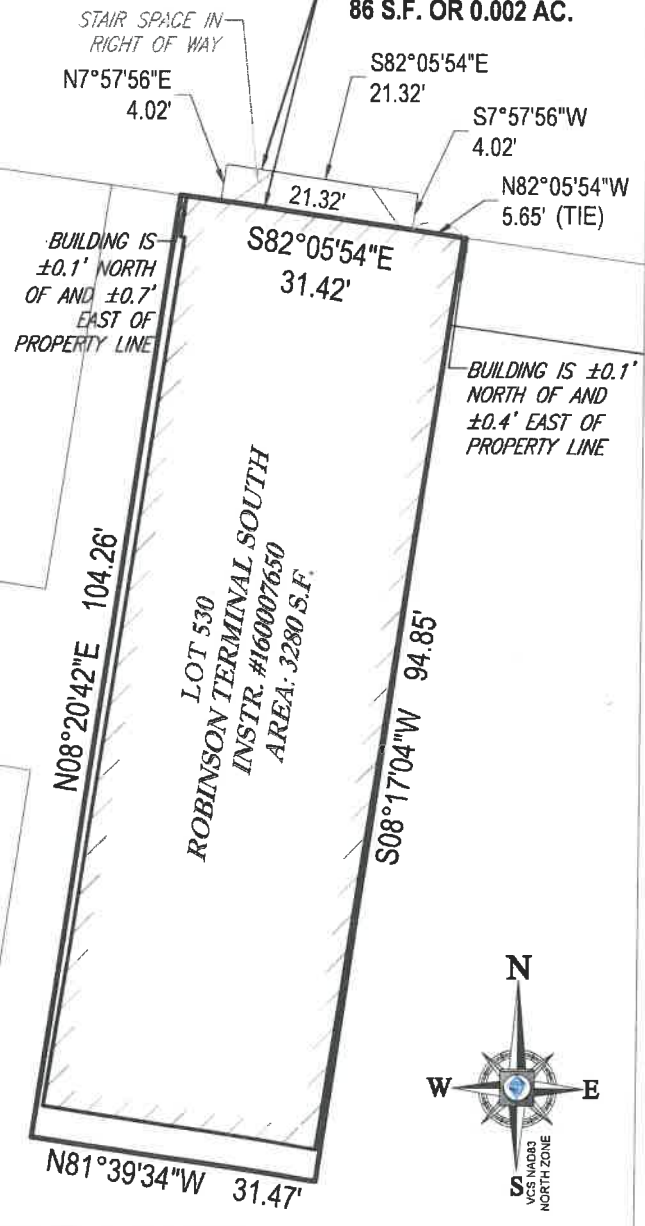
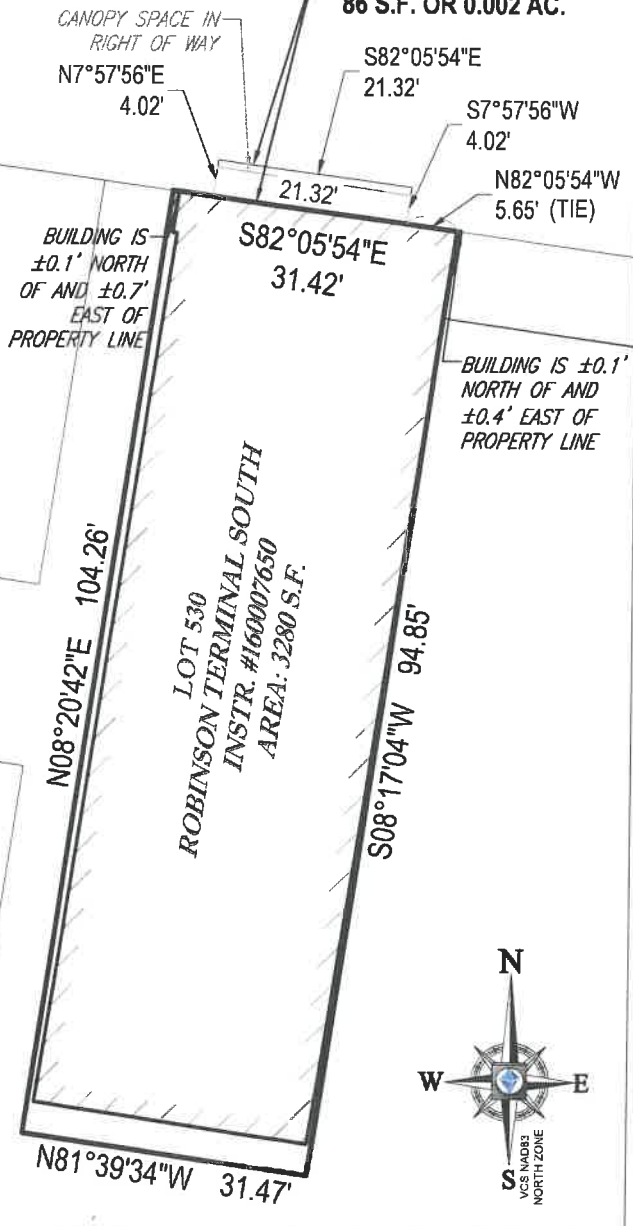


DUKE STREET
66.08' PUBLIC RIGHT OF WAY

DUKE STREET
66.08' PUBLIC RIGHT OF WAY

ENCROACHMENT AREA
86 S.F. OR 0.002 AC.

ENCROACHMENT AREA
86 S.F. OR 0.002 AC.



PLAT SHOWING
ENCROACHMENT AREA
WITHIN RIGHT OF WAY
ROBINSON LANDING
10 DUKE STREET
CITY OF ARLINGTON
ARLINGTON, VIRGINIA

SCALE: 1" = 20' DATE: SEPTEMBER 18, 2019
DRAWN: S.U. SHEET 1 OF 1

SS132178ENCO



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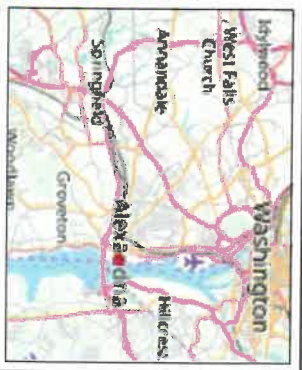
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WGS_1984_Web_Mercator_Auxiliary_Sphere
City of Alexandria, VA

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- 100 Year Floodplain
- Historic Buildings
- Regulated 100 Yr Old
- Surveyed
- 100 Year Buildings
- Proffers
- Zoning Outline
- Zoning**
 - Commercial
 - CDD
 - Commercial Residential Mixed Use
 - Industrial
 - Office
 - Public Open Space
 - Residential Low
 - Residential High
 - Residential Medium
 - Utility and Transport
 - Waterfront Mixed Use
 - Waterfront Park and Rec
- Addresses**
- Road Labels**
- One Way Streets
- Metro Stations
- Metro Lines
- Blue

Notes



**METES AND BOUNDS DESCRIPTION
ENCROACHMENT AREA**

ALL THAT CERTAIN LOT OR PARCEL OF REAL PROPERTY, TOGETHER WITH IMPROVEMENTS THEREON AND APPURTENANCES THEREUNTO BELONGING, LYING, AND BEING SITUATED IN THE CITY OF ALEXANDRIA, VIRGINIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 530, ROBINSON TERMINAL SOUTH (INSTRUMENT NO. 160007650), ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LIMITS OF DUKE STREET (66.08' WIDE RIGHT-OF-WAY), THENCE WITH SAID SOUTHERLY RIGHT-OF-WAY LINE;

- A. NORTH 82° 05' 54" WEST, 5.65 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED ENCROACHMENT AREA, THENCE CONTINUING WITH THE SAID SOUTHERLY RIGHT-OF-WAY LIMITS;
1. NORTH 82° 05' 54" WEST, 21.32 FEET, THENCE DEPARTING SAID SOUTHERLY LIMITS AND WITH A LINE THROUGH SAID DUKE STREET, THE FOLLOWING THREE (3) COURSES AND DISTANCES;
 2. NORTH 07° 57' 56" EAST, 4.02 FEET, THENCE;
 3. CONTINUING, SOUTH 82° 05' 54" EAST, 21.32 FEET, THENCE;
 4. CONTINUING, SOUTH 07° 57' 56" WEST, 4.02 FEET, TO PLACE OF BEGINNING.

CONTAINING 86 SQUARE FEET OR 0.002 ACRES

