

***Development Special Use Permit #2019-00032***  
***Special Use Permit (Restaurant) #2020-00033***  
***Transportation Management Plan SUP #2020-00034***  
***912-920 King Street***

Application	General Data	
<b>Project Name:</b> 912 King Street	PC Hearing:	September 1, 2020
	CC Hearing:	September 12, 2020
	If approved, DSUP Expiration:	September 12, 2025 <sup>1</sup> (5 years, based on construction of DSUP2019-0033)
	Plan Acreage:	0.25 acres (10,703 SF) <sup>2</sup>
<b>Location:</b> 912, 916 and 920 King Street	Zone:	KR / King Street Retail
	Existing Uses:	Public surface parking lot
	Proposed Uses:	Mixed-use (multifamily and retail/restaurant)
	Dwelling Units:	30
<b>Applicant:</b> Galena Capital Partners represented by Mary Catherine Gibbs, attorney	Gross Floor Area:	33,308 SF
	Net Floor Area:	26,755 SF
	Small Area Plan:	Old Town / King Street Retail Strategy
	Historic District:	Old and Historic Alexandria
	Green Building:	2009 Green Building Policy <ul style="list-style-type: none"> <li>• LEED Certified or equivalent for residential</li> <li>• LEED Silver or equivalent for commercial</li> </ul>

Purpose of Application
Public hearing and consideration of a request for a development special use permit and site plan with modifications to construct 30-unit multifamily building with ground-floor commercial uses on the site of an existing City-owned parking lot.
Special Use Permits and Modifications Requested:
<ol style="list-style-type: none"> <li>1. Development Special Use Permit and Site Plan to construct a mixed-use building;</li> <li>2. Special Use Permit for an increase in residential FAR to 2.5 in the KR zone;</li> <li>3. Special Use Permit for restaurant use;</li> <li>4. Special Use Permit for a parking reduction to allow for off-site residential parking;</li> <li>5. Special Use Permit for a loading reduction for a reduction of the required loading dock space requirements;</li> <li>6. Special Use Permit for a transportation management plan;</li> <li>7. Modification to the requirement for storefront glass on King Street; and</li> <li>8. Modification to the crown coverage requirement.</li> </ol>

<b>Staff Recommendation: APPROVAL WITH CONDITIONS</b>
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<sup>1</sup> The DSUP approval time of validity may be extended per the conditions of approval based on City Council guidance for land use approvals based on the COVID-19 pandemic.

<sup>2</sup> Plan acreage includes the adjacent portion of private alley (745 SF) in addition to the 9,958 SF of parcel area.

**Staff Reviewers:**

Robert M. Kerns, AICP, Chief of Development  
Catherine Miliaras, AICP, Principal Planner  
Michael Swidrak, AICP, Urban Planner

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**CITY COUNCIL ACTION, SEPTEMBER 12, 2020:**

City Council approved the Planning Commission recommendation with the following amendments:

**Amend Condition 6(a) (public access easements) to read:** "The pedestrian alley from the King Street right-of-way to the southern property line"

**Add Condition 119(i) (disclosures) to read:** "Residents are not eligible for residential street parking permits because the property is not located within a residential permit parking district and are not eligible for a permit in a sub-district based on code requirements."

**PLANNING COMMISSION ACTION, SEPTEMBER 1, 2020:**

On a motion by Vice Chair McMahon, seconded by Commissioner Koenig, the Planning Commission voted to recommend the approval of Development Special Use Permit #2019-00032, Special Use Permit #2020-00033, and Transportation Management Plan Special Use Permit #2020-00034, as amended. The motion carried on a vote of 5 to 0, with Commissioner Lyle recusing herself.

**Reason:** The Planning Commission agreed with the staff analysis and with the recommended changes to the conditions as shown below:

**Condition 6(a)**

6. Provide public access easements to the following areas. The easement language shall be reviewed by the Office of the City Attorney and to the satisfaction of the Directors of P&Z and T&ES:

- a. The majority of the pedestrian alley from the King Street right-of-way to the southern property line. (P&Z)

**Condition 12(c)**

The unit count may increase to 31 units subject to the applicant providing the required additional 150 square feet of open space as shown on the memo from the applicant's attorney dated August 24, 2020, as well as satisfying any other requirements to ensure consistency with all applicable Zoning Ordinance regulations. (P&Z)

Vice Chair McMahon supported the "urban planning principles" staff was espousing with requesting to maintain full public access in the alley, though understood and supported the applicant's request. The Vice Chair noted that alleys are primarily for service and loading and not pedestrian access, also noting that pedestrian cul-de-sacs exist in Old Town. Commissioner Koenig agreed with the Vice Chair's comments relating to the alley, though noting he saw both sides of the argument. He also praised the overall project.

Chair Macek noted his general support for the staff request to maintain full public access to the pedestrian alley, noting the importance of block porosity in Old Town and increased utility of the alley if it is fully public-accessible. He also stated his satisfaction with the continued filling in of the King Street streetwall, noting nearly all of the surface parking areas fronting King Street are now redeveloped.

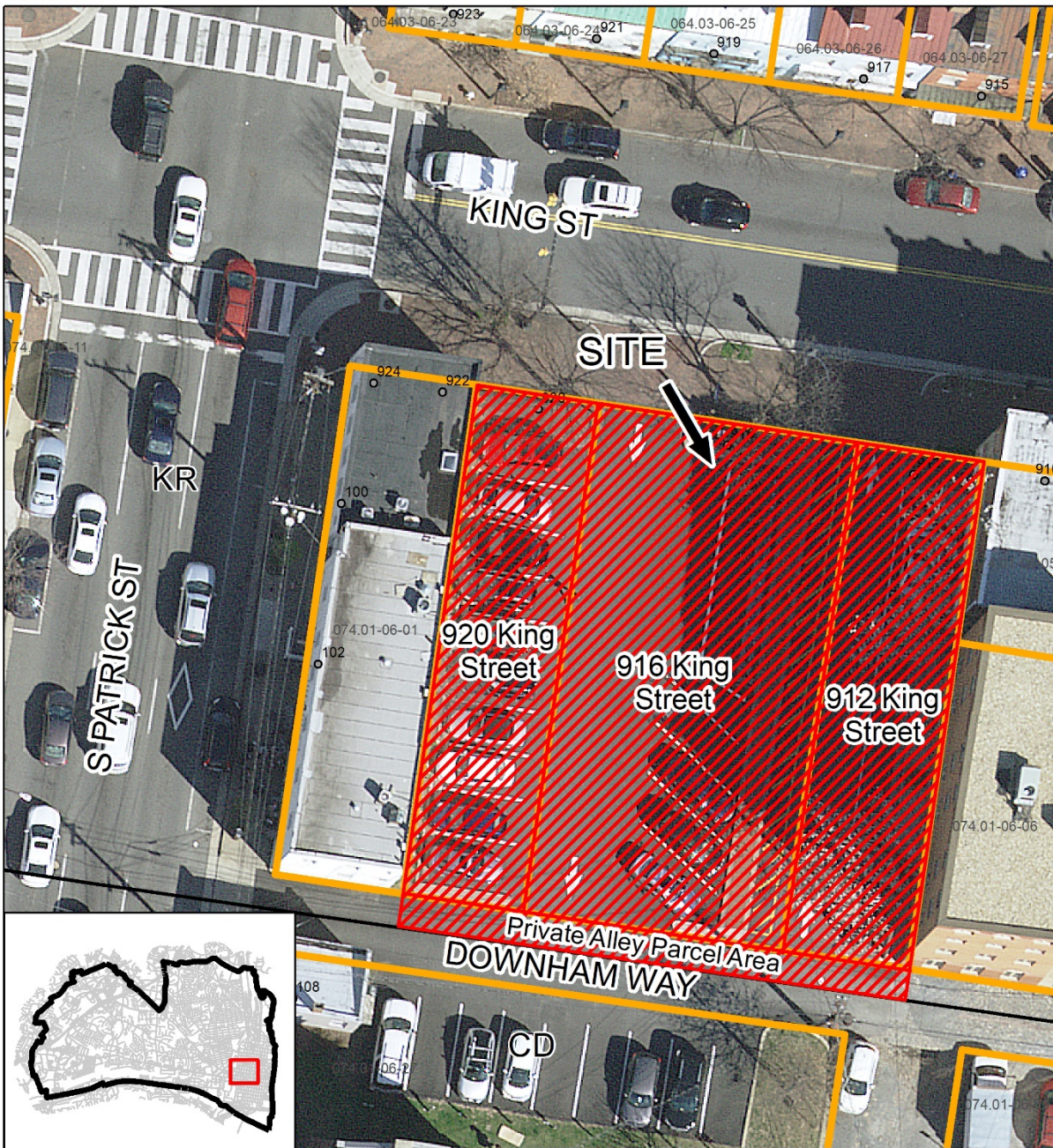
Commissioner Brown noted his support for the project, but also stated some concerns. These concerns included the building height and massing, which does not fit into the 30-degree control plane recommended in the King Street Retail Strategy, and that the building height should be equal to that of neighboring buildings. Commissioner Brown also stated his concerns with the inconvenient parking location, with building residents having to cross S. Patrick Street to retrieve their cars. He also noted that the unit size and mix of the proposed building and its location on King Street meant that the number of residents with cars may be less than in other residential development projects in the City.

Speakers:

Mary Catherine Gibbs, representing the applicant, spoke in favor of the project. Ms. Gibbs requested the Planning Commission recommend approval of the condition changes relating to unit count and limiting public access in the pedestrian alley to allow for an amenity area for residents. She noted that the retail-ready units in the rear of the building could be accessed from the main entry in the alley or from S. Patrick Street and Downham Way. Ms. Gibbs mentioned the pedestrian alley condition is open-ended and will work with staff on the alley design.

Steve Milone, president of the Old Town Civic Association, spoke generally in favor of the project, though advocated for a few changes. Mr. Milone noted that during the King Street Retail Strategy process in the mid-2000s, there was community discussion about converting (either wholly or partially) the parking lot at 912-920 King Street into a park or plaza. Mr. Milone urged the Planning Commission to reject the applicant's request to change Condition 6 to limit the extent of public access in the pedestrian alley, noting the 10-foot-wide pedestrian alley is one of the greatest assets of the project and retaining public access would come closer to the idea of a publicly accessible plaza for the site. Mr. Milone also asked the applicant to consider widening the pedestrian alley by removing the eastern portion of the building located behind a notch at the northeast corner of the building.





## PROJECT LOCATION MAP



## **I. SUMMARY**

### ***A. Recommendation***

Staff recommends approval of the request to construct a mixed-use development with 30 multifamily units and ground-floor commercial space fronting King Street with a Development Special Use Permit (DSUP) and associated requests, and subject to compliance with staff recommendations. The proposal provides many benefits for the City and surrounding community, including:

- High-quality, compatible design and architectural character that has been endorsed by the Board of Architectural Review;
- Infill development that removes a surface parking lot from King Street and will enhance the retail corridor and fill-in the blockface;
- Ground-floor commercial space fronting King Street that is designed generally in conformance with the King Street Retail Strategy and KR zone;
- Residential units on King Street that will add to the mixed-use character of Old Town and the creation of “retail-ready” (live/work) multifamily units facing the private alley that can be converted to commercial use;
- Streetscape and pedestrian improvements, including new brick sidewalks, granite curb and street trees on King Street and a publicly accessible pedestrian alley along the eastern portion of the site;
- Green building and site design, including a minimum LEED Certified (or equivalent) for residential and LEED Silver (or equivalent) building certification;
- Public art contribution (at a minimum value of \$9,992);
- An affordable housing contribution (approximately \$109,359);
- A \$5,000 contribution to Capital Bikeshare; and
- A \$4,980 contribution to the Urban Forestry Fund.

### ***B. General Project Description & Summary of Issues***

The applicant, Galena Capital Partners, requests approval for a mixed-use building with 30 multifamily units, including three ground-floor retail-ready units and 3,484 square feet of new ground-floor commercial space. The site consists of three parcels (912, 916 and 920 King Street) that are currently City-owned and serves as a public parking lot. Additionally, the site includes the adjacent private alley to its centerline. The site is bounded by King Street to the north, a private alley to the south, and commercial buildings to the east (910 King Street and Firehouse Square) and west (922-924 King Street / 100-102 S. Patrick Street). The site is located within the Old and Historic Alexandria District (OHAD) and is within the purview of the Board of Architectural Review (BAR).

The three parcels will be consolidated with an adjacent portion of the private alley and redeveloped with the construction of a four-story mixed-use building and a 10-foot-wide pedestrian alley along the eastern edge of the site. Parking for residents and visitors will be provided one block to the west at the 116 S. Henry Street development site, which is being redeveloped in tandem with this proposal.

The applicant is requesting the following approvals with this project:

- A Development Special Use Permit (DSUP) with Site Plan and including:
  - The construction of a mixed-use building, including a request for a Special Use Permit (SUP) to increase the floor area ratio to 2.5 in the KR zone;
  - A Special Use Permit for a parking reduction to allow for off-site parking for the residential units to be located at the planned automated garage at 116 S. Henry Street;
  - A Special Use Permit for restaurant use;
  - A Special Use Permit for a loading reduction to allow for a reduced clearance height in the loading dock;
  - A Special Use Permit for a tier one transportation management plan; and
  - Site Plan Modifications to the amount (linear percentage) of storefront glass on King Street and the crown coverage requirement.

Key issues that were considered in the staff analysis of this proposal and discussed in further detail in this report include:

- Consistency with City policies and process
  - Consideration of the proposal's consistency with the parameters of the City Request for Proposal (RFP)
  - Implementation of City policies and goals, including the Green Building Policy and affordable housing
- Site design
  - Creating an engaging storefront frontage on King Street and compliance with the King Street Retail Strategy;
  - The design and activation of the pedestrian alley;
  - Access to the retail-ready units at the rear of the site;
  - Placement of street trees and compliance with the 2019 Landscape Guidelines; and
  - Pedestrian safety and circulation between the sidewalk, pedestrian alley and the private alley (Downham Way).
- Building design
  - Building massing and setbacks in relation to King Street and nearby properties;
  - Architectural character, quality and building articulation that is commensurate with the prominent location of the site on King Street and in the Old and Historic Alexandria District;

- Exterior design and interior layout / partitioning of the commercial spaces fronting King Street;
- Design and functionality of rooftop, including open space; and
- Design, functionality and flexibility of the retail-ready spaces.

## **II. BACKGROUND**

### ***A. Site Context***

The nearly quarter-acre site is comprised of three parcels, 912, 916 and 920 King Street. The parcels have been utilized for surface parking since the mid-20<sup>th</sup> century, after the City purchased the three lots from private owners in 1958 and the three freestanding masonry buildings were demolished on these properties. A Capital Bikeshare station is also located on the site. The site will remain a City-owned parking lot until the automated parking garage at the 116 S. Henry Street development site is operational (see the RFP section below).

The site also includes a 745-square foot section of the adjacent private alley (Downham Way) to its centerline. Based on Virginia case law, the adjacent portion of a private alley (noted below as the “private alley parcel area”) is owned by the adjacent property owner. The applicant is utilizing this portion of the alley for floor area purposes and will consolidate it in the site, though it will remain clear of any structures and have a public access easement. Downham Way is 15 feet wide and located directly to the south of the site, and serves properties fronting King, S. Patrick and S. Alfred streets. This section of Downham Way is private, though the section of Downham Way west of S. Patrick Street (adjacent to the 116 S. Henry Street development) is public.

The site is adjacent to properties containing a mix of uses. Adjacent properties to the north, east and west along the 900 Block of King Street are commercial, with ground-floor restaurants and retail, and offices and accessory apartments on the upper floors. The Firehouse Square development is located directly to the east. Directly to the south are the commercial buildings at 108 and 112 S. Patrick Street and a private north-south alley that serves properties fronting S. Alfred and S. Patrick streets.

The site topography is generally flat, with a slope downward of 2 feet from the east to the west portion of the site. The site is covered by impervious surfaces (asphalt and concrete curbing) with few on-site trees. The adjacent King Street sidewalk has three street trees and two curb cuts. There are an additional two trees that front the site but are located within the property line.

### ***B. Disposition of 912-920 King Street and 116 S. Henry Street & RFP Process***

In October 2007, the Mayor’s Economic Sustainability Work Group made several recommendations regarding the City of Alexandria’s economic vision and future including encouraging and pursuing commercial development and expanding the City’s focus on retail expansion. The Work Group also recommended that the City develop and maintain an inventory of City-owned properties; periodically evaluate those properties to determine their long term use



which would be in the long term best interest of the City; and sell, lease or otherwise dispose of properties that it determines are not needed for a public purpose after determining what is the highest and best use of these properties. In 2009, the King Street and S. Henry Street parcels were declared surplus property.

Following an unsolicited offer from the applicant for the subject properties and a third surface parking lot at 120-122 ½ N. Patrick Street in 2016, the City hired Jones Lang, LaSalle (JLL) to evaluate the financial feasibility and potential land value of the parcels. The analysis indicated the following highest and best use for the King Street and S. Henry Street sites:

- On the King Street site, a mixed-use building composed of ground floor and below grade retail with small office and residential units above.
- On the Henry Street site, three uses including a three-level 80 to 90 space parking garage, ground level retail and commercial office space overlooking S. Patrick Street.

In 2017 the City subsequently authorized the City Manager to issue a Request for Proposals (RFP) for the disposition, sale and redevelopment of the King and S. Henry sites. As outlined in the RFP, the goals of the sale and redevelopment included the preservation of the historic identity of the area; high quality development in terms of materials and design; economic development; consistency with the City's Master Plan; the need for additional public parking in this area of King Street (minimum of 85 spaces to replace the spaces currently existing in the City-owned parking lots); and, maintaining some public parking spaces during project construction. The City received three proposals, although one was subsequently withdrawn. The applicant's proposal was selected as it was the highest offer and because it provided the most public parking, a variety of residential unit types, ground floor retail, and included affordable housing (or a comparable contribution).<sup>3</sup>

On July 9, 2019, City Council authorized the City Manager to enter into a contract with Galena Capital Partners, LLC to sell the City-owned properties located at 912, 916 and 920 King Street and 116 S. Henry Street for \$5.3 million contingent upon (1) approval of the Development Special Use Permit (DSUP) for these sites by the Planning Commission and City Council; and (2) review of the sale of these properties by the Planning Commission per Section 9.06 of the City Code.

On October 3, 2019, Planning Commission reviewed and approved the sale of the King Street and S. Henry Street properties per City Charter Section 9.06, which requires that the Planning Commission review any acquisition or sale of public land to ensure consistency with the City's Master Plan. The proposal was evaluated for consistency with the goals of the Old Town Small Area Plan (1992), which advocates for a balance of residential and commercial uses and contextual development. The proposal achieved this through the conversion of surface parking to a mixed-use development compatible with the historic district; additional ground level retail space on King and S. Henry Streets; and, structured parking that will enhance the visitor and tourist experience. Planning Commission also found that the two infill project sites would enhance the pedestrian realm through streetscape improvements; provide continuous retail uses on two blocks that

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<sup>3</sup> The June 22, 2018 City memo detailing the contract consideration to Galena Capital Partners can be found at: <https://alexandria.legistar.com/LegislationDetail.aspx?ID=3537780&GUID=A7E86686-E601-4BB7-A0C3-57B88711C83A&FullText=1>

currently have vacant lots; fully utilize upper floors for residential uses; and retain and expand the parking supply through the construction of an automated parking garage in an area with limited off-street parking, consistent with the King Street Retail Strategy (2005).

The closing for each site will be determined based on the Agreement for Sale and Redevelopment negotiated between the City and applicant. For the 912-920 King Street site, closing will likely happen when the proposed automated parking garage at 116 S. Henry Street has been constructed and is operational, and site disturbance and construction activities can commence on the site. The conditions of approval reflect the consideration for project phasing as agreed upon between the City and applicant as part of the RFP process.

### ***C. Detailed Project Description***

The applicant is proposing to construct a four-story, 30-unit multifamily building with ground-floor commercial spaces at 912, 916 and 920 King Street on the site of an existing City-owned parking lot. The majority of the multifamily units proposed (28 out of 30 units) are studio and one-bedroom units. The building has a maximum height of 50 feet and completes the streetwall along the 900 block of King Street with a variable-height front façade that has a setback at the fourth floor on the west half of the building.

The building appears as two slightly offset massings as viewed from King Street and has a setback of 9 feet on the fourth floor of the western half of the building, in addition to a variation in brick color to further differentiate between the massings. The upper building floors contain 27 multifamily dwelling units, and the ground floor is split between commercial space fronting King Street and three retail-ready (live/work) units fronting the private alley. These retail-ready units are anticipated to be used initially as residential units but will be designed to allow conversion into small commercial spaces (i.e. office, retail, personal service, etc). In order to construct the building as proposed, the applicant will be required to consolidate a portion of Downham Way (private alley parcel area) that is owned by the property owner in order to comply with KR zone floor area ratio (FAR) requirements.



**Figure 1: King Street elevation viewed the northwest**

Adjacent to the proposed building is an approximately 10-foot-wide pedestrian alley that runs along the eastern property line of the site and provides visibility of the historic building to the east while also allowing the retention of their windows on the property line. The alley will be paved with brick and will serve both as an entrance way to the residential units of the building and a publicly accessible pedestrian walkway that will connect pedestrians on King Street to the retail-ready units at the rear of the building. The pedestrian alley will feature a bioretention/BMP planter box along the building wall and potential areas for seating adjacent to the King Street-fronting commercial space and bicycle racks in the rear portion of the alley.

The proposal meets the KR zone open space requirements, which are 150 square feet per residential unit. Open space is located at the ground level in the 10-foot-wide pedestrian alley, on the third floor on balconies for King Street-fronting units and on the northern half of the roof.

Parking for the residential units will be located across S. Patrick Street at the automated parking garage planned for the 116 S. Henry Street development (DSUP#2019-0033) that is being considered concurrently with this proposal. Per RFP process and the conditions of approval, the automated parking garage must be operational prior to the removal of the existing parking lot and construction of the new building at 912 – 920 King Street. The applicant has requested an SUP for a parking reduction in order to permit the off-site parking of the required residential parking spaces. The proposed building will have one loading space as required by the Zoning Ordinance, though an SUP for a reduction of the loading requirements is requested to allow for a lower clearance height for the loading dock than permitted in the Zoning Ordinance.

The applicant proposes streetscape improvements, including new brick sidewalks and granite curb along the adjacent frontage on King Street, new street trees and Alexandria Historic Street Lights, in addition to the improvements to the pedestrian walkway and private alley. As described in the Staff Analysis section (Section IV) below, the applicant requests site plan modifications to the site



plan requirement for crown coverage on 25 percent of the site area and the requirement for 75 percent of King Street linear first-floor frontage to have storefront glass in the KR zone.

### III. ZONING

*Table 1 – Zoning Tabulations*

<b>Property Address:</b> 912, 916 and 920 King Street		
<b>Total Site Area:</b>	0.25 acres (10,703 SF) <sup>4</sup>	
<b>Existing Zone:</b>	KR / King Street Retail	
<b>Current Uses:</b>	Public parking lot	
<b>Proposed Uses:</b>	Mixed-use (multifamily and retail/restaurant)	
	<b>Permitted / Required</b>	<b>Proposed / Provided</b>
<b>FAR</b>	2.5 with SUP	2.5
<b>Height:</b>	50 feet	50 feet
<b>Open Space:</b>	4,500 SF (150 SF per unit)	4,500 SF (765 SF located at grade)
<b>Crown Coverage:</b>	25% (2,676 SF)	0% (0 SF) <sup>5</sup>
<b>Parking:</b>	28 – 32 residential spaces Exempt from commercial spaces <sup>6</sup>	28 spaces (minimum) provided off-site at 116 S. Henry Street garage <sup>7</sup>
<b>Loading spaces:</b>	1	1 <sup>8</sup>

### IV. STAFF ANALYSIS

#### *A. Conformance with the Master Plan*

The site is located within the Old Town Small Area Plan and King Street Retail Strategy boundary. The Old Town Small Area Plan was adopted in 1992, and advocates for planning policies that retain the balance of residential and commercial uses and contextual development. The proposal is compatible with the goals and objectives of the Old Town Small Area Plan. The mixed-use proposal at 912-920 King Street furthers plan area goals through:

- “Encourag[ing] the design of new buildings... on a basis that is compatible with existing development;”
- “Retain[ing] the retail pattern along King Street;” and
- “Encourag[ing] mixed use in new development where appropriate.”

Additionally, the proposal converts one of the remaining surface parking lots on King Street into a mixed-use development and will contribute to the vitality of the corridor.

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<sup>4</sup> The site area excluding the “private alley parcel area” is 9,958 square feet or 0.23 acres.

<sup>5</sup> Modification requested.

<sup>6</sup> See Parking section below for an explanation of the commercial parking exemption.

<sup>7</sup> Parking reduction SUP required to allow for off-site residential parking.

<sup>8</sup> SUP required to modify loading space requirements for minimum clearance height. See Analysis section for discussion.

## King Street Retail Strategy

Adopted in 2005, the King Street Retail Strategy provides a detailed assessment and blueprint for the continued health, preservation, and expansion of the retail environment on King Street. The Retail Strategy provided the framework for what became the King Street urban retail zone (KR). The retail strategy was adopted with a Master Plan Amendment that incorporated it into the Old Town Small Area Plan (MPA#2005-0002). Each chapter in the Retail Strategy covers a specific Guiding Principle such as Urban Design, Land Use, and Parking and has detailed Planning Recommendations that are designed to implement the plan. Table 2 below illustrates how the proposal conforms to and is in the general spirit of the King Street Retail Strategy.

**Table 2 – King Street Retail Strategy Elements**

ELEMENT	GOALS/RECOMMENDATIONS	PROPOSED
Sidewalks	<b>Guiding Principle:</b> Require all sidewalks to be paved in brick, but allow the pattern to vary	Sidewalks, along King Street will be brick. Additionally, the pedestrian alley and landing area in front of the retail-ready units will be brick-paved.
	<b>Guiding Principle:</b> Require landscaped tree wells or tree grates	Street trees will be provided and retained (where feasible) on King Street.  Street tree wells (existing and new) will be designed to current standards in the Landscape Guidelines.
Sidewalks (continued)	<b>Planning Recommendation:</b> Maintain a minimum 7-to-8-foot-wide pedestrian way between sidewalk landscaping area and the building face and/or stoop	The proposal maintains a minimum 8-foot-wide sidewalk on King Street.
Vital Retail Environment	<b>Guiding Principle:</b> Encouraging continuous retail uses along the street to support optimum market conditions and the pedestrian experience	The proposal fills in the streetwall along the blockface with additional commercial spaces.  Access to the residential units is through the pedestrian alley, leaving the King Street for commercial frontage.
	<b>Guiding Principle:</b> Encouraging residential uses on upper floors to provide 16-hour activity and lights on the street in the evening	Addition of multifamily units will increase activity along this portion of King Street during evenings and weekends.

## Land Use Controls

On page 5-7 of the King Street Retail Strategy is a recommendation for a building envelope that prescribes a maximum building height for new development fronting King Street. The building envelope is “defined by a 30-degree building control plane (the origin of the plane to be established at a point 5 feet above the curb on the far side of the street).” The purpose of the control plane is to minimize visual impacts and limit shadows cast from taller buildings.

As shown in Figure 1 below, the proposed new building exceeds the building envelope at portions of the fourth floor and penthouse area in the areas of the building closest to King Street. This recommendation is not codified in the Zoning Ordinance, and there is no formal “modification” or “variation” to facilitate relief from a recommendation in the Strategy.

Staff supports relief from this recommendation as the building massing fronting King Street is “broken up” in a way that accentuates the height variations along the 900 block of King Street while complementing the existing character of the blockface, which also has a similarly tall façade at the adjacent Firehouse Square development. The western half of the building is set back 9 feet on the fourth floor in recognizing the spirit of the control plane recommendation, while the eastern half of the building has a strong 4-story expression at the building frontage, which is also present along portions of King Street. Additionally, the BAR discussed building height and the appearance of the building from King Street as part of the BAR concept review, and ultimately endorsed the building height and massing as proposed.

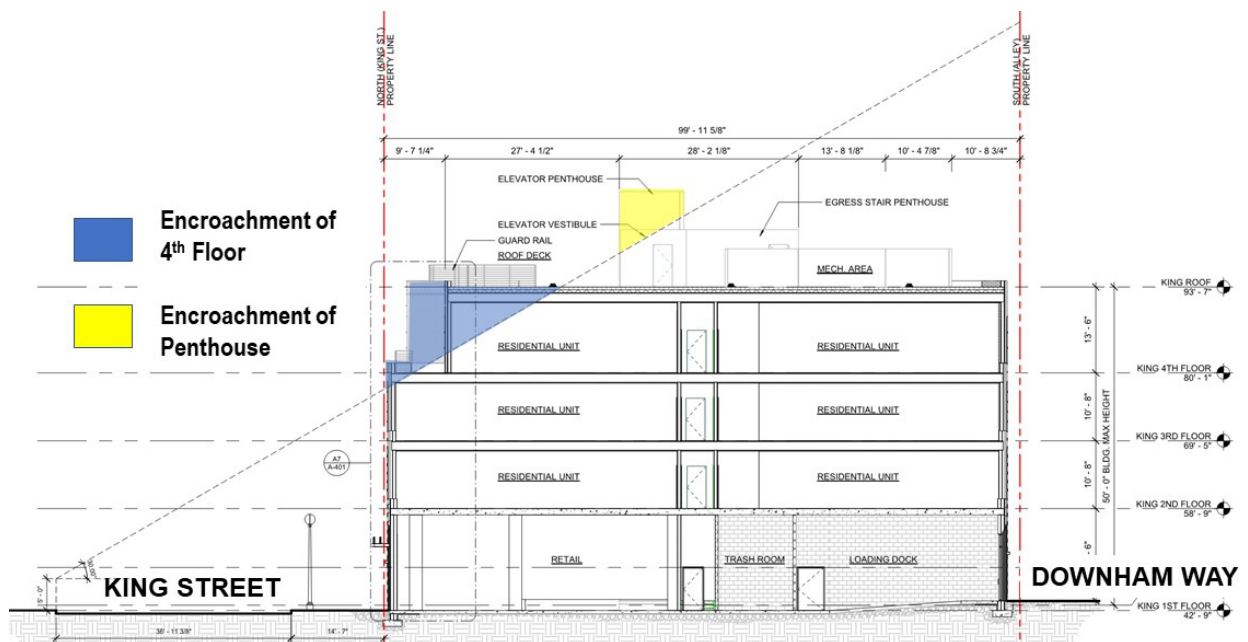


Figure 2: Portion (in blue) of the new building that does not comply with the recommended 30-degree building envelope starting from King Street.

## B. Conformance to City Policies

The proposed development meets several applicable City policies including:



### **Affordable Housing Policy**

The applicant is providing a voluntary monetary contribution of \$109,359 to the City's Housing Trust Fund based on a Non-Residential contribution of \$2.29 per square foot, a Tier 1 Residential contribution of \$3.06 per square foot, and a Tier 2 Residential contribution of \$6.11 per square foot. This contribution is consistent with the City's Procedures Regarding Affordable Housing Contributions and supports the goals and strategies of the City's Housing Master Plan.

### **Green Building Policy**

City Council adopted an updated Green Building Policy on June 22, 2019 to replace the 2009 policy. The new policy became effective for any DSP or DSUP applications submitted on or after March 2, 2020, and based on this date, this proposal is not subject to the standards of the updated policy. Per the 2009 policy any DSP or DSUP should achieve LEED Certified (or equivalent) for residential uses and LEED Silver (or equivalent) for non-residential uses.

The applicant submitted materials with the Preliminary Plan indicating that they would be pursuing two Green Globes (the equivalent of LEED Silver), beyond the 2009 policy requirement for the residential portions. As a result, staff has included a condition that requires the applicant to seek to achieve either two Green Globes for the entire building or meet one set of performance points (relating to energy, indoor water or air quality) outlined in the 2019 Green Building Policy. Attainment of the certification is included as part of the conditions of approval for this project.

### **Public Art Policy**

In October 2012, the City Council adopted the Public Art Policy which established a monetary contribution requirement from development projects to go towards public art. The contribution can be used for public art on the site or a contribution to further the City's public arts efforts in the neighborhood. If the applicant elects for the monetary contribution option the policy requires a monetary contribution of \$0.30 per gross square foot of development, or approximately \$9,992 for this project. Staff will work with the applicant to identify a potential public art piece on the eastern building wall in front of the pedestrian alley if feasible per the conditions of approval and during the Final Site Plan process.

### ***C. Building Design and Board of Architectural Review***

The proposed four-story masonry building will occupy the majority of the site but will be set back 10 feet from the east property line. This portion of the site will allow for a through connection to the alley and contain the entrance to the residential units located on the upper floors and allowing for the creation of the pedestrian alley. The ground-floor space fronting King Street (approximately 3,600 square feet) will house between up to three retail or restaurant businesses. The rear portion of the ground floor will contain up to three retail-ready units. These units can be accessed from the Downham Way alley and are anticipated to be used as residential units but will

be designed to allow for streamlined conversion to small commercial uses.

The building design includes a recessed notch on the north and south elevations to break up the overall building massing into two segments, creating the impression that there are two separate buildings, one on the west side and one on the east side. On the western portion of the building, the first, second, and third floors are in a single plane with the fourth floor set back 9 feet from the face of the building to create a terrace. This portion of the building uses a grey brick for the first three floors and a darker grey color at the fourth floor.

The eastern portion of the building uses 8-inch setbacks at the second, third, and fourth floors that begin at the vertical notch and wrap around the north, east, and south sides of the building to step the massing away from the neighboring buildings and reduce the overall building mass. In addition, a 7-foot by 18-foot setback at the northeast corner of the building starting at the second floor has been introduced to create additional space at the entrance to the new pedestrian alley and to be sensitive to the three-story building to the east of the project site. This portion of the building uses a lighter color brick, further emphasizing the impression that there are two separate buildings.

The building will have aluminum and glass storefront window/door system on the three ground floor elevations with projecting canopies on King Street. The residential floors above will have punched multi-light windows framed by brick corbeling and decorative brickwork in the form of horizontal reveals or drafted joints implying large blocks of stone, with wider spacing between bands as the building rises. Simple horizontal metal railings will be installed at the balconies and around the perimeter of the deck on the roof.



**Figure 3: King Street elevation as viewed from the northeast**

The west elevation of the building will be devoid of openings with the two-tone brick colors wrapping from the King Street elevation around to the south elevation. This portion of the building extends above the existing two-story building that located at the corner of South Patrick Street and King Street.

### **Board of Architectural Review (BAR)**

The Board of Architectural Review (BAR) reviewed this project in concept at two separate hearings. The BAR concept review process is an optional, informal process at the beginning of a DSUP application whereby the BAR provides the applicant, staff, the Planning Commission and City Council with comments relating to the overall appropriateness of a project's height, scale, mass, and general character.





**Figure 4: King Street frontage as proposed with BAR concept review submission, December 2019, prior to architectural changes made by the applicant based on BAR feedback**

The applicant first presented the proposed project on January 22, 2020 (BAR Case #2019-00556), and the Board provided feedback on the height, scale, mass, and architectural character of the proposed project. Some members of the Board expressed concern regarding the overall massing of the building, feeling that the building as proposed was too overwhelming for the adjacent properties. There was general consensus that the 8-inch setbacks that were originally proposed for all sides of the building, gave it a “wedding cake” feel and added to the sense that the building proportions did not match the more vertical proportions of the historic buildings in the immediate vicinity. The applicant was encouraged to explore ways in which to break up the mass of the building vertically with a potentially larger setback at the top floor. Several members of the Board expressed appreciation for the introduction of the pedestrian alley along the east side of the site but were concerned that it would not feel inviting to the general public.

The project went before the Board for a second time on June 3, 2020. Refinements were made to the design in response to the comments that were provided at the first concept review. At this time the vertical notch at the north and south elevations was introduced along with the elimination of the 8-inch setbacks on the west side of the building. This variation in the articulation of the building exterior breaks down the mass of the building and gives it a more vertical proportion similar to the neighboring properties. The Board expressed support for the applicant’s proposal to provide less storefront glazing than required by the Zoning Ordinance, 72 percent instead of the required 75 percent, noting that the solid piers between the windows helped to ground the building (see the Modifications section below for additional analysis). By unanimous consent, the Board endorsed the height, mass, scale, general architectural character and detailing. They recommended that the applicant move forward with a Certificate of Appropriateness after approval of the DSUP.

### ***D. Site Design and Open Space***

The site fronts King Street in the Central Business District, where properties have been commonly built to the front and side property lines. The applicant has proposed an urban building that comes to the front and west side property line, though is set back 10 feet from the eastern property line to allow for a pedestrian alley. The pedestrian walkway will be lined with brick pavers to match the King Street sidewalk and connect directly to Downham Way at the rear of the site. The pedestrian alley is designed to potentially allow seating adjacent to the building at the north end if a restaurant or café is proposed for the adjacent commercial space. The main residential building entrance is accessed from the pedestrian alley, adjacent to a bioretention planter box with a seat-height wall. The applicant will explore an enhanced treatment for the building wall facing the alley, potentially including public art or detailed brickwork.

In addition to the pedestrian alley, the proposal is unique in that it proposes so-called retail-ready units at the ground floor fronting the private Downham Way alley. These units will be designed to accommodate small retail, office and potentially food or drink service in the future, though they will likely begin as multifamily residential units. The retail-ready units will have storefront windows and can be accessible from either the alley or internally in the building.

Staff has conditioned the applicant to provide public access easements along the length of the pedestrian alley, which allows for access to the rear of the building where the retail-ready units front the alley, and the portion of Downham Way included in the private alley parcel area, which allows for access along the rear of the site directly to the retail-ready units. This will ensure that the public can continue to move throughout the block and provide access to Downham Way and other alleys, a treasured aspect of wandering through Old Town.

Per Section 6-705(B) of the Zoning Ordinance, each residential unit requires 150 square feet of open space per unit, instead of a percentage of the site area. The KR zone also explicitly allows for above-ground open space to meet this requirement, including space on “balconies, terraces and rooftops.” While above-grade open space is permitted to count toward the requirement in the KR zone, “ground level open space shall be a qualitatively significant component of the total open space.

The applicant has incorporated 4,500 square feet of open space into the site, the majority of which is above grade. Most of the above-grade open space (approximately 3,300 square feet) is on the roof as a common open space, while the remaining above-grade open space areas are the 9-foot-deep balconies that are accessed from fourth-floor units fronting King Street. Nearly 800 square feet of the open space is at ground level, consisting of the pedestrian alley. The portion of the alley that contains the bioretention planter is not considered “open and usable space” as determined by staff and is not included in the open space calculation.

The proposal complies with the KR zone open space requirement that a “qualitatively significant portion” of open space be located at ground level based on the proposed pedestrian alley. Staff acknowledges the difficulties with providing ground-level open space along King Street, and the pedestrian alley will provide a welcome open area for residents and visitors.

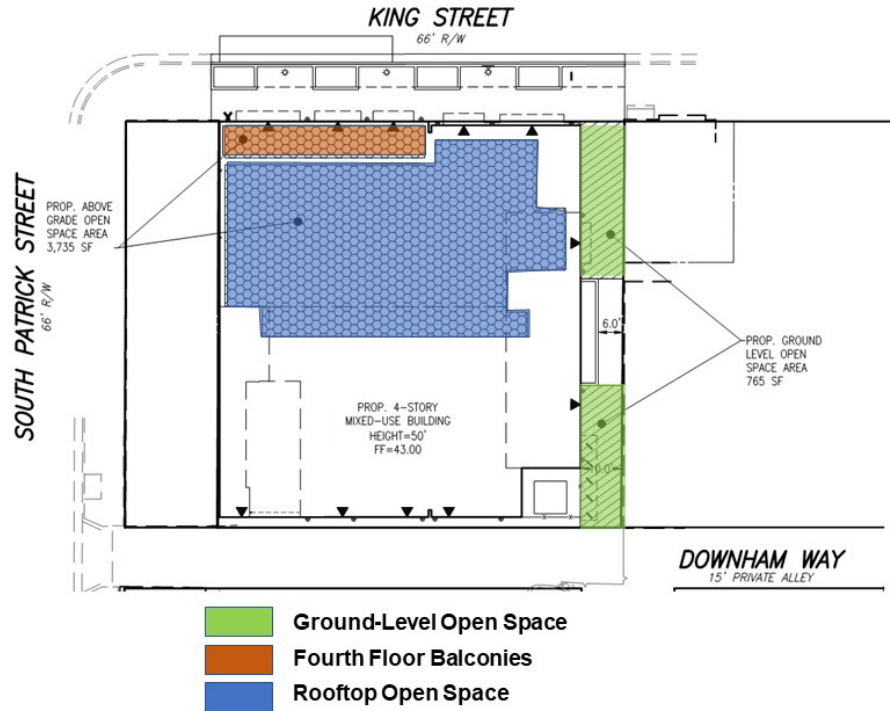


Figure 5: Location of open space

Table 3 – Open Space

OPEN SPACE	AMOUNT
<b>Required per KR Zone</b>	<b>4,500 SF (42.0% of site area)</b>
<b>Total Provided</b>	<b>4,500 SF (42.0% of site area)</b>
Ground-Level Provided	765 SF (7.1% of site area)
Above-Grade Provided	3,735 SF (34.9% of site area)
Private Open Space	3,735 SF (34.9% of site area)
Publicly Accessible Open Space	765 SF (7.1% of site area)

### E. Special Use Permit Requests

Section 11-500 of the Zoning Ordinance gives authority to the City Council to approve Special Use Permits (SUPs), five of which are included with this application. The Zoning Ordinance requires that the approval of the SUPs associated with the development application:

1. Will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
2. Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
3. Will substantially conform to the master plan of the city.

A summary of each SUP requested with this application along with a rationale for approval is provided below.

### **Increase in Residential FAR to 2.5 in the KR Zone**

The applicant has requested an increase in FAR (floor area ratio) from 1.5 up to 2.5 in the KR zone. The density increase allows for a viable development proposal on a smaller urban site. Staff supports the request for increased density, as the applicant has utilized the density to provide a building proposal that considers the varied context of the adjacent King Street blockface.

In addition to the request for additional density, the applicant is utilizing the 745-square-foot private alley parcel area adjacent to the site for floor area calculations, which allows approximately 1,863 square feet of floor area in the building. The applicant will have to consolidate the private alley parcel area with the rest of the site in order to construct a building utilizing the aforementioned floor area. The applicant will coordinate with City staff on the timing of the lot and alley portion consolidation based on the progression of construction at the 116 S. Henry Street site and terms of the Agreement for Sale and Redevelopment between the City and the applicant.

Based on the three criteria City Council considers in its approval of SUPs, staff supports this approval due to the following:

1. The increased density will not have an adverse effect on area residents and workers, as the building fits into the urban fabric of the area;
2. The proposed new building will enhance this portion of King Street, and the increased density allowed the applicant to provide a contextual building that completes the streetwall on the block while allowing for building height commensurate with nearby buildings; and
3. The added density allows for the implementation of the King Street Retail Strategy with increased activity from the residential and commercial uses that will replace a surface parking lot.

### **Restaurant (SUP#2020-0033)**

The applicant is requesting a restaurant SUP that would apply to any of the ground-floor commercial spaces in the new building, including the commercial spaces fronting King Street and the retail-ready units fronting the alley if feasible. The KR zone allows restaurants as administrative SUPs, though this SUP request allows for additional flexibility in terms of restaurant operations sought by the applicant.<sup>9</sup>

The restaurant SUP allows the applicant and potential future restaurant operators flexibility in operating hours and seating, which will not be restricted as they are with administrative restaurant SUPs. The full-hearing SUP also permits live entertainment, which will be allowed until 11:00 p.m., consistent with City Noise Ordinance requirements for the Central Business District. The applicant is not requesting outdoor dining with this SUP.

Based on the three criteria City Council considers in its approval of SUPs, staff supports this approval due to the following:

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<sup>9</sup> Any future restaurants in this development will require an administrative SUP for the change of ownership from the applicant to future restaurant owner. The conditions of approval contained in this report will apply to these future restaurants.

1. Restaurant(s) at this location are consistent with the mix of businesses operating along this portion of King Street. The spaces will be managed through conditions of approval;
2. The restaurant(s) will increase activity along the adjacent stretches of King Street; and
3. The addition of active uses along King Street is in conformance with the King Street Retail Strategy and Old Town Small Area Plan.

### **Parking Reduction to Allow Off-Site Parking at 116 S. Henry Street**

Based on the size of the site, constructing an underground parking garage at this location is challenging and would potentially not be efficient to provide the number of spaces required by the Zoning Ordinance for the number of multifamily units proposed. In their RFP submission, the applicant proposed to place all of the parking required for both this development and the 116 S. Henry Street (DSUP#2019-0033) development in an automated parking garage on the 116 S. Henry Street site. This automated parking garage will also provide publicly available parking for the existing parking lots at each of the development sites. According to Section 8-200(C) of the Zoning Ordinance, parking for multifamily dwelling units can be located on a lot that is not the site of the units if the parking is located “on a lot separated from the main building lot by an alley or directly across the street from the main building when separated by a minor local street only.” Therefore, a parking reduction for the full number of spaces is required to permit the parking spaces for the development to be located farther off-site.

Per the requirements of the RFP, the applicant is providing the required parking spaces for this development (minimum 28 spaces based in this proposal) in the automated parking garage, in addition to the spaces available in the garage for any visitors, employees or patrons of the commercial spaces. Staff supports the SUP request as it allows for efficient site development for both the 912-920 King Street and 116 S. Henry Street sites. The approximately 500-foot distance between the residential entrance of 912-920 King Street and the garage on the next block to the west is not considered burdensome for residents of an urban multifamily development.

Based on the three criteria City Council considers in their approval of SUPs, staff supports this approval due to the following:

1. This request will have no impact on the adjacent neighborhood, as it will only concern residents of the new development;
2. Parking will be managed through a parking management plan that will be reviewed by City staff that will address how any impacts will be mitigated; and
3. Allowing additional flexibility in the location of parking to allow for contextual development and residential use above commercial is supported by the Master Plan.

### **Loading Reduction for the Commercial Use**

The applicant is requesting a loading reduction SUP for the commercial uses – more specifically, a reduction in the minimum clearance height for the provided loading space. Section 8-200(B) of the Zoning Ordinance requires that buildings that provide areas for “manufacturing, storage, warehouse, goods display, retail store, wholesale business, hotel, hospital, laundry, dry cleaning



or other uses similarly involving the receipt or distribution by vehicles of materials or merchandise” require one off-street loading space per 20,000 feet of floor area “or fraction thereof.”

Additionally, Section 8-200(B)(3) establishes minimum dimensions for width, depth and clearance height for the loading space. Due to site and structural limitations (the rear of the site is over a foot higher in elevation than the front of the site), the applicant is unable to provide a loading space that meets the minimum 14.5-foot clearance height mandated in the Zoning Ordinance. The clearance height proposed by the applicant is about 10.5 feet.

The applicant has provided information to City staff regarding the size of trucks that will utilize the loading space, and the smaller “box” trucks only require a clearance height of 10 feet. Staff believes a higher clearance of 11.5 feet will allow for additional trucks to be able to utilize the loading and has added a condition requiring increased clearance height. Staff has also added a condition to the disclosure requirements section of the conditions of approval that requires notice to any property owner / building manager to coordinate trash and deliveries to be handled by trucks that can fit into the loading dock space. This condition is repeated in the Restaurant SUP section of the conditions.

Based on the three criteria City Council considers in their approval of SUPs, staff supports this approval due to the following:

1. The reduced-sized loading bay is more compatible with the urban fabric of Old Town and will still allow off-street loading in the alley in minimal conflict with pedestrians and other vehicles;
2. The loading bay will still allow off-street loading activities within the building and the smaller trucks that will utilize the loading dock will have an impact on neighboring properties that is no greater than other loading activities in Old Town; and
3. The flexibility of the loading dock size requirements allows the construction of a contextual building in conformance with the guiding Master Plan documents.

#### **Transportation Management Plan (SUP#2020-0034)**

According to Section 11-700 of the Zoning Ordinance, the applicant is required to participate in a “Tier One” Transportation Management Plan (TMP) to encourage modes of transportation other than the single occupancy vehicle (SOV). To support the TMP, the applicant has agreed to the City’s standard TMP rates, (adjusted annually per the Consumer Price Index [CPI-U]) to be contributed to the City’s TMP fund. The TMP shall always maintain a point of contact for the purposes of billing.

#### ***F. Modifications***

As part of this DSUP, the applicant is requesting a modification to the Zoning Ordinance relating to the required amount of storefront glass on King Street in the KR zone and the required 25-

percent canopy coverage. Pursuant to Section 11-416 of the Zoning Ordinance, the Planning Commission may approve these modifications if they determine that such modifications:

1. Are necessary or desirable to good site development;
2. That specific and identified features of the site design compensate for the impacts otherwise protected by the regulations for which the modification is sought; and
3. That such modification will not be detrimental to neighboring property or to the public health, safety and welfare.

### **Seventy-five Percent Requirement of Storefront Glass on King Street in the KR Zone**

Informed by the King Street Retail Strategy, the KR zone includes development and form-related requirements that go beyond what is included in the language of other City zones. Section 6-705(E)(2) of the Zoning Ordinance concerns the design of the “ground floor retail space” of buildings constructed on King Street. This provision mandates that buildings “provide storefront or show windows along a minimum of 75 percent of the King Street frontage” except where there is a historic building retained on the site.

Staff guided the applicant to meet the minimum 75-percent storefront glass requirement, however the applicant has provided approximately 71-percent storefront glazing along the King Street building frontage. This amounts to an approximate deficiency of 3 linear feet of storefront glass from an 89-foot-long building facade. The applicant has argued that based on the design of the King Street front of the building (including the corbeled brick arches surrounding each opening), 75-percent storefront glazing was not feasible. The BAR concept review staff report discussed this issue, though the BAR did not note any reservations regarding the reduction of storefront glass in their endorsement of the proposal. Staff, in seeing no opposition from the BAR on this issue, supports the modification, acknowledging the relatively minor nature of this request. The storefront design continues to be successful in providing street-level visual interest with the combination of corbeled brick and large show windows.

Based on the criteria listed above that Planning Commission uses to approve modifications, staff supports this modification for the following reasons:

1. The modification is necessary to allow the approval and construction of the proposed building. The architectural building character has been endorsed by the BAR;
2. The high level of design detail at the ground floor of the King Street frontage, including the corbeled brick surrounds, compensate for the minimal loss of storefront glass; and
3. The modification will have no effect on adjoining properties.

### **Crown Coverage**

The applicant is requesting a modification to the 25-percent-minimum crown coverage requirement that is noted in the updated Landscape Guidelines, and as required by Section 11-410(CC) of the Zoning Ordinance. The applicant is not able to provide any of the required 25-percent crown coverage requirement for the site, which is 2,676 square feet.

The site is constrained in providing on-site canopy coverage, as it is located on a portion of the King Street corridor where buildings are almost always constructed to their front and side property lines. The proposed new building covers nearly all of the site at grade, with the exception of the pedestrian alley, typical of urban mixed-use development in this area of Old Town. The pedestrian alley contains an approximately 3.5-foot by 25-foot bioretention planter box. The plants proposed for the planter box do not meet the Landscape Guidelines minimum standard for height or spread, and do not count toward the crown coverage requirement, however there will be some vegetation to soften this space.

To mitigate the impacts of the reduced on-site crown coverage, the applicant is providing a \$5,352 contribution Urban Forestry Fund for tree plantings in the neighborhood. The applicant is also increasing crown coverage in the public right-of-way by planting three street trees and saving an existing mature street tree on King Street.

Based on the criteria listed above that Planning Commission uses to approve modifications, staff supports this modification for the following reasons:

1. The modification is necessary to allow for viable development at the site. The site is consistent with neighboring properties on King Street, where tree cover is provided on-street and not on-site due to the urban form and historic development patterns;
2. The site layout removes surface parking and most asphalt coverage from the site, which can contribute to the urban “heat island” effect. The applicant is additionally increasing the street tree cover adjacent to the site and providing a publicly accessible pedestrian alley; and
3. The reduced amount of crown coverage will not have an adverse impact on neighboring properties, and the increased street tree canopy coverage and contribution to the Urban Forestry Fund for tree plantings in the vicinity will positively impact neighboring properties.

### ***K. Pedestrian and Streetscape Improvements***

The proposal features streetscape improvements along the King Street frontage in addition to the creation of the publicly accessible pedestrian alley. The applicant will provide the following improvements:

- New City-standard brick sidewalk and granite curbing to match existing curbing along King Street;
- Removal of two curb cuts on King Street;
- Three new street trees fronting the site and a preserved existing street tree in tree wells consistent with the updated Landscape Guidelines; and
- The replacement of existing “Gadsby” streetlights with the replacement Alexandria Historic Street Light on King Street.

The King Street brick sidewalk will be reconstructed, and the existing stone curb will be retained, and new granite curbing added to complement the existing curb. The applicant will save an existing mature street tree in front of the western portion of the site and add an additional three street trees to the frontage. The tree wells will be constructed to City standards, and the applicant is adhering to the new biodiversity standards in the Landscape Guidelines, which limits the planting of any specific species to a portion of the tree plantings proposed. The “Gadsby” streetlights on King Street will be replaced by three Alexandria Historic Street Lights. Additionally, the applicant will be removing the existing curb cuts on King Street that connects to the current surface parking lot.

## ***L. Parking and Transportation***

### **Parking**

As discussed in the Special Use Permits section above, the applicant is providing the required parking spaces for the residential units at the automated parking garage planned for the 116 S. Henry Street. Per the negotiations between the City and the applicant as part of the RFP process, construction cannot begin on this site until the automated parking garage is operational. The requirement for residential parking is a range based on the 32 bedrooms in the proposal, where the maximum allowed parking is 32 spaces (based on 1 space per bedroom) and the minimum allowed is 28 (based on deductions related to the site’s high “walkability index” score and close proximity to four or more bus lines).

The automated parking garage will have 142 parking spaces to replace each of the parking spaces in the existing 116 S. Henry Street and 912-920 King Street parking lots, in addition to the required spaces for each development. The parking management plan to be submitted by the applicant with the Final Site Plan will detail the means of purchasing parking passes for residents of the new proposal and parking access for residents and visitors, and employees and visitors of the commercial spaces.

The applicant is not required to provide off-street parking spaces for the proposed ground-floor commercial uses, since the commercial parking requirement would not exceed two spaces based on the amount of commercial and retail-ready (if used as commercial) square footage. According to Section 8-100(A)(9) of the Zoning Ordinance, “nonresidential uses that have a parking requirement of two spaces or less shall be exempt from providing the spaces.” Any restaurant uses proposed for the commercial spaces are exempt from providing parking per the Central Business District parking regulations in Section 8-300 of the Zoning Ordinance. The employees of the future commercial spaces will be encouraged to utilize public transportation for their work trips, per the participation of the applicant in a transportation management plan.

In addition to off-street parking at the automated parking garage, there is on-street parking available on King Street adjacent to the site. The number of parking spaces available will be increased with the closure of two curb cuts leading to the site from King Street.

## **Traffic**

The proposal does not trigger a traffic study based on the City's guidelines for the trip generation for a proposed development. According to the trip generation analysis submitted by the applicant, the combined redevelopment of 912-920 King Street and 116 S. Henry Street will create an average of 23 peak a.m. trips and 41 peak p.m. trips.

## **Transit and Bicycle Facilities**

This site is located within proximity to transit and bicycle facilities. The site is served by four lines on King Street, including the DASH AT2, AT7 and AT8, which have stops on the adjacent blocks to the east and the west, and the King Street Trolley. The nearest Capital Bikeshare station is currently located in the existing parking lot. The City plans to move this Capital Bikeshare station to the King Street roadway adjacent to the curb as part of this redevelopment. The King Street Metrorail Station is located over 0.5 miles to the west.

## ***M. School Impacts***

The applicant proposes to construct 30 multifamily units and the student generation rate for market-rate mid-rise multifamily units is 0.03 students per unit, or approximately 1 student. This project is located within the Lyles-Crouch Traditional Academy attendance area. Staff will integrate the proposed development project in forthcoming school enrollment forecasts.

## **V. COMMUNITY**

The proposal was presented to the community several times for comment jointly with the 116 S. Henry Street proposal. As shown in Table 4 below, the applicant held community meetings in addition to presenting to the BAR twice for the project concept review.

The development review process for this project was bifurcated by the COVID-19 pandemic and shutdown of indoor public facilities, with the development Concept review process taking place prior to the pandemic shutdown and the Preliminary Plan review coming largely after public meeting places closed in March 2020. The applicant hosted an in-person community meeting at the Durant Center on January 16, 2020. The applicant adapted their outreach by broadcasting the second community meeting on March 30 live on YouTube while soliciting real-time feedback through email and social media. The applicant has continued to receive project feedback through social media, while the March 30 meeting has over 250 views as of mid-August, and subsequent video postings detailing project updates have received an additional 100 views.

The community outreach process provided the applicant opportunities to give project updates and solicit direct feedback from neighborhood residents and business owners, including on the functionality of the retail-ready spaces and access to resident parking, while the BAR concept review process worked to refine the building design aspects of the development proposal through a public review process.



***Table 4 – Community and City Meetings***

DATE	MEETING
<b>Community Meetings</b>	
January 16, 2020	Applicant-hosted community meeting at the Durant Center
March 30, 2020	Applicant-hosted virtual meeting
<b>City Meetings</b>	
January 22, 2020	Board of Architectural Review (BAR)
June 03, 2020	Board of Architectural Review (BAR)

## **VI. CONCLUSION**

Staff recommends approval of the development site plan and modifications and all associated special use permits subject to compliance with all applicable codes and the following staff recommendations.

*Staff:* Karl Moritz, Director, Planning and Zoning  
Robert M. Kerns, AICP, Chief, Development Division  
Catherine Miliaras, AICP, Principal Planner, Development Division  
Michael Swidrak, AICP, Urban Planner III, Development Division

## VII. GRAPHICS



Figure 6: Site Plan



Figure 7: King Street elevation



Figure 8: Downham Way (private alley) elevation



Figure 9: East (pedestrian alley) elevation

## **VIII. STAFF RECOMMENDATIONS:**

1. The Final Site Plan shall be in substantial conformance with the Preliminary Plan dated May 1, 2020, and as amended on June 12, 2020, and comply with the following conditions of approval.

### **A. SITE PLAN**

2. Per Section 11-418 of the Zoning Ordinance, the development special use permit shall expire and become null and void, unless substantial construction of the project is commenced within 60 months after initial approval (plus any extensions per the July 7, 2020 City Council Docket Item 15.a. due to the COVID-19 emergency) and such construction is thereafter pursued with due diligence. The applicant shall provide a written status report to staff 36 months after initial approval to update the City Council on the project status if substantial construction has not commenced at such time. The period of validity may be extended upon petition by the applicant and after adequate notice and public hearing. (P&Z)
3. Submit the plat and all applicable easements prior to the Final Site Plan submission. The plat(s) shall be approved prior to or concurrently with the release of the Final Site Plan. (P&Z) (T&ES) \*
4. The plat shall be recorded, and a copy of the recorded plat, dedications and deeds shall be submitted with the first request for a building permit. (P&Z) (T&ES) \*\*
5. The plat shall include the consolidation of the site with the adjacent portion of the private alley labeled as the “private alley parcel area” on the Preliminary Plan. (P&Z) (T&ES) \*
6. Provide public access easements to the following areas. The easement language shall be reviewed by the Office of the City Attorney and to the satisfaction of the Directors of P&Z and T&ES:
  - a. The pedestrian alley from the King Street right-of-way to the southern property line.
  - b. The linear strip of walkway in front of the private alley retail-ready units.
  - c. The private alley parcel area. (P&Z) (T&ES) (CC) \*, \*\*
7. Coordinate location of site utilities with other site conditions to the satisfaction of the Directors of P&Z and T&ES. These items include:
  - a. Location of site utilities including above grade service openings and required clearances for items such as transformers, telephone, HVAC units and cable boxes.
  - b. Minimize conflicts with plantings, pedestrian areas and major view sheds.

- c. Do not locate above grade utilities in dedicated open space areas and tree wells.
  - d. If applicable, all utilities shall be screened from the public ROW to the satisfaction of the Director of P&Z. (P&Z) (T&ES) (BAR)
8. Provide a lighting plan with the Final Site Plan to verify that lighting meets City standards. The plan shall be to the satisfaction of the Directors of T&ES and/or P&Z in consultation with the Chief of Police and shall include the following:
- a. Clearly show location of all existing and proposed streetlights and site lights, shading back less relevant information.
  - b. Determine if existing lighting meets minimum standards within the City right-of-way adjacent to the site. If lighting does not meet minimum standards, additional lighting shall be provided to achieve City standards or to the satisfaction of the Director of T&ES.
  - c. A lighting schedule that identifies each type and number of all fixtures, mounting height, and strength of fixture in Lumens or Watts.
  - d. Manufacturer's specifications and details for all proposed fixtures including site, landscape, pedestrian, sign(s) and security lighting.
  - e. A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing streetlights located on the opposite side(s) of all adjacent streets. Photometric calculations must extend from proposed building face(s) to property line and from property line to the opposite side(s) of all adjacent streets and/or 20 feet beyond the property line on all adjacent properties and rights-of-way. Show existing and proposed streetlights and site lights.
  - f. Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and streetlights to minimize light spill into adjacent residential areas.
  - g. If site lights are included in the photometric plan to comply with City's lighting standards, then these lights shall be put on photovoltaic switches.
  - h. Provide location of conduit routing between site lighting fixtures to avoid conflicts with street trees.
  - i. Detail information indicating proposed light pole and any footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view or light poles shall be direct bury.
  - j. The lighting for the areas not covered by the City of Alexandria's standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
  - k. Provide numeric summary for various areas (i.e., roadway, walkway/sidewalk, alley, and parking lot, etc.) in the proposed development.
  - l. Light fixtures for open canopies shall be recessed into the ceiling for any areas that can be seen from the public ROW.
  - m. Upon installation of all exterior light fixtures for the site/building, the applicant shall provide photographs of the site demonstrating compliance with this condition.
  - n. Full cut-off lighting shall be used as applicable at the development site to prevent light spill onto adjacent properties.



- o. All streetlights fronting the site shall be replaced with Alexandria Historic Street Lights (or subsequent designated streetlight) with details coordinated with the City. (P&Z) (T&ES) (Police)(BAR)(Code)
- 9. Provide a unit numbering plan for each floor of a multi-unit building with the first Final Site Plan submission. The unit numbers should comply with a scheme of 100 level numbers on the first floor, 200 level numbers on the second floor, and 300 level numbers for third floor and continue in this scheme for the remaining floors. Indicate the use of the unit (i.e.: residential, retail, office) if known. (P&Z)
- 10. Provide a georeferenced CAD file in .dwg format of the dimension plan of this project. This information will be used to compile a master CAD reference to ensure all elements / layers are correctly located and will connect. (P&Z) (DPI) \*

### **BUILDING:**

- 11. The building design, including the appearance, color and quality of materials, final detailing, three-dimensional expression shall be generally consistent with the elevations dated June 12, 2020, and the approved Certificate of Appropriateness from the Board of Architectural Review and the following conditions. (P&Z)
- 12. Provide the following building refinements to the satisfaction of the Director of P&Z:
  - a. Any ventilation for the retail/commercial uses (including for retail-ready spaces fronting the private alley) shall be integrated with the overall building design, reviewed and approved to the satisfaction of the Director of Planning and Zoning.
  - b. All wall mounted vents shall be flush mounted and architecturally integrated with the building design with regard to both placement and color.
  - c. The unit count may increase to 31 units subject to the applicant providing the required additional 150 square feet of open space as shown on the memo from the applicant's attorney dated August 24, 2020, as well as satisfying any other requirements to ensure consistency with all applicable Zoning Ordinance regulations. (P&Z) (PC)
- 13. Work with staff on the continued refinement of the area of the eastern building wall elevation labeled in the Preliminary Plan as "potential art wall w[ith] lighting." The refinements could include the following:
  - a. Additional brick and architectural detailing as determined through the BAR Certificate of Appropriateness review.
  - b. The determination prior to the release of Final Site Plan that a potential addition of an artistic installation or public art piece can be added in consultation with the City Office of the Arts. (P&Z) (BAR) (RP&CA) \*
- 14. Provide detailed drawings (enlarged and coordinated plan-section-elevation studies, typically at 1/4"=1'-0" scale, in color, with shadows cast at 45 degrees from

both left and above to show true depth of recesses and projections) in color to evaluate the building base, entrance canopy, stoops, window and material details including the final detailing, finish and color of these elements during the Final Site Plan review. Separate design drawings shall be submitted for each building typology or different bay type. (P&Z)

15. Building materials, finishes, and relationships shall be subject to review and approval by the Department of Planning and Zoning for substantial conformance to the Preliminary Plan and as set forth in the associated *Guidelines for Preparations of Mock-Up Panels* Memo to Industry, effective May 16, 2013. The following submissions shall be provided to review the materials, finishes and architectural details, prior to selection of final building materials:
  - a. Provide a materials board that includes all proposed materials and finishes at first Final Site Plan. \*
  - b. The materials board shall remain with the Department of Planning and Zoning until the final certificate of occupancy, upon which all samples shall be returned to the applicant. \*\*\*
  - c. Provide drawings of a mock-up panel that depict all proposed materials, finishes, and relationships as part of the first Final Site Plan. \*
  - d. Construct an on-site, mock-up panel of proposed materials, finishes, and relationships for review and approval prior to final selection of building materials. The mock-up panel requires a building permit and shall be constructed and approved prior to vertical (above-grade) construction and prior to ordering final building materials. \*\*
  - e. The mock-up panel shall be located such that it shall remain on-site in the same location through the duration of construction until the first certificate of occupancy. \*\*\* (P&Z) (Code)
16. Building materials, finishes and architectural details shall be subject to review and approval by the Board of Architectural Review. A materials board shall be submitted as part of the Certificate of Appropriateness approval (BAR)
17. The BAR shall review and approve any reduction and changes to the building massing and architecture made necessary if the “private alley parcel area” is not consolidated with the site prior to the release of the Final Site Plan and a building massing reduction is required. (P&Z) (BAR) \*
18. Per the City’s Green Building Policy adopted April 18, 2009, achieve LEED Certified (or equivalent) for the residential portion of the building and LEED Silver (or equivalent) for the commercial portion of the building and retail-ready units to the satisfaction of the Directors of P&Z and T&ES. In addition to the compliance with the 2009 Green Building Policy, the applicant shall demonstrate additional commitment to green building practices by seeking to achieve one of the following:
  - a. LEED Silver / 2 Green Globes (or equivalent) for the entire building.
  - b. Meeting one of the performance points requirements for Green Globes outlined in the 2019 Green Building Policy:

- i. 3.3.1.1 - Assessing Energy Performance
  - ii. 3.3.9.1.1 / 3.3.9.1.2 / 3.3.9.2.1 - Renewable Energy
  - iii. 3.4.1.1 - Indoor Water Consumption
  - iv. 3.7.1.1 / 3.7.1.2 / 3.7.2.1 – Indoor Air Quality
19. Diligent pursuance and achievement of the applicable green building certification and performance points shall be monitored through the following:
- a. Provide evidence of the project’s registration with LEED (or equivalent) with the submission of the first Final Site Plan and provide a draft checklist showing how the project plans to achieve the certification.\*
  - b. Provide evidence of submission of materials for Design Phase credits to the U.S. Green Building Council (USGBC) (or equivalent) prior to issuance of a certificate of occupancy. \*\*\*
  - c. Provide evidence of submission of materials for Construction Phase credits to USGBC (or equivalent) within six months of obtaining a final certificate of occupancy.
  - d. Provide documentation of certification within two (2) years of obtaining a final certificate of occupancy.
  - e. Failure to achieve LEED Certified (or equivalent) for the residential portion of the project and LEED Silver (or equivalent) for the commercial and retail-ready portion of the project, and the additional green building requirement as outlined above will be evaluated by City staff, and if staff determines that a good faith, reasonable, and documented effort was not made to achieve these certification levels, then any City-wide Green Building policies existing at the time of staffs’ release of Final Site Plan will apply.
  - f. Provide documentation to future retail tenants encouraging them to operate their business consistently with the goals of LEED, as well as to pursue LEED for Commercial Interiors certification. (P&Z) (T&ES) (RP&CA)
20. Increase the loading dock clearance height at the building opening to a minimum 11.5 feet above the Downham Way elevation finished floor to the satisfaction of the Directors of P&Z and T&ES. (P&Z) (T&ES) \*
21. The applicant shall work with the City for recycling and/or reuse of the existing building materials as part of the demolition process, including leftover, unused, and/or discarded building materials. (T&ES) (P&Z)
22. Install Energy Star labeled appliances in all multi-family residential units. (T&ES)
23. In order to provide a more sustainable use of natural resources, the applicant shall use EPA-labeled WaterSense or equivalent low flow fixtures. In addition, the applicant is encouraged to explore the possibilities of adopting water reduction strategies (i.e., use of gray water system on-site) and other measures that could reduce the consumption of potable water on this site. A list of applicable mechanisms can be found at: [www.epa.gov/WaterSense](http://www.epa.gov/WaterSense). (T&ES)

**OPEN SPACE/LANDSCAPING:**

24. Develop, provide, install and maintain an integrated Landscape Plan with the Final Site Plan that is coordinated with other associated site conditions to the satisfaction of the Director of P&Z. Landscape plans shall be submitted in accordance with the City of Alexandria's Landscape Guidelines, available online at: [www.alexandriava.gov/uploadedFiles/recreation/ParkPlanning/LandscapeGuidelinesFinalv2Final.pdf](http://www.alexandriava.gov/uploadedFiles/recreation/ParkPlanning/LandscapeGuidelinesFinalv2Final.pdf)
25. If existing soils will not be used and imported soils are specified, provide a soil sample test report documenting the imported soil's pH concurrent with the landscape installation/planting operations pre-installation/construction meeting. (P&Z) \*\*\*
26. Develop a palette of site furnishings in consultation with staff. Site furnishings may include benches, bicycle racks, trash and recycling receptacles, and other associated features (P&Z) (T&ES) \*
27. Provide material, finishes, and architectural details for all retaining walls, seat walls, decorative walls, and screen walls. Indicate methods for grade transitions, handrails — if required by code, directional changes, above and below grade conditions. Coordinate with adjacent conditions. Design and construction of all walls shall be to the satisfaction of the Directors of P&Z and T&ES. (P&Z) (T&ES) (Code) \*
28. Provide, implement and follow a Tree and Vegetation Protection Plan per the City of Alexandria Landscape Guidelines. (P&Z) (RP&CA)

**ARCHAEOLOGY:**

29. Hire a professional consultant to work with staff and the landscape designers to incorporate and interpret elements of the historical character and archaeological findings into the design of the pedestrian alley and to prepare interpretive elements, which shall be erected as part of the development project. The site plan shall indicate themes and locations of interpretive elements. Prior to release of the Final Site Plan, the consultant shall provide text and graphics for the signage subject to approval by the Office of Historic Alexandria/Alexandria Archaeology and the Directors of P&Z and/or RP&CA.\* (Arch)(P&Z)(RP&CA)
30. Hire an archaeological consultant to complete a Documentary Study and an Archaeological Evaluation. If significant resources are discovered, the consultant shall complete a Resource Management Plan, as outlined in the City of Alexandria Archaeological Standards. Preservation measures presented in the Resource Management Plan, as approved by the City Archaeologist, will be implemented. (Archaeology)

31. The Final Site Plan, Grading Plan, or any other permits involving ground disturbing activities (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance) shall not be released until the City archaeologist confirms that all archaeological field work has been completed or that an approved Resource Management Plan is in place to recover significant resources in concert with construction activities. \* (Archaeology)
32. Call Alexandria Archaeology immediately (703-746-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds. The language noted above shall be included on all final site plan sheets involving any ground disturbing activities. (Archaeology)
33. The applicant shall not allow any metal detection and/or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology. Failure to comply shall result in project delays. The language noted above shall be included on all final site plan sheets involving any ground disturbing activities. (Archaeology)
34. Certificates of Occupancy shall not be issued for this property until interpretive elements have been constructed, interpretive markers have been erected, and the final archaeological report has been received and approved by the City Archaeologist.\*\*\* (Archaeology)

**PEDESTRIAN/STREETSCAPE:**

35. Provide the following pedestrian improvements to the satisfaction of the Directors of P&Z and T&ES:
  - a. Complete all pedestrian improvements prior to the issuance of a certificate of occupancy permit.
  - b. The minimum unobstructed width of newly constructed sidewalks shall be 6 feet.
  - c. All brick sidewalks shall comply with the City's Memos to Industry 05-08 and 01-13.
  - d. All existing granite curbing fronting the site shall be retained and matching granite curbing shall replace areas of existing concrete curbing.
  - e. All below grade utilities placed within a City sidewalk shall be designed in such a manner as to integrate the overall design of the structure with the adjacent paving materials to minimize any potential visible impacts. \*\*\* (P&Z) (T&ES)
36. The design of the pedestrian alley along the eastern portion of the site shall include the following:



- a. The alley should be visually integrated with the adjacent sections of King Street sidewalk and rear walkway of the site, including flush transitions.
- b. The alley shall feature pedestrian-scale lighting.
- c. The walkway shall not be gated or obstructed on either end with the exception of removable pedestrian safety enhancements at the southern end of the walkway within the property line to the satisfaction of the Directors of P&Z and T&ES. (P&Z) (T&ES)

**PARKING:**

37. Parking reserved in the off-site garage at the 116 S. Henry Street development for the residential and commercial uses shall be consistent with the requirements of the Zoning Ordinance in effect at the time of approval by City Council and/or Planning Commission. (P&Z) (T&ES)
38. All residential parking shall be unbundled (i.e., the cost to purchase or lease a parking space in the garage at the 116 S. Henry Street development is separate from the cost to purchase or lease the residential unit). (T&ES)
39. Provide a Parking Management Plan in coordination with the development at 116 S. Henry Street with the Final Site Plan submission. The Parking Management Plan shall be approved by the Departments of P&Z and T&ES prior to the release of the Final Site Plan and comply with the requirements of the Parking Management Plan Template provided in Memo to Industry 01-19. In addition to the requirements of the Memo to Industry, include the agreement between this development and the development and garage at 116 S. Henry Street, a narrative of the shared use of the garage and accessibility to the public, and a description of the automatic garage operations and management. (P&Z) (T&ES)
40. All on-street parking controls and restrictions within the project area shall be determined by the City. Any such controls and restrictions which the applicant desires shall be shown on the Final Site Plan. (P&Z) (T&ES)
41. Provide 12 bicycle parking spaces per Alexandria's current Bicycle Parking Standards. Bicycle parking standards, acceptable rack types for short- and long-term parking and details for allowable locations are available at: [www.alexandriava.gov/bicycleparking](http://www.alexandriava.gov/bicycleparking). Details on location and type of bicycle parking shall be provided on the Final Site Plan. Bicycle parking must be installed and operational prior to first CO. (T&ES) \*\*\*

***B. TRANSPORTATION***

**STREETS/TRAFFIC:**

42. If the City's existing public infrastructure is damaged during construction, or patch work required for utility installation then the applicant shall be responsible for

construction / installation or repair of the same as per the City of Alexandria standards and specifications and to the satisfaction of Director, Transportation and Environmental Services. (T&ES)

43. A pre-construction walk / survey of the site shall occur with Transportation and Environmental Services Construction & Inspection staff and Code Administration staff to document existing conditions prior to any land disturbing activities. (T&ES) (Code)
44. Show turning movements of the largest delivery vehicle projected to use the loading dock. Turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES. (T&ES)
45. Furnish and install two 4-inch Schedule 40 PVC conduits with pull wires, and junction boxes underneath the sidewalks along the frontage of King Street. These conduits shall terminate in an underground junction box at each of the public street corners of the site. The junction box cover shall have the word "TRAFFIC" engraved in it. (T&ES)
46. Asphalt patches larger than 20 percent of the total asphalt surface, measured along the length of the road adjacent to the property frontage and/or extending to the centerline of the street, will require full curb to curb restoration. (T&ES)
47. The private alley providing access to abutting property owners shall be jointly managed and maintained to the satisfaction of the Director of T&ES. A maintenance agreement between the applicant and the City for the portion of the public alley labeled as the "private alley parcel area" on the Preliminary Plan shall be approved and recorded prior to release of the Site Plan. (T&ES) \*

**TRANSPORTATION MANAGEMENT PLAN (SUP#2020-0034):**

48. According to Article XI, Section 11-700 of the City's Zoning Ordinance, a Transportation Management Plan is required to implement Transportation Demand Management (TDM) strategies to discourage single occupancy vehicle (SOV) travel and encourage residents and employees to take public transportation, walk, bike or share a ride. (T&ES)
49. A TMP Coordinator shall be designated for the entire project prior to release of the first certificate of occupancy. The name, location, email and telephone number of the coordinator will be provided to the City at the time, as well as any changes occurring subsequently. This person will be responsible for assisting the City in implementing and facilitating the TMP on site. The coordinator must provide City staff access to the property and tenants/residents in order to implement TDM measures such as surveys, mailings and hosting events to inform residents and tenants about benefits and alternatives to SOV travel. (T&ES) \*\*\*

50. The TMP shall be required to make a monetary payment twice per year to the Citywide TDM Fund. TMP funds shall be deposited to the Citywide TDM Fund on January 15 and July 15 of each year. The annual base assessment rate for this development shall be determined as set forth in section 11-708 (TMP Assessments Schedule and Adjustments). The base assessment rate will be adjusted on an annual basis on July 1 of each year in accordance with the Consumers Price Index (CPI-U) as reported by the United States Department of Labor, Bureau of Labor Statistics. The base assessment rate in effect at the time of the project's first certificate of occupancy permit (CO) is the applicable rate when TMP reporting begins. (T&ES)
51. As set forth in section 11-711(B) in the Ordinance, civil penalties shall be assessed to the governing entity for lack of timely compliance with the conditions of this TMP SUP. If after assessment of three civil penalties, any use continues to fail to comply with a condition of its approved TMP, the property may be subject to increased review and reporting requirements, and may be subject to a staff recommendation for action by the City Council to revoke the TMP SUP pursuant to section 11-205 of the Ordinance. (T&ES)
52. Prior to any lease/purchase agreements, the applicant shall prepare appropriate language to inform tenants/owners of the transportation management plan special use permit and conditions therein, as part of its leasing/purchasing agreements; such language to be reviewed and approved by the City Attorney's office. (T&ES)

**BUS STOPS AND BUS SHELTERS:**

53. Show all existing bus stops, bus shelters, and bus stop benches in the vicinity of the site on the Final Site Plan. (T&ES) (Code)
54. Street trees in proximity to bus stop approaches or directly adjacent to travel lanes shall be planted and maintained pursuant to the Landscape Guidelines:
  - a. Located to avoid conflict with vehicles, specifically:
    - i. Trees shall be excluded from a 40-foot zone which represents the length of the bus as it is serving the stop.
    - ii. Trees within both the 10-foot departure zone and the 20-foot approach zone (on either side of the 40-foot zone) shall be selectively located to minimize conflict with vehicles and to allow direct line of sight for approaching buses.

**C. PUBLIC WORKS**

**WASTEWATER/SANITARY SEWERS:**

55. The project lies within the Combined Sewer System (CSS) area district, therefore, stormwater management and compliance with the state stormwater quality and

quantity requirements and the City's Alexandria Water Quality Volume Default shall be coordinated with the project's compliance with the CSS Management Policy set forth in Memo to Industry 07-14, effective July 1, 2014. The applicant is proposing to discharge both the sanitary flow and the stormwater from the site to the combined sanitary sewer system. With respect to sanitary requirements, the applicant shall contribute \$58,338.00 based on a formula of \$1.5 per gallon of peak sanitary flow (\$1.5 per gallon x 9,723 gallons x 4). With respect to the stormwater requirement, the applicant is proposing bioretention to help mitigate stormwater impacts on combined sewer discharges. Staff has determined that the size of the proposed green roof would meet 37 percent of their stormwater requirements. Therefore, the applicant shall contribute based on a formula of \$200,000 per acre x 0.27-acre x (1-0.37), which results in a contribution of \$34,020.00. The sanitary and stormwater contribution fee is due prior to release of the final site plan.(T&ES)

56. The sewer connection fee must be paid prior to release of the Final Site Plan. (T&ES) \*
57. If a commercial kitchen is constructed, then the kitchen facility shall be provided with an oil & grease separator and the discharge from the separator shall be connected to a sanitary sewer. Submit two originals of the Oil and Grease separator Maintenance Agreement with the City prior to the release of the final site plan. The agreement must be executed and recorded with the Land Records Division of Alexandria Circuit Court prior to site plan release. (T&ES) \*
58. Prior to release of the Final Site Plan, the applicant shall work with the owner of the adjacent property at 922 King Street to have a 10-foot-wide sanitary sewer easement granted to the City for access, inspection, maintenance, and service of the proposed sanitary sewer on Downham Way if required. (T&ES)\*

**UTILITIES:**

59. Locate all private utilities without a franchise agreement outside of the public right-of-way and public utility easements. (T&ES)
60. Undergrounding shall be consistent with the exhibit entitled, "King Street and S. Henry Street Dry Utility Plan" provided to the City of Alexandria on August 6<sup>th</sup>, 2020. Any deviations to the dry utility plan shall be approved by the Director of T&ES. (T&ES)
61. No transformer and switch gears shall be located in the public right of way. (T&ES)

**SOLID WASTE:**

62. If the property is a required user, the development must meet all the minimum street standards for the City to provide solid waste collection service. See Alexandria Virginia Code of Ordinances Title 5 Chapter 1 Solid Waste Control. Collection

vehicles must be able to pick up solid waste from private streets without backing up. The containers must be stored inside the units or within an enclosure that completely screens them from view. Where the City of Alexandria provides the solid waste collection services; all refuse/recycling shall be placed at the City Right-of-Way for collection. The official setout location of the containers shall be approved by the Director of T&ES. (T&ES)

63. All trash collectors for the project site are required to take their collected trash to the Alexandria/Arlington waste-to-energy facility (T&ES)
64. Provide \$1,402 per receptacle to the Director of T&ES for purchase and installation of one (1) Victor Stanley Ironsites Series model SD-42 black receptacle with Dome Lid per block face dedicated to trash collection. The receptacle(s) shall be placed in the public right of way to serve open space and park sites. Receptacles shall be generally located along the property frontage and at strategic locations in the vicinity of the site as approved by the Director of T&ES. Payment required prior to release of Final Site Plan. (T&ES) \*
65. Provide \$1,626 per receptacle to the Director of T&ES for the purchase and installation of one (1) Victor Stanley Ironsites Series Model SD-42 blue receptacle with Dome Lid, approved dome decals, and approved band per block face dedicated to recycling collection. The receptacle(s) shall be placed in the public right of way to serve open space and park sites. Receptacles shall be generally located along the property frontage and at strategic locations in the vicinity of the site as approved by the Director of T&ES. Payment required prior to release of Final Site Plan. (T&ES)

#### ***D. ENVIRONMENTAL***

##### **STORMWATER MANAGEMENT:**

66. The City of Alexandria's stormwater management regulations regarding water quality are two-fold: 1) state phosphorus removal requirement and 2) Alexandria Water Quality Volume Default. Compliance with the state phosphorus reduction requirement does not relieve the applicant from the Alexandria Water Quality Default requirement. The Alexandria Water Quality Volume Default, as determined by the site's post-development impervious area shall be treated in a Best Management Practice (BMP) facility. (T&ES)
67. Provide BMP narrative and complete pre and post development drainage maps that include areas outside that contribute surface runoff from beyond project boundaries to include adequate topographic information, locations of existing and proposed storm drainage systems affected by the development, all proposed BMPs and a completed Virginia Runoff Reduction Method (VRMM) worksheet showing project compliance. The project must use hydrologic soil group "D" in the

spreadsheet unless a soils report from a soil scientist or geotechnical engineer delineates onsite soils otherwise. (T&ES)

68. All stormwater Best Management Practices (BMPs) must be designed to comply with the most recent standards and specifications published in the Virginia Stormwater BMP Clearinghouse. Provide complete design details for all BMPs. This includes site specific plan views, cross sections, planting plans, and complete design calculations for each BMP. (T&ES)
69. Provide a BMP table with a separate listing for each individual BMP that includes the name of the practice, total area treated (acres), pervious area treated (acres), impervious area treated (acres), phosphorous removal efficiency (percentage), phosphorous removal efficiency (percentage), phosphorous removed by the practice (lbs.), and latitude and longitude in decimal degrees (NAD83). (T&ES)
70. Construction inspection checklists and associated photographic documentation must be completed for each stormwater best management practice (BMP) and detention facility during construction. Prior to the release of the performance bond, the applicant must submit all documents required by *The City of Alexandria As-Built Stormwater Requirements* to the City including as built plans, CAD data, BMP certifications and completed construction inspection checklists. (T&ES)
71. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
  - a. Constructed and installed as designed and in accordance with the released Final Site Plan.
  - b. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (T&ES) \*\*\*\*
72. Surface-installed stormwater Best Management Practice (BMP) measures, i.e. Bio-Retention Filters, Vegetated Swales, etc. that are employed for this site, require installation of descriptive signage to the satisfaction of the Director of T&ES. (T&ES)
73. Submit two (2) originals of the stormwater quality BMP Maintenance Agreement, to include the BMP Schedule and Guidelines Addendum with the City to be reviewed as part of the Final #2 Plan. The agreement must be executed and recorded with the Land Records Division of Alexandria Circuit Court prior to approval of the Final Site Plan. (T&ES) \*
74. The applicant shall be responsible for maintaining stormwater Best Management Practices (BMPs) until activation of the master association. Prior to transferring maintenance responsibility for the BMPs to the master association, the applicant



shall execute a maintenance service contract with a qualified private contractor for a minimum of three (3) years, and transfer the contract to the, master association. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the maintenance contract shall be submitted to the City. (T&ES) \*\*\*\*

75. If units will be sold as individual units and a Master Association established the following two conditions shall apply:
  - a. The applicant shall furnish the Master Association with an Owner's Operation and Maintenance Manual for all Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including any mechanical or electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City.
  - b. The developer shall furnish each home / property purchaser with a brochure describing the stormwater BMP(s) installed on the site, outlining the responsibilities of the property owners and the Master Association with respect to maintenance requirements. Upon activation of the Master Association, the Developer shall furnish five copies of the brochure per unit to the Master Association for distribution to owners. (T&ES)
76. Submit a copy of the Operation and Maintenance Manual to the T&ES Stormwater Management Division on digital media prior to release of the performance bond. (T&ES) \*\*\*\*
77. Prior to release of the performance bond, the applicant is required to submit a certification by a qualified professional to the satisfaction of the Director of T&ES that any existing stormwater management facilities adjacent to the project and associated conveyance systems were not adversely affected by construction operations. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance measures performed. (T&ES) \*\*\*\*

**WATERSHED, WETLANDS, & RPAs:**

78. Provide Environmental Site Assessment Notes that clearly delineate, map, describe and/or explain the following environmental features if located on site: individual components of the RPA as well as the total geographic extent of the RPA, to include the appropriate buffer, intermittent streams and associated buffers; highly erodible and highly permeable soils; steep slopes greater than 15 percent in grade; known areas of contamination; springs, seeps or related features; and a listing of all wetlands permits required by law. (T&ES)

**CONTAMINATED LAND:**

79. Indicate whether there is any known soil and groundwater contamination present on the plan. The applicant must submit supporting reports for associated environmental investigations or assessments performed to substantiate this determination. (T&ES)
80. If environmental site assessments or investigations discover the presence of contamination on site, the final [site plan/demo plan/grading plan] shall not be released, and no construction activity shall take place until the following has been submitted and approved by the Director of T&ES:
  - a. Submit a Site Characterization Report/Extent of Contamination Study detailing the location, applicable contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the site.
  - b. Submit a Risk Assessment indicating any risks associated with the contamination.
  - c. Submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. Utility corridors in contaminated soil shall be over excavated by 2 feet and backfilled with “clean” soil. Include description of environmentally sound methods of off-site transport and disposal of contaminated soils and debris (including, but not limited to types of vehicles appropriate for handling specific materials and ensuring vehicle loads are covered).
  - d. Submit a Health and Safety Plan indicating measures to be taken during remediation and/or construction activities to minimize the potential risks to workers, the neighborhood, and the environment. Initial Air Monitoring may be required during site activities to demonstrate acceptable levels of volatiles and/or airborne particles. The determination whether air monitoring is needed must be adequately addressed in the Health and Safety Plan submitted for review.
  - e. The applicant shall screen for PCBs as part of the site characterization if any of the past uses are within the identified high risk category sites for potential sources of residual PCBs, which includes the following SICs: 26&27 (Paper and Allied Products), 30 (Rubber and Misc. Plastics), 33 (Primary Metal Industries), 34 (Fabricated Metal Products), 37 (Transportation Equipment), 49 (Electrical, Gas, and Sanitary Services), 5093 (Scrap Metal Recycling), and 1221&1222 (Bituminous Coal).
  - f. Applicant shall submit three (3) electronic and two (2) hard copies of the above. The remediation plan must be included in the Final Site Plan. (T&ES) \*
81. Should any unanticipated contamination, underground storage tanks, drums or containers be encountered at the site during construction, the Applicant must immediately notify the City of Alexandria Department of Transportation and

Environmental Services, Office of Environmental Quality. Should unanticipated conditions warrant, construction within the impacted area shall be stopped until the appropriate environmental reports identified in a. through f. above are submitted and approved at the discretion of the Director of Transportation and Environmental Services. This shall be included as a note on the Final Site Plan. (T&ES) (Code)

82. If warranted by a Site Characterization report, design and install a vapor barrier and ventilation system for buildings and parking areas in order to prevent the migration or accumulation of methane or other gases, or conduct a study and provide a report signed by a professional engineer showing that such measures are not required to the satisfaction of Directors of T&ES and Code Administration. The installed vapor barrier and ventilation system must include a passive ventilation system that can be converted to an active ventilation system if warranted. (T&ES)

**NOISE:**

83. Prepare a noise study identifying the levels of noise residents of the project will be exposed to at the present time, and 10 years into the future in a manner consistent with the Noise Guidance Book used by the Department of Housing and Urban Development (HUD). In addition, include analysis of the levels of noise residents of the project will be exposed to due to loading and unloading activities, idling and traffic. Identify options to minimize noise and vibration exposure to future residents at the site, particularly in those units closest to the commercial activities, loading areas, garage entrances, interstate highway, railroad tracks and airport traffic, including triple-glazing for windows, additional wall / roofing insulation, installation of resilient channels between interior gypsum board and wall studs, installation of a berm or sound wall and any other special construction methods to reduce sound transmission. If needed, the applicant shall install some combination of the above to the satisfaction of the Directors of P&Z and T&ES. (T&ES)
84. The noise study and noise commitment letter shall be submitted and approved prior to Final Site Plan release.\* (T&ES)
85. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
86. No vehicles associated with this project shall be permitted to idle for more than 10 minutes when parked. This includes a prohibition on idling for longer than 10 minutes in the loading dock area. The applicant shall post of minimum of two “no idling for greater than 10 minutes” signs in the loading dock area in plain view. (T&ES)

**AIR POLLUTION:**

87. If fireplaces are utilized in the development, the applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES)
88. Control odors and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)

## ***E. CONSTRUCTION MANAGEMENT***

89. Parking shall remain operational and construction shall not commence until the garage at the 116 S. Henry Street development project is operational, to the satisfaction of the Directors of P&Z, T&ES and General Services. (P&Z) (T&ES)
90. Submit a separate construction management plan to the Directors of P&Z, T&ES and Code Administration prior to Final Site Plan release. The plan shall:
  - a. No street lights shall be removed without authorization from the City of Alexandria.
  - b. If street lights are to be removed from the public right of way, then temporary lights shall be provided until the installation and commissioning of new lights.
  - c. Include an analysis as to whether temporary street or site lighting is needed for safety during the construction on the site and how it is to be installed.
  - d. Provide a detailed sequence of demolition and construction of improvements in the public right of way along with an overall proposed schedule for demolition and construction;
  - e. Include an overall proposed schedule for construction;
  - f. Include a plan for temporary pedestrian circulation;
  - g. Include the location and size of proposed construction trailers, if any;
  - h. Include a preliminary Maintenance of Traffic Plan (MOT) as part of the construction management plan for informational purposes only, to include proposed controls for traffic movement, lane closures, construction entrances and storage of materials.
  - i. Copies of the plan shall be posted in the construction trailer and given to each subcontractor before they commence work. (P&Z) (T&ES)
91. Provide off-street parking for all construction workers without charge to the construction workers. The applicant shall be responsible for ensuring that all contractors use the off-street parking provided. For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall subsidize a minimum of 50% of the fees for mass transit. Compliance with this condition shall be a component of the construction management plan, which shall be submitted to the Department of P&Z and T&ES prior to Final Site Plan release. This plan shall:

- a. Establish the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of mass transit.
  - b. Provide for the location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes.
  - c. If the off-street construction workers parking plan is found to be violated during construction, a correction notice will be issued to the developer. If the violation is not corrected within five (5) days, a "stop work order" will be issued, with construction halted until the violation has been corrected. (P&Z) (T&ES) \*
92. Sidewalks adjacent to the site shall remain open during construction. If sidewalks must be closed, pedestrian access shall be maintained adjacent to the site per Memo to Industry #04-18 throughout the construction of the project. The plan for maintenance of pedestrian access shall be included in the Construction Management Plan for approval by T&ES. (T&ES)
93. Bicycle facilities including Capital Bikeshare stations adjacent to the site shall remain open during construction. If a bicycle facility, including a Capital Bikeshare station, must be closed, bicycle access shall be maintained adjacent to the site per Memo to Industry #04-18 throughout the construction of the project. If the Capital Bikeshare station is required to be removed from its existing location and cannot be moved to the proposed permanent location immediately, the applicant shall relocate the station to a temporary location as requested by the City and then relocate the station to the permanent location as soon as construction activities allow. The temporary location shall be in the parking lane in front of 116 S. Alfred Street, or a similar publicly accessible location within the vicinity of the project, subject to outreach with adjacent property owners and stakeholders. The plan for maintenance of bicycle access and relocation of the Bikeshare Station (as needed) shall be included in the Construction Management Plan for approval by T&ES. (T&ES)
94. No major construction staging shall be allowed within the public right-of-way. The applicant shall meet with T&ES to discuss construction staging activities prior to release of any permits for ground disturbing activities. (T&ES) \*\*
95. Transit stops adjacent to the site shall remain open if feasible for the duration of construction. If construction forces the closure of the stop(s), a temporary ADA accessible transit stop shall be installed. The exact temporary location shall be coordinated with the T&ES Office of Transit Services at 703-746-4075 as well as with the transit agency which provides service to the bus stop. Signs noting the bus stop closure and location of the temporary bus stop must be installed at all bus stops taken out of service due to construction. (T&ES)

96. Any structural elements that extend into the public right of way, including but not limited to footings, foundations, tie-backs etc., must be approved by the Director of T&ES as a part of the Sheeting and Shoring Permit. (T&ES)
97. A “Certified Land Disturber” (CLD) shall be named in a letter to the Division Chief of Infrastructure Right of Way prior to any land disturbing activities. If the CLD changes during the project, that change must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheets on the site plan. (T&ES)
98. Prior to commencing clearing and grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners and civic associations to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified a minimum of 14 calendar days prior to the meeting date, and the meeting must be held before any permits are issued. (P&Z) (T&ES)
99. Prior to commencement of landscape installation/planting operations, a pre-installation/construction meeting will be scheduled with the project planner in the Department of P&Z to review the scope of installation procedures and processes. This is in addition to the pre-construction meeting required above. (P&Z)
100. Identify a person who will serve as a liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of P&Z, and/or and T&ES. (P&Z) (T&ES)
101. Install a temporary informational sign on the site prior to release of the Final Site Plan for the project. The sign shall notify the public of the nature of the project and shall include the name and telephone number of the community liaison, including an emergency contact number for public questions regarding the project. The sign shall be displayed until construction is complete. (P&Z) (T&ES)
102. Implement a waste and refuse control program during the construction phase of this development. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them, and all sanitary waste at the construction site and prevent offsite migration that may cause adverse impacts to neighboring properties or to the environment to the satisfaction of Directors of T&ES and Code Administration. All wastes shall be properly disposed offsite in accordance with all applicable federal, state and local laws. Provide information on the program in construction management plan. If program is implemented in coordination with green building certification, include



documentation as appropriate per the City's Green Building Policy and conditions herein. (T&ES)

103. Temporary construction and/or on-site sales trailer(s) shall be permitted and be subject to the approval of the Director of P&Z. The trailer(s) shall be removed prior to the issuance of a final certificate of occupancy permit. (P&Z) (Code) \*\*\*
104. Submit a wall check prior to the commencement of construction of the first floor above grade framing for the building(s). The wall check shall include the building footprint, as depicted in the released Final Site Plan, the top-of-slab elevation and the first-floor elevation. The wall check shall be prepared and sealed by a registered engineer or surveyor and submitted to Planning & Zoning. Approval of the wall check by Planning & Zoning is required prior to commencement of framing. (P&Z)
105. Submit an as-built development site plan survey, pursuant to the requirements outlined in the initial as-built submission for occupancy portion of the as-built development site plan survey checklist to the Department of Transportation and Environmental Services Site Plan Coordinator prior to requesting a certificate of occupancy permit. The as-built development site plan survey shall be prepared and sealed by a registered architect, engineer, or surveyor. Include a note which states that the height was calculated based on all applicable provisions of the Zoning Ordinance. (P&Z) (T&ES) \*\*\*
106. Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES)
107. If there are outstanding performance, completion or other bonds for the benefit of the City in effect for the property at such time as it may be conveyed or sold to a party other than the applicant, a substitute bond and associated documents must be provided by that party or, in the alternative, an assignment or other documentation from the bonding company indicating that the existing bond remains in effect despite the change in ownership may be provided. The bond(s) shall be maintained until such time that all requirements are met, and the bond(s) released by the City. (T&ES)

## ***F. CONTRIBUTIONS***

108. Contribute \$5,000 to the City prior to Final Site Plan to install a Capital Bikeshare station in the vicinity of the project and/or to fund relocation of the existing bikeshare station on the site to the proposed new location along the 900 block of King Street by the City. (T&ES) \*
109. In lieu of fully meeting the 25-percent crown coverage requirement of the Zoning Ordinance, the applicant shall provide a monetary contribution, in an amount equal to \$5,352 to the City of Alexandria's Living Landscape fund. The contribution will be provided prior to first Certificate of Occupancy. (P&Z) \*\*\*

**HOUSING:**

110. A voluntary contribution of \$109,359 to the Housing Trust Fund would be consistent with the conclusions of the Developer's Housing Contribution Work Group accepted by The Alexandria City Council in December 2013.

**PUBLIC ART:**

111. Per the City's Public Art Policy, adopted December 13, 2014, work with City staff to determine ways to incorporate public art elements on-site, or provide an equivalent monetary contribution to be used toward public art within the Small Area Plan planning area, to the satisfaction of the Directors of RP&CA and P&Z. The in-lieu contribution shall be \$.30 per gross square foot, with a maximum contribution of \$75,000 per building. In the event public art is provided on-site, the public art shall be of an equivalent value. (RP&CA) (P&Z)
- a. The next submission shall identify the location, type and goals for public art. Prior to release of the Final Site Plan, the applicant shall have selected the artist, have locations and medium finalized and provide a schedule for the art installation. The applicant is strongly encouraged to concurrently provide information on construction materials and the recommended maintenance regimen. The art shall be installed prior to the issuance of the first Certificate of Occupancy, to the satisfaction of the Directors of P&Z and/or RP&CA. (RP&CA)(P&Z) \*, \*\*\*
  - b. The in-lieu contribution shall be \$.30 per gross square foot, with a maximum contribution of \$75,000 per building. The contribution shall be provided prior to the issuance of the first Certificate of Occupancy. (RP&CA) (P&Z) \*\*\*

***G. USES AND SIGNS***

**RETAIL USES:**

112. Provide documentation (lease agreement or similar) to future retail tenants requiring them to operate their business consistently with the goals of LEED, as well as to pursue LEED for Retail or LEED for Commercial Interiors certification at a Silver level.
113. Ensure the following for the retail and retail-ready units within the development, to the satisfaction of the Director of P&Z:
- a. Provide the minimum floor-to-floor heights per the Preliminary Site Plan.
  - b. All entrances along are required to be operable and ADA-accessible, even if the retail-ready space is used for residential purposes. This requirement shall be included as part of the lease for each tenant.

- c. All windows and doors shall be a storefront system as depicted in the Preliminary Site Plan. The placement or construction of items that block the visibility of the interior of the store from the street and sidewalk (e.g. storage cabinets, carts, shelving, boxes, coat racks, storage bins, closets, etc.) shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. This requirement shall be included as part of the lease for each tenant. The interior layout of retail-ready units must consist of full-height space off of the storefront entrance and include a bathroom that can be publicly accessible.
  - d. The location for signage shall be identified as part of the coordinated site plan.
  - e. The retail-ready unit type shall be listed on all promotion material / websites to encourage active uses. (P&Z)
114. The applicant shall encourage its employees who drive to use off-street parking. (T&ES)
115. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
116. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
117. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)

**SIGNAGE:**

118. Design and develop a coordinated sign plan, which includes a color palette, for all proposed commercial signage, including for the retail-ready spaces. The plan shall be included as part of the Final Site Plan and BAR Certificate of Appropriateness and shall coordinate the location, scale, massing and character of all proposed signage to the satisfaction of the Director of P&Z.\* (P&Z) (BAR)

***H. DISCLOSURE REQUIREMENTS***

119. All master association covenants shall be reviewed by the Director of P&Z and the City Attorney to ensure inclusion of all the conditions of this DSUP prior to applying for the first certificate of occupancy permit for the project. The association

covenants shall include the conditions listed below, which shall be clearly expressed in a separate section of the covenants. The language shall establish and clearly explain that these conditions cannot be changed except by an amendment to this development special use permit approved by City Council.

- a. All landscaping and open space areas within the development shall be maintained by the master association.
- b. The property includes areas with public access easements, including the pedestrian alley and private alley.
- c. The site is located in the Old and Historic Alexandria District, and any exterior alterations are subject to review and approval by the Board of Architectural Review.
- d. Exterior building improvements or changes by future residents shall require the approval of the City Council, as determined by the Director of P&Z.
- e. Develop a noise control by-law aimed at controlling noise levels in the proposed development and resolving noise issues between neighboring occupants and disclose this by-law to all involved at the time of sale or lease agreement.
- f. The specific language of the disclosure statement to be utilized shall be provided to the City for approval prior to release of any certificate of occupancy permit.
- g. Stormwater facility BMPs must be inspected and adequately maintained as designed to ensure proper functioning.
- h. The specific language of the disclosure statement to be utilized shall be provided to the City for approval prior to release of any certificate of occupancy permit.
- i. Residents are not eligible for residential street parking permits because the property is not located within a residential permit parking district and are not eligible for a permit in a sub-district based on code requirements. (P&Z) (T&ES) (CC)\*\*\*

- 120. If environmental site assessments or investigations discover the presence of onsite contamination, the applicant or its agent shall furnish each prospective buyer with a statement disclosing the prior history of the site, including previous environmental conditions and on-going remediation measures. Disclosures shall be made to the satisfaction of the Director of Transportation and Environmental Services. (T&ES)
- 121. Notify prospective buyers, in their homeowner / property owner documents, that the Downham Way Alley is a private street and shall not be maintained by the City of Alexandria; and that the sanitary and storm sewers located within the Downham Way Alley are private and shall be maintained privately until a utility easement is recorded allowing for City of Alexandria maintenance. (T&ES)
- 122. Present a disclosure statement to potential buyers disclosing the following to the satisfaction of the Directors of P&Z and T&ES, and the City Attorney:

- a. That the loading dock clearance is under 14'6", and the building operator and/or commercial tenants shall coordinate with trash and delivery services accordingly.
- b. That Route 1 is an existing / planned location for Transit Corridor A, which will traverse in a north-south direction in the general vicinity of Route 1 and connect to future transit corridors in Fairfax and Arlington counties.
- c. That the site is located on King Street and is subject to noise and traffic impacts in this portion of the City. (P&Z) (T&ES) (City Attorney)

***I. RESTAURANT SUP (SUP#2020-0033)***

- 123. The conditions contained herein relating to restaurant uses cover any of the ground-floor commercial or retail-ready tenant spaces included in DSUP#2019-0032. (P&Z)(T&ES).
- 124. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
- 125. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
- 126. Live entertainment shall be limited to indoor only. The applicant shall conform with the City's noise ordinance and no amplified sound shall be audible at the property line after 11:00 p.m. (T&ES)
- 127. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into any street, alley, or storm sewer. (T&ES)
- 128. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES)
- 129. Control odors and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)
- 130. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- 131. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)

132. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
133. If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed (using a bung) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. (T&ES)
134. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
135. The applicant shall encourage its employees who drive to use off-street parking. (T&ES)
136. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
137. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
138. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)
139. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one (1) year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)



## **IX. CITY DEPARTMENT CODE COMMENTS**

Legend: C - Code Requirement R - Recommendation S - Suggestion F – Finding

### **Planning and Zoning (P&Z)**

- R - 1. For all first-floor bays with a street-facing door providing their primary access, please coordinate with the Geographic Information Systems (GIS) Division for address assignments at tenant fit out. These uses are not permitted to use the primary building address as their address. Please contact the Addressing Coordinator in the GIS Division (703-746-3823) as each new tenant is determined, and an appropriate address based on the location of the primary entrance door of the new space will be assigned.
- C - 1 As-built documents for all landscape and irrigation installations are required to be submitted with the Site as-built and request for Performance Bond release. Refer to City of Alexandria Landscape Guidelines, Section III A & B. (P&Z) (T&ES) \*\*\*\*
- C - 2 Tree conservation and protection plans shall identify all trees to be removed, and all trees to be protected / preserved. Construction methods to reduce disturbance within driplines shall also be identified. An on-site inspection of existing conditions shall be held with the City Arborist and Natural Resources Division Staff prior to the preparation of the Tree Conservation and Protection Plan.
- C - 3 The landscape elements of this development shall be subject to the Performance and Maintenance bonds, based on criteria established by the City and available through T&ES. Release of Performance and Maintenance Bonds are subject to inspections by City staff per City Code requirements. A final inspection for landscaping is also required three (3) years after completion. (P&Z) (T&ES) \*\*\*\*
- C - 4 No permits shall be issued prior to the release of the Certificate of Appropriateness from the Board of Architectural Review. (BAR)
- C - 5 Parking ratio requirement adjustment. Any parking requirement may be adjusted within 5% of the requirement if the director of Planning and Zoning determines that physical requirements of the building prevent compliance with the specific number of parking spaces required. (Section 8-200(A)(2)(c)(i) of the Zoning Ordinance) (T&ES) (P&Z)

### **Code Administration (Building Code)**

- F - 1. The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. A preconstruction conference is recommended for large projects. If there are any questions, the applicant may contact the Code Administration Office, Plan Review Supervisor at 703-746-4200.

- C - 1 New construction or alterations to existing structures must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C - 2 The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) total floor area per floor; e) height of structure f) non-separated or separated mixed use g) fire protection system requirements.
- C - 3 A soils report must be submitted with the building permit application for all new and existing building structures.
- C - 4 The most restrictive type of construction shall apply to the structure for height and area limitations for non-separated uses.
- C - 5 Where required per the current edition Virginia Uniform Statewide Building Code exits, parking, and facilities shall be accessible for persons with disabilities.
- C - 6 All proposed buildings where an occupied floor exceeds 75 feet above the lowest level of fire department vehicle access shall meet the Virginia Uniform Statewide Building Code for HIGH-RISE buildings.
- C - 7 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to the Department of Code Administration that will outline the steps that will be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C - 8 Sheeting and shoring shall not extend beyond the property line; except when the developer has obtained a written release from adjacent property owners which has been recorded in the land records; or through an approved encroachment process.
- C - 9 A wall location plat prepared by a land surveyor is required to be submitted to the Department of Code Administration prior to any building framing inspection.

### **Archaeology**

- F - 2. If this project is a federal undertaking or involves the use of any federal funding, the applicant shall comply with federal preservation laws, in particular Section 106 of the National Historic Preservation Act of 1966. The applicant will coordinate with the Virginia Department of Historic Resources and the federal agency involved in the project, as well as with Alexandria Archaeology.
- C -1. All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

**Transportation and Environmental Services (T&ES)**

- F - 3. Since the record drawings, maps, and other documents of the City of Alexandria, State, and Federal agencies show the true north pointing upwards, therefore, the Site Plan shall show the true north arrow pointing upward as is customary; however, for the sake of putting the plan together and/or ease of understanding, the project north arrow pointing upward, preferably east, or west may be shown provided it is consistently shown in the same direction on all the sheets with no exception at all. The north arrow shall show the source of meridian. The project north arrow pointing downward will not be acceptable even if, it is shown consistently on all the sheets. (T&ES)
- F - 4. The Final Site Plan must be prepared per the requirements of Memorandum to Industry 02-09 dated December 3, 2009, Design Guidelines for Site Plan Preparation, which is available at the City's website:  
<http://alexandriava.gov/uploadedFiles/tes/info/Memo%20to%20Industry%20No.%2002-09%20December%203,%202009.pdf>
- F - 5. The plan shall show sanitary and storm sewer, and water line in plan and profile in the first final submission and cross reference the sheets on which the plan and profile is shown, if plan and profile is not shown on the same sheet. Clearly label the sanitary and storm sewer, or water line plans and profiles. Provide existing and proposed grade elevations along with the rim and invert elevations of all the existing and proposed sanitary and storm sewer at manholes, and water line piping at gate wells on the respective profiles. Use distinctive stationing for various sanitary and storm sewers (if applicable or required by the plan), and water line in plan and use the corresponding stationing in respective profiles. (T&ES)
- F - 6. The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F - 7. Include all symbols, abbreviations, and line types in the legend. (T&ES)
- F - 8. All storm sewers shall be constructed to the City of Alexandria standards and specifications. Minimum diameter for storm sewers shall be 18" in the public Right of Way (ROW) and the minimum size storm sewer catch basin lead is 15". The acceptable pipe materials will be Reinforced Concrete Pipe (RCP) ASTM C-76 Class IV. Alternatively, AWWA C-151 (ANSI A21.51) Class 52 may be used if approved by the Director of T&ES. For roof drainage system, Polyvinyl Chloride (PVC) ASTM D-3034-77 SDR 26 and ASTM 1785-76 Schedule 40 pipes will be acceptable. The acceptable minimum and maximum velocities will be 2.0 fps and 15 fps, respectively. The storm sewers immediately upstream of the first manhole in the public Right of Way shall be owned and maintained privately (i.e., all storm drains not shown within an easement or in a public Right of Way shall be owned and maintained privately). (T&ES]
- F - 9. All sanitary sewers shall be constructed to the City of Alexandria standards and specifications. Minimum diameter of sanitary sewers shall be 10 inches in the public Right of Way and sanitary lateral 6 inches for all commercial and institutional developments;

- however, a 4-inch sanitary lateral will be acceptable for single family residences. The acceptable pipe materials will be Polyvinyl Chloride (PVC) ASTM D-3034-77 SDR 26, ASTM 1785-76 Schedule 40, Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52, or reinforced concrete pipe ASTM C-76 Class IV (For 12 inch or larger diameters); Class III may be acceptable on private properties. The acceptable minimum and maximum velocities will be 2.5 fps and 10 fps, respectively. Laterals shall be connected to the sanitary sewer through a manufactured “Y” or “T” or approved sewer saddle. Where the laterals are being connected to existing Terracotta pipes, replace the section of main and provide manufactured “Y” or “T”, or else install a manhole. (T&ES)
- F - 10. Lateral Separation of Sewers and Water Mains: A horizontal separation of 10 feet (edge to edge) shall be provided between a storm or sanitary sewer and a water line; however, if this horizontal separation cannot be achieved then the sewer and water main shall be installed in separate trenches and the bottom of the water main shall be at least 18 inches above of the top of the sewer. If both the horizontal and vertical separations cannot be achieved, then the sewer pipe material shall be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 and pressure tested in place without leakage prior to installation. (T&ES)
- F - 11. Crossing Water Main Over and Under a Sanitary or Storm Sewer: When a water main over crosses or under crosses a sanitary / storm sewer then the vertical separation between the bottom of one (i.e., sanitary / storm sewer or water main) to the top of the other (water main or sanitary / storm sewer) shall be at least 18 inches for sanitary sewer and 12 inches for storm sewer; however, if this cannot be achieved then both the water main and the sanitary / storm sewer shall be constructed of Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 with joints that are equivalent to water main standards for a distance of 10 feet on each side of the point of crossing. A section of water main pipe shall be centered at the point of crossing and the pipes shall be pressure tested in place without leakage prior to installation. Sewers crossing over the water main shall have adequate structural support (concrete pier support and/or concrete encasement) to prevent damage to the water main. Sanitary sewers under creeks and storm sewer pipe crossings with less than 6-inch clearance shall be encased in concrete. (T&ES)
- F - 12. No water main pipe shall pass through or come in contact with any part of sanitary / storm sewer manhole. Manholes shall be placed at least 10 feet horizontally from the water main whenever possible. When local conditions prohibit this horizontal separation, the manhole shall be of watertight construction and tested in place. (T&ES)
- F - 13. Crossing Existing or Proposed Utilities: Underground telephone, cable T.V., gas, and electrical duct banks shall be crossed maintaining a minimum of 12 inches of separation or clearance with water main, sanitary, or storm sewers. If this separation cannot be achieved, then the sewer pipe material shall be Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52 for a distance of 10 feet on each side of the point of crossing and pressure tested in place without leakage prior to installation. Sanitary / storm sewers and water main crossing over the utilities shall have adequate structural support (pier support and/or concrete encasement) to prevent damage to the utilities. (T&ES)

- F - 14. Show the drainage divide areas on the grading plan or on a sheet showing reasonable information on topography along with the structures where each sub-area drains. (T&ES)
- F - 15. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)
- F - 16. All the existing and proposed public and private utilities and easements shall be shown on the plan and a descriptive narration of various utilities shall be provided. (T&ES)
- F - 17. A Maintenance of Traffic Plan shall be provided within the Construction Management Plan and shall replicate the existing vehicular and pedestrian routes as nearly as practical. Pedestrian and bike access shall be maintained adjacent to the site per Memo to Industry #04-18. These sheets are to be provided as "Information Only." (T&ES)
- F - 18. The following notes shall be included on all Maintenance of Traffic Plan Sheets: (T&ES)
  - a. The prepared drawings shall include a statement "FOR INFORMATION ONLY" on all MOT Sheets.
  - b. Sidewalk closures will not be permitted for the duration of the project. Temporary sidewalk closures are subject to separate approval from Transportation and Environmental Services (T&ES) at the time of permit application.
  - c. Contractor shall apply for all necessary permits for uses of the City Right of Way and shall submit MOT Plans with the T&ES Application for final approval at that time. \*
- F - 19. Add complete streets tabulation to the cover sheet with the Final 1 submission. (T&ES)
- C - 10 Per the requirements of the City of Alexandria Zoning Ordinance Article XI, the applicant shall complete a drainage study and adequate outfall analysis for the total drainage area to the receiving sewer that serves the site. If the existing storm system is determined to be inadequate, then the applicant shall design and build on-site or off-site improvements to discharge to an adequate outfall; even if the post development stormwater flow from the site is reduced from the pre-development flow. The Plan shall demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
- C - 11 Per the requirements of the City of Alexandria Zoning Ordinance (AZO) Article XIII, Environmental Management Ordinance, the applicant shall comply with the stormwater quality and quantity requirements and provide channel protection and flood protection in accordance with these requirements. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of the Zoning Ordinance shall be met. If the project site lies within the Braddock-West watershed or known flooding area, then the applicant shall provide an additional 10 percent storage of the pre-development flows in this watershed to meet detention requirements. (T&ES)
- C - 12 Per the requirements of Article 13-114 (f) of the AZO, all stormwater designs that require analysis of pressure hydraulic systems, including but not limited to the design of flow

- control structures and stormwater flow conveyance systems shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. The design of storm sewer shall include the adequate outfall, inlet, and hydraulic grade line (HGL) analyses that shall be completed to the satisfaction of the Director of T&ES. Provide appropriate reference and/or source used to complete these analyses. (T&ES)
- C - 13 The proposed development shall conform to all requirements and restrictions set forth in Section 6-300 (Flood plain District) of Article VI (Special and Overlay Zones) of the City of Alexandria Zoning Ordinance. (T&ES)
- C - 14 If it is determined that the site is not in compliance with Section 13-1-3 of the City Code, then the applicant shall make additional improvements to adjust lighting levels to the satisfaction of the Director of T&ES to comply with the Code. (T&ES)
- C - 15 Location of customer utility services and installation of transmission, distribution and main lines in the public rights of way by any public service company shall be governed by franchise agreement with the City in accordance with Title 5, Chapter 3, Section 5-3-2 and Section 5-3-3, respectively. The transformers, switch gears, and boxes shall be located outside of the public right of way. (T&ES)
- C - 16 (a) Per the requirements of Section 5-3-2, Article A, Chapter 3 of the City of Alexandria Code, all new customer utility services, extensions of existing customer utility services and existing overhead customer utility services supplied by any existing overhead facilities which are relocated underground shall, after October 15, 1971 be installed below the surface of the ground except otherwise exempted by the City Code and to the satisfaction of the Director, Department of Transportation and Environmental Services. (b) Per the requirements of Section 5-3-3, Article A, Chapter 3 of the City of Alexandria Code, all new installation or relocation of poles, towers, wires, lines, cables, conduits, pipes, mains, and appurtenances used or intended to be used to transmit or distribute any service such as electric current, telephone, telegraph, cable television, traffic control, fire alarm, police communication, gas, water, steam or petroleum, whether or not on the streets, alleys, or other public places of the City shall, after October 15, 1971, be installed below the surface of the ground or below the surface in the case of bridges and elevated highways except otherwise exempted by the City Code and to the satisfaction of Director, Department of Transportation and Environmental Services. (T&ES)
- C - 17 Flow from downspouts, foundation drains, and sump pumps shall be discharged to the storm sewer per the requirements of Memorandum to Industry 05-14 that is available on the City of Alexandria's web site. The downspouts and sump pump discharges shall be piped to the storm sewer outfall, where applicable after treating for water quality as per the requirements of Article XIII of Alexandria Zoning Ordinance (AZO). (T&ES)
- C - 18 In compliance with Title 5: Transportation and Environmental Services, Section 5-1-2(12b) of the City Charter and Code, the City of Alexandria shall provide solid waste collection services to the condominium townhomes portion of the development. All refuse / recycling receptacles shall be placed at the City Right-of-Way. (T&ES)



- C - 19 Per the requirements of Title 4, Chapter 2, Article B, Section 4-2-21, Appendix A, Section A 106(6), Figure A 106.1 Minimum Standards for Emergency Vehicle Access: provide a total turning radius of 25 feet to the satisfaction of Directors of T&ES and Office of Building and Fire Code Administration and show turning movements of standard vehicles in the parking lot as per the latest AASHTO vehicular guidelines. (T&ES)
- C - 20 The applicant shall provide required storage space for both trash and recycling materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the Director of Transportation & Environmental Services. The plan shall show the turning movements of the collection trucks and the trucks shall not back up to collect trash or recycling. The City's storage space guidelines are available online at: [www.alexandriava.gov/solidwaste](http://www.alexandriava.gov/solidwaste) or by contacting the City's Solid Waste Division at 703-746-4410, or via email at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov). (T&ES)
- C - 21 The applicant shall be responsible to deliver all solid waste, as defined by the City Charter and Code of the City of Alexandria, to the Covanta Energy Waste Facility located at 5301 Eisenhower Avenue. A note to that effect shall be included on the plan. The developer further agrees to stipulate in any future lease or property sales agreement that all tenants and/or property owners shall also comply with this requirement. (T&ES)
- C - 22 The applicants shall submit a Recycling Implementation Plan (RIP) form to the Solid Waste Division, as outlined in Article H of Title 5 (Ordinance Number 4438), which requires all commercial properties to recycle. Instructions for how to obtain a RIP form can be found at: [www.alexandriava.gov/solidwaste](http://www.alexandriava.gov/solidwaste) or by calling the Solid Waste Division at 703.746.4410 or by e-mailing [CommercialRecycling@alexandriava.gov](mailto:CommercialRecycling@alexandriava.gov). (T&ES)
- C - 23 All private streets and alleys shall comply with the City's Minimum Standards for Private Streets and Alleys. (T&ES)
- C - 24 Bond for the public improvements must be posted prior to release of the site plan. (T&ES)\*
- C - 25 Plans and profiles of utilities and roads in public easements and/or public Right of Way must be approved prior to release of the plan. (T&ES) \*
- C - 26 Provide a phased erosion and sediment control plan consistent with grading and construction plan. (T&ES)
- C - 27 Per the Memorandum to Industry, dated July 20, 2005, the applicant is advised regarding a requirement that applicants provide as-built sewer data as part of the final as-built process. Upon consultation with engineering firms, it has been determined that initial site survey work and plans will need to be prepared using Virginia State Plane (North Zone) coordinates based on NAD 83 and NAVD 88. Control points/Benchmarks which were used to establish these coordinates should be referenced on the plans. To ensure that this

requirement is achieved, the applicant is requested to prepare plans in this format including initial site survey work if necessary. (T&ES)

- C - 28 The thickness of sub-base, base, and wearing course shall be designed using “California Method” as set forth on page 3-76 of the second edition of a book entitled, “Data Book for Civil Engineers, Volume One, Design” written by Elwyn E. Seelye. Values of California Bearing Ratios used in the design shall be determined by field and/or laboratory tests. An alternate pavement section for Emergency Vehicle Easements (EVE) to support H-20 loading designed using California Bearing Ratio (CBR) determined through geotechnical investigation and using Virginia Department of Transportation (VDOT) method (Vaswani Method) and standard material specifications designed to the satisfaction of the Director of Transportation and Environmental Services (T&ES) will be acceptable. (T&ES)
- C - 29 All pedestrian, traffic, and way finding signage shall be provided in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), latest edition to the satisfaction of the Director of T&ES. (T&ES)
- C - 30 No overhangs (decks, bays, columns, post or other obstructions) shall protrude into public Right of Ways, public easements, and pedestrian or vehicular travelways unless otherwise permitted by the City Code. (T&ES)
- C - 31 All driveway entrances, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards. (T&ES)
- C - 32 All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately. (T&ES)
- C - 33 The applicant shall comply with the City of Alexandria’s Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C - 34 All construction activities must comply with the Alexandria Noise Control Code Title 11, Chapter 5, Section 11-5-4(b)(15), which permits construction activities to occur between the following hours:
  - a. Monday Through Friday from 7 AM To 6 PM and
  - b. Saturdays from 9 AM to 6 PM.
  - c. No construction activities are permitted on Sundays and holidays.  
Section 11-5-4(b)(19) further restricts the Pile Driving to the following hours:
  - d. Monday Through Friday from 9 AM To 6 PM and
  - e. Saturdays from 10 AM To 4 PM
  - f. No pile driving is permitted on Sundays and holidays.  
Section 11-5-109 restricts work in the right of way for excavation to the following:
  - g. Monday through Saturday 7 AM to 5 pm
  - h. No excavation in the right of way is permitted on Sundays. (T&ES)

C - 35 The applicant shall comply with the Article XIII of the City of Alexandria Zoning Ordinance, which includes requirements for stormwater pollutant load reduction, treatment of the Alexandria Water Quality Volume Default and stormwater quantity management. (T&ES)

C - 36 The applicant shall comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. (T&ES)

**PWS Comments**

No comments.

**AlexRenew Comments**

No comments.

**VAWC Comments**

No comments received.

**Fire Department**

No comments received.

**Police Department**

R - 1. It is recommended that the buildings have an address number which is contrasting in color to the background, at least 3 inches high, reflective, and visible from the street placed on the front and back of each home. It is strongly suggested that no brass or gold colored numbers are used. This aids in a timely response from emergency personnel should they be needed.

R - 2. It is recommended that all the ground floor level windows be equipped with a device or hardware that allows windows to be secured in a partially open position. This is to negate a “breaking and entering” when the windows are open for air.

R - 3. It is recommended that a “door-viewer” (commonly known as a peep-hole) be installed on all doors on the ground level that lead directly into an apartment. This is for the security of the occupant.

**Asterisks denote the following:**

- \* Condition must be fulfilled prior to release of the Final Site Plan
- \*\* Condition must be fulfilled prior to release of the building permit
- \*\*\* Condition must be fulfilled prior to release of the certificate of occupancy
- \*\*\*\* Condition must be fulfilled prior to release of the bond



## APPLICATION

### DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN

**DSUP #** 2019-0032

**Project Name:** GCP King Street

**PROPERTY LOCATION:** 912, 916 & 920 King Street

**TAX MAP REFERENCE:** 074.01-06-04, -03 & -02

**ZONE:** KR

#### APPLICANT:

Name: Galena Capital Partners

Address: 1010 Pendleton Street, Alexandria, VA 22314

#### PROPERTY OWNER:

Name: City of Alexandria

Address: 301 King Street, Alexandria, VA 22314

**SUMMARY OF PROPOSAL** The applicant is seeking a DSUP for a four story, mixed-use development with ground floor retail, flex live/work space and multifamily residential.

**MODIFICATIONS REQUESTED** For Canopy Coverage.

**SUP's REQUESTED** FAR increase to 2.5, parking reduction for the multi-family units for all parking offsite within one block (see associated development at 116 S. Henry St.) and SUP for reduction in loading space requirements.

☒ **THE UNDERSIGNED** hereby applies for Development Site Plan with Special Use Permit approval in accordance with the provisions of Section 11-400 of the 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** also 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 his/her knowledge and belief.

**Mary Catherine Gibbs, Wire Gill, LLP**

Print Name of Applicant or Agent

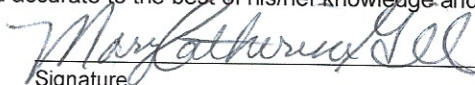
700 N. Fairfax St., Suite 600

Mailing/Street Address

Alexandria, VA 22314

City and State

Zip Code

  
Signature

703-836-5757

Telephone #

703-548-5443

Fax #

mcgibbs@wiregill.com

Email address

February 28, 2020 (amended April 24, 2020)

Date

#### DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: \_\_\_\_\_

Received Plans for Completeness: \_\_\_\_\_

Fee Paid and Date: \_\_\_\_\_

Received Plans for Preliminary: \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_



**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 912, 916 & 920 King Street, I hereby  
(Property Address)  
grant the applicant authorization to apply for the Restaurant use as  
(use)  
described in this application.

Name: Mark B. Jinks, City Manager

Phone: 703-746-4300

Please Print  
Address: 301 King St, Alexandria, VA

Email: mark.jinks@alexandriava.gov

Signature: 

Date: 6-26-20

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☐ Required floor plan and plot/site plan attached.

☒ Requesting a waiver. See attached written request.

2. The applicant is the (check one):

☐ Owner

☒ Contract Purchaser

☐ Lessee or

☐ Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent.

Omar Abdul-Baki, 1010 Pendleton St., Alexandria, VA 22314 - 25%

Ahmed Abdul-Baki, 1010 Pendleton St., Alexandria, VA 22314 - 75%

**ALL APPLICANTS MUST COMPLETE THIS FORM.**

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

**1. The applicant is: (check one)**

☐ The Owner    ☒ Contract Purchaser    ☐ Lessee or    ☐ Other: \_\_\_\_\_ of the subject property.

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.

Omar Abdul-Baki, 1010 Pendleton St., Alexandria, VA 22314 - 25%  
Ahmed Abdul-Baki, 1010 Pendleton St., Alexandria, VA 22314 - 75%

If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- ☒ **Yes.** Provide proof of current City business license.  
☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

## 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. Omar Abdul-Baki	1010 Pendleton St. Alexandria, VA 22314	25%
2. Ahmed Abdul-Baki	1010 Pendleton St. Alexandria, VA 22314	75%
3.		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 912, 916 and 920 King St. (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. City of Alexandria	301 King St. Alexandria, VA 22314	100%
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 relationship, [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.)
1. Omar Abdul-Baki	None	NA
2. Ahmed Abdul-Baki	None	NA
3. Galena Capital Partners	None	NA

**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.

2/28/2020

Date

Mary Catherine Gibbs

Printed Name

  
Signature



- 2. Narrative description.** The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. If not appropriate to the request, delete pages 6-9. (Attach additional sheets if necessary.)

See Attached Narrative Description.

## Narrative Description of GCP King Street Project:

The Applicant is seeking approval of a Development Special Use Permit with Site Plan for a unique mixed-use project. The project includes ground floor retail and flexible live/work space as well as three levels of multi-family residential units in a four story building that fronts on King Street between S. Patrick and S. Alfred Streets in the heart of the King Street Retail district. This exciting project is a culmination of many years of planning for the use of surface level parking lots owned by the City of Alexandria that were declared surplus by the City back in 2008. This project is part of a multi-phased project that is submitted in conjunction with the project at 116 S. Henry Street, which includes an automated parking facility that will not only replace the existing surface parking spaces lost with both projects, but it will also satisfy all the parking requirements for both projects. Please see the attached DSUP submission for full details on the plan.

The Applicant submitted a proposal to the City to replace the two surface parking lots back in 2016, and in 2019, the City and the Applicant entered into the agreement that culminated in these submissions. The Applicant agreed to provide at least 85 parking spaces to the public in the new facility even though only 67 surface parking spaces existed on these two lots. The Applicant also agreed that the phasing of these projects would be such that the automated parking facility must come on-line and be available for the public and private parking users before any construction can be commenced on the King Street project. As such, this phase will be built last, likely commencing construction at least 3 years after the anticipated approval of the projects.

The Applicant is proposing an exciting addition of retail and multi-family uses to this block that will help complete the King Street retail corridor and add vibrancy to the block with 24/7 users in the residential portion of the project. The project proposes approximately 3500 square feet of retail that fronts on King Street on the first floor, but also includes an additional @ 1200 square feet of space that front on the alley side of the project and could be added as retail if a larger tenant wants more space for their use. The Applicant is proposing that the @1200 square feet of space on the alley side of the first floor be given flexibility so that, if no large tenant is found to occupy the whole depth of the project from King to the alley, then the spaces along the alley would be permitted to be used as work/live units. The Applicant believes that in the ever changing world of retail in America, such flexibility is paramount to the success of the retail/commercial space.

The Applicant is also proposing 30 residential units in the three stories above the retail in a high-quality designed building that completes the street front along this block of King Street. The building is being reviewed in concept by the Board of Architectural Review (first meeting was January 22, 2020). The proposal included in this submission has been modified in response to the comments received by the BAR at that meeting and we believe is in keeping with the changes requested. See attached elevations/perspectives.

**3. How many patrons, clients, pupils and other such users do you expect?**

Specify time period (i.e., day, hour, or shift).

24 hours a day, 7 days a week for the multi-family residential. Number will vary based on occupancy of the 30 units. Retail customers and employees will depend on the ultimate retail tenants.

**4. How many employees, staff and other personnel do you expect?**

Specify time period (i.e. day, hour, or shift).

TBD based on ultimate retail tenants.

**5. Describe the proposed hours and days of operation of the proposed use:**

Day	Hours	Day	Hours
24/7			

**6. Describe any potential noise emanating from the proposed use:**

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Typical noise from a multi-family residential building of this modest size and retail of this size.

B. How will the noise from patrons be controlled?

The doors will be secured and kept closed to keep noise inside the building except for modest outdoor activity from retail/residential building of this size.

**7. Describe any potential odors emanating from the proposed use and plans to control them:**

NA

**8. Provide information regarding trash and litter generated by the use:**

A. What type of trash and garbage will be generated by the use?

Typical type for a residential use of this size, retail trash to be determined based on ultimate retail tenant.

B. How much trash and garbage will be generated by the use?

Likely at least one dumpster per week.

C. How often will trash be collected?

At least once a week, more if necessary.

D. How will you prevent littering on the property, streets and nearby properties?

The applicant will ultimately have a property management company who will be required to maintain the property.

**9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?**

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

**10. Will any organic compounds (for example: paint, ink, lacquer thinner, or cleaning or degreasing solvent) be handled, stored, or generated on the property?**

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

**11. What methods are proposed to ensure the safety of residents, employees and patrons?**

Security measures will be provided by at a minimum key code/pad access with the building locked at all times.

**ALCOHOL SALES**

**12. Will the proposed use include the sale of beer, wine or mixed drinks?**

☐ Yes. ☒ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

Individual retail tenants will have to obtain their own ABC licenses, as needed, but no information is available at this time related to ultimate retail users.

**PARKING AND ACCESS REQUIREMENTS**

**13. Provide information regarding the availability of off-street parking:**

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?  
28-32 spaces for residential use of 30 units.

B. How many parking spaces of each type are provided for the proposed use:  
0 Standard spaces  
0 Compact spaces  
0 Handicapped accessible spaces  
0 Other

- C. Where is required parking located? (check one) ☐ on-site ☒ off-site

If the required parking will be located off-site, where will it be located?

Automated parking facility at the associated 116 S. Henry St. project.

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the **Parking Reduction Supplemental Application**.

**14. Provide information regarding loading and unloading facilities for the use:**

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? 1
- B. How many loading spaces are available for the use? 1
- C. Where are off-street loading facilities located? On the alley to the rear of the property.
- D. During what hours of the day do you expect loading/unloading operations to occur?  
Typical loading/unloading hours for residential use of this size and retail of this size.
- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Daily.

**15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?**

Street access is adequate.



# APPLICATION - SUPPLEMENTAL

## PARKING REDUCTION

**Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).**

**1. Describe the requested parking reduction.** (e.g. number of spaces, stacked parking, size, off-site location)

28-32 space reduction is needed technically because all of the parking will be provided within one block of the site in the new proposed automated parking facility in the 116 S. Henry St. project.

In addition, a reduction in the loading requirement is being requested because the overhead loading door offers a clearance that is less than the minimum 14'6" required in Section 8-200(B)(3) in the Zoning Ordinance.

**2. Provide a statement of justification for the proposed parking reduction.**

The justification is self-evident in that no actual parking reduction will be needed, just the location is at issue. The new automated parking facility is within one block of the project across S. Patrick Street.

Further, the grade change on the property from the north to the south is the cause of the clearance issue. (Finished floor elevation on King Street is 43', and the grade on the alley is 44').

**3. Why is it not feasible to provide the required parking?**

Based on the size of the parcel and the uses proposed, in conjunction with the associated automated parking facility, it is not feasible to place parking either in an underground lot or above ground in the rear of the project. The parcel simply isn't big enough to fit a mix of uses with parking.

**4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces?**

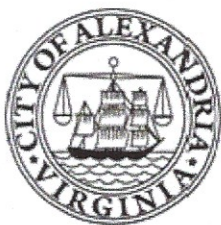
\_\_\_\_\_ Yes. ☒ No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a **Parking Management Plan** which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.

As there is ample parking provided within one block of the site, no negative impact will be created.





## APPLICATION

# SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** \_\_\_\_\_

**PROPERTY LOCATION:** 912, 916 & 920 King Street

**TAX MAP REFERENCE:** 074.01-06-04, -03 & -02 **ZONE:** KR

**APPLICANT:**

Name: Galena Capital Partners

Address: 1010 Pendleton Street, Alexandria, VA 22314

**PROPOSED USE:** Umbrella SUP for a Restaurant Use in the First Floor Retail space.

- ☒ THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- ☒ 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 IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Mary Catherine Gibbs, Wire Gill, LLP

Print Name of Applicant or Agent

700 N. Fairfax St., Suite 600

Mailing/Street Address

Alexandria, VA 22314

City and State

Zip Code



Signature

4/24/20

Date

703-836-5757 703-548-5443

Telephone #

Fax #

mcgibbs@wiregill.com

Email address

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 912, 916 & 920 King Street, I hereby  
(Property Address)  
grant the applicant authorization to apply for the Restaurant use as  
(use)  
described in this application.

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Please Print

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

- 1.** Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☐ **Required floor plan and plot/site plan attached.**

☒ **Requesting a waiver. See attached written request.**

- 2.** The applicant is the (check one):

☐ Owner

☒ Contract Purchaser

☐ Lessee or

☐ Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent.

Omar Abdul-Baki, 1010 Pendleton St., Alexandria, VA 22314 - 25%

Ahmed Abdul-Baki, 1010 Pendleton St., Alexandria, VA 22314 - 75%



## 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. Omar Abdul-Baki	1010 Pendleton St. Alexandria, VA 22314	25%
2. Ahmed Abdul-Baki	1010 Pendleton St. Alexandria, VA 22314	75%
3.		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 912, 916 and 920 King St. (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. City of Alexandria	301 King St. Alexandria, VA 22314	100%
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 relationship, [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.)
1. Omar Abdul-Baki	None	NA
2. Ahmed Abdul-Baki	None	NA
3. Galena Capital Partners	None	NA

**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.

4/24/2020

Date

Mary Catherine Gibbs

Printed Name

  
Signature



### Narrative Description for Umbrella SUP for Restaurant at GCP King Street Project

The Applicant is seeking approval of an umbrella SUP for a restaurant as one of the permitted uses within the proposed development of a mixed-use project. The project includes ground floor retail on King Street and retail ready space along the alley to the rear, Downham Way as well as three levels of multi-family residential units above in a four-story building that fronts on King Street. This exciting project is a culmination of many years of planning for the use of surface level parking lots owned by the City of Alexandria but declared surplus by the City back in 2008. This project is affiliated with the project at 116 S. Henry Street that includes an automated parking facility. This automated parking facility will not only replace the existing surface parking spaces lost with both projects, but it will also satisfy all the parking requirements for both projects.

The Applicant is seeking approval of an umbrella SUP for a restaurant use in the first floor retail space at this time so when a tenant is identified in the future for the space that seeks to utilize it as a restaurant, they don't have to come back for additional approvals at that time. This approach has been utilized in many developments around the City and most recently in the 1300 King Street project just a few blocks west of this property. The Applicant would ensure that the proposed layout/seating of the restaurant meets current Building Code and other applicable requirements and would request reasonable conditions, similar to other recent restaurant Special Use Permit approvals that permit maximum flexibility in the hours and other operational details of future proposed restaurants.



## USE CHARACTERISTICS

4. The proposed special use permit request is for *(check one)*:

- ☒ a new use requiring a special use permit,  
☐ an expansion or change to an existing use without a special use permit,  
☐ an expansion or change to an existing use with a special use permit,  
☐ other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).

Will vary by tenant/space occupied in the future.

B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).

Will vary by tenant/space occupied in the future.

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

Will vary by tenant/space occupied in the future.

Hours:

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7. Please describe any potential noise emanating from the proposed use.

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Typical for Restaurant Uses.

B. How will the noise be controlled?

The tenant will comply with the Noise Ordinance.

8. Describe any potential odors emanating from the proposed use and plans to control them:

Those that would typically emanate from a restaurant of a particular type, to be determined by the tenant in the future.

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9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)  
That which would typically come from a restaurant of a particular type, to be determined by the tenant in the future.

---

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)  
Typical amount for a restaurant use. the exact amount of which will be determined by the tenant in the future.

---

C. How often will trash be collected?

As needed.

---

D. How will you prevent littering on the property, streets and nearby properties?

Trash containers will be maintained inside the facilities.

---

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[ ] Yes.

[✓] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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- 11.** Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes.      ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons? Consistent safety measures will be taken at the time of occupancy.

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## **ALCOHOL SALES**

- 13.** A. Will the proposed use include the sale of beer, wine, or mixed drinks?

☒ Yes      ☐ No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

It will depend on the tenant who will have to obtain their own ABC license.

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## PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use:

0 \_\_\_\_\_ Standard spaces  
0 \_\_\_\_\_ Compact spaces  
0 \_\_\_\_\_ Handicapped accessible spaces.  
0 \_\_\_\_\_ Other.

<p>Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A _____</p> <p>Does the application meet the requirement? [ ] Yes [ ] No</p>
---

- B. Where is required parking located? (*check one*)

[ ] on-site  
[ ] off-site

If the required parking will be located off-site, where will it be located?

---

**PLEASE NOTE:** Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

**[✓] Parking reduction requested; see attached supplemental form**

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are available for the use? 1

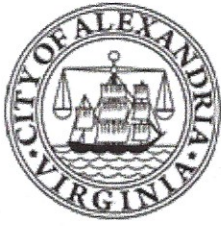
<p>Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____</p> <p>Does the application meet the requirement? [ ] Yes [ ] No</p>
--

- B. Where are off-street loading facilities located? in the rear of the building on Downham Way.
- C. During what hours of the day do you expect loading/unloading operations to occur?  
Typical loading hours, will depend on the tenant.
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
As needed by the individual tenant's needs.
16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?  
Street access is adequate.

## SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☐ Yes ☒ No
- Do you propose to construct an addition to the building? ☐ Yes ☒ No
- How large will the addition be? \_\_\_\_\_ square feet.
18. What will the total area occupied by the proposed use be?  
\_\_\_\_\_ sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = TBD sq. ft. (total)
19. The proposed use is located in: *(check one)*
- ☐ a stand alone building
- ☐ a house located in a residential zone
- ☐ a warehouse
- ☐ a shopping center. Please provide name of the center: \_\_\_\_\_
- ☐ an office building. Please provide name of the building: \_\_\_\_\_
- ☒ other. Please describe: A mixed use building with retail on the first floor.

End of Application



## Department of Planning & Zoning Special Use Permit Application Checklist

### Supplemental application for the following uses:

- ☒ Automobile Oriented
- ☐ Parking Reduction
- ☐ Restaurant
- ☒ Child Care
- ☐ Signs
- ☐ Substandard Lot
- ☒ Lot modifications requested with SUP use

### Interior Floor Plan

- ☒ Include labels to indicate the use of the space (doors, windows, seats, tables, counters, equipment)

### If Applicable

- ☐ Plan for outdoor uses

### Contextual site image

- ☐ Show subject site, on-site parking area, surrounding buildings, cross streets

SUP # \_\_\_\_\_  
Admin Use Permit # \_\_\_\_\_



## SUPPLEMENTAL APPLICATION

### RESTAURANT

**All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.**

1. How many seats are proposed?  
Indoors: \_\_\_\_\_ Outdoors: \_\_\_\_\_ Total number proposed: \_\_\_\_\_ Maximum Allowed by Code
2. Will the restaurant offer any of the following?  
Alcoholic beverages (**SUP only**) ☒ Yes \_\_\_\_\_ No  
Beer and wine — on-premises ☒ Yes \_\_\_\_\_ No  
Beer and wine — off-premises ☒ Yes \_\_\_\_\_ No
3. Please describe the type of food that will be served:  
TBD  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. The restaurant will offer the following service (check items that apply):  
☒ table service ☒ bar ☒ carry-out ☒ delivery
5. If delivery service is proposed, how many vehicles do you anticipate? TBD  
Will delivery drivers use their own vehicles? \_\_\_\_\_ Yes \_\_\_\_\_ No  
Where will delivery vehicles be parked when not in use?  
\_\_\_\_\_  
\_\_\_\_\_
6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?  
☒ Yes \_\_\_\_\_ No  
If yes, please describe:  
TBD, but would request maximum flexibility to permit entertainment of different types.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Parking impacts.** Please answer the following:

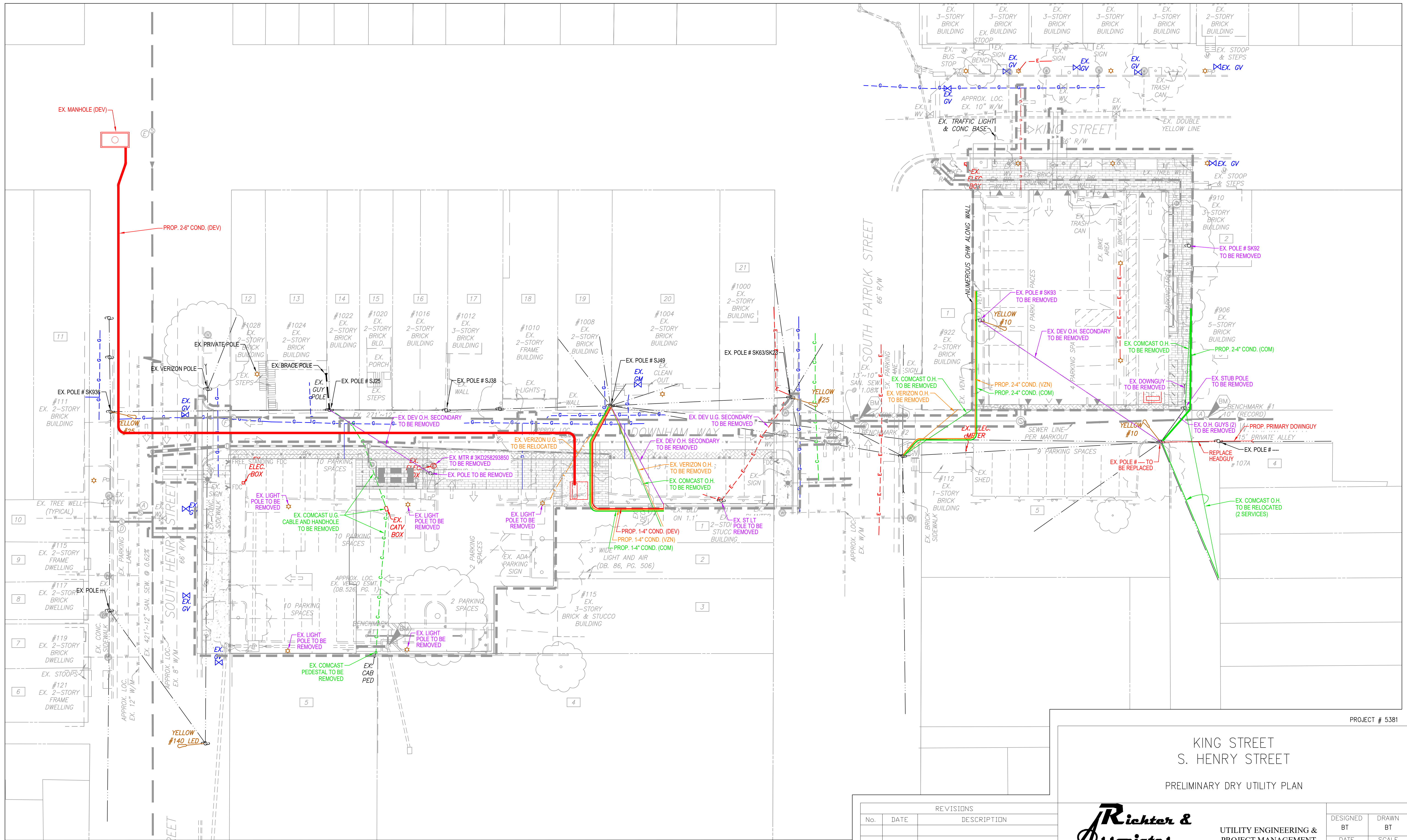
1. What percent of patron parking can be accommodated off-street? (check one)
  - ☐ 100%
  - ☐ 75-99%
  - ☐ 50-74%
  - ☐ 1-49%
  - ☒ No parking can be accommodated off-street
  
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
  - ☐ All
  - ☐ 75-99%
  - ☐ 50-74%
  - ☐ 1-49%
  - ☒ None
  
3. What is the estimated peak evening impact upon neighborhoods? (check one)
  - ☒ No parking impact predicted
  - ☐ Less than 20 additional cars in neighborhood
  - ☐ 20-40 additional cars
  - ☐ More than 40 additional cars

**Litter plan.** The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

**Alcohol Consumption and Late Night Hours.** Please fill in the following information.

1. Maximum number of patrons shall be determined by adding the following:
 

TBD	Maximum number of patron dining seats
+ TBD	Maximum number of patron bar seats
+ TBC	Maximum number of standing patrons
= TBD	Maximum number of patrons
  
2. TBD Maximum number of employees by hour at any one time
  
3. Hours of operation. Closing time means when the restaurant is empty of patrons. (check one)
  - ☐ Closing by 8:00 PM
  - ☐ Closing after 8:00 PM but by 10:00 PM
  - ☐ Closing after 10:00 PM but by Midnight
  - ☒ Closing after Midnight
  
4. Alcohol Consumption (check one)
  - ☐ High ratio of alcohol to food
  - ☒ Balance between alcohol and food
  - ☐ Low ratio of alcohol to food



NOTIFY "MISS UTILITY" AT 1-800-257-7777  
48 HOURS IN ADVANCE OF ANY  
CONSTRUCTION IN THIS LOCATION

PROJECT # 5381

KING STREET  
S. HENRY STREET

PRELIMINARY DRY UTILITY PLAN

REVISIONS		
No.	DATE	DESCRIPTION



**UTILITY ENGINEERING &  
PROJECT MANAGEMENT**

15865 Crabbs Branch Way  
Rockville, MD 20855

(301) 548-7475 (Office)  
(301) 548-7478 (Fax)

DESIGNED BT	DRAWN BT
DATE 3-05-20	SCALE 1"=20'
APPROVED	SHEET 1 OF 1



# City of Alexandria, Virginia

## MEMORANDUM

DATE: AUGUST 27, 2020

TO: CHAIR MACEK AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR, DEPARTMENT OF PLANNING & ZONING

SUBJECT: SEPTEMBER 1 PLANNING COMMISSION HEARING DOCKET ITEM #16 –  
912, 916 and 920 KING STREET (DSUP#2019-00032)

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The applicant for this project, Galena Capital Partners (GCP), submitted to staff a request to amend the application on August 21, 2020 to request one additional unit in the project, increasing the number of dwelling units from 30 to 31. The applicant requested this change upon further consideration of the viability of one three-bedroom unit versus two generous one-bedroom units. As noted in the applicant's request memo, there will be no changes to parking requirements, no increase in floor area, and no architectural changes as a result. However, additional open space is required as the KR/King Street retail zone requires 150 square feet of open space per dwelling unit, located either at ground level or on terraces and rooftops. The applicant has indicated that the proposed additional open space will be accommodated on the rooftop and staff notes that it is important that the project's ground-level open space also provide public access and benefit. Privatizing a portion of the pedestrian alley would likely result in the perception that the entire space was not publicly accessible. The staff report included a recommendation that the entire pedestrian alley on the east side be provided with a public access easement to provide a welcoming and accessible walkway to Downham Way and promote the viability of the retail-ready units fronting Downham Way; staff reaffirms that point with the request to add an additional unit and provide the associated required open space.

To accommodate this request, staff recommends an additional condition be added to Condition 12 – “Provide the following building refinements to the satisfaction of the Director of P&Z . . . :

c. The unit count may increase to 31 units subject to the applicant providing the required additional 150 square feet of open space as shown on the memo from the Applicant's attorney dated August 24, 2020, as well as satisfying any other requirements to ensure consistency with all applicable Zoning Ordinance regulations.”

### ATTACHMENT

1 – Memo from Galena Capital Partners requesting amendment, August 24, 2020



Mary Catherine Gibbs  
mcgibbs@wiregill.com  
703-836-5757

## MEMORANDUM

To: Catherine K. Miliaras, AICP  
From: Mary Catherine Gibbs and Bud Hart  
Re: Docket Item No. 16, 912-920 King St.  
Request for Additional Condition to Add Flexibility in Unit Count  
Date: August 24, 2020

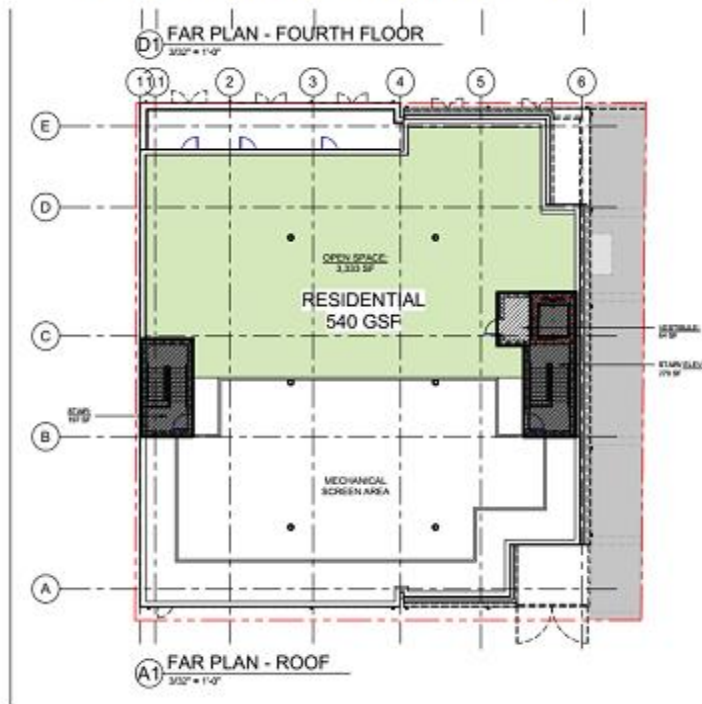
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As we discussed on our call today, Galena Capital Partners (GCP) has been looking at the large three-bedroom unit on the fourth floor of the King Street project (912-920 King St.) as that unit is simply too large and GCP believes would be prohibitively expensive. As such, GCP would like to change the large three-bedroom unit into two one-bedroom units. Due to some miscommunication, we had not discussed this issue before last Friday, August 21, 2020. The King Street project, DSUP #2019-00032, requested approval of a 30 unit building and this would add one unit to that number. There is no impact on the parking requirement (two one-bedroom units have the same parking requirement as one three-bedroom unit), there will be no increase in FAR and this will not change the architecture outside the buildings. There is an impact on the open space requirement as that requirement is based on number of units. As a result, GCP will add at least 150 square feet of open space on the roof top, increasing the rooftop open space there to 3,483 square feet to comply with the requirement of 4650 square feet of open space for the whole project. Please see the exhibits on the next page for how that will be accomplished.

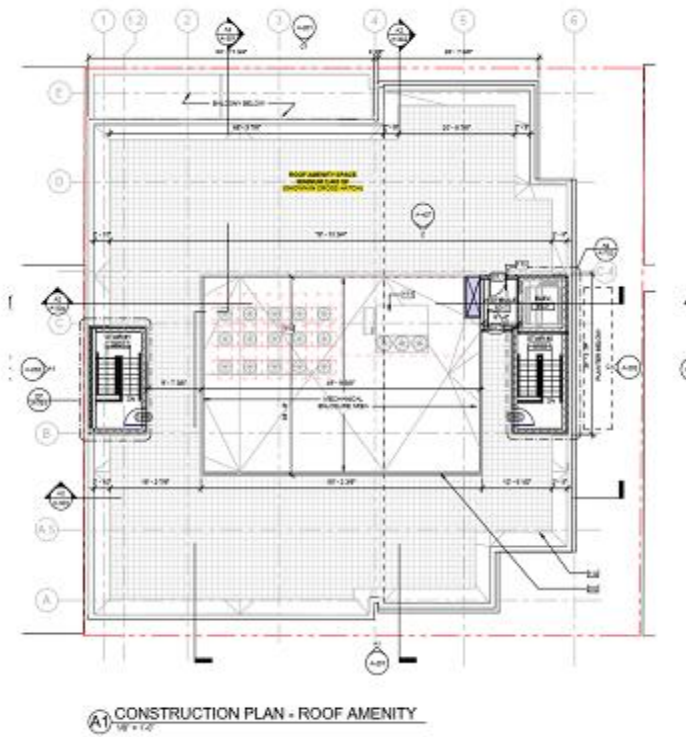
As a result, GCP would ask that an additional condition be added to Condition 12 – “Provide the following building refinements to the satisfaction of the Director of P&Z . . . : (c) The unit count may increase to 31 units subject to the Applicant providing the required additional 150 square feet of open space as shown on the memo from the Applicant’s attorney dated August 24, 2020.”



Roof Plan from 6/12/20 Verification Submission



Proposed Revised Roof Plan re: Unit Mix Change



**MEMORANDUM**

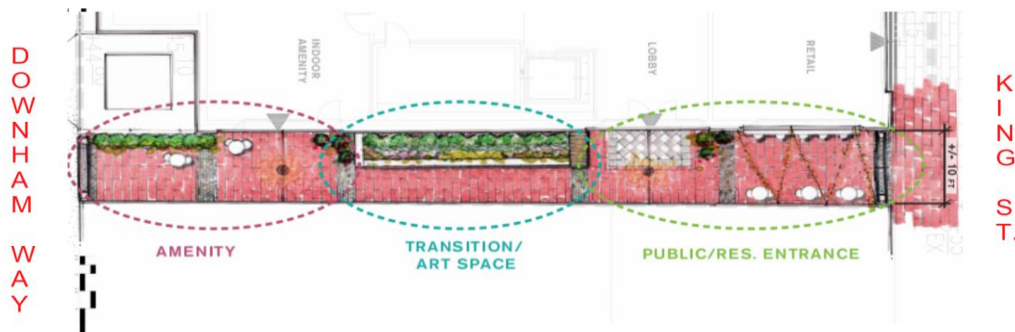
To: Chairman Nate Macek and Members of the Alexandria Planning Commission  
 c/o Karl Moritz, Director, Department of Planning & Zoning

From: Mary Catherine Gibbs and Bud Hart

Re: Docket Item No. 16, 912-920 King St., Request for Amendment to Condition 6(a)

Date: August 27, 2020

The Applicant requests that Condition 6(a) be amended as follows: “Provide public access easements to the following areas: . . . (a) The majority of the pedestrian alley from the King Street right-of-way to the southern property line.” The request is made so that a portion of the pedestrian alley, which is really more of a courtyard, can be reserved for the residents of the building just outside their amenity space on the first floor. As depicted below, approximately 2/3 of the courtyard would be open to the public. We firmly believe having a small portion of the courtyard for the residents of the building makes the most sense for several reasons.



First, the entrance to the first-floor lobby is off the front 1/3 of the courtyard. Access to the retail-ready spaces from the outside can also be achieved either off the lobby in the interior of the building or by following the same path one would to access Jenny's, or the Izalea spa on Patrick Street. Second, access to Downham Way is inappropriate at this location. The parking on Downham opposite the alley from our building is used by residents of the building fronting on Patrick, so the idea of a pedestrian using that alley to access Patrick Street (or Henry if desired) is established already.

Finally and most importantly, we do not want to encourage residents, their guests or retail patrons to use the alley to access Downham way in order to cross four lanes of S. Patrick Street to get to the parking structure. The jaywalking issue was a significant concern raised by senior City staff during our early design meetings with the City, and as such we intentionally placed our residential access to the building towards the front of the courtyard closer to King Street. As you are aware, there is significant northbound traffic on S. Patrick Street and we want to encourage residents, their guests and patrons of the retail to use the crossing at King Street where there is a stop light and pedestrian countdown signal in order to cross safely. For these reasons, we would like to keep a small portion of the 10-foot courtyard as private outdoor space for the residents of the building and ask that Condition No. 6 be revised as stated above.

## **RE: Implementation of Public Art Elements to Current Development Projects**

There are a slate of major development projects currently in various preliminary stages which have no public art elements implemented in their designs. Specific projects located near or in the King Street corridor area are of vital importance to the city and community as a whole.

The current projects scheduled for public hearings and debate before your commission are as follows:

- **912-920 King Street DSUP2019-00032:** *Redevelopment of City parking lot into development with 30 dwelling units and ground-floor commercial.*
- **116 S. Henry Street DSUP2019-00033:** *Redevelopment of City parking lot into development with 19 dwelling units, ground-floor commercial and 142-space automated parking garage.*

Public art instills meaning, a greater sense of identity and context of where we live, work, and visit, humanizing the built environment. The city of Alexandria has always recognized the value of these concepts and the arts as a whole. By ensuring all future developments truly represent the city and community they are built in, all of these designs in Old Town should support the creation and incorporation of public art elements. Promoting our cultural history and bolstering our artistic imprint is integral for this city to thrive, and so with each new development, we are all provided an unique opportunity to meet this meaningful goal.

As time moves forward and new developments are submitted for your review, we have a chance, piece-by-piece, section-by-section to create something unique, long-standing, and impactful to the city's future while retaining our unique history. At every single one of these opportunities, we must always try to add the "Old Town" imprint, or we risk losing our identity to a point where it's too late and can never be recovered.

The Alexandria Arts Alliance looks forward to working with the city, developers and designers in supporting the local arts, and stands ready to offer any support and guidance with this matter alongside the Office of the Arts and the Alexandria Commission for the Arts.

Best Regards,  
Alexandria Art Alliance

To: The Planning Commission Members

From: Ellen Mosher

Date: 8/29/20

Re: 9/1/20 Hearing  
DOCKET ITEM #16  
Development Special Use Permit #2019-00032  
Special Use Permit (Restaurant) #2020-00033  
Transportation Management Plan SUP #2020-00034  
912-920 King Street

---

Per the Residential Permit Parking for New Development Policy Approved by City Council June 13, 2017:

**POLICY**

Future residents of a development within an existing residential parking district with more than 10 units that is reviewed through an SUP, DSP or DSUP are **not eligible for obtaining a City issued residential parking permit when either of the following conditions exist:**

1.The average on-street parking occupancy is 85% or higher at the time of approval.

**2.More than 50%of the total occupied ground floor street frontage is a non-residential use.**

Since this development has more than 50% of the total occupied ground floor street frontage as non-residential use, then the residents are not eligible for residential parking permits.

Per this Policy, please ensure the DSUP notes:

- residents are not eligible for residential street parking permits
- residents must be made aware of this when they sign their lease or purchase documents.

Although this development is not in an existing residential parking district, the residents need to know they are not eligible for any residential parking permits. Please see attached copy of this policy.

## **Residential Permit Parking for New Development Policy**

*Approved by City Council June 13, 2017*

### **Purpose:**

This policy outlines when residents of new development should be ineligible to obtain residential parking permits.

### **Policy:**

Future residents of a development within an existing residential parking district with more than 10 units that is reviewed through an SUP, DSP or DSUP are not eligible for obtaining a City issued residential parking permit when either of the following conditions exist:

1. The average on-street parking occupancy is 85% or higher at the time of approval.
2. More than 50% of the total occupied ground floor street frontage is a non-residential use.

### **Additional Details:**

#### *Average On-Street Occupancy:*

- Average occupancy will be determined based on parking conditions surveyed prior to the development's review by Planning Commission and City Council (if an SUP or DSUP).
- Parking occupancies will be reviewed with the transportation study for the development during the assumed peak hour and day of the week for the area. Specific survey times and blocks to be surveyed will be determined during the transportation study scoping process.
- The average occupancy will be taken of the number of spaces occupied over the number of spaces surveyed for all applicable block faces within one block of the development. Along block faces without delineated parking spaces, the applicant will assume that a parking space to be approximately twenty (20) feet of curb length, and avoiding restricted areas (e.g. fire hydrants, proximity to intersections, etc.). The Director of T&ES or his/her designee may adjust block faces to be surveyed to address specific circumstances of the parking near the proposed development.

#### *Ground Floor Street Frontage:*

- The percentage of non-residential street frontage will be determined using the preliminary site plan.
- Non-occupied spaces such as garages and mechanical areas will not be included in the percentage.
- Residential lobbies shall count as residential frontage.

### **Application:**

At this time the City Code does not allow properties to be removed from a residential permit parking district as part of the development review process. However, staff plans to include this provision as part of the update to the City Code later this year and any developments meeting this criteria would then be removed from the district administratively. In the interim, any developments that are ineligible for residential parking permits will include language in the conditions of approval that restrict residents from obtaining permits until the Residential Permit Parking District Map is updated to remove the property from the district. If parking conditions

change or the building is modified, the affected residents may submit a petition pursuant to Section 5-8-75 to be considered for inclusion in an adjacent permit parking district.

RPP signage will not be permitted on block faces adjacent to the development. The development's SUP/DSP/DSUP conditions will require HOA documents and/or rental agreements to notify residents that they are not eligible for residential parking permits.

**Timeframe:**

Staff will review the effectiveness and impacts of this policy after at least five (5) years after implementation.

[EXTERNAL]912-920 King Street

Tom Rickert <tomgrickert@gmail.com>

Tue 9/1/2020 7:17 PM

To: PlanComm <PlanComm@alexandriava.gov>

You are removing a Public parking lot and adding density while asking for parking reductions? This makes no sense. The additional residences and commercial facilities will require MORE parking NOT LESS. Furthermore, I cannot touch my 19th Century building (within 100 feet of this Special Use Permit) without the City looking over my shoulder, and this proposed build in no way looks Historic. This is an aspirational - assumptive - and overreaching proposal. Please put my comments in the Public record.

Thank you,

--

**Tom Rickert**

**Coldwell Banker Residential Brokerage**

**NVAR Lifetime Top Producer Club**

**310 King Street Suite 100**

**Alexandria Virginia 22314**

**Office (703) 518-8300**

**Direct (703) 447-7901**

**TomGRickert@Gmail.com**



Virus-free. [www.avast.com](http://www.avast.com)

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**Docket Items 15 & 16, DSUP #2019-00032 and #2019-00033**  
**116 S. Henry St. & 912-920 King Street**  
**Planning Commission Public Hearing, September 1, 2020**



**Galena Capital Partners**  
**Mary Catherine Gibbs, Wire Gill, LLP**



# TEAM INTRODUCTION



- **Core Project Team/Alexandria Based:**
  - Galena Capital Partners, Developer
  - Winstanley Architects and Planners, Architect
  - RC Fields, Site Engineer
  - Wire Gill, Land Use Counsel
  - Artemel & Associates, Community Outreach

# SOLVING THE PARKING PUZZLE



# VIDEO DEMONSTRATION (if needed)

<https://www.youtube.com/watch?v=H6BQuuggpWWg>



# PERSPECTIVES



# 116 S HENRY STREET



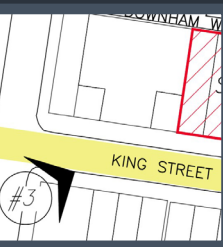


# 116 S HENRY STREET (Patrick St. View)





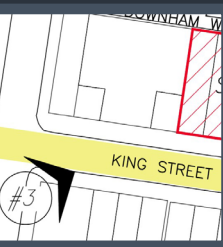
# 912-920 KING STREET





# POTENTIAL SIDEWALK PERSPECTIVE

KING ST.  
CONCEPT PERSPECTIVE

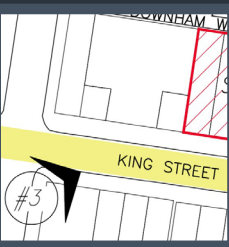




# PUBLIC BENEFITS

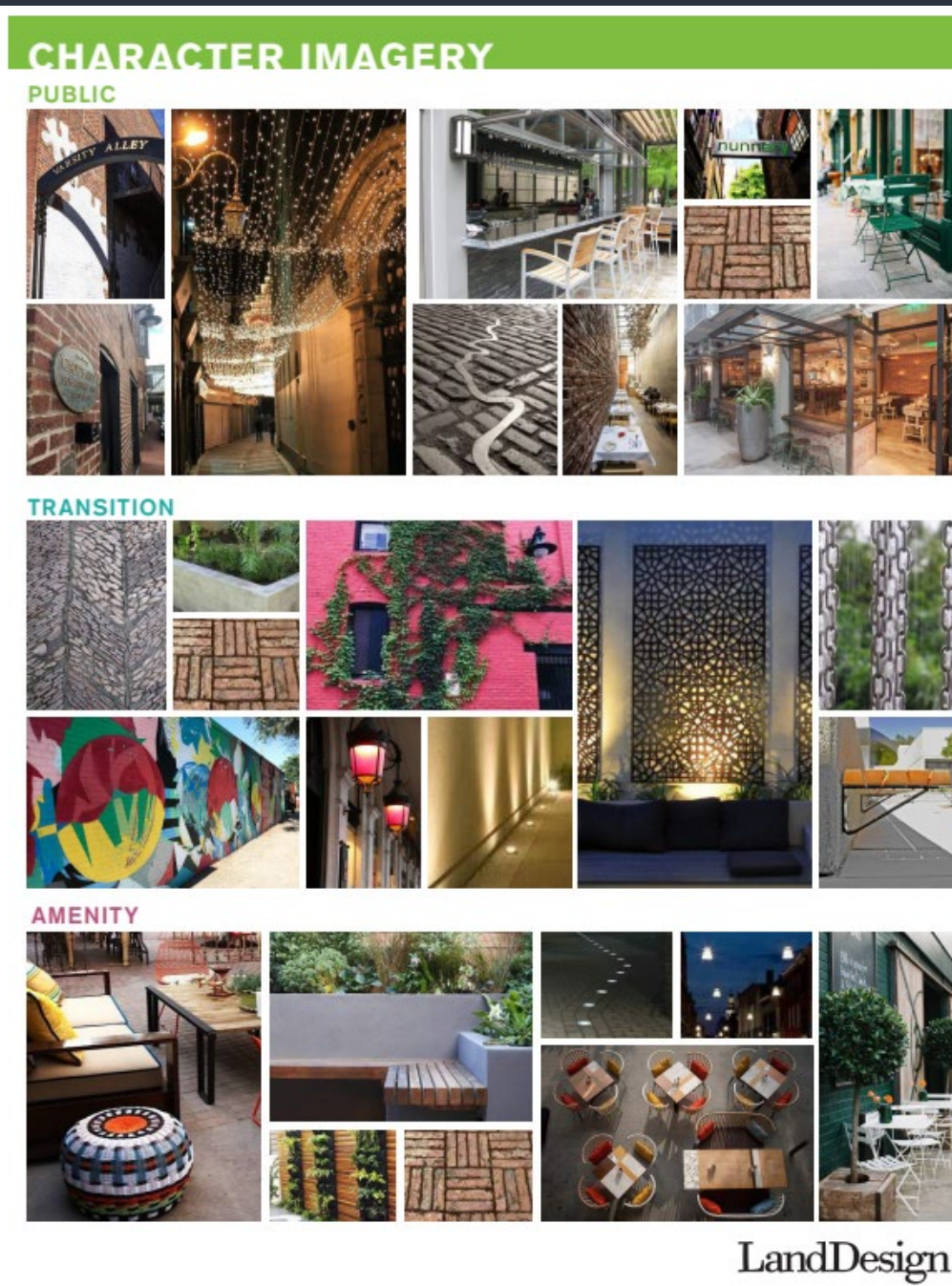
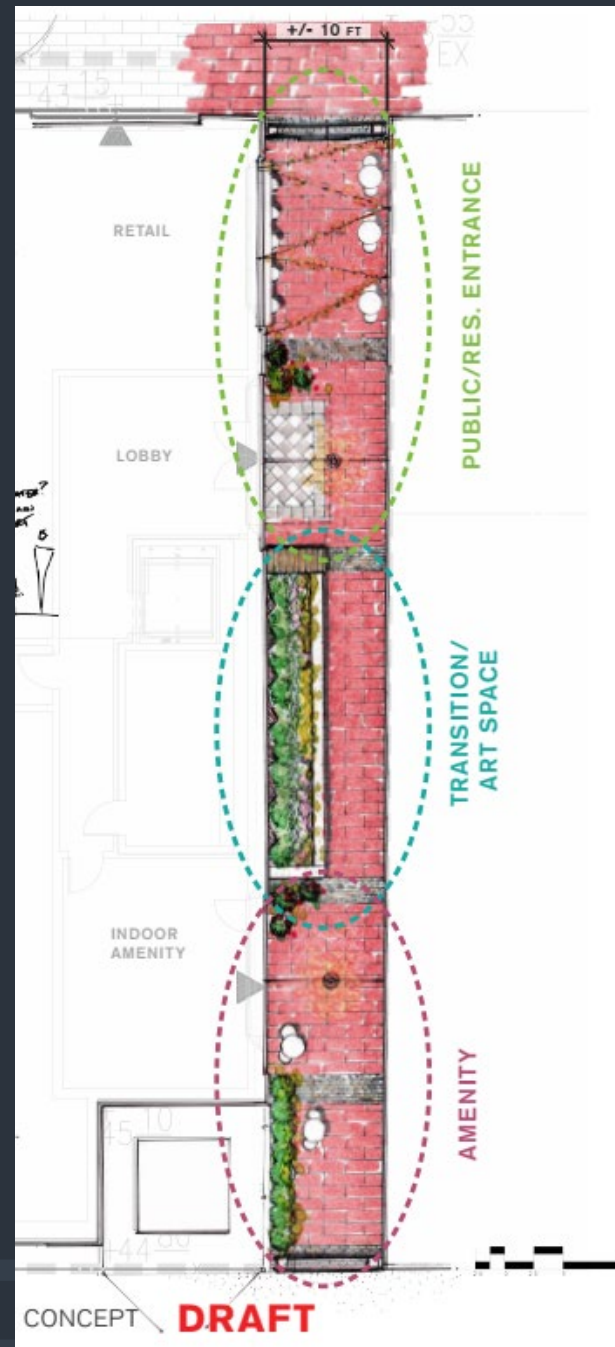


- Increased public parking to 85 public spaces.
- Construction is phased to deliver the automated system on Henry before King Street commences.
- Provides additional retail/residential to complete the neighborhood.
- Provides ground-level, public outdoor space on King Street.
- Affordable housing in accord with City policies
- Complies with Green Building Policy + seeks two Green Globes.
- High quality design and materials/BAR endorsement at concept and will need Certificate of Appropriateness.





# 912-920 King Street



- The lobby entrance is off the front 1/3 of the courtyard, and that is where patrons can access the retail ready spaces.
- The cobblestone portion of Downham way is to the east of this site.
- Nothing to access off of Downham Way that can't be accessed from a better location.
- Don't want to encourage anyone to use the alley to access Downham way in order to cross the four lanes of S. Patrick Street to get to the automated parking structure.







# 116 S Henry Street & 912-920 King Street

- In Agreement with Staff's Recommendations.
- Asking for One Addition to the Conditions as detailed in Memo dated 8/24/20; and
- Condition 6(a) be amended as follows: "Provide public access easements to the following areas: . . . .(a) The majority of the pedestrian alley from the King Street right-of-way to the southern property line."

# **116 S Henry Street & 912-920 King Street**

- **Request Your Recommendation of Approval for both projects.**
- **Questions?**

# 116 S Henry Street & 912-920 King Street

