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1-21-23



January 21, 2023

Subject: **Special Use Permit #2022-00092; 1225 King Street; Docket item #6**

Dear Mayor Wilson, Vice Mayor Jackson, and Members of the City Council:

Old Town Civic Association has several concerns and a request for the proposed commercial office to residential conversion of the upper stories of 1225 King Street.

Parking -

We request the Council amend the SUP to include the following condition:

Residents are not eligible for residential street parking permits because the property is not located within a residential parking permit district and are not eligible for a permit in a sub-district based on code requirements.

This condition was recommended by City staff and included by City Council in the approvals in 2020 for development of the City parking lots at 116 S. Henry Street and 912-920 King Street (Condition attached), two and three blocks to the east of this site.

In accordance with City parking 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."

And

"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."

As a practical matter, the existing parking currently provided at 1225 King will be committed to meet the 11 parking space requirement for the new upper story office to residential conversion units proposed. Therefore, commercial retail and office workers who drive and previously shared all the available parking spaces within the building will now be forced to park on the public street or private garages which are not highly available in the area and that charge parking rates that will likely motivate commercial tenants, workers or customers to park on the street.

Affordable Housing -

The \$9,236 one-time payment that I understand the affordable housing policy requires the applicant to pay, after subtracting a similar contribution made during original building construction, to gain approval of this commercial office to residential conversion seems wholly inadequate. That amount of money might cover some of the condominium fees for one year for a unit that Housing might provide as an affordable unit. If that is the case, it seems our policy is in need of review.

Open Space -

I realize that nothing can be done about open space, or the lack of it, at this point in time in this particular case. However, the lack of open space, and particularly ground level open space, required in commercial development in the City is unacceptable and deleterious to the community. As we have seen frequently of late, particularly in Old Town and the dense east side of the City, all or much of the commercial use in the City could convert to residential use. Staff, with guidance from the Planning Commission and City Council, has over the last decade or so reduced the total amount of open space required, as well as the amount of ground level open space, and allowed for more rooftop open space that can/could never achieve the quality of comparable landscaped ground level open space to meet even these reduced residential open space requirements. For instance, total open space has been reduced from 40% required under the CRMU zones, to 25% required under the new Residential Multifamily Zone. The amount of rooftop open space to meet this requirement increased from 10% to now 100% when we all know that rooftop open spaces and balconies cannot match the quality and environmental performance of vegetated ground level open space. This case highlights that instead of reducing open space requirements, our ordinance should be revised to begin requiring ground level open space with commercial development to benefit the community residents, visitors, and the environment and ecology of the city. Commercial development is no longer factories and warehouses where the City maximized commercial potential by eliminating all requirements to provide open space and landscaping. New commercial development is generally mixed use within buildings, and/or within mixed use blocks and neighborhoods that could and should all benefit from commercial development providing landscaped ground level open space, plazas and parks. Cities whose density Alexandria is beginning to rival, including New York and San Francisco, require such commercial open spaces that are privately owned but publicly accessible. We have some fine examples of that in Alexandria along the King Street corridor where building and complexes like the City Courthouse and Tavern Square during the City's urban renewal period, as well as King Street Station, and in more recent years the Lorien Hotel on the 1600 block of King. These projects all provide significant ground level open space that improves the community experience and lend themselves to the residential densification the City is undergoing.

Thank you for your consideration to add the Residential Parking Permit restriction notice to staff conditions for this case.

Sincerely,
Stephen Milone
President, Old Town Civic Association

DSUP#2019-00032
912-920 King Street

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 parking permit district and are not eligible for a permit in a sub-district based on code requirements. (P&Z) (T&ES) ***
(Underlined for emphasis)