

Docket Item # 6
BAR CASE # 2015-00247

BAR Meeting
September 2, 2015

ISSUE: Waiver of the rooftop mechanical screening requirement

APPLICANT: 113 S. West Street LLC

LOCATION: 113 S. West Street

ZONE: Commercial Downtown/CD

STAFF RECOMMENDATION

Staff recommends approval of a waiver of rooftop mechanical screening, with the condition that both units visible from the intersection of S. West and Prince streets be relocated to the center of the building so that they are in the least visible location, with final approval in the field by staff.

GENERAL NOTES TO THE APPLICANT

1. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a stamped copy of the Certificate of Appropriateness or Permit to Demolish PRIOR to applying for a building permit. Contact BAR Staff, Room 2100, City Hall, 703-746-3833, or preservation@alexandriava.gov for further information.
2. **APPEAL OF DECISION:** In accordance with the Zoning Ordinance, if the Board of Architectural Review denies or approves an application in whole or in part, the applicant or opponent may appeal the Board's decision to City Council on or before 14 days after the decision of the Board.
3. **COMPLIANCE WITH BAR POLICIES:** All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
4. **BUILDING PERMITS:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Building and Fire Code Administration (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-838-4360 for further information.
5. **EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.
6. **HISTORIC PROPERTY TAX CREDITS:** Applicants performing extensive, certified rehabilitations of historic properties may separately be eligible for state and/or federal tax credits. Consult with the Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.



BAR2015-00247



I. ISSUE

The applicant requests an after-the-fact approval for a waiver of screening for rooftop mechanical equipment at 113 S. West Street. The original application was for one small rooftop condenser unit, however, there is another large rooftop unit for which staff has not located any BAR approvals and staff recommends that the Board review this unit as part of the application as well to avoid any further violations of the zoning ordinance at this address.

So that the building tenants would not be without air conditioning in August, staff approved a mechanical permit for the new rooftop condenser unit on July 1, 2015 with the condition that the applicant apply to the BAR for an after-the-fact approval.

Both units are plainly visible from the intersection of S. West and Prince streets. The other two units are minimally visible from the intersection of King and S. West streets and Peyton Street, located west of the building.

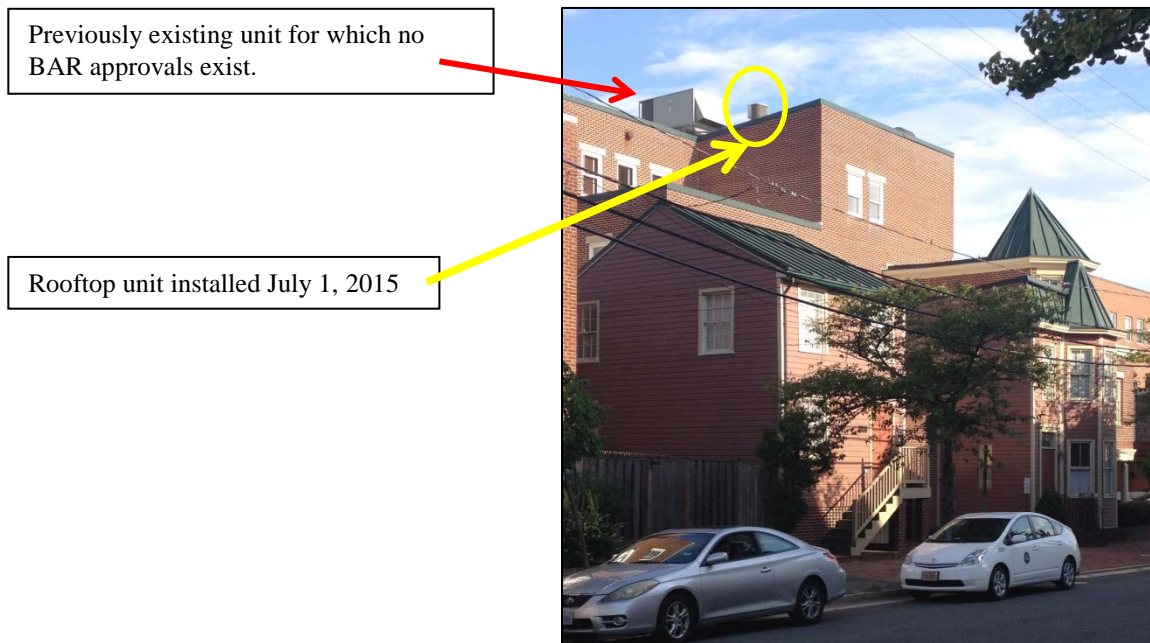


Figure 1: Photo looking northwest from the corner of Prince and South West streets

II. HISTORY

The building at 113 S. West Street was designed by Robert Byrnes and constructed circa **1989** (SIT#87-00042 and BAR#88-00016, 03/16/1988). Staff has since approved replacement windows for the building (BAR#2014-00240 and #2014- 00247). Staff has not located any BAR approvals for the rooftop mechanical equipment.

III. ANALYSIS



Figure 2: Aerial showing available rooftop space to relocate units so that they are less visible (left image) and visibility of existing units from Prince Street, looking east (right image).

The zoning ordinance requires that all rooftop mechanical equipment in the city be screened. The BAR's *Design Guidelines* further state that, to the extent possible, mechanical equipment should be hidden from view and integrated with the overall building design. Although the *Design Guidelines* recommend that visually prominent HVAC equipment be screened and painted in a way so that it does not detract from the building, the BAR does have the authority to grant a waiver of rooftop screening, should it find the screening to be more visually obtrusive than the unit itself, per §6-403(B)(3) of the zoning ordinance.

In this particular instance, staff believes there is ample room on the roof to relocate the two visible units closer to the center of the building. Because the other two units on the rooftop are minimally visible from a block away and looking across a parking lot, staff believes the relocated units would be only minimally visible and comply with the intent of the BAR Design Guidelines for HVAC and §6-403(B)(3) of the zoning ordinance. For these reasons, staff recommends approval of a waiver of the rooftop mechanical screening with the condition that the units be relocated as close to the center of the building as possible, with final approval by staff.

STAFF

Mary Catherine Collins, Historic Preservation Planner, Planning & Zoning
Al Cox, FAIA, Historic Preservation Manager, Planning & Zoning

IV. CITY DEPARTMENT COMMENTS

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

Zoning Comments

C-1 Proposed heat pump will comply with zoning if the waiver of screening is granted.

Code Administration

No comments provided

Transportation and Environmental Services

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition. (T&ES)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-3 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)
- F-2 If the alley located at the rear/side of the parcel is to be used at any point of the construction process the following will be required:
For a Public Alley - The applicant shall contact T&ES, Construction Management & Inspections at (703) 746-4035 to discuss any permits and accommodation requirements that will be required.
For a Private Alley - The applicant must provide proof, in the form of an affidavit at a minimum, from owner of the alley granting permission of use. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 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-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224) (T&ES)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

V. ATTACHMENTS

1 – Supplemental Materials

2 – Application for BAR2015-00247 : 113 S. West Street



Condensing Unit
being replaced



APPLICATION MATERIALS
BAR2015-00247
113 S West St
7/1/2015



ADDRESS OF PROJECT: 113 S. West St.TAX MAP AND PARCEL: 074.01-0D-00 ~~50121360~~ ZONING: B CDAPPLICATION FOR: *(Please check all that apply)*☐ CERTIFICATE OF APPROPRIATENESS☐ PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH
(Required if more than 25 square feet of a structure is to be demolished/impacted)☐ WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION
CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)☒ WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT
(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)Applicant: ☐ Property Owner ☒ Business *(Please provide business name & contact person)*Name: Permit Express: Leigh Dukatt/Kamal FaridAddress: 4000 Legato Rd. #1100City: Fairfax State: VA Zip: 22033Phone: 571-339-9499 E-mail: info@permit-express.comAuthorized Agent *(if applicable)*: ☐ Attorney ☐ Architect ☐ _____

Name: _____ Phone: _____

E-mail: _____

Legal Property Owner:

Name: 113 South West St. LLC.Address: 415 E. Cape Shores Dr.City: Lewes State: DE Zip: 19958

Phone: _____ E-mail: _____

- | | | |
|------------------------------|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Is there an historic preservation easement on this property? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | If yes, has the easement holder agreed to the proposed alterations? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Is there a homeowner's association for this property? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | If yes, has the homeowner's association approved the proposed alterations? |

If you answered yes to any of the above, please attach a copy of the letter approving the project.

NATURE OF PROPOSED WORK: *Please check all that apply*

- ☐ NEW CONSTRUCTION
☒ EXTERIOR ALTERATION: *Please check all that apply.*
 ☐ awning ☐ fence, gate or garden wall ☒ HVAC equipment ☐ shutters
 ☐ doors ☐ windows ☐ siding ☐ shed
 ☐ lighting ☐ pergola/trellis ☐ painting unpainted masonry
 ☐ other _____
☐ ADDITION
☐ DEMOLITION/ENCAPSULATION
☐ SIGNAGE

DESCRIPTION OF PROPOSED WORK: *Please describe the proposed work in detail (Additional pages may be attached).*

Replacement of small heat pump on roof. Carrier 25HCE430A003.
 30,000 k-BTU's. REQUEST FOR WAIVER

SUBMITTAL REQUIREMENTS:

Items listed below comprise the **minimum supporting materials** for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Electronic copies of submission materials should be submitted whenever possible.

Demolition/Encapsulation : *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- N/A
- ☐ ☐ Survey plat showing the extent of the proposed demolition/encapsulation.
☐ ☐ Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
☐ ☐ Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.
☐ ☐ Description of the reason for demolition/encapsulation.
☐ ☐ Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

Additions & New Construction: Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. All plans must be folded and collated into 3 complete 8 1/2" x 11" sets. Additional copies may be requested by staff for large-scale development projects or projects fronting Washington Street. Check N/A if an item in this section does not apply to your project.

- ☐ ☐ N/A
- ☐ ☐ Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted equipment.
- ☐ ☐ FAR & Open Space calculation form.
- ☐ ☐ Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- ☐ ☐ Existing elevations must be scaled and include dimensions.
- ☐ ☐ Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- ☐ ☐ Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- ☐ ☐ Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- ☐ ☐ For development site plan projects, a model showing mass relationships to adjacent properties and structures.

Signs & Awnings: One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.

- ☐ ☐ N/A
- ☐ ☐ Linear feet of building: Front: _____ Secondary front (if corner lot): _____.
- ☐ ☐ Square feet of existing signs to remain: _____.
- ☐ ☐ Photograph of building showing existing conditions.
- ☐ ☐ Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
- ☐ ☐ Location of sign (show exact location on building including the height above sidewalk).
- ☐ ☐ Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable).
- ☐ ☐ Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.

Alterations: Check N/A if an item in this section does not apply to your project.

- ☒ ☐ N/A
- ☒ ☐ Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- ☐ ☐ Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- ☐ ☐ Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- ☐ ☐ An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- ☐ ☐ Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

ALL APPLICATIONS: *Please read and check that you have read and understand the following items:*

- ☒ I have submitted a filing fee with this application. (Checks should be made payable to the City of Alexandria. Please contact staff for assistance in determining the appropriate fee.)
- ☒ I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- ☒ I, the applicant, or an authorized representative will be present at the public hearing.
- ☒ I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and 3 sets of revised materials.

The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:Signature: Leigh DukattPrinted Name: Leigh DukattDate: 7/1/15

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 ten 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. <i>Permit Express: Leigh Dukatt / Kamol Farid</i>	<i>4000 Legato Rd. #1100 Fairfax, VA 22033</i>	<i>100%</i>
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at *113 S. West St.* (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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. <i>113 South West St. LLC</i>	<i>415 E. Cape Shores Dr. Lewes, DE 19958</i>	<i>100%</i>
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is 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.

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. <i>113 South West St. LLC</i>	<i>415 E. Cape Shores Dr. Lewes, DE 19958</i>	<i>[Signature] N/A</i>
2.		
3.		

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

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

7/1/15
Date

Leigh Dukatt
Printed Name

Leigh Dukatt
Signature