



DOCKET ITEM #10
Development Special Use Permit #2015-0021
4213 and 4141 Duke Street – Taco Bell

Application	General Data	
Project Name: Taco Bell	PC Hearing:	January 5, 2017
	CC Hearing:	January 28, 2017
	Recommended DSUP Expiration:	January 28, 2020
	Plan Acreage:	18,238 SF (0.42 acres)
Location: 4213 and 4141 Duke Street	Zone:	CG / Commercial General and CC / Commercial Community
	Proposed Use:	Restaurant with outdoor dining and drive-through facility
Applicant: Taco Bell of America LLC	Small Area Plan:	Seminary Hill
	Historic District:	Not Applicable
	Green Building:	Compliance with the City's Green Building Policy

Purpose of Application

The applicant requests approval of a Development Special Use Permit to construct a new restaurant with outdoor dining and a drive-through window.

Application and Modifications Requested:

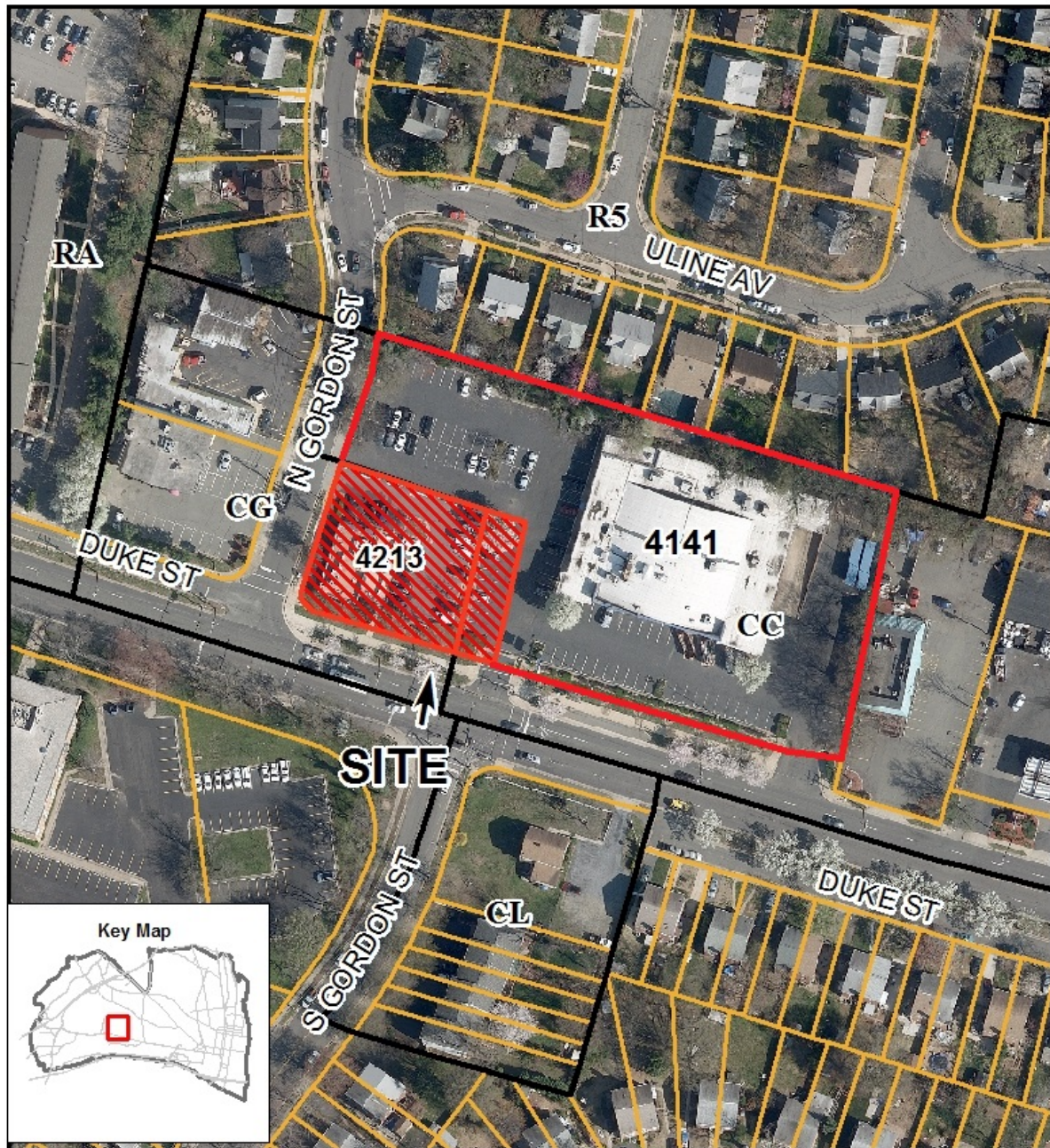
Development Special Use Permit to construct and operate a new restaurant, including:

1. Site Plan approval to construct the new restaurant building and improvements, with
 - a) Modification of the zone transition setback (front) and
 - b) Modification of the 75-foot setback from the centerline of Duke Street;
2. Special Use Permit for a restaurant use;
3. Special Use Permit for outdoor dining; and
4. Special Use Permit for drive-through facility.

Staff Recommendation: APPROVAL WITH CONDITIONS

Staff Reviewers:

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Nathan Randall, Urban Planner nathan.randall@alexandriava.gov



Development Special Use Permit #2015-0021
4213 & 4141 Duke Street



I. RECOMMENDATION & SUMMARY

Staff recommends **approval** of the request to construct a new Taco Bell restaurant at 4213 and 4141 Duke Street, subject to compliance with staff recommendations. The project involves the construction of a new building that features high-quality material finishes and a pedestrian-friendly site design. The restaurant proposal is appropriate for this site near other commercial uses and is consistent with the Seminary Hill Small Area Plan. The project offers several benefits, including:

- The installation of four high-visibility crosswalks that are requested by the community;
- Affordable housing (\$4,132) and public art (\$660) contributions;
- A new building consistent with the City's Green Building Policy; and
- New landscaping in the public right-of-way.

Key issues under consideration and discussed in greater detail in this report include:

- Site design, including the placement of the drive-through window, the orientation of the building toward adjacent streets and pedestrian connections;
- Building design, including façade materials;
- Loading/unloading of supplies; and
- Analysis of potential traffic issues.

II. BACKGROUND

A. Site Description / History

Although the site appears to be a single property with two buildings and a surface parking lot, it actually consists of one 15,231 square-foot parcel of land at 4213 Duke Street and a small portion (2,997 square feet) of the adjacent property at 4141 Duke Street. The combined 18,238 square-foot project site is owned by the same individuals through different corporate entities and has been leased jointly to the applicant. It is located at the northeastern corner of Duke and North Gordon Streets approximately a third of a mile east of Foxchase Shopping Center.

The 4213 Duke Street property, which comprises the majority of the site, currently contains a small, one-story commercial building with access from its half of a wide curb cut on North Gordon Street. Originally constructed in the mid-1970s, the building housed an Arthur Treacher's fast-food restaurant until approximately 2001. Since obtaining SUP approval in 2002, Enterprise Rent-A-Car has operated one of its franchises at the site and would close in connection with this proposal.

Although the 4141 Duke Street parcel abuts 4213 Duke Street to the north and east, the portion of that property within the Taco Bell project site is a strip of land located between the eastern property line of 4213 Duke Street and the drive-aisle leading to the western-most curb cut on Duke Street. It currently contains 10 surface parking spaces that would be removed.

The remaining portion of the 4141 Duke Street property not included in the Taco Bell project contains a one-story brick building and large parking lot accessed from two curb cuts on Duke Street and two curb cuts on North Gordon Street, one of which is a wide curb cut that continues onto the 4213 Duke Street property. The building included three tenants for many years, including Fuddrucker's Restaurant until approximately 2012. One year ago (January 2016), Special Use Permit approval was granted to Fresenius Medical Care to expand its already-existing dialysis center into the former restaurant space.

The project site is essentially flat, although grade rises north of the 4141 Duke Street property toward Uline Avenue. Street trees exist along both the Duke Street and North Gordon Street frontages of the site and a few mature trees are also located on the project site itself.

B. Site Context

The surrounding area is comprised of a mix of low-scale commercial uses, a utility use, and residential uses. In addition to the dialysis center, Los Toltecos Restaurant and a gas station are located to the east. A retail scuba shop, Verizon telephone offices, and two-family residences are located to the south across Duke Street. Tempo Restaurant, a dry cleaning business, and a laundromat are sited to the west across North Gordon Street, with multifamily residences located a short distance farther west. Beyond the dialysis center building and parking lot, single-family residences are located a short distance to the north along North Gordon Street and Uline Avenue.

In November 2012, the Transportation Master Plan, a City-wide chapter of the Alexandria Master Plan, was updated to establish Transit Corridor B, which is located immediately adjacent to the site along Duke Street. The Plan recommends that Transit Corridor B should include dedicated transit lanes in addition to automobile and bicycle lanes. No time frame has been set for construction to begin on this particular corridor.

III. PROJECT DESCRIPTION

A. Building & Site Proposal

The applicant proposes to demolish the existing building at the site and construct a new one-story, 2,200 square-foot fast-food restaurant with a drive-through window near the southwestern corner of the site. The rectangular building would have two customer entrances, one facing each street frontage, and would be clad primarily in a two-tone brick veneer with metal accents. Outdoor dining would be provided in a patio area located to the west of the new building near the intersection of Duke and North Gordon Streets.

Parking would be provided in the 15-space surface lot to the north of the building. No parking spaces at the 4141 Duke Street property would be used to satisfy the parking requirement for the restaurant. Vehicular access to the restaurant parking lot would be provided at the northern edge of the site via the curb cuts (on Duke and North Gordon Streets) for the adjacent property at 4141 Duke Street. This access arrangement represents a change from the existing circumstance given that the applicant proposes to close its portion of the wide existing curb cut on North Gordon

Street. Access and emergency vehicle easements would be provided on the 4141 Duke Street property in connection with the proposal.

The drive-through facility includes a drive-through window on the building, a vehicle queuing lane, a freestanding sign containing menu items, and speaker equipment. The drive-through window would be located on the north side of the building near the 15-space surface parking lot. The drive-through queuing lane forms a U-shape to the north of the building, beginning to the south of the parking lot entrance and ending just south of the parking lot exit. The lane, which is separate from the drive aisle for customer parking, contains space for up to seven vehicles.

All existing street trees and sidewalks along the Duke and North Gordon Street would remain in place. Although a few existing medium-sized trees on private property would be removed in connection with the request, the applicant does propose to install four oak trees at the site, with additional landscaping such as grasses and shrubs around the parking lot, on private property along the Duke Street frontage of the site and also within the public right-of-way, subject to special condition language.

B. Use Proposal

Within the new building, the applicant proposes to operate one of its well-known restaurants serving Tex-Mex-style fast food for dine-in, carry-out, and drive-through service. The restaurant would offer up to 44 indoor seats and 12 outdoor seats. With regard to hours of operation, the indoor dining hours are proposed for between 6 a.m. and 12 midnight daily, while outdoor dining hours would be limited to between 6 a.m. and 10 p.m. daily. Drive-through service would be offered 24 hours each day. No alcohol, live entertainment, or food delivery service are proposed. Trash and recycling would be stored within enclosed containers in a screened area at the northeastern corner of the site. Loading and unloading activities would occur in an area of the drive-aisle on the adjacent 4141 Duke Street property, immediately adjacent to the northern property line of 4213 Duke Street.

IV. ZONING

A. Zoning Discussion

The project site is split-zoned CG / Commercial General and CC / Commercial Community. The majority of the project site, including the location of the new restaurant building, is zoned CG / Commercial General. Only the portion of the site on the 4141 Duke Street property, including trash storage and a grassy area between the trash storage area and the building, is located on the portion of the project site zoned CC.

Pursuant to Section 4-403(J) and (Y) of the Zoning Ordinance, restaurants with outdoor dining and drive-through facilities require Special Use Permit (SUP) approval. Section 11-500 also discusses Special Use Permit approval standards.

Section 11-416 of the Zoning Ordinance provides for the potential modification of certain minimum zoning requirements as part of the DSUP approval, including the two requested in this application: 1) the special setback from the centerline of Duke Street (see Section 7-1006(B)) and 2) the zone transition front setback requirement, which is otherwise required at the project site given that the Verizon telephone building located directly across Duke Street is residentially zoned (see Section 7-902(B)).

B. Zoning Table

Property Addresses: 4213 and 4141 Duke Street Total Site Area: 15,241 square feet (4213 Duke Street) <u>2,997 square feet (portion of 4141 Duke Street)</u> <i>18,238 square feet (0.42 acres) total</i> Zone: CG / Commercial General and CC / Commercial Community Current Use: Automobile and trailer rental or sales area Proposed Use: Restaurant with outdoor dining and drive-through facility			
	Permitted / Required (CG zone)	Existing	Proposed
FAR	0.5	0.11	0.14*
Height	50 feet	12.5 feet	24 feet
Front Setback (N Gordon)	None	12.6 feet	20 feet
Front Setback (Duke)	25 feet (zone transition) 75 feet (from centerline of Duke Street)	20 feet (zone transition) 80 feet (from centerline)	<u>6 feet (zone transition)**</u> <u>66 feet (from centerline)**</u>
Side Setbacks	None	42 feet (north) 87 feet (east)	79.8 feet (north) 63 feet (east)
Parking	44 indoor seats + 12 exempt outdoor seats = 11 required spaces	20 spaces (4213 Duke) 10 spaces (4141 Duke)	15 spaces
Loading	None	None	One loading area on adjacent property

*FAR is calculated using only the 4213 Duke property.

** Modifications have been requested for these requirements.

V. STAFF ANALYSIS

Staff recommends approval of the request to construct a new Taco Bell restaurant at this location. The proposal is consistent with the Seminary Hill Small Area Plan and the Transportation Master Plan and represents the re-establishment of a restaurant use at a site that had previously hosted a restaurant for nearly 30 years.

A. *Consistency with Alexandria Master Plan*

The applicant's proposal for a restaurant with a drive-through window is consistent with the Seminary Hill Small Area Plan designation for the property. Generally speaking, the plan calls for the retention of commercial zoning for the immediate area around Duke and North Gordon, but at a reduced scaled compared to what was allowed in 1992 to allow for greater compatibility with nearby residential uses. In its specific recommendation for CG zoning at the 4213 Duke Street property, the Plan noted that such zoning would allow for low-density, low-scale, and automobile-centered uses similar to the restaurants that were already present nearby at the time.

The proposal is also consistent with early plans for a bus rapid transit corridor along Duke Street, which has been designated as part of "Transit Corridor B" in the 2012 update to the Transportation Master Plan. Preliminary concept designs for the bus rapid transit service, which is not expected to progress to more robust plans for several years and is subject to change, revealed that no new land dedications would be required along the proposed Taco Bell frontage to accommodate the expected additional travel lane(s). In discussions with the applicant to shift the new building footprint closer to the street, staff also ensured that adequate land area would remain in the public right-of-way for a possible bus rapid transit station on the eastern side of the project frontage. Both conclusions are drawn, in part, due to the noticeably wide right-of-way in front of the site, which does not contain a service road unlike the Duke Street frontages west of North Gordon Street. The Taco Bell proposal would not preclude the construction of the known major elements of the future bus rapid transit project near the project site.

B. *Site Plan Discussion*

Staff supports the applicant's site plan proposal for the new restaurant building and associated improvements. The new 2,200 square-foot building features a simple rectangular footprint and a one-story contemporary design. The applicant has proposed the use of two tones (brown and tan in color) of brick veneer for nearly all of the four building facades. Metal accent pieces designed to look like "slats" are proposed on the upper portion of the building. A vertical tower element proposed at the corner of the building closest to the corner of Duke and North Gordon Streets, would also be clad in metal. Staff believes these enhanced building finishes are positive elements of the proposal that elevate the overall building design compared to more typical fast-food restaurant locations. The applicant also agreed to staff's request to have two building entrances, one facing each street frontage, to better relate the building to its corner site.

The current site layout was achieved after considerable discussion between staff and the applicant regarding the location of the drive-through window and related features such as the queuing lane. Initially, the applicant proposed a drive-through window on the southern side of the building facing Duke Street. This arrangement would have included a deeper U-shaped queuing lane beginning on the northwestern side of the property, wrapping around the building between the building and Duke Street, and returning to the northeastern side of the property through the parking lot. Staff was concerned that such a drive-through window and queuing lane location would make pedestrian access to the restaurant unnecessarily difficult, and would emphasize activity in the parking lot rather than along building's street frontages.

The proposal in the preliminary plan represents the best possible location for the restaurant building, drive-through window and queuing lane, and parking lot. Although the narrow north-south dimension of the property has presented a design challenge that necessitates two setback modifications, the end result is an improved site layout. By relocating automobile-centered activities to the northern side of the building, the layout would offer a better streetscape and pedestrian experience along Duke Street and better pedestrian connections to the building. The proposed drive-through window would be farther away from single-family residences on Uline Avenue than the rear wall of the Enterprise building is today, and would continue to be separated from these residences by the western-most portion of the 4141 Duke Street parking lot, as well as a row of existing evergreen trees immediately north of that parking lot. The proposed layout also allows for an outdoor dining area to be located near the corner of Duke and North Gordon Streets, an ideal location for such seating that would not be possible under previous plans.

Staff supports other aspects of the site plan as well. The applicant proposes to eliminate its portion of the wide curb on North Gordon Street, which enhances pedestrian safety. With regard to landscaping, existing street trees would be preserved in place. The applicant also proposes plantings of grasses and shrubs along the Duke Street frontage of the site, including in the public right-of-way as requested by an adjacent civic association and subject to the inclusion of special condition language (Condition #6). A few existing medium-sized trees at the site that cannot be saved due to the proposed building location would be replaced with four new oak trees, which would result in a tree crown coverage of 33% at the site. The applicant has largely maximized landscaping opportunities at this small site and would exceed the 25% crown coverage requirement.

C. Special Use Permit Requests

As part of its Development Special Use Permit request, the applicant seeks Special Use Permit approval necessary for three elements of its operation: the restaurant use overall, outdoor dining at the restaurant, and the drive-through facility. The establishment of new drive-through restaurant uses in Alexandria has been infrequent in recent years, and restaurant uses have the potential for creating impacts on neighboring uses. However, staff concludes that the uses proposed here are reasonable and appropriate and would be consistent with SUP standards found in Section 11-500 of the Zoning Ordinance, including that the use should be “*designed and operated so as to avoid, minimize or mitigate any potentially adverse effects on the neighborhood as a whole or other properties in the vicinity.*” The proposed site is located among other commercial uses and has historically been used as a restaurant. Certain features present at other restaurants that can potentially create impacts in some instances, such as alcohol, live entertainment, and delivery service of food to customers, are not proposed here. The inclusion of several operational conditions in this report, most of which are standard for restaurant SUPs, should further mitigate the potential for negative impacts on the surrounding community.

One restaurant feature that staff, the applicant, and the community have discussed in particular is the proposed hours of operation. Initially, the applicant sought approval for 24-hour operation for both indoor and drive-through service. However, based on concerns from the nearby Wakefield-Tarleton Civic Association, the applicant subsequently amended its original request to provide different hours for indoor, outdoor, and drive-through service. The indoor dining hours of 6 a.m.

and 12 midnight daily that are now requested are typical operating hours for indoor seating at restaurants in Alexandria, while the earlier closing hour of 10 p.m. is also typical for outdoor dining and would mitigate potential noise impacts during late-night operations. Staff also finds the 24-hour drive-through hours to be acceptable given that any potential late-night impacts, such as noise and security issues, are significantly limited given that customers would only be able to purchase food through the drive-through window. In addition, staff has included standard Condition #41 in this report to require a security survey for the business and robbery readiness training for employees.

The two additional SUPs for outdoor dining and a drive-through facility are also reasonable for the proposed use. The location of the outdoor dining, adjacent to the corner of Duke and North Gordon Streets, is optimal and would help to enliven the pedestrian experience. The drive-through facility is well-designed and positioned in the best location. The provision of an outdoor loudspeaker for customer orders, which is a customary feature at drive-through restaurants, is not anticipated to create noise impacts given its distance from adjacent uses. Although standard condition language has been amended to clarify that the speaker would be allowed, Condition #35 would continue to prohibit amplified sounds such as the speaker from being audible past the project site.

Several additional conditions have been recommended in this report to address routine matters that could arise at restaurants with outdoor dining and drive-through facilities. Conditions #38 and #29 require the regular pick-up of litter around the site and the proper storage of trash and recyclables. Condition #31 prohibits cooking odors from becoming a nuisance. The promotion of public transportation options for employees (Condition #37) and regular employee training regarding SUP provisions (Condition #25) have also been recommended. Staff has recommended a standard one-year review condition as well (Condition #42).

D. Modification Requests

Staff supports the request for two site plan modifications to Zoning Ordinance requirements for the 25-foot zone transition setback and the special 75-foot setback from the centerline of Duke Street. The proposal meets the three review criteria for modifications pursuant to Section 11-416 as noted below.

1. Such modifications are necessary or desirable to good site development.

The requested setback modifications are strongly desirable for good site development. Siting the new building closer to the front property line along Duke Street than would ordinarily be allowed yields two major improvements to the site layout. The first positive result is that a shorter front yard setback helps to create a “street wall” effect along Duke Street, consistent with pedestrian-friendly and transit-oriented urban design principles. Second, the reduced setback would allow for the drive-through operations to be located behind the building on this relatively narrow property. In this proposal the automobile-centric activities would be relocated from the front of the building and pedestrian connections would be enhanced.

2. *Specific and identified features of the site design make up for those impacts otherwise protected by the regulations for which modification is sought.*

The special 75-foot setback and 25-foot zone transition setback are intended to, respectively, allow for adequate provision of sidewalks and roadway width along certain streets and to mitigate potential impacts from commercial uses on immediately adjacent residentially-zoned land. The applicant has demonstrated that the siting of the building six feet closer to the Duke Street centerline – which is only a modest difference, particularly given that the right-of-way is much wider here than the current curb line might suggest – would not negatively impact the future construction of bus rapid transit enhancements planned for the future along Duke Street. The existing sidewalks and street trees would also remain in their current location under this proposal. With regard to potential impacts on residentially-zoned property across the street, the reduced zone transition setback may reduce potential impacts because the drive-through operations and the surface parking lot would be located slightly farther away from the residentially-zoned property across Duke Street. Due to narrow property dimensions, it would not be possible to construct the drive-through along the north side of the building while still meeting the zone transition setback. The applicant also proposes to plant grasses and shrubs in the public right-of-way between the restaurant building and the street.

3. *Such modifications will not be detrimental to neighboring property or to the public health, safety and welfare.*

The requested setback modifications would not be detrimental to neighboring property or to the public health, safety or welfare. The slight decrease in the setback from the centerline of Duke Street would still maintain existing street trees and sidewalks and allow anticipated future transit improvements along the frontage of the project site. The decrease in the zone transition setback would allow for a more pedestrian-friendly design that shifts automobile-centric elements of the use to a location adjacent to an existing parking lot. It should also be noted that the residentially-zoned property immediately across Duke Street from this site is presently a Verizon telephone office rather than a residential use.

E. Parking and Loading/Unloading

According to Section 8-200(A)(8) of the Zoning Ordinance, a restaurant with 44 indoor seats and 12 outdoor seats is required to provide a minimum of 11 off-street parking spaces. Since it does not exceed the 20-seat limit, the outdoor dining is exempt from off-street parking requirements as provided for in the Ordinance. The applicant exceeds the 11-space requirement by providing a total of 15 standard-sized, off-street parking spaces, one of which would be a handicapped space. The four additional spaces provided here beyond the minimum requirement are helpful to capture any potential overflow parking needs from spilling over to nearby residential streets.

Given its small size, the proposed new restaurant is not required to provide an off-street loading space (Section 8-200(B)(2)). Nonetheless, the applicant is providing a loading area in the parking lot of 4141 Duke Street, immediately adjacent to the northern property line of 4213 Duke Street. Staff believes that this location will be adequate for the loading and unloading of restaurant supplies from trucks. It has also worked with the applicant regarding revised turning movements

and the use of a smaller delivery truck compared to those shown on the preliminary plan in order to eliminate potential points of conflict. These revised turning movements would need to be shown on the final site plan consistent with the illustration in Appendix A attached to this report (or other turning movements acceptable to the Directors of Planning & Zoning and Transportation & Environmental Services) and, as stated in Condition #40, delivery trucks serving the site could be no larger than the “WB-40” tractor trailer size. The applicant and staff also agree that supply deliveries would not occur on either the Duke or North Gordon Street rights-of-way, which could interrupt the flow of traffic on these streets. Staff has reinforced the applicant’s intentions by prohibiting on-street loading in Condition #39.

F. Traffic

To assess the potential for traffic impacts from the proposed use, Wells and Associates performed and staff reviewed a traffic impact study for the Taco Bell site. The proposed conversion of a rental car facility into a Taco Bell is projected to increase site generated trips as shown in Table 1 below. The traffic projections assumed a 50 percent reduction in site generated trips to account for pass-by trips. Pass-by trips are customers that drove past the site in route to another destination and stopped by the restaurant to make a purchase. Future background traffic was calculated using a growth factor of 0.5 percent per year compounded annually. In addition, the traffic generated by the following pipeline developments was added to future traffic projections: 1) Aldi Supermarket, 4600 Duke Street; 2) the Patrick Henry School and Recreation Center expansion, 4643 Taney Avenue; and, 3) Fresenius Dialysis Center, 4141 Duke Street.

Table 1: Vehicle Trips Generated by Site

	AM Peak	PM Peak	Sat. Peak	Daily
Existing	17	22	22	518
Proposed	51	36	65	1,579
Net Trips	34	14	43	1,061

The study further indicates that, despite the traffic increases, the proposed project would have minimal impacts on roadways in the vicinity. At all intersections studied, the level of service would virtually remain the same under the Taco Bell proposal as compared today. Tables 2A, 2B and 2C in Appendix B attached to this report indicate no changes in the overall level of service at several nearby intersections during the morning peak, evening peak, and Saturday peak hours. It should be noted, however, that one change in the level of service could occur at one approach of one intersection on a very occasional basis. The southbound North Gordon Street approach to Duke Street would drop from a Level of Service (LOS) D to E and the length of the vehicle queue could reach 125 feet an estimated 5% of the time during the Saturday peak only. The queue itself, at about five cars, is not excessive but it could block ingress and egress to the site via the southernmost curb cut at 4141 Duke. It is also possible that the same site entrance could be blocked occasionally, estimated to be less than 5% of the time, during the evening peak. These instances would be rare, however, and can be mitigated with the use of the northernmost entrance/exit at 4141 Duke. They do not change the overall conclusion in the traffic impact study indicating that traffic would have minimal impacts on the surrounding roads.

G. Consistency with City Policies

The proposal is consistent with City policies regarding affordable housing, public art, and green buildings. The applicant has agreed to provide a voluntary affordable housing contribution of \$4,132 pursuant to the City's 2016 Procedures Regarding Affordable Housing Contributions. A small public art contribution (estimated to be approximately \$660) would be provided consistent with the City's Public Art Policy. The applicant would also comply with the City's Green Building Policy, adopted in April 2009, for the new restaurant building. The Policy has established that non-residential buildings should achieve Leadership in Energy and Environmental Design (LEED) Silver Certification from the United States Green Building Council (USGBC), or equivalent.

VI. COMMUNITY

The applicant has discussed the project with three neighborhood groups. At its October 19th meeting, the Wakefield-Tarleton Civic Association noted several positive aspects of the proposal, including the installation of high-visibility crosswalks. It also requested a minor landscaping change and expressed concern about the then-proposed 24-hour operation of the entire restaurant. It suggested different hours for indoor, outdoor, and drive-through seating, which the applicant agreed to and incorporated into the current request. The Wakefield-Tarleton Civic Association ultimately provided a letter of support for the proposal (see attached).

The applicant also met on December 14th with a group of neighbors residing to the north of the project site in the vicinity of Uline Avenue. Group members, many of whom identify as representing the Strawberry Hill neighborhood, expressed strong concerns at the meeting that they were not notified of the project until late November. Staff looked into the matter and verified that the group does not exist as an organized civic association according to the City's list, which was updated with the Federation of Civic Associations last year. The neighborhood in question has been identified on the City's Community Outreach Map Viewer as being part of the Seminary Ridge Civic Association. That association received contact from the applicant within the typical timeframe and no objections were raised about the project nor was any indication given that Seminary Ridge considers the Strawberry Hill neighborhood to be outside of their association's boundaries. Also, one of the Strawberry Hill group's facilitators communicated via email with City staff about the Taco Bell project in late August and early September and did not raise concerns at that time. Once this same individual expressed concerns to staff and to the applicant in late November, a meeting with Strawberry Hill neighbors was scheduled.

In addition to questions about outreach efforts, the majority of the attendees of the December 14th meeting expressed opposition to the Taco Bell project. Several concerns were noted, such as traffic and the narrowness of North Gordon Street, the impact of the project on property values, on-street parking enforcement, the need for more parking for the use, the drive-through use and its 24-hour operation, related noise concerns, and safety issues and loitering - including within the outdoor dining area. As of December 21st, staff has received a few emails about the project from these neighbors and has included those emails within the staff report package. Staff has discussed in this report many of the issues raised in the meeting, such as traffic (Section V, Subsection F on Page 10), parking (Section V, Subsection E on Page 9-10), the 24-hour drive-through use and related

noise and safety concerns (Section V, Subsection C on Page 7-8). Also, the applicant is exploring additional potential measures in response to neighborhood concerns.

The property has also been posted with public notice signs announcing the proposal. In addition, notification will be sent to all adjacent property owners with information about the proposal, hearing dates and contact information. Staff will also present the request to the Federation of Civic Associations at its January 3, 2017 meeting.

VII. CONCLUSION

In conclusion, staff recommends **approval** of the requested Development Special Use Permit to construct a new restaurant building with outdoor dining and a drive-through facility, subject to compliance with all applicable codes and the staff recommendations contained in Section IX of this report.

Staff: Robert M. Kerns, AICP, Chief of Development
Maya Contreras, Principal Planner, Development
Nathan Randall, Urban Planner, Development

VIII. GRAPHICS

Figure 1: Duke Street Elevation (South)



Figure 2: Corner of Duke and North Gordon Streets (Southwest)



Figure 3: Drive-Through Elevation (North)



Figure 4: Site Plan



Figure 5: Existing Site



IX. STAFF RECOMMENDATIONS

1. The Final Site Plan shall be in substantial conformance with the preliminary plan dated November 9, 2016 and comply with the following conditions of approval.

A. PEDESTRIAN/STREETSCAPE:

2. 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) Install ADA accessible pedestrian crossings serving the site.
 - c) Construct all concrete sidewalks to City standards. The minimum unobstructed width of newly constructed sidewalks shall be 6 feet.
 - d) Sidewalks shall be flush across the driveway shown on N. Gordon Street.
 - e) Provide truncated domes to retrofit existing ramps associated with the four improved crosswalks shown on the preliminary plan.
 - f) Provide thermoplastic pedestrian crosswalks at all crossings at the proposed development, which must be designed to the satisfaction of the Director of T&ES.
 - g) All new or updated crosswalks shown on the preliminary plan shall be high visibility crosswalks. All other crosswalk treatments must be approved by the Director of T&ES.
 - h) 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 so as to minimize any potential visible impacts.*** (P&Z)(T&ES)

B. PUBLIC ART:

3. 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, and shall be provided prior to the issuance of the first Certificate of Occupancy. In the event public art is provided on-site, the public art shall be of an equivalent value. (RP&CA)(P&Z) ***

C. OPEN SPACE/LANDSCAPING:

4. Provide material, finishes, and architectural details for all retaining walls, seat walls, decorative walls, dumpster screening, all other screen walls, outdoor dining fencing, and all other fencing. 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) *

5. In place of the four pin oak trees shown on the preliminary plan, depict on the final site plan and install at the site four willow oak, four northern red oak, or four other oak species to the satisfaction of the Director of Planning and Zoning. (P&Z) *
6. The applicant shall install the grasses/shrubs within the public right-of-way as shown on the preliminary site plan to the satisfaction of the Directors of Planning & Zoning and Recreation, Parks and Cultural Activities. The applicant shall maintain these plantings in perpetuity or until such time that the applicant receives approval from the Directors, following a written request, that such landscaping in the public right-of-way may be removed and replaced with ground cover. Maintenance of these plantings shall include, but not be limited to, pruning, watering, pest control, and removal and replacement of grass/shrubs as necessary.* (P&Z)(RP&CA)

D. TREE PROTECTION AND PRESERVATION:

7. Provide, implement and follow a tree conservation and protection program that is developed per the City of Alexandria Landscape Guidelines and to the satisfaction of the Director of P&Z. (P&Z)
8. A fine shall be paid by the applicant in an amount not to exceed \$10,000 for each destroyed tree with at least a 10-inch caliper that is not identified "to be removed" (TBR) on the Preliminary Plan, and/or the City may request that replacement trees of similar caliper and species be provided for damaged trees if the approved tree protection methods have not been followed. The replacement trees shall be installed and if applicable the fine shall be paid prior to the issuance of the last certificate of occupancy permit. *** (P&Z)(RP&CA)
9. The area of the limits of disturbance and clearing for the site shall be limited to the areas as generally depicted on the preliminary site plan dated November 9, 2016. (P&Z)(RP&CA)

E. BUILDING:

10. Per the City's Green Building Policy adopted April 18, 2009, achieve a green building certification level of LEED Silver / Equivalent to the satisfaction of the Directors of P&Z, and/or RP&CA and T&ES. Diligent pursuance and achievement of this certification 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 LEED Silver Certification from USGBC (or equivalent) within two (2) years of obtaining a final certificate of occupancy.

- e) Failure to achieve LEED Silver (or equivalent) for the commercial project 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. (P&Z)(T&ES)
- 11. 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)
- 12. 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 [Http://www.epa.gov/WaterSense/pp/index.htm](http://www.epa.gov/WaterSense/pp/index.htm). (T&ES)
- F. RESTAURANT/DRIVE-THROUGH USES:**
- 13. The Development Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
- 14. The maximum number of indoor seats shall be 44 and the maximum number of outdoor seats shall be 12. (P&Z)
- 15. The hours of operation for indoor seating shall be 6 a.m. to 12 midnight daily. Meals ordered before 12 midnight for indoor consumption may be served, but no new patrons may be admitted and all patrons must leave by 1 a.m. daily. (P&Z)
- 16. Only drive-through service may operate at the restaurant 24 hours each day.
- 17. The hours of operation for outdoor seating shall be 6 a.m. to 10 p.m., daily. Outdoor dining shall be closed and cleared of all customers by 10:00 p.m. daily. (P&Z)
- 18. The outdoor dining area shall be cleaned and washed at the close of each business day that it is in use. (P&Z)
- 19. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
- 20. A minimum clearance of five feet shall be maintained at all times between the main restaurant entrance and the outdoor dining area, to the satisfaction of the Director of Planning & Zoning, in order to allow unrestricted pedestrian access for customers between the restaurant and its parking lot. (P&Z)
- 21. No alcohol service shall be permitted at the restaurant. (P&Z)

22. Delivery of food to customers may not operate from the restaurant. (P&Z)
23. Live entertainment is not permitted at the restaurant. (P&Z)
24. Food, beverages, or other material shall not be stored outside. (P&Z)
25. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
26. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
27. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
28. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
29. 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)
30. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
31. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
32. No material may be disposed of by venting into the atmosphere. (T&ES)
33. 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)
34. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
35. The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, except those proposed for the drive through, and no amplified sounds shall be audible at the property line. (T&ES)

36. The applicant shall require its employees who drive to use off-street parking. (T&ES)
37. 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 for information on establishing an employee transportation benefits program. (T&ES)
38. 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)
39. Loading or unloading for the project shall not be permitted from the right of way on Duke Street or North Gordon Street. (P&Z) (T&ES)
40. The largest vehicle permitted to service the site shall be WB-40. (T&ES)
41. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a security assessment for the business and robbery readiness training for all employees. (P&Z)
42. The Director of Planning and Zoning shall review the Development Special Use Permit after it has been operational for one 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)

G. SIGNAGE:

43. The building signs shall be designed to relate in material, color and scale to the building and the tenant bay on which the sign is displayed to the satisfaction of the Director of P&Z.
 - a) The building signs shall be designed of high quality materials.
 - b) Installation of building mounted signage shall not damage the building and signage shall comply with all applicable codes and ordinances. (P&Z)
44. Pursuant to Zoning Ordinance requirements, no wall signs shall be located more than 20 feet above average finished grade. All signage shall be depicted on the final site plan as being consistent with this requirement.
45. Internally illuminated box signs are prohibited. (P&Z)

46. A freestanding monument sign shall be limited to a maximum height of six feet above grade to the top of the sign and shall be setback at least ten feet from the front lot line. Sign design shall comply with ZO Section 9-102(Y) & the base of the monument sign will be counted towards sign area, per ZO Section 9-106(C). Adjacent plantings should be coordinated with the proposed sign. * (P&Z)
47. Install a temporary informational sign as required by Section 11-303(D) of the Zoning Ordinance on the site prior to the approval of the Final Site Plan for the project. The sign shall be displayed until construction is complete or replaced with a temporary sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project.* (P&Z)(T&ES)

H. HOUSING:

48. Monetary Contribution Condition: A voluntary contribution of \$4,132 to the Housing Trust Fund is consistent with the conclusions of the Developer Housing Contribution Work Group, accepted by the Alexandria City Council in December 2013.

I. PARKING:

49. Provide a minimum of 3 bicycle parking space(s) 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. 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)
50. The design and allocation of parking shall be subject to the following to the satisfaction of the directors of P&Z, T&ES, and Code Administration:
 - a) All parked vehicles shall be prohibited from encroaching on the proposed streets, drive aisles, pedestrian walkways, or emergency vehicle easements, and all purchasers shall be notified of this prohibition. (P&Z)(T&ES)(Code Administration)
51. Provide a minimum of fifteen (15) on-site parking spaces for the restaurant use. If the applicant reduces the maximum number of indoor seats at the site, the number of parking spaces may be reduced commensurate with Zoning Ordinance requirements to the satisfaction of the Directors of Planning & Zoning and Transportation. (P&Z)(T&ES)

J. SITE PLAN:

52. 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 36 months after initial approval and such construction is thereafter pursued with due diligence. The applicant shall provide a written status report to staff 18

months after initial approval to update the City Council on the project status if substantial construction has not commenced at such time. (P&Z)

53. Submit the plat with all applicable easements and/or dedications prior to or concurrently with the Final Site Plan submission. The plat(s) shall be approved prior to release of the Final Site Plan.* (P&Z)(T&ES)
54. The plat shall be recorded and a copy of the recorded plat and deeds shall be submitted with the first request for a building permit. ** (P&Z)(T&ES)
55. 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) Above grade utilities shall not be located in dedicated open space areas and/or tree wells.
 - d) All utilities shall be screened from the public ROW to the satisfaction of the Director of P&Z. (P&Z)(T&ES)(BAR)
56. 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 street lights 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) All proposed cobra head light fixtures in the City right of way shall be approved Dominion LED light fixtures.
 - e) Manufacturer's specifications and details for all proposed fixtures including site, landscape, pedestrian, sign(s) and security lighting.
 - f) A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing street lights 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 street lights and site lights.
 - g) Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and street lights to minimize light spill into adjacent residential areas.

- h) Provide location of conduit routing between site lighting fixtures so as to avoid conflicts with street trees.
 - i) Detail information indicating proposed light pole and footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view.
 - 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 at the development site to prevent light spill onto adjacent properties. * (P&Z)(T&ES)(Police)(BAR)
57. 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 and layers are correctly located and will connect.* (P&Z)(DPI)

K. CONSTRUCTION MANAGEMENT:

58. Submit a construction phasing plan to the satisfaction of the Director of T&ES, for review, approval and partial release of Erosion and Sediment Control for the Final Site Plan. All the requirements of Article XIII Environmental Management Ordinance for quality improvement, quantity control, and the development of Storm Water Pollution Prevention Plan (SWPPP) must be complied with prior to the partial release of the site plan.* (T&ES)
59. 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) 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.
 - b) Include an overall proposed schedule for construction;
 - c) Include references to appropriate details and standards for temporary pedestrian circulation;
 - d) Include references to appropriate details and standards to be used in the development of Maintenance of Traffic Plans (MOT) that will be required for right of way permits, to include references for proposed controls for traffic movement, lane closures, construction entrances and storage of materials.
 - e) Copies of the MOT(s) approved for the right of way permits shall be posted in the construction trailer and given to each subcontractor before they commence work. (P&Z)(T&ES)
60. Provide off-street parking for all construction workers without charge to the construction workers. Construction workers shall not be permitted to park on-street. 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 the course of 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)
61. The sidewalks shall remain open during construction or pedestrian access shall be maintained to the satisfaction of the Director of T&ES throughout the construction of the project. (T&ES)
62. No major construction staging shall be allowed within the public right-of-way on Duke Street or N. Gordon Street. The applicant shall meet with T&ES to discuss construction staging activities prior to release of any permits for ground disturbing activities. ** (T&ES)
63. 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)
64. 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)
65. 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. Adjoining property owners, civic associations, and 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)
66. 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)

67. 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. (T&ES)
68. 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)
69. Contractors shall not cause or permit commercial vehicles to idle for more than 10 minutes when parked. (T&ES)
70. 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)

L. WASTEWATER / SANITARY SEWERS:

71. The applicant shall submit a letter to the Director of Transportation & Environmental Services prior to release of the Final Site Plan acknowledging that this property will participate, if the City adopts a plan prior to release of the building permit, to require equal and proportionate participation in an improvements plan to mitigate wet weather surcharging in the Holmes Run Trunk Sewer sanitary sewer shed. (T&ES)
72. An oil and grease separator shall be installed and the applicant shall submit two originals of the Oil and Grease separator Maintenance Agreement with the City with the final site 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)
73. The sewer connection fee must be paid prior to release of the site plan.* (T&ES)

M. SOLID WASTE:

74. Provide \$896 per receptacle to the Director of T&ES for purchase and installation of one (1) Victor Stanley Ironsites Series model SD-42 receptacle with Dome Lid dedicated to trash collection. The receptacle shall be placed in the public right of way. Receptacle shall be generally located along the property frontage as approved by the Director of T&ES. Payment required prior to release of Final Site Plan.* (T&ES)
75. Provide \$996 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 dedicated to recycling collection. The receptacle shall be placed in the public right of way. Receptacle shall be generally located along the property frontage as approved by the Director of T&ES. Payment required prior to release of Final Site Plan. (T&ES)

N. STREETS / TRAFFIC:

76. Preferably a separation of 150', with a minimum of 100' between the beginning of street corner radius and any driveway apron radius shall be maintained on arterial and collector roadways; however, a minimum of 30 feet separation between beginning of street corner radius and any driveway apron radius shall be maintained on residential streets. Additional curb cuts are not recommended since these will impede traffic flow. (T&ES)
77. 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)
78. A pre-construction walk/survey of the site shall occur with Transportation and Environmental Services Construction & Inspection staff to document existing conditions prior to any land disturbing activities. (T&ES)
79. Depict on the final site plan turning movements of standard vehicles in the parking lots and turning movements of the largest delivery vehicle projected to use the loading area. Turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES. (T&ES) *
80. All 90 degree vehicle parking spaces adjacent to a sidewalk less than seven feet shall have wheel stops. (T&ES)
81. Provide lease agreement details for any properties or portions thereof proposed for lease by the subject property prior to release of the building permit. (T&ES) **
82. Provide any easements or agreements with the neighboring property for shared access prior to release of the building permit. (T&ES)(P&Z) **

O. UTILITIES:

83. Locate all private utilities without a franchise agreement outside of the public right-of-way and public utility easements. (T&ES)
84. Any new utilities required to serve the site shall be undergrounded. Overhead utilities including power and communication lines fronting the proposed development on Duke Street shall be undergrounded, if required by City Code. Future redevelopment on the site will require undergrounding of all overhead utilities along the Duke Street frontage, including power and communication lines. (T&ES)
85. The existing overhead wire beginning on N. Gordon Street and crossing the proposed development site through the existing parking lot as shown on the preliminary site plan shall be relocated underground and shall be depicted as such on the final site plan. (T&ES) *

P. SOILS:

86. Provide a geotechnical report, including recommendations from a geotechnical professional for proposed cut slopes and embankments. (T&ES)

Q. WATERSHED, WETLANDS, & RPAs:

87. The stormwater collection system is located within the Holmes Run watershed. All on-site stormwater curb inlets and public curb inlets within 50 feet of the property line shall be duly marked using standard City markers, or to the satisfaction of the Director of T&ES. (T&ES)
88. Provide Environmental Site Assessment Notes and clearly delineate the individual components of the RPA (where applicable) as well as the total geographic extent of the RPA, to include the appropriate buffer, in a method approved by the Director of Transportation and Environmental Services. The Environmental Site Assessment shall also clearly describe, map or explain intermittent streams and associated buffer; 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)

R. STORMWATER MANAGEMENT:

89. 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)

90. 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)
91. 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 approved 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)
92. 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)
93. Submit two (2) originals of the stormwater quality BMP and Stormwater Detention Facilities 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)
94. The Developer shall furnish the owners with an Owner's Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. 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 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. ***** (T&ES)
95. The Applicant/Owner shall be responsible for installing and maintaining stormwater Best Management Practices (BMPs). The Applicant/Owner shall execute a maintenance service contract with a qualified private contractor for a minimum of three (3) years and develop an Owner's Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. 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 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. 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)

96. Submit a copy of the Operation and Maintenance Manual to the Stormwater Management Division on digital media prior to release of the performance bond. **** (T&ES)
97. 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)

S. CONTAMINATED LAND:

98. Indicate whether or not 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)
99. If environmental site assessments or investigations discover the presence of contamination on site, the final site 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. 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).
 - e) 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)

100. 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)
101. 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. (Include if applicable.)](T&ES)

T. DISCLOSURE REQUIREMENTS:

102. 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)
103. Present a disclosure statement to potential buyers, to the satisfaction of the Director of P&Z and the City Attorney, disclosing that Duke Street is a planned location for the future Transit Corridor B. (P&Z)(T&ES)

CITY DEPARTMENT CODE COMMENTS

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

Planning and Zoning

- 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 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)

Transportation and Environmental Services

- F - 1. Sheet C11: The statement about the WQVD is pointing to the remaining runoff volume instead of the Total BMP Treatment Volume. Update with Final 1 submission. (T&ES-SWM)
- F - 2. The impervious area listed in the VRRM spreadsheet as being treated is 0.34 acres of impervious, but there is only 0.32 acres of impervious listed in the Post-Development Land Cover table. Update with Final 1 submission. (T&ES- SWM)
- 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 following web address:

<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. Asphalt patches larger than 20% 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)
- F - 9. 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 - 10. 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. 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 - 11. 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 - 12. 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 - 13. 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 - 14. 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 - 15. Dimensions of parking spaces, aisle widths, etc. shall be provided on the plan. (T&ES)
- F - 16. 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 - 17. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)
- F - 18. 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 - 19. The following notes shall be included in the Construction Management Plan: (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 - 20. Add complete streets tabulation to the cover sheet with the Final 1 submission. (T&ES)

F - 21. All on-street parking controls and restrictions within the project area shall be determined by the City. (P&Z)(T&ES)

C - 1 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 - 2 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 - 3 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 - 4 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 - 5 (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 - 6 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 - 7 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 - 8 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 or by contacting the City's Solid Waste Division at 703-746-4410, or via email at commercialrecycling@alexandriava.gov. (T&ES)
- C - 9 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 - 10 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 or by calling the Solid Waste Division at 703.746.4410 or by e-mailing CommercialRecycling@alexandriava.gov. (T&ES)
- C - 11 Bond for the public improvements must be posted prior to release of the site plan.* (T&ES)
- C - 12 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 - 13 Provide a phased erosion and sediment control plan consistent with grading and construction plan. (T&ES)
- C - 14 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 insure 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 - 15 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 - 16 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 - 17 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 - 18 All driveway entrances, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards. (T&ES)
- C - 19 All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately. (T&ES)

- C - 20 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 - 21 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 - 22 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 - 23 The applicant shall comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. (T&ES)
- C - 24 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, and/or Virginia Marine Resources shall be in place for all project construction and mitigation work prior to release of the Final Site Plan. This includes the state requirement for a state General VPDES Permit for Discharges of Stormwater from Construction Activities (general permit) and associated Stormwater Pollution Prevention Plan (SWPPP)_for land disturbing activities equal to or greater than one acre. See memo to industry 08-14 which can be found on-line here: <http://alexandriava.gov/tes/info/default.aspx?id=3522>. *(T&ES)

VAWC Comments:

VAWC has no comments on the Preliminary submission.

AlexRenew Comments:

ARenew had no comments on the Concept submission.

Fire Department

F-1 All previous comments have been acknowledged or addressed

Code Administration (Building Code):

- F-1 The following comments are for preliminary review only. Once the applicant has filed for a building permit and additional information has been provided, code requirements will be based upon the building permit plans and the additional information submitted. If there are any questions, the applicant may contact Charles Cooper, Plan Review Division at Charles.cooper@alexandriava.gov or 703-746-4197.
- C-1 Building, and trades permits are required for this project. Five sets of construction documents that fully detail the construction as well as layout and schematics of the mechanical, electrical, and plumbing systems shall accompany the permit application(s)
- C-2 Building Code Analysis: The following minimum building code data is required on the drawings: a) use group, b) number of stories, c) construction type and d) tenant area. Provide this information on plans.
- C-4 Required exits, parking, and facilities shall be accessible for persons with disabilities. Provide a plan that identifies accessible features. Please identify that by removing surface parking that there will be enough code compliant parking available for persons with disabilities.

Police

F-1 No additional comments at this time

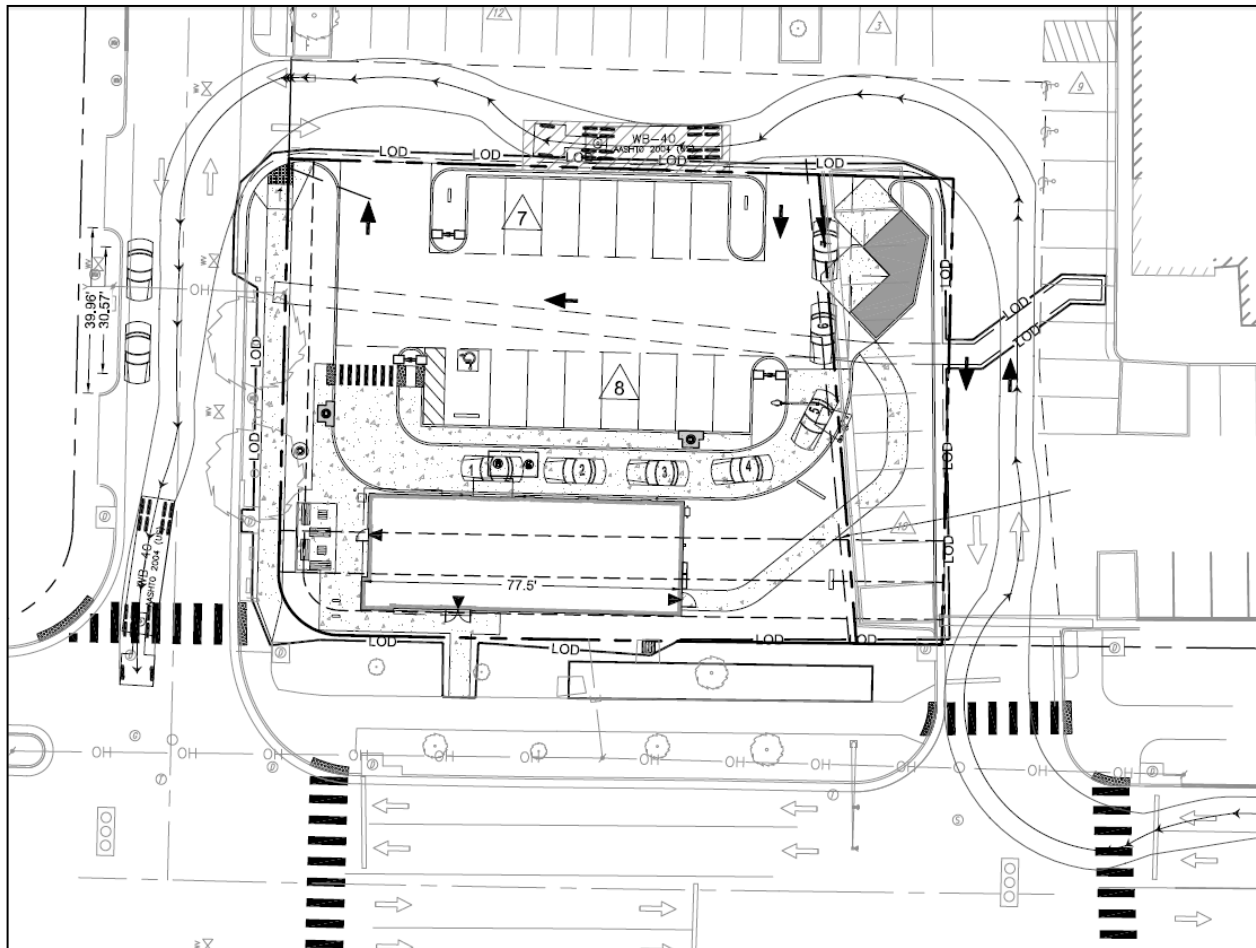
Archaeology

F-1 There is low potential for significant archaeological resources to be disturbed by this project. No archaeological action is required.

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

Appendix A: Revised Turning Movement Exhibit



Appendix B: Traffic Tables 2A, 2B, and 2C

Table 2A - AM Peak Level of Service (LOS)

Intersection	Existing Conditions	2018 Background	2018 with Development
Duke St & Jordan St	D	D	D
Duke St & Ingram St	A	A	A
Duke St & N. Gordon St	A	A	A
Duke St & S. Gordon St	A	A	A
Duke St & N. Early St	A	A	A
Duke St & S. Early St	A	A	A
N. Gordon St & Taney Ave	A	A	A
N. Gordon & Uline Ave	A	A	A
N. Gordon & Site Driveway	A	A	A
N. Gordon & New Site Driveway	A	A	A

Table 2B - PM Peak Level of Service (LOS)

Intersection	Existing Conditions	2018 Background	2018 with Development
Duke St & Jordan St	D	D	D
Duke St & Ingram St	A	A	A
Duke St & N. Gordon St	A	A	A
Duke St & S. Gordon St	A	A	A
Duke St & N. Early St	A	A	A
Duke St & S. Early St	A	A	A
N. Gordon St & Taney Ave	A	A	A
N. Gordon & Uline Ave	A	A	A
N. Gordon & Site Driveway	A	A	A
N. Gordon & New Site Driveway	A	A	A

Table 2C - Saturday Peak Level of Service (LOS)

Intersection	Existing Conditions	2018 Background	2018 with Development
Duke St & Jordan St	D	D	D
Duke St & Ingram St	A	A	A
Duke St & N. Gordon St	A	A	A
Duke St & S. Gordon St	A	A	A
Duke St & N. Early St	A	A	A
Duke St & S. Early St	A	A	A
N. Gordon St & Taney Ave	A	A	A
N. Gordon & Uline Ave	A	A	A
N. Gordon & Site Driveway	A	A	A
N. Gordon & New Site Driveway	A	A	A

**APPLICATION****DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN****DSUP #** 2015-0021**Project Name:** Taco Bell Duke Street**PROPERTY LOCATION:** 4213 Duke Street and 4141 Duke Street (leased area)**TAX MAP REFERENCE:** 050.03-09-14 & 050.03-09-15 (leased area) **ZONE:** CG**APPLICANT:**

Name: Taco Bell of America, LLC

Address: 1 Glen Bell Way, MD 518, Irvine CA 92618

PROPERTY OWNER:

Name: 4213 Duke Street LLC and 4141 Duke Street LLC (leased area)

Address: PO Box 501, Fulton MD 20759

SUMMARY OF PROPOSAL Development of a Taco Bell restaurant with drive-through facility and outdoor dining**MODIFICATIONS REQUESTED** Duke Street building setback (75' from centerline);
25' building setback from property line on Duke Street**SUP's REQUESTED** Restaurant, drive-through facility, and outdoor dining

[] **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.

M. Catharine Puskar, attorney/agent

Print Name of Applicant or Agent
Walsh, Colucci, Lubeley, & Walsh, PC

2200 Clarendon Blvd., Suite 1300

Mailing/Street Address

Arlington, VA 22314

City and State Zip Code

Signature

703-528-4700

703-525-3197

Telephone #

Fax #

cpuskar@thelandlawyers.com

Email address

8/19/2016 revised 10/20/2016 revised 11/18/2016

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: _____

Development SUP # 2015-0021

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 ten percent.

See attached

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.

N/A



August 19, 2016

Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Authorization to File Application for Development Special Use Permit with Preliminary Site Plan, Special Use Permit for a Drive-Through Facility, Special Use Permit for a Restaurant and Associated Requests
4213 Duke Street, Tax Map ID 050.03-09-14 (the "Property")

Dear Mr. Moritz:

Taco Bell of America, LLC hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of applications for a development special use permit with preliminary site plan, special use permit for a drive-through facility, special use permit for a restaurant and any related requests to allow for the development of a Taco Bell restaurant on the Property.

Sincerely,

Taco Bell of America, LLC
a Delaware limited liability company

Mary C. Shipman

Mary C. Shipman, Assistant Secretary

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. SEE ATTACHED		
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 4213 Duke Street (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. N/A		
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 indicated 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](#).

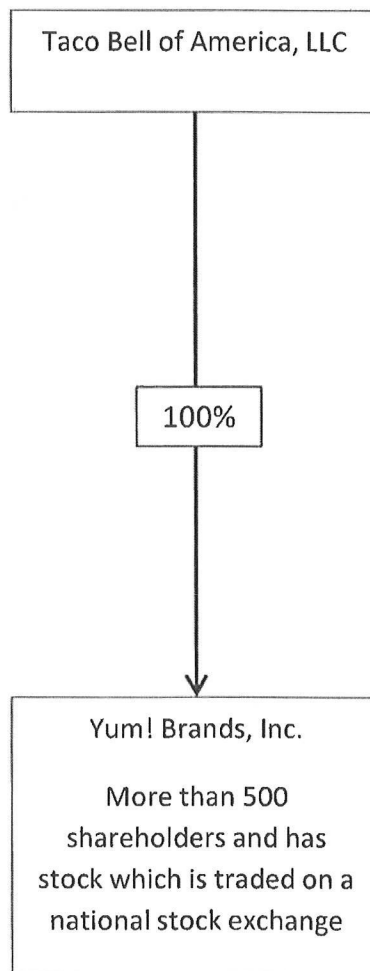
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

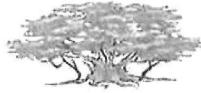
NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

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.

B.19.16 MARY C. SHIPMA Mary C. Shipma
 Date Printed Name Signature

Taco Bell of America, LLC
Ownership Disclosure
August 19, 2016





Greentree Partners, LLC

August 15, 2016

4141 Duke Street LLC
PO Box 501
Fulton, MD 20759


Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

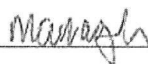
Re: Consent to File Application for Development Special Use Permit with
Preliminary Site Plan, Special Use Permit for a Drive-Through Facility, Special
Use Permit for a Restaurant and Associated Requests
4213 Duke Street, Tax Map ID 050.03-09-14 (the "Property")

Dear Mr. Moritz:

4141 Duke Street LLC hereby consents to the filing of applications by Taco Bell of America, LLC (A Delaware Limited Liability Company), the "Applicant," for a development special use permit with preliminary site plan, special use permit for a drive-through facility, special use permit for a restaurant and any related requests to allow for the development of a Taco Bell restaurant on the section of the Property leased by the Applicant.

Very truly yours,

By: 

Its: 

Date: 8/15/16

Commercial Real Estate Investments
P.O. Box 501 Fulton, MD 20759 301.854.0722 Fax 301.854.0576



Greentree Partners, LLC

August 15, 2016

4213 Duke Street LLC
PO Box 501
Fulton, MD 20759

Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Consent to File Application for Development Special Use Permit with
Preliminary Site Plan, Special Use Permit for a Drive-Through Facility, Special
Use Permit for a Restaurant and Associated Requests
4213 Duke Street, Tax Map ID 050.03-09-14 (the "Property")

Dear Mr. Moritz:

4213 Duke Street LLC hereby consents to the filing of applications by Taco Bell of America, LLC (A Delaware Limited Liability Company) for a development special use permit with preliminary site plan, special use permit for a drive-through facility, special use permit for a restaurant and any related requests to allow for the development of a Taco Bell restaurant on the Property.

Very truly yours,

By: _____

A handwritten signature in dark ink, appearing to be "Karl Moritz", written over a horizontal line.

Its: _____

Manager

Date: _____

9/15/16

Commercial Real Estate Investments
P.O. Box 501 Fulton, MD 20759 301.854.0722 Fax 301.854.0576

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. N/A		
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 4213 Duke Street (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. SEE ATTACHED		
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. None		
2.		
3.		

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

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

06/01/16

Date

Scott A. Wilson

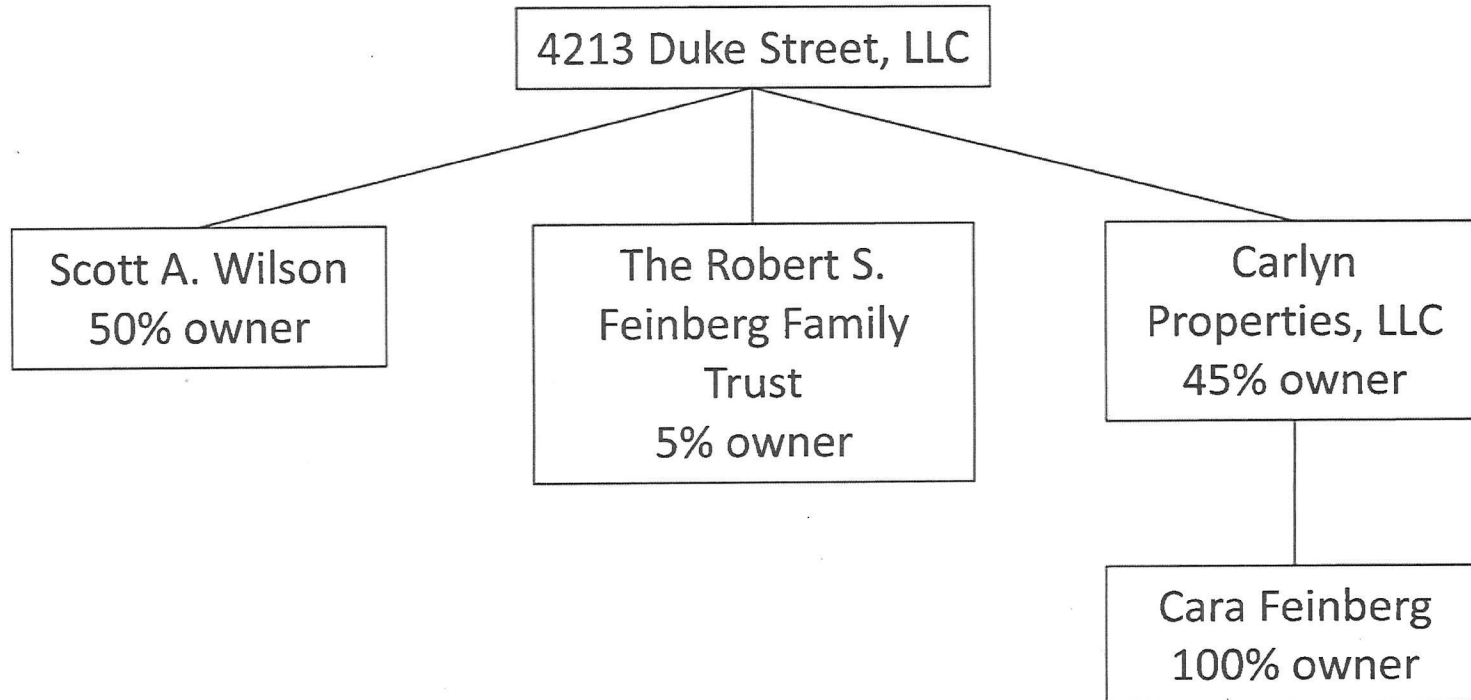
Printed Name



Signature

Manager

4213 Duke Street Ownership Chart
August 16, 2016



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. N/A		
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 4141 Duke Street (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. SEE ATTACHED		
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 indicated 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. None		
2.		
3.		

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

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

8/16/16

Date

Scott A. Wilson

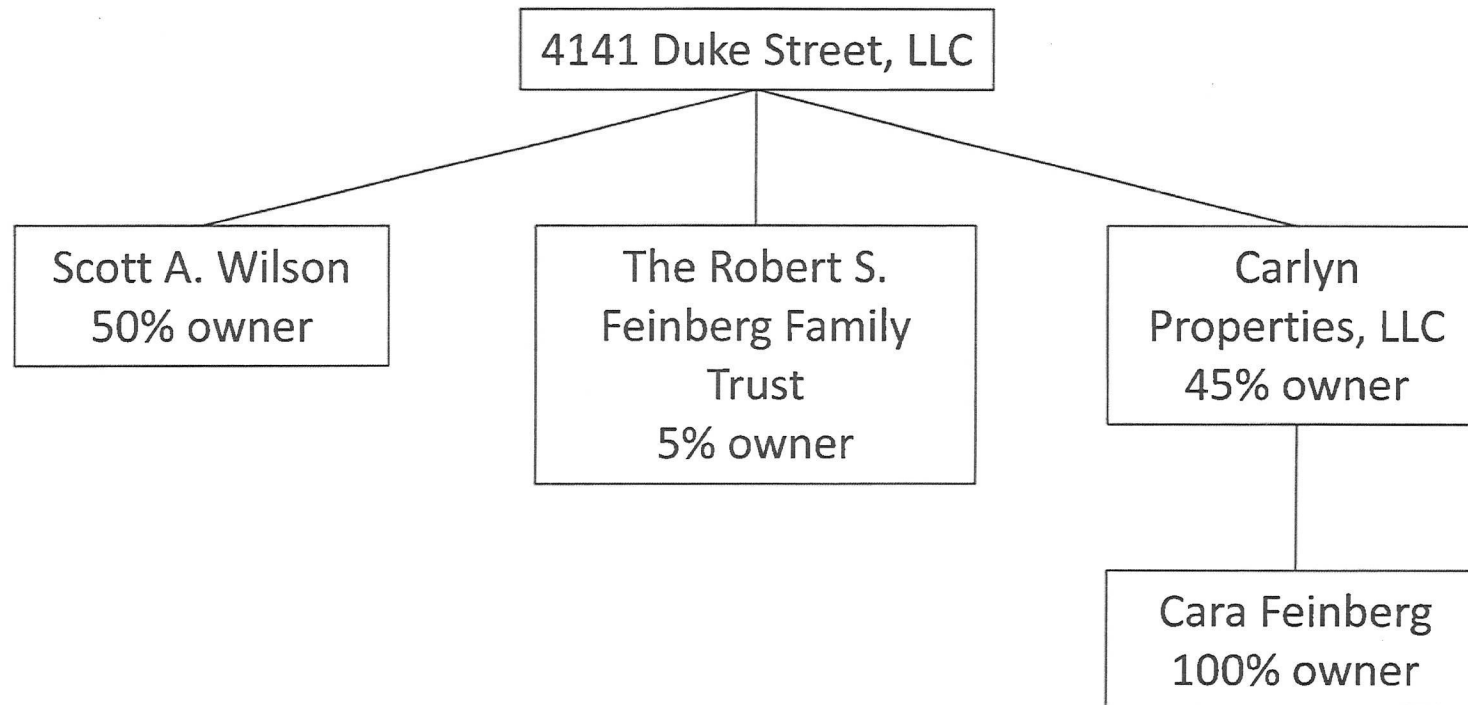
Printed Name

[Signature]

Signature

Manager

4141 Duke Street Ownership Chart
August 16, 2016



Development SUP # 2015-0021

- 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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Statement of Justification
4213 Duke Street
Tax Map ID: 050.03-09-14

Taco Bell of America (“The Applicant”) requests approval of a Development Special Use Permit and associated applications to construct a Taco Bell restaurant with a drive-through facility located at 4213 Duke Street, tax map ID 050.03-09-14 (the “Property”). The Property is currently developed with an Enterprise Rent-A-Car facility.

The Property is located on the north side of Duke Street east of its intersection with Gordon Street. The Property contains approximately 15,241 square feet (0.35 acres), with an additional 2,997 square feet (0.07 acres) of leased area on the adjacent property (4141 Duke Street).

The proposed restaurant is consistent with the recommendations of the Seminary Hill/Strawberry Hill Small Area Plan for commercial use on the Property. The site has also been designed to accommodate the City’s long-range plans for bus rapid transit on Duke Street.

The proposed restaurant contains approximately 2,186 square feet in area and will contain 54 seats, including 42 indoor seats and 12 outdoor patio seats. The hours of operation will be as follows:

- Outdoor patio – 6am to 10pm
- Indoor restaurant – 6am to midnight
- Drive-through – 24 hours

The proposed architecture includes high quality materials and finishes, consistent with Taco Bell’s contemporary corporate identity. The proposal includes a reduction in impervious surface, additional landscaping including plantings along Duke Street, and pedestrian improvements such as the installation of four upgraded high-visibility crosswalks on N. Gordon Street, Duke Street, and the site driveway.

This development proposal will improve and upgrade an existing underutilized commercial site and will provide an additional restaurant option within the area.

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

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

600 patrons per day, 133 during the peak hour

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

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

35 total, 9 maximum at any one time

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

	Day	Hours	Day	Hours
Indoor	365 days a year	6am-12am		
Outdoor Patio	365 days a year	6am-10pm		
Drive-Thru	365 days a year	24 hrs		

6. 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 from patrons be controlled?

Noise levels will be in compliance with City Code.

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

No odors are anticipated.

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

- A. What type of trash and garbage will be generated by the use?
Paper products, boxes, and minimal food waste. Boxes will be recycled.
- B. How much trash and garbage will be generated by the use?
Approximately 20-25 bags per day
- C. How often will trash be collected?
Twice weekly
- D. How will you prevent littering on the property, streets and nearby properties?
Employees will perform 4 site walks/pick-ups per day or more if needed.

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:

Restaurant approved cleaning supplies.

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

There will be 12 security cameras, timers for site lighting, and employees will open/close in pairs. Money is handled by a cash-management security service.

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.

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?

11

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

14 Standard spaces

0 Compact spaces

1 Handicapped accessible spaces

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?

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? 0 spaces

- B. How many loading spaces are available for the use? 0 spaces

- C. Where are off-street loading facilities located?

Loading will occur along the drive aisle to the north of the site

- D. During what hours of the day do you expect loading/unloading operations to occur?
During off-peak hours.
-

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Twice weekly
-

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.



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: 42 Outdoors: 12 Total number proposed: 54

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:
Mexican-inspired quick service foods including tacos, burritos, quesadillas, nachos,
etc.

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? N/A
Will delivery drivers use their own vehicles? _____ Yes _____ No N/A
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:

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:

54	Maximum number of patron dining seats	
+	Maximum number of patron bar seats	
+	Maximum number of standing patrons	
=	Maximum number of patrons	Per applicable fire/building code

2. 9 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)

	<input type="checkbox"/> Closing by 8:00 PM
Patio	<input checked="" type="checkbox"/> Closing after 8:00 PM but by 10:00 PM
Indoor	<input checked="" type="checkbox"/> Closing after 10:00 PM but by Midnight
Drive-through	<input checked="" type="checkbox"/> Closing after Midnight

4. Alcohol Consumption (check one)

<input type="checkbox"/> High ratio of alcohol to food	No alcohol
<input type="checkbox"/> Balance between alcohol and food	
<input type="checkbox"/> Low ratio of alcohol to food	



Wakefield-Tarleton Civic Association

November 15, 2016

Ms. Mary Lyman, Chair
Alexandria Planning Commission
301 King Street, Room 2100
Alexandria, VA 23214

Dear Ms. Lyman:

I am writing in response to Taco Bell's application for a Development Special Use Permit (DSUP) and Special Use Permit (SUP) to construct and operate a new Taco Bell restaurant at 4213 Duke Street.

As president of the of the Wakefield Tarleton Civic Association, I would like to express our association's appreciation for the applicant taking the time to send a representative to our October meeting, engage in a constructive dialogue, and make improvements to its plan/application based on feedback from our members.

At last month's meeting, members of the association identified what they saw as some negative aspects of the project, some concerns that could potentially be ameliorated, and some positive aspects of the project. Taco Bell's representative at the meeting, Catharine Puskar, listened carefully to our members' concerns and appears to have faithfully represented them back to the applicant. This has resulted in Taco Bell making improvements to the plan to address a number of the concerns raised and also offer some other tangible benefits to our community to offset any downsides associated with the project.

For example, several members expressed concern about the potential for increased safety/crime problems arising from the original proposal to operate both onsite dining (inside and outside) and drive-through service 24 hours a day at that location. In response the concerns raised, it is my understanding that Taco Bell has agreed to only operate the drive-through 24 hours a day, and close the outside dining at 10:00pm and the inside dining at midnight. This is a welcome improvement.

In addition, the members of our association identified the loss of set-back/green space and the loss of several well-established native trees in front of the current property as a negative for our neighborhood. Taco Bell has responded by agreeing to plant high-value native oak trees (either Willow Oak or Northern Red Oak) as replacements at the site to mitigate the loss and to use attractive, high value native plants for its landscaping.

In another welcome move, it is my understanding that Taco Bell has agreed to provide two highly desired improvements to the streetscape on that section of Duke Street – namely high visibility crosswalks at both Duke and North Gordon Streets and Duke and South Gordon Streets. Pedestrian safety and creating a more walkable (and therefore healthy and “livable”) community is important to many people in our neighborhood, so these two crosswalks are a tangible, welcome improvement.



Wakefield-Tarleton Civic Association

Lastly, members of our association expressed concern about increased trash/litter problems as a potential result of opening of a fast food restaurant at this location. While it is difficult to address litter problems through the plan submission, it is our hope that Taco Bell will remain as committed to working with the community to strengthen it after it opens as it has during the planning process. Considering the company's willingness to work with us to date, I am optimistic that the company will be the "neighbor" we need it to be going forward.

In conclusion, our neighborhood appreciates the improvements Taco Bell has made to its DSUP and SUP submission. As such, I ask that you consider this applicant's responsiveness to neighborhood concerns as you evaluate this project.

Sincerely,

A handwritten signature in cursive script, reading 'Yvonne Bonnie Petry', is written over the typed name.

Yvonne "Bonnie" Petry
President of the Wakefield-Tarleton Civic Association

Tiffany Wirtz
125 North Early Street
Alexandria, VA 22304

City of Alexandria
301 King Street
Alexandria, VA 22314

To Whom It May Concern:

This letter is to register my opposition on the potential placement of a Taco Bell at 4213 Duke Street. I am a resident of the neighborhood behind this area.

This stretch of Duke Street is already squeezed with the revolving door traffic associated with the gas station and the bus stops. There is no left turn lane and with the addition of bus rapid transit lanes in the future, there is no plan to include a fully dedicated left turn lane. With 600 patrons per day, and the constant flow with drive through traffic it will be yet another clog to this residential area.

This is a neighborhood in transition with significant potential to grow and thrive and be a pocket of pedestrian-friendly businesses that can both serve this community AND coexist with commuters. There are young families here energized by Patrick Henry's academic progress and the new school. There is infill and renovations of our homes. We have a new playground on Taney. A Capital Bikeshare is coming to Port City Brewery—a family-friendly place that we enjoy walking to together. Families and friends also gather at the existing Mexican restaurant – Los Toltecos – for restaurant-sponsored activities. This is our community. We are starting to reconnect, and this project will be an insult to us who are coming together and investing in where we live, both financially and emotionally.

The last businesses to come to this stretch between Jordan and French streets have been a liquor store and a dialysis center, and now proposed fast food restaurant, the latter meant to shuffle people in and out quickly with no connection to those who live here. In the traffic control box art wraps, North Early and North Gordon were skipped. The Fort Williams Park went from being a larger grassier area where people gathered with families and pets, to a mass of bramble and poison ivy. It is a message to us that we are not worth investing in. Approval of this project will show us that the city is not interested in bringing together the hundreds of homes in walking distance of this area.

At the 30 January City Council Meeting, Commissioner David Brown commented (as quoted in the Alexandria Times) "This particular section of Duke Street has, in my judgement, about all of the zoning coherence of Houston, Texas. That's not a compliment." And city planning director Karl Moritz noted (paraphrased) that discussions need to be done in conjunction with the expansion of high capacity transit in light of the proposed bus rapid transit corridor. The City needs to consider a redevelopment plan for this area to serve the community.

I request the City of Alexandria vote against the Taco Bell at this location. Instead, it should work with us to create development plan for the commercial areas from Jordan to French, which could also be included to include Duke Street up through Taylor Run Parkway. We want to emphasize a sense of community and encourages pedestrian and bicycle traffic. Hours of operation for any aspect of a business so close to a residential area should not go past 11pm, and that would include drive through operation.

Sincerely,

Tiffany J. Wirtz

From: Nathan Randall
Sent: Monday, December 19, 2016 2:25 PM
To: Kristen Walentisch
Subject: FW: Taco Bell Duke Street - 2015-0021

Follow Up Flag: Follow up
Flag Status: Flagged

From: Michelle Poley [<mailto:mbpoley@lightcue.com>]
Sent: Saturday, December 17, 2016 12:42 PM
To: Nathan Randall
Cc: cpuskar@thelandlawyers.com
Subject: Taco Bell Duke Street - 2015-0021

Dear Mr Randall,

Because it will encourage some new starter jobs in our neighborhood, help add to tax revenue base, and perhaps encourage other investors to take a look at West Duke, I reluctantly support the application.

It is my understanding some of my neighbors are actively representing themselves as spokespeople for our neighborhood of Strawberry Hill (delta) here in West Alexandria. They don't speak for the majority but some of their concerns are valid.

For example: Concerns with egress and travel on N. Gordon. But since the area in question is served by two sets of traffic lights and is fully within a commercial area. I think those issues could be addressed by the developer and the city.

The current Enterprise Rental shop was in fact a former fast food fish establishment. This new development might help to actually reduce the amount of cars in that area due to traffic congestion with the Car Rental and the Laundry if done properly.

Sad truth is, we, the community, are in dire need of *better* development for our area of the city.

Many here, at least the ones who communicate online, are looking for better options than fast food. They think they can wish or pick the type of business that invests on our area of Duke Street. This was also the case when the dialysis center expanded.

Many want something they just can't get. No one rented or used the space in years.

I agree we need better options, I too want a walkable plentiful diverse development environment instead of the strip mall options of the past. Perhaps this is a strange start to this change for our area of the city?

Michelle Brooke Poley
117 N. Early Street
Alexandria VA 22304
Member of the West Alexandria community for 16 years.

Michelle Poley
mbpoley@lightcue.com

From: Nathan Randall
Sent: Monday, December 19, 2016 5:52 PM
To: Kristen Walentisch
Subject: FW: Taco Bell proposal

Follow Up Flag: Follow up
Flag Status: Flagged

From: Sara McMahon [<mailto:saramkuk@yahoo.com>]
Sent: Monday, November 28, 2016 11:10 AM
To: Nathan Randall
Cc: Maya Contreras
Subject: Re: Taco Bell proposal

Hello Nathan -

I, and many of my neighbors, who will be directly and negatively impacted by this have many concerns. One being how disastrous a drive-thru fast food restaurant will be for traffic - Duke Street and N. Gordon. Not to mention the noise level - particularly a drive-thru speaker. Property values? Our concerns are many.

Why were we not consulted on this? We learned about it accidentally when a neighbor was poking around the city Web site. We pay (high) taxes to this city and have every right to be informed and to have our concerned voices heard.

I would like to schedule a meeting with you and invite the neighbors to attend. Please let me know when you are available. Others who had a say in this should also be there.

Thank you.
Sara McMahon
703-380-2608
saramkuk@yahoo.com

Sent from my iPhone

On Sep 13, 2016, at 10:20 AM, Nathan Randall <Nathan.Randall@alexandriava.gov> wrote:

Hello Sara-

Yes, I'm back in the office. As Maya mentioned in her earlier email, the Taco Bell project is currently being reviewed by City staff and has not yet been scheduled for public hearings before the Planning Commission and City Council. Do you have any additional questions or thoughts? Just let me know.

Regards,
Nathan

From: Sara [<mailto:saramkuk@yahoo.com>]
Sent: Monday, September 12, 2016 6:03 PM
To: Maya Contreras
Cc: Nathan Randall
Subject: Re: Taco Bell proposal

Hi Maya -

I have not heard from Nathan Randall yet. Is he back in the office?

Sara McMahon

Sent from my iPad

On Aug 30, 2016, at 5:12 PM, Maya Contreras <Maya.Contreras@alexandriava.gov> wrote:

Hello Sara –

Thank you for reaching out today about the proposal for the Taco Bell on Duke Street. As we discussed, the request is in the staff review phase right now, and will require review and approval by the Planning Commission and City Council before they would be able to move forward.

Prior to a public hearing, which has not yet been scheduled, they will need to meet with the community, so that concerns, such as yours, can be heard by the applicant and City staff.

Please find attached a fact sheet about the project. Nathan Randall, the project manager, will be back in the office next Wednesday, and will follow up with you to see if you have additional questions or thoughts, and we will keep you in the loop, as the project progresses.

Maya
703.746.3816

<Taco Bell Duke Street Fact Sheet.pdf>

From: Nathan Randall
Sent: Tuesday, December 20, 2016 6:40 PM
To: Kristen Walentisch
Subject: FW: Civic Associations

From: Porter Glock [<mailto:porterglock@gmail.com>]
Sent: Monday, December 19, 2016 10:07 AM
To: Nathan Randall
Subject: Civic Associations

Hi Nathan,

Thanks for coming out to the Dalecrest-Taco Bell representative's meeting last Wednesday.

I was wondering if you might be able to direct me to some information/website about Alexandria's Civic Associations. From the meeting, it seemed that the City and Taco Bell thought we were included in the Seminary Hill Civic Association-but I wasn't aware that the city tracked this type of information. All I could find online was their map which doesn't include us: <http://www.seminaryhillassn.org/join.html>.

Hopefully this information can help our neighborhood determine if we are in a current association, do we want to create one, etc.?

Many thanks once again for your attendance last Wednesday. I'll be sure to email you a note on my thoughts for the Planning Commission file on the proposed Taco Bell separately.

Best,
Porter Glock

139 N Grayson St
Alexandria, VA 22304



CITY OF ALEXANDRIA
SERVICE REQUEST
PLZ Council Request

12/21/2016

REQUESTID: 110985

PRIORITY: 3

PROBLEMCODE: PLZ_COUNCIL

SUBMITTO: WALENTISCH, KRISTEN

DESCRIPTION: PLZ Council Request

INITIATEDBY: API, SR

PROBADDRESS: 4134 ULINE AVE

PRJCOMPLETEDATE: 12/28/2016

DATETIMEINIT: 12/17/2016

CALLER(S) INFORMATION:

CELLPHONE

FIRSTNAME TODD

HOMEPHONE 7032127681

LASTNAME MCMAHON

WORKPHONE

ADDRESS

EMAIL TMCMAHON@MODERNATION.COM

CELL PHONE

QUESTION:

ANSWER:

COMMENTS:

By API, SR: 12/17/2016 12:27:38 PM

This is a "private" request. Information should only be provided to the original customer or those who know the full Call.Click.Connect. request number for this, which is "110985-D3GH66".

By API, SR: 12/17/2016 12:27:38 PM

Problem location map

By API, SR: 12/17/2016 12:27:38 PM

I am writing to state my strong opposition on the potential placement of a 24 hour Taco Bell at 4213 Duke Street. My property is located directly behind the proposed location and the thought of a 24-hour business, with the additional lighting, noise pollution and traffic is very unsettling to say the least.

It's my understanding that the location at 4213 Duke St. is not zoned for a drive-thru, and for good reason, since a drive-thru at this location would utilize N. Gordon St., which is the main entrance to our neighborhood. The expected 600 patrons per day, and 133 during peak hour would create massive congestion at an intersection that is already tough to navigate due to on street parking by non-residents. The use of a residential neighborhood entrance should not be permitted for a 24-hour drive-thru. A 24 hour business in general is disturbing to have located so close to a residential neighborhood, and in my case about 50 yards from my property line.

Fast food restaurants inherently bring excess traffic, litter, noise pollution and reduce property values. A 24-hour fast food restaurant only compounds these issues. I am not against a business at this location. It would be great to have a family friendly type of establishment that operated under normal business hours for our neighborhood residents to gather at.

I request that the City of Alexandria deny the special use permit #2015-0021 that would allow a Taco Bell, or any other business, to operate a drive-thru. Instead, the city should uphold the current zoning restrictions and promote a local business that would adhere to these restrictions and benefit the community that is so closely resides to.

Sincerely,
Todd M. McMahon