

City of Alexandria, Virginia

MEMORANDUM

DATE: SEPTEMBER 6, 2017

TO: CHAIRWOMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR, PLANNING & ZONING

SUBJECT: STAFF RESPONSE AND RECOMMENDED CHANGES TO CONDITIONS FOR DSUP#2016-0039 NEW WEST END SCHOOL

Issue:

City staff and Alexandria City Public Schools (ACPS) received a letter on August 24th, 2017, from Arent Fox, Attorneys at Law, on behalf of the Association for Supervision and Curriculum Development (ASCD). The letter detailed their client's concerns about DSUP#2016-0039, which proposes to amend SUP#96-106 to include a public school use on a portion of the site.

Within the letter, Arent Fox questioned A) whether the ACPS application is legally sufficient; B) whether the proposed school is compatible with the neighborhood; and, C) whether the impacts of the school have been properly mitigated. They also proposed twelve conditions to address the potential impacts.

Staff Response:

- A. *Application:* The City Attorney has reviewed the application and finds that the project may move forward for public hearing consideration.
- B. *Compatibility:* In June 2016, a text amendment was approved to include Public Schools as a permitted use within CDD#4, with a Special Use Permit.
- C. *Mitigation:* Staff has reviewed the condition requests provided in the 8/24/17 letter, and recommends the following new conditions:
 - 4. **CONDITION AMENDED BY STAFF:** Provide the following modifications to the landscape plan and supporting drawings:
 - a. With first Final Site Plan submission, finalize design for new trees and plantings in the central courtyard to generally correspond with the portion of the site that is owned by the adjacent property.*

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- b. With first Final Site Plan submission, finalize design for load-rated EVE within the central courtyard. Design shall be integrated with the proposed and existing landscape. *
 - c. Maintain the existing fifty foot (50') minimum landscape area along the frontage of North Beauregard Street. Particular care should be taken to ensure that construction activities do not impact this area.
 - d. Prior to submittal of the first Final Site Plan, coordination with the adjacent property owner should occur to finalize a design incorporating a means of physical separation between the two properties, such as a landscaped hedge or fence. City staff will review as part of the Final Site Plan. Maintenance should be incorporated into the owner agreements.*
(P&Z)
15. CONDITION AMENDED BY STAFF: Building materials, finishes, and relationships shall be subject to review and approval by the Department of Planning and Zoning for substantial conformance to the Preliminary Plan and the architectural style and materials of the existing buildings. The following submissions shall be provided to review the materials, finishes and architectural details, prior to selection of final building materials:
- a. Provide a materials board that includes all proposed materials and finishes at first Final Site Plan. *
 - b. The materials board shall remain with the Department of Planning and Zoning until the final certificate of occupancy, upon which all samples shall be returned to the applicant.*** (P&Z)
 - c. ACPS staff will monitor the playground noise and functionality of the fencing and provide an update to City staff, once the school has been operational for three (3) months. If additional screening or other measures are required, staff will review as an administrative item and potentially require additional fencing or similar measures, as needed. (P&Z)
22. CONDITION AMENDED BY STAFF: The design and allocation of parking shall be subject to the following to the satisfaction of the Directors of Planning and Zoning (P&Z), Transportation and Environmental Services (T&ES) and Code Administration:
- a. All parked vehicles shall be prohibited from encroaching on the proposed streets, pedestrian walkways, or emergency vehicle easements. All users shall be notified of this prohibition.
 - b. ACPS and City staff will monitor traffic during the first three (3) months of operation and determine whether additional signage is required along N. Highview Lane, Rayburn Avenue and the service drive.
(P&Z)(T&ES)(Code)

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Detailed Staff Responses:

Staff has reviewed the individual recommendations provided in the 8/24/17 letter from Arent Fox, and has the following responses, in italics:

1. Applicant will relocate the bus stacking plan to the N. Beauregard Street frontage of the 1701 N. Beauregard Street property, including, if necessary the creation by Applicant of a service lane or pull-off area for bus stacking along the south side of N. Beauregard Street, in order to mitigate its impact on the 1703 N. Beauregard Street Property to the satisfaction of the Planning Commission.
 - *Per the Beauregard Small Area Plan, new curbcuts are not permitted on N. Beauregard Street. Additionally, the original approval required the 50' vegetated setback from N. Beauregard Street. Therefore, staff does not support a relocation of the bus stacking/servicing to the requested location.*
2. Applicant will, prior to obtaining a certificate of occupancy, add “no parking/no standing” signs along North Highview Lane and Rayburn Avenue abutting the 1703 N. Beauregard Street building and “one way” signage (northbound) along the service road between the 1703 and 1701 N. Beauregard Street buildings and the 1705 N. Beauregard Street parking garage, limit bus stacking and loading to only the service road between the 1703 and 1701 N. Beauregard buildings and the 1705 N. Beauregard Street garage, and extend that service road to discharge onto either N. Beauregard Street or onto N. Highview Avenue east of the 1705 N. Beauregard Street garage structure.
 - *Condition 22a states “All parked vehicles shall be prohibited from encroaching on the proposed streets, pedestrian walkways, or emergency vehicle easements. All users shall be notified of this prohibition. (P&Z)(T&ES)(Code)”.*
 - *Staff will recommend an updated Condition 22b, see above.*
 - *The service road is limited to parent pick-up and drop-off, to prevent buses and passenger vehicles from mixing. Bus stacking and loading is proposed on Rayburn Avenue.*
 - *Per the Beauregard SAP, new curbcuts are not permitted on N. Beauregard Street. Additionally, the original approval required the 50' vegetated setback from N. Beauregard Street. Therefore, staff does not support an extension of the service road to intersect with N. Beauregard Street.*
3. Applicant will work with adjacent property owner of 1703 N. Beauregard Street to reconfigure the parent drop-off queue to mitigate its impacts on the 1703 N. Beauregard Street property to the satisfaction of the Planning Commission. Such reconfiguration shall include installing, prior to obtaining a certificate of occupancy, a signalized crosswalk in the service road between the 1703 and 1701 N. Beauregard Street buildings and the 1705 N. Beauregard Street garage to enhance safety for pedestrians and handicapped persons crossing from the 1705 N. Beauregard Street

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parking garage to the 1703 N. Beauregard building, as well as a further signal proximate to the 1703 N. Beauregard loading dock, to be controlled solely by the owner of 1703 N. Beauregard, to provide access to its loading dock.

- *Staff does not recommend adding a signalized crosswalk to the service road or a signal at the loading dock. Condition 27a requires that a non-instructional staff member will be designated to manage the parent drop-off loop. This person will also be available to facilitate safe crossing of the loop for pedestrians and other users by ensuring that the crosswalk remains clear.*
 - *Staff recommends that deliveries be scheduled so as not to coincide with the morning and afternoon pick-ups, as these are discrete times. If this is not feasible, staff recommends that the property owners discuss the regular deliveries and determine means to facilitate use of the 1703 loading dock during these limited time periods.*
4. Applicant will work with adjacent property owner of 1703 N. Beauregard Street to create a landscaped berm, hedge or fence no less than six (6) feet in height along the shared property line between 1703 N. Beauregard Street and 1701 N. Beauregard Street to the satisfaction of the Director of Planning and Zoning. Applicant shall be responsible for constructing and maintaining the landscaped berm, hedge or fence prior to the issuance of its certificate of occupancy and for the ongoing maintenance of such improvements.
- *Staff will recommend an updated Condition 4c, see above.*
5. Applicant shall ensure that not fewer than five (5) handicapped parking spaces in the 1705 N. Beauregard building remain on the ground level of the parking garage available to visitors to and employees of the 1703 N. Beauregard building.
- *Parking agreements should be amended between the property owners, and provided during Final Site Plan review to ensure compliance with all applicable City requirements.*
6. The applicant shall install and maintain an access control system to provide for exclusive parking by the occupants of 1703 N. Beauregard Street in 190* parking spaces located in the upper-most portions of the 1705 N. Beauregard Street garage not being converted to playground/basketball court use. (*185 if the condition requiring 5 handicapped spaces for 1703 use on the ground floor is adopted.)
- *Parking agreements and access to the spaces should be arranged between the property owners. Any proposed access controls should be provided during Final Site Plan review for conformance with emergency access and garage functionality. Staff recommends signage and labeling parking spaces as an initial means of reservation.*

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7. Applicant shall not install any outdoor loudspeakers that are audible from the adjacent office building located at 1703 N. Beauregard Street.
 - *See Condition 83 in the staff report*
8. Applicant will install and maintain eighteen (18) foot high Plexiglas or similar surround materials around, and roof netting over, the playground and basketball court installed in the 1705 N Beauregard garage to reduce the noise and safety risks presented by the placement of the playground and basketball court directly adjacent to the 1703 N. Beauregard building.
 - *Staff will recommend an updated Condition 15c, see above.*
9. Applicant shall cause a bond to be posted by its contractor, satisfactory to the Director of Planning and Zoning, to assure timely and lien free completion of all work, prior to its commencement of construction. The owner of the 1703 N. Beauregard property shall be named as an obligee on such bond.
 - *Standard conditions for construction have been included in the staff report (Conditions 42-55). Financial agreements should be arranged between the property owners.*
10. Prior to the issuance of its certificate of occupancy, Applicant will work with adjacent property owner of 1703 N. Beauregard Street to provide for a ACPS funded reserve account to cover maintenance costs for the easement areas, parking garage, and other common elements under the applicable covenants of record to be funded by the Applicant. The proposed amendment shall be approved by the Director of Planning and Zoning prior to execution and recordation.
 - *Financial reserves for maintenance costs are not typical for government and public school operators. Responsibilities should be arranged between the property owners under the owner agreements.*
11. Applicant shall create and enforce rules to prohibit the idling of buses at any time for periods longer than 15 minutes at a time and for no more than 30 minutes in the aggregate on any given day.
 - *See Condition 85 in the staff report*
12. Applicant shall ensure that Rayburn Avenue, North Highview Lane and the service road running between the buildings located at 1701 and 1703 N. Beauregard and the parking garage at 1705 N. Beauregard remain open at all times, including during construction.
 - *Staff has included standard conditions for creation of a Construction Management Plan— see Conditions 42-43. However, as Rayburn Avenue and*

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Highview Lane are private streets, potential closures of those streets will be governed by use agreements with the property owners.

BACKGROUND:

ACPS is proposing to adapt the first four floors of an existing six-story office building, located at 1701 N. Beauregard Street, into a new public elementary school. The 1701 building is part of a small office park, which includes a second office building, 1703 N. Beauregard Street, and a parking garage, addressed as 1705 N. Beauregard Street.

The three buildings were approved under SUP#96-0103 and constructed in two phases. The first phase included construction of 1703 N. Beauregard Street, along with a three-level, 200-space parking garage. The second phase was for construction of the six-story building, 1701 N. Beauregard Street, and expanded the garage to 500 spaces within five levels of structure.

ASCD's property, 1703 N. Beauregard St, is a neighbor to the ACPS property, 1701 N. Beauregard St, and the sites were approved under SUP#96-106, and governed by private covenant agreements. Through these agreements, the 1703 property has use spaces in the adjacent parking structure, and the buildings also share a service road, located between the buildings and the garage.

STAFF:

Karl Moritz, Director, Planning & Zoning

Robert Kerns, AICP, Development Division Chief, Planning & Zoning

Maya Contreras, Principal Planner, Planning & Zoning

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ATTACHMENTS:

1. August 24th, 2017 letter from Arent Fox