

Rezoning #2018-0006
Development Special Use Permit #2017-0025
Transportation Management Plan SUP #2018-0078
1201 N. Royal Street – Craddock Site Redevelopment

| Application | General Data | |
|---|-------------------------------|---|
| Project Name: Craddock Site Redevelopment | PC Hearing: | January 3, 2019 |
| | CC Hearing: | January 12, 2019 |
| | If approved, DSUP Expiration: | January 12, 2022 (3 years) |
| | Plan Acreage: | 0.84 acres (36,568 SF) |
| Location: 1201 N. Royal Street | Existing Zones: | CD-X (Commercial Downtown [Old Town North]) and UT (Utilities and Transportation) |
| | Proposed Zone: | CRMU-X / Commercial Residential Mixed Use (Old Town North) |
| | Proposed Uses: | Arts and Cultural Anchor and Multifamily Residential |
| | Dwelling Units: | 90 |
| Applicant: 1201 N. Royal, LLC, represented by Ken Wire, attorney. | Gross Floor Area: | 143,500 SF (including Arts Anchor) |
| | Net Floor Area: | 118,602 SF |
| | Small Area Plan: | Old Town North |
| | Historic District: | N / A |
| | Green Building: | LEED Certified or Equivalent |

| Purpose of Application |
|--|
| Consideration of a request for a Development Special Use Permit with Site Plan to construct a mixed-use building with 90 multifamily residential units and ground-floor arts and cultural anchor. |
| Special Use Permits and Modifications Requested: |
| <ol style="list-style-type: none"> 1. Rezoning of 1201 N. Royal Street from CD-X to CRMU-X and the 1201 N. Royal Street outparcel from UT to CRMU-X; 2. Development Special Use Permit and Site Plan with modifications for multifamily dwellings in the CRMU-X zone; 3. Special Use Permit for an increase in FAR to 2.5 in the CRMU-X zone; 4. Special Use Permit to utilize the 30 percent density bonus for arts-related uses in Old Town North, including a height increase of 12 feet; 5. Special Use Permit for a loading reduction for the arts and cultural anchor; 6. Special Use Permit for a transportation management plan; and 7. Modification to the crown coverage requirement. |

Staff Recommendation: APPROVAL WITH CONDITIONS

Staff Reviewers:

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

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PLANNING COMMISSION ACTION, JANUARY 3, 2019:

On a motion by Commissioner Wasowski, seconded by Vice Chair Macek, the Planning Commission voted to recommend the approval of REZ#2018-0006. The motion carried on a vote of 7 to 0.

On a motion by Commissioner Wasowski, seconded by Vice Chair Macek, the Planning Commission voted to recommend the approval of DSUP#2017-0025 as amended and TMP SUP#2018-0078. The motion carried on a vote of 6 to 1, with Commissioner Brown voting against.

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

Condition 14(d)(ii)

The setback of glass from the face of the building shall be a minimum of 24-to-8 inches. (P&Z)

Condition 14(e)

The setback of glass for the brick shoulders and corner element from the face of the building shall be a minimum of 4-to-8 inches. (P&Z)

Condition 67 (New condition)

Provide a Building Monitoring Plan, to include a plan for addressing damage to adjacent property, for adjacent and nearby structures that is approved by the Director of T&ES to detect building movement, settlement, and/or damage directly or indirectly attributed to the excavation or construction activities. The Building Monitoring Plan shall include a baseline survey prior to commencement of construction and a post-construction survey, if requested by the building owner. All properties adjacent to the site shall be afforded the opportunity to participate in the pre- and post-construction surveys. (T&ES)(PC)

Condition 68 (Formerly Condition 67)

The sewer connection fee must be paid prior to release of the site plan, unless the timing of the payment is changed by the City.* (T&ES)

Condition 78 (formerly Condition 77)

No transformer and switch gears shall be located in the public right-of-way. The applicant may relocate existing switch gears which serve off-site properties to the nearest off-site utility pole. (T&ES)

Commissioner Brown asked for confirmation from staff that the arts anchor square footage was excluded from net floor area, and that the floor area ratio (FAR) of the site would be approximately 3.4 if the arts anchor space counted toward FAR, which staff confirmed. He noted his general support for the project, including the inclusion of the arts use and the proposed height, though noted he could not vote to support the project due to his interpretation that the square footage of the arts anchor should be counted toward the total FAR. Commissioner Brown compared the arts district density bonus (Section 6-900 of the Zoning Ordinance) to the affordable housing density bonus (Section 7-700 of the Zoning Ordinance), noting that the latter density bonus requires that the affordable housing be incorporated into the 30-percent density bonus. He noted that the Crowne Plaza redevelopment project (DSUP#2017-0011) was approved using the arts district density bonus and the arts anchor was not counted toward FAR, but he noted in that case the overall density of the project did not exceed the 30-percent density bonus when the arts anchor floor area was added. In response, Commissioner McMahon noted that the Old Town North Small Area Plan (OTN SAP) contains sections that state the intent to exclude the floor area for arts and cultural uses. The Director of Planning and Zoning (Karl Moritz) discussed the ground floor arts tenant (Section 6-903 of the Zoning Ordinance) and the arts anchor (Section 6-904 of the Zoning Ordinance) and noted the ground floor arts tenants are to be excluded from floor area, while a 30-percent density bonus is available for the inclusion of an arts anchor in a development. Mr. Moritz noted that staff had applied the arts anchor as an “arts tenant plus” where the arts anchor is excluded from floor area in addition to allowing for a density bonus of up to 30 percent. The remaining Commissioners concurred in their agreement with staff that the wording in Section 6-900 of the Zoning Ordinance was sufficiently clear to approve the proposal with the floor area exclusion for the arts anchor, though they would be amenable to a future text amendment to clarify the exclusion.

Commissioner Wasowski stated that the OTN SAP, both during the planning process and as part of the plan approval, is clear in the community benefits in implementing the Arts and Cultural District. Commissioner Wasowski also noted the limited area that the density bonus could be applied in the plan area (and City), and staff added that future cases in the plan area, including the WMATA Bus Barn redevelopment, will be utilizing affordable housing bonus density. Commissioner Wasowski and Commissioner Lyle noted the site constraints for the development, including the triangular shape of the site. Commissioner Lyle added that the development continues the timely implementation of the OTN SAP. Commissioner Wasowski added that the project benefitted from the OTN SAP process, of which the applicant was a part, and the design refinements and discussion of the proposal that took place at the Urban Design Advisory Committee (UDAC) meetings.

Vice Chair Macek noted his support for the project, and addressed speaker concerns regarding traffic, on-street loading and the viability of the arts anchor, stating that The Art League is an established neighborhood organization and the expectation is for their satisfactory management of the space that will activate the Arts and Cultural District. Staff added to the Vice Chair’s discussion that a condition of approval was added that addressed the pedestrian safety improvements to N. Royal Street and Bashford Lane, and the details would be finalized during Final Site Plan.

Commissioner Koenig noted his concern that the applicant was not representing the full extent of the proposed above-grade open space in the open space exhibit (the exhibit currently shows 110 square feet of open space). He noted that there may not be an adequate safeguard in approving the minimal amount of open space for the rooftop and ensuring that a larger amount of open space would be constructed. Mr. Wire ensured the Commission that the minimum amount of above-grade open space they will construct is 3,000 square feet, or about 8 percent of site area. This effectively guarantees that the site will have a minimum of 12,144 square feet of open space, including ground-level open space, for a total of approximately 32 percent combined ground and rooftop open space. Additionally, Commissioner Koenig noted the integration of the proposal with the site and adjacent properties and the evolution of the design throughout the process and thanked staff and the applicant for working out conditions related to architectural details, including the condition regarding the depth of the glass to the wall surface at the midrise portion of the building.

Commissioner McMahon noted that the site was well-designed with the future power plant redevelopment in mind, and that the proposal helps to realize the OTN SAP. Chair Lyman noted that the placement of the highest portion of the building at the rear of site was successful.

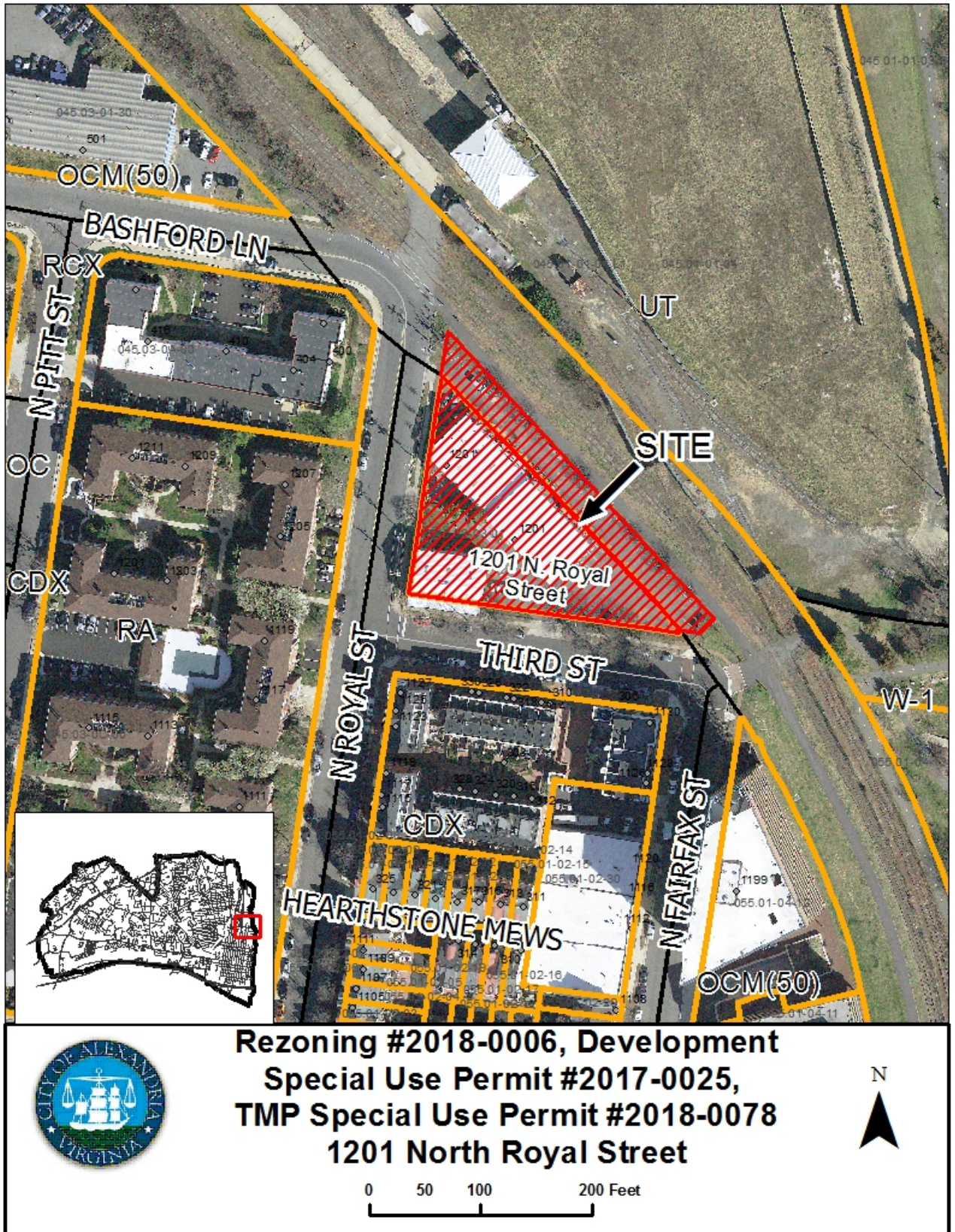
Speakers:

Ken Wire, representing the applicant, spoke in favor of the project. Mr. Wire discussed the site constraints and the design considerations needed to comply with the Old Town North Urban Design Guidelines (OTN UDSG), including the 18-foot setback between the face of the four-story brick shoulders and the main midrise building portion. He noted that the applicant agreed to a condition on construction monitoring and will commit to making the safety improvements to N. Royal Street and Bashford Lane that were discussed by Ms. Harris. Mr. Wire also noted the changes to the conditions proposed by the applicant related to architecture, sewer tap fee and the undergrounding of utilities. Staff confirmed agreement with the proposed changes. In response to conditions 10 and 52c, which had been proposed to be amended in a previous letter to Planning Commission, Mr. Wire noted that the applicant accepts the latter condition and will meet with staff prior to the City Council hearing to address Condition 10.

Christie Susko, of 1211 N. Pitt Street, expressed her concerns with the project. Her main concerns related to the height of the proposed building and issues with potential traffic increases and streetscape improvements. Ms. Susko was concerned about the narrowing of N. Royal Street and its affect on traffic flow, and issues with delivery trucks serving the proposed building and potential issues with users of the proposed building using reserved parking spaces off N. Royal Street for Canal Place condominium residents.

Mary Harris, representing North Old Town Independent Citizens' Association (NOTICE), expressed concerns with the proposal. Ms. Harris argued that the building height was out of scale with adjacent residential properties, stated the support of NOTICE of the Old Town North Arts District but had concerns about the viability of the proposed arts anchor space, and stated that additional safety refinements are needed where N. Royal Street and Bashford Lane converge and near the proposed garage entry for the project.

Joseph Teague, of 318 Third Street and representing the Printers Row Board, asked Planning Commission to add formal language to the conditions of approval to address construction impacts on adjacent properties through building monitoring. Staff and the applicant responded that condition language that addresses this concern can be added from previously approved projects.



PROJECT LOCATION MAP

I. SUMMARY

A. Recommendation

Staff recommends approval of the request to construct a mixed-use development with 90 multifamily units and a 5,732 square-foot arts and cultural anchor with a Development Special Use Permit (DSUP) and associated requests, and subject to compliance with Staff recommendations. The proposal provides a number of benefits for the City and surrounding community, including:

- High quality design and architecture that will enhance Old Town North and the Mount Vernon Trail;
- An arts and cultural anchor fronting N. Royal and Third streets, which will support the Old Town North Arts and Cultural District;
- Streetscape, pedestrian and trail improvements, including sidewalk widening along Third Street, N. Royal Street and safety enhancements to the Mount Vernon Trail spur;
- Publicly accessible open space in the “arts walk” between Third and N. Royal streets, and direct site access to the Mount Vernon Trail spur;
- Green building and site design, including LEED Certified (or equivalent) for residential and LEED Silver (or equivalent) for the arts and cultural anchor, and areas of green roof;
- The addition of green infrastructure, including areas of green roof and bioretention tree wells along N. Royal and Third streets;
- On-site public art (at a minimum value of \$43,050);
- An approximately \$486,011 contribution to the Old Town North Streetscape and Open Space Fund;
- An affordable housing contribution (approximately \$469,955);
- A \$10,000 contribution to Capital Bikeshare; and
- A \$3,600 contribution to the Living Landscape Fund.

B. General Project Description & Summary of Issues

The applicant, 1201 N. Royal Street, LLC, requests approval for an eight-story mixed-use building with 90 multifamily units and an arts and cultural anchor at the corner. The triangular site is bounded by Third Street to the south, N. Royal Street to the west, and the western spur of the Mount Vernon Trail to the northeast. The three and four-story portions of the building front Third and N. Royal streets, while the taller portions of the building front the Mount Vernon Trail spur. The main midrise portion of the building and the three-story corner element portion of the building are separated by a publicly accessible arts walk that connects Third and N. Royal streets and the arts and cultural anchor. The underground garage serving the residential units is accessed from N. Royal Street. The arts and cultural anchor is proposed to contain studios and an arts school, with active uses located in the corner element fronting the adjacent streets and arts walk.

The applicant is requesting the following approvals with this project:

- An amendment to the official zoning map to change the zone at 1201 N. Royal Street from CD-X to CRMU-X and at the adjacent outparcel from UT to CRMU-X;
- A Development Special Use Permit (DSUP) with Site Plan and including:
 - The construction of an eight-story mixed-use building, including requests for a Special Use Permit (SUP) to increase the floor area ratio to 2.5 in the CRMU-X zone, an SUP to utilize the 30 percent density bonus for arts-related uses in Old Town North;
 - A Special Use Permit for a loading reduction for the arts and cultural anchor;
 - A Special Use Permit for a transportation management plan; and
 - A Site Plan Modification to the crown coverage requirement.

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

- Site design
 - Creating visual and pedestrian access to the site, Mount Vernon Trail spur and through the arts walk;
 - Streetscape improvements, including sidewalk and tree well widths and placement; and
 - Pedestrian and vehicle safety on N. Royal Street, including at its termination at Bashford Lane.
- Building design
 - Architectural design and juxtaposition of the midrise portion of the building, red-brick four-story “shoulders” and three-story corner element at the southwest corner of the site;
 - Articulated and high-quality building design for each building frontage, including the Mount Vernon Trail spur frontage and setbacks adjacent to neighboring residential properties;
 - Prominent location, design and access to the arts and cultural anchor, including active programming adjacent to the arts walk and public right-of-way; and
 - Parking and loading access.
- Utilization of the 30-percent density bonus for an arts and cultural anchor
 - Proposed operator of the space and plans for activation of the arts anchor; and
 - Discussion in relation to affordable housing bonus density.

II. BACKGROUND

A. Site Context

The 0.84-acre site is located in the northeast portion of the Old Town North neighborhood and is currently comprised of a parcel and “outparcel” on a triangular City block. The parcel is addressed

as 1201 N. Royal Street and triangular-shaped with frontages on both Third and N. Royal streets. The outparcel is located directly to the northeast of the parcel adjacent to the Mount Vernon Trail spur and inactive railroad tracks, and accounts for more than one-third of the site area.

The site consists of an approximately 3,250 square-foot metal shed located at the intersection of N. Royal and Third streets, and a building at the central portion of the site. The primary building houses the MetroStage theater company, which is planning to move to the redeveloped Crowne Plaza site at 901 N. Fairfax Street. The western half of the building has housed retail and restaurant space but is currently vacant. Both existing structures are located on the parcel, while the outparcel serves as surface parking for the theater and vacant commercial uses on site. The outparcel has been owned by Norfolk Southern Railway until it was purchased by the applicant earlier this year. It was once a portion of the 100-foot railroad right-of-way, though has been utilized for parking and vehicular access to the 1201 N. Royal Street site by the current and previous property owner.

Based on preliminary research by City Archaeology staff, the site contained several structures in the 19th century. Maps from the mid-19th century indicate that the parcel had a farmhouse and possible orchard on it, and the 1894 Hopkins Atlas shows a structure on this parcel to the southwest of the railroad line. Prior to the theater, restaurant and retail uses on the site, a lumber yard operated on-site from the mid-1960s to 1990.

Buildings containing a mix of uses border the site. The site is adjacent to commercial uses to the southeast (Transpotomac Plaza office complex) and to the south (Studio Snaidero showroom). The Printers Row townhouses are located to the south fronting Third Street, while the Canal Place and Potomac Shores condominiums are located to the west on N. Royal Street. Directly to the northeast of the site is a spur section of the Mount Vernon Trail and railroad track that is currently not in use. This portion of railroad right-of-way is currently owned by Norfolk Southern Railway. The vacant NRG power plant site is located to the north of the site across the railroad right-of-way.

The site topography is generally flat, though slopes downward slightly toward the southeast portion of the site. The site is predominantly covered by asphalt and other impervious surfaces, though landscaping and a shade tree are located between the two existing structures. The Third Street frontage currently lined with six street trees with a curb cut into the site, while the N. Royal Street frontage is lined with utility poles and two curb cuts.

B. Project Evolution/Procedural Background

The proposal is the second DSUP case to be reviewed by Planning Commission and City Council since the adoption of the updated Old Town North Small Area Plan (OTN SAP) in 2017. Like the previous DSUP proposal in Old Town North (DSUP#2017-0011 / Crowne Plaza redevelopment), the subject property is being developed by the Carr Companies. Carr has planned to develop the sites in tandem – The Crowne Plaza redevelopment will convert the existing hotel into a multifamily building with the addition of 41 townhouses and the relocation of MetroStage from their existing home to the N. Fairfax Street frontage of the Crowne Plaza site. The proposed redevelopment at 1201 N. Royal Street is utilizing a density bonus for an arts and cultural anchor in Old Town North, like the Crowne Plaza redevelopment.

Similar to the Crowne Plaza site, the applicant worked with City staff and the community on an “illustrative layout” of the site that was included with the adopted OTN SAP. As shown in the figure below, the applicant proposed a layout with the initial Concept submission that differed from the original illustrative layout. The proposed layout, which places the massing at the rear of the property and creates the arts walk cut-through, has been refined over subsequent Concept and Preliminary site plan submissions.

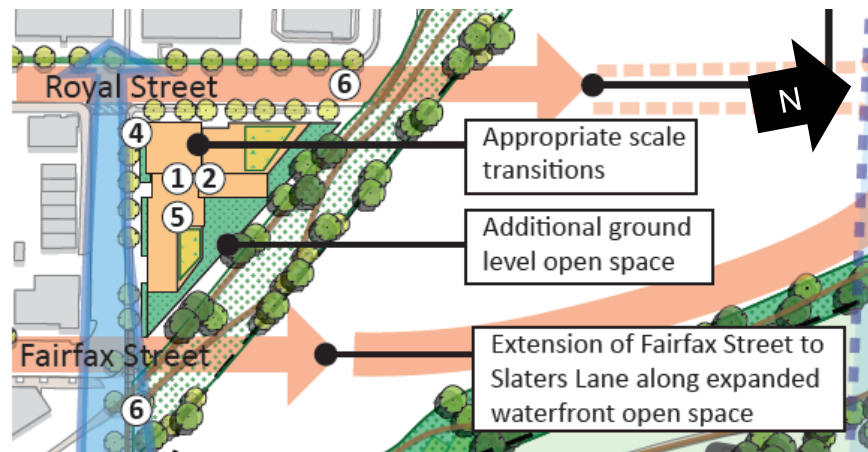


Figure 1: OTN SAP illustrative layout of the site

Since a Concept I was submitted by the applicant in the spring of 2018, the site design and architecture has evolved based on input from the Urban Design Advisory Committee (UDAC), the community and staff. Changes have included the design of sidewalk, tree well and parking and loading areas on Third and N. Royal streets, and architectural refinements, such as the simplification of window treatments on the trail-facing building façade and panel color of the midrise portion of the building.

C. Detailed Project Description

The applicant is proposing to construct an eight-story, 90-unit multifamily building with ground-floor arts and cultural anchor at 1201 N. Royal Street. The arts and cultural anchor is proposed as a community arts school with gallery and showcase spaces fronting the street and the publicly accessible arts walk that bisects the site.

The proposal includes a 118,602 net-square-foot building fronting Third and N. Royal streets and the Mount Vernon Trail spur and is comprised of three distinct building forms: the corner element, the midrise massing and the brick shoulders. The first element, fronting the intersection of Third and N. Royal streets at the southwest corner of the site, is the metal-paneled three-story corner element. This portion of the building has a footprint of approximately 3,000 square feet and features the primary location of the arts and cultural anchor on the ground floor. The building features large storefront windows with brick and metal pillars on the ground floor for the arts anchor and metal panels with warehouse-style windows at the top two floors for multifamily units. The corner element is joined to the main midrise portion of the building via a glass bridge at the second floor.

The second building form, the midrise massing portion of the building, occupies most of the rear and internal portion of the site and contains the majority of the multifamily units, with portions of the ground floor reserved for the arts and cultural anchor. This building section is eight stories, with the top floor reserved for amenity space for residents and access to rooftop open space. This portion is visually light and composed primarily of glass and metal panel with a brick base on the northeast elevation, fronting the Mount Vernon Trail spur. Ground-floor patios will connect directly to the trail. The third building element, the brick shoulders, provide a transition between the street and the taller midrise massing. This element occurs on both N. Royal Street and Third Street. The brick shoulders are four stories each with distinctive warehouse-style windows and help ground the overall building composition.

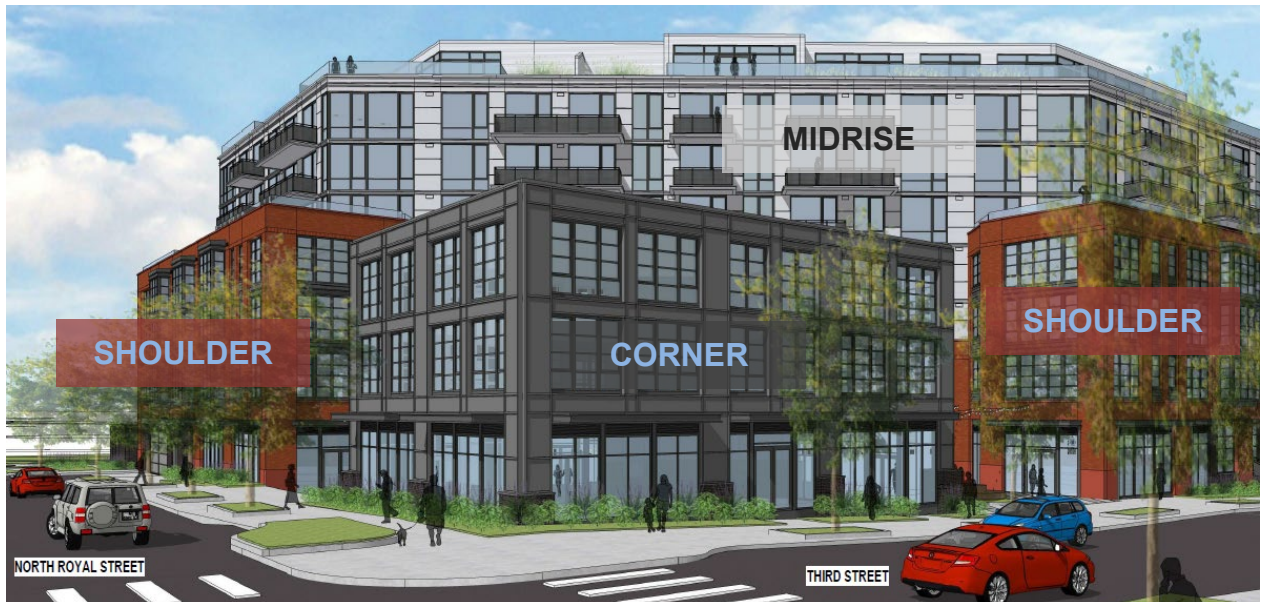


Figure 2: The three building portions: the corner element (front, clad in dark gray metal), the building shoulders (on the left and right, clad in red brick), and the midrise (rear, clad in light gray metal panels)

The proposed building has a floor area ratio (FAR) of 3.25 and utilizes a 30-percent density bonus for an arts and cultural anchor in Old Town North (per Section 6-900 of the Zoning Ordinance). Included with the density bonus request is a request for an additional 12 feet in height (up to 89 feet) which allows for the enclosure of the rooftop amenity space. The bonus density request is discussed further in the Special Use Permit Requests section of the Staff Analysis.

The proposed arts and cultural anchor will occupy approximately 5,700 square feet of ground floor space, split into three spaces among the corner element, midrise portion of the building and the N. Royal Street building shoulder and connected by the arts walk through the site. The Art League, which is currently located at the Torpedo Factory and at 305 Madison Street in Old Town North, has been working with the applicant on planning for future operation of the arts and cultural anchor spaces. The Art League, which operates as a private commercial school, plans to place printmaking, craft-making and other equipment around the exterior of the spaces to activate the storefronts facing the public sidewalk and the arts walk. The arts and cultural anchor space will be reserved for The Art League or other organizations that will program the space with community activities and events related to “visual or performing arts and cultural works,” per Section 6-900 of the Zoning Ordinance, for a minimum of 30 years.

Beneath the site is a two-level underground parking garage that accommodates 144 parking spaces for the multifamily units. The garage is accessible from N. Royal Street, and the garage footprint excludes the southeast portion of the site, which will potentially be dedicated to the City in the future for an extension of N. Fairfax Street into the power plant site. Loading activities will be accommodated on-street along N. Royal Street, via direct building access to a loading corridor and trash room. The requested Loading Reduction SUP is discussed in the Special Use Permit Requests section of the Staff Analysis.

The arts walk is located between the corner element and the midrise portion of the building. The 25-to-35-foot-wide arts walk is publicly accessible and connects directly to the N. Royal Street and Third Street sidewalks. The arts walk will feature street furniture and specialty paving treatments to connect the two portions of the arts and cultural anchor in the corner element and the midrise portion of the building. With the arts walk and open space at the rear of the property, the proposal nearly meets its 25-percent open space requirement at the ground level with 24.7 percent. The applicant has also proposed a significant portion of rooftop open space above the brick shoulders and midrise portion of the building.

The applicant proposes streetscape improvements, including rebuilt and widened sidewalks with bioretention BMP (best management practice) tree wells adjacent to the site frontage on N. Royal and Third streets. Enhanced connections from the site to the Mount Vernon Trail spur will be constructed, and the applicant will make pedestrian and bicycle safety improvements to the area where N. Royal Street, Bashford Lane and the Mount Vernon Trail spur converge.

As described in the Staff Analysis section (Section IV) below, the applicant requests a site plan modification to the site plan requirement for crown coverage on 25 percent of the site area.

III. ZONING

Table 1 – Zoning Tabulations

| | | |
|--------------------------|---|----------------------------|
| Property Address: | 1201 N. Royal Street | |
| Total Site Area: | 0.84 acres (36,568 SF) | |
| Existing Zone: | CD-X Commercial Downtown (Old Town North) and UT (Utilities and Transportation) | |
| Proposed Zone: | CRMU-X / Commercial Residential Mixed Use (Old Town North) | |
| Current Use: | Live theater and vacant commercial | |
| Proposed Uses: | Multifamily residential and arts and cultural anchor | |
| | Permitted / Required | Proposed / Provided |
| FAR | 2.5 with SUP | 3.25 ¹ |
| Height: | 77 Feet | 89 Feet ² |

¹ Includes 30-percent density bonus for an arts and cultural anchor per Section 6-904 of the Zoning Ordinance.

² Applicant is requesting an additional 12 feet of height per Section 6-904(I) of the Zoning Ordinance.

| | | |
|------------------------|---|--|
| Open Space: | 25% (9,142 SF) | 25-35% minimum (9,144 SF - 12,799 SF) ³ 9,034 SF (24.7%) at ground level |
| Crown Coverage: | 25% (9,142 SF) | 11.6% (4,250 SF) ⁴ |
| Parking: | 143 - 150 residential spaces 2 - 18 arts and cultural anchor spaces | 144 residential spaces 0 arts and cultural anchor spaces ⁵ |
| Loading spaces: | 1 | 0 ⁶ (1 space located on-street) |

**See footnotes below for background on zoning information.*

IV. STAFF ANALYSIS

A. Conformance with the Master Plan

This proposal is the second development in Old Town North to be reviewed by Planning Commission and City Council since the adoption of the Old Town North Small Area Plan (OTN SAP). The plan was adopted by City Council in September 2017 and envisions a “pedestrian-focused neighborhood” with a “diverse public realm network.”

The proposal was identified in the OTN SAP as a potential redevelopment site with a proposed rezoning to CRMU-X. City staff discussed the potential redevelopment with the applicant through the OTN SAP process, and an illustrative layout was added to the plan (see Figure 1 on page 7 of this report). The proposal incorporates the recommendations in the illustrative layout, including the programming of ground-level open space, height transitions and reserving space for the future dedication of the N. Fairfax Street extension, though building massing and open space locations have been partially flipped to create the arts walk, an interesting concept conceived by the applicant. Staff supports the proposed layout since it places the majority of the massing at the rear of the site and allows for the activity created by the arts walk and arts and cultural anchor at the street frontages.

The proposal is compliant with the principles and objectives of the OTN SAP and implements key elements of the plan. The proposal advances plan principles that encourage arts and cultural uses, enhance the public realm “in a way that prioritizes the pedestrian,” create a variety of passive and active open spaces and incorporate historical interpretation into the site design. The proposal provides an arts and cultural anchor, enhancing the Arts and Cultural District, approved by City Council in April 2018, and envisioned in the OTN SAP. Additionally, the applicant will be contributing to the Old Town North Streetscape and Open Space Fund to implement the OTN SAP. The contribution is based on the site area and the rezoning to CRMU-X.

³ The applicant has not fully calculated the above-grade open space to provide design flexibility during Final Site Plan, but has confirmed that between 25% and 35% of the site area will be provided for open space including above-grade open space.

⁴ Modification requested.

⁵ The applicant is exempt from providing parking for the arts and cultural anchor per Section 8-100(A)(9) of the Zoning Ordinance.

⁶ Loading Reduction SUP requested.

B. Rezoning

The applicant is asking to rezone the two parcels on the site. The 1201 N. Royal is proposed to be rezoned from CD-X to CRMU-X and the adjacent 11,055 outparcel from UT to CRMU-X. The CRMU-X zone allows the applicant increased flexibility with FAR, allowing for residential and mixed-use developments a maximum 2.5 FAR with an SUP.

The OTN SAP details recommended rezonings for anticipated redevelopment sites on the map labeled as Figure 2.12 - Recommended Zoning. The Craddock Site (1201 N. Royal Street) is listed on this map as a future CRMU-X zoned site⁷. The applicant team, including the existing property, was an active participant in OTN SAP process, which included extensive public input. Staff supports the proposed rezoning based on its inclusion in the Recommended Zoning map, which demonstrates its compatibility with the goals of the OTN SAP and the public process in which the rezoning proposal was reviewed.

C. Urban Design Advisory Committee (UDAC) Review

The applicant presented the proposal to the Urban Design Advisory Committee for Old Town North (UDAC) three times between June and October 2018.⁸ UDAC has an advisory role in reviewing development applications, per Section 6-505 of the Zoning Ordinance and with the review criteria provided by the OTN UDSG.

Over the course of three meetings, UDAC provided feedback and guidance to the applicant on the following:

- The massing of the building sections, including building section locations, height transitions and relation to Printers Row, Potomac Shore and Canal Place condominium developments;
- The character of the building sections, including fenestration, incorporation of vertical elements on the midrise portion of the building, building materials and color;
- The relationship of the arts walk and ground-level open spaces to the buildings and site frontages; and
- Streetscape improvements, including street trees, on-street parking and loading and safety enhancements at the convergence of N. Royal Street, Bashford Lane and the Mount Vernon Trail spur.

At the meeting on October 31, the committee endorsed the project in a 5-0 vote as it relates to its general compliance with the OTN UDSG. An endorsement letter drafted by the chair of the

⁷ It should be noted that the outparcel, while envisioned as a portion of the Craddock Site redevelopment and intended to be included in a future rezoning, is shown in the Recommended Zoning map as part of the rezoning of the Mount Vernon Trail spur to POS (public open space). Staff confirms the intent of rezoning the outparcel to CRMU-X with the 1201 N. Royal Street parcel, and believes the rezoning of the outparcel to CRMU-X is consistent with the OTN-SAP.

⁸ Meeting notes for each meeting can be found at alexandriava.gov/69556.

committee, Stephen Kulinski, has been included as an attachment to this report, and further discusses UDAC's review of the proposal.

D. Old Town North Urban Design Standards & Guidelines

The Old Town North Urban Design Standards & Guidelines (OTN UDSG) were approved with the OTN SAP and is an update to the Urban Design Guidelines for Old Town North that were adopted in 1994. The OTN UDSG aim to promote “high-quality architectural and urban design within an established urban context and to encourage a cohesive and attractive environment” within the planning area. The Standards and Guidelines were utilized by staff and UDAC in the review of the development, and were influential in determining building massing and location, general site design and streetscape for the proposal.



Figure 3: The gateway element precedent image in the OTN-UDSG (left) and proposed brick "bookend" element (right).

The guidelines included in the OTN UDSG are “defined criteria” that should be incorporated into a development proposal to the “extent possible,” while standards “necessitate a higher level of review.” The proposal complied with the applicable standards in the OTN UDSG, though the applicant did not comply with Standard 2 of Section 2.4 (Gateway Elements – Vistas) that states “gateway elements shall be provided for new buildings at visually prominent locations within the plan area.” The southeast corner of the site adjacent to the Third Street and (future) N. Fairfax Street extension frontages, where the UDSG recommends a gateway element similar to what is seen in the figure below. In consultation with staff and UDAC, the applicant proposed that the four-story brick shoulder wrap the corner from Third Street to create the eastern building elevation with a scale and massing that matches the Printers Row development to the south. Staff and UDAC (as discussed below) supported the proposed variation from the aforementioned design standard and found that the overall development proposal complied with the foundation and purpose of the OTN UDSG.

E. Conformance to City Policies

The proposed development meets several applicable City policies including:

Affordable Housing Policy

Principles stated in the approved OTN SAP envision a variety of housing choices and building types in the plan area that are affordable and accessible to a diverse range of ages, incomes, abilities, and household sizes. Plan recommendations include prioritizing the provision of onsite affordable housing units in high-quality, mixed-income residential development, maximizing affordability through bonus density, public private partnerships, and other tools, and encouraging artist housing.

The proposed 1201 N. Royal Street development requests a rezoning from the CD-X and UT zones to the CRMU-X zone. In addition, the applicant has requested 30-percent bonus density, opting to pursue bonus density pursuant to Section 6-900, the Old Town North Arts and Cultural District Overlay, in exchange for an approximately 5,732 square-foot arts and cultural anchor. The use of the affordable housing bonus density (Section 7-700 of the Zoning Ordinance) would have secured approximately 9,061 square feet of onsite affordable housing based on staff calculations of floor area added from a 30-percent density bonus. It is noted that this site is one of few redevelopment sites in the plan area that is eligible for the arts and cultural anchor density bonus as indicated by its location in the Old Town North Arts and Cultural District Overlay Map and shown in Figure 4.

In the case of a rezoning application when additional density is being requested, the City's Housing Master Plan recommends that voluntary developer contributions take into account that affordable housing is one of the City's highest priorities and a significant monetary or in-kind contribution to affordable housing in excess of what would normally be anticipated with a DSUP should be considered. In this case, the applicant has provided a voluntary monetary contribution (\$469,955) based on the development permitted under the CRMU-X Zone and is not providing a contribution on the development associated with the bonus density for the arts anchor space.

Equivalency analysis

Based on direction from City Council with the approval of the Old Town North Arts and Cultural District Overlay, staff has compared the projected community benefits resulting from the two available bonus density incentives—arts and cultural anchor space or approximately eight new affordable homeownership units (the applicant has indicated the proposed units will be condominium ownership). The community benefits are considered to be the savings accrued by the anchor or homebuyers and reflect the difference between the market value and the cost to secure the space by the anchor or homebuyers.

Staff has estimated the community benefit of the affordable housing and arts and cultural anchor to be approximately \$2.6 and \$4.3 million, respectively. The value of the eight affordable homeownership units is based on the difference between estimated market prices (\$400,000 and \$650,000 for a one- and two-bedroom, respectively) and the City's established sale prices for affordable housing units (\$225,000 and \$250,000, respectively).⁹ Staff based the 30-year value of the arts space on an estimated annual rent of \$25 per square foot (this figure does not factor in

⁹ It is noted that this does not incorporate value associated with the restrictive covenants that require that accrued equity be shared to keep homeownership units affordable in the future if / when they are resold during the 40-year commitment period.

potential annual increases in rent.) It is noted that the arts space will be provided rent-free to the arts anchor operator, and that the terms of tenancy shall be included in the memorandum of understanding to be drafted as a condition of approval.



Figure 4: Old Town North Arts and Cultural District Overlay

Green Building Policy

The City adopted the Green Building Policy in 2009, establishing a requisite condition and standard for green building certification for new development. The applicant has committed to achieving LEED Certified or an equivalent certification for the proposed building. LEED Certified satisfies the City policy for residential development, which is the majority of the project square footage. As a nonresidential space, the arts and cultural anchor is subject to LEED Silver or equivalent certification per the Green Building Policy, though the applicant has committed to LEED Certified for the anchor spaces. This is consistent with the arts and cultural anchor at 901 N. Fairfax Street (DSUP#2017-0011), where the applicant committed to LEED Certified for the theater space. Attainment of the certification is included as part of the conditions of approval for this project.

Public Art Policy

The applicant also proposes to include public art at the project site, pursuant to the City's Public Art Policy adopted on December 13, 2014. The value of the on-site art should be a minimum of

\$43,050, based on the square footage on site and the \$0.30 per square foot that is asked for public art contributions on projects without on-site public art. The applicant will work with City staff to incorporate a public art installation on the portion of the site adjacent to the Mount Vernon Trail spur.

F. Building Design

As discussed in the Detailed Project Description section, the proposal is for the construction of a single building that can be categorized into three distinct building sections: the three-story corner element that fronts the corner of Third and N. Royal streets, the midrise portion of the building located at the rear half of the property, and the four-story brick shoulders that front Third Street and N. Royal Street. The building is designed to respond to the triangular shape of the block and neighborhood contexts and consolidate areas of open space.

The contextual building is contemporary in style yet incorporates traditional materials, with brick placed at the lower floors and metal panels placed on the corner element and upper floors of the midrise building portion. The red brick and black brick accents on the building shoulders complement the materials on the condominiums to the south and west, while the glass and metal panels that define the corner element and midrise building relate to the more contemporary buildings in Old Town North, including the recent construction at 530 First Street (“Edens” development) and reskinned tower that is part of the Crowne Plaza redevelopment at 901 N. Fairfax Street. At the ground level, the building is designed to activate the street and site frontage. Examples include the storefront windows in the arts and cultural anchor space facing the sidewalk and arts walk and the stoops and residential unit entrances at the first floor of the building shoulder fronting N. Third Street and the rear of the property facing the Mount Vernon Trail. Regarding the building orientation to the Mount Vernon Trail, the applicant has designed a façade with four prominent vertical elements that integrate bay windows and balconies. At the ground level, visual connection with the trail is made through the first-floor patios providing direct access to the trail, with a seat-height retaining wall delineating the area adjacent to the property line.

The applicant has taken into consideration the height transitions required by the OTN SAP and placed the tallest portion of the building away from the street frontage and adjacent residential buildings. The building steps back from three (corner element) and four stories (shoulders) to seven stories a minimum 22 feet from the property line. The eighth story of the building is a floor that spans only a portion of the building footprint of the midrise, and serves partially as a mechanical penthouse, access area for the rooftop open space and 2,700 square-foot amenity (fitness and club room) area for residents. The addition of the enclosed habitable space (amenity area) is the reason that the eighth story is called as such and not merely a penthouse level. The addition of the amenity area adds 12 feet to the building height, which is allowable per use of bonus density for the arts and cultural anchor. Staff supports the addition of the amenity area due to its minimal visual impact as compared to a mechanical penthouse / rooftop access area that does not include habitable space.

Staff has added conditions of approval that instruct the applicant to refine the architecture to provide greater setback for the windows on the midrise façade to create greater depth and texture on the façade, and to balance the balcony spacing as the applicant finalizes unit layouts during Final Site Plan.

G. Open Space

The proposed CRMU-X zone requires that 25 percent of the site area is provided as open and usable space at either the ground level or at areas above grade. The applicant has provided open space in excess of the 25 percent required, and nearly meets the open space requirement with ground-level space (calculated at 24.7% of site area).

The ground-level open space is located in the arts walk, at the rear of the site adjacent to the Mount Vernon Trail, and at the southeast corner of the site. The publicly accessible arts walk is located at the southwest portion of the site and is designed as an “outdoor room” that connects the arts and cultural anchor spaces in the ground floor of the corner element and midrise building. The applicant has proposed concrete pavers, flexible seating / art display furniture and catenary lights to activate the space. The open space at the rear of the site is the linear area between the rear of the building and the property line that is shared with the Mount Vernon Trail spur. The open space is designed to integrate the patios of the ground-floor residential units with the adjacent trail, and direct access to the trail spur is provided and a seat-height retaining wall proposed. This area of open space contains mostly groundcover, small plantings and ornamental trees, due to the extent of the underground garage below. The applicant has also proposed a bike station and public art at the northwest corner of the site adjacent to the trail. These amenities will be further refined during Final Site Plan. The third area of ground-level open space is at the southeast corner of the site and includes groundcover and two shade trees. This area is located in the future N. Fairfax Street right-of-way, and staff asked the applicant to plant trees in the general location where the tree pits or planting strip will be placed.

In addition to the ground-level open space, the applicant has proposed significant areas of above-grade open space above the building shoulders and at the rooftop of the midrise portion of the building. The rooftop open space includes private terraces and an open space with direct Potomac River views accessible to all residents. The applicant has not provided a full calculation of the above-grade open space square footage, though has indicated that a range between 25 and 35 percent open space (including ground-level) will be provided in the final building design. The applicant asked for flexibility in above-grade open space calculations to allow for the full design of unit layouts and access to the private terraces, and areas of green roof (which are not accessible and do not count toward the open space requirement).

SUP Analysis

Section 5-408 of the Zoning Ordinance, which concerns open space in the CRMU-X zone, allows for a portion of the site that is not “green area” to be utilized to meet the 25 percent open space requirement. These “comparable amenities and/or facilities” are allowed to count toward the site open space requirement if they “meet or exceed the beneficial purposes which such green areas would accomplish,” and the Director of Planning and Zoning and/or City Council determines if these areas are “functional and usable” as open space.

The comparable amenities in question can be considered the multiple rooftop open spaces and the arts walk, since it is a paved area. Staff supports the inclusion of the arts walk as provided

open space, since it is the most functional and usable open space on the site and is publicly accessible. The above-grade open spaces, which only need to constitute a small portion of the site open space due to the amount of ground-level open space, are generally large-sized (minimum 300-400 square feet each based on Preliminary floor plans) and allow for adequate programming and use. The common open space on the midrise rooftop will provide access to river views to take advantage of this unique site location.

Table 2 – Open Space Provided

| Open Space Location | Amount (Percentage of Site Area) |
|----------------------------|---|
| Ground Level | 9,034 SF (24.7%) |
| <i>Arts Walk</i> | 4,813 SF (13.2 %) |
| <i>Green Areas</i> | 4,221 SF (11.5%) |
| Above Grade | 110 SF - 3,657 SF (0.3% - 10%) |
| Total | 9,144 SF – 12,799 SF (25% - 35%) |

Historical Interpretation

The OTN SAP includes a recommendation that all DSP or DSUP projects “incorporate a historic interpretation component as part of the review and approval process.” The applicant has identified potential locations for the interpretative elements (in the arts walk, at the northwest corner of the site fronting the Mount Vernon Trail, and the open space at the southeast corner of the site). Per added conditions of approval, the applicant will submit information that indicates historical themes on the site, provides forms of interpretation to implement and the locations of the interpretive elements to be reviewed by staff during the Final Site Plan process.

H. Arts and Cultural Anchor

As part of the development proposal, the applicant has proposed an approximately 5,700 square-foot arts and cultural anchor to be located in the ground floor of the corner element and adjacent to the western half of the arts walk in the N. Royal Street building shoulder and midrise building portion (see figure below for site layout). The three spaces are clustered around the arts walk and are designed as showcase spaces with significant building frontage and exposure to the arts walk and adjacent sidewalks with near expansive glass show windows. The arts walk is considered an accessory area to the arts anchor and is designed as an area where activities and classes can “spill out” from the spaces into the arts walk. The arts walk concept was inspired by other developments that feature a publicly accessible open space plaza or corridor with adjacent retail and/or arts spaces, including the Arts Walk at Monroe Street Market in the Brookland neighborhood of Washington, DC.

While the arts anchor will be distributed in three spaces, the spaces will be managed by a single arts organization. The Art League has been selected by the applicant to be the operator of the anchor and will program each of the three spaces and events in the arts walk. The Art League and the applicant have proposed the following for each of the three spaces and arts walk¹⁰:

¹⁰ The list is outlined in an email from an applicant to City staff on October 10, 2018, and a memo from the applicant that has been attached to the staff report. The programming of the spaces is preliminary and subject to refinement during the Final Site Plan process.

- **Corner element space**
 - Printmaking and graphics studio lining the exterior of the space, with equipment such as printing presses, typesetting machines, bookmaking equipment, light tables and silk screen printing presses.
 - Fibers and textiles studio in the interior of the space, programmed for “weaving, knitting, spinning and loom-based classes and workshops.”
- **Space fronting N. Royal Street north of the arts walk**
 - Jewelry studio with equipment such as drills and hydraulic presses, metal-forming equipment, lathes, saws and blades, enameling kilns and lapidary tools.
- **Internal arts walk space**
 - Crafts studio programmed for classes focusing on “fiber, millinery, costuming, shoemaking.”

Additionally, The Art League has proposed several potential events that could be hosted in the anchor spaces and “spill into” the adjacent arts walk, including book fairs, craft sales, *plein air* (outdoor) painting workshops and children’s book readings. The Art League use of the arts and cultural anchor can be categorized in Article II – Definitions of the Zoning Ordinance as a private commercial school, which is a permitted use in the CRMU-X zone. Any potential future uses of the space that comply with the arts and cultural anchor definition in the Zoning Ordinance will be regulated through a memorandum of understanding drafted during Final Site Plan and the Special Use Permit process, if necessary.

Compliance with Provisions of Old Town Arts and Cultural District Overlay

Section 6-902(B) of the Zoning Ordinance defines an arts and cultural anchor as:

“A larger destination use or venue where visual or performing arts and cultural works are taught, created, and made available to the public by various means including live performances of theater, dance, music, or other imaginative work or producing or exhibiting of physical works created by or under the direction of one or more artists and intended for unique production or limited reproduction.”

The Art League’s proposed use of the arts anchor for the instruction and creation of art is consistent with the Zoning Ordinance definition. Section 6-904 of the Zoning Ordinance outlines the provisions that must be satisfied for the density bonus incentive to be granted. The provisions of Section 6-904 with staff analysis of how these provisions are addressed by the applicant is located in the Appendix.

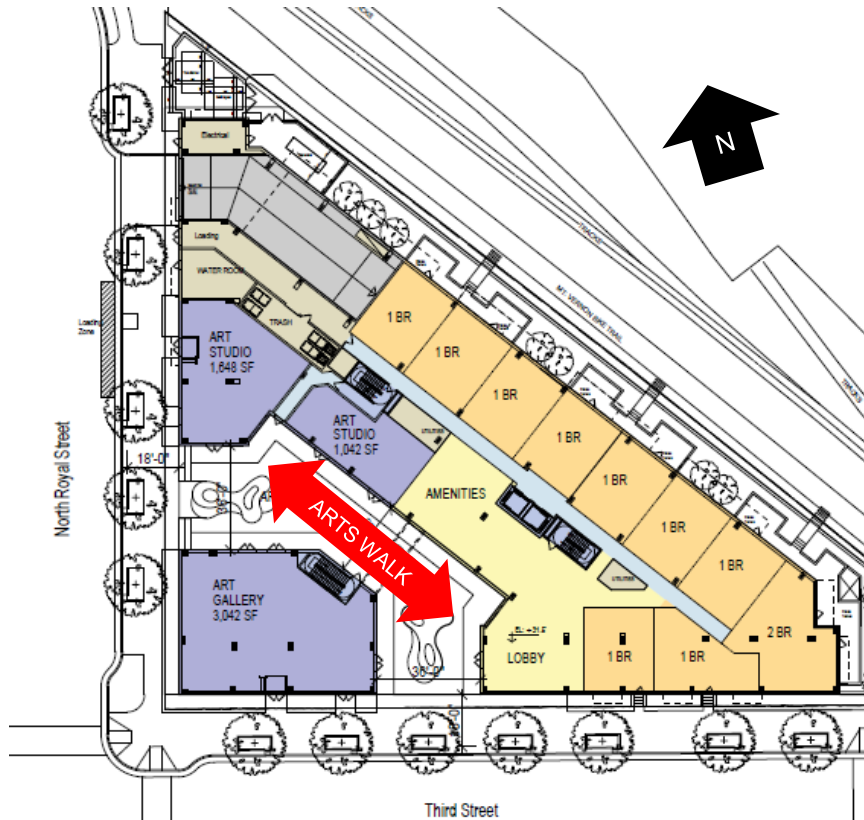


Figure 5: Locations of arts and cultural anchor spaces (in purple)

I. Special Use Permit Requests

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

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

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

Density-Related SUPs: Increase of FAR to 2.5 in CRMU-X Zone and 30-Percent Density Bonus for an Arts and Cultural Anchor in Old Town North

The applicant has requested two SUPs related to density increases – an increase to an FAR of 2.5 in the CRMU-X zone, and the density bonus of 30 percent (allowing a maximum FAR of 3.25) for the inclusion of an arts and cultural anchor in the proposed development.

SUP for Increase to FAR of 2.5 in CRMU-X Zone

The proposed rezoning from CD-X and UT to CRMU-X allows the applicant to request additional floor area up to 2.5. The CRMU-X zone allows a “by-right” option which allows development up to 1.5 solely for townhouse development. Any other development in the zone must request a “mixed use, residential or commercial” SUP which allows for a variety of uses and a maximum FAR of 2.5. This SUP for a mix of uses and increased density was anticipated with the site redevelopment, and the recommended rezoning to CRMU-X was included in the OTN SAP. Staff supports the request for the increase of FAR and mix of uses in the CRMU-X zone based on the recommended rezoning of the site in the OTN SAP.

The request for the FAR increase SUP in the CRMU-X zone contains additional criteria that is outlined in the CRMU-X zone section of the Zoning Ordinance (Section 5-409). Below is each criterion and staff response (*in italics*):

- (A) The number, viability and compatibility of the individual uses proposed and their physical and functional integration.

The proposal includes multifamily residential units and the arts and cultural anchor. They are designed to be physically integrated on site and will be functionally integrated through the conditions of approval, which include the drafting of a memorandum of understanding outlining the operation of the arts and cultural anchor.

- (B) The ability of the design to promote the integration of uses within the project and to promote compatibility of the project with the neighborhood.

The proposal is a mixed-use project where the residential and nonresidential uses are integrated – the arts and cultural anchor will be enhanced by the residential units above, which will have clear view of the activities in the arts walk related to the arts and cultural anchor. The applicant envisions activity at the ground level, both inside and outside, that is compatible in scale and intensity with the adjacent residential and office uses.

- (C) The inclusion of site amenities, open space and features, supporting uses in a manner which encourages pedestrian use and promotes internal compatibility of uses.

The development of the arts walk and the placement of ground-level open space adjacent to the Mount Vernon Trail spur encourages pedestrian use of the site and the adjacent trail spur.

- (D) The distribution of floor area ratio over the site so that the mass and scale of buildings do not overwhelm and are compatible with neighboring areas.

The applicant has conceived the design as intersecting forms of different masses to provide variety and transition and has placed the majority of the massing at the rear of the site, where it steps back from the street frontages and neighboring residential uses.

- (E) Compliance of the proposed development with the master plan.

The proposed rezoning to CRMU-X was recommended in the Small Area Plan, and the proposed development implements the Master Plan.

Density Bonus of 30 Percent for an Arts and Cultural Anchor in Old Town North

In addition to the SUP request for increased density in the CRMU-X zone, the applicant has requested to utilize a density bonus of up to 30 percent for providing an arts and cultural anchor on-site, and is proposing an FAR of 3.25. The proposed use must meet the definition of an arts and cultural anchor per Section 6-902 of the Zoning Ordinance and meet the criteria outlined in Section 6-904 of the Zoning Ordinance. Analysis of the proposed use is located in the previous section. As part of the density bonus incentive request, the applicant has requested an additional 12 feet in height (up to 89 feet), as allowed by Section 6-904(I) of the Zoning Ordinance. Staff supports the additional height request for its minimal impact (to enclose a portion of the rooftop penthouse for amenity space that is connected to the mechanical penthouse).

Based on the three criteria City Council considers in their approval of SUPs, staff supports the approval of this SUP after consideration of the impacts of the arts and cultural use and added density:

1. The site can easily accommodate the added density and arts anchor, and the site layout is designed to activate the blockface while locating the added density at the rear of the site away from adjacent residential buildings.
2. The proposed arts and anchor and added density will enhance the neighborhood with an active community anchor and site improvements that will accommodate the increased pedestrian traffic. The residential use is parked on-site per the Zoning Ordinance, and the arts anchor operator will work with the City on securing off-street parking for larger events.
3. The utilization of this density bonus has been outlined in the OTN SAP and this development implements the Master Plan.

Loading reduction for the arts and cultural anchor (Included in DSUP)

The applicant is requested a loading reduction SUP for the arts and cultural anchor (private commercial school). Section 8-200(B) of the Zoning Ordinance requires that buildings that provide areas for “manufacturing, storage, warehouse, goods display, retail store, wholesale business, hotel, hospital, laundry, dry cleaning or other uses similarly involving the receipt or distribution by vehicles of materials or merchandise” require one off-street loading space per 20,000 feet of floor area “or fraction thereof.” The proposed use of the arts and cultural anchor space requires one off-street loading space per the Zoning Ordinance, though the applicant intends to request an on-street loading space on N. Royal Street and requests a loading reduction with the development application.

The request for the use of on-street loading for the arts and cultural anchor is supported by staff, who asked the applicant remove a proposed loading dock to the south of the parking garage entrance to reduce the curb cut width on N. Royal Street and create a more pedestrian-friendly streetscape. The area and length of the on-street loading area will be determined with T&ES during

the Final Site Plan review, though the area will be adjacent to a building entrance that leads to the loading corridor and trash room, facilitating on-street pickup and drop-off of items. Additionally, the on-street loading area will be close to the entrances of the arts and cultural anchor spaces. The size of the arts and cultural anchor (5,732 square feet) and the plans for condominium ownership of the multifamily residential units should limit the impact and frequency of on-street loading for the building uses.

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

1. The on-street loading will create a better pedestrian condition on N. Royal Street, and the frequency of loading activities should not warrant a loading dock in the building.
2. Loading activities shall be facilitated between the building and the N. Royal Street loading area with minimal impacts to N. Royal Street due to the frequency and scope of loading activities.
3. The enhancement of the pedestrian realm on N. Royal Street (a “green street” in the OTN SAP) is consistent with the City Master Plan.

Transportation Management Plan (SUP#2017-0102)

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

The TMP will require a coordinator to implement and oversee the TMP program for the facility. The TMP requires annual reporting and surveys. Specific elements of plan implementation are included in the conditions and allow for flexibility based on the needs and interests of the employees and guests.

J. Modifications

As part of this DSUP, the applicant is requesting a modification to the Zoning Ordinance relating to the required 25-percent canopy coverage. Pursuant to Section 11-416 of the Zoning Ordinance, the Planning Commission may approve these modifications if they determine that such modifications:

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

Crown Coverage

The applicant is requesting a modification to the 25-percent-minimum crown coverage requirement that is noted in the City *Landscape Guidelines*, and as required by Section 11-410(CC) of the Zoning Ordinance. The 25-percent crown coverage requirement for the site is 9,142 square feet, and the applicant is providing 4,250 square feet, or almost 12 percent of site area.

As commonly seen in the more urbanized portions of the City, the site is constrained in terms of accommodating the minimum required tree canopy coverage. The location of the underground parking garage underneath the majority of the site and the siting of the buildings around a paved arts walk allows for few areas where shade trees can be integrated into the site design. City staff worked with the applicant on placing tree plantings on the rear of the property adjacent to the Mount Vernon Trail, though the extent of the underground garage hinders the placement of larger shade trees on site. The applicant has placed two shade trees in the eastern portion of the site in the area where N. Fairfax Street will be extended to the north (these trees may be adapted into street trees based on the final street layout). To mitigate the impacts of the reduced on-site crown coverage, the applicant is providing a \$3,600 contribution (based on \$900 per tree) to the Living Landscape Fund for tree plantings in the neighborhood.

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

1. The modification is necessary to allow for the construction of the underground parking garage and the construction of an urban building on a triangular site.
2. The site layout provides adequate ground-level open space with planted areas located adjacent to the Mount Vernon Trail spur.
3. The reduced amount of crown coverage will not have an adverse impact on neighboring properties, and the configuration of on-site crown coverage and adjacent street trees is consistent with the treatment of neighboring developments.

K. Pedestrian and Streetscape Improvements

The proposal features significant improvements to the streetscape along the N. Royal Street and Third Street frontages. The applicant will provide the following improvements:

- New 7-foot concrete sidewalks along N. Royal Street and Third Street;
- Bioretention tree wells (minimum 5 feet by 12 feet) with curb inlets on both street frontages, with 12 street trees; and
- Safety enhancements to the convergence of N. Royal Street, Bashford Lane and the Mount Vernon Trail spur.

The proposed improvements will enhance pedestrian connections to Old Town North and Old Town to the south, and to the Mount Vernon Trail spur. To accommodate the widened sidewalks and bioretention tree wells, the applicant will be moving the curb of Royal Street outward by 2

feet, and Third Street by nearly 4 feet, in addition to a bump-out at the corner of N. Royal and Third streets. Additionally, the building is setback from the street, including 5 feet back from the Third Street frontage to accommodate paved areas that expand the pedestrian area adjacent to the right-of-way.

To construct the streetscape improvements on Third Street, the applicant must remove the six existing street trees along the street frontage. Staff initially asked the applicant to retain the mature willow oak and London plane trees and incorporate them into the redesigned streetscape. Planning and Zoning staff met with the City Arborist in November at the project site to review the health of the trees and potential impacts from construction. While the existing trees are planted approximately 13-15 feet from the future underground garage wall, activities like the sheeting and shoring of the garage wall and reconstruction of the sidewalk and curb around the trees diminish their chance for survival. Staff determined that the best course of action is to allow the applicant to replace the trees and construction an enhanced streetscape with bioretention tree wells on Third Street, in addition to N. Royal Street. The seven trees planted along Third Street will be in bioretention (BMP) tree wells that will be sized appropriately (minimum 5 feet by 12 feet) to ensure long-term tree survival and will have the benefit of treating stormwater runoff along Third Street with the inclusion of curb inlets into the tree wells.

The applicant is providing streetscape improvements adjacent to the northwest corner of the site where N. Royal Street, Bashford Lane and the Mount Vernon Trail spur converge. This area currently presents conflicts for bicyclists, pedestrians and vehicles as the Old Town street grid ends. The applicant will work with City staff to design a pedestrian and bicycle crossing as N. Royal Street turns into Bashford Lane, and physical separation between the Mount Vernon Trail spur and roadway. In addition to the in-kind improvements, the applicant is providing a contribution to the Old Town North Streetscape and Open Space fund for improvements in the plan area.

L. Parking and Transportation

Parking

As proposed, the project is meeting its requirement for provided off-street parking per the City Zoning Ordinance. Parking for the multifamily residential units are provided in the two-level underground garage accessed from N. Royal Street. The applicant is not required to provide off-site parking for the arts and cultural anchor. The arts anchor is considered a private commercial school per the Zoning Ordinance and is categorized as a “specific commercial” use in the Article VIII – Parking. Specific commercial uses are required to provide a minimum of 0.25 spaces per 1,000 square feet, or two spaces per the 5,732 square foot arts anchor space. Per Section 8-100(A)(9) of the Zoning Ordinance, any nonresidential use with a parking requirement of two spaces or less is not required to provide off-street parking. Staff has added a condition of approval to the parking management plan condition that requires the applicant to provide information on how the arts anchor operator plans to secure nearby off-street parking for larger events.

In addition to off-street parking, spaces will be available on-street adjacent to the site frontage. The applicant is maintaining on-street parking spaces on both N. Royal Street and Third Street, and an on-street space will be added on Third Street with the closure of a curb cut. A curb cut will also be removed on N. Royal Street, and a loading area will be added to N. Royal Street south of the proposed garage entrance to reduce the curb cut width needed along the frontage.

Traffic

The proposal does not trigger a traffic study based on the City's guidelines for the trip generation for a proposed development. According to the trip generation analysis submitted by the applicant, a.m. peak hour trips are increased by 26 (from 9 to 35) while the p.m. hour peak trips will be increased by 15 (from 26 to 41).

Transit and Bicycle Facilities

This site is located within proximity to transit and bicycle facilities. The site is within a quarter-mile of five bus lines, including the DASH AT2 bus, which has stops on Second Street and Bashford Lane, the AT4 and AT8, which have stops on Madison and Montgomery Streets, and the AT5 and WMATA 11Y, which serves N. Washington Street. The nearest Capital Bikeshare stations are located on Madison Street to the south, with a station planned by N. Fairfax Street and Canal Center Plaza with the Crowne Plaza redevelopment. The site is along N. Royal Street, which is proposed as a shared bicycle-vehicle roadway in Old Town North, and the Mount Vernon Trail spur, which connects to the primary Mount Vernon Trail route to the north and south of the site.

M. School Impacts

The applicant proposes to construct 90 mid-rise apartments and the student generation rate for market-rate mid-rise multifamily units is 0.03 students per unit, or 3 students for the 90 market-rate multifamily units. This project is located within the Jefferson Houston School attendance area. Staff has coordinated with the Alexandria City Public Schools (ACPS) and will integrate the proposed development project in forthcoming school enrollment forecasts.

V. COMMUNITY

The applicant has had presented the proposal several times to the City and nearby residents. The project has been presented three times at UDAC meetings (see UDAC section above), twice to the North Old Town Independent Citizens' Association (NOTICE), and directly to community members. The community outreach process has influenced the proposal, including the addressing matters of building massing, streetscape and the importance of safety improvements to the N. Royal Street, Bashford Lane and Mount Vernon Trail spur intersection.

Table 3 – Community and City Meetings

| DATE | MEETING |
|---------------------------|--|
| Community Meetings | |
| June 28, 2018 | Applicant presentation to Printers Row neighbors (Studio Snaidero) |
| August 13, 2018 | Presentation at NOTICe |
| September 20, 2018 | Presentation at NOTICe |
| October 30, 2018 | Applicant presentation at 1201 N. Royal St. (MetroStage) |
| City Meetings | |
| June 6, 2018 | Urban Design Advisory Committee for Old Town North (UDAC) |
| August 8, 2018 | Urban Design Advisory Committee for Old Town North (UDAC) |
| October 31, 2018 | Urban Design Advisory Committee for Old Town North (UDAC) |

VI. CONCLUSION

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

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

VII. GRAPHICS

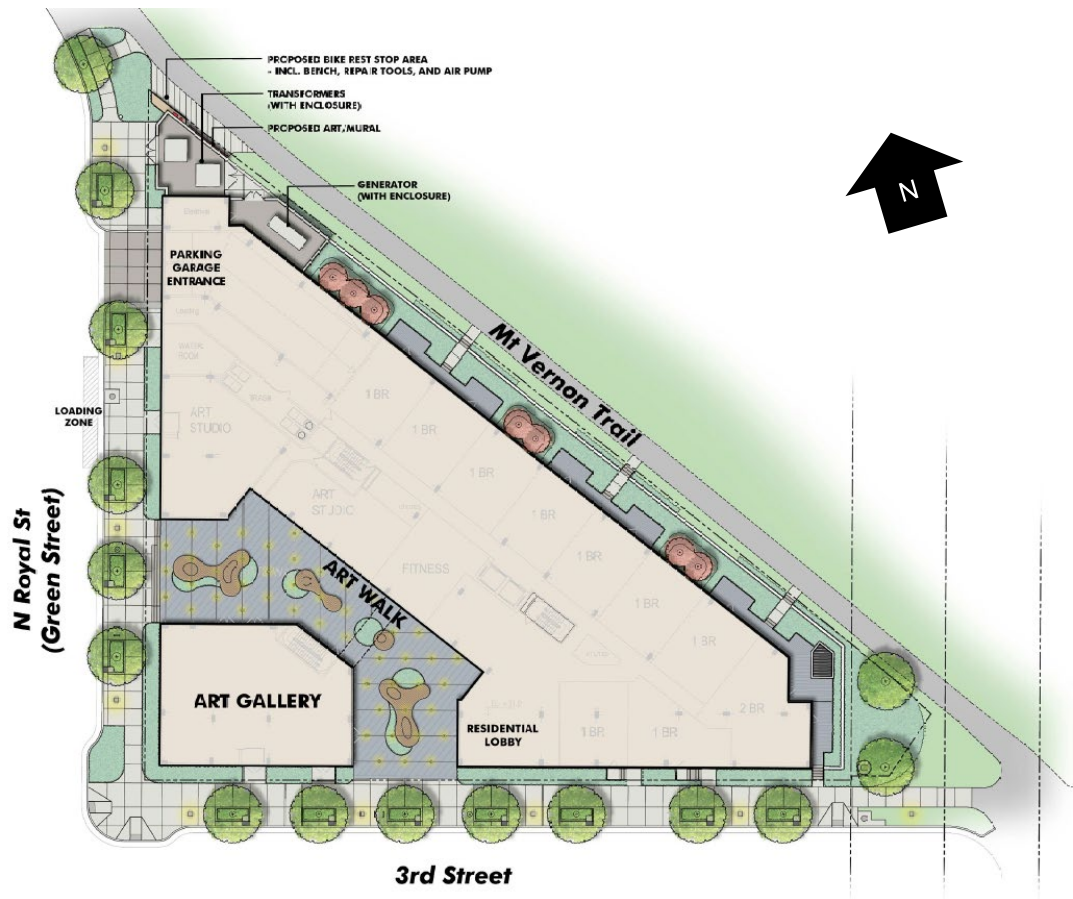


Figure 6: Site plan



Figure 7: View looking eastward



Figure 8: View northward from Third Street of the arts walk



Figure 9: View from the Mount Vernon Trail / power plant site

VIII. APPENDIX

Proposal Compliance with Section 6-904 of the Zoning Ordinance

The provisions of Section 6-904 are provided below, with staff response in *italics*:

- (A) Approval as part of a special use permit in accordance with the procedures and requirements set forth in section 11-500.

Analysis of the bonus density incentive request per Section 11-500 of the Zoning Ordinance is included in the Special Use Permit Requests section of the staff report

- (B) The entire arts and cultural anchor space will be limited to the uses defined in section 6-902(B).

This is enforced through conditions of approval and a memorandum of understanding between the City, the applicant and The Art League (MOU).

- (C) The space provided for the arts and cultural anchor shall be a minimum size of 5,000 square feet and consolidated in one area. The final size, use, and amount of floor area ratio increase for the provision of arts and cultural anchor space will be based on the type and character of the use and on achieving the intent and objectives of the Old Town North small area plan.

The applicant is providing 5,732 square feet of space for the anchor. The anchor is split between three spaces though consolidated in one area of the site around the central arts walk. The design of the space helps to achieve the objectives of the OTN SAP and UDSG through the amount of building frontage with glass and the establishment of activity around the arts walk and street frontages.

- (D) The arts and cultural anchor space may be located below grade, provided that it has a minimum area of 2,000 square feet of ground floor space, primarily accessed from the street frontages listed in section 6-901 and with a floor-to-ceiling height of no less than 15 feet.

Not applicable with the proposal.

- (E) The total floor area for arts and cultural anchor space utilizing the arts and cultural anchor incentive within the Old Town North arts and cultural district overlay will not exceed 100,000 square feet of floor area as defined by the zoning ordinance.

The amount of floor area approved with this proposal would not exceed 13,000 square feet total (including the below-grade space approved at 901 N. Fairfax Street).

- (F) The public benefit of the added density will be provided through the ability of the proposed arts and cultural anchor to further the goals of the arts and cultural district.

The proposal implements the Arts and Cultural District through the addition of an arts and cultural anchor that is in compliance with the OTN SAP and Section 6-900 of the Zoning Ordinance. The conditions of approval and memorandum of understanding (see [G] below) will ensure that proposed anchor increases activity in the area and helps to create a "critical mass" of arts-related uses in Old Town North.

(G) The applicant for the special use permit shall provide a contract, deed, or other recorded instrument in a form approved by the city prior to the release of the final site plan, which will be recorded within the land records prior to the issuance of the first certificate of occupancy permit for the site. The instrument will at minimum include:

1. Use of the space shall be limited to the uses defined in section 6-902(B) or as otherwise approved in accordance with the special use permit process for a minimum period of 30 years from the issuance of the certificate of occupancy for the space.
2. In the event the arts and cultural anchor space is vacated for a period of 90 calendar days, or the tenant is no longer able to operate within the space, the city shall have the right of first refusal to purchase the space, assign a purchase right, or assume a lease as specified in a memorandum of understanding that shall be executed.

These items shall be addressed in the MOU to be drafted per condition of approval.

(H) Nothing in this section 6-900 shall be construed to limit or otherwise interfere with any rights and obligations of the arts and cultural anchor arising out of membership in a property owners' association or pursuant to any other arrangement governing management of a mixed-use property.

The terms of operation and ownership/leasing will be outlined in the MOU.

(I) Height may not be increased pursuant to this section by more than 25 feet beyond the height otherwise permitted by the zone for the site. However, no building located in any zone or height district where the maximum allowable height is 50 feet or less may be allowed to exceed such height limits.

The applicant is requesting an additional 12 feet in height to enclose a portion of the rooftop area as amenity space.

(J) The arts and cultural anchor space will be open to the public with regularly scheduled presentations, activities, classes, or performances that are open to the public for a significant number of days within the calendar year commensurate with the type of use and operation.

The arts anchor operator will have to meet minimum attendance and public event requirements to be outlined in the MOU. The attendance and event minimums will be derived from City staff research and discussion with existing area arts organizations, including The Art League.

(K) The applicant shall submit as part of the application for special use permit an agreement with the arts and cultural anchor that will demonstrate compliance with this section 6-900.

The applicant has submitted a memo which is attached to the staff report.

(L) To qualify as an arts and cultural use anchor, the proposed operator of the arts and cultural space will be an existing organization or establishment that can demonstrate fiscal and managerial capacity to successfully operate such space as part of the special use permit process.

Staff supports the placement of The Art League in the proposed arts anchor space due to their established presence and capacity in Alexandria and in Old Town North. Information that fulfills this provision shall be outlined in the MOU and shall be made available to the City for review.

IX. STAFF RECOMMENDATIONS:

1. The Final Site Plan shall be in substantial conformance with the preliminary plan dated September 10, 2018 and as amended on November 2, 2018 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 the final 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 7 feet on N. Royal Street and a minimum of 7 feet on Third Street.
 - d. The bioretention tree wells on N. Royal Street shall be minimum 6 feet wide by 12 feet long and the bioretention tree wells on Third Street shall be 5 feet wide by 12 feet long, and all tree wells shall have curb inlets per the Preliminary Plan.
 - e. Sidewalks shall be flush across all driveway crossings.
 - f. All newly constructed curb ramps in Alexandria shall be concrete with detectable warning and shall conform to current VDOT standards.
 - g. Provide separate curb ramps for each direction of crossing (i.e., two ramps per corner). Curb ramps shall be perpendicular to the street to minimize crossing distances. Any changes must be approved by the Director of T&ES.
 - h. Provide thermoplastic pedestrian crosswalks at all crossings at the proposed development, which must be designed to the satisfaction of the Director of T&ES.
 - i. Reconstruct crosswalks at the corner of Third Street and N. Fairfax Street in the north – south direction to typical City standards (6 inches wide, white thermoplastic parallel lines with reflective material, with 10 feet in width between interior lines, remove stamped brick pavers). A new ADA ramp should be constructed at the west side of the existing east – west crossing at N. Fairfax Street.
 - j. All crosswalks shall be standard, 6 inches wide, white thermoplastic parallel lines with reflective material, with 10 feet in width between interior lines. High-visibility crosswalks (white, thermoplastic ladder crosswalks as shown in the Manual on Uniform Traffic Control Devices [MUTCD]) may be required as directed by staff at Final Site Plan. All other crosswalk treatments must be approved by the Director of T&ES.
 - k. 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)

3. Provide improvements for bicycle and pedestrian safety at the intersection of N. Royal Street and Bashford Lane to include at least one enhanced bicycle and pedestrian crossing. Improvements shall be to the satisfaction of the Directors of P&Z and T&ES, but shall not exceed the following
 - a. Striping, signage, raised crosswalks, rapid rectangular flashing beacons, and standard or mountable curb. (P&Z)(T&ES)
4. Plant a medium shade tree in the green space between the N. Royal Street sidewalk and the northwest corner of the site in coordination with vision clearance for the garage entrance, the proposed bike rest stop, public art and historic interpretation, to the satisfaction of the Directors of P&Z and RP&CA. (P&Z)(RP&CA)

B. PUBLIC ART:

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

C. OPEN SPACE/LANDSCAPING:

6. Develop, provide, install and maintain an integrated Landscape Plan with the Final Site Plan that is coordinated with other associated site conditions to the satisfaction of the Director of P&Z. Landscape plans shall be submitted in accordance with the City of Alexandria's Landscape Guidelines, and at a minimum shall:
 - a. Ensure positive drainage in all planted areas.
 - b. Provide detail, section, and plan drawings for plantings located above-structure and on-grade. Illustrate at-grade and sub-surface conditions, including irrigation, adjacent curb/pavement construction, edge restraint system, dimensions, drainage, and coordination with site utilities.
 - c. The location of all pole-mounted lights shall be coordinated with all trees. Light poles shall be located a minimum of ten (10) feet from the base of all

- trees, and the placement and height of light poles shall take into account the mature size and crown shape of all nearby trees.
- d. All sidewalks and driveways constructed above tree wells/trenches shall be structurally supported. Areas of uncompacted growing medium shall not be used to support sidewalks and driveways without additional structural support. Provide section details both parallel and perpendicular to the street that verify this requirement.
 - e. Identify the extents of any areas of tree wells/trenches within the sidewalk on the landscape and site plans.
 - f. Provide a plan exhibit that verifies the growing medium in street tree wells/trenches, and all planting above structure meets the requirements of the City's Landscape Guidelines for soil volume and depth. The plan shall identify all areas that are considered to qualify towards the soil requirements, with numerical values illustrating the volumes. (P&Z)
7. Provide a site irrigation and/or water management plan developed installed and maintained to the satisfaction of the Directors of P&Z and Code Administration.
- a. Provide an exhibit that demonstrates that all parts of the site can be accessed by a combination of building mounted hose bibs and ground set hose connections.
 - b. Provide at least one (1) accessible, external water hose bib on the building sides along each street frontage and the Mount Vernon Trail frontage at a maximum spacing of 90 feet apart.
 - c. Hose bibs, ground set water connections and FDCs must be fully accessible and not blocked by plantings, site utilities or other obstructions.
 - d. Install all lines beneath paved surfaces as sleeved connections.
 - e. Locate water sources and hose bibs in coordination with City Staff. (P&Z)(Code)
8. A public access easement shall be granted for the arts walk area between Third Street and N. Royal Street. The public access easement shall be granted, including determination of the rules and regulations, prior to issuance of final Certificate of Occupancy. A plat delineating the public access easement shall be prepared by the applicant and approved by the Directors of P&Z and RP&CA and the City Attorney prior to release of the Final Site Plan. The final approved plat and restriction language shall be recorded among the land records.
- a. The easement language shall include the following additional language:
 - i. "for use by the public as a public park and recreation area following the hours and guidelines established by the Department of Recreation, Parks, and Cultural Activities."
 - ii. The area may be closed for emergency maintenance of open space amenities, the below grade garage or adjacent building. The applicant shall notify RP&CA as soon as possible when closure is needed.
 - iii. The area may also be reserved periodically by the adjacent tenant for art anchor events or private events. The adjacent applicant will

submit a park reservation request consistent with established RP&CA policies and guidelines. (P&Z)(RP&CA)*,***

9. Develop a palette of site furnishings and details for the arts walk in consultation with staff.
 - a. Provide location, and specifications, and details (including benches, planting areas and lighting fixtures) that depict the installation, scale, massing and character of site furnishings to the satisfaction of the Director of P&Z.
 - b. Provide details on the proposed pavers. The pavers shall be concrete, porcelain, brick or stone. (P&Z)
10. Provide a flush connection between the arts walk and the N. Royal Street sidewalk to the extent feasible to the satisfaction of the Directors of P&Z and T&ES. (P&Z)(T&ES)
11. Provide material, finishes, and architectural details for all retaining walls, seat walls, decorative walls, and screen walls, including the retaining wall along the eastern portion of the site and the Mount Vernon Trail spur frontage. 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)
12. Hire a professional history consultant to work with staff and the landscape designers to incorporate and interpret elements of the historical character and archaeological findings into the site design and to prepare interpretive elements, which shall be erected as part of the development project consistent with the adopted Old Town North Historic Interpretation Guide. The site plan shall indicate historical themes, forms of historic interpretation to implement and locations of interpretive elements. Prior to release of the Final Site Plan, the consultant shall provide a historic interpretation program for the site, including text and graphics for the signage subject to approval by the Office of Historic Alexandria/Alexandria Archaeology and the Directors of P&Z and/or RP&CA.* (Arch)(P&Z)(RP&CA)

D. BUILDING:

13. The building design, including the quality of materials and final detailing, shall be consistent with the elevations dated November 2, 2018 and the following conditions. (P&Z)
14. **CONDITION AMENDED BY THE PLANNING COMMISSION:** Provide the following building refinements to the satisfaction of the Director of P&Z:
 - a. Windows shall be reviewed on an individual basis, but a minimum glass setback from face of sash is required of 3/8 inches.

- b. Any ventilation for the arts and cultural anchor or potential commercial tenants shall be integrated with the overall building design, reviewed and approved to the satisfaction of the Director of Planning and Zoning.
 - c. All wall-mounted vents shall be flush mounted and architecturally integrated with the building design with regard to both placement and color.
 - d. Concerning the midrise portion of the building:
 - i. Balcony spacing and width shall be refined in coordination with City staff based on the final unit layouts.
 - ii. The setback of glass from the face of the building shall be a minimum of ~~24~~-to-8 inches.
 - e. The setback of glass for the brick shoulders and corner element from the face of the building shall be a minimum of 4-to-8 inches. (P&Z)(PC)
15. Provide details on the treatment and materials of the following with the first Final Site Plan submission:
- a. The underside of the balconies.
 - b. Transformer and generator enclosures.
 - c. First floor of the of the three-story corner portion of the building.
16. Provide detailed drawings (enlarged and coordinated plan-section-elevation studies, typically at 1/4"=1'-0" scale, in color, with shadows cast at 45 degrees from both left and above to show true depth of recesses and projections) in color to evaluate the building base, entrance canopy, stoops, window and material details including the final detailing, finish and color of these elements during the Final Site Plan review. Separate design drawings shall be submitted for each building typology or different bay type. (P&Z)
17. Building materials, finishes, and relationships shall be subject to review and approval by the Department of Planning and Zoning for substantial conformance to the Preliminary Plan and as set forth in the associated *Guidelines for Preparations of Mock-Up Panels* Memo to Industry, effective May 16, 2013. The following submissions shall be provided to review the materials, finishes and architectural details, prior to selection of final building materials:
- a. Provide a materials board that includes all proposed materials and finishes at first Final Site Plan. *
 - b. The materials board shall remain with the Department of Planning and Zoning until the final certificate of occupancy, upon which all samples shall be returned to the applicant. ***
 - c. Provide drawings of a mock-up panel that depict all proposed materials, finishes, and relationships as part of the first Final Site Plan. *
 - d. Construct an on-site, mock-up panel of proposed materials, finishes, and relationships for review and approval prior to final selection of building materials. The mock-up panel shall be constructed and approved prior to vertical (above-grade) construction and prior to ordering final building materials. **

- e. The mock-up panel shall be located such that it shall remain on-site in the same location through the duration of construction until the first certificate of occupancy. *** (P&Z)
18. Per the City's Green Building Policy adopted April 18, 2009, achieve a green building certification level of LEED Certified or 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 final certificate of occupancy. ***
 - c. Provide evidence of submission of materials for Construction Phase credits to USGBC (or equivalent) within six months of obtaining a final certificate of occupancy.
 - d. Provide documentation of certification within two (2) years of obtaining a final certificate of occupancy.
 - e. Failure to achieve LEED Certified (or equivalent) 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 the release of Final Site Plan will apply.
 - f. Provide documentation to the operator of the arts and cultural anchor and / or potential commercial tenants encouraging them to operate their space consistently with the goals of LEED, as well as to pursue LEED for Retail or LEED for Commercial Interiors certification. (P&Z)(T&ES)
19. 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)
20. Energy Star labeled appliances shall be installed in all multi-family residential units. (T&ES)
21. Provide Level 2 electric vehicle charger installation for a minimum of 2 percent of the required parking spaces. An additional 3 percent of the required parking spaces shall have necessary infrastructure installed for future Level 2 electric vehicle chargers. (T&ES)***.
22. 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>. (T&ES)

23. The stairwells within structured parking garages shall be visible, as permitted by the Building Code without solid walls. The balusters shall be open to allow for a clear line of vision. Provide guards that are 42 inches in height along open sides of the stairways and landings which are located 30 inches above the floor or grade below. The width between the balusters shall be no wider than 4 inches and the handrails are to be a minimum of 34 inches and a maximum of 38 inches. (Police)
24. Elevator lobbies and vestibules shall be visible from the parking garage. The design of the elevator lobbies and vestibules in the parking garage shall be as open as code permits. (Police)

E. ARTS AND CULTURAL ANCHOR:

25. The use for the arts and cultural anchor space identified in the Preliminary Plan shall meet the definition of an arts and cultural anchor in Section 6-902 of the Zoning Ordinance and comply with the provisions of Section 6-904 of the Zoning Ordinance, as consistent with other provisions of the Zoning Ordinance.
 - a. A Memorandum of Understanding will be drafted with the applicant, City and operator of the arts and cultural anchor space detailing use limitations, operations, demonstration of space activation through minimum attendance, visitors and/or events, cost-sharing agreements with the condominium and/or master association, framework for the future transfer of ownership and/or tenancy, and the City's right of first refusal for future operators and/or purchasers of the space. *
 - b. The applicant shall provide a contract, deed or other recorded instrument in compliance with Section 6-904(G) of the Zoning Ordinance. *,
*** (P&Z) (RP&CA)
26. The operator of the arts and cultural anchor shall submit the following prior to Final Site Plan release:
 - a. List and number of public and private activities and events as well as average annual attendance (or students if an arts school) for the last three fiscal years. Public activities can include events such as performances, classes, outreach to schools and community centers.
 - b. Financial reports such as Form 990, or equivalent, showing revenue and expenses for the last three fiscal years.
 - c. List of board of directors and key staff members, as applicable.
 - d. The information listed above shall be provided by the operator upon request from the City at any time for the duration of the 30-year period that an arts and cultural anchor is required to operate the designated space(s).*
(P&Z) (RP&CA)

27. The following requirements shall be included in the condominium / master association documents concerning the arts and cultural anchor space, to the satisfaction of the Director of P&Z:
- a. All entrances fronting Third Street and N. Royal Street shall be operable.
 - b. The spaces shall be activated as viewed from Third Street, N. Royal Street and the arts walk with the placement of equipment and activities in clear sight from the exterior of the space.
 - c. The placement or construction of items that block the visibility of the interior of the space from the street, sidewalk and arts walk (e.g. storage cabinets, carts, shelving, boxes, coat racks, storage bins, closets, etc.) shall be prohibited. This is not intended to prevent display of items in display cases that are oriented towards the street frontage. This requirement shall be included in the condominium / master association documents. (P&Z)

F. SIGNAGE:

28. The building signs shall be designed to relate in material, color and scale to the building and the arts and cultural anchor 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)
29. Internally illuminated box signs are prohibited. Explore the use of exterior illumination. (P&Z)
30. 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)

G. HOUSING:

31. A voluntary contribution of \$469,955 to the Housing Trust Fund would be consistent with the conclusions of the Developer's Housing Contribution Work Group accepted by The Alexandria City Council in December 2013.*** (Housing)

H. PARKING:

32. Provide a minimum of 28 resident and two (2) visitor bicycle parking spaces per Alexandria's current Bicycle Parking Standards. Bicycle parking standards, acceptable rack types for short- and long-term parking and details for allowable locations are available at: www.alexandriava.gov/bicycleparking. 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)

33. Provide bicycle facilities on the site frontage and through the site per the City's Transportation Master Plan, Pedestrian and Bicycle Mobility Plan and applicable Small Area Plans and Design Guidelines.
 - a. Provide routing signs on on-street bicycle facilities consistent with guidance from AASHTO and MUTCD. For shared-use paths, signs should be consistent with the City's Wayfinding Program.
 - b. Install sharrows consistent with AASHTO guidelines. (T&ES)
34. All residential parking shall be unbundled (i.e., the cost to purchase or lease a parking space is separate from the cost to purchase or lease the residential unit). (T&ES)
35. Provide a Parking Management Plan with the Final Site Plan submission. The Parking Management Plan shall be approved by the Departments of P&Z and T&ES prior to the release of the Final Site Plan and shall at a minimum include the following:
 - a. General project information/summary and development point of contact.
 - b. Provide controlled access into the underground garage for vehicles and pedestrians. The controlled access shall be designed to allow convenient access to the underground parking for residents.
 - c. A plan of the garage facility – including the number of lanes of traffic for entering / exiting, indicating any reversible lanes.
 - d. Total capacity and a breakdown of parking types (standard, compact, tandem, accessible, etc.).
 - e. Bicycle parking information (number of spaces, type of parking- racks, gated, location, etc.)
 - f. Information/circulation diagram noting how cyclists will reach the bicycle storage.
 - g. Information on the location of any carshare vehicle or electric vehicle spaces.
 - h. A description of and plan showing access control equipment and locations.
 - i. An explanation of how the garage will be managed. Include information on access for residential and non-residential parkers, hours of operation, and accommodation for the various users of the garage (short and long-term parking, car and vanpools, bicycles, etc.).
 - j. Information on proposed staffing needs for peak, non-peak and overnight hours.
 - k. Provide information on proposed off-street parking locations and operations for the arts and cultural anchor to accommodate parking for large events.
 - l. How rates will be determined and details of validation program if proposed.
 - m. Details of appropriate signage for the retail parking indicating hours which are reserved for retail patrons.* (P&Z)(T&ES)

36. All on-street parking controls and restrictions within the project area shall be determined by the City. Any such controls and restrictions which the applicant desires shall be shown on the Final Site Plan. (P&Z)(T&ES)

I. TRANSPORTATION MANAGEMENT PLAN:

37. According to Article XI, Section 11-700 of the City's Zoning Ordinance, a Transportation Management Plan is required to implement Transportation Demand Management (TDM) strategies to discourage single occupancy vehicle (SOV) travel and encourage residents and employees to take public transportation, walk, bike or share a ride. (T&ES)
38. A TMP Coordinator shall be designated for the entire project prior to release of the first residential certificate of occupancy. The name, location, email and telephone number of the coordinator will be provided to the City at the time, as well as any changes occurring subsequently. This person will be responsible for assisting the City in implementing and facilitating the TMP on site. The coordinator must provide City staff access to the property and tenants/residents in order to implement TDM measures such as surveys, mailings and hosting events to inform residents and tenants about benefits and alternatives to SOV travel. *** (T&ES)
39. The TMP shall be required to make a monetary payment twice per year to the Citywide TDM Fund. TMP funds shall be deposited to the Citywide TDM Fund on January 15 and July 15 of each year. The annual base assessment rate for this development shall be \$84.076 per residential unit, \$0.210 per square foot of retail space, \$0.263 per square foot of commercial space, \$42.038 per hotel room and \$0.105 per square foot of industrial/warehouse. The base assessment rate will be adjusted on an annual basis on July 1 of each year in accordance with the Consumers Price Index (CPI-U) as reported by the United States Department of Labor, Bureau of Labor Statistics. The base assessment rate in effect at the time of the project's first certificate of occupancy permit (CO) is the applicable rate when TMP reporting begins. (T&ES)
40. As set forth in section 11-711(B) in the Ordinance, civil penalties shall be assessed to the governing entity for lack of timely compliance with the conditions of this TMP SUP. If after assessment of three civil penalties, any use continues to fail to comply with a condition of its approved TMP, the property may be subject to increased review and reporting requirements, and may be subject to a staff recommendation for action by the City Council to revoke the TMP SUP pursuant to section 11-205 of the Ordinance. (T&ES)
41. Prior to any lease/purchase agreements, the applicant shall prepare appropriate language to inform tenants/owners of the transportation management plan special use permit and conditions therein, as part of its leasing/purchasing agreements; such language to be reviewed and approved by the City Attorney's office. (T&ES)

J. SITE PLAN:

42. 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)
43. Submit the plat of consolidation and all applicable easements and/or dedications prior to release of Final Site Plan. The plat(s) shall be approved prior to or concurrently with the release of the Final Site Plan.* (P&Z)(T&ES)
44. The plat shall be recorded and a copy of the recorded plat, dedications and deeds shall be submitted with the first request for a building permit.** (P&Z)(T&ES)
45. Coordinate location of site utilities with other site conditions to the satisfaction of the Directors of P&Z and T&ES. These items include:
 - a. Location of site utilities including above grade service openings and required clearances for items such as transformers, telephone, HVAC units and cable boxes.
 - b. Minimize conflicts with plantings, pedestrian areas and major view sheds.
 - c. Do not locate above grade utilities in dedicated open space areas and tree wells.
 - d. If applicable, all utilities shall be screened from the public ROW to the satisfaction of the Director of P&Z. (P&Z)(T&ES)
46. 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 light fixtures in the City right-of-way shall be approved Dominion LED light fixtures and shall be generally consistent with the recommendations of the Old Town North Urban Design Standards and Guidelines.
 - 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. If site lights are included in the photometric plan to comply with City's lighting standards then these lights shall be put on photovoltaic switches.
 - i. Provide location of conduit routing between site lighting fixtures so as to avoid conflicts with street trees.
 - j. Detail information indicating proposed light pole and footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view.
 - k. 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.
 - l. Provide numeric summary for various areas (i.e., roadway, walkway/sidewalk, alley, and parking lot, etc.) in the proposed development.
 - m. The walls and ceilings in the garage must be light-colored concrete (painted or dyed) to increase reflectivity and improve lighting levels at night.
 - n. The lighting for the underground parking garage shall be a minimum of 5.0 foot candle maintained, when occupied. When unoccupied the lighting levels will be reduced to no less than 1.5 foot candles.
 - o. Light fixtures for the underground/structured parking garage shall be recessed into the ceiling for any areas that can be seen from the public ROW.
 - p. Light fixtures for open canopies shall be recessed into the ceiling for any areas that can be seen from the public ROW.
 - q. Upon installation of all exterior light fixtures for the site/building, the applicant shall provide photographs of the site demonstrating compliance with this condition.
 - r. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties. (P&Z)(T&ES)(Police)(Code)
47. Provide a unit numbering plan for each floor of a multi-unit building with the first Final Site Plan submission. The unit numbers should comply with a scheme of 100 level numbers on the first floor, 200 level numbers on the second floor, and 300 level numbers for third floor and continue in this scheme for the remaining floors. Indicate unit's use (i.e.: Residential, Retail, Office) if known. (P&Z)
48. Within 60 days of written notice, the City can request from the applicant and/or condominium / master association the dedication of the southeast portion of the site

for the future extension of N. Fairfax Street, as delineated on the Preliminary Plan. (P&Z)(T&ES)

49. Provide a georeferenced CAD file in .dwg format of the dimension plan of this project. This information will be used to compile a master CAD reference to ensure all elements / layers are correctly located and will connect.* (P&Z)(DPI)

K. CONSTRUCTION MANAGEMENT:

50. 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)
51. 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 a plan for temporary pedestrian circulation;
 - d. Include the location and size of proposed construction trailers, if any;
 - e. Include a preliminary Maintenance of Traffic Plan (MOT) as part of the construction management plan for informational purposes only, to include proposed controls for traffic movement, lane closures, construction entrances and storage of materials.
 - f. 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.
 - g. Copies of the plan shall be posted in the construction trailer and given to each subcontractor before they commence work. (P&Z)(T&ES)
52. Provide off-street parking for all construction workers without charge to the construction workers. Construction workers shall not be permitted to park on-street, and the applicant shall be responsible for ensuring that all contractors use the off-street parking provided. For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall subsidize a minimum of 50% of the fees for mass transit. Compliance with this condition shall be a component of the construction management plan, which shall be submitted to the Department of P&Z and T&ES prior to Final Site Plan release. This plan shall:
 - a. Establish the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of mass transit.

- b. Provide for the location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes.
 - c. If the off-street construction workers parking plan is found to be violated during 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)
53. Any bicycle facilities adjacent to the site shall remain open during construction. If a bicycle facility cannot be maintained on the street adjacent to the site, a detour for bicyclists shall be established and maintained to the satisfaction of the Director of T&ES throughout the construction of the project. (T&ES)
54. No major construction staging shall be allowed within the public right-of-way on N. Royal Street nor Third 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)
55. Transit stops adjacent to the site shall remain open if feasible for the duration of construction. If construction forces the closure of any stops, a temporary ADA accessible transit stop shall be installed. The exact temporary location shall be coordinated with the T&ES Office of Transit Services at 703-746-4075 as well as with the transit agency which provides service to the bus stop. Signs noting the bus stop closure and location of the temporary bus stop must be installed at all bus stops taken out of service due to construction. (T&ES)
56. 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)
57. 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)
58. Prior to commencing clearing and grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners and civic associations to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Departments of P&Z and T&ES shall be notified a minimum of 14 calendar days prior to the meeting date, and the meeting must be held before any permits are issued. (P&Z)(T&ES)
59. Prior to commencement of landscape installation/planting operations, a pre-installation/construction meeting will be scheduled with the project planner in the

Department of Planning & Zoning to review the scope of installation procedures and processes. This is in addition to the pre-construction meeting required above. (P&Z)

60. 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 T&ES. (P&Z)(T&ES)
61. Implement a waste and refuse control program during the construction phase of this development. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile food vendor businesses serving them, and all sanitary waste at the construction site and prevent offsite migration that may cause adverse impacts to neighboring properties or to the environment to the satisfaction of Directors of T&ES and Code Administration. All wastes shall be properly disposed offsite in accordance with all applicable federal, state and local laws. Provide information on the program in construction management plan. If program is implemented in coordination with green building certification, include documentation as appropriate per the City's Green Building Policy and conditions herein. (T&ES)
62. Temporary construction and/or on-site sales trailer(s) shall be permitted and be subject to the approval of the Director of P&Z. The trailer(s) shall be removed prior to the issuance of a final certificate of occupancy permit. *** (P&Z)(Code)
63. Submit a wall check prior to the commencement of construction of the first floor above grade framing for the building(s). The wall check shall include the building footprint, as depicted in the released Final Site Plan, the top-of-slab elevation and the first-floor elevation. The wall check shall be prepared and sealed by a registered engineer or surveyor and submitted to Planning & Zoning. Approval of the wall check by Planning & Zoning is required prior to commencement of framing. (P&Z)
64. 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)
65. Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES)

66. 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)
67. **CONDITION AMENDED BY THE PLANNING COMMISSION:** Provide a Building Monitoring Plan, to include a plan for addressing damage to adjacent property, for adjacent and nearby structures that is approved by the Director of T&ES to detect building movement, settlement, and/or damage directly or indirectly attributed to the excavation or construction activities. The Building Monitoring Plan shall include a baseline survey prior to commencement of construction and a post-construction survey, if requested by the building owner. All properties adjacent to the site shall be afforded the opportunity to participate in the pre- and post-construction surveys. (T&ES)(PC)

L. WASTEWATER / SANITARY SEWERS:

68. **CONDITION AMENDED BY THE PLANNING COMMISSION:** The sewer connection fee must be paid prior to release of the site plan, unless the timing of the payment is changed by the City.* (T&ES)(PC)

M. SOLID WASTE:

69. 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 per block face dedicated to trash collection. The receptacle(s) shall be placed in the public right of way to serve open space and park sites. Receptacles shall be generally located along the property frontage and at strategic locations in the vicinity of the site as approved by the Director of T&ES. Payment required prior to release of Final Site Plan.* (T&ES)
70. 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 per block face dedicated to recycling collection. The receptacle(s) shall be placed in the public right of way to serve open space and park sites. Receptacles shall be generally located along the property frontage and at strategic locations in the vicinity of the site as approved by the Director of T&ES. Payment required prior to release of Final Site Plan. (T&ES)

N. STREETS / TRAFFIC:

71. 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)
72. 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)
73. Traffic studies and multi-modal transportation studies shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
74. Show turning movements of standard vehicles in the parking structure. Show turning movements of the largest delivery vehicle projected to use the on-street loading area. Turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES. (T&ES)
75. The slope on parking ramp to garage entrance shall not exceed 16 percent. For slopes 12 percent and greater, provide an adequate length, maximum 8 percent slope transition ramp at the beginning and end of the steep ramp. (T&ES)

O. UTILITIES:

76. Locate all private utilities without a franchise agreement outside of the public right-of-way and public utility easements. (T&ES)
77. All overhead power and communication lines fronting the development all around shall be undergrounded. (T&ES)
78. **CONDITION AMENDED BY THE PLANNING COMMISSION:** No transformer and switch gears shall be located in the public right-of-way. The applicant may relocate existing switch gears which serve off-site properties to the nearest off-site utility pole. (T&ES)

P. SOILS:

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

Q. WATERSHED, WETLANDS, & RPAs:

80. Provide Environmental Site Assessment Notes that 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:

81. 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)
82. 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)
83. All stormwater Best Management Practices (BMPs) must be designed to comply with the most recent standards and specifications published in the Virginia Stormwater BMP Clearinghouse. Provide complete design details for all BMPs. This includes site specific plan views, cross sections, planting plans, and complete design calculations for each BMP. (T&ES)
84. Provide a BMP table with a separate listing for each individual BMP that includes the name of the practice, total area treated (acres), pervious area treated (acres), impervious area treated (acres), phosphorous removal efficiency (percentage), phosphorous removed by the practice (lbs), and latitude and longitude in decimal degrees (NAD83) (T&ES)
85. All BMPs must be accessible for regular maintenance and inspections. The final building design must include access points and maintenance accessibility for the green roof and any other BMPs. Green roof access can be achieved either by a door on the same level as the green roof, an interior elevator, interior stairway with door through a penthouse, or by an alternating tread device with a roof hatch or trap door not less than 16 square feet in area and with a minimum dimension of 24 inches. (SWM)

86. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 - a. Constructed and installed as designed and in accordance with the released Final Site Plan.
 - b. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. **** (T&ES)
87. 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)
88. Privately owned stormwater BMPs must be relocated outside of the N. Fairfax Street right-of-way dedication area. (T&ES)
89. 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)
90. With the exception of the BMP tree wells that will be transferred to the City for maintenance, the applicant shall be responsible for maintaining stormwater Best Management Practices (BMPs) until activation of the homeowner's association (HOA) and/or master association for the mix of uses and owners for the development, or until sale to a private owner. Prior to transferring maintenance responsibility for the BMPs to the HOA and/or master association, the applicant shall execute a maintenance service contract with a qualified private contractor for a minimum of three (3) years, and transfer the contract to the HOA and/or master association. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the maintenance contract shall be submitted to the City. ****(T&ES)
91. If units will be sold as individual units and a homeowner's association (HOA) or Master Association established the following two conditions shall apply:
 - a. The applicant shall furnish the Homeowner's Association / Master Association with an Owner's Operation and Maintenance Manual for all Best Management Practices (BMPs) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including any mechanical or

- electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City.
- b. The Developer shall furnish each home purchaser with a brochure describing the stormwater BMP(s) installed on the site, outlining the responsibilities of the homeowners and the Homeowners Association (HOA) / Master Association with respect to maintenance requirements. Upon activation of the HOA / Master Association, the Developer shall furnish five copies of the brochure per unit to the HOA for distribution to subsequent homeowners. (T&ES)
92. The applicant shall be responsible for the maintaining the BMP tree wells until acceptance by the City for maintenance. The City shall accept the structural elements of the BMP tree wells constructed and installed in the right of way for maintenance upon passing inspection and termination of the maintenance bond for public improvements. The City shall accept the plantings installed in BMP tree wells located in the right of way upon passing inspection and termination of the maintenance bond for landscaping. (T&ES)
93. Submit a copy of the Operation and Maintenance Manual to the T&ES Stormwater Management Division on digital media prior to release of the performance bond. ****(T&ES)
94. 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)
95. Prior to the release of the performance bond, the applicant is required to submit construction record drawings for permanent stormwater management facilities to the City. The drawings must be appropriately signed and sealed by a professional registered in the Commonwealth of Virginia and certify that the stormwater management facilities have been constructed in accordance with the approved plan. ****(T&ES)

S. CONTAMINATED LAND:

96. 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)

97. If environmental site assessments or investigations discover the presence of contamination on site, the final [site plan/demo plan/grading plan] shall not be released, and no construction activity shall take place until the following has been submitted and approved by the Director of T&ES:
- a. Submit a Site Characterization Report/Extent of Contamination Study detailing the location, applicable contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the site.
 - b. Submit a Risk Assessment indicating any risks associated with the contamination.
 - c. Submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. Utility corridors in contaminated soil shall be over excavated by 2 feet and backfilled with “clean” soil. Include description of environmentally sound methods of off-site transport and disposal of contaminated soils and debris (including, but not limited to types of vehicles appropriate for handling specific materials and ensuring vehicle loads are covered).
 - d. Submit a Health and Safety Plan indicating measures to be taken during remediation and/or construction activities to minimize the potential risks to workers, the neighborhood, and the environment. [Initial Air Monitoring may be required during site activities to demonstrate acceptable levels of volatiles and/or airborne particles. The determination whether air monitoring is needed must be adequately addressed in the Health and Safety Plan submitted for review. (Include if applicable.)]
 - e. The applicant shall screen for PCBs as part of the site characterization if any of the past uses are within the identified high risk category sites for potential sources of residual PCBs, which includes the following SICs: 26&27 (Paper and Allied Products), 30 (Rubber and Misc. Plastics), 33 (Primary Metal Industries), 34 (Fabricated Metal Products), 37 (Transportation Equipment), 49 (Electrical, Gas, and Sanitary Services), 5093 (Scrap Metal Recycling), and 1221&1222 (Bituminous Coal).
 - f. Applicant shall submit three (3) electronic and two (2) hard copies of the above. The remediation plan must be included in the Final Site Plan. * (T&ES)
98. 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)

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

T. NOISE:

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

U. AIR POLLUTION:

105. If fireplaces are utilized in the development, the applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES)

106. Control odors and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)

V. CONTRIBUTIONS:

107. Contribute \$10,000 toward the Capital Bikeshare fund prior to the release of the Final Site Plan. All checks shall be made payable to the City of Alexandria and submitted to the Department of P&Z with a cover letter citing the project name, contribution amount, and the condition being fulfilled. *(P&Z)(T&ES)
108. Provide \$486,011 (in 2018 dollars) contribution towards the Old Town North Streetscape and Open Space Fund. The contribution is derived from \$9 per additional development square foot achieved through the rezoning request. The \$9 developer contribution rate will be adjusted for inflation annually based upon the Consumer Price Index for all Urban Consumers (CPI-U) for the Washington-Baltimore area.*** (P&Z)
109. Provide a \$3,600 contribution to the Living Landscape Fund.*** (P&Z)(RP&CA)

W. ARCHAEOLOGY:

110. Hire an archaeological consultant to complete a Documentary Study and an Archaeological Evaluation. If significant resources are discovered, the consultant shall complete a Resource Management Plan, as outlined in the City of Alexandria Archaeological Standards. Preservation measures presented in the Resource Management Plan, as approved by the City Archaeologist, will be implemented. (Archaeology)
111. The Final Site Plan, Grading Plan, or any other permits involving ground disturbing activities (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance) shall not be released until the City archaeologist confirms that all archaeological field work has been completed or that an approved Resource Management Plan is in place to recover significant resources in concert with construction activities. * (Archaeology)
112. Call Alexandria Archaeology immediately (703-746-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds. The language noted above shall be included on all Final Site Plan sheets involving any ground disturbing activities. (Archaeology)

113. The applicant shall not allow any metal detection and/or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology. Failure to comply shall result in project delays. The language noted above shall be included on all Final Site Plan sheets involving any ground disturbing activities. (Archaeology)
114. Certificates of Occupancy shall not be issued for this property until interpretive elements have been constructed, interpretive markers have been erected, and the final archaeological report has been received and approved by the City Archaeologist.*** (Archaeology)

X. DISCLOSURE REQUIREMENTS:

115. All condominium association covenants shall be reviewed by the Director of P&Z and the City Attorney to ensure inclusion of all the conditions of this DSUP prior to applying for the first certificate of occupancy permit for the project. The association covenants shall include the conditions listed below, which shall be clearly expressed in a separate section of the covenants. The language shall establish and clearly explain that these conditions cannot be changed except by an amendment to this Development Special Use Permit approved by City Council.
 - a. The principal use of the underground garage and parking spaces shall be for passenger vehicle parking only; storage which interferes with the use of a parking space for a motor vehicle is not permitted.
 - b. The designated visitor parking spaces shall be reserved for the use of the condominium guests.
 - c. No more than two parking spaces shall be assigned to a specific condominium unit until all settlement on the units are complete; all unassigned spaces in the garage shall be made generally available to residents and/or visitors.
 - d. All landscaping and open space areas within the development shall be maintained by the Homeowners' and/or Condominium Owners' Association.
 - e. Exterior building improvements or changes by future residents shall require the approval of the City Council, as determined by the Director of P&Z.
 - f. Develop a noise control by-law aimed at controlling noise levels in the proposed development and resolving noise issues between neighboring occupants, and disclose this by-law to all involved at the time of sale or lease agreement.
 - g. The specific language of the disclosure statement to be utilized shall be provided to the City for approval prior to release of any certificate of occupancy permit. *** (P&Z)
 - h. Stormwater facility BMPs must be inspected and adequately maintained as designed to ensure proper functioning.

- i. The specific language of the disclosure statement to be utilized shall be provided to the City for approval prior to release of any certificate of occupancy permit. *** (P&Z) (T&ES)
- 116. 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 [place SITE NAME here] 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)
- 117. Present a disclosure statement to potential buyers disclosing the following to the satisfaction of the Director of P&Z, Director of T&ES, and the City Attorney:
 - a. That the southeast corner of the site is subject to a future dedication to the City within 60 days' notice from the City.
 - b. Present a disclosure statement to potential buyers disclosing the location of an arts and cultural anchor and arts walk on site.
 - c. That the use of the arts and cultural anchor space is limited to the uses defined in Section 6-902(B) of the Zoning Ordinance or as otherwise approved in accordance with the Special Use Permit process for a minimum period of 30 years from the issuance of the certificate of occupancy for the space. *** (P&Z) (T&ES) (City Attorney)

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. 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 - 1. 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 - 2. 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 - 3. The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F - 4. Include all symbols, abbreviations, and line types in the legend. (T&ES)
- F - 5. 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 - 6. 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 - 7. All sanitary sewers shall be constructed to the City of Alexandria standards and specifications. Minimum diameter of sanitary sewers shall be 10 inches in the public Right of Way and sanitary lateral 6 inches for all commercial and institutional developments; however, a 4-inch sanitary lateral will be acceptable for single family residences. The acceptable pipe materials will be Polyvinyl Chloride (PVC) ASTM D-3034-77 SDR 26, ASTM 1785-76 Schedule 40, Ductile Iron Pipe (DIP) AWWA C-151 (ANSI A21.51) Class 52, or reinforced concrete pipe ASTM C-76 Class IV (For 12 inch or larger diameters); Class III may be acceptable on private properties. The acceptable minimum and maximum velocities will be 2.5 fps and 10 fps, respectively. Laterals shall be connected to the sanitary sewer through a manufactured “Y” or “T” or approved sewer saddle. Where the laterals are being connected to existing Terracotta pipes, replace the section of main and provide manufactured “Y” or “T”, or else install a manhole. (T&ES)
- F - 8. 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 - 9. 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 - 10. 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 - 11. 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 - 12. The rip rap shall be designed as per the requirements of Virginia Erosion and Sediment Control Handbook, Latest Edition. (T&ES)
- F - 13. Dimensions of parking spaces, aisle widths, etc. within the parking garage shall be provided on the plan. Note that dimensions shall not include column widths. (T&ES)
- F - 14. Show the drainage divide areas on the grading plan or on a sheet showing reasonable information on topography along with the structures where each sub-area drains. (T&ES)
- F - 15. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)
- F - 16. All the existing and proposed public and private utilities and easements shall be shown on the plan and a descriptive narration of various utilities shall be provided. (T&ES)
- F - 17. A Maintenance of Traffic Plan shall be provided within the Construction Management Plan and replicate the existing vehicular and pedestrian routes as nearly as practical and the pedestrian pathway shall not be severed or moved for non-construction activities such as parking for vehicles or the storage of materials or equipment. Proposed traffic control plans shall provide continual, safe and accessible pedestrian pathways for the duration of the project. These sheets are to be provided as "Information Only." (T&ES)
- F - 18. The following notes shall be included on all Maintenance of Traffic Plan Sheets: (T&ES)
- a. The prepared drawings shall include a statement "FOR INFORMATION ONLY" on all MOT Sheets.
 - b. Sidewalk closures will not be permitted for the duration of the project. Temporary sidewalk closures are subject to separate approval from Transportation and Environmental Services (T&ES) at the time of permit application.
 - c. Contractor shall apply for all necessary permits for uses of the City Right of Way and shall submit MOT Plans with the T&ES Application for final approval at that time. *
- F - 19. Add complete streets tabulation to the cover sheet with the Final 1 submission. (T&ES)
- C - 1 Parking ratio requirement adjustment. Any parking requirement may be adjusted within 5% of the requirement if the director of Planning and Zoning determines that physical

- requirements of the building prevent compliance with the specific number of parking spaces required. (Section 8-200(A)(2)(c)(i) of the Zoning Ordinance) (T&ES) (P&Z)
- C - 2 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 - 3 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 - 4 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 - 5 The proposed development shall conform to all requirements and restrictions set forth in Section 6-300 (Flood plain District) of Article VI (Special and Overlay Zones) of the City of Alexandria Zoning Ordinance. (T&ES)
- C - 6 If it is determined that the site is not in compliance with Section 13-1-3 of the City Code, then the applicant shall make additional improvements to adjust lighting levels to the satisfaction of the Director of T&ES to comply with the Code. (T&ES)
- C - 7 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 - 8 (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 - 9 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 - 10 In compliance with Title 5: Transportation and Environmental Services, Section 5-1-2(12b) of the City Charter and Code, the City of Alexandria shall provide solid waste collection services to the condominium townhomes portion of the development. All refuse / recycling receptacles shall be placed at the City Right-of-Way. (T&ES)
- C - 11 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 - 12 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 - 13 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 - 14 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 - 15 All private streets and alleys shall comply with the City's Minimum Standards for Private Streets and Alleys and with the City's Complete Street Guidelines. (T&ES)
- C - 16 Bond for the public improvements must be posted prior to release of the site plan.* (T&ES)
- C - 17 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 - 18 Provide a phased erosion and sediment control plan consistent with grading and construction plan. The erosion and sediment controls shall be confined to the owner's property. Extension of erosion and sediment controls in the public right of way, if required, must be approved as part of the Construction Management Plan. (T&ES)
- C - 19 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 - 20 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 - 21 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 - 22 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 - 23 All driveway entrances, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards and the City's Complete Street Guidelines.(T&ES)
- C - 24 All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately. (T&ES)
- C - 25 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 - 26 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 - 27 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 - 28 The applicant shall comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. (T&ES)
- C - 29 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)
- C - 30 The applicant must provide a Stormwater Pollution Prevention Plan (SWPPP) Book with the Final 1 submission. The project's stormwater management (SWM) plan and the erosion and sediment control (E&SC) plan must be approved prior to the SWPPP being deemed approved and processed to receive coverage under the VPDES Construction General Permit. Upon approval, an electronic copy of the approved SWPPP Book must be provided

with the Mylar submission and the coverage letter must be copied onto the plan sheet containing the stormwater management calculations. An electronic copy and a hardcopy of the SWPPP Binder Book must be included in the released site plans, and the approved hardcopy SWPPP Binder Book must accompany the construction drawings onsite. Separate parcel owners will be required to seek separate VPDES Construction General Permit Coverage unless a blanket entity incorporated in Virginia has control of the entire project. (T&ES-Storm)

VAWC Comments

1. No comments received.

AlexRenew Comments

1. Ensure all discharges are in accordance with City of Alexandria Code Title 5, Chapter 6, Article B.
2. Applicant shall coordinate with the City of Alexandria T&ES to ensure that planned flow capacity does not exceed City of Alexandria allotted AlexRenew plant capacity, nor exceed capacity in the AlexRenew's Potomac Interceptor during wet and average flow conditions.
3. Dewatering and other construction related discharges to the sewer system are regulated by AlexRenew Pretreatment. Engineer/Owner is required to contact AlexRenew Pretreatment Coordinator at 703-549-3382.

Fire Department

- F - 1. All new fire hydrants on private property shall be City owned and maintained with the appropriate easements granted to the City for access, inspection, testing, maintenance and service.

Code Administration (Building Code)

- F - 1. The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact the Code Administration Office, Plan Review Supervisor at 703-746-4200.
- C - 1. New construction or alterations to existing structures must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C - 2. The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) total floor area per floor; e) height of structure f) non-separated or separated mixed use g) fire protection system requirements.

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

Police

Parking Garage Recommendations

- R - 1. It is recommended that the section of the underground garage dedicated to the residents is gated off from the commercial section and is controlled by electronic means. This should help alleviate unwanted persons tampering with residents' vehicles and other crimes.
- R - 2. It is recommended that the doors in the garage (garage level only) leading into the stairwell have controlled electronic access.
- R - 3. Only residents with proper electronic access cards should be able to enter into the stairwells from the underground parking garage. This makes the stairwells safer for residents.
- R - 4. The controlled electronic access should not interfere with the emergency push-bar release located on the inside of the stairwell door that allows for emergency exit of the building.

Landscape Recommendations

- R - 5. The proposed shrubbery should have a natural growth height of no more than 2 ½ to 3 feet with a maximum height of 36 inches when it matures and should not hinder the unobstructed view of patrolling law enforcement vehicles.

Parks

- R - 6. It is recommended that the applicant choose a style bench that has an armrest in the middle of the bench to deter unwanted sleeping and skateboarding on the benches.

Miscellaneous

- R - 7. It is recommended that the buildings have an address number which is contrasting in color to the background, at least 3 inches high, reflective, and visible from the street placed on the front and back of each home. It is strongly suggested that no brass or gold colored numbers are used. This aids in a timely response from emergency personnel should they be needed.
- R - 8. It is recommended that all of the ground floor level windows be equipped with a device or hardware that allows windows to be secured in a partially open position. This is to negate a “breaking and entering” when the windows are open for air.
- R - 9. It is recommended that a “door-viewer” (commonly known as a peep-hole) be installed on all doors on the ground level that lead directly into an apartment. This is for the security of the occupant.

Archaeology

- F - 1. If this project is a federal undertaking or involves the use of any federal funding, the applicant shall comply with federal preservation laws, in particular Section 106 of the National Historic Preservation Act of 1966. The applicant will coordinate with the Virginia Department of Historic Resources and the federal agency involved in the project, as well as with Alexandria Archaeology.
- C - 10 All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

Asterisks denote the following:

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



APPLICATION

☐ **Master Plan Amendment MPA#** _____
☐ **Zoning Map Amendment REZ#** _____

PROPERTY LOCATION: 1201 North Royal Street

APPLICANT

Name: 1201 N. Royal LLC
Address: 1455 Pennsylvania Avenue, Suite 200, Washington, DC 20004

PROPERTY OWNER:

Name: Same as applicant
Address: _____

Interest in property:

☒ Owner ☐ Contract Purchaser
☐ Developer ☐ Lessee ☐ Other _____

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

☐ yes: If yes, provide proof of current City business license.

☐ no: If no, said agent shall obtain a business license prior to filing application.

THE UNDERSIGNED certifies that the information supplied for this application is complete and accurate, and, pursuant to Section 11-301B of the Zoning Ordinance, hereby grants permission to the City of Alexandria, Virginia, to post placard notice on the property which is the subject of this application.

Kenneth W. Wire

Print Name of Applicant or Agent

Signature

1750 Tysons Blvd, Suite 1800

Mailing/Street Address

703-712-5362

Telephone #

703-712-5222

Fax #

Tysons, VA

City and State

22102

Zip Code

7/26/2018

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____

Fee Paid: \$ _____

Legal advertisement: _____

ACTION - PLANNING COMMISSION _____

ACTION - CITY COUNCIL: _____

MPA # _____
REZ # _____

SUBJECT PROPERTY

Provide the following information for each property for which an amendment is being requested. (Attach separate sheets if needed.)

| Address Tax Map - Block - Lot | Land Use Existing - Proposed | | Master Plan Designation Existing - Proposed | | Zoning Designation Existing - Proposed | | Frontage (ft.) |
|--|---------------------------------|---------------------|---|-----------|--|--------|-------------------|
| | Commercial Mixed-Use | Residential Arts | Mixed-Use | Mixed-Use | CDX | CRMU-X | Land Area (acres) |
| 1 1201 N. Royal Street 045.03-03-01 | | | | | | | 36,568 sf |
| 2 _____ | | | | | | | |
| 3 _____ | | | | | | | |
| 4 _____ | | | | | | | |

PROPERTY OWNERSHIP

☐ Individual Owner ☒ Corporation or Partnership Owner

Identify each person or individual with ownership interest. If corporation or partnership owner, identify each person with more than 10% interest in such corporation or partnership.

- Name: See attached _____ Extent of Interest: _____
Address: _____
- Name: _____ Extent of Interest: _____
Address: _____
- Name: _____ Extent of Interest: _____
Address: _____
- Name: _____ Extent of Interest: _____
Address: _____

MPA # _____

REZ # _____

JUSTIFICATION FOR AMENDMENT

(attach separate sheets if needed)

- 1.** Explain how and why any proposed amendment(s) to the Master Plan are desirable, beneficial to surrounding properties, in character with the applicable Small Area Plan and consistent with City policies:

The applicant does not request any amendments to the Old Town North Small Area Plan.

- 2.** Explain how and why the proposed amendment to the Zoning Map(s) is consistent with the proposed amendment to the Master Plan, or, if no amendment to the Master Plan is being requested, how the proposed zoning map amendment is consistent with the existing Master Plan:

The applicant is requesting rezoning from CDX to CRMU-X as recommended in the Old Town North Small Area Plan.

- 3.** Explain how the property proposed for reclassification will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire, drainage structures, refuse disposal, water and sewers, and schools.

The accompanying DSUP plan set addresses all public facility issues.

- 4.** If this application is for conditional zoning approval pursuant to Section 11-804 of the Zoning Ordinance, identify all proffered conditions that are to be considered part of this application (see Zoning Ordinance Section 11-804 for restrictions on conditional zoning):

Not applicable.

1201 N. Royal Street
Disclosure

| <u>Names and Addresses of Members</u> | <u>Percentage Interests</u> |
|---|-----------------------------|
| Carr City Centers, LLC 1455 Pennsylvania Avenue, NW, Suite 200 Washington, DC 20004 | 53.276% |
| 1201 N. Royal Member II, LLC c/o Carr City Centers, LLC 1455 Pennsylvania Avenue, NW, Suite 200 Washington, DC 20004 | 36.724% |
| MGB Familia Corporation Willard Joint Venture c/o The Beuchert Company PO Box 3807 Washington, DC 20027 | 5.000% |
| George H. Beuchert, III c/o The Beuchert Company PO Box 3807 Washington, DC 20027 | 5.000% |
| TOTAL | 100.00% |



APPLICATION

DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN

DSUP # _____ **Project Name:** _____

PROPERTY LOCATION: 1201 North Royal Street

TAX MAP REFERENCE: 045.03-03-01 **ZONE:** CRMU-X

APPLICANT:

Name: 1201 N. Royal Street LLC

Address: 1455 Pennsylvania Avenue, Suite 200, Washington, DC 20004

PROPERTY OWNER:

Name: Same as applicant

Address: _____

SUMMARY OF PROPOSAL Applicant requests approval to build a 7 story mixed use building with 2 levels of below grade parking up to 91 residential units and approximately 5,700 square feet of first floor arts uses

MODIFICATIONS REQUESTED Tree coverage and Section 6-403(a)

SUP's REQUESTED SUP for 2.5 FAR, SUP for Arts Density Bonus; parking and loading space reduction

☒ **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.

Kenneth W. Wire

Print Name of Applicant or Agent

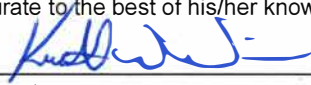
1750 Tysons Boulevard, Suite 1800

Mailing/Street Address

Tysons, VA 22102

City and State

Zip Code


Signature

703-712-5362

Telephone #

703-712-5222

Fax #

kwire@mcguirewoods.com

Email address

7/27/18
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 # _____

ALL APPLICANTS MUST COMPLETE THIS FORM.

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

1. The applicant is: (check one)

☒ the Owner ☐ Contract Purchaser ☐ Lessee or ☐ Other: _____ of
the subject property.

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

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.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

| Name | Address | Percent of Ownership |
|-----------------|---------|----------------------|
| 1. 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 1201 N. Royal Street (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

| Name | Address | Percent of Ownership |
|-----------------|---------|----------------------|
| 1. See attached | | |
| 2. | | |
| 3. | | |

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.


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

7/27/18
Date

Kenneth W. Wire
Printed Name


Signature

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

Applicant requests approval to construct a 7 story mixed use building on the property with 2 levels of below grade parking with up to 91 residential units and approximately 5,700 square feet of arts uses. Applicant is providing the arts use at no cost to the ultimate user and therefore is requesting the arts density bonus.

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 are no margins, text, or other markings on the paper.

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

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

Residential - typical of residential uses

Arts - TBD by user

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

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

Residential - typical of residential uses

Arts - TBD by user

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

| Day | Hours | Day | Hours |
|--|-------|-----|-------|
| Residential - typical of residential uses | | | |
| Arts - normal business hours and after hour openings and classes | | | |
| | | | |
| | | | |
| | | | |

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

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

Residential - typical of residential uses

B. How will the noise from patrons be controlled?

Property management

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

Typical for residential uses controlled by property management

Arts use - TBD

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

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

Typical household waste

Arts by use and event

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

Typical for residential uses

Arts - TBD by user with various events and classes

C. How often will trash be collected?

As needed

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

Property management

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:

Household cleaning supplies

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

Property management

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?

See DSUP Plan set

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

_____ Standard spaces
_____ Compact spaces
_____ 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?

Residential on-site parking in garage, Arts use will not have on-site parking

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?
- B. How many loading spaces are available for the use?
- C. Where are off-street loading facilities located?
On Street
- D. During what hours of the day do you expect loading/unloading operations to occur?
Normal business hours
- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
As needed for residential uses

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?

1201 N. Royal Street
Disclosure

| <u>Names and Addresses of Members</u> | <u>Percentage Interests</u> |
|---|-----------------------------|
| Carr City Centers, LLC 1455 Pennsylvania Avenue, NW, Suite 200 Washington, DC 20004 | 53.276% |
| 1201 N. Royal Member II, LLC c/o Carr City Centers, LLC 1455 Pennsylvania Avenue, NW, Suite 200 Washington, DC 20004 | 36.724% |
| MGB Familia Corporation Willard Joint Venture c/o The Beuchert Company PO Box 3807 Washington, DC 20027 | 5.000% |
| George H. Beuchert, III c/o The Beuchert Company PO Box 3807 Washington, DC 20027 | 5.000% |
| TOTAL | 100.00% |



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 1201 North Royal Street

TAX MAP REFERENCE: 045.03.03-01 **ZONE:** CRMU_X

APPLICANT:

Name: 1201 N. Royal LLC

Address: 1455 Pennsylvania Avenue, Suite 200, Washington, DC 20004

PROPOSED USE: TMP SUP and Parking Reduction

☒ **THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Kenneth W. Wire

Print Name of Applicant or Agent

1750 Tysons Boulevard Suite 1800

Mailing/Street Address

Tysons, VA

City and State

221012

Zip Code

Kenneth W. Wire

Signature

703-712-5362

Telephone #

kwire@mcguirewoods.com

Email address

7/27/18

Date

703-712-5222

Fax #

ACTION-PLANNING COMMISSION: _____ **DATE:** _____

ACTION-CITY COUNCIL: _____ **DATE:** _____

SUP # _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of _____, I hereby
(Property Address)
grant the applicant authorization to apply for the _____ use as
(use)
described in this application.

Name: _____

Phone: _____

Please Print

Address: _____

Email: _____

Signature: _____

Date: _____

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

☒ Required floor plan and plot/site plan attached. **SEE DSUP PLAN SET**

☐ Requesting a waiver. See attached written request.

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

☒ Owner

☐ Contract Purchaser

☐ Lessee or

☐ Other: _____ of the subject property.

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

See attached

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

| Name | Address | Percent of Ownership |
|-----------------|---------|----------------------|
| 1. 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 1201 N. Royal Street (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

| Name | Address | Percent of Ownership |
|-----------------|---------|----------------------|
| 1. 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.

7/27/18

Date

Kenneth W. Wire

Printed Name



Signature

SUP # _____

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.

NARRATIVE DESCRIPTION

3. 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. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

Applicant requests approval of a TMP SUP and parking reduction for residential and arts uses .

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

USE CHARACTERISTICS

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

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

5. Please describe the capacity of the proposed use:

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

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

Arts use will vary by event

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

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

Arts use will vary by event

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

Day:

Arts use will vary by event

Hours:

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

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

N/A

B. How will the noise be controlled?

N/A

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

N/A

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

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

N/A

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

N/A

- C. How often will trash be collected?

N/A

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

N/A

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

☐ Yes.

☐ No.

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

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

☐ Yes. ☐ No.

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

N/A

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

N/A

ALCOHOL SALES

13.

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

☐ Yes ☐ No

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

N/A

PARKING AND ACCESS REQUIREMENTS

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

See DSUP Plans

_____ Standard spaces
 _____ Compact spaces
 _____ Handicapped accessible spaces.
 _____ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A _____

Does the application meet the requirement?

☐ Yes ☐ No

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

☐ on-site☐ off-site

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

No parking for arts use.

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

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

☐ **Parking reduction requested; see attached supplemental form**

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

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

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____

Does the application meet the requirement?

☐ Yes ☐ No

- B. Where are off-street loading facilities located? On Street
- C. During what hours of the day do you expect loading/unloading operations to occur?
Normal business hours
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
As needed
16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

N/A

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☐ Yes ☐ No
- Do you propose to construct an addition to the building? ☐ Yes ☐ No
- How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?

_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

19. The proposed use is located in: *(check one)*

- ☐ a stand alone building
- ☐ a house located in a residential zone
- ☐ a warehouse
- ☐ a shopping center. Please provide name of the center: _____
- ☐ an office building. Please provide name of the building: _____
- ☐ other. Please describe: _____

End of Application

1201 N. Royal Street
Disclosure

| <u>Names and Addresses of Members</u> | <u>Percentage Interests</u> |
|---|-----------------------------|
| Carr City Centers, LLC 1455 Pennsylvania Avenue, NW, Suite 200 Washington, DC 20004 | 53.276% |
| 1201 N. Royal Member II, LLC c/o Carr City Centers, LLC 1455 Pennsylvania Avenue, NW, Suite 200 Washington, DC 20004 | 36.724% |
| MGB Familia Corporation Willard Joint Venture c/o The Beuchert Company PO Box 3807 Washington, DC 20027 | 5.000% |
| George H. Beuchert, III c/o The Beuchert Company PO Box 3807 Washington, DC 20027 | 5.000% |
| TOTAL | 100.00% |



APPLICATION - SUPPLEMENTAL

PARKING REDUCTION

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

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

Applicant is proposing 90 residential units with 30 one bedroom and 60 two bedroom units which requires 150 parking spaces. The applicant is proposing 144 spaces with 2 additional tandem spaces. The applicant is proposing no on-site parking for the arts use and on-street loading.

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

The site configuration and structural requirements limit the available garage spaces. The property is located a block away from being able to take advantage of reductions for bus routes and walk ability scores. On-street loading is a safer traffic configuration given adjacent intersection radius. On-site parking for the arts use is not economically viable or necessary given its off peak demand.

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

See above.

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

_____ Yes. _____ No.

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

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

DATE: 12/14/2018

TO: Robert Kerns, City of Alexandria

FROM: Whitney Smith, Carr City Centers

SUBJ.: 1201 N. ROYAL STREET ART USE – ART LEAGUE OVERVIEW

Below is a summary of the proposed occupancy activity and related space plan for The Art League at 1201 N. Royal Street.

Art Gallery – Space One (3,042 SF)

Divide into two studios:

Studio One (exterior facing approximately 1,800 SF studio):

Printmaking and Graphics Studio

Teaching students in traditional and non-traditional printmaking, bookmaking, graphic novel/Manga cartooning classes and workshops and "street-interesting" equipment: printing presses, letterpress/typesetting machine, book-making equipment, drying racks, etching trays/baths, monotype plates, levigators, inks, fabrics, papers, light tables, light boxes, plate shears, serigraphy (screen printing) presses, washout sinks, digital presses, etc.

Studio Two (interior facing approximately 1,200 SF studio):

Fibers & Textiles Studio

Featuring a light flow of students in traditional and non-traditional weaving, knitting, spinning, and loom based classes and workshops and "street-interesting" equipment and materials: floor looms, table looms, rigid heddle looms, tapestry looms, spinning wheels, clemes, frames, hoops, fleeces, wool skeins, roving, batts, cotton, exotic fibers, etc.

Art Studio #1 – Space Two (1,648 SF – facing N. Royal St.)

Jewelry Studio

Teaching students in traditional and non-traditional jewelry and classes and workshops and "street interesting" equipment: metal forming equipment, drills and hydraulic presses, lathes, saws and blades, vises, madrels, tree stumps, extruders, flexshafts, enameling kilns, crucibles, torches, shears, bench pins, enamels, lapidary tools, encaustic heat palettes, heat guns, encaustic paint pigments, etc.

Art Studio #2 – Space Three Space 3 (1,042 SF – facing interior art walk)

Crafts Studio

Featuring a moderate flow of students in traditional and non-traditional fiber, millenary, costuming, shoemaking, DIYers classes and workshops and "street-interesting" equipment: fabric bolts, felting stones, boards, and balls, silk worms, dye stove, silk dryer, dye pots, sinks, drills, hat blocks, boning, wire forms, drying cabinets, shoe lathes, leather goods and forms, feathers, bundled straw, etc.

Art Walk

Interior Corridor

Featuring Art League-led seasonal activation & event programming: Alexandria Book Arts Fair, Holiday Craft Sales, plein-air workshops, partnerships with Metro Stage & Writers' Center for illustrated children's book readings, independent book presses, etc.



Kenneth W. Wire
kwire@wiregill.com
703-677-3129

January 2, 2019

VIA EMAIL TO karl.moritz@alexandriava.gov

Mary Lyman, Chair and Members of Planning Commission
City Hall
301 King Street, Suite 2100
Alexandria, VA 22314

RE: Docket Item #6
January 3, 2019, Planning Commission Hearing

Dear Madam Chair and Members of Planning Commission:

On behalf of my client, 1201 North Royal LLC, I am requesting the following edits to the staff recommended conditions of approval for the above reference matter.

Condition 10

~~Provide a flush connection between the arts walk and the N. Royal Street sidewalk to the extent feasible to the satisfaction of the Directors of P&Z and T&ES. (P&Z)(T&ES)~~

Condition 14(d)(ii)

The setback of glass from the face of the building shall be a minimum of 2 ~~4 to 8~~ inches. (P&Z)

Condition 52(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"~~ **a maximum fine permitted by the City** will be issued, **for each day that the plan is violated.** ~~with construction halted until the violation has been corrected. *~~

Condition 67

The sewer connection fee must be paid prior to release of the site plan, **unless the timing of the payment is changed by the City*** (T&ES)

Condition 77

No transformer and switch gears shall be located in the public right-of-way. **The applicant may relocate existing switch gears which serve off-site properties to the nearest off-site utility pole. If Dominion requires switch gears serving off-site properties to be located on the Property, the cost of such switch gear shall be applied as a credit, not to exceed \$100,000, towards the Open Space Fund contribution set forth in Condition 107.** (T&ES)

January 2, 2019
Page 2 of 2

Please let me know if you have any questions regarding the requested edits. I look forward to discussing this project with you at tomorrow's public hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "K. W. Wire". The signature is stylized with a large "K" and a long horizontal stroke at the end.

Kenneth W. Wire

4819-8067-6484, v. 1

MEMORANDUM

TO: Karl Moritz, Director
Planning & Zoning
& Rob Kerns, Development Chief

FROM: David W. Brown, Commissioner

SUBJECT: 1201 N. Royal Street, DSUP 2017-0025 (Dkt. No. 6)

DATE: January 2, 2019

I am sending you this memo today for inclusion in the paperwork to be shared with the other Commissioners in advance of tomorrow's hearing on Dkt. No. 6, along with any response you care to add. I apologize for not raising these issues sooner, but my thoughts on this project did not come together until today.

This case raises questions about the proper application of the density bonus under 6-904 of the Zoning Ordinance. First, I do not regard the density bonus to be applied in every case where a bonus is merited to be 30%. Rather, I see 30% as the maximum allowed bonus. The statute says "density may be increased by a maximum of 30 percent . . ." The word "maximum" is perhaps not as clear as "up to" would be, but to me it nevertheless conveys the same meaning; there would be no need for that term if every project eligible for a bonus automatically gets the same percentage bonus, wholly apart from the expense incurred by the developer or the size of the bonus obtained, the latter of which is strictly a function of the gross lot area. For example, the 30% bonus for a 5000 sq ft anchor would be .3 acres on Developer A's 1-acre lot and .9 acres on Developer B's 3-acre lot. Why should Developer B get three times the reward of Developer A for providing exactly the same thing? Similarly, if Developer A and B have similarly sized properties, but Developer A's anchor is 15,000 sq ft and Developer B's anchor is 5,000 sq. ft., why should their bonuses be the same? In conversation with Rob this afternoon, I am assured that staff is not applying a one-size-fits-all density bonus.

According to Section 6-904(F) of the Zoning Ordinance, "the public benefit of the added density will be provided through the ability of the proposed arts and cultural anchor to further the goals of the arts and cultural district." Based on this provision, staff assessed the proposed arts anchor space on how it can activate the arts and cultural district and surrounding area through design and programming. The proposed 5,732 square-foot arts anchor includes over 300 linear feet of storefront glass to help activate the adjacent street frontage and arts walk, and the activation of the anchor spaces will be ensured through the conditions of approval and memorandum of understanding. Staff feels that the size of the arts anchor space is not the only determinant for its viability and community benefit, and the controls on the design and use of the space through the

Preliminary Plan and conditions of approval should be sufficient to have a space provided that is commensurate with the bonus density request.

Second, whether expressly intended or not, I believe the model for application of the density bonus must be that provided in 7-702 & 703 of the Ordinance, dealing with the bonus for low and moderate income housing provided on site.. Here, too, the 30 percent rule is applied, but 702 includes a limiting factor not found in 9-904: namely, that the number of units, or, equivalently, square footage, devoted to low and moderate income units “shall be equivalent to at least one-third (1/3) of the increase achieved by the bonus. . .” 7-702 (A)(1). While this express limitation is not found in 6-904, I see no reason, in applying SUP standards, for staff not to use this standard as at least a first-order guide for how much the bonus density should be in any given anchor case. For example, given a minimum anchor size of 5,000 sq ft, the guideline density bonus for that size facility should be about 15,000 sq ft., inclusive of the anchor, resulting in 10,000 sq ft of additional density for the market rate portion of the project. Using this 3:1 yardstick ratio to guide application of 6-904 would still allow for departures as appropriate. I note also that this methodology treats the anchor space as included within the bonus density, not separate and added on top of all other density allowed. It is my understanding that staff has not adopted this 7-702 approach in figuring maximum allowed density under 6-904, and that strikes me as error. In my view, 6-904 is clear in expressing that the anchor, as part of the building, is part of the floor area of the building. Given this framework, the bonus proposed in DSUP 2017-0025 is at a ratio of 4.7:1, i.e., 5732 sq ft of anchor space out of a density bonus of 27,182 sq ft. This level of developer benefit—significantly higher than the guideline--may be justified in this instance, but I would expect staff to carefully scrutinize such a result.

The arts bonus density was based on the 7-700 provision of affordable housing. However, the arts provision was intentionally worded to be more flexible and provide an incentive to attract art uses and take into account the large variety and type of art uses. This includes an implementation of the bonus density provision that allows for the deduction of the arts and cultural anchor space, so far as it incentivizes the development of anchor spaces that further the goals of the Arts and Cultural District and does not reduce areas reserved for bonus density. This need for flexibility was discussed extensively at the Planning Commission and City Council hearings.

Instead of a standard formula to be applied in every case, the arts anchor provision anticipates a case-by-case evaluation, with the following safeguards:

1. Approval of a DSUP to make sure the height and scale are compatible with the character of the neighborhood.
2. A total limit within the old town north plan area (100,000 sq.ft);
3. A minimum size (5,000 sq.ft);
4. Compliance with the definition for arts anchor; and
5. Limited locations where the provision can be utilized.

Third, if it is perhaps appropriate that there be considerably more flexibility in the application of the arts and cultural anchor bonus than in figuring the low and moderate income housing bonus, that flexibility could also take into account, if not otherwise accounted for, the increase in development potential of the property when the project is predicated on a rezoning that materially adds to the density. In a case where the rezoning has little impact on project density, this may have little relevance to the anchor density bonus calculus. But where the project includes a significant increase in development potential due to rezoning, it may be appropriate to consider the size and scope of the anchor in the evaluation of what exactions are appropriate under those rezoning circumstances. In the case of DSUP 2017-0025, the rezoning of the CD-X parcel to CRMU-X appears to have little impact in this respect, as the FAR maximum under an SUP in both zones is 2.5. However, 30% of the land in this project is being rezoned from UT to CRMU-X, which reflects a 6.5-fold increase in SUP development potential (with the 6-904 bonus), i.e., from .5 to 3.25. That is an allowance of a floor area increase of over 71,000 sq ft, or almost 10 times the 6-904 density bonus attributable to the CD-X part of the property (7654 sq ft). In conversation with Rob today, he has assured me that this rezoning-based increase in the value of the property has been taken into account in the overall project evaluation, including the configuration, size and scope of the arts and cultural anchor.

The amount of density allowed in CD-X zone for residential uses is 1.25 FAR in this portion of Old Town North, and the allowable FAR for the UT zone is 0.5 FAR with an SUP (note: the UT zone does not permit residential uses). Staff has taken the increase (up to 2.5 FAR) of the rezoning into consideration, and the mitigation of impacts from this increase was evaluated and is reflected in the analysis establishing the contribution to the Old Town North Streetscape and Implementation fund, which is \$486,011 and based on the density added from the CRMU-X zone. The fund is reserved for future enhancements to the linear park that are planned along the Mount Vernon Trail.

As a Development Special Use Permit approval, staff has been able to negotiate conditions that ensure a high-quality development that reflects the increase in value provided by the rezoning. These conditions include the reconstruction of the adjacent public realm with the installation of bioretention tree wells, pedestrian safety improvements where N. Royal Street, Bashford Lane and the Mount Vernon Trail spur converge, a proposed building with high-quality building materials (metal, glass and brick) and minimum window depth, and the future dedication of a portion of N. Fairfax Street that is planned through the southwest corner of the site.

CONCLUSION: I raise these points not to question the outcome in this particular case, which appears to be a well-conceived project, but rather to highlight considerations that I feel need to be addressed in each instance where we are considering approval of an arts and cultural anchor in Old Town North. Each case will be dependent on its unique facts, but we should strive for clarity and consistency in the methodology employed.



provided by
applicant @ hearing
1/3/2018

Kenneth W. Wire
kwire@wiregill.com
703-677-3129

January 3, 2019

VIA EMAIL TO karl.moritz@alexandriava.gov

Mary Lyman, Chair and Members of Planning Commission
City Hall
301 King Street, Suite 2100
Alexandria, VA 22314

RE: Docket Item #6
January 3, 2019, Planning Commission Hearing

Dear Madam Chair and Members of Planning Commission:

On behalf of my client, 1201 North Royal LLC, I am requesting the following edits to the staff recommended conditions of approval for the above reference matter.

Condition 14(d)(ii)

The setback of glass from the face of the building shall be a minimum of 2 4-to-8 inches. (P&Z)

Condition 14(e)

The setback of glass for the brick shoulders and corner element from the face of the building shall be a minimum of 4-to-8 inches. (P&Z)

Condition 67

The sewer connection fee must be paid prior to release of the site plan, **unless the timing of the payment is changed by the City.*** (T&ES)

Condition 77

No transformer and switch gears shall be located in the public right-of-way. **The applicant may relocate existing switch gears which serve off-site properties to the nearest off-site utility pole.** (T&ES)

Please let me know if you have any questions regarding the requested edits. I look forward to discussing this project with you at tomorrow's public hearing.

Sincerely,

Kenneth W. Wire

provided by speaker #2

docket #6

1/3/2018

My name is Mary C. Harris, President of NOTICe (North Old Town Independent Citizens, the civic association in the Old Town North neighborhood). Thank you for the opportunity to address the Planning Commission today. I am here to convey the views of our Development Committee (Agnes Artemel, Tom Soapes and Howard Middleton) and Board of Directors as well as members of our community.

There are a few points NOTICe respectfully asks the Planning Commission to consider in the matter of ***Docket Item #6: Rezoning #2018-0006; Development Special Use Permit #2017-0025; Transportation Management Plan SUP #2017-0078 – 1201 N. Royal Street – Craddock Site Redevelopment.*** In meetings with the developer and through the UDAC review process, NOTICe and the community raised several significant issues in response to the proposed redevelopment plan for 1201 N. Royal Street (Craddock Site Redevelopment). They are:

1. Building Height:

There were a number of design issues, which, with one exception, were addressed by the applicant. The item that was not addressed and which remains a concern is the height of the building. While it may not be the tallest building in that area -there is a commercial office tower on the Waterfront- it will be the tallest *residential* building in the area and out of scale with surrounding and neighboring residences on Bashford Street, North Royal Street and Third Street (including Printers Row, Canal Place, Potomac Shores, Hearthstone Mews, Harbor Terrace). The height is a negative impact for the residents of the Printers Row development located directly across Third street from this project.

2. Viable Arts Use:

NOTICe is concerned about the viability of the proposed arts function. NOTICe and many in our community heartily support the development of arts space in this area to further the implementation of the Arts Corridor envisioned in the OTN SAP, but we are concerned that the Applicant's concept is not sufficiently developed to assure its success in this project. The applicant has reported progress in identifying a tenant and arts functions at their last presentation to UDAC. Considering the substantial additional FAR being requested in exchange for this arts space, it is essential that this space be designed in a way that gives it a high probability of success and that the City assure residents and business that the Arts function is fulfilled.

3. Safety

There is also a safety concern. The proposed structure provides a loading and garage entrance/exit near the Royal Street-Bashford intersection. This is already a difficult, almost-blind corner intersection, and the addition of the entry-exit from the garage adds to that safety issue. The applicant has worked with the city on this issue, but more concrete action is required to better address this concern.

While NOTICe does not recommend a rejection of this application, we ask that the Commission follow up on these three issues to further improve the project.