

***Development Special Use Permit #2019-0001***  
***Special Use Permit #2019-0062***  
***Transportation Management Plan SUP #2019-0046***  
***1300 King Street***

Application	General Data	
<b>Project Name:</b> 1300 King Street	PC Hearing:	September 3, 2019
	CC Hearing:	September 14, 2019
	If approved, DSUP Expiration:	September 14, 2022 (3 years)
	Plan Acreage:	0.35 acres (15,050 SF)
<b>Location:</b> 1300 and 1310 King Street	Zone:	KR / King Street Retail
	Existing Uses:	Mixed-use and surface parking area
	Proposed Uses:	Mixed-use (multifamily and retail/restaurant)
	Dwelling Units:	31
<b>Applicant:</b> 1300 King LLC, represented by M. Catharine Puskar, attorney	Gross Floor Area:	42,775 SF
	Net Floor Area:	36,704 SF
	Small Area Plan:	Old Town / King Street Retail Strategy
	Historic District:	Old and Historic Alexandria
	Green Building:	LEED Silver or Equivalent

Purpose of Application
Public hearing and consideration of a request for a development special use permit and site plan with modifications to construct 31-unit multifamily building with ground-floor commercial uses and the rehabilitation of two historic buildings for commercial use
Special Use Permits and Modifications Requested:
<ol style="list-style-type: none"> <li>1. Development Special Use Permit and Site Plan to construct a mixed-use building;</li> <li>2. Special Use Permit for an increase in residential FAR to 2.5 in the KR zone;</li> <li>3. Special Use Permit for restaurant use;</li> <li>4. Special Use Permit for a parking reduction to allow for more than 75 percent of required spaces to be compact sized;</li> <li>5. Special Use Permit for a loading reduction;</li> <li>6. Special Use Permit for a transportation management plan; and</li> <li>7. Modification to the crown coverage requirement;</li> <li>8. Modification to the open space requirement in the KR zone;</li> <li>9. Modification to the vision clearance requirement; and</li> <li>10. Modification to the street tree requirements in the Landscape Guidelines.</li> </ol>

Staff Recommendation: APPROVAL WITH CONDITIONS	
<b>Staff Reviewers:</b>	
Robert M. Kerns, AICP, Chief of Development	<a href="mailto:robert.kerns@alexandriava.gov">robert.kerns@alexandriava.gov</a>
Catherine Miliaras, AICP, Principal Planner	<a href="mailto:catherine.miliaras@alexandriava.gov">catherine.miliaras@alexandriava.gov</a>
Michael Swidrak, AICP, Urban Planner	<a href="mailto:michael.swidrak@alexandriava.gov">michael.swidrak@alexandriava.gov</a>

**PLANNING COMMISSION ACTION, SEPTEMBER 3, 2019:**

On a motion by Vice Chair Wasowski, seconded by Commissioner McMahon, the Planning Commission voted to recommend the approval of DSUP#2019-0001 as amended, SUP#2019-0062 and TMP SUP#2019-0046. The motion carried on a vote of 6 to 0, with Commissioner Lyle recusing herself.

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

**Condition 10(c) (New condition)**

- c. The applicant shall explore the possibility of providing public art or artistic expression on the west elevation in lieu of the brick detailing, to the satisfaction of P&Z and RP&CA and subject to any other necessary approvals or private agreements. (PC)

**Condition 13**

13. Per the City's Green Building Policy adopted April 18, 2009, Achieve a green building certification level of LEED Silver (or equivalent) for the retail portion of the building and LEED Certified (or equivalent) for the residential portion of the building to the satisfaction of the Directors of P&Z, and/or RP&CA and T&ES pursuant to the City's Green Building Policy. Diligent pursuance and achievement of this certification shall be monitored through the following:
- a. Provide evidence of the project's registration with LEED (or equivalent) with the submission of the first Final Site Plan and provide a draft checklist showing how the project plans to achieve the certification. \*
  - b. Provide evidence of submission of materials for Design Phase credits to the U.S. Green Building Council (USGBC) (or equivalent) prior to issuance of a certificate of occupancy. \*\*\*
  - c. Provide evidence of submission of materials for Construction Phase credits to USGBC (or equivalent) within six months of obtaining a final certificate of occupancy.
  - d. Provide documentation certification within two (2) years of obtaining a final certificate of occupancy.
  - e. Failure to achieve LEED Silver (or equivalent) for the ~~project~~ retail portion of the building and/or LEED Certified (or equivalent) for the residential portion of the building will be evaluated by City staff, and if staff determines that a good faith, reasonable, and documented effort was not made to achieve these certification levels, then any City-wide Green Building policies existing at the time of staffs' release of Final Site Plan will apply.
  - f. Provide documentation to future retail tenants encouraging them to operate their business consistently with the goals of LEED, as well as to pursue LEED for Retail or LEED for Commercial Interiors certification. (P&Z) (T&ES)

**Condition 120**

120. The maximum number of patrons allowed for all of the ground-floor restaurants combined under this SUP will be determined by building code, ~~not to exceed~~  
134. (P&Z)(PC)

Vice Chair Wasowski asked if the number of compact-sized parking spaces is an issue and if future residents will be notified. Staff responded that the parking management plan submitted at Final Site Plan will address any potential issues with the higher number of compact-sized spaces and may include disclosures in the condominium documents. Staff also added that the applicant was only asking for one additional compact space than is allowed per the Zoning Ordinance. Commissioner Wasowski also asked about the installation process for the replacement of the existing Gadsby streetlights with the Alexandria Historic Street Lights adjacent to the site. Staff responded that the lights have already been installed at Waterfront Park and Robinson Landing and are meant to be replacements for the “Gadsby” streetlight in a district centered on King Street during a multi-year installation project. Staff indicated that there will be internal coordination to minimize having two different streetlights on the same block face for an extended time.

Commissioner Brown asked staff if the rooftop appurtenances would be visible from the street, in reference to portions of the rooftop that encroached within the height control plane on King Street that is discussed in the King Street Retail Strategy. Staff responded that portions of the rooftop may be visible, but taller elements are set back from the street to minimize their appearance from the street. Commissioner Brown followed up that he thought the proposal to be a good project and had no objections. Commissioner McMahon asked staff if the open space requirement would be met if the addition of the adjacent green roof spaces were included in the calculation, which staff confirmed. Commissioner Goebel asked staff to confirm that the calculations for “publicly accessible” and “private” open space were reversed in Table 3 on page 16 of the report. Staff noted that the staff report will be updated to correct the open space table and clarify the difference between private open space for all residents and private terraces for individual units.

Commissioner Koenig asked staff to explain the rationale behind requiring the applicant to pursue LEED Silver (or equivalent) certification for the entire project. Staff responded that the condition of approval was considered a response to the adoption of the updated Green Building Policy in June prior until it takes effect on Preliminary Site Plans in March 2020. Staff also felt that the request for LEED Silver was easily achievable and not an undue burden on the applicant, as existing building codes already require many sustainable building practices. Commissioner Koenig cited the August 2019 Memo to Industry from Development Division Robert Kerns that outlined the process for requiring more stringent certification standards and noted that the request should be a predictable process. This sentiment was echoed by other Commissioners, who were sympathetic with the applicant’s request to reduce the certification requirement to LEED Certified for the residential portion of the project and noted the Memo to Industry as the guide for future implementation of the updated policy.

Chair Macek questioned staff on the need to retain the maximum seat count in Condition 120 relating to the Restaurant SUP. Staff stated that the seat count was added to provide a level of certainty and transparency of the impacts related to the restaurant, and that the seat count was calculated by the applicant based on their application of building codes for the entirety of the ground-floor commercial space. Chair Macek responded that conditioning the maximum seat count for restaurant uses is no longer necessary based on the updated parking regulations, which base restaurant parking on square footage (and in this particular case, the site is located within the Central Business District, which does not require parking for restaurants). The Planning and Zoning Director noted that the City plans to address the seat count question for restaurants with a future Small Business Zoning update. Chair Macek also asked staff to confirm that the Restaurant SUP would cover all of the ground-floor commercial spaces which staff confirmed that it would and would permit multiple restaurant uses.

Vice Chair Wasowski discussed the potential of adding art to the western wall of the new building and drafting a condition that would facilitate this. The applicant stated that they were amenable to the addition of either public art (as determined through the City's Public Art Policy) or a similar installation on the western elevation if the applicant has control over what installation would be selected. The applicant and staff noted that they will continue discussion and potentially refine the added condition prior to the City Council hearing. The condition is intended to be separate from the required public art contribution as it may or may not comply with the Public Art Policy.

Commissioner Brown asked the applicant to explore retaining the businesses in the existing buildings in the new development. Commissioner McMahon asked staff to discuss the visual impact of mechanical appurtenances at future Planning Commission briefings.

Speakers:

M. Catharine Puskar, representing the applicant, spoke in support of the project. Ms. Puskar noted that the project has received support from the community and the BAR. She said that mechanical appurtenances should not be reviewed as part of the King Street height stepback control plane in the King Street Retail Strategy. Concerning restaurant seating, Ms. Puskar stated that the seat count could be higher than 134, but the applicant provided that number based on assumptions of how they space would be used, including the location of kitchen and "back of house" functions. Ms. Puskar argued that the LEED Silver requirement for the residential portion of the building was unfair since the updated Green Building Policy was not in effect and was an undue burden on the applicant.

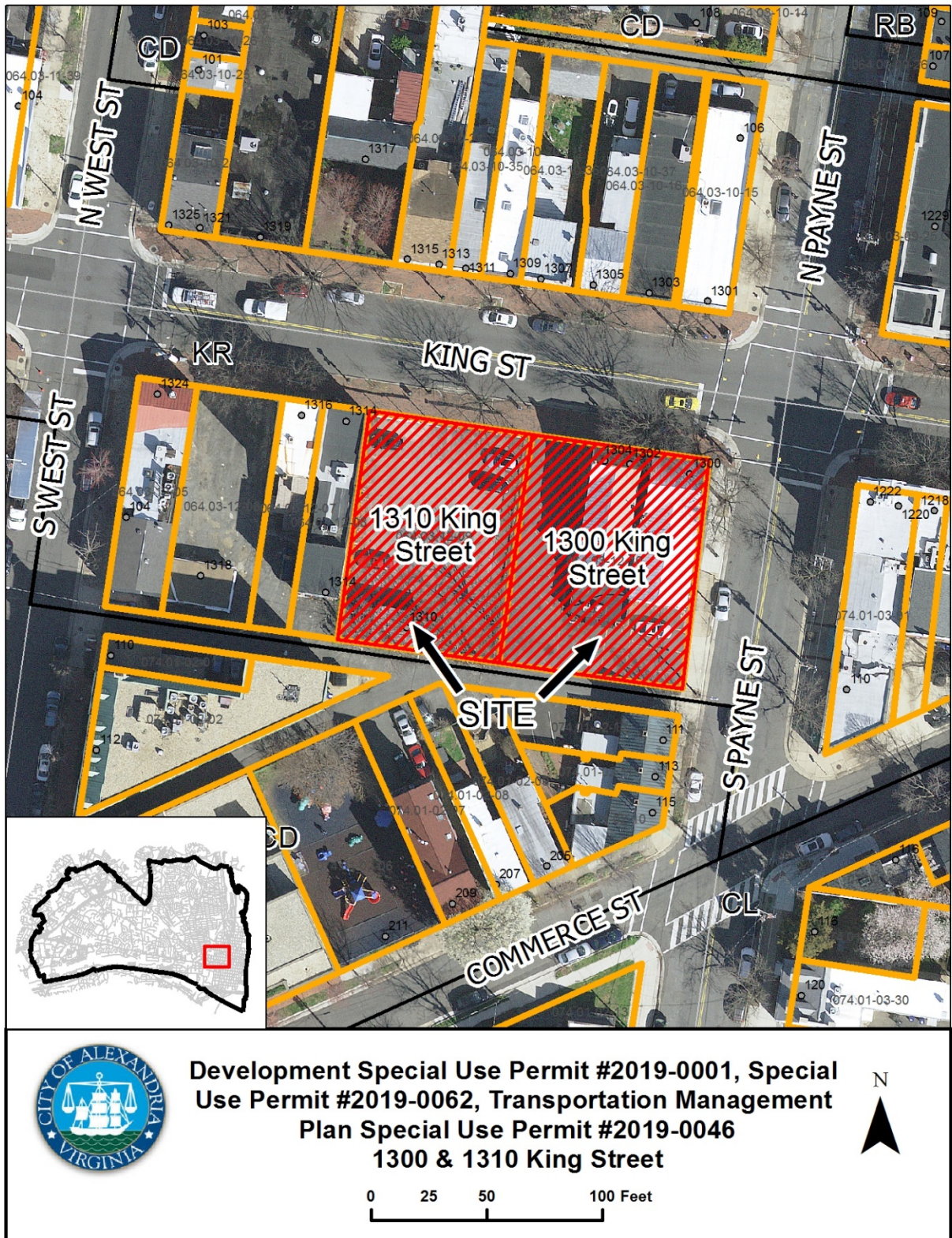
Trae Lamond, representing the Old Town Business Association, spoke in support of the project.

Scott Shaw, representing the board of the Alexandria Economic Development Partnership, spoke in support of the project, noting its benefits to Upper King Street.

Reid Dougherty, a resident of 205 Commerce Street, noted his support for the project, but also stated some of his concerns. These concerns included the amount of parking provided by the applicant for the residential uses, and the height and scale of the building as it relates to the

public alley and residences behind. Chair Macek asked staff to address the concerns raised by Mr. Dougherty. Staff stated that the applicant provided the number of required parking spaces based on the Zoning Ordinance and that the parking-to-unit ratio (26 spaces for 31 residential units) provided is adequate based on proximity of the site to public transit and the King Street Metrorail Station. Regarding the height and scale of the building, staff noted that they were comfortable with the building's relation to the southern property line, as the building steps back 16 feet from the property line at the western half of the building, and the eastern half of the building steps from two to four stories on Payne Street, in addition to the lower-scale of the two-story historic buildings at the corner.





## **I. SUMMARY**

### ***A. Recommendation***

Staff recommends approval of the request to construct a mixed-use development with 31 multifamily units and over 6,000 square feet of ground-floor commercial with a Development Special Use Permit (DSUP) and associated requests, and subject to compliance with staff recommendations. The proposal provides many benefits for the City and surrounding community, including:

- High-quality design and architectural character that has been endorsed by the Board of Architectural Review, including the adaptive reuse and rehabilitation of two 19<sup>th</sup>-century buildings;
- Contextually responsive infill development that removes a surface parking lot from King Street and will enhance the retail corridor;
- Up-to-date retail spaces for new businesses on King Street;
- Residential units on King Street that will add to the mixed-use character of Old Town;
- Streetscape and pedestrian improvements, including new brick sidewalks on King and S. Payne streets, new street trees to be planted in compliance with the updated Landscape Guidelines and two saved street trees on King Street;
- Green building and site design, including LEED Silver (or equivalent) building certification, and areas of green roof;
- Public art contribution (at a minimum value of \$12,833);
- An affordable housing contribution (approximately \$132,696);
- A \$5,000 contribution to Capital Bikeshare; and
- A \$10,025 contribution to the Urban Forestry Fund.

Staff acknowledges the number of Special Use Permits (SUPs) and site plan modifications requested by the applicant. The site constraints and urban setting, the preservation of two early-19<sup>th</sup> century buildings and the project benefits listed above help to provide a basis for the staff recommendation for DSUP and associated application approval.

### ***B. General Project Description & Summary of Issues***

The applicant, 1300 King LLC, requests approval for a mixed-use building with 31 multifamily units and 6,393 square feet of new ground-floor commercial space and 2,962 square feet of commercial space in the rehabilitated historic buildings. The site currently consists of two parcels (1300 and 1310 King Street) and is bounded by King Street to the north, S. Payne Street to the east, a public alley to the south and properties on the 1300 block of King Street to the west. The proposed new building is four stories and fronts primarily King Street, with a portion fronting S. Payne Street. The two historic buildings at 1300 and 1302-1304 King Street will be rehabilitated, converted to exclusively commercial use and will connect to the new building to the south fronting S. Payne Street. The one-level underground garage serving the residential units is accessed from

S. Payne Street while loading for the commercial uses will occur to the north of the garage curb cut on S. Payne Street.

The applicant is requesting the following approvals with this project:

- A Development Special Use Permit (DSUP) with Site Plan and including:
  - The construction of a mixed-use building, including a request for a Special Use Permit (SUP) to increase the floor area ratio to 2.5 in the KR zone;
  - A Special Use Permit for a parking reduction to allow for more than 75 percent of required parking spaces for the residential use to be compact-sized;
  - A Special Use Permit for restaurant use;
  - A Special Use Permit for a loading reduction for the retail use(s);
  - A Special Use Permit for a transportation management plan; and
  - Site Plan Modifications to the open space requirement in the KR zone, crown coverage requirement, vision clearance requirement and street tree requirements in the Landscape Guidelines.

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

- Site design
  - Creating active frontages and enhanced streetscapes on King and S. Payne Street;
  - Compliance with the King Street Retail Strategy;
  - Placement of street trees and compliance with the updated Landscape Guidelines;
  - Location and design of open space; and
  - The building and site utilization of the public alley for access.
- Building design
  - Building massing and setbacks in relation to King Street, S. Payne Street and nearby properties;
  - Rehabilitation of existing early 19<sup>th</sup>-century buildings and incorporation into overall building design;
  - Architectural character and quality that is commensurate with the prominent site location on King Street and in the Old and Historic Alexandria District;
  - Design and placement of the commercial spaces fronting King Street; and
  - Location and functionality of parking and loading access from S. Payne Street.
- Use and utilization of ground-floor commercial spaces



## **II. BACKGROUND**

### ***A. Site Context***

The 0.35-acre site is comprised of two parcels, 1300 and 1310 King Street. The parcel addressed as 1300 King Street is at the southwest corner of the intersection of King and S. Payne streets, and is the location of the two historic early 19<sup>th</sup>-century buildings. The brick buildings, currently clad in Formstone, are currently connected by a stairwell to the second level, where eight boarding house units are located. The ground floor of each building is occupied by the Pines of Florence restaurant and Aftertime Comics store, respectively. The 1310 King Street parcel is located directly to the west and is currently a surface parking lot with a small building at the southern end of the property. The lot has been underutilized for several years, previously serving as a parking lot for used automobile sales. The SUP request for continuing the operation of a nonconforming automobile sales business at 1310 King Street (SUP#2013-0085) was denied by City Council in 2014. The southern side of each parcel has direct access to the 12-foot-wide public alley that bifurcates the block and provides access to the adjacent properties fronting King Street, S. Payne Street and Commerce Street.

Based on preliminary research by City Archaeology staff, the site contained six lots fronting King Street. Two of these lots (1300 and 1302-1304 King Street) were developed with dwellings in the early 19<sup>th</sup> century while a third dwelling was added at 1312 King Street by the mid-19<sup>th</sup> century.

The site is adjacent to properties containing a mix of uses. Adjacent properties to the north, east and west along King Street are commercial, with ground-floor restaurants and retail, and offices and accessory apartments on the upper floors. The properties directly to the south fronting S. Payne and Commerce streets are primarily two-story historic townhouses and single-family dwellings that serve as locations for retail, office and private residences.

The site topography is generally flat, though slopes downward slightly toward the northeast portion of the site. The site is predominantly covered by asphalt, the existing buildings and other impervious surfaces, with virtually no green areas. The adjacent King Street sidewalk has three street trees (two of which are mature) and two curb cuts. The adjacent S. Payne Street sidewalk has a mature street tree in fair condition and a curb cut by the southeastern edge of the site close to the curb cut for the public alley.

### ***B. Detailed Project Description***

The applicant is proposing to construct a four-story, 31-unit multifamily building with ground-floor commercial spaces at 1300 and 1310 King Street. Included in the DSUP request are the two historic buildings at 1300 and 1302-1304 King Street which will be adaptively reused and incorporated into the design of the new building as ground-floor commercial space. The historic buildings, located in the eastern half of the site with frontage on King and S. Payne Streets, will be rehabilitated with the 19<sup>th</sup>-century brick façade exposed after the removal of the Formstone, a synthetic stone veneer applied to buildings in the middle of the 20<sup>th</sup>-century.

The proposed L-shaped building will wrap around the existing historic buildings to the west and south. The new building is comprised of two distinct building typologies and is predominantly four stories with a height of 50 feet. The King Street building typology reads as a commercial red-brick building with traditional window proportions. The upper floors (residential) are set back 9 feet from the front wall of the ground-floor commercial spaces. The S. Payne Street building typology steps back at the third and fourth floors and is clad in gray brick with metal accents. The mixed-use building contains three commercial spaces and the residential lobby on the King Street frontage, each surrounded by a decorative metal screen at the first floor, and an entrance to the underground parking garage and loading corridor along S. Payne Street.

Beneath the new building is a one-level underground parking garage that accommodates 22 parking spaces which are accessed from a curb cut on S. Payne Street. Four additional parking spaces are located behind the new building at-grade and are accessed from the 12-foot-wide public alley to the south of the site. Loading activities are proposed to take place on S. Payne Street adjacent to a service corridor entrance located directly to the north of the parking garage entrance. The applicant has requested a parking reduction to allow for more than 75 percent of the required parking spaces to be compact-sized and a loading reduction to allow for on-street loading in lieu of an off-street loading space.

The applicant proposes streetscape improvements, including new brick sidewalks along the adjacent frontage of S. Payne and King streets, new street trees and Alexandria Historic Street Lights. As described in the Staff Analysis section (Section IV) below, the applicant requests site plan modifications to the site plan requirement for crown coverage on 25 percent of the site area and the street tree requirements in the Landscape Guidelines, the open space requirement in the KR zone, and the vision clearance requirement.

### III. ZONING

*Table 1 – Zoning Tabulations*

<b>Property Address:</b> 1300 and 1310 King Street		
<b>Total Site Area:</b> 0.35 acres (15,050 SF)		
<b>Existing Zone:</b> KR / King Street Retail		
<b>Current Uses:</b> Mixed-use (multifamily, retail/restaurant and surface parking area)		
<b>Proposed Uses:</b> Mixed-use (multifamily and retail/restaurant)		
	<b>Permitted / Required</b>	<b>Proposed / Provided</b>
<b>FAR</b>	2.5 with SUP	2.44
<b>Height:</b>	50 feet	50 feet
<b>Open Space:</b>	4,650 SF (150 SF per unit)	3,393 SF (all located above grade) <sup>1</sup>
<b>Crown Coverage:</b>	25% (3,763 SF)	0% (0 SF) <sup>2</sup>
<b>Parking:</b>	26 – 31 residential spaces Exempt from commercial spaces <sup>3</sup>	

<sup>1</sup> Modification requested.

<sup>2</sup> Modification requested.

<sup>3</sup> See Parking and Transportation section below for more information.

		26 residential spaces <sup>4</sup>
<b>Loading spaces:</b>	1	0 <sup>5</sup> (1 space located on-street)

## IV. STAFF ANALYSIS

### *A. Conformance with the Master Plan*

The site is located within the Old Town Small Area Plan and King Street Retail Strategy boundary. The Old Town Small Area Plan was adopted in 1992, and advocates for planning policies that retain the balance of residential and commercial uses and contextual development. The proposal is compatible with the goals and objectives of the Old Town Small Area Plan. The mixed-use proposal at 1300 King Street furthers plan area goals through:

- “Encourag[ing] the design of new buildings... on a basis that is compatible with existing development;”
- “Protect[ing] buildings and areas of historic and architectural value;”
- “Encouraging mixed use in new development where appropriate;” and
- “Encouraging the tourist potential of the historic and architectural aspects of Old Town.”

The proposal converts one of the remaining surface parking lots in Old Town into a mixed-use development while preserving and rehabilitating early 19<sup>th</sup>-century buildings.

### **King Street Retail Strategy**

Adopted in 2005, the King Street Retail Strategy provides a detailed assessment and blueprint for the continued health, preservation, and expansion of the retail environment on King Street. The Retail Strategy provided the framework for what became the King Street urban retail zone (KR). The retail strategy was adopted with a Master Plan Amendment that incorporated it into the Old Town Small Area Plan (MPA#2005-0002). Each chapter in the Retail Strategy covers a specific Guiding Principle such as Urban Design, Land Use, and Parking and has detailed Planning Recommendations that are designed to implement the plan. Table 2 below illustrates how the proposal conforms to and is in the general spirit of the King Street Retail Strategy.

***Table 2 – King Street Retail Strategy Elements***

ELEMENT	GOALS/RECOMMENDATIONS	PROPOSED
<b>Sidewalks</b>	<b>Guiding Principle:</b> Require all sidewalks to be paved in brick, but allow the pattern to vary	Sidewalks along King Street and S. Payne Street frontage will be brick
	<b>Guiding Principle:</b> Require landscaped tree wells or tree grates	Street trees are conditioned to be provided and retained (where

<sup>4</sup> Parking Reduction SUP requested to allow for more than 75 percent of required spaces to be compact-sized.

<sup>5</sup> Loading Reduction SUP requested.

<b>Sidewalks (continued)</b>		feasible) on King and S. Payne streets
		Street tree wells (existing and new) will be designed to current standards in the Landscape Guidelines
	<b>Planning Recommendation:</b> Maintain a minimum 7-to-8-foot-wide pedestrian way between sidewalk landscaping area and the building face and/or stoop	The proposal maintains a minimum 8-foot-wide sidewalk on King Street and 7-foot-wide sidewalk on S. Payne Street <sup>6</sup>
<b>Vital Retail Environment</b>	<b>Guiding Principle:</b> Encouraging continuous retail uses along the street to support optimum market conditions and the pedestrian experience	The proposal extends ground-floor commercial uses and creates engaging new storefront designs  The lobby width at the street level for the multifamily building is minimized
	<b>Guiding Principle:</b> Encouraging residential uses on upper floors to provide 16-hour activity and lights on the street in the evening	Addition of multifamily units will increase activity along this portion of King Street during evenings and weekends

### ***Land Use Controls***

On page 5-7 of the King Street Retail Strategy is a recommendation for a building envelope that prescribes a maximum building height for new development fronting King Street. The building envelope is “defined by a 30-degree building control plane (the origin of the plane to be established at a point 5 feet above the curb on the far side of the street).” The purpose of the control plane is to minimize visual impacts and limit shadows cast from taller buildings.

As shown in Figure 1 below, the proposed new building exceeds the building envelope at portions of the fourth floor and penthouse area in the portion of the building closest to King Street. This recommendation is not codified in the Zoning Ordinance, and there is no formal “modification” or “variation” to facilitate relief from a recommendation in the Strategy. Staff supports relief from this recommendation as the four-story expression of the new construction (the upper floors of which are set back 9 feet) on King Street is consistent with the juxtaposition of building heights that can be seen on adjacent blocks of King Street, where three and four-story buildings abut one and two-story buildings. Further, the proposed scheme successfully respects and gives deference to the adjacent two-story historic buildings. As discussed in the Building Design section of the report, much of the building articulation and stepbacks are focused on the portion of the new building fronting S. Payne Street, helping the building relate to nearby properties south of King Street and the historic buildings on the site.

<sup>6</sup> This includes a 2-foot-wide strip of sidewalk within the property line of the applicant. Staff has conditioned a public access easement for this portion of sidewalk.

Page 5-4 of the Strategy also outlines a requirement for new development fronting King Street to have a setback from the rear property line when the property abuts a residential property at the rear. This requirement was refined and included in the Zoning Ordinance under the KR zone (Section 6-705). However, this provision does not apply to this proposal as the site is bordered on its south by a public alley and does not have a shared rear property line with any of the nearby residential properties.

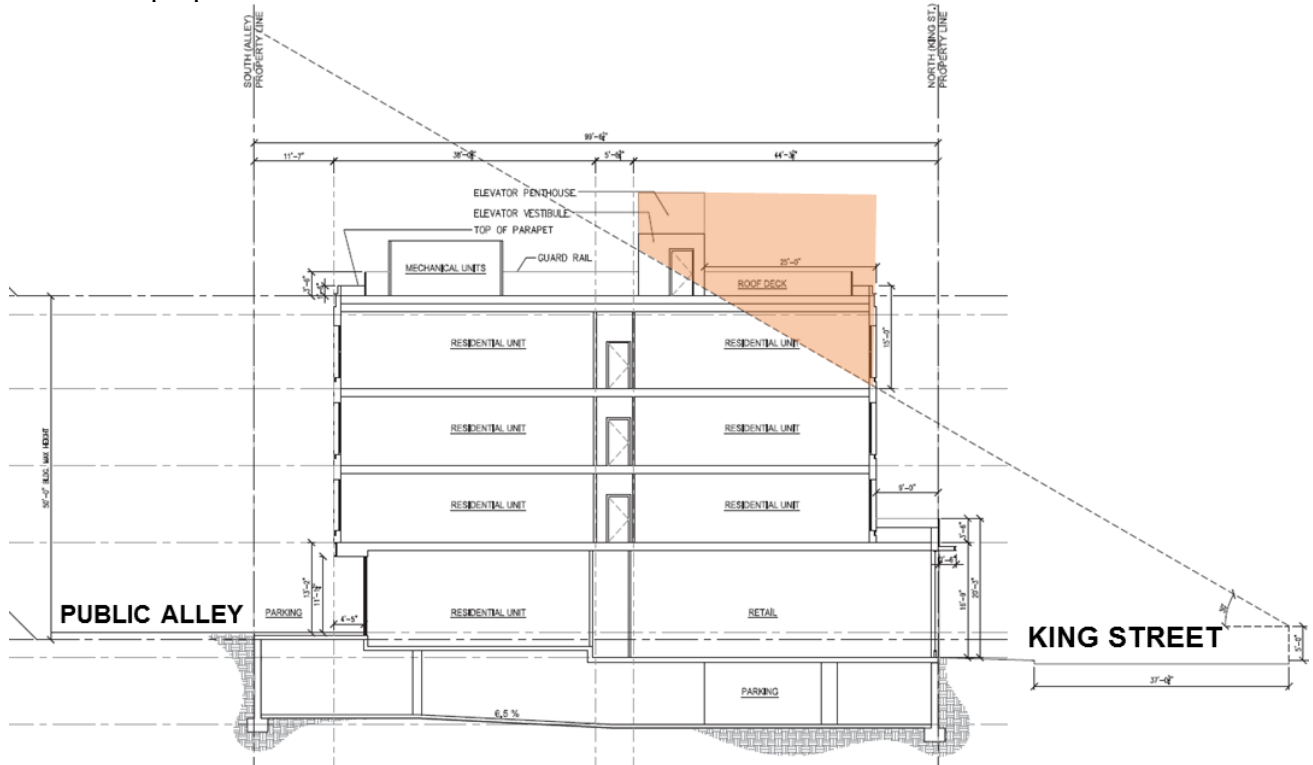


Figure 1: Portion (in orange) of the new building that does not comply with the recommended 30-degree building envelope starting from King Street.

## ***B. Conformance to City Policies***

The proposed development meets several applicable City policies including:

### **Affordable Housing Policy**

The applicant is providing a voluntary monetary contribution of \$132,696 to the City's Housing Trust Fund based on a Tier 1 contribution of \$2.99, a Tier 2 contribution of \$5.98 per square foot and a nonresidential contribution of \$2.24 per square foot of new net floor area. This contribution is consistent with the "Developer Housing Contribution Work Group Report" accepted by the Alexandria City Council on December 14, 2013 (adjusted to 2019 dollars) and supports the goals and strategies of the City's Housing Master Plan.

## **Green Building Policy**

City Council has recently adopted an updated Green Building Policy on June 22, 2019, which will replace the 2009 policy. The new policy will be in effect for any DSP or DSUP applications submitted on or after March 2, 2020, and this proposal is not subject to the standards of the updated policy. The 2009 policy's Development Standard noted that development that requires a DSP or DSUP should achieve LEED Certified (or equivalent) for residential uses and LEED Silver (or equivalent) for non-residential uses. The updated 2019 policy notes LEED Silver (or equivalent) as the minimum level of certification, in addition to achieving certain performance points, for all new private development that triggers a site plan review.

In recognizing the recently adopted policy, staff has conditioned the applicant to seek a LEED Silver certification for the entire project, in part due to the challenges of constructing a building where one part will be Certified and the other will be Silver. The applicant would not have to seek any additional performance points that are part of the updated Green Building Policy. Attainment of the certification is included as part of the conditions of approval for this project.

In addition to the applicant seeking LEED Silver certification for the project, staff acknowledges the importance of rehabilitating and adaptively reusing the existing historic buildings, which can be considered a highly desirable green building practice.

## **Public Art Policy**

In October 2012, the City Council adopted the Public Art Policy which established a monetary contribution requirement from development projects to go towards public art. The contribution can be used for public art on the site or a contribution to further the City's public arts efforts in the neighborhood. If the applicant elects for the monetary contribution option the policy requires a monetary contribution of \$0.30 per gross square foot of development, or approximately \$12,833 for this project. Staff anticipates that the applicant will provide the contribution in lieu of providing on-site public art. This will be confirmed during the Final Site Plan process.

## ***C. Building Design and Board of Architectural Review***

The proposed project consists of a new L-shaped four-story residential building, wrapping around the two historic buildings located at the corner of King and S. Payne streets, with 31 units above ground floor retail on the King Street frontage. The two historic buildings will be rehabilitated and integrated into the project with one-story additions connecting the historic buildings to the new construction. The new building is designed to read as two separate building masses - a red-brick building facing King Street and a gray-and-red brick building fronting on S. Payne Street.

The King Street building will have storefront windows and the residential entrance on the first floor, with three stories of residential above set back nine feet from the King Street façade, creating a terrace for the second-floor residential units. This building mass will be set back almost five feet from the side of the historic building at 1304 King Street and will extend to the western property line. A decorative metal screen will be overlaid on the first-floor façade and will define the three



retail spaces and the lobby entrance; the decorative screen will extend to the second floor where it will be integrated with the second-floor residential terraces. Projecting canopies constructed of the same metal screen will be located over the building entrances. The building reads as a medium-sized brick commercial building with punched windows arranged in a balanced rhythm of paired windows and single windows. Dark brick or metal will provide both vertical and horizontal accents and will form the cornice of the building. The side elevations will have inset brick at regular intervals to repeat the scale of the window openings. The building will have a roof deck surrounded by a cable railing system and both an elevator penthouse and stair penthouse, as well as mechanical screening, above the flat roof. The east elevation will have six bays visible over the two historic buildings, with the southernmost bay of this wall being solid masonry. The alley elevation of the King Street building will only be three bays wide and will set back approximately 12 feet from the property line, with the first floor inset slightly to accommodate surface parking spaces.

The S. Payne Street elevation will also reach a height of four stories, but with two-and-three story setbacks along the street to minimize the visual impact on the surrounding historic buildings. The setbacks allow for residential balconies on two floors. The two-story building mass will be constructed using red brick while the three-and-four story massing will be constructed in gray brick. The S. Payne Street first-floor elevation is where the access to the underground parking and service corridor will be provided. The service corridor entrance is set back 10 feet from the building face on S. Payne Street, creating a visual and physical separation between the new construction and the rear of the eastern historic building. Architecturally, the gray masonry building will have less of a traditional red brick “Alexandria” appearance but the bay spacing, and double-hung windows will visually tie the two buildings together. A metal C-channel or I-beam will separate the floors horizontally and define the cornice. The alley elevation of this building measures approximately 82 feet long and will be blank on the first floor, with fenestration on the three stories above and decorative brick work to provide visual interest at the ground level.

### **Board of Architectural Review (BAR)**

The Board of Architectural Review (BAR) reviewed this project in concept at two separate hearings. The BAR concept review process is an optional, informal process at the beginning of a DSUP application whereby the BAR provides the applicant, staff, the Planning Commission and City Council with comments relating to the overall appropriateness of a project’s height, scale, mass and general architectural character.

The applicant first presented the proposed project on March 6, 2019 (BAR Case #2019-0007), and the Board provided feedback on the height, scale, mass and architectural character of the proposed project. Most of the BAR supported the four-story height, but some members expressed a preference for a three-story building. The Board members provided additional feedback with respect to the desire for additional space between the historic buildings and the new construction. They recommended that the gray brick portion of the building and its relationship to the adjacent historic buildings and surrounding historic district be restudied and asked for additional details on the metal tracery design. The applicant was asked to provide a broader neighborhood context so that the BAR members could view the proposed project in relation to the surrounding historic district.

Separately at the same meeting the BAR also approved a partial Permit to Demolish//Capsulate (BAR#2019-00006), allowing for the demolition of the modern one-story freestanding building in the parking lot and the removal of later additions and alterations to the two early 19<sup>th</sup> century historic buildings at 1300 & 1304 King Street. The Board stated their support of the rehabilitation of these two historic buildings and their integration into the larger project site.

The project went before the BAR for a second time on April 17, 2019. Refinements were made to the King Street project elevation with more significant changes on the South Payne and alley elevations, where additional setbacks were proposed adjacent to the historic corner building and the fenestration was modified throughout the South Payne Street “building.” While most of the BAR supported the architectural character and mass of the project, as well as the height on King Street, some of the members present did not support the four-story height on Payne Street. The BAR Chair noted that the final details of the project would be approved by the BAR at the Certificate of Appropriateness stage and agreed that there was no need to return to the BAR until after the DSUP approval.

#### ***D. Site Design***

The site fronts King Street in the Central Business District, where properties have been commonly built to the front and side property lines. The applicant has proposed a new building that complements the adjacent historic buildings (both on and off site) and helps to connect to the streetwall along the King Street blockface. For the building and site design, the most important considerations concern the contextuality of the proposal in terms of scale and functionality.

The new building steps up to four stories on King Street, which adds a variety of height to the blockface, which is a condition often seen along King Street. The new building wraps around the southern portion of the historic buildings, but steps back from the S. Payne Street frontage from two to four stories to address the lower scale of development along the block. The applicant is also minimizing pedestrian-vehicle conflicts by utilizing S. Payne Street for loading activities instead of creating another curb cut. Staff and the applicant studied moving the parking garage entrance from S. Payne Street to the public alley, but the site is not long or deep enough to accommodate the ramp length and turning movements required. The site utilizes the public alley for access to four surface parking spaces and access to the building transformer. Consistent with the majority of nearby properties fronting King Street, the rear yard is utilized for “back of house” functions and not for ground-level open space. As discussed in the Modifications subsection for Open Space below, the applicant is utilizing above-grade open space for the residents of the new building.

#### ***E. Special Use Permit Requests***

Section 11-500 of the Zoning Ordinance gives authority to the City Council to approve Special Use Permits (SUPs), five 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.

### **Increase in Residential FAR to 2.5 in the KR Zone**

The applicant has requested an increase in FAR (floor area ratio) from 1.5 up to 2.5 in the KR zone. The density increase allows for a viable development proposal on a smaller urban site. Staff supports the request for increased density, as the applicant has utilized the density to provide a building proposal that considers the varied context of the adjacent King Street and S. Payne Street blockfaces.

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

1. The increased density will not have an adverse effect on area residents and workers, as the building fits well into the urban fabric of the area and minimizing pedestrian-vehicle conflicts was considered in the building design;
2. The proposed new building will enhance this portion of King Street, and the increased density allowed the applicant to provide a contextual building and site design respectful of the two historic buildings to be rehabilitated; and
3. The added density allows for the implementation of the King Street Retail Strategy with increased activity from the residential and commercial uses that will replace a surface parking lot.

### **Restaurant (SUP#2019-0062)**

The applicant is requesting a restaurant SUP that would apply to any of the ground-floor commercial spaces in the new building and historic buildings.<sup>7</sup> The KR zone allows restaurants as administrative SUPs, though this SUP request allows for additional flexibility in terms of restaurant operations sought by the applicant.<sup>8</sup>

The restaurant SUP could apply to any (or potentially all) of the ground-floor commercial spaces included in the SUP, though the most likely location for the restaurant would be the commercial space(s) in the historic buildings. The primary request in the restaurant SUP is for operating hours until 2:00 a.m. for the restaurant spaces. This request is in line with recent requests for restaurants on King Street. The SUP conditions also allow for live entertainment until 11:00 p.m., which is

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<sup>7</sup>The applicant has requested up to 134 seats total to be included in the restaurant SUP, which was calculated based on an estimate of the maximum building code allowance for seats if the entirety of the ground-floor commercial space would be utilized as a restaurant.

<sup>8</sup> Any future restaurants in this development will require an administrative SUP for the change of ownership from the applicant to future restaurant owner. The conditions of approval contained in this report will apply to these future restaurants.

consistent with City Noise Ordinance requirements for the Central Business District. The applicant is not requesting outdoor dining with this SUP.

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

1. Restaurant(s) at this location are consistent with the mix of businesses operating along this portion of King Street. The spaces will be managed through conditions of approval;
2. The restaurants will increase activity along the adjacent stretches of King Street; and
3. The addition of active uses along King Street is in conformance with the King Street Retail Strategy and Old Town Small Area Plan.

### **Parking Reduction to Allow Compact-Sized Spaces to Count for More than 75 Percent of Requirement**

The proposal meets the minimum requirement for residential parking based on the number of proposed multifamily residential units and proximity to public transit (per Article VIII of the Zoning Ordinance). The applicant requests a parking reduction SUP, however, in order to provide more than 75 percent of those required parking spaces as compact-sized (8 feet in width by 16 feet in length) as opposed to standard-sized spaces (minimum 9 feet in width and 16.5 feet in length).<sup>9</sup>

Staff is in support of the SUP because of the perceived minimal impacts from the request. The relatively small development will only accommodate 26 parking spaces, which are reserved for residential parking only. The small number of parking spaces and minimal parking turnover should mitigate any potential conflicts from having smaller spaces and is appropriate for an urban infill project.

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

1. This request will have no impact on the adjacent neighborhood, as it will only concern residents of the new development;
2. Parking will be managed through a parking management plan that will be reviewed by City staff that will address how any impacts will be mitigated; and
3. The flexibility of parking standards for urban development near public transit is consistent with goals and initiatives of the City, including updates to the Zoning Ordinance parking requirements.

### **Loading Reduction for the Commercial Use**

The applicant is requesting a loading reduction SUP for the commercial uses. 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

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<sup>9</sup> The design of parking facilities, including parking spaces, is located in [Section 8-200\(D\)](#) of the Zoning Ordinance.

merchandise” require one off-street loading space per 20,000 feet of floor area “or fraction thereof.” The applicant is proposing placing the required off-street loading space on S. Payne Street.

The request for the use of on-street loading for the commercial uses is supported by staff, who asked the applicant to remove a proposed loading dock to the north of the parking garage entrance to reduce the curb cut width on S. Payne Street and create a more pedestrian-friendly streetscape. The exact 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 the service corridor entrance that is located directly to the north of the parking garage entrance and leads to the trash room and the individual retail spaces. The relatively small size of the multifamily building (31 units) and four small retail spaces within the development should require minimal loading and trash activity in the on-street loading space.

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 S. Payne Street, and the frequency of loading activities should not warrant a loading dock in the building.
2. The minimal loading activities on S. Payne Street should have minimal impact on neighboring properties.
3. The enhancement of the pedestrian realm on S. Payne Street is consistent with the King Street Retail Strategy.

#### **Transportation Management Plan (SUP#2019-0046)**

According to Section 11-700 of the Zoning Ordinance, the applicant is required to participate in a “Tier One” 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 users.

#### ***F. 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.

### Open Space in the KR Zone

The applicant is requesting a modification to the minimum-required open space for residential uses in the KR zone. Per Section 6-705(B) of the Zoning Ordinance, each residential unit requires 150 square feet of open space per unit, instead of a percentage of the site area. The KR zone also explicitly allows for above-ground open space to meet this requirement, including space on “balconies, terraces and rooftops.” While above-grade open space is permitted to count toward the requirement in the KR zone, “ground level open space shall be a qualitatively significant component of the total open space.

The applicant has incorporated 3,395 square feet of open space into the site, all of which is above grade. Most of the private open space (2,454 square feet) is on the roof as a common open space for residents, while the remaining open space areas are reserved for private units and accessed from second and third-floor units. This calculation does not include areas around the roof that are reserved as bioretention (green roof). This area of green roof adjacent to the rooftop open space would add nearly 1,700 square feet of open space if counted toward the open space requirement.

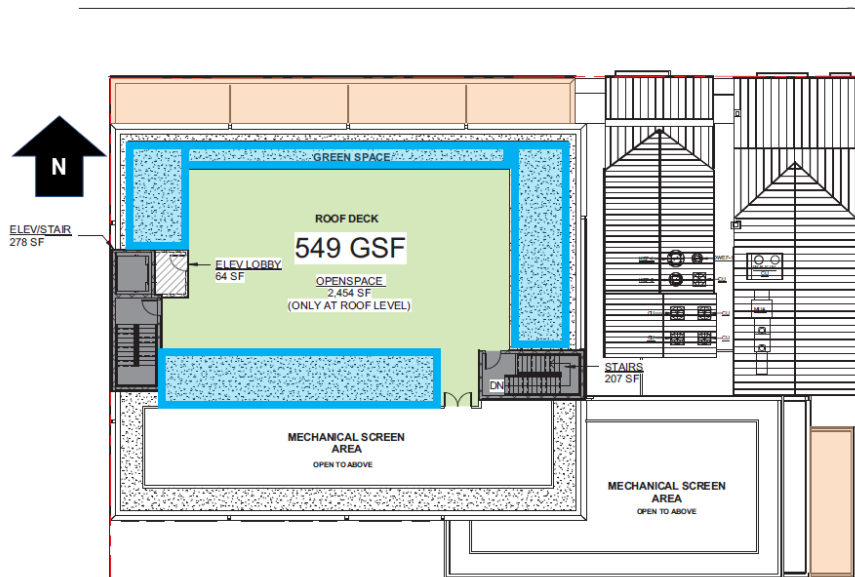


Figure 2: Areas in blue show areas of green roof adjacent to rooftop (common) open space. The lower-level private terraces are in orange.

**Table 3 – Open Space**

OPEN SPACE	AMOUNT
Required per KR Zone	4,650 SF (30.9% of site area)
Total Provided	3,395 SF (22.6 % of site area)
Ground-Level Provided	0 SF (0% of site area)
Above-Grade Provided	3,395 SF (22.6 % of site area)
Publicly Accessible Open Space	0 SF (0% of site area)
Private Open Space	3,395 SF (22.6 % of site area)



*Open to all residents: 2,454 SF*  
*Private terraces: 941 SF*

The proposal does not comply with the KR zone open space requirement that a “qualitatively significant portion” of open space be located at ground level. The relatively small redevelopment site (0.35 acres) and urban location of the site fronting King Street provides few opportunities for quality ground-level open space. The site layout proposed is consistent with nearby properties fronting King Street where parcels are occupied by building coverage and parking access areas with little to no ground-level greenspace.

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 viable development at the site that maintains continuous retail frontage on King Street. The site is consistent with other properties fronting this section of King Street, where little ground-level open space exists;
2. The new building will provide highly functional areas of above-grade open space for residents, and significant areas of green roof (which do not count toward the open space calculation) envelop the area of common rooftop open space; and
3. The reduced amount of on-site open space is consistent with the conditions of nearby mixed-use properties where residential uses are located on upper floors and not in townhouses with rear yards. The applicant will provide a high-quality streetscape adjacent to the property and the rehabilitation of two historic buildings, which will add to the public realm.

### **Crown Coverage**

The applicant is requesting a modification to the 25-percent-minimum crown coverage requirement that is noted in the updated Landscape Guidelines, and as required by Section 11-410(CC) of the Zoning Ordinance. The applicant is not able to provide any of the required 25-percent crown coverage requirement for the site, which is 3,763 square feet.

As often seen in the urbanized portions of the City, the site is constrained in terms of accommodating the required tree canopy coverage. The proposed new building and existing buildings cover much of the site at-grade, and parking spaces and a transformer occupy the only significant area of the site without building coverage. The applicant is utilizing the roof for bioretention (green roof) and above-grade open space and has not planned to place any significant planting areas above grade.

To mitigate the impacts of the reduced on-site crown coverage, the applicant is providing a \$7,525 contribution (\$10,025 total when including the street tree contribution [discussed below]) to the Urban Forestry Fund for tree plantings in the neighborhood. The applicant is also increasing crown coverage in the public right-of-way, and saving two existing mature street trees on King Street.

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 viable development at the site. The site is consistent with neighboring properties on King Street, where tree cover is provided on-street and not on-site;
2. The site layout greatly reduces surface parking and asphalt coverage from the site, which can contribute to the urban “heat island” effect. The applicant is additionally increasing the street tree cover adjacent to the site; and
3. The reduced amount of crown coverage will not have an adverse impact on neighboring properties, and the increased street tree canopy coverage and contribution to the Urban Forestry Fund for tree plantings in the vicinity will positively impact neighboring properties.

### **Street Tree Requirement in the Landscape Guidelines**

The applicant is requesting a modification to the street tree spacing requirements noted in the updated Landscape Guidelines, and as required by Section 11-410(CC) of the Zoning Ordinance. The updated Landscape Guidelines include street tree spacing requirements for the adjacent street frontage of a site that where a Development Site Plan (DSP) or DSUP is requested. The Landscape Guidelines require tree spacing at a “minimum of every twenty-five (25) linear feet and a maximum of every thirty (30) linear feet (specified on-center, O.C.) to accommodate existing and proposed infrastructure such as bus stops, underground utilities and curb cuts.”

The applicant has proposed four street trees along the along the King Street frontage, which is deficient by one street tree based on the approximately 150 feet of linear frontage of the site on King Street. The applicant studied placing five trees along the site frontage, but found that conflicts with utilities, streetlights and the saving of two street trees prohibit the placement of a fifth street tree. The frontage currently has only three street trees, with one tree proposed to be removed and two new trees added. The applicant has agreed to paying a \$2500 fee to the Urban Forestry Fund in lieu of planting the fifth street tree per the Landscape Guidelines.

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 based on the King Street sidewalk constraints, and the City can use the \$2,500 contribution to plant a street tree in the vicinity;
2. The applicant is saving two street trees on King Street and accommodating additional street trees as possible; and
3. This section of King Street sidewalk will have an increased canopy cover over existing conditions, and the City can use the provided funding to increase the area tree canopy.

### **Vision Clearance**

The applicant is also requesting a modification for the vision clearance for the historic building (currently 1300 King Street) located southwest of the intersection of King and S. Payne streets. According to Section 7-801 of the Zoning Ordinance, buildings with corner frontage or on corner lots shall have no structure or other obstructions “within the area enclosed by the centerline of the

intersecting streets and a line joining points on such centerlines at distances from their intersections,” which is 75 feet for most commercial and mixed-use portions of the City.

Staff supports the modification for vision clearance as it is an existing condition related to the historic building. The encroachment into the vision clearance “triangle” will not be exacerbated with the redevelopment of the property.

### ***K. Pedestrian and Streetscape Improvements***

The proposal features significant improvements to the streetscape along the King Street and S. Payne Street frontages. The applicant will provide the following improvements:

- New brick sidewalks and granite curbing along King Street and S. Payne Street;
- Removal of two curb cuts on King Street;
- Four new street trees fronting the site and two saved street trees in tree wells (existing and new) to be consistent with the updated Landscape Guidelines; and
- The replacement of existing “Gadsby” streetlights with the replacement Alexandria Historic Street Light on King and S. Payne streets.

The streetscape improvements provided by the applicant will enhance the adjacent blocks of S. Payne and King streets near the center of the King Street retail area while implementing the recently updated Landscape Guidelines.

The King Street brick sidewalk will be reconstructed, and the existing stone curb will be retained, and new granite curbing added to complement the existing curb. The City has placed a condition on the applicant to reuse any historic brick sidewalk pavers if possible and in good condition. The applicant will save two street trees and add an additional two street trees to the frontage. The existing tree wells will be widened to City standards, and the applicant is adhering to the new biodiversity standards in the Landscape Guidelines, which limits the planting of any specific species to a portion of the tree plantings proposed. The four “Gadsby” streetlights on King Street will be replaced with Alexandria Historic Street Lights. Additionally, the applicant will be removing the existing curb cut on King Street that connects to the current surface parking lot.

The applicant will also make significant improvements to the S. Payne Street frontage. This includes brick sidewalks and granite curbs to replace the existing concrete sidewalks and curbs, since this frontage is adjacent to the historic buildings. The applicant will be planting two street trees with granite blocks (to specifications in the Landscape Guidelines) placed on top in order to increase the pedestrian area. The City has asked the applicant for a public access easement for the 2-foot-wide linear portion of sidewalk that falls within their property line. The applicant will also be undergrounding utilities along this frontage and placing two Alexandria Historic Street Lights on this frontage.

## ***L. Parking and Transportation***

### **Parking**

The applicant is providing 26 off-street parking spaces on site, four of which are located at-grade behind the new building accessed from the adjacent public alley, and the remainder are located in a one-level underground garage accessed from S. Payne Street. The requirement for residential parking is a range based on the 38 bedrooms in the proposal, where the maximum allowed parking is 31 spaces (based on 0.8 spaces per bedroom) and the minimum allowed is 26 (based on deductions related to the site's high "walkability index" score and close proximity to four or more bus lines). The proposal meets the minimum space requirement for multifamily residential, though the applicant requires a parking reduction SUP to allow for more than 75 percent of these required spaces to be compact-sized (the analysis is in the Special Use Permit Requests section above).

The applicant is not required to provide off-street parking spaces for the proposed ground-floor commercial uses. The ground-floor commercial area will be approximately 6,500 square feet and has a minimum parking requirement of two parking spaces (for "specific commercial" uses outlined in Section 8-200 of the Zoning Ordinance). According to Section 8-100(A)(9) of the Zoning Ordinance, "nonresidential uses that have a parking requirement of two spaces or less shall be exempt from providing the spaces." Furthermore, any restaurant uses proposed for the commercial spaces are exempt from providing parking per the Central Business District parking regulations in Section 8-300 of the Zoning Ordinance. The employees of the future commercial spaces will be encouraged to utilize public transportation for their work trips, per the participation of the applicant in a transportation management plan.

In addition to off-street parking, there is on-street parking available on King Street adjacent to the site. The number of parking spaces available will be increased with the closure of two curb cuts leading to the site from King Street.

### **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, the redevelopment will minimally impact the number of trips generated by activities on the site.

### **Transit and Bicycle Facilities**

This site is located within proximity to transit and bicycle facilities. The site is served by four lines on King Street, including the DASH AT2, AT7 and AT8, which have stops on the adjacent blocks to the east and the west, and the King Street Trolley, which serves the blockface of the site. The nearest Capital Bikeshare station is currently located on the 1200 block of King Street, and the City plans to locate a Capital Bikeshare station on S. Payne Street adjacent to the site. The King Street Metrorail Station is located less than 2,000 feet to the west.

### ***M. School Impacts***

The applicant proposes to construct 31 multifamily units and the student generation rate for market-rate mid-rise multifamily units is 0.03 students per unit, or approximately 1 student. This project is located within the Lyles Crouch School attendance area. Staff 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 twice to the BAR (see Building Design section above), and four times to three different community organizations. The community outreach process provided the applicant opportunities to provide project updates and solicit direct feedback from neighborhood residents and business owners, while the BAR concept review process worked to refine the building design aspects of the development proposal through a public review process.

***Table 4 – Community and City Meetings***

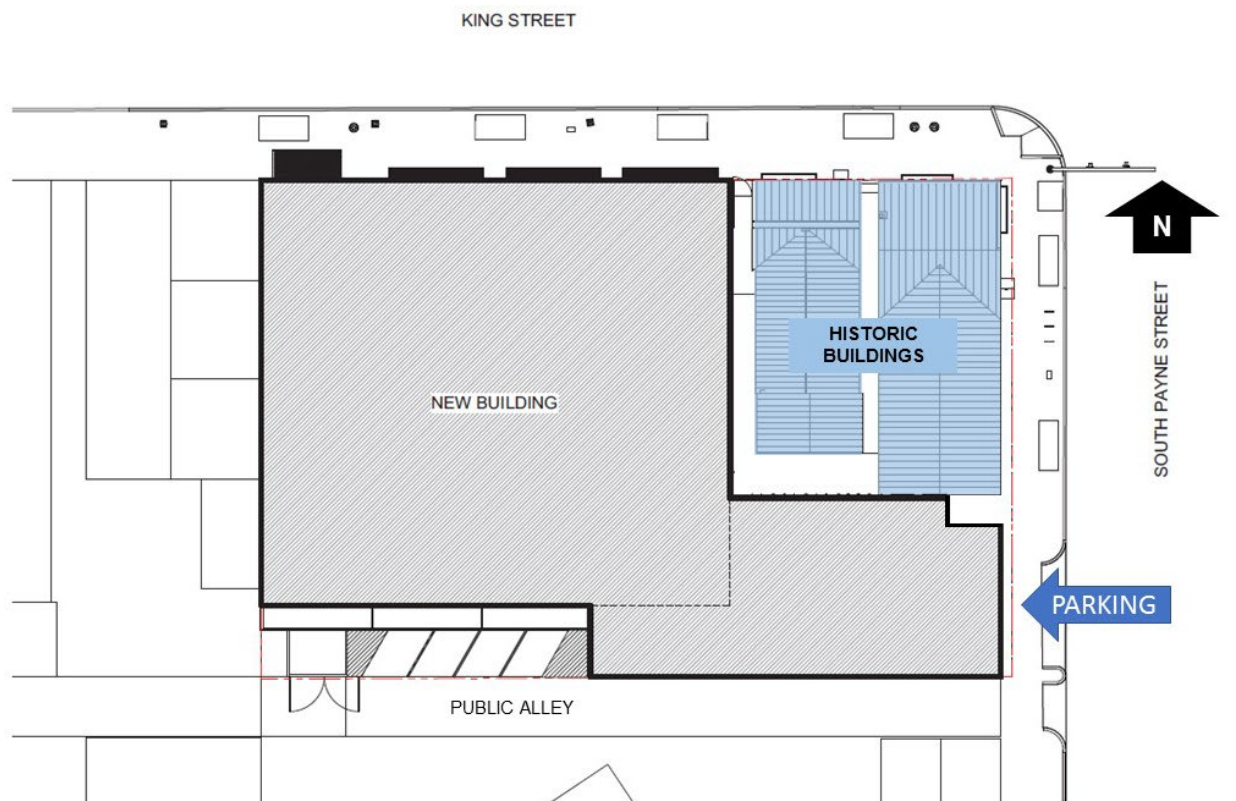
<b>DATE</b>	<b>MEETING</b>
<b>Community Meetings</b>	
January 9, 2019	Old Town Civic Association
February 12, 2019	Old Town Business and Professional Association
March 13, 2019	Old Town Civic Association
June 6, 2019	Upper King Street Neighborhood Association
<b>City Meetings</b>	
March 6, 2019	Board of Architectural Review (BAR)
April 17, 2019	Board of Architectural Review (BAR)

## **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  
Catherine Miliaras, AICP, Principal Planner, Development Division  
Michael Swidrak, AICP, Urban Planner III, Development Division

## VII. GRAPHICS



### Figure 3: Site Plan



### Figure 4: King Street Elevation





Figure 5: S. Payne Street Elevation

## VIII. APPENDIX

### A. *Bar Concept Review (BAR#2019-0007B) Staff Recommendation*

Staff recommends that the BAR endorse the height, scale, mass and general architectural character of the proposed project. The area immediately around the project site and from Route 1 to the King Street Metro feature a wide variety of styles and building forms from which to draw, allowing for architectural flexibility. The design of the new building – which generally reflects historic architecture found through the district – also differentiates itself from and respects the modest historic buildings at 1300 and 1304 King Street.

Staff recommends additional refinements in the areas discussed below.

- *Fenestration.* The Board encouraged the applicant to explore a different window light pattern on the Payne Street building to help differentiate it from the more traditional red brick building facing King Street. While the two-over-two punched windows on this gray brick building are an improvement, particularly the addition of windows on the north elevation, the paired windows and narrower single windows on the north and south elevations need further refinement to maintain an appropriate rhythm and sense of proportion.
- *Garage Door.* Staff has no objection to the proposed garage door which makes an effort to align the solid panels of the garage to the brick piers above though notes that there may be other appropriate options that could be explored during the Certificate of Appropriateness process.

- *Brick color.* Most of the BAR suggested that the applicant consider the use of a more traditional color brick, such as yellow brick or a complementary red brick, rather than the proposed gray brick which has no historic precedent in Old Town. The new two-story red brick “building” along the Payne Street elevation has mitigated staff’s concern about the use of gray brick on the King and Payne street elevations but the gray color is problematic along the alley elevation due to the extent of it and should continue to be studied.
- *Alley Elevation.* Staff supports the use of a brick pattern on the first floor with the long blank wall, but this elevation needs continued study with respect to the fenestration and brick color. It is unfortunate that the balconies were removed from this elevation as they provided visual variety and interest. Staff recommends including the balconies or exploring other options for providing variety and interest on this elevation.
- *Exposed Gable End at 1300 King Street.* Staff is pleased that a greater portion of the historic gable end will be exposed and recommends that historic salvaged brick be used when reconstructing the visible portions of this wall.
- *Rehabilitation of 1300 and 1304 King Street.* Staff will not be able to provide any definitive advice about the size and location of windows on the historic buildings until the faux stone and stucco have been removed. The 1957 building permit suggests that the buildings were modified significantly in the mid-20<sup>th</sup> century and there are likely to be different window openings under the synthetic siding. While staff supports the installation of storefront windows on the first floor of these two buildings and understands that they are intended to relate to the new storefronts, they should not copy the storefronts on the new building.
- *Brick Details.* Staff supports the removal of the star bolts and continues to recommend that the applicant reconsider the use of angled jack arches on the fourth-floor windows of the red brick building. Masonry window arches are generally most decorative on the ground floor and become increasingly simplified on upper floors.
- *Balcony Dividers facing King Street.* Some of the drawings suggest a tall solid privacy wall between the second-floor balconies facing King Street. As the project design continues to evolve, staff strongly recommends lower dividing walls that are either not visible or of limited visibility and with more porosity, perhaps using the trellis screen wall material.

## **IX. STAFF RECOMMENDATIONS:**

1. The Final Site Plan shall be in substantial conformance with the preliminary plan dated June 18, 2019, and as amended on July 17, 2019 and comply with the following conditions of approval.

### **A. SITE PLAN**

2. 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. The period of validity may be extended upon petition by the applicant and after adequate notice and public hearing. (P&Z)
3. Submit the plat and all applicable easements prior to the Final Site Plan submission. The plat(s) shall be approved prior to or concurrently with the release of the Final Site Plan. (P&Z) (T&ES) \*
4. 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) \*\*
5. 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) (BAR)
6. 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 streetlights 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. Manufacturer's specifications and details for all proposed fixtures including site, landscape, pedestrian, sign(s) and security lighting.
- e. A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing streetlights 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 streetlights and site lights.
- f. Photometric site lighting plan shall be coordinated with architectural/building mounted lights, site lighting, street trees and streetlights to minimize light spill into adjacent residential areas.
- g. 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.
- h. Provide location of conduit routing between site lighting fixtures to avoid conflicts with street trees.
- i. Detail information indicating proposed light pole and any footing in relationship to adjacent grade or pavement. All light pole foundations shall be concealed from view or light poles shall be direct bury.
- j. The lighting for the areas not covered by the City of Alexandria's standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
- k. Provide numeric summary for various areas (i.e., roadway, walkway/sidewalk, alley, and parking lot, etc.) in the proposed development.
- l. The walls and ceilings in the garage must be light-colored concrete (painted or dyed) to increase reflectivity and improve lighting levels at night.
- m. The lighting for the underground/structured 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.
- n. 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.
- o. Light fixtures for open canopies shall be recessed into the ceiling or architecturally integrated into the canopy for any areas that can be seen from the public ROW.
- p. Upon installation of all exterior light fixtures for the site/building, the applicant shall provide photographs of the site demonstrating compliance with this condition.
- q. Full cut-off lighting shall be used as applicable at the development site to prevent light spill onto adjacent properties.
- r. All streetlights fronting the site shall be replaced with Alexandria Historic Streetlights (or subsequent designated streetlight) with details coordinated with the City. (P&Z) (T&ES) (Police)(BAR)(Code)

7. 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)
8. Provide a georeferenced CAD file in .dwg format of the dimension plan of this project. This information will be used to compile a master CAD reference to ensure all elements and layers are correctly located and will connect. (P&Z)(DPI)\*

**BUILDING:**

9. The building design and alterations to the historic buildings, including the quality of materials, final detailing and fenestration shall be generally consistent with the elevations dated July 17, 2019, the approved Certificate of Appropriateness from the Board of Architectural Review, and the following conditions. (P&Z)
10. **CONDITION AMENDED BY PLANNING COMMISSION:** Provide the following building refinements to the satisfaction of the Director of P&Z:
  - a. Any ventilation for the retail/commercial use shall be integrated with the overall building design, reviewed and approved to the satisfaction of the Director of Planning and Zoning and the Board of Architectural Review.
  - b. All wall mounted vents shall be flush mounted and architecturally integrated with the building design with regard to both placement and color. (P&Z)
  - c. The applicant shall explore the possibility of providing public art or artistic expression on the west elevation in lieu of the brick detailing, to the satisfaction of P&Z and RP&CA and subject to any other necessary approvals or private agreements. (PC)
11. 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, storefronts, terraces, window and material details including the final detailing, finish and color of these elements in conformance with the Certificate of Appropriateness approval during the Final Site Plan review. Separate design drawings shall be submitted for each building typology or different bay type. (P&Z)
12. 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 as part of the Board of Architectural Review Certificate of Appropriateness approval 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 requires a building permit and 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) (Code)

13. **CONDITION AMENDED BY PLANNING COMMISSION:** Per the City's Green Building Policy adopted April 18, 2009, Achieve a green building certification level of LEED Silver (or equivalent) for the retail portion of the building and LEED Certified (or equivalent) for the residential portion of the building to the satisfaction of the Directors of P&Z, and/or RP&CA and T&ES pursuant to the City's Green Building Policy. Diligent pursuance and achievement of this certification shall be monitored through the following:

- a. Provide evidence of the project's registration with LEED (or equivalent) with the submission of the first Final Site Plan and provide a draft checklist showing how the project plans to achieve the certification. \*
- b. Provide evidence of submission of materials for Design Phase credits to the U.S. Green Building Council (USGBC) (or equivalent) prior to issuance of a certificate of occupancy. \*\*\*
- c. Provide evidence of submission of materials for Construction Phase credits to USGBC (or equivalent) within six months of obtaining a final certificate of occupancy.
- d. Provide documentation certification within two (2) years of obtaining a final certificate of occupancy.
- e. Failure to achieve LEED Silver (or equivalent) for the project retail portion of the building and/or LEED Certified (or equivalent) for the residential portion of the building will be evaluated by City staff, and if staff determines that a good faith, reasonable, and documented effort was not made to achieve these certification levels, then any City-wide Green Building policies existing at the time of staffs' release of Final Site Plan will apply.
- f. Provide documentation to future retail tenants encouraging them to operate their business consistently with the goals of LEED, as well as to pursue LEED for Retail or LEED for Commercial Interiors certification. (P&Z) (T&ES) (PC)



14. 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)
15. Install Energy Star labeled appliances in all multi-family residential units. (T&ES)
16. Provide necessary electrical and physical infrastructure for future installation of level-2 electric vehicle chargers in 5% of the required parking spaces. (T&ES)
17. 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: [www.epa.gov/WaterSense](http://www.epa.gov/WaterSense). (T&ES)
18. 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)

**OPEN SPACE/LANDSCAPING:**

19. 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 2019 Landscape Guidelines, available online at: [www.alexandriava.gov/uploadedFiles/recreation/ParkPlanning/LandscapeGuidelinesFinalv2Final.pdf](http://www.alexandriava.gov/uploadedFiles/recreation/ParkPlanning/LandscapeGuidelinesFinalv2Final.pdf)
20. Develop a palette of site furnishings in consultation with staff.
  - a. Provide location, and specifications, and details for site furnishings that depict the installation, scale, massing and character of site furnishings to the satisfaction of the Directors of P&Z and T&ES. (P&Z) (T&ES)

**TREE PROTECTION AND PRESERVATION:**

21. Provide, implement and follow a Tree and Vegetation Protection Plan per the City of Alexandria Landscape Guidelines. (P&Z) (RP&CA)
22. The trees labeled as "101" and "102" on the Preliminary Landscape Plan shall be protected and preserved pursuant to the approved Tree and Vegetation Protection Plan.
  - a. If either tree is damaged and/or determined to be dead, diseased or dying as defined in the Maintenance Section of the Landscape Guidelines, the

applicant shall replace the damaged tree(s) with a street tree species that is compliant with the Landscape Guidelines.

- b. The applicant is responsible for required street tree replacement through the full release of the Maintenance Bond. (RP&CA)(P&Z)\*\*\*\*

**ARCHAEOLOGY:**

23. Hire a professional consultant to work with staff and the landscape designers to incorporate and interpret elements of the historical character and archaeological findings into the design and to prepare interpretive elements, which shall be erected as part of the development project. The site plan shall indicate themes and locations of interpretive elements. Prior to release of the Final Site Plan, the consultant shall provide 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)
24. 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)
25. 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)
26. Call Alexandria Archaeology (703/746-4399) two weeks before the starting date of any ground disturbance so that an inspection or monitoring schedule for city archaeologists can be arranged. The language noted above shall be included on all final site plan sheets involving any ground disturbing activities. (Archaeology)
27. 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)
28. 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)

29. 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)

**PEDESTRIAN/STREETSCAPE:**

30. Provide the following pedestrian improvements to the satisfaction of the Directors of P&Z and T&ES:
- a. Complete all pedestrian improvements prior to the issuance of a certificate of occupancy permit.
  - b. Install ADA accessible pedestrian curb ramps fronting the site at the southwest corner of King Street and S. Payne Street for each direction of crossing. The newly constructed curb ramps shall be perpendicular to the street to minimize crossing distance. In addition, the proposed curb ramps shall be brick with detectable warning and shall conform to current VDOT standards. The Director of T&ES must approve any changes.
  - c. Construct new brick sidewalks on S. Payne Street and King Street to City standards. The minimum unobstructed width of newly constructed sidewalks shall be 6 feet, which can include areas of granite block placed over tree wells.
  - d. All brick sidewalks shall comply with the City's Memos to Industry 05-08 and 01-13.
  - e. Explore ways of reusing and reincorporating the existing brick pavers to be removed on King Street into the new sidewalk.
  - f. Provide granite curbing on King and S. Payne Streets fronting the site and retain and reuse any existing stone curb sections.
  - g. Sidewalks shall be flush across all driveway crossings.
  - h. All below grade utilities placed within a City sidewalk shall be designed in such a manner as to integrate the overall design of the structure with the adjacent paving materials to minimize any potential visible impacts. \*\*\* (P&Z) (T&ES)
31. Provide a public access easement for the portions of sidewalk adjacent to S. Payne Street on the property of the applicant. The easement language shall be reviewed by the Office of the City Attorney and to the satisfaction of the Directors of P&Z and T&ES.

**PARKING:**

32. Parking for the residential and commercial uses shall be consistent with the requirements of the Zoning Ordinance in effect at the time of approval by City Council. (P&Z) (T&ES)
33. 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)
34. 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 comply with the requirements of the Parking Management Plan Template provided in Memo to Industry 01-19. (P&Z) (T&ES)
35. Parking spaces within the parking garage that are required to comply with zoning requirements may be made available for public/off-site parking (separate from daily residential visitor parking) through an administrative special use permit, provided excess parking can be demonstrated. This request shall be to the satisfaction of the Directors of P&Z and T&ES, and subject to the following requirements:
  - a. Provide parking utilization information to show the on-site residential parking demand and the number of spaces that could be made available for public/off-site parking without negatively impacting use of the parking by the building's occupants.
  - b. Update the parking management plan to include, the following:
    - i. An explanation of how garage access to the parking spaces leased to non-residents will be provided. Controlled access to the underground garage shall be maintained.
    - ii. Information on how the garage will be managed, including how spaces will be assigned to residents, visitors, and third-party lease holders.
  - c. Provide a copy of the lease or other agreement to be used for public/off-site parkers. (T&ES)(P&Z)
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)
37. Coordinate with the City on the removal and return of equipment of the parking pay station on S. Payne Street and the removal and replacement of the parking pay station on King Street during construction. (T&ES)
38. Provide 16 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](http://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) \*\*\*

***B. TRANSPORTATION***

**STREETS/TRAFFIC:**

39. 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)
40. A pre-construction walk/survey of the site shall occur with Transportation and Environmental Services Construction & Inspection staff and Code Administration staff to document existing conditions prior to any land disturbing activities. (T&ES) (Code)
41. Show turning movements of standard vehicles in the parking structure. Show turning movements of the largest delivery vehicle projected to use the loading space. Turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES. (T&ES)
42. The maximum desirable slope on parking ramps to garage entrance/exit shall not exceed 15 percent. For slopes 10 percent and greater, provide trench drains connected to a storm sewer to eliminate or diminish the possibility of ice forming. The slope on a ramp with parking or used for egress shall not exceed 6.5 percent. For non-parking ramps with slopes of 12 percent and greater, 10 feet transition slopes at the top and bottom of the ramp shall be required, and the transition slope shall be half of the ramp slope percentage. (T&ES)
43. Wall mounted obstructions at the wall end of a parking space shall extend no more than 24 inches from the wall and shall be at least 48 inches from the garage floor. Spaces with obstructions that exceed this requirement will not be counted as usable parking spaces. (T&ES)
44. Furnish and install two 4-inch Schedule 40 PVC conduits with pull wires, and junction boxes located at a maximum interval of 300 feet underneath the sidewalks around the perimeter of the site along S. Payne Street and King Street. These conduits shall terminate in an underground junction box at each of the four street corners of the site. The junction box cover shall have the word "TRAFFIC" engraved in it. (T&ES)

45. Asphalt patches larger than 20 percent 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)\

**TRANSPORTATION MANAGEMENT PLAN:**

46. 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)
47. A TMP Coordinator shall be designated for the entire project prior to release of the first 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) \*\*\*
48. 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 determined as set forth in section 11-708 (TMP Assessments Schedule and Adjustments). 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)
49. 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)
50. 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)

**BUS STOPS AND BUS SHELTERS:**

51. Show all existing bus stops in the vicinity of the site on the Final Site Plan. (T&ES) (Code)
52. Street trees in proximity to bus stop approaches or directly adjacent to travel lanes shall be planted and maintained pursuant to the Landscape Guidelines:
  - a. Located to avoid conflict with vehicles, specifically:
    - i. Trees shall be excluded from a 40-foot zone which represents the length of the bus as it is serving the stop.
    - ii. Trees within both the 10-foot departure zone and the 20-foot approach zone (on either side of the 40-foot zone) shall be selectively located to minimize conflict with vehicles and to allow direct line of sight for approaching buses.

**C. PUBLIC WORKS**

**WASTEWATER/SANITARY SEWERS:**

53. The project lies within the Combined Sewer System (CSS) area; therefore, the applicant shall be required to comply with the CSS Management Policy requirements set forth in Memo to Industry 07-14, effective July 1, 2014. With respect to the stormwater requirement, the applicant is proposing a green roof (Option B) to help mitigate stormwater impacts on combined sewer discharges. Staff has determined that the size of the proposed green roof would meet 34 percent of their stormwater requirement, such that the applicant shall be required to contribute based on a formula of \$200,000 per acre x 0.35-acre site x (1-0.34), which results in a contribution of \$46,200.
54. The sewer connection fee must be paid prior to release of the Final Site Plan. (T&ES) \*
55. If a commercial kitchen is constructed, then the kitchen facility shall be provided with an oil & grease separator and the discharge from the separator shall be connected to a sanitary sewer. Submit two originals of the Oil and Grease separator Maintenance Agreement with the City prior to the release of the Final Site Plan. The agreement must be executed and recorded with the Land Records Division of Alexandria Circuit Court prior to site plan release. (T&ES) \*

**UTILITIES:**

56. Locate all private utilities without a franchise agreement outside of the public right-of-way and public utility easements. (T&ES)

- 57. All overhead power and communication lines fronting the development along S. Payne Street and the public alley shall be undergrounded. (T&ES)
- 58. No transformer and switch gears shall be located in the public right of way. (T&ES)

**SOLID WASTE:**

- 59. If the property is a required user, the development must meet all the minimum street standards for the City to provide solid waste collection service. See Alexandria Virginia Code of Ordinances Title 5 Chapter 1 Solid Waste Control. Collection vehicles must be able to pick up solid waste from private streets without backing up. The containers must be stored inside the units or within an enclosure that completely screens them from view. Where the City of Alexandria provides the solid waste collection services; all refuse/recycling shall be placed at the City Right-of-Way for collection. The official setout location of the containers shall be approved by the Director of T&ES. (T&ES)
- 60. If private collection is desired, the HOA shall request approval from the Director of Transportation and Environmental Services to opt-out of the City approved trash and recycling collection to allow for privately contracted collection. The point of collection shall be as agreed upon between the owner and the private collector duly licensed, provided that such point shall not be in a public right-of-way and shall not hinder or interfere with parking, traffic or pedestrians. All trash collectors for the project site are required to take their collected trash to the Alexandria/Arlington waste-to-energy facility (T&ES)
- 61. Where the City of Alexandria provides the solid waste collection services; all refuse/recycling shall be placed at the City Right-of-Way. The official setout location of the containers shall be approved by the Director of T&ES. (T&ES)
- 62. Provide \$1402 per receptacle to the Director of T&ES for purchase and installation of one (1) Victor Stanley Ironsites Series model SD-42 black receptacle with Dome Lid dedicated to trash collection. 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)  
\*
- 63. Provide \$1626 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, approved dome decals, and approved band dedicated to recycling collection. 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)



***D. ENVIRONMENTAL***

**STORMWATER MANAGEMENT:**

64. 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)
65. 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)
66. 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)
67. 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 removal efficiency (percentage), phosphorous removed by the practice (lbs.), and latitude and longitude in decimal degrees (NAD83). (T&ES)
68. 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 approved plans and specifications. (T&ES)
69. 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) \*\*\*\*
70. Submit two (2) originals of the stormwater quality BMP 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) \*
71. The Applicant shall be responsible for maintaining stormwater Best Management Practices (BMPs) until activation of the homeowner's association (HOA), and/or master association, if applicable, or until sale to a private owner. Prior to transferring maintenance responsibility for the BMPs to the HOA, master association, and/ or owner, 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, master association, and/ or owner. 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) \*\*\*\*
72. If units will be sold as individual units and a homeowner's association (HOA) established the following two conditions shall apply:
- a. The Applicant shall furnish the Homeowner's 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) with respect to maintenance requirements. Upon activation of the HOA, the Developer shall furnish five copies of the brochure per unit to the HOA for distribution to subsequent homeowners. (T&ES)
73. 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) \*\*\*\*
74. 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) \*\*\*\*

**WATERSHED, WETLANDS, & RPAs:**

75. 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)

**CONTAMINATED LAND:**

76. Indicate whether 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)
77. If environmental site assessments or investigations discover the presence of contamination on site, the Final Site Plan shall not be released, and no construction activity shall take place until the following has been submitted and approved by the Director of T&ES:
  - a. Submit a Site Characterization Report/Extent of Contamination Study detailing the location, applicable contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the site.
  - b. Submit a Risk Assessment indicating any risks associated with the contamination.
  - c. Submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. Utility corridors in contaminated soil shall be over excavated by 2 feet and backfilled with “clean” soil. Include description of environmentally sound methods of off-site transport and disposal of contaminated soils and debris (including, but not limited to types of vehicles appropriate for handling specific materials and ensuring vehicle loads are covered).
  - d. Submit a Health and Safety Plan indicating measures to be taken during remediation and/or construction activities to minimize the potential risks to workers, the neighborhood, and the environment. 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.
- 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) \*
78. 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) (Code)
79. 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)

**NOISE:**

80. 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). Once the final building design has been established, conduct a building shell analysis if needed, to identify options to minimize noise exposure to future residents at the site, particularly in those units closest to the surrounding roadways 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)

81. The noise study and noise commitment letter shall be submitted and approved prior to Final Site Plan release. (T&ES) \*
82. Amplified sound shall be limited to background music at or below the commercial sound limit at the property line and shall be discontinued at 11:00 p.m. (T&ES)
83. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES)
84. 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 loading area. The applicant shall post at minimum two no idling for greater than 10 minutes signs in the loading area in plain view. The signs may be located within the public right-of-way adjacent to the loading entrance to the building on S. Payne Street. (T&ES)

**AIR POLLUTION:**

85. 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)
86. 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)

***E. CONSTRUCTION MANAGEMENT***

87. 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. No streetlights shall be removed without authorization from the City of Alexandria.
  - b. If streetlights are to be removed from the public right of way, then temporary lights shall be provided until the installation and commissioning of new lights.
  - c. 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.
  - d. Provide a detailed sequence of demolition and construction of improvements in the public right of way along with an overall proposed schedule for demolition and construction;
  - e. Include an overall proposed schedule for construction;
  - f. Include a plan for temporary pedestrian circulation;
  - g. Include the location and size of proposed construction trailers, if any;

- h. 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.
  - i. Copies of the plan shall be posted in the construction trailer and given to each subcontractor before they commence work. (P&Z) (T&ES)
- 88. Provide off-street parking for all construction workers without charge to the construction workers. 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 percent 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 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) \*
- 89. Sidewalks adjacent to the site shall remain open during construction. If sidewalks must be closed, pedestrian access shall be maintained adjacent to the site per Memo to Industry #04-18 throughout the construction of the project. The plan for maintenance of pedestrian access shall be included in the Construction Management Plan for approval by T&ES. (T&ES)
- 90. Bicycle facilities adjacent to the site shall remain open during construction. If a bicycle facility must be closed, Bicycle access shall be maintained adjacent to the site per Memo to Industry #04-18 throughout the construction of the project. The plan for maintenance of bicycle access shall be included in the Construction Management Plan for approval by T&ES. (T&ES)
- 91. No major construction staging shall be allowed within the public right-of-way. The applicant shall meet with T&ES to discuss construction staging activities prior to release of any permits for ground disturbing activities. (T&ES) \*\*
- 92. 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)

93. 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)
94. 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)
95. Prior to commencement of landscape installation/planting operations, a pre-installation/construction meeting will be scheduled with the project planner in the Department of P&Z to review the scope of installation procedures and processes. This is in addition to the pre-construction meeting required above. (P&Z)
96. Identify a person who will serve as a liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of P&Z, and/or and T&ES. (P&Z) (T&ES)
97. Install a temporary informational sign on the site prior to approval of the Final Site Plan for the project. The sign shall notify the public of the nature of the project and shall include the name and telephone number of the community liaison, including an emergency contact number for public questions regarding the project. The sign shall be displayed until construction is complete. (P&Z) (T&ES)
98. 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)

99. 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) \*\*\*
100. Submit three (3) stamped copies of a wall check survey completed by a licensed, certified public land surveyor or professional engineer when below-grade construction reaches proposed finished grade. Ensure the wall check shows the following:
  - a. Extent of any below-grade structures.
  - b. Foundation wall in place.
  - c. Key dimensions of the building as shown on the approved Final Site Plan.
101. 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) \*\*\*
102. Contractors shall not cause or permit vehicles to idle for more than 10 minutes when parked. (T&ES)
103. 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)

## ***F. CONTRIBUTIONS***

104. Contribute \$5,000 to the City prior to Final Site Plan release to install a bike share station on or directly across from the project as part of a coordinated bike share program. In the event a bike share station cannot be located along the site frontage due to space constraints or impacts to operational efficiency, an alternate off-site location within a two-block radius of the project may be selected. (T&ES)\*
105. Contribute \$10,025 to the Urban Forestry Fund prior to first Certificate of Occupancy per the Landscape Guidelines. This contribution includes a fee-in-lieu of the required on-site crown coverage and \$2,500 for an additional street tree. (RP&CA)(P&Z)\*\*\*



**HOUSING:**

106. A voluntary contribution of \$132,696 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)\*\*\*

**PUBLIC ART:**

107. 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) \*, \*\*\*
  - b. The in-lieu contribution shall be \$.30 per gross square foot, with a maximum contribution of \$75,000 per building. The contribution shall be provided prior to the issuance of the first Certificate of Occupancy. (RP&CA) (P&Z) \*\*\*

***G. USES AND SIGNS***

**RETAIL USES:**

108. Provide documentation (lease agreement or similar) to future retail tenants requiring them to operate their business consistently with the goals of LEED (or equivalent), as well as to pursue LEED for Retail or LEED for Commercial Interiors certification at a Silver level (or equivalent).
109. Ensure the following for the retail areas within the development, to the satisfaction of the Director of P&Z:
- a. Provide a minimum 14 feet floor-to-floor height for the new building.
  - b. All retail entrances along King Street shall be required to be operable entrances. This requirement shall be included as part of the lease for each tenant.
  - c. The placement or construction of items that block the visibility of the interior of the store from the street and sidewalk (e.g. storage cabinets, carts,

shelving, boxes, coat racks, storage bins, closets, etc.) shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. This requirement shall be included as part of the lease for each tenant. (P&Z)

110. The applicant shall encourage its employees who drive to use off-street parking. (T&ES)
111. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
112. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
113. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)

**SIGNAGE:**

114. Design and develop a coordinated sign plan, which includes a color palette, for all proposed commercial signage. The plan shall be included as part of the Final Site Plan and BAR Certificate of Appropriateness and shall coordinate the location, scale, massing and character of all proposed signage to the satisfaction of the Director of P&Z.\* (P&Z)(BAR)

***H. 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/DSP 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. All landscaping and open space areas within the development shall be maintained by the Homeowners' and/or Condominium Owners' Association.
  - c. Exterior building improvements or changes by future residents shall require the approval of the Board of Architectural Review, as determined by the Director of P&Z.
  - d. 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.
  - e. Stormwater facility BMPs must be inspected and adequately maintained as designed to ensure proper functioning.
  - f. The specific language of the disclosure statement to be utilized shall be provided to the City for approval prior to release of any certificate of occupancy permit. (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 1300 King Street 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. The site is located in the Old and Historic Alexandria District, and any exterior alterations are subject to review and approval by the Board of Architectural Review. (P&Z) (T&ES) (City Attorney)

***I. RESTAURANT USE (SUP#2019-0062)***

118. The conditions contained herein relating to restaurant uses cover any of the ground-floor commercial tenant spaces included in DSUP#2019-0001. (P&Z)(T&ES).
119. The administrative permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
120. **CONDITION AMENDED BY PLANNING COMMISSION:** The maximum number of patrons allowed for all of the ground-floor restaurants combined under this SUP will be determined by building code, ~~not to exceed 134.~~ (P&Z)(PC)
121. The hours of operation for the restaurant(s) shall be limited to between 6:00 a.m. and 2:00 a.m. daily.

122. On and off-premises alcohol sales are permitted subject to applicable Virginia ABC licenses. (P&Z)
123. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
124. Live entertainment shall be limited to indoor only. The applicant shall conform with the City's noise ordinance and no amplified sound shall be audible at the property line after 11:00 p.m. (T&ES)
125. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into any street, alley, or storm sewer. (T&ES)
126. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES)
127. 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)
128. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
129. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
130. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
131. If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed (using a bung) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. (T&ES)
132. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
133. The applicant shall encourage its employees who drive to use off-street parking. (T&ES)

134. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
135. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
136. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)
137. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one (1) year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

## **X. CITY DEPARTMENT CODE COMMENTS**

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

### **Planning and Zoning (P&Z)**

- 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 Tree conservation and protection plans shall identify all trees to be removed, and all trees to be protected / preserved. Construction methods to reduce disturbance within driplines shall also be identified. An on-site inspection of existing conditions shall be held with the City Arborist and Natural Resources Division Staff prior to the preparation of the Tree Conservation and Protection Plan.
- C - 3 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) \*\*\*\*
- C - 4 No permits shall be issued prior to the release of the Certificate of Appropriateness from the Board of Architectural Review. (BAR)
- C - 5 Parking ratio requirement adjustment. Any parking requirement may be adjusted within 5 percent 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)

### **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. A preconstruction conference is recommended for large projects. 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 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 - 7 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 - 8 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.

### **Archaeology**

- F-1 In its original configuration this property consisted of six lots, 1300 to 1312. The first lot to be developed at 1302/1304 King St. was around the year 1800 by Ann Peyton who soon sold the dwelling to John McKinney in 1805. Subsequently, Benjamin Baden built a dwelling on the corner lot at 1300 King St. in 1813 and sold it to Bernard Bryan a year later in 1814. By the mid-nineteenth century a dwelling had been built at 1312 King St. owned by a "Colonel Ashby." This property the potential to yield significant archaeological information pertaining to the development of early Alexandria from the late eighteenth century into the early twentieth century.
- C -1. All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

**Transportation and Environmental Services (T&ES)**

- 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 - 2. 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 website:  
<http://alexandriava.gov/uploadedFiles/tes/info/Memo%20to%20Industry%20No.%2002-09%20December%203,%202009.pdf>
- F - 3. 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 - 4. The Plan shall include a dimension plan with all proposed features fully dimensioned and the property line clearly shown. (T&ES)
- F - 5. Include all symbols, abbreviations, and line types in the legend. (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. 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 - 13. 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 - 14. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns. (T&ES)
- F - 15. 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 - 16. A Maintenance of Traffic Plan shall be provided within the Construction Management Plan and shall replicate the existing vehicular and pedestrian routes as nearly as practical. Pedestrian and bike access shall be maintained adjacent to the site per Memo to Industry #04-18. These sheets are to be provided as "Information Only." (T&ES)
- F - 17. 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 - 18. Add complete streets tabulation to the cover sheet with the Final 1 submission. (T&ES)
- C - 1 Per the requirements of the City of Alexandria Zoning Ordinance Article XI, the applicant shall complete a drainage study and adequate outfall analysis for the total drainage area to the receiving sewer that serves the site. If the existing storm system is determined to be inadequate, then the applicant shall design and build on-site or off-site improvements to discharge to an adequate outfall; even if the post development stormwater flow from the site is reduced from the pre-development flow. The Plan shall demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
- C - 2 Per the requirements of the City of Alexandria Zoning Ordinance (AZO) Article XIII, Environmental Management Ordinance, the applicant shall comply with the stormwater quality and quantity requirements and provide channel protection and flood protection in accordance with these requirements. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of the Zoning Ordinance shall be met. If the project site lies within the Braddock-West watershed or known flooding area, then the applicant shall provide an additional 10 percent storage of the pre-development flows in this watershed to meet detention requirements. (T&ES)

- C - 3 Per the requirements of Article 13-114 (f) of the AZO, all stormwater designs that require analysis of pressure hydraulic systems, including but not limited to the design of flow control structures and stormwater flow conveyance systems shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. The design of storm sewer shall include the adequate outfall, inlet, and hydraulic grade line (HGL) analyses that shall be completed to the satisfaction of the Director of T&ES. Provide appropriate reference and/or source used to complete these analyses. (T&ES)
- C - 4 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 - 5 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 - 6 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 - 7 (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 - 8 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 - 9 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](http://www.alexandriava.gov/solidwaste) or by contacting the City's Solid Waste Division at 703-746-4410, or via email at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov). (T&ES)
- C - 10 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 - 11 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](http://www.alexandriava.gov/solidwaste) or by calling the Solid Waste Division at 703.746.4410 or by e-mailing [CommercialRecycling@alexandriava.gov](mailto:CommercialRecycling@alexandriava.gov). (T&ES)
- C - 12 Bond for the public improvements must be posted prior to release of the site plan. (T&ES)\*
- C - 13 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 - 14 Provide a phased erosion and sediment control plan consistent with grading and construction plan. (T&ES)
- C - 15 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 ensure 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 - 16 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 - 17 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 - 18 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 - 19 All driveway entrances, curbing, etc. in the public ROW or abutting public ROW shall meet City design standards. (T&ES)
- C - 20 All sanitary laterals and/or sewers not shown in the easements shall be owned and maintained privately. (T&ES)
- C - 21 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 - 22 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 - 23 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 - 24 The applicant shall comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. (T&ES)
- C - 25 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 - 26 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)

**PWS Comments**

1. PWS have no comments.

**Resource Recovery Comments**

2. No comments received.

**AlexRenew Comments**

3. Applicant to update AlexRenew note 1 on sheet P-0201 to read: "Dewatering and other construction related discharge limits to the sewer system are regulated by AlexRenew Pretreatment. Engineer/Owner is required to contact AlexRenew's Pretreatment Coordinator at 703-549-3381 x2020.

**VAWC Comments**

188. VAWC has no comments.

**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.
- R - 1. In the event an existing building will be razed, the Alexandria Fire Department would like the opportunity to explore utilizing the structure before demolition for training exercises.

If such an agreement can be reached, conditions of use between the parties and a hold harmless agreement will be provided to the owner or their representative.

### **Police Department**

#### Parking Garage Recommendations

- R - 1. It is recommended that the doors in the garage (garage level only) leading into the stairwell have controlled electronic access.
- R - 2. Only residents with proper electronic access cards should be able to enter the stairwells from the underground parking garage. This makes the stairwells safer for residents.
- R - 3. 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.

#### Miscellaneous

- R - 4. 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 - 5. It is recommended that all 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 - 6. 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.

### **Health Department**

#### Food Facilities

- 1. An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
- 2. Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.

3. Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
4. A Food Protection Manager shall be on-duty during all operating hours.
5. The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
6. In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
7. Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

**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****DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN****DSUP #** \_\_\_\_\_ **Project Name:** 1300 & 1310 King Street**PROPERTY LOCATION:** 1300 & 1310 King Street, Alexandria, Virginia 22314**TAX MAP REFERENCE:** 064.03-12-09 and 064.03-12-10 **ZONE:** KR**APPLICANT:**Name: 1300 King, LLCAddress: 3400 Idaho Avenue, Suite 500, Washington, DC 20016**PROPERTY OWNER:**Name: 1300 King, LLCAddress: 3400 Idaho Avenue, Suite 500, Washington, DC 20016**SUMMARY OF PROPOSAL** DSUP to allow a mixed-use building consisting of 31 multifamily residential units and ground floor retail, with the preservation of two historic buildings.**MODIFICATIONS REQUESTED** 1) Crown Coverage (Sec. 7-2707); Vision Clearance (Sec. 7-801); 3) Open Space (Sec. 6-705(B)); and 4) Street Tree Requirement (Sec. 11-410(CC)).**SUP's REQUESTED** 1) Increase in Floor Area Ratio to 2.5; 2) Parking and Loading Reduction; 3) Transportation Management Plan SUP; and 4) Restaurant[ ] **THE UNDERSIGNED** hereby applies for Development Site Plan with Special Use Permit approval in accordance with the provisions of Section 11-400 of the Zoning Ordinance of the City of Alexandria, Virginia.[ ] **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.[ ] **THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his/her knowledge and belief.M. Catharine Puskar, Agent/Attorney

Print Name of Applicant or Agent

Walsh Colucci Lubeley & Walsh, PC2200 Clarendon Blvd, Suite 1300

Mailing/Street Address

Arlington, VA 22001

City and State Zip Code

MCPuskar By: RDB  
Signature(703) 528-4700 703-525-3197

Telephone # Fax #

cpuskar@thelandlawyers.com

Email address

5/7/2019 REVISED 7/17/19

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.

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

☐ **Yes.** Provide proof of current City business license.

☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

N/A



THE HOLLADAY  
CORPORATION

3400 Idaho Avenue, N.W.  
Washington, D.C. 20016

TEL. (202) 362-2400  
FAX. (202) 364-0844

January 4, 2019

1300 King LLC  
3400 Idaho Avenue, N.W.  
5<sup>th</sup> Floor  
Washington, DC 20016

Mr. Karl Moritz  
Director of Planning  
301 King Street  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: Authorization and Consent to File Application for a Development Special Use Permit,  
Permit to Demolish, Certificate of Appropriateness and Related Requests  
Applicant/Owner: 1300 King, LLC  
1300 and 1310 King Street, Tax Map ID: 064.03-12-10 and -09 (the "Property")

Dear Mr. Moritz:

On behalf of 1300 King LLC, the Applicant and owner of the above-referenced Property, I hereby authorize Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of an application for a Development Special Use Permit, Permit to Demolish, Certificate of Appropriateness and any related applications or requests to allow for the construction of a multifamily residential building with ground floor retail on the Property.

Very truly yours,

1300 KING, LLC

By: 1300 King Manager LLC

By: 

Its: Manager

## 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	See attached	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 1300 and 1310 King 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	See attached	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	None	Not applicable
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.

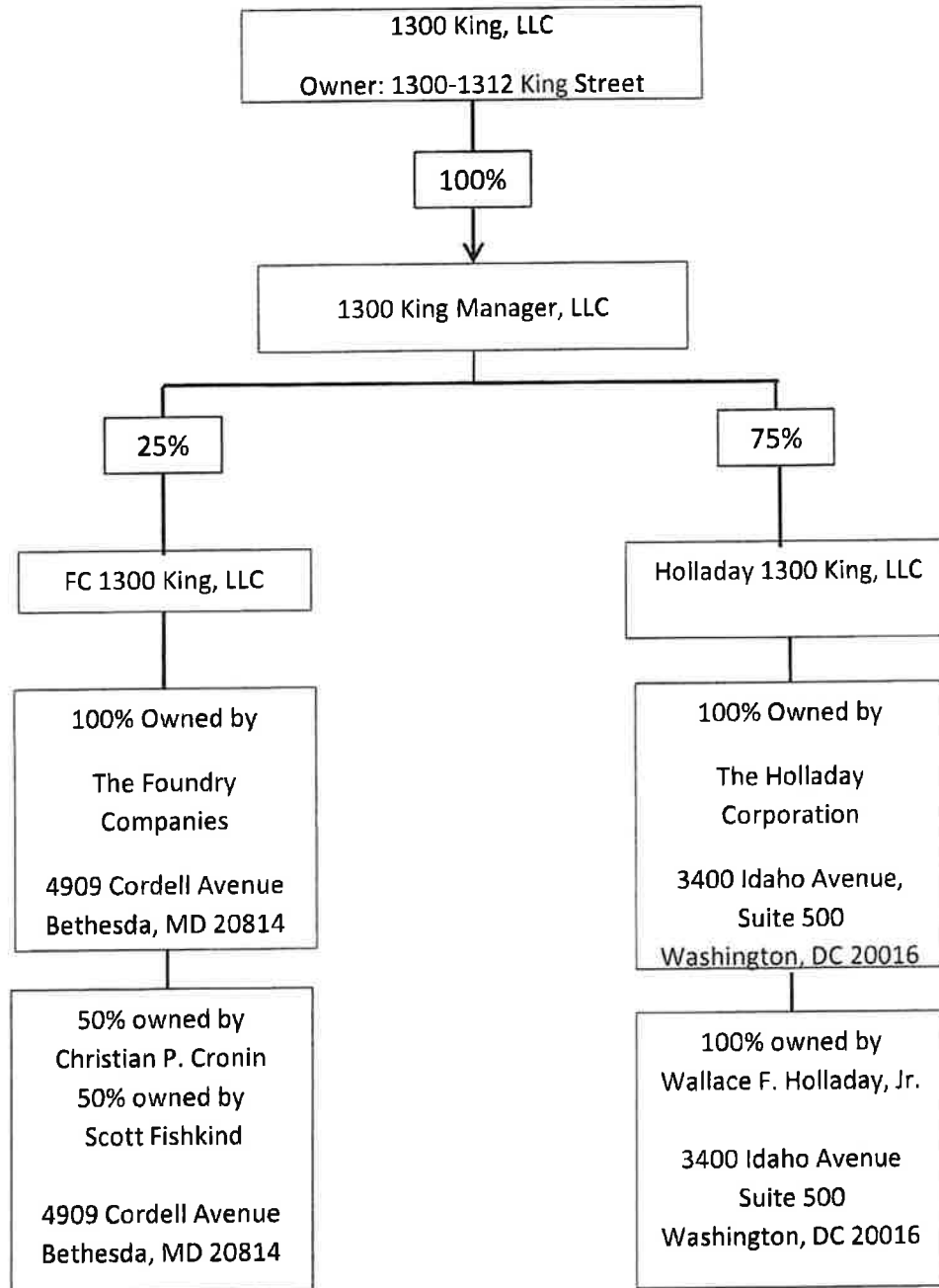
As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

1/4/19  
Date

Rita J. Bamberg  
Printed Name

  
Signature

**1300 King LLC – Ownership Information**  
**January 7, 2019**



**\*None of the entities or individuals listed above have any business or financial relationship as defined by Section 11-350 of the Zoning Ordinance.**

Development SUP # \_\_\_\_\_

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

**See attached.**

[illegible]

Statement of Justification  
1300 & 1310 King Street  
Applicant: 1300 King, LLC  
Tax Map No. 064.03-12-10 and 064.03-12-09

1300 King, LLC (the “Applicant”) is the owner of property located at 1300 and 1310 King Street (the “Property”). The Property consists of 15,050 square feet located in the southwest quadrant of the intersection of King Street and S. Payne Street, and is zoned KR. The Property is currently developed with two existing buildings that were constructed in the early 1800’s. The buildings currently include retail and restaurant uses on the ground floor and residential dwellings on the second floor. The western portion of the Property is a surface parking lot that was previously occupied by an automobile sales use.

The Applicant proposes to redevelop the Property with a four-story building that will include 31 multifamily units and ground floor retail, while retaining and renovating the existing historic buildings for continued retail use. The Applicant requests approval of the following: 1) a Development Special Use Permit with preliminary site plan, with modifications of the crown coverage and vision clearance triangle requirements; 2) a Special Use Permit (SUP) for an increase in floor area ratio to 2.5; 3) a Tier 1 Transportation Management Plan (TMP) SUP; 4) a parking reduction SUP to permit a reduction of the required loading space and allow the number of compact parking spaces to exceed 75% of the required parking; and a restaurant SUP to permit restaurants to occupy ground floor space in the building.

The Applicant is requesting approval for a restaurant now so that they do not have to resubmit for the SUP process in the future should restaurants choose to occupy ground floor space in the building. This is consistent with other mixed-use project approvals in Old Town and elsewhere in the City. The Applicant would ensure that the proposed layout/seating of the restaurant meets Building Code and other applicable requirements and would request reasonable conditions, similar to other recent restaurant special use permit approvals, to permit maximum flexibility in the hours and other operational details of future proposed restaurants.

The proposal will enhance a currently underutilized property with the development of a vibrant mixed-use building that will activate this block of King Street. The proposed building will be integrated with the existing historic buildings on the Property, and will be compatible in mass, scale and architectural character with the surrounding area. The King Street frontage will be activated through the provision of ground floor retail in the proposed building and in the renovated historic buildings. The sizable dimensions and depth of the proposed retail space present an opportunity to attract new quality retail tenants to King Street.

The number of parking spaces provided is consistent with Zoning Ordinance requirements. Twenty two spaces are located in a below grade parking garage accessed from S. Payne Street and four spaces are provided off the alley to the rear of the building. Open space is provided through a combination of rooftop open space and terrace-level open space. Given site constraints, including the shallow depth of the property, the requirements to retain the exiting historic buildings and provide retail uses for the first 50’ of building depth along King Street, and the need to provide adequate space for service and back and house functions for the uses, it is not possible to provide ground level open space. In addition, the Applicant requests a modification for open space as they are unable to meet the required open space for the same reasons. The proposed second story terraces will further activate King Street and S. Payne Street. The four story building complies with the height requirements of the KR Zone, and has been stepped back along King Street and S. Payne Street to respect the scale of the existing historic buildings and other buildings on the block. The mass of the building has been broken up through the provision of setbacks and step-backs along the street frontages and differentiations in color and detailing between the two sections of the building.

The Applicant is requesting modifications of the vision clearance, crown coverage, open space and street tree requirements of the Zoning Ordinance. The vision clearance modification is appropriate given that the existing historic building to remain is already located in the required vision clearance triangle. For the reasons discussed above, the Applicant is constrained in its ability to meet the crown coverage, open space and street tree requirements.

A parking reduction is requested for a reduction of the required loading space, and to allow the number of compact parking spaces to exceed 75% of the required spaces. Again, for the reasons above, there is not sufficient site area to accommodate either an onsite loading space or provide the required number of standard parking spaces. An on-street loading space has been identified on S. Payne Street adjacent to the proposed service entrance. This loading space will serve the retail and residential uses, consistent with on-street loading spaces for uses throughout Old Town. The proposed compact parking spaces will adequately serve the future residents.

This proposal represents an opportunity to fill in the gap in the streetscape along this block of King Street. The development will benefit the surrounding neighborhood and the City through the preservation of two historic buildings, the replacement of a surface parking lot with a high-quality mixed use building, and the provision of additional economic activity along King Street.



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

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

The number of anticipated patrons of the future retail/restaurant tenants will vary by tenant.

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

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

The number of employees of the future retail/restaurant tenants will vary by tenant.

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

	Day	Hours	Day	Hours
Multifamily:	7 days a week	24 hours a day	_____	_____
	_____	_____	_____	_____
Retail/Restaurant:	Will vary by tenant	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

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

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.  
Typical for residential and retail/restaurant uses.

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- B. How will the noise from patrons be controlled?  
Employees of the future retail/restaurant tenants will ensure compliance with the noise ordinance.

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

No significant odors are anticipated for the proposed uses.

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**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 for residential and retail/restaurant use.

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

Typical for residential use. The amount of trash and garbage generated by the future retail/restaurant tenants will vary by tenant.

- C. How often will trash be collected?

As often as necessary.

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

Trash receptacles will be located internal to the building.

**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:

N/A

**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:

Organic compounds stored on the property, if any, will be of a type and quantity consistent with residential and retail/restaurant uses.

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

Adequate site lighting will be provided. Access to the residential building and below grade parking garage will be provided via controlled access.

**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.

Not Applicable to the proposed residential use. The future retail/restaurant tenants may offer the sale of beer, wine and/or mixed drinks, depending on the type of tenant.

**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?

26

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

6 Standard spaces

20 Compact spaces

2 Handicapped accessible spaces Note: Included in total number of Standard 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?

N/A

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? 1 space
- B. How many loading spaces are available for the use? required for the retail use
- C. Where are off-street loading facilities located?
- One on-street loading space is provided on S. Payne Street.
- D. During what hours of the day do you expect loading/unloading operations to occur? Between 7am and 11pm.
- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
- As necessary for the residential use. The frequency of loading/unloading operations for the retail/restaurant space will vary by tenant.

**15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?**

Street access is adequate.



## APPLICATION

# SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** \_\_\_\_\_

**PROPERTY LOCATION:** 1300 & 1310 King Street, Alexandria, Virginia 22314

**TAX MAP REFERENCE:** 064.03-12-09 and 064.03-12-10 **ZONE:** KR

**APPLICANT:**

Name: 1300 King, LLC

Address: 3400 Idaho Avenue, Suite 500, Washington, DC 20016

**PROPOSED USE:** Restaurant

☒ **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.

M. Catharine Puskar, attorney

Print Name of Applicant or Agent

2200 Clarendon Blvd, Suite 1300

Mailing/Street Address

Arlington, VA 22201

City and State

Zip Code

M. Puskar By: RDB

Signature

7/17/2019

Date

703-528-4700

Telephone #

703-525-3197

Fax #

cpuskar@thelandlawyers

Email address

**ACTION-PLANNING COMMISSION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ACTION-CITY COUNCIL:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

SUP # \_\_\_\_\_

**PROPERTY OWNER'S AUTHORIZATION**

**See attached letter.**

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

Name: \_\_\_\_\_  
Please Print

Phone: \_\_\_\_\_

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.**

☐ **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.

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3400 Idaho Avenue, N.W.  
Washington, D.C. 20016

TEL. (202) 362-2400  
FAX. (202) 364-0844

January 4, 2019

1300 King LLC  
3400 Idaho Avenue, N.W.  
5<sup>th</sup> Floor  
Washington, DC 20016

Mr. Karl Moritz  
Director of Planning  
301 King Street  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: Authorization and Consent to File Application for a Development Special Use Permit,  
Permit to Demolish, Certificate of Appropriateness and Related Requests  
Applicant/Owner: 1300 King, LLC  
1300 and 1310 King Street, Tax Map ID: 064.03-12-10 and -09 (the "Property")


Dear Mr. Moritz:

On behalf of 1300 King LLC, the Applicant and owner of the above-referenced Property, I hereby authorize Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of an application for a Development Special Use Permit, Permit to Demolish, Certificate of Appropriateness and any related applications or requests to allow for the construction of a multifamily residential building with ground floor retail on the Property.

Very truly yours,

1300 KING, LLC

By: 1300 King Manager LLC

By: 

Its: Manager

## 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	See attached	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 1300 and 1310 King 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	See attached	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](#).

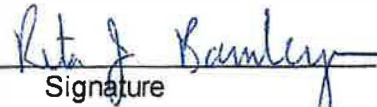
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. None	None	Not applicable
2.		
3.		

**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.

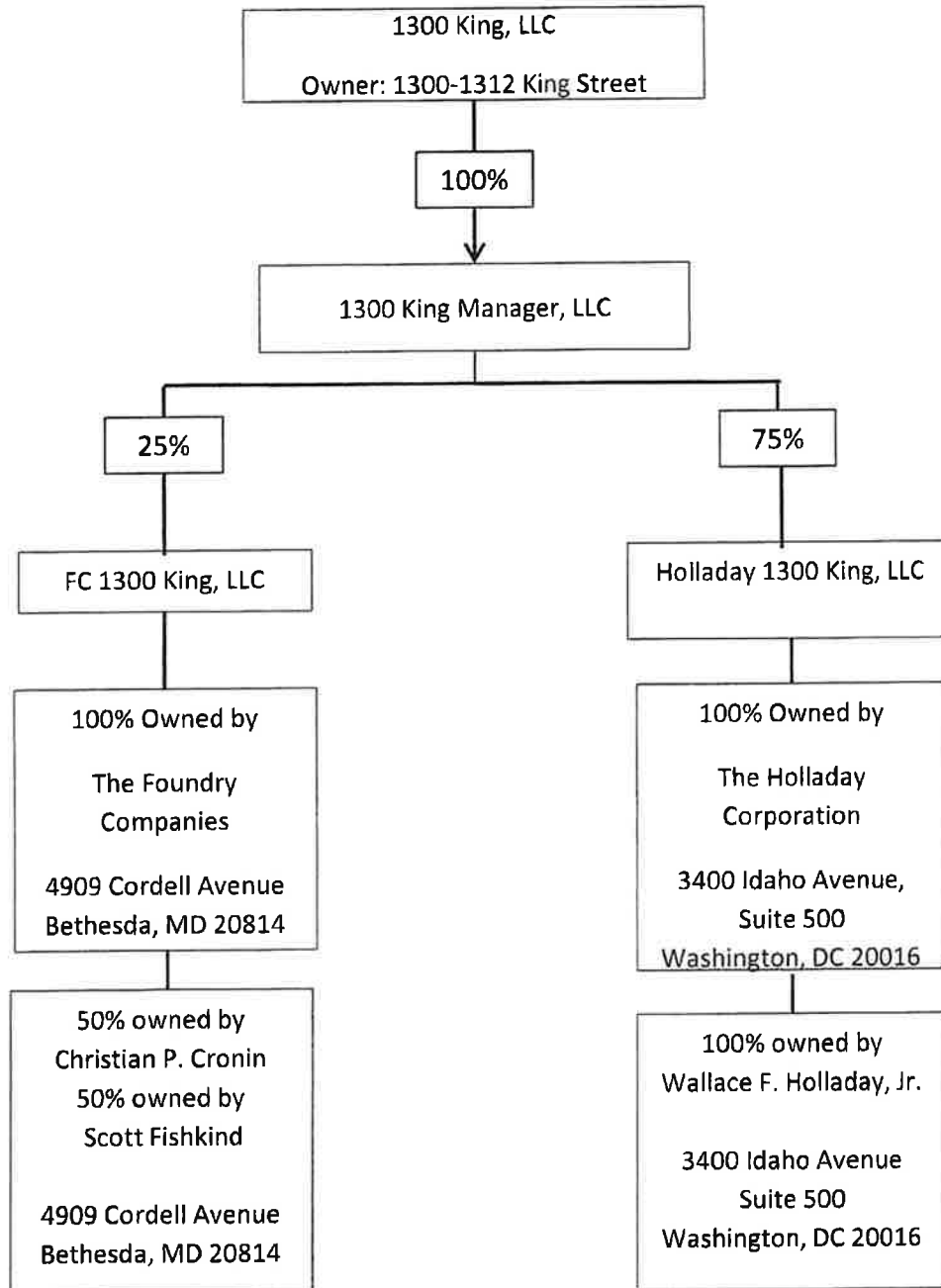
1/4/19  
Date

Rita J. Bamberg  
Printed Name

  
Signature



**1300 King LLC – Ownership Information**  
**January 7, 2019**



**\*None of the entities or individuals listed above have any business or financial relationship as defined by Section 11-350 of the Zoning Ordinance.**

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.

**N/A**

## 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.)**

**Please see attached.**

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.

Statement of Justification  
1300 & 1310 King Street  
Applicant: 1300 King, LLC  
Tax Map No. 064.03-12-10 and 064.03-12-09

1300 King, LLC (the “Applicant”) is the owner of property located at 1300 and 1310 King Street (the “Property”). The Property consists of 15,050 square feet located in the southwest quadrant of the intersection of King Street and S. Payne Street, and is zoned KR. The Property is currently developed with two existing buildings that were constructed in the early 1800’s. The buildings currently include retail and restaurant uses on the ground floor and residential dwellings on the second floor. The western portion of the Property is a surface parking lot that was previously occupied by an automobile sales use.

The Applicant proposes to redevelop the Property with a four-story building that will include 31 multifamily units and ground floor retail, while retaining and renovating the existing historic buildings for continued retail use. The Applicant requests approval of the following: 1) a Development Special Use Permit with preliminary site plan, with modifications of the crown coverage and vision clearance triangle requirements; 2) a Special Use Permit (SUP) for an increase in floor area ratio to 2.5; 3) a Tier 1 Transportation Management Plan (TMP) SUP; 4) a parking reduction SUP to permit a reduction of the required loading space and allow the number of compact parking spaces to exceed 75% of the required parking; and a restaurant SUP to permit restaurants to occupy ground floor space in the building.

The Applicant is requesting approval for a restaurant now so that they do not have to resubmit for the SUP process in the future should restaurants choose to occupy ground floor space in the building. This is consistent with other mixed-use project approvals in Old Town and elsewhere in the City. The Applicant would ensure that the proposed layout/seating of the restaurant meets Building Code and other applicable requirements and would request reasonable conditions, similar to other recent restaurant special use permit approvals, to permit maximum flexibility in the hours and other operational details of future proposed restaurants.

The proposal will enhance a currently underutilized property with the development of a vibrant mixed-use building that will activate this block of King Street. The proposed building will be integrated with the existing historic buildings on the Property, and will be compatible in mass, scale and architectural character with the surrounding area. The King Street frontage will be activated through the provision of ground floor retail in the proposed building and in the renovated historic buildings. The sizable dimensions and depth of the proposed retail space present an opportunity to attract new quality retail tenants to King Street.

The number of parking spaces provided is consistent with Zoning Ordinance requirements. Twenty two spaces are located in a below grade parking garage accessed from S. Payne Street and four spaces are provided off the alley to the rear of the building. Open space is provided through a combination of rooftop open space and terrace-level open space. Given site constraints, including the shallow depth of the property, the requirements to retain the exiting historic buildings and provide retail uses for the first 50’ of building depth along King Street, and the need to provide adequate space for service and back and house functions for the uses, it is not possible to provide ground level open space. In addition, the Applicant requests a modification for open space as they are unable to meet the required open space for the same reasons. The proposed second story terraces will further activate King Street and S. Payne Street. The four story building complies with the height requirements of the KR Zone, and has been stepped back along King Street and S. Payne Street to respect the scale of the existing historic buildings and other buildings on the block. The mass of the building has been broken up through the provision of setbacks and step-backs along the street frontages and differentiations in color and detailing between the two sections of the building.

The Applicant is requesting modifications of the vision clearance, crown coverage, open space and street tree requirements of the Zoning Ordinance. The vision clearance modification is appropriate given that the existing historic building to remain is already located in the required vision clearance triangle. For the reasons discussed above, the Applicant is constrained in its ability to meet the crown coverage, open space and street tree requirements.

A parking reduction is requested for a reduction of the required loading space, and to allow the number of compact parking spaces to exceed 75% of the required spaces. Again, for the reasons above, there is not sufficient site area to accommodate either an onsite loading space or provide the required number of standard parking spaces. An on-street loading space has been identified on S. Payne Street adjacent to the proposed service entrance. This loading space will serve the retail and residential uses, consistent with on-street loading spaces for uses throughout Old Town. The proposed compact parking spaces will adequately serve the future residents.

This proposal represents an opportunity to fill in the gap in the streetscape along this block of King Street. The development will benefit the surrounding neighborhood and the City through the preservation of two historic buildings, the replacement of a surface parking lot with a high-quality mixed use building, and the provision of additional economic activity along King Street.

**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).

The number of anticipated patrons of the future restaurant will vary by tenant.**B.** How many employees, staff and other personnel do you expect?

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

The number of employees of the future restaurant will vary by tenant.**6.** Please describe the proposed hours and days of operation of the proposed use:

Day:

Will vary by tenant

Hours:

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**7.** Please describe any potential noise emanating from the proposed use.**A.** Describe the noise levels anticipated from all mechanical equipment and patrons.Typical for restaurant uses.**B.** How will the noise be controlled?Employees of will ensure compliance with the noise ordinance.

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

Odors will be consistent with a typical restaurant and will be kept to a minimum

through regular trash pickup.

- 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)  
Food waste and other garbage generally consistent with a typical restaurant will be generated by this use.

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

~~The amount of trash and garbage by the restaurant will vary by tenant.~~

- C. How often will trash be collected?

As often as necessary.

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

Trash receptacles will be located internal to the building.

- 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:

N/A

- 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:

Organic compounds, if any, and cleaning materials will be of a type and quantity  
~~consistent with restaurant uses.~~

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- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons?  
 Adequate site lighting will be provided.

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## 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.

The type of alcohol sold will vary by tenant. The tenant will obtain

all required ABC licenses.

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**PARKING AND ACCESS REQUIREMENTS**

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

0 \_\_\_\_\_ Standard spaces  
 \_\_\_\_\_ Compact spaces  
 \_\_\_\_\_ Handicapped accessible spaces.  
 \_\_\_\_\_ Other.

The Property is located within the Central Business District and no parking is required for a restaurant in the CBD.

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      N/A  
☐ off-site

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

**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? 1 on-street loading space is provided on S. Payne St.

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? One on-street loading space is provided on S.  
Payne St.
- C. During what hours of the day do you expect loading/unloading operations to occur?  
Loading and unloading will not occur between 11PM and 7AM.
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
The frequency of loading/unloading operations will vary by tenant.
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?  
Street access to the subject property is adequate.

## 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. The proposed restaurant may be located in the existing historic buildings on the Subject Property that are to be renovated, and/or in the ground-floor retail space of the proposed building. The size and location of the restaurant may vary by tenant and will be determined in the future.
18. What will the total area occupied by the proposed use be?  
\_\_\_\_\_ sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = TBD 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

SUP # \_\_\_\_\_  
Admin Use Permit # \_\_\_\_\_



## SUPPLEMENTAL APPLICATION

### RESTAURANT

**All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.**

1. How many seats are proposed? Up to 134 seats in compliance with the Building Code and other applicable requirements.  
Indoors: \_\_\_\_\_ Outdoors: \_\_\_\_\_ Total number proposed: 134 max

2. Will the restaurant offer any of the following?
- |   |   |                             |
|---|---|-----------------------------|
| Alcoholic beverages ( <b>SUP only</b> ) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Beer and wine — on-premises             | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Beer and wine — off-premises            | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

3. Please describe the type of food that will be served:

To be determined.

4. The restaurant will offer the following service (check items that apply):

☒ table service    ☒ bar    ☒ carry-out    ☐ delivery

5. If delivery service is proposed, how many vehicles do you anticipate? \_\_\_\_\_

Will delivery drivers use their own vehicles? ☐ Yes ☐ No

Where will delivery vehicles be parked when not in use?

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?

☒ Yes ☐ No

If yes, please describe:

The Applicant would like to have the option to provide live entertainment, televisions, and video games.

## OLD TOWN RESTAURANT POLICY

### **Changes to Old Town Small Area Plan Chapter of the Master Plan Adopted by City Council on November 13, 1993**

On November 13, 1993, the City Council adopted Resolution No. 1672, which outlines new policy and criteria used in applying the revised Old Town Restaurant Policy. Individuals who apply for a special use permit to operate a restaurant in Old Town must address in their entirety five criteria in order to be considered for a special use permit. An application will not be formally accepted for processing until this questionnaire is completed.

#### **GOALS OF THE OLD TOWN RESTAURANT POLICY**

- 1.** To lessen the on-street parking impact of restaurants in Old Town and adjacent areas;
- 2.** To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
- 3.** To control the spread of litter in Old Town.

#### **POLICIES TO ATTAIN THE GOALS OF THE OLD TOWN RESTAURANT POLICY**

City Council shall not approve a request for special use permit for any new restaurant, carry-out or fast food establishment or an expansion of an existing restaurant, carry-out or fast food establishment, unless it finds that the request does not significantly impact nearby residential neighborhoods. City Council shall consider the cumulative impact of the proposal and the number of already established restaurants, carry-outs, fast food establishments and the number of food service seats, bar seats and standing service areas in the immediate area. In the case of an expansion or other intensification, the entire operation of the establishment may be taken into account in determining its impact upon the nearby residential neighborhoods. In making that determination, City Council shall consider the following factors:

- The availability of off-street parking.
- The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
- The extent to which the restaurant is open in the late night hours.
- The extent to which alcohol (such as spirits, mixed drinks, wine, and beer) consumption will predominate over food consumption, including consideration of the number of bar seats, if any, and the standing areas in the vicinity of bars.
- The predicted extent of litter generated in nearby neighborhoods.

#### **CRITERIA TO BE USED TO EVALUATE NEW OR EXPANDED RESTAURANTS**

**Parking Management Plan.** The applicant must submit a parking management plan (PMP), which specifically addresses the following issues:

- The parking demand generated by the proposed restaurant.
- The availability of off-street parking for patrons. For the purpose of this policy, availability shall be measured in terms of the number of vacant off-street parking spaces within 500 feet from the entrance to the restaurant.
- How employees who drive will be accommodated off the street at least in the evenings and on weekends.
- The predicted impact of the restaurant on the parking supply at the evening, weekend, and daytime peaks.
- A proposal to reduce the impact of parking created by the restaurant on nearby areas. Acceptable alternatives for reducing parking impacts include, but are not limited to, the following: validated parking or valet parking for patrons, and off-street parking or transit subsidies for employees.

**Parking impacts.** Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
  - \_\_\_\_\_ 100%
  - \_\_\_\_\_ 75-99%
  - \_\_\_\_\_ 50-74%
  - \_\_\_\_\_ 1-49%
  - ☒ No parking can be accommodated off-street

N/A There is no parking requirement for restaurants in the Central Business District.
  
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
  - \_\_\_\_\_ All
  - \_\_\_\_\_ 75-99%
  - \_\_\_\_\_ 50-74%
  - \_\_\_\_\_ 1-49%
  - ☒ None

N/A There is no parking requirement for restaurants in the Central Business District.
  
3. What is the estimated peak evening impact upon neighborhoods? (check one)
  - ☒ No parking impact predicted
  - \_\_\_\_\_ Less than 20 additional cars in neighborhood
  - \_\_\_\_\_ 20-40 additional cars
  - \_\_\_\_\_ More than 40 additional cars

**Litter plan.** The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

**Alcohol Consumption and Late Night Hours.** Please fill in the following information.

1. Maximum number of patrons shall be determined by adding the following:
 

_____	Maximum number of patron dining seats	To be determined.
+	_____ Maximum number of patron bar seats	
+	_____ Maximum number of standing patrons	
=	_____ Maximum number of patrons	
  
2. \_\_\_\_\_ Maximum number of employees by hour at any one time To be determined.
  
3. Hours of operation. Closing time means when the restaurant is empty of patrons. (check one)
  - \_\_\_\_\_ Closing by 8:00 PM
  - \_\_\_\_\_ Closing after 8:00 PM but by 10:00 PM
  - \_\_\_\_\_ Closing after 10:00 PM but by Midnight
  - ☒ Closing after Midnight
  
4. Alcohol Consumption (check one)
  - \_\_\_\_\_ High ratio of alcohol to food
  - ☒ Balance between alcohol and food
  - \_\_\_\_\_ Low ratio of alcohol to food

# Old Town Business Association addresses Special Use Permit for 1300 King Street and 1310 King Street

Charlotte Hall <charlotte.anne.hall@gmail.com>

Tue 8/27/2019 9:04 AM

Inbox

To: PlanComm <PlanComm@alexandriava.gov>;

Cc: Brant, Robert <rbrant@thelandlawyers.com>; trae lamond <trae.lamond@gmail.com>;

Docket Item #9

Special Use Permit 2019-0001 and 0062

Dear Members of the Alexandria Planning Commission,

The Old Town Business Association is in full support of the proposed mixed use development for 1300 King and 1310 King. We are pleased to see the preservation of 2 historic buildings within the project as well.

This development contributes to the vibrancy of Upper King Street, and invigorates an underused parcel on the block.

We welcome this improvement to our community, and look forward to it becoming another jewel on King Street.

Sincerely,

Charlotte Hall

Advocacy Chair

Old Town Business Association

--

[Charlotte A. Hall](#)  
(703) 675-7829

# CCC # 188638

## Kim Agee

Fri 8/30/2019 5:09 PM

To: Anh Vu <Anh.Vu@alexandriava.gov>; Patrick Silva <Patrick.Silva@alexandriava.gov>;

Anh & Patrick,

I wanted to alert you both to CCC# 188638, see message below. I tried to assign it you in the CCC system but your names were not appearing.

This is a "public" request. Information may be provided to anyone who requests it.

□□Initial customer description□□

To Whom It May Concern:

Thank you for the opportunity to submit comments on the proposed DSUP at 1300 and 1310 King Street. Farley Enterprises d/b/a Pacers Running is located at 1301 King Street and has been in business since 1991. We are also the owners of the real estate at 1301 King Street and 1303 King Street. We are located directly across the street from the applicant.

As neighbors to this project, we are thrilled with the planned renovation and revitalization of the 1300 block of King Street and believe this project will provide much needed retail foot traffic and life into our block. We believe the height, scale, mass, and architectural character of this project are in line with the City's vision and would not disrupt Upper King Street.

As a bustling business at King and Payne, with hundreds of customers coming to our location daily, we welcome additional residential and retail opportunities on the 1300 block to entice customers to shop at neighboring locations and bring commerce to Upper King Street. We also do not support claims that parking in Upper King Street is difficult and would be gravely impacted by progress along the 1300 block. As 28 year residents of this block we find this concern to be overstated. Regardless, we understand the project provides ample parking for the residences above.

We would like to commend the applicant for their outreach to neighboring business like Pacers Running and we are confident in their ability to execute.

in closing, we request the planning commission support the plans as presented and we welcome the applicant to our special block of King.

Thank you,  
Kathy Dalby  
CEO // Partner  
Pacers Running  
kathy@runpacers.com  
www.runpacers.com  
202-297-6044

Thank you.

Kim Agee

# AEDP Support of DSUP #2019-0001 and related approvals

Stephanie Landrum <landrum@alexecon.org>

Tue 9/3/2019 4:54 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Cc: Karl Moritz <Karl.Moritz@alexandriava.gov>; Robert Kerns <robert.kerns@alexandriava.gov>; Catherine Miliaras <Catherine.Miliaras@alexandriava.gov>; Michael Swidrak <Michael.Swidrak@alexandriava.gov>; cpuskar@thelandlawyers.com <cpuskar@thelandlawyers.com>; Christina Mindrup <Mindrup@alexecon.org>;

Importance: High

 1 attachments (340 KB)

1300-1310 King Street Scorecard.pdf;

Good afternoon, Planning Commissioners-

The AEDP Board has continuous discussions about the role and importance of upcoming development projects in support of our mission to grow the commercial tax base and recruit and retain businesses. Beginning in the Spring of 2016, we began to send the City Council scorecards, evaluating projects that we believe are critical in furthering our collective economic development efforts.

While our Board of Directors has been on break in August, we were unable to get this to you sooner. *Attached is a scorecard for your review as you consider the application for a residential and retail building in the 1300 block of King Street before you tonight.* AEDP's comments are intended to be high level- identifying how a particular project contributes to the tax base, helps create amenities that support commercial office tenants and creates or retains jobs.

The attached is an overview of the project's attributes that AEDP believes make this project worthy of Planning Commission's support of docket #9.

Should you have any questions in advance of your meeting, please feel free to contact me directly.

Best wishes for a productive meeting!

Stephanie

## STEPHANIE LANDRUM

President & CEO

Alexandria Economic Development Partnership

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625 North Washington Street, Suite 400

Alexandria, VA 22314

[703.739.3820](tel:703.739.3820) | [alexecon.org](http://alexecon.org) | [!\[\]\(b58c23cb5aab1cd63092eda333892cb9\_img.jpg\)](#) [!\[\]\(8b097115e80ffbe74db9eb52b91e01e8\_img.jpg\)](#) [!\[\]\(08d1e5cfca9330078fd26c821cbe19f2\_img.jpg\)](#)

# AEDP **SUPPORTS** THE DEVELOPMENT SPECIAL USE PERMIT (SUP), SITE PLAN WITH MODIFICATIONS AND RELATED SUP APPROVALS FOR:

**Project:** 1300-1310 King Street

**Address:** 1300-1310 King Street- parking lot/ buildings

**Developer:** 1300 King, LLC (The Holladay Corporation/Foundry Cos.)

**Neighborhood:** Old Town

**Net New Revenue to the City general fund (annually):** \$193,374

**AEDP Analysis:** This redevelopment and infill project on King Street replaces an existing parking lot and neighborhood serving retail and restaurant with a development of 31 condominium residences over ground-floor retail and/or restaurant. It also includes the preservation of two historic townhouses for commercial use. SUPs are requested for (a) parking reduction to allow for more than 75 percent of required parking spaces for the residential use to be compact-sized; (b) a restaurant use; (c) a loading reduction for the retail use(s); (d) a transportation management plan; as well as (e) an increase to the residential floor to area ratio from 1.5 to 2.5; all of which are aligned with acceptable norms for urban, infill development.

	Existing	New
Private parking lot	7,100SF	22 underground, 4 surface
Retail space	3,006 SF	6,393 SF
Residential (condo)	0	31
Commercial	2,962 SF	2,962 SF

## **Other Items of Interest:**

New retail space is more desirable to modern-day retailers, new continuous frontage further contributes to a vibrant retail corridor, as does the development of one of the few remaining surface parking lots.

## **Community Impact:**

Affordable housing contribution:	\$132,695
Public art contribution:	\$12,833
Capital Bikeshare station	\$ 5,000



Project Impact- Medium

- Negative impact
- Low impact
- Medium impact
- High impact

Impact is calculated based on increase in real estate value and business taxes generated by this project.



Proposed 1300-1310 King Street development





**WALSH COLUCCI  
LUBELEY & WALSH PC**

M. Catharine Puskar  
(703) 528-4700 Ext. 5413  
cpuskar@thelandlawyers.com

September 3, 2019

Planning Commission  
City of Alexandria  
301 King Street, Room 2100  
Alexandria, VA 22314

**Re: Docket Item #9 – 1300 & 1310 King Street  
Development Special Use Permit #2019-0001  
Special Use Permit #2019-0062  
Transportation Management Plan Special Use Permit #2019-0046**

Dear Members of the Planning Commission:

On behalf of the Applicant, 1300 King LLC, I am writing to request the following revisions to condition #13:

13. Per the City's Green Building Policy adopted April 18, 2009, Achieve a green building certification level of LEED Silver (or equivalent) for the retail portion of the building and LEED Certified (or equivalent) for the residential portion of the building to the satisfaction of the Directors of P&Z, and/or RP&CA and T&ES pursuant to the City's Green Building Policy. Diligent pursuance and achievement of this certification shall be monitored through the following:

- a. Provide evidence of the project's registration with LEED (or equivalent) with the submission of the first Final Site Plan and provide a draft checklist showing how the project plans to achieve the certification. \*
- b. Provide evidence of submission of materials for Design Phase credits to the U.S. Green Building Council (USGBC) (or equivalent) prior to issuance of a certificate of occupancy. \*\*\*
- c. Provide evidence of submission of materials for Construction Phase credits to USGBC (or equivalent) within six months of obtaining a final certificate of occupancy.
- d. Provide documentation certification within two (2) years of obtaining a final certificate of occupancy.
- e. Failure to achieve LEED Silver (or equivalent) for the project-retail portion of the building and/or LEED Certified (or equivalent) for the residential portion of the building will be evaluated by City staff, and if staff determines that a good faith, reasonable, and documented effort was not made to achieve these certification levels, then any City-wide Green Building policies existing at the time of staffs' release of Final Site Plan will apply.

ATTORNEYS AT LAW

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LOUDOUN 703 737 3633 • WOODBRIDGE 703 680 4664

- f. Provide documentation to future retail tenants encouraging them to operate their business consistently with the goals of LEED, as well as to pursue LEED for Retail or LEED for Commercial Interiors certification. (P&Z) (T&ES)


The current language in the staff report would hold this project to a higher standard than other similar mixed use residential/retail projects that have been approved since the inception of the Green Building Policy in 2009. The language attempts to achieve the expectations of the new Green Building Policy approved by City Council on June 22, 2019 prior to effective date of the 2019 policy and is contrary to staff's own Memorandum to Industry, dated August 5, 2019, which specifically indicates that the 2019 Green Building Policy "will be in effect as of March 2, 2020 for Development Site Plan (DSP) and Development Special Use Permit (DSUP) applications submitted on or after this date" (See Enclosure).

The proposed revisions to Condition #13 would apply the existing 2009 Green Building Policy to the project, consistent with other mixed use residential/retail projects that have been approved since the adoption of the 2009 Green Building Policy and would be consistent with staff's Memorandum to Industry.

If you have any questions, please do not hesitate to contact me. Thank you for your thoughtful consideration of this matter.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.

A handwritten signature in black ink, appearing to read "McPuskar".

M. Catharine Puskar

# City of Alexandria, Virginia

## MEMORANDUM

### MEMORANDUM TO INDUSTRY NO. 01-20

DATE: AUGUST 5, 2019

TO: CONTRACTORS, DEVELOPERS, AND DESIGN PROFESSIONALS *RMK*

FROM: ROB KERNS, CHIEF OF DEVELOPMENT, DEPARTMENT OF PLANNING & ZONING

SUBJECT: 2019 GREEN BUILDING POLICY IMPLEMENTATION

Alexandria City Council adopted the 2019 Green Building Policy (the "Policy") on June 22, 2019. The Policy will be in effect as of March 2, 2020 for Development Site Plan (DSP) and Development Special Use Permit (DSUP) applications submitted on or after this date. The original 2009 Green Building Policy is replaced by the 2019 Green Building Policy and will no longer be an option for development applications submitted on or after the date of effect.

The DSP and DSUP plan review process typically begins with a Concept I Plan submission, which is submitted eight to ten months on average prior to the desired Planning Commission hearing date. After the Concept Plan stage, the formal development application is submitted with the Completeness Plan submission, which is submitted approximately three months prior to the desired Planning Commission public hearing date. Therefore, DSP and DSUP applications (e.g.; Completeness Plan submissions) submitted in March 2020 will likely target a June 2020 Planning Commission hearing and therefore begin the Concept Plan review process in September - November 2019. This timeline is further illustrated in the chart below:

<b>Targeted Planning Commission Hearing</b>	<b>Development Application Submitted</b> (approx. 3 months before hearing)	<b>Concept I Plan Submitted</b> (approx. 8-10 months before hearing)
June 2020	March 2020	September – November 2019

This memorandum is intended to advise applicants that Concept Plans submitted between September and November 2019 should anticipate the project's compliance with the 2019 Green Building Policy. Development plan checklists and standard conditions are currently under review and will be updated to correspond with the 2019 Policy.

It is recommended that industry professionals responsible for preparation of DSP and DSUP applications in the City of Alexandria review the 2019 Green Building Policy and supporting information on the City's webpage at [alexandriava.gov/greenbuilding](http://alexandriava.gov/greenbuilding) prior to the Policy's implementation and contact City staff with questions.