



***DOCKET ITEM #4***  
***Special Use Permit #2020-00029***  
***801 N. Fairfax Street***

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**CONSENT AGENDA ITEM**

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
Consideration of a Special Use Permit request for a height increase up to 77 feet, per the OCM(50) zone.	<b>Planning Commission Hearing:</b>	June 25, 2020
	<b>City Council Hearing:</b>	July 7, 2020
<b>Address:</b> 801 N. Fairfax Street	<b>Zone:</b>	OCM(50) – Office Commercial Medium (50) Zone
<b>Applicant:</b> A & A Limited Partnership, represented by Duncan Blair, attorney.	<b>Small Area Plan:</b>	Old Town North

**Staff Recommendation:**

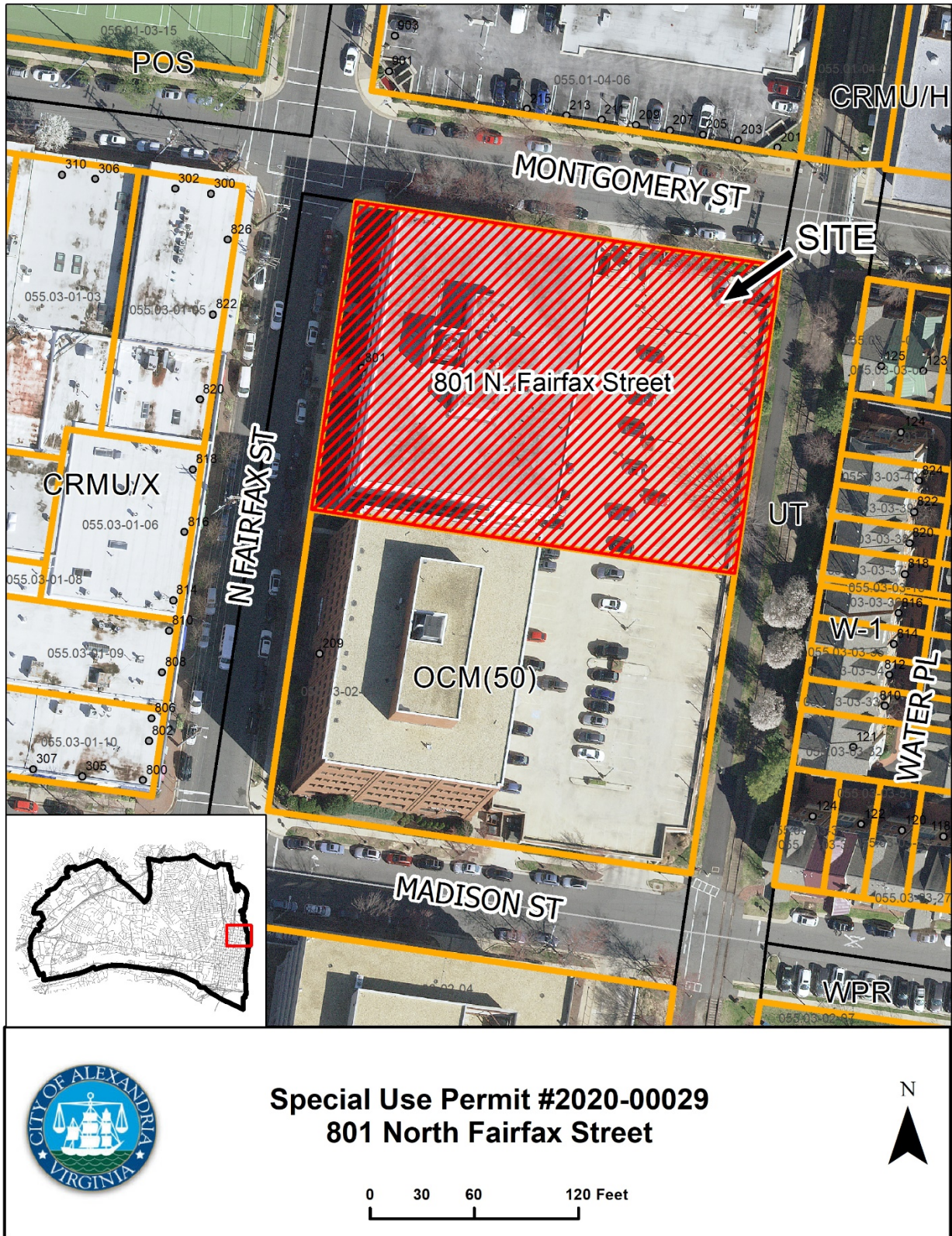
APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

**Staff Reviewers:**

Robert Kerns, AICP, [robert.kerns@alexandriava.gov](mailto:robert.kerns@alexandriava.gov)

Catherine Miliaras, AICP, [catherine.miliaras@alexandriava.gov](mailto:catherine.miliaras@alexandriava.gov)

Michael Swidrak, AICP, [michael.swidrak@alexandriava.gov](mailto:michael.swidrak@alexandriava.gov)



PROJECT LOCATION MAP

## **I. DISCUSSION**

The applicant, A&A Limited Partnership, represented by Duncan Blair, attorney, requests Special Use Permit (SUP) approval for a height increase of up to 77 feet in the OCM(50) zone for the building at 801 N. Fairfax Street. The applicant requires the height increase in order to utilize the roof of the building for above-ground open space and convert portions of the penthouse into a community room for future residents as part of the conversion of the building from commercial to resident.

### SITE DESCRIPTION

The building is located on an approximately 2-acre parcel that encompasses the block fronted by Madison, N. Fairfax and Montgomery streets, and the Mount Vernon Trail. The parcel is divided into two (2) tax parcels – each of which includes a building and approximately half of the parking structure (which spans the eastern half of the block). The southern tax parcel is addressed as 209 Madison Street (Waterfront II) and is the site of an office building approved in 1985 (SIT#85-0016). The SUP request pertains to the building on the northern tax parcel (Waterfront I), which is currently a vacant office building addressed as 801 N. Fairfax Street. The four-story building was built in 1971 (SIT#70-0037).

The eastern half of the block contains a two-level parking structure, which was constructed with the 209 Madison Street development. The structure contains nearly 300 parking spaces and is shared by each building. The site has frontages on Montgomery and N. Fairfax streets, and Waterfront II also fronts Madison Street. The eastern side of the site faces the Mount Vernon Trail and Norfolk Southern freight rail line that is currently not operational. The site is adjacent to the 901 N. Fairfax Street redevelopment (the former Crowne Plaza hotel) to the north, and commercial uses to the west (Montgomery Center) and south (United Way Building). The Rivergate townhouse community is located to the east of the site on the east side of the Mount Vernon Trail.

### BACKGROUND

Interest in converting the nearly 50-year-old office building dates back to at least 2015, when the property owner for both office buildings approached the City about converting the 801 N. Fairfax Street building to residential. The property owner demonstrated that floor area ratio (FAR), setbacks, parking and open space requirements could be satisfied in a “by-right” conversion from office to multifamily residential (more information is located in the Zoning subsection below). The conversion was therefore processed administratively through a grading plan and building permit submissions.

City staff reviewed and released the related grading plan (GRD#2016-0028) in 2016, and the building permit was submitted to the City in April 2017. Prior to the approval of the building permit, the property owner was required to submit an SUP application to increase the height of the building to 77 feet, as the building is noncomplying in terms of height (approximately 51 feet in a zone that permits 50 feet without an SUP). The height increase SUP (SUP#2017-0072) was approved by City Council in 2017, allowing for the addition of partition walls and guardrails that facilitated rooftop access.



The SUP from 2017 has since expired, as the applicant did not construct any of the building improvements that necessitated the SUP and the building has yet to convert to residential. A contract purchaser of the 801 N. Fairfax Street building is the applicant for the current SUP and plans to convert the vacant office building to residential use.



Figure 1: 801 N. Fairfax Street, facing northeast. (Source: Google)

## PROPOSAL

The applicant is asking for an SUP to increase the height of the building at 801 N. Fairfax Street up to 77 feet in the OCM(50) zone. This request is based on Section 4-905(D) of the Zoning Ordinance, which states for the OCM(50) zone that “the maximum permitted height of a building is 50 feet, except that additional height up to a maximum of 77 feet may be approved with a special use permit.”

The SUP for additional height is required to allow for portions of the existing mechanical penthouse to be used for a residential club room as part of the building conversion. The SUP request is not for any new building construction or addition, it concerns the rehabilitation of the existing structure. Additionally, the applicant may need to utilize the existing penthouse rooftop for mechanical equipment, which requires screening that raises the penthouse height above 15 feet. The applicant is proposing to incorporate the penthouse and penthouse roof screening into the overall allowed building height with the SUP request, bringing the proposed building height to approximately 69 feet.

The roof plan submitted by the applicant shows a communal outdoor rooftop terrace accessed from the existing elevator to the mechanical penthouse. The applicant will add roof decking and guards to the rooftop that are compliant with Section 6-400 of the Zoning Ordinance.

## ZONING

The site is zoned OCM(50), or Office Commercial Medium. It allows both commercial and residential as permitted uses. The conversion meets most area and bulk and parking regulations. The current site (which includes both 801 N. Fairfax Street and 209 Madison Street) has a FAR of approximately 1.52, which is considered noncompliant to the zone regulations.<sup>1</sup>

The open space requirement in the OCM(50) zone is 40 percent of the lot area. The utilization of the majority of the rooftop for above-grade open space as part of the proposed building conversion will help the applicant to fulfill the open space requirement. Staff will verify compliance with the open space requirement with the submission of the administrative site plan amendment pending the approval of this SUP.

The building is currently 51 feet in height and is considered a noncomplying structure related to height. The height limit for buildings in the OCM(50) zone without an SUP is 50 feet. This SUP for height increase will bring the building into compliance with the Zoning Ordinance in relation to height.

Since the previous SUP approval, the City has updated Section 6-400 of the Zoning Ordinance (Height Districts). The changes include providing additional allowances for rooftop decking, required guards and a minimal elevator vestibule that allows greater accommodation of rooftop open spaces, especially on older buildings that may be over the height limit in their respective zones. The proposed conversion of mechanical penthouse space to habitable space (in excess of the 64 square feet allowed for an elevator vestibule) necessitates the SUP to increase the building height for this property.

<b>Property Address</b>	801 N. Fairfax Street	
<b>Total Site Area</b>	87,170 square feet (44,045 square feet for 801 N. Fairfax / Waterfront I “condo” parcel)	
<b>Zone</b>	OCM(50) – Office Commercial Medium (50) Zone	
<b>Current Use</b>	Office and ground-floor commercial (vacant)	
<b>Proposed Use</b>	Multifamily Residential	
	<b>Permitted/Required</b>	<b>Provided/Proposed<sup>2</sup></b>
<b>FAR</b>	1.5	1.51 <sup>3</sup>
<b>Height</b>	50 feet (77 feet with SUP)	69 feet

<sup>1</sup> If the condo lot for 801 N. Fairfax Street was a separate lot of record, the building would have an FAR of approximately 1.34. A formal subdivision of the condo lots is not currently permitted with the properties zoned OCM(50), as the degree of noncompliance concerning FAR for the building at 209 Madison Street would increase.

<sup>2</sup> Per the SUP conditions of approval, the open space, floor area and parking requirements per the OCM(50) zone will be verified with the administrative site plan amendment that will need to be approved prior to any approval of building permits.

<sup>3</sup> The existing site (including both the buildings at 801 N. Fairfax Street and 209 Madison Street) has an FAR of approximately 1.52, according to GRD#2016-0028. The existing site is noncompliant in terms of FAR. The proposed conversion of 801 N. Fairfax Street will reduce the amount of floor area on the site and will not increase the degree of noncompliance in terms of floor area.

The applicant has submitted floor area diagrams as part of the SUP review confirming that the building conversion will reduce the overall floor area of the building and the FAR of the 2-acre site. This takes into account added floor area at the penthouse level as excludable mechanical penthouse space will be converted to habitable space that will count as floor area.

### MASTER PLAN AND COMMUNITY PLANNING

The site is included within the boundaries of the Old Town North Small Area Plan. The plan, adopted by City Council in June 2017, envisions the neighborhood as an increasingly pedestrian-oriented place with a variety of uses, housing types and transportation options. More multifamily housing units in Old Town North contribute to “a range of housing opportunities for a diverse population.”

The increase in building height of 801 N. Fairfax Street to 69 feet is in line with the Plan principle of establishing “building heights compatible with the neighborhood.” The building height increase is compatible with the Old Town North Small Area Plan (Figure 2.14: Recommended Height District Limits). The height limit for the site is 77 feet and is comparable with the building height limits for nearby properties along N. Fairfax Street.

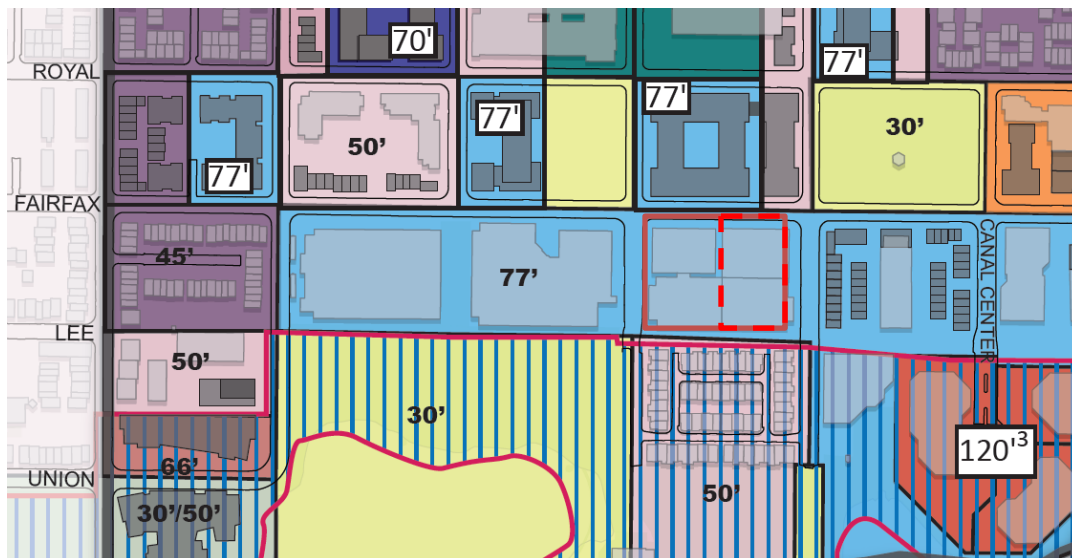


Figure 2 - Old Town North Small Area Plan Height Map (801 N. Fairfax Street shown in dotted red box)

## II. STAFF ANALYSIS

### HEIGHT

The building is a noncomplying structure in relation to height, according to Section 12-100 of the Zoning Ordinance. As discussed in the Proposal and Zoning subsections above, the building at 801 N. Fairfax Street is currently above the allowed height in the OCM(50) zone (51 feet with a maximum height of 50 feet). Section 4-905(D) allows a building height increase to 77 feet – the proposal from the applicant raises the building height to 69 feet, measured at the top of the

guardrail above the penthouse. Staff supports the height increase based on the three main SUP criteria City Council considers, as outlined in Section 11-504(A) of the Zoning Ordinance. The approved SUP:

1. *Will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;*  
The increased building height and utilization of the rehabilitated mechanical penthouse for habitable space will have no adverse effects on the health and safety of adjacent residents and employees.
2. *Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and*  
Increasing the allowable building height to allow for habitable space in the mechanical penthouse and screened mechanical units on the penthouse roof will not adversely impact neighboring properties. The uses related to the SUP will be contained well within the property line and away from adjacent residential uses. The conditions of approval refer to controlling any noise and light impacts on the rooftop consistent with City Code.
3. *Will substantially conform to the master plan of the city.*  
The SUP request is consistent with the recommended building height limits in the Old Town North Small Area Plan.

### ADAPTIVE REUSE

The SUP request allows the applicant additional flexibility in converting the 801 N. Fairfax Street building from commercial to residential use with essentially the existing building footprint. The SUP is not necessary to provide rooftop open space access to future residents, though the SUP allows the repurposing of obsolete mechanical areas as amenity spaces, allowing for the applicant to provide rooftop and penthouse amenities comparable with newer multifamily residential developments in the area. Staff supports the residential conversion, including the building height SUP, as it will bring a vacant property back into use while reusing an existing concrete structure.

### COMMUNITY

The applicant team has discussed the proposal with representatives of the Rivergate Homeowners' Association and the North Old Town Independent Citizens' Association (NOTICE) in May. Staff also provided application materials to the presidents of the Rivergate HOA and NOTICE.

### CONCLUSION

Staff supports the SUP application for a building height increase that will provide additional flexibility for the adaptive reuse of the existing building at 801 N. Fairfax Street. The SUP increases the viability of converting the vacant office building into active residential use. The residential conversion provides the following benefits to the City:

- Increased tax revenue from the full utilization and improvement of a vacant building;
- More Old Town North neighborhood residents who will patronize nearby retail, restaurant and cultural uses; and
- An upgrade in landscaping, sidewalks and architecture that will improve N. Fairfax Street, one of the most active corridors in Old Town North.

### III. STAFF RECOMMENDATION AND CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

#### Conditions

1. An administrative site plan amendment to SIT#85-0016 shall be filed prior to the filing of any building permits related to this special use permit. The floor area, required parking, crown coverage and open space of the site will be verified with the amendment application. (P&Z)(T&ES)
2. Increase the sidewalk to a minimum 6 feet in width on N. Fairfax Street in front of the 801 N. Fairfax Street building. Provide a public access easement for any portions of this sidewalk within the property line. Explore widening the adjacent sidewalk on Montgomery Street to 6 feet if feasible in consultation with staff. (P&Z)
3. Any mechanical units placed on the rooftop and penthouse roof shall be screened as required in Section 6-400 of the Zoning Ordinance. (P&Z)
4. Explore green building certification and implement green building practices for the converted building, including habitable areas of the penthouse, consistent with the 2019 Green Building Policy. Provide any corresponding materials related to green building with the building permit submission. (P&Z)
5. The design and materials of the rooftop must be consistent with those submitted with the Special Use Permit applications. (P&Z)
6. Rooftop lighting should minimize glare onto adjacent properties. (P&Z)
7. Explore green infrastructure, including areas of green roof as part of the rooftop open space and the conversion of excess parking spaces on the adjacent parking deck into green areas. Any proposed green infrastructure elements can be shown on the administrative site plan amendment. (P&Z)
8. Internally illuminated box signs are prohibited. Explore the use of exterior illumination. (P&Z)



9. The use of loudspeakers on the communal terrace is allowed to provide background music only and no amplified sound on the terrace is allowed after 9:00 pm. (T&ES)

**City Code Requirements**

10. 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)

**STAFF:**        Robert Kerns, AICP, Development Division Chief  
                     Catherine Miliaras, AICP, Principal Planner  
                     Michael Swidrak, AICP, Urban Planner III

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**Staff Note:** In accordance with Section 11-506(C) of the Zoning Ordinance, operation shall be commenced within 18 months of the date of granting of a Special Use Permit by City Council or the Special Use Permit shall become void.



## APPLICATION

# SPECIAL USE PERMIT

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

801 N. Fairfax Street, Alexandria, Virginia

**PROPERTY LOCATION:** \_\_\_\_\_

**TAX MAP REFERENCE:** 55.03 02 10 **ZONE:** OCM (50)

**APPLICANT:**

Name: A & A Limited Partnership, a Virginia Limited partnership

Address: 507 Wythe Street, Alexandria, Virginia 22314

Address: \_\_\_\_\_

**PROPOSED USE:** Special Use Permit to increase the permitted building height from 50' to 77'  
to accommodate the construction of rooftop amenity structures per Sec. 4-905 (D) AZO

- ☒ 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.

Duncan W. Blair, Attorney

Print Name of Applicant or Agent  
524 King Street

Mailing/Street Address  
Alexandria, Virginia 22314

City and State

Zip Code

Signature  
703 836-1000

Telephone #  
dblair@landcarroll.com

Email address

4/15/2020

Date

703 549-3335

Fax #

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 801 N. Fairfax Street, Alexandria, Virginia, I hereby  
(Property Address) Special Use Permit to increase allowable  
grant the applicant authorization to apply for the height. use as  
(use)  
described in this application.

Name: Marc Solomon Phone: 301 915-9460  
Please Print 7200 Wisconsin Ave. Suite 1100 msolomon@finmare.com  
Address: Bethesda, Md. 20814 Email: msolomon@Finmare.Com  
Signature: [Signature] Date: 4/15/2020

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.

## 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. A & A Limited Partnership See attached additional information	507 Wythe Street Alexandria, Virginia 22314	100%
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 \_\_\_\_\_ (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.		
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. See attached	See attached	
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.

4/15/2020

Daniel R. Abramson

Date

Printed Name



Signature

April 15, 2015

A & A Limited Partnership, a Virginia limited partnership = Special Use Permit  
801 North Royal Street

Additional Response Ownership Interest of Applicants.

The Berkley Corp. of Virginia, a Virginia corporation is the general partner of the Applicant. The shareholders of The Berkley Corp. of Virginia owning an interest in excess of 3% are: Daniel R. Abramson and Paul R. Abramson.

The limited partners of the Applicant owning an interest in excess of 3% are:  
Daniel R. Abramson and Paul R. Abramson.

507 Wythe Street, Alexandria, Virginia is the mailing address for Daniel R. Abramson and Paul R. Abramson



## 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.		
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 801 North Fairfax 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. MFS-ABS WF, LLC See attached additional information	9200 WIS CON ST AVE #1100 Bethesda, Md 20814	100%
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).

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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. See attached		
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.

4/15/2020

Marc F. Solomon

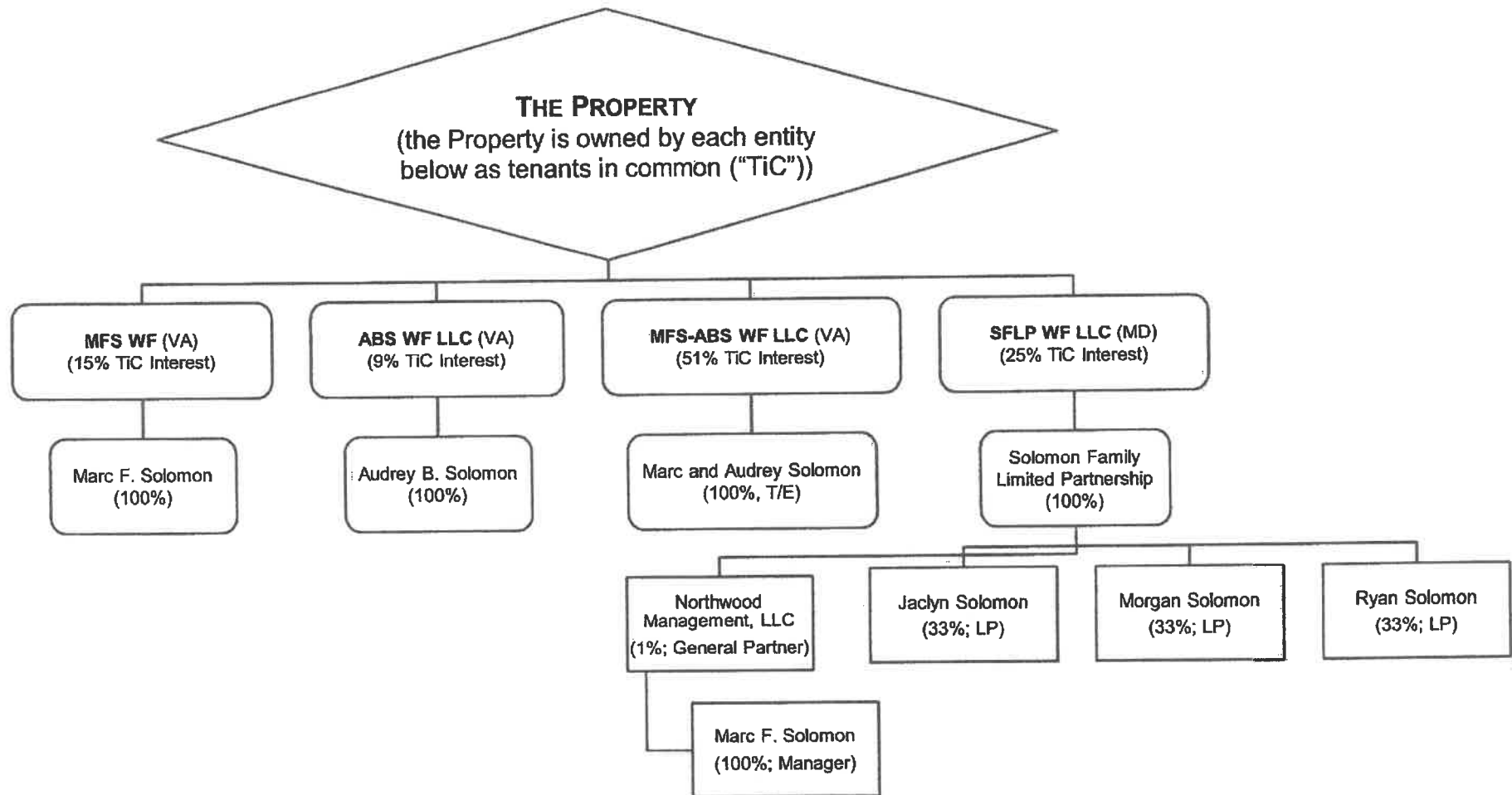
Date

Printed Name

Signature

## Organizational Chart

### **Waterfront I** **801 North Fairfax Street, Alexandria, Virginia** **(the "Property")**



1. The Manager of each of MFS WF LLC, MFS-ABS WF LLC and SFLP WF LLC is Marc F. Solomon
2. The Manager of ABS WF LLC is Audrey B. Solomon

April 15, 2015

A & A Limited Partnership, a Virginia limited partnership - Special Use Permit  
801 North Royal Street

**Ownership and Disclosure Statement.**

**Additional Response Ownership Interest and Financial Relationship of Applicants.**

The Berkley Corp. of Virginia, a Virginia corporation is the general partner of the Applicant. The shareholders of The Berkley Corp. of Virginia owning an interest in excess of 3% are: Daniel R. Abramson and Paul R. Abramson.

Relationship as defined by Section 11-350 of the Zoning Ordinance: **NONE**

The limited partners of the Applicant owning an interest in excess of 3% are:  
Daniel R. Abramson and Paul R. Abramson.

507 Wythe Street, Alexandria, Virginia is the mailing address for Daniel R. Abramson and Paul R. Abramson

Relationship as defined by Section 11-350 of the Zoning Ordinance: **NONE**

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

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

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

## NARRATIVE DESCRIPTION

**3.** The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

A&A Limited Partnership, a Virginia limited partnership (the "Applicant") is requesting a Special Use Permit pursuant to section 4-905 (D) of the AZO to increase the permitted height of the existing building fifty (50') feet to seventy-five (75') to accommodate the construction of rooftop amenity structures and as part of the conversion of te existing office building to a residential multifamily building. The rooftop amenity space will serve as open and usable space for the residents of the multifamily building. The rooftop amenity space may include the conversion of a portion of the existing penthouse no longer needed for mechanical equipment into an enclosed amenity space for residents. The additional height allows that portion of the penthouse to be converted into usable amenity space as the usable space would not qualify as a penthouse.

Additionally, the area shown on the rooftop open space exhibit file with this application ( Sheet SP-104 ) as " Open Roofing Mechanical Equipment" is insufficient to enclose all of the mechanical units and some units and equipment and railing or screenting will need to be located on top if the penthouse as authorized by Section 6-403 (3)(d) of the Zoning Ordinance.

The Granting of the Special Use Permit is consistent with the Old Town North Small Area Plan, SUP #2017-0072 approved by the City Council on September 16, 2017 for a similar request and will not be detriments to the health and safety of persons residing or working in the neighborhood or will the granting of the SUP be detrimental to the public welfare or injurious to person or property in the neighborhood.

## 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: Increased height pursuant to Section 4-905 (D) of the AZ

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).

Not applicable to SUP to increase building height

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

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

Not applicable to SUP to increase building height.

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6. Please describe the proposed hours and days of operation of the proposed use: Not applicable to SUP to increase building height.

Day:

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.

Not applicable to SUP to increase building height.

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B. How will the noise be controlled?

Not applicable to SUP to increase building height.

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

Not applicable to SUP to increase building height.

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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)  
Not applicable to SUP to increase building height.

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B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)  
Not applicable to SUP to increase building height.

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C. How often will trash be collected?  
Not applicable to SUP to increase building height.

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D. How will you prevent littering on the property, streets and nearby properties?  
Not applicable to SUP to increase building height.

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10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?  
Not applicable to SUP to increase building height.

[ ] Yes. [ ] No.

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

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- 11.** Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property? Not applicable to SUP to increase building height.

☐ Yes. ☐ No.

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

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- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons? Not applicable to SUP to increase building height.

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## **ALCOHOL SALES**

- 13.** A. Will the proposed use include the sale of beer, wine, or mixed drinks? Not applicable to SUP to increase building height.

☐ 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.

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**PARKING AND ACCESS REQUIREMENTS**

14. A. How many parking spaces of each type are provided for the proposed use:  
Not applicable to SUP to increase building height.

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

<p style="text-align: center;"><b>Planning and Zoning Staff Only</b></p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A _____</p> <p>Does the application meet the requirement? [ ] Yes [ ] No</p>
--

- B. Where is required parking located? (check one)  
[ ] on-site  
[ ] off-site

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

\_\_\_\_\_

**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? \_\_\_\_\_ Not applicable to SUP to increase building height.

<p style="text-align: center;"><b>Planning and Zoning Staff Only</b></p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____</p> <p>Does the application meet the requirement? [ ] Yes [ ] No</p>
---

Not applicable to SUP to increase building height.

B. Where are off-street loading facilities located? \_\_\_\_\_

\_\_\_\_\_

C. During what hours of the day do you expect loading/unloading operations to occur?  
Not applicable to SUP to increase building height.

\_\_\_\_\_

\_\_\_\_\_

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Not applicable to SUP to increase building height.

\_\_\_\_\_

\_\_\_\_\_

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?

Not applicable to SUP to increase building height.

\_\_\_\_\_

\_\_\_\_\_

## 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.

Additional height and less than 100 square feet for stair tower.

18. What will the total area occupied by the proposed use be? Not applicable to SUP to increase building height.

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

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

☒ a stand alone building

☐ a house located in a residential zone

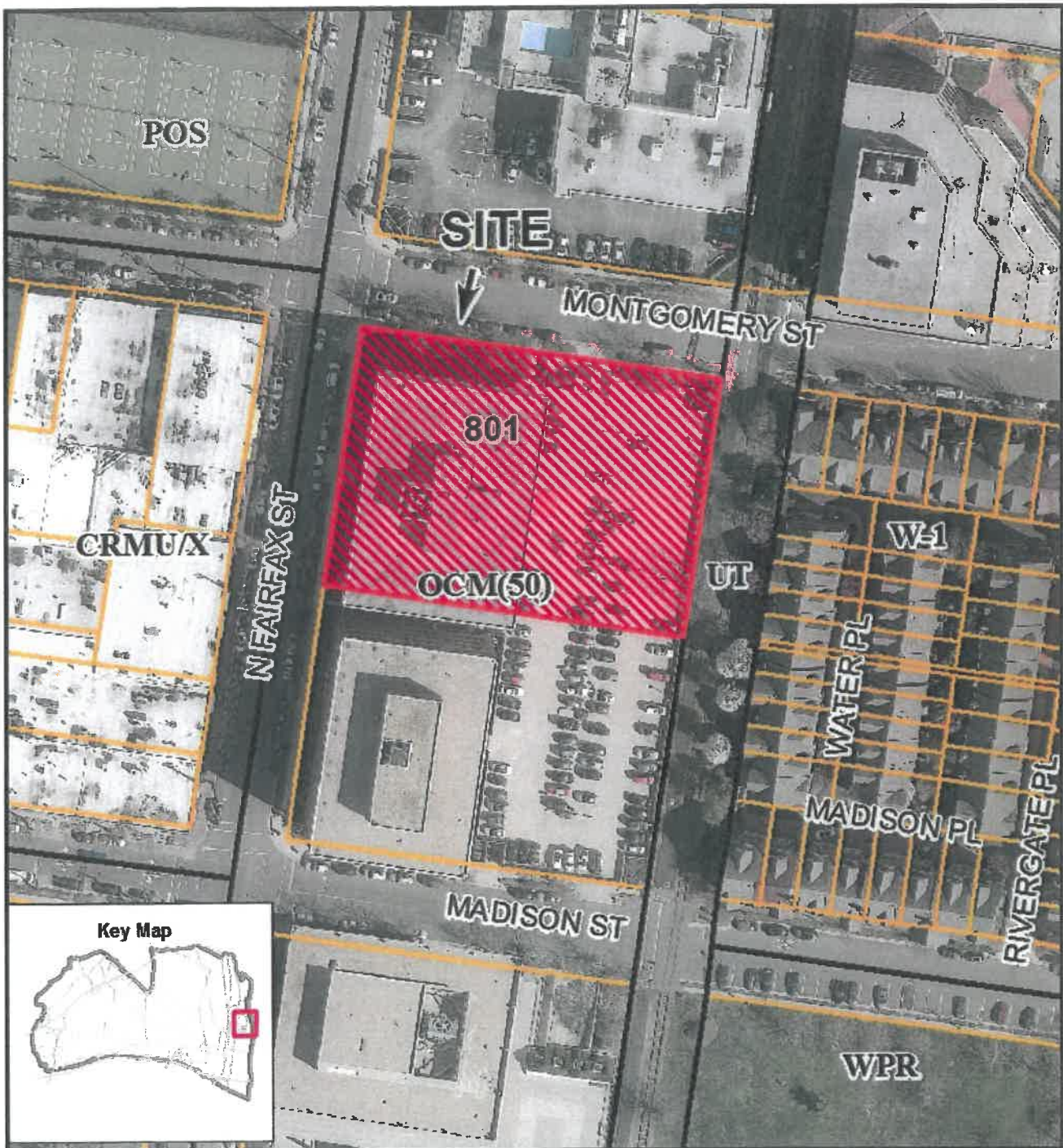
☐ a warehouse

☐ a shopping center. Please provide name of the center: \_\_\_\_\_

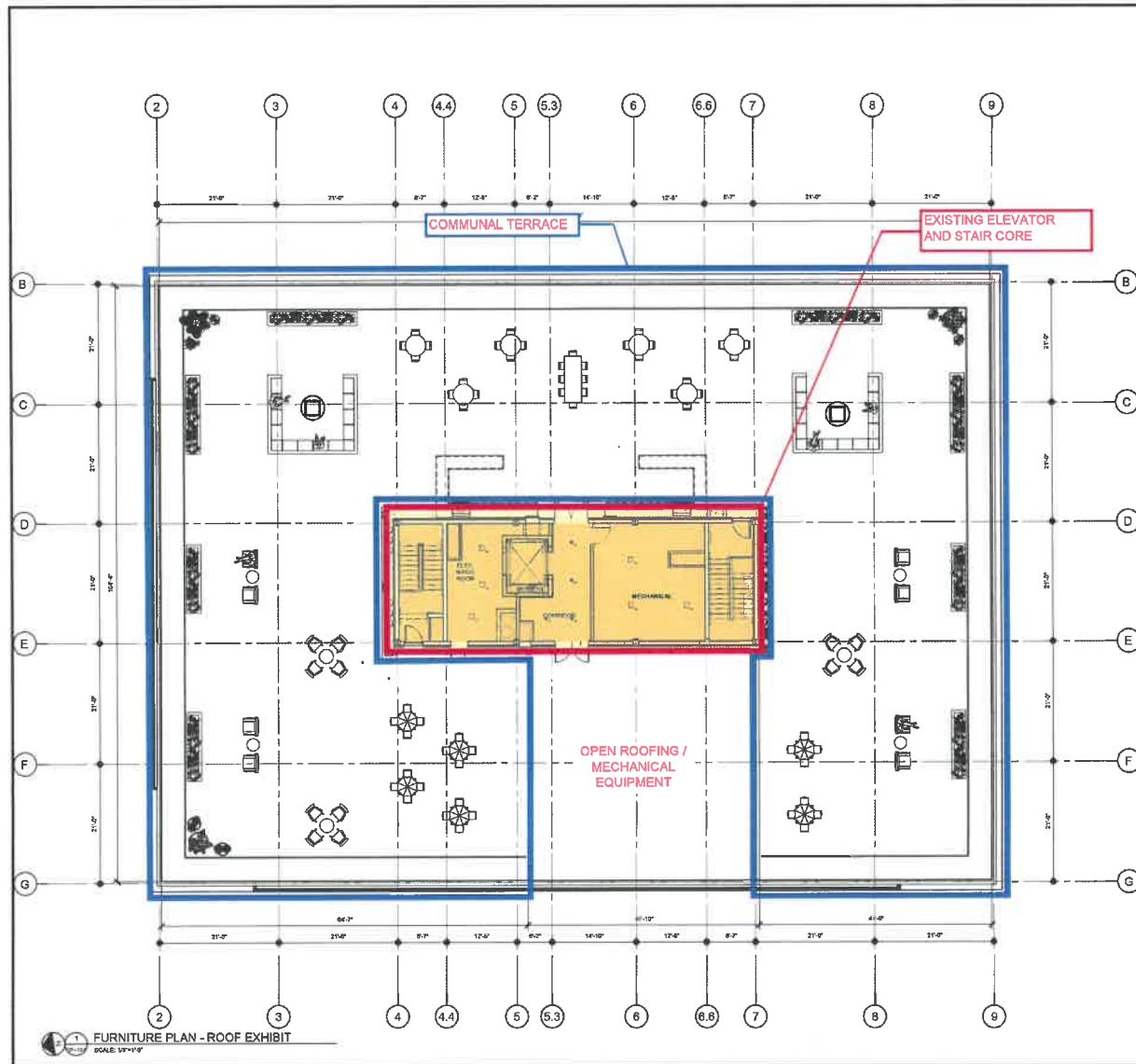
☐ an office building. Please provide name of the building: \_\_\_\_\_

☐ other. Please describe: \_\_\_\_\_

End of Application







ARCHITECT AND PLANNER

**T&G**  
the elsen group  
economics • architecture • design • interiors

625 11 ST NW - 2nd FLOOR  
WASHINGTON, DC 20001  
202.595.1900

DEVELOPER:

URBAN ATLANTIC  
7735 OLD GEORGETOWN ROAD,  
SUITE 800  
BETHESDA, MD 20814

SEAL:

PROJECT:  
**801 N FAIRFAX**

LOCATION:  
**801 N. FAIRFAX ST.  
ALEXANDRIA,  
VIRGINIA, 22314**

SCALE: AS NOTED

DATE: APRIL 13, 2020

PROJECT #: 18-101

FURNITURE PLAN - ROOF

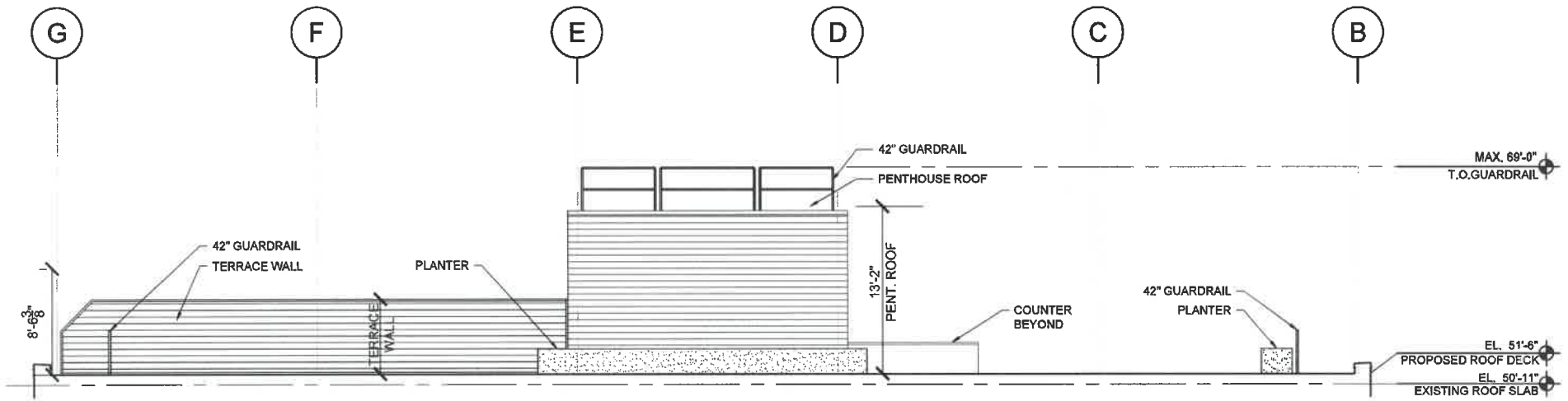
DRAWING TITLE:

OPEN SPACE PLAN - ROOF EXHIBIT

SHEET TITLE:

**SP-104**

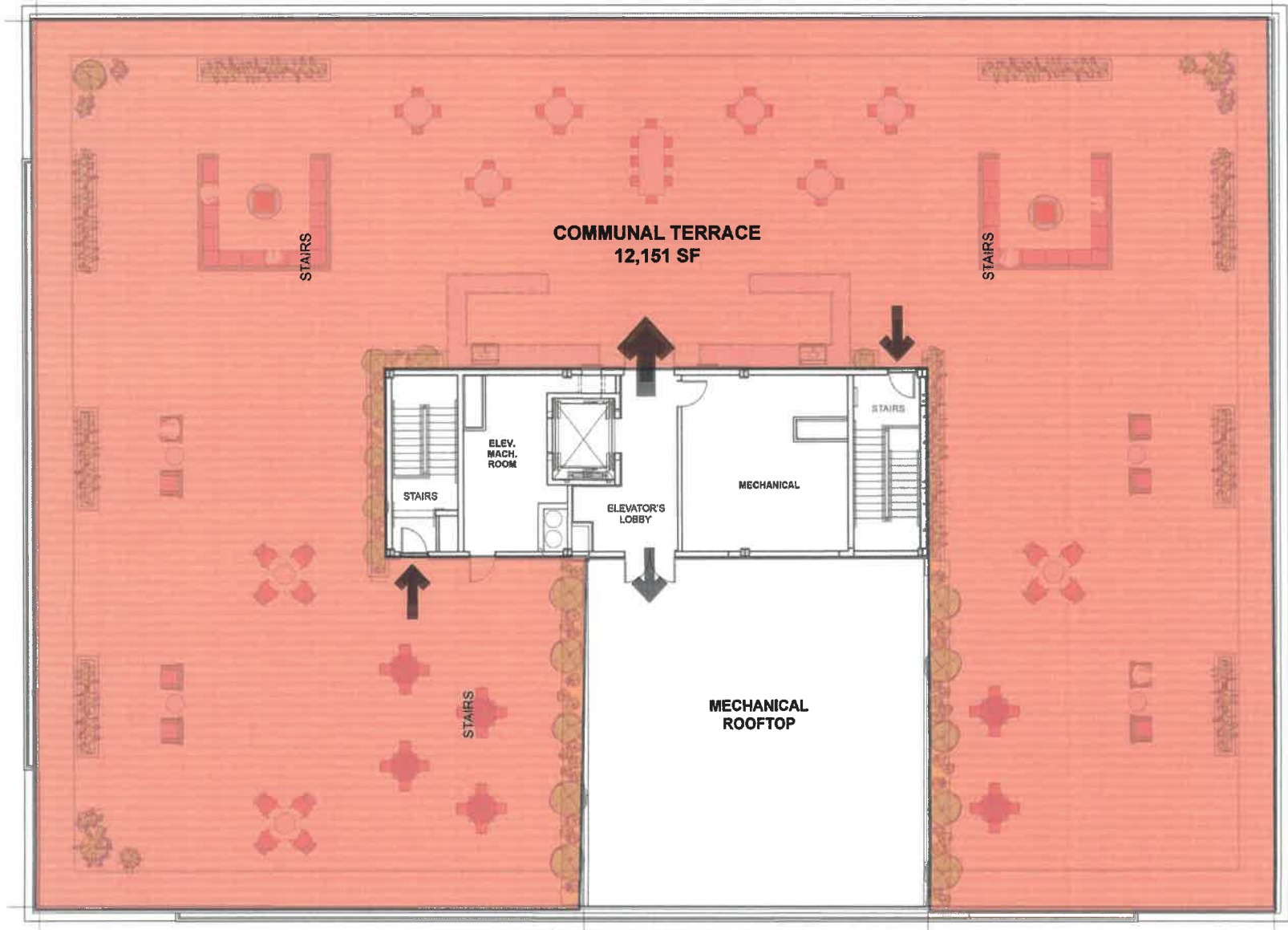
P:\Projects\14-120 801 N. Fairfax St\Administrative\SUP - Special Use Permit 4-14-20\EXHIBIT\SK-4.dwg



PROJECT NAME: 801 N. FAIRFAX ST.  
PROJECT NUMBER: 14-120  
DRAWING NAME: SOUTH ELEVATION  
DATE: 4-15-2020  
ISSUE UNDER/AS: SPECIAL USE PERMIT  
SCALE: 1/8" = 1'-0"

ASK NO:

SK-1

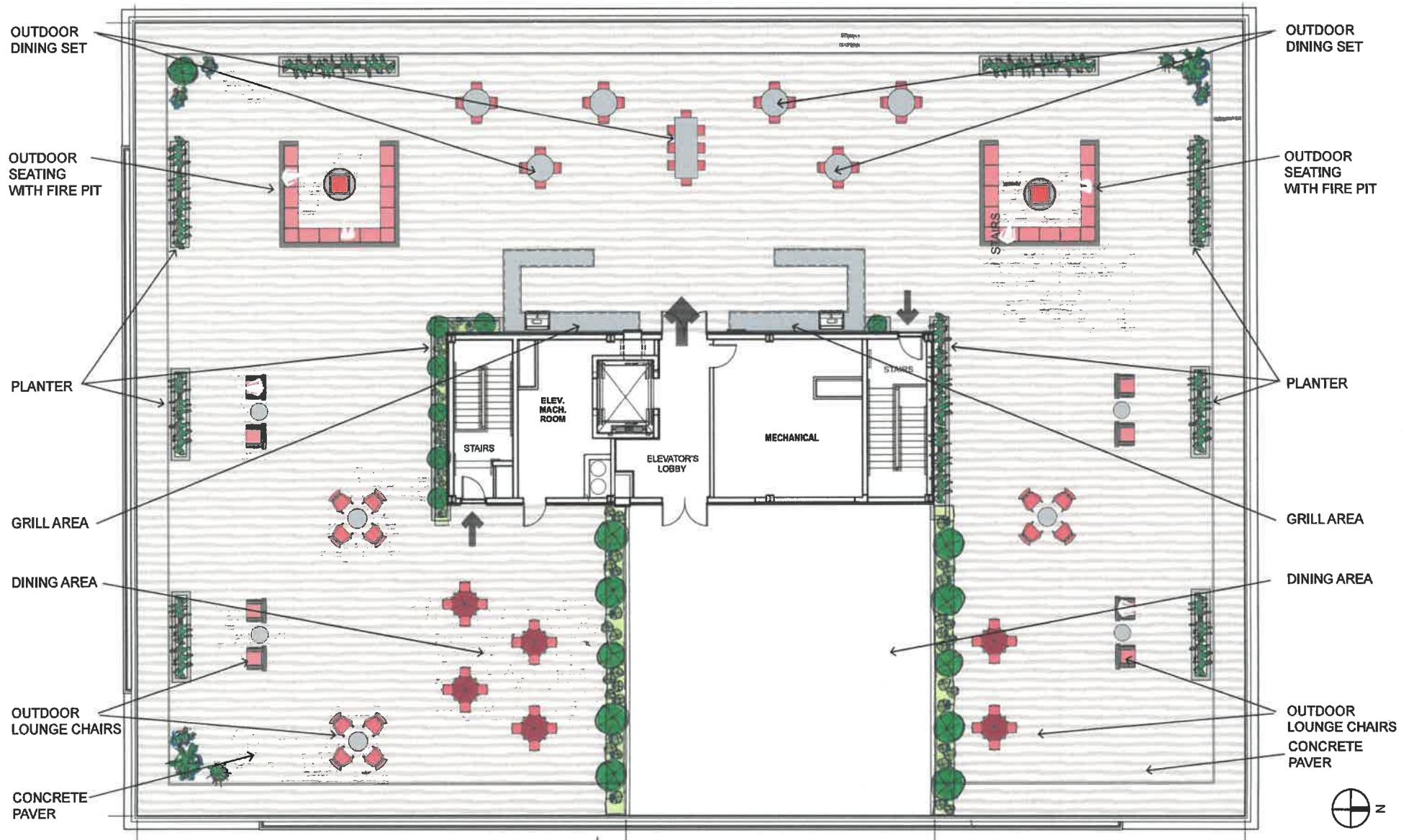


APRIL 16, 2020

**801 NORTH FAIRFAX STREET  
ROOF TOP (PUBLIC AREAS)**



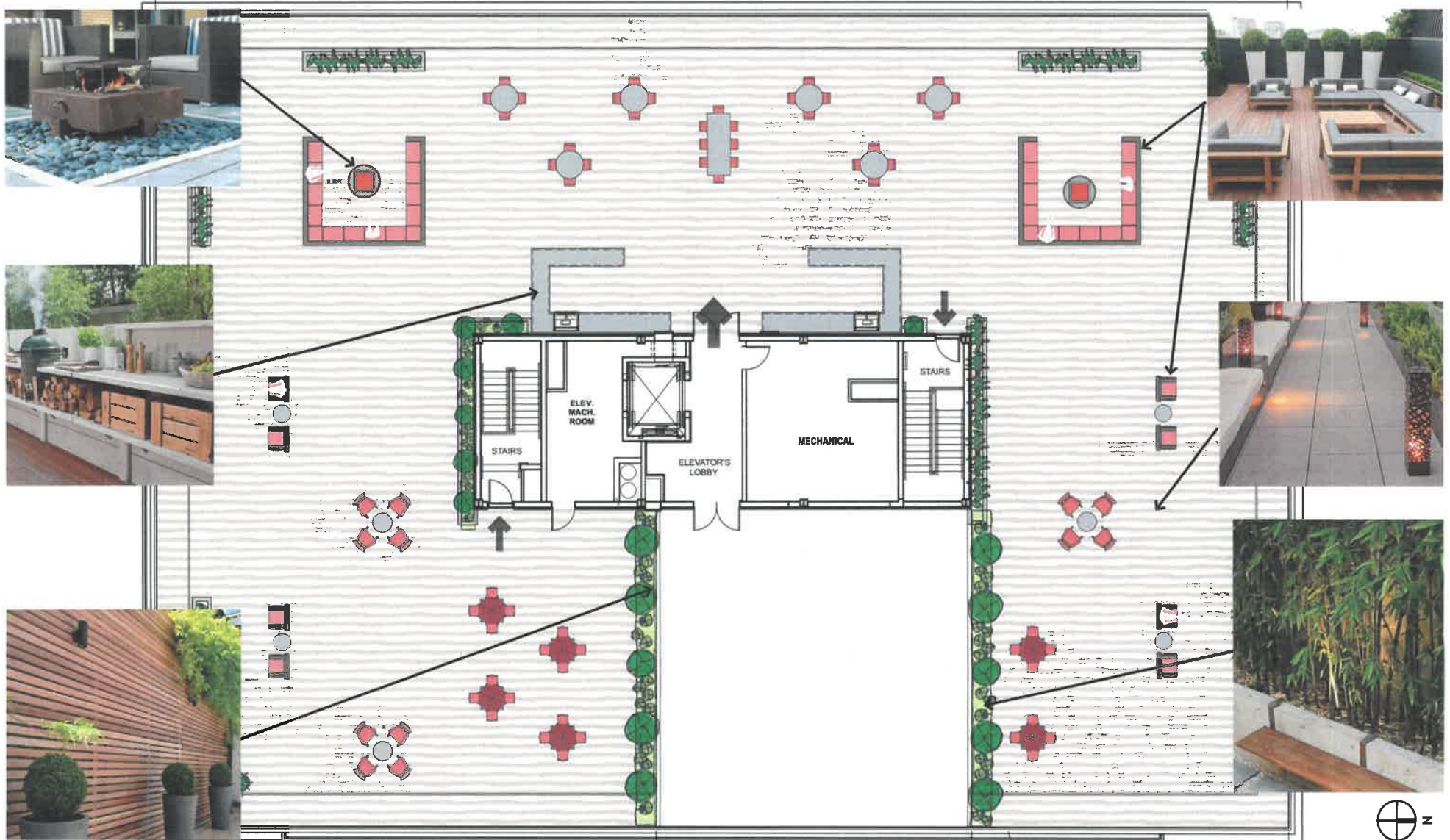
**TIG**  
the elsen group



APRIL 16, 2020

# 801 NORTH FAIRFAX STREET ROOF TOP LAYOUT





APRIL 16, 2020

# 801 NORTH FAIRFAX STREET ROOF TOP IMAGES-1





## ALEXANDRIA DEPARTMENT OF PLANNING AND ZONING

**FLOOR AREA AND OPEN SPACE COMPUTATIONS**

## A. Property Information

A1. Street 801 North Fairfax Street

A2. Zone OCM (50) Total Lot 44,396 sq. ft.

## B. FAR Information

B1. Floor Area Ratio (F.A.R.) allowed by the Zone 1.5

B2.  $\frac{44,396 \text{ sq. ft.}}{\text{Lot Area}} \times \frac{1.5}{\text{F.A.R.}} = \frac{66,594 \text{ sq. ft.}}{\text{Maximum Allowable Net Floor}}$

## C. Existing Gross Area Computations

EXISTING GROSS AREA		DEDUCTIONS	
First Floor	15,914	Lavatories	200
Second Floor	15,914	Stairways	1,643
Third Floor	15,914	Mechanical/Elevator	4,329
Fourth Floor	15,914	<b>Total Deductions</b>	<b>6,172</b>
Penthouse	1,916		
<b>Total Gross</b>	<b>65,572</b>		

C1. Existing Gross Floor Area \* 65,572 Square Feet

C2. Allowable Floor Deductions \*\* 6,172 Square Feet

C3. Existing Net Floor Area (subtract C2 from C1) 59,400 Square Feet

## D. New Gross Area Computations

NEW GROSS AREA		DEDUCTIONS	
First Floor	+28	Lavatories	-50
Second Floor	-184	Stairways	+255
Third Floor	-184	Mechanical/Elevator	-707
Fourth Floor	-184	<b>Total Deductions</b>	<b>-502</b>
Penthouse	-459		
<b>Total Gross</b>	<b>-983</b>		

D1. New Gross Floor Area \* -983 Square Feet

D2. Allowable Deductions \*\* -502 Square Feet

D3. New Net Floor Area (subtract D2 from D1) -481 Square Feet

## E. Existing + New Area

E1. Total Net Floor Area (add C3 and D3) 58,919 Square Feet

E2. Total Net Floor Area Allowed (B2) 66,594 Square Feet

F. F1. Existing Open Space 6,118 Square Feet

F2. Required Open Space 17,579 Square Feet

F3. Proposed Open Space 18,269 Square Feet

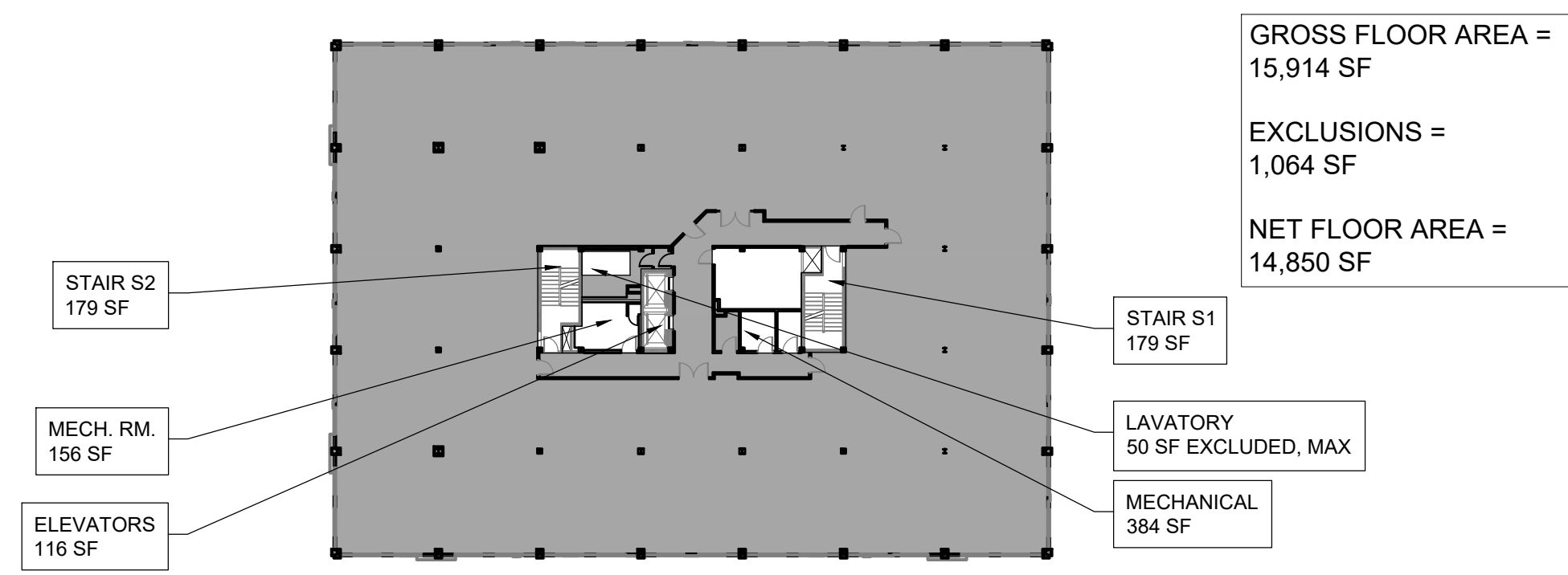
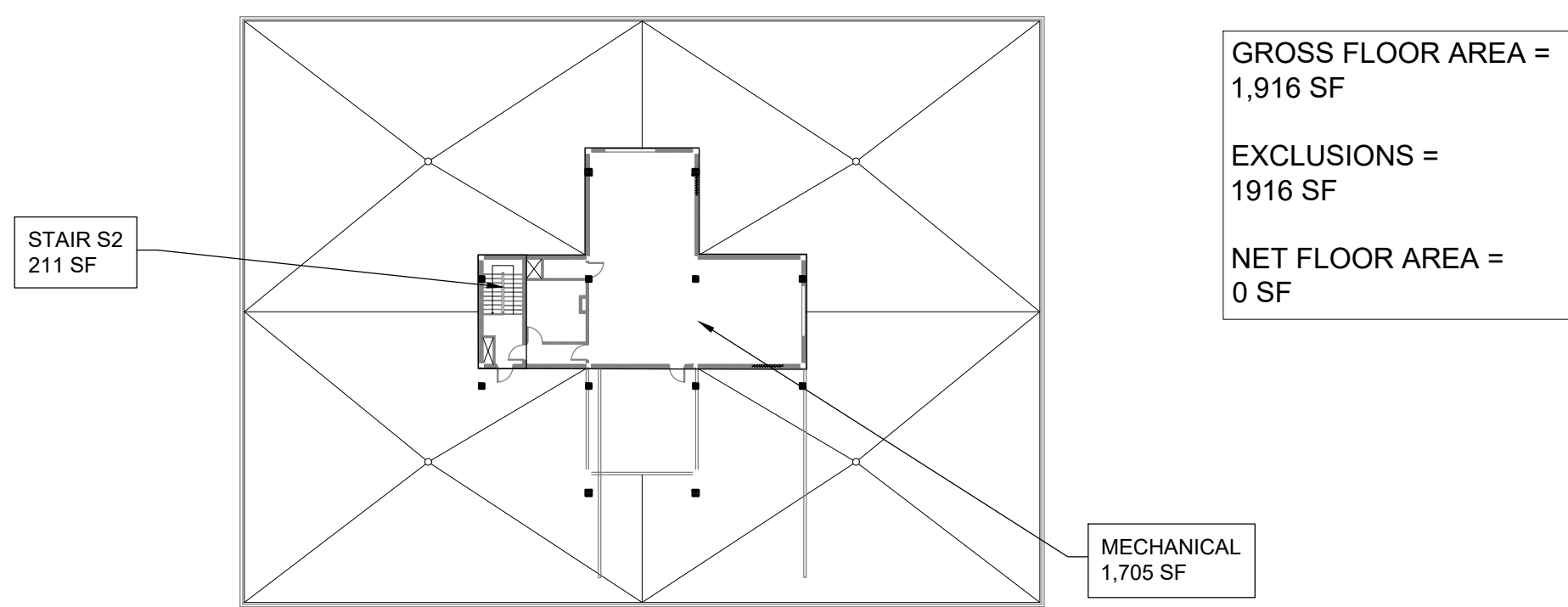
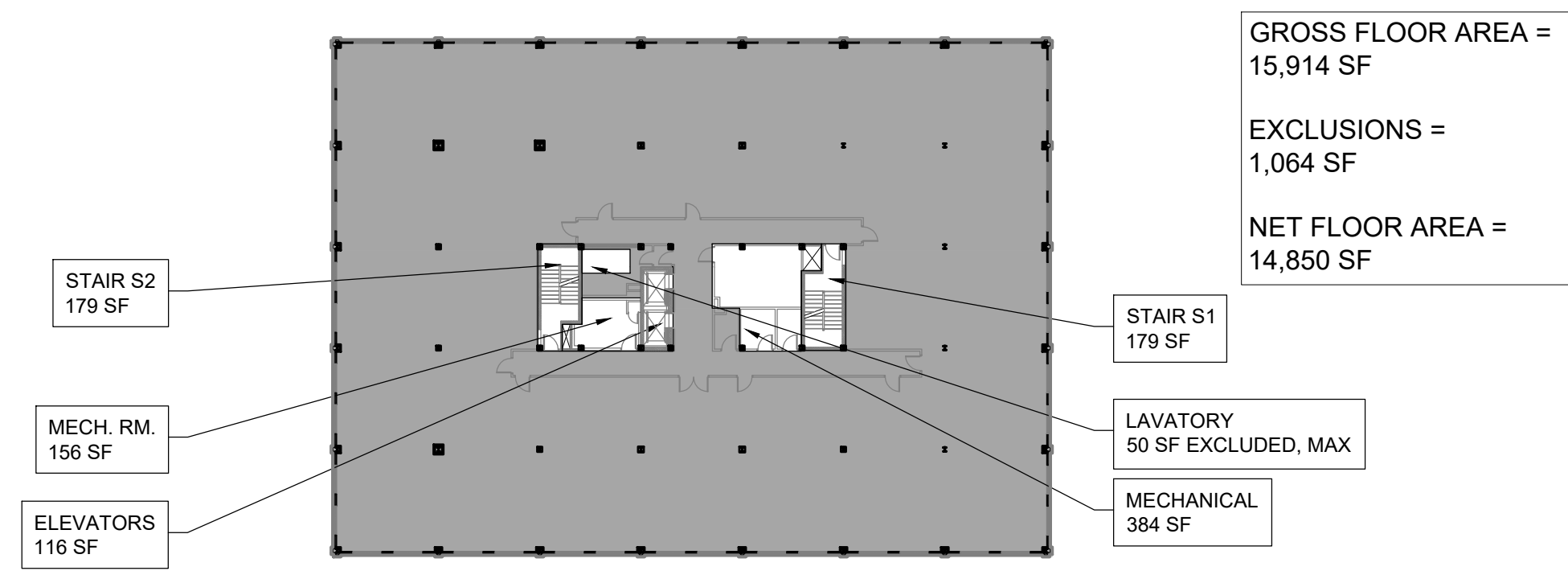
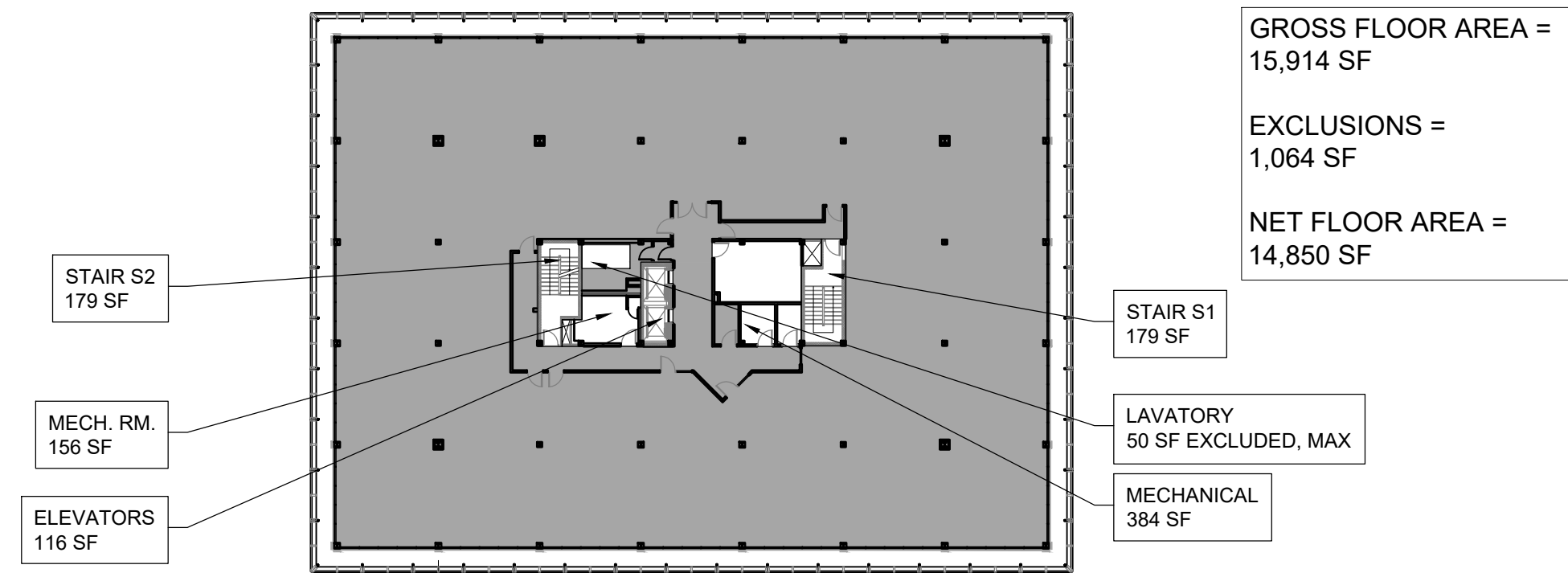
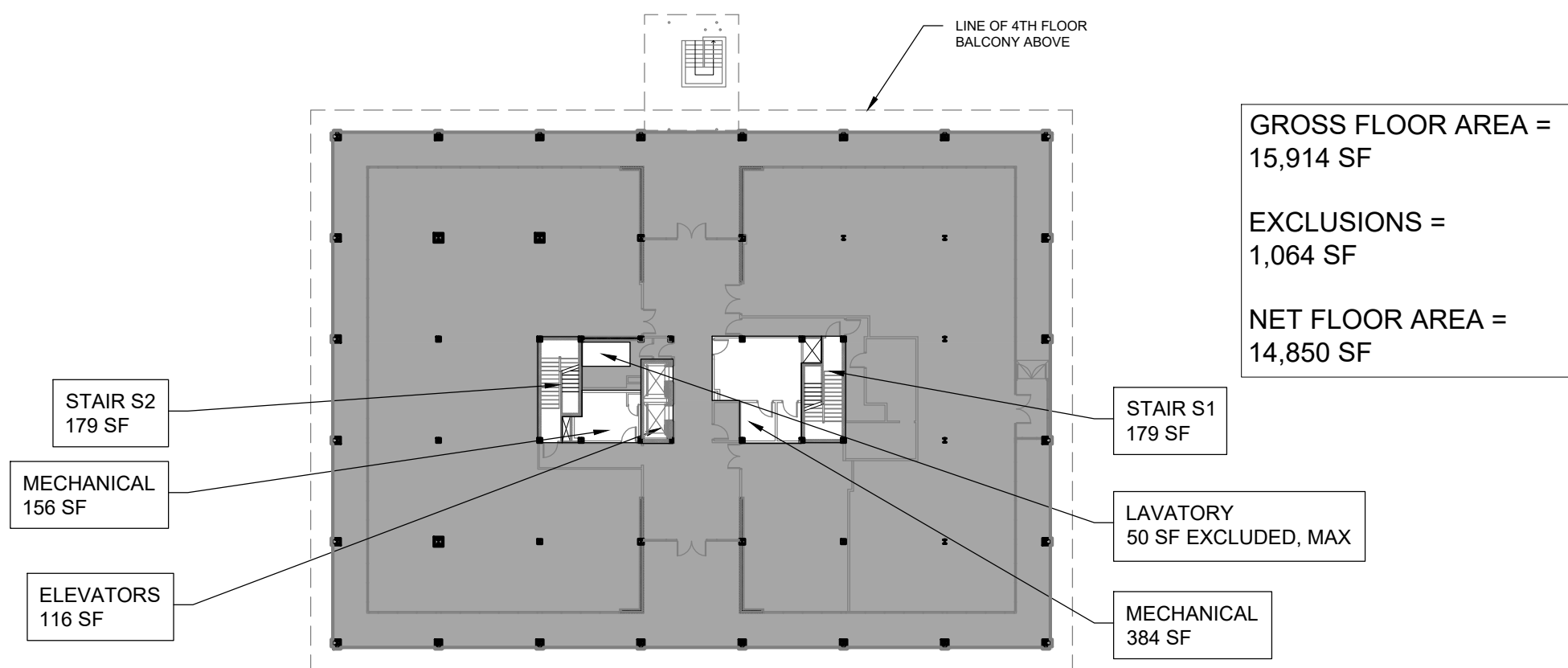
\*Gross floor area is measured from the face of exterior walls and includes basements, outside garages, sheds, gazebos, guest buildings and other accessory buildings.

\*\* Allowable deductions from gross floor area: Stairways, elevators, mechanical and electrical rooms; basements (if the basement is less than four feet out of the ground as measured from the average finished grade at the perimeter of the bottom of the first floor).

NOTE: Open space calculations are required for all residential zones (except in the R-20, R-12, R-8, R-5, R-2-5 and RT zones) and in commercial, office and mixed-use zones where residential uses are proposed. Refer to specific provisions in the zoning ordinance.

The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



801 N FAIRFAX BUILDING STATISTICS	
TOTAL GROSS FLOOR AREA =	65,572 SF
TOTAL EXCLUSIONS =	6,172 SF
TOTAL NET FLOOR AREA =	59,400 SF

FLOOR AREA RATIO CALCULATION (801 N FAIRFAX AND 209 MADISON ST.)	
TOTAL LAND AREA (SURVEY OF PARCEL 055.03-01-01.S1, DATED 08/17/2015)	44,396 SF
801 N FAIRFAX NET FLOOR AREA (59,400 SF)	
FAR CALCULATION: 59,400 / 44,396 = 1.338	
<b>FAR = 1.34</b>	

TOTAL FAR SF ALLOWED - OCM(50) 44,396 x 1.5 = 66,594 SF
TOTAL FAR SF PROVIDED 59,400 SF
UNUSED FAR SF: <b>7,194 SF</b>

LEGEND	
	AREA WHICH COUNTS TOWARD F.A.R.

NOTE:  
THESE FAR CALCULATIONS ARE BASED ON  
THE FACADE DESIGN AS OF MAY 8th, 2020  
AND MAY BE SUBJECT TO CHANGE AS THE  
ELEVATIONS DESIGN IS REFINED.

# FAR STUDY: EXISTING BUILDING

ARCHITECT AND PLANNER

economics • architecture • design • interiors

623 H ST NW - 2nd FLOOR  
WASHINGTON, DC 20001  
202.595.1900

DEVELOPER:

**ABRAMSON PROPERTIES**

507 WYTHE STREET  
ALEXANDRIA, VA 22314

SEAL:

PROJECT:

801 N FAIRFAX

LOCATION:

801 N. FAIRFAX ST.  
ALEXANDRIA,  
VIRGINIA, 22314

SCALE:

AS NOTED

DATE:

MAY 8, 2020

PROJECT #:

20-102

REVISIONS:

FAR EXHIBIT

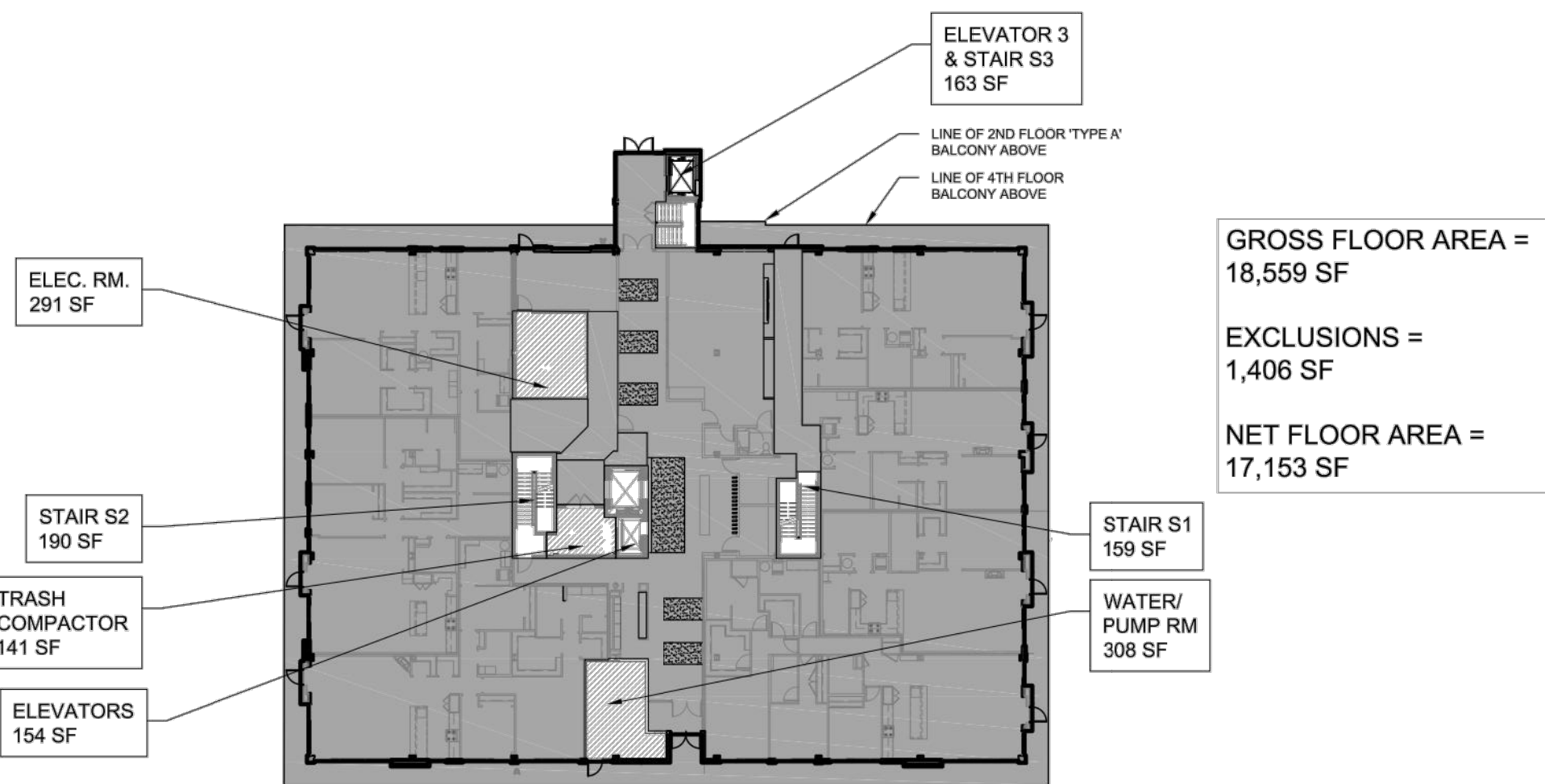
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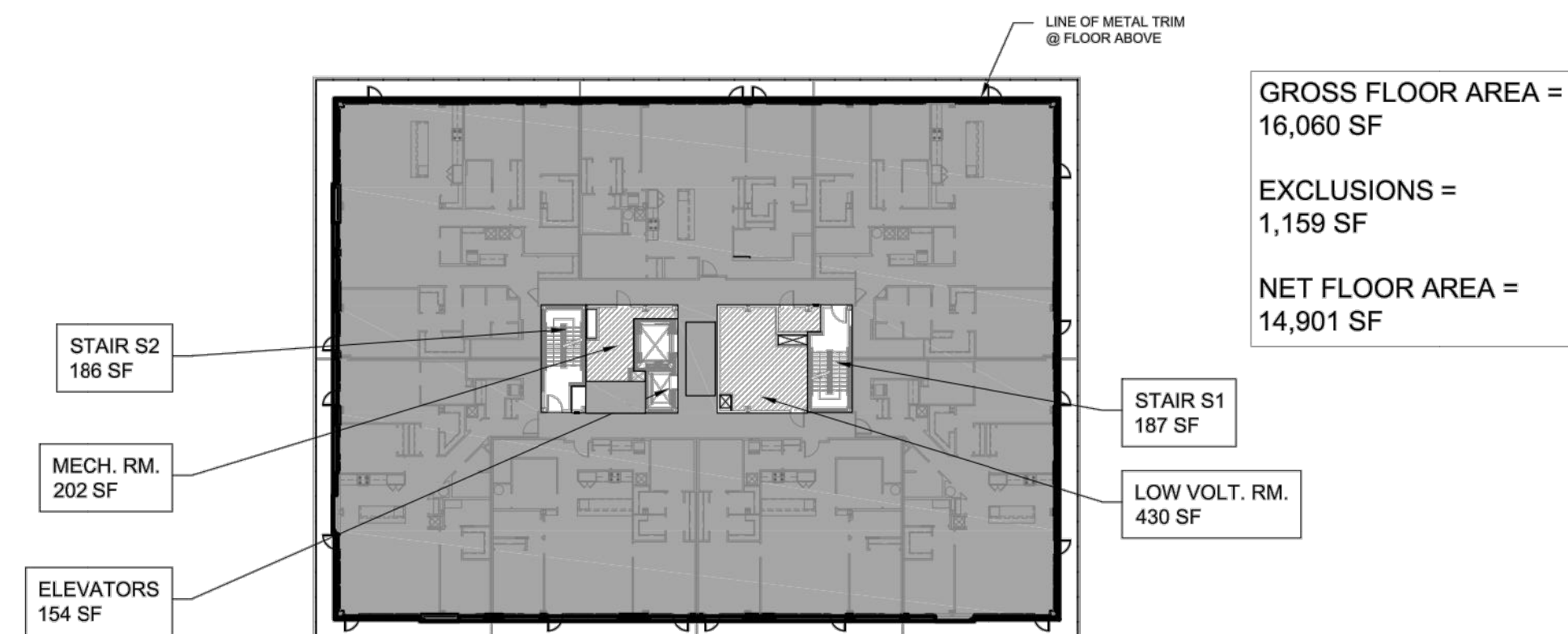
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CD-110B

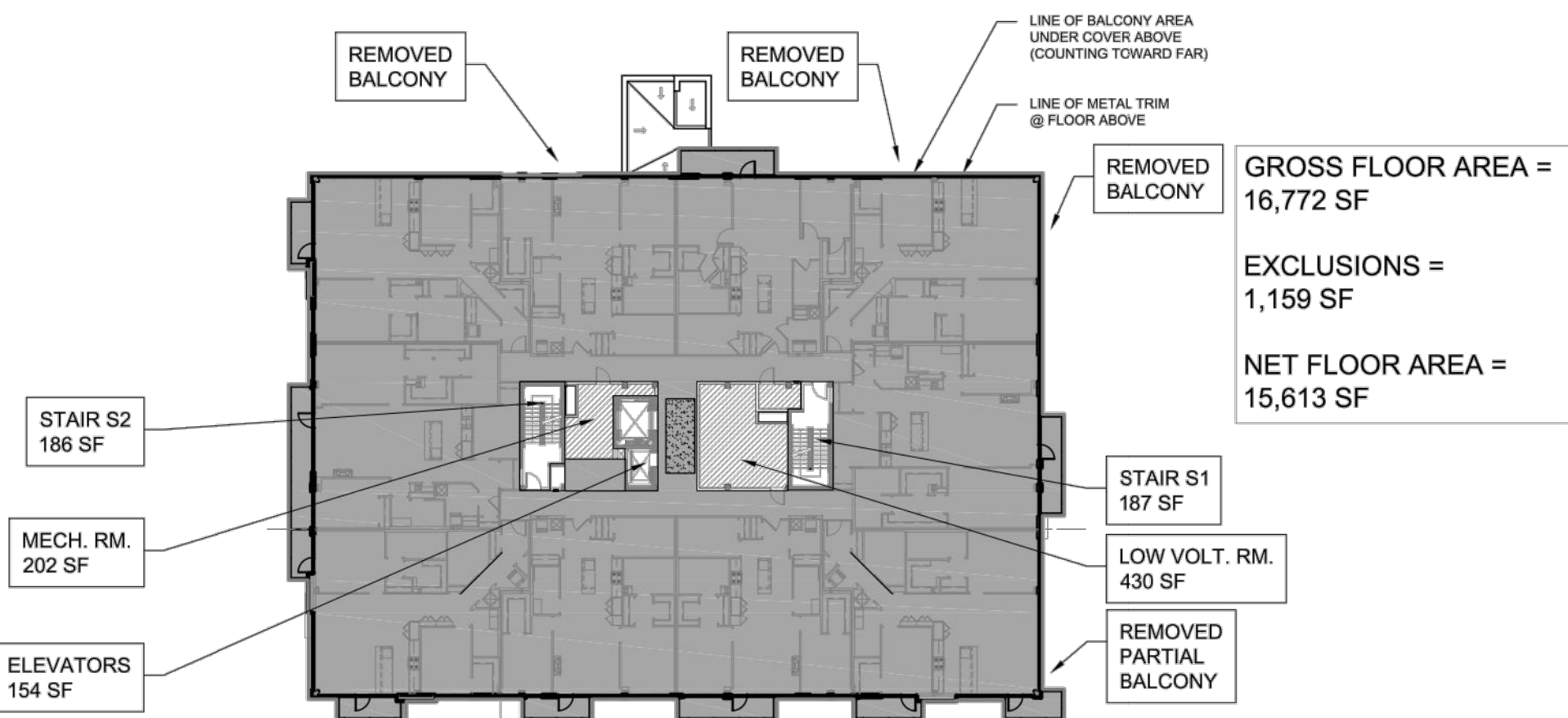




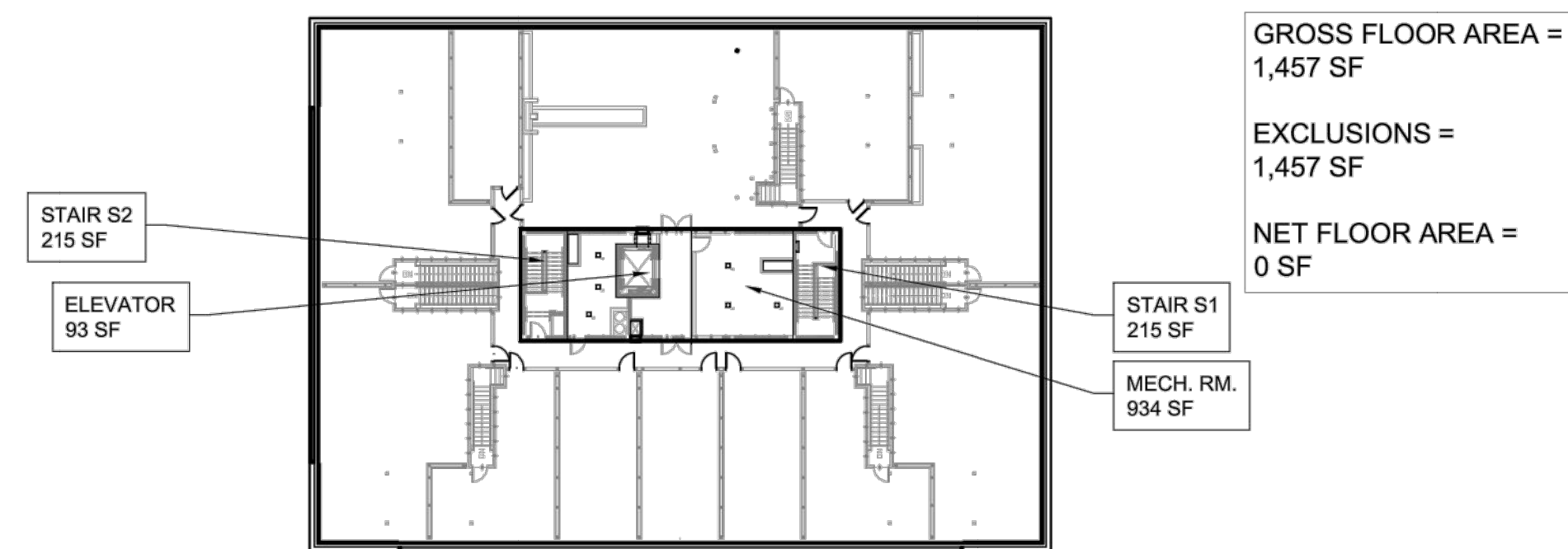
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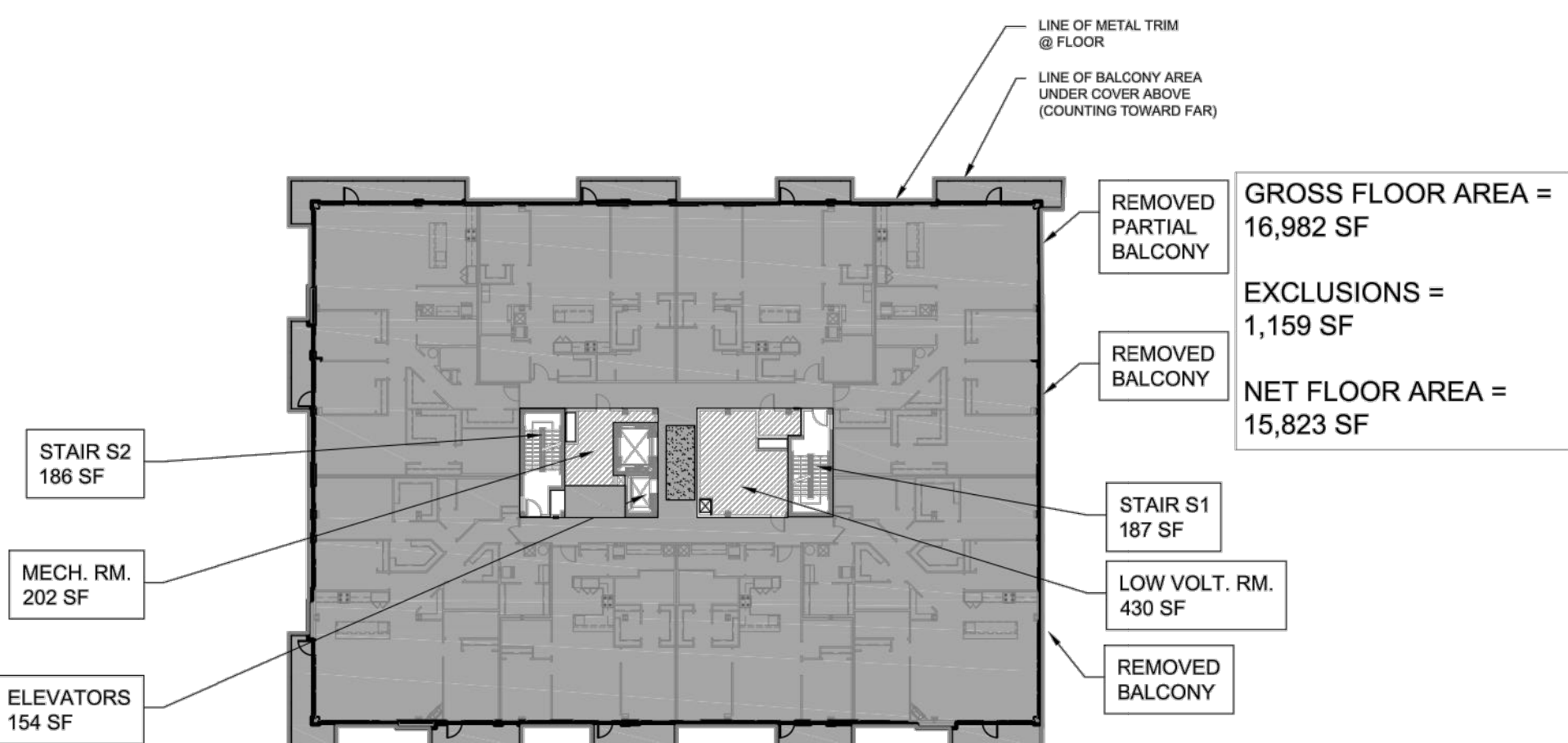
LEVEL 4 - FOURTH FLOOR



LEVEL 2 - SECOND FLOOR



LEVEL 5 - PENTHOUSE LEVEL



LEVEL 3 - THIRD FLOOR

801 N FAIRFAX BUILDING STATISTICS	
TOTAL GROSS FLOOR AREA =	69,830 SF
TOTAL EXCLUSIONS =	6,340 SF
TOTAL NET FLOOR AREA =	63,490 SF

FLOOR AREA RATIO CALCULATION (801 N FAIRFAX AND 209 MADISON ST.)	
TOTAL LAND AREA (BASED ON SURVEY DATED AUG 17, 2015) (44,396 + 42,774 = 87,170 SF)	
EXISTING SPORT AND HEALTH BUILDING (209 MADISON ST) - NET FLOOR AREA (67,266 SF)	
801 N FAIRFAX NET FLOOR AREA (63,490 SF)	
FAR CALCULATION: (67,266 + 63,490) / 87,170 = 1.5000	
<b>FAR = 1.50</b>	

TOTAL FAR SF ALLOWED  
87,170 x 1.5 = 130,762 SF

TOTAL FAR SF PROVIDED  
130,578 SF

LEGEND	
	AREA WHICH COUNTS TOWARD F.A.R.

ARCHITECT AND PLANNER



623 H ST NW - 2nd FLOOR  
WASHINGTON, DC 20001  
202.595.1900

DEVELOPER:

**ABRAMSON PROPERTIES**

507 WYTHE STREET  
ALEXANDRIA, VA 22314

SEAL:

PROJECT: **801 N FAIRFAX**

LOCATION:  
**801 N. FAIRFAX ST.  
ALEXANDRIA,  
VIRGINIA, 22314**

SCALE: AS NOTED

DATE: MAY 8, 2020

PROJECT #: 20-102

REVISIONS: FAR EXHIBIT

DRAWING TITLE:

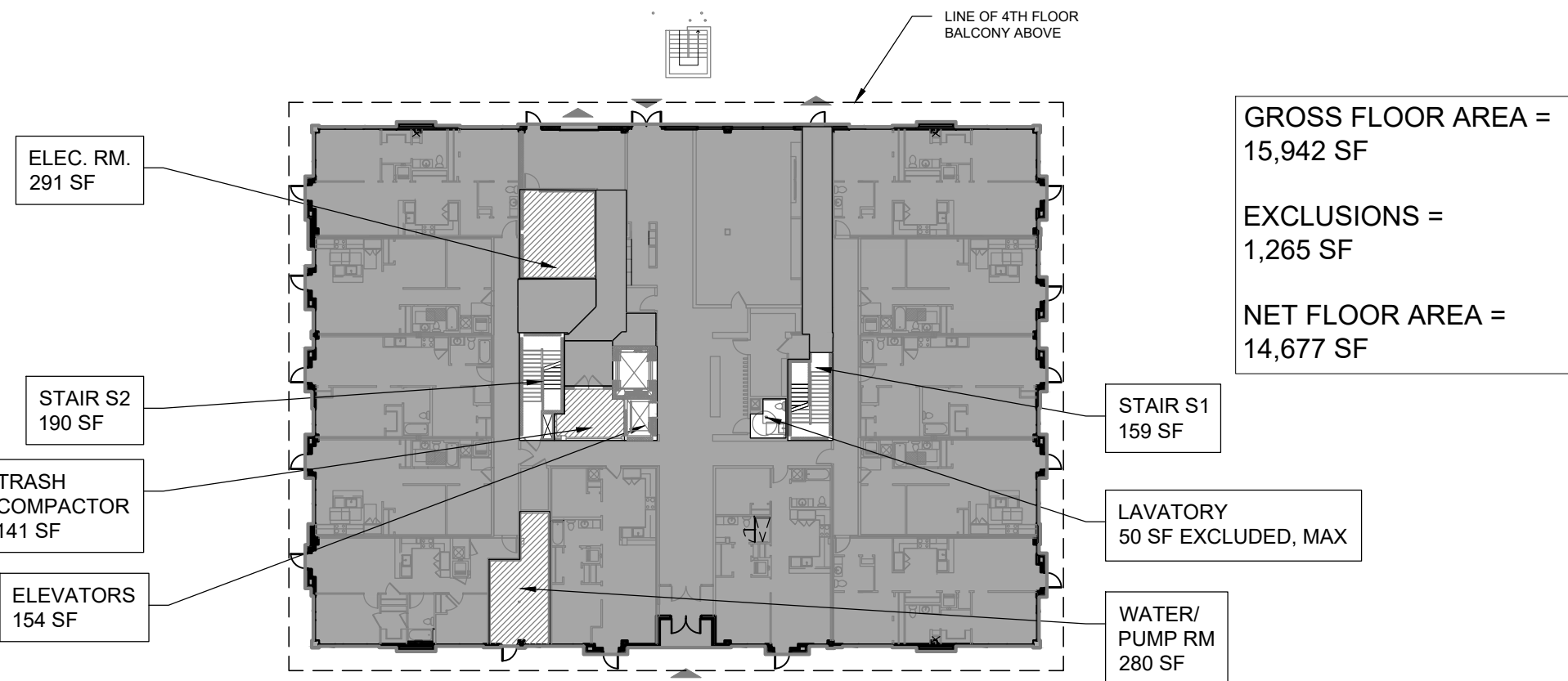
CD-110B FAR DIAGRAM

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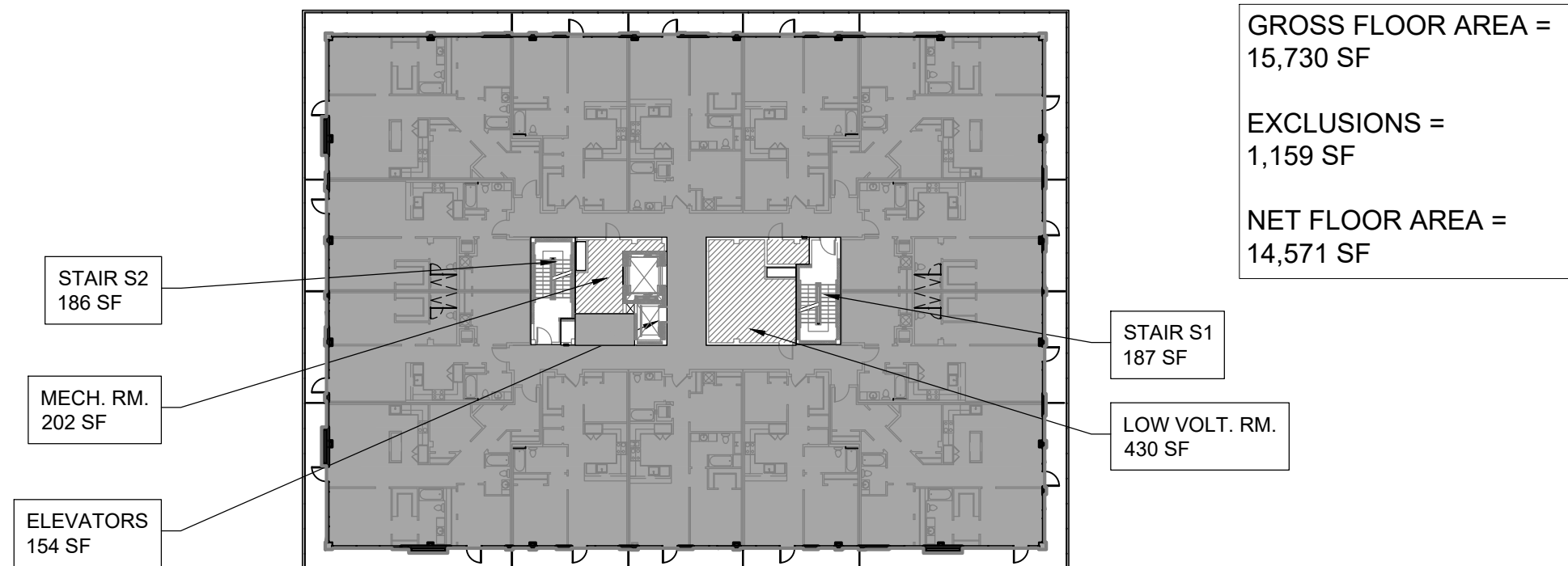
**CD-110B**

**FAR STUDY:  
ORIGINAL DESIGN 2016**

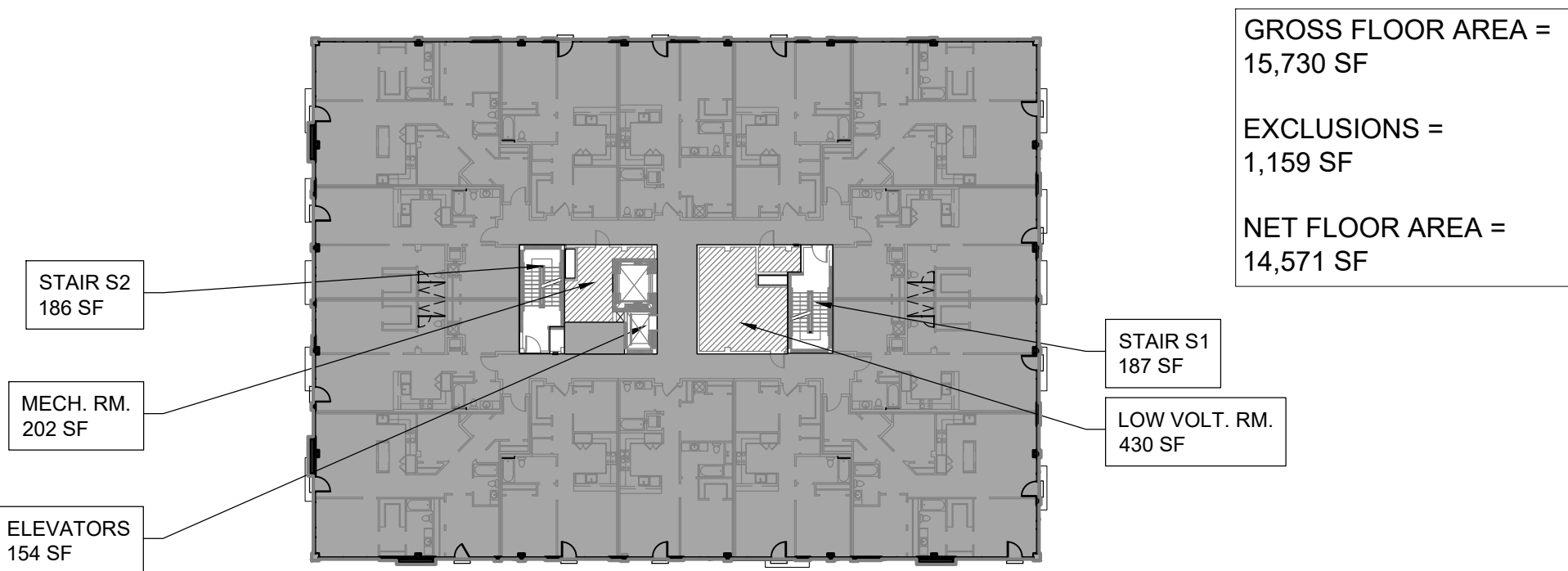




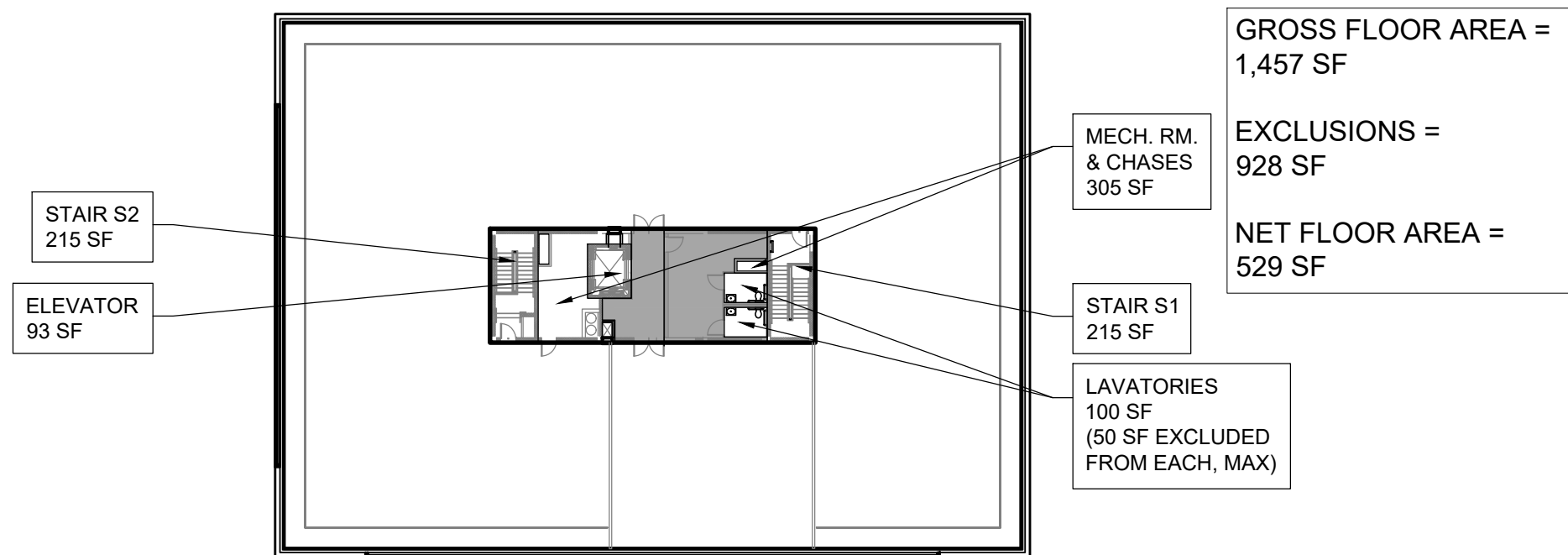
LEVEL 1 - GROUND FLOOR



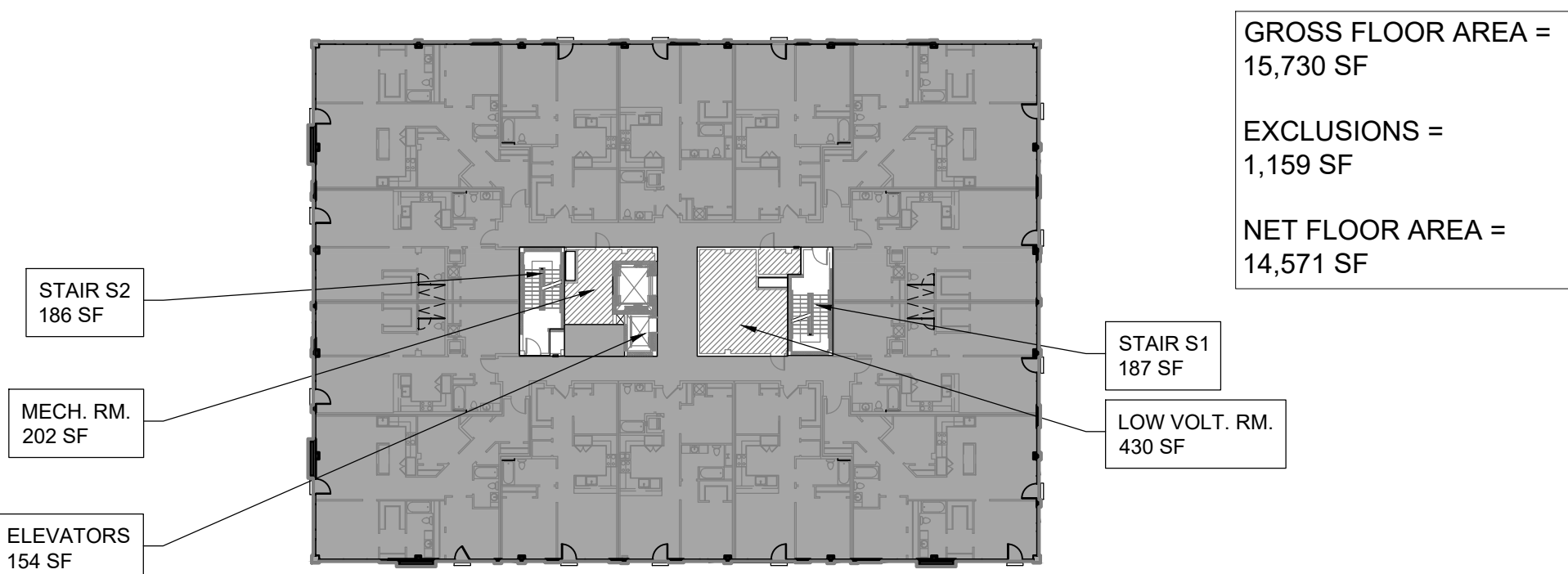
LEVEL 4 - FOURTH FLOOR



LEVEL 2 - SECOND FLOOR



LEVEL 5 - PENTHOUSE LEVEL



LEVEL 3 - THIRD FLOOR

801 N FAIRFAX BUILDING STATISTICS	
TOTAL GROSS FLOOR AREA =	64,589 SF
TOTAL EXCLUSIONS =	5,670 SF
TOTAL NET FLOOR AREA =	58,919 SF

FLOOR AREA RATIO CALCULATION (801 N FAIRFAX AND 209 MADISON ST.)	
TOTAL LAND AREA (SURVEY OF PARCEL 055.03-01-01.S1, DATED 08/17/2015)	44,396 SF
801 N FAIRFAX NET FLOOR AREA (58,919 SF)	
FAR CALCULATION: 58,919 / 44,396 = 1.327	
FAR = 1.33	

TOTAL FAR SF ALLOWED - OCM(50)  
44,396 x 1.5 = 66,594 SF

TOTAL FAR SF PROVIDED  
58,919 SF

UNUSED FAR SF:  
7,675 SF

LEGEND	
	AREA WHICH COUNTS TOWARD F.A.R.

NOTE:  
THESE FAR CALCULATIONS ARE BASED ON  
THE FACADE DESIGN AS OF MAY 8th, 2020  
AND MAY BE SUBJECT TO CHANGE AS THE  
ELEVATIONS DESIGN IS REFINED.

ARCHITECT AND PLANNER



623 H ST NW - 2nd FLOOR  
WASHINGTON, DC 20001  
202.595.1900

DEVELOPER:

ABRAMSON PROPERTIES

507 WYTHE STREET  
ALEXANDRIA, VA 22314

SEAL:

PROJECT: 801 N FAIRFAX

LOCATION:  
801 N. FAIRFAX ST.  
ALEXANDRIA,  
VIRGINIA, 22314

SCALE: AS NOTED

DATE: MAY 8, 2020

PROJECT #: 20-102

REVISIONS: FAR EXHIBIT

DRAWING TITLE:

CD-110B FAR DIAGRAM

SHEET TITLE:

CD-110B

FAR STUDY:  
NEW DESIGN 2020