



Special Use Permit #2021-00001
Tall Ship Providence Pier
Riparian Area adjacent to Waterfront Park (1A Prince Street)

Application	General Data	
Public Hearing and consideration of a request for a Special Use Permit for the docking and berthing of a historic ship and privately owned public use buildings connected with the historic ship (amending SUP2019-0113 to decrease the size of the pier and buildings).	Planning Commission Hearing:	March 2, 2021
	City Council Hearing:	March 13, 2021
Address: Riparian Area adjacent to 1A Prince Street	Zone:	WPR / Waterfront Park and Recreation
Applicant: Tall Ship Providence Foundation, represented by M. Catharine Puskar, attorney	Small Area Plan:	Waterfront / Old Town

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended conditions found in Section V of this report.

Staff Reviewers:

Abigail Harwell, Urban Planner, abigail.harwell@alexandriava.gov
Dirk H. Geratz, AICP, Principal Planner, dirk.geratz@alexandriava.gov
Robert M. Kerns, AICP, Development Division Chief, robert.kerns@alexandriava.gov
Jack Browand, Division Chief, RPCA, jack.browand@alexandria.gov

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

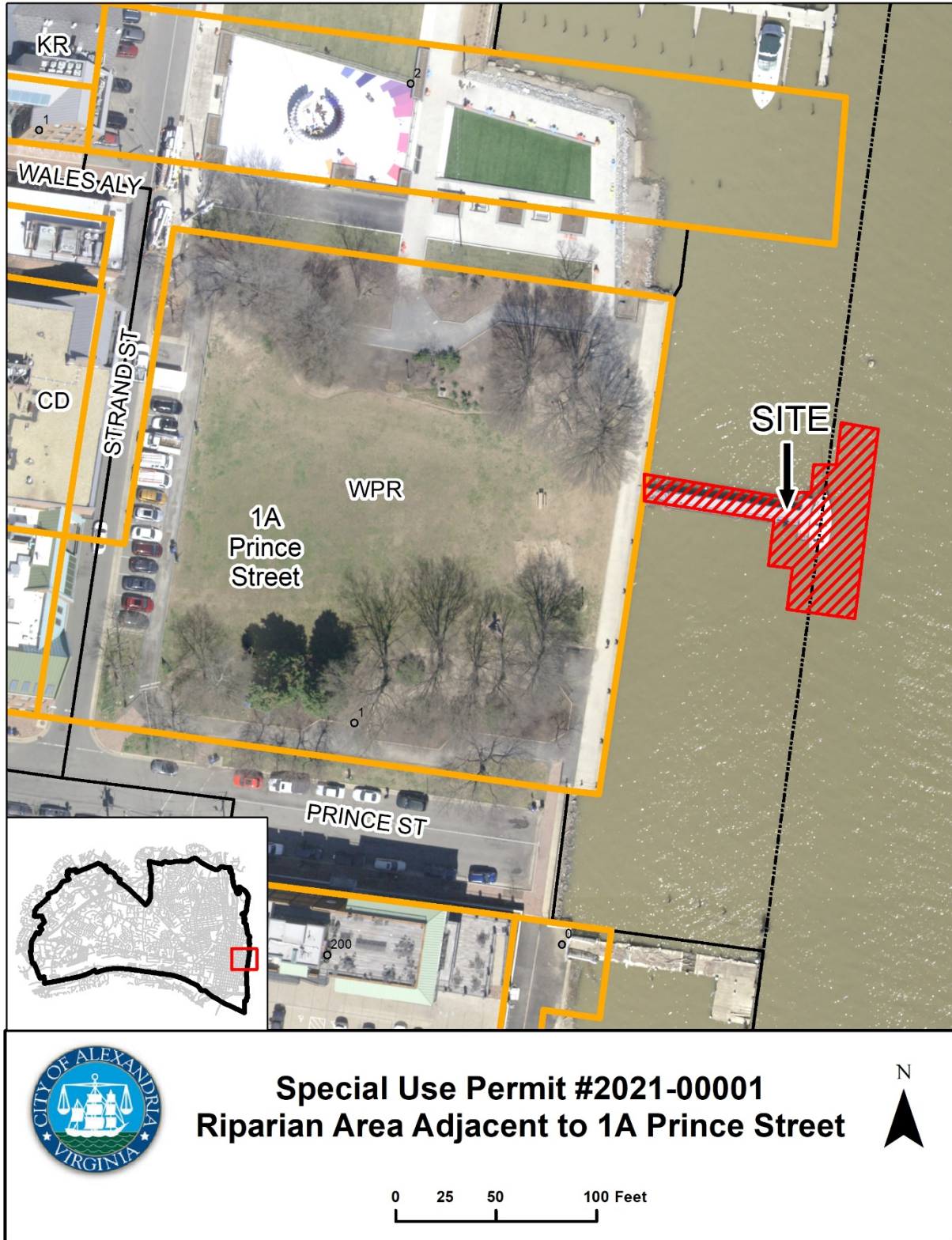
PLANNING COMMISSION ACTION, MARCH 2, 2021:

On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of SUP#2021-00001. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis and is supportive of the project. The Commission revised Condition #2, per the applicant's request to address City code requirements for accessible restrooms on the floating barge.

2. CONDITION AMENDED BY THE PLANNING COMMISSION: The location, design and materials of the floating pier, gangway and two cottages shall be consistent with the SUP application materials presented to the City Council, to the satisfaction of the Director of Planning and Zoning. Necessary modifications to address state or federal requirements may be permitted, subject to review and approval by P&Z and T&ES. If necessary to meeting Building Code requirements, Cottage 1 may be shifted east by approximately five (5) feet and up to an additional sixty (60) square feet may be added to its footprint to provide for accessible restrooms. (P&Z) (PC)

Speaker: Cathy Puskar of Walsh, Colucci, Lubeley & Walsh, P.C., project attorney, spoke in support of the development. Ms. Puskar noted the applicant's request to add the additional language to Condition #2 in order to clarify possible building code requirements for the inclusion of bathrooms onsite. Additionally, in response to Ms. Puskar noted that alcohol sales may be associated with private events associated with the organization and will not be sold as part of the gift shop.



PROJECT LOCATION MAP

I. DISCUSSION

REQUEST

The applicant, Tall Ship Providence Foundation, represented by M. Catharine Puskar, attorney, requests a Special Use Permit (SUP) for facilities used for the docking and berthing of a historic ship and for privately owned, public use buildings connected with the historic ship based on Sections 5-503(C&D) within the riparian area (Potomac River) adjacent to Waterfront Park (1A Prince Street), which is zoned WPR / Waterfront Park and Recreation. This proposal is a revised version of the project approved by the City Council in March 2020.

BACKGROUND

Original SUP Approval

On March 14, 2020, the City Council approved a SUP (SUP#2019-00113) to construct a floating pier consisting of two cottages, deck area, and a gangway that connects the pier to the City's shoreline. These facilities established a facility to support the docking of a historic ship, known as the Tall Ship Providence. Since the approval, due to the ongoing pandemic the foundation has struggled to raise the funding needed to the construct the facilities. Additionally, the original design included structural foundations that were outside the City's pier headline that required additional approvals from the District of Columbia. Once the Tall Ship Foundation made the decision that a smaller, revised project where all structural supports are within the pier headline and no dredging of the riverbed under the ship's mooring location would be needed, the foundation worked with City staff on a revised design. Although the approved use remains the same, the changes in project design and configuration were determined to require a new SUP approval.

Waterfront Plan

The Waterfront Plan adopted by the City in 2012 outlines the planning vision for the City's Potomac River waterfront. The objective of the plan was to provide guidance for a revitalized area with continuous public access to, and increased activity on, the waterfront. The plan recognizes and supports cultural and institutional facilities within the waterfront area that contribute to its current and future viability as a visitor and destination center. One specific goal of the Alexandria Waterfront Small Area Plan is to add a historic ship and emphasize the City's maritime history (page 15).

Since the Plan's adoption in 2012, several of its goals have been met, such as the relocation of the Old Dominion Boat Club (ODBC) building and parking lot in 2017, the completion of the interim Waterfront Park (which combined the King Street Park with the existing Waterfront Park) in 2018, maintenance dredging of the City Marina in 2015, as well as the ongoing redevelopment of the Robinson Terminal South site, which was completed this year. The City is currently in the process of preliminary engineering for the Flood Mitigation Implementation project, which would result in grading and drainage improvements along the waterfront to minimize the nuisance flooding that frequently occurs in this area. Upon completion of the flood mitigation, the City will assess continued waterfront improvements consistent with the Waterfront Plan, which may include the construction of a permanent pier near the foot of King Street and a promenade along the shoreline.

SITE DESCRIPTION

The applicant is seeking to establish the John Warner Maritime Heritage Center to support the docking of a historic ship, known as the Tall Ship Providence. Keeping the same location as was approved under SUP#2019-00113, the applicant is proposing structures in the Potomac River just east of Waterfront Park, between King and Prince Streets. This area is part of the Waterfront Small Area Plan.

Due to the needed 12-foot water depth for the ship, the proposed structures will extend 114'-3" (previously 126'-6") from the shoreline, which is 25'-8" beyond the City's pierhead line and into District of Columbia waters. The applicant is working with the Army Corp of Engineers and the National Park Service for the District of Columbia for all necessary approvals related to the proposed encroachment, and would be required to obtain approvals and permits from all other local, state and federal agencies who have authority over the Potomac River. The facility will be connected to the City's shoreline via gangway connected to the existing bulkhead. The shoreline for this area is part of the City's future Flood Mitigation Implementation project and Waterfront Improvements plan. As such, the structures are proposed to be temporary until future flood mitigation efforts begin.

PROPOSAL

Originally a L-shaped floating barged connected by a shorter gangway to the shoreline, the new proposal involves a smaller floating barge at the end of a longer gangway. The differences between the original design approved in March 2020 and the proposed design are listed below:

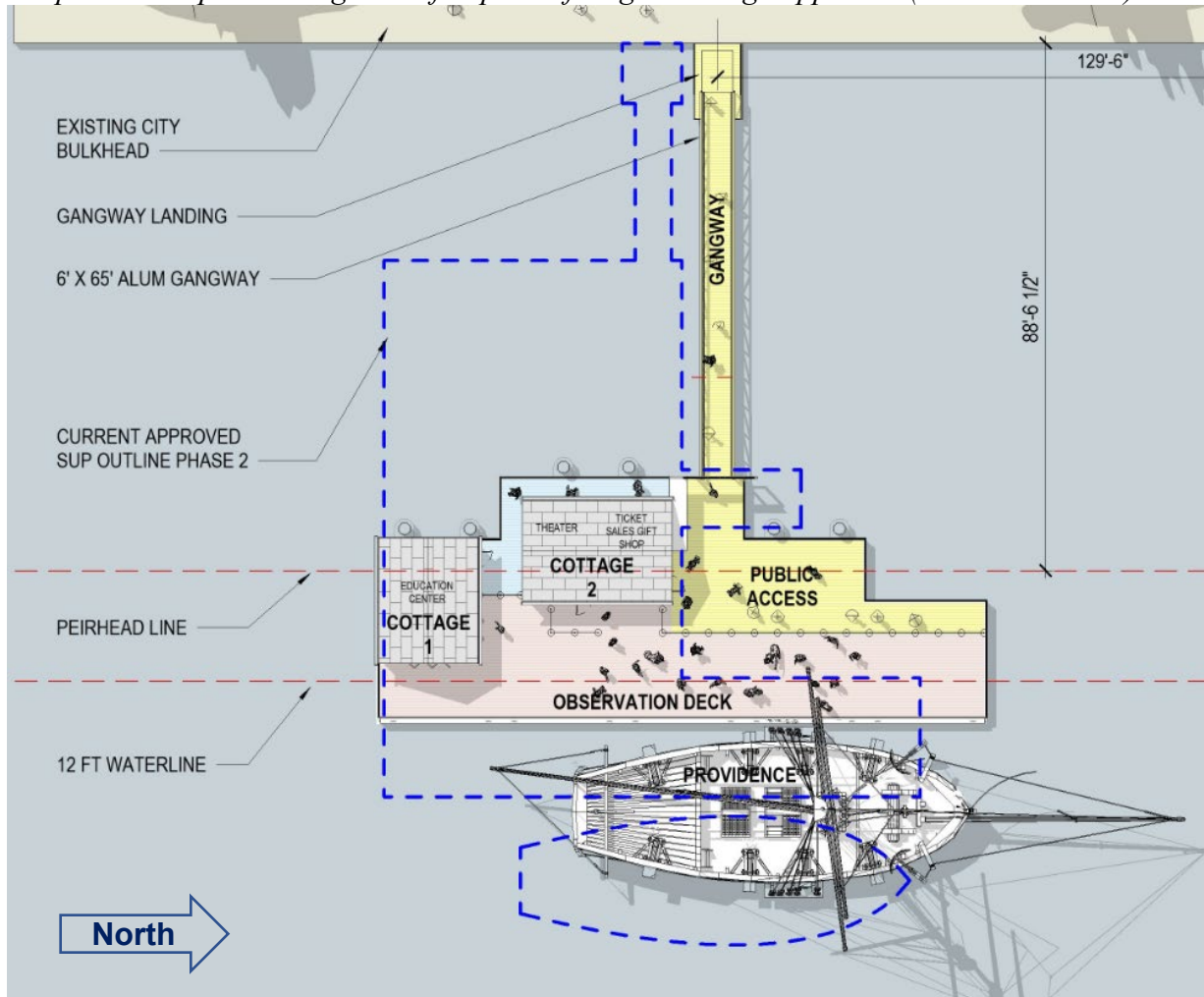
Chart 1: Comparison of original design and proposed design

	Original Design Approval	Current Revised Proposal
Barge	6,000 sq. feet	3,200 sq. feet
Length of Barge	90 feet	100 feet
Gangway Length	30 feet long	65-70 feet long
Cottage 1	760 sq. feet	320 sq. feet
Cottage 2	760 sq. feet	384 sq. feet
Cottage Height	15 feet, 6 inches	13 feet, 6 inches
Public Access	1,060 sq. feet	735 sq. feet

As with the original design, the access to the floating pier will continue to not obstruct any portion of the promenade along Waterfront park, and no permanent structures have been proposed on the shoreline, which would require a certificate of appropriateness from the Board of Architectural Review.

Graphic 1 below shows the proposed new design of the floating barge and gangway. The original footprint approved in March 2020 is indicated with the blue dashed outline. The barge will extend less beyond the pier headline as previously designed, with a T-shape where a six-foot-long gangway connects to the middle of the floating barge.

Graphic 1: Proposed design with footprint of original design approved (blue dashed line)

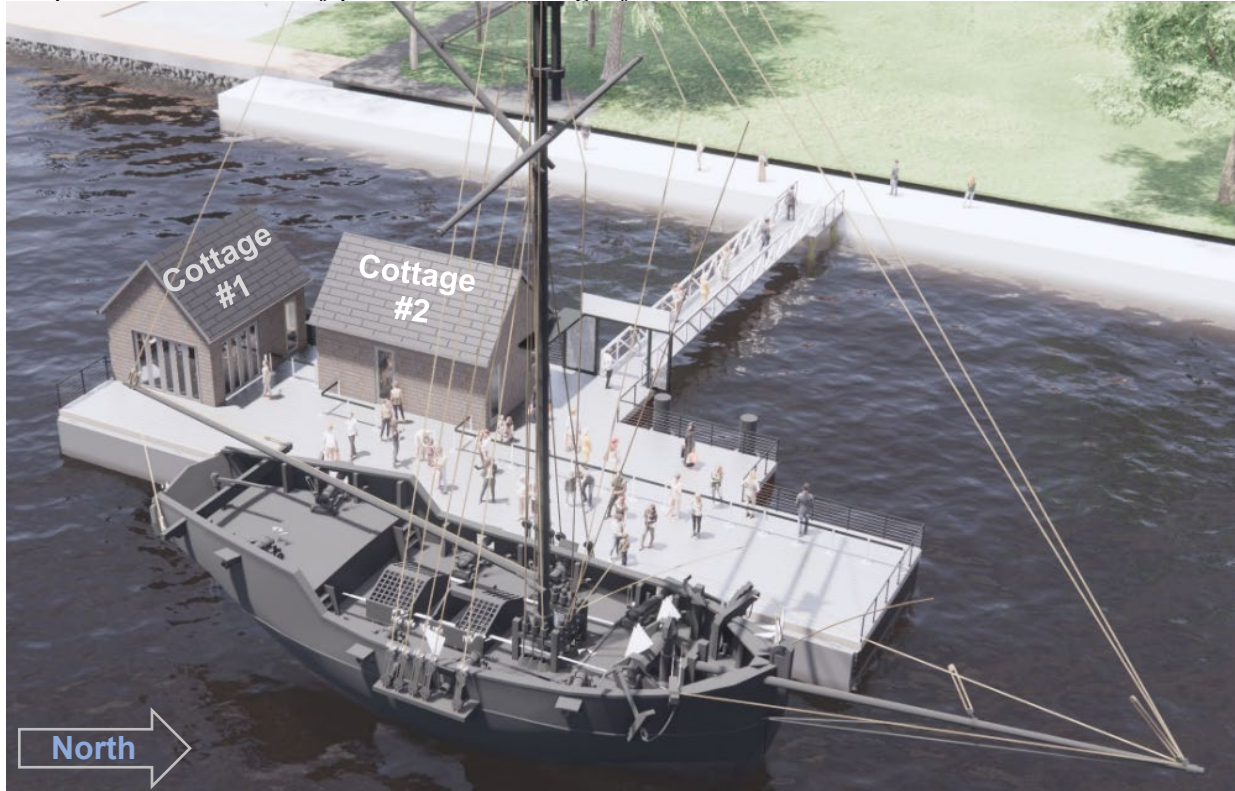


The pier will be stabilized by six piles along western side of the barge, all now located within the City's pier headline. The Tall Ship Providence will continue to be moored at the east end of the pier, which will allow for easy sailing up to and away from the barge. The two slips provided for small ships for smaller boats will be along the north side of the pier have been removed. The security gate will continue to be provided at the point where the gangway connects to the floating pier, which also serves as an entry point for both the public as well as those wishing to purchase tickets to visit the ship. The pier would be open to public during the hours of operation, with the area open to the public shown as the area in yellow. The remainder of the pier will be designated for those who have purchased a ticket to board the tall ship.

The pier will continue to have two cottages, although both reduced in both size and height as indicated above in Chart 1. The design of the buildings, as seen in Graphic 2 below, will have a 12:12 roof pitch and materials intended to mimic the character of small cottages and buildings that were historically found along working waterfronts. The applicant is planning to utilize solar panels on the roof to help power the cottages, which staff has conditioned be designed to blend with the historical character. While the buildings were originally side by side, perpendicular to the shoreline

along the southern side of the pier, the reduced size have grouped the two buildings closer in order to provide more outdoor surface area.

Graphic 2: Aerial view of pier and two cottages from the north-east



Based upon information from the applicant and the floor plans submitted, Cottage #2 will continue to be the ticket office and store where merchandise can be bought. Visitors wishing to board the ship would start here to purchase a ticket, then travel around the building to Cottage #1, in which a historical program providing information about the history of the ship is expected to be offered. The two single-occupancy restrooms originally provided in Cottage #1 have been removed with the new proposal. According to the applicant, visitors will be directed to use public restrooms available on the shoreline. After viewing the education program, visitors would then gather on the deck area and then board the ship. After disembarking the ship, the tour will end in Cottage #2, where a naval history theatre will provide further information on maritime history and the ship. The applicant has stated that due to decrease in overall project scope, the tour groups have been reduced from 25 to 12 people, who will be rotating between these three stations, but a maximum of 150 people continues to be listed as the capacity for the pier, both ticketed visitors as well as the general public. Staff has recommended a condition that prior to connection to the City's shoreline that the floating pier receive certification that load of the structure can accommodate the maximum occupancy of 150 people.

As the applicant is utilizing a portion of the Waterfront Park bulkhead at this location, a franchise agreement will be negotiated with the City that would regulate the operational details for the ship and associated pier, including hours of operation, special events, utility access, relocation of the pier and ship during waterfront maintenance, and improvement activities. The applicant has listed

that the hours of operations have increased to 7:00 a.m. to midnight daily. Originally, the applicant had indicated that public tours would be available from 9 a.m. to 8 p.m. Monday through Friday, and 11 a.m. to 5 p.m. on Saturday, Sunday and Holidays. Like the original SUP approval, they have indicated they will provide private craft beer, pirate and sunset cruises, private charters, as well as lectures, classes and other educational activities. The applicant has requested that the proposed use would include serving beer, wine or mixed drinks associated with private events.

It should be noted that there is an existing floating pier off Waterfront Park, which is used by the Alexandria Seaport Foundation. As part of this project, the applicant will be removing this pier in order to accommodate the proposed new pier. This will be coordinated between the applicant and Alexandria Seaport Foundation.

II. STAFF ANALYSIS

WATERFRONT IMPLEMENTATION

As recommended with the original application, staff continues to recommend approval of the applicant's request to establish a historic vessel and associated structures on the waterfront, which represents another achievement toward the goals of the Waterfront Plan. Particularly near the foot of King Street, the Waterfront Plan wanted to add activity along the waterfront, with plan participants stating they would like to have more things to do, and more opportunities to learn about Alexandria's history, such as museums and tall ships (page 64). This was supported with a recommendation to encourage the active enjoyment of Waterfront Park with elements such as a permanent and/or visiting historic ships and other ships of character (page 66). Although an overall small design, the new pier will continue to center the historic ship on Waterfront Park. This location allows for more open views from King Street towards the water and from the newly installed, and also temporary, Waterfront Park.

As the City continues the implementation of the Waterfront Plan and flood mitigation improvements, the applicant will have to coordinate with the City for the removal of the floating pier and associated structures. The removal of these temporary structures by the applicant is necessary for construction activities that may include construction barges, dredging operations or other activities to implement the City-planned improvements. Condition #6 provides guidance for coordination between the City and applicant regarding timing for the removal of the floating structures and gangway connection to the shoreline. An alternative location for the historic vessel would need to be reviewed at that time, as well as the City's franchise agreement.

ZONING/MASTER PLAN DESIGNATION

The subject site is located in the WPR / Waterfront Park and Recreation zone and is within the Waterfront Small Area Plan boundaries. Section 6-203(C) of the Zoning Ordinance allows "facilities used for docking or berthing of boats or ships, including public or private marinas and/or boat docks with related facilities limited to water and electricity connections" pursuant to a special use permit. Additionally, Section 6-203(E) of the Zoning Ordinance allows "Privately owned public use buildings such as civic auditoriums or performing arts centers" pursuant to a special use

permit. Further, the proposed uses are supported by the Waterfront Small Area Plan, as has been discussed in this report.

PARKING

Pursuant to Zoning Ordinance Section 8-500, off-street parking requirements shall not apply to those properties located immediately abutting the Potomac River. As the subject use is located within the Potomac River, they are exempt from having to provide any off-street parking. Conditions have been added that require the applicant to encourage both its employees and patrons to utilize public transportation and information regarding alternative forms of transportation and access to parking options. The negotiated franchise agreement will require the applicant to ensure visitors to the tall ship are informed of the location of off-street parking.

III. COMMUNITY OUTREACH

The revised proposal was presented and discussed at the January 19, 2021 Waterfront Commission meeting (a copy of the letter of endorsement is attached to this report). The applicant presented the proposal to the commission and responded to questions from the Commission members. The applicant has indicated they will reach out to the Old Dominion Boat Club, in addition to the required public noticing to neighboring properties to the site.

IV. GRAPHICS

Figure 1: Perspective of proposed pier from end of King Street Park



Figure 2: Perspective of proposed pier from Waterfront Park



Figure 3: Comparison of Original vs Proposed Pier Designs (from northwest perspective)

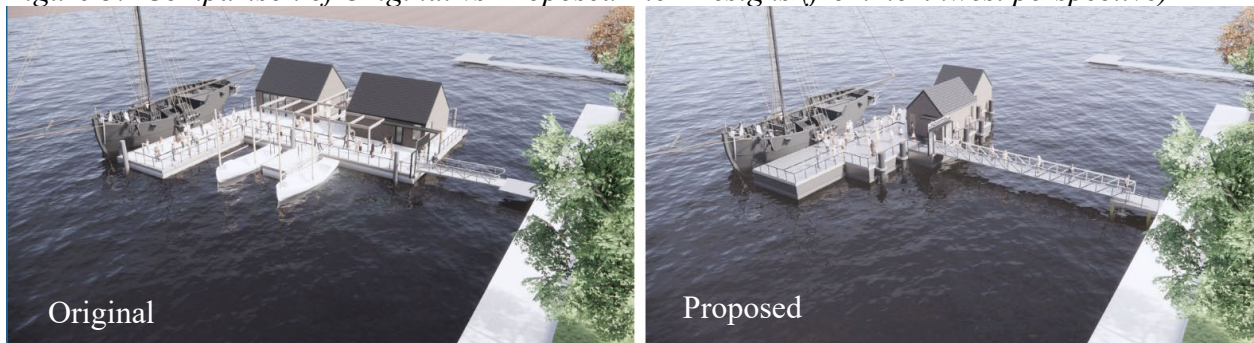


Figure 4: Comparison of Original vs Proposed Pier Designs (from Waterfront Park)



V. RECOMMENDED CONDITIONS

Based on the original conditions granted in March 2020, staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The Special Use Permit shall be granted to the applicant only, subject to approval of a Franchise Agreement with the City. The agreement granting a franchise may not be assigned by the franchisee without the prior written consent of the City, which consent may or may not be granted at the City's discretion. (P&Z)
2. **CONDITION AMENDED BY THE PALNNING COMMISSION:** The location, design and materials of the floating pier, gangway and two cottages shall be consistent with the SUP application materials presented to the City Council, to the satisfaction of the Director of Planning and Zoning. Necessary modifications to address state or federal requirements may be permitted, subject to review and approval by P&Z and T&ES. If necessary to meeting Building Code requirements, Cottage 1 may be shifted east by approximately five (5) feet and up to an additional sixty (60) square feet may be added to its footprint to provide for accessible restrooms. (P&Z) (PC)
3. Any solar photovoltaic roof installation shall be visually undetectable and take the form of either slate/shingles or completely integrated into traditional standing-seam metal roofing, with no visible wiring or glass PV panels. (P&Z)
4. All required state and federal permits must be obtained prior to issuance of any permits for the floating pier, gangway and associated cottages. Copies of those permits must be filed with all relevant city agencies. (T&ES)(DPI)(P&Z)(RP&CA)
5. Certification by a Registered Design Professional shall be submitted prior to connection of the gangway to the shoreline that the maximum occupancy of 150 people is based on the load allowed on the floating pier. (RPCA) (DPI)
6. The gangway connecting the floating pier to the shoreline shall not measure less than six (6) feet in width. (P&Z)(RPCA)
7. Structures connecting to the shoreline shall not restrict public access along the waterfront. (P&Z)(DPI)(RP&CA)
8. Structural, electrical and water connections to the bulkhead line shall be coordinated with the Department of Project Implementation prior to construction. The applicant shall be responsible for the installation of any new utilities. (DPI)(RP&CA)
9. At such time as the City moves forward with the implementation of the City's proposed waterfront and flood mitigation improvements to this area, the Applicant shall remove and relocate the floating pier, gangway, cottages and any other associated structures to an interim location to be determined in consultation with the City. The timing associated with

the removal and relocation of the floating pier, gangway, cottages and any other associated structures shall be in compliance with the Franchise Agreement. (P&Z)(DPI)(RP&CA)

10. No outdoor storage of furniture (including tables, chairs or umbrellas), equipment or accessory material, etc. not related to the docking and berthing of boats and ships or other personal watercrafts, are allowed on the floating pier. The floating pier may have one storage box for the storage of safety equipment and other docking material not to exceed the dimensions of 60" x 25" x 25". (P&Z)(RP&CA)
11. Any private event occurring on the pier and/or in the cottages shall be subordinate to the primary use as a facility used for the docking or berthing of boats or ships and privately owned public use buildings. Such private events shall be in compliance with the terms set forth in the Franchise Agreement. (P&Z)(RP&CA) (T&ES)
12. Alcoholic beverages may only be sold as part of private events associated with the Tall Ship Providence. (P&Z)
13. Any additional structures not identified in the application shall be subject to review and approval by the Director of Planning & Zoning. (P&Z)
14. The applicant shall require its employees who drive to use off-street parking. (T&ES)
15. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
16. The applicant shall direct patrons to the availability of parking at nearby public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Strategy (Old Town Area Parking Study). (T&ES)
17. 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 for more information about available resources. (T&ES)
18. The applicant shall contact the T&ES parking planner at 703.746.4025 for information about applying to participate in the Discount Parking Program for Employees of Old Town Businesses (or other similar program if one is created) that offers discounted parking at select City parking facilities on evenings and weekends. (T&ES)
19. Applicant shall 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)

20. A Water Quality Impact Assessment (WQIA) will be required. A pier is a water dependent facility and therefore allowed in the RPA, provided a water quality impact assessment is performed by the applicant and accepted by the City. (SWM)
21. Up to two affixed trash receptacles may be located on the floating pier. The trash receptacles shall be emptied at the end of each business day. Any overnight storage of trash must be located inside the cottages until such time as trash removal occurs. Trash and garbage shall be stored inside or in sealed containers inside the buildings 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. (P&Z) (T&ES)
22. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
23. 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)
24. The use must comply with the City's noise ordinance. No amplified sound including that from the PA (Public Announcement) system shall be audible at the shoreline line after 11 PM. (T&ES)
25. No equipment or other items such as floor mats shall be cleaned outside the buildings. No cooking residue or other wastes shall be washed onto the pier or into the River. (SWM)
26. Outdoor spills must be cleaned up by mopping or dry methods that do not produce a discharge to the River. (SWM)
27. Chemicals, solvents, cleaning agents, etc. shall not be stored outside. (SWM)
28. 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)
29. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the

Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Planning & Zoning

- C-1 This project is located within the Historic District, which extends to the pierhead line. Cottages on the floating pier do not require BAR review at this time because the structures are considered temporary. No permits for any permanent structures shall be issued prior to release of a Certificate of Appropriateness from the Board of Architectural Review. (BAR)

Transportation & Environmental Services:

- F-1 The plans shall be consistent with the Waterfront Small Area Plan for public access along the waterfront. (T&ES)
- F-2 The buildings are located on a floating structure and not on land. As such, they are not regulated by Stormwater Management or the Chesapeake Bay regulations. (SWM)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

- C-1 A building permit, plan review and inspections are required prior to the start of construction or prior to installation of the structure at the approved location. (Code Administration)

Health Department:

- C-1 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.
- C-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.
- C-3 Construction plans shall comply with Commonwealth of Virginia Sanitary Regulations for Marinas and Boat Moorings (12 VAC 5-570) and Sewage Handling and Disposal Regulations (12 VAC 5-610).

Parks and Recreation:

- F-1 Additional operating conditions will be included in the City negotiated Franchise Agreement. The applicant is not permitted to operate or include activities in support of the use of the pier from the adjacent land without a written agreement with the City.
- F-2 Any proposed use of Waterfront Park will require the completion of a Special Events Application consistent with the Special Events Policy.

Fire Department:

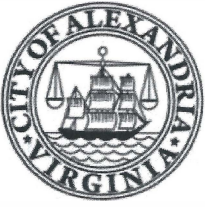
- C-1 A fire prevention permit is required due to occupancy condition – assembly.

Police Department:

No comments received.

VI. ATTACHMENTS

1. Waterfront Commission letter of Endorsement, dated February 12, 2021.



Alexandria Waterfront Commission

Department of Recreation, Parks and Cultural Activities

1108 Jefferson Street

Alexandria, Virginia 22314

February 12, 2021

Honorable Mayor and members of City Council
Honorable Members of the Planning Commission

Re: Tall Ship Providence Foundation Docking Facility Re-Submission

The Waterfront Commission endorsed the staff recommendation to approve the re-submitted permit application from the Tall Ship Providence Foundation to dock the Tall Ship Providence on the bulkhead of Waterfront Park, 1A Prince Street at its January 19, 2021 meeting. The docking of a historical tall ship is consistent with the recommendations of the Waterfront Plan. In addition, the Commission finds the revised plan, which reduces the size of the docking facility, provides for reduced visual barriers along the City's waterfront.

Although the Commission fully endorsed this recommendation, the Commission recommended staff ensure the docking facility is compliant with all aspects of the Americans with Disabilities Act, specifically the access gangway. Further, the applicant is encouraged to work with the City to ensure no adverse effects result from the docking including traffic and parking congestion, excess trash and other disruptions to the community.

The Waterfront Commission appreciates the opportunity to provide these recommendations to the Planning Commission and City Council and looks forward to continued collaboration to implement the Waterfront Small Area Plan.

Sincerely,

Stephen Thayer, Chair
Alexandria Waterfront Commission

cc: Alexandria Waterfront Commission Members
Mark Jinks, City Manager
Karl Moritz, Director, Planning & Zoning
Jack Browand, Staff Liaison, Alexandria Waterfront Commission



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 1 A Prince Street

TAX MAP REFERENCE: 075.01-05-08 **ZONE:** WPR

APPLICANT:

Name: Tall Ship Providence Foundation

Address: 201 N Union Street, Suite 110, Alexandria, VA 22314

PROPOSED USE: Amendment to SUP 2019-0113 for revisions to facilities used for docking and berthing of boats or ships and privately owned public use buildings.

☒ **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

MCPuskar 1/4/21

Signature

Date

703-528-4700

703-525-3197

Telephone #

Fax #

cpuskar@thelandlawyers.com

Email address

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

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

PROPERTY OWNER'S AUTHORIZATION

As the property owner of _____ the riparian area adjacent to 1A Prince Street _____, I hereby
 (Property Address) docking and berthing of boats or ships, and
 grant the applicant authorization to apply for the privately owned public use buildings use as
 (use)
 described in this application.

Name: James B. Spengler Phone: 703.746.5502
 Please Print
 Address: 1108 Jefferson Street, Alexandria VA 22314 Email: james.spengler@alexandriava.gov
 Signature: *James B. Spengler* Date: 01/07/2021

- 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.

Tall Ship Providence Foundation is an educational non-profit organization.

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 Tall Ship Providence	201 N Union Street	100%
² Foundation	Suite 201	
³		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1A Prince 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 City of Alexandria	301 King Street	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 indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
¹ Tall Ship Providence	None	None
² Foundation		
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.

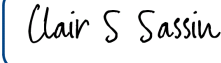
As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

01/04/21

Date

Clair S. Sassin

Printed Name

DocuSigned by:

 5C6C0530B02B4GF...
 Signature



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

Re: Authorization to File an Amendment to a Special Use Permit Application
1A Prince Street
Tax Map ID: 075.01-05-08 (the "Property")

Dear Mr. Moritz:

The Tall Ship Providence Foundation hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of an amendment to a Special Use Permit Application and any related applications or requests on the Property.

Very truly yours,

TALL SHIP PROVIDENCE FOUNDATION

Clair S. Sassin

By: Clair S. Sassin

Its: Executive Director

Date: January 4, 2021

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.

Tall Ship Providence Foundation
Special Use Permit – Narrative Description

January 4, 2020

On October 2, 2019, the City of Alexandria awarded a Franchise Ordinance for a Historic or Replica Historic Tall Ship Mooring at the City Marina to the Tall ship Providence Foundation (the “Applicant”). On March 14, 2020 the City Council approved a Special Use Permit (SUP 2019-0113) for the Applicant to construct a barge and two small buildings in furtherance of the proposal for the Senator John Warner Maritime Heritage Center to be located on the Waterfront in accordance with the franchise agreement. The Applicant is now requesting an amendment to the approved SUP to permit revisions to the design and layout of the approved pier and cottages, which are necessary to the operation of the interpretive and cultural programming associated with the Tall Ship *Providence* (the “*Providence*”).

Per Section 6-203, “facilities used for docking or berthing of boats or ships, including public or private marinas and/or boat docks with related facilities limited to water and electricity connections” and “privately owned public use buildings” are permitted by Special Use Permit in the Waterfront Park and Recreation Zone (WPR). As such, the Applicant is requesting this amendment.

The proposed pier, located in Old Town and adjacent to Waterfront Park, is required to moor the *Providence* in Alexandria. Additionally, the two cottages are designed to serve as the visitor center/museum and will support the cultural and historical programming associated with the *Providence*. The proposed cottages have been situated on the pier in order to maximize views to *Providence* from Old Town.

Consistent with the original approval, the Applicant proposes to construct two cottages on the new pier. However, while the proposed location of the improvements along the Waterfront remains the same, due to economic impacts associated with the pandemic and for engineering purposes, the proposed scope of the project, including the footprint and size of the barge and cottages, has been revised.

A summary of the proposed revisions from the original approval is as follows:

	Approved SUP	Proposed Amendment
Barge	6,000 sq. feet	3,200 sq. feet
Length of Barge	90 feet	100 feet
Gangway Length	30’ long	65-70’ long
Cottage 1	760 sq. feet	320 sq. feet
Cottage 2	760 sq. feet	384 sq. feet
Cottage Height	15 feet 6 inches	13 feet 6 inches
Public Access	1,060 sq. feet	735 sq. feet

In addition, the bathrooms, pergola and finger pier for other boats, which were included in the original approval, have been removed from the current proposal.

The following is a more detailed explanation of the proposed revisions:

- **Reduction in Overall Square Footage** The reduced scope of the project is based on two key items:
 - First, the pandemic has delayed the Tall Ship Providence Foundation's Capital Campaign, which has, in turn, impacted the ability to move forward with the permitting process and the establishment of the Tall Ship Providence Maritime Heritage Center at Waterfront Park. In light of the ongoing severe economic conditions, the Applicant is reducing the scope of the proposed improvements to facilitate the opening of the Tall Ship Providence Maritime Heritage Center in the summer of 2021.
 - Second, based on information from Moffatt Nichols, the engineers for the project, the proposed design supports all the requirements from a marine engineering perspective. The updated design will allow the floating barge to be secured from within the pier headline and will not require any dredging.
- **Increase in the Length of the Barge** – The Applicant is requesting an additional 10 feet to the original length of the barge to improve sight lines from King Street, enhance crowd control as tour groups are boarding and debarking and provide additional square footage for the public access area.
- **Increase in the Length and Location of the Gangway** – As a result of the reduced size of the barge and the need to avoid dredging, the Applicant is requesting that the length of the gangway be increased from 30 ft to approximately 70 ft. While the gangway has been relocated slightly to the north, the southern boundary of the barge remains consistent with the original approval.
- **Revision in the Orientation, Height and Size of the Cottages -**

Both Cottages will serve the same purpose and will remain the same in terms of look and feel as approved in the original SUP. However, the orientation, height and size of the cottages has been revised.

- **Orientation of the Cottages** –Cottage 1 is in the same position relative to the ship as in the original approval. Cottage 2 has been rotated so that it is now parallel to the ship. The revised placement of Cottage 2 will allow for the same circulation as approved in the original SUP, i.e., the ticket office will be fully accessible once someone leaves the gangway and steps onto the barge. The new orientation will also allow public access to the Gift Shop while not disturbing the flow of the tours. It is important to note that even with the new placement of Cottage 2, the overall size of that cottage as seen from the shoreline is the same width that was approved in the original SUP.
- **Height & Pitch of the Cottage Roofs** – The proposed height of the cottages has been reduced to 13 feet 6 inches from the approved 15 feet 6 inches. The pitch will remain the same at 12/12.

- **Size of the Cottages** - Both cottages have been significantly reduced in size from the original approval. In the approved SUP, the cottages were 24' x 32' or approximately 760 square feet per cottage for a total of 1,520 square feet. The proposed size of the cottages is now 16' x 20' or 320 square feet for cottage 1 closest to the ship, and 16' x 24' or 384 square feet for cottage 2, for a total 704 square feet.

The Education Center and first stop on the tour will continue to be located in Cottage 1, while the Naval History Theater, Gift Shop and Ticket Office will continue to be located in Cottage 2. The new design will still allow for the full hour-long program as originally planned with three tour groups per hour. However, the capacity for the tour group has been reduced from 25 to 12 people per tour based on the reduced size of the buildings.

Cottage #1 will have four to five benches to hold up to 12 guests and one staff member, and will serve as a classroom-like space for guests to learn about *Providence* before boarding. This cottage will also include a tiny staff room. Cottage #2 will house the ticket booth, gift shop, a small gallery, the theater, and storage. Both cottages will sit on a floating barge, and the roof of the cottages will be covered with solar panels or solar roof tiles. Please see attached plans for more details.

The two cottages and the barge have been designed to respect the Waterfront Park and the Old and Historic Alexandria District. The overall sight lines from King Street and Waterfront Park will be enhanced based on the reduced size of the barge and cottages and the fact that they will be located farther out in the water than originally approved. The Applicant's goal is to provide an interactive experience that will allow visitors to see what life was like in the Continental Navy during the American Revolution. The Applicant looks forward to working with the City to realize this exciting project, which will provide additional interest and activity on the waterfront.

Concurrent with this application, the Applicant is also processing the necessary approvals with the Army Corps Engineers, National Park Service, and other agencies as required with a goal of opening the Senator John Warner Maritime Heritage Center in the summer of 2021.

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).

A maximum of 150 patrons at any given time.

B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).

Approximately 8-9 per shift.

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

Day:
7AM-midnight daily

Hours:

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

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

The use will comply with the noise ordinance.

B. How will the noise be controlled?

Staff will monitor the Property for noise-related issues.

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

Staff will monitor the site for odor sources and address concerns appropriately.

- 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)

Paper, food and drink waste.

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

Trash production will vary seasonally and with events. An agreement for trash removal will be reached with a local company.

- C. How often will trash be collected?

As often as necessary.

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

Staff will monitor the site for litter and address concerns appropriately.

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

☐ Yes.

☒ No.

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

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

☒ Yes. ☐ No.

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

Cleaning materials will be used on the property and will be disposed of in
accordance with federal, state, and local laws.

- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons?
 On-site Staff will monitor the Property for safety-related issues. A security gate
separating the gangway from the bulkhead. There will also be security cameras
 in the cottages and trained on the ship. The Applicant has detailed the security
arrangement in the Franchise Ordinance Proposal under Tab VIII, Number 3,
"Life/Safety."
-

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.

Appropriate licenses will be acquired prior to the sale of alcohol.

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.

Planning and Zoning Staff Only

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

Does the application meet the requirement?

☐ Yes ☐ No

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

☐ on-site

☐ off-site

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

No on-site parking is required pursuant to Section 8-500.

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? NA

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? No off-site loading is required for this use.
- C. During what hours of the day do you expect loading/unloading operations to occur?
Loading will not occur between 11PM and 7AM.
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
As often as necessary.

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?

The site will be accessed through a public park.

SITE CHARACTERISTICS

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

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

0 sq. ft. (existing) + 704 sq. ft. (addition if any) = 704 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: Two small buildings on a barge.

End of Application

HGA



TALL SHIP PROVIDENCE

SENATOR JOHN WARNER MARITIME HERITAGE CENTER
HOME OF THE TALL SHIP PROVIDENCE

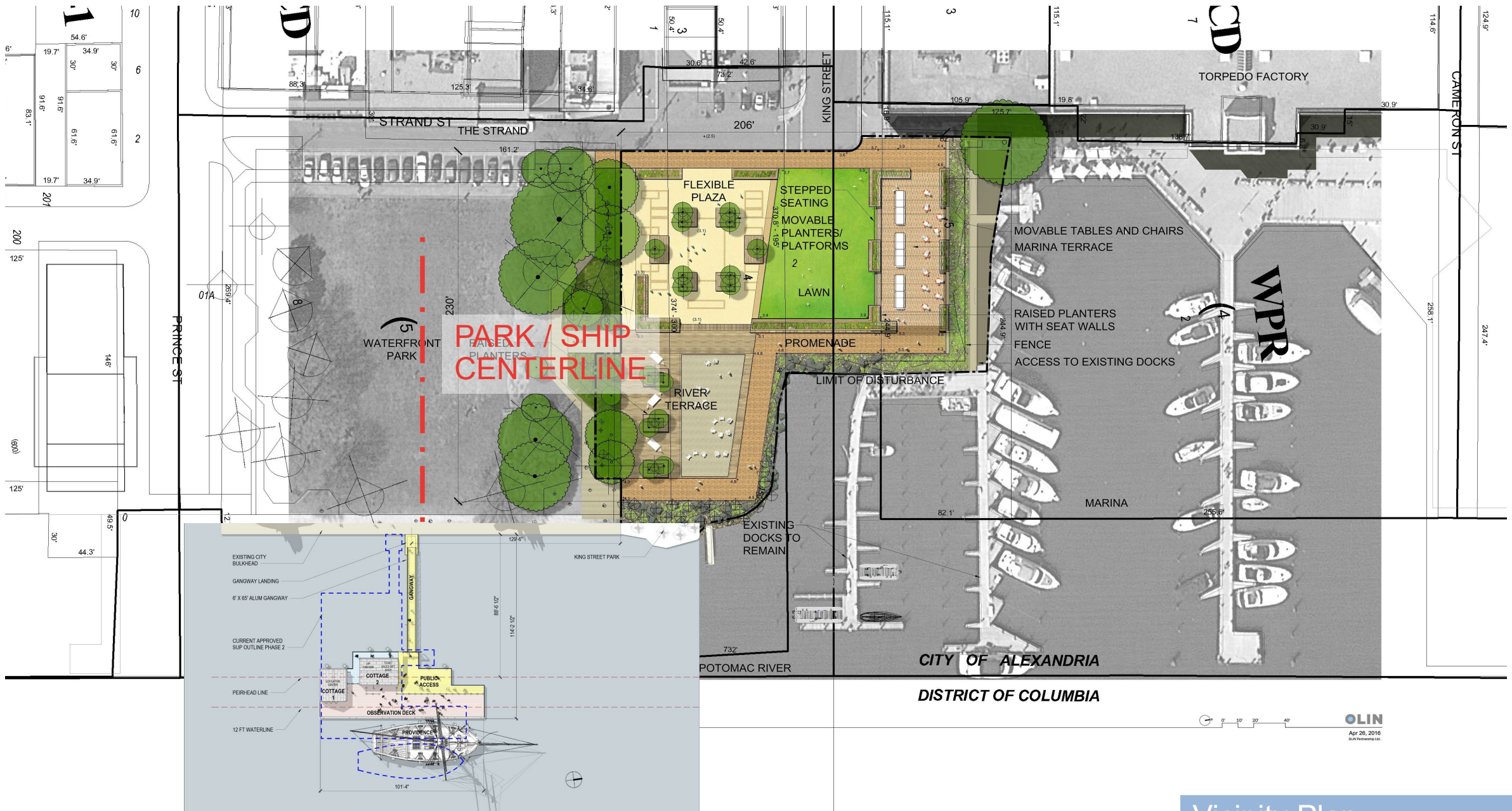
SUP SUBMISSION - 01/04/2021



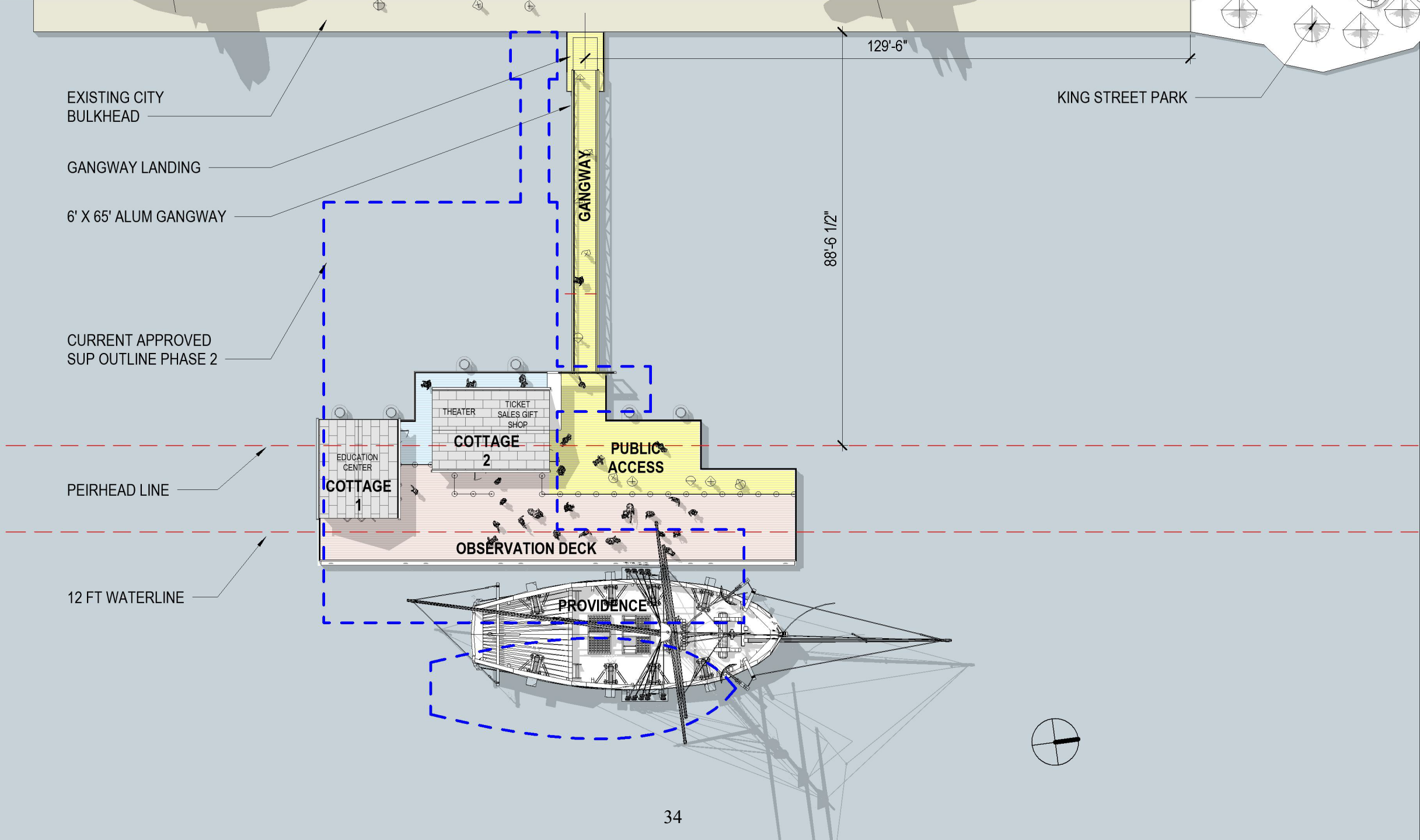




Image Added for Historic
Context - Jamestown c 1750



Vicinity Plan



EXISTING CITY
BULKHEAD

GANGWAY LANDING

6' X 65' ALUM GANGWAY

CURRENT APPROVED
SUP OUTLINE PHASE 2

PEIRHEAD LINE

12 FT WATERLINE

129'-6"

KING STREET PARK

88'-6 1/2"

GANGWAY

THEATER
TICKET
SALES GIFT
SHOP

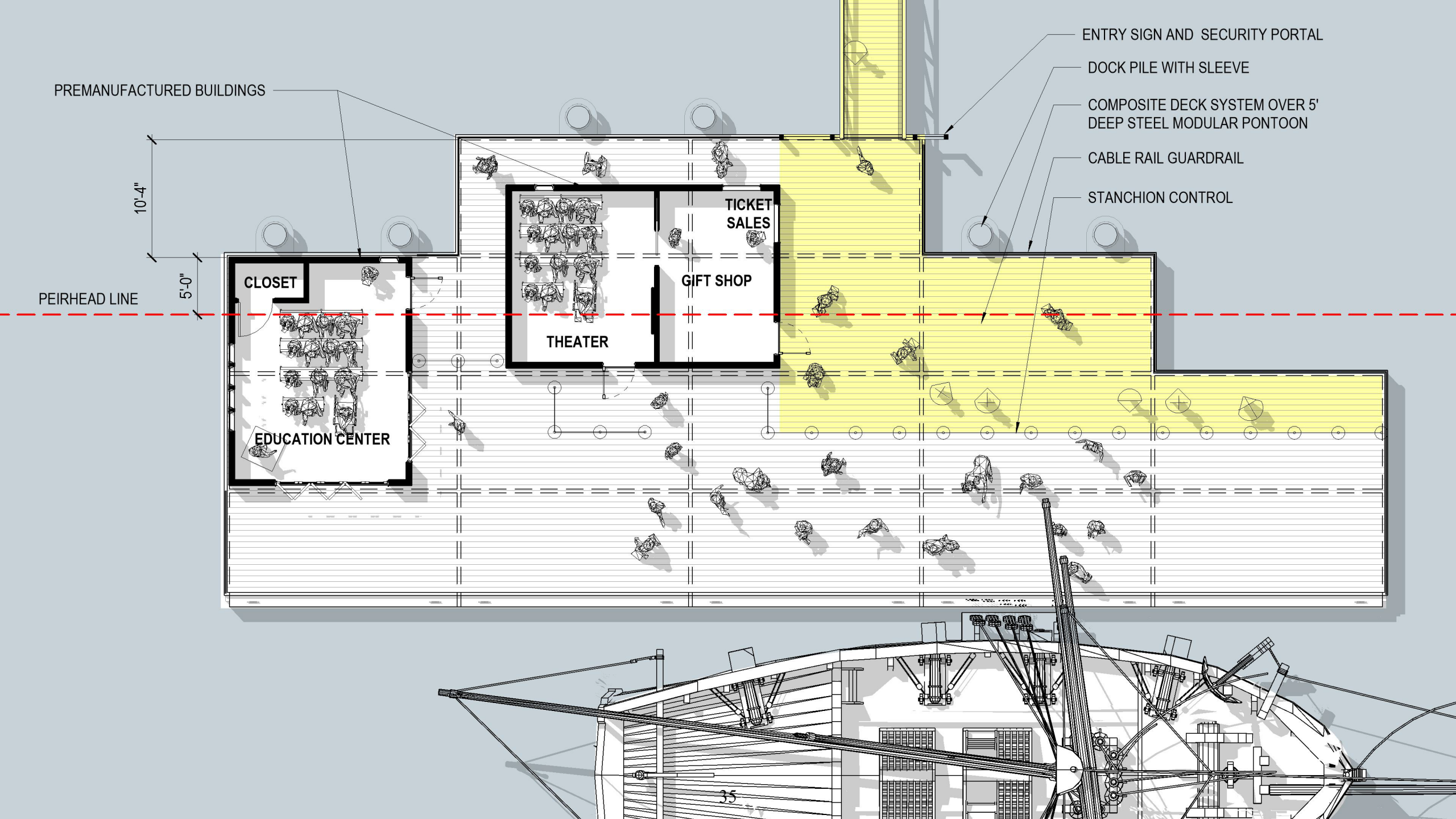
COTTAGE
2

PUBLIC
ACCESS

EDUCATION
CENTER
COTTAGE
1

OBSERVATION DECK

PROVIDENCE



PREMANUFACTURED BUILDINGS

10'-4"

PEIRHEAD LINE

5'-0"

CLOSET

EDUCATION CENTER

THEATER

TICKET
SALES

GIFT SHOP

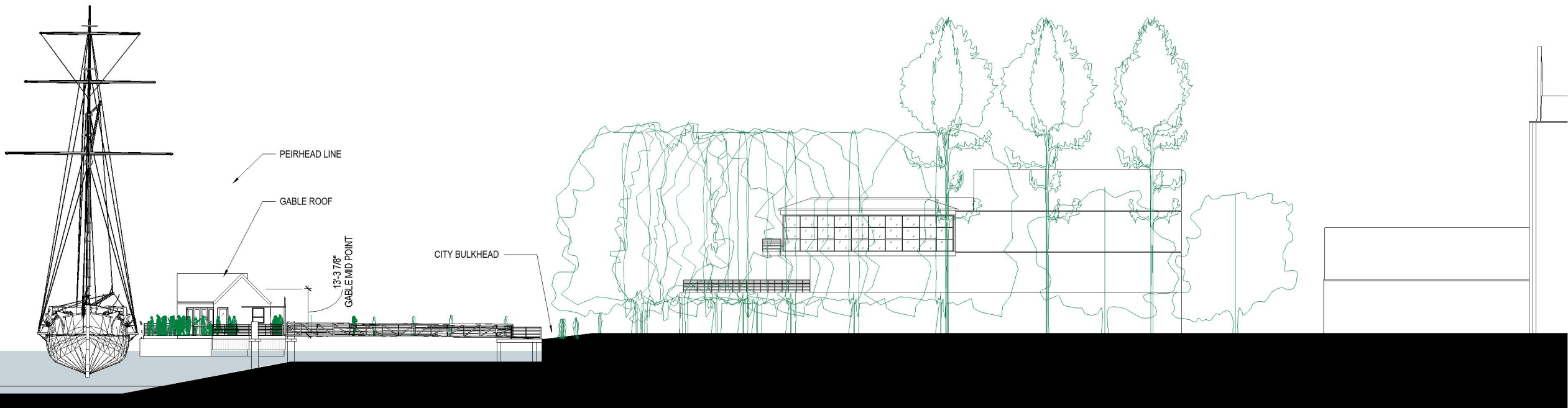
ENTRY SIGN AND SECURITY PORTAL

DOCK PILE WITH SLEEVE

COMPOSITE DECK SYSTEM OVER 5'
DEEP STEEL MODULAR PONTOON

CABLE RAIL GUARDRAIL

STANCHION CONTROL



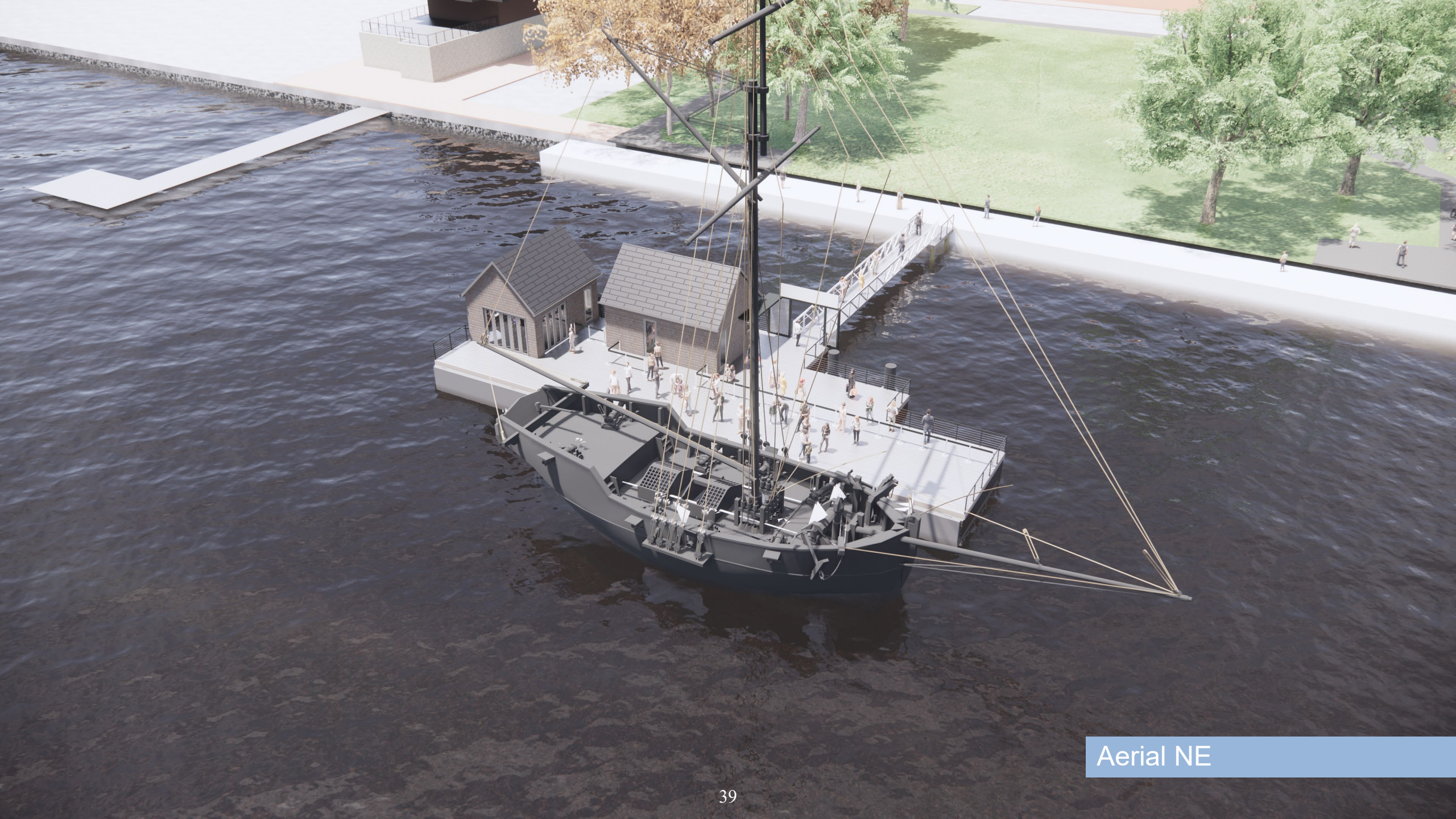
Site Section



King Street Plaza



Aerial NW



Aerial NE



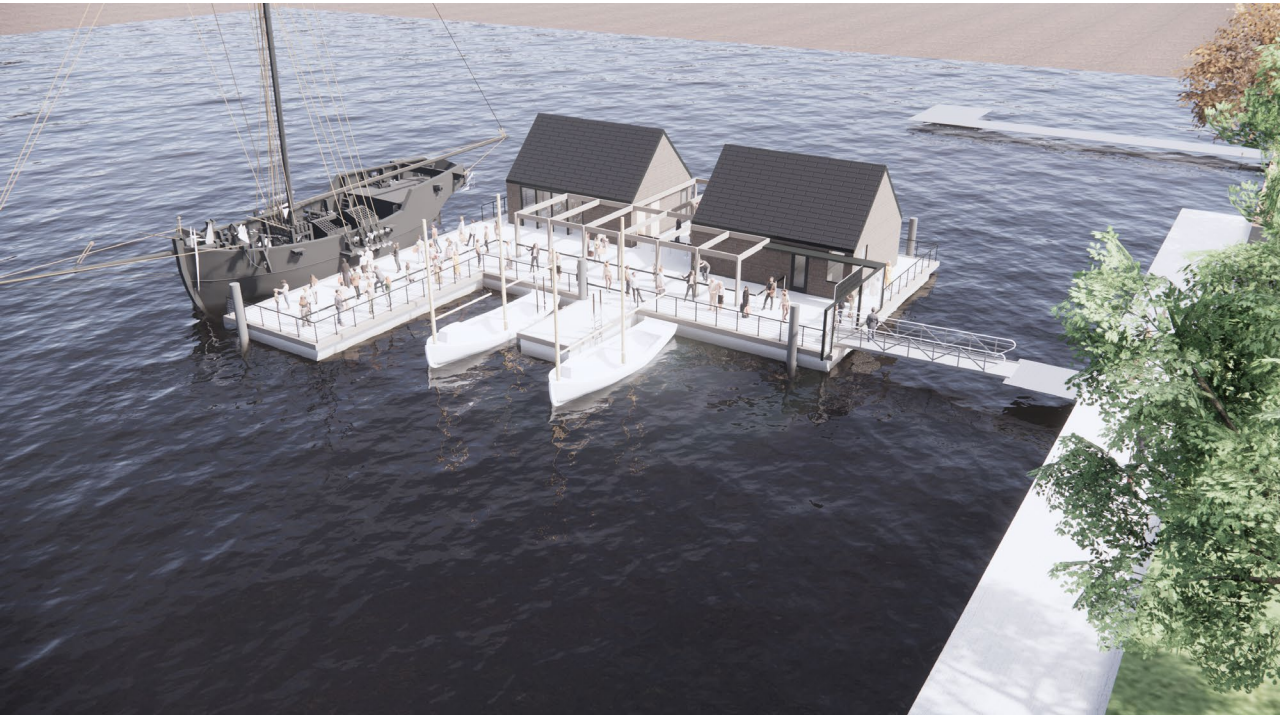
Aerial SW



COMPARISON TO APPROVED SUP



King Street Plaza



Aerial NW



Waterfront Park Entry

From: Puskar, M. Catharine <cpuskar@thelandlawyers.com>

Sent: Tuesday, March 2, 2021 4:21 PM

To: Nathan Macek <natemacek@hotmail.com>; mindyllyle@comcast.net; mmcmahonpc@gmail.com; dwbapc@gmail.com; Stephen Koenig <swkoenig@icloud.com>; Vivian Ramirez <vcdramirez@gmail.com>; John Goebel <johngoebel@gmail.com>

Cc: Karl Moritz <Karl.Moritz@alexandriava.gov>; Robert Kerns <robert.kerns@alexandriava.gov>; Dirk Geratz <Dirk.Geratz@alexandriava.gov>; Abigail Harwell <Abigail.Harwell@alexandriava.gov>; Jack Browand <Jack.Browand@alexandriava.gov>

Subject: [EXTERNAL]Docket Item #8 - Tall Ship Providence SUP 2021-00001

Chairman Macek and Members of the Planning Commission,

It has recently come to my client's attention that restrooms may be required for the proposed use, despite the reduction in size of the overall program. We intend to request a Code modification to permit patrons to utilize public restrooms at Robinson Terminal South or the Torpedo Factory, which facilities are 1,056 feet in either direction. However, to the extent that Code does not approve the modification, we would need to provide them within one of the proposed cottages. Condition #2 already provides for necessary modifications to meet state and federal requirements, which would include Building Code requirements. However, to avoid any confusion in the future, we would like to request that the following sentence be added to the end of Condition #2:

2. The location, design and materials of the floating pier, gangway and two cottages shall be consistent with the SUP application materials presented to the City Council, to the satisfaction of the Director of Planning and Zoning. Necessary modifications to address state or federal requirements may be permitted, subject to review and approval by P&Z and T&ES. If necessary to meeting Building Code requirements, Cottage 1 may be shifted east by approximately 5 feet and up to an additional 60 square feet may be added to its footprint to provide for accessible restrooms.

Please let me know if you have any questions. Otherwise, I look forward to seeing you this evening.

Best,

Cathy

Attorney-Client Privileged Communication: The information in this email and attachments is attorney-client privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please delete it and immediately notify us by email or by phone. Thank you.

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