



DOCKET ITEM #6
Encroachment #2021-00001
2800 Hope Way – Episcopal Church of the Resurrection

CONSENT AGENDA ITEM

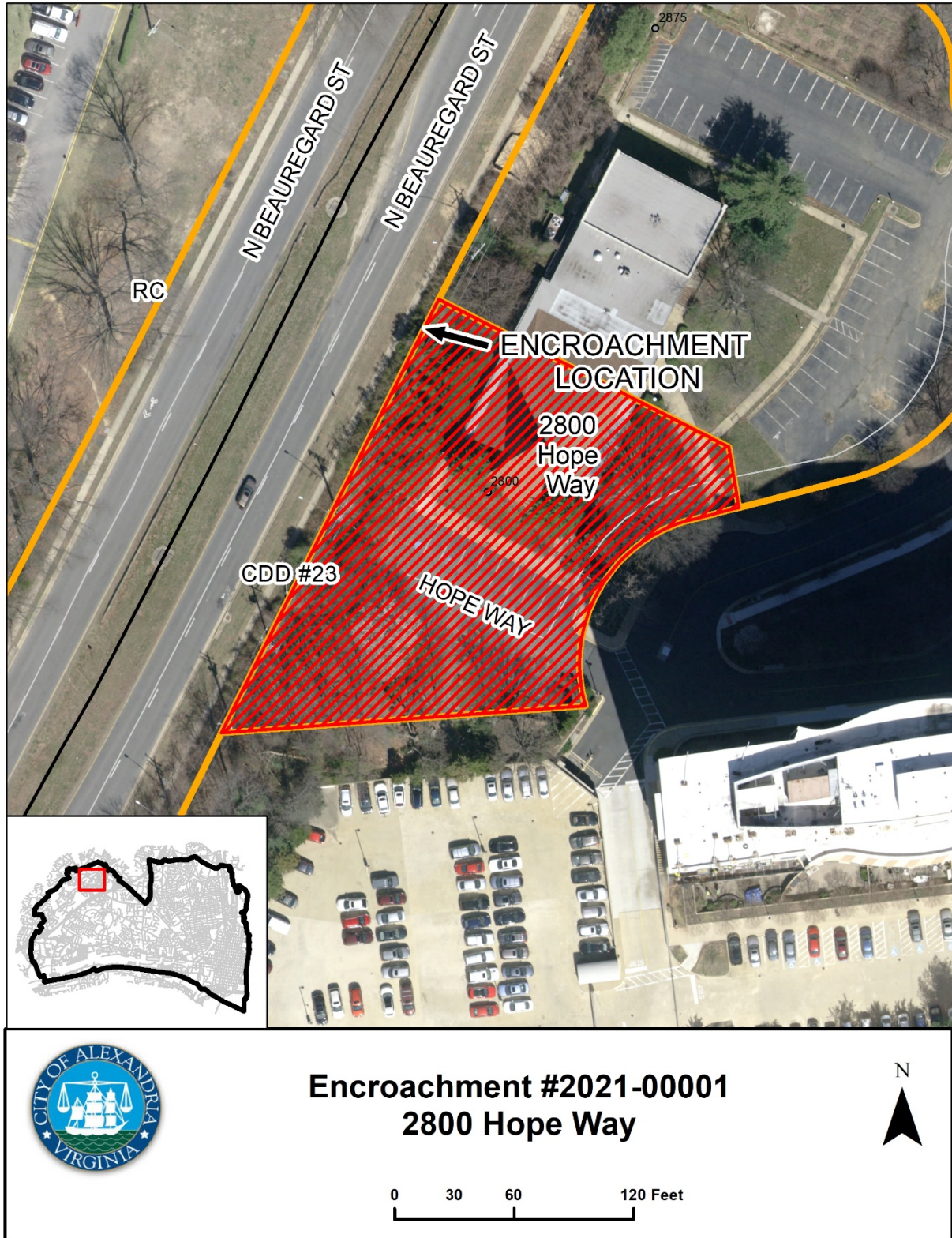
If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
Request: Public hearing and consideration of a request for an Encroachment of a staircase in the public right-of-way at 2800 Hope Way.	Planning Commission Hearing:	May 4, 2021
	City Council Hearing:	May 15, 2021
Address: 2800 Hope Way	Zone:	CDD #23/Coordinated Development District #23
Applicant: AHC, Inc., a Virginia Nonstock Corporation & Episcopal Church of the Resurrection	Small Area Plan:	Beauregard

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

Staff Reviewers:

Jared Alves, Urban Planner III, jared.alves@alexandriava.gov
Maya Contreras, Principal Planner, maya.contreras@alexandriava.gov
Robert Kerns, AICP, Division Chief, robert.kerns@alexandriava.gov



Encroachment #2021-00001
2800 Hope Way

PROJECT LOCATION MAP¹

¹ Base photo from 2019 prior to the redevelopment of the site.

I. DISCUSSION

The applicant, AHC Inc. and Episcopal Church of the Resurrection, requests approval for a 108 sq. ft. encroachment for a portion of staircase that extends into the North Beauregard Street right-of-way adjacent to 2800 Hope Way.

SITE DESCRIPTION

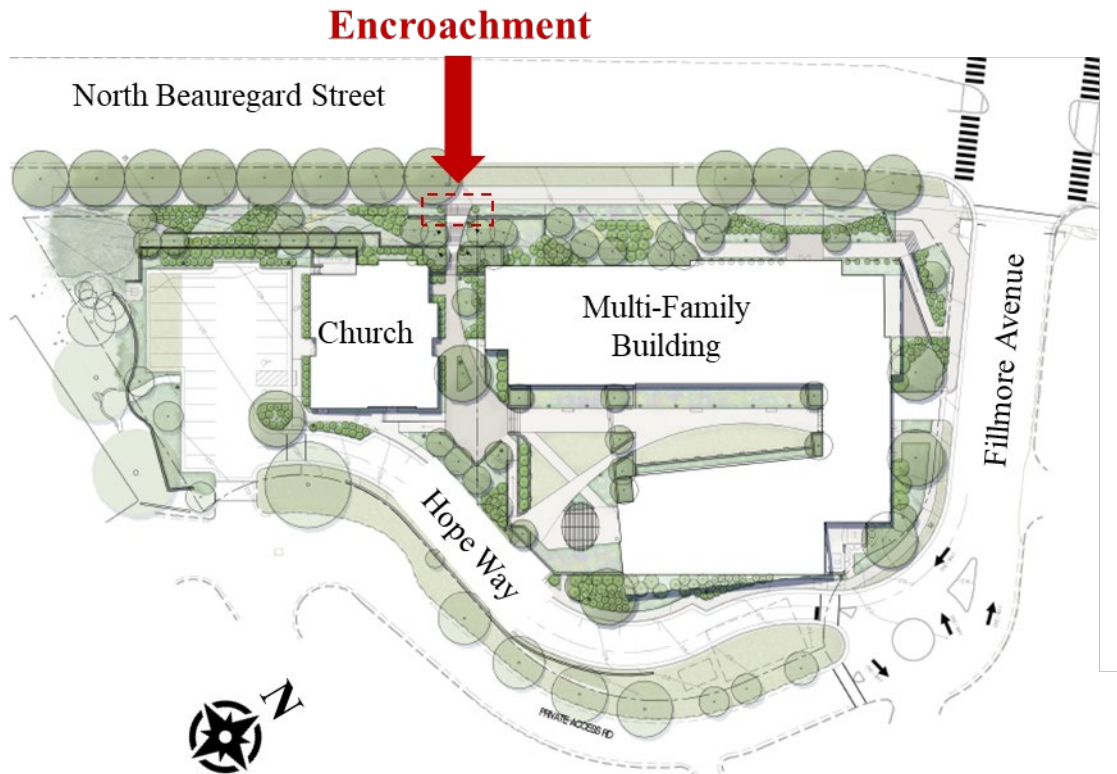


Figure 1: DSUP #2016-00044 Approved site plan

The location of the encroachment is on North Beauregard Street, approximately 270-ft. south of the intersection with Fillmore Avenue. The site includes a recently completed church and Hope Way, a private street. Adjacent to the site is an affordable multi-family residential building (2280 N Beauregard Street). Episcopal Church of the Resurrection partnered with AHC to redevelop the two sites, which had previously been one parcel and the location of their church and a co-operative childcare facility for over 50 years. The surrounding parcels are primarily garden apartments, including Newport Village Apartments and Hermitage Hill, and institutional uses, such as the Northern Virginia Community College, The Hermitage, and Goodwin House.

BACKGROUND

In January 2018, the City Council approved a plan to redevelop the formerly 2-acre site into a 113-unit, permanently affordable multifamily building, and a 5,000 sq. ft. church under DSUP #2016-00044. The Council also rezoned the site from RA / Residential Multi-Family to CDD #23 / Coordinated Development District #23. The church and multifamily buildings received their

Certificates of Occupancy in March and April 2021.

PROPOSAL

As part of the 2018 application, the proponent proposed constructing an over 40-ft. long staircase with bicycle runnels extending from N Beauregard Street to Hope Way. Staff determined that the staircase advanced the goals of the Beauregard Small Area Plan, by increasing site access and permeability. Furthermore, CDD conditions of approval required the applicant to grant a public access easement over the staircase. The staircase complements the Beauregard streetscape that the applicant built to implement the vision of the Small Area Plan, including the multiuse path and enhanced landscape buffers.



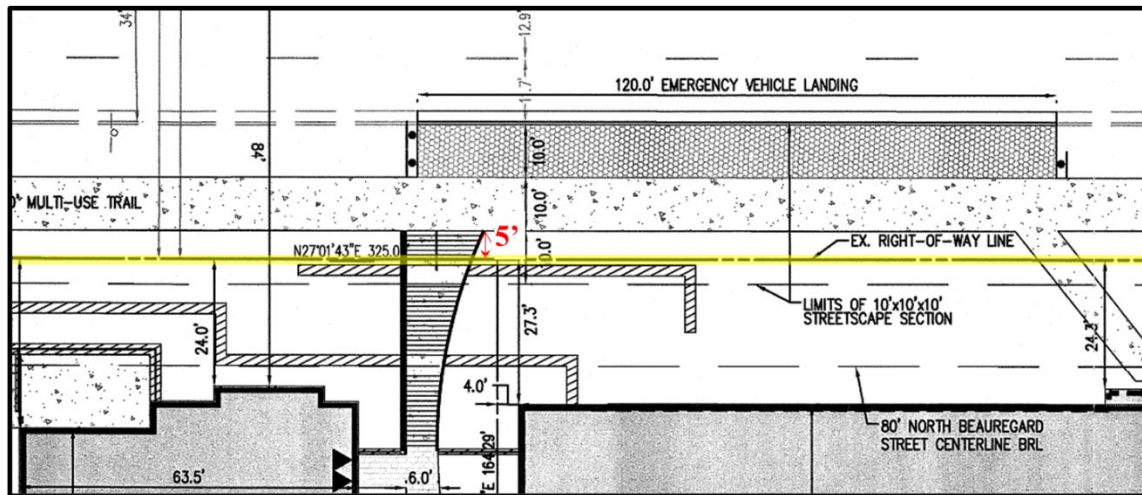
Figure 2: Subject site under construction in March 2021

While completing the staircase, the applicant contacted Staff in January 2021 to review the install condition and possible additional encroachment. During a site visit, Planning & Zoning and Transportation & Environmental Services staff confirmed that the staircase extended further into the right-of-way than specified in the approved site plans. The approved plans showed a 5-ft. extension for a total encroachment of approximately 76 sq. ft., with the stairs ending at the 10-ft. wide multi-use path. The as-built condition had the stairs extending nearly 3 ft. more at the widest point. The discrepancy resulted from the stairs being taller than expected once the pavers at the top were laid and compounding minor height differences in the individual steps. In response, the applicant coordinated with Staff to evaluate four options:

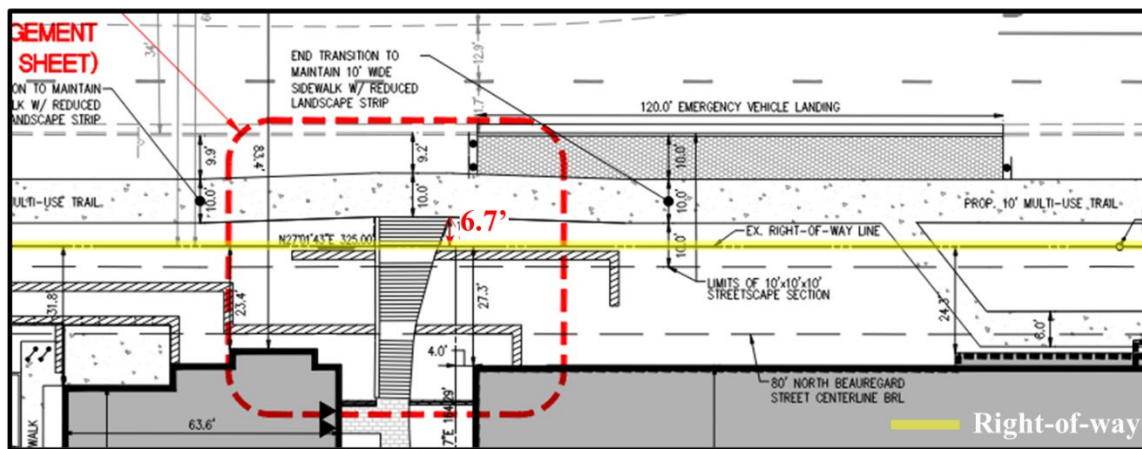
1. Leave the staircase as-built;
2. Remove one step by raising the path height;
3. Remove two steps by further raising the path height; and
4. Remove one step by raising the path height and adjust the path location.

To avoid requiring the applicant to demolish and reconstruct the entire staircase, Staff determined that Option 4 would be the most desirable. Consequently, the applicant proposed Option 4 for this encroachment application. This design reduces the as-built encroachment to 6.7-ft. at the widest point, and the total encroachment is 108 sq. ft. versus the 76 sq. ft. originally proposed. In addition, the design preserves the 10-ft. wide multi-use path by shifting the path slightly towards North Beauregard Street to avoid the end of the staircase. Shifting the path extends it into the emergency vehicle landing, so the design preserves its 120-ft. length by moving the landing closer to the intersection with Fillmore Ave. The applicant coordinated with Emergency Services to confirm

that this change would be acceptable. Figure 3 shows the 2018 and current proposals.



2018 approved plan



2021 proposed plan

Figure 3: Approved vs. Proposed Staircase and Streetscape

ENCROACHMENT STATUS

Although the approved 2018 plans showed the staircase encroaching into the right-of-way, the 2018 plans and approval did not include an encroachment. This was an oversight in the 2018 approval process. The applicant needed a separate approval for an encroachment, which this current request resolves.

II. STAFF ANALYSIS

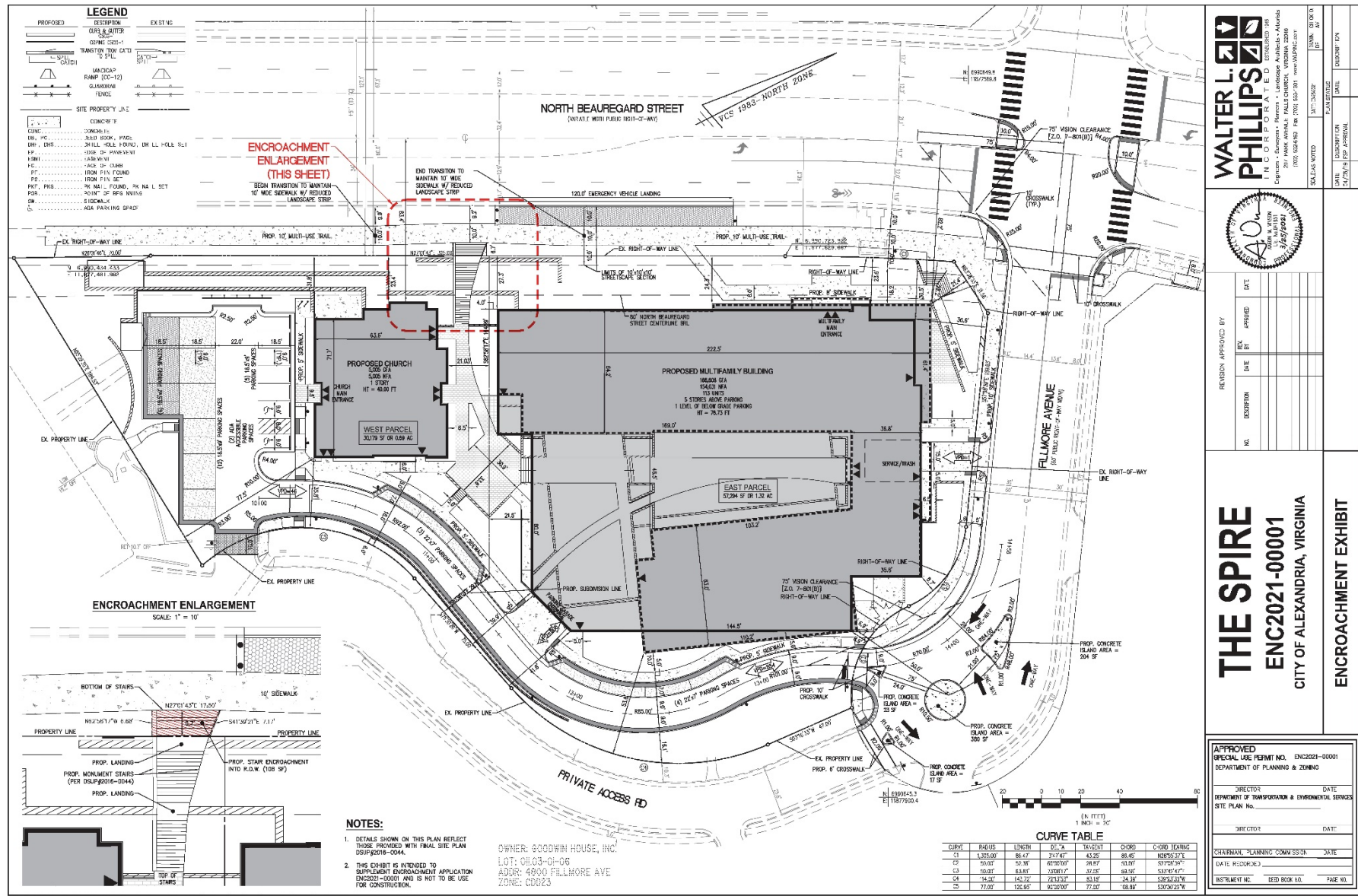
Staff supports the encroachment request. The design preserves the 10-ft. wide multiuse path envisioned in the Beauregard Small Area Plan without sacrificing pedestrian or cyclist safety and comfort. Demolishing and rebuilding the staircase to a 5-ft. encroachment would waste substantial cement, a carbon-intensive material, for only a small benefit. In addition, the modification ensures that the residents, visitors, and parishioners will be able to use the staircase without significant delay. The design also satisfies Emergency Services. Finally, this encroachment resolves a

previous error in not including an encroachment request in the 2018 application.

Subject to the conditions contained in Section III of this report, Staff recommends approval of this request. The proposed conditions are standard for encroachment petitions plus a couple specific to designing and maintaining the emergency vehicle landing on North Beauregard Street.

STAFF: Robert Kerns, AICP, Division Chief, Development Division
Maya Contreras, Principal Planner
Jared Alves, Urban Planner III

III. ENCROACHMENT EXHIBIT



IV. RECOMMENDED CONDITIONS

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

1. Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance, or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
2. If the City shall, in the future, need the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
3. Within the encroachment areas identified in the metes and bounds exhibit, no additional equipment or structures may be erected, and no existing equipment or structures shall be enlarged or intensified without prior approval of the Directors of Planning & Zoning and Transportation & Environmental Services. (P&Z)
4. The applicant shall bear all cost associated with the removal of the encroachments. (T&ES)
5. The applicant (and his/her successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his/her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)

Please submit Insurance Certificate to:
City of Alexandria
T&ES
ATTN: Lalit Sharma
301 King Street, Room 4130
Alexandria, VA 22314

6. The applicant shall install a movable planter or other permanent landscaping feature to the satisfaction of the Directors of P&Z and T&ES to guide pedestrians and cyclists traveling downhill on the N Beauregard St. multi-use path around the southside of the staircase. Provide a detail on the proposed treatment prior to the release of the final plat. (T&ES) (P&Z) *
7. Prior to the final 1 plat submission, revise the plan to incorporate the edits specified by Transportation & Environmental Services in comments #1-6 of Section IV of this report.
*

Emergency Vehicle Landing

8. The emergency vehicle landing within the N Beauregard Street right-of-way is a non-standard structure with non-standard materials. The abutting property owners shall be responsible for maintaining the landing to the satisfaction of the Director of T&ES. A maintenance agreement shall be approved and recorded prior to release of the performance bond for DSUP#2016-00044. (T&ES)
9. Provide manufacturer's data sheets and specifications with engineering details describing the materials, installation method, loading capabilities (minimum 8,000 lbs.), and maintenance requirements for the emergency vehicle landing within the N Beauregard Street right-of-way, including confirmation that the landing will not compromise any existing underground utilities, to the satisfaction of the Director of T&ES prior to the release of the performance bond for DSUP#2016-00044. (T&ES)

V. CITY DEPARTMENT COMMENTSTransportation & Environmental Services:

1. Include the distance measurement from property corners on either side of the encroachment area, to the corners of encroachment area at the property line. In other words, use sufficient annotation to locate the encroachment area along the property line. (Survey)
2. Include the distance measurement for the south side of the encroachment area. (Survey)
3. Include the existing (and proposed, if any) address for the subject lot. (Survey)
4. Include the proper proposed subdivision lot numbers, corresponding to proposed subdivision plat. (Survey)
5. Include the proposed subdivision name, corresponding to proposed subdivision plat. (Survey)
6. Include the existing subdivision lot number, and existing subdivision name and Deed Book and Page reference. Can be included as a note on the sheet, or on the body of the exhibit. (Survey)



APPLICATION

ENCROACHMENT

PROPERTY LOCATION: 2800 Hope Way

TAX MAP REFERENCE: 011.03-01-08

ZONE: CDD #23

APPLICANT

Name: AHC Inc., a Virginia Nonstock Corporation & Episcopal Church of the Resurrection

Address: See attached

PROPERTY OWNER

Name: Trustees of the Episcopal Church of the Resurrection, for the benefit of the Diocese of Virginia

Address: 2800 Hope Way, Alexandria, VA 22311

PROPOSED USE: DSUP2016-0044 - church building adjacent to multifamily building

INSURANCE CARRIER (copy attached) Church Insurance Company of Vermont **POLICY #** VPP0001648

A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

- ☒ THE UNDERSIGNED hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code 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 XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Haley Norris, AHC Inc.

Print Name of Applicant or Agent

2230 N. Fairfax Drive

Mailing/Street Address

Arlington, VA

22201

City and State

Zip Code

Digitally signed by Haley Norris
DN: cn=Haley Norris, o=AHC Inc., ou,
email=haley.norris@ahcinc.org, c=US
Date: 2021.03.18 12:32:48 -04'00'

Signature

(517)290-5509

Telephone #

Fax #

haley.norris@ahcinc.org

Email address

3/18/21

Date

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

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

Name	Address	Percent of Ownership
^{1.} See attached		100%
^{2.} See attached		
^{3.} See attached		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 2800 Hope Way, Alexandria, VA (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
^{1.} See attached		100%
^{2.} See attached		
^{3.} See attached		

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		
^{2.} See attached		
^{3.} See attached		

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.

3/18/21

Date

Haley Norris

Printed Name



Signature

Digitally signed by Haley Norris
DN: cn=Haley Norris, o=AHC Inc., ou,
email=haley.norris@ahcinc.org, c=US
Date: 2021.03.18 12:32:11 -04'00'

**AHC Inc. and Church of the Resurrection – The Spire and Episcopal Church of the Resurrection
DSUP #2016-0044
Encroachment #2021-00001**

OWNERSHIP AND DISCLOSURE STATEMENT

1. Applicant

Name	Address	Percent of Ownership
AHC Inc.	2230 N. Fairfax Drive, Suite 100 Arlington, VA 22201	50%
Episcopal Church of the Resurrection	2800 Hope Way Alexandria, VA 22311	50%

2. Property (located at 2280 N. Beauregard Street, Alexandria, VA)

Name	Address	Percent of Ownership
Trustees of the Church of the Resurrection, for the benefit of the Diocese of Virginia	2800 Hope Way Alexandria, VA 22311	100%

3. Business or Financial Relationships

Name	Relationship as Defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body
AHC Inc.	None	N/A
Episcopal Church of the Resurrection	None	N/A
Trustees of the Church of the Resurrection, for the benefit of the Diocese of Virginia	None	N/A



ALEXAVIR06

POSE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/22/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Church Insurance Agency Corp 210 South St, Ste 2 Bennington, VT 05201-2894	CONTACT NAME: Julie Posey		
	PHONE (A/C, No, Ext): 800-293-3525	FAX (A/C, No):	
	E-MAIL ADDRESS: jposey@cpg.org		
INSURED Church of the Resurrection 2800 Hope Way Alexandria, VA 22311-0000	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Church Ins Co of Vermont		10669V
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	N	N	VPP0001463	12/31/2020	12/31/2021	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED EXP (Any one person)	\$ 30,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 5,000,000
							PRODUCTS - COMP/OP AGG	\$ 1,000,000
								\$
								\$
								\$
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/>	N / A				PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

All operations of the named insured including use of the stairway at 2800 Hope Way, Alexandria, VA, in connection with which the certificate holder is named as an additional insured but only in connection with the actions of the named insured.

CANCELLATION: THE POLICY IS SUBJECT TO THE PREMIUMS, FORMS, AND RULES IN EFFECT FOR EACH POLICY PERIOD. SHOULD THE POLICY BE TERMINATED, THE COMPANY WILL ENDEAVOR TO GIVE THE ADDITIONAL INTEREST IDENTIFIED 30 DAYS WRITTEN NOTICE, AND WILL SEND NOTIFICATION OF ANY CHANGES TO THE POLICY THAT WOULD EFFECT THAT INTEREST, IN ACCORDANCE WITH THE POLICY PROVISIONS OR REQUIRED BY LAW.

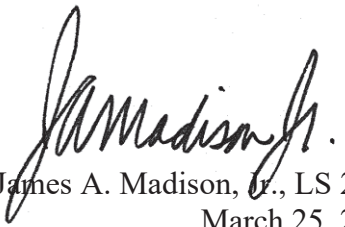
CERTIFICATE HOLDER

CANCELLATION

City of Alexandria 301 King Street, Suite 4130 Alexandria, VA 22314-0000	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

Description of proposed Encroachment Area on North Beauregard Street, City of Alexandria, Virginia:

Beginning at a point in the east right-of-way line of North Beauregard Street, said point being S 27°01'43" W, 3.75' from the northwest corner of Parcel 500, Subdivision of Parcel 3856-02, as recorded in Instrument Number 190004151; thence with the east right-of-way line of North Beauregard Street, S 27°01'43" W, 14.89 feet to a point; thence through the right-of-way of North Beauregard Street, N 62°58'17" W, 6.68 feet to a point; thence N 27°01'43" E, 17.50 feet to a point; thence S 41°39'21" E, 7.17 feet to the point of beginning and containing an area of 108 square feet or 0.0025 acres


James A. Madison, Jr., LS 2764
March 25, 2021

