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12-18-04 / ~~12-14-04~~

Introduction and first reading:	12/14/04
Public hearing:	12/18/04
Second reading and enactment:	12/18/04

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 4-606 (BULK REGULATIONS), under Section 4-600 (CD-X/COMMERCIAL DOWNTOWN ZONE – OLD TOWN NORTH), of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES) of the City of Alexandria Zoning Ordinance (TA No. 2004-0007).

Summary

The proposed ordinance accomplishes the final adoption of Text Amendment No. 2004-0007, to increase the residential floor area ratio in the CD-X Zone from 1.25 to 2.0, with a special use permit and in compliance with minimum design standards.

Sponsor

Staff

Eileen Fogarty, Director of Planning and Zoning
Ignacio B. Pessoa, City Attorney

Authority

§ 9.09, Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 4-606 (BULK REGULATIONS), under Section 4-600 (CD-X/COMMERCIAL DOWNTOWN ZONE – OLD TOWN NORTH), of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES) of the City of Alexandria Zoning Ordinance (TA No. 2004-0007).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 4-606 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

4-606 Bulk regulations.

(A) Yards and open space.

(1) Nonresidential. For nonresidential uses, there are no yard or open space requirements except as may be applicable pursuant to the supplemental yard and setback regulations of section 7-1000 and the zone transition requirements of section 7-900.

(2) Residential. For residential uses the following yard and open space requirements apply:

(a) Yards. Each single-family and two-family dwelling shall provide a front yard of 20 feet; a rear yard based on a 1:1 setback ratio and a minimum of eight feet; and side yards based on a 1:3 setback ratio and a minimum of eight feet. Each townhouse dwelling shall provide a rear yard based on a 1:2 setback ratio and a minimum of 16 feet, and each interior end unit townhouse shall provide a side yard based on a 1:3 setback ratio and a minimum of eight feet. Each multifamily dwelling shall comply with these townhouse yard requirements except that side yards shall be based on a setback ratio of 1:2 and a minimum of 16 feet.

(b) Open space. Multifamily residential development shall provide 25 percent and single-family and two-family residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

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2
3 (3) Mixed use. When a development includes both residential and
4 nonresidential uses, the residential yard and open space regulations shall be
5 applicable to the residential component of the development.
6

7 (B) Floor area ratio.
8

9 (1) Nonresidential. The maximum permitted floor area ratio for nonresidential
10 uses is 1.5, except that (1) the floor area ratio may be increased to an
11 amount not to exceed 2.5 with a special use permit and (2) in the case of a
12 lot or parcel developed under common ownership or control, which is
13 12,000 square feet or less in area and located in a retail focus area, the floor
14 area ratio may be increased to 2.5 without a special use permit if
15 underground parking is provided consistent with section 6-504.
16

17 (2) Residential. The maximum permitted floor area ratio for residential uses is
18 1.25, not to exceed 35 units per acre except that for properties within the
19 area bounded by First, Third, North Royal and North Fairfax Streets the
20 floor area ratio may be increased to 2.0, not to exceed the number of
21 dwelling units per acre may be increased to 100 units per acre with a special
22 use permit subject to the following standards:
23

24 (a) A minimum of 5% affordable housing shall be provided, or the
25 proposal shall meet the requirements of the city wide affordable housing
26 policy in effect at the time the application is submitted, whichever
27 requirement is greater. The location of the affordable housing (on or off
28 site) shall be determined by the city.
29

30 (b) No parking reductions for residential and office commercial uses shall
31 be granted, and all such parking shall be located below grade.
32

33 (c) All overhead utilities (existing and proposed) on all public street
34 frontages shall be located underground.
35

36 (d) Notwithstanding the provisions of subsection (C) of this section 4-606,
37 the maximum height shall not exceed 50 feet, with portions of the buildings
38 and/or townhouses providing significant variation in building heights less
39 than 50 feet.
40

41 (e) All units shall orient their facades with main entries toward a public
42 street, and mews units are discouraged.

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3 (f) The buildings or townhouses shall be consistent with traditional
4 architectural style, scale and treatment. Exterior materials shall be limited
5 to masonry (brick, stone or precast), wood and comparable high quality
6 materials.
7

8 (g) Notwithstanding the provisions of subsection (A)(2)(b) of this
9 section 4-606, a minimum of 25% ground level open and usable space shall
10 be provided. Such space shall be visually and physically accessible from a
11 public street. A portion of such space shall be subject to a public access and
12 use easement. Public art and/or sculpture shall be provided within such
13 space.
14

15 (h) Pedestrian and streetscape improvements shall be provided, including
16 but not limited to the provision of continuous brick sidewalks, street trees
17 and public connections to the waterfront or existing parkland, to the extent
18 possible.
19

20 (i) Green and sustainable building technologies shall be incorporated as
21 part of the building and building systems.
22

23 (j) The development shall comply with the Old Town North Urban Design
24 Guidelines.
25

26 (k) The retail requirement within a retail focus area shall be a minimum of
27 10% of the area of each lot in the retail focus area, and subject to the
28 provisions of section 6-500 of this ordinance.
29

30 (C) Height. The maximum permitted height of a building is that height indicated in the
31 Old Town North Small Area Plan.
32

33 Section 2. That Section 4-606 of the City of Alexandria Zoning Ordinance, as
34 amended by this ordinance, be, and the same hereby is, reordained as part of the City of
35 Alexandria Zoning Ordinance.
36

37 Section 3. That this ordinance shall become effective upon the date and at the time
38 of its final passage, and shall apply to all applications for land use or land development approval
39 provided for under the City of Alexandria Zoning Ordinance which are filed on and after
40 December 18, 2004, and are pending on and after the effective date before any city department,
41 agency or board, or before city council, or on judicial review, and shall apply to all other facts

1 and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except
2 as may be provided in Article XII of said Ordinance.

3
4
5 WILLIAM D. EUILLE
6 Mayor

7
8 Introduction: 12/14/04
9 First Reading: 12/14/04
10 Publication:
11 Public Hearing:
12 Second Reading:
13 Final Passage:
14

21
12-18-04

ReedSmith

MEMORANDUM

Reed Smith LLP
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From: J. Howard Middleton
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TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL - CITY OF ALEXANDRIA

DATE: December 15, 2004

RE: City Council Public Hearing Meeting, December 18, 2004; Docket Item No. 21. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend the Floor Area Ratio in CD-X Zone

The purpose of this memorandum is to request a minor language amendment to clarify the intent of one of the standards specified in the ordinance. The proposed amendment is to Section 4-600 (B)(2)(b) as follows:

* * * * *

(b) No parking reductions for residential and office ~~commercial~~ uses shall be granted, and all such parking shall be located below grade.

* * * * *

The purpose is to clarify that this sub-sub-section applies only to residential and office parking and not to other commercial parking.

Both the planning staff and the city attorney agree with this clarifying amendment.

We appreciate your kind consideration.

cc: Eileen Fogarty
Jeffrey Farnar
Ignacio Pessoa, Esq.
Lee Weber

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ORDINANCE NO. 4371

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(b) Open space. Multifamily residential development shall provide 25 percent and single-family and two-family residential development shall provide 40 percent of the area of the lot as open and usable space, the location and shape of which shall be subject to the director's determination that it is functional and usable space for residents, visitors and other persons. Such open space may be located on landscaped roofs or other areas fully open to the sky which are not at ground level if the director determines that such space functions as open space for residents to the same extent that ground level open space would.

- (3) Mixed use. When a development includes both residential and nonresidential uses, the residential yard and open space regulations shall be applicable to the residential component of the development.

(B) Floor area ratio.

- (1) Nonresidential. The maximum permitted floor area ratio for nonresidential uses is 1.5, except that (1) the floor area ratio may be increased to an amount not to exceed 2.5 with a special use permit and (2) in the case of a lot or parcel developed under common ownership or control, which is 12,000 square feet or less in area and located in a retail focus area, the floor area ratio may be increased to 2.5 without a special use permit if underground parking is provided consistent with section 6-504.

- (2) Residential. The maximum permitted floor area ratio for residential uses is 1.25, not to exceed 35 units per acre except that for properties within the area bounded by First, Third, North Royal and North Fairfax Streets the floor area ratio may be increased to 2.0, not to exceed 100 units per acre with a special use permit subject to the following standards:

(a) A minimum of 5% affordable housing shall be provided, or the proposal shall meet the requirements of the city wide affordable housing policy in effect at the time the application is submitted, whichever requirement is greater. The location of the affordable housing (on or off site) shall be determined by the city.

(b) No parking reductions for residential and office uses shall be granted, and all such parking shall be located below grade.

(c) All overhead utilities (existing and proposed) on all public street frontages shall be located underground.

(d) Notwithstanding the provisions of subsection (C) of this section 4-606, the maximum height shall not exceed 50 feet, with portions of the buildings and/or townhouses providing significant variation in building heights less than 50 feet.

(e) All units shall orient their facades with main entries toward a public street, and mews units are discouraged.

(f) The buildings or townhouses shall be consistent with traditional architectural style, scale and treatment. Exterior materials shall be limited to masonry (brick, stone or precast), wood and comparable high quality materials.

(g) Notwithstanding the provisions of subsection (A)(2)(b) of this section 4-606, a minimum of 25% ground level open and usable space shall be provided. Such space shall be visually and physically accessible from a public street. A portion of such space shall be subject to a public access and use easement. Public art and/or sculpture shall be provided within such space.

(h) Pedestrian and streetscape improvements shall be provided, including but not limited to the provision of continuous brick sidewalks, street trees and public connections to the waterfront or existing parkland, to the extent possible.

(i) Green and sustainable building technologies shall be incorporated as part of the building and building systems.

(j) The development shall comply with the Old Town North Urban Design Guidelines.

(k) The retail requirement within a retail focus area shall be a minimum of 10% of the area of each lot in the retail focus area, and subject to the provisions of section 6-500 of this ordinance.

(C) Height. The maximum permitted height of a building is that height indicated in the Old Town North Small Area Plan.

Section 2. That Section 4-606 of the City of Alexandria Zoning Ordinance, as amended by this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage, and shall apply to all applications for land use or land development approval provided for under the City of Alexandria Zoning Ordinance which are filed on and after December 18, 2004, and are pending on and after the effective date before any city department, agency or board, or before city council, or on judicial review, and shall apply to all other facts

and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of said Ordinance.

WILLIAM D. EUILLE
Mayor

Final Passage: December 18, 2004