# Docket Item #12 A
## CDD #2012 - 0002
## Braddock Gateway CDD #15 - Third Amendment

| *Application* | *General Data* | |
|---|---|---|
| *Project Name:*<br>Braddock Gateway | PC Hearing: | June 5, 2012 |
| | CC Hearing: | June 16, 2012 |
| | CDD Expiration | December 31,2027 |
| *Location:*<br>1200, 1200A & 1100 N. Fayette Street<br>1219 First Street | Zone: | Existing: CDD #15 |
| | Proposed Use: | Mixed Use (retail, office, hotel and residential) |
| *Applicant:*<br>Braddock Gateway LC,<br>Represented by Mary Catherine Gibbs, Hart, Calley, Gibbs & Karp. LC | Small Area Plan: | Braddock Metro Neighborhood Plan |

*Purpose of Application:*

A consideration of requests to implement the following minor revisions:

1. To amend the Braddock Gateway Coordinated Development District #15 Land Use Chart to allow 4,800 sq. ft of retail floor area in Phase II to be transferred to Phase III.
2. To amend the Braddock Gateway Coordinated Development District #15 Land Use Chart to remove live/work units in Phase II and allow the 2,000 sq. ft. to be transferred to either the residential, commercial or hotel uses in the future phases.
3. To remove condition #15 that defines live/work units.

*Staff Recommendation:* APPROVAL WITH CONDITIONS

Staff Reviewer: Patricia Escher, AICP, Department of Planning and Zoning patricia.escher@alexandriava.gov

# I. SUMMARY

## A. *Summary of Issues*

The applicant, Jaguar Development LC, has submitted a Development Special Use Permit (DSUP) for the second phase for the Braddock Gateway Coordinated Development District #15 (CDD #15) which includes a 185 unit residential building with roof top amenities such as a club house, pool, landscape terraces, a small 5,200 sq. ft. neighborhood serving retail component along Fayette Street, and a central park for passive use.

While the DSUP proposal is in general conformance with the CDD #15 concept plan, the CDD #15 zoning standards contain a land use table and associated conditional language that require the second phase of development to provide 10,000 sq. ft. of retail, with no more than a five percent reduction in the retail use's square footage. Additionally, the CDD requires the inclusion of 2,000 sq ft of floor area to be reserved for live/work units.

The applicant is requesting that the Braddock Gateway CDD #15 land use table and associated conditional language be modified to allow for approximately 4,800 sq ft of the retail use to be transferred to the third phase, on the other side of the park. Furthermore, the applicant requests that the requirement to provide 2,000 sq. ft. of floor area for live/work units in second phase be removed from the CDD #15 language and that the live/work square footage be allocated to any of the other permitted uses within a future phase. Staff supports these fairly minor amendments to the CDD #15 standards.

## B. *Site Context*

The site is surrounded by a variety of uses including warehouse facilities, an automotive service station, professional offices, a residential apartment building, a fast food restaurant, and vacant land. The mixture of residential, light industrial, and office uses has characterized the neighborhood for a number of years, with the site primarily being characterized by light industrial uses due to its location adjacent to the rail lines. In addition to the rail lines, the site is in close proximity to Route 1 and the low-scale residential neighborhoods to the east. The site is divided into two areas: the northern area is approximately six acres and the southern area is approximately one acre, separated by the Yates property. The site is currently occupied by four warehouse facilities, parking lots, and vacant land.

## C. *Development Approval Process/Procedural History*

Braddock Gateway CDD #15 was first approved by the City in 2008. Due to the economic downturn, the applicant waited until 2011 to move forward with any proposed development of the site. During the initial design phase of development process, it became apparent to the

applicant that some revisions to the CDD #15 zone district requirements would be necessary in order to move forward with the first development application.

Given the significance of some of the requested amendments in the CDD #15 - First Amendment, the applicant wanted to get some assurance that the requested amendments would be viewed favorably by the Planning Commission prior to the expenditure of additional work required for a Development Special Use Permit (DSUP) submission. The CDD #15 – First Amendment was heard by the Planning Commission at their July 2011 hearing and received a recommendation of approval to proceed to Council.

Braddock Gateway CDD #15 - First Amendment included:

- A modified CDD phasing plan,
- Changes to the timing of the escalation clause for the Consumer Price Index (CPI) that is linked to the voluntary housing contribution,
- Approval of a reduced parking ratio for the first phase and some latter phases, as long as parking usage studies and justifications are submitted, and,
- Changes to some other procedural elements of the CDD.

At the request of staff, the applicant then submitted a more technical amendment, CDD #15 - Second Amendment. The original CDD #15 had both Development Special Use Permit conditions and zone district standards intertwined. Staff felt that this would prove problematic as the phased development moved forward with each new development proposal. The second amendment removed conditions relating to the Development Special Use Permit (DSUP) process from the CDD zone district standards so that they could more appropriately be handled as part the DSUP conditions. Staff believed that the timing of the second amendment needed to be concurrent with the first DSUP submission, since some of the conditions being removed from the CDD zone district conditions would become DSUP conditions. In September, both CDD amendments and a DSUP for Phase I were heard by the Planning Commission and approved by City Council.

## II. STAFF ANALYSIS

***Retail Phasing***

During the 2008 Braddock Metro Neighborhood Small Area Plan planning process, different areas within the plan area were reviewed as they related to uses, transit, walkability, streetscape, architecture, etc. Within the Small Area Plan, the Braddock Gateway neighborhood was designated to have neighborhood serving retail uses along Fayette Street. In an effort to comply with the Small Area Plan, Braddock Gateway CDD #15 Zone District allocated ground level

retail uses in Phase I and Phase II of the proposed development. Phase I contains 1,500 sq ft of retail and Phase II was planned to contain 10,000 sq. ft. of retail along Fayette Street.

It was envisioned that the second phase retail uses would enliven the central park and provide activity as seen from Route 1. The applicant is requesting that the retail uses be more evenly distributed throughout the neighborhood, with approximately 5,200 sq. ft. of the retail use to be constructed in conjunction with Phase II and the remaining square footage of 4,800 sq ft of retail to be constructed in the third phase on the opposite side of the park along the Fayette Street frontage.

Staff believes that the requested amendment to move the 4,800 sq ft of the retail to the third phase as a reasonable request. Moving some of the retail to the other side of the park will more evenly distribute the retail throughout the neighborhood and serve to activate the park even more. In addition, the retail in the Phase III building would also be visible from Route 1. For these reasons, staff recommends approval to reallocate approximately 4,800 sq. ft. of retail to the third phase of CDD #15.

***Live Work Units***

During the Braddock Metro Neighborhood Small Area Plan process there was much discussion about trying to be more innovative with the interrelation of uses, to be more transit oriented and to be less dependent on single occupancy automotive use. As part of that discussion, the plan recommended the incorporation of live/work units be explored within the plan area and in particular along Queen Street. In keeping with the spirit of the plan, the Braddock Gateway CDD #15 incorporated a condition that 2,000 sq. ft. of floor area be designated as live/work units and be constructed within the first phase of development. As part of the first CDD amendment process, those live/work units were shifted to the second phase.

While the concept of live/work units is an appealing idea, these types of units are hard to effectively implement. They work best in portions of the city with a more diverse mixture of commercial, office and/or retail uses, providing additional incentives and flexibility for the nature of the "work" portion of the unit – retail and office uses, even within live/work units, like to be in close proximity to other retail and office uses. The applicant has raised the concern that, without a more viable mixture of uses and with the fairly limited amount of retail use within CDD #15, the marketability of these units is questionable.

Staff concurs with the applicant and recommends that this relatively minor amount of square footage designated as live/work should be transferred to either the residential, office or hotel uses in a future phase and that this request is consistent with the intent of the overall CDD #15 zoning.

## III. COMMUNITY OUTREACH

The applicant held several meetings with the NorthEast Civic Association and also held a community meeting on May 9th and, overall, the community was very supportive of the proposed development and the creation of the public park. There was no objection expressed to the CDD amendments described in this staff report.

## IV. CONCLUSION

In conclusion, the staff recommends approval of the CDD #15 –Third Amendment as presented in this report. Staff believes the proposed changes are minor in nature and are in compliance with the overall intent of CDD #15 zone district.

# V. STAFF RECOMMENDATIONS

Staff recommends that approval of the requested CDD amendments, believes that both requested CDD amendments are consistent with the overall CDD #15 zone district and are in compliance with the City's adopted goals and policies.

**Conditions amended by the request are 8, 9b and 15.**

## A. GENERAL:

1. Any preliminary development plan(s) for the CDD, filed or pursued under § 5-605 of the Zoning Ordinance, shall be consistent with, and shall meet all requirements which are part of the Concept Plan and all applicable provisions of the City's Braddock Metro Neighborhood Master Plan. (P&Z)

2. Notwithstanding any contrary provisions in the Zoning Ordinance, the Braddock Gateway CDD #15 - 1st Amendment - Concept Plan hereby referred to as the Concept Plan, shall remain valid until December 31, 2027. (P&Z)

3. Each Landbay within the Concept Plan (Landbay I, Landbay II, Landbay III, Landbay IV, and Landbay V) and all other applicable approvals to redevelop or develop any of the landbays pursuant to the approved Concept Plan shall obtain approval of a subsequent development special use permit. The central park-open space shall require approval of a separate Landbay (Landbay VI) and shall require approval of a development special use permit. (P&Z)

## B. PHASING:

4. The 1st Amendment to CDD #15 shall revise the proposed development phasing plan and any associated infrastructure and improvements. The proposed phasing plan associated with this amendment shall designate Building #2, located on First Street to be reassigned to the first phase, and shall be referred to as Building #1, Landbay I hereafter. The amendment shall designate the former Building #1, located south of the central open space to be referred to as Building #2, Landbay II, Phase II, hereafter.

## C. STREETS-INFRASTRUCTURE:

5. The first preliminary development special use permit that is filed for the CDD shall be accompanied by a CDD Phasing Plan, which shall be updated and amended to the extent necessary with each subsequent preliminary development plan for each of the landbay(s). A preliminary development plan shall not be approved unless the Director of P&Z and the Director of T&ES have approved the CDD Phasing Plan which accompanies the development special use plan application(s). (P&Z)

6. The applicant shall be responsible for dedicating all necessary right-of-way and or public access easement(s) as required herein. Where a public access easement is provided, the easement(s) shall be a perpetual public access easement for vehicles and pedestrians, excluding the central open space which shall be a perpetual public open space easement. Construction of the infrastructure and open space improvements required herein shall be completed in accordance with the dates or events required herein unless an amendment to the CDD Phasing Plan is approved by City Council in conjunction with the approval of a preliminary development plan for the CDD. (P&Z)

7.

**Streets**

a. Building(s)–Landbays
The first landbay – building(s) to be constructed shall be Landbay I, followed by Landbays II & VI, Landbay III, Landbay IV and finally Landbay V. An amendment to the phasing of the landbays shall require approval of an amendment to the CDD Phasing Plan. (P&Z)

b. Fayette Street Extension
All necessary right-of-way dedication plats and applicable documents shall be reviewed and approved by the City prior to the release of the first DSUP Site Plan. The applicant shall install all pedestrian improvements depicted on the western portion of Fayette Street adjacent to Landbay I, which shall consist of the sidewalks, street trees and street lights as depicted on the approved Concept Plan prior to the first Certificate of Occupancy (CO) of Phase I. The remaining pedestrian improvements to Fayette St. shall be completed prior to 1st CO for Phase II. (P&Z)

c. Payne Street Extension
The construction and all necessary easement(s) and/or dedication of Payne Street to the west of Landbay I, and Landbay II to the southern property line of 1100 N Fayette Street shall be constructed and operational prior to the first certificate of occupancy permit for the first landbay (Landbay I) and/or building(s). The construction of the street(s) shall consist of all necessary street trees, street lights, sidewalks and pedestrian improvements for the construction of the streets and other requirements as deemed necessary by the Directors of P&Z and T&ES as part of the initial preliminary development special use permit. (P&Z)

d. New Park Streets
The construction of the streets other than Fayette Street and Payne as required herein which are the streets located within Landbay II, Landbay III, Landbay IV and Landbay VI - shall be constructed including all necessary easements and/or dedication prior to a certificate of occupancy permit for any building(s) within Landbay II, Landbay III and/or Landbay IV. (P&Z)

e. The following table sets forth the dimensions and elements for all streets and minimum sidewalks within the Concept Plan. All streets in the Concept Plan as required herein shall be publicly dedicated streets/sidewalks or publicly accessible streets/sidewalks through the provision of a public access easement(s), and shall be consistent with the Braddock Metro Neighborhood Plan. The following table sets forth the minimum right-of-way and/or public access easement(s).

| Street Right of Way – Public Access Easement(s) | | | |
|---|---|---|---|
| | | Access Easement Width | Private Road or Public Access Easement |
| Landbay I | North Payne Street shall be extended to intersect with the southern property line of Land bay II. | Road width varies from 26' to 38' | Public Access Easement |
| Landbay II & Landbay VI | North Payne Street extended to northern park road. North Fayette Street shall be extended to intersect with the new northern most section of the park road. | New ROW width 66' Road width varies from 35' to 43' | Combined Dedicated Public ROW and Public Access Easement |
| | 2 new park roads intersecting N. Payne and N. Fayette on the north and south boundaries of the new park | Road width varies from 18' to 26' | Public Access Easement |
| | 8' Wide Trail | 8' wide | Public Access |
| | Sidewalks (except on the northern park | 14' to 20' wide | Public Access Easement |
| Landbay III | North Payne Street and North Fayette Street | Road width varies from 18' to 24' | Public Access Easement |

| | | | |
|---|---|---|---|
| | 8' Wide Trail | 8' wide | Public Access |
| | Sidewalks | 14' to 20' wide | Public Access |
| Landbay IV | 22' EVE | 22' wide | Public Access Easement |
| | 8' Wide Trail | 8' wide | Public Access Easement |
| | Sidewalks | 14'- 20' wide | Public Access Easement |

**Open Space /Pedestrian:**

Central Open Space

a. A preliminary development plan for the construction of the central open space – park shall be submitted with Landbay II. The central open space shall be a passive open-space park with a series of spaces that will provide out door rooms for recreation. The park design will receive public input from the local residents, be coordinated with City staff and contain interpretative elements recalling the history of the site. The primary purpose of this open space is to provide a passive open space area lined with street trees, a combination of grassy and hardscape areas and a focal element such as a monument or statue. The park shall be a minimum size of 29,900 +/- sq.ft. with a minimum width of 105 +/- feet and a minimum length of 285 +/- feet. Construction shall occur in conjunction with the development of Landbay-II and shall be completed prior to the certificate of occupancy for Landbay- II. The central open space shall be fully accessible to the general public through the provision of a public access easement. The applicant shall be responsible for all maintenance associated with the central open space. A structure such as a pavilion-trellis may be permitted-required within the space if approved by the City as part of the development special use permit This space shall be designed as an area suitable to accommodate informal community gatherings and events. As one of the principal open space-parks of the Braddock neighborhood the open space shall be created with the highest quality materials, paving, design and amenities. (P&Z) (RP&CA)

Gateway Open Space

b. The applicant shall provide pedestrian access through and across the City property formerly known as Landbay N of Potomac Yard.

The pedestrian trail and associated improvements shall be completed prior to the issuance of a certificate of occupancy permit for Landbay IV. The applicant and and/or sucessor's homeowner's association shall be held harmless based upon long standing practices for improvements made on City owned property. The City shall be responsible for the proper maintenance of this property. The material for

the trail shall be to the satisfaction of the Director of T&ES. (P&Z, T&ES RP&CA)

c. Powhatan Park.

i. The applicant shall provide a monetary contribution for improvements/maintenance to Powhatan Park, pursuant to the Braddock Metro Neighborhood Plan, which shall be paid prior to the issuance of the first certificate of occupancy permit for the first Landbay(s) and/or building(s). The City shall be responsible for the design and installation of the improvements/maintenance which may include fencing, lighting, sidewalks and streetscape improvements adjacent to the park on Route 1, landscaping and signage which shall be designed in consultation with the adjoining community. (P&Z) (RP&CA)

ii. The applicant shall be responsible for pedestrian improvements at the terminus of Bashford Lane and Route 1 which shall consist of elements such as landscaping, lighting, and sidewalk improvements to the satisfaction of the Directors of P&Z and T&ES and in consultation with the community. The improvements shall be installed prior to the certificate of occupancy permit for the first Landbay and/or building. (PC)

d. Building Courtyards

The internal courtyards adjacent to each building(s) shall be designed to function as high-quality usable open space for the residents. The internal courtyard shall include enlarged and more detailed plan(s) of each courtyard, which may include such features and elements as seating, trash receptacles, pedestrian scale lighting, alcoves and trellis, varied and high quality paving materials, landscaping plan including deciduous, evergreen, and flowering plant materials, with irrigation systems. (P&Z) (RP&CA)

e. Sidewalks

Sidewalks along Fayette Street shall be a minimum of 20' wide (16' unobstructed) with 4' X 10' tree wells. All other sidewalks shall be a minimum of 14' wide (10' feet unobstructed) with 4' X 10' tree wells. (Excludes trailways and other paths.) (P&Z)

**Off-Site Improvements:**

a. Intersection of Route 1 and North Fayette Street

The applicant shall install a traffic signal at the intersection of Route 1 and North Fayette Street to include matte finish black poles, mast arms, pedestrian countdown heads, accessible pedestrian push buttons, traffic signal heads, and controllers, etc. The signal and associated improvements of the intersection of Fayette Street and Route 1 shall be constructed and operational prior to the first certificate of occupancy permit for the second Landbay(s) and/or building(s). (T&ES)

b. Improvements along Route 1
The applicant shall install one 4" conduits with pull wires, and junction boxes located at a maximum interval of 300' along Route 1. These conduits shall terminate in an underground junction boxes at the signals located at Fayette Street and First Street prior to the first certificate of occupancy permit for the second landbay(s) and/or building. (T&ES)

c. Intersection of Route 1 and First Street
The applicant shall provide a prorated contribution for design and construction of signal modification, pedestrian improvements and geometric improvement at the intersection of Route 1 and First Street. Signal improvements on north side of the intersection shall include countdown pedestrian signal heads, accessible pedestrian push buttons, traffic signal heads, mast arms, poles etc. The applicant shall provide prorated share for design and construction of signal modification, widening median opening, accessible ramps and crosswalk markings. The timing and prorated contribution to be negotiated with staff prior to the release of the First Final Site Plan. (T&ES)

d. Braddock Metro Neighborhood
Streetscape Improvement Fund-- The applicant shall provide a monetary contribution to the Braddock Metro Neighborhood Streetscape Fund for pedestrian and streetscape improvements as required within the Braddock Metro Neighborhood Plan. The monetary contribution shall be evenly apportioned to the square footage with each Landbay. The monetary contribution apportioned to each Landbay-building(s) shall be made prior to the release of the first certificate of occupancy for each Landbay/building. (P&Z)

e. Braddock Metro Neighborhood Open Space Fund
The applicant shall provide a monetary contribution to the Braddock Metro Neighborhood Open Space Fund for open space acquisition and improvements as required within the Braddock Metro Neighborhood Plan. The monetary contribution shall be evenly apportioned to the square footage with each Landbay. The monetary contribution apportioned to each Landbay and/or building(s) shall be made prior to the release of the first certificate of occupancy for each Landbay and/or building. (P&Z)

## D. USES

8. **CONDITION AMENDED BY STAFF:** The allowable gross square footage, uses and heights shall be governed by the following table, which shall also be reflected in the approved Concept Plan and CDD zoning table.

| Landbay | Retail | Office | Residential | Live Work | Total | Min. Height | Max. Height |
|---|---|---|---|---|---|---|---|
| I | 1,500 sf + | | 280,000 sf + | | 281,500 sf+ | 30' | 68"-150 |
| II | **5,200 sf+** | | 160,000 sf+ | ~~**2,000 sf+****~~ | 172,000 sf | 30' | 40'-145' |
| III | **4,800 sf ±** | | 220,000sf± | | 220,000 sf + | 30' | 40'-130' |
| IV | | | 116,000 sf± | | 116,000 sf + | 30' | 86'-105' |
| V | | 70,000 sf± | | | 70,000 sf± | 30' | 82' |
| VI | NA | NA | NA | NA | NA | NA | NA |

* Hotel use is flexible and not tied to a specific Landbay. The office use is flexible, but at a minimum is tied to Landbay 5. Square footage of residential development will be adjusted accordingly with each DSUP submission.

****The 2,000 sq ft of Live/Work units may be transferred to any of the other uses within the CDD.**

9. **CONDITION AMENDED BY STAFF:** The uses within the CDD shall consist of a mix of uses with the CDD that shall consist of residential, office, hotel and ground floor retail and public open space. The CDD shall be limited to a maximum net floor area of 770,000 sq.ft. for all of the Landbays. To achieve a mix of uses within each Landbay and within the CDD Concept Plan area, the applicant may be permitted to substitute hotel, residential or office uses within each Landbay with the approval of each development special use permit for each Landbay(s) and/or buildings and shall be subject to the following:

   a. The substitution of uses shall maintain a mix of uses that shall be a minimum of 10 % commercial office and/or hotel use and a maximum of 40% commercial office and/or hotel use and a minimum of 60% residential uses and a maximum of 90 % residential uses. The substitutions shall also maintain an appropriate mix of uses within the Concept Plan but also an appropriate mix of uses within each portion of the Concept Plan.

b. The minimum ground floor retail uses ~~and live-work uses~~ required within each Landbay as required by the CDD table shall not be permitted to decrease below 5%, although the maximum amount of ground retail may be increased to an amount not to exceed 10 % of the total square footage of allowable retail.

c. Any substitution of the uses/square footage permitted within the CDD Concept Plan area shall occur on a one for one basis for all of the uses.

d. The proposed substitutions of uses are consistent with the intent of the CDD to create a mixed-use, pedestrian-oriented transit-oriented development.

e. A traffic and parking study shall be provided for any proposed substitutions which shall address the proposed substitution(s) and each substitution shall be responsible for addressing any impacts or changes as part of each development special use permit review(s) (P&Z)

10. A full-service restaurant with outdoor seating may be approved administratively in accordance with Sec. 11513 (L) (M).of the City's Zoning Ordinance. (P&Z)

11. The ground floor retail tenant spaces, as depicted within the CDD Concept Plan table and the CDD Concept Plan shall be solely utilized by retail uses including: a store engaged in the sale of goods for personal service use that shall include bakeries, barber shop/beauty salon, banks, bookstores, clothing, clothing accessories, copier/reproductions, department stores, drugstores, dry cleaners (not dry cleaning plant), florists, cigar shops, travel agencies, health and sport clubs, groceries, jewelry, coffee shops, hardware stores, toy stores and restaurants or other similar pedestrian-oriented uses as approved by the Director of Planning & Zoning. The floor-to-floor height of the retail space shall be a minimum of 14 ft. (P&Z)

12. In the building(s) with required ground floor retail, exhaust vent shafts shall be located within the retail space to accommodate ground floor restaurant uses. (P&Z)

13. **CONDITION REMOVED BY STAFF** ~~For the purpose of these concept conditions, "live/work" is defined to include an area of the primary residence that is an ancillary use for working professionals and artisans. The ancillary use may not exceed the total square footage of the unit by 50%. The uses shall not be detrimental to the character and livability of the surrounding neighborhood and the viability of the dwelling unit is maintained. The units may not be used for repair or assembly or manufacturing of items that would require use of hazardous materials or generate noise greater than a 50dba. The exterior of the units must remain residential in appearance and character. Any commercial deliveries to the unit shall occur between the hours of 8am to 5pm. (P&Z)~~

14. The existing warehouse and office building(s) presently located within the CDD Concept Plan are acknowledged and shall be treated as existing buildings and shall be subject to

the existing underlying OCM-50 zoning or CRMU-H as applicable, except that commercial parking and/or vehicle storage on any of the Landbays, exclusive of Landbay IV, National Car Rental System, Inc., as permitted pursuant to special use permit (SUP#2010-0028) shall be prohibited. Other use(s) that prohibit or impede the implementation of the CDD Concept Plan shall be prohibited. The existing commercial parking and storage shall cease operation prior to the commencement of construction. In addition to the preliminary development plan approval that is required for every building constructed within the CDD pursuant to an approved concept plan, any use locating within the existing building(s), which is a "special use" under the zoning regulations in effect at the time of this concept plan approval shall obtain a separate special use permit, pursuant to § 11-500 of the Zoning Ordinance. (P&Z)

## E. SITE PLAN:

15. The applicant shall locate all proposed and existing above grade utility lines for each Landbay(s) within the Concept Plan below grade with the development and/or redevelopment of each Landbay(s). In addition, the applicant shall be responsible for locating the utility lines at Fayette Street and Route 1 below grade prior to the first certificate of occupancy of Landbay II. The cost of undergrounding the utilities at Fayette Street and Route One shall offset the applicant's contribution to the Braddock Metro Neighborhood Plan Implementation Fund referenced above. The cost of locating the utility lines below grade shall be the sole responsibility of the applicant and/or its successors. All proposed and existing above-grade utility lines shall be located below grade prior to the certificate of occupancy permit for each building or structure. (P&Z)

16. The names of each public street dedicated for public use within the Concept Plan shall be required in Phase II and receive approval by the Planning Commission. (P&Z)

17. Condition deleted. (P&Z)

18. The applicant shall place all new electrical transformers in locations as generally indicated on the revised Exhibit dated the February 15, 2008 from Rust Orling and screened to the satisfaction of the Director of P&Z or in underground in vaults which shall comply with all applicable Virginia Power standards. Ventilation grates may not be located within sidewalks or within public right-of-way-public access easement between the street curb and any building. The final location of the vaults shall be approved as part of the review of the final site plan for each building-landbay. (P&Z)

19. The applicant shall investigate the feasibility of providing at no charge, a conference room to community and non-profit organizations located in the Braddock Metro neighborhood area and Alexandria City government agencies at least 24 times per year during the hours of 8:00 a.m. to 10:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays on a space-available basis. (P&Z)

20. Condition deleted by staff. (P&Z)

21. Condition deleted by staff. (P&Z)

22. Each phase of the development shall meet the provisions of the Environmental Management Ordinance (Chesapeake Bay Preservation Act) in accordance with Article XIII of the City of Alexandria Zoning Ordinance for storm water quality and quantity control. The total 7.06 acres that encompass this CDD shall meet the Virginia Storm Water Regulations to be adopted in 2011 and/or the Environmental Management Ordinance (Chesapeake Bay Preservation Act), whichever is more stringent. (OEQ and Engineering)

23. Condition deleted by staff. (P&Z)

24. Condition deleted by staff. (P&Z)

25. Condition deleted by staff. (P&Z)

26. Vents for the parking garages shall not be located in the central open space and to the greatest extent possible the remainder of the open space. Actual locations for the garage vents shall be determined with each phase of the development for each landbay and will be a part of each DSUP submission. Any vent located in the open space shall not be counted as open space and shall be discretely located and screened appropriately. (P&Z)(RP&CA)

## F. BUILDING:

27. Each proposed building(s) for each Landbay(s) shall be in conformance with the exterior elevations for each of the facades as submitted with the CDD Concept Plans sealed and or dated September 28, 2007. Any changes or revisions to the architectural elevations and/or massing other than the changes required herein shall require an amendment to the CDD Concept Plan, which shall require subsequent approval by the Planning Commission and City Council. In addition each building(s) shall at a minimum be subject to the following to the satisfaction of the Director of P&Z.

    a. The materials as represented on the elevations shall be entirely metal or masonry. Masonry materials shall be limited to brick, precast, stone. These materials will be used for each elevation including lintels and sills to the satisfaction of the Director of P&Z.
    b. Each building face along Fayette Street shall provide a building shoulder that will step down from the main portion of the building. The building shoulders shall have a varied width ranging from a 7' minimum. The height of the shoulders will be in accordance with the Attachment 1, dated February 15, 2008.
    c. Each subsequent submission shall include color elevations of the appropriate

building. The elevations shall indicate building materials and colors and conform to the Braddock Metro Neighborhood Plan and the design guidelines submitted with the Concept Plan.

d. There shall be no visible wall penetrations or louvers for HVAC equipment, to the greatest extent possible. No wall penetrations shall be allowed for kitchen vents lower than ten feet above ground. Kitchen vents above ten feet shall be integrated into the design of the façade of the building, and painted to match the exterior of the building so that they are visually minimized from the public right-of-way. Dryer and bathroom vents shall be painted to match the building, and the portion visible on the exterior wall shall be subject to review and approval by the Director of Planning and Zoning. (P&Z)

28. Each DSUP application shall comply with the City's current Green Policy at the time of the preliminary submission for each DSUP.

29. Condition deleted. (PC)

## G. PARKING:

30. The applicant shall prepare a parking management plan with each development special use permit to the satisfaction of the Director of P&Z and T&ES.

31. Phase I shall be parked at a ratio of 0.9 spaces/residential unit, plus 15% residential visitor parking. A minimum of 60% of the required number of residential visitor parking spaces shall be on-site. Phase I retail parking shall be parked at the ratios contained in the Braddock Metro Small Area Plan. (P&Z) (T&ES)

32. All development phases subsequent to Phase I shall be parked at the ratios contained in the Braddock Metro Small Area Plan for residential, retail, and office uses, unless a parking study justifying a change in the ratio is provided by the applicant and approved by the Directors of P&Z and T&ES. Any parking study justifying a change in the residential parking ratio shall include parking demand and occupancy data from all previous Braddock Gateway CDD development phases (as applicable) as well as data from several other comparable residential developments per T&ES requirements. Parking studies requesting a change in the retail and/or office parking ratios shall include data from all previous Braddock Gateway CDD development phases (as applicable) as well as data from comparable retail or office developments. (P&Z) (T&ES)

## H. TRANSIT INCENTIVES:

33. The applicant shall participate in the revised Transportation Management Plan. According to Article XI of the City's Zoning Ordinance, a TMP is required to implement

strategies to persuade residents and employees to take public transportation or share a ride, as opposed to being a sole occupant of a vehicle. (T&ES)

34. Any special use permit granted by the City Council under this section 11-700, unless revoked or expired, shall run with the land and shall be mandatory and binding upon the applicant, all owners of the land and all occupants and upon all of their heirs, successors and assigns. Any use authorized by a special use permit granted under this section 11-700 shall be operated in conformity with such permit, and failure to operate shall be deemed grounds for revocation of such permit, after notice and hearing, by the city council. (T&ES)

35. Prior to any lease/purchase agreements, the applicant shall prepare appropriate language to inform tenant/owners of the transportation management plan special use permit and conditions therein, as part of its leasing/purchasing agreements; such language to be reviewed and approved by the City Attorney's office. (T&ES)

36. The applicant shall participate in the revised Transportation Management Program when established. The revised program will include the elements outlined in the December 8, 2010 memo to City Council on the December 14, 2010 docket and approved by the Council. The revision to the program includes a periodic review of the TMP to determine if goals are being met and will provide an opportunity to adjust the rates up or down up to a percentage cap. The revised TMP program will go before the City Council for approval. (T&ES)

37. Condition deleted. (PC)

38. If the City establishes a special taxing district for this area the condominium association, and property owners shall be required to participate in the district, so long as the participation is uniformly applied to all owners within the new district.

## I. STORMWATER:

39. The Project site has multiple outfalls and lies in multiple sub watersheds and a Stormwater Management Plan (SWMP) shall be developed per the requirements of Chesapeake Bay Preservation Act in accordance with the City of Alexandria Zoning Ordinance Article XI and Article XIII for stormwater quality and quantity control. Since the site may have multiple outfalls, the post-development peak runoff requirements shall not exceed their respective pre-development rate at each outfall. The SWMP shall also demonstrate compliance with the City's Zoning Ordinance Article XI Section 11-410 (N) and Virginia Department of Conservation and Recreation (DCR), Erosion and Sediment Control (ESC) Regulations 4VAC50-30-40.19 Minimum Standard 19 (MS-19) and provide an adequate stormwater outfall analysis. The adequate outfall analysis for the entire site shall be completed for the ten (10) year storm rain event for the collection system and must demonstrate overland relief for the 100-year storm event. The total

drainage area upstream of the receiving sewer and/or natural water resources that will serve as an outfall for the site shall be analyzed.

A known flooding problem exists in the Braddock-West watershed area, and the existing storm water collection system in the immediate vicinity of the site is known to have insufficient capacity; therefore;
The applicant shall evaluate the possibility of diverting the storm water flow to alternate storm sewer outfalls. However, any alternate outfall systems must be analyzed for the entire drainage area including proposed redevelopment within that designated drainage shed, to the satisfaction of the Director of Transportation and Environmental Services (T&ES). It should not be assumed that any or all of the available capacity will be available to be utilized by runoff redirected from the proposed redevelopment site or other drainage sheds.

If sufficient capacity in the existing storm water collection system is not demonstrated to be available, the applicant shall design and construct on-site and/or off-site storm sewer improvements to discharge to an adequate outfall. This condition applies even if the post development storm water flow from the site is reduced from the pre-development flow. The SWMP shall be completed to the satisfaction of the Director of T&ES and demonstrate that a non-erosive stormwater outfall is present. The SWMP must be submitted and approved prior to the release of the first DSUP plan associated with this site. (T&ES)

40. Per the requirements of the City of Alexandria Zoning Ordinance (AZO) Article XIII, the applicant shall comply with the peak flow requirements and prepare a Stormwater Management Plan (SWMP) so that from the site, the post-development peak runoff rate from a two-year storm and a ten-year storm, considered individually, shall not exceed their respective predevelopment rates for each outfall. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of the Zoning Ordinance shall be met. Since the project site lies within the Braddock-West watershed then the applicant shall provide an additional 10% storage of the pre-development flows of the site that drains within Braddock-West watershed to meet detention requirements. (T&ES)

## J. SANITARY

41. With the intent of fully complying with Alexandria's Eco-City Charter, the Applicant shall prepare a Water Management Master Plan (WMMP) that coordinates water supply, stormwater, and wastewater systems. The WMMP will integrate the management of stormwater, use of potable water, and generation of municipal wastewater that reduces the use of potable water by capturing and reusing rainwater and reducing wastewater generation through water conservation. The implementation of WMMP will minimize the negative impacts of the development on the sewer infrastructure and improve the instream habitat for Four Mile Run, the Potomac River and the Chesapeake Bay. The

applicant shall use EPA-labeled WaterSense fixtures to minimize the generation of municipal wastewater from the site and explore the possibilities of adopting water reduction strategies (i.e., use of gray water system on-site) and other measures that could possibly reduce the wastewater generation from this site. The applicant will be granted a 30% reduction in the generation of municipal wastewater flow from Sewage Collection and Treatment (SCAT) regulations and Memorandum to Industry 02-07 dated June 1, 2007for using low flow fixtures. The applicant shall monitor municipal wastewater flows generated from each phase of development so as to be able to implement any additional improvements in the development of subsequent phases. The WMMP shall be approved prior to release of the Final Site Plan for the first phase. (T&ES)

## K. AFFORDABLE HOUSING:

42. The developer shall make a voluntary contribution of $5,000.000.00 to the City's Affordable Housing Trust Fund. That amount is calculated as follows: $2 per gross square foot on the gross square feet of permitted ("by right") residential development up to 1.5 FAR; $1.50 per gross square foot on the gross square feet of permitted commercial gross floor area, and $11.89 per square foot for the additional square footage up to 2.5 FAR. This amount exceeds the guidelines of the "Developer Housing Contribution Work Group Report" dated May 2005 and received by the Alexandria City Council on June 14, 2005.

43. The amount of the contribution shall be made in proportional amounts commensurate with the issuance of certificates of occupancy for each phase of development unless the Applicant can make alternative arrangements for an upfront payment of the contribution through its construction financing structure. Should this be infeasible, the amount pledged by the developer will maintain its total $5,000,000.00 present value to the City's Affordable Housing Trust Fund, as described below.

44. Prior to the release of the first certificate of occupancy for the project area, Applicant shall contribute $1,000,000 to the City's Affordable Housing Trust Fund, with $1,000,000 million paid as every subsequent development within the CDD area requests certificates of occupancy. At the time of each payment, the $1,000,000 installment shall be accordingly adjusted so that it is made in constant 2011 dollars. Constant 2011 dollars shall be defined according to the Index known as the "U.S. Bureau of Labor Statistic Consumer Price Index for All Urban Consumers, U.S. City Average, Housing Item." The designated index published next before each payment shall serve as the "base index" and like data published next before each subsequent installment shall serve as the "installment index." Each installment shall be the sum of $1,000,000 and an amount computed by multiplying the sum of $1,000,000 by the percent change in the designated CPI index between the "base index" and the applicable "installment index." The CPI adjustment shall be waived for period of no longer than ten years from the date of CDD #2011-0002 approval, after which, the CPI adjustment will be put in place and carried forth on any

balance remaining until completion of the project and/or full payment of the contribution amount. Additionally, there shall be no prohibition against an early payment of this contribution to the housing fund.

## L. ARCHAEOLOGY:

Open Space

45. Incorporate and interpret elements of the historical character and archaeological findings into the design of the open space and prepare interpretive signs, which shall be erected as part of the development projects.* (Arch)(P&Z)(RP&CA)

46. If the Fendall Family Cemetery is discovered within the project area, all attempts shall be made to preserve the cemetery in place and have it incorporated into the open space design. If the preservation cannot be accomplished, the applicant shall be responsible for archaeological removal and study pursuant to the Virginia Department of Historic Resource and the City's archaeological requirements. (ARCH)

Archaeology

47. The developer shall hire an archaeological consulting firm to conduct additional historical research and complete Archaeological Evaluations for the development areas. If significant resources are discovered, the consultant shall complete a Resource Management Plan, as outlined in the City of Alexandria Archaeological Standards. Preservation measures presented in the Resource Management Plan, as approved by the City Archaeologist, will be implemented. (Archaeology)

Archaeology Code

48. All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

## CITY DEPARTMENT CODE REQUIREMENTS

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

**Fire Department**

C-1 The developer shall provide a separate Fire Service Plan which illustrates: a) emergency ingress/egress routes to the site; b) two fire department connections (FDC) to the building, one on each side/end of the building; c) fire hydrants located between forty (40) and one hundred (100) feet of each FDC; d) on site fire hydrants spaced with a maximum distance of three hundred (300) feet between hydrants and the most remote point of vehicular access on site; e) emergency vehicle easements (EVE) around the building with a width of eighteen (18) feet (one way) and twenty-two (22) feet for two-way traffic; f) all Fire Service Plan elements are subject to the approval of the Fire Official.

C-2 Fire Department ladder truck access is required for 48% of the perimeter of all buildings over 50 feet in height. This requires a truck to be able to position itself between 15 and 30 feet from the face of the building. All elevated structures used for this purpose shall be designed to AASHTO HS-20 loadings.

C-3 Building is over 50 feet in height and as such is required to have ladder truck access to a 48% perimeter of the buildings by public roads or recorded emergency vehicle easements (eve). For a building face to be considered accessible by a ladder truck the curb line shall be at least 15 feet and no more than 30 feet from the face of the building. The face of the building may not articulate back into the mass of the building more than 7 feet horizontally in the first 75 feet of vertical dimension of the building. Alternatives that demonstrate equivalency to this requirement will be considered on a case by case basis.

C-4 The final site plans shall show placement of fire easement signs. See attached guidelines for sign details and placement requirements.

C-5 The applicant of any building or structure constructed in excess of 10,000 square feet; or any building or structure which constructs an addition in excess of 10,000 square feet shall contact the City of Alexandria Radio Communications Manager prior to submission of final site plan. The proposed project shall be reviewed for compliance with radio requirements of the City of Alexandria to the satisfaction of the City of Alexandria Radio Communications Manager prior to site plan approval. Such buildings and structures shall meet the following conditions:

C-6 The building or structure shall be designed to support a frequency range between 806 to 824 MHz and 850 to 869 MHz.

The building or structure design shall support minimal signal transmission strength of -95 dBm within 90 percent of each floor area.

The building or structure design shall support a minimal signal reception strength of -95 dBm received from the radio system when transmitted from within 90 percent of each floor area.

C-7 The building or structure shall be tested annually for compliance with City radio communication requirements to the satisfaction of the Radio Communications Manager. A report shall be filed annually with the Radio Communications Manager which reports the test findings.

C-8 If the building or structure fails to meet the above criteria, the applicant shall install to the satisfaction of the Radio Communications Manager such acceptable amplification systems incorporated into the building design which can aid in meeting the above requirements. Examples of such equipment are either a radiating cable system or an FCC approved type bi-directional amplifier. Final testing and acceptance of amplification systems shall be reviewed and approved by the Radio Communications Manager.

F-1 FDC on West side of B3 needs to be relocated to the corner of the building. Current location on submitted plan shows the hose line going over the top of the building.

F-2 Fire Lane signs not to City Specifications (lack of directional arrows).

F-3 B4 needs an additional FDC with hydrant.

F-4 Lack of EVE signs around park.

F-5 Lack of water line sizes.

F-6 Auto-turn shows Fire Apparatus mounting curb of B2

F-7 Hydrant missing from East side of B3

F-1 The applicant, Jaguar Development, LC has submitted various documents related to its application for approval of a concept plan for the Braddock Gateway District, These documents are considered to constitute the applicant's Proposed Concept Plan for this CDD: (1) the plan set entitled "CDD 15 – 1st Amendment_Conceptual Site Plan, The Gateway, City of Alexandria," dated May 29, 2011 hereinafter referred to as the "Concept Plan", all associated applications and plans and (2) the Building Height Exhibit dated February 15, 2008. (P&Z)

F-2 The term Braddock Gateway Coordinated Development District and/or Braddock Gateway CDD shall refer to the portion of land bound by First Street to the south, 1018, 1020 and 1024 Henry Street and portion of Fayette Street to the east, WMATA, Virginia American Company and N. Payne Street to the west, Potomac Yard CDD to the north.

F-3 The applicant has acknowledged that the project site has been the location of two LUST records (PC # 2000-3320 & 1989-1447) that have been closed to the satisfaction of VDEQ. The preliminary site plan at a minimum shall contain a note detailing this site

history as well as describe the remediation steps and standards mandated by VDEQ to close the LUST cases. A site map showing the approximate location of the former leaking underground storage tank(s) shall also be included.

1 The term "Jaguar Development ,LC or the applicant includes any successor to the applicant which makes up the Braddock Gateway Coordinated Development District. Thus, obligations imposed on Jaguar Development, LC by these conditions are also imposed on those to whom Jaguar Development, LC conveys property within the Coordinated Development District.

R-1 Technical correction comments shall be sent and addressed by the applicant prior to the submittal of the First Final Site Plan.

F-4 Finding deleted.

F-5 Finding deleted.

**Archaeology**

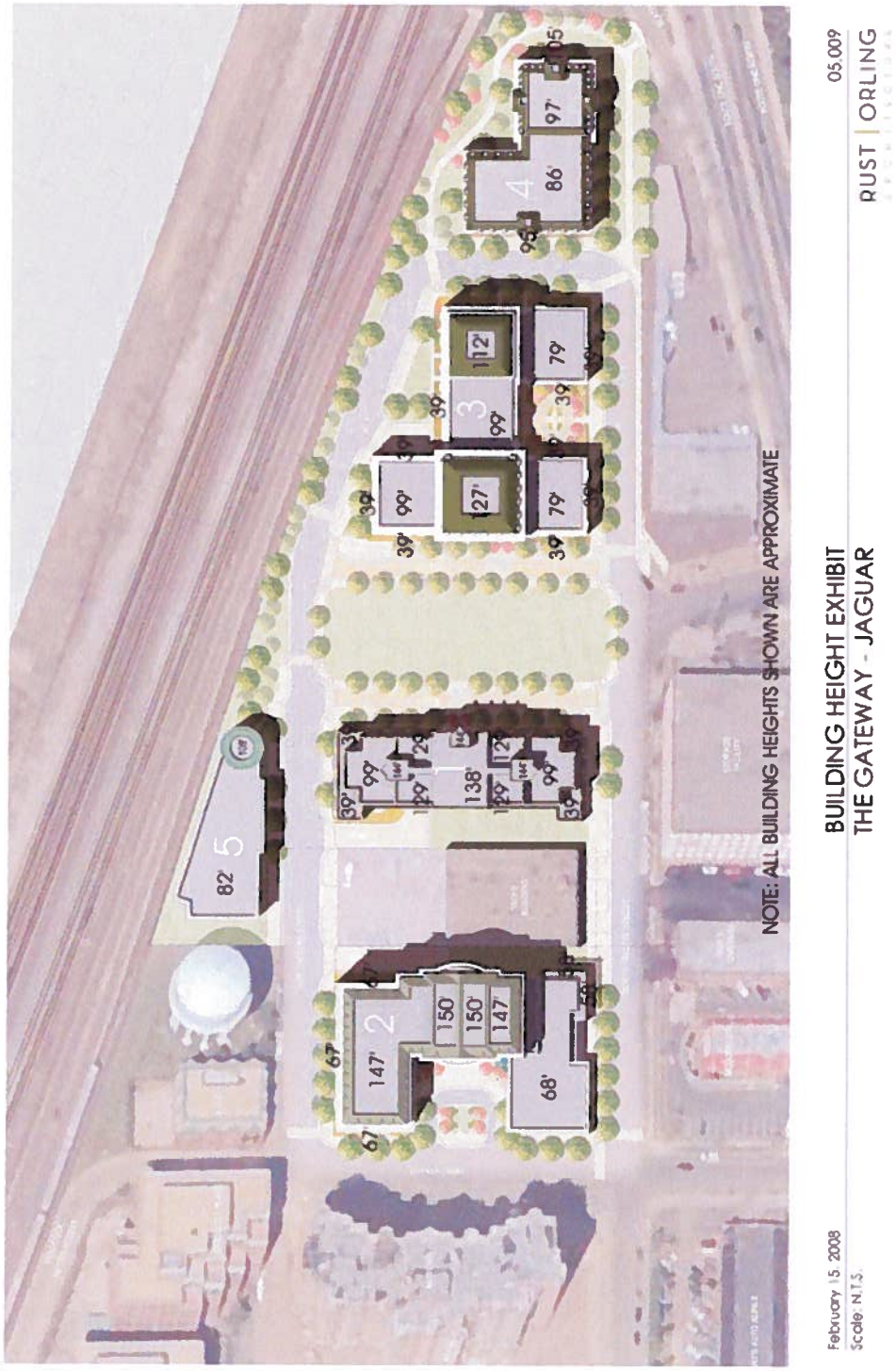
Findings:

F-1 With the approval of this CDD #15 – First Amendment, the first phase of development for CDD #15 shall be considered as a catalyst project phase per the Braddock Metro Neighborhood SAP.

F-2 The Documentary Study of the Braddock Gateway Property, City of Alexandria, Virginia, prepared by Thunderbird Archaeology, indicates that the northern section of the development property was part of the Fendall Farm, bought by Philip Fendall in 1786 and leased to John Gadsby in 1806. A half-acre parcel of land on the farm served as the Fendall family cemetery. Although the exact cemetery location could not be determined from the records examined, oral history accounts suggest that the graveyard may have been located on this development property, near the terminus of North Payne Street. In addition, the 1921 Sanborn insurance map indicates that the property was the site of the Mutual Ice Co. Car Icing Plant. There is high potential for archaeological resources to be present that could provide insight into the 20th-century industrial activities on the property. There is also potential for discovery of evidence of the cemetery if it is within the development lots. While less likely given the amount of disturbance, archaeological work could yield information on rural activities of the 18th and 19th centuries and on the lives of the 20th-century workers, who lived in bunkhouses on the site.

# VII: ATTACHMENTS

**Attachment # 1 Approved Building Heights**



**Attachment #2**

Bowman
CONSULTING

# MEMORANDUM

**TO:** Dr. Singh, T&ES

**FROM:** Steven Liam, PE
Cc: Scott Delgado, PE

**DATE:** August 2, 2011

**RE:** Braddock Gateway – Northern Outfall

The Braddock Gateway ( 'Site') is a warehouse/office use located to the north of Braddock Road Metro, between Old Town Alexandria and the Potomac Yard Development (PYD). Under existing conditions, the 7.08 acre site is made up of commercial buildings and surface parking resulting in a site imperviousness of approximately 90%-95%.

The Site currently has three different outfalls related to storm water discharge. The Southern outfall, located at First Street and Payne Street, extends to the Braddock-West watershed. The Western outfall, located at the WMATA tracks, extends to PYD while the Northern outfall is located at the Route 1 Bridge.

The re-development of this project will ultimately utilize only the Western and Northern outfalls once all seven acres of the site are developed. The Southern outfall shall be used temporarily for the first phase of the project until the next phases come online to divert the storm water to the Northern and Western outfalls.

The Western outfall is an existing closed storm drain system that runs under the WMATA train tracks as a 15" dia. storm pipe. Once the existing 15" storm pipe clears the tracks, it then transitions into a 36" pipe system running parallel along the west side of the track. The 36" pipe is then directed toward the PYD pump station where it then outfalls back under the tracks as a 42" pipe. The 42" pipe system is then directed through the Potomac Greens Development to outfall into a 78" CMP pipe. The storm water is then conveyed via the 78" CMP to then discharge into the wetland area West of the GW Parkway.

The Western outfall has been designed and conveyed from the PYD pump station through the Potomac Greens development. This pipe system was sized with a 100 year HGL computation therefore, meeting the 10 year HGL. Please see DSUP 2002-0026 sheet 55A for computation and

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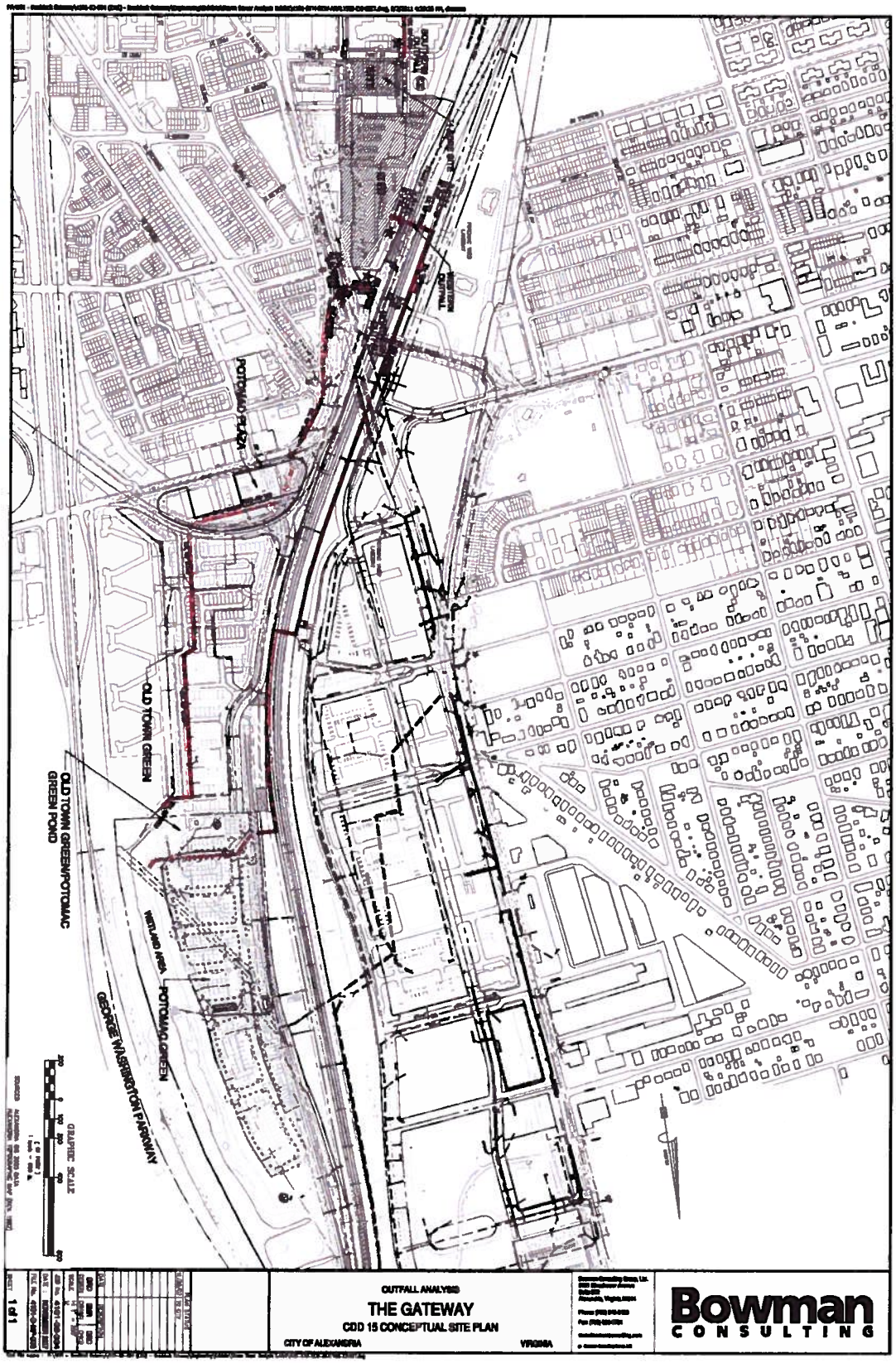
OUTFALL
POTOMAC PLAZA
OLD TOWN GREEN
OLD TOWN GREEN/POTOMAC GREEN POND
WETLAND AREA
POTOMAC GREEN
GEORGE WASHINGTON PARKWAY
GRAPHIC SCALE
OUTFALL ANALYSIS
THE GATEWAY
CDD 15 CONCEPTUAL SITE PLAN
CITY OF ALEXANDRIA
VIRGINIA
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1 of 1

CDD 2012-0002

# APPLICATION

## CDD DEVELOPMENT CONCEPT PLAN

**CDD #** 15

[*must use black ink or type*]

**PROPERTY LOCATION:** 1050, 1100, 1200A and 1200 N. Fayette St.

**TAX MAP REFERENCE:** 044.03-06-03, -.03.L2 and -01.L1 **ZONE:** CDD-15

**APPLICANT'S NAME:** Jaguar Development, L.C.

**ADDRESS:** 46859 Harry Byrd Hwy., Suite 202, Sterling, VA 20164

**PROPERTY OWNER NAME:** Force Alexandria, LLC

**ADDRESS:** 46859 Harry Byrd Hwy., Suite 202, Sterling, VA 20164

**REQUEST:** Amendment to CDD-15 Concept Plan to relocate a portion of the retail from B2 to B3 and remove the live-work units, so that retail frames the central park area on both sides.

***THE UNDERSIGNED*** hereby applies for CDD Development Concept Plan approval in accordance with the provisions of Section 5-600 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 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*** 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 Planning Commission or City Council in the course of public hearings 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.

Mary Catherine Gibbs
Print Name of Applicant or Agent

Mary Catherine Gibbs
Signature

Hart, Calley, Gibbs & Karp, P.C.
307 N. Washington St.
Mailing/Street Address

703-836-5757
Telephone #

703-548-5443
Fax #

Alexandria, VA
City and State

22304
Zip Code

8/29/11
Date

**DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY**

Application Received: _____ Date and Fee Paid: _____ $_____

ACTION - PLANNING COMMISSION: _____ ACTION - CITY COUNCIL _____