

EXHIBIT NO. 1

7  
3-16-02

Docket Item # 6  
DEVELOPMENT SPECIAL USE PERMIT #2001-0004  
TABLE TALK RESTAURANT SITE

Planning Commission Meeting  
March 5, 2002

**ISSUE:** Consideration of a request for a development special use permit extension for construction of an office building.

**APPLICANT:** Mostafa Movahed  
by Harry P. Hart, attorney

**LOCATION:** 1623 Duke Street

**ZONE:** OCH/Office Commercial High

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**PLANNING COMMISSION ACTION, MARCH 5, 2002:** On a motion by Mr. Robinson, seconded Mr. Gains, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7 to 0.

**Reason:** The Planning Commission agreed with the staff analysis, but expressed that the Commission was not likely to recommend approval of another 18 month extension and that the applicant would be required to submit a new application for consideration.

**Speakers:**

Harry P. Hart, attorney, represented the application.

**Representations:**

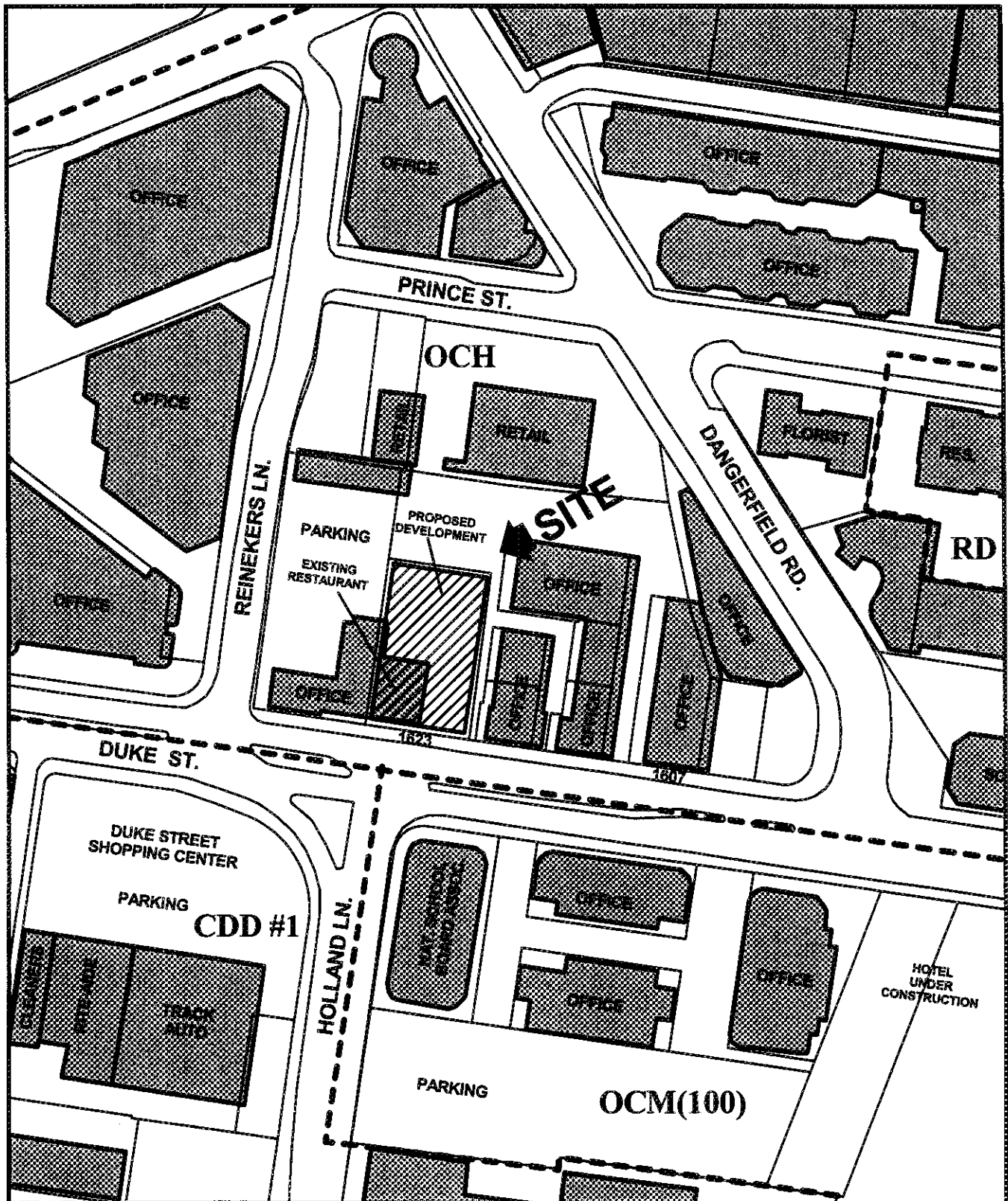
Mr. Hart agreed that the building facade design treatment depicted in the staff sketch Alternative 3 (Attachment 3) of the staff report was acceptable to the applicant.

**PLANNING COMMISSION ACTION, OCTOBER 2, 2001:** By unanimous consent, the Planning Commission deferred the request.

**Reason:** The applicant requested the deferral.

**PLANNING COMMISSION ACTION, JUNE 5, 2001:** The Planning Commission noted the deferral of the request.

**Reason:** The applicant requested deferral.



**DSUP #2001-0004**

**03/05/02**



**SUMMARY:**

The applicant, Mostafa Movahed, seeks extension of a previously approved special use permit, with site plan, for the construction of an office building with ground floor restaurant space at 1623 Duke Street, the site of the existing Table Talk Restaurant. The subject property contains 13,527 sq. ft. of land area and is zoned OCH/Office Commercial High. The proposed building is four stories tall with a taller, 70', tower and with 36,943 net square feet of office space and 3,640 net square feet of restaurant space on the ground level, with two levels of underground parking. The request requires a special use permit to increase the floor area from 2.0 to 3.0 and modifications to crown coverage and garage aisle widths. This building was originally approved by the City nearly ten years ago (April 1992, SP#92-003), and has been reapproved once and extended three times.

Staff is generally supportive of the building at this location; the 3.0 density is appropriate at this proximity to the Metro Station and the height and massing of the building are in scale with surrounding development. However, staff did have significant concerns about the building access and about the building design. The applicant has agreed to modifications to the plan to address these issues and, therefore, staff recommends approval.

**Building Access**

The building is designed with garage and loading access directly onto Duke Street, just east of the building's entrance. And, in fact, since the parcel only has frontage on Duke Street, access is not possible from any other location unless cross access easements could be obtained across an adjoining property. Staff is concerned about this access onto Duke Street. Since the building was first approved, traffic on Duke Street has continued to increase, with the intersection of Duke and Holland becoming more congested. Having a garage entrance on Duke Street just offset from this intersection is far from desirable and the original design exacerbated this issue by providing a loading dock at the same point on Duke Street. The loading space was designed within the drive aisle for the garage exit, forcing cars exiting from the garage into the entrance lanes and adding to the confusion at the intersection. Further, trucks utilizing a loading space at the entrance would have to back onto Duke Street adjacent to the Holland Lane intersection, which is an extremely undesirable design potentially impacting safety.

Staff has encouraged the applicant to seek an access easement from an adjoining property owner so that the curb-cut along Duke Street could be eliminated. The extended period of time between when the applicant filed for the extension and when this application has been brought to public hearing has allowed the applicant time to contact the adjacent property owner on securing an alternate point of access for the site as recommended by staff. However, the applicant was unsuccessful in securing alternative access. Nonetheless, the applicant has agreed to continue to seek the alternative access in negotiations facilitated by the City Manager and the Director of Planning and Zoning to ensure that every potential to eliminate the Duke Street access is exhausted. Staff acknowledges, however, that it is likely that access will have to remain on Duke Street. In this case, T&ES staff is recommending that no loading be permitted from the Duke Street entrance and that the entrance be

designed to limit access in and out of the garage to right-turn only. The applicant has agreed to locate their loading and unloading on Reinekers Lane, west of the building. Reinekers Lane functions in large part as an alley already, with loading and unloading activities occurring on-street for the King Street Station project. Vans and other small delivery vehicles will have the option of driving into the garage and unloading from within the garage itself.

### Building Design

Staff's second concern related to the building design. The building is prominently located on Duke Street on an axis with Holland Lane and next to an historic building. The originally proposed design was very modern in character and did not relate well in character, quality or style to the development that has been occurring in the surrounding area over the past 5-6 years. The applicant has worked with staff on modifying the building's design and staff believes the building design is now much improved. Nonetheless, staff does believe that some details of the design, such as the roof/penthouse feature and window detail, require further refinement and the applicant has agreed to continue working out the final detail treatment on the building to the satisfaction of the Director of Planning and Zoning. Staff has recommended specific design guidelines for improving the building's proportions, character and quality.

STAFF RECOMMENDATION:

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

21. **NEW CONDITION:** The applicant shall continue to work with adjoining property owners in negotiations facilitated by the City Manager and the Director of Planning and Zoning to secure access to the building through one of the adjoining properties in lieu of the direct access onto Duke Street. The applicant shall be permitted to modify the site plan to accommodate a new access to the satisfaction of the Director of Planning & Zoning. Upon a finding by the City Manager that access cannot reasonably be acquired through a neighboring property, this requirement may be waived by the City Manager and access shall be permitted from Duke Street. (P&Z)
22. **NEW CONDITION:** The loading space shown on the site plan shall be eliminated and all loading and unloading shall occur from Reinekers Lane, in areas designated for loading and unloading. Small delivery vehicles that are able to pull into the garage may unload from within the garage. Signs shall be posted advising drivers of these restrictions to the satisfaction of the Directors of P&Z and T&ES. (P&Z)(T&ES)
23. **NEW CONDITION:** The entrance into the parking garage shall be designed to allow right-in and right-out traffic only through construction of an island within the median of Duke Street. (T&ES) (P&Z)
24. **NEW CONDITION:** Modify the proposed building design to meet the following design guidelines to the satisfaction of the Director of P&Z:
  - a. Respond to the site's visually prominent location on axis with Holland Lane by providing high quality materials and detailing on the south facade with a strong architectural focal point, a highly modeled facade and an articulated skyline.
  - b. Construct the portions of the facade visible from Duke Street predominantly of masonry (brick with stone or cast stone accents) and predominantly with punched windows in a square or vertical proportion. Windows should be articulated with mullions to reduce the scale and provide visual interest and should be framed by sills and lintels reflecting traditional load bearing masonry.
  - c. No more than 25% of the south facade shall exceed the height of the roof of the building to the east (approximately 45'). Building walls above this height restricted section shall be stepped back a minimum of 15' from the front facade and the wall or roof should not exceed a 1:1 slope from the front facade height limit. The height of the primary building mass should be as low as feasible.

- d. The building should have a clear base, middle and top. The elements of the base should be proportioned to reflect a pedestrian scale and be coordinated with the sidewalk and street trees.
  - e. The design treatment of the building's line and roof top screening shall consist of materials that are consistent with the principal materials used on the building's facade and of the minimum necessary size to screen roof top mechanical equipment.
  - f. The remaining building facade treatment shall consist principally of punched window and masonry treatment, similar to the front facade.
  - g. Minimize the visual appearance of the garage and loading entrances by lowering the clearance height provided for the parking garage entrance. (P&Z)
25. **NEW CONDITION:** The storm water Best Management Practices (BMPs) required by this project shall be constructed and installed under the direct supervision of the design engineer or his/her designated representative. The design engineer shall make a written certification to the City that the Best Management Practices are constructed and installed as designed and in accordance with the approved final site plan. In addition, aggregate layers and collector pipes may not be installed unless said engineer or his/her representative is present. (T&ES)
26. **NEW CONDITION:** The developer shall furnish the owner with an Operation and Maintenance Manual for all Best Management Practices on the project. The manual shall include at a minimum an explanation of the functions and operations of the BMP and any supporting utilities, catalog cuts on any mechanical or electrical equipment, a schedule of routine maintenance for the BMP and supporting equipment, and a copy of maintenance agreement with the city. (T&ES)
27. **NEW CONDITION:** Revise NOTE #8 on cover sheet. Downspouts shall be routed to the BMP facility. (T&ES)
28. **NEW CONDITION:** Provide all pedestrian and traffic signage to the satisfaction of the Director of T&ES. (T&ES)
29. **NEW CONDITION:** Provide a flush driveway entrance with brick pavers on the Duke Street garage entrance to delineate sidewalk crossing, designed to the satisfaction of the Director of T&ES. (T&ES) (P&Z)
30. **NEW CONDITION:** Relocate proposed stairs outside of City right-of-way on Duke Street and provide a minimum setback of 18' between the face of curb and the entry staircase/planter feature. Redesign the handicap access ramp to provide a minimum setback of 18' between the face of curb and the handicapped access ramp. (T&ES) (P&Z)

31. **NEW CONDITION:** Prior to the release of the final site plan, provide a Traffic Control Plan for construction detailing proposed controls to traffic movement, lane closures, construction entrances, haul routes, and storage and staging. (T&ES)
32. **NEW CONDITION:** A separate SUP shall be required for any restaurant in the building. (P&Z)
33. **NEW CONDITION:** This permit shall be valid for a period of 18 months from the date of City Council approval. (P&Z)

**The following conditions are carried forward from DSUP 99-0053:**

1. Any inconsistencies between the various drawings submitted by the applicant shall be reconciled to the satisfaction of the Directors of P&Z and T&ES. (SUP 95-0216) (P&Z) (SUP#98-0022).
2. Enhance the appearance of the project along Duke Street by the following methods to the satisfaction of the Director of P&Z: (SUP 95-0216) (SUP#98-0022).
  - a) paint the garage doors the same color as the building.
  - b) use special paving material in the garage driveway entrance area.
3. Shift the four proposed tree pits to be adjacent to the street curb and provide tree grates to the satisfaction of the City Arborist. (SUP 95-0216) (RP&CA) (P&Z) (SUP#98-0022).
4. Locate transformers and other major site utility structures behind the buildings and screen all other utility structures (except fire hydrants) visible from all public and common areas in and outside the site to the satisfaction of the Director of P&Z. (SUP 95-0216) (P&Z) (SUP#98-0022).
5. Provide two (2) garage spaces that are marked for vanpools and reserved until 10:30 a.m. without charge for vanpool use. An annual report shall also be submitted to the City identifying the utilization of parking for the project. (SUP 95-0216) (P&Z) (SUP#98-0022).
6. Contribute either two street trees to be installed at a location to the satisfaction of the City Arborist or pay the amount of \$400 toward the acquisition of trees to the satisfaction of the City Arborist. (SUP 95-0216) (P&Z) (SUP#98-0022).



7. Attach a copy of the final released site plan to each building permit document application and be responsible for insuring that the building permit drawings are consistent and in compliance with the final released site plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services. (SUP 95-0216) (P&Z) (SUP#98-0022).
8. Show an Environmental Site Assessment Statement on the plan. (SUP 95-0216) (T&ES) (SUP#98-0022).
9. Show a Best Management Practice concept on the site plan sheet. (SUP 95-0216) (T&ES) (SUP#98-0022).
10. Show all existing and proposed street lights and site lights. (SUP 95-0216) (T&ES) (SUP#98-0022).
11. Any proposed street lights or site lights must meet City standards. (SUP 95-0216) (T&ES) (SUP#98-0022).
12. Show all existing and proposed easements, both public and private. (SUP 95-0216) (T&ES) (SUP#98-0022).
13. Donate \$1.10 per square foot of net floor area for King Street Metro Area improvements, with a credit to be given for costs actually incurred by the applicant in conducting an archaeological study, per a memo from the City Attorney, Philip Sunderland, dated June 19, 1990. (SUP 95-0216) (City Council) (SUP#98-0022).
14. Consult with the Crime Prevention Unit of the Alexandria Police Department regarding the locking hardware and the alarm system for the buildings prior to application of a building permit. (SUP 95-0216) (Police) (SUP#98-0022).
15. Provide high pressure sodium vapor lighting for the garages and all other common areas to the satisfaction of the Police Chief and the Director of T&ES. (SUP 95-0216)(Police) (P&Z)
16. Provide lighting in the garages and common areas at a minimum of 2.0 foot candles or to the satisfaction of the Police Chief and the Director of T&ES. Show on final site plan. (SUP 95-0216) (Police) (P&Z) (SUP#98-0022).
17. Garage walls and ceilings shall be painted white to make light more reflective or garage shall be illuminated to the satisfaction of the Police Chief. (SUP 95-0216) (Police) (P&Z) (SUP#98-0022).

18. Provide controlled access and install emergency panic buttons in the parking garage. (SUP 95-0216) (Police) (P&Z) (SUP#98-0022).
19. Provide a cash contribution to the Housing Trust Fund in the amount of \$.50 per gross square foot, payable at the time of receipt of the certificate of occupancy permit. (SUP 95-0216) (Housing) (SUP#98-0022).
20. Require that the building contractor, prior to commencing any construction, meet with a representative of the Office of Employment Training to describe what kinds of construction employees will be hired and to learn about employment services offered by OET. The applicant shall require its contractor to give good faith consideration to applicants for employment who are referred by OET. (SUP 95-0216) (Human Services)

**SPECIAL USE PERMITS AND MODIFICATIONS RECOMMENDED BY STAFF:**

1. Special use permit for increase in floor area ratio up to 3.0
2. Modification to reduce crown area landscape coverage.
3. Modification to reduce drive aisle widths at various locations within the garage structure.

**BACKGROUND:**

The applicant, Mostafa Movahed, seeks extension of a previously approved special use permit, with site plan, for the construction of an office building with ground floor restaurant space at 1623 Duke Street, the site of the existing Table Talk Restaurant. The subject property contains 13,527 sq. ft. and is zoned OCH/Office Commercial High. The proposed four story building is 70' tall with 36,943 net sq. ft. of office space and 3,640 net sq. ft. of restaurant space on the ground level, and two levels of underground parking for 48 parking spaces and building service areas. The approved development plan includes a special use permit for an increase in floor area from 2.0 to 3.0 and modifications to crown coverage and garage aisle widths.

The proposed project was originally approved as a site plan under C-3 zoning (SP#92-003) by the Planning Commission in April of 1992 prior to adoption of the 1992 Zoning Ordinance. That approval was extended 18 months in January of 1994 and finally expired in July of 1995. The applicant resubmitted essentially the same project, but under the provisions of OCH/Office commercial high zoning, which included a request for increased density under the provisions of the OCH zone. In addition, the applicant was required to submit architectural building plans showing the proposed project and its relationship to Duke Street and adjacent properties. The application (SUP#95-0216) was approved by City Council on November 16, 1996 and extended for 18 month periods on November 16, 1996 (SUP95-0216), May 16, 1998 (SUP#98-0022) and November 16, 1999 (DSUP#99-0053). The applicant indicates that this extension is needed to facilitate adequate time in which to go through the final site plan review process. The applicant is actively marketing the building

**STAFF ANALYSIS:**

While staff is generally supportive of high-density office development at this location, within two blocks of the King Street Metrorail station, staff had significant concerns with the specific design of the building and its access. While these concerns are not entirely new, as time has passed and development has progressed in the King Street/Eisenhower Avenue area, the significance of these issues has also increased; therefore, staff was not going to support another extension of this development special use permit. However, the extensive period of time that has elapsed since the applicant filed this extension request has allowed staff and the applicant to investigate alternatives for providing loading access to the project and to modify the building's exterior design treatment and staff is now able to support the project, with new conditions.

**Building Access**

The only street or alley on which the parcel has frontage is Duke Street; therefore, the building is designed with an entrance from the building's garage directly onto Duke Street, located just east of the Holland Lane/Duke Street intersection. The entrance is designed to handle all loading functions for the office building and first floor restaurant use, and trucks utilizing it will have to back onto or

from Duke Street at the entrance. The proposed entrance will negatively affect traffic operations on Duke Street, particularly given the loading bay blocks the garage exit and requires trucks to back onto Duke Street. In addition, the location of this entrance is aesthetically undesirable, by impacting the streetscape and interrupting the sidewalk and street tree spacing.

Ideally, the building would not take access from Duke Street, or if access was from Duke Street, it would be from a driveway or alley that could accommodate deliveries without requiring backing into or from Duke Street. However, because of the site size and configuration, such access could only be designed in coordination with an adjoining parcel. Because of the unlikelihood of being able to achieve such coordination, staff previously supported the design. The applicant has indicated they have worked to acquire access over the adjoining parcels during the extended period of time since this application for extension was first filed, but this effort has not been successful. The applicant has agreed, and staff has recommended, to continue to acquire alternate access in negotiations facilitated by the City Manager and the Director of Planning. If such alternative access is able to be acquired, the entrance to Duke Street could be eliminated during the final site plan process.

While highly desirable, staff believes the alternative access is unlikely to be secured and that access for this parcel will likely be from Duke Street. To reduce the potential traffic impacts, T&ES staff has recommended that no loading occur at the building entrance, and that instead loading be from a public street, Reinekers Lane. While it is somewhat unusual to require or even allow loading from a public Street, Reinekers lane is unusual in that it functions somewhat as an alley today, with significant loading activities already occurring on the street for the King Street Station project. T&ES staff believes the additional loading activities associated with this new, relatively small building, are reasonable and far more desirable than loading occurring on Duke Street at the building entrance. Smaller delivery vehicles, such as vans, could also drive into the garage and unload from within the garage.

To further address the access issue, T&ES staff has recommended that the driveway entrance into the garage be designed to allow only right-in and right-out turns.

### Building Design

Staff's concern for the building's design treatment is that the original design is not consistent with the quality and character of other buildings recently approved in the immediate area. The original building approval in 1992 did not require elevations. When this project was approved for a development special use permit in 1996, the applicant was required to submit architectural building elevations. Those plans reflect a somewhat modern architectural style with proportions and details that have little relationship to surrounding development.

The site is located on an axis with the end of Holland Lane, thereby occupying a particularly visually prominent location on Duke Street and Holland Lane. Holland Lane is an important street because it serves two functions: 1) it provides a key entrance and exit into the eastern Eisenhower Avenue area, and 2) the street contains residential uses and the African American Heritage park, which both

will eventually generate significant pedestrian traffic. The building's location at the terminus of Holland Lane makes it a particularly important urban design element within the city fabric. Staff does not believe that the current architectural design character of the building has fully responded to this important context. Other buildings that have been constructed in the immediate area over the past several years, such as those in Carlyle or the Marriott Residence Inn, have a scale and level of detail which is more compatible with the nearby historic district and the listed 100 Year Old Building immediately to the west.

At the request of the applicant, this application was deferred from the June public hearings to allow the applicant time to evaluate staff's recommended design changes to the building. Staff recommended several changes to the building's design treatment in an attempt to improve the quality and proportions of the building and to make the building more compatible with surrounding buildings, including: creating a more proportionate building base, incorporating traditional details, increasing the transparency of the top of the building and providing smaller and more vertically proportioned windows.

Staff has included several sketches of building facade design treatments incorporating these elements (as illustrated in Attachments 1 through 3). The applicant's last modification shown in Attachment 4 is a significant improvement over the original proposed design treatment as illustrated in Attachment 5, but there are still several design elements that do not fully satisfy staff's recommended design guidelines. At issue is the design of treatment of the windows, appearance of a two story arcade and roof top treatment to screen mechanical equipment. The remaining design issues are:

- a) Treatment of window sills and headers is too simplistic, lacking sufficient size to define the window opening and visually reduce the size of the windows to provide a transition between the large window openings and the building facade.
- b) Use of a contrasting material band between the first and second floor which gives the appearance of a two-story arcade which staff has identified as being of an inappropriate pedestrian scale for a building of this mass and scale.
- c) Need for additional window mullions within the window glazing to break down the scale of the windows to be more in character with the traditional punched window treatment found on other buildings in the King Street area.
- d) Redesign of the tiered roof top screening which negates the transparency of the top floor and produces a heavy roof top appearance. The top floor is set back and consists primarily of exterior glazing making it appear to be a less visible element on the building. However, the tiered roof treatment creates a massive appearance atop the roof, visually bringing the top floor back into visual prominence along the skyline of the building. Screening of roof top mechanical equipment should consist of lighter less obtrusive materials that are of a scale and mass that is the minimum necessary to screen the roof top mechanical equipment.

The applicant feels that staff is requiring the applicant to replicate historic detailing for a building that is not intended to be of a historic style. Staff's intent is not to create a building with historic character. Staff's recommendations are intended to create a building that does not *replicate* historic detailing but which is *compatible* with historic buildings. In order to be compatible, the proposed building architecture must reflect traditional elements such as massing, scale, proportion of window openings, and scale and presence of other identifying elements such as lintels, sills and cornices. There are numerous examples of successful building designs within the King Street Metro Station area that have utilized these principles to produce buildings that are compatible and consistent with the character and massing of historic Old Town. Staff's intent is assuring that the building has its own identity, but is not out of character with its surroundings. The building's design has been significantly modified, with the remaining issues over design details that staff believes can be worked out during the final design process. Staff has recommended several general design guidelines that should achieve this goal.

### **Recommendation**

Staff is recommending approval of the extension. Staff believes that earlier concerns for issues on access and building design treatment have been resolved such that staff can recommend approval of the extension. Although this application has been approved and reapproved for a period of almost ten years, we believe that the applicant now has a better understanding staff's concern for this project given the consideration of increased traffic and a much higher level of character and quality for the area over the last 5 to 10 years.

**STAFF:** Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Kimberley Johnson, Chief, Development;  
Gregory Tate, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 The plan states that a request for parking reduction is requested but, the application indicates that provided parking exceeds requirements. An actual parking count of the plan results in conflict with the modification request, parking tabulation and the application. The applicant must resolve this conflict prior to any public hearing on this item.
- C-1 Bond for the public improvements must be posted prior to release of the plan.
- C-2 All downspouts must be connected to a storm sewer by continuous underground pipe.
- C-3 The sewer tap fee must be paid prior to release of the plan.
- C-4 All easements and/or dedications must be recorded prior to release of the plan.
- C-5 Plans and profiles of utilities and roads in public easements and/or public right-of-way must be approved prior to release of the plan.
- C-6 All drainage facilities must be designed to the satisfaction of T&ES. Drainage divide maps and computations must be provided for approval.
- C-7 All utilities serving this site to be underground.
- C-8 Plan shall comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance for storm water quality control.
- C-9 Provide a phased erosion and sediment control plan consistent with grading and construction.

**Planning staff is not recommending this condition because it was combined with a condition requiring a wider pedestrian sidewalk along the frontage of the project.**

- R-1 Widen existing brick sidewalk (approximately 4 feet), along Duke Street right of way, to full width of City right-of-way. (T&ES)

Code Enforcement:

No new comments

Health Department:

No new comments

Police Department:

No new comments

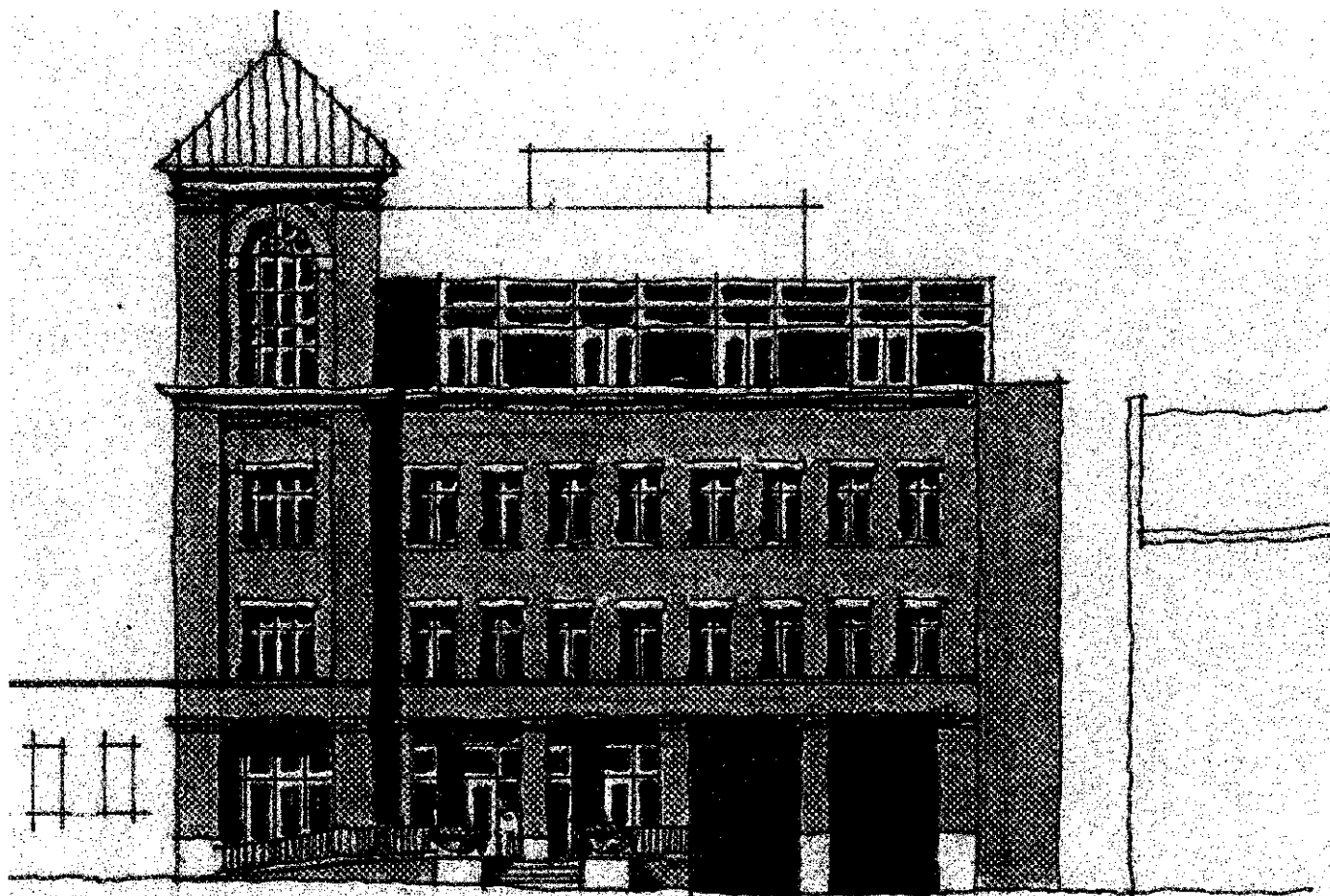
Historic Alexandria (Archaeology):

- F-1 This property is located in what was historically “West End” village. In the 1850s two connected buildings stood on this lot, a “Dwelling” and a “Dining Room & Kitchen”, according to an 1853 mutual assurance record, part of the Joseph Bruin slave trading firm. The “Negro Jail” building of this complex is still standing at 1707 Duke Street.
- C-1 The applicant must hire an archaeological contract firm to conduct a Documentary Study and an Archaeological Evaluation and produce a Resource Management Plan, as described in the *City of Alexandria Archaeological Standards*. A contract firm archaeologist will also monitor soil borings on the property.
- C-3 Archaeological investigations are required on the property and all archaeological preservation measures must be completed prior to the commencement of any ground disturbing activities (such as grading, vegetation removal, landscaping, coring, filling, shoring, undergrounding utilities and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm that archaeological work has been completed, call Alexandria Archaeology at (703) 838-4399.
- C-4 The two statements in C-3 above must appear in the General Notes of all site plans so that on-site contractors are aware of the requirement. Possible additional stipulations to be included on the Final Site Plan, will be determined in consultation between the applicant and Alexandria Archaeology.
- C-5 No Building Permit for this property will be released until final approval, following completion of preservation activities, is obtained from Alexandria Archaeology.
- R-1 All archaeological work will be carried out in accordance with the *City of Alexandria Archaeological Standards* and is subject to the approval of the City Archaeologist.

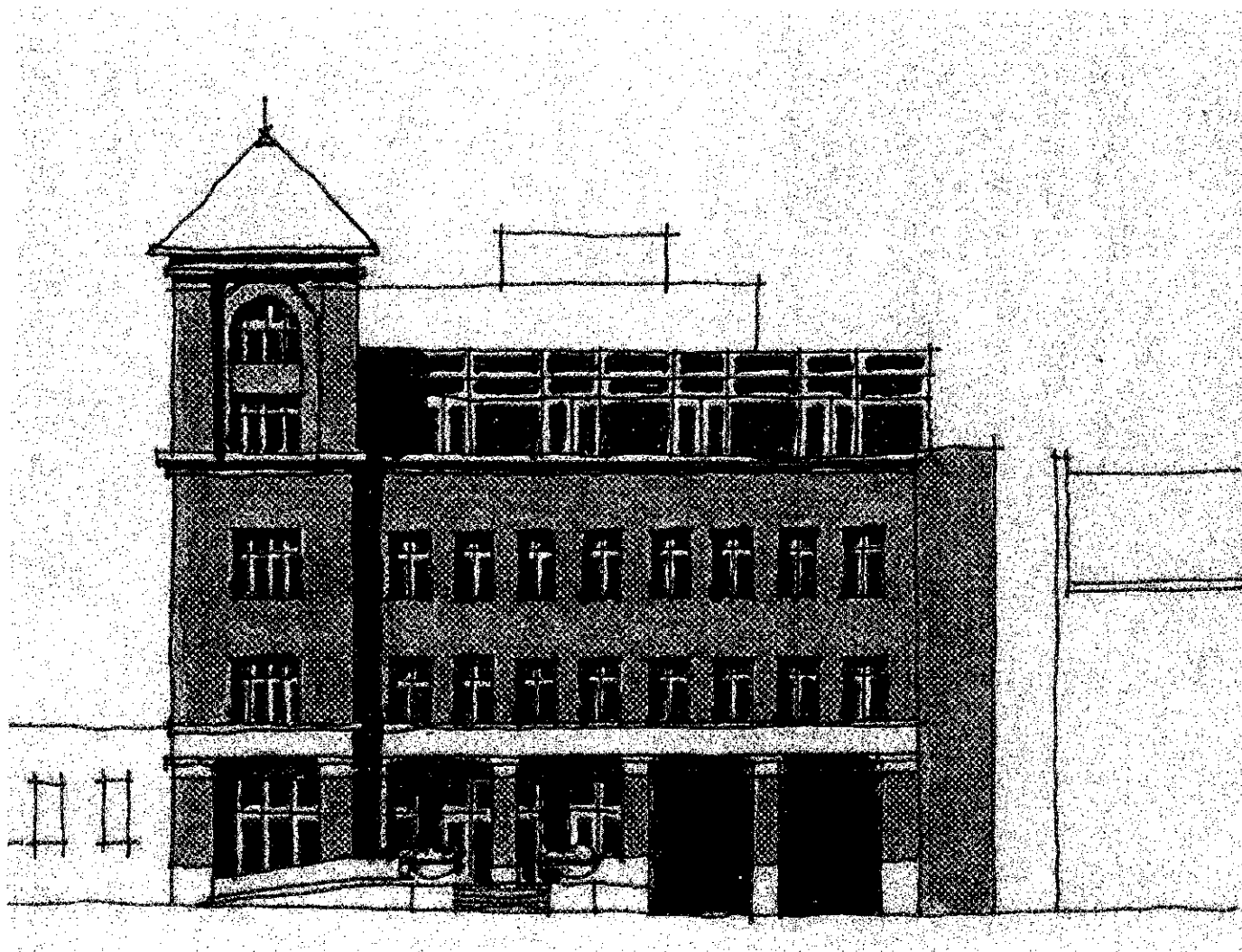
Parks & Recreation (Arborist):

No new comments.



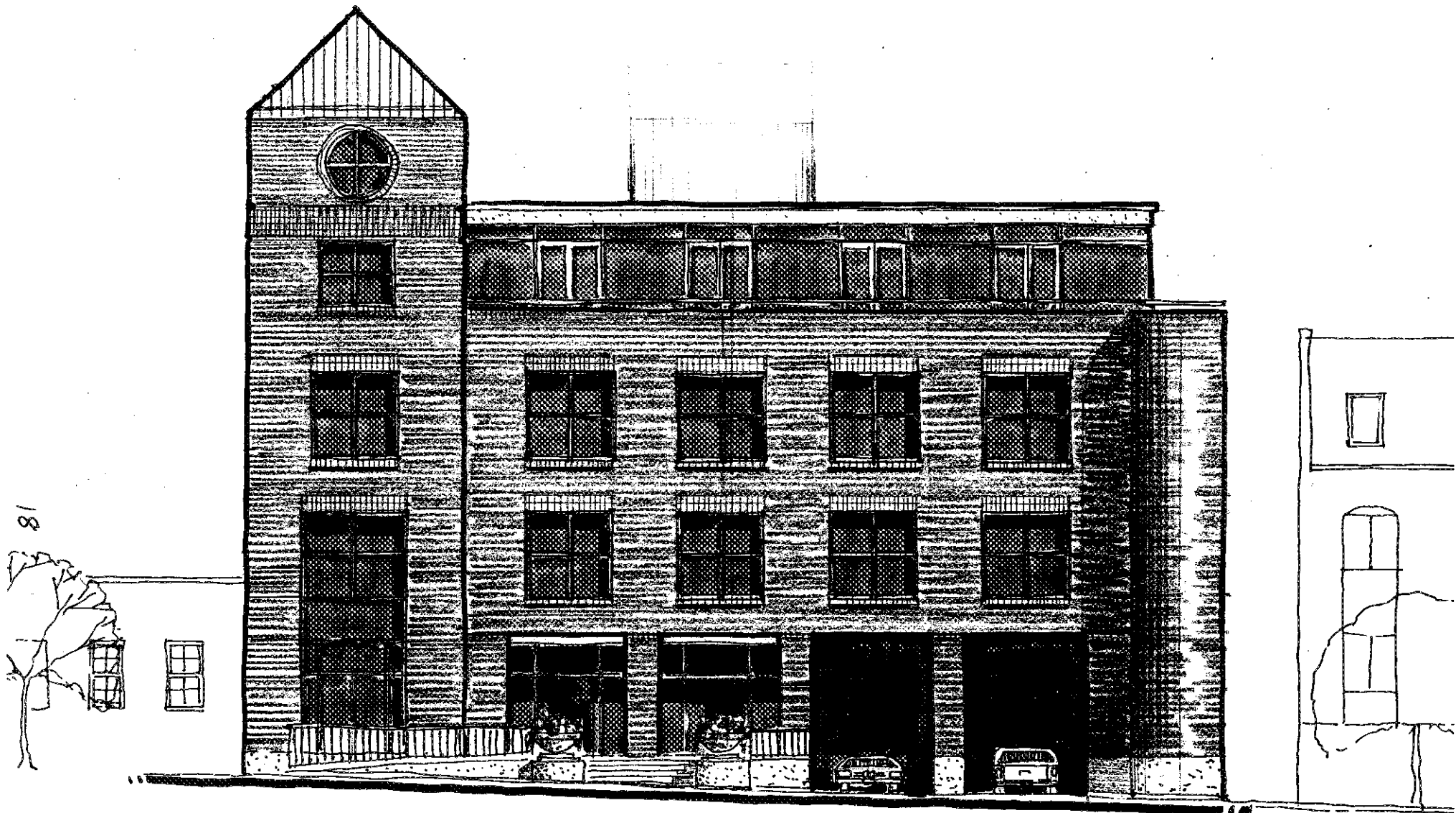


ALTERNATIVE 1 (AS RECOMMENDED BY STAFF)



ATTACHMENT 2

ALTERNATIVE 2 (AS RECOMMENDED BY STAFF)



ALTERNATIVE 3 (AS RECOMMENDED BY STAFF)

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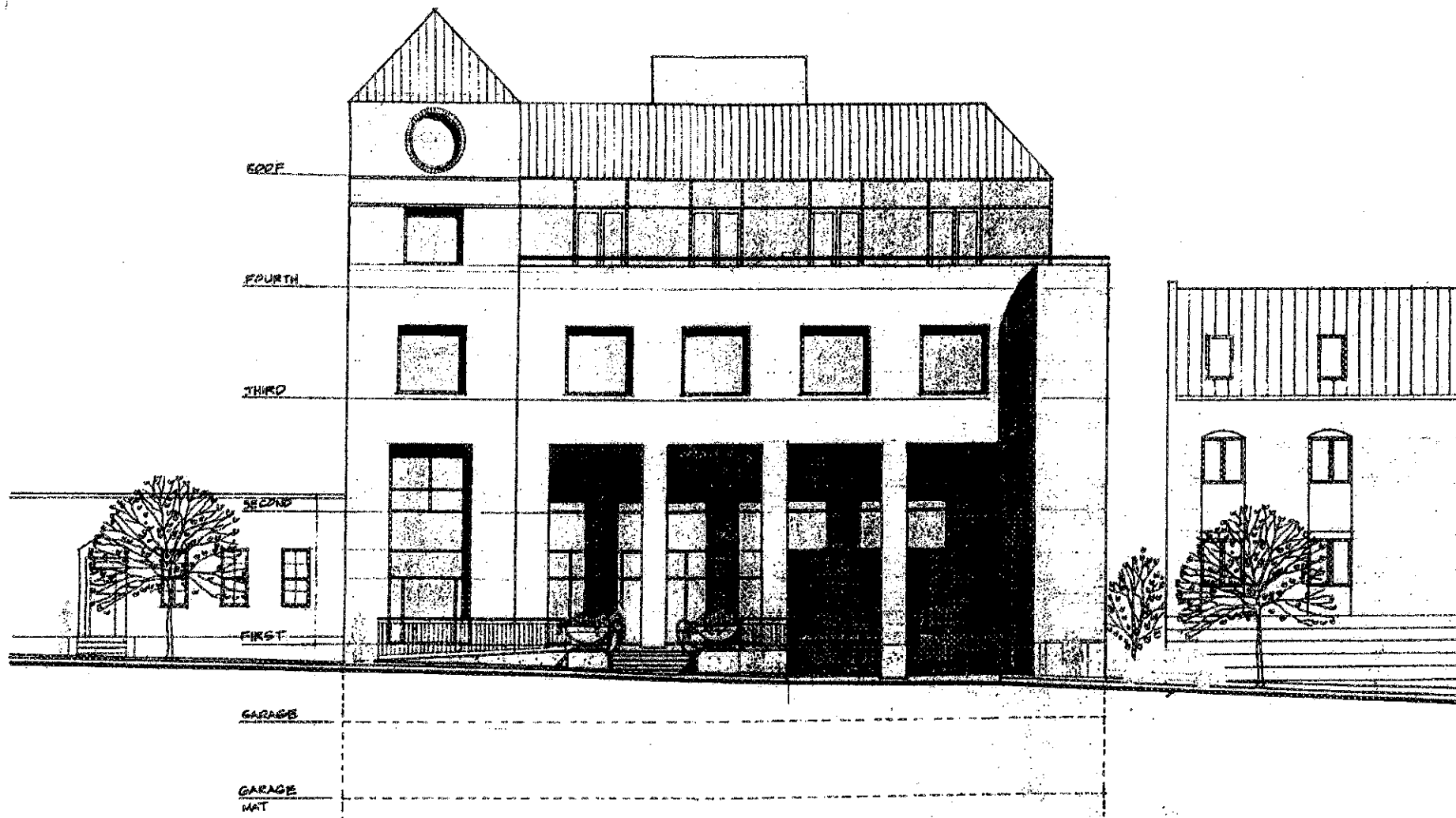


ATTACHMENT 4

DUKE STREET ELEVATION

SCALE: 1/8" = 1'-0"

APPLICANT'S REVISED ELEVATION



APPLICANT'S PROPOSAL

GLT

APPLICATION for  
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN

DSUP # 2001-0004

PROJECT NAME: Office Building located at 1623 Duke Street

PROPERTY LOCATION: 1623 Duke Street

TAX MAP REFERENCE: 73.02-02-07 ZONE: OCH

APPLICANT Name: Mostafa Movahed

c/o Table Talk Restaurant

Address: Alexandria, VA 22314

PROPERTY OWNER Name: Mostafa/Mary Saberi-Movahed

10921 Beckman Way

Address: Great Falls, VA 22066

SUMMARY OF PROPOSAL: Request for an extension to SUP #99-0053 for increased FAR in excess of 2.0 but not to exceed 3.0, Temporary Sales Office Trailer for leasing & marketing personnel on-site, construction of office bldg w/ modification to reduce parking aisle width and modification for on-site landscaping.

MODIFICATIONS REQUESTED: Increased FAR in excess of 2.0 but not to exceed 3.0

SUP's REQUESTED: Extension to SUP #99-0053

THE UNDERSIGNED hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of Title 7, Chapter 5 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 to post placard notices 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.

Harry P. Hart

Print Name of Applicant or Agent

Harry P. Hart  
Signature

HART & CALLEY, P.C.

Mailing/Street Address

307 N. Washington Street

Alexandria, VA 22314

City and State

Zip Code

(703) 836-5757

Telephone #

(703) 548-5443

Fax #

February 20, 2001

Date

**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_

Received Plans for Completeness: \_\_\_\_\_

Fee Paid & Date: \$ \_\_\_\_\_

Received Plans for Preliminary: \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

TABLE TALK SITE

**HART & CALLEY**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELLORS AT LAW  
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TWELFTH FLOOR  
WASHINGTON, D.C. 20036

February 20, 2001

Ms. Eileen Fogarty, Director  
Department of Planning & Zoning  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: 1623 Duke Street - SUP/Site Plan #99-0053

Dear Ms. Fogarty:


We submit this application for extension of Mr. and Mrs. Movahed's Special Use Permit for an office building at 1623 Duke Street, a short walk from the King Street Metro Station.

The extension is needed to provide the time for processing a final site plan. The Special Use Permit runs out in May of this year. The final site plan cannot be prepared and processed within that time. The Movahed's anticipate that a contract for the property will be executed soon, probably within the next thirty (30) days. A local trade association has outgrown its space and would like to stay in the City of Alexandria, but needs a location and size of building that is approved on the Movahed property. We believe it is also important to the City to see that it relocates here.

We might have waited until the contract is signed and the final site plan is prepared before filing, but the deadline for filing to be heard in May is today and the association wants to be sure that the extension is granted as early as possible.

We look forward to working with you.

Very truly yours,

  
Harry P. Hart

Enclosures

HPH/eah

All Applicants must complete this form.

Supplemental forms are required for child care facilities, restaurants, auto oriented uses and freestanding signs requiring special use permit approval.

1. The Applicant is the (check one):

☒ Owner      ☐ Contract Purchaser

☐ Lessee or    ☐ Other: \_\_\_\_\_

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 ten percent.

Mostafa and Mary Saberi-Movahed, 10921 Beckman Way, Great Falls, Va 22066

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

☒ Yes. Provide proof of current City business license.

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



**NARRATIVE DESCRIPTION**

2. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. If not appropriate to the request, delete pages 4-7.  
*(Attach additional sheets if necessary.)*

The applicant proposes to construct a four story commercial building with a net floor area 40,583 sq. ft. with a request for a waiver to reduce the 22' minimum width for an aisle in the underground garage to 18' feet and a waiver requested from on-site landscaping requirements. The required landscaping will be provided on adjacent public streets or other public land to the satisfaction of the Direction of Planning & Zoning. The site plan contains 13,527.78 sq. ft. and is zoned OCH.

An SUP is requested for an FAR of 3.0.

A second SUP is requested for a Temporary Sales Office Trailer for leasing and marketing personnel on-site.

Development Special Use Permit with Site Plan (DSUP) # 2001-0004

3. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).

There should be between 72 and 90 office workers

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

See answer to A above

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
<u>Monday thru Friday</u>		<u>Office hours</u>	
<u></u>		<u></u>	
<u></u>		<u></u>	
<u></u>		<u></u>	

6. Describe any potential noise emanating from the proposed use:

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

Noise levels from mechanical equipment will be limited by installation per

manufacturer's instructions & specs.

- B. How will noise from patrons be controlled?

N/A

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

No odors anticipated

8. Provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

Type of trash and garbage normal for an office/ commercial use for building  
of this size.

B. How much trash and garbage will be generated by the use.?

Normal for proposed use.

C. How often will trash be collected?

Trash will be collected to the satisfaction of T&ES.

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

Not applicable. No littering expected.

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

[ ] Yes. [X] No.

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

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

[ ] Yes. [X] No.

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

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11. What methods are proposed to ensure the safety of residents, employees and patrons?

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### ALCOHOL SALES

12. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes. ☐ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

All methods to ensure the safety of employees will be in compliance with state, federal & local codes.

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### PARKING AND ACCESS REQUIREMENTS

13. Provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

44 spaces required

- B. How many parking spaces of each type are provided for the proposed use:

11 Standard spaces (9 feet x 18.5 feet)

40 Compact spaces (8 feet x 16 feet)

2 Handicapped accessible spaces.

3 Other. **Van Pool spaces**

Development Special Use Permit with Site Plan (DSUP) # 2001-0004

- C. Where is required parking located? (check one) ☒ on site ☐ off-site.

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

\_\_\_\_\_

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking with 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100(A)(4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

14. Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the

zoning ordinance? 0

- B. How many loading spaces are available for the use? 1

- C. Where are off-street loading facilities located? N/A
- \_\_\_\_\_
- \_\_\_\_\_

- D. During what hours of the day do you expect loading/unloading operations to occur?

During Office Hours

\_\_\_\_\_

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

Unknown at this time

\_\_\_\_\_

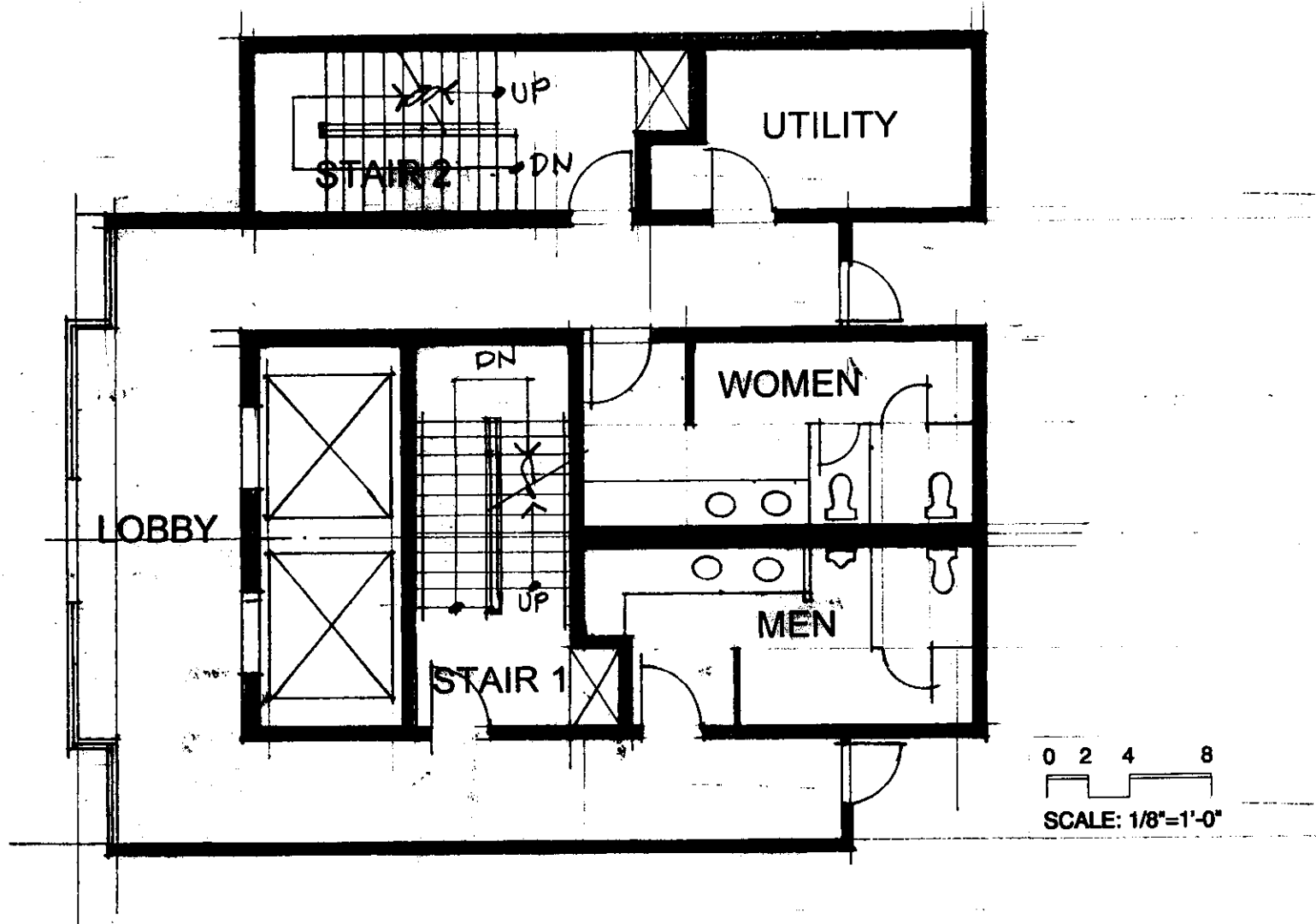
15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access is adequate.

\_\_\_\_\_

\_\_\_\_\_

DSUP 2001-0004



29

# **Handicapped Revisions to Stairs and Toilets 1623 Duke Street**

**Architects Group Practice  
20 Feb 01**

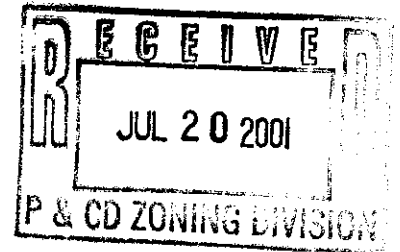
**HART, CALLEY, GIBBS & KARP, P.C.**

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET  
ALEXANDRIA, VIRGINIA 22314-2557

TELEPHONE (703) 836-5757  
FAX (703) 548-5443

HARRY P. HART  
MARY CATHERINE H. GIBBS  
HERBERT L. KARP



OF COUNSEL  
CYRIL D. CALLEY  
ROBERT L. MURPHY

July 20, 2001

Ms. Eileen Fogarty, Director  
Department of Planning & Zoning  
c/o Gregory Tate  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: 1623 Duke Street - SUP/Site Plan #99-0053

Dear Mr. Tate:

Enclosed please find our response to the Staff's comments raised at our meeting on July 9, 2001. Please contact me if you have any questions.

We look forward to working with you.

Very truly yours,

  
Harry P. Hart

Enclosures

### **Proposed Responses to Staff's Comments**

1. **Revised Language re: Access from Duke Street:** The Applicant agrees to work with the adjoining property owners to the west in negotiations facilitated by the City Manager and the Director of Planning and Zoning in an attempt to secure access to the building through one of the adjoining properties in lieu of the direct access onto Duke Street. If this is achieved to the satisfaction of the Applicant and the Director of Planning and Zoning, the Applicant shall eliminate the garage entrance onto Duke Street and redesign the building accordingly. Unless the City Manager and the Applicant find that alternative access can reasonably be acquired by the Applicant, the City Manager shall waive this requirement and the Applicant shall provide the Duke Street entrance as shown on the Applicant's plans.
2. **The Applicant responds to the Staff's comments regarding changes to the design raised at the meeting on July 9, 2001:**
  - a. The height of the arcade responds to the scale of the building. We believe that revising the height of the arcade when tried detracts from an elegant facade and is out of scale with a desirable open quality of the building. Additionally, lowering the facade to enclose the second floor reduces the loading dock's height below that required by Code (14'). The Applicant wishes to keep the building open and to make an appropriate entrance for pedestrians from Duke Street, as is shown on the model we viewed with staff on July 9<sup>th</sup>.
  - b. The building sits by itself as opposed to a village of buildings with which its arcade must coincide. The architectural reason for the facade as submitted is to make obvious that this building is the visual terminus of Holland Lane on Duke Street. This concept is expressed simply and elegantly by the tower and lofty facade which matches and reflects the side and rear glazed walls of this building, so that at night there will be good visibility into the building and therefore this structure is open rather than closed. Because of this we do not believe that this building, because of its location, should match the scale of the windows, the cornice definitions, and the facades of the Carr project.
  - c. The windows have been framed so as to make them more monochromatic. We agree to restudy the roof terminus of the top floor and at the same time consider the visual enclosure of the mechanical elements on the roof as required by Code. We agree that we want to make the composition "more transparent" as requested by City Staff.



d. The forms of the roof and the top of the tower.

1. Regarding the tower:

The tower is to be an effective element of defining the location of the building on Duke Street, must be detailed simply and elegantly without overemphasis on architectural elements such as cornices, arches, quoins and belt courses, as we believe they would detract from the simplicity of the structure. The building indeed steps back from the tower nine feet (9') and we agree with the comment that it should step back as it does, and as is shown on the model.

2. Regarding the detailing:

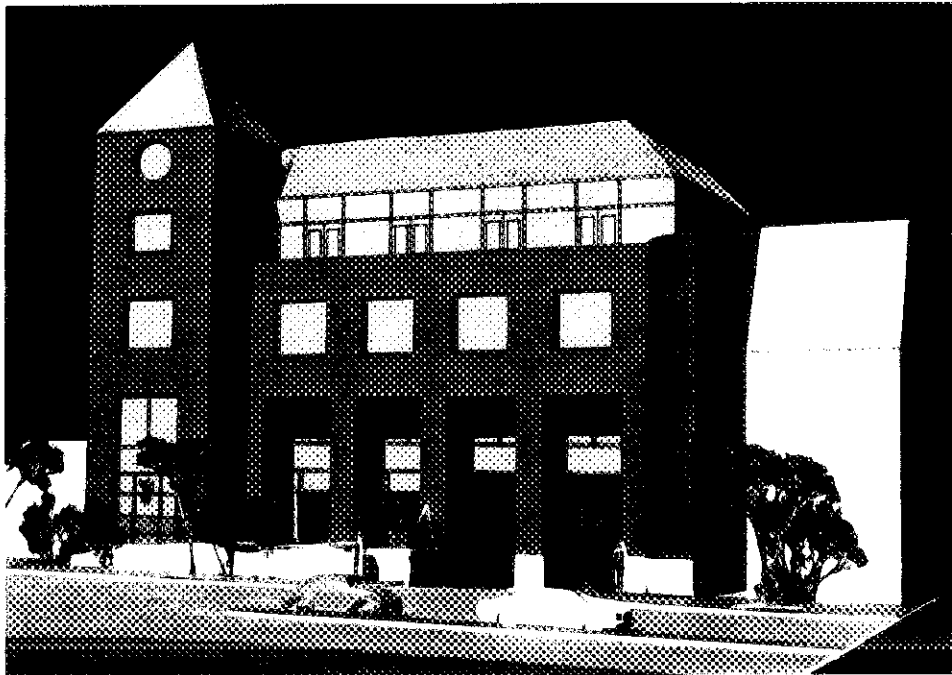
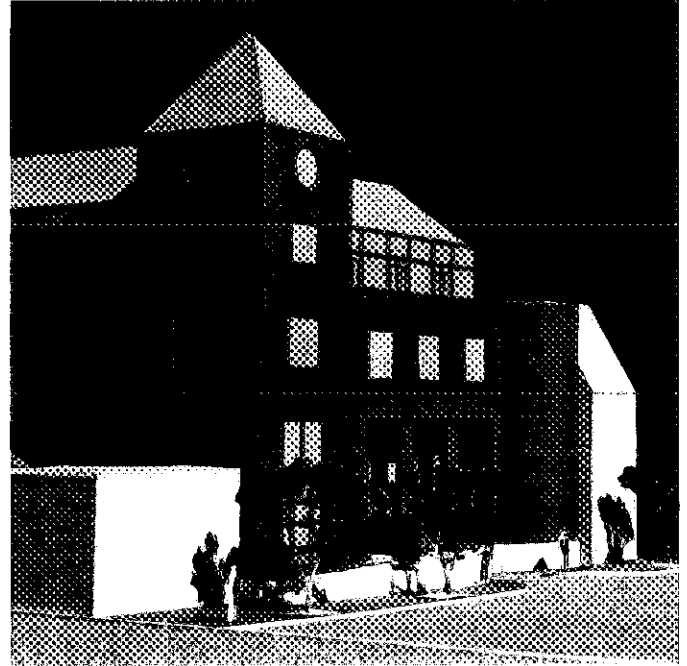
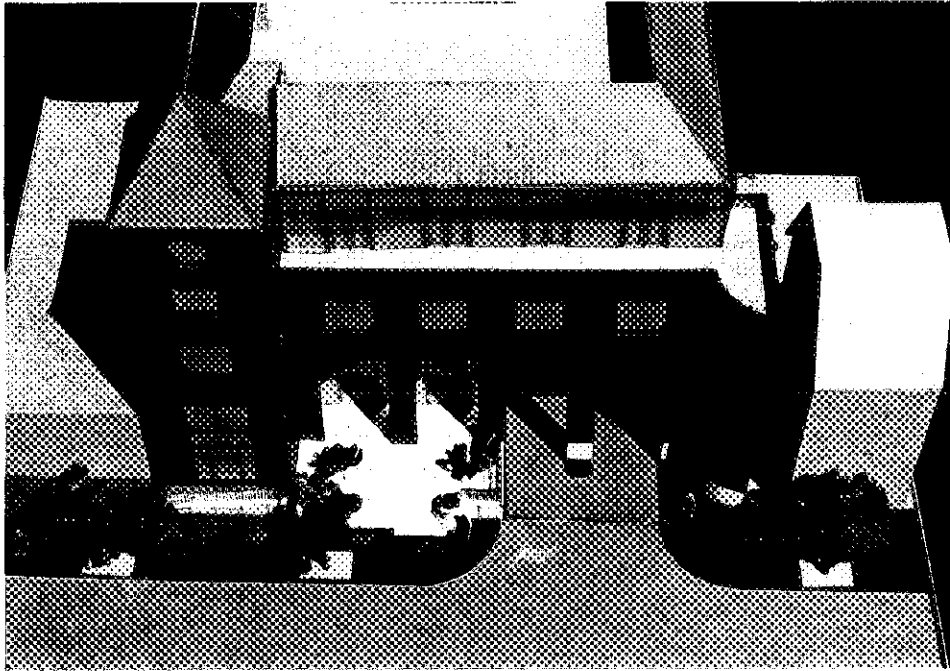
We feel that our building should not match the detailing of the Carr project because it is separated by the future development of the Hooff building and is located at a different site along Duke Street. Providing bases and capitals and wall cornices and smaller more vertical windows with muntins, lintels and sills unnecessarily complicates and reduces the impact of the facade as designed, which can be clearly seen on the model which we presented to the reviewers during our meeting of July 9th.

e. It promotes the City-scape atmosphere in this area at night.

3. Additional Comments:

a. As mentioned above, the Applicant is restudying the top floor, specifically the glass terminating with a mansard and will present studies for consideration.

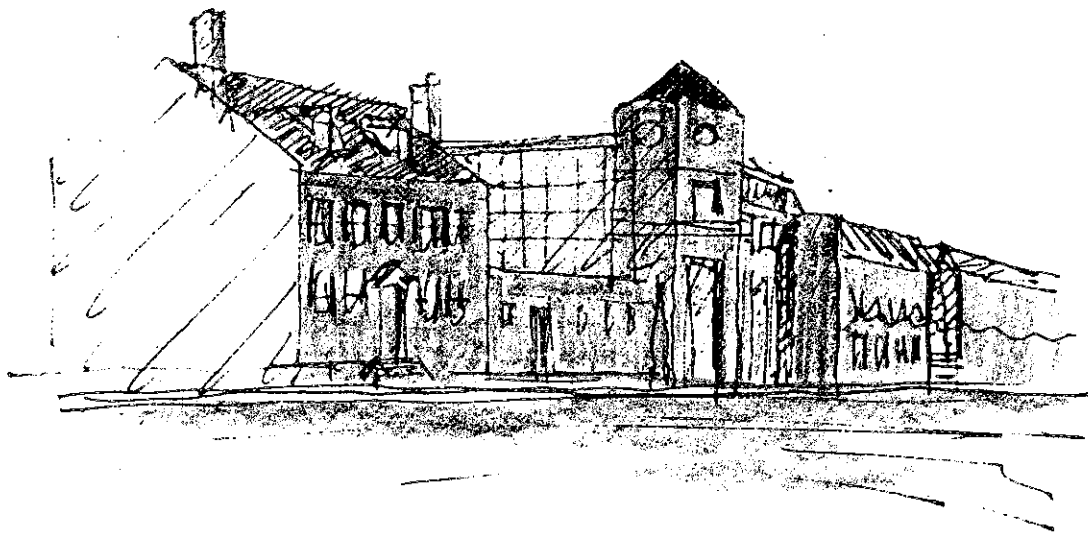
4. Pictures of the model as it is today are enclosed.



# 1623 DUKE STREET

ARCHITECTS GROUP PRACTICE  
ALEXANDRIA VIRGINIA

ar  
gp





ar  
gp

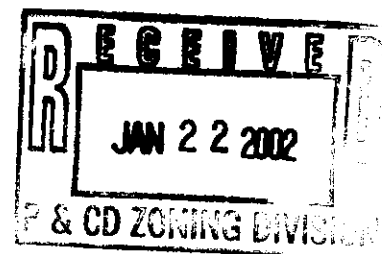
Basil Rousos AIA

Architects Group Practice  
415 North Alford Street  
Alexandria Virginia 22314  
(703) 549 0809

SITE

1623 DUKE

VSUT 2001-0004  
TABLE TALK



**HART, CALLEY, GIBBS & KARP, P.C.**

ATTORNEYS AND COUNSELLORS AT LAW

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OF COUNSEL  
CYRIL D. CALLEY  
ROBERT L. MURPHY

January 22, 2002

Ms. Eileen Fogarty  
Director, Department of Planning and Zoning  
City Hall, Room 2100  
Alexandria, VA 22314

Re: 1623 Duke Street - SUP/Site Plan #99-0053

Dear Ms. Fogarty,

This is to confirm, pursuant to our meeting of November 30<sup>th</sup>, that Mr. Movahed has agreed, as part of his application for extension of the SUP for 1623 Duke St., that delivery trucks will not be permitted to back into or off of Duke Street; and that trash truck loading shall be from Duke Street and only during proper hours, to be determined in consultation with City staff. All other truck loading shall be done from Reinekers Lane at other than peak hours.

We are submitting this in letter form at this time pursuant to my conversation with Mr. Gregory Tate on January 14, 2002. As always we look forward to working with you. Mr. Bill Rousos has submitted his drawings pursuant to our November 30<sup>th</sup> meeting when the project's Duke Street façade was approved. Should there be a request for further discussion as to detail, we will be happy to meet with you. We look forward to bringing this matter forward with a supportive staff recommendation at the next opportunity.

Very truly yours,

  
Harry P. Hart

cc: Mostafe Movahed  
Bill Rousos

3LT

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APPLICATION for  
DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN  
DSUP # 2001-0004

PROJECT NAME: Office Building located at 1623 Duke Street

PROPERTY LOCATION: 1623 Duke Street

TAX MAP REFERENCE: 73.02-02-07 ZONE: OCH

APPLICANT Name: Mostafa Movahed  
c/o Table Talk Restaurant  
Address: Alexandria, VA 22314

PROPERTY OWNER Name: Mostafa/Mary Saberi-Movahed  
10921 Beckman Way  
Address: Great Falls, VA 22066

SUMMARY OF PROPOSAL: Request for an extension to SUP #99-0053 for increased FAR in excess of 2.0 but not to exceed 3.0, Temporary Sales Office Trailer for leasing & marketing personnel on-site, construction of office bldg w/ modification to reduce parking aisle width and modification for on-site landscaping.

MODIFICATIONS REQUESTED: Increased FAR in excess of 2.0 but not to exceed 3.0

SUP's REQUESTED: Extension to SUP #99-0053

**THE UNDERSIGNED** hereby applies for Development Site Plan, with Special Use Permit, approval in accordance with the provisions of Title 7, Chapter 5 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 to post placard notices 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.

Harry P. Hart  
Print Name of Applicant or Agent

Harry P. Hart  
Signature

HART & CALLEY, P.C.  
Mailing/Street Address  
307 N. Washington Street  
Alexandria, VA 22314  
City and State Zip Code

(703) 836-5757 (703) 548-5443  
Telephone # Fax #

February 20, 2001  
Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: \_\_\_\_\_ Received Plans for Completeness: \_\_\_\_\_  
Fee Paid & Date: \$ \_\_\_\_\_ Received Plans for Preliminary: \_\_\_\_\_

ACTION - PLANNING COMMISSION: 3/5/2002 Recommend Approval 7-0

ACTION - CITY COUNCIL: 3/16/02PH--See attached.

TABLE TALK SITE

and (3) Approve the attached program amendment (Attachment I to the memorandum) for submission to the U.S. Department of Housing and Urban Development (HUD).

Council Action: \_\_\_\_\_

#### REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

##### Planning Commission (continued)

7. DEVELOPMENT SPECIAL USE PERMIT #2001-0004

1623 DUKE ST

TABLE TALK RESTAURANT SITE

Public Hearing and Consideration of a request for a development special use permit extension for construction of an office building with restaurant; zoned OCH/Office Commercial High. Applicant: Mostafa Movahed, by Harry P. Hart, attorney.

COMMISSION ACTION: Recommend Approval 7-0

City Council approved the recommendation of the Planning Commission, **with condition no. 23 amended to read: "23. The entrance to the parking garage shall be designed to the satisfaction of the Director of Transportation and Environmental Services and the Director of Planning and Zoning which may provide for right-in and right-out traffic only through construction of an island on Duke Street."**

Council Action: \_\_\_\_\_

8. UPPER POTOMAC WEST

Public Hearing and Consideration of Approval of concept plans for redevelopment of the Safeway/Datatel and East Reed Avenue sites within the Upper Potomac West area.

COMMISSION ACTION: Recommend Approval 7-0

City Council approved the recommendation of the Planning Commission.

Council Action: \_\_\_\_\_

9. SPECIAL USE PERMIT #2001-0137

100 E WINDSOR AV

CREATIVE PLAY SCHOOL

Public Hearing and Consideration of a request for a special use permit to expand a child care center; zoned RB/Residential. Applicant: CPS II, Inc., trading as Creative Play School, by R. D. Smalley.

COMMISSION ACTION: Recommend Approval 7-0

City Council approved the recommendation of the Planning Commission, **with an amendment to condition no. 4 by increasing 30 children to 45 children, and with a change to condition no. 12 increasing the review period from six months to twelve months.**

Council Action: \_\_\_\_\_