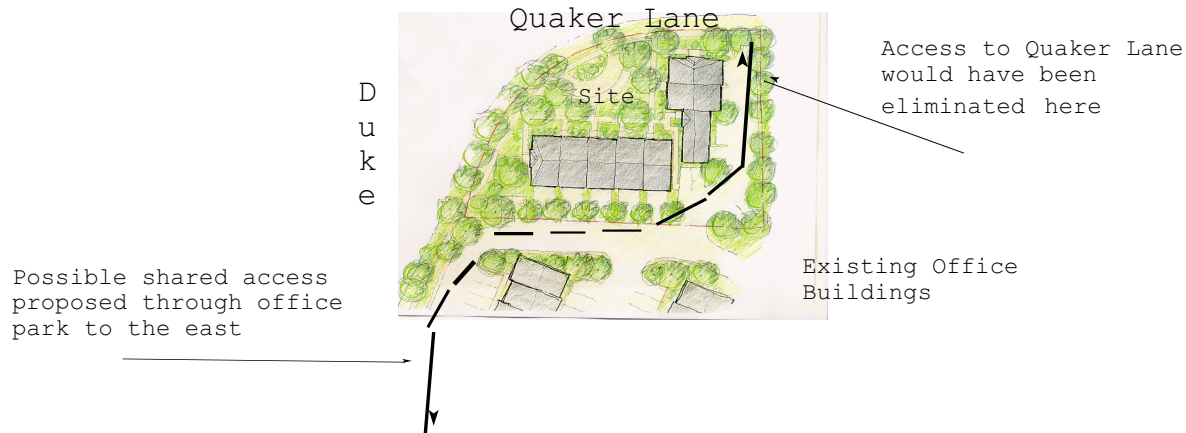


DATE: FEBRUARY 23, 2004
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING
SUBJECT: QUAKER VIEW (DSP # 2002-0032) (REZ # 2002-0004)

I. BACKGROUND:

At the January 6th Planning Commission hearing, the Commission deferred the application and directed the applicant to work with staff and the community, in an attempt to address the concern regarding access from Quaker Lane. The Planning Commission also directed the applicant to explore the possibility of reducing the number of units to reduce the traffic that would be generated from the proposed development.

Staff coordinated a meeting with the applicant, citizens and staff on January 27th to discuss alternatives to address the concerns regarding access to the site. The focus of the discussion was the feasibility of access to the site from the adjoining office building property to the east, given the considerable change in topography on the site. Access can be provided from the adjoining office property as generally depicted below. The applicant also agreed that if an access easement could be acquired from the adjoining office building site, the applicant would eliminate the access from Quaker Lane with the sole means of ingress and egress being provided from the adjoining office property to the east.



The meeting resulted in the applicant agreeing to contact the owners of the office property east of the site to determine if a shared access to the subject property would be possible. The adjoining office property owners to the east were not willing to grant or sell an access easement that would encumber their property. Although it would be possible to share access with the adjoining church to the north, the church is not willing to encumber their property with an access easement. The office and church property owners were concerned about additional traffic on their sites associated with a shared access easement. The applicant is therefore requesting approval of the access of the current site plan since an access easement cannot be acquired from the adjoining properties.

II. REDUCTION IN THE NUMBER OF UNITS:

To address the concerns regarding the traffic generation from the site, the applicant has agreed to reduce the number of units from 8 to 7 “townhouse-style” condominiums. This will reduce the number of trips resulting from the site from 45 to 39 trips per day. In addition to reducing the traffic from the site the reduction of one unit would also provide additional open space and landscaping on the site.

III. CONCLUSION:

The applicant has worked with staff and the community to explore all site plan options to eliminate access on Quaker Lane, including acquiring or purchasing access easements from the adjoining properties. However, as discussed above, the adjoining property owners were not willing to encumber their properties with a shared access easement. There are no other reasonable alternatives to address the concerns regarding access other than the current street improvements and mitigation that is recommended by staff. The applicant has agreed to eliminate one of the eight units, to further reduce the amount of traffic generated from this site.

- Attachments:
1. Memo to the Planning Commission dated 12/19/03
 2. Memo to City Council dated 10/15/03
 3. Staff report for DSP #2002-0032 and REZ #2002-0004

DATE: DECEMBER 19, 2003

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING

SUBJECT: QUAKER VIEW (DSP # 2002-0032) (REZ # 2002-0004)
APPEAL OF A SITE PLAN DENIAL BY THE PLANNING COMMISSION
AND CONSIDERATION OF A REZONING

1. Proposal:

The applicant, Jade Development, by Duncan Blair, is requesting reconsideration of a site plan that was previously denied by the Planning Commission.

The applicant appealed the denial of the site plan to City Council. In the review of the appeal the City Council remanded the site plan back to the Commission to enable:

- review of the additional traffic data and traffic measures proposed by the applicant after the Planning Commission hearing; and
- a recommendation of the Commission to City Council based upon the current site plan and traffic information.

The applicant is also asking for consideration of the proposed rezoning (proffer amendment) that was referred back to the Planning Commission by City Council.

The proposal is to construct eight “townhouse-style” condominiums on the northeast corner of the intersection of Duke Street and North Quaker Lane. The applicant is also requesting a rezoning approval (REZ#2002-0004) to amend the existing zoning proffer language to allow residential development in accordance with the proposed site plan. The current zoning proffer limits the use of the site to a 2-3 story 17,000 sq.ft. office building.

II. June 3, 2003 Planning Commission Hearing:

Site Plan

At the June 3, 2003 Planning Commission hearing, the Commission denied the proposed site plan because it was determined that the plan did not comply with Sec. 11-410(D) of the Zoning Ordinance which states “*Reasonable provision shall be made to ensure that development will be served by essential public facilities and services such as highways, streets ...*” and Sec. 11-410(K) of the Zoning Ordinance that states “*Provision shall be made to ensure that adequate roads access roads or alleys or entrance or exit drives will be provided and will be designed and improved so as to prevent hazards or problems and to minimize traffic congestion in public streets and alleys.*” The motion to recommend denial carried on a vote of 6 to 1.

Rezoning:

The Planning Commission recommended denial of the proposed rezoning proffer to permit residential use. The subject property was rezoned from R-8 (residential) to CO (commercial office) with proffers by City Council on November 14, 1981. The 1992 revised zoning map replaced the CO designation with the CL (Commercial Low) designation that is currently in place on the property. The zoning proffer remains in effect to limit the use of the property to a 2-3 story 17,000 sq.ft. office building with a maximum FAR of 0.70. The Taylor Run/Duke Street Small Area Plan chapter of the 1992 Master Plan designates the property for Commercial Low uses. The adopted height limit is 45 feet. While the underlying zoning will remain unchanged with the CL zone, the rezoning application proposes a change in the proffer to limit the use of the property to the proposed development plan for eight “townhouse-style”condominiums.

III. October 18, 2003 City Council Hearing:

Site Plan

The applicant appealed the denial of the site plan by the Planning Commission to City Council pursuant to Sec. 11-409(C) of the Zoning Ordinance. At the October 18, 2003 City Council hearing regarding the site plan appeal, the applicant submitted an additional traffic analysis by O.R. George & Associates, Inc. dated September 19, 2003, which supplements the information that was provided to the Planning Commission. The additional measures recommended by the updated traffic analysis includes the following:

- Provide new pedestrian striped crossing with a stop line in the northeast quadrant of the intersection. As an alternative, raised/stamped concrete pedestrian crosswalks of contrasting color and texture.
- Modify the displays for the new signal heads in the northeast corner of the intersection to provide for a flashing yellow arrow or flashing red indicator.
- Provide reduce speed signs on the pedestrian outposts.

- Provide two sets of rumble strips at two points within the right-hand turn lane.

The applicant submits that these additional improvements will enhance the circulation and turning movements for this site. Staff supported the previous site plan access which had been based upon recommendations to enhance traffic and pedestrian signal improvements at the intersection of Duke Street and N. Quaker Lane, provide new traffic signals for control of the existing hot-right, provide pedestrian countdown signals, a median on Quaker Lane to prevent left turns from southbound Quaker Lane and stamped asphalt crosswalks. The access issue and conditions are discussed in more detail in the accompanying development site plan staff report. (DSP#2002-0032)

City Council stated that the additional information submitted by the applicant constituted substantive changes that should be reviewed by the Planning Commission. Because of the additional information, the City Council remanded the site plan and access issue back to the Planning Commission for further consideration.

Rezoning

Based upon the additional information, the Council also referred the proposed rezoning (proffer amendment) back to the Commission. If the Commission recommends denial of the rezoning by a two-thirds vote, the approval requires six affirmative votes (A super majority) by City Council. However, the petition that has been filed by the adjoining property owners as discussed below will also require a super majority by City Council to approve the rezoning.

IV. Protest of Zoning Map Amendment by Landowners:

Sec. 11-808 of the Zoning Ordinance permits a protest of zoning map amendments by adjoining landowners. A protest requires the signature of the property owners of a minimum of 20% of all land within 300 feet of the boundaries of the land to be changed by the map amendment. The petition that has been submitted by the adjoining residents meets this minimum requirement and is valid; therefore, the approval of the map amendment will require six affirmative votes (a super-majority) by City Council to approve the rezoning. The development site plan appeal may be approved by a simple majority vote by City Council.

V. Planning Commission Alternatives:

Rezoning: (Note: The site plan may not be approved unless the rezoning is approved.)

- The Commission may recommend denial of the proposed rezoning.
- The Commission may recommend approval of the proposed rezoning.

Site Plan

- The Commission may deny the site plan appeal.
- The Planning Commission may approve the site plan appeal based upon the additional information and/or additional recommendations.

Docket Item #13 and 14
REZONING #2002-0004
DEVELOPMENT SITE PLAN #2002-0032
11-21 NORTH QUAKER LANE (QUAKER VIEW)

Planning Commission Meeting
March 2, 2004

- ISSUE:** Consideration of a request for a development site plan to construct eight townhouse-style condominium units. The site plan request includes a modification to allow parking in the required side yard. Consideration of a request to rezone the parcel to amend the proffer from CL with use limited to commercial office building to CL with proffer to limit use to the proposed residential site plan.
- APPLICANT:** The Jade Development Group (Jon D. Luria), by Duncan Blair, Attorney
- LOCATION:** 11-21 North Quaker Lane, at Duke Street
- ZONE:** CL/Commercial Low, with proffers restricting use to an office building
-

PLANNING COMMISSION ACTION, JANUARY 6, 2004: On a motion by Mr. Dunn, seconded by Mr. Komoroske, the Planning Commission voted to **defer** the request for a site plan and rezoning. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission expressed concern over the number of units being proposed on site and directed the applicant to work with staff and the community to have a total of 4-6 units.

Speakers: Duncan Blair, Attorney, spoke in favor of the application and gave a history of the subject property. He stated that additional studies were submitted for this case relating to traffic, and the proposed development has more traffic safety features than the currently approved site plan for a medical office building. The proposed residences would create less traffic (trips per day) than the approved office building.

Richard Kain, 12 Arell Court, spoke against the proposal. Mr. Kain stated there would be U-turns from westbound Duke Street into the existing medical office buildings in order to turn around to get to the subject property's entrance. He believes the property should be condemned or bought by the City and used as open

space. Also believes the staff looks for ways to approve applications by “tweaking” the submissions.

Dick Hobson, Seminary Hill Association, 99 North Quaker Lane, spoke against the proposal. Mr. Hobson stated that nothing has changed with this version of the plan except for a couple of transportation incentives submitted by the applicant, which are still insufficient. He believes the City should condemn the property, and would object to anything more than the originally approved 3 residential homes that were approved prior to the medical office building being approved. If the City were not able to purchase or condemn the property, he stated that the church adjacent to this property should purchase the site.

CITY COUNCIL ACTION, OCTOBER 18, 2003: City Council referred item 18 back to the Planning Commission and vacated item 19 and referred it back to the Planning Commission to evaluate the following: pedestrian safety; traffic safety; methods to mitigate or eliminate the median strips impact on the neighboring church and residents; to work with neighboring properties to evaluate alternative access points from the property to Duke Street; and to evaluate the appropriateness of examining this site in the context of the upcoming Duke Street Corridor Study. Council

PLANNING COMMISSION ACTION, JUNE 3, 2003: On a motion by Mr. Komoroske seconded by Mr. Dunn, the Planning Commission voted to deny the proposed site plan. In the event the Commission recommends approval of the proposal the Commission added a new condition that will require the applicant to install speed tables to the satisfaction of the Director of T&ES and Code Enforcement. The motion carried on a vote of 6 -1. Chairman Wagner did not support the motion.

Reason:

The Commission found that the site plan did not meet the standards for approval by the planning commission set forth in section 11-409(A) and (B) of the zoning ordinance, which require that *the applicable factors of section 11-410 have been appropriately considered in the site plan* and that *the development will not adversely affect the public health, safety and welfare.*

In particular, the Commission felt that the proposal did not demonstrate compliance with the requirements of 11-410(D) and (K) of the zoning ordinance, which require adequate provision to be made for roadways and access into and out of the project and also require that design and location of roadways be compatible with and not adversely affect the surrounding property or create problems on the public streets surrounding the project. Particular concern was expressed about the impact of the proposed access from Quaker Lane and is contrary to the proffered zoning conditions established for the site.

Speakers:

Diane Kane, Quaker Village resident, spoke in opposition due to traffic and access concerns.

Dave Webster, spoke in support of the proposed development.

Dick Hobson, Seminary Hills Civic Association, spoke in opposition due to concerns regarding access, traffic and “U” turns on Quaker Lane due to proposed median.

Howard Miller, Minister of adjoining church spoke in opposition due to access and traffic.

Jack Sullivan, Seminary Hills Civic Association, spoke in opposition to the proposal due to traffic, access, and possible “U” turns on Quaker Lane.

Jerry Heathe, resident, spoke in opposition due to traffic and limited access to the site.

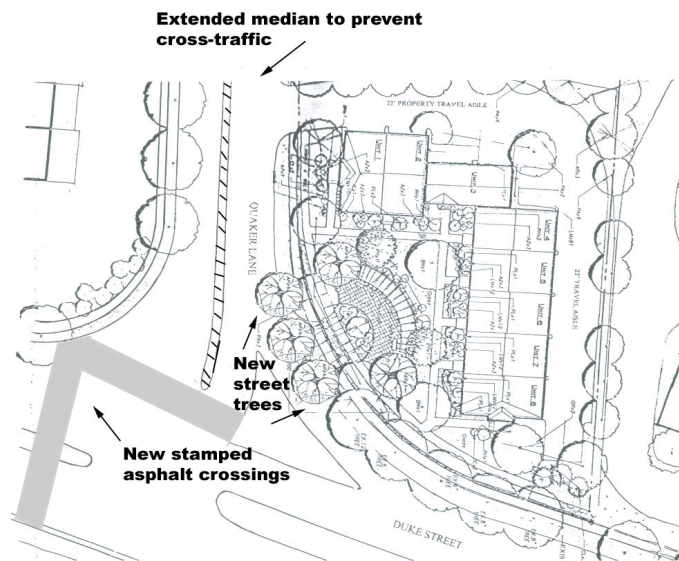
Mr. Duncan Blair, attorney, representing the applicant.

PLANNING COMMISSION ACTION, JUNE 3, 2003: On a motion by Mr. Komoroske seconded by Mr. Dunn, the Planning Commission voted to recommend denial of the proposed rezoning.

Mr. Duncan Blair, attorney, representing the applicant.

Summary:

This site has an existing proffer restricting use of the land to a 17,000 sq. ft. commercial office building. Staff recommends approval of the proposed site plan for 8 residential units is more compatible and appropriate with the existing residential neighborhoods, and enables a less intensive use than the current office use permitted within the Commercial Low zone. The proposed buildings are generally high quality, well designed “townhouse-style” condominium units that provide desirable features such as rear-loaded garages and ground level open space oriented towards a highly visible intersection in the City. Many of the adjoining residents have raised the concern regarding the safety of the proposed ingress/egress for the site. In response T&ES staff have evaluated alternatives to access the site that are discussed in more detail below. The proposed ingress/egress to the site is from an existing curb cut on North Quaker Lane. In addition, T&ES staff have required an extension of the existing median for North Quaker Lane to prevent left hand turns from southbound Quaker Lane, and pedestrian improvements at the intersection of Quaker Lane and Duke Street.



The applicant is requesting approval of a development site plan to construct 8 “townhouse-style” condominiums on the northeast corner of the intersection of Duke Street and North Quaker Lane. The proposed site plan also requires approval of a modification to the side yard (north and east) setbacks to allow a parking drive aisle. In conjunction with the site plan, the applicant is also

11-21 NORTH QUAKER LANE (QUAKER VIEW)

requesting rezoning approval (REZ#2002-0004) to amend the existing proffer language to allow residential development in accordance with the proposed site plan. The current zoning proffer for the site adopted in 1981 limits the use of the site to a 2-3 story 17,000 sq.ft. office building. An office use would require at least 38 parking spaces and unlike the proposed residential use, there are no setback or open space requirements. The zoning proffer amendment would change the permitted use from office to residential use, although the current zoning of the site, CL/Commercial Low would remain unchanged.

The applicant worked extensively with staff during the review of this project to refine and improve the quality of the site plan. Earlier versions proposed the subdivision of the land into individual townhouse lots in a single, continuous row that did not align with either of the adjacent street frontages. Earlier site plan proposals also featured front-loaded garages and the private street between the units in the street, resulting in an excessive amount of paving, loss of open space and garages that would be visible from Quaker Lane and Duke Street. After working with staff, the current configuration of the units is proposed in a “L” shape, with the open space facing the visually prominent intersection of Duke Street and North Quaker Lane, maximizing the open space to be functional and useable ground-level open space and landscaping while also providing visual relief for the adjoining streets. The unit faces are parallel to the adjacent public streets and the garages are rear-loaded from the private street that is now on the eastern edge of the property, thereby reducing the amount of impervious surface that is visible from the street.

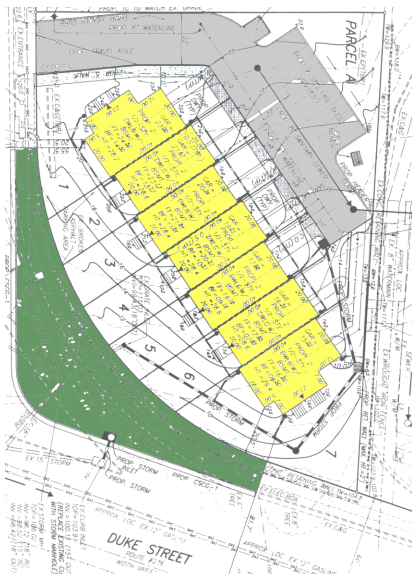
Architecturally, the townhouses will be brick, with 3 ½ stories above grade for an average height of approximately 35 ft. Each unit will contain a 2-car garage and 15% additional surface visitor parking spaces will also be provided. The required 40% open space is provided on the site, with the majority located on the intersection of Duke Street and North Quaker Lane in front of the units.



A major issue of concern throughout the review of this application has been the ingress/egress to the site from Quaker Lane. Staff had initially requested that the applicant explore a joint entrance with the church to reduce the number of existing curb cuts on North Quaker Lane; however, the church did not respond favorably to sharing an access aisle with the proposed development. Therefore, the applicant's plan proposes the use of the site's existing curb cut on Quaker Lane to serve as access for the proposed development.

The original plan for this site proposed the removal of the existing free-flow or "hot-right" turning movement lane from westbound Duke Street to northbound North Quaker Lane. A dedicated right turn lane would have remained on Duke Street for the northbound turning movement. This proposal would have enabled additional open space, improved the pedestrian crossing while still providing a dedicated turn lane on North Slaters Lane, with a more traditional "T" intersection.

Original Site Plan



Current Site Plan



Input from the community and the nearby fire station on Duke Street (Station #207) indicated a desire to retain the existing "hot right" turning movement. From the Fire Department perspective, it was determined that the removal of the "hot right" turning movement could delay response time from the station to areas north of Duke Street and that a new 90-degree turning configuration could cause problems for the heavy fire apparatus in climbing the grade that exists on North Quaker Lane. The community raised the concern that the elimination of the "hot right" turn would cause delays for turning movements from Duke Street onto Quaker Lane.

11-21 NORTH QUAKER LANE(QUAKER VIEW)

In order to address these areas of concern, the applicant revised the site plan to reflect the current retention of the free right. To address concerns regarding access to the site, T&ES staff has recommended the extension of the existing Quaker Lane median to the north, to prevent left turns into and out of the site. Staff is also recommending improvements to signage and crosswalks in the immediate area to improve pedestrian and vehicle movement surrounding the site. Despite the applicant's modification to address the community's desire to retain the "hot right," some citizens still have concerns about the safety of the entrance and an overall concern of traffic impacts of developments in this general area.

Staff recommends approval of this request and believes that the proposed residential use will be an appropriate use adjacent to the existing residential neighborhoods of Quaker Village and Seminary Hills. The residential use will generate less traffic and provide a less intensive development at this site than is currently permitted. The residential use will also allow for more generous building setbacks and open space. Conditions of approval have been included to address the concerns regarding ingress/egress from the site. Staff is recommending approval of the proposed site plan and the proffer amendment to limit the use of the site to the proposed residential use and site plan with the conditions outlined within the staff report.

STAFF RECOMMENDATION:

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

1. The final architectural elevations shall be revised to provide the level of detail and quality provided on the preliminary plans. In addition, the applicant shall provide additional refinements to the satisfaction of the Director of P&Z that shall at a minimum include:
 - a. The front, side and rear facades shall be brick.
 - b. The proposed second floor balcony doors on the second floor for unit # 1 and unit # 8, shall be replaced with windows to appear more as front facades consistent with the architectural style.
 - c. The roof treatment for unit #3 shall be modified on the east side to a “hip” style.
 - d. The proposed masonry wall along the northern and eastern property line shall be brick, and of a height not to exceed 3.5 feet.
 - e. The HVAC units and mechanical appurtenances shall be located on the roof-tops, recessed and screened from view from the public streets. Details on the screening methods shall be indicated on the final site plan.
 - f. Decks or balconies shall be prohibited, unless required minimum clearance for emergency vehicles is provided. All decks shall be painted wood and/or metal, with no support posts to the ground and designed as integral part of the build design.

Architectural elevations (front, side and rear) and for the masonry walls shall be submitted with the final site plan. Each elevation shall indicate the average finished grade line on each lot to ensure compliance with the setback and floor area requirements. The first floor elevations and number of risers for the front entrances shall be generally consistent with the preliminary plan. (P&Z)

2. The applicant shall extend the median on Quaker Lane, approximately 100 feet to prevent left turns from southbound Quaker Lane into the New Apostolic Church southern entrance, designed to the satisfaction of the Director of T&ES. The applicant shall provide a colored and stamped asphalt for proposed median within Quaker Lane to the satisfaction of the Directors of T&ES and P&Z. The median shall be installed prior to the first certificate of occupancy permit. (P&Z)(T&ES)
3. A freestanding subdivision or development sign that differentiates the proposed development from the existing neighborhood shall be prohibited. (P&Z)

4. No more than two parking spaces shall be assigned to a specific condominium unit; all unassigned spaces shall be made generally available to visitors. The garages shall contain a minimum unobstructed dimension of 9 ft. x 18.5 ft. for each of the two standard spaces within the garages. The use of the garages shall be for vehicle storage, incidental storage and shall not include habitable space. The visitor parking spaces shall be clearly marked and signed to the satisfaction of the Director of P&Z. (P&Z)
5. A plat of consolidation and final subdivision plan consistent with the final site plan, shall be approved and recorded prior to release of the final site plan. (P&Z)
6. The final location and screening of all above grade utility structures, such as transformers, switch-boxes, cable and telephone pedestals must be approved by the Director of Planning & Zoning prior to the installation of such structures. To the extent feasible, all such structures shall be located out of view of public streets and shall be screened. (P&Z)
7. A revised landscape plan shall be provided with the final site plan to the satisfaction of the Directors of P&Z and RC&PA. At a minimum the plan shall provide the level and quality of landscaping depicted on the preliminary landscape plan and the plan shall be revised to also provide:
 - a. A continuous row of shade trees shall be provided on the western and southern perimeter of the property approximately 30 ft. on-center. The trees shall be a minimum of 3-3 ½ " caliper at the time of planting. The existing street trees shall be retained.
 - b. The applicant shall provide a minimum of approximately 4-5 ft. wide planting strip in addition to the exiting buffer on the northern portion of the site and shall provide landscaping/screening within the buffer area. The existing curb cut shall be retained in its present location and the private road and units #1 and 2 shall be shifted south and the surface parking space shall be relocated to the northeast corner of the site.
 - c. The applicant shall provide evergreen plantings or shrubs to screen the existing masonry wall adjacent to Quaker Lane and Duke Street.
 - d. Utility lines such as water, storm sewer and electric lines shall be located to minimize impacts on existing and proposed street trees and open space.
 - e. The freestanding trellis shall be eliminated.
 - f. Locate the internal sidewalk over the proposed stormwater line to the greatest extent possible.
 - g. The final landscape plan shall include locations of all existing and proposed utilities to verify that there are no conflicts with planting locations.

- h. All landscaping and open space areas within the development including the landscape areas within the public right-of-way, except for the street trees, shall be maintained by the homeowners.
 - i. All landscaping shall be maintained in good condition and replaced as needed.
 - j. All plant materials and specifications shall be in accordance with the current and most up to date edition of the American Standard for Nursery Stock (ANSI Z60.1) as produced by the American Association for Nurserymen, Washington, D.C.
 - k. Trees shall be limbed up to a minimum of 6 feet when mature and shrubbery height shall not exceed 36 inches when mature.
 - l. Additional amenities such as special paving surfaces, materials, benches, trash receptacles, landscaping etc. shall be provided within the internal courtyard to encourage its use. (P&Z)
8. The applicant shall provide an brick screen wall and for the dumpster and shall provide an opaque screen gate for the dumpster area. (P&Z)
9. The applicant shall replace the existing railing on the top of the existing retaining wall along Duke Street and North Quaker Lane to be generally consistent with the painted metal railing shown on the architectural plans, the railing shall be a minimum 50% open to the satisfaction of the Director of T&ES and P&Z. (P&Z)
10. A temporary informational sign shall be installed on the site prior to the approval of the final site plan for the project and shall be displayed until construction is complete or replaced with a marketing sign incorporating the required information; the sign shall notify the public of the nature of the upcoming project and shall provide a phone number for public questions regarding the project. (P&Z)
11. Prior to the release of the first certificate of occupancy for the project, the City Attorney shall review and approve the language of the Homeowner's Agreement to ensure that it conveys to homeowners the requirements of this site plan, including the restrictions listed below. The HOA language shall establish and clearly explain that these conditions cannot be changed except by an amendment approved by the Planning Commission.
 - a. The principal use of the parking spaces shall be for passenger vehicle parking only; storage or other uses which interfere with the use of a parking space for a motor vehicle is not permitted.
 - b. Vehicles shall not be permitted to park or obstruct any emergency vehicle easement, or on any portion of the interior alley. The Homeowner's Association shall maintain a contract with a private towing company to immediately remove any vehicles violating this condition.

- c. The private street contains an emergency vehicle easement from Quaker Lane to east end of unit #3.
 - d. The maintenance and liability requirements of the retaining wall, open space, screening walls and private street.
 - e. All landscaping and open space areas within the development including the landscape areas within the public right-of-way, except for the street trees, shall be maintained by the homeowners. All landscaping and open space that is located within common area(s) shall be maintained by the Homeowners Association.
 - f. All landscaping and screening shown on the final plan shall be maintained in good condition and may not be reduced without approval of the Planning Commission or the Director of Planning and Zoning, as determined by the Director.
 - g. Neighboring existing and approved uses surrounding the site include the traffic and associated noise of Duke Street and North Quaker Lane, Luckett Field and the approved skate park with their associated lighting, the #207 City Fire Station, and the numerous commercial operations along Duke Street. These uses are located within the immediate vicinity of the project and are permitted to continue indefinitely.
 - h. No decks shall be permitted. No balconies, bay windows, or any other improvements shall be allowed to encroach into the space above an emergency vehicle easement.(P&Z)
12. Any inconsistencies between the various drawings submitted by the applicant shall be reconciled to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z)
13. The applicant shall be allowed to make minor adjustments to the building location and provided that such adjustment does not result in the loss of parking, open space, or an increase in the building height or building footprint. (P&Z)
14. The applicant shall submit a building location survey to the Planning and Zoning staff prior to applying for a certificate of occupancy permit for each unit. (P&Z)
15. Temporary construction trailer(s) shall be permitted and be subject to the approval of the Director of P&Z. The trailer(s) shall be removed prior to the issuance of the first certificate of occupancy permit. A separate sales trailer will require approval of a special use permit approved by City Council. (P&Z)
16. The applicant shall attach a copy of the final released site plan to each building permit 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. (P&Z)

17. All new utilities shall be located underground and away from proposed street trees to the extent feasible, to minimize any negative impacts on the street trees, to the satisfaction of the Director of P&Z and the City Arborist. (P&Z) (T&ES) (RP&CA)
18. Developer to comply with the peak flow requirements of Article XIII of AZO. (T&ES)
19. In the event that Section 5-1-2(12b) of the City Code is amended to designate multi-family dwellings in general, or multi-family dwellings when so provided by SUP, as required user property, then refuse collection shall be provided by the City. (T&ES)
20. The developer agrees to deliver all solid waste, as defined by the Code of the City of Alexandria, to a refuse disposal facility designated by the Director of T&ES. The developer further agrees to stipulate in any future lease or property sales agreement that all tenants and/or property owners shall also comply with this requirement. (T&ES)
21. Provide two (2) City standard street cans along the Duke and Quaker streets, to the satisfaction of the Director of T&ES. (T&ES)
22. Show existing and proposed street lights and site lights. Indicate the type of fixture, and show mounting height, and strength of fixture in Lumens or Watts. Provide manufacturer's specifications for the fixtures. Provide lighting calculations to verify that lighting meets City Standards. The level of lighting shall be to the satisfaction of the Director of Transportation and Environmental Services in consultation with the Chief of Police. (T&ES)
23. The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
24. The proposed alley pavement width for units 4 thru 8 does not support turning movements of vehicles into garages. Revise either alley width or garage setback to provide a total turning movement of 24 feet. (T&ES)

25. 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)
26. All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
27. Applicant is responsible for traffic and pedestrian signal improvements at the intersection of Duke Street and N. Quaker Lane, including providing new traffic signals for control of the existing hot-right, provide pedestrian countdown signals, and provide modifications to the existing traffic signals as required. Applicant is responsible for construction of a stamped asphalt pedestrian crosswalk on Duke Street at west side of North Quaker Lane and; on North Quaker Lane at north side of Duke Street. If the above improvements are constructed by T&ES prior to applicant's construction, the applicant shall provide \$20,000 to the City for these improvements. (T&ES)
28. Applicant shall extend the median on Quaker Lane, approximately 100 feet from what is now shown to prevent left turns from southbound Quaker Lane into the New Apostolic Church southern entrance, designed to the satisfaction of the Director of T&ES. (T&ES)
29. Remove the existing crosswalk on Duke Street at east side of North Quaker Lane. (T&ES)
30. Remove the proposed traffic sign denoted as "Proceed with extreme caution uncontrolled turn lane". (T&ES)
31. An existing sanitary sewer main is located on Quaker Lane along the frontage of this parcel. The proposed 4 runs of sanitary sewer main shown on this plan shall be privately maintained by the condominium/homeowner association. (T&ES)
32. Applicant is responsible for landscape and maintenance for the area between the existing retaining wall and the property line along Duke Street and North Quaker Lane. (T&ES)
33. Proposed stairs connecting public sidewalk to the site are located within Duke Street right-of-way. Relocate stairs outside of the right-of-way to the satisfaction of the Director of T&ES. (T&ES)
34. Provide detail for Filtera BMP to support sub-grade connection of roof drain pipes.

35. The water quality volume default requirement is not being satisfied. Provide BMP design to treat the entire water quality volume, which is defined as the first 0.5 inches from the impervious surfaces on the parcel. While the Filtera BMPs have a high pollutant removal efficiency, the design shown on the plans does not treat the water quality volume.
36. Clearly indicate by shading the proposed impervious surfaces and tabulate the area. Verify the proposed impervious area noted on Worksheet B.
37. Delineate on the existing site plan sheet the impervious areas in order to substantiate the amount of existing impervious cover on Worksheet B.
38. Prior to the release of the Final plan, provide a structural evaluation of the existing retaining wall verifying that the proposed development improvements and construction activities, will not compromise the existing retaining wall. The evaluation shall be sealed by a professional engineer registered in the Commonwealth of Virginia. If the existing wall is not capable of supporting the proposed development improvements, the Developer shall re-construct the wall to the satisfaction of the Director of T&ES. (T&ES)
39. During construction, a professional engineer, registered in the Commonwealth of Virginia, shall monitor the condition of the existing retaining wall, and prior to the release of any performance bonds, a condition assessment report, prepared by the on-site professional engineer, shall be submitted to T&ES. (T&ES)
40. An emergency vehicle easement shall be provided in the private street from Quaker Lane to the eastern end of unit #3. All easements and reservations shall be depicted on the final site plan and shall be approved by the City Attorney prior to the release of the final site plan. (Code)
41. A sprinkler system shall be installed for the structures. (Code)
42. The fire hydrant shall be moved from its proposed location on the preliminary plan to the southside of the private entrance street to the satisfaction of the Director of Code Enforcement. (Code)
43. In accordance with the City's Affordable Housing Policy, the developer shall make a contribution to the City's Housing Trust Fund equal to \$1.00 per gross square foot of floor area prior to the issuance of the Certificate of Occupancy. (Housing)

44. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department regarding security hardware and alarms fro the townhouse units prior to the start of construction. (Police)
45. House numbers shall be placed on the front and rear of each unit. (Police)
46. Profiles shall be provided on the final site plan for hydraulic calculations to verify water main sizes. (VAWC)
47. If determined necessary by the hydraulic calculations, the proposed water main may need to be connected back to the existing twelve-inch main in North Quaker Lane. (VAWC)
48. The entire water main proposed for the project shall be eight inches and ductile iron cement lined pipe. (VAWC)
49. The 90-degree bend in the water line shown near unit #7 shall be replaced with an 8" by 8" tee. The eight-inch main shall be extended from its present termination to the southern end of unit #8 with a two-inch blow-off. (VAWC)
50. A 10 foot water line easement shall be recorded for all mains and hydrants to be located outside of the public right-of-way. (VAWC)

Modifications requested by applicant and supported by staff:

1. Modification to allow parking (drive aisles) in the required side yards.

Staff Note: In accordance with section 11-418 of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a site plan by City Council or the site plan shall become void.

Background:

The subject property consists of three separate parcels totaling 24,757 sq. ft. The southern portion of the site is semi-circular, a condition created by the adjacent turning lane from Duke Street to North Quaker Lane. Due to the change in topography from Duke Street to Quaker Lane, the site is approximately 2 ft. to 6 ft. higher than the grade of Duke Street, in addition to an existing retaining wall adjacent to the site in the public right-of-way. There is an existing curb cut from North Quaker Lane at the northern edge of the site. The site is vacant with ground vegetation. In addition to the church use to the north, there is an office complex to the east, Quaker Village (a townhouse community) to the west and the city park with baseball field and future skate park (Luckett Field) to the south.

The subject property was rezoned from R-8 (residential) to CO (commercial office) with proffers by City Council on November 14, 1981. The 1992 revised Zoning Ordinance replaced the CO designation with the CL (Commercial Low) designation that is currently in place on the property. The zoning proffers limits the use of the property to a 2-3 story 17,000 sq.ft. office building with a maximum FAR of 0.70. Two site plans for development of office buildings were filed in the mid-to late 1980s, but construction has never commenced. The Taylor Run/Duke Street Small Area Plan chapter of the 1992 Master Plan designates the property for Commercial Low uses. The adopted height limit is 45 feet.

Project Description

The proposed development is configured in an “L” shaped layout, with a total of 8 units oriented toward Duke Street and North Quaker Lane. The majority of the required 40% ground level open space is visually accessible from Duke Street and North Quaker Lane. This area of common open space measures approximately 80 ft. x 100 ft. and would include a brick plaza, benches and other amenities, and a combination of shade and ornamental trees.

In addition to the common open space, each residential unit would also have an approximately 12 ft. by 20 ft. front yard between the unit and the internal sidewalks. A masonry wall is proposed along the northern and eastern portions of the site that will provide screening for the garage doors. The plans also show the railing atop the existing retaining wall along Duke Street and North Quaker Lane. Staff is recommending that the railing be replaced with a more decorative painted metal railing. The existing street trees within the public right-of-way are proposed to be retained.

Access to the site is proposed via the existing curb cut onto North Quaker Lane. The internal circulation will be provided by a 22 ft. wide internal alley on the northern and eastern portion of the site that will provide access to the rear-loaded garages and visitor parking spaces. The rear-loaded

garages enable the garage doors to be screened from Quaker Lane and Duke Street. Each unit will include garage parking for residents and there will be additional surface parking spaces for visitor use. All of the units will be oriented toward the adjoining streets of Quaker Lane or Duke Street.

In order to improve the safety of the existing curb cut for the site, the applicant is proposing a median in North Quaker Lane. T&ES staff is recommending extension of the proposed median farther north from the intersection with Duke Street to prohibit left turns into and out of the site. A staff condition would also require this median to be treated to appear as a brick median. The median still allows for 22 ft. pavement width curb-to-curb on North Quaker Lane for two 11 ft. travel lanes in each direction.

Building Design

The residential units will be “townhouse-style” condominium units that will consist of 3 ½ story brick structures with below-grade basements. The dimensions for each unit are approximately 20 ft. in width by 39 ft. in depth. The townhouses will include approximately 2,300 sq. ft. of floor area. Parking for the units will be within garages that are accessed from the internal private alley/street, enabling the garage doors to be screened from the adjoining streets. Staff is also recommending additional landscaping to screen the garage doors. The southernmost unit will be 40 feet from the Duke Street, while the westernmost unit will be 30 ft. from North Quaker Lane. The units are approximately 25 feet from the eastern property line and approximately 27 feet from the northern property line. The building heights of 35 feet are consistent with the building heights in the Quaker Village townhouses immediately to the west. The townhouse will consist of traditional facades comprised of brick, painted trim, shutters and pitched roofs. Staff has included additional recommendations to modify some of the window openings and roof pitch/styles and to ensure that the front, side and rear facades of the units are brick.

Zoning:

In order to allow residential development on the site, the applicant is requesting rezoning approval to amend the proffers that currently limit the use of the property to a commercial office building. The underlying zoning designation of CL (Commercial Low) would remain unchanged. The property is zoned CL-Commercial Low, with proffers. The development requires a modification of the required side yard setback to allow the impervious surface for parking.

| QUAKER VIEW | | |
|--------------------|---|---|
| Property Address: | 11-21 North Quaker Lane | |
| Total Site Area: | 24,757 sq. ft. | |
| Zone: | CL - Commercial Low | |
| Current Use: | Vacant | |
| Proposed Use: | Eight condominium units | |
| | <u>Permitted/Required</u> | <u>Proposed</u> |
| Lot Size | 12,800 sq. ft. | 24,757 sq. ft. |
| Lot Frontage | 50 ft | 248 ft |
| FAR | 0.75 | 0.75 |
| Yards | 20 ft, front 1/2 bldg. height (17.9 ft.), sides Bldg. Height, rear | 20 ft. 24.5 to 27.4 ft. N/A (No rear yards) |
| Height | 35 ft | 35 ft |
| Open Space | 40% | 40% |
| Parking | 2.20 spaces per unit 2.20 sp x 8 units = 18 sp 18 x 15% (visitor parking) = 3 sp 21 spaces | 21 spaces |

STAFF ANALYSIS

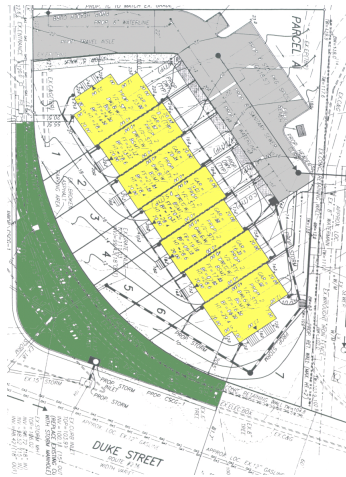
Staff recommends approval of the proposed site plan for a residential use adjacent to the existing residential neighborhoods on the northern and western portion of the site. The proposed residential use is less intensive than the current office use that is permitted with the existing zoning proffer. The applicant has worked with staff to improve the overall layout and architectural design and to revise the plan to provide desirable features such as rear-loaded garages and the ground-level open space that will be visible from Duke Street.

Vehicular Access:

Many of the adjoining residents have raised concerns regarding the safety of the proposed ingress/egress for the site. Initially the applicant proposed elimination of the “free-right” hand turn lane from Duke Street onto North Quaker Lane. The original plan for this site proposed the removal of the existing free-flow or “hot right” turning movement lane from westbound Duke Street to

northbound North Quaker Lane. A dedicated right turn lane would have remained on Duke Street for the northbound turning movement. This proposal would have enabled additional open space, provided a pedestrian crossing while still providing a dedicated turn lane on North Slaters Lane, while providing a more traditional “T” intersection.

Original



Proposed



Many of the adjoining residents have voiced the concern that elimination of the “free-right” turn would negatively impact this intersection during peak hours. Community opposition and concern from the adjacent Fire Station #207 about the impact to response times and abilities for emergency vehicles to climb the grade of North Quaker Lane from a 90-degree turn have caused the applicant to modify its original plans and retain the existing traffic condition.

In order to address these areas of concern, the applicant revised the site plan to reflect the current retention of the “free right” turn. In addition, to address concerns regarding access to the site, T&ES staff have recommended the extension of the existing Quaker Lane median to the north, to prevent left hand turns from southbound Quaker Lane into the site. Staff is also recommending improvements to signage and crosswalks in the immediate area to improve pedestrian and vehicle movement surrounding the site.

From an access management and safety perspective, the preferred access to this parcel would be via a joint use connection shared with the adjacent church, with the church limited to a single access point. Given the understanding that the church did not respond favorably to sharing joint access with the applicant’s property, the existing curb cut on the subject property is the next preferred location for access. Since it is physically impossible to move the curb cut farther away from the Duke/Quaker intersection, limiting access to right-in/right-out and extending the median farther up Quaker Lane will improve safety. Eliminating the channelized right from westbound Duke to northbound Quaker

would have further improved safety at the access point, and would have significantly improved pedestrian safety at the intersection.

With 17,000 sq. ft. of office space, the currently permitted use would be expected to generate significantly more traffic than the proposed 8 townhouses. Based on ITE trip generation rates, the office use would generate about 180 trips per day compared to 45 per day for the 8 townhouses, a 4:1 ratio. During the AM peak hour, the office use would generate about 30 trips vs. about 5 for the townhouses. During the PM peak, the respective trip generation would be similar at 25 and 5 trips. Off-peak trips for the office use would be significantly higher than for the townhouses.

Zoning Proffer Amendment:

The proposed site plan requires a rezoning approval (REZ#2002-0004) to amend the existing proffer language to allow residential development in accordance with the proposed site plan. The current zoning proffer for the site adopted in 1981 limits the use of the site to a 2-3 story 17,000 sq.ft. office building. An office use would require at least 38 parking spaces. Unlike the proposed residential use, the office building would not be required to provide any open space and building setbacks are not required for office uses. The proposed residential use does require considerable setbacks and open space thereby providing setbacks and open space that staff believes will be more compatible with the adjoining residential uses. The open space on the corner of the of the site will also provide visual relief, openness, landscaping and public benefit for this visually prominent location within the City. The residential use at this location will serve as a transition between the commercial development and public uses along Duke Street to the less intensive townhouse and single-family homes on the western and northern portion of the site. By framing this important street intersection of Duke Street and Quaker Lane with townhouses, consistent with what exists on the west side of the intersection, there will be a stronger visual demarcation indicating a change in land uses. The zoning proffer amendment would change the permitted use from office to residential use, although the current zoning of the site, CL/Commercial Low would remain unchanged.

Zoning Modification:

Side Yard Impervious Surface:

The Zoning Ordinance states that not more than 50% of the required side yard can be paved for use as driveways or parking spaces. In this case, the proposed private street on the site will serve as the drive aisle for both the required residential parking and the visitor parking spaces. The private street will be parallel to the northern and eastern property lines (both considered side yards). Due to the unique parcel shape and the size, this configuration is necessary to maximize the amount of open space in a visible and useable manner. In addition, under a nonresidential site plan for this property, there would be no required side yard, nor would the offsetting open space be provided as in this plan. Staff is supportive of the modification.

DSP #2002-0032
REZ #2002-0004
11-21 NORTH QUAKER LANE

Staff Recommendation:

Staff recommends **approval** of the proposed development site plan application with the conditions outlined within the staff report.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Jeffrey Farner, Acting Chief, Development
Brian Davis, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- 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 Provide site lighting plan.
- C- 9 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- 10 Provide a phased erosion and sediment control plan consistent with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4.
- C- 11 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C- 12 The applicant must comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance.
- C- 13 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4.

- F-1 The use of the Filtera BMP on the southeast portion of the site in a sump condition without a storm sewer inlet adjacent to it is not recommended. Provide information as to how this design will alleviate frequent ponding in the parking area.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-3 The final site plans shall show placement of fire easement signs. See attached guidelines for sign details and placement requirements.
- C-4 A soils report must be submitted with the building permit application.
- C-5 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 118.0.
- C-6 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-7 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.

Police Department:

The following recommendation related to lighting has not been included as a condition; rather, staff has recommended that the applicant prepare a lighting plan to the satisfaction of the Director of T&ES in consultation with the police, which will likely result in lower lighting levels than those desired by Police.

- R-1 Lighting for the walkways and parking lot is to be a minimum of 2.0 foot candles minimum maintained.

Historic Alexandria (Archaeology):

- F-1 According to Civil War period maps, rifle trenches were constructed by the Union Army in the vicinity of this property. The lot therefore has the potential to yield archaeological resources which could provide insight into nineteenth-century military activities in the City.

- C-1 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.

- C-2 The above statement must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement.