

Docket Item #9
DEVELOPMENT SITE PLAN #2004-0016
FANNON PROPERTY

Planning Commission Meeting
January 3, 2006

ISSUE: Consideration of a request for a development site plan, for construction of 58 multi-family residential units.

APPLICANT: Van Metre Residential Investments, LLC.
by Catherine M. Puskar, attorney

LOCATION: 318 & 320 S. West St. 320 S. Payne St. & 1300, 1306, 1320 Duke St.

ZONE: OC/Office Commercial

I. EXECUTIVE SUMMARY:

Staff is recommending approval of the proposed site plan to construct 58 residential condominiums and one level of below-grade parking. The 68,000 sq. ft. site currently contains 4 buildings, which are currently used for vehicle repair, storage and a rental car office. The proposed redevelopment and residential use are consistent with the Master Plan goals to:

- Protect residential neighborhoods from inappropriate commercial and industrial uses resulting from redeveloping adjacent commercial and industrial parcels;
- Give more attention to urban design in consideration of the gateway character of the Southwest Quadrant;
- Protect the historic character of the area north of Duke Street by moderating redevelopment densities and heights; and
- Provide height transitions between the existing residential uses and future development.



Proposed Site Plan



West Street



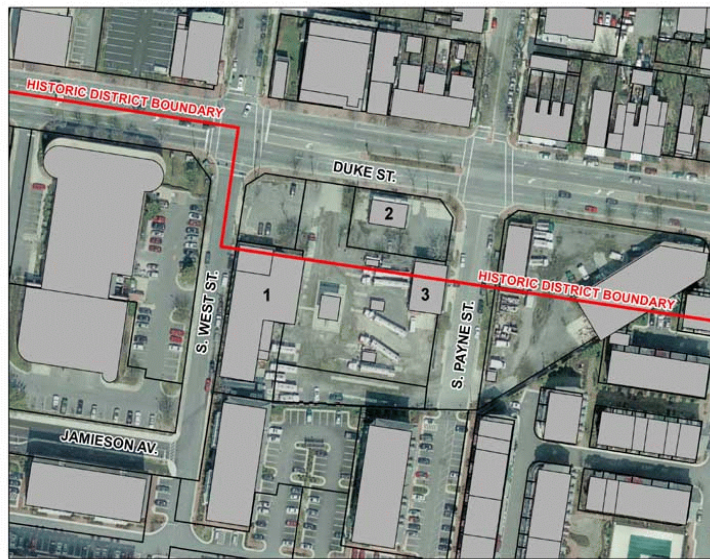
Duke Street

It has been known to the City and the community that this site would eventually redevelop. The proposal is compatible with the adjoining primarily residential uses and the character of Duke Street. While this site will be redeveloped, the Fannon Oil office building to the east of the site on Payne Street will remain.



Adjacent office building

The site is in a transitional location between the typically lower-scale vernacular townhouses on Duke Street and the larger scale 45 to 65 ft. condominiums and townhouses to the south of the site. The northern portion of the site is located within the Old and Historic District. On October 19th, 2005, the Old and Historic District Commission approved the conceptual plans for the development and the demolition of the existing buildings for the buildings located in the District.



Historic District Boundary

The proposal presents the following opportunities and challenges:

Opportunities:

- Improved pedestrian environment and streetscape.
- Redevelopment of an industrial use primarily surrounded by residential use.
- Environmental remediation.
- Ground level open space.

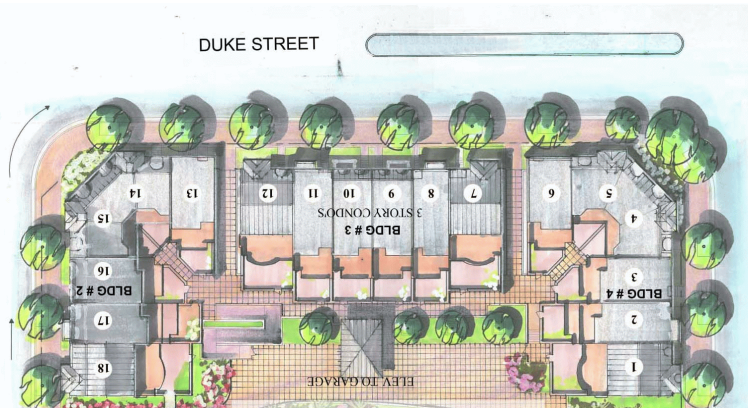
Challenges

- Minimizing traffic and parking impacts on West Street.
- Providing appropriate height transitions.
- Townhouse vs. multi-family zoning requirements.

A. Zoning - “townhouse-style condominiums.”:

The applicant initially approached the City with a proposal for one large “U-shaped” multi-family building on the perimeter of the site. While the FAR and height for the initial proposal complied with the zoning for the site, the large multi-family building did not relate well to the scale and character of the primarily smaller scale townhouses on Duke Street. Staff suggested that the applicant consider providing a variety of building types (multi-family and townhouses) and a variety of building heights, building breaks and ground level open space. Staff also suggested that the applicant provide lower scale buildings on Duke Street to enable the buildings to “step-up” to the taller buildings to the south.

The applicant responded with the current proposal, including smaller scale “townhouses” on Duke Street and a multi-family building on the southern portion of the site. To provide the townhouse scale on Duke Street, including a creative layout for the corner units, underground parking and consolidated open space, the applicant proposed “townhouse-style” condominiums for the units on Duke Street. The units are three vertical levels with a vertical party wall (the party wall does not extend into the underground parking garage).



The Commission has provided very clear direction to staff not to bring applications to the Commission where the use of “townhouse-style” condominiums enables additional density. As discussed in more detail below, the proposal does *not* allow additional density (FAR or units), but does allow a more creative design, better transitions in scale and more consolidated ground level open space.

B. Mass - Scale - Transitions:

Staff supports the proposed transitions in scale, with the smaller 35 ft. to 40 ft. tall buildings on Duke Street, and the larger and taller (50 ft.) building on the southern portion of the site. The proposal will provide a transition from the taller (65 ft.) Old Town Village condominium development to the south to the 2-3 story (20 ft to 40 ft.) townhomes on Duke Street. However, the multi-family building on the southern portion of the site is quite long, (approximately 200 ft.), and with a height of 50 ft., the roofline of the building will be partially visible over the proposed smaller townhouse on Duke Street. Therefore, staff has added a recommendation to reduce the perceived length of the building by providing a more varied roofline for the southern building.



Duke Street Elevation



Transition from 5-6 story condominiums to Duke street scale

C. Parking:

One of the concerns raised by the City and community has been the need to provide a sufficient amount of on-site parking for residents and visitors. In response, the applicant has proposed 2 spaces/unit and 15% visitor parking spaces on-site. An issue raised by the proposal and by the community, was the need for a dedicated left turn lane on West Street. The provision of the dedicated turn lane will increase the curb to curb dimension from approximately 32 ft. to 36 ft. on West Street, which will eliminate 8 on-street parking spaces on West Street (approximately 5 spaces on the east side of the street, 3 spaces on the west side of the street). However, the as a result of the redevelopment, four curb cuts will be eliminated on Payne Street and 8 additional spaces will be gained on Payne Street for a total of 10 spaces on Payne Street.

While parking is a concern of staff and the community in this neighborhood, staff has added recommendations for the provision of all required parking plus 15% (18 spaces) visitor parking spaces, as well as prohibiting the residents from being eligible for on-street parking permits.

D. Community:

The applicant and staff conducted community meetings for this project with the Old Town Civic Association and adjoining Old Town Village Condominium and Homeowners' Associations, adjoining residents, and had one hearing by the Old and Historic District Commission. The primary issues identified have included:

- Minimizing the traffic impacts on West Street.
- Visitor parking.
- Providing pedestrian and streetscape improvements for each public street frontage.
- Ground-level open space, visible to the pedestrian right of way.
- Screening of rooftop mechanical equipment.

To address these concerns, staff has included conditions to address parking, pedestrian and streetscape issues, and the landscaping and open space on site.

E. Conclusion:

Staff recommends **approval** of the proposed site plan with the attached recommendations.

II. BACKGROUND:

A. Site Description:

The site is surrounded by both new and older buildings, with a wide variety of commercial and residential uses. The area south of the site is occupied by the Old Town Village residential development, which was approved in 1996. The Old Town Village condominium buildings and townhouses range in height from 4-6 stories (45 to 65 feet). The area to the west is occupied by a series of 2-3 story commercial office buildings, which include uses such as a child care center. The area north of the site is predominantly residential in character, consisting largely of 2-3 story older townhouses, although there are taller commercial buildings, including the approximately 35 ft. tall Shiloh Baptist Church and an approximately 50 ft. tall office building on Duke Street. The area immediately east of the site includes one story brick Fannon Petroleum Services office building that will remain and continue to be used for commercial offices.



Adjacent commercial building



Duke Street Residential

The 68,000 sq. ft. site (1.6 acres) is located within the Southwest Quadrant Small Area chapter of the Master Plan. The site is located on the south side of Duke Street between Payne and West Streets. The site was previously used as part of a railroad yard that has since been redeveloped as part of the Old Town Village and Carlyle developments. The site has a slight grade change rising into the site from Duke Street and to the south by 6 ft. The current industrial use has resulted in soil contamination that will require environmental mitigation as discussed in more detail below.



Old Town Village Condominiums

B. Proposal:

The applicant proposes to construct a total of 58 condominium units within four multi-family buildings on the site. The units are two and three bedrooms, and will range in size from 1,200 sq. ft to 1,900



Existing site conditions

sq. ft.. All of the proposed buildings are oriented to face the adjoining public streets and are interspersed with open space in the form of external yards and open space areas and internal courtyards. The taller 50 ft. tall building will consist of 40 condominium units (28 two-bedroom, 12 three-bedroom) on the southern portion of the site. Three “townhouse-style” condominium buildings, divided into 6 three-bedroom units each, will wrap the northern portion of the site along Duke, West, and, Payne Streets. These 3-story structures will appear as townhouses, though technically they will be “townhouse- style” condominiums.

Parking for the entire development will be located in one level of underground parking. Access to the parking will be from West Street on the southern portion of the site and controlled access will be provided for the underground garage. The applicant is proposing a total of 134 on-site parking spaces, including an average of 2 parking spaces for each unit, all of which will be located in the underground parking garage. Additionally, visitor parking spaces are proposed both at grade and below grade, totaling 18 spaces or 15% of required parking.

Although a traffic study showed no significant impact on traffic as a result of the development, in working with the City and community, the applicant has proposed a dedicated left turn lane on West Street to enhance the circulation at this intersection. The provision of a dedicated left turn lane on West Street will eliminate on-street parking on West Street. As discussed earlier, the proposed elimination of 4 curb cuts will add additional spaces to Payne Street.

III. ZONING:

The site is zoned OC/Office Commercial which allows a variety of uses, including residential.

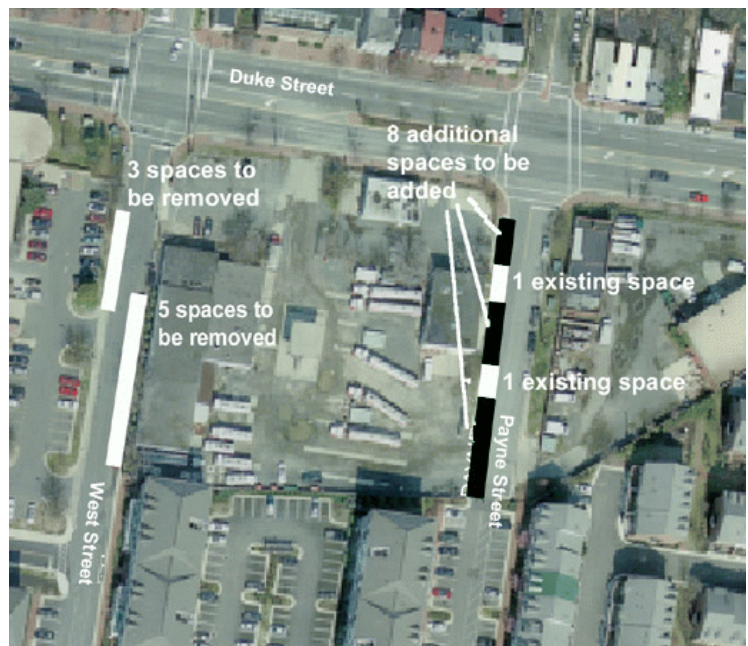
13300 Duke Street - Fannon Redevelopment		
Property Address:	1300 Duke Street	
Total Site Area:	68,278 sf	
Zone:	OC	
Current Use:	Commercial/Industrial	
Proposed Use:	Multi-Family Residential	
	<u>Permitted/Required</u>	<u>Proposed</u>
Floor Area	85,347 SF	85,238 SF
FAR	1.25	1.25
Yards	Front Side 17.9' Rear Yard 25'	N/A 10.38'(modification requested) N/A
Height	50'	36'-50'
Open Space	27,311 (40%)	30,900 (45.2%)
Parking	115 spaces (2/unit) 1.75 (2 bdrm) x 28 = 49 2.20 (3bdrm) x 30 = 66 total = 115 115x 15% visitor = 18 Total = 133	134 (includes 18 visitor)
* Note: FAR, Open Space, and Height requirements are the same for both, Townhouse and Multi-Family in the OC zone		

IV. STAFF ANALYSIS:

The site is identified in Southwest Quadrant Small Area Plan as a potential redevelopment site, and represents redevelopment of one of the last remaining industrial uses for this portion of Duke Street. The Master Plan, the City and the community support redevelopment of the site to enable a use that will be more compatible with the adjoining residential uses. The site is located on the visually prominent intersection of Duke and West Streets and serves as an important transition between the more established neighborhoods to the north and the newer commercial and residential development to the west and south.

A challenge with the redevelopment of the site is ensuring that the scale of the proposal is compatible with the scale and character of the well established neighborhoods on Duke Street, while also relating to the newer developments to the south and west. Staff has worked with the applicant to provide smaller scale townhouses on Duke Street. The height of the proposed units will be 35ft. to 40 ft., less than the townhouses for Old Town Village on Duke Street.

The applicant has also worked with staff to provide necessary elements such as building breaks and building elements that help to reduce the perceived mass on Duke Street. The proposal will create ground level open space, provide pedestrian sidewalk connections on West and Payne Street. The proposed residential use will also add activity and complement the neighborhood by promoting pedestrian activity in a location central to Old Town amenities. With the recommended changes to the building massing, parking, and open space, the proposed development can be a positive addition to the neighborhood and Duke Street.



Proposed Parking

A. Parking:

One of the initial concerns raised by the City and the community early in the review process was making sure that the development provided a sufficient amount of on-site parking to ensure that parking for the proposed development will not spillover into the adjoining neighborhoods. Staff

acknowledges that on-street parking on many of the adjoining public streets is often quite limited especially during peak demands such as Sundays and evenings. There are several reasons why on-street parking is limited including:

- many of the adjoining homes were constructed without parking;
- some units have front curbs which eliminates on-street parking; and
- some streets such as Duke Street do not generally permit on-street parking.

The Old Town Village development, to the south of the site, was approved in 1996 with a requirement for 536 parking spaces, (approximately 2 spaces per unit in the townhouses and 1.75 spaces per unit for multifamily), and provided 10% visitor parking (54 spaces).

In 2004, the adjacent Shiloh Baptist Church received a parking reduction (SUP#2003-00099) for 57 spaces. As part of this approval, the applicant identified potential off site parking, including 18 spaces on this site. However, it was identified in the staff report that the Fannon Oil site would likely redevelop and that these spaces would not be available in the future. There were 280 additional spaces identified at 12 locations as part of the parking reduction.

Another development in the area includes the recently approved Harambee project at the corner of West and Duke Streets, immediately north of the proposed site. The approved plan provides 8 units of senior affordable housing. The proposal required 2 parking spaces for the development. The applicant provided 8 parking spaces in the adjoining Shiloh Baptist Church parking lot. Below is a table comparing the proposed parking with adjoining developments:

PARKING TABLE

Project	Parking Required	Parking Provided	Spaces/Unit
Old Town Village	536 spaces	590 spaces (54 visitor/ 10%)	2.07
Shiloh Baptist Church	130	73 (parking reduction)	NA
Harambee	2 spaces	8 spaces	1.0
Fannon Site	115 spaces	134 spaces (18 visitor /15%)	2.3

Because of the provision of a dedicated turn lane on West Street, as well the current narrow width the street, on street parking will be eliminated, (approximately 8 spaces). Additionally, the applicant has proposed additional public right of way on the proposed site to allow for the widening of West Street to accommodate the added turn lane. However, the elimination of curb cuts on Payne Street as a result of the proposal, additional spaces, (approximately 8 spaces), will be gained.

There is a balancing of goals in this case between the need for parking, and circulation. Staff supports the shifting of parking spaces from West Street to provide better circulation in this case. This is also based on the provision of additional on-street parking spaces on Payne Street. Staff acknowledges that during peak hours street parking is limited, and, while staff supports the turn lane, staff has also recommended that the applicant provide the required parking (approximately 2 spaces/unit) and 15 % visitor parking spaces (17 spaces) in the below grade garage and at grade on the site in order to discourage spillover parking into adjoining neighborhoods. Staff also recommends that residents of the development not be eligible for on street parking permits.

B. Transit:

The site is well served by bus service, with bus stops for Dash 8 & Metrobus 29K,N located in front of the development on Duke Street, and a block west of the property. Dash 8 serves Old Town, Landmark Mall, and both the King Street and Van Dorn Metros. Dash 8 runs from 5:30 a.m. to 12:30 p.m. on weekdays, with 29 buses running westbound at 15-minute to one-hour intervals, and 31 buses running eastbound at 10-minute to one-hour intervals. On Saturdays, Dash 8 runs from 6:50 a.m. to 11:40 p.m., with 18 buses running westbound and 18 buses running eastbound, each at one hour intervals. On Sundays, Dash 8 runs from 7:20 a.m. to 11:10 p.m., with 17 buses running westbound and 16 buses running eastbound, each at one hour intervals. Staff has recommended that the applicant provide a bus bench at the immediate Duke Street stop to further encourage transit use.

C. Traffic:

A traffic impact study was conducted for the Fannon Site to assess the operational impacts of this development on the surrounding traffic network. The intersection of Duke Street & West Street is the only signalized intersection adjacent to the site. However, the signalized intersection of Duke Street & Henry was also included as part of the study. There are several remaining intersections that are stop-controlled. The most notable are the intersections of Duke Street & Payne Street and West Street & Jamieson Avenue. The site has one driveway access point on West Street, just south of Jamieson Avenue.

Site Generated Traffic

Based on the 58 units in the development, the Fannon Oil Property will generate approximately 23 morning, 27 afternoon, and 19 weekend peak-hour trips in the full build-out year of 2007. This is a considerably modest volume of generated traffic given the volume of traffic within the surrounding network. The character of the traffic generated by this site will also change, transforming from primarily commercial vehicles to typical commuter vehicles. Another notable change in the character of traffic is the anticipation of site-generated pedestrian traffic, given the residential development and the close proximity of Metrorail service.

Roadway Network

There are three (3) changes to the roadway network in conjunction with the development. The cross-section of West Street will change from its current configuration. Along with the additional driveway on West Street for the site, a left-turn lane will be added on West Street for cars entering the development. The peak-hour volumes of traffic using this left turn lane to enter the site during the AM, PM, & Saturday are 3, 11, and 4 vehicles, respectively.

The second change to the network is the removal of curbside parking on both sides of West Street, between Duke Street & Jamieson Avenue. This was done to accommodate the addition of the aforementioned left-turn lane into the site. Lastly, the three driveways that currently serve the site will be consolidated to the single driveway on West Street.

Traffic Analysis

The study examined five (5) scenarios in assessing the traffic impacts. These include the Existing Conditions, No-Build (2007), No-Build (2012), Build (2007), and Build (2012). The Existing Conditions analysis is used as a benchmark for the benefit of comparison and found that the intersections surrounding the site operate at acceptable levels of service during the weekday peak hours. However, during the weekend (Saturday) peak-hour, side-street (NB) traffic at the intersection of Duke Street & Payne Street experiences a level of service (LOS) of "F".

Based on the trip generation from the proposed Fannon Oil Property redevelopment, the traffic impact on the surrounding network is anticipated to be minimal. It is important to stress that much of the traffic currently being generated by the site will be replaced by typical commuter vehicles and pedestrian traffic.

The operations along West Street will change given the removal of parking maneuvers, which typically reduces delay. The addition of a left-turn lane into the site should also help prevent traffic from queuing on West Street, although it will modestly add to the complexity of traffic operations on this short corridor. During the PM peak, which has the highest peak-hour ingress volume, one (1) ingress vehicle will arrive an average of every 5 minutes. Lastly, the consolidation of site driveways for this site removes a conflict-point from Duke Street, which has higher volumes and travel speeds.

Although the LOS for the northbound movement at the intersection of Duke Street & Payne Street is below an acceptable LOS, this appears to be a pre-existing condition that will be exacerbated by annual growth, independent of this development.

D. Open Space- Streetscape Improvements:

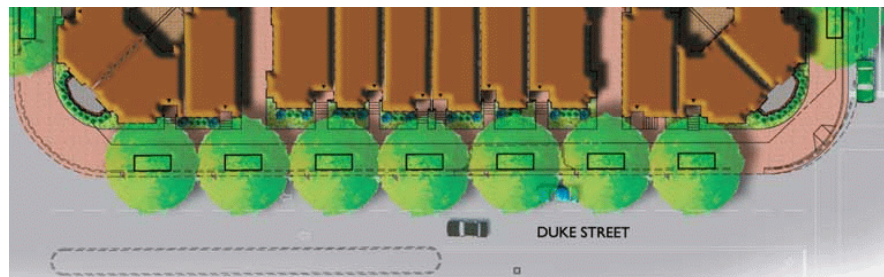
As part of the proposal, staff has worked with the applicant to provide all of the open space at grade and to be useable and consolidated open space. In addition, staff has worked with the applicant to make sure that a significant portion of the open space is visually accessible from Payne Street, as well as Duke Street and to provide a sense of “openness” for the development. Currently there is no useable open space on the existing site. The applicant has proposed a total of 45% ground level open space interspersed within the internal courtyard and at the perimeters of the site adjacent to public streets.



Duke Street :

Staff has worked with the applicant to provide an 14ft brick Existing Payne Street pedestrian sidewalk and, in addition, many of the units will be setback up to 10 ft. to create small front yards, green space and “openness” on the street. The setbacks will provide an opportunity for landscaping adjacent to the Duke Street frontage, typical of other units on Duke Street or other units within the Historic District of those styles of architecture.

Staff is recommending an continuous brick sidewalk, decorative pedestrian scale lighting, and street trees on Duke Street. There are 5 existing 4" to10" caliper street trees on Duke Street, staff is not recommending that these trees be retained. While staff generally recommends the retention of larger trees, the arborist believes that the health of these trees is less than ideal and that the trees are in decline. Therefore, staff recommends large 4" caliper Willow Oak street tree to establish a more mature streetscape at installation. To further improve pedestrian access and safety along Duke Street, crosswalks will be striped and countdown signals added at the West and Payne Street intersections. Pedestrian entrances and pathways are provided along the street frontage and into the site between buildings to promote a more human-scale character and approachable frontage along the sidewalk.



Duke Street front yard setbacks and pedestrian improvements

Payne Street :

Staff has worked with the applicant to provide an approximately 140 ft. x 40 ft. open space courtyard on Payne Street on the southern portion of the site. The open space will provide a significant amount of relief from the scale of the building, reinforce the character of the street as residential street and provides a buffer to the adjoining commercial office building east of the site.

Staff is also recommending a 12ft. wide brick sidewalk, that will connect to the Old Town Village sidewalk to Duke Street and provide a continual landscaped pedestrian walkway on Payne Street which is, today, characterized by curb cuts, parking lots, and a lack of connectivity.

West Street :

With the recent extension of Jamieson to West Street, West Street has become an important visual and physical connection for cars and pedestrians. Today a sidewalk does not exist along the east side of West Street along the site, because of the limited setback of the existing building.

Staff is recommending a 12ft. wide brick sidewalk and a continual row of street trees that will connect to the existing sidewalk of Old Town Village and provide a continual pedestrian connection from the African American Heritage Park to Duke Street.

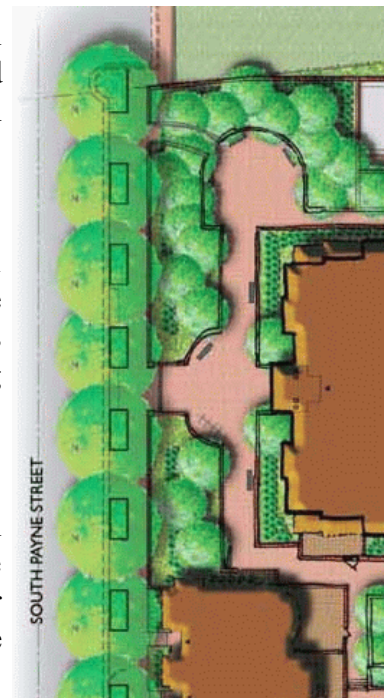
Internal Courtyard:

The applicant is proposing an approximately 140 ft. x 40ft internal courtyard. Rear yard areas are proposed for all of the townhouse style units framing the courtyard on the north side. Pedestrian walks connect the courtyard to West, Payne and Duke Streets, providing visual and physical links to the street from within, and, conversely, views into the landscaped courtyard from the public streets.

The central courtyard has been designed to provide pedestrian gathering spaces for residents. Trees and landscaping will provide relief from the paved areas in substantial planter areas. A main stair and elevator accessing the garage is located in a central portion of the courtyard.

In addition, staff has included recommendations to enhance the quality of the open space, street scape and pedestrian realm which include:

- High quality paving and landscaping materials;



Proposed Payne Street
Frontage

- A maximum retaining wall height of 42 inches to maximize openness and visibility within the courtyard;
- Pedestrian scale lighting;
- Evergreen landscaping as well as seasonal color for year round color and texture; and
- Irrigation for the open space.

While this ground-level open space is considerable, the overall effectiveness of this space will depend on the quality of the courtyard design, materials, maintenance, and amenities within the space. To address these issues, staff is recommending the interior courtyard be redesigned in a more useable and consolidated, with additional trees and amenities, decorative paving and less hardscape.



Proposed internal courtyard

E. Building Scale - Transitions:

Originally, the applicant proposed one large 3-4 level multi-family building. The mass and scale of the proposed structures was inappropriate to the existing scale and character of Duke Street. At the request of staff, the applicant modified the proposal to provide multiple buildings, building breaks, and, ground level open space. The northern portion of the site is within the Old and Historic District and is subject to the Board of Architectural Review.



Transition from 5-6 story condominiums to Duke Street 2-3 Story scale buildings.

The surrounding development to the south predominantly characterized by residential townhouses and multi-family buildings, varying in height between the 5-6 story condominiums of Old Town

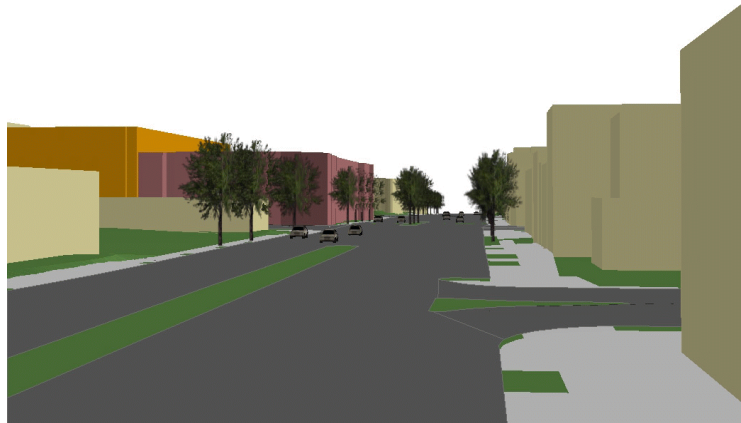
Village to the south, to smaller scale traditional 2-3 story townhouses on the north side of Duke Street. Due to the sensitive character of this frontage, the applicant has worked with staff to provide traditional townhouse-appearing units lining Duke Street, appropriate to the existing context.

Board of Architectural Review:

The applicant has received approval for the mass, scale, and architectural character for the proposal and will require a final review of this portion of the site by the Board of Architectural Review to focus on materials and design details of the structures proposed.

Multifamily Building:

While there are relatively modest scale townhouse units proposed for Duke Street, the length, and height, (35-40 ft.), a 4-story condominium building proposed for the southern portion of the site remains considerable in mass and scale. The building scale on the site is critical to its context as well as to providing a transition between different heights of surrounding buildings. Staff is recommending that the large building proposed for the southern portion of the site be further refined by providing a more varied roofline. These scale and design elements are necessary to minimizing the visibility of the building from Duke Street views.



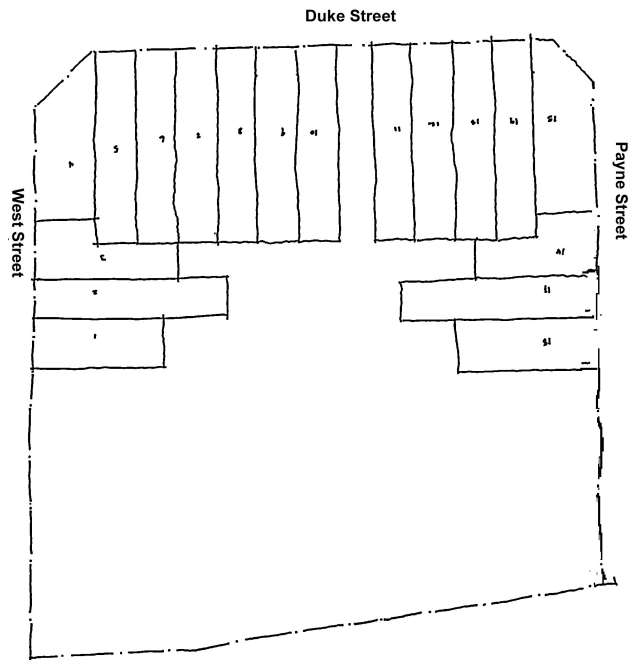
The Roofline of the multifamily building will be visible from Duke street

The proposal will provide a transition from the 65 ft. high, 5-story condominium development throughout the site to the more traditional 2-3 story townhouse character along Duke Street. The proposal will connect the pedestrian sidewalk from Old Town Village at West and Payne Streets with Duke Street. Streetscape enhancements will also be provided on all surrounding streets.

The applicant has worked with City staff to resolve initial issues including heights and massing of development, access, traffic, and parking. Originally, the applicant proposed two large scale condominium structures which did not relate to the scale and massing of Duke Street residential. The applicant revised the buildings to provide more traditional “townhouse scale” and appearance along Duke Street. Additionally, the applicant has proposed incorporation of a dedicated turn lane to resolve traffic concerns on West Street from neighboring developments. Required parking is provided below grade for all units proposed, as well as on site visitor parking.

F. “Townhouse-Style Condominiums”:

In order to achieve smaller townhouse scale buildings on Duke Street, the applicant is proposing “townhouse-style” condominiums on Duke Street. The applicant initially proposed this type of unit as a way to provide additional open space and to provide more creative corner units, which could not typically be provided with fee simple lots. The Zoning Ordinance defines townhouses as dwelling units separated vertically through the building by a party wall that runs from the basement to the roof. While the units will function as townhouses with a vertical party walls, the party wall will not extend to the underground garage.



Proposed site showing 18 townhouse lots

The Commission and Council have provided clear direction to staff that the use of “townhouse-style” condominiums should not be a way to provide additional units but would be considered as a way to provide a more creative layout. In this case, the use of “townhouse-style” condominiums does not allow additional density, (FAR or units), on the site. In fact the requirements, FAR, open space and height are the same in the OC zone, unlike other zones where greater density is permitted for multi-family buildings. In addition, staff prepared a “conventional layout” as depicted in the graphic, which indicates that 18 fee simple townhouses can be provided with a multi-family building on the southern portion of the site. The applicant is providing the same number of “townhouse-style” condominiums (18), and, a multi-family building on the southern portion of the site with both schemes permitting an FAR of 1.25.

While the use of “townhouse-style” condominiums does not enable the applicant to provide additional density the approach does enable the following:

- More useable consolidated open space;
- Less paving;
- A creative solution to the corners of the property with connected and angled units on the corner; and
- Additional building breaks.

In this case staff finds that the use of “townhouse-style” condominiums does not enable additional density, enables a creative layout of the townhouse style units and enables a layout more compatible with the character of Duke Street than would be achieved by the fee-simple layout for townhouses. For all of these reasons, staff is recommending approval. While the use of “townhouse-style” condominiums needs to be evaluated on a case-by-case basis, staff believes this approach is appropriate for this site because the proposal does not result in additional density and the approach allows a more creative layout of the units and more consolidated open space, staff is recommending approval.

G. Zoning Modifications:

The applicant is requesting a modification of the required side yard between the proposed buildings fronting Duke Street. In order to adhere to the townhouse requirements in the ordinance, the applicant would need to provide a 17.9 ft side yard setback between buildings. The applicant has proposed a 10.4' setback, therefore requesting a modification. Staff believes that in this particular circumstance, this setback between buildings is reasonable because the openings are meeting the minimum (8ft.) required and the size is reasonable and comparable to other Duke Street building breaks. The proposed building breaks will allow a visibility into the landscaped areas without encouraging public access.

H. Environmental Mitigation:

The site has been a fuel storage facility in excess of 100 years. The largest underground storage tanks (UST) on the site (seventeen 30,000-gallon USTs) were installed circa 1960; four of these USTs were subsequently removed. The property is currently under active environmental remediation. Groundwater remediation and soil vapor extraction systems were installed in 2000 to remove hydrocarbons. Significant contamination remains.

The applicant has submitted a Corrective Action Plan Addendum to satisfy Virginia Department of Environmental Quality requirements. The City has reviewed this report and generally agrees with the proposed concept plan. Because of the contamination on the site, there is, and will continue to be, ongoing ground water pumping and treatment. There will be a need to continue these efforts as well as long term ground water monitoring. The site will also require a soils management plan and other related measures. These issues will be addressed by the City Department of Transportation and Environmental Services as part of the final site plan.

I. The Community:

Numerous meetings were held throughout the process with community groups, including Old Town Village Condominium and Homeowners Association and Old Town Civic Association. In general, the proposal has been well received, with the exception of concerns expressed regarding possible

traffic impacts to West Street due to the current cut through traffic between Holland and Duke Street, via Jamison Street. Residents also voiced concerns about the loss of parking on West Street.

The applicant has worked with staff to resolve the neighborhood concerns. The development proposal includes widening West Street (utilizing the applicant's property) in order to provide a third and dedicated left turn lane. The turn lane is intended to alleviate traffic back-up caused by automobiles queuing to turn left into the proposed development as well as those turning left onto Duke Street. With the need to balance the parking and traffic goals, the City is allowing the proposed elimination of 8-9 parking spaces from West Street to allow for 3 full lanes of traffic.

However, the proposal will also eliminate four existing curb cuts from Payne Street allowing a full 10 parking spaces on Payne, and potentially more spaces if they are not marked.

V. CONCLUSION:

Staff supports the redevelopment proposal and the proposed multi-family structures. The applicant has worked with staff and the community to ensure an appropriate scale and character for the site, along with building breaks and visual interest. Additionally, the proposal provides landscaped open space within the site as well as open space areas visible from and contiguous to the public right of way. The applicant has also worked to resolve traffic and parking impacts to West Street through the addition of a dedicated turn lane. While parking will be eliminated on West Street, the closing of curb cuts will allow the addition of on-street parking on Payne Street, and all resident parking requirements will be met on site. Overall, the proposal will provide numerous public benefits and is consistent with City goals and good planning principles.

VI. RECOMMENDATION:

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

PEDESTRIAN AND STREETScape:

1. The applicant shall provide pedestrian and streetscape improvements that at a minimum shall provide the level of improvements depicted on the preliminary site plan and shall also provide the following to the satisfaction of the Director of P&Z and RP&CA:
 - a. The sidewalks on Payne and West Streets shall be a minimum 6 ft. wide brick sidewalks unobstructed by tree wells, stoops, etc. The sidewalk on Duke Street shall be a minimum 8 ft. wide unobstructed sidewalk.
 - b. The brick sidewalk on West Street shall continue over the proposed curb cut to provide a continuous uninterrupted brick sidewalk across the apron.
 - c. The sidewalks on the southern portion of the property shall connect to the existing sidewalks on South Payne and South West Streets. The applicant shall work with the adjoining condominium association to remove the existing sections of screening fence at both S. Payne and S. West Streets and a portion of the existing retaining wall on S. West Street as necessary to construct continuous uninterrupted sidewalks. The areas adjacent to the new sidewalks shall be reconstructed, the retaining wall refaced as necessary, and the areas landscaped appropriately as front yards adjacent to the public streets and sidewalk.
 - d. The planter adjacent to Payne Street shall be designed to function as a “seat wall” for pedestrians with a height average of 24 inches not to exceed 30 inches in height. The materials for the planter shall be brick and precast.
 - e. The tree wells on West Street shall be replaced with a continuous 4 ft. planting strip adjacent to the curb.
 - f. A 3-3.5 ft. tall decorative brick wall or fence and landscaping to screen the surface parking adjacent to West Street on the southern portion of the site.
 - g. The tree wells on Duke Street shall be 4 ft. x 12 ft. and spaced approximately 25 ft. on-center.
 - h. Decorative pedestrian-scale black Virginia Power acorn light poles shall be provided along each public street frontage. Decorative pedestrian scale lighting shall also be provided for the on-site walkways.
 - i. Two (2) city standard street cans, not to exceed a total of \$2,000, to the satisfaction of the Director of T&ES.
 - j. All sidewalks for the development shall be red brick and shall comply with City standards. All materials for the ADA ramps shall be brick and in keeping with the proposed sidewalk.

- k. The sidewalk width adjacent to the parking spaces on the southern drive aisle to the parking garage shall be a minimum of 6.5 ft. to maintain a 5 ft. minimum unobstructed sidewalk, clear from vehicle overhang.
 - l. A minimum distance of 5 ft. shall be maintained for any pedestrian walkway within the site.
 - m. All streetscape improvements shall be completed prior to the issuance of the final certificate of occupancy permit.
 - n. Details shall be provided for all amenity features. (P&Z)(T&ES)
2. The applicant shall provide six (6) bicycle parking spaces within the garage for residential use, and six (6) bicycle parking spaces on the surface for visitor use. Provide bicycle rack detail. Design and location shall be to the satisfaction of the Director of T&ES and P&Z. (T&ES)(P&Z)
 3. The applicant shall provide \$5,000 to the City for the relocation of the existing mast arm at the corner of Duke and West Streets. (T&ES)
 4. The applicant shall provide all pedestrian and traffic signage in accordance with the latest edition of the *Manual of Uniform Traffic Control Devices (MUTCD)* to the satisfaction of the Director of T&ES. (T&ES)
 5. The applicant shall provide a City standard decorative black metal bench at the existing bus stop along Duke Street to the satisfaction of the Director of T&ES and P&Z. (T&ES)
 6. A perpetual public ingress/egress easement shall be granted for the portion of the sidewalks adjacent to West Street and Duke Street that are not located within the public right-of-way. All easements and reservations shall be depicted on a plat of consolidation and shall be approved by the City prior to the release of the final site plan. (P&Z)
 7. All existing utility poles and lines on West Street and all new proposed utilities shall be located underground and the cost of such undergrounding shall be the sole responsibility of the developer. (P&Z)
 8. The vents for the parking garage shall not exhaust onto sidewalks at the pedestrian level. The air intakes shall be reduced in size to the extent possible and a third intake added outside of view of the public right-of-way to diminish the visibility of the air intakes from the public right-of-way. Sufficient landscaping shall be provided to screen the intakes. (P&Z)

LANDSCAPING - OPEN SPACE:

9. The open space on Payne Street shall be designed to appear more as ground level open space for the use of the residents rather than raised planters, at a minimum shall consist of the amount of landscaping and amenities as depicted on the preliminary plan and shall also provide the following to the satisfaction of the Director of P&Z and RP&CA:
 - a. Reduce/consolidate the area of raised planters to reduce the height of planting walls facing the public right-of-way and to provide more contiguous, useable planting areas and pedestrian paths in the open space. Soil surface height should rise gradually from the public right-of-ways with soil depth increased toward the western end of the planter to provide sufficient depth to allow tree planting. Provide simplified, accessible pedestrian paths and plaza areas as generally depicted in *Attachment # 1*.
 - b. The sidewalks and paving shall be brick and shall comply with City standards.
 - c. Decorative benches shall be provided within the space to encourage use of the space.
 - d. No fence or gates at the entrance to the property shall be allowed.
 - e. Shrub planting shall provide seasonal color and be arranged to provide visual interest and harmony as well as be complement the design of the public right-of-way.
 - f. Low scale pathway or bollard lighting.
 - g. All open space areas shall be maintained by the Condominium Owners Association. (P&Z)(RP&CA)

10. The open space on West Street shall be revised to provide the following to the satisfaction of the Director of P&Z and RP&CA:
 - I. The design of the space shall be revised to appear generally as depicted per *Attachment # 1*.
 - II. Eliminate the space between the building and the planter.
 - III. The walkways for the internal sidewalks and courtyards shall generally be the same brick as the public sidewalks.
 - IV. Low scale pathway or bollard lighting.
 - V. Where walls or planters are necessary they shall be brick or stone.
 - VI. All landscaping shall be maintained in good condition and replaced as needed.
 - VII. Irrigation shall be provided for all landscaping including internal landscaped planters and open space areas, and, where irrigation systems are not installed, hose bibs shall be provided in the front and rear areas of all units in buildings # 2,3, and 4 for individual front and rear yard landscape maintenance. (P&Z)(RP&CA)

11. The internal courtyard/common areas shall provide the level of detail and amenities depicted on the preliminary plan and at a minimum the courtyard shall also provide the following to the satisfaction of the Director of P&Z.
 - a. Reduce/consolidate the area of raised planters in the central courtyard areas to provide more useable open space and simplified, accessible pedestrian paths as generally depicted in *Attachment # 1*.
 - b. Planters shall not be raised above the pedestrian path or plaza more than 42" and only where necessary to achieve soil depth sufficient for tree planting. Stepping of planter heights may be necessary.
 - c. Amenities such as special paving surfaces, materials, benches, trash receptacles, landscaping, etc. shall be provided within the courtyard to encourage its use.
 - d. All open space areas shall be maintained by the Condominium Owners Association. (P&Z)(RP&CA)

12. A final landscape plan shall be provided with the final site plan. The plan shall include the level of landscaping depicted on the preliminary landscape plan and shall at a minimum also provide to the satisfaction of the Director of P&Z and RP&CA:
 - a. Provide a different street tree species for each street frontage which shall consist of the following:
 1. Willow Oak on Duke Street.
 2. Red Maple on West Street.
 3. London Plane trees on Payne Street.
 - b. A variety of significant landscaping, including shrubs and groundcover shall be provided for the "front yards" for building #3.
 - c. Foundation planting, including shrubs and ground cover shall be provided for the landscape strips between each unit and the adjoining public sidewalk.
 - d. Provide a detail of the typical foundation planting for each building.
 - e. All street trees shall be planted approximately 25 ft. on-center.
 - f. All tree wells shall include an evergreen groundcover to the satisfaction of the Directors of P&Z and RP&CA.
 - g. The landscape strip on West Street shall be evergreen groundcover to the satisfaction of the Directors of P&Z and RP&CA.
 - h. All street trees shall be a minimum 3.5 to 4 inches caliper at the time of planting. All other proposed trees to be a minimum of 2.5 inches caliper at the time of planting.
 - i. The applicant shall provide additional landscaping within the Duke Street median, including additional low growing shrub species planting to complement the existing shrubs.
 - j. Details for the planter including material, drainage, irrigation and soil depth as well as cross sections.

- k. The planting depth on top of the parking deck shall be a minimum of 2 ft. for the shrubs and groundcover and a minimum of 4 ft. of soil depth for trees with adequate drainage to support the trees.
- l. Utility lines such as water, storm sewer and electric lines shall be located to minimize impacts on proposed street trees and open space.
- m. The location of all light poles shall be coordinated with the street trees.
- n. All lawn areas to be planted with sod grass.
- o. The maximum height for the shrubs is 36 inches.
- p. All trees to be limbed up a minimum of 6 ft as they mature to allow for natural surveillance.
- q. Trees are not to be planted under or near light poles.
- r. The landscape plan shall be prepared and sealed by a certified landscape architect.
- s. All landscaping shall be maintained in good condition and replaced as needed.
- t. Enhanced plantings within the planters including seasonal color near the entrance.
- u. Depict all utility structures, including transformers, on the final development plan and final landscape plan. All utility structures (except fire hydrants) shall be clustered where possible and located so as not to be visible from a public right-of-way or property. When such a location is not feasible, such structures shall be located behind the front building line and screened, and shall not be located within the eastern open space area.
- v. Landscaping shall be maintained in good condition and replaced as needed by the Condominium Owners Association.
- w. Plantings shall be installed in accordance with the latest and most current edition of Landscape Specification Guidelines, as produced by the Landscape Contractors Association (LCA) of Maryland, District of Columbia and Virginia, Gaithersburg, Maryland.
- x. 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. (P&Z)(RP&CA)(Police)

BUILDING:

- 14. The building shall incorporate the use of green building and sustainable techniques for the site and building systems. The architect shall provide a list of specific examples of green technology measures implemented and equipment incorporated into the building and site design prior to the release of a building permit, to the satisfaction of the Directors of T&ES and P&Z. (T&ES)(P&Z)

15. The final architectural elevations shall be consistent with the level of quality and detail depicted in the preliminary architectural elevations dated 10/7/05. In addition, the applicant shall provide further refinements to the building design and materials as generally depicted in *Attachment #2*, and, that, at a minimum, shall include providing the following, to the satisfaction of the Director of P&Z:
 - a. The elevations at the first floor level of building #1 shall be refined to provide a strong base such as brick detailing or rustication to further reduce the perceived height of the building.
 - b. The north and south elevations of the central portion of building #1 shall be refined to reduce the mass and perceived scale of the building from public view. The roof line for the central bay shall be simplified and reduced in height and mass for views from Duke Street and the adjacent property.
 - c. Any portion of the retaining wall along the southern portion of the site that is visible from the public right of way shall be brick or other decorative treatment. Provide spot elevations and details identifying heights and materials of the proposed wall.
 - d. The facade materials of all buildings, shall be entirely masonry (brick, precast, stone), including lintels and sills, wood or cementitious siding as generally depicted in the preliminary plans.
 - e. Through-the-wall HVAC vent grills shall be prohibited.
 - f. Color building elevations shall be submitted with the final site plan.
 - g. Each elevation shall indicate the average finished grade line to ensure compliance with all applicable height requirements.
 - h. The final design and details for Buildings #2, #3 & #4 shall be approved by the Old and Historic Alexandria Board of Architecture Review. (P&Z)
16. Based on a history of sound transmission complaints all dwelling units shall have a STC rating of at least 60, or the applicant shall demonstrate through sufficient construction methods that similar sound attenuation measures can be taken within the building to the satisfaction of the Director of Code Enforcement. (Code Enforcement)
17. Sheeting and shoring shall not extend beyond the property line; except when the developer has obtained a written release from adjacent property owners which has been recorded in the land records; or through an approved encroachment process. (Code Enforcement)
18. For firefighting reasons one stair shall extend through the roof so that door access to the roof is provided and roof stairwell provided in the same location(s) as on the approved site plan. (Code Enforcement)

19. The applicant of any building or structure constructed in excess of 10,000 square feet; or any building or structure which constructs an addition in excess of 10,000 square feet shall contact the City of Alexandria Radio Communications Manager prior to submission of final site plan. The proposed project shall be reviewed for compliance with radio requirements of the City of Alexandria to the satisfaction of the City of Alexandria Radio Communications Manager prior to site plan approval. Such buildings and structures shall meet the following conditions:
- a. The building or structure shall be designed to support a frequency range between 806 to 824 MHz and 850 to 869 MHz. The building or structure design shall support a minimal signal transmission strength of -95 dBm within 90 percent of each floor area.
 - b. The building or structure design shall support a minimal signal reception strength of -95 dBm received from the radio system when transmitted from within 90 percent of each floor area.
 - c. The building or structure shall be tested annually for compliance with City radio communication requirements to the satisfaction of the Radio Communications Manager. A report shall be filed annually with the Radio Communications Manager which reports the test findings.
If the building or structure fails to meet the above criteria, the applicant shall install to the satisfaction of the Radio Communications Manager such acceptable amplification systems incorporated into the building design which can aid in meeting the above requirements. Examples of such equipment are either a radiating cable system or an FCC approved type bi-directional amplifier. Final testing and acceptance of amplification systems shall be reviewed and approved by the Radio Communications Manager. (Code Enforcement)

PARKING:

20. Residents of the building shall be ineligible to apply for or receive any residential parking permits pursuant to City Code Sec. 5-8, Article F. (P&Z)(T&ES)
21. A minimum of 115 parking spaces, and 18 visitor spaces as represented on the preliminary plan, shall be provided on site and within the below grade garage. All visitor spaces shall be reserved for visitor use and shall include those spaces located adjacent to the south side of the building as indicated on the preliminary plans. The applicant shall install “Visitor Parking Only” markings and/or signs for the visitor spaces. A minimum of one space for each unit shall be provided within the underground garage as part of the purchase price for each unit. (P&Z)
22. Provision shall be made within the underground garage for the adequate storage of refuse and recycling to the satisfaction of the Directors of P&Z and T&ES. (P&Z)

23. The applicant shall provide off-street parking for all construction workers without charge. For the construction workers who use Metro, DASH, or another form of mass transit to the site, the applicant shall subsidize a minimum of 50% of the fees for mass transit. Compliance with this condition shall be based on a plan, which shall be submitted to the Department of P&Z and T&ES prior to the issuance of the Excavation/Sheeting, and Shoring Permit. This plan shall set forth the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of mass transit. The plan shall also provide for the location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes. If the plan is violated during the course of construction, a correction notice will be issued to the developer. If the violation is not corrected within ten (10) days, a "stop work order" will be issued, with construction halted until the violation has been corrected. (P&Z)
24. The applicant shall provide controlled access into the underground garage. The controlled access to the garage shall be designed to allow convenient access to the underground parking for residents and visitors. (P&Z)
25. Handicap parking spaces for apartment and condominium developments shall remain in the same location(s) as on the approved site plan. Handicap parking spaces shall be properly signed and identified as to their purpose in accordance with the USBC and the Code of Virginia. Ownership and / or control of any handicap parking spaces required under the USBC or the Code of Virginia shall remain under common ownership of the apartment management or condominium association and shall not be sold or leased to any single individual. Parking within any space identified as a handicap parking space shall be limited to only those vehicles which are properly registered to a handicap individual and the vehicle displays the appropriate license plates or window tag as defined by the Code of Virginia for handicap vehicles. The relocation, reduction or increase of any handicap parking space shall only be approved through an amendment to the approved site plan. (Code)

MASS TRANSIT INCENTIVES:

26. As part of a voluntary transit program, the applicant shall provide the following: activities:
 - a. Information about transit programs, including transit schedules, rideshare and carshare applications and information, etc. This information shall be kept current. Displays of these brochures and applications shall be provided in a prominent location and a web site with this information and appropriate links to transit providers will be provided and maintained.
 - b. In order to promote teleworking, each of the units will be wired for high-speed internet access. Transit and Programs in the Department of T&ES.

SITE PLAN:

27. A plat of consolidation shall be submitted with the final site plan and shall be approved and recorded prior to the release of the final site plan. (P&Z)
28. A temporary informational sign shall be installed on the site prior to approval of the first final site plan for the project and shall be displayed until construction is complete or replaced with a marketing sign incorporating the following 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)
29. Temporary sales and 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 certificate of occupancy permit for the last building. (P&Z)
30. 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. (P&Z)
31. A freestanding residential, development sign shall be prohibited. Temporary freestanding signs for the purpose of marketing the development shall be allowed to the satisfaction of the Director of Planning and Zoning. (P&Z)
32. The applicant shall provide a lighting plan with the first final site plan to verify that lighting meets City standards. The plan shall be to the satisfaction of the Director of T&ES in consultation with the Chief of Police and shall include the following:
 - a. Clearly show location of all existing and proposed street lights and site lights, shading back less relevant information;
 - b. A lighting schedule that identifies each type and number of fixtures, mounting height, and strength of fixture in Lumens or Watts;
 - c. Manufacturer's specifications and details for all proposed fixtures; and
 - d. A photometric plan with lighting calculations that include all existing and proposed light fixtures, including any existing street lights located on the opposite side(s) of all adjacent streets. Photometric calculations must extend from proposed building face(s) to property line and from property line to the opposite side(s) of all adjacent streets and/or 20 feet beyond the property line on all adjacent properties. (T&ES)
33. The applicant shall submit a final location survey for the buildings and underground parking garage prior to issuance of a certificate of occupancy permit. (P&Z)

34. All condominium association covenants shall be reviewed by the Director of P&Z and the City Attorney prior to the first certificate of occupancy permit for the project. The association covenants shall include the conditions listed below, which shall be clearly expressed in a separate section of the covenants:
- a. The principal use of the underground garage and parking spaces shall be for passenger vehicle parking only; storage which interferes with the use of a parking space for a motor vehicle is not permitted;
 - b. The designated visitor parking spaces shall be reserved for the use of the condominium guests;
 - c. No less than one parking space shall be assigned to a specific condominium unit; all remaining unassigned spaces in the garage shall be made generally available to residents;
 - d. The responsibility for the maintenance of the courtyard and open space is the responsibility of the condominium association;
 - e. Trash and recycling cans must be stored within the units/garage;
 - f. Exterior building improvements by future residents to Buildings #2, #3 and #4 shall require the approval of the Planning Commission and/or the Board of Architectural Review as determined by the Director of P&Z. (P&Z)
 - g. Public access easements shall exist for the perimeter sidewalks on Duke and West Streets.
35. The applicant shall be allowed to make minor adjustments to the building location if the changes do not result in off-street parking or open space below that required by the Zoning Ordinance and do not result in an increase in building height or floor area ratio. (P&Z)
36. All private utilities are to be located outside of the public right-of-way and public sanitary or storm sewer easements. (T&ES)
37. No overhangs (decks, bays, columns, post or other obstructions) shall protrude into public easements, pedestrian or vehicular travelways. (T&ES)
38. All driveway entrances, sidewalks, curbing, etc. in public ROW or abutting public ROW shall meet City design standards. (T&ES)
39. Replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES)
40. 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)

41. All Traffic Control Device design plans, Work Zone Traffic Control plans, and Traffic Studies shall be signed and sealed by a professional engineer, registered in the Commonwealth of Virginia. (T&ES)
42. The applicant shall prepare and submit a plan that delineates a detailed construction management plan for the entire project for review and approval by the Directors of P&Z, T&ES and Code Enforcement prior to the release the final site plan. Before commencing any clearing or grading of the site, the applicant shall hold a meeting with notice to all adjoining property owners to review the location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. (T&ES)
43. The applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number, including an emergency contact number, of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site and shall be placed on the project sign, to the satisfaction of the Directors of P&Z and T&ES. (T&ES)
44. The storm water collection system is located within the Taylor Run watershed. All on-site storm water curb inlets and public curb inlets within 50 feet of the property line shall be duly marked using standard City markers, or to the satisfaction of the Director of T&ES. (T&ES)
45. The applicant shall provide an Emergency Vehicle Easement along the private roadway leading to the garage on the southern portion of the site. (Code Enforcement)
46. Required exits, parking and accessibility for persons with disabilities must be provided to the sales trailer. (Code Enforcement)

ENVIRONMENTAL:

47. 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 for the condominium portion of this plan. (T&ES)
48. 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)

49. Developer to comply with the peak flow requirements of Article XIII of the Alexandria Zoning Ordinance. (T&ES)
50. 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 signed and 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)
51. Plan must demonstrate to the satisfaction of the Director of T&ES that adequate stormwater outfall is available to the site or the developer is to design and build on-site or off-site improvements to discharge to an adequate outfall. (T&ES)
52. The City of Alexandria's stormwater management regulations regarding water quality are two-fold: first, phosphorus removal requirement and second, water quality volume default. Compliance with the phosphorus requirement does not relieve the applicant from the water quality default requirement. The water quality volume determined by the site's proposed impervious area shall be treated in a Best Management Practice (BMP) facility. (T&ES)
53. Provide BMP narrative and complete pre and post development drainage maps that include areas outside that contribute surface runoff from beyond project boundaries to include adequate topographic information, locations of existing and proposed storm drainage systems affected by the development, all proposed BMP's and a completed Worksheet A or B and Worksheet C, as applicable. (T&ES)
54. Applicant has suggested that all water quality volume will be treated via the hydrodynamic device proposed. In the absence of a drainage map supported by topography it is difficult to determine if this is possible. Provide drainage map and topography. (T&ES)
55. The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design professional or his designated representative. Prior to release of the performance bond, the design professional shall submit a written certification to the Director of T&ES that the BMPs are:
 - a. Constructed and installed as designed and in accordance with the approved Final Site Plan;
 - b. Clean and free of debris, soil, and litter by either having been installed or brought into service after the site was stabilized. (T&ES)

56. The Applicant shall submit a storm water quality BMP Maintenance Agreement with the City to be reviewed as part of the Final #2 Plan. It must be executed and recorded with the Land Records Division of Alexandria Circuit Court prior to approval of the final site plan. (T&ES)
57. The Applicant shall be responsible for maintaining stormwater Best Management Practices (BMPs) until activation of the Condominium Owners's Association (COA), if applicable, or until sale to a private owner. Prior to transferring maintenance responsibility for the BMPs to the COA or owner, the Applicant shall execute a maintenance service contract with a qualified private contractor for a minimum of three years, and transfer the contract to the COA or owner. A copy of the contract shall also be placed in the BMP Operation and Maintenance Manual. Prior to release of the performance bond, a copy of the maintenance contract shall be submitted to the City. (T&ES)
58. If units will be sold as individual units and a Condominium Owners's Association (COA) established the following two conditions shall apply:
 - a. The Applicant shall furnish the Condominium Owners's Association with an Owner's Operation and Maintenance Manual for all Best Management Practices (BMP's) used on site. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including any mechanical or electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. (T&ES)
 - b. The Developer shall include in the Public Offering Statement information regarding the purpose of the BMP and a short description of it's operation and required maintenance.

Otherwise the following condition applies:

The Developer shall furnish the owners with an Condominium Owner's Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. The manual shall include at a minimum: an explanation of the functions and operations of the BMP(s); drawings and diagrams of the BMP(s) and any supporting utilities; catalog cuts on maintenance requirements including mechanical or electrical equipment; manufacturer contact names and phone numbers; a copy of the executed maintenance service contract; and a copy of the maintenance agreement with the City. (T&ES)

59. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the City on digital media. (T&ES)
60. Prior to release of the performance bond, the Applicant is required to submit a certification by a qualified professional to the satisfaction of the Director of T&ES that any existing stormwater conveyance systems were not adversely affected by construction operations and that they are functioning as designed and are unaffected by construction activities. If maintenance of the facility or systems were required in order to make this certification, provide a description of the maintenance measures performed. (T&ES)
61. Due to historic uses at the site and potential for contamination, the following condition shall be included:
 - The Applicant shall design and install a vapor barrier and ventilation system for buildings and parking areas in order to prevent the migration or accumulation of methane or other gases, or conduct a study and provide a report signed by a professional engineer showing that such measures are not required to the satisfaction of Directors of T&ES and Code Enforcement. (T&ES)
62. The final site plan shall not be released, and no construction activity shall take place until the following has been submitted and approved by the Director of T&ES:
 - a. Submit a Site Characterization Report/Extent of Contamination Study detailing the location, applicable contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the site.
 - b. Submit a Risk Assessment indicating any risks associated with the contamination.
 - c. Submit a Remediation Plan detailing how any contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors. "Clean" backfill shall be used to fill utility corridors.
 - d. Submit a Health and Safety Plan indicating measures to be taken during remediation and/or construction activities to minimize the potential risks to workers, the neighborhood, and the environment.
Applicant shall submit 5 copies of the above. The remediation plan must be included in the Final Site Plan. (T&ES)
63. The applicant or its agent shall furnish each prospective buyer with a statement disclosing the prior history of the Fannon Oil site, including previous environmental conditions and *on-going* remediation measures. Disclosures shall be made to the satisfaction of the Director of Transportation and Environmental Services. (T&ES)

64. Due to the close proximity of the site to Duke Street, the following conditions shall be included in the development requirements:
 - a. Applicant shall prepare a noise study identifying the levels of noise residents of the project will be exposed to at the present time, and 10 years into the future in a manner consistent with the Noise Guidance Book used by the Department of Housing and Urban Development (HUD).
 - b. Identify available options to minimize noise exposure to future residents at the site, particularly in those units closest to Duke Street, including: triple-glazing for windows, additional wall/roofing insulation, installation of resilient channels between interior gypsum board and wall studs, and any other special construction methods to reduce sound transmission. If needed, the applicant shall install some combination of the above to the satisfaction of the Directors of P&Z and T&ES.
 - c. The noise study shall be submitted and approved prior to final site plan approval. (T&ES)
65. The Applicant shall present a disclosure statement to potential buyers disclosing the following to the satisfaction of the Director of P&Z and the City Attorney:
 - a. That Duke Street is a major four-lane arterial and that future traffic is expected to increase as development along Duke Street continues. (T&ES)
66. All exterior building mounted loudspeakers are prohibited. (T&ES)
67. If fireplaces are utilized in the development, the Applicant is required to install gas fireplaces to reduce air pollution and odors. Animal screens must be installed on chimneys. (T&ES)
68. No material may be disposed of by venting into the atmosphere. (T&ES)
69. The Applicant shall control odors and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)
70. A "Certified Land Disturber" shall be named on all Erosion & Sedimentation Control sheets prior to the pre-construction meeting or commencement of demolition or construction activity in accordance with the Virginia Department of Conservation and Recreation guidelines. (T&ES)
71. During the construction phase of this development, the site developer, their contractor, certified land disturber, or owner's other agent shall implement a waste and refuse control program. This program shall control wastes such as discarded building materials, concrete truck washout, chemicals, litter or trash, trash generated by construction workers or mobile

food vendor businesses serving them, and all sanitary waste at the construction site and prevent offsite migration that may cause adverse impacts to neighboring properties or to the environment to the satisfaction of Directors of Transportation and Environmental Services and Code Enforcement. All wastes shall be properly disposed offsite in accordance with all applicable federal, state and local laws. (T&ES)

72. ADA ramps shall be oriented in the direction of travel. There should be two ramps per corner. This may require reconfiguring the pedestrian crossings adjacent to the site. (T&ES)
73. The stop bar for the SBL lane at the sight ingress on West Street must be moved back north of the intersection. The current location is in the path of the approach. (T&ES)
74. The location of the stop bar for the NB approach at the intersection of Duke Street & West Street needs to be relocated to a distance of 4' from the proposed location of the crosswalk. Moving the stop bar as close as traffic standards will allow will improve the visibility for the NB approach. (T&ES)
75. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the construction trailer(s) as soon as they are placed on the site. (Police)

ARCHAEOLOGY:

76. 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.* (Archaeology)
77. The applicant should not allow any other metal detection to be conducted on the property unless authorized by Alexandria Archaeology. (Archaeology)
78. To insure that significant information is not lost as a result of the current development project, the applicant must hire an archaeological consultant to complete a Documentary Study for this property. Contact Alexandria Archaeology to obtain a scope of work for this study. (Archaeology)
79. If the Documentary Study indicates that the property has the potential to yield significant buried resources, an Archaeological Evaluation will be required. If significant resources are discovered, the consultant must complete a Resource Management Plan, as outlined in the *City of Alexandria Archaeological Standards.* Preservation measures presented in the Resource Management Plan, as approved by the City Archaeologist, will be implemented. (Archaeology)

80. All archaeological preservation measures must be completed prior to ground-disturbing activities (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm, call Alexandria Archaeology at (703) 838-4399. (Archaeology)
81. 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. (Archaeology)
82. The statements in prior Conditions #81 and #82 above must appear in the General Notes of all site plans and on each site plan sheet that involves any demolition or ground disturbing activity (include sheeting and shoring and grading). This will insure that on-site contractors are aware of the requirements. Additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology. (Archaeology)
83. Certificates of Occupancy will not be issued for this property until the final archaeological report has been received and approved by the City Archaeologist. (Archaeology)
84. If warranted by the City Archaeologist, the developer will erect a historic marker on the property according to specifications provided by Alexandria Archaeology. The marker will highlight the historical and archaeological significance of the property. (Archaeology)
85. If warranted by the City Archaeologist, the developer will produce a booklet for the public on the history and archaeology of the property, according to specifications provided by Alexandria Archaeology. (Archaeology)
86. If the applicant can demonstrate that previous activity on the site has resulted in substantial ground disturbance conditions #77 through #80 and #84 through #86 above may be waived by Alexandria Archeology, and, only conditions #81 through #83 shall apply. (Archaeology)

Staff Note: In accordance with section 11-418 (c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of initial planning commission approval of the plan or the development site plan shall become void.

CITY DEPARTMENT CODE COMMENTS

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

Transportation & Environmental Services:

- C-1 A performance Bond to guarantee installation of the required public improvements must be posted prior to release of a development plan.
- C-2 All downspouts must be connected to a storm sewer by continuous underground pipe.
- C-3 The sanitary 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 placed underground.
- C-8 Provide site lighting plan to meet minimum city standards.
- C-9 The applicant must comply with the Article XIII of the City of Alexandria Zoning Ordinance, which includes requirements for storm water pollutant load reduction, treatment of the water quality volume default, and storm water quantity management
- C-10 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law.
- 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 All required permits from Virginia Department of Environmental Quality, Environmental Protection Agency, Army Corps of Engineers, Virginia Marine Resources must be in place for all project construction and mitigation work prior to release of the final site plan. This includes the state requirement for a VSMP permit for land disturbing activities greater than 2500 SF.

- F-1 BMP facility is located under sidewalk. BMP and sidewalk to be privately maintained.
- F-2 Plans indicate that an 18 inch pipe is to flow into a 24 inch combined sewer pipe, but no analysis has been provided to demonstrate that the anticipated water flow from the project can be handled by the 24 inch pipe. (Solid Waste)
- F-3. Fannon Oil has submitted a Corrective Action Plan Addendum designed to satisfy Virginia Department of Environmental Quality requirements. The City has reviewed this report and generally agrees with the proposed concept plan. However, there is insufficient detail included for this to serve as the fulfillment of condition 69 in the staff report. Particular concerns are some inconsistencies within this document between the figures representing contaminants and the area of soil to be removed, the length of necessary treatment with the treatment system, the possibility of the need for some sort of agreement that the treatment system can remain at 1200 Duke Street for an extended period of time, the possible need for off-site activities such as monitoring and/or remediation, soils management plan, final clearance sampling, etc. These will need to be addressed and resolved to the satisfaction of T&ES as part of the final site plan.
- F-4. The configuration of the NB approach at the intersection of Duke Street & West Street is not commensurate with the demand for each of the NB movements (left, through, right). The proposed design shows the left and through movements sharing an auxiliary lane. Additionally, the SBL into the site on West Street has more storage length than the shared NBTL, although it has significantly less traffic than the NB approach in future scenarios. Given the low volumes, a two-way left turn lane should be considered for shared capacity (see other site entrance for the Church property) that transitions into NBL at Duke & West Streets.(T&ES)

Code Enforcement:

- F-1 Three handicap spaces are required. **Spaces provided. Curb cut not shown for surface handicap parking space.**
- F-2 FDCs are obstructed by planters or parking spaces. All FDCs shall be clearly visible and directly accessible from either West Street or Payne Street. Landscaping shall be kept clear of FDC locations. **FDCs are relocated.**
- F-3 Location and size of building fire line not shown. **Sizes and locations provided.**
- F-4 The proposed project is located on a site used to store flammable and combustible liquids. An environmental assessment and proper remediation will be required prior to construction. **Acknowledged by applicant.**

- F-5 Sheet A2.0 shows a cross section of the 4 story building that appears to conflict with the architectural renderings. The roof line on the cross section appears one story lower than the architectural drawings. Resolve this finding. **Finding resolved.**
- F-6 The height of these structures and the garage structure are required to be equipped with an automatic fire suppression system. **Acknowledged, identify sprinkler design standard applicable for this project.**
- F-7 Currently, the tallest building is proposed as under 50 feet in height. Should any structure exceed the 50 foot limit, ladder truck access will be required to the two longest sides of the affected structure(s). **Applicant states buildings will not exceed the 50 foot height limit.**
- F-8 The location of raised planters surrounding the 4 story structure impede firefighter ability to deploy ground ladders and hose lines. Flush planters are more suited in order to facilitate exterior firefighting operations.**
- C-1 The public parking garage (Use Group S-2) is required to be equipped with a sprinkler system (USBC 903.2.11). **Acknowledged.**
- C-2 The public parking garage floor must comply with USBC 406.2.6 and drain through oil separators or traps to avoid accumulation of explosive vapors in building drains or sewers as provided for in the plumbing code (USBC 2901). This parking garage is classified as an S-2, Group 2, public garage. **Acknowledged.**
- C-3 Enclosed parking garages must be ventilated in accordance with USBC 406.4.2. Show vent locations on plans. **Vents shown.**
- C-4 Provide two Siamese connections located to the satisfaction of the Director of Code Enforcement. **Siamese provided.**
- C-5 A separate tap is required for the building fire service connection. **Taps shown.**
- C-6 The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor ; e) fire protection plan. **Specify the design standard used for the applicable fire sprinkler systems.**
- C-7 The developer shall provide a separate Fire Service Plan which illustrates: a) emergency ingress/egress routes to the site; b) two fire department connections (FDC) to the building, one on each side/end of the building; c) fire hydrants located within on hundred (100) feet of each FDC; d) on site fire hydrants spaced with a maximum distance of three hundred (300) feet

between hydrants and the most remote point of vehicular access on site; e) emergency vehicle easements (EVE) around the building with a twenty-two (22) foot minimum width; f) all Fire Service Plan elements are subject to the approval of the Director of Code Enforcement. **Plan provided.**

- C-8 The final site plans shall show placement of fire easement signs. **Acknowledged, but not shown.**
- C-9 A soils report must be submitted with the building permit application. **Acknowledged.**
- C-10 Prior to submission of the Final Site Plan #1, the developer shall provide a fire flow analysis by a certified licensed fire protection engineer to assure adequate water supply for the structure being considered. **Acknowledged, per applicant, analysis is in progress.**
- C-11 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 119.0. **Acknowledged.**
- C-12 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. **Acknowledged.**

Police Department:

Comments R-1 and R-3 through R-6 incorporated into conditions.

- R-2 The lighting for the surface lot and all common areas is to be a minimum of 2.0 foot candles minimum maintained. (Staff note: Staff is recommending that the project meet City lighting standards in consultation with the Police as noted in condition #34.)
- R-7 For the safety of the persons using the proposed garage, it is recommended that the lighting for the parking garage be a minimum of 5.0 foot candle minimum maintained. (Police)
- R-8 For the safety of the persons using the proposed garage, the walls and ceiling in the garage are to be painted white to increase brightness within the facility. (Police)

Historic Alexandria (Archaeology):

- F-1 Tax records indicate that at least one house was present on this property by the early 19th century. John Emerson owned most of the block from at least 1850 into the 1870s, and lived on the property. In addition, there is evidence for the presence of a free African American household on this street face in 1810 and 1830, but the exact address is unknown. The development lot therefore has potential to yield archaeological resources that could provide insight into life in early Alexandria, perhaps relating to free blacks.

Housing:

A voluntary contribution of \$2 per sq. ft on the 'by right' gross square footage of 85,347 sq.ft., and \$4 on the gross square footage over base i.e. 18,381 sq.ft., would be consistent with the conclusions of the Developer's Housing Contribution Policy Work Group (DHCPWG).