

Docket Item #12 A & B  
DEVELOPMENT SITE PLAN #2005-0018 (A)  
SPECIAL USE PERMIT #2006-0054 (B)  
Windows of Old Town Condominium  
(Former Windows Catering Site)

Planning Commission Meeting  
October 3, 2006

**ISSUE:** Consideration of a request for (A) a development site plan, with modifications, to construct a mixed use retail/residential development, and (B) a request for a parking reduction

**APPLICANT:** Holladay - 1125 North Royal, LLC,  
by J. Howard Middleton, attorney

**LOCATION:** 1125 North Royal Street

**ZONE:** CD-X/Commercial downtown (Old Town North)

---

**SITE GRAPHIC**  
**AVAILABLE IN THE PLANNING AND ZONING OFFICE**



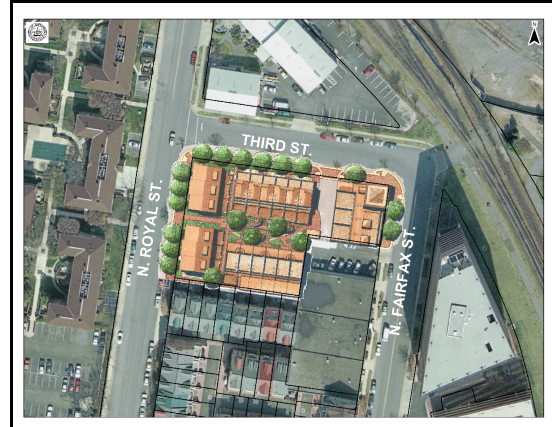
**I. IMPACT/BENEFIT CHART**

| <b>IMPACT/BENEFIT</b>                                  | <b>COMMENTS</b>  |
|--|--|
| <b>Consistency with Old Town North Small Area Plan</b> | <ul style="list-style-type: none"> <li>• Redevelopment of older industrial site with mixed-use/ residential and retail</li> <li>• Townhouse-style condominiums, compatible with adjacent townhouses</li> <li>• Outward orientation of buildings to relate to the street</li> <li>• Enhance streetscape and pedestrian connections to open space</li> </ul> |
| <b>Use</b>   | <ul style="list-style-type: none"> <li>• 18 townhouse-style condominium units</li> <li>• 3 condominiums over 1,946 sf. of ground-level retail</li> <li>• one level underground parking garage with 47 spaces</li> <li>• 6 parking spaces in above-grade garage, integrated into retail building</li> </ul>   |
| <b>Open Space</b>                                      | <ul style="list-style-type: none"> <li>• 36% ground-level open space and 13% open space in decks and roof top patios</li> </ul>  |
| <b>Pedestrian / Streetscape</b>                        | <ul style="list-style-type: none"> <li>• Brick sidewalks and street trees on all streets</li> <li>• Bulb-out at Third and North Fairfax Streets</li> <li>• Pedestrian crosswalks at Third and North Fairfax Streets</li> </ul>   |
| <b>Building Compatibility</b>                          | <ul style="list-style-type: none"> <li>• Building compatible in height with adjacent Hearthstone Mews townhouses</li> </ul>  |
| <b>Affordable Housing</b>                              | <ul style="list-style-type: none"> <li>• Voluntary contribution of \$1.5/sfon retail portion and \$2/sfon residential for a total contribution of \$76,821</li> </ul>  |
| <b>Traffic/Transit</b>                                 | <ul style="list-style-type: none"> <li>• DASH bus stops at 2<sup>nd</sup> and North Fairfax and 2<sup>nd</sup> and Pitt Streets (AT2&amp;AT4)</li> <li>• Bulb-out will increase pedestrian safety</li> <li>• Additional on-street parking provided by elimination of 6 existing curb cuts</li> </ul>   |
| <b>Parking</b>   | <ul style="list-style-type: none"> <li>• 47 parking spaces in one level underground parking garage</li> <li>• 6 spaces in at-grade integrated parking garage</li> <li>• 15% visitor parking spaces provided in below grade garage</li> </ul>   |
| <b>Environment</b>                                     | <ul style="list-style-type: none"> <li>• Green building elements such as non-toxic building materials, energy efficient appliances, low emission paints, high efficiency mechanical equipment and recycled materials</li> </ul>  |

**II. EXECUTIVE SUMMARY**

**A. Overview:**

The applicant seeks site plan approval for the construction of 21 residential units, approximately 2,000 sq.ft. of ground floor retail and underground parking for this 30,274 sq. ft. site in Old Town North. The applicant is also requesting special use permit approval for a reduction of 8 of the 10 required retail parking spaces. The Old Town North Small Area Plan specifically designates this site as a redevelopment site and a retail focus area.



*Site Plan*

Staff recommends approval of both the site plan and the parking reduction as the proposal furthers the goals and design criteria of the small area plan and the Old Town North overlay zone, and helps to contribute to an active, urban environment in this part of the City.

**B. Proposed Residential and Retail Use:**

**Residential Use:**

This residential aspect of this proposal is consistent with the goals of the Old Town North Small Area Plan, which seeks to balance and mix uses in the area. The uses in this area are primarily office uses. The proposal is also appropriate on this particular block because it replaces a commercial use which has been the source of complaints and concerns from the adjoining residential uses because of its noise, hours of operation, and the number of trucks and truck deliveries. The residential use will be more compatible with the Hearthstone Mews development to the south and the Canal Place condominiums to the west of the site.



*Existing Site Conditions*



*North Fairfax Street Elevation*

***Retail Use:***

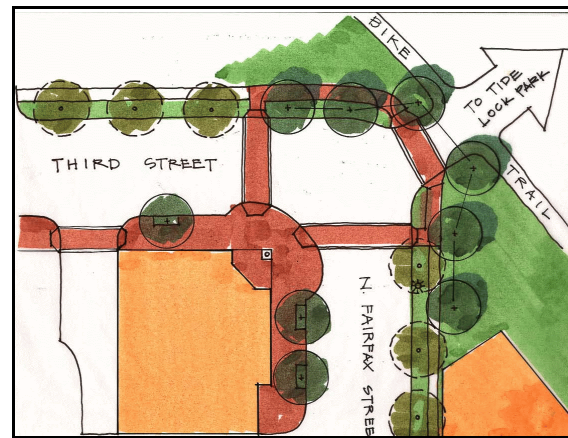
The Old Town North Plan identifies this site as a retail focus area, requiring that one-twelfth of the site be provided as a retail use, but permitting an increase in floor area equal to the amount of floor area provided as retail use. The proposed retail use will be located at the corner of Fairfax and Third Streets. The location is appropriate as it provides a retail connection with the uses across the street, including Metro Stage, the recently opened Bastille restaurant and the Abaca furniture store. In addition, a tile and furniture store are located to the south of the site on Fairfax Street. The retail location is also appropriate given the entrance to the Tide Lock Park across the street. The addition of approximately 2,000 sq.ft. of retail space will contribute additional activity and add to the critical mass of existing retail at this portion of Old Town North, as well as create a better connection to the open space and park.



*Retail Focus Area*

***C. Streetscape Improvements:***

Given the location of existing retail and the connection to the water and Tide Lock Park, it is unfortunate that the existing streetscape and sidewalks at the site are less than ideal; they include numerous curb cuts, and in many cases lack street trees. To make the streetscape appropriate for this location, staff has recommended 14 ft. wide brick sidewalks (minimum 6 ft unobstructed), with street trees and on-street parking for the residential frontage. The retail frontage on Fairfax Street will provide a minimum 9 ft. wide unobstructed sidewalk. Staff has also recommended a bulb-out at the corner of Third and North Fairfax Streets, brick sidewalks and stamped asphalt crosswalks and additional street trees to provide an appropriate pedestrian connection to the adjoining park.



*Streetscape Improvements*



***D. Building:***

The character of each of the existing street frontages is quite different: Royal Street is primarily residential, Third Street is mixed-use, and Fairfax street is more commercial. The applicant has worked with staff to create three distinct “buildings” for each street frontage to respond to the existing character of each street. The fact that the project has been designed as “collection of buildings” helps to reduce the perceived scale of the redevelopment. The collection of buildings also makes this block appear as if it developed in pieces over time and as an extension of the existing fabric of the neighborhood - rather than one large monolithic building - project.



*3-D Model of Site*

***E. Parking:***

Ten retail parking spaces are required for the proposed retail space. The applicant is proposing two retail spaces in the below grade garage and requesting a parking reduction for the remaining 8 required retail spaces. Staff recommends approval of the parking reduction because six existing curb cuts will be eliminated as part of the redevelopment, resulting in the return of approximately 10 parallel parking spaces in addition to the 5 existing parallel



*Existing Parking*

spaces to the adjoining street frontages. In addition, staff has recommended a condition prohibiting residents from being eligible for on-street residential parking district permits. Residential and 15% visitor parking are provided on the site in a below-grade parking garage.

***F. Community:***

The applicant and staff have conducted community meetings for this project with the North Old Town Independent Civic Association, North Old Town Community Association, Hearthstone Mews and representatives of adjacent commercial properties. The community has generally expressed support for the proposal. The only continuing concern expressed has been by some Hearthstone Mew unit owners about the fact that the proposal will block existing views of the Potomac River. The Old Town North Urban Design Advisory Board also endorsed the redevelopment of the site.

***G. Conclusion:***

Staff recommends **approval** of the proposed site plan with modifications and of the special use permit for a parking reduction with the attached conditions.

**III. BACKGROUND**

***A. History:***

Old Town North has historically been an industrial area of the City. In the 19<sup>th</sup> century, “the area served as an entry port for the movement of goods from river borne ships to the canal boats of the Alexandria Canal...later supplemented by the arrival of the Washington and Ohio Railroad.” The railroad still serves portions of Old Town North today. However, because of changes in technology and rising land costs, most industrial uses in the Old Town North area were abandoned by the 1960's. Over the last 40 years, the area has been transformed into an urban, mixed use area. The existing building on the site was constructed in 1960 and was most recently used as a catering business. Its conversion to a mixed-use residential/retail development is anticipated by the Master Plan for the area, which seeks to increase residential and retail uses within the area.



Metro Stage Theater



Trans Potomac Plaza



Canal Place

***B. Site Description:***

The site is located at the northern portion of the City grid system between North Royal, North Fairfax and Third Streets. An existing 1-2 story commercial office/warehouse structure (Windows Catering), consisting of 24,340 sq. ft. with surface parking, currently occupies most of the site area, with very little green space. Existing above-grade utilities are located in the right-of-way of North Royal Street. There are no other above-grade utilities on Third or North Fairfax Streets. The site has a 10 foot grade differential from North Royal to North Fairfax Street.



*Site*

This site is surrounded by a variety of existing uses: to the north are existing retail uses, a restaurant and a theater occupying the former Smoot’s Lumber Yard; to the east, the Trans Potomac Canal Center office complex, built in 1982 and Tide Lock Park adjacent to the Potomac River; to the south facing North Fairfax Street, an older one-story industrial building built in 1964; also to the south, Hearthstone Mews residential townhouses, built in 1996; and to the west, Canal Place condominiums, built as apartments in 1944. The site has views to the Potomac River and access to the public open space and trails along the river. The site is also within two blocks of Montgomery Park.

***C. Proposal:***

The applicant proposes to construct a new mixed-use development consisting of 18 condominium units, over a one-level underground garage and three units in a separate 2-3-story building above 1,946 sq. ft. of ground-level retail space and 6 integrated garage spaces. The units range in size from 1,800 sq. ft. to 2,500 sq. ft. and have 2-3 bedrooms. Most of the units face a street, except for six units that face an internal courtyard. The internal courtyard serves as the main open space area for the project and will contain planters with trees, shrubs and groundcover, special paving and benches.



*Site Plan*

The residential and residential visitor parking is provided within the one level below grade parking structure which has 47 total spaces. Six additional spaces are located in an at grade garage integrated into the retail building. Access to the parking garages is from Third Street. The applicant has requested approval of a parking reduction to allow 8 of the 10 required retail parking spaces on the street and three in the parking garage. All residential and residential visitor spaces are provided within the garage.

#### **IV.           ZONING**

The zoning of the property is CD-X, Commercial Downtown, which is intended to provide a mix of retail, service, hotel, residential and civic functions. In addition, the site is governed by the Old Town North Urban Overlay District, which includes a series of requirements, including underground or “embedded” parking, review by the Old Town North Urban Design Advisory Committee and retail focus requirements.

Because part of the site is designated as a retail focus area, one-twelfth of that area (18,518 sq. ft.), multiplied by the allowable floor area ratio (1.25) is required to be devoted to retail. In this case, a minimum of 1,929 sq. ft. of retail is required on the site. Additionally, the floor area allowed on the site may be increased by an amount equal to the amount of floor area required for the retail focus area, not to exceed an increase of .25 FAR. In this case the residential FAR is 1.22 and the retail FAR is 0.06 for a total FAR of 1.28.

| <b>1125 North Royal Street - Windows Catering Redevelopment</b>                      |   |  |
|--|---|--|
| <b>Property Address:</b>   | 1125 North Royal Street   |  |
| <b>Total Site Area:</b>  | 30,274 SF - 0.695 AC  |  |
| <b>Zone:</b>   | CD-X  |  |
| <b>Current Use:</b>  | Vacant Commercial   |  |
| <b>Proposed Use:</b>   | Multi-Family Residential, Retail  |  |
|  | <u><b>Permitted/Required</b></u>  | <u><b>Proposed</b></u>   |
| <b>Floor Area</b>  | 37,842 SF   | 36,951 SF  |
| <b>FAR</b>   | 1.25  | 1.22 (residential)<br>.06 (retail)   |
| <b>Total FAR</b>   |   | 1.28   |
| <b>Yards</b>   | Front - None<br>Side - 1:2, Min. 16'<br>Rear - (corner lot) - None  | 0-4.6'<br>0' - Modification Requested<br>N/A   |
| <b>Height</b>  | 50'   | 38-44'   |
| <b>Vision Clearance</b>  | 75'   | Approx. 68' - Modification requested   |
| <b>Open Space</b>  | 7,569 SF (25%)  | 15,493 SF (51%)  |
| <b>Parking</b>   | 2 BR (6) x 1.75 = 11<br>3 BR (15) x 2.20 = <u>33</u><br>44<br>44 x 15% visitor = 7<br>Total Residential = 51<br>Total Retail 1/210 sf = <u>10</u><br>Total Spaces Required = 61 | 6 spaces in at grade garage<br><u>47</u> spaces in garage (below grade)<br>53 total spaces in garages ** |
| ** Parking Reduction needed for 8 retail spaces. (2 retail spaces within the garage) |   |  |



**V. STAFF ANALYSIS**

The site is identified in the Old Town North Small Area Plan as a potential redevelopment site, and represents one of the larger potential redevelopment sites in the Old Town North area. The community has expressed support for the redevelopment of the site, especially in light of the complaints with the commercial uses on the site. The site is located at the intersection of Third and Royal Streets adjacent to the Metro Stage theater and in walking distance of the Potomac River.

The proposed project offers to resolve many of the urban issues that currently exist on and adjacent to the site. The proposed residential proposal will be a positive addition to the neighborhood by providing ground level open space and streetscape improvements that will help to integrate this site with the neighborhood. The applicant has worked with the City and the community on the design of the proposed development to provide an appropriate mass, scale, and height which will respect the character and scale of the surrounding residential and commercial uses. Additionally, the project helps to “tie” together the existing disjointed block through public improvements to the right-of-way, visually connecting the block with the surrounding neighborhood and maintaining street character.

Staff is recommending approval of the proposal. The proposed development supports the Small Area Plan and the Old Town North Urban Design Guidelines by providing residential and retail uses, compatibly designed development, underground parking, and an improved, attractive, pedestrian environment. The applicant has worked with staff, Old Town North Urban Design Advisory Board and adjoining civic groups to further revise the site plan and adapt the scale, design, and appearance of the buildings to respond to the surrounding residential context and desired character for the location.

**A. Building:**

As mentioned earlier, each of the bordering streets have a distinctly different character and the buildings have been sited and designed to create a style that responds to and complements the street on which it is located. The buildings have also been sited to line the streets and maximize street frontage.

On North Royal Street, the buildings are located at the building line of the Hearthstone Mews homes, continuing the building edge and streetscape along that street. The style of the buildings are designed to be compatible with the townhouses of Hearthstone Mews with



*North Royal Street Elevation*

a 18-20 foot bay width. A building break has been provided between the units allowing access and views into the common central open space.

The building on Third Street is designed to be more of an industrial style that is more compatible with the commercial uses across the street. The building has 6 units, each with a 16 foot wide bay width. A building break has been provided between the units on North Royal and Third Street, allowing access and views into the site.



*Third Street Elevation*

The building at the corner of Third and Fairfax Street has retail at the ground level and three units above. The entrance to the retail shops is conveniently located at the corner of the intersection. The building has a style that is compatible with the adjacent commercial uses across Third and North Fairfax Streets. The building has a tower element to signify the importance of the intersection. The first floor of the building has large store front windows and awnings for the retail use. Staff has added conditions that require refinements to these units and has also added conditions for the retail signage:



*North Fairfax Street Elevation*

***B. “Townhouse-Style” Condominiums:***

The applicant is proposing 18 “townhouse-style” condominiums on the site. The applicant proposed this type of unit in order to be more compatible with the adjacent townhouses of Hearthstone Mews and as a way to provide more consolidated open space for the project. 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. Some of the units will function as townhouses; some with vertical party walls that extend to the underground garage and some that do not.

The Commission and Council have provided clear direction to staff that “townhouse-style” condominiums may be used if they allow for a more creative layout, but should not be used in order to enable additional units. In this case, the proposal *does* allow for a more creative layout with multiple benefits to the neighborhood and actually limits the number of units that could have been built under allowable zoning. The area of this site (30, 274 s.f.), and the allowable density (35

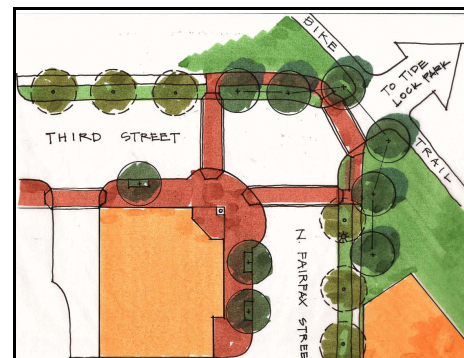
dwelling units per acre), could have resulted in 24 dwelling units, but in order to achieve a site plan more compatible with the neighborhood than a single multifamily building, the applicant is only proposing 21 dwelling units (30 DU/acre). (In the CD-X zone, the requirements, FAR, open space and height are the same for both townhouses and multifamily buildings). Had the applicant proposed a single large multifamily building, the maximum density allowed in the zone could have been achieved. The townhouse style condominium layout provides benefits to the City and neighborhood, allowing the project to:

- be more compatible with the adjacent townhouse development;
- provide better streetscape by lining the street with buildings;
- create more building breaks which helps break up the building mass; and
- create more views into the site.

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 area than would be achieved by a single multifamily building. For these reasons, staff is recommending approval.

***C. Pedestrian - Streetscape Improvements:***

In addition to wider sidewalks, underground utilities and street trees, staff also recommends significantly enhanced crosswalks, landscaping and sidewalk treatment for the adjoining entrance to the park. The improvements will establish strong visual and physical links between the proposed development and the adjoining public open space. Staff has encouraged development of these “green” connection opportunities not only to provide an appealing connection to the waterfront and park for future residents of this development, but also to promote neighborhood pedestrian use of the retail area.



*Streetscape Improvements*

***D. Parking Reduction:***

Staff recommends approval of the proposed parking reduction for 8 of 10 retail spaces to be provided on the street. Two retail spaces for employees will be provided in the below grade garage.

The project requires 44 parking spaces for the residential and 10 spaces for the retail for a total of 54 spaces. The City also requests that an additional 15% of the residential spaces (7 spaces) be provided for visitors. Therefore the total number of spaces needed for the project is 61 spaces. The current on-site parking consists of 44 spaces for residential, 7 spaces for visitors and 2 spaces for retail employees in the garage.

The applicant has provided an underground parking garage with 47 spaces and an at-grade parking garage (integrated and embedded into the retail building) with six spaces – for a total of 53 spaces. Fifteen parallel parking spaces are also available along the street frontage. By allowing 8 retail spaces on the street, there are still 7 spaces available on the street for other uses. The addition of on street parking spaces, on this important block with its future residential, retail and open space users is significant and justifies the request for a parking reduction of 8 retail spaces.

Further justification for the parking reduction is contained in a parking study by Wells & Associates. A parking occupancy count of the curb parking on streets within a one block radius was conducted on April 27, 2006, between 6:00AM and 8:00 PM. The study showed that, of a total of 191 spaces available in the area, during peak times as many as 30 parking spaces are available within a one and one-half block area. With the additional 10 parking spaces generated by the elimination of the existing curb cuts, the total amount of on-street parking spaces will be 201, increasing the amount of available on-street spaces during peak times to 40.

Moreover, staff believes a large portion of the retail customers will come from the office buildings across the street and nearby residences. Staff also believes that due to the small amount of retail provided and the physical location of the parking garage, which is not directly below the retail space, parking on the street will be more convenient for the retail users.

Because of the increase in available parking spaces at the site and in the overall area in general during peak times, staff supports the approval of the Special Use Permit for a parking reduction for retail parking. To ensure that the parking for the retail users will be available on the street, staff has added a recommendation requiring that residents of the building be ineligible to apply for or receive any residential parking permits.

***E. Zoning Modifications requested by the Applicant:***

Reduction in the minimum side yard requirement:

The applicant is requesting a reduction of the minimum 16 foot and 2:1 ratio requirements for side yards at 3 different locations on the site. Staff recommends approval of the minimum side yard reduction. The proposed yards are consistent with the urban residential character of the neighborhood and numerous townhouse and multi-family buildings in the area and throughout the City.

Vision Clearance:

The applicant is requesting a modification of the 75 ft. vision clearance zone at the corner of North Royal and Third Streets and the corner of Third and North Fairfax Streets. The vision clearance proposed for both intersections is approximately 68 feet. Staff recommends approval of the modification to the vision clearance zone to provide front setbacks that are required by the Zoning Ordinance and are consistent with the existing setbacks within the neighborhood.

Setbacks for garages:

The applicant is requesting a modification of the setback requirements for above-grade parking garages to within one foot of the property line. In this case, the at grade parking garage is not a separate free-standing garage. Rather it is located within the retail building, which itself has a setback of less than one foot from the property line. Staff recommends approval of the modification of the setback requirements for the at-grade parking garage.

***F. Affordable Housing:***

Due to the small number of dwelling units proposed for this project, the applicant has elected to make a voluntary contribution of \$1.50 per retail square foot (1,946 s.f.) and \$2.00 per residential square foot (36, 951 s.f.) for a total contribution of \$76,821.

**VI. COMMUNITY**

As mentioned earlier, the applicant and staff have conducted community meetings for this project with the North Old Town Independent Civic Association, North Old Town Community Association, Hearthstone Mews and adjacent commercial properties. The community has generally expressed support for the proposal - with the primary concern expressed by some Hearthstone Mew units that the proposal would block existing views of the Potomac River.

As required in the Zoning Ordinance (Section 6-505 (D)), the Old Town North Urban Design Advisory Board has reviewed and provided comments on the subject application. The Committee voted to endorse the proposed redevelopment of the former Windows site.

## **VII. CONCLUSION**

Staff recommends **approval** of the proposed site plan and Special Use Permit for a Parking Reduction, subject to the conditions of this report.

STAFF: Richard Josephson, Acting Director, Department of Planning and Zoning  
Jeffrey Farner, Chief, Development; and  
Gary Wagner, Principal Planner.

**VIII. STAFF RECOMMENDATION/CONDITIONS**

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

**A. PEDESTRIAN/STREETSCAPE:**

1. The applicant shall provide pedestrian-streetscape improvements that at a minimum shall provide the level of improvements depicted on the preliminary site plan and shall also at a minimum provide the following to the satisfaction of the Director of P&Z.
  - a. The sidewalks on Third and North Royal Streets shall be a minimum 6 ft. wide brick sidewalks unobstructed by tree wells, stoops, etc. The sidewalk on North Fairfax Street shall be a minimum 9 ft. wide brick sidewalk.
  - b. The brick sidewalk shall continue over the proposed curb cut for the parking garage on Third Street to provide a continuous uninterrupted brick sidewalk.
  - c. Decorative pedestrian-scale black Virginia Power colonial light poles shall be provided along each public street frontage between the curb and the sidewalk. Decorative pedestrian scale lighting shall also be provided for the on-site walkways.
  - d. Two stamped and colored pedestrian crosswalks at the intersection of Third and North Fairfax Streets.
  - e. Brick sidewalks shall connect the two new crosswalks to identify the entrance to the open space- park as generally depicted in *Attachment # 1*.
  - f. The applicant shall provide a City standard decorative black metal bench or seat wall adjacent to the retail on North Fairfax Street.
  - g. All sidewalks shall align and connect with the existing sidewalks.
  - h. The drive aisle-garage entrance shall be decorative pavers to reduce the expanse and amount of asphalt.
  - i. The wall for the rear yard on Unit 7 on Third Street shall be brick and limited to a maximum height of 4 ft. and shall include open metal railing.
  - j. The improvements shall be constructed prior to the issuance of the last certificate of occupancy permit. (P&Z)
  
2. The applicant shall provide four (4) bicycle parking spaces within the garage for residential use, and two (2) bicycle parking spaces on the surface for retail/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 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 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)
4. All handicap ramps shall include detectable warnings in the form of truncated domes in accordance with American with Disabilities Act (ADA) requirements in the current American with Disabilities Act Accessibility Guidelines (ADAAG). ADA ramps/slopes shall be provided at all existing and proposed drives that cross the pedestrian sidewalk in the public right of way. Two ADA ramps shall be provided at all street corners. All materials for such ADA access shall be brick and in keeping with the proposed sidewalk(T&ES)
5. The applicant shall provide \$1,000/ea to the Director of T&ES for the purchase and installation of (2) City standard street cans along the public streets at the corner of North Fairfax and Third Street. (T&ES)
6. Provide all pedestrian and traffic signage in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), latest edition to the satisfaction of the Director of T&ES. (T&ES)

**B. OPEN SPACE - LANDSCAPING:**

7. The central open space courtyard 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. The sidewalks and paving shall be brick and shall comply with City standards.
  - b. The planters shall be designed to incorporate seatwalls where appropriate to encourage use of the space.
  - c. 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.
  - d. Low scale pathway or bollard lighting.
  - e. Where planters are necessary they shall be brick or stone and shall be a maximum height of 42 inches.
  - f. The internal landscaped and open space areas shall be irrigated.
  - g. All landscaping shall be maintained in good condition and replaced as needed.



- h. Amenities such as special paving surfaces, materials, benches, trash receptacles, landscaping, etc. shall be provided within the courtyard to encourage its use.
  - i. All open space areas shall be maintained by the Condominium Owners Association. (P&Z) (RP&CA)
8. 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. Foundation plantings including shrubs and groundcover for the landscape strips adjacent to the sidewalk on Third and North Royal Streets.
  - b. Provide a detail of the typical foundation planting for each building.
  - c. All tree wells shall include an evergreen groundcover.
  - d. 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.
  - e. Because a large proportion of the tree canopy is provided as street trees, the applicant shall provide six additional shade trees at the entrance to Tide Lock Park as generally shown on *Attachment # 1*, subject to the approval of property owner.
  - f. Provide details for the planter including material, drainage, irrigation and soil depth as well as cross sections.
  - g. 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.
  - h. Utility lines such as water, storm sewer and electric lines shall be located to minimize impacts on proposed street trees and open space.
  - i. The location of all light poles shall be coordinated with the street trees.
  - j. All lawn areas to be planted with sod grass.
  - k. The maximum height for the shrubs is 36 inches.
  - l. All trees to be limbed up a minimum of 6 ft as they mature to allow for natural surveillance.
  - m. Trees are not to be planted under or near light poles.
  - n. The landscape plan shall be prepared and sealed by a certified landscape architect.
  - o. Enhanced plantings within the planters including seasonal color near the entrance on Royal Street.
  - p. 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.

- q. Landscaping shall be maintained in good condition and replaced as needed by the Condominium Owners Association.
  - r. 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.
  - s. 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)
9. The internal open space-courtyard shall be revised to provide the following to the satisfaction of the Director of P&Z which shall include:
- a. A 2-3 f.t. high brick wall with an 8 f.t. high green screen fence above shall be provided between the development and Hearthstone Mews on the southern portion of the property. A 2 f.t. wide by 2 f.t. deep brick planter shall be provided at the base of the brick wall between Units 13 and 18 with shrubs and seasonal plantings.
  - b. The wall/overhang over the garage entrance shall be brick. Any exposed concrete portion of the deck shall be painted to match the color of the brick.
  - c. The wall between the parking garage and Unit 19 shall be brick.(P&Z)
10. Provide a site irrigation & water management system, developed installed and maintained to the satisfaction of the Directors of Recreation, Parks & Cultural Activities. Information shall include:
- a. The location and type of heads/emitters, water delivery systems, sleeving beneath pavement/roads/sidewalks, controller(s), backflow preventer(s) and all system monitoring devices.
  - b. The irrigation plan shall be prepared and sealed by an Irrigator with certification at a level commensurate to this project and licensed to practice in the Commonwealth of Virginia.
  - c. Provide external water hose bibs continuous at perimeter of each building at a maximum dimension of 90 feet apart.
  - d. Provide at least one hose bib on the front and back of each at-grade-unit. (RP&CA)

11. Provide coordinated site utilities including the location and direction of service openings and required clearances for above grade utilities such as transformers, telephone, HVAC units and cable boxes. Minimize conflicts with plantings, pedestrian areas and major view sheds. Do not locate above grade utilities in dedicated open space. (RP&CA)

**C. RETAIL USES AND SIGNAGE:**

12. The retail spaces shall be solely utilized by retail uses to include: a store engaged in the sale of goods for personal use that shall include, bakeries, barber shop/beauty salon, banks, credit unions, bookstores, clothing, clothing accessories, copier/reproductions, department stores, drugstores, dry cleaners(not dry cleaning plant), florists, cigar shops, travel agencies, health and sport clubs, groceries, jewelry, restaurants and any similar uses deemed by the Director of P&Z to meet the intent of providing active pedestrian-oriented neighborhood-serving retail uses. (P&Z)
  
13. The colors and materials of the retail tenant signs shall be designed of high quality materials and shall be designed as an integral part of the building that shall relate in materials, color and scale to the remainder of the building and to the retail bay on which it is displayed to the satisfaction of the Director of P&Z and shall comply with applicable codes and ordinances as well as the following guidelines:
  - a. Sign messages shall be limited to logos, names and street address information.
  - b. Illuminated or non-illuminated parapet signs or wall signs above the first level for retail and/or residential uses are prohibited.
  - c. Signs applied to storefront windows shall cover no more than twenty percent of the glass.
  - d. Box signs shall be prohibited.
  - e. Any exterior decorative exterior banners/flags shall be deducted from the overall permitted sign area. Permanent or temporary advertising banners shall be prohibited.
  - f. Display cases, storage, carts or other obstructions shall not be designed to be temporarily or permanently located adjacent to the retail windows. Tables and other active uses adjacent to the window are encouraged.
  - g. Freestanding signs are prohibited. (P&Z)
  
14. The retail space shall be designed to provide the following:
  - a. a minimum 14 ft. floor to floor height with a 12 f.t. clear floor to ceiling height;

- b. entrances on North Fairfax Street shall be required to be operable entrances for all tenants and this shall be a requirement as part of the lease for each tenant.
- c. Provision shall be made for constructing exhaust vent shafts and grease traps within the residential buildings to accommodate future ground floor restaurant uses. (P&Z)

**D. BUILDING:**

15. 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. The applicant shall also work with the City for reuse of the existing building materials as part of the demolition process, leftover, unused, and/or discarded building materials.(T&ES)(P&Z)

16. The final architectural elevations shall be consistent with the level of quality and detail provided in the preliminary architectural elevations dated June 21, 2006. In addition, the applicant shall provide additional refinements to the satisfaction of the Director of Planning and Zoning that shall at a minimum include:

Royal and Third Street Facade (Units 7-12)

- a. The bay window on the corner of Third and Royal Street shall be revised to eliminate the masonry base and extend the windows and bay to the first floor.
- b. The height and design of projecting bays for unit 9 and unit 10 shall designed to appear visually supported at the lower level. The sides of the bays shall have windows and trim as depicted in the elevations.
- c. The materials for each facade shall be limited to brick and wood or a cementitious material for the trim and bay windows.
- d. Each end wall shall include windows in a comparable fenestration pattern to the front facades.
- e. The decks for units 13-18 shall limited to the size and location depicted on the plan.

Third Street Elevation (Units 1-6 and 13-18) :

- f. The setback fourth floor cladding panels shall be metal with jointing as shown on the elevations.
- g. East and west facades of the building shall incorporate windows on the first, second and third levels.

Windows of Old Town Condominium

- h. The materials for each facade shall be limited to brick, wood, precast and metal.

Third and Fairfax Streets (Units 19-21):

- i. The materials for each facade shall be limited to brick, wood, precast and metal.
- j. The setback fourth floor cladding panels shall be metal with jointing as shown on the elevations. The stairwells and trellises shall be shown on the elevations. The plans of the fourth floor shall show the metal panels.

General:

- k. The garage doors shall be painted a dark color that is complimentary to the materials of the building.
  - l. A darker color mortar shall be used for all joints on rustication bands.
  - m. Decks on Units 13-18 shall project a maximum of 8 feet from the building face.
  - n. The over-run for the elevator shall be limited to a maximum height of 5 ft. above the roof.
  - o. Through-wall HVAC vent grills and any other vents (approximately 22) located on facades adjacent to and facing public streets shall be prohibited.
  - p. The retail base shall provide low-level pedestrian-scale lighting as an integral part of the facade design to add nighttime visual interest to the buildings.
  - q. Color architectural elevations (front, side and rear) shall be submitted with the final site plan.
  - r. All refinements to the design and materials shall be revised prior to the release of the final site plan.
  - s. The applicant shall provide larger scale drawings to evaluate the retail bays, projections, balcony rails, cornice brackets, entrance canopies and sign bands and that the final detailing, finish and color of these elements is critical and must be studied in context with the overall buildings. These detail elements shall be submitted prior to review and approved prior to the release of the final site plan. (P&Z)
17. Based on a history of sound transmission complaints, it is recommended that all dwelling units have a STC rating of at least 60. Applicant proposes a STC rating of 54-57. Applicant shall resolve STC rating to the satisfaction of the Director of Code Enforcement. (Code)

18. The developer shall provide a full NFPA 13 fire sprinkler system for the entire complex due to fire access issues for Units 14 through 18. (Code)
19. The house numbers should be placed on the front and back of each home. (Police)
20. Due to the close proximity of the site to the railroad tracks, the applicant shall be responsible for providing the following:
  - a. 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 the railroad tracks, 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 with submission of final site plan #2 and approved prior to release of the final site plan. (T&ES)

**E. AFFORDABLE HOUSING:**

21. The developer has agreed to make a voluntary contribution of \$1.5 on the retail square footage (1,946 square feet) and \$2 per square foot on the residential square footage (36,951 square feet), for a total contribution of \$76,821, consistent with the level contemplated in the “Developer Housing Contribution Work Group Report” dated May 2005 and accepted by the Alexandria City Council on June 14, 2005. (Housing)

**F. PARKING:**

22. 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)
23. A minimum of 53 parking spaces, as represented on the preliminary plan, shall be located in the underground garage for residents, visitors and retail employees. A minimum of one space for each unit shall be provided within the garage as part of the purchase price for each unit. Each unit owner shall have the option to purchase a second parking space within the garage. No unit shall be allowed to purchase more than two additional spaces within the

garage. A minimum of seven visitor and two retail employee parking spaces shall be provided for within the garage.(P&Z)

24. 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 und to be 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)
25. 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. (P&Z)
26. The lighting for the parking garage is to be 5.0 foot-candles minimum maintained. The walls and ceilings in the garage are to be painted white or dyed concrete (white) can be used to increase reflectivity and improve light levels at night. The fixtures shall not be flush against the ceiling, but should hang down at least to the crossbeam to provide as much light spread as possible. (Police)
27. 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 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)

28. Show turning movements of standard vehicles in the parking structure and/or parking lots. Turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES. (T&ES)
29. 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)
30. The height of the ceiling of the below-grade parking garage shall be less than seven feet six inches. The applicant shall provide cross sections demonstrating compliance with this condition at Final Site Plan. (P&Z)

**G. SITE PLAN:**

31. Provide site plan information that includes:
  - a. Paving details for specialty sidewalk pavers and associated conditions including abutting architectural and landscape conditions.
  - b. Material, finishes and architectural details for all seat walls, decorative walls and screen walls. Indicate methods for grade transitions, handrails-if required by code, directional changes, above and below grade conditions and coordination with adjacent conditions. Future requirements will include submission of samples.
  - c. Information on how mail will be delivered to Units 13-18. Provide details of any mail kiosks or wall-mounted mail boxes that may be provided. (P&Z) (RP&CA)
32. The plat of consolidation and all applicable easements 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)
33. The applicant shall submit a wall check to the Department of Planning & Zoning prior to the commencement of framing for the building(s). The building footprint depicted on the wall check shall comply with the approved final site plan. The wall check shall also provide the top-of-slab and first floor elevation as part of the wall check. The wall check shall be prepared and sealed by a registered engineer or surveyor. The wall check shall be approved by the City prior to commencement of framing. (P&Z)
34. As part of the request for a certificate of occupancy permit, the applicant shall submit a building and site location survey to the Department of P&Z for all site improvements, including the below grade garage. The applicant shall also submit a certification of height



for the building as part of the certificate of occupancy for each building. The certification shall be prepared and sealed by a registered architect and shall state that the height of the building complies with the height permitted pursuant to the approved development special use permit and that the height was calculated based on all applicable provisions of the Zoning Ordinance. (P&Z)

35. The applicant shall identify a person who will serve as liaison to the community throughout the duration of construction. The name and telephone number of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site, and to the Directors of P&Z and T&ES. (P&Z)
36. 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 required information. The sign shall notify the public of the nature of the upcoming project and shall provide the applicant's phone number for public questions regarding the project. (P&Z)
37. 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 a certificate of occupancy permit for the building. (P&Z)
38. 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 P&Z. (P&Z)
39. 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 parking spaces shall be reserved for the use of the condominium resident parking;
  - c. A minimum of 53 parking spaces, as represented on the preliminary plan, shall be located in the underground garage for residents, visitors and retail employees. A minimum of one space for each unit shall be provided within the garage as part of the purchase price for each unit. Each unit owner shall have the option to purchase a second parking space within the garage. No unit shall be allowed to purchase more than two additional spaces within the

- garage. A minimum of seven visitor and two retail employee parking spaces shall be provided for within the garage.
- d. All landscaping and open space areas within the development, including the irrigation system shall be maintained by the homeowners and condominium owners;
  - e. No storage of furnishings, sports equipment, clothing or other items shall be allowed on the balconies. All items placed onto the balcony spaces shall be kept from view from surrounding structures. No physical changes or additions shall be made to the balcony structures. (P&Z)
40. 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)
  41. 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. 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 and installation schedule indicating the number of each fixture to be installed. Provide lighting calculations and photometric plan to verify that lighting meets City Standards. Lighting plan shall cover site, adjacent right-of-way and properties. (T&ES)
  42. All driveway entrances, sidewalks, curbing, etc. in public ROW or abutting public ROW shall meet City design standards. (T&ES)
  43. Replace existing curb and gutter, sidewalks, and handicap ramps that are in disrepair or broken. (T&ES)

44. 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)
45. 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)
46. The minimum diameter for public storm sewers is 18-inches. The minimum diameter for public sanitary sewer is 10-inches. (T&ES)
47. All private utilities are to be located outside of public right-of-way and public utility easements. (T&ES)
48. Show all existing and proposed easements, both public and private. (T&ES)
49. 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. (P&Z) (T&ES)
50. If a restaurant is to be located within the retail portion of the development, outdoor dining will not be allowed to encroach onto the public sidewalk on Fairfax and Third Streets. Any seating, tables and/or umbrellas for restaurant purposes shall be limited to courts and/or plazas within the development. (T&ES)
51. 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)
52. Should any unanticipated contamination, underground storage tanks, drums or containers be encountered at the site, the Applicant must immediately notify the City of Alexandria Department of Transportation and Environmental Services, Division of Environmental Quality. (T&ES)

53. Due to the proximity of historic landfill and the potential for contamination, the following condition shall be included:
  1. The Applicant shall design and install a vapor barrier and ventilation system for the buildings and parking areas to prevent the migration or accumulation of methane or other gases under parking areas or into buildings, or conduct a study and provide a report signed by a professional engineer showing that such measures are not needed to the satisfaction of Directors of T&ES and Code Enforcement. (T&ES)
54. A “Certified Land Disturber” (CLD) shall be named in a letter to the Division Chief of C&I prior to any land disturbing activities. If the CLD changes during the project, that change must be noted in a letter to the Division Chief. A note to this effect shall be placed on the Phase I Erosion and Sediment Control sheet on the site plan. (T&ES)
55. 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)
56. All exterior building mounted loudspeakers are prohibited. (T&ES)
57. If a restaurant use is proposed, the use of loudspeakers or musicians outside is prohibited. (T&ES)
58. 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)
59. 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)

**H. STORMWATER:**

60. The project site lies within the City's Pendleton Combined Sewer District. Proposed stormwater management and compliance with the City's Chesapeake Bay Program shall be coordinated with City's policy for management of storm water discharge within the Combined Sewer District. (T&ES)
61. The storm water collection system is located within the Potomac River 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)
62. The City of Alexandria's storm water 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)
63. The storm water 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)
64. 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)
65. The Applicant shall be responsible for maintaining storm water Best Management Practices (BMPs) until activation of the Condominium 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)

66. Developer shall comply with the peak flow requirements of Article XIII of the Alexandria Zoning Ordinance. (T&ES)
67. 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)
68. 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)
69. If combined uncontrolled and controlled stormwater outfall is proposed, the peak flow requirements of Article XIII of AZO shall be met. (T&ES)
70. Plan must demonstrate to the satisfaction of the Director of T&ES that a non-erosive stormwater outfall is present. (T&ES)
71. If units will be sold as individual units and a Condominium Association (COA) established the following two conditions shall apply:
  - a. The Applicant shall furnish the Condominium Association with an Owner's Operation and Maintenance Manual for all Best Management Practices (BMPs) 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.
  - b. The Developer shall furnish each home purchaser with a brochure describing the storm water BMP(s) installed on the site, outlining the responsibilities of the homeowners and the Condominium Association (COA) with respect to maintenance requirements. Upon activation of the COA, the Developer shall furnish five copies of the brochure per unit to the COA for distribution to subsequent homeowners.

Otherwise the following condition applies:

Developer shall furnish the owners with an 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)

72. Prior to release of the performance bond, a copy of the Operation and Maintenance Manual shall be submitted to the Division of Environmental Quality on digital media. (T&ES)
73. 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 storm water management facilities adjacent to the project and associated 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)

---

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

Code Enforcement:

- F-1 Ladder truck access is required for structures greater than 50 feet in height on the two longest sides of each structure. No building height information was provided. No scale was provided. As shown, all structures are below 50 feet in height. Finding resolved.
- F-2 An automatic fire suppression system is required for the underground garage. Depending upon the height of the proposed structures, a fire suppression system may be required. Height information was not provided. Structures exceed height and area requirements of the USBC and shall require a fire suppression system. **NFPA Full 13 Sprinkler System proposed by applicant. Finding resolved.**
- F-3 Indicate where the garage the locations of intake and exhaust vents will be. Locations shown, finding resolved.
- F-4 Building Code Analysis is incomplete. Provide all of the following: a) use group; b) number of stories; c) type of construction; d) floor area per floor; e) fire protection plan. **Revisions provided, finding resolved.**
- F-5 Fire Lane signage requirements provided in plan set are out of date. Incorporate new standards as adopted by the City of Alexandria and incorporated in the Virginia Statewide Fire Prevention Code. **Specifications have been updated, finding resolved.**
- F-6 Units 14 through 18 exceed the 100 foot limit for fire access. The developer shall submit a Code Modification to the Director of Code Enforcement which provides a full NFPA 13 fire sprinkler system for the entire complex. Agreed to by the applicant.
- F-7 **There is an FDC noted without corresponding symbol on the Northwest corner of the mixed use structure at Fairfax and Third Streets. Clarify if this is an additional FDC in addition to the one provided on the Third Street face of the building.**



- F-8 **The proposed transformer vault shall be relocated out of the Emergency Vehicle Easement.** If it is determined that the EVE is not needed and fire access can be from the street, then the transformer vault can remain in the driveway as shown.
- C-1 The structure will contain mixed uses and shall comply with the mixed use provisions of the USBC. Acknowledged by applicant.
- C-2 Provide two Siamese connections located to the satisfaction of the Director of Code Enforcement. Siamese connections provided in pairs. Separate pairs. Each building fire protection system shall be served by two separate siamese connections located on different sides of the building. Relocate siamese connections. **Siamese connections relocated, condition met.**
- C-3 A separate tap is required for the building fire service connection. **Condition met.**
- C-4 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. Condition met.
- C-5 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. **Clearly define an accessible pathway from the handicapped spaces to the elevator using painted hatched lines on the pavement.**
- C-6 **Condition deleted (duplicate)**
- C-7 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC). Acknowledged by applicant.
- C-8 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 by applicant.
- C-9 Enclosed parking garages must be ventilated in accordance with USBC 406.4.2. Acknowledged by applicant.

- C-10 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. Acknowledged by applicant.
- C-11 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. **Condition met.**
- C-12 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. The submitted fire flow within the plan set is not compliant. Submit two sets of originally signed and sealed copies of fire flow on 8 1/2 x 11 sheets of paper. **Acknowledged by applicant.**

Transportation and 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 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 grading and construction per 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 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-13 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-14 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 Worksheet C, 4., Pollutant removal requirements is calculated incorrectly - possibly a mathematical error.  $RR = -0.088$  generating a %RR of -1.82. Load removed by the proposed device is much greater than this thus proposed BMP is acceptable. Correct worksheet as appropriate.
- F-2 As requested in previous reviews, BMP location shall be clearly marked on all applicable sheets. Absence of location of BMP on ANY plan view indicates a lack of certainty that the proposed BMP can be accommodated.
- F-3 It is assumed that this BMP will be located in the garage. Applicant is cautioned to provide appropriate head space for proper access for maintenance.
- F-4 Erosion and sediment control legend should contain only those methods to be employed on this project.

- F-5 Phase II Erosion and Sediment Control shall show super silt fence in place until such time as deemed necessary for removal by C&I.
- F-6 On sheet A.300, the plan should show better traffic circulation inside the garage. At a minimum, show turning movements of standard vehicles in the parking structure and/or parking lots. Turning movements shall meet AASHTO vehicular guidelines and shall be to the satisfaction of the Director of T&ES.(T&ES)
- F-7 Provide the following information prior to Final Site Plan approval:
- a. Provide source of meridian on the north arrows on all sheets.
  - b. Correct the DSP number in the approval block on all plan sheets.
  - c. Provide information regarding the gas mains and service lines with sizes and owner of lines on the preliminary layout plan.
  - d. Identify the owners of utilities such as electric, telephone, and cable on the plan.
  - e. Fix the 56.8' dimension shown in the courtyard on the preliminary plan to show the extent of the dimension.
  - f. Provide proposed elevations (contours and spot shots) in sufficient details on grading plan to clearly show the drainage patterns.
  - g. Provide more information regarding existing inlet at the corner of Third St. and Fairfax St. Provide drainage information on the area draining to this inlet and verify the adequacy of the existing 15" pipe. (T&ES)
- F-8 The applicant shall continue to provide a minimum of 30 feet separation between beginning of street corner radius and any driveway apron radius shall be maintained. Additional curb cuts at this location are not recommended as they impede traffic flow. (T&ES)
- F-9 The sight distance exiting the garage needs to be improved to meet AASHTO minimums. The parked vehicles on the south side of the Third Street will block motorists view of pedestrians on the sidewalk and of the traffic on the road exiting the garage. (T&ES)

Police:

- R-5 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.
- R-6 The fixtures should not be flush against the ceiling, but should hang down at least to the crossbeam to provide as much light spread as possible.

- R-7 For the safety of the persons using the proposed garage, the walls and ceiling in the garage should be painted white or dyed concrete (white) can be used to increase reflectivity and improve light levels at night.
- R-8 Carefully maintain all lighting in the garage. Routine maintenance of the lights is necessary. A program should be implemented to review the lights regularly to determine if any have burnt out or been broken and need replacing.
- R-9 The design of the garage deck should be open, which will allow:
- Natural light into the deck area.
  - The ability to be heard throughout the deck and surrounding area.
  - The elimination of hiding places.
  - Use less concrete to allow for natural light to enter and give the deck a feeling of openness.
- R-10 Design stairwells to be open/visible without solid walls - where you can see into and out of the stairwell as well as having the ability to see from one landing to the next from within the stairwell.
- R-11 The house numbers should be placed on the front and back of each home (at least 3 inches high and reflective at night).
- R-12 All surface lots and common area lighting should be at a minimum-maintained level of 1.0 foot-candles. This lighting should also spill over to the front, side and rear yards of the units whenever applicable.

Alexandria Archaeology:

Alexandria Archeology has indicated a low potential to yield archaeological resources and that no archaeological action is needed.

Virginia American Water Company:

1. Hydraulic calculations (computer modeling) will be completed to verify main sizes upon final submittal of the site plan. Profiles will be required for hydraulic calculations.
2. VAWC will require a copy of the Code Enforcement approved needed fire flow calculations for this project.
3. A double detector check backflow prevention device is required on all fire services. If located inside the premise, it must have a remote reading meter in a separate accessible room.
4. VAWC does not offer a 3" service. Domestic services will be 4".

5. A 12"x4" wet tap will be made for the domestic services. The 6"x3" reducers will not be necessary.

Alexandria Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Permits are non-transferable.
- C-3 Permits must be obtained prior to operation.
- C-4 Five sets of plans are to be submitted to and approved by this department prior to construction of any facility regulated by the Health Department.
- C-5 Plans for food facilities must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-7 Personal grooming facilities must comply with Title 11, Chapter 7, Personal Grooming Establishments.
- C-8 Tanning Salons must meet State Code Title 59.1, Chapter 24.1, Tanning Facilities.
- C-9 Massage facility plans must comply with Title 11, Chapter 4.2, Massage Regulations. All massage therapists must possess a current massage therapist certification, issued by the Commonwealth of Virginia in accordance with the Code of Virginia Chapter 599, 54.1-3029 and must possess an Alexandria Massage permit in accordance with the Alexandria City Code Title 11, Chapter 4.2 prior to engaging in any massage activity.
- C-10 Coin operated dry cleaning facility plans must comply with Title 9, Chapter 4, Coin operated Dry Cleaning Establishments.
- C-11 Coin operated laundry plans must comply with Title 9, Chapter 5, Coin operated Laundries.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.
- C-13 Food must be protected to the point of service at any outdoor dining facility.

DSP #2005-0018  
SUP #2006-0054  
Windows of Old Town Condominium

DSP #2005-0018  
SUP #2006-0054  
Windows of Old Town Condominium

**REPORT ATTACHMENTS  
AVAILABLE IN THE PLANNING AND ZONING OFFICE**