

ORDINANCE NO. 2612

AN ORDINANCE to amend Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, by adding a new section numbered 42-22.5; which Chapter 42 relates to ZONING, which Article III relates to USE, AREA, ETC., REGULATIONS GENERALLY and which new section numbered 42-22.5 relates to M-3 METRO EISENHOWER AVENUE STATION AREA ZONE.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding a new section numbered 42-22.5 to read as follows:

Sec. 42-22.5. M-3 metro Eisenhower Avenue station area zone.

In the M-3 metro Eisenhower Avenue station area zone and for land zoned M-3, the following regulations shall apply:

(a) Purpose. The M-3 metro Eisenhower Avenue station area zone is specifically designed to permit medium density and to further encourage high density complementary mixed use development, including residential and hotel uses in the area of the Eisenhower transit station. Mixed uses may be within a single building or on an overall site planned to function as a unit. This zone is optional and must be applied for within the area as defined below. This zone provides for (1) medium density mixed use development with specified parking reduction as a matter of right, and (2) additional uses, development density and height under special use permit provisions which would run with the land.

(b) Zone area. All of those tracts of land located between Telegraph Road on the west, the north property lines of the lots fronting on the north side of Mill Road on the north, Route I-95 (Capital Beltway) on the south and the property line between the city/police jail site and the Banks property, extended in a westerly arc to meet the north boundary line, on the east.

(c) Uses permitted. The following uses only shall be permitted in the M-3 metro Eisenhower Avenue station area zone:

(1) Any use permitted in the C-1 commercial zone except single- and two-family dwellings, row dwellings, rooming houses, boarding houses and tourist homes.

(2) Automatic data processing facilities.

(3) Automobile rental agencies.

(4) Blueprinting, photostating, microfilming or similar reproduction processes.

(5) Building and loan associations.

(6) Hardware stores.

(7) Production and design of visual and audiovisual materials, such as sound recording, model building, film production and the preparation of other types of display materials.

(8) Research and development laboratories.

(9) Retail stores and businesses.

(10) Wholesale businesses.

(11) The following uses are permitted subject to approval of a special use permit as specified in sections 42-68 to 42-71 of this Code:

a. Amusement enterprises, including but not limited to theaters, bowling alleys, skating rinks, pool and billiard halls, miniature golf courses, dance halls, amusement arcades, bingo halls and similar uses.

b. Automobile service stations.

c. Hotels.

d. Parking lots.

(12) Storage of materials or supplies incidental to the conduct of any use listed above, provided such storage is entirely enclosed and is conducted in the same building as the business to which it is incidental or in a building immediately adjacent thereto.

(d) Residential design. Residential frontage and yard regulations shall be the same as provided for in the RC zone of this Code.

(e) Floor area ratio. The maximum floor area ratio shall be 3.5, of which a minimum of 15% shall be in residential or hotel uses; provided, however, that the 15% requirement shall not apply to structures of 150 feet or less. Subject to approval of a special use permit as specified in sections 42-68 to 42-71 of this Code, an additional floor area ratio of 2.5 may be requested, of which a minimum of 50% shall be in residential or hotel uses. The maximum project floor area ratio shall be 6.0. A developer may request as part of the special use permit that the following uses be excluded from the calculation of the

permitted floor area ratio, provided that they are part of an office, hotel, residential or mixed use structure: required vehicular parking, rooftop restaurants, movie theaters, athletic clubs, indoor pools and other recreational and public facilities.

(f) Open and usable space. A minimum of 10% of the lot area shall be open and usable space which need not be at ground level and which may be open area on decks or under principal or accessory buildings; provided, however, that no balcony, patio or other similar structure which is reserved for the exclusive use of those entitled to the use of one or more, but less than all, of the residential units or nonresidential uses within the building shall be considered as open and usable space. Additional open and usable space shall be provided in proportion to the residential and hotel proportion of the total countable project floor area times 10% of the lot area.

(g) Building height. The maximum building height shall be 150 feet as of right. Subject to approval of a special use permit as specified in sections 42-68 to 42-71 of this Code, a maximum building height of up to 345 feet may be approved if it is found that the proposed height is consistent with developmental objectives and land use patterns set forth for the area in the master plan adopted pursuant to section 9.05 of the city charter, with already established land uses in the surrounding area, and with a planned program of supporting community facilities and public improvements.

(h) Off-street parking. The number of off-street parking spaces required for newly erected, altered, changed or enlarged buildings and uses within the M-3 metro Eisenhower Avenue station area zone shall be the aggregate number of parking spaces required for all uses under section 42-27 of this Code reduced by not more than 25% of the total number thus required; provided, however, that the residential parking requirements shall not be reduced lower than one (1) space per dwelling unit.

(i) Restrictiveness. For the purpose of this Code, uses permitted in the M-3 metro Eisenhower Avenue station area zone shall be considered more restrictive than uses permitted in the CO commercial zone and less restrictive than the C-3 commercial zone.

(j) Characterization. For the purpose of this Code, the M-3 metro Eisenhower Avenue station area zone shall be considered a commercial zone.

(k) Design criteria. In conjunction with consideration of an application for a special use permit for additional uses, floor area ratio and building height, the planning commission and city council shall also consider the following, under an integrated plan:

(1) Open and usable space. Location, amount at any given location and interrelationship (design and function) of areas of open and usable space.

(2) Structured parking. Percentage of total number of required parking spaces provided in a parking structure, location with regard to building(s) served and integration within vehicular and pedestrian circulation system.

(3) Landscaped parking structure rooftops.

(4) Pedestrian and vehicular movement systems. Optimal pattern for functions served, provision for handicapped access, "flow" of walkways and driveways, landscaped walkways and driveways, sidewalk width and avoidance of vehicular traffic "back-ups" or awkward turn patterns.

(5) Solar orientation. Extent to which solar access is provided and protected, effect of shadows cast by all structures and protection of major public open spaces/gathering places from shadows.

(m) Any special use permit granted shall run with the land and be binding upon the applicant, the owner, the occupants and their heirs, successors and assigns, and no such special use permit shall become effective unless and until the owner or owners of the land involved shall have first entered into a contract with the city so encumbering the land and binding the parties and making the land subject to the conditions of the special use permit, and said owner shall also have recorded said contract with an approved plat attached thereto in the deed books among the land records of the city. When a special use permit has been granted, the city manager is hereby authorized to execute any such contract on behalf of the city, and the director of planning and community development is hereby authorized to approve any such plat on behalf of the city.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting.

This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: July 17, 1981