

ORDINANCE NO. 3166

AN ORDINANCE to amend and reordain subsection (a), Section 7-6-42, to further amend subsection (a) by adding a new subsection (8), to amend and reordain Section 7-6-42 by adding a new subsection (1), all of Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 7 relates to PLANNING AND DEVELOPMENT, which Chapter 6 relates to ZONING, which Article C relates to ADDITIONAL USE, AREA, ETC., REGULATIONS, which Section 7-6-42 relates to SUPPLEMENTARY PROVISIONS AND EXCEPTIONS TO HEIGHT; HEIGHT DISTRICTS, which subsection (a) relates to HEIGHT DISTRICT, which subsection (1) relates to HEIGHT LIMITS IN HEIGHT DISTRICT NO. 7 and which subsection (8) relates to BOUNDARIES OF HEIGHT DISTRICT NO. 7.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (a), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(a) Height district. The city is hereby divided into eight (8) height districts which shall be known as Height District No. 1, Height District No. 2, Height District No. 2A, Height District No. 3, Height District No. 4, Height District No. 5, Height District No. 6 and Height District No. 7.

Section 2. That subsection (a), Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by adding thereto a new subsection (8) to read as follows:

(8) The boundaries of Height District No. 7 (Duke Street) shall be as follows:

a. Beginning at the intersection of the centerlines of Duke and of Jordan Streets, thence northerly with the centerline of Jordan Street to the centerline of Raleigh Avenue; thence easterly with the centerline of Raleigh Avenue to the centerline of Taney Avenue; thence easterly with the centerline of Taney Avenue to the centerline of North Early Street; thence northerly with the centerline of North Early Street to the centerline of Taft Avenue; thence easterly with the centerline of Taft Avenue to a point on said line at the southerly side of Tax Parcel 60.02-02-20 extended; thence easterly with the southerly side of Tax Parcel 60.02-02-20 to a public park; thence easterly through the park to the southerly side of Tax Parcel 60.02-02-25; thence easterly with the southerly side of Tax Parcel 60.02-02-25 to Fort Williams Parkway; thence easterly across Fort Williams Parkway to the southerly side of Tax Parcel 60.02-03-01; thence

easterly with the southerly sides of Tax Parcels 60.02-03-01, 60.02-03-11, 60.02-03-12, 61.00-01-33, 61.00-01-32, 61.00-01-31, 61.00-01-30 and 61.00-01-29 to Tax Parcel 61.00-01-28; thence easterly through Tax Parcel 61.00-01-28 to the southerly side of Tax Parcel 61.00-01-09; thence easterly with the southerly sides of Tax Parcels 61.00-01-09 and 61.00-01-11 to North Quaker Lane; thence easterly across Quaker Lane to the southerly side of Tax Parcel 61.00-02-05; thence easterly with the southerly side of Tax Parcel 61.00-02-05 to the easterly side of Tax Parcel 61.00-02-05; thence northerly with the easterly side of Tax Parcels 61.00-02-05, 61.00-02-04, 51.00-07-21, 51.00-07-22-02-02 and 51.00-07-22-02-01 to the southerly side of Tax Parcel 51.00-07-11; thence easterly with the southerly sides of Tax Parcels 51.00-07-11 through 51.00-07-16 and 51.00-07-20 to the centerline of Princeton Boulevard; thence southerly with the centerline of Princeton Boulevard to the centerline of Dartmouth Road; thence easterly with the centerline of Dartmouth Road to the centerline of Cambridge Road; thence southerly with the centerline of Cambridge Road to a point on said line at the southerly side of Tax Parcel 61.00-03-11 extended; thence easterly with the southerly side of Tax Parcels 61.00-03-11, 61.00-03-09, 61.00-03-08, 61.00-03-07, 61.00-03-06, 62.01-06-01 and 62.01-06-02 to the westerly side of Tax Parcel 62.01-06-03; thence southerly with the westerly sides of Tax Parcels 62.01-06-03, 62.01-06-07 and 62.01-06-08 to the northerly side of Tax Parcel 62.01-07-03; thence westerly with the northerly sides of Tax Parcels 62.01-07-03, 62.01-07-02 and 62.01-07-01 to the westerly side of Tax Parcel 62.01-07-01; thence southerly with the westerly side of Tax Parcel 62.01-07-01 to Viewpoint Road; thence southerly across Viewpoint Road to the westerly side of Tax Parcel 62.01-08-01; thence southerly with the westerly sides of Tax Parcels 62.01-08-01, 62.01-08-12 and 62.03-01-01 to the southerly side of Tax Parcel 62.03-01-02; thence easterly with the southerly sides of Tax Parcels 62.03-01-02 through 62.03-01-07 to Nob Hill Court; thence easterly across Nob Hill Court to the southerly side of Tax Parcel 62.03-02-01; thence easterly with the southerly sides of Tax Parcels 62.03-02-01 and 62.03-02-03 to a point in the centerline of Longview Drive; thence southerly with the centerline of Longview Drive to the centerline of Duke Street; thence westerly with the centerline of Duke Street to the centerline of South Longview Drive; thence southerly with the centerline of South Longview Drive to a point on said line at the northerly side of Tax Parcel 72.00-07-01 extended; thence westerly with the northerly sides of Tax Parcels 72.00-07-01, 61.04-02-31 and 61.04-02-26 to the centerline of Roth Street; thence northerly with the centerline of Roth Street to the centerline of Colvin Street; thence westerly with the centerline of Colvin Street to the centerline of South Quaker Lane; thence southerly with the centerline of South Quaker Lane to a point on said line at the northerly side of the RF&P Railroad extended; thence westerly with the northerly side of the RF&P Railroad to the westerly side of Tax Parcel 61.03-01-07; thence northerly

with the westerly side of Tax Parcel 61.03-01-07 to a point in the centerline of Wheeler Avenue; thence westerly with the centerline of Wheeler Avenue to a point on said line at the easterly side of Tax Parcel 60.04-01-05 extended; thence with the easterly side of Tax Parcel 60.04-01-05; thence northerly 47.7± feet to the northerly side of Tax Parcel 60.04-01-05; thence westerly with the northerly side of Tax Parcel 60.04-01-05 to the westerly side of Tax Parcel 60.04-01-05; thence southerly with the westerly side of Tax Parcel 60.04-01-05 to the northerly side of Tax Parcel 60.04-01-04; thence westerly with the northerly side of Tax Parcel 60.04-01-04 to a point in the centerline of South Early Street; thence northerly with the centerline of South Early Street to a point on said line at the northerly side of Tax Parcel 60.04-02-14 extended; thence westerly with the northerly sides of Tax Parcels 60.04-02-14, 60.03-01-35 and 60.03-01-23 to a point in the centerline of South Floyd Street; thence southerly with the centerline of South Floyd Street to a point on said line at the northerly side of Tax Parcel 60.03-01-22 extended; thence westerly with the northerly side of Tax Parcel 60.03-01-22 to the westerly side of Tax Parcel 60.03-01-22; thence southerly with the westerly side of Tax Parcel 60.03-01-22 to the northerly side of Tax Parcel 60.03-01-21.01; thence westerly with the northerly side of Tax Parcel 60.03-01-21.01 to the easterly side of Tax Parcels 60.01-05-22; thence northerly with the easterly sides of Tax Parcels 60.01-05-22 through 60.01-05-16 (descending order) to the northerly side of Tax Parcel 60.01-05-16; thence westerly with the northerly side of Tax Parcel 60.01-05-16 to a point in the centerline of French Street; thence northerly with the centerline of French Street to the centerline of Usher Avenue; thence westerly with the centerline of Usher Avenue, then with the centerline of Garden Drive, then with the centerline of Vermont Avenue to the centerline of South Gordon Street; thence northerly with the centerline of South Gordon Street to a point on said line at the northerly side of Tax Parcel 59.02-07-59 extended; thence westerly with the northerly sides of Tax Parcels 59.02-07-59 and 59.02-07-22 to the point at the intersection of the centerlines of South Hudson Street and of Utica Avenue; thence westerly with the centerline of Utica Avenue to the centerline of South Ingram Street; thence westerly with the centerline of South Ingram Street to the centerline of Underwood Place; thence westerly with the centerline of Underwood Place to a point on said line at the northerly side of Tax Parcel 59.02-05-13 extended; thence westerly with the northerly sides of Tax Parcels 59.02-05-13 through 59.02-05-18 and 59.02-01-20 to a point in the centerline of South Iris Street; thence northerly with the centerline of South Iris Street to the centerline of Venable Avenue; thence westerly with the centerline of Venable Avenue to the centerline of South Jordan Street; thence northerly with the centerline of South Jordan Street to the point of beginning.

b. The boundaries of Height District No. 7 (Duke Street) shall be shown on the map designated "Height District No. 7 (Duke Street), City of Alexandria, Virginia," dated November 25, 1986, signed by the mayor, the clerk of the council, the chairman of the planning commission, and the secretary of the planning commission; which map is on file in the office of the planning commission, and which is hereby made a part of this chapter, and the references to tax parcel numbers set forth in section 7-6-42(a)(8)a shall refer to the tax parcels as shown on said map, and the land area so bounded and described by reference to tax parcel numbers as aforesaid, shall be and remain the land area of Height District No. 7 (Duke Street) unless hereafter amended by council, notwithstanding any change, modification or alteration in the boundaries, tax parcel numbers and real estate property tax map as prepared and maintained by the department of real estate assessment.

Section 3. That Section 7-6-42, Article C, Chapter 6, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is further amended by adding thereto a new subsection (1) to read as follows:

(1) Height limits in Height District No. 7 (Duke Street). In Height District No. 7 (Duke Street), the maximum height of a building shall not exceed 50 feet above the average finished grade at the building; provided, that the maximum height of a building may extend to a maximum of 77 feet above the average finished grade at the building with a special use permit, as specified in sections 7-6-191 to 7-6-195 of this code; provided, further, that in evaluating a special use permit application for increased height, special consideration shall be given to the proximity of a residential use or uses or a residential zone or zones to the property for which increased height is being sought and to the impacts of such increased height on such residential use or uses or residential zone or zones; provided, further, that the following exceptions to the foregoing height limits shall apply:

(1) Chimneys, towers, tanks, machinery, equipment, penthouses or other necessary mechanical appurtenances to a main structure may be erected as a part of the main building to their required heights, regardless of any other height provisions or restrictions of this chapter; provided, that no penthouse shall exceed 15 feet in height.

(2) All necessary rooftop mechanical appurtenances and penthouses shall be concealed by or constructed of exterior architectural materials or features of the same type or quality used on the exterior walls of the main building in question.

(3) No building shall exceed the maximum height set forth in this subsection, and, in addition, the allowable height

of a building at any point shall not exceed twice the distance from the face of the building at that point to the centerline of the street facing such building.

(4) All radio and television reception or transmission structures extending in excess of 75 feet above the ground or 30 feet above the roof of the building to which it is attached, whichever may be the greater, shall be permitted only with a special use permit, as specified in sections 7-6-191 through 7-6-195 of this code; provided, that in evaluating a special use permit application for such a radio and television reception or transmission structures, special consideration shall be given to the proximity of a residential use or uses or a residential zone or zones to the property on which such structure is to be attached and to the impacts of such structure on such residential use or uses or residential zone or zones.

(5) Any structure in existence or any project which had a site plan approved on or before November 25, 1986, shall not be deemed nonconforming as to height by virtue of its inclusion in this height district; provided, that no such structure or project shall be altered or reconstructed to a height in excess of the height which existed or was approved on November 25, 1986, or the height set forth in this subsection 7-6-42(1), whichever is greater.

Section 4. 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.

JAMES P. MORAN, JR.
Mayor

Final Passage: November 25, 1986