

**The Mill at Occoquan Project: SP-2018-01; SP-2018-02; SP-2018-03
Application Conditions Comment/Update**

Below are the 20 conditions that were recommended by Staff in the Staff Report for the Mill at Occoquan project dated January 13, 2021, and revised by the Planning Commission after the Public Hearing on January 26, 2021 in PCR-2021-01B. The Applicant should indicate in the "Applicant Comment" column whether or not he continues to agree that the condition as written is proportional to the impacts of the special use or not, and, if not, what revised condition (if any) would be proportional to the impacts of the revised special use being requested. Please complete and submit this document as part of your comment response letter.

Condition	Applicant Comment
1. An Occupancy Permit for residential use must be granted within 78 months of the approval of SE2018-01 to avoid the excessive passage of time and the possible changes to surrounding properties which could be impacted by the development. The Final Site Plan application is to be submitted within six months per § 155.043. The Special Use Permits will expire if such occupancy permit has not been granted.	Acknowledged
2. The total unit count is limited to 80 units in whatever bedroom count that can be parked within the proposed parking structure, in accordance with the Zoning Ordinance.	Acknowledged - a parking modification has been requested with the Preliminary Plan
3. The building height shall not exceed 79 feet as building height is defined in the Zoning Ordinance.	Acknowledged
4. The minimum commercial square footage shall be 15,050, including 3,000 square feet in rooftop destination/ observation deck. [Revised by PCR-2021-01B]	The overall project has been reduced in scale and the commercial square footage is approx. 7,000 square feet. The observation deck has been removed
5. The building design shall minimize those portions which intrude into the five-foot setback from Mill Street, but in no case shall the intrusion be more than that distance shown on the Preliminary Site Plan, nor closer to the property line than the existing wall adjacent to the sidewalk.	The commercial and residential floors will be setback the minimum required 5 feet or greater from Mill Street.
6. The building façade shall be stepped back as shown on the "Building Section and Average Grade" sheet from the Preliminary Site Plan, or to a greater extent.	The building has been revised, and the building facades are stepped back as shown on the preliminary plan.
7. The River Walk shall be constructed by the Applicant and developed simultaneously with the development of the remaining site and be completed and opened to free public access before the occupancy of 75	The River Walk will be constructed with the building and will be 12 feet wide. The bump outs along the River Walk

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<p>percent of the residential units. The width and length, along with the observation points shall be as generally shown on the Preliminary Site Plan, except that the width of the River Walk shall be at least 12 feet and the dimensions of each bump-out shall be at least (a) 24-feet in width and (b) 36 feet in length from the building side of the River Walk to the nose of the bump-out, not counting any encroachments related to tenants in the building. The materials for construction shall be pressure treated wood for use near water or 'no-maintenance' composite approved by the Town Manager and Architectural Review Board. [Revised by PCR-2021-01B]</p>	<p>have been removed due to concerns with construction within the Occoquan River</p>
<p>8. Free public access shall be afforded to the River Walk, except as permitted by the Town Manager with good cause shown.</p>	<p>Acknowledged</p>
<p>9. The River Walk shall be maintained in an easement granted to the Town as part of the first plat recorded with the Final Site Plan. The Town shall be responsible for the maintenance of any pedestrian walkway constructed within such easement. The Town shall have the right, for purposes of construction, reconstruction, and maintenance of any walkway constructed within such easement: (i) to enter upon the said easement, (ii) to utilize the Emergency Access, and (iii) to use, from time to time on a temporary basis, such portions of the subject property which are adjacent to the said easement as are reasonably necessary to permit the Town to construct, reconstruct, and maintain any such walkway.</p>	<p>Acknowledged</p>
<p>10. On-street parking along Mill Street will be maintained to the greatest extent possible, including during construction.</p>	<p>Acknowledged</p>
<p>11. Construction will be temporarily suspended at the request of the Town Manager for annual Town events as identified in advance by the Town Manager.</p>	<p>Acknowledged</p>

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<p>12. The Applicant will place at least eight (8) historic markers or plaques in consultation with the Occoquan Historical Society and the Town. Each marker or plaque shall contain photographs and/or text on at least ten square feet of its surface. [Revised by PCR-2021-01B]</p>	<p>Acknowledged</p>
<p>13. The rooftop destination/observation deck will deliver wide expansive views of the Town of Occoquan and a view down the river which will be virtually unobstructed. The rooftop destination will be open to the public during any hour that any restaurant in the building is open. If no restaurant has been open in the building for a period of seven calendar days, the rooftop destination shall be available for free public access for no less than four (4) hours per day between the hours of 10:00 AM and 10:00 PM, 365 days a year, until a restaurant reopens with regular hours. The hours the rooftop destination is open shall be posted in the building lobby. The rooftop destination shall be part of one or more restaurants in the building and available to the public for food and drink and a venue for special event parties and catering. [Revised by PCR-2021-01B]</p>	<p>As mentioned above the Rooftop observation deck has been removed from the project.</p>
<p>14. Trash pickup and general deliveries shall be timed to minimize the impact on daily traffic flow along the frontage of Mill Street. A plan for trash removal and general deliveries shall be presented in a plan approved by the Town Manager prior to the first occupancy of the project. This plan shall include provisions for recycling and waste reduction.</p>	<p>Acknowledged</p>
<p>15. Residential and Commercial parking shall be identified on the Final Site Plan, as well as on the individual parking spaces in the garage to assure adequate off-street parking for the Commercial uses.</p>	<p>Acknowledged</p>
<p>16. Applicant shall, at time of Final Site Plan submission, show the use of vegetation and street furniture, including potted plants, street trees, flower window boxes, benches, trash receptacles, brick sidewalk, and lighting on a scale and design similar to existing facilities in the Town and at least as abundantly as shown in the renderings provided by the Applicant to the Town. [Revised by PCR-2021-01B]</p>	<p>Acknowledged</p>

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<p>17. The sidewalk shall be "Occoquan brick" as evidenced along Mill Street and shall be maintained in perpetuity by the owners of the property to the satisfaction of the Town through an agreement to be established prior to the issuance of a building permit for the project. This agreement may also involve VDOT and will be consistent with other tri-party agreements within the Town for third party maintenance of sidewalk within the Town.</p>	<p>Acknowledged</p>
<p>18. A turbidity curtain, along with additional erosion control measures will be required for development along the Occoquan River.</p>	<p>Acknowledged. Construction will be done in accordance with applicable regulations</p>
<p>19. Applicant will create architectural features acceptable to the Architectural Review Board on the water side in order to improve the sight line and break up the monolithic 200 feet of the lower garage levels.</p>	<p>Acknowledged</p>
<p>20. Applicant shall construct a hand launch boat/kayak ramp for public use in the location generally shown at the northwest end of the River Walk on the Preliminary Site Plan.</p>	<p>Acknowledged. Will be designed with Town input.</p>