
The Mill at Occoquan Project - Staff Report

Town Council Public Hearing

Preliminary Site Plan

PSP2018-01

Special Exceptions

SE2018-01 (residential in B-1)

SE2018-03 (building height)



TOWN OF OCCOQUAN

JUNE 15, 2021

About the Request

Applicant: Mid-Atlantic Real Estate Investments, Inc.

Project Name: The Mill at Occoquan

Request: Applicant proposes redevelopment of 401, 403, 405, 407, and 411 Mill Street

(GPINs 8393-64-5688, 8393-64-5191, 8393-64-4995, 8393-65 -4100, 8393-65-3507)

Project Summary: Single building, six (6) story mixed-use project

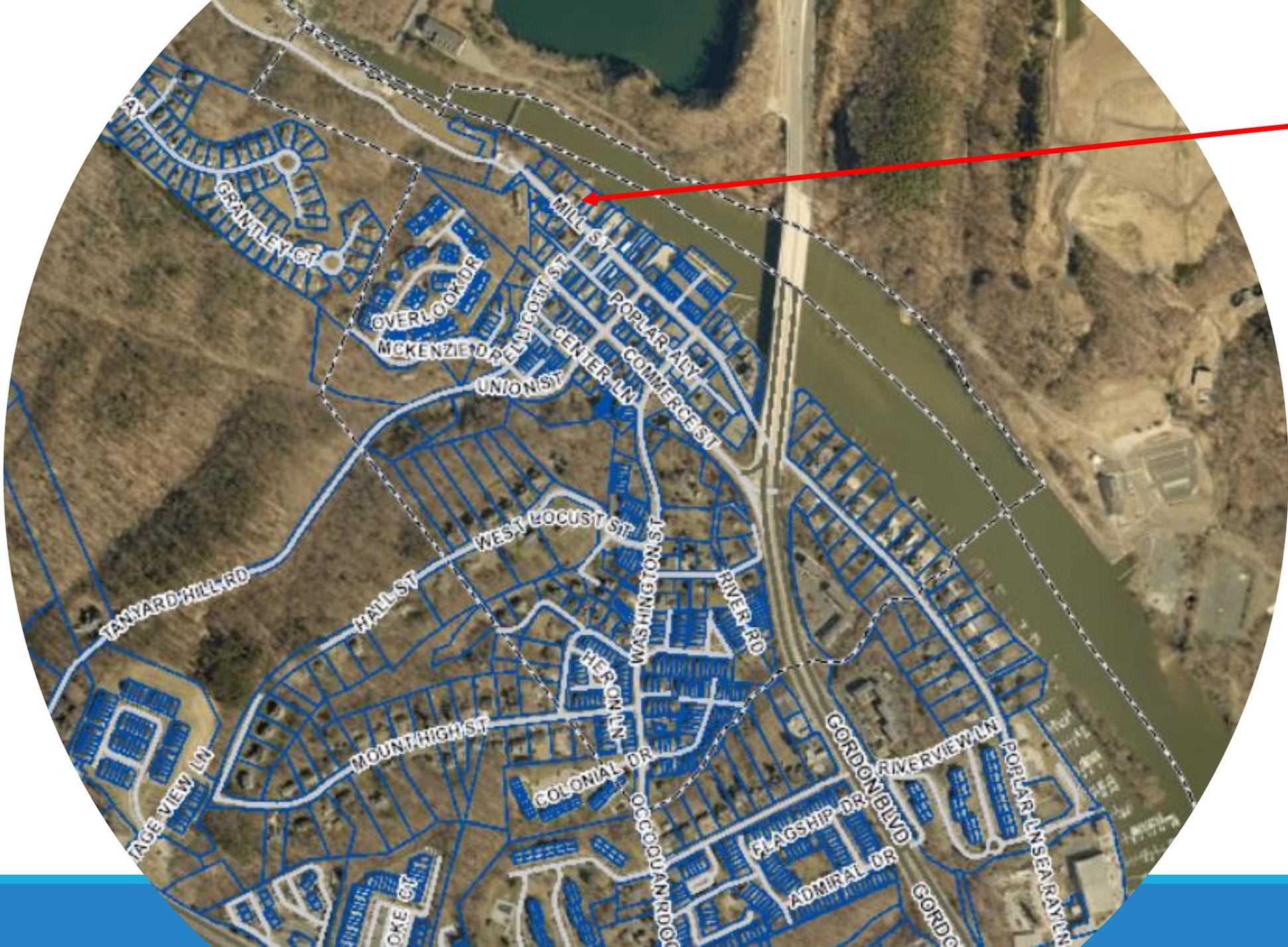
- two (2) full stories of below ground parking
- one (1) level of commercial with parking
- three (3) levels of residential
- riverfront access and extension of River Walk boardwalk



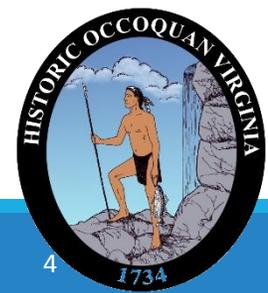
Project History

- This is the 7th submittal of the Mill at Occoquan development
- Planning Commission held a public hearing on the 6th Submittal on January 26, 2021, and recommended approval with conditions
- Applicant revised the Special Exception Applications for Height and Residential, and withdrew the Application for Setback
- The most significant changes in the 7th submittal include:
 - Eliminated one floor of the building and roof-top observation deck
 - Increased setback
 - Reduced residential unit count from 80 to 52
 - Reduced building height from 79 to 55 feet
 - Reduced total commercial square footage
 - Eliminated bump-outs along proposed Riverwalk





Site

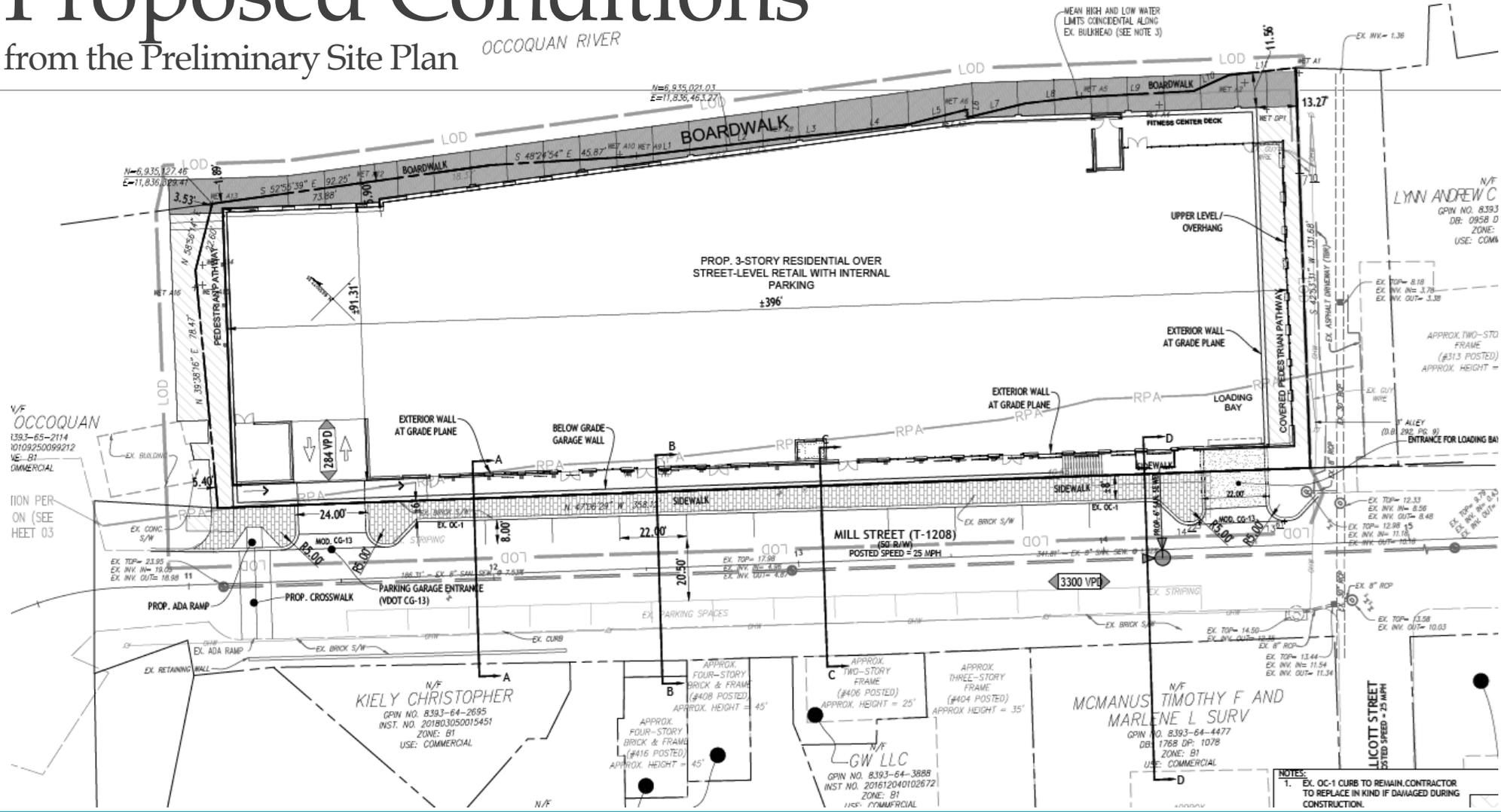




Proposed Conditions

from the Preliminary Site Plan

OCCOQUAN RIVER



NOTES:
1. EX. OC-1 CURB TO REMAIN. CONTRACTOR TO REPLACE IN KIND IF DAMAGED DURING CONSTRUCTION.



B. Description of Petition

Applicant requests approval of the Preliminary Site Plan and two (2) Special Use Permits for uses permitted only as special exceptions, as follows:

Special Exception Request	Code Reference
52 multifamily residential units within the B-1 District	§157.121(B)(4)
Proposed average building height to a maximum of 55 feet	§157.124



C. Applicable Regulations

1. Chapter 150 – Buildings and Building Regulations
2. Chapter 151 – Floodplain Management
3. Chapter 152 – Erosion and Sediment Control
4. Chapter 153 – State Stormwater Management Program
5. Chapter 155 – Site Plan
6. Chapter 157 – Zoning
7. Other Town Code Sections that may be applicable through construction and occupancy
8. Town of Occoquan Comprehensive Plan (for Special Exception requests)

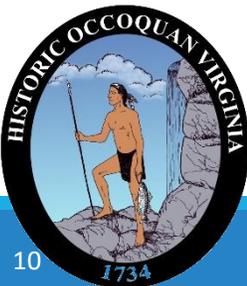


Future Action Required

1. Chapter 151 – Floodplain Management
2. Chapter 152 – Erosion and Sediment Control
3. Chapter 153 – State Stormwater Management Program
4. Chapter 155 – Site Plan
5. Chapter 157 – Zoning

The Town administers the Virginia Stormwater Management Program (VSMP), as provided by the Virginia Department of Environmental Quality for the protection of the Chesapeake Bay (Chapter 153). In addition, the Town routinely inspects active construction projects for compliance with the Erosion and Sediment Control chapter of the code for the effectiveness of the installed devices.

The floodplain impacts will be reviewed and approved by the Federal Emergency Management Agency (FEMA), through submission to the Town.



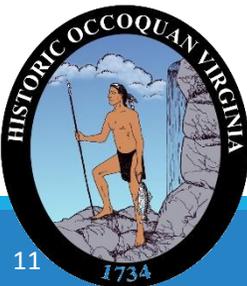
Excerpt from Chapter 157: Special Use Permits

§ 157.240 GENERALLY.

Special use permits, as specified in this chapter, may be authorized by the Town Council in the district indicated, upon a finding that the use will not be detrimental to the character and development of the adjacent land and will be in harmony with the purposes of the town's plan of land use. (1998 Code, § 66-301) (Ord. passed 9-5-2017)

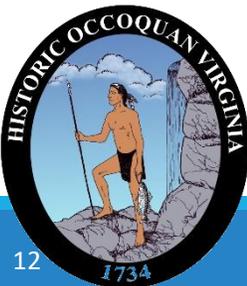
§ 157.242 REVIEW AND APPROVAL PROCESS.

(D) The Zoning Administrator shall report to the Planning Commission regarding the application before the opening of the public hearing and provide a recommendation, citing appropriate principles of zoning practice and applicable provisions of the Comprehensive Plan; however, failure of the Zoning Administrator to perform this duty shall not affect the authority of the Planning Commission or Town Council to take action or the validity of that action.



Analysis of Existing Conditions

- a. Site Area: ±0.9494 acres (±41,355 square feet)
- b. Use: Mixed Use including residential, restaurant, and retail/commercial
- c. Zone: B-1
- d. Location: North side of Mill Street between Ellicott Street and cul-de-sac
- e. Buildings: Three structures and metal scaffolding (formerly for boat storage)
- f. Access: VDOT right of way (Mill Street)
- g. Overlay Districts: Old and Historic District
NOVA Arts and Cultural District
Chesapeake Bay Preservation Overlay District



Impact Analysis - Height

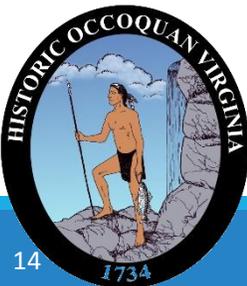
The proposed increase in height would have several effects on the immediately adjoining properties and the Town as a whole.

1. One of these impacts would be to **change the scale of the Town** by creating a building taller than any other structure in the Town.
2. Future requests for Special Exceptions to that height, if granted, would further change the look and feel of the Town and especially of Mill Street. Compared to a by-right development at 35 feet height, **the proposed structure would block views of the river for more residents.**
3. **The proposed structure would also block light and air for pedestrians and motorists on Mill Street.** Although the variety of facades would create the appearance of separate buildings, the building as a whole would be noticeably different from the existing landscape of individual buildings of differing sizes, ages, and styles, thus changing the character of the area.



Impact Analysis - Residential

1. The proposed residential use above the ground floor would tilt the character of Mill Street away from commercial and toward residential uses.
2. Once the residential units are built, it is unlikely that the space they occupy would be available for commercial use for the lifespan of the building.
3. Adding more new residents would create additional demand for Town services.
4. The Applicant has provided an estimate of tax revenue to the Town of \$36,000 per year in real estate taxes (based on a building valuation of \$30,000,000) and \$25,000 to \$30,000 per year in meals tax (based on gross revenue from the restaurant of \$850,000 to \$1,000,000) but did not provide a detailed pro forma to support those estimates.



Analysis of Submitted Preliminary Site Plan

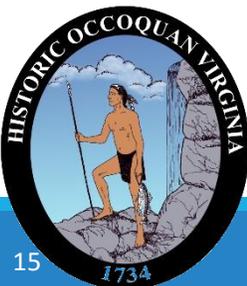
Use	Floor Area of Use	Unit Type	Parking Required Chapter 157.195-199	Parking Provided
Commercial	6,442 square feet	Retail/Restaurant	6 spaces^	10 spaces~
Residential	109,500 square feet	52 residential units	151 spaces	133 spaces
Total	198,846 square feet**		157 spaces	143 spaces*

*Includes seven (7) ADA spaces and eleven (11) Compact spaces per plan. The Zoning Ordinance requires a total of 157 parking spaces, so code requirements are not met with Staff's count. The ADA requirement is met (7 provided, 5 required), and the compact spaces do not exceed the allowable count (7% provided, 30% allowed).

^The Town Code does not require parking spaces for restaurants with less than 50 seats within the Old and Historic Occoquan District.

**Includes parking.

~Sheet 5 Parking Computations identifies these spaces as 'shared commercial / public / residential parking.'



REQUIRED PARKING:

- (12) 1-BEDROOM UNITS @ 2 SP/UNIT = **24 SPACES REQUIRED**
- (34) 2-BEDROOM UNITS @ 3 SP/UNIT = **102 SPACES REQUIRED***
- (5) 3-BEDROOM UNITS @ 4 SP/UNIT = **20 SPACES REQUIRED***
- (1) 4-BEDROOM UNITS @ 5 SP/UNIT = **5 SPACES REQUIRED***

COMMERCIAL SPACE AND RESTAURANT SPACE

1,748 GSF COMMERCIAL SPACE @ 1 SPACE / 800 NSF

4,694 GSF RESTAURANT SPACE @ 1 SPACE / 800 NSF (SEE NOTE BELOW)

6,442 TOTAL GSF * 0.75 = 4,832 NSF / 800 = 6.04 SPACES --> ROUNDS TO **6 SPACES REQUIRED**

TOTAL REQUIRED PARKING PER TOWN CODE = 157 SPACES

* A PARKING MODIFICATION IS REQUESTED TO PERMIT UNITS WITH TWO (2) OR MORE BEDROOMS TO PARK AT A REQUIRED PARKING RATE OF 2.8 SPACES/UNIT.

(12) 1-BEDROOM UNITS @ 2 SP/UNIT = **24 SPACES REQUIRED**

(40) 2-BEDROOM UNITS @ 2.8 SP/UNIT = **112 SPACES REQUIRED***

COMMERCIAL SPACE AND RESTAURANT SPACE = **6 SPACES REQUIRED**

TOTAL REQUIRED PARKING WITH PARKING MODIFICATION = 142 SPACES

PROVIDED PARKING:

DEDICATED RESIDENTIAL PARKING: 133 SPACES (INCL. 6 ADA SPACES) [2.56/UNIT]

SHARED COMMERCIAL/PUBLIC/RESIDENTIAL PARKING: 10 SPACES (INCL. 1 ADA SPACE)

TOTAL PARKING PROVIDED: 143 SPACES

COMPACT PARKING SPACES PROVIDED = 11

PERCENTAGE OF TOTAL PARKING = 11 / 143 = 7.7%

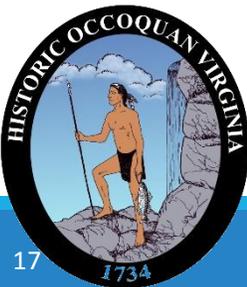
Parking Computations

From Sheet 05 of the Preliminary Site Plan



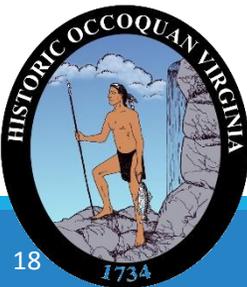
Parking Analysis

- Applicant requested a parking modification to reduce the total parking spaces required by Town Code
- There are no provisions in the Town Code that allow a reduction in the number of required parking spaces
- The Zoning Administrator may consider allowing parking spaces to be shared cooperatively between two uses, and/or allow nonstandard spaces, such as tandem spaces
- The Applicant will be required to provide the Town Code required parking at the time of Final Site Plan. This can be done through a combination of:
 - a. approval of cooperative parking spaces
 - b. added spaces
 - c. conversion of standard spaces to compact spaces
 - d. approval of non-standard spaces
 - e. reduction in the bedroom count



Staff and Outside Agency Analysis

- a. Town staff recommended multiple issues be addressed at Final Site Plan submission
- b. Comments from the Prince William County Service Authority (PWCSA)
- c. Comments from the Virginia Department of Transportation (VDOT)



E. Comprehensive Plan Review Special Exception Requests

There are two special exceptions requested with this application:

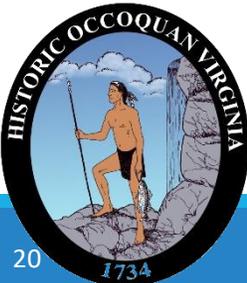
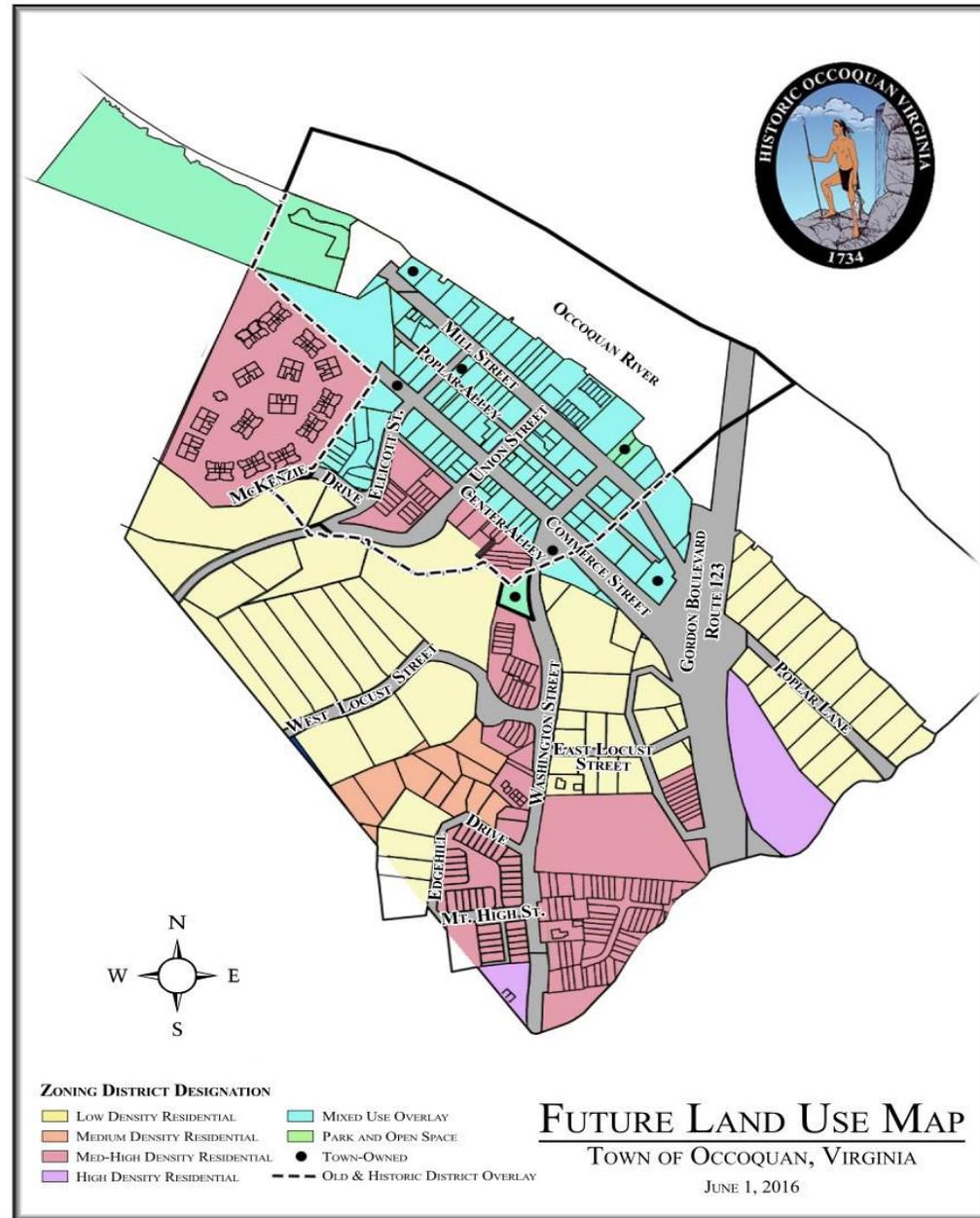
- SE2018-01 (residential in B-1)
- SE2018-03 (building height)



Town of Occoquan Comprehensive Plan Vision 2026

The Mill at Occoquan is
within the Mixed-Use
Overlay

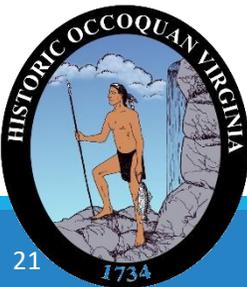
2016-2026 Comprehensive Plan,
Vision 2026) was adopted by the
Town Council on August 2, 2016
and amended October 18, 2016



Comprehensive Plan Goals

1. Community Character & Community Life
2. Circulation & Mobility
3. Economic Vitality & Diversity
4. Environmental Stewardship
5. Regional Coordination

These goals are intended to be implemented through the application of 58 Action Items from Chapter 9, beginning at page 52 of the Comprehensive Plan, among other methods.

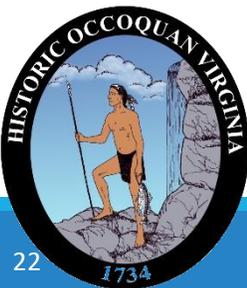


SE2018-01

Residential in B-1

The project, as proposed, includes 52 residential units as part of a mixed-use development on the property.

Any residential use in the B-1 district is limited to floors above the ground floor and requires a Special Use Permit.



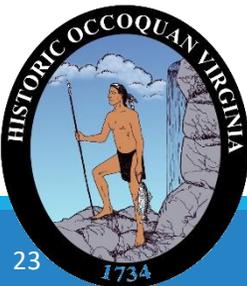
SE2018-03

Building Height

As proposed, the height for the Mill at Occoquan, as it faces Mill Street, ranges from 41.3 feet at the northwest corner to 61.2 feet at the southwest corner. The request with this Special Exception is for a maximum of 55 feet, average around the building.

From § 157.008 DEFINITIONS.

BUILDING, HEIGHT OF. The vertical distance measured from the average elevation ten feet out from the finished grade adjoining the building on all exterior walls to the highest point of the roof for a flat roof or to the mean elevation between the main eaves and highest ridge or point of other types of roof. The term ACTUAL HEIGHT OF BUILDING as used in this chapter shall not be deemed to include any part of a building wall erected above a flat roof for the purpose of creating a false mansard or parapet to screen rooftop mechanical equipment or housings from public view.



SE2018-03

Building Height

Maximum building height allowed in the B-1 District is 35 feet with two exceptions:

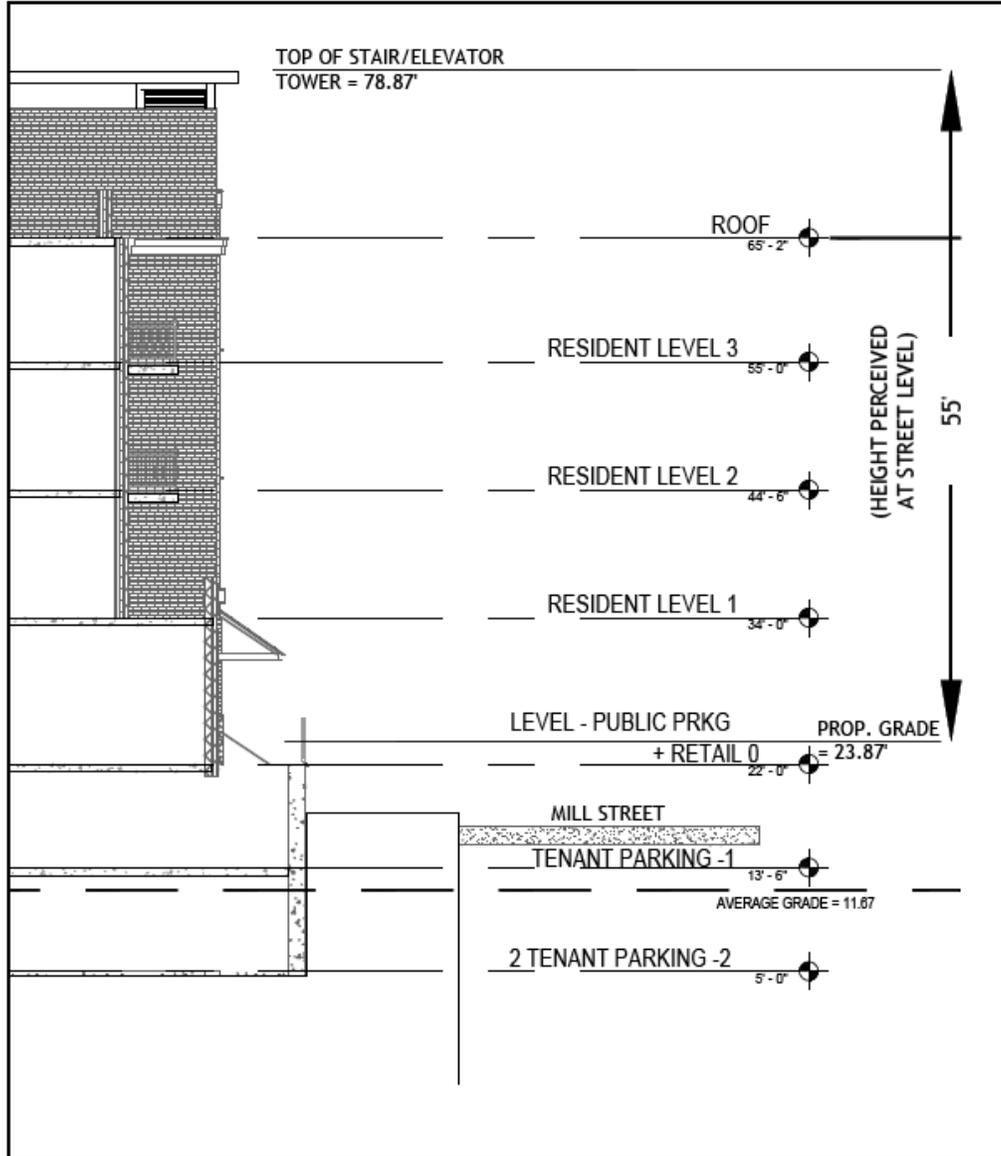
- 60-foot maximum height for public and semipublic buildings subject to increasing the front, side and rear setbacks in an amount equal to the increase in height over 35 feet
- By special use permit

Perceived Height Comparisons

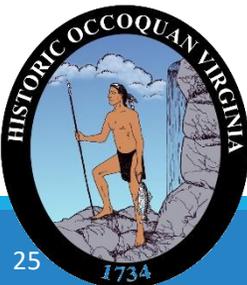
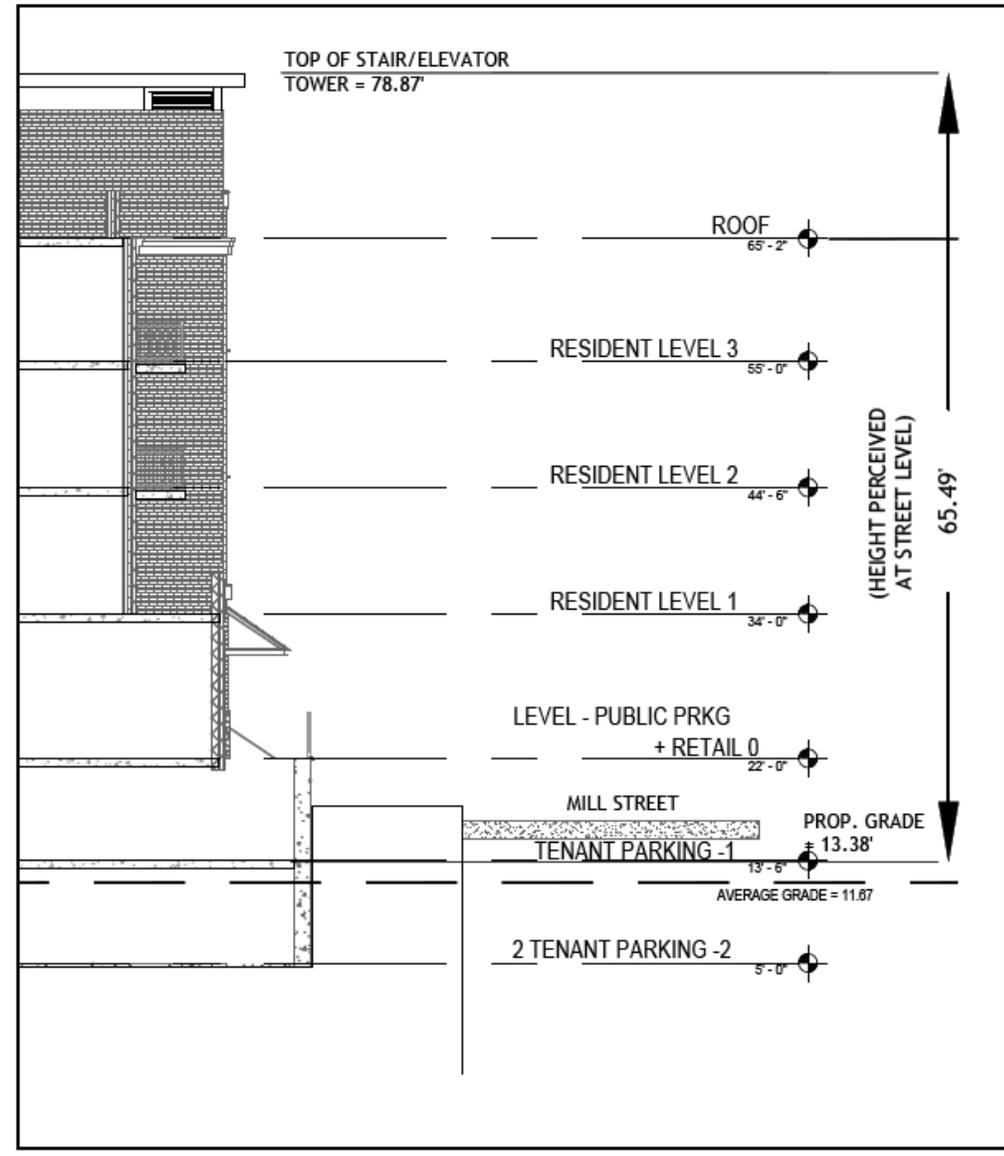
- Approximate height of Gaslight Landing as it faces Mill Street is between 43 and 46 feet
- Requested building height for the Mill at Occoquan exceeds the maximum 60 feet anticipated for public or semipublic buildings as described in Section 157. 124 (A)
- Recent construction of a four-story single-family detached home on the opposite side of Mill Street set a precedent for height above Mill Street. Those buildings, while within the 35-foot height limit based on the Town definition, rise above the street level to a height of approximately 45 feet.



NORTH-WEST
CORNER SECTION
1"=10'



SOUTH-WEST
CORNER SECTION
1"=10'





GASLIGHT LANDING

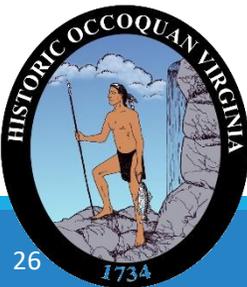


MILL STREET RETAIL



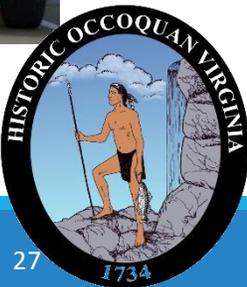
THE MILL AT OCCOQUAN

Comparison Rendering
Provided by Applicant



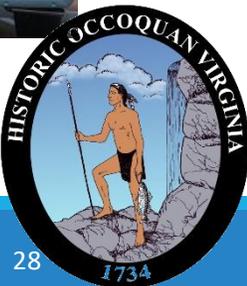


Current Building Rendering
Provided by Applicant





Building Rendering as Presented to the Planning Commission
Provided by Applicant

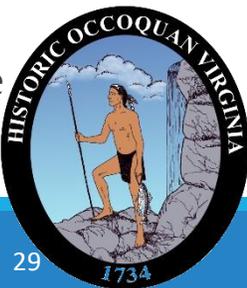


Impact Assessment and Mitigation Options Table

For each special exception, the table included on pages 14 – 17 of the staff report assesses the impacts and possible mitigation options for the five main Comprehensive Plan Goals and sub-categories.

The table:

- Addresses each of the Comprehensive Plan's Five Main Goals
- Reviews each of the Goal's Action Items (58 Items total) and relates them to impact analysis in the staff report
- Identifies whether a particular SE is
 - In compliance with the Plan (C)
 - NOT in compliance (N)
 - Mitigation proposed by Applicant (M)
 - Has no relationship to the Plan (Blank)
- References potential conditions which could mitigate impacts, which are listed on page 18-19 of the staff report



Impact Assessment and Mitigation Options Table

Excerpt from Staff Report

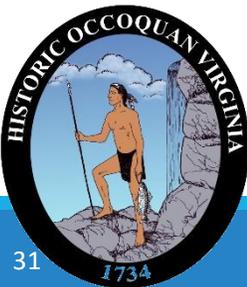
See Staff Report for Full Analysis

Plan Goals	SE2018-01 (residential in B-1)	SE2018-03 (building height)	Mitigation of Identified Impacts/Explanation
Housing and Housing Affordability			Addition of multifamily adds diversity and options for affordability. - No mitigation required.
Neighborhood Preservation and Revitalization	C	N	The Plan calls for “continued recognition of the Town’s unique character combining residential and commercial development...” as well as access to the Occoquan River. - See Section D.2. (a) above, and conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15 below
Community Services and Facilities	C	M	“It is a priority to develop the infrastructure along the riverfront as a means of encouraging both residents and nonresidents alike to make the Town a unique destination to enjoy.” - See Section D.2. (a) above, and conditions 6, 7, 8, 9, 10, 11, 17, and 18 below
Parks, Open Space and Public Space	N	M	“It has been a priority to promote the expansion of the Town’s current Parks and Open Spaces...” The addition of a Riverwalk component affords public access to the river while maintaining the opportunity to extend the Riverwalk along the Town’s entire river frontage. - See Section D.2. (a) and (b) above, and conditions 5, 6, 7, 8, 14, and 15 below
Traffic	C		While this development will not have an impact on cut-through traffic from Northern Virginia to Lake Ridge it will generate its own traffic - the traffic generated by residential will be less than the same square footage of commercial space.
Parking	N		All parking for this project will be self-contained within the building, with minimal loss of parking on Mill Street. See condition 13 below, which the Final Site Plan will have to satisfy.



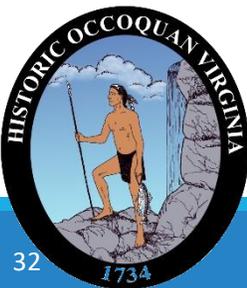
F. Conclusion

- Staff is recommending 18 conditions to mitigate the impacts of the proposed development as is required by the Zoning Ordinance and compatible with the Comprehensive Plan
- The Planning Commission adopted Resolution PCR-2021-01B, which included 20 conditions based on the 6th Submittal of the Special Exception applications
- The Planning Commission also recommended approval of a non-binding resolution regarding the extension of the Riverwalk beyond the edge of the property



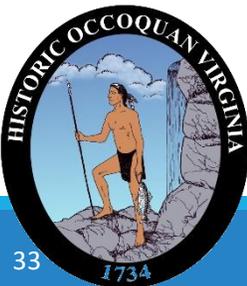
Staff Recommended Conditions

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.



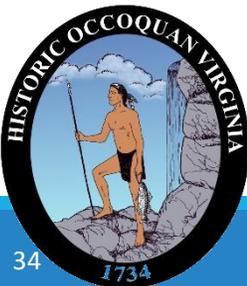
Staff Recommended Conditions

2. The total unit count is limited to 52 units in whatever bedroom count that can be parked within the proposed parking structure, in accordance with the Zoning Ordinance.



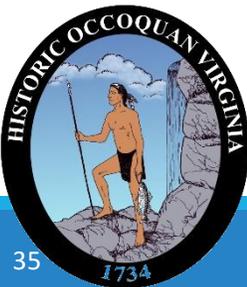
Staff Recommended Conditions

3. The building height shall not exceed 55 feet as building height is defined in the Zoning Ordinance.



Staff Recommended Conditions

4. The minimum commercial square footage shall be 6,442.



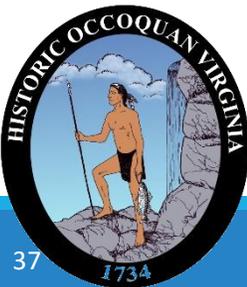
Staff Recommended Conditions

5. 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.



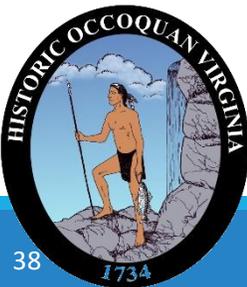
Staff Recommended Conditions

6. The Riverwalk 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 percent of the residential units. The width and length shall be as generally shown on the Preliminary Site Plan. 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.



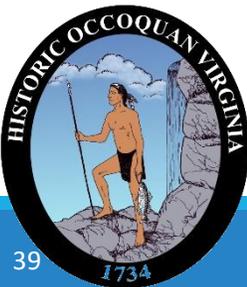
Staff Recommended Conditions

7. Free public access shall be afforded to the Riverwalk, except as permitted by the Town Manager with good cause shown.



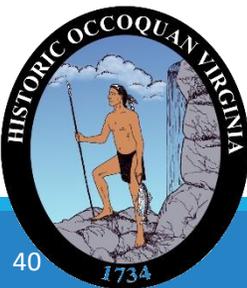
Staff Recommended Conditions

8. The Riverwalk 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.



Staff Recommended Conditions

9. On-street parking along Mill Street will be maintained to the greatest extent possible, including during construction.



Staff Recommended Conditions

10. Construction will be temporarily suspended at the request of the Town Manager for annual Town events as identified in advance by the Town Manager.



Staff Recommended Conditions

11. 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.



Staff Recommended Conditions

12. 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.



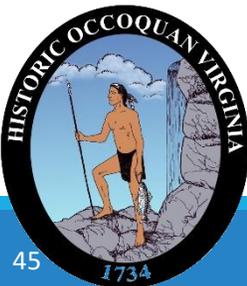
Staff Recommended Conditions

13. 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.



Staff Recommended Conditions

14. 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.



Staff Recommended Conditions

15. 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.



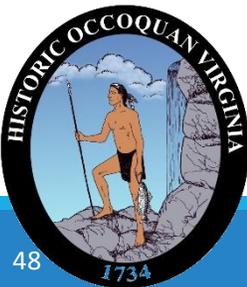
Staff Recommended Conditions

16. A turbidity curtain, along with additional erosion control measures will be required for development along the Occoquan River.



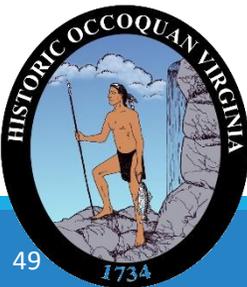
Staff Recommended Conditions

17. 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.



Staff Recommended Conditions

18. Applicant shall construct a hand launch boat/kayak ramp for public use accessible from the Riverwalk to be designed in coordination with the Town and installed at the time of the Riverwalk's completion.



Next Steps

- If the Town Council finds that these conditions **sufficiently mitigate** the impacts of the Special Exceptions as discussed in the Staff Report, then they should **approve the applications**.
- If the conditions **do not sufficiently mitigate** those impacts, then the Town Council should **deny the applications or adjust conditions** to achieve sufficient mitigation.

