

DATE: 12/17/24

TO: Rob Kerns, Development Division Chief ^{RMK}
Department of Planning and Zoning

FROM: Alexa Powell, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2024-00068
Administrative Review for Minor Amendment
Site Use: Business Professional Office
Applicant: Five Guys Enterprises, LLC represented by Robert Brant, attorney
Location: 1940 Duke Street (Also the area bounded by Duke Street to the north,
Holland Lane to the east, Eisenhower Ave to the south and Mill Road to the west
known as the Carlyle Development)
Zone: Coordinated Development District #1 / Duke Street

Request

Administrative Special Use Permit #2024-00068 request for a minor amendment to Condition #6 in Coordinated Sign Permit SUP#2007-0107 to allow illuminated signs above 35 feet for business and professional office uses.

Background

On April 18, 1990, City Council approved the original Special Use Permit (SUP #2253) which created the Carlyle development. On September 13, 1997, City Council approved a Coordinated Sign Program (SUP #97-0074) aimed to reinforce a cohesive vision and distinct sense of place for the Carlyle neighborhood. On May 16, 1998, the Coordinated Sign Program Special Use Permit was amended (SUP #98-0023) to establish additional criteria for signs in Carlyle. The Special Use Permit was later amended on September 13, 2008 (SUP #2007-0107) to increase the amount of signage, streamline the process through administrative review, and allow for illumination of specific types of signs.

In 2023, the applicant submitted a request for an illuminated wall sign above 35 feet associated with the Five Guys Headquarters relocation to 1940 Duke Street. At that time, Planning & Zoning staff indicated to the applicant that the proposed illuminated sign did not meet Condition #6 of the Carlyle Coordinated Sign Program (SUP#2007-0107). At that time, the applicant opted to revise their sign permit application to eliminate the illumination from the sign request and the sign permit was issued.

The applicant is now seeking this minor amendment to the Coordinated Sign Program SUP to revise this condition which would expand illuminated signage higher than 35 feet to business and professional office uses like the Five Guys headquarters office. As part of the application review staff determined there are no outstanding zoning enforcement actions or zoning violations associated with the subject property.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Carlyle Community Council was sent an e-mail with information about the current application.

Staff received a letter from the President of the Carlyle Community Council dated November 19, 2024 requesting that the City to limit approval of an illuminated sign above 35 feet to this specific applicant, and that it should require Carlyle-Eisenhower East Design Review Board (DRB) review in all cases. The rationale for this request was: 1) that all signs should be carefully considered on a case-by-case basis and 2) that this approach supports the Design Review Board's continued involvement in the process because of the important role they play in preserving the look and feel of the community.

In subsequent conversations with the Carlyle Community Council, staff elaborated on the potential requirements that applicants would need to follow to be eligible for administrative review (and to waive DRB review and approval). Staff pointed out that the requirements would be very similar to the ones already provided for several other uses under Condition #5. The Carlyle Community Council confirmed for staff on December 10th that it was comfortable with staff's approach to allow all uses in Carlyle to be eligible for illuminated signs over 35 feet and that such approval could be administrative if meeting the requirements in proposed Condition #6.

Staff Action

Staff supports the applicant's request to change Condition #6 to allow illuminated signs above 35 feet for business and professional office uses throughout Carlyle. The Carlyle Coordinated Sign SUP currently only permits this type of sign for hotel uses. However, staff finds the potential impacts of an illuminated sign are the same regardless of the principal use of the building. In addition to allowing illuminated signs over 35 feet for hotel and now business and professional office uses, staff further recommends amending Condition #6 to remove any use-based limitations on illuminated signage.

Staff is also recommending any application for illuminated signs above 35 feet be reviewed administratively with approval by the Director of Planning & Zoning instead of the Carlyle Design Review Board. Such administrative approval could only occur if an individual sign meets specific requirements in amended Condition #6. One of these requirements already exists in the condition that illuminated signs "not have an adverse impact on adjoining residential uses, park or roadways". In addition, staff has added new requirements for illuminated signs over 35 feet that match those required in Condition #5 for retail storefront signage. For instance, such signs would need to be back-lit or halo-lit and constructed using durable materials and finishes. This revision aims to improve Alexandria's responsiveness to the needs of the business community by improving efficiency, reducing delays, and making consistent decisions in alignment with the conditions of the Coordinated Sign SUP. Furthermore, this action is consistent with the review process for other similar signs including internally or externally illuminated projecting signs, wall signs for retail, professional or hotel uses (following minimum criteria and conditions), and illuminated parking signs all of which are permitted with approval by the Director of P&Z for properties in Carlyle.

Proposed signs that don't meet the size limitations in the zoning ordinance or one of these criteria would retain the ability to request those signs but need approval from the Design Review Board. Those signs that comply could be reviewed administratively, substantially reducing the amount of time an applicant has to wait for sign approval and allowing the Board to focus on the larger issues in Carlyle, such as building design.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 12/17/24
Action: Approved



Rob Kerns, Development Division Chief

Attachments:

- 1) Special Use Permit Conditions
- 2) City Department Comments
- 3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2007-0107

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

VI. CONDITIONS

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

1. No more than one real estate sign shall be permitted for a single project, unless that project has frontage on two or more streets, in which case two real estate signs shall be permitted, if approved by CDC, at the locations designated in the coordinated sign guidelines. (P&Z)(SUP98-0023)
2. Awnings shall be permitted to project up to four feet without Design Review Board (DRB) review. Greater projections require DRB approval. Greater projections which encroach into the public street easements may also require City Council approval of an encroachment. (P&Z) (SUP98-0023)
3. Illustrate the Carlyle Sign Guideline text, similar to the *Carlyle Streetscape Design Guidelines*, to the satisfaction of the Director of Planning and Zoning. (P&Z)(SUP98-0023)
4. Business Names/Logo Signs shall be no larger than otherwise allowed in the Zoning Ordinance except that all retail and hotel uses shall be allowed 1 sf of sign area per linear foot of tenant storefront or 50 sf of signage, whichever is greater. The Design Review Board may approve signage for retail and hotel uses up to 2 sf per linear foot of frontage. (P&Z)(SUP98-0023)
5. Retail, professional, and hotel signage may be permitted administratively by the Director of P&Z subject to the following minimum criteria and conditions. Applicants who do not agree with staff's decision may appeal to the Design Review Board.
 - a. Signs shall be constructed of durable quality materials and finishes. Natural construction materials are desirable.
 - b. Sculptural and dimensional signs shall be provided to the extent possible and graphics with depth shall be provided to the extent possible.
 - c. Back-lit, halo-lit illumination or reverse channel letters with halo illumination are encouraged for lighting purposes.
 - d. Condition deleted.
 - e. Letters and graphics mounted directly into building facades shall be pin mounted at least 2 inches from the surface onto which the sign is mounted and provide dimensional returns.
 - f. Modifications to logos and corporate identifiers may be required to fit attractively on the building storefront.

- g. The scale of signs shall be appropriate to the building/storefront on which they are placed.
- h. Awnings shall be constructed of natural materials, such as canvas or metal.
- i. Each retail tenant shall install a minimum of one sign for each storefront façade appropriate to the scale of each façade. In addition, each retail tenant shall provide a second pedestrian-oriented sign (e.g. projecting sign, flag, or window sign) unless otherwise approved by the Director of Planning and Zoning.
- j. Box signs are prohibited unless approved by the Design Review Board.
- k. Signs shall comply with the Carlyle Sign Design Guidelines. (P&Z)(SUP2007-0107)

6. **CONDITION AMMENDED BY STAFF:** With approval by the ~~Design Review Board~~ Director of Planning & Zoning, ~~hotel~~ signage above 35 feet may be illuminated subject to the following minimum criteria and conditions. Applicants who do not agree with staff's decision may appeal to the Design Review Board.

- a. Illumination does not have an adverse impact on adjoining residential uses, park or roadways.
- b. Signs shall be constructed of durable quality materials and finishes. Natural construction materials are desirable.
- c. Sculptural and dimensional signs shall be provided to the extent possible and graphics with depth shall be provided to the extent possible.
- d. Back-lit, halo-lit illumination or reverse channel letters with halo illumination encouraged for lighting purposes.
- e. Letters and graphics mounted directly onto building facades shall be pin-mounted at least 2 inches from the surface onto which the sign is mounted and provide dimensional returns.
- f. Modifications to logos and corporate identifiers may be required to fit attractively on the building or storefront.
- g. The scale of signs shall be appropriate to the building/storefront on which they are placed.
- h. Box signs are prohibited unless approved by the Design Review Board.
- i. Signs shall comply with the Carlyle Sign Design Guidelines. (P&Z)(SUP2007-0107)

7. With approval by the Design Review Board, retail and hotel signs may be located on a building face fronting a pocket park, provided the sign is located no higher than 50 feet above the lowest grade elevation directly below any point on the sign and is integrated with the design of the building and open space. The maximum allowable signage shall be 1 sf per linear foot of park frontage. (P&Z)(SUP2007-0107)

8. Projecting signs are encouraged and should be appropriately sized and proportional to the building and/or storefront. Signs projecting over the sidewalk shall be a minimum of eight feet (8') above the sidewalk and at least 14 feet (14') above a vehicular driveway. Projecting signs may be internally illuminated if approved by the Director of P&Z. Externally illuminated projecting signs shall have lighting fixtures that are complementary

and integrated into the storefront design. (P&Z)(SUP97-0074)

9. Illuminated parking signage for a building and/or parking area may be permitted by the Director of P&Z. (P&Z)(SUP2007-0107)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

No comments were received from other departments regarding this request.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2024-00068. The undersigned also hereby agrees to obtain all applicable permits required for the illuminated sign at 1940 Duke Street.

J. K. Murrell ^{oe/1/25}
Applicant - Signature

1/2/2025
Date

Jane K. Murrell
Applicant - Printed

1/2/2025
Date