

RIVERGATE OWNERS ASSOCIATION, INC.

POLICY RESOLUTION NO. 2-2

As Amended and Restated by the Board of Directors on **February 19, 2019**

GUIDELINES AND STANDARDS GOVERNING REQUESTS FOR CHANGING  
TOWNHOUSE EXTERIORS AND SURROUNDINGS

WHEREAS, Article III, Section 4 of the Declaration of Covenants and Restrictions of Rivergate Owners Association, Inc. requires and authorizes the Board of Directors to establish an Architectural Review Committee; and

WHEREAS, the Board of Directors has appointed the membership of the Architectural Review Committee pursuant to the documents; and

WHEREAS, Article III, Section 4(b) of the Declaration charges the Architectural Review Committee with certain duties; and

WHEREAS, the Architectural Review Committee is charged with the duty to regulate the external design and appearance of the Property and improvements thereon in such a manner as to ensure a harmonious relationship among the improvements on the Lots and the natural vegetation and topography; and

WHEREAS, the Architectural Review Committee believes that it is imperative that the Committee and the residents have a common understanding of the Guidelines which the Architectural Review Committee will employ; and

WHEREAS, the Board of Directors deems it advisable to have an established procedure for the proposal and consideration of specific architectural changes and/or improvements to be followed by the owners; and

WHEREAS, the Board of Directors deems it advisable to promulgate these Guidelines into a Resolution as permitted by Article VII, Sections 7.1 and 7.2 of the Bylaws; and

WHEREAS, the wooden fences, gates, and related patio and fence hardware on all Rivergate homes are now more than twenty years old and in varying states of disrepair, decay, and non-compliance with current standards; and

WHEREAS, the Board of Directors wishes to maintain an upscale community appearance in keeping with the rising property values and competitive real estate development in the general vicinity of Rivergate,

NOW, THEREFORE, be it known that the following Guidelines are proposed by the Architectural Review Committee and approved by the Board of Directors:

This Resolution describes the procedure homeowners must follow to obtain approval for any exterior change to townhouse or surroundings. The Architectural Review Committee (ARC), the first rung in the approval ladder, has established categories of changes which it is predisposed toward approving or disapproving. As an aid to the homeowner community, the ARC has formalized these categories and they have been reviewed and accepted by the Board of Directors. The ARC originally adopted categories of changes after analyzing the results of the survey attached to the October 1997 newsletter of the Association, and talking personally to homeowners at the November 1997 Annual Board Meeting, at which survey results were presented, after conferring with representatives of the Alexandria Planning and Zoning

Department, and after discussions with the Board of Directors. At its meeting on October 6, 1998, the Board of Directors reviewed the guidelines and standards developed by the ARC and formally adopted Policy Resolution No. 2-2, "Guidelines and Standards Governing Requests for Changing Townhouse Exteriors and Surroundings".

This Resolution updates and restates the Guidelines and Standards contained in Policy Resolution No.2-2 to take into account the experiences of the ARC in dealing with requests for changes requested since 1998.

Any alteration or change to the exterior structure or visual appearance of the townhouses or surrounding private property must be pre-approved by the Board of Directors. The homeowner accomplishes this by first obtaining an ARCHITECTURAL CONTROL FORM from the Management Company, the form is also available for downloading from the Association website ([www.sentrymgt.com](http://www.sentrymgt.com)). The homeowner completes the form, attaches supplemental documentation to explain particulars of the desired alteration, and submits the form to the Management Company. The request for approval will be reviewed by the ARC, resulting in a recommendation to the Board for approval or rejection of the request. The recommendation is noted on the form and signed by a representative the ARC, and then the form is submitted to the Board. The Board will review the request and the recommendation of the ARC at a subsequent meeting of the Board, and vote for approval/disapproval of the request. There is an appeal process for homeowners who feel a rejection is unwarranted and should be overturned.

Homeowners should realize that approval by the Board does not constitute relief from regulatory oversight by the City of Alexandria. As stated in the Special Use Permit for the Rivergate complex, "All exterior building improvements shall require the approval of the Director of Planning and Community Development if such improvements are minor in nature or City Council if such improvements are major in nature as determined by the Director.

As a practical matter, City approval for some changes of a minor nature may be sought once for the complex as a whole. When appropriate, the ARC will pursue group approvals of this type in concert with aiding one or more homeowners to obtain City approval after obtaining Board approval.

After meeting with city planners on these matters, the following considerations appear to be within the practical jurisdiction of the Rivergate Owners Association. This means, in the opinion of the ARC, approvals for change arrived at through the process described above, except as noted, can be assumed to be in compliance with city regulations, obviating the need for explicit approval from city authorities.

Homeowners should be aware that Article III, Section 4(e) of the Declaration requires that any structural changes approved by the ARC and the Board of Directors must be commenced within sixty days of that approval, and be substantially completed within six (6) months of that same date of approval, or within such other period as the ARC shall specify in its approval. Should the work not commence within the (60) day period after the approval, the prior approval will be deemed to have lapsed, and a new request subject to these Guidelines and Standards will have to be submitted by the owner.

#### Outside trim, doors and fences

Painting and maintenance of exterior trim in the ordinary course of performing maintenance does not require approval by the Board. However, any change in the material, color or appearance of outside trim, siding or doors does require Board approval, and hence requires the submission of an ARCHITECTURAL CONTROL FORM to the ARC.

Homeowners should understand that the ARC is predisposed against any change in the material, color or appearance of outside trim, siding or doors. In particular, exterior brick, stone or siding may not be painted, and replacements must be similar in material and appearance to original items.

The approved exterior paint and trim colors are set forth in the memorandum to All Rivergate Residents dated November 28, 2014. The chart attached to the memorandum specifies the door and trim colors for each Rivergate townhouse. The memorandum and chart are posted on the Rivergate HOA page of the Sentry Management website ([www.sentrymgt.com](http://www.sentrymgt.com))

Homeowners should prevail upon the ARC to help them determine the proper combination of colors whenever they patch or repaint exterior surfaces.

#### Awnings

The ARC looks favorably on the use of awnings in limited circumstances. However, the only awnings that will be approved routinely by the ARC will be retractable, made of cloth and of dark green color to match those already installed. The color (s) must be harmonious with the exterior color scheme, enabling the awning to enhance the visual experience of passers-by. The ARC is predisposed to approve awnings to be installed over rear windows and doors, particularly for screening patios from the elements. The ARC generally will not approve awnings over windows in the front of any townhouse. Also, awnings must be kept in good repair, or else they must be removed.

#### Patio area improvements

Requests for improvements within private patio areas that are no higher than two feet off the ground can expect approval by the ARC. Any such improvement is not subject to approval by City officials. Use of storage sheds, or any other fixed structure generally, will not be approved by the ARC, nor are they permitted under City regulations. Patios are not to be used as storage areas.

#### Attic fans, Skylights, Air Conditioner's

Attic fans and skylights generally will not be approved by the ARC, with one exception. So-called "Gadsby" townhouses deserve special consideration since they are served by a one-zone HV AC system. The ARC understands that attic fans may be necessary for many of these homeowners to obtain adequate temperature control of the upper floor. If this is the judgment of Gadsby homeowners, the ARC will cooperate with Gadsby homeowners to accommodate their needs. The ARC requests that Gadsby homeowners deciding to install attic fans work together to limit the variety and roof location. The installation of an attic fan will require minor amendment to the site plan, which the ARC will help obtain for the applicable group of townhouses.

Window-installed air-conditioners are not permitted.

#### Stoops, Railings, Etc.

Significant cracks or structural damage must be repaired as soon as possible. Concrete may not be covered, painted or colored. All railings must be painted in Sherwin Williams Direct-To-Metal Gloss in #980 black and kept in good repair.

Planters, flower pots, and window boxes are permitted although the Homeowners' Association employs a snow removal contractor to shovel and de-ice sidewalks; homeowners are ultimately responsible for keeping sidewalks clear of snow, ice and other obstructions and hazards.

### Screen/Storm/Security Doors

Screens/storm/security doors must be kept in proper repair. Requests to install new screen doors must be submitted to and approved by the ARC. Alexandria City Police recommend internal security bars on sliding glass doors and pins in most ground level windows. The ARC follows this recommendation. All other systems must be approved by the ARC. (Also see#13)

### Walls, Fences and Gates

Homeowners are responsible for maintaining their walls, fences, and gates in proper repair and in compliance with published standards.

Proposed changes to, or new construction of, walls, fences, or gates must be submitted to the ARC for approval. No additional structures may be permanently or temporarily affixed to, or placed atop the exterior of walls, fences, or gates. This includes, but is not limited to, flower pots, planters, decorative items, or the like.

Caution must be exercised with any structure that rests against a wall, fence, or gate, so as not to cause damage or wood rot to these structures. For example, raised garden bed material such as soil or mulch must not touch wooden surfaces.

Effective 2019, the standard for fences, gates, walls, and associated hardware is as follows:

**A. For all homes facing the Potomac River** (lots 23, 24, 25, 26, 27, 28, 29, 44, 45, 46, 47, 48, 49, 50):

No changes required to current configurations.

Residents are reminded to paint all steel railings and balcony fences in Sherwin-Williams Direct-to-Metal gloss in #980 Black.

**B. For all homes facing Madison and Montgomery Streets** (lots 1, 2, 3, 4, 5, 6, 7, 8, 51, 52, 53, 54, 55, 56, 57, 58):

Gates: Arched 3' wide x 6' high gate composed of premium northern white cedar in a tongue-and-groove vertical slat design. Wood shall be painted with Sherwin-Williams "Super Paint" Exterior Satin Finish in #980 "Black".

Good-neighbor fences: 6' high fences composed of premium northern white cedar in a shadow box slat design. In the event of a brick wall between residence patios, the total height of the wall plus the good neighbor fence shall not exceed 6'. Wood shall be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

Brick wall tops shall be 20"-22" high ornamental steel with 3-rail flush bottom construction in "Bay Breeze" style and decorative rings, attached to brick, similar to current handrails. The steel shall be painted in Sherwin Williams Direct-To-Metal gloss in #980 Black.

**C. For all homes facing the Mount Vernon Trail** (lots 9, 10, 11, 12, 13, 30, 31, 32, 33, 34):

Gates: Arched 3' wide x 6' high gates composed of premium northern white cedar in a tongue-and-groove vertical slat design. Wood shall be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

Good-neighbor fences: 6' high composed of premium northern white cedar in a shadow box slat design and shall be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

Posts: shall be 6" square x 6' high with 6" pyramid caps, all composed of premium northern white cedar. Wood shall be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

Exterior fences: 5' high x home-specific width in a tongue-and-groove vertical slat design and associated 12" lattice-work fence top composed of premium northern white cedar. All wood – both fence and lattice top - shall be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

**D. For all homes with patios facing the community interior, otherwise known as the "Center Garden" (lots 14, 15, 16, 17, 18, 19, 20, 21, 22, 35, 36, 37, 38, 39, 40, 41, 42, 43):**

Gates: Arched 3' wide x 6' high gate composed of premium northern white cedar in a tongue-and-groove vertical slat design. Wood shall be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

Good-neighbor fences: 6' high fence composed of premium northern white cedar in a shadow box slat design. Wood shall be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

Exterior fences: 6' high x home-specific width composed of premium northern white cedar in a tongue-and-groove vertical slat design. Wood shall be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

Posts: shall be 6" square x 6' high with 6" pyramid caps, all composed of premium northern white cedar painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in # 7566 "West Highland White".

**E. For "Center Garden" homes facing Madison Place and Montgomery Place with brick walls (lot numbers 13, 18, 22, 30, 35, 40):** Brick wall tops shall be 20"-22" high ornamental steel with 3-rail, flush bottom construction in "Bay Breeze" style with decorative rings, attached to brick, similar to current handrails. The steel shall be painted in Sherwin Williams Direct-To-Metal gloss #980 Black.

**F. For all homes other than those facing Potomac River:**

Gate hardware and deadbolt lock in black matte finish as provided by approved vendor.

Deadbolt locks in brass, nickel or other metal finishes will not be approved.

Gates and fences may not have house numbers or any other signs attached, as this confuses home delivery drivers and results in packages being thrown over fences and onto residents' patios.

Optional: interior patio latticework panels shielding HVAC units are available from the vendor. These should be painted with Sherwin-Williams "SuperPaint" Exterior Satin Finish in either # 7566 "West Highland White" or #980 Black.

**G. Construction timeline:** Homeowners are encouraged to convert their properties to the new standard as early as is feasible, as this improves the value of their homes as well as the value of the Rivergate community. Homeowners will be required to convert to the new standard at the earliest of any of the following occurrences:

Property sale, inheritance, or other relevant change of ownership, or,

ARB citation that existing fence/gate/wall topper or hardware have deteriorated due to rot, decay, insects, or matters of structural integrity and safety, or,

As otherwise deemed appropriate by the Rivergate HOA Board of Directors, subject to any limitations of the Rivergate Governing Documents or applicable law.

#### **H. Approved vendor:**

Northern Virginia Deck & Fence, Inc.  
5704 General Washington Drive  
Alexandria, VA 22312  
[www.nvdeck.com](http://www.nvdeck.com)  
P: 703.354.9300

#### Exterior Wiring

Exterior wiring must be concealed, anchored and installed in compliance with all city and other applicable codes and regulations.

#### Hot Tubs

Ground level hot tubs are permitted under the following conditions: 1) installed on a prepared ground level surface, like concrete; 2) installed with a tight fitting, neutral-colored cover; 3) installed with sufficient privacy screening below the height of the fence, and 4) installed with a locking gate on the yard wall opening. Prior ARC approval is required.

#### Solar Panels

Requests to install solar panels must be submitted to the ARC for approval.

#### Ivy

While ivy is not prohibited, the ARC recommends against it because of its destructive effect on brick, siding and wood. If grown, ivy must not be visible from the outside.

#### Exterior Lights and House Numbers

Exterior light fixtures shall be in black metal. Approved styles are made by Hanover Lantern, Inc. The model name is Jamestown. For the front of the townhouses, use Model B93FSM; for the rear use Model B23FSM, and for the hanging fixtures in the entrance alcoves use either Model B3920, or Model B9420. See the memorandum to "Rivergate Residents" dated October 31, 2010 posted on the Association website ([www.sentrymgt.com](http://www.sentrymgt.com)).

Homeowners cited by the ARC before December 31, 2012, for having deficient brass light fixtures must replace their deficient fixtures with the new black models by the deadline set by the ARC in the citation notice. All other homeowners must replace their lights with the new black models no later than December 31, 2012.

Flood lights will not be approved.

Effective immediately, house numbers shall be rust-free hand-cast metal oval plaques measuring 12" wide x 6.75" high bearing 4" gold letters and outer trim with black painted background. The manufacturer is Whitehall Products and the product number is #31269. The product may also be ordered through [smartsigns.com](http://smartsigns.com) or several other retailers.

#### Windows, Sliding Doors and French Doors

Windows must be custom fit, not an off-the-shelf window retrofitted by using or making windows smaller than the original. They must be wood, vinyl-clad wood or all vinyl. The number of panes must be the same as the original window, with internal grids, either flat or architectural style, in white. The color of the replacement windows must be the same color as the exterior trim of the house. Windows must have screens.

Sliding doors must be white with internal grids of the same color. French doors must be the same color as the exterior trim of the house and exterior hardware must be either brass or polished nickel.

#### Trees and Shrubs

The care of trees located within a garden/patio area is the responsibility of the owner. Trees and bushes located within patios/gardens along Madison and Montgomery Streets, and by the railroad track, must be kept trimmed so as not to overhang fences.

#### Satellite Dishes

Resolution No.3, acceptance and "Guidelines for installing Direct Broadcast Service and Multichannel Distribution Service Antennas" adopted by the Board of Directors on April 10, 1993 is hereby incorporated herein by reference.

#### Roofing

Current (original) roofing is builder's grade traditional shingle fiberglass composition, 200 lbs. Per square; 20-year limited warranty, color Weathered Wood, or green and red metal.

REPLACEMENT roofing must be the same material as the current roof. Shingle roofs must be replaced by CertainTeed brand traditional shingle, fiberglass composition, 220lbs. per square, 25-year limited warranty, color Weathered Wood. Metal roofs must be replaced by metal roofs in the same color.

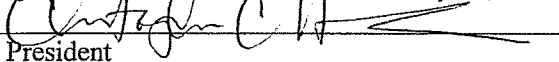
#### Garage Doors

Rivergate homeowners have been replacing their original wood paneled garage doors with metal doors. The ARC has approved replacement requests provided the replacement metal door looks substantially the same as the wooden garage door replaced, including the color and square patterns.

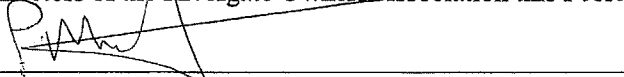
#### Exterior Shutters

The vinyl/plastic shutters can be special ordered from a home improvement store, for example Home Depot. It would be advisable to take in an old shutter so they can match the shutter exactly and have accurate measurements

These Guidelines and Standards are hereby adopted and restated by the Board of Directors of the Rivergate Owners Association this February 19, 2019.

By:   
President

I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Board of Directors of the Rivergate Owners Association this February 19, 2019.

By:   
Secretary