

02/23/2024

To: Alexandria City Council Members
Alexandria, VA

Subject: **Vote NO on Special Use Permit (SUP #2023-00076) – a follow-up**

Dear City Council Members,

Please accept this correspondence in addition to my prior letters on this matter, dated 11/7/2023 and 1/19/2024. I am once again writing to ask you to **VOTE NO on SUP #2023-00076**. Furthermore, I implore you to seriously re-evaluate any thoughts of support for this proposal for the multitude of reasons which have been brought up by myself and other owners & occupants of the adjacent properties on this block corner. Better yet, I invite you to come out and physically walk the lot yourself and talk to some of the folks that live here as you consider some of these arguments. To revisit and further clarify some of my concerns from prior letters:

Community Engagement:

Not to “beat a dead horse” here, but just so you can see this from our perspective (as the adjacent neighbors of 404A) to understand why we feel so jaded by how this all has been coordinated:

- *November 2, 2023*: The “coffee and donuts” meeting. Mr. Teran invited select neighbors to hear his proposed plan for the lot. As an immediately adjacent neighbor, I received NO notification of or invite to this meeting (and still have no clear answers why).
- *November 7 & 8, 2023*: DRCA’s Land Use Committee Meeting & General Meeting to follow (for vote): DRCA voted to OPPOSE the SUP for several reasons outlined in a letter to the Planning Director. NO further mention of this project was heard (by adjacent neighbors) for 6 weeks.
- *December 21 & 22, 2023*: Signage appears announcing the upcoming Planning Commission & City Council Meetings. Staff report is acquired & circulated by neighbors; shock and outrage ensue as we all feel blindsided -- what was left as a very clear NO at the last community meeting has now turned into a seemingly flawless staff report in support of this project. NO further community outreach had been coordinated and we all were unaware of any further discussions or planning happening between the applicant and P&Z staff.
- *January 4, 2024*: Planning Commission Meeting: Several speakers, including myself, brought up concerns regarding the lack of community engagement by city staff & the applicant – and the planning commissioners later spent a fair bit of time discussing this concern further. The SUP barely gets approved by the Planning Commission in a divisive 4-3 vote, despite some suggestions of deferment (Manor, McMahan, Lyle) so that the community engagement which was clearly lacking in this process could be addressed.
- *January 20, 2024*: City Council Public Hearing. Despite having an option to upload letters to the Speaker Request Form on the city’s website, most of our uploaded letters did not get included as attachments on the public docket. This was not discovered until 5pm on January 19, which led most of us to flood the emails of council members with our letters in hopes that our voices could be heard. Whether this was a technological error or direct omission, this unfortunately added to neighbors’ concerns that we were intentionally being ignored, overlooked, and again muted in this process. Twenty-five neighbors showed up to the City Council Meeting on January 20 to speak in opposition of the SUP. Unfortunately, the

decision to defer was made due to an unfortunate “clerical error”, along with an admonition by Mayor Wilson that the applicant and P&Z staff arrange to meet with neighbors to discuss and address concerns in the interim.

- *Personal communications with Mr. Teran:* At the beginning of January’s City Council Meeting, I sought out and introduced myself to the applicants, Eric Teran & Daniela Gross, expressed my concerns for not being contacted previously in this process, and provided them my name, number, and email. I have since been in direct contact with Mr. Teran, by email and rarely by text, as after the deferment he had sent me the correct building plans (which were not uploaded to the docket correctly) & offered to meet with me to show me the virtual reality (VR) rendering of the proposed build, as he felt “this would give [me] a better idea of how the area will look once complete.” He had asked me to extend this offer to neighbors, but many neighbors expressed that they wanted to have direct outreach from Mr. Teran (rather than through me). Moreover, we all hoped for a more-official meeting that would include P&Z staff as well.
- *February 16, 2024:* After some schedule conflicts over the prior weeks, Eric and I finally met at 4pm last Friday so that I could view the project on the VR platform. I asked some specific questions about the lay of the land, key items like the placement of the existing Verizon utility box in relation to the home (which is not included in the VR platform or highlighted on drawings), commented about how the omission of the buildings/fences to the north and east of the home are not depicted in VR and this makes it appear much more open on those sides than it actually would be, and asked key questions about tree location & impact. I pointed out that one tree, #5 as designated on building plans, is inaccurately positioned on the site map and is, in fact, growing from within the alleyway that he will be required to pave as a 10-ft wide alley as per the staff’s recommended conditions (item #7). Additionally, I expressed concerns about the trees on my (406) & Raj Singh’s property (404), trees #2 & #3 respectively, and that there would be significant property damage to my home if either of these trees were to die and fall because of the build, with no recourse or liability outlined in the proposal. He commented that the arborist who surveyed the trees did not believe that there would be significant impact to the root structure of either tree by the excavation plans, adding “but you never know until you start digging”. Ultimately, it was clear to me that this was, in fact, a presentation & not a venue for meaningful dialogue and discussions.
- *February 16-17, 2024:* Communications from Planning Director, Karl Moritz. Just after 5pm on Friday, I received an email from Mr. Moritz & subsequently a voicemail from an office assistant to look for an email. The email stated:

“I know you have expressed concerns about this project and your submissions are part of the record. I also wanted to let you know that Planning and Zoning staff will be stopping by the houses of all of the adjacent neighbors over the weekend to answer any additional questions you may have and have the information for the public hearing. We hope to touch base with you.”

To note, this was 8 days ahead of the hearing (when they have had more than 3 weeks to reach out to meet with us), less than 24 hours’ notice of staff planning to stop by our homes, and on a holiday weekend when many neighbors were out of town! It certainly felt very disingenuous & like they were coming out simply to “check off the box” ahead of the City Council meeting to say that there was “community engagement”. Furthermore, the email was circulated amongst neighbors & it appeared that only 5-7 of neighbors had received this

notice (whether by email or phone), leaving most of the group totally unaware of this invitation.

As you know, Karl Moritz & Sam Shelby came out to the lot on Saturday afternoon, which was in 37–38-degree windy weather, to meet with a group of about 12 neighbors (I understand that another meeting was held the next day, but I was not a part of this). Karl started by saying that the purpose of coming out to meet us was actually to let us know that, unfortunately, they had made a *second* clerical error in the process by not mailing out the certified notice letters in the timeframe required. It was merely as a convenience, then, that they utilize this opportunity to answer any questions and discuss concerns at the same time, since they were required to have a face-to-face meeting with us already about the notice error. Furthermore, it struck me as curious, then, that in parting from my Friday meeting with Mr. Teran, he said to be on the lookout for the new certified mailing which had just gotten mailed out that day. So, he the applicant knew on Friday that these were getting mailed out, yet did not realize the problem therein?

A multitude of concerns were voiced at Saturday’s impromptu meeting, but ultimately the meeting was concluded by Karl M. after about 1 hour & 10 minutes in the cold. I would argue that although we did bring up several concerns, the location & weather made it incredibly difficult for us to cover everything we wanted to.

- *February 20-21, 2024:* Recommendations for deferment from staff. Reportedly, one of the 12 adjacent neighbors could not be reached by staff to agree to the “Waiver of right to written notice,” so P&Z concluded on Tuesday that they would be unable to get 100% agreement to move forward with this as planned on Saturday, despite every other neighbor (and the applicant) wanting to do so! Interestingly, when one of us reached out to the final missing neighbor, they responded right away that they would vote to proceed on Saturday as planned. (1) Even though this may have been an honest mistake that city staff is struggling to amend, to us it feels like an awfully convenient excuse for staff to again push this back in order to gain more time to make concessions for the shortcomings pointed out and compose counter-arguments to some significant concerns that we have voiced. (2) I would also like to highlight that most neighbors were planning to submit updated letters to council on Wednesday, but did not do so because we understood that this was going to be deferred with no further options otherwise. Now, once again, we are submitting letters at the last minute and hoping that you will have time to consider them.

Concerns Arising from the Staff Report:

I would like to highlight what I feel are several oversights, oversteps in assumptions, and all-too-convenient omissions contained in the P&Z staff report:

- *OVERSIGHT:* DRCA’s decision to NOT support this project was quite simple, on the basis that any build on this site would not conform to the character of the neighborhood, mainly because the lot itself has no street frontage.
 - o Staff confirmed this obvious fact multiple times in the report by stating that they are “not aware of any other lots without frontage in Del Ray” (an fairly noncommittal statement) and “this is the only alley lot in the Del Ray neighborhood” (a very certain statement, which makes the prior comment quite odd). Staff goes on to state that Zoning Ordinance 7-1007 allows for building on land without frontage if a SUP is granted but seemingly does not recognize that this is a “catch-22” condition that cannot be reconciled because 12-401(C) requires the proposed development to be

compatible with the existing neighborhood character – which an alley lot/lot without street frontage is not, as per the neighborhood report.

- *OMISSION*: In the “BACKGROUND” comments about the lot, staff omitted the fact that this original plot of land created by the sub-divisions of this area in 1938 was labeled as “reserved for parking” (for the adjacent row of homes along Mt. Vernon which were built by the developer who owned the land). In its origin, there was never an intent for this area of land to be utilized for development beyond as a parking lot – its resulting tiny lot size & lack of street frontage support this fact.
- *OMISSION*: DRCA voted NO on this proposal, in no uncertain terms. Staff conveniently omitted this fact in their report summary & instead, under “*Community Engagement*” simply stated that DRCA “provided a letter [...] outlining their concerns with the project.” Staff then utilized the list of concerns in that letter to formulate a targeted approach of “solutions”, excuses, or, simply, opinions to every known argument (at the time) to push this through as what they insinuated was a favorable proposal without flaw.
- *OVERSTEP*: The first paragraph of section “II – STAFF ANALYSIS” of the staff report seemingly adds on verbiage to Zoning Ordinance 12-401(C) that is not actually there – they add to the end of the clause of “being compatible with the existing neighborhood character” the qualifier “in terms of height, bulk, and design”. This incorrectly implies that “character” as referenced in the zoning ordinance refers *only* to the building itself being built, not giving any consideration to the particulars regarding its location and lack of street frontage which make it out-of-character (as noted above).
- *OVERSTEP*: Because of the clear oddity of being an alley lot (and again, the ONLY one in Del Ray), staff proposed that the design of the house was such that it would “mimic the appearance of an accessory dwelling.” Why then does this have its own ADU also proposed along with the main house? And how, then, can an ADU be approved when the applicant’s primary residence is not the property in question? This was a concern that was brought up in DRCA’s letter, additionally requesting further clarification on this issue:

“Requiring owner occupancy of either the primary dwelling or the ADU was of paramount importance when the DRCA originally supported the ADU ordinance [...] Staff revealed that [...] there was a Staff-level interpretation made on how to handle a proposal for both a new house and new ADU built on a vacant lot. It seems the primary residence requirement is effectively being ignored by this interpretation policy. This was quite a surprise to members of the DRCA and is something that needs clarification to both staff and the community. We are concerned that [...] mis-use of the ADU degrades the quality of life for those living adjacent to the property. We [...] would like to request that it be addressed with a written response to the DRCA outlining the current enforcement of the code.”

We, as the affected neighbors (being forced to navigate zoning codes for answers to our questions that are not being addressed in any official forums), would also like to have this response.

- *OVERSTEP AND OMISSION*: While having this parcel of land *taxed* as a lot with a building valuation might somehow increase adjacent property values as was stated in the report (“II. STAFF ANALYSIS - PROPERTY VALUES”), having a significantly below-ground dwelling built in an area of known flooding (the lot being a major low-point of ground in this block corner – as evidenced by several pictures previously submitted to council by neighbors) will undoubtedly impact nearby homes which already experience

significant flooding or flooding risks. I would argue that having these homes flood frequently because of changes to the topography and sub-terrain flow in the immediate area by building the proposed dwelling will negatively impact property value to a much greater degree than any increased land assessment might raise it. TO NOTE - Mr. Teran's solution, in recent emails to neighbors *just today* about this concern is to explain how there are "ways to fix this starting with affordable options to very expensive solutions"- clearly, he understands that flooding will pose a major impact on several neighbors requiring several homes to seek solutions, at considerable expense.

- **OVERSTEP:** Staff passes off these flooding concerns by simply stating "compliance with stormwater requirements will be ensured during the grading plan process." Given the significant threat to many homes, I would argue that this important detail should be evaluated in conjunction with considering this SUP, as this very significantly would (Section 12-401(C)) diminish or impair the established property values in the surrounding areas. One point cannot be considered while the other is ignored.
- **OMISSION:** Furthermore, the Zoning Ordinance specifically outlines flooding as a required consideration to be met for approval of an SUP:
 - "11-504 - Considerations on review. (B) In reviewing the application, the city council may take into consideration the following factors where it determines that such factors are relevant and such consideration appropriate: (7) Whether the proposed use will increase the hazard to adjacent property from flood, increased runoff or water damage."

Neighbor Concerns:

Thus far, many of the arguments which have been brought up by neighbors have fallen under the umbrella of 11-504's considerations on review:

"11-504 - Considerations on review. (B) In reviewing the application, the city council may take into consideration the following factors where it determines that such factors are relevant and such consideration appropriate: (10) Whether the proposed use will have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare."

- DRCA, as the *official neighborhood association* to first review this project, has stated clearly that this does not fit the character of the neighborhood. Again, the argument that there may be similar (alley) lots or builds in other areas of the city or state or world doesn't matter – as the code clearly chose to state that this be considered in light of the *neighborhood*, not the city or state or world.
- Several neighbors have brought up concerns regarding traffic/accessibility and associated safety considerations that this tricky project will encounter.
- Parking concerns have been brought up, particularly in regard to whomever will be renting the new house being able to safely navigate in & out of the designated parking space & regarding increased parking density on adjacent streets. Mr. Teran had said in the January 4th meeting that while he would be able to maneuver the narrow alleyway & tricky parking spot, his wife or friends may not be able to do so – how then can we predict the ability of renters, specifically short term renters (even though they should not be expecting

accessibility or parking for the ADU rental, we all know that many would, at least initially while unpacking for their stay) to successfully be able to navigate this and the specific alley-access difficulties (as noted below) in a new & totally unfamiliar neighborhood?

- There is significant anticipated utility impact, as most of the power supply to adjacent homes will need to be re-routed as part of this project. To date, we have heard no details of this, other than that the applicant recognizes that it will need to be done & will be quite expensive.
- Safety, particularly centered around specifics of the proposed alley for use to access the property (off Mt. Vernon) has been another big point of discussion. As others have pointed out, this may be the ONLY alley which exits onto a main thoroughfare road and crossing traffic on Mt. Vernon (whether vehicular, pedestrian, or cycling/scootering) is generally not expecting a vehicle to exit/enter from this location, nor is there great visibility of the vehicles trying to do so at the intersection with the main road. Furthermore, confused delivery drivers will increase traffic on the alley (to access the lot/home) and will thereby increase these safety concerns.
- NOTE: This list does not encompass all concerns – and I am sure you have plenty of documents to read about said arguments, but I merely wanted to highlight those issues pertinent to this referenced section of the zoning code.

In conclusion, in light of the (1) mountain of concerns brought forth to you by neighbors, (2) palpable public fury regarding the inadequate community engagement throughout this process, (3) the concerns raised by the oversights, oversteps, and omissions apparent in the staff report, and (4) the multitude of significant procedural errors that have plagued this proposal, I would argue that supporting this SUP is downright egregious. For all these reasons, this proposal should NOT warrant your consideration, nor support.

Sincerely,

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01/19/2024

To: Alexandria City Council Members
Alexandria, VA

Subject: **Request to Vote NO on Special Use Permit (SUP #2023-00076)**

Dear City Council Members,

I am writing to you as a concerned homeowner, neighbor directly adjacent to the lot in question, and dedicated citizen of the Del Ray neighborhood in Alexandria. As an owner-occupant, I am deeply invested in the well-being and integrity of our neighborhood and am an active member in the Del Ray Citizens Association (DRCA). It is with this vested interest that I would like to address significant concerns regarding this proposal. I know that many of these concerns are echoed by other adjacent neighbors, as I hope you will see evidenced by our planned community involvement at the upcoming City Council Public Meeting on Saturday January 20th.

I would also like to apologize, in advance, for the very lengthy letter that I am submitting to you. The proposed development and subsequent rush, as it seems, to get this pushed through raises concerns that there is an underlying agenda to simply get new properties on the books to count towards the recent Zoning for Housing movement. This, unfortunately, has been coupled with what has felt like an effort to mute the local community from involvement in any back-and-forth discussions on the matter. For these reasons, I have taken the liberty of elaborating on my thoughts on several pressing issues that I feel merit careful consideration.

1. Lack of Communication with Surrounding Neighbors:

I am, at least, happy to say that this whole process has allowed me to meet many surrounding neighbors that I had not connected with before. It has been encouraging to see our local micro-community come together to discuss concerns, share information, and utilize the varied subset of knowledge and skills that each of us possess to help make sense of all of this. In stark contrast, I am very disheartened that our new prospective neighbor has taken no such initiative; while Mr. Teran claims that he organized a neighborhood meet & greet, I, as an owner directly adjacent to his lot, was not given the opportunity to be involved in any of this – I received no such

announcement or invite, nor has there been a simple knock on the door to open any lines of communication. This, along with Mr. Teran's inconsistencies thus far in public meetings about his intended use for the single-family home (from initially stating that he intended to reside at the property at the "meet and greet" to later saying that he intends to use this as a long-term rental), have left many of us very unsettled and untrusting.

Furthermore, as pointed out in my verbal testimony on January 4th, I am frustrated about the lack of communication between city zoning staff and the immediate neighbors. I was, admittedly, probably naïve to presume that the lack of communication was because no further action was being taken on this topic – that there was no need for further input on the matter unless the applicant were to propose a new plan to put forward for DRCA's approval prior to moving on to the city level. I was later aghast upon reading the planning and zoning staff's ultimate recommendations for approval ahead of the January 4th meeting, as this was a complete 180° from the DRCA's recommendation. I sincerely hope that the staff had simply just taken Mr. Teran at his word that he was having some form of open and active dialogue with the immediate community in reconstructing his plans. There certainly seemed to be a very open line of communication between Mr. Teran and staff, as evidenced in their report. In fact, Mr. Teran stated himself on record at the January 4th meeting, "staff, with us, they have been very receptive... the neighbors, the few that we have been able to talk to, were receptive." However, the turnout of 7 adjacent residents to voice opposition at the January 4th meeting, 5 letters submitted to city staff in opposition (not including the DRCA's opposition statement), and our neighborhood chat/email group of over 15 individuals (spanning over 9 properties immediately adjacent to the lot) does not support this claim. Unfortunately, the lack of community involvement has left the overwhelming impression that this SUP has been pushed through by an overzealous staff to get something on the books as an example of a Zoning for Housing (a "clever solution to providing housing in Alexandria" as quoted in the January 4th meeting).

Considering this, I feel that it is pertinent to note that the vote passed only by a narrow 4-3 majority. A large percentage of the 1 hour of discussions on this docket item was, in fact, spent on this concern. At least two of the commissioners who voted in favor of approval (Mr. Manor & Mrs. McMahon) stated that they, too, recognized that there was a glaring lack of communication and that they would support a motion to defer a vote to allow time for this. Ultimately, no motion was put forth for deferral as Mr. Macek argued that "it's not our job to say, well you should have talked to the neighbors more." Whose job is it, then – and where should we expect that step in this process?

2. Not Fitting the Character of the Neighborhood:

Clearly, "character" is very difficult to define – as it's a subjective judgment call and therefore open to interpretation. It seems, then, that the character of the neighborhood would be defined by a process of dialogue and feedback between developers/owners and the surrounding neighbors. This has been the precedent of expectation in other Alexandria neighborhoods for quite some time – Mr. Brown referenced in the January 4th meeting his past experiences as a part

of the Northridge Citizens Association on this matter, being that they would require applicants to have such dialogue with neighbors before a proposal would even be considered. As outlined above, sufficient dialogue did not happen in this case.

The staff report explicitly states that “this is the only alley lot in the Del Ray neighborhood” and “staff is not aware of any other lots without frontage in Del Ray”. Both are KEY factors in why this development does not fit in! While the applicants have attempted to take measures to hide or disguise their dwelling as 2 ADU’s associated with the street-facing homes to the south of the lot (404 & 406 E. Alexandria), the very fact that they recognize the need to do so shows that they recognize that this is out of character for single family dwellings in this location. Furthermore, zone ordinances do not allow for multiple ADUs on a single property, so the appearance of 2 “smaller appearing” dwellings also inherently does not fit.

Furthermore, I would like to reference additional selected commentary from the January 4th Planning Commission Meeting regarding this topic and my resulting thoughts:

- Carson (could not hear last name clearly), T&ES staff: “We are not breaking the mold with this project. In Old Town, there are alleys that are much narrower and there are other lane-way homes all throughout Alexandria, particularly right across the street, and all throughout the greater OT area where they take access from an alley. And so, it’s not a development that is atypical or not seen, in fact it’s quite popular not just here but all around the world because it’s a way to get incrementally smaller housing units on land that does not have street frontage.”
- Mr. Macek: “This isn’t that different than carriage houses and other things that are in the back of other lots that you see in the city. People are trying to say that you don’t build on lots in Del Ray – well Del Ray is part of the city, and we have lots that are along alleyways... we are not the planning commission for Del Ray, and we have to look at things on a citywide basis.”

To these, I would argue that the Zoning Ordinance Section 12-401(C) states: City council, upon consideration of the special use permit, finds that the proposed development will not unreasonably impair an adequate supply of light and air to adjacent property, will not diminish or impair the established property values in the surrounding areas, and will be compatible with the existing neighborhood character.

Neighborhood - noun

1. a district, especially one forming a community within a town or city.

By explicit definition, we are talking specifically about the neighborhood of Del Ray, not Old Town. It is, therefore, precisely the job of the Planning Commission/City Council to consider this in the eyes of the Del Ray community at large, and to reconsider the position as stated by the DRCA’s letter in opposition to this project.

3. Non-Compliance with ADU Requirements:

The proposed development does not meet the requirements for building an Accessory Dwelling Unit (ADU) since the owner does not plan to have his primary residence as the home being built:

7-203 - Accessory dwellings.

(B) Use limitations.

(6) The owner of the property shall maintain the property as their primary residence at the time the permit required by section 7-203(A), above, is issued.

While residence for a new build site may be hard to define, Mr. Teran has stated, on record January 4th, that his intent is to rent the main property as a long-term rental, rather than occupy the residence himself. This, therefore, puts the ADU addition in non-compliance with established city regulations.

Somewhat on topic, concerns were voiced by many neighbors about this ADU being used specifically for short-term rentals (aka AirBNB), specifically in regards to individuals who are not familiar with the neighborhood being able to safely navigate the narrow alleyway if trying to access this by car – even if renters are told there is no parking for the ADU, I presume that many would attempt to use the public alleyway as a route to easily unload on arrival, not realizing that they will not be able to exit without backing out of the length of the alley and back on to a very busy main road (Mt. Vernon Avenue) with limited vision clearance. Although the Planning Commission commented that this was beyond the scope of their job to approve or deny the SUP proposal, there was considerable time taken for discussion about this topic. Notably, Ms. Lyle stated that although there are regulations in place (and tax revenue as a strong motivator for the city to enforce this), they have trouble even enforcing this in her HOA, and that this would foreseeably be more difficult to do so for a standalone single-family home.

4. Flooding Implications on Immediate Surrounding Neighbors:

Serious concerns have been raised about flooding impacts that this structure may bring upon immediate surrounding neighbors, me included. Protecting the well-being and property of our community members from environmental risks is paramount, and a thorough assessment of potential flooding risks is necessary. While I understand that this issue gets addressed officially in later stages of development planning, I urge you to consider this matter, at least as part of a holistic assessment of the implications of said plans, as you consider this early step of evaluating the SUP proposal.

Many of our homes were built in the 1930's with basements that match the footprint of our respective above-surface homes. Most of us to the west, north, and south of the lot face constant issues with flooding in our basements. My sump pump is always highly active during storms - and most recently with a substantial storm on January 9th we also had to utilize a Shop-Vac to evacuate excess water from our sump-pump basin every 3-4 hours through the night. Attached are a selection pictures of the SUP lot (404-A E. Alexandria) from the viewpoint of the 2nd story back windows of my home, January 9, 2024 (please refer to images submitted by email as they were too large to include in this file):

- Approx. 4:45pm: Images 1 - 3
- Approx. 6:45pm: Images 4 - 5

Referencing online Alexandria City watershed maps, the Hooffs Run underground watershed lies below the city in the Northridge, Del Ray, and Rosemont neighborhoods - with a complex array of underground streams being common to the area. Given this - and the provided documentation of significant standing ground-water on the SUP lot & adjacent properties from recent storms - there is a significant concern that the proposed plan's massive below-ground footprint, which runs nearly lot-line to lot-line of the entire lot (minus the changes made in attempt to reduce impact the local tree's critical root zone), will adversely affect the local watershed "bowl", despite stated measures to provide "appropriate" draining of the above-ground structures.

While I agree we should not stop an owner from utilizing their property by right, this is not a build-by-right lot. In terms of the flooding concerns raised, I do not feel that pushing this project through to the benefit of one owner, yet probable detriment of 9 surrounding homes (to the west, north, and south of the lot) is sound practice.

5. Minimum Requirements for Fire Access:

As clearly stated, the proposed development does not meet the minimum requirements for fire access, necessitating a code adjustment to green-light the build. Ensuring the safety of our community is of utmost importance, and any allowances outside of set standards should be carefully considered to avoid compromising residents' property and well-being. It seems to reason that the code guidelines are there for a reason and that adjusting this could limit access to the development and adjacent properties. While staff pointed out the code requirement for vehicular access to be 100ft from a dwelling's main entrance, there was an additional concern raised by Ms. Ramirez at the January 4th meeting that alleys generally must also be ~20ft for ample fire-truck access (code requirement referenced below). All the alleyways adjacent to this property are 10ft wide alleys, so this in conjunction with the property exceeding the 100ft minimum access requirement, lead me to have persistent concerns about fire safety and access to the lot.

- **ARTICLE B (FIRE PREVENTION), CHAPTER 2 (FIRE PROTECTION AND PREVENTION), TITLE 4 (PUBLIC SAFETY) OF THE CODE OF THE CITY OF ALEXANDRIA:**

Appendix D 101.1: Requirements. The following requirements shall be followed when designing emergency vehicle access:

1. Access for emergency vehicles shall be provided to within 100 feet of the main or principal entrance to every building. The access shall be provided by a public or private street or parking lot.
- **VIRGINIA STATEWIDE FIRE PREVENTION CODE (2012) SECTION 503.2.1:**
Dimensions: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved

security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

6. Impact to Adjacent Privately Owned Trees:

While I commend Mr. Teran's adjustments to his basement footprint in an attempt to preserve the critical root structure of the Silver Maple on public land, my understanding was that the arborist stated that there would be a moderate risk for impact to this tree. I share my neighbor's concerns as expressed in prior statements that if tree protection measures for this tree fail, there is a meager fine of \$2,500 or a requirement to place an immature 2" tree. Given the location of this tree, if the tree dies and falls, there will likely be minimal impact to adjacent property.

My additional concern is that the current requirement of notifying residents about potential damage to adjacent privately owned trees is insufficient for my comfort as a property owner. If my tree (#2, the Siberian Elm) or my neighbor's tree (#3, the Northern Catalpa) were to die because of construction, there could be considerable damage to my property. Given Mr. Teran's lack of engagement with many neighbors, I am left with little hope that any remediation would be made/offered to offset my losses.

Lastly, given the long-established err in paving the footprint of the alley from E. Alexandria Ave. that predated most, if not all neighbors along Mt. Vernon Ave. (1401-1411), the last 2 trees would certainly die as they are growing from within the 10-foot alleyway.

7. Miscellaneous Concerns:

Without adding further lengthy dialogue on further items, I would also like to officially state concerns with the following items which I'm sure other neighbors will address:

- Parking implications of adding additional housing density to this corner of the block:
Staff report states that there is still ample on-street parking on both Mt. Vernon and E. Alexandria Avenues. I would be intrigued to know their definition of "ample" as, on any given day, there is no abundance of parking on these streets or adjacent blocks. Pictures of these streets have previously been submitted by Angela Rice.
- Construction Logistics: The 10ft alleyway will be a significant limiting factor in the logistics of how heavy construction vehicles will access the property. Furthermore, there was no forethought in planning for where construction materials and vehicles will be stored for the duration of the project, as they legally cannot be parked/stored on public roads/access & the very nature of the lot-line to lot-line build does not leave room for onsite storage.
- Increased usage of the alley off of Mt. Vernon Ave. As this lot does not have street frontage, this will inherently increase traffic (foot traffic or unexpected vehicular traffic) as needed to access the property for deliveries (mail, Amazon/FedEx/UPS, food deliveries, etc.) and this can lead to a heightened risk for pedestrian accidents along the narrow alleyway.

In conclusion, because the Del Ray Citizens Association overwhelmingly voted to not approve the SUP whereas the Alexandria Planning Commission narrowly approved the SUP with a split vote, this underscores the divisive nature of the proposed development within our community. Such a significant level of opposition warrants careful consideration. I urge you to carefully consider these concerns and vote **against** the approval of SUP #2023-00076.

I greatly appreciate your attention to this matter and your dedication to serving the best interests of Alexandria & of our Del Ray neighborhood. Thank you for your time and consideration.

Sincerely,

Alicia Montgomery
Homeowner, Neighbor, and Citizen of Alexandria

IMAGE 1



IMAGE 2



IMAGE 3



IMAGE 4



IMAGE 5



CouncilComment@alexandriava.gov

From: Ingrid Allen <ingridsallen@gmail.com>
Sent: Sunday, March 10, 2024 5:59 PM
To: CouncilComment@alexandriava.gov
Subject: [EXTERNAL]E. Alexandria Ave. Resident Opposed to Special Use Permit #2023-00076

You don't often get email from ingridsallen@gmail.com. [Learn why this is important](#)

To City Councilors:

I am Ingrid Allen, resident of 416 E Alexandria Ave. - just down the street from the proposed project at 404 E. Alexandria.

I am OPPOSED to this project for the following reasons:

1. The lot size is way too small for a lot in our immediate area
2. The lot is too small for a single family Home let alone a SFH AND an ADU
3. The proposed design is not in character with the EXISTING neighbors' homes
4. The home design is not even close to being in character with the EXISTING neighborhood.
5. The lot size is NOT common or compatible with other SF developed lots.
6. There are no SF developed Lots having NO STREET FRONTAGE and by definition, are not compatible!

The incompatibility and oddity of the non street frontage/alley lot and Home by definition will negatively impact property values of surrounding homes.

Please vote NO on SUP #2023-00076!!

Thank you, Ingrid Allen

--

Ingrid S. Allen
ingridsallen@gmail.com
202-415-0362

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CouncilComment@alexandriava.gov

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Thank you, Ingrid Allen

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Ingrid S. Allen
ingridsallen@gmail.com
202-415-0362

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CouncilComment@alexandriava.gov

From: Singh, Raj <raj.singh@hq.dhs.gov>
Sent: Thursday, March 07, 2024 8:28 AM
To: Justin Wilson; John Chapman; Canek Aguirre; Amy Jackson; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Cc: raj.singh.kumar@gmail.com
Subject: [EXTERNAL]SUP #2023-00076: SAY NO to 404A East Alexandria

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ALCON,

I am writing again to log my **opposition** to SUP20223-0076 on the substandard property at 404A east Alexandria Ave. As all of my immediate neighbors have already registered their thoughtful and reasonable concerns/issues, I wont go into the minor details again.

- 1) If approved, the homes surrounding this property **will** flood.
 - a. This vacant lot, absorbs a lot of rain water through a root system consisting of a complex network of individual roots that vary in length and age. Vacant lots city wide may cumulatively infiltrate 50% plus additional annual rainfall volume as compared to built lots.
 - b. Historically, green infrastructure (GI; the use of soils, plants, and landscape design to control stormwater) has been introduced across urban areas as a decentralized, distributed approach to reduce sewer system overflows and to deliver other tangible benefits.

Please make the right decision, not the easy one.

V/r,

-raj and kim singh

From: Singh, Raj
Sent: Thursday, February 15, 2024 3:03 PM
To: justin.wilson@alexandriava.gov; john.taylor.chapman@alexandriava.gov; Canek.Aguirre@alexandriava.gov; Amy.Jackson@alexandriava.gov; alyia.gaskins@alexandriava.gov; Kirk.McPike@alexandriava.gov; Sarah.Bagley@alexandriava.gov; councilcomment@alexandriava.gov
Cc: raj.singh.kumar@gmail.com
Subject: SUP #2023-00076: SAY NO to 404A East Alexandria on 24 FEB

My name is Raj Singh and I am the owner of 404 E Alexandria. I am writing, **again**, in **opposition** of the Special Use Permission (SUP) application for 404 A E Alexandria lot (Applicants: Eric Teran and Daniela Gross).

1. Del Ray Citizens Association recommended not supporting SUP (see attached file)
2. Building an ADU is **against** zoning code as this is not their primary resident nor will it be at project start.
 - a. City Council approved ADU policy on January 23, 2021 at their regular public hearing. City Council amended the policy to include the following: **Require homeowners to maintain primary residence of the subject property at the time of ADU construction.**
 - b. Link to bullet a ([Accessory Dwelling Units in Alexandria | City of Alexandria, VA \(alexandriava.gov\)](#))

- c. Mr Teran is on record (4 Jan meeting) stating he WILL NOT live at the property
- 3. It fails 12-401: Applicants disregard for the community and neighbors is egregious as this two-dwelling design is 100% out of character for the neighborhood and immediate area.
 - a. It does not meet the basic standard of the neighborhood and surrounding area
- 4. There is no frontage. This is uncharacteristic of any other house in Del Ray and increases foot traffic in an active alley raising the risk of pedestrian accidents
 - a. Safety will decrease due to increased traffic in an alley not built with visual clearances
 - b. Trash trucks, firetrucks, UPS, FEDEX, etc are not able to enter the alleyway
- 5. Planning commission vote was 4-3; resulting in a controversial approval
- 6. Planning commission was misguided when comparing lots, comparing lot sizes with street frontage with this application with a lot with no street frontage (as every teacher in our school district would say "Apple and Oranges")
- 7. All immediate neighbors are against this build
 - a. Would you want a house built behind a dozen homes?

I am unable to attend the 24 FEB meeting but am sending this e-mail with the hope you take it into consideration and deny this application.

V/r,

-raj and kim singh

Raj Singh
 Department of Homeland Security
 OFFICE: Microsoft Teams
 MOBILE: 202.897.8175
 e-mail: raj.singh@hq.dhs.gov



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CouncilComment@alexandriava.gov

From: Ann Kammerer <ann.kod@gmail.com>
Sent: Tuesday, March 05, 2024 9:38 PM
To: Justin Wilson; John Chapman; Canek Aguirre; Amy Jackson; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Subject: [EXTERNAL]Opposition to SUP #2023-00076 for 404A E Alexandria Ave.

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Dear Alexandria City Council Members

I'm writing again to express my opposition to the SUP application for development at 404a E. Alexandria Ave in Del Ray.

I've lived at 1403 Mt Vernon Ave, a nearly adjacent property to the one in question, since 1998.

The design of the house and ADU, the undersized lot, and the lack of street frontage, are not keeping with the surrounding neighborhood. In response to neighbors' concerns about the street frontage issue and size of the lot, city staff gave comparisons to townhouses in the surrounding area, not to single family homes. Staff also admitted there are no houses in the surrounding area without street frontage.

The developers have indicated that they don't intend to live on the property. They'll be renting the property, and the ADU, which will exacerbate already tight parking in the area. Doesn't the person applying for the ADU permit need to reside in the house at the time the ADU permit is sought?

There is a legitimate concern on the part of all the neighbors that this development is going to have an impact on water runoff and flooding of our residences. It will also negatively affect our property values.

The lack of street frontage, safety concerns regarding fire service access, and past flooding issues all weigh on my feelings about the project.

It's worth noting that Del Ray Citizens Association recommended that the SUP be rejected--which staff left out of their report summary. And that the Planning Commission vote was a close 4-3 vote.

And lastly, this entire process from the start has been marred by lack of communication and haphazard community engagement. (For example, I was not contacted at all about staff's plans to meet with neighbors at the site earlier in February.)

I urge you to reject this SUP application.

Ann Kammerer
1403 Mt Vernon Ave
Alexandria VA 22301
703-732-0012

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CouncilComment@alexandriava.gov

From: MD Lim <markdlim@gmail.com>
Sent: Monday, February 19, 2024 7:43 PM
To: Amy Jackson; Justin Wilson
Cc: John Chapman; Canek Aguirre; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Subject: [EXTERNAL]2/24 Council Public Hearing: Opposition to SUP 2023-00076 (404A E. Alexandria Ave)

Some people who received this message don't often get email from markdlim@gmail.com. [Learn why this is important](#)

Dear Mayor Justin Wilson, Vice Mayor Amy Jackson, and Honorable Members of the City Council for the City of Alexandria,

Thank you for the opportunity to provide my recommendation to reject the Special Use Permit #2023-00076 that will be discussed as item #12 on the docket for City Council's Public Hearing on February 24, 2024. I submitted my written testimony via the City Council portal on Alexandrava.gov and pasted it below, welcoming any opportunity to share my perspective or answer any questions.

Respectfully,
Mark
1407 Mount Vernon Avenue

Dear Councilors to the City of Alexandria,

On behalf of the City of Alexandria's residents, thank you for your leadership representing the interests of our community. As the final check-and-balance to a process that seems to be steam-rolled by City Staff and the Applicant, I ask you to reject the Special Use Permit application #2023-00076 at the City Council hearing on February 24, 2024, as Docket # 24-1854. Below my signature is my written testimony for the City Council Public Hearing on January 20, 2024. Rather than repeat that letter, I wanted to further share why I recommend that you consider rejecting this application.

My residence will be directly impacted if this substandard lot is developed as designed in the application. The lack of community engagement and disregard for community opinion by the Applicant and Department of Planning and Zoning Staff remains appalling. Those affected by this application remain united in opposition, as shown by: Mayor Wilson's comments at the City Council Public Hearing on January 20, 2024 (quoted below); an Alexandria Times article calling this a "contentious issue" on January 17, 2024; a split 4-3 vote by the Planning Commission on January 4, 2023; and formal opposition by the Del Ray Citizen's Association sent to the Department of Planning and Zoning on November 20, 2023. Amongst this public opposition and contention, the Applicant and Staff of the Department of Planning and Zoning have not offered a forum for discussion or resolution.

None of the letters supporting this application were authored by affected neighbors, except for one who welcomed "new neighbors in our immediate area and the diversity in housing". As the applicant responded to Planning Commissioner Koenig's question on January 4, 2024 (4 hrs : 9 mins) "Ideally our plan would be to rent it long term, year lease" without mention in the application or subsequent reports that this development would be rented at below-market rates. This property is not an example of Zoning For Housing, a vision of which I'm supportive as the City continues to grow. But, that vision is disingenuously applied in this letter of support and by the Staff of the Department of Planning and Zoning who justified their recommendation against the opposition of Del Ray Citizen's Association at the Planning Commission Public Hearing. Zoning for Housing should include sincere engagement of the community and the steam-rolling to advance this specific application is an example of what not to do.

As Mayor Wilson said at the City Council's Public Hearing (2 hrs : 56 mins), "There has been considerable disagreement between the applicant and residents...let me encourage the applicant and the neighbors to get together...and have some conversation about the areas of disagreement and see what possible could be agreed to." My neighbors who would be negatively impacted if this permit is approved represent different interests in this City's growth. However, this lack of engagement by the Department of Planning and Zoning staff and Applicant has brought us together to learn and share what is happening at 404-A E. Alexandria Avenue. It was through these forums that I learned: a) about the application and potential impact to my residence (only one paper sign was posted in a non-obvious location on E. Alexandria Avenue, a sign that has been missing for weeks), b) that some neighbors reached out to the Department of Planning and Zoning and not received a response, and c) that not all impacted neighbors received an invitation to the one-and-only introduction by the Applicant in November 2023. This meant that we had to quickly learn about the utility of a Special Use Permit and the review process, search historical public records of our residence and community, and provide testimonies to Del Ray Citizen's Association, Planning Commission, and City Council. Beyond those forums and particularly given the public perception of this issue, the applicant and/or staff of the Department of Planning and Zoning had multiple opportunities and ample time to do outreach but failed to do so. Instead, we learn about updates on the Staff Report through formal reports submitted to dockets of the City Council Public Hearings.

The Applicant and the City Staff have not reached out to me, even though my email address is publicly available as written testimony. Another missed opportunity was at the City Council Public Hearing on January 20, 2024, where about 20 of us planned to provide verbal testimony or support. Upon learning about the delay, we all met in the overflow room to discuss next steps. The Applicant entered the room, saw all of us and instead of joining the discussion, left the room to consult with Mr. Sam Shelby of the Department of Planning and Zoning who waited in the hallway. The door to the overflow room is glass and we were at the entrance, so they could not have missed us as I clearly saw them in discussion. But, both left without saying a word, missing an opportunity for transparent discussion and furthering concerns that City Staff sides with the Applicant and are not interested in talking with us.

Instead, Planning Director Mr. Karl E. Moritz reached out to two neighbors by email on Friday, February 16, 2024, at 5:19 p.m. EST, asking to meet. This outreach, one week prior to the City Council Public Hearing, three weeks after Mayor Wilson's recommendation, and after 5pm on the Friday before a three-day weekend, can be seen as nothing but devious. I did not receive this invitation. Fortunately, we developed an email list among affected neighbors after the City Council meeting, with many of us changing our Saturday plans to meet with Mr. Moritz and Mr. Shelby with less than 24 hours notice. When I asked Mr. Moritz why I wasn't invited to the discussion, he said that he didn't have my email address (I had to remind him about the written testimony) and that he was planning on going door-to-door. Their unannounced door-to-door campaign on the Saturday of a three-day weekend would have occurred *after* meeting my neighbors. None of this makes practical sense and furthers speculation that this was a last-minute and insincere attempt to "check the box" on engaging the community a week before the postponed Public Hearing.

As mentioned in my original testimony, I remain concerned about the increased underground flooding to my basement and the increased risk to pedestrian, bicycle, and vehicular traffic on Mount Vernon Avenue. At the impromptu Saturday meeting, Mr. Moritz and Mr. Shelby did not provide comment on the flooding potential and seemed to agree with the poor visibility of cross pedestrian and vehicular traffic after we walked down the alley, acknowledging that this may be the only alley on Mt Vernon Avenue that is in-the-middle of a block. Given their lack of engagement, I was still disappointed that neither were prepared to answer those concerns, even though it was raised in several written testimonies submitted by myself and others.

Again, thank you for your leadership and opportunity to provide my comments in advance of the discussion on February 24, 2024. Please do not hesitate to email me at markdlim@gmail.com if you have any questions about the content of this testimony, the one submitted for the City Council Public Hearing on January 20, 2024 (pasted below), or would like to discuss my frustration on the lack of engagement by the Applicant and staff of the Department of Planning and Zoning.

Respectfully,

Mark Lim (and Yashin Lin)
1407 Mount Vernon Avenue

Previous written testimony sent to City Council Members for January 20, 2024 hearing

Dear Councilors to the City of Alexandria,

On behalf of the City of Alexandria's residents, thank you for your continued service representing the best interests of our community. Change is not easy, particularly for a city with extensive historical roots, and as you steer our City through Northern Virginia's growth, I remain proud of your leadership in ensuring that Alexandria maintains a healthy and inclusive community.

The health of our community has embodied a personal obligation to contribute through community service. To date, I have volunteered over 400 hours to the Alexandria Health Department's Medical Reserve Corps (MRC) and Community Emergency Response Team. This includes weekends supporting and supervising: annual mass influenza vaccination events, several COVID-19 mass testing events, large COVID-19 vaccine clinics that immunized over a thousand community members to smaller clinics in neighborhoods hardest hit by the pandemic, and pediatric vaccine clinics. I also volunteered at the Health Department's COVID-19 call center and as a COVID-19 contract tracer and case investigator. These opportunities gave me a unique opportunity to cross paths with other Alexandrians from different walks of life, and I have left every event prouder of being a resident of this City.

However, I am writing to express my disappointment at the lack of community engagement or consideration by the Department of Planning and Zoning and the Alexandria Planning Commission on the application for a Special Use Permit (SUP) #2023-00076 for 404A E Alexandria Avenue. I only learned about changes in the original application through public filings of the final document, interpreting these documents as a non-subject matter expert with other impacted neighbors, and attending the Planning Commission meeting on January 4, 2024. Beyond these filings and forum, we were never given an opportunity to learn about changes, exchange concerns, or explore alternatives with the City Staff, Planning Commission, or applicant, even though my residence and those of my neighbors would be negatively affected by this new single-family residence with a detached Accessory Dwelling Unit.

This lengthy letter seems to be the last opportunity for community-level input. The first and only-opportunity for dialogue was hosted by the Del Ray Citizen Association (DRCA), which did its job in allowing for deliberation and voting in opposition to this SUP (re. letter sent to Mr. Moritz, Alexandria Department of Planning and Zoning). But, instead of following up with DRCA's letter and those of my neighbors, the Department of Planning and Zoning responded through a final report that recommended approval of the SUP permit. Not only did their official report not address the significant concerns in those letters, it only raised more questions. We only wished for dialogue and the Planning and Zoning Staff didn't respond to our requests. Adding to the sting was that we first learned about adaptations at the Planning Commission meeting, after the Staff filed their report and recommendations.

I am in full agreement with my neighbor's and DRCA's concerns and since there is no other opportunity for dialogue with the Planning and Zoning Staff, Planning Commission, or applicant. I am presenting my main concerns through this letter and hopefully as verbal testimony to you, as our City Council.

- Firstly, our residences are part of the Hooffs Run Watershed that sit on-top of underground streams that drain into the very-active Hooffs Run. Most of the recent flooding events, specifically those off Monroe Avenue and off Commonwealth Avenue in the Rosemont Neighborhood, are associated with our watershed. The streams immediately underneath and surrounding our residences have not been disturbed since our multi-unit townhomes were built in the late 1930's with sump pumps being a necessity. My sump pump routinely runs multiple times during dry periods and almost continuously during rain and snow events. It also takes several days for the large "puddles" on the 404A E Alexandria lot to absorb into the ground after a modest rain event, confirming that the soil is already water-logged by active streams with little capacity for additional run-off. Building a solid structure that runs to the edge of the lot with a predominantly underground footprint will stress these active sub-terrain streams. Since our townhomes are below 404A E Alexandria, it is highly likely that the streams will be diverted and focused into our basements if the proposed building is constructed. My own sump pump is unlikely to handle increased demand and I would predict that putting in a single-family home at 404A E

Alexandria could make the surrounding ten homes unlivable given their age and cost for reinforced infrastructure.

- Secondly, the only vehicular access to the proposed unit is through a small public alley off Mount Vernon Avenue. Approving this permit will increase the danger to our immediate community by converting a lightly-used alleyway into an active vehicular thoroughfare. Driving onto Mount Vernon Avenue from this alley means that the driver must first cross an active sidewalk connecting the Braddock Road Metro Station, GW Middle School, and the rest of Alexandria to Del Ray's "downtown" core. Then, the driver must carefully navigate onto Mount Vernon Avenue after passing parked cars at the edge of the alley entrance, with additional effort that car and bicycle cross-traffic is aware given that the entrance is not obvious (as it is in the middle of the block) or visible from the street. There have been several occasions of cars blocking the alley because visitors thought it was a viable parking spot. The City's refuse, recycling, and compost collection staff also will not attempt to drive down the alley and instead service our townhomes by parking on Alexandria Avenue and walking down the alley. The detached Accessory Dwelling Unit described in the SUP application has its own dedicated kitchen and laundry in addition to those within the main building, elevating concern that the proposed construction is for two separately-resided buildings. This alley and its intersection with the sidewalk and Mount Vernon Avenue is not designed for the likely increased traffic pressure introduced by two new family units at 404A E Alexandria and regular services such as Amazon or other delivery providers.
- Most shockingly, during verbal testimony provided by the staff of the Department of Planning and Zoning at the Planning Commission meeting, one significant justification for their final recommendation was based on the proposed goals of Zoning For Housing/Housing For All (ZFH). My love of the diversity and inclusivity of this City should show that I am in full support of ZFH and I applaud the Council's leadership on this issue. However, the residence described in the application for this SUP does not address the vision as it is proposed as a single-family residence (although this counters the design, as mentioned above) that the applicant testified is intended to be a rental. If these are rented, I highly doubt these will be offered at sub-market rental rates as this is not described anywhere. The intended use and design of these buildings are not the model that should represent the vision of ZFH and it is insincere to make that claim. I remain disappointed that these City Staff wanted to distract the lack of substance in their report by politicizing an issue unrelated to this SUP application.

Our family focused our housing search on Alexandria when we were moving back to this region after several years in Seattle. After living in eight different cities, Alexandria is the only city I have ever wanted to put down roots, a commitment that resulted in the purchase of our first home. The past five years have been nothing but amazing, including new routines of weekend walks throughout Alexandria's diverse neighborhoods, enjoying the multitude of cuisines from Old Town and Arlandria to the West End, and partaking in multiple events, festivals, farmer's markets, and local theater. We typically find ourselves comparing Alexandria during our vacations, often to the detriment of the cities we're visiting.

As you review this SUP application and my comments, I also ask the City Council to recognize that this review process lacked transparency and community engagement, with concerns filed by my neighbors and DRCA remaining unaddressed. This process has been disappointingly frustrating, and I am speaking as a resident who loves Alexandria and the community represented by its residents and dedicated civil servants.

Again, thanks for this opportunity to voice my concerns. I welcome a call, email, or opportunity to meet if you have any questions about the content of this letter or want to learn more about my concerns about this application or the lack of transparency and engagement in its review.

Respectfully,

Mark Lim (with Yashin Lin)
1407 Mt Vernon Ave

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CouncilComment@alexandriava.gov

From: Ann Kammerer <ann.kod@gmail.com>
Sent: Monday, February 19, 2024 9:49 PM
To: Justin Wilson; John Chapman; Canek Aguirre; Amy Jackson; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Subject: [EXTERNAL]SUP at 404A E Alexandria Ave. in Del Ray

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Dear City Council

I'm writing to express my opposition to the SUP application for development at 404a E. Alexandria Ave in Del Ray.

I've lived at 1403 Mt Vernon Ave, a nearly adjacent property to the one in question, since 1998. The plans for the structure feel very out of keeping with the rest of the surrounding neighborhood. The developers have indicated that they don't intend to live on the property. The lack of street frontage, safety concerns regarding fire service access, and past flooding issues all weigh on my feelings about the project. The proposed house and the ADU, which would be used for short term rental, do not address the tight parking issues in the area, and again, are not in keeping with the neighborhood feel.

I hope that you will oppose granting this project.

Ann Kammerer
1403 Mt Vernon Ave
Alexandria VA 22301

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CouncilComment@alexandriava.gov

From: Singh, Raj <raj.singh@hq.dhs.gov>
Sent: Thursday, February 15, 2024 3:03 PM
To: Justin Wilson; John Chapman; Canek Aguirre; Amy Jackson; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Cc: raj.singh.kumar@gmail.com
Subject: [EXTERNAL]SUP #2023-00076: SAY NO to 404A East Alexandria on 24 FEB
Attachments: 11.20.23 404A E. Alexandria Ave SUP Letter to PC - Google Docs.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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My name is Raj Singh and I am the owner of 404 E Alexandria. I am writing, *again*, in opposition of the Special Use Permission (SUP) application for 404 A E Alexandria lot (Applicants: Eric Teran and Daniela Gross).

1. Del Ray Citizens Association recommended not supporting SUP (see attached file)
2. Building an ADU is against zoning code as this is not their primary resident nor will it be at project start.
 - a. City Council approved ADU policy on January 23, 2021 at their regular public hearing. City Council amended the policy to include the following: Require homeowners to maintain primary residence of the subject property at the time of ADU construction.
 - b. Link to bullet a ([Accessory Dwelling Units in Alexandria | City of Alexandria, VA \(alexandriava.gov\)](#))
 - c. Mr Teran is on record (4 Jan meeting) stating he WILL NOT live at the property
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4. There is no frontage. This is uncharacteristic of any other house in Del Ray and increases foot traffic in an active alley raising the risk of pedestrian accidents
 - a. Safety will decrease due to increased traffic in an alley not built with visual clearances
 - b. Trash trucks, firetrucks, UPS, FEDEX, etc are not able to enter the alleyway
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6. Planning commission was misguided when comparing lots, comparing lot sizes with street frontage with this application with a lot with no street frontage (as every teacher in our school district would say "Apple and Oranges")
7. Most, if not all, immediate neighbors are against this build
 - a. Would you want a house built behind a dozen homes?

I am unable to attend the 24 FEB meeting but am sending this e-mail with the hope you take it into consideration and deny this application.

V/r,

-raj and kim singh

Raj Singh

Department of Homeland Security
OFFICE: Microsoft Teams
MOBILE: 202.897.8175
e-mail: raj.singh@hq.dhs.gov

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Nov. 20, 2023

Karl W. Moritz, Director
Department of Planning and Zoning
City of Alexandria
City Hall, Room 2100
Alexandria, VA 22314

RE: SUP2023-00076
404A E. Alexandria Ave

Dear Mr. Moritz,

At the Nov. 8 membership meeting, the Del Ray Citizens Association (DRCA) voted to oppose the new single family residence with a "detached" Accessory Dwelling Unit on a substandard lot at 404 E Alexandria Ave for the following reasons:

1. The proposed project does not meet the historical development pattern of Del Ray by not having street frontage.
2. Fire truck and life safety emergency access to the site.
3. Stormwater management on the site due to the historical flooding concentrated on the western end of the 400 block of E. Alexandria Ave.
4. The exclusion of the basement from the FAR calculation and setbacks is questionable as we do not think it meets the zoning requirements for being below the average grade calculation based on the proposed basement exterior walls in the courtyard.
5. Utility impact on the neighbors due to the numerous overhead electrical wires, the outflow connection for stormwater, and the construction issues with the site.
6. Impact of proposed construction on trees both on city owned and neighbors' properties.





7. Vision clearance at alley entrances.

The Del Ray Citizens Association Land Use Committee (DRCA LUC) held a public Zoom meeting on Tuesday, Nov. 7, 2023. The applicant presented the SUP application that had been submitted to the City. Members of the community who were in attendance were given the opportunity to ask questions and provide comments. On Wednesday, Nov. 8, 2023, during the regular DRCA Zoom membership meeting, an abbreviated presentation was made and the motion set forth by the LUC was discussed.

The historical development pattern in Del Ray is to have houses that front on a street. Although alley homes exist in Old Town, it is not part of Del Ray's development and the proposal was not supported.

One of the main concerns of the neighbors was the potential restricted fire and life safety emergency vehicle access to the site due to the fact it does not have street frontage. The public alleys are only 10' wide and even the trash and recycling trucks cannot make it through the alleys. The various contractors currently pull the trash & recycle cans down the alley to the trucks parked on the street as the alley is too narrow.

The western end of E. Alexandria Ave near Mt. Vernon Ave has experienced numerous major floods during rain storms. The applicant was advised that the subterranean courtyard they are proposing will be exposed to flooding when these storms occur, with the potential of 3 -4 feet of stormwater entering the house as has happened to other residences. While it is conceivable that stormwater management features could mitigate the rain that could build up in the courtyard, it will take more than a sump pump dumping water onto grade to control the water. Tying into city storm drains will be necessary, and it is unclear at this time how the applicant would propose to deal with the water.

The project as designed is dependent on the basement square footage being excluded from the FAR calculation, and the assumption that because the basement does not count as FAR, the ADU is considered detached even though there are continuous interior spaces between the primary dwelling and the ADU. The LUC questioned whether the basement would comply for being below the average grade calculation. In addition, the setbacks do



not appear to be in compliance. It appears the foundation will project into the public alleys for the portion of the basement that is shown against the property lines.

The neighbors were also concerned about the numerous overhead electrical lines that supply power to their homes. The lines are fed off of a power pole that is at the north end of the project site and criss-cross overhead. Although the applicant stated he had had discussions with Dominion Power, an actual plan for how their homes would remain in service cannot be developed until the project is approved and the neighbors were left questioning what would happen.

There are also construction issues to be addressed in accessing the site due to the narrow alleys. The proposed structures encompass most of the site and there is not enough site available to use for staging during construction. The applicant stated that craning building materials over the row houses on Mt. Vernon was not feasible.

There are three trees on adjacent property whose root zones would be impacted by the retaining walls of the subterranean courtyard. Two are in the rear corners of 404 and 406 E. Alexandria and the other is on City-owned property adjacent to the site. The applicant has had discussions with the City Arborist about the City owned tree, but it appears the trees on the neighbors' properties have not been addressed.

Lastly, though an existing condition, the vision clearances at the alley entrances was pointed out by the neighbors as being potentially hazardous.

While we understand that the applicant is treating this as a feasibility study and does not want to invest too much time or money into the project before confirming if it is a buildable lot, the DRCA feels like there are too many unanswered variables regarding the proposed house and substandard lot. For these reasons, we cannot support the application.

During the meeting, the applicant stated that he intended to rent out the house and ADU. This information brought up the question of how this could be allowed, as zoning code section 7-203.B.6 Accessory dwellings, states that "the owner of the property shall maintain the property as their primary residence at the time the permit required by



BRINGING NEIGHBORS TOGETHER

7-203(A), above, is issued.” Requiring owner occupancy of either the primary dwelling or the ADU was of paramount importance when the DRCA originally supported the ADU ordinance. This was in order to control the use of the ADU and to discourage both units on a property being used for short-term rentals (VRBO and AirBnBs). Staff revealed that there was no formalized method for determining primary residence and that there was a Staff-level interpretation made on how to handle a proposal for both a new house and new ADU built on a vacant lot. It seems the primary residence requirement is effectively being ignored by this interpretation policy. This was quite a surprise to members of the DRCA and is something that needs clarification to both staff and the community. We are concerned that lack of enforcement of the primary residence requirement will lead to the majority of ADUs being used as short-term rentals, or by a developer to build out the maximum envelope of a site pushing the sale price higher, rather than providing additional affordable housing. Learning that there is not a homeowner living on site to talk to about mis-use of the ADU degrades the quality of life for those living adjacent to the property. We realize that the ADU topic deserves discussion separate from the SUP proposal under review, and would like to request that it be addressed with a written response to the DRCA outlining the current enforcement of the code.

Sincerely,

Kristine Hesse, DRCA LUC Co-Chair
Lisa Lettieri, DRCA LUC Co-Chair

Katie Waynick
DRCA President

cc: Sam Shelby, P & Z
Rachel Drescher, P & Z
Eric Teran, Eustilus Architects



Dear City Councilmembers:

We write to express our opposition to the Special Use Permit (“SUP”) application regarding 404A East Alexandria Avenue (SUP, #2023-00076, Docket #10 at the January 20, 2024, City Council meeting). This application does not conform with Alexandria Zoning for Housing and City Building Codes. The application has also subverted important community engagement processes and fails to account for the substantial impacts that this unique property will have on numerous adjoining neighbors. For the reasons set forth below we respectfully request that you reject this application.

1. The application violates Alexandria’s Zoning Ordinance

The application is in direct violation of at least two regulations under the Zoning Ordinance of the City of Alexandria (“Zoning Ordinance”). First, Article VII, § 7-203(B)(6) states that, for an accessory dwelling unit (“ADU”) to be permissible, “the owner of the property shall maintain the property as their primary residence at the time the permit . . . is issued.” The proposed building plan is a two-story single family dwelling with an ADU. The applicants have maintained that they do not plan to use the property as their primary residence. Accordingly, the proposal does not conform with the City’s zoning requirements for ADU’s and the application should be rejected on this ground alone.

Second, the application violates the Zoning Ordinance at Article III, § 3-505 related to R-2-5/Single and two-family because it does not meet the minimum lot size requirements. § 3-505 specifies the following in relevant part:

- *Lot size.* Each principal use shall be located on a lot with a minimum land area of 5,000 square feet, except in the case of a corner lot in which case the minimum land area shall be 6,500 square feet. § 3-505(A)(1)
- *Lot frontage.* The minimum lot frontage at the front lot line shall be 40 feet, except in the case of a two-family semi-detached dwelling, in which case the minimum lot frontage shall be 37.5 feet for each dwelling unit. § 3-505(C).

The lot is 2,600 square feet and therefore fails to meet the minimum lot size requirements of 5,000 feet under § 3-505(A)(1). The lot also does not possess any lot frontage contemplated by § 3-505(C), as it occurs in an alley surrounded by existing dwellings. The Staff acknowledges that this would be the only developed lot in Del Ray without frontage. Notably, the previous property owners inquired about building on the property and the Director of Planning and Zoning at the time made an official determination that the lot did not possess the buildable street frontage, and the property was previously determined unbuildable by the City. Accordingly the proposal fails to meet the minimum lot frontage requirements.

The proposal should be rejected based on noncompliance with the City’s Zoning Code.

2. The applicants failed to initiate the proper community engagement processes

The City Council should also consider the lack of consultation with the affected neighbors. Communication from the applicants was limited to a one-time and one-sided dialogue. The applicants did not solicit feedback or engage with community members about their concerns related to the project.

Our residence at 404 East Alexandria Ave, for example, will be uniquely impacted by the dwelling’s construction. The address of the proposed structure is 404A East Alexandria Ave. The property confusingly possesses the appearance of being an ADU to our residence at 404 East Alexandria Ave. Access to 404A East Alexandria is via Mount Vernon Avenue pursuant to the proposed plan for access. In fact, vehicles can’t fit through the alley via East Alexandria Avenue. This inconsistency creates a dangerous confusion that will interfere with our use and enjoyment of our residence. The applicants have not consulted with us to ensure that potential confusion (*i.e.* mail, deliveries, and short-term renters) that the apparent shared address will create.

Further, it appears that the current proposal diverges from the original filing, which the impacted neighbors only learned through public filings. The impacted community was never given an opportunity to voice concerns to the applicant or the City Planning Commission until the January 4, 2024 Planning Commission Meeting regarding whether the project should move forward – a step in the process too late for the applicant or commission to properly evaluate alternatives.

The lack of consultation and transparency with us and the other surrounding residents underscores the rushed nature of the proposal. At a minimum, the council should defer a decision on the project so that the impacted residents can be consulted with.

3. The application fails to account for environmental impacts

As stated by others impacted residents, the hydrologic formation under the lot results in large quantities of water being diverted from our residences via highly active sump pumps. Our sump pump for instance runs almost constantly during rain events and its frequent use requires substantial maintenance and repair. The proposal does not account for the diversion of water and impact to Hooffs Run and our homes’ infrastructure. An environmental review of this impact should be conducted before the City Council considers whether to approve the project.

For the foregoing reasons, we respectfully request that you reject the the proposal under SUP, #2023-00076.

Thank you for your consideration,

Jonah and Sarah Brown
404 East Alexandria Ave, Alexandria, VA, 22301

10
1-20-24

CouncilComment@alexandriava.gov

From: Eric Weiner <ejw77@me.com>
Sent: Monday, January 15, 2024 6:33 PM
To: CouncilComment@alexandriava.gov; PlanComm
Cc: Leah Kegler; Angela Rice; Angela Welsh; ERNEST PICKELL; Ken Boland; annasmiller@yahoo.com; Atilla Sarah; Bridget Donohue; Brett Rice; cherie marfori; Cindy Savery; Debbie Sikes; erniepickell@gmail.com; Fred Hauchman; Ingrid Jud Allen; Benji; maryannring@comcast.net; Mary Reding; nadine@thebolands.net; Nellie Hauchman; Peter Savery; Sonia Teran; Family; Sarah Kocsis; Vince Delagarde; Atilla Kocsis
Subject: [EXTERNAL]January 20 City Council Public Hearing_Opposition to Special Use Permit # 2023-00076 - 404A E Alexandria Ave

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Flag Status: Flagged

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Dear Alexandria City Council Members,

The Alexandria Planning Commission held a public hearing on January 4th to consider a request for a special use permit (#2023-00076) to construct what can only be described as an unwelcome "Frankenstein" bunker/house at 404A E Alexandria Ave. Despite unanimous opposition voiced by several residents living near the property, the Planning Commission voted 4-3 to approve the permit.

We live down the street from this property at 414 E Alexandria Ave. We purchased a single family home here a few years back in large part because of charm and character of the street. Beautiful craftsman style homes with manicured lawns and flower gardens line the street and Japanese cherry and maple trees bloom in the spring and fall.

The proposed structure at 414A will have none of this quality or charm and the owner intends for this to be a transient, short-term rental property, not a thoughtful addition to the neighborhood. It would also be a nuisance for our neighbors on Mt. Vernon Ave. who depend on the alley for entry/exit and waste services.

We join our numerous fellow neighbors on E Alexandria Ave. and Mt. Vernon Ave. in opposing this proposed construction for the reasons outlined below. We also invite you to visit the micro-lot at 404A and see for yourselves where developer Eric Teran intends to brute-force a dwelling between existing property lines.

If you visit, you will see why no one developed this property. Please see the attached photos to give you an idea.

Our Primary reasons for opposition include:

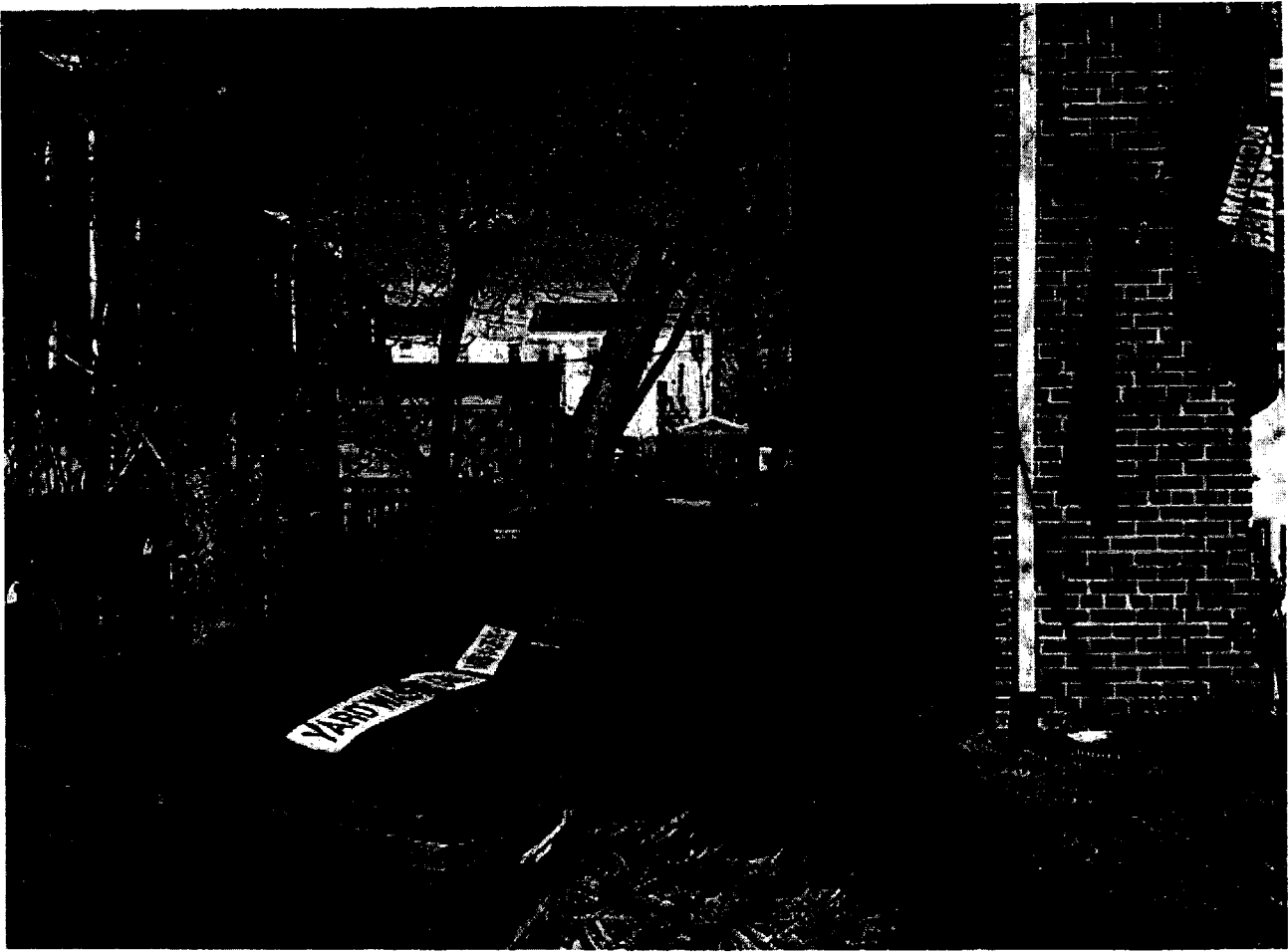
- This project does not fit with the character of Del Ray
- The plan will kill the large, 100+ year old tree on the adjacent property and the only consequence for killing it is to replace it with a 2in diameter tree + a \$200 penalty - this is unacceptable
- Stormwater management will not be able to keep up ...70% of the proposed home is underground and will flood and the lack of a street to run the water to will invariably flood the adjacent properties.
- Mt. Vernon Ave. and East Alexandria Ave lack sufficient parking to support this proposed dwelling. There is also insufficient space for construction vehicles/equipment to safely stage at the lot.

- Three of the four alleys surrounding the home are unimproved and don't provide access to the home
- If approved, this project would set a terrible precedent whereby builders and developers will build similarly ugly structures that will divide existing lots.
- This lot has no street frontage and the fire department would not have the necessary access for timely emergency response
- Eric Teran and Daniela Gross are developers looking to make a profit rather than live in a Del Ray home that retains the character of the neighborhood. When challenged at the planning commission meeting, Eric Teran said he would just get permits from the city to achieve his construction plan. His responses made it clear that he is not giving serious consideration to the real issues his proposed project will create for the people living in our neighborhood.

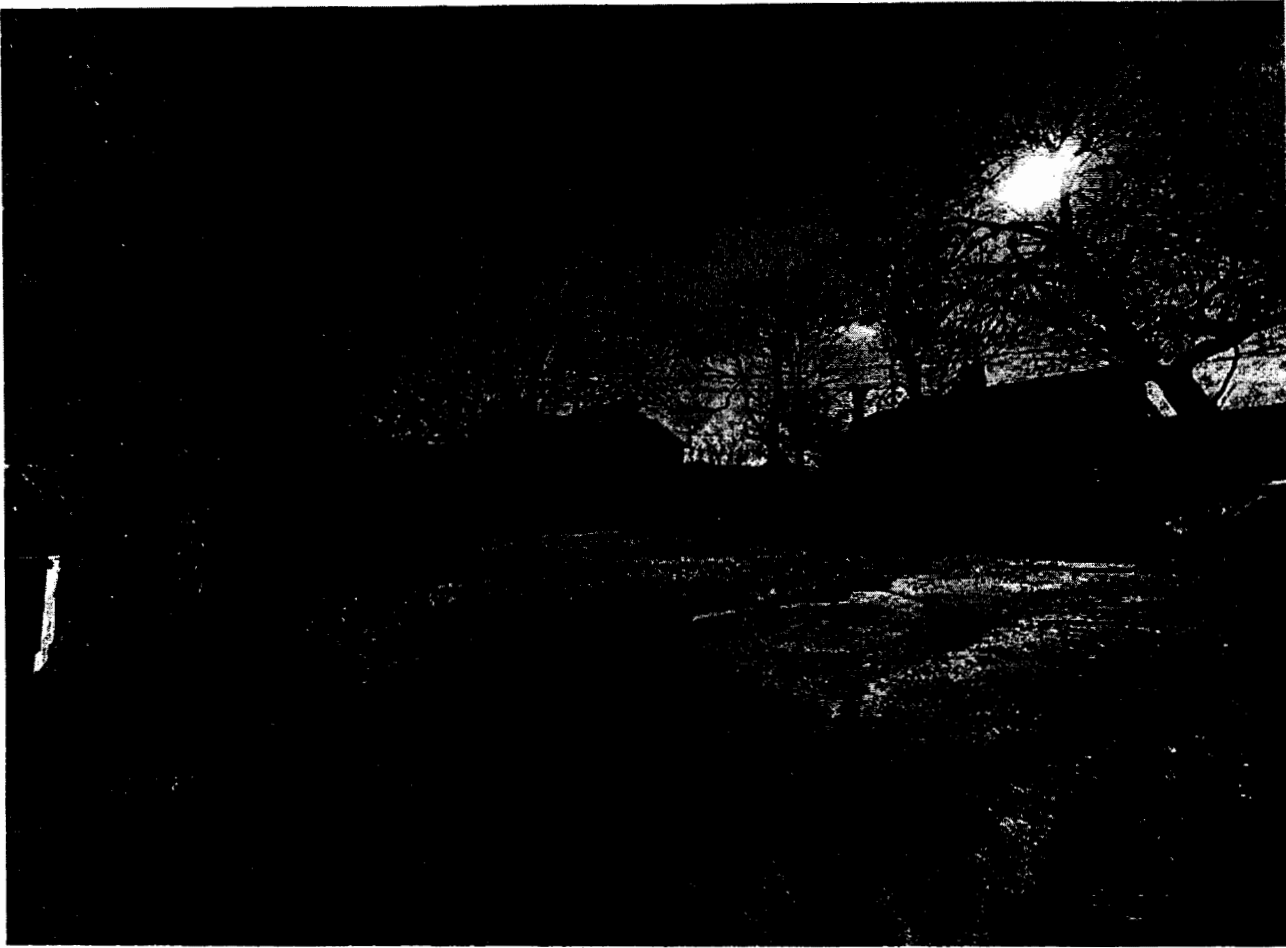
Please vote to oppose this project.

Thank you.

Eric Weiner and Leah Kegler







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From: Eric Weiner eiw77@me.com

Sent: Thursday January 4, 2024 7:58 PM

To: PlanComm

Subject: Opposition to Special Use Permit #2023-00067 - 404A E Alexandria Ave

Good evening Mr. Pierce and Planning Commission Members,

We live at 414 E Alexandria Ave and we are participating in the public hearing via Zoom. We are writing to express our total opposition to the granting of Special Use Permit #2023-00067 - 404A E Alexandria Ave.

Some of our main reasons for opposition include:

- This project does not fit with the character of Del Ray

- The plan will kill the large, 100+ year old tree on the adjacent property and the only consequence for killing it is to replace it with a 2in diameter tree + a \$200 penalty - this is unacceptable

- Stormwater management will not be able to keep up ...70% of the home is underground and will flood and the lack of a street to run the water to will invariably flood the adjacent properties.

- East Alexandria Ave lacks sufficient parking to support this proposed dwelling

- Three of the four alleys surrounding the home are unimproved and don't provide access to the home

- If approved, this project would set a terrible precedent whereby builders and developers will build similarly ugly structures that will divide existing lots.

- This lot has no street frontage and the fire department would not have the necessary access for timely emergency response

- Eric Teran and Daniela Gross are investors looking to make a profit rather than live in a Del Ray home that retains the character of the neighborhood

Thank you to you and the planning commission for considering our concerns and opposition,

Eric Weiner and Leah Kegler

Dear Councilors to the City of Alexandria,

On behalf of the City of Alexandria's residents, thank you for your continued service representing the best interests of our community. Change is not easy, particularly for a city with extensive historical roots, and as you steer our City through Northern Virginia's growth, I remain proud of your leadership in ensuring that Alexandria maintains a healthy and inclusive community.

The health of our community has embodied a personal obligation to contribute through community service. To date, I have volunteered over 400 hours to the Alexandria Health Department's Medical Reserve Corps (MRC) and Community Emergency Response Team. This includes weekends supporting and supervising: annual mass influenza vaccination events, several COVID-19 mass testing events, large COVID-19 vaccine clinics that immunized over a thousand community members to smaller clinics in neighborhoods hardest hit by the pandemic, and pediatric vaccine clinics. I also volunteered at the Health Department's COVID-19 call center and as a COVID-19 contract tracer and case investigator. These opportunities gave me a unique opportunity to cross paths with other Alexandrians from different walks of life, and I have left every event prouder of being a resident of this City.

However, I am writing to express my disappointment at the lack of community engagement or consideration by the Department of Planning and Zoning and the Alexandria Planning Commission on the application for a Special Use Permit (SUP) #2023-00076 for 404A E Alexandria Avenue. I only learned about changes in the original application through public filings of the final document, interpreting these documents as a non-subject matter expert with other impacted neighbors, and attending the Planning Commission meeting on January 4, 2024. Beyond these filings and forum, we were never given an opportunity to learn about changes, exchange concerns, or explore alternatives with the City Staff, Planning Commission, or applicant, even though my residence and those of my neighbors would be negatively affected by this new single-family residence with a detached Accessory Dwelling Unit.

This lengthy letter seems to be the last opportunity for community-level input. The first and only opportunity for dialogue was hosted by the Del Ray Citizen Association (DRCA), which did its job in allowing for deliberation and voting in opposition to this SUP (re. letter sent to Mr. Moritz, Alexandria Department of Planning and Zoning). But, instead of following up with DRCA's letter and those of my neighbors, the Department of Planning and Zoning responded through a final report that recommended approval of the SUP permit. Not only did their official report not address the significant concerns in those letters, it only raised more questions. We only wished for dialogue and the Planning and Zoning Staff didn't respond to our requests. Adding to the sting was that we first learned about adaptations at the Planning Commission meeting, after the Staff filed their report and recommendations.

I am in full agreement with my neighbor's and DRCA's concerns and since there is no other opportunity for dialogue with the Planning and Zoning Staff, Planning Commission, or applicant. I am presenting my main concerns through this letter and hopefully as verbal testimony to you, as our City Council.

- Firstly, our residences are part of the Hooffs Run Watershed that sit on-top of underground streams that drain into the very-active Hooffs Run. Most of the recent flooding events, specifically those off Monroe Avenue and off Commonwealth Avenue in the Rosemont Neighborhood, are associated with our watershed. The streams immediately underneath and surrounding our residences have not been disturbed since our multi-unit townhomes were built in the late 1930's with sump pumps being a necessity. My sump pump routinely runs multiple

times during dry periods and almost continuously during rain and snow events. It also takes several days for the large “puddles” on the 404A E Alexandria lot to absorb into the ground after a modest rain event, confirming that the soil is already water-logged by active streams with little capacity for additional run-off. Building a solid structure that runs to the edge of the lot with a predominantly underground footprint will stress these active sub-terrain streams. Since our townhomes are below 404A E Alexandria, it is highly likely that the streams will be diverted and focused into our basements if the proposed building is constructed. My own sump pump is unlikely to handle increased demand and I would predict that putting in a single-family home at 404A E Alexandria could make the surrounding ten homes unlivable given their age and cost for reinforced infrastructure.

- Secondly, the only vehicular access to the proposed unit is through a small public alley off Mount Vernon Avenue. Approving this permit will increase the danger to our immediate community by converting a lightly-used alleyway into an active vehicular thoroughfare. Driving onto Mount Vernon Avenue from this alley means that the driver must first cross an active sidewalk connecting the Braddock Road Metro Station, GW Middle School, and the rest of Alexandria to Del Ray’s “downtown” core. Then, the driver must carefully navigate onto Mount Vernon Avenue after passing parked cars at the edge of the alley entrance, with additional effort that car and bicycle cross-traffic is aware given that the entrance is not obvious (as it is in the middle of the block) or visible from the street. There have been several occasions of cars blocking the alley because visitors thought it was a viable parking spot. The City’s refuse, recycling, and compost collection staff also will not attempt to drive down the alley and instead service our townhomes by parking on Alexandria Avenue and walking down the alley. The detached Accessory Dwelling Unit described in the SUP application has its own dedicated kitchen and laundry in addition to those within the main building, elevating concern that the proposed construction is for two separately-resided buildings. This alley and its intersection with the sidewalk and Mount Vernon Avenue is not designed for the likely increased traffic pressure introduced by two new family units at 404A E Alexandria and regular services such as Amazon or other delivery providers.
- Most shockingly, during verbal testimony provided by the staff of the Department of Planning and Zoning at the Planning Commission meeting, one significant justification for their final recommendation was based on the proposed goals of Zoning For Housing/Housing For All (ZFH). My love of the diversity and inclusivity of this City should show that I am in full support of ZFH and I applaud the Council’s leadership on this issue. However, the residence described in the application for this SUP does not address the vision as it is proposed as a single-family residence (although this counters the design, as mentioned above) that the applicant testified is intended to be a rental. If these are rented, I highly doubt these will be offered at sub-market rental rates as this is not described anywhere. The intended use and design of these buildings are not the model that should represent the vision of ZFH and it is insincere to make that claim. I remain disappointed that these City Staff wanted to distract the lack of substance in their report by politicizing an issue unrelated to this SUP application.

Our family focused our housing search on Alexandria when we were moving back to this region after several years in Seattle. After living in eight different cities, Alexandria is the only city I have ever wanted to put down roots, a commitment that resulted in the purchase of our first home. The past five years have been nothing but amazing, including new routines of weekend walks throughout Alexandria’s diverse neighborhoods, enjoying the multitude of cuisines from Old Town and Arlandria to the West End,

and partaking in multiple events, festivals, farmer's markets, and local theater. We typically find ourselves comparing Alexandria during our vacations, often to the detriment of the cities we're visiting.

As you review this SUP application and my comments, I also ask the City Council to recognize that this review process lacked transparency and community engagement, with concerns filed by my neighbors and DRCA remaining unaddressed. This process has been disappointingly frustrating, and I am speaking as a resident who loves Alexandria and the community represented by its residents and dedicated civil servants.

Again, thanks for this opportunity to voice my concerns. I welcome a call, email, or opportunity to meet if you have any questions about the content of this letter or want to learn more about my concerns about this application or the lack of transparency and engagement in its review.

Respectfully,

Mark Lim (with Yashin Lin)

1407 Mt Vernon Ave

markdim@gmail.com

January 18, 2024

RE: Opposition to SUP for 404A E Alexandria Ave, Docket 10

Dear Members of the Alexandria City Council,

I am writing to bring to your attention crucial information and concerns raised by the community regarding the Special Use Permit (SUP) application for the proposed development at 404A. The Planning Commission public hearing on January 4, 2024, revealed several points that necessitate a more thorough and objective examination of this project. Opposition to this SUP includes dozens of surrounding neighbors, the Del Ray Citizens Association (DRCA), and its Land Committee. All have strongly requested the denial of this SUP, signaling the need for the City Council's intervention.

The Planning Commission's 4 to 3 vote in favor of the SUP demonstrates the divisive nature of this proposal. The concerns outlined below highlight the potential adverse effects on our community if the SUP is approved:

Failure to Meet §12-401 (C): The proposed dwellings at 404A do not align with the existing neighborhood character, violating lot area and width requirements. The Contemporary style and lack of frontage are inconsistent with Del Ray's historical development. The CSRs admit this, but their rationale overlooks the unique nature of this alley lot, setting a problematic precedent for housing construction in our community.

Diminishing Property Values: The CSRs' assertion that 404A will not diminish surrounding property values lacks evidentiary support. The crowded-in backyard visual, impaired parking spaces, increased fire risks, stormwater runoff, and destruction of mature trees could all contribute to a reduction in value for neighboring homes. The proximity of 404A to narrow alleys poses challenges for emergency access, potentially lowering the future value of nearby properties.

FAR Calculation Inaccuracy: The DRCA warns that the design is dependent on an incorrect basement square footage exclusion from the Floor Area Ratio (FAR) calculation. Independent analysis is needed to verify the FAR calculation, ensuring compliance with zoning regulations.

Breach of ADU Rules: The admission by developers that they will not reside in either the primary residence or the ADU, but rather lease both out, violates zoning code section 7-203.B6. This breach undermines the intent of ADUs to provide affordable housing, setting a precedent for developers to use ADUs as profit centers going against the intent of the Affordable Housing for All policy.

Parking Concerns and "Party in a Box" Effect: The already crowded streets in our neighborhood face additional strain with the proposed development at 404A. Inadequate parking provisions and the potential for increased transient tenants could exacerbate

parking challenges. Furthermore, the box-like architecture raises concerns about creating a 'party in a box' effect in our backyards, disrupting the peace and harmony of the neighborhood.

Considering these concerns and the community's overwhelming opposition, I implore you to pause the approval of the SUP for 404A. This project, if approved, risks setting detrimental precedents and jeopardizing the unique character of Del Ray. Your intervention is crucial to ensuring the well-being and harmony of our neighborhood.

Thank you for your prompt attention to this matter.

Sincerely,

Mary Reding
Concerned Property Owner and Neighbor
412 E Alexandria Avenue
Alexandria, VA 22301
(937) 609-4549

CouncilComment@alexandriava.gov

From: Justin Reynolds <justinreynolds@hotmail.com>
Sent: Wednesday, January 17, 2024 7:30 PM
To: CouncilComment@alexandriava.gov
Cc: Rachel M Drescher; Karl Moritz; Tony LaColla; Sam Shelby
Subject: [EXTERNAL]City Council Public Hearing: Docket No. 10

Follow Up Flag: Follow up
Flag Status: Flagged

Some people who received this message don't often get email from justinreynolds@hotmail.com. [Learn why this is important](#)

Mr. Mayor and Councilmembers,

My family and I have lived in the city of Alexandria for 27 years. First I rented, then my wife and I moved into a townhome, and then were fortunate enough to move into a single-family home. Finding our single-family home was a difficult and cumbersome process as the housing stock was limited and there was virtually no vacant land to build on. The few lots that were available were constrained by existing site conditions such as streams, easements, and zoning regulations.

I am in support of this project for three reasons.

1. The city needs more housing. We have several friends who have been looking to move into Alexandria for years, but simply could not due to the limited availability of houses.
2. This home design is a truly innovative solution that creates an attractive home while thoughtfully maintaining access for neighbors and keeping a beautiful mature tree.
3. I understand that due to this creative design the project is only asking the council to review minor aspects of the project related to lot size and parking.

Respectfully,

Justin Reynolds
3970 Fort Worth Ave.

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CouncilComment@alexandriava.gov

From: Raj Singh <raj.singh.kumar@gmail.com>
Sent: Friday, January 19, 2024 9:13 PM
To: CouncilComment@alexandriava.gov; Brett Rice; Angela Rice; Catharine Rice
Subject: [EXTERNAL]Special use permit 404-A E. Alexandria Ave – Substandard Lot without Street

Follow Up Flag: Follow up
Flag Status: Completed

[You don't often get email from raj.singh.kumar@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

> ALCON,

>

> I'm writing, as the owner of 404 E Alexandria, Raj and Kim Singh, about the development behind our home. There is a reason it hasn't been built on all this time, and there is a real possibility three large mature trees will die. A 2500 fine or 2 inch tree replacement isn't an acceptable solution.

>

> I'm curious how will the construction equipment get to the site and where will it be stored? Both alleys leading to the site are too narrow. In addition, within Del Ray, I don't believe a home has been built with no street frontage, and the architecture of the home doesn't fit in with the area.

>

> The owner is a well known individual who owns several properties and lists them as short term rentals. While it's unknown if this will be a short term rental, one can take the available data and conclude it will be. I know homes are allowed to be STRs.... But allowing this doesn't adhere to more housing for residents if only tourists are using it.

>

> Two Del Ray committees stated no to building on this site, so it's also peculiar city council would go against the advice given.

>

> I'm available to talk, and I am against approving this special use permit.

>

> Raj and Kim

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From: Catharine Rice <catharine.rice@gmail.com>
Sent: Friday, January 19, 2024 9:40 PM
To: CouncilComment@alexandriava.gov
Subject: [EXTERNAL]SUP 2023-00076: Please say No to 404A E Alexandria on Jan 20
Attachments: Rough parameter of where two dwellings will be built.png; Applicant falsely depicts alleys as straight & clear-2.png; Applicant misrepresents Mt Vernon & rear alleys as straight and clear-1.JPG; Photo of 1413 Mt Vernon and alley perspectives-3.png; Photo of Mt Vernon and East Alexandria Alleys-4.png; 404A Supposed 10 ft back alley.png; DRCA-11.20.23 404A E. Alexandria Ave SUP Letter to PC.pdf

You don't often get email from catharine.rice@gmail.com. [Learn why this is important](#)

This email is not showing up on your list. In fact, that of many of our neighbor who oppose are not showing up on your list. So here again!

Please put a pause on this SUP so it can be looked at more objectively. Twelve (12) surrounding neighbors and the **Del Ray Citizens Association and its Land Committee** (attached for easy viewing) have asked that this SUP be denied. That, and a 4 to 3 Planning Commission vote, evidences the need for Alexandria's city council to intervene and deny this ill-designed project. If you support the City Staff Reviewers (CSRs) request to approve, you will, in one fell swoop, establish new precedents for housing construction in Del Ray that are odds with our basic zoning guidelines, our commitment to the historic preservation of the character of Del Ray, the recent ADU rules, and the intent of our new Housing for All zoning rules to bring in new housing, but not by crowding up R-2-5 lots with multiple buildings.

1. It fails §12-401 (C)—These dwellings will not be compatible with the existing neighborhood character

Twelve (12) surrounding neighbors and Del Ray Citizens Association & its Land Use Committee have asked for rejection of this application, which wants to wedge two new dwellings into a substandard lot at 404A East Alexandria. 404A fails the lot area and width requirements and so **is a substandard lot which will not face, nor have any frontage on an actual street, in stark contradiction with the historical development of Del Ray. No such homes exist in Del Ray** and so this application is not compatible with the existing neighborhood character. The City's Staff Reviewers (CSRs) admit this, saying "this is the only alley lot in the Del Ray neighborhood," but they then overlooked this fact by rationalizing that the dwellings will be a smaller size and less visible from the road (Staff Report (SR), p.17, found [here](#)) That fails the test. 404A will also be a Contemporary style. There are no Contemporary designed homes in the neighborhood. The CSRs admit this (SR, p.14) but ignore it with the weak rationale that the home will be rectangular and have a gable roof (SR p.14)(!) They also fail to note that the low-pitched roof is also out of character with the neighborhood.

2. It fails §12-401 (C)—There are numerous indicators that these dwellings will diminish or impair established property values of surrounding homes: The CSRs simply state, with no proof or evidentiary support, that 4040A will not diminish or impair the established property value of surrounding homes. They simply state that the dwellings will increase the value of the land on which they are built, and by extension, this will increase similar size properties of the neighbors.

What the CSRs should have done is address how the value of the surrounding homes could easily face a reduction in value, or impaired future value, based on neighbors and DRCA observations, including: the tight physical crowding into their backyards, the impairment of existing parking spaces, the increased fire risks and stormwater runoff, and the destruction of mature trees. 404A will create a crowded-in, disconsonant backyard

visual for the surrounding townhouses, inconsistent with the rest of the neighborhood, which is characterized by homes facing the street, with greenery in the backyard. The Mt Vernon alley is narrow and not straight (despite applicants' drawings, see photos below); and pinches tightly around a large utility box and pole and curves to the East Alexandria alley. Due to the proximity of 404A resting tight against the East Alexandria alley, the townhouses on Mt Vernon street will have impaired access to their back parking spaces, removing value from their homes. The future value of the townhouses could be forced into stasis, due to their proximity to dwellings that will face increased fire risk. 1413 East Alexandria notes that 404A fails to meet the 100-foot emergency access requirement, (SR, p. 98) DRCA points out the narrow alleys are not even accessible by current garbage trucks, let alone fire trucks. (SR, p. 93) (The Applicants have asked for a reduction in the parking requirement from 2 to 1 car due to the difficulty of turning a car around in this site.) The CSRs note the applicant will need a waiver to fire codes during construction. (SR, p. 17). The Applicants admit they will be leasing both dwellings, and will not be living in them. The townhomes located so close to dwellings with transient tenants and impaired emergency access will be seen as less fire safe and of less value. The value of 1413 Mt Vernon will undoubtedly suffer—the owner noted that both the construction trucks and the short- and long-term dwelling lessees will end up using his driveway to turn around in due to the pinched off alley space. (SR, p. 98). Numerous neighbors and the DRCA note the heightened flooding in this area. 1413 Mt Vernon wrote that his home sits at the lowest point in the area, and 404A's increased impervious surface in this high flood zone, will send the flood waters toward his home. (SR, p. 98) This will lead to more decay and potentially lower the future value of his home.

Fails §11-500 -FAR calculation incorrect – SR, p.17.

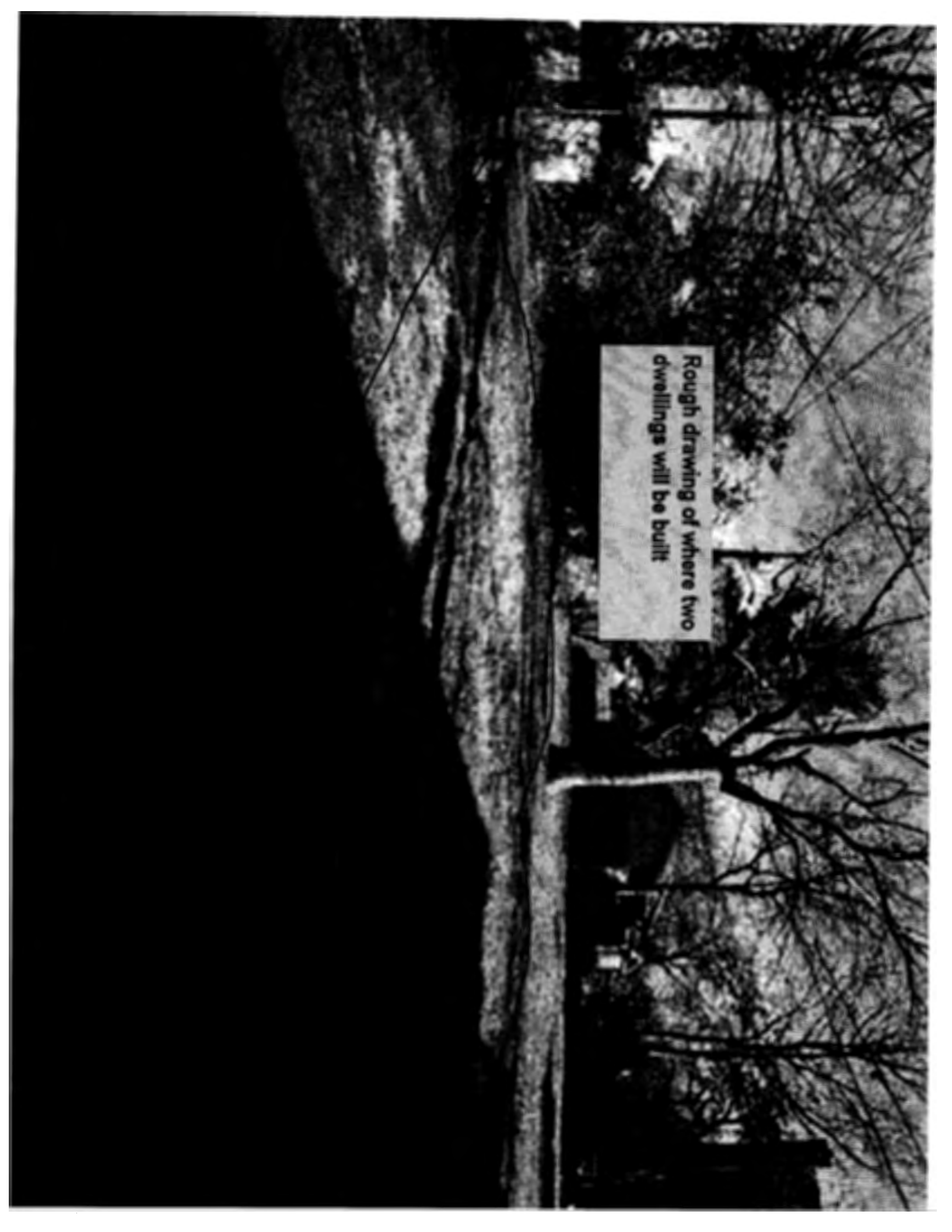
The DRCA warns that 404A's design is dependent “on the basement square footage being excluded from the FAR calculation.” DRCA points out that the Applicant argues the basement does not count as FAR, and treats the ADU as “detached” even though “there are continuous interior spaces between the primary dwelling and the ADU.” (SR, p. 93). DRCA questioned whether the basement would comply as being “below the average grade calculation.” Yet, the CSR's ignore this observation, and simply accept at face value the Applicant's FAR calculation, choosing not to do their own. This needs independent analysis.

Breach of ADU rules

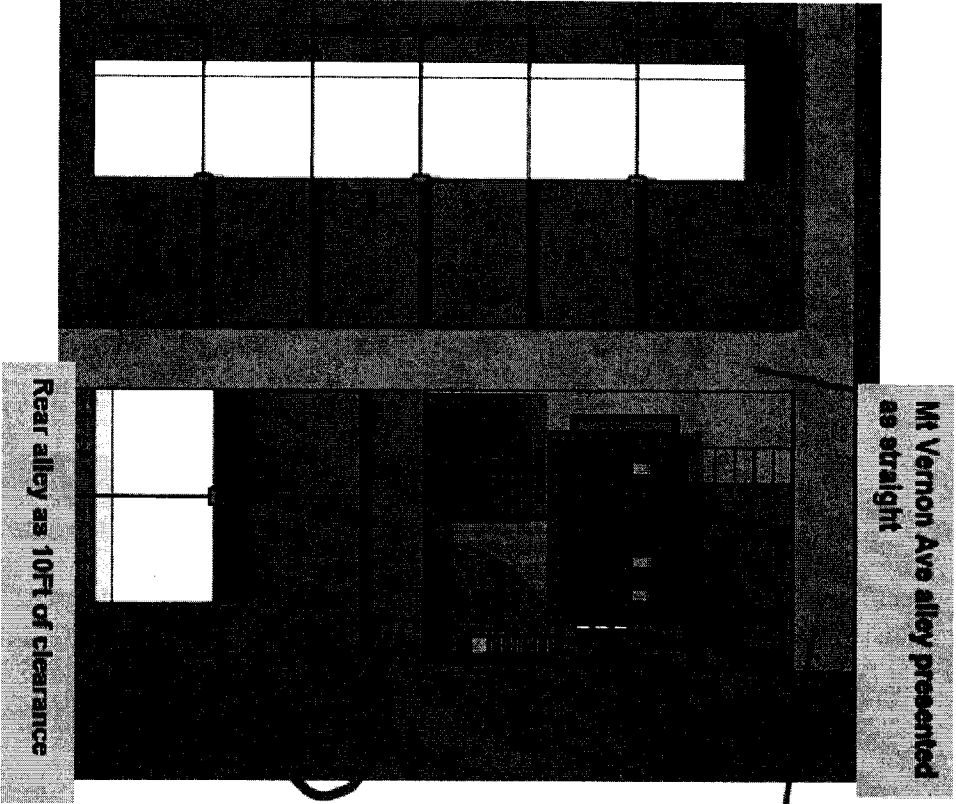
The Developers have admitted they will not be living in either the primary residence, nor the ADU, but will lease both out (one as an AirBnb). DRCA points out this is not allowed under zoning code section 7-203.B6 which requires that the owners of the property live in the primary residence at the time they apply for an ADU permit. (SR, p. 94) They note that this language was added by city council in 2021 to ensure that the majority of ADUs were not used as short-term rentals or “by a developer to build out the maximum envelope of a site pushing the sale price higher rather than providing additional affordable housing.” If this SUP is approved, the city council will set a new precedent of allowing developers to use ADUs as profit centers rather than avenues for affordable housing.

Sincerely,
Catharine Rice
424 East Alexandria Avenue

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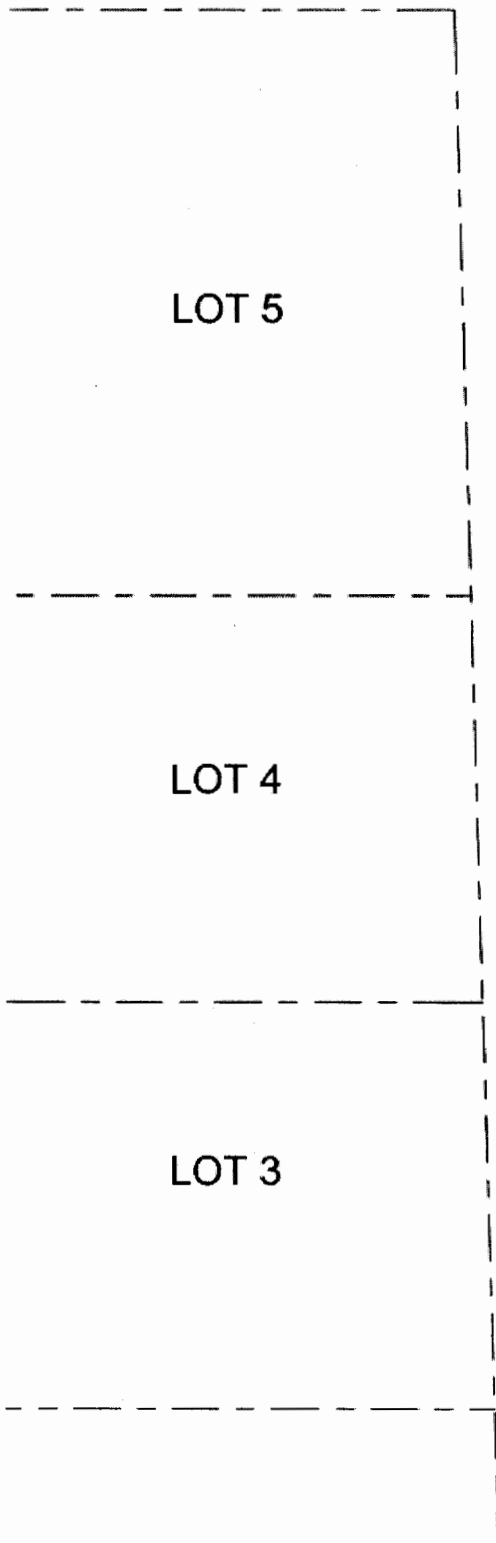
A black and white photograph of a rocky landscape. A large, light-colored rock formation dominates the center of the frame. To the right, a sign is mounted on a post. The background shows a steep, rocky slope and some sparse, leafless trees. The lighting is dramatic, with deep shadows and bright highlights on the rock surfaces.

Rough drawing of where two dwellings will be built

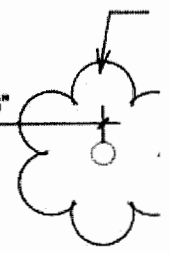
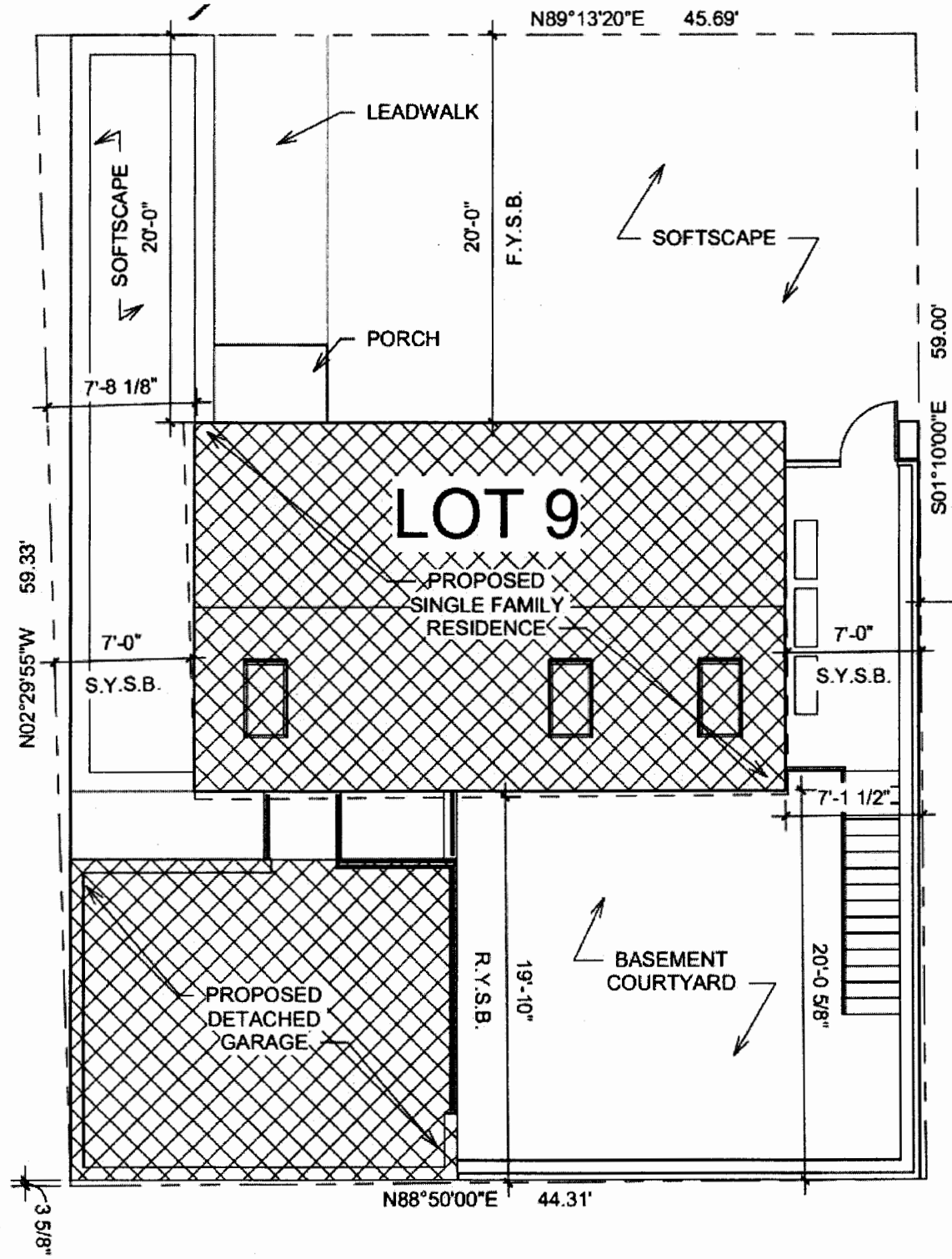


**Mt Vernon Ave alley presented
as straight**

Rear alley as 10Ft of clearance



10' PUBLIC ALLEY



UNDEVELOPED

X

10' PUBLIC ALLEY



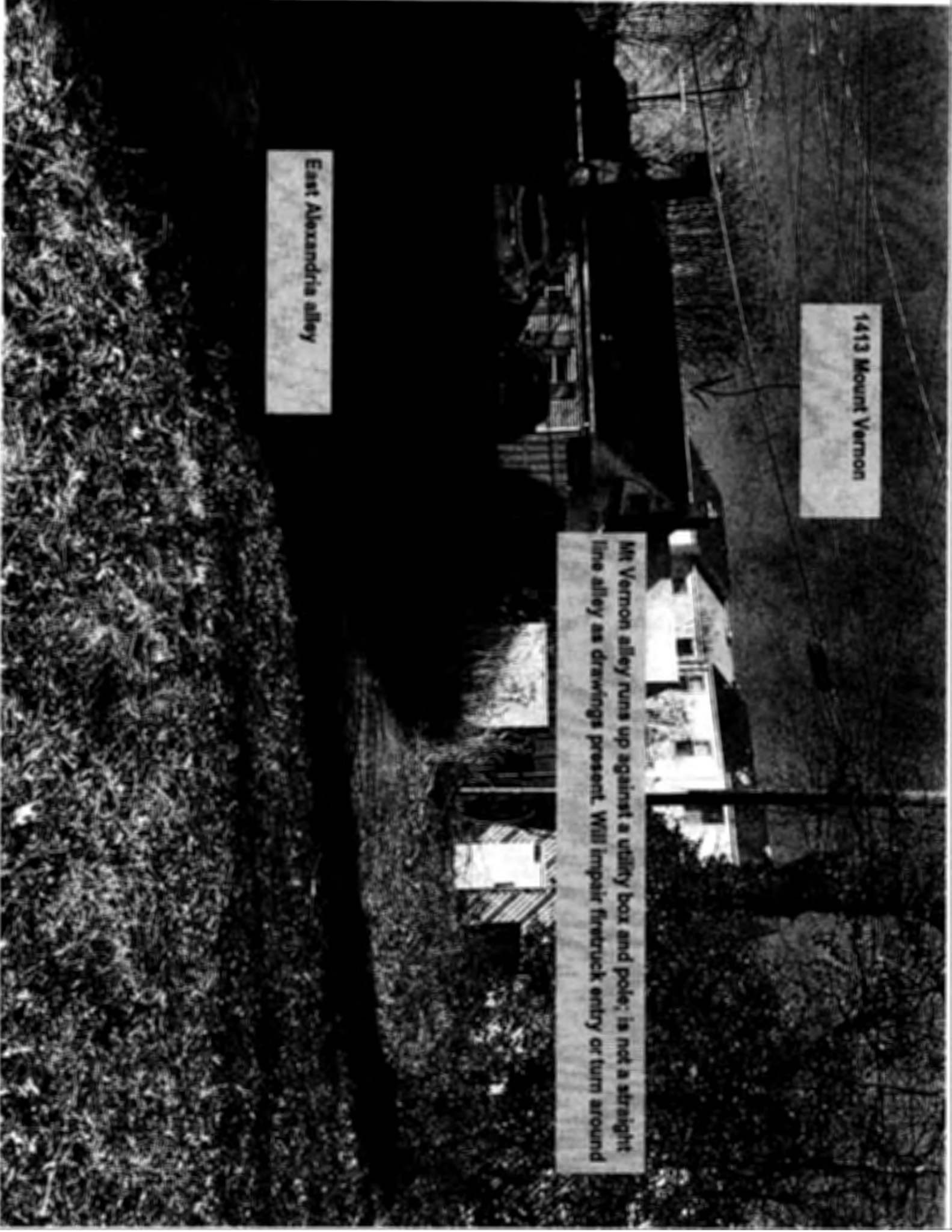
East Alexandria Alley

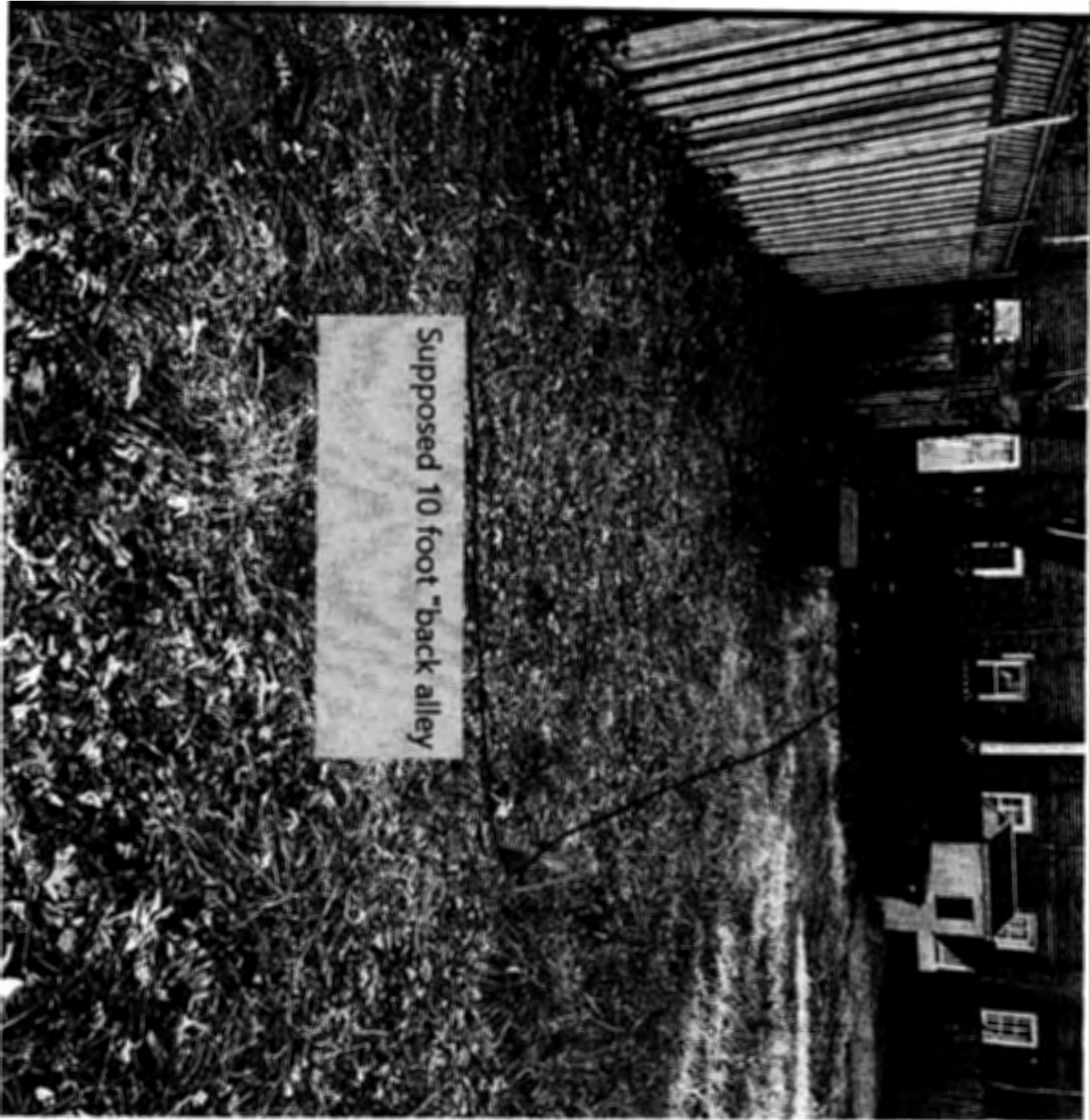
Mt Vernon Alley is not a straight through, it hits a utility box, pinches around to E. Alexandria Alley=impaired firetruck access

1413 Mount Vernon

Mt Vernon alley runs up against a utility box and pole; is not a straight line alley as drawings present. Will impair firetruck entry or turn around

East Alexandria alley





Supposed 10 foot back alley

CouncilComment@alexandriava.gov

From: Angela Rice <riceangie@gmail.com>
Sent: Friday, January 19, 2024 9:19 PM
To: CouncilComment@alexandriava.gov
Subject: [EXTERNAL]Fwd: SUP 2023-00076
Attachments: 20240109_145125.jpg; 20240109_151608.jpg; 20240118_122123.jpg; IMG_20240118_123443.jpg

You don't often get email from riceangie@gmail.com. [Learn why this is important](#)

----- Forwarded message -----

From: Angela Rice <riceangie@gmail.com>
Date: Thu, Jan 18, 2024, 2:37 PM
Subject: SUP 2023-00076
To: Justin Wilson <justin.wilson@alexandriava.gov>, John Chapman <john.taylor.chapman@alexandriava.gov>, <Canek.Aguirre@alexandriava.gov>, <Amy.Jackson@alexandriava.gov>, <alyia.gaskins@alexandriava.gov>, <Kirk.McPike@alexandriava.gov>, <Sarah.Bagley@alexandriava.gov>

Dear Mayor and City Council Members,

I am writing to express my strong opposition to the SUP for 404A East Alexandria. I believe that the project would have too many negative impacts on the Del Ray community and neighbors and should NOT be approved. This project does not merit the required exceptions to the many requirements it does not meet.

My husband, three kids and I live at 408 E. Alexandria Ave, directly across from the proposed project on the side where the proposed project has the two-story cantilever (which would be the ONLY two-story cantilever in Del Ray). I can attest to three immediate issues, neighbor disapproval, flooding and lack of parking. Not a single neighbor on this block is in favor of this project. This end of E. Alexandria Ave has documented flooding issues (see photos from Jan 9, 2024), this project will create more, simply connecting to the overmatched storm sewer is NOT sufficient. It already can't handle the amount of water it receives currently. There is year-round insufficient street parking in front of 404 E. Alexandria and on the adjacent Mt Vernon Ave block.

This is a Special Use Permit request due to the lack of street frontage and substandard lot size for the R-2-5 Zone and is not a build by right project. Special use permits are utilized to protect the integrity of the community and the rights and value of the neighboring property when considering a request to build on an otherwise unbuildable (per current code) lot. The house does not fit the character of the street, the surrounding block, or the Del Ray neighborhood. Additionally, as mentioned by the City Staff, there are no homes without street frontage in Del Ray.

As the Del Ray Land Use Committee and the Del Ray Citizens Association have written in their recommendation against approval, there are many red flags regarding the design, stormwater management, the FAR basement exclusion and setbacks, the impact of utility lines, the impact on neighboring trees, vision clearance at the alley entrances, use of the accessory dwelling unit as a short-term rental, and lack of emergency access. These issues were dismissed with unsatisfactory conclusions at the P&Z hearing. As a matter of policy, the Staff completely ignored and set aside.

For example, the Staff Report states there are many lots the same size in the general area. This is inaccurate and NOT how compatibility is determined. They are drawing a false equivalency to Townhomes, not detached homes, as in this project. Not to mention, one would think that a City Staff member would be honest and explain that townhomes are expressly NOT allowed in this zone and yet they use an illegal use to validate this project. I will reiterate, there are NO detached homes on lots this size without street frontage anywhere in the Del Ray neighborhood.

Commissioner Koenig said that the other neighbors who did not come to the hearing must approve of the SUP going forward. This is a false and unsubstantiated claim. This is concerning because the majority of the neighbors in the homes sent emails to the City Staff. It appears the City Staff did not notify the Planning and Zoning Staff of the neighbor's disapproval. This false claim needs to be noted. Commissioner Koenig also said, and I paraphrase, that although the Airbnb use is concerning, they couldn't deny it based on this because it wouldn't be any different than if any of the Commissioner's neighbors were to Airbnb their homes. But it IS very different. This lot does not have street frontage and is too small for the proposed single-family home and ADU. The adverse impact of confused renters and various delivery people looking for the two properties, should not be overlooked. This SUP is basically to approve a commercial use, A Hotel, on a small piece of land with no street frontage squeezed behind and adjacent to 10+ residential homes. The city code states that if an applicant needs a permit to build New Construction, the home MUST be his Primary residence to approve an ADU. (The owner of the property shall maintain the property as their primary residence at the time the permit is required by section 7-203 Accessory Dwellings.) The applicant affirmed to the neighbors AND at the Planning Commission hearing that he was NOT living in the home. Then he CAN NOT be approved for the ADU. We made the Planning Staff aware of this and they ignored it. The Planning Commissioners were made aware of this and ignored it. At a minimum, an SUP for an ADU on the site should not be approved.

Again, this project should be treated as commercial as it is intended to be used as a 2-unit Airbnb. This activity and intended use are not the purpose of a single-family zone. Neighbors are also very concerned that, although the intention for the applicant's use is as a 2-unit Airbnb, it could potentially be used as 4 separate units on this small lot. Approval would set an unintended precedent of Carte Blanche, allowing nearly any lot to be developed and with approval be used as 4 units.

City Staff advocating for a parking reduction because of the narrow alley size does not make sense. Only one vehicle can use the alley at a given time, regardless. Zoning Ordinance section 8-200(A)(1) requires two off-street parking spaces for a single-family dwelling. And the expressed intended use for this property is for two separate rental units. There is not sufficient street parking to make an exception for a property that will have two rental units. Reducing the parking requirement eases the burden on the project and creates more burden on the neighbors. But again, this lot won't accommodate a Detached house, a detached ADU and parking. THE SITE DOES NOT WORK

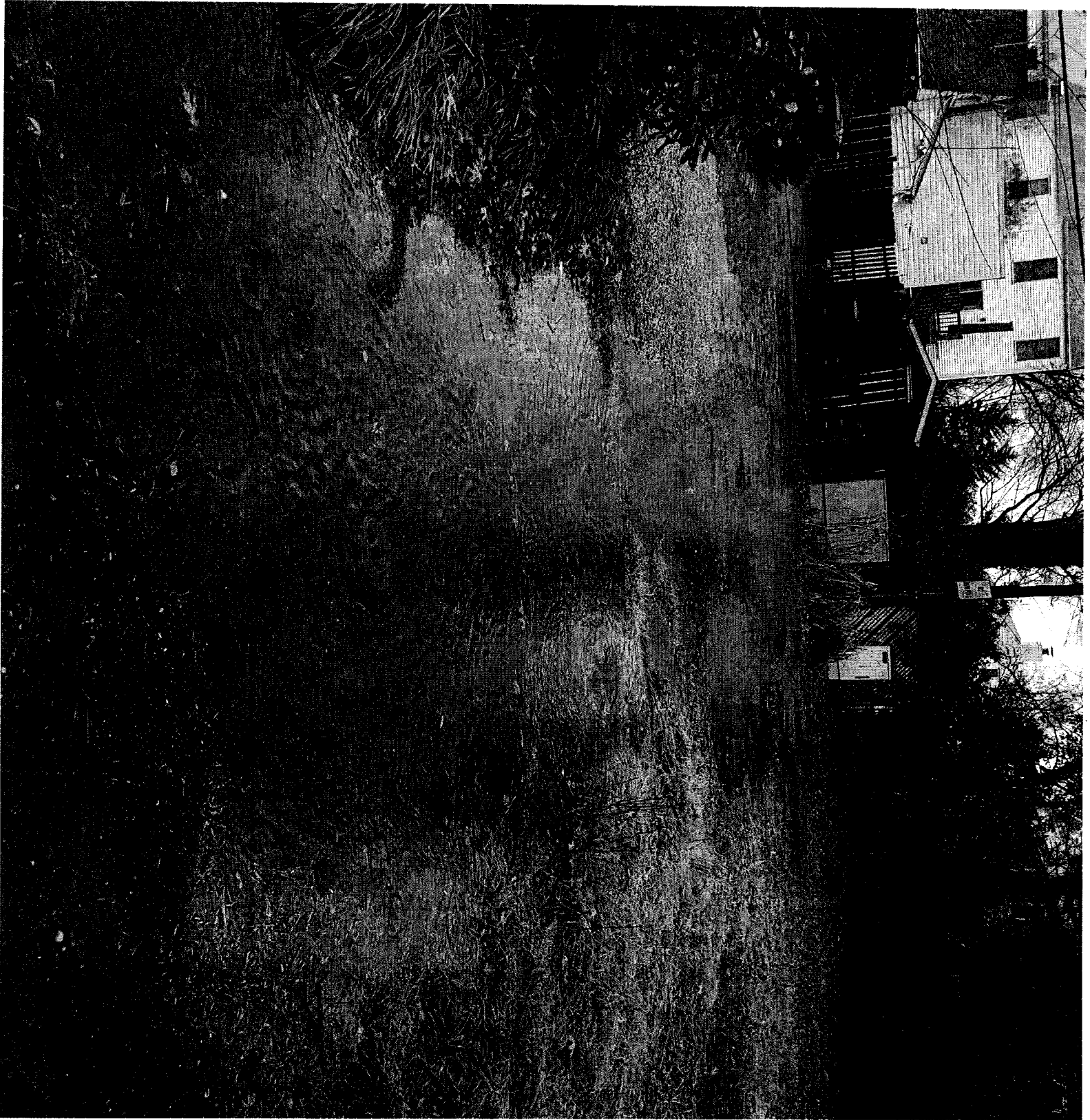
There are too many direct and potential future adverse impacts on the neighboring area to justify making so many exceptions for this project and approving a "un approvable" project like this.

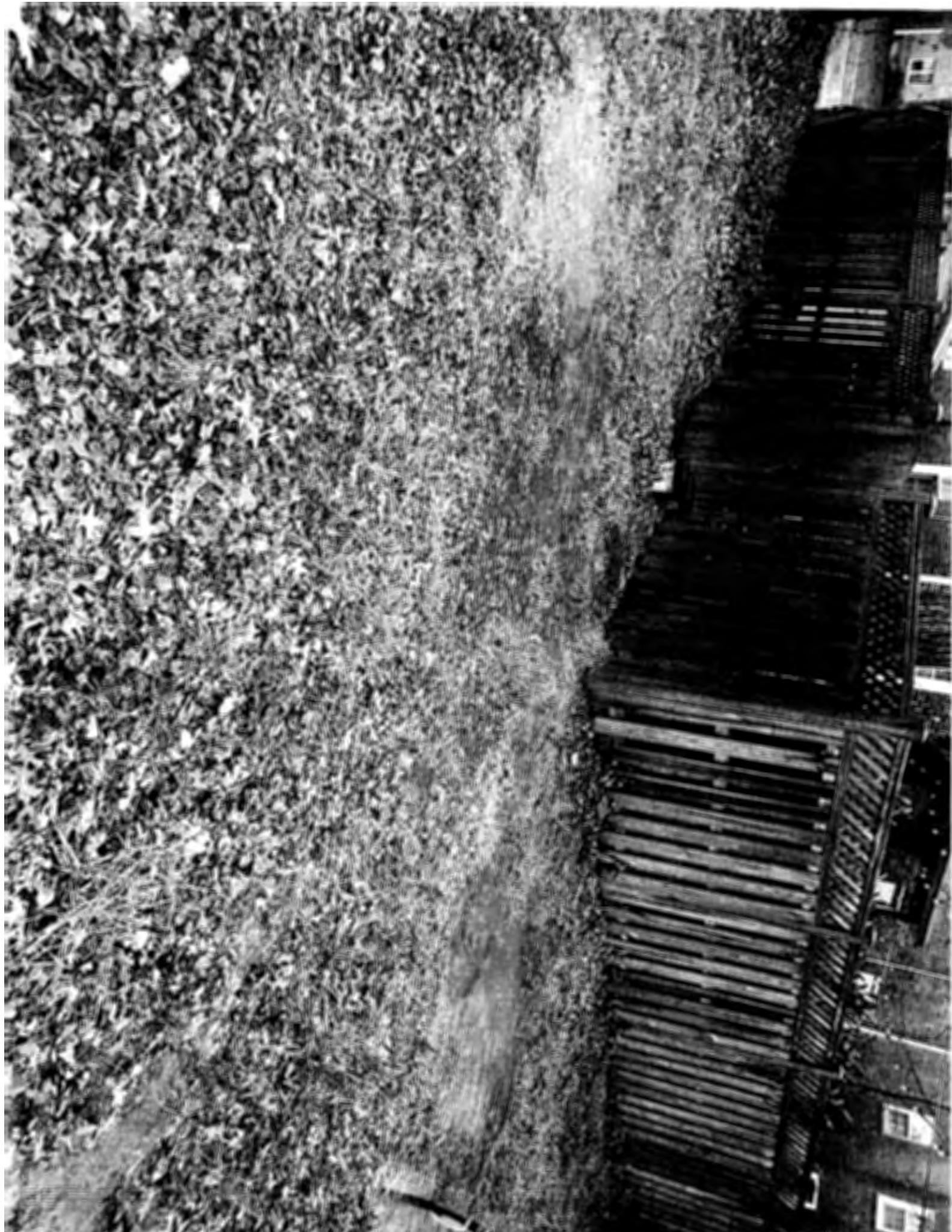
Just this afternoon, the blue car (photo attached) crashed right in front of the alley. This alley 100% does NOT meet the City's Vision Clearance requirement. There is not 70ft of vision clearance.

Thank you for your consideration,

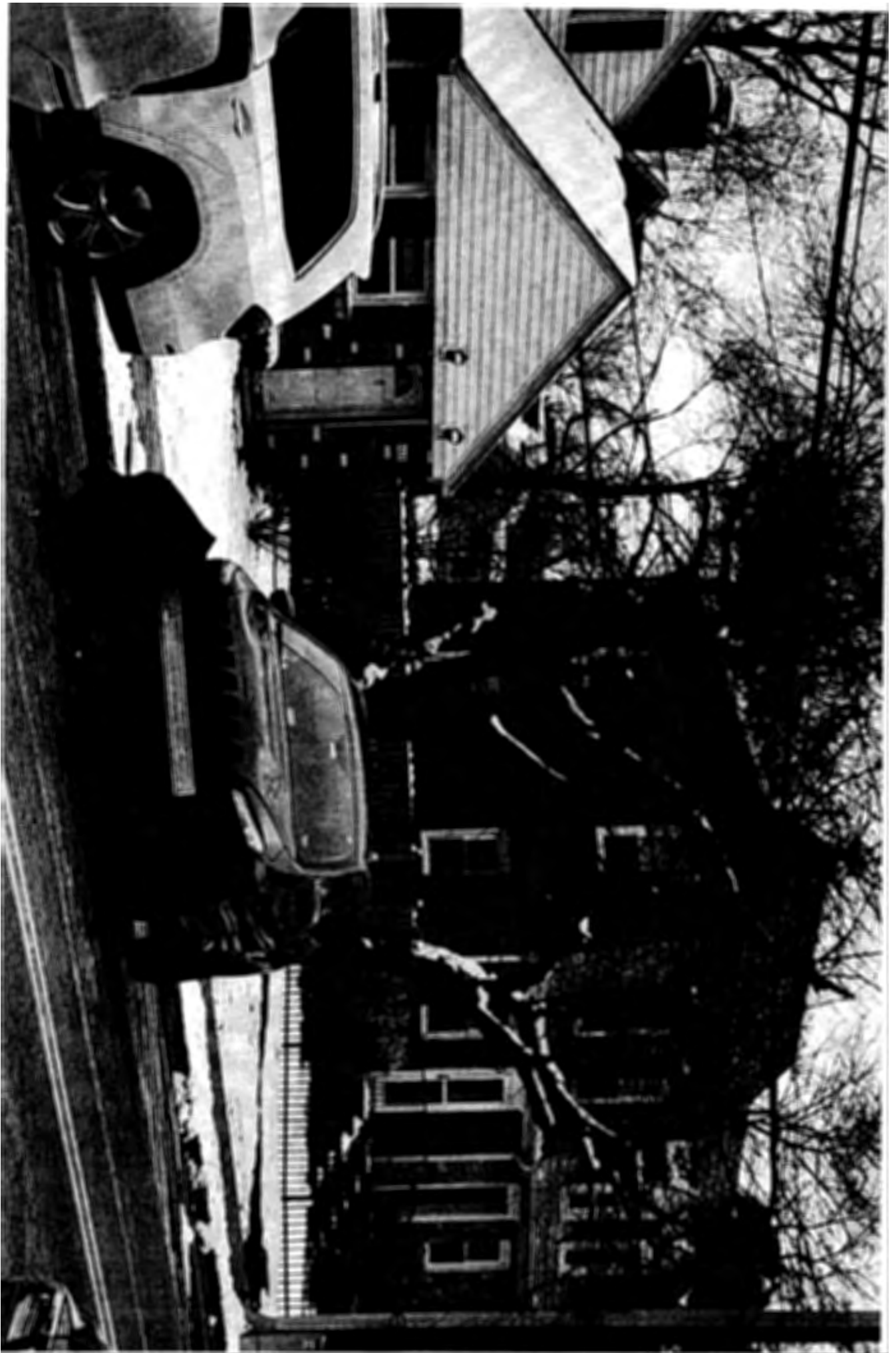
Angela Rice

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Alicia Montgomery
406 E. Alexandria Ave.
Alexandria, VA 22301
lishmo.202@gmail.com
(202) 689-9617

01/19/2024

To: Alexandria City Council Members
Alexandria, VA

Subject: **Request to Vote NO on Special Use Permit (SUP #2023-00076)**

Dear City Council Members,

I am writing to you as a concerned homeowner, neighbor directly adjacent to the lot in question, and dedicated citizen of the Del Ray neighborhood in Alexandria. As an owner-occupant, I am deeply invested in the well-being and integrity of our neighborhood and am an active member in the Del Ray Citizens Association (DRCA). It is with this vested interest that I would like to address significant concerns regarding this proposal. I know that many of these concerns are echoed by other adjacent neighbors, as I hope you will see evidenced by our planned community involvement at the upcoming City Council Public Meeting on Saturday January 20th.

I would also like to apologize, in advance, for the very lengthy letter that I am submitting to you. The proposed development and subsequent rush, as it seems, to get this pushed through raises concerns that there is an underlying agenda to simply get new properties on the books to count towards the recent Zoning for Housing movement. This, unfortunately, has been coupled with what has felt like an effort to mute the local community from involvement in any back-and-forth discussions on the matter. For these reasons, I have taken the liberty of elaborating on my thoughts on several pressing issues that I feel merit careful consideration.

1. Lack of Communication with Surrounding Neighbors:

I am, at least, happy to say that this whole process has allowed me to meet many surrounding neighbors that I had not connected with before. It has been encouraging to see our local micro-community come together to discuss concerns, share information, and utilize the varied subset of knowledge and skills that each of us possess to help make sense of all of this. In stark contrast, I am very disheartened that our new prospective neighbor has taken no such initiative; while Mr. Teran claims that he organized a neighborhood meet & greet, I, as an owner directly adjacent to his lot, was not given the opportunity to be involved in any of this – I received no such

announcement or invite, nor has there been a simple knock on the door to open any lines of communication. This, along with Mr. Teran's inconsistencies thus far in public meetings about his intended use for the single-family home (from initially stating that he intended to reside at the property at the "meet and greet" to later saying that he intends to use this as a long-term rental), have left many of us very unsettled and untrusting.

Furthermore, as pointed out in my verbal testimony on January 4th, I am frustrated about the lack of communication between city zoning staff and the immediate neighbors. I was, admittedly, probably naïve to presume that the lack of communication was because no further action was being taken on this topic – that there was no need for further input on the matter unless the applicant were to propose a new plan to put forward for DRCA's approval prior to moving on to the city level. I was later aghast upon reading the planning and zoning staff's ultimate recommendations for approval ahead of the January 4th meeting, as this was a complete 180° from the DRCA's recommendation. I sincerely hope that the staff had simply just taken Mr. Teran at his word that he was having some form of open and active dialogue with the immediate community in reconstructing his plans. There certainly seemed to be a very open line of communication between Mr. Teran and staff, as evidenced in their report. In fact, Mr. Teran stated himself on record at the January 4th meeting, "staff, with us, they have been very receptive... the neighbors, the few that we have been able to talk to, were receptive." However, the turnout of 7 adjacent residents to voice opposition at the January 4th meeting, 5 letters submitted to city staff in opposition (not including the DRCA's opposition statement), and our neighborhood chat/email group of over 15 individuals (spanning over 9 properties immediately adjacent to the lot) does not support this claim. Unfortunately, the lack of community involvement has left the overwhelming impression that this SUP has been pushed through by an overzealous staff to get something on the books as an example of a Zoning for Housing (a "clever solution to providing housing in Alexandria" as quoted in the January 4th meeting).

Considering this, I feel that it is pertinent to note that the vote passed only by a narrow 4-3 majority. A large percentage of the 1 hour of discussions on this docket item was, in fact, spent on this concern. At least two of the commissioners who voted in favor of approval (Mr. Manor & Mrs. McMahon) stated that they, too, recognized that there was a glaring lack of communication and that they would support a motion to defer a vote to allow time for this. Ultimately, no motion was put forth for deferral as Mr. Macek argued that "it's not our job to say, well you should have talked to the neighbors more." Whose job is it, then – and where should we expect that step in this process?

2. Not Fitting the Character of the Neighborhood:

Clearly, "character" is very difficult to define – as it's a subjective judgment call and therefore open to interpretation. It seems, then, that the character of the neighborhood would be defined by a process of dialogue and feedback between developers/owners and the surrounding neighbors. This has been the precedent of expectation in other Alexandria neighborhoods for quite some time – Mr. Brown referenced in the January 4th meeting his past experiences as a part

of the Northridge Citizens Association on this matter, being that they would require applicants to have such dialogue with neighbors before a proposal would even be considered. As outlined above, sufficient dialogue did not happen in this case.

The staff report explicitly states that “this is the only alley lot in the Del Ray neighborhood” and “staff is not aware of any other lots without frontage in Del Ray”. Both are KEY factors in why this development does not fit in! While the applicants have attempted to take measures to hide or disguise their dwelling as 2 ADU’s associated with the street-facing homes to the south of the lot (404 & 406 E. Alexandria), the very fact that they recognize the need to do so shows that they recognize that this is out of character for single family dwellings in this location. Furthermore, zone ordinances do not allow for multiple ADUs on a single property, so the appearance of 2 “smaller appearing” dwellings also inherently does not fit.

Furthermore, I would like to reference additional selected commentary from the January 4th Planning Commission Meeting regarding this topic and my resulting thoughts:

- Carson (could not hear last name clearly), T&ES staff: “We are not breaking the mold with this project. In Old Town, there are alleys that are much narrower and there are other lane-way homes all throughout Alexandria, particularly right across the street, and all throughout the greater OT area where they take access from an alley. And so, it’s not a development that is atypical or not seen, in fact it’s quite popular not just here but all around the world because it’s a way to get incrementally smaller housing units on land that does not have street frontage.”
- Mr. Macek: “This isn’t that different than carriage houses and other things that are in the back of other lots that you see in the city. People are trying to say that you don’t build on lots in Del Ray – well Del Ray is part of the city, and we have lots that are along alleyways... we are not the planning commission for Del Ray, and we have to look at things on a citywide basis.”

To these, I would argue that the Zoning Ordinance Section 12-401(C) states: City council, upon consideration of the special use permit, finds that the proposed development will not unreasonably impair an adequate supply of light and air to adjacent property, will not diminish or impair the established property values in the surrounding areas, and will be compatible with the existing neighborhood character.

Neighborhood - *noun*

1. a district, especially one forming a community within a town or city.

By explicit definition, we are talking specifically about the neighborhood of Del Ray, not Old Town. It is, therefore, precisely the job of the Planning Commission/City Council to consider this in the eyes of the Del Ray community at large, and to reconsider the position as stated by the DRCA’s letter in opposition to this project.

3. Non-Compliance with ADU Requirements:

The proposed development does not meet the requirements for building an Accessory Dwelling Unit (ADU) since the owner does not plan to have his primary residence as the home being built:

7-203 - Accessory dwellings.

(B) *Use limitations.*

(6) The owner of the property shall maintain the property as their primary residence at the time the permit required by section 7-203(A), above, is issued.

While residence for a new build site may be hard to define, Mr. Teran has stated, on record January 4th, that his intent is to rent the main property as a long-term rental, rather than occupy the residence himself. This, therefore, puts the ADU addition in non-compliance with established city regulations.

Somewhat on topic, concerns were voiced by many neighbors about this ADU being used specifically for short-term rentals (aka AirBNB), specifically in regards to individuals who are not familiar with the neighborhood being able to safely navigate the narrow alleyway if trying to access this by car – even if renters are told there is no parking for the ADU, I presume that many would attempt to use the public alleyway as a route to easily unload on arrival, not realizing that they will not be able to exit without backing out of the length of the alley and back on to a very busy main road (Mt. Vernon Avenue) with limited vision clearance. Although the Planning Commission commented that this was beyond the scope of their job to approve or deny the SUP proposal, there was considerable time taken for discussion about this topic. Notably, Ms. Lyle stated that although there are regulations in place (and tax revenue as a strong motivator for the city to enforce this), they have trouble even enforcing this in her HOA, and that this would foreseeably be more difficult to do so for a standalone single-family home.

4. Flooding Implications on Immediate Surrounding Neighbors:

Serious concerns have been raised about flooding impacts that this structure may bring upon immediate surrounding neighbors, me included. Protecting the well-being and property of our community members from environmental risks is paramount, and a thorough assessment of potential flooding risks is necessary. While I understand that this issue gets addressed officially in later stages of development planning, I urge you to consider this matter, at least as part of a holistic assessment of the implications of said plans, as you consider this early step of evaluating the SUP proposal.

Many of our homes were built in the 1930's with basements that match the footprint of our respective above-surface homes. Most of us to the west, north, and south of the lot face constant issues with flooding in our basements. My sump pump is always highly active during storms - and most recently with a substantial storm on January 9th we also had to utilize a Shop-Vac to evacuate excess water from our sump-pump basin every 3-4 hours through the night. Attached are a selection pictures of the SUP lot (404-A E. Alexandria) from the viewpoint of the 2nd story back windows of my home, January 9, 2024 (please refer to images submitted by email as they were too large to include in this file):

- Approx. 4:45pm: Images 1 - 3
- Approx. 6:45pm: Images 4 - 5

Referencing online Alexandria City watershed maps, the Hooffs Run underground watershed lies below the city in the Northridge, Del Ray, and Rosemont neighborhoods - with a complex array of underground streams being common to the area. Given this - and the provided documentation of significant standing ground-water on the SUP lot & adjacent properties from recent storms - there is a significant concern that the proposed plan's massive below-ground footprint, which runs nearly lot-line to lot-line of the entire lot (minus the changes made in attempt to reduce impact the local tree's critical root zone), will adversely affect the local watershed "bowl", despite stated measures to provide "appropriate" draining of the above-ground structures.

While I agree we should not stop an owner from utilizing their property by right, this is not a build-by-right lot. In terms of the flooding concerns raised, I do not feel that pushing this project through to the benefit of one owner, yet probable detriment of 9 surrounding homes (to the west, north, and south of the lot) is sound practice.

5. Minimum Requirements for Fire Access:

As clearly stated, the proposed development does not meet the minimum requirements for fire access, necessitating a code adjustment to green-light the build. Ensuring the safety of our community is of utmost importance, and any allowances outside of set standards should be carefully considered to avoid compromising residents' property and well-being. It seems to reason that the code guidelines are there for a reason and that adjusting this could limit access to the development and adjacent properties. While staff pointed out the code requirement for vehicular access to be 100ft from a dwelling's main entrance, there was an additional concern raised by Ms. Ramirez at the January 4th meeting that alleys generally must also be ~20ft for ample fire-truck access (code requirement referenced below). All the alleyways adjacent to this property are 10ft wide alleys, so this in conjunction with the property exceeding the 100ft minimum access requirement, lead me to have persistent concerns about fire safety and access to the lot.

- ARTICLE B (FIRE PREVENTION), CHAPTER 2 (FIRE PROTECTION AND PREVENTION), TITLE 4 (PUBLIC SAFETY) OF THE CODE OF THE CITY OF ALEXANDRIA:

Appendix D 101.I: Requirements. The following requirements shall be followed when designing emergency vehicle access:

1. Access for emergency vehicles shall be provided to within 100 feet of the main or principal entrance to every building. The access shall be provided by a public or private street or parking lot.
- VIRGINIA STATEWIDE FIRE PREVENTION CODE (2012) SECTION 503.2.1:
Dimensions: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved

security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

6. Impact to Adjacent Privately Owned Trees:

While I commend Mr. Teran's adjustments to his basement footprint in an attempt to preserve the critical root structure of the Silver Maple on public land, my understanding was that the arborist stated that there would be a moderate risk for impact to this tree. I share my neighbor's concerns as expressed in prior statements that if tree protection measures for this tree fail, there is a meager fine of \$2,500 or a requirement to place an immature 2" tree. Given the location of this tree, if the tree dies and falls, there will likely be minimal impact to adjacent property.

My additional concern is that the current requirement of notifying residents about potential damage to adjacent privately owned trees is insufficient for my comfort as a property owner. If my tree (#2, the Siberian Elm) or my neighbor's tree (#3, the Northern Catalpa) were to die because of construction, there could be considerable damage to my property. Given Mr. Teran's lack of engagement with many neighbors, I am left with little hope that any remediation would be made/offered to offset my losses.

Lastly, given the long-established err in paving the footprint of the alley from E. Alexandria Ave. that predated most, if not all neighbors along Mt. Vernon Ave. (1401-1411), the last 2 trees would certainly die as they are growing from within the 10-foot alleyway.

7. Miscellaneous Concerns:

Without adding further lengthy dialogue on further items, I would also like to officially state concerns with the following items which I'm sure other neighbors will address:

- Parking implications of adding additional housing density to this corner of the block:
Staff report states that there is still ample on-street parking on both Mt. Vernon and E. Alexandria Avenues. I would be intrigued to know their definition of "ample" as, on any given day, there is no abundance of parking on these streets or adjacent blocks. Pictures of these streets have previously been submitted by Angela Rice.
- Construction Logistics: The 10ft alleyway will be a significant limiting factor in the logistics of how heavy construction vehicles will access the property. Furthermore, there was no forethought in planning for where construction materials and vehicles will be stored for the duration of the project, as they legally cannot be parked/stored on public roads/access & the very nature of the lot-line to lot-line build does not leave room for onsite storage.
- Increased usage of the alley off of Mt. Vernon Ave. As this lot does not have street frontage, this will inherently increase traffic (foot traffic or unexpected vehicular traffic) as needed to access the property for deliveries (mail, Amazon/FedEx/UPS, food deliveries, etc.) and this can lead to a heightened risk for pedestrian accidents along the narrow alleyway.

In conclusion, because the Del Ray Citizens Association overwhelmingly voted to not approve the SUP whereas the Alexandria Planning Commission narrowly approved the SUP with a split vote, this underscores the divisive nature of the proposed development within our community. Such a significant level of opposition warrants careful consideration. I urge you to carefully consider these concerns and vote **against** the approval of SUP #2023-00076.

I greatly appreciate your attention to this matter and your dedication to serving the best interests of Alexandria & of our Del Ray neighborhood. Thank you for your time and consideration.

Sincerely,

Alicia Montgomery
Homeowner, Neighbor, and Citizen of Alexandria

IMAGE 1



IMAGE 2



IMAGE 3



IMAGE 4



IMAGE 5



To: City Council
Subj: Please vote No on SUP 2023-0073: 404A East Alexandria
March 11, 2024

Please vote No on SUP 2023-0073, which will not be compatible with the existing neighborhood character, and which will diminish or impair established property values of surrounding homes, and have an adverse impact on the character of neighborhood, traffic conditions, utility facilities, public health safety and general neighborhood welfare. Please know that to approve this Application is also to establish a new SUP precedent for developers to use for R2-5 housing construction in Del Ray that is at odds with our basic zoning guidelines, our commitment to the historic preservation of the character of Del Ray, the recent ADU rules, and the intent of our new Housing for All zoning rules to bring in new housing, but not by crowding up R-2-5 lots with multiple buildings.

1. It fails §12-401 (C)—These dwellings will not be compatible with the existing neighborhood character

More than twelve (12) surrounding neighbors and Del Ray Citizens Association & its Land Use Committee have asked for rejection of this application, which wants to wedge two new dwellings into a substandard lot at 404A East Alexandria. 404A fails the lot area and width requirements and so **is a substandard lot**. This substandard lot not only fails the Section 12.402 block face analysis, and so should never have been considered for an SUP, but **will not face, nor have any frontage on an actual street, in stark contradiction with the historical development of Del Ray. No such homes exist in Del Ray** and so this application is not compatible with the existing neighborhood character. The City’s Staff Reviewers (CSRs) admit this, saying “this is the only alley lot in the Del Ray neighborhood,” but they then overlooked this fact by rationalizing that the dwellings will be a smaller size and less visible from the road (Staff Report (SR), p.17, found [here](#)) That fails the test. 404A will also be a Contemporary style. There are no Contemporary designed homes in the neighborhood. The CSRs admit this (SR, p.14) but ignore it with the weak rationale that the home will be rectangular and have a gable roof (SR p.14). They also fail to note that the low-pitched roof is also out of character with the neighborhood.

2. It fails §12-401 (C)—There are numerous indicators that these dwellings will diminish or impair established property values of surrounding homes, and will have an adverse impact on the character of the neighborhood, traffic conditions, utility facilities, public health, safety and general welfare (per §11-504 (B)(10)).

The CSRs simply state, with no proof or evidentiary support, that 4040A will not diminish or impair the established property value of surrounding homes. They simply state that the dwellings will increase the value of the land on which they are built, and by extension, this will increase similar size properties of the neighbors.

The CSRs should have rejected this SUP based on neighbors’ and DRCA observations of the numerous ways in which the value of the surrounding homes will face a reduction in value, or impaired future value, including, 1) the tight physical crowding into their backyards by two dwellings and whose Contemporary aesthetic contradict surrounding homes 2) the reduced greenery and killing of 5 trees in their backyards and bordering the lot, 3) the impairment of their existing parking spaces, 4) the increased fire risks and significant flooding into their

properties, 5) the increased alley traffic and associated danger to pedestrian and vehicular traffic due to existing narrow, cluttered alley clearance (Applicant will be leasing both primary home and ADU as an AirBnb), and, 6) the movement of a massive amount of utility wires.

Surrounding home values will decline in appeal and value due to 404A creating a crowded-in, disconsonant backyard visual, inconsistent with the rest of the neighborhood, which is currently characterized by homes facing the street, with greenery in the backyard. (Potential R25 lot home buyers will turn away from homes that are jammed up against two dwellings, versus those with open backyard greenery). Neighboring homes values will decline due to the death of trees currently in their backyards, due to Applicants' two dwellings and basements crossing into the tree drip lines and critical root systems. Fewer trees undermine current flood mitigation and current greenery value. The Mt Vernon alley is narrow and not straight (despite applicants' drawings, see photos below); and pinches tightly around a large utility box and pole and curves to the East Alexandria alley. Due to the proximity of 404A resting tight against the East Alexandria alley, the townhouses on Mt Vernon street will have impaired access to their back parking spaces, removing value from their homes. The future value of the townhouses could be forced into stasis, due to their proximity to dwellings that will face increased fire risk. 1413 East Alexandria notes that 404A fails to meet the 100-foot emergency access requirement, (SR, p. 98) DRCA points out the narrow alleys are not even accessible by current garbage trucks, let alone fire trucks. (SR, p. 93) (Even the Applicants have asked for a reduction in the parking requirement from 2 to 1 car due to the difficulty of turning a car around in this site.) The CSRs note the applicant will need a waiver to fire codes during construction. (SR, p. 17). The lack of alley clearance but increased traffic from the leasing of the two Applicant dwellings, will lead to increased vehicle and pedestrian traffic accidents, and reduced pedestrian and child safety reducing the value of surrounding homes. (For this, Staff suggested on March 5 that the city relinquish two parking spaces at each alley end to accommodate the Applicant's negative impact on alley public safety). The value of 1413 Mt Vernon will undoubtedly suffer—the owner noted that both the construction trucks and the short- and long-term dwelling lessees will end up using his driveway to turn around in due to the pinched off alley space. (SR, p. 98). Numerous neighbors and the DRCA note the heightened flooding in this area which will be exacerbated by the Applicants two dwellings and basements, reducing surrounding home values. 1413 Mt Vernon wrote that his home sits at the lowest point in the area, and 404A's increased impervious surface in this high flood zone, will send the flood waters toward his home. (SR, p. 98) This will lead to more decay and lowering the future value of his home, and to those of his neighbors. Numerous utility lines will need to be removed and repositioned to accommodate the dwellings, not shown in the Applicant's sterilized drawings. Surrounding homes will be impacted by inhibited electricity, noise and physical pollution such a massive undertaking will require, all so 404A can be located on this substandard lot.

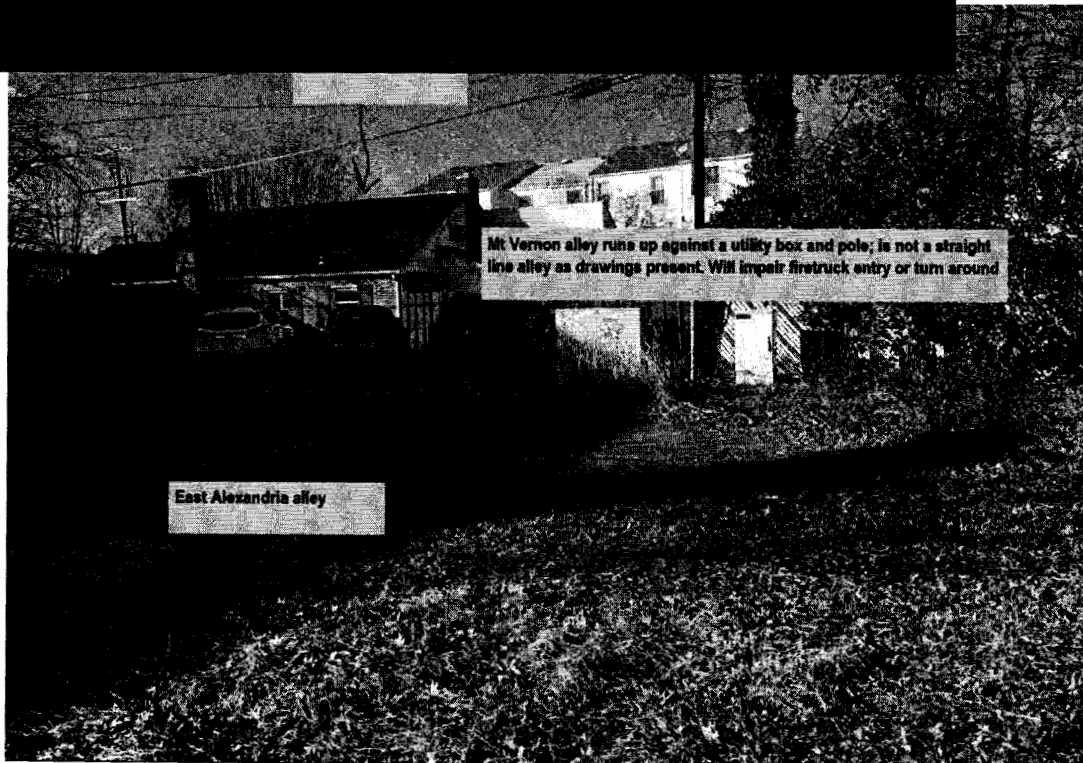
Fails §11-500 -FAR calculation incorrect – SR, p.17.

The DRCA warns that 404A's design is dependent "on the basement square footage being excluded from the FAR calculation." DRCA points out that the Applicant argues the basement does not count as FAR, and treats the ADU as "detached" even though "there are continuous interior spaces between the primary dwelling and the ADU." (SR, p. 93). DRCA questioned whether the basement would comply as being "below the average grade calculation." Yet, the CSR's ignore this observation, and simply accept at face value the Applicant's FAR calculation, choosing not to do their own. This needs independent analysis.

Breach of ADU rules

The Developers have admitted they will not be living in either the primary residence, nor the ADU, but will lease both out (one as an AirBnb). DRCA points out this is not allowed under zoning code section 7-203.B6 which requires that the owners of the property live in the primary residence at the time they apply for an ADU permit. (SR, p. 94) They note that this language was added by city council in 2021 to ensure that the majority of ADUs were not used as short-term rentals or “by a developer to build out the maximum envelope of a site pushing the sale price higher rather than providing additional affordable housing.” If this SUP is approved, the city council will set a new precedent of allowing developers to use ADUs as profit centers rather than avenues for affordable housing.

Sincerely,
C Rice, 424 East Alexandria Avenue

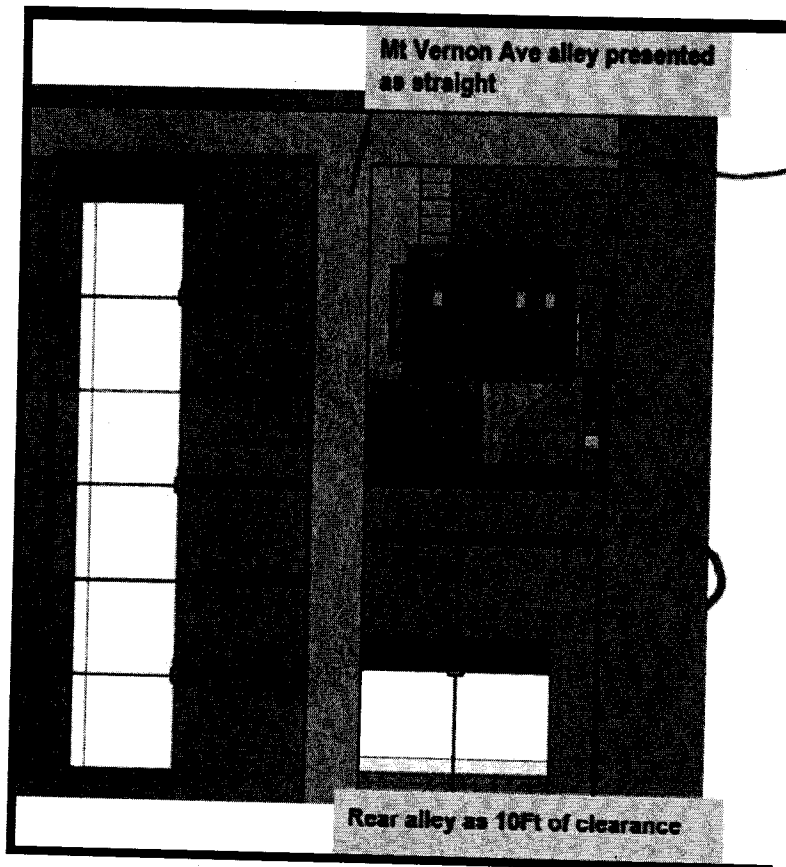




(NEXT PAGE)



Falsely portrayed by Applicant



Dear Members of the City Council,

On behalf of the residents of the City of Alexandria, thank you for your leadership of this City. I urge you to reject Special Use Permit (SUP) #2023-00076 at the City Council legislative meeting on March 12, 2024, and hope that to finally have the opportunity to provide a testimony.

I wanted to thank those Members who responded to me and my neighbors' emails to learn our perspectives about the deleterious impact on our homes if this SUP were approved. We only wished to have similar empathy from the Staff at the Department of Planning and Zoning. My neighbors span the spectrum of perspectives on Del Ray's growth but after self-learning about the SUP process and City Regulations, we are in agreement that the City Staff has not been objective and borderline deceptive. In addition to their multiple mistakes leading this City Council discussion, the Staff have not been sincere in their efforts to engage us and instead have been manipulative and held their ground on their original position without a willingness to compromise. To say that this frustration has led to distrust would be an understatement.

Their first missed opportunity to foster a discussion followed Del Ray Citizen Association's public vote to oppose the SUP on November 7, 2023. The second missed opportunity was after the split 4-3 vote by the Planning Commission on January 4, 2024. It wasn't until Mayor Justin Wilson urged a discussion between the City Staff, neighbors, and Applicant after the February 4, 2024, administrative decision. The City Staff finally reached out via an unannounced door-to-door campaign on a three-day holiday weekend (February 17) that was less than a week from the postponed discussion on February 24 (that was subsequently delayed by their error). This could only be interpreted as a way to divide our voices and check the box in hopes that none of us are available as there was no email or written announcement of their visit. Another meeting on March 4 included several of my neighbors, but unfortunately, we were out-of-town on travel on that day.

I've re-pasted my other two letters below my signature for your reference and wanted to summarize my rationale in asking you to reject the SUP.

- The increased flooding risk will make many of our homes inhabitable given the infeasibility of further updating our 1939-built townhomes that are immediately west of 404A Alexandria. Through sump pumps, our houses are below elevation to 404A and already run routinely to mitigate excess water brought into our basements on dry days. Given that 404A is almost-always saturated on a minor rain event and underground streams drain the Hooff's Run Watershed, it is highly likely that a predominantly underground footprint of both an adjoined primary unit and ADU that runs against the lot borderline will increase the flooding pressure on our homes. The older trees that will be killed due to the planned development of this SUP will further increase the flooding potential as they currently are another reservoir for the underground water.
- The increased traffic on Mount Vernon from a poorly-visible alleyway will endanger the pedestrians, bicyclists, and vehicles, particularly the children walking to/from GW Middle School and commuters heading to/from Braddock Metro. The alley is not visible going Southbound on Mt Vernon Avenue because of a tall fence and parked cars that make it hard to see. It is also unexpected by cross-traffic as it is a) the only middle-of-the-block alley way on Mt Vernon Avenue, b) barely 10 feet in width and without cross-walks or other signage,

and c) less than 200 feet from a major intersection where cars / bicyclists / pedestrians are more likely to focus their attention, rather than on this alleyway. Given the lack of street frontage, no one would expect cars or service vehicles to be crossing the sidewalk or into Mt Vernon Avenue.

- The lot is defined as substandard for multiple reasons and given that it is on-record that the intended use of the property is as rental properties, the SUP does not describe a project that would be in-character with the immediate neighborhood or, as the City Staff likes to allude, does not represent the vision of Zoning For Housing.
- Alexandria Times has investigated and shared many of the concerns about this property
 - <https://alextimes.com/2024/02/city-makes-second-mistake-in-public-engagement-process-for-404a-east-alexandria-ave/>
 - <https://www.alxnow.com/2024/03/07/del-ray-accessory-dwelling-unit-proposal-raises-concerns-about-short-term-rentals/>
 - <https://alextimes.com/2024/01/what-to-watch-at-saturdays-council-public-hearing/>

Again, thank you for reviewing and considering this recommendation to vote in opposition of this SUP application. I hope for an opportunity to share my testimony as part of the verbal arguments and in the meantime, please do not hesitate to contact me by email if you have any questions or suggestions.

Sincerely,

Mark Lim (and Yashin Lin)

1407 Mount Vernon
markdim@gmail.com

Previous written testimony sent to City Council Members for February 24, 2024 hearing

Dear Councilors to the City of Alexandria,

On behalf of the City of Alexandria's residents, thank you for your leadership representing the interests of our community. As the final check-and-balance to a process that seems to be steam-rolled by City Staff and the Applicant, I ask you to reject the Special Use Permit application #2023-00076 at the City Council hearing on February 24, 2024, as Docket # 24-1854. Below my signature is my written testimony for the City Council Public Hearing on January 20, 2024. Rather than repeat that letter, I wanted to further share why I recommend that you consider rejecting this application.

My residence will be directly impacted if this substandard lot is developed as designed in the application. The lack of community engagement and disregard for community opinion by the Applicant and Department of Planning and Zoning Staff remains appalling. Those affected by this application remain united in opposition, as shown by: Mayor Wilson's comments at the City Council Public Hearing on January 20, 2024 (quoted below); an Alexandria Times article calling this a "contentious issue" on January 17, 2024; a split 4-3 vote by the Planning Commission on January 4, 2023; and formal opposition by the Del Ray Citizen's Association sent to the Department of Planning and Zoning on November 20, 2023. Amongst this public opposition and contention, the Applicant and Staff of the Department of Planning and Zoning have not offered a forum for discussion or resolution.

None of the letters supporting this application were authored by affected neighbors, except for one who welcomed "new neighbors in our immediate area and the diversity in housing". As the applicant responded to Planning Commissioner Koenig's question on January 4, 2024 (4 hrs : 9 mins) "Ideally our plan would be to rent it long term, year lease" without mention in the application or subsequent reports that this development would be rented at below-market rates. This property is not an example of Zoning For Housing, a vision of which I'm supportive as the City continues to grow. But, that vision is disingenuously applied in this letter of support and by the Staff of the Department of Planning and Zoning who justified their recommendation against the opposition of Del Ray Citizen's Association at the Planning Commission Public Hearing. Zoning for Housing should include sincere engagement of the community and the steam-rolling to advance this specific application is an example of what not to do.

As Mayor Wilson said at the City Council's Public Hearing (2 hrs : 56 mins), "There has been considerable disagreement between the applicant and residents...let me encourage the applicant and the neighbors to get together...and have some conversation about the areas of disagreement and see what possible could be agreed to." My neighbors who would be negatively impacted if this permit is approved represent different interests in this City's growth. However, this lack of engagement by the Department of Planning and Zoning staff and Applicant has brought us together to learn and share what is happening at 404-A E. Alexandria Avenue. It was through these forums that I learned: a) about the application and potential impact to my residence (only one paper sign was posted in a non-obvious location on E. Alexandria Avenue, a sign that has been missing for weeks), b) that some neighbors reached out to the Department of Planning and Zoning and not received a response, and c) that not all impacted neighbors received an invitation to the one-and-only introduction by the Applicant in November 2023. This meant that we had to quickly learn about the utility of a Special Use Permit and the review process, search historical public records of our residence and community, and provide testimonies to Del Ray Citizen's Association, Planning Commission, and City Council. Beyond those forums and particularly given the public perception of this issue, the applicant and/or staff of the Department of Planning and Zoning had multiple opportunities and ample time to do outreach but failed to do so. Instead, we learn about updates on the Staff Report through formal reports submitted to dockets of the City Council Public Hearings.

The Applicant and the City Staff have not reached out to me, even though my email address is publicly available as written testimony. Another missed opportunity was at the City Council Public Hearing on January 20, 2024, where about 20 of us planned to provide verbal testimony or support. Upon learning about the delay, we all met in the overflow room to discuss next steps. The Applicant entered the room, saw all of us and instead of joining the discussion, left the room to consult with Mr. Sam Shelby of the Department of Planning and Zoning who waited in the hallway. The door to the overflow room is glass and we were at the entrance, so they could not have missed us as I clearly saw them in discussion. But, both left without saying a word, missing an opportunity for transparent discussion and furthering concerns that City Staff sides with the Applicant and are not interested in talking with us.

Instead, Planning Director Mr. Karl E. Moritz reached out to two neighbors by email on Friday, February 16, 2024, at 5:19 p.m. EST, asking to meet. This outreach, one week prior to the City Council Public Hearing, three weeks after Mayor Wilson's recommendation, and after 5pm on the Friday before a three-day weekend, can be seen as nothing but devious. I did not receive this invitation. Fortunately, we developed an email list among affected neighbors after the City Council meeting, with many of us changing our Saturday plans to meet with Mr. Moritz and Mr. Shelby with less than 24 hours notice. When I asked Mr. Moritz why I wasn't invited to the discussion, he said that he didn't have my email address (I had to remind him about the written testimony) and that he was planning on going door-to-door. Their unannounced door-to-door campaign on the Saturday of a three-day weekend would have occurred *after* meeting my neighbors. None of this makes practical sense and furthers speculation that this was a last-minute and insincere attempt to "check the box" on engaging the community a week before the postponed Public Hearing.

As mentioned in my original testimony, I remain concerned about the increased underground flooding to my basement and the increased risk to pedestrian, bicycle, and vehicular traffic on Mount Vernon Avenue. At the impromptu Saturday meeting, Mr. Moritz and Mr. Shelby did not provide comment on the flooding potential and seemed to agree with the poor visibility of cross pedestrian and vehicular traffic after we walked down the alley, acknowledging that this may be the only alley on Mt Vernon Avenue that is in-the-middle of a block. Given their lack of engagement, I was still disappointed that neither were prepared to answer those concerns, even though it was raised in several written testimonies submitted by myself and others.

Again, thank you for your leadership and opportunity to provide my comments in advance of the discussion on February 24, 2024. Please do not hesitate to email me at markdlim@gmail.com if you have any questions about the content of this testimony, the one submitted for the City Council Public Hearing on January 20, 2024 (pasted below), or would like to discuss my frustration on the lack of engagement by the Applicant and staff of the Department of Planning and Zoning.

Respectfully,

Mark Lim (and Yashin Lin)
1407 Mount Vernon Avenue

Previous written testimony sent to City Council Members for January 20, 2024 hearing

Dear Councilors to the City of Alexandria,

On behalf of the City of Alexandria's residents, thank you for your continued service representing the best interests of our community. Change is not easy, particularly for a city with extensive historical roots, and as you steer our City through Northern Virginia's growth, I remain proud of your leadership in ensuring that Alexandria maintains a healthy and inclusive community.

The health of our community has embodied a personal obligation to contribute through community service. To date, I have volunteered over 400 hours to the Alexandria Health Department's Medical Reserve Corps (MRC) and Community Emergency Response Team. This includes weekends supporting and supervising: annual mass influenza vaccination events, several COVID-19 mass testing events, large COVID-19 vaccine clinics that immunized over a thousand community members to smaller clinics in neighborhoods hardest hit by the pandemic, and pediatric vaccine clinics. I also volunteered at the Health Department's COVID-19 call center and as a COVID-19 contract tracer and case investigator. These opportunities gave me a unique opportunity to cross paths with other Alexandrians from different walks of life, and I have left every event prouder of being a resident of this City.

However, I am writing to express my disappointment at the lack of community engagement or consideration by the Department of Planning and Zoning and the Alexandria Planning Commission on the application for a Special Use Permit (SUP) #2023-00076 for 404A E Alexandria Avenue. I only learned about changes in the original application through public filings of the final document, interpreting these documents as a non-subject matter expert with other impacted neighbors, and attending the Planning Commission meeting on January 4, 2024. Beyond these filings and forum, we were never given an opportunity to learn about changes, exchange concerns, or explore alternatives with the City Staff, Planning Commission, or applicant, even though my residence and those of my neighbors would be negatively affected by this new single-family residence with a detached Accessory Dwelling Unit.

This lengthy letter seems to be the last opportunity for community-level input. The first and only opportunity for dialogue was hosted by the Del Ray Citizen Association (DRCA), which did its job in allowing for deliberation and voting in opposition to this SUP (re. letter sent to Mr. Moritz, Alexandria Department of Planning and Zoning). But, instead of following up with DRCA's letter and those of my neighbors, the Department of Planning and Zoning responded through a final report that recommended approval of the SUP permit. Not only did their official report not address the significant concerns in those letters, it only raised more questions. We only wished for dialogue and the Planning and Zoning Staff didn't respond to our requests. Adding to the sting was that we first learned about adaptations at the Planning Commission meeting, after the Staff filed their report and recommendations.

I am in full agreement with my neighbor's and DRCA's concerns and since there is no other opportunity for dialogue with the Planning and Zoning Staff, Planning Commission, or applicant. I am presenting my main concerns through this letter and hopefully as verbal testimony to you, as our City Council.

- Firstly, our residences are part of the Hooffs Run Watershed that sit on-top of underground streams that drain into the very-active Hooffs Run. Most of the recent flooding events, specifically those off Monroe Avenue and off Commonwealth Avenue in the Rosemont Neighborhood, are associated with our watershed. The streams

immediately underneath and surrounding our residences have not been disturbed since our multi-unit townhomes were built in the late 1930's with sump pumps being a necessity. My sump pump routinely runs multiple times during dry periods and almost continuously during rain and snow events. It also takes several days for the large "puddles" on the 404A E Alexandria lot to absorb into the ground after a modest rain event, confirming that the soil is already water-logged by active streams with little capacity for additional run-off. Building a solid structure that runs to the edge of the lot with a predominantly underground footprint will stress these active sub-terrain streams. Since our townhomes are below 404A E Alexandria, it is highly likely that the streams will be diverted and focused into our basements if the proposed building is constructed. My own sump pump is unlikely to handle increased demand and I would predict that putting in a single-family home at 404A E Alexandria could make the surrounding ten homes unlivable given their age and cost for reinforced infrastructure.

- Secondly, the only vehicular access to the proposed unit is through a small public alley off Mount Vernon Avenue. Approving this permit will increase the danger to our immediate community by converting a lightly-used alleyway into an active vehicular thoroughfare. Driving onto Mount Vernon Avenue from this alley means that the driver must first cross an active sidewalk connecting the Braddock Road Metro Station, GW Middle School, and the rest of Alexandria to Del Ray's "downtown" core. Then, the driver must carefully navigate onto Mount Vernon Avenue after passing parked cars at the edge of the alley entrance, with additional effort that car and bicycle cross-traffic is aware given that the entrance is not obvious (as it is in the middle of the block) or visible from the street. There have been several occasions of cars blocking the alley because visitors thought it was a viable parking spot. The City's refuse, recycling, and compost collection staff also will not attempt to drive down the alley and instead service our townhomes by parking on Alexandria Avenue and walking down the alley. The detached Accessory Dwelling Unit described in the SUP application has its own dedicated kitchen and laundry in addition to those within the main building, elevating concern that the proposed construction is for two separately-resided buildings. This alley and its intersection with the sidewalk and Mount Vernon Avenue is not designed for the likely increased traffic pressure introduced by two new family units at 404A E Alexandria and regular services such as Amazon or other delivery providers.
- Most shockingly, during verbal testimony provided by the staff of the Department of Planning and Zoning at the Planning Commission meeting, one significant justification for their final recommendation was based on the proposed goals of Zoning For Housing/Housing For All (ZFH). My love of the diversity and inclusivity of this City should show that I am in full support of ZFH and I applaud the Council's leadership on this issue. However, the residence described in the application for this SUP does not address the vision as it is proposed as a single-family residence (although this counters the design, as mentioned above) that the applicant testified is intended to be a rental. If these are rented, I highly doubt these will be offered at sub-market rental rates as this is not described anywhere. The intended use and design of these buildings are not the model that should represent the vision of ZFH and it is insincere to make that claim. I remain disappointed that these City Staff wanted to distract the lack of substance in their report by politicizing an issue unrelated to this SUP application.

Our family focused our housing search on Alexandria when we were moving back to this region after several years in Seattle. After living in eight different cities, Alexandria is the only city I have ever wanted

to put down roots, a commitment that resulted in the purchase of our first home. The past five years have been nothing but amazing, including new routines of weekend walks throughout Alexandria's diverse neighborhoods, enjoying the multitude of cuisines from Old Town and Arlandria to the West End, and partaking in multiple events, festivals, farmer's markets, and local theater. We typically find ourselves comparing Alexandria during our vacations, often to the detriment of the cities we're visiting.

As you review this SUP application and my comments, I also ask the City Council to recognize that this review process lacked transparency and community engagement, with concerns filed by my neighbors and DRCA remaining unaddressed. This process has been disappointingly frustrating, and I am speaking as a resident who loves Alexandria and the community represented by its residents and dedicated civil servants.

Again, thanks for this opportunity to voice my concerns. I welcome a call, email, or opportunity to meet if you have any questions about the content of this letter or want to learn more about my concerns about this application or the lack of transparency and engagement in its review.

Respectfully,

Mark Lim (with Yashin Lin)

1407 Mt Vernon Ave

markdlim@gmail.com

My name is Matt Kaim, and my residence is 1413 Mt. Vernon Avenue, Alexandria, VA 22301. I am writing to you to respectfully ask you to reject special use permit 2023-00076 for 404A E Alexandria Ave.

This request is consistent with at least 12 immediate neighbors, as well as that of the Del Ray Citizens' Association (DRCA) and its Land Committee to deny the permit.

My request is based on the following:

1) My property is directly N/NW and within very close proximity of the proposed structures. I am highly concerned with high risk of damage to my 85 year old home from shock and vibration from all of the excavation and construction equipment that would need to frequently travel the public alley off of Mt Vernon Ave (and directly next to my house) and perform heavy construction work on the vacant lot.

2) I am highly concerned with additional flooding of my property due to disruption of the lot and runoff from new structures, including a proposed basement the size of the lot. My backyard is the lowest point amongst all properties within proximity and it gets flooded every time it rains. My crawl space also takes in incredible amounts of water (like a sieve) every time it rains. There are underground springs in the neighborhood that cause the ground to get supersaturated quickly, and already a sink-hole next to (and likely below) the alley off of Mt Vernon Ave, closest to the street. Please see photo below of my backyard during a recent storm.

3) I am highly concerned with damage to my property, including my fence and cars parked in my parking area, from construction equipment trying to drive down the alley to the lot. As it stands now, trash and other utility vehicles cannot make it down the alley.

4) While the transportation lead from the planning commission staff indicated that a car "could" maneuver to park at and leave the proposed parking pad without having to encroach onto my property, that analysis needs to be looked at. I have owned my property for over 14 years and can personally attest to the difficulty in maneuvering in that space.

5) The geometries of the alleys are already dangerous and visibility of people/children in the alleys is bad. Adding another home and ADU, which the applicant said will be used as a short term rental, will add much more risk given the number of renters who are not familiar with the alleys.

6) Noise levels from the proposed home/ADU otherwise crammed in to lot that is too small will be a nuisance. We're already dealing with traffic and pedestrian noise on Mt Vernon and E Alexandria.

7) While additional measures for fire protection "could" be included in the building plans in order to obtain a waiver for >100' from the street for emergencies, there are no plans for fire protection during construction. This leads to undue risk for all surrounding neighbors.

8) The plans are already at odds with the zoning guidelines and the non-frontage proposed structures turned 90 degrees from other homes do not meet the spirit or character of Del Ray.

9) The Planning Commission Staff did NOT meet with any of the residents to discuss any concerns before presenting their recommendation to approve the SUP to the Planning Commission. The Commission even stated that more coordination between the staff, applicant, and neighbors should have occurred, but it didn't.

10) The Planning Commission said during the hearing that property values will NOT be impacted by the proposed structures. They presented no evidence to substantiate this claim.

11) Fails §11-500 -FAR calculation incorrect – SR, p.17.

The DRCA warns that 404A's design is dependent "on the basement square footage being excluded from the FAR calculation." DRCA points out that the Applicant argues the basement does not count as FAR, and treats the ADU as "detached" even though "there are continuous interior spaces between the primary dwelling and the ADU." (SR, p. 93). DRCA questioned whether the basement would comply as being "below the average grade calculation." Yet, the

CSR's ignore this observation, and simply accept at face value the Applicant's FAR calculation, choosing not to do their own. This needs independent analysis.

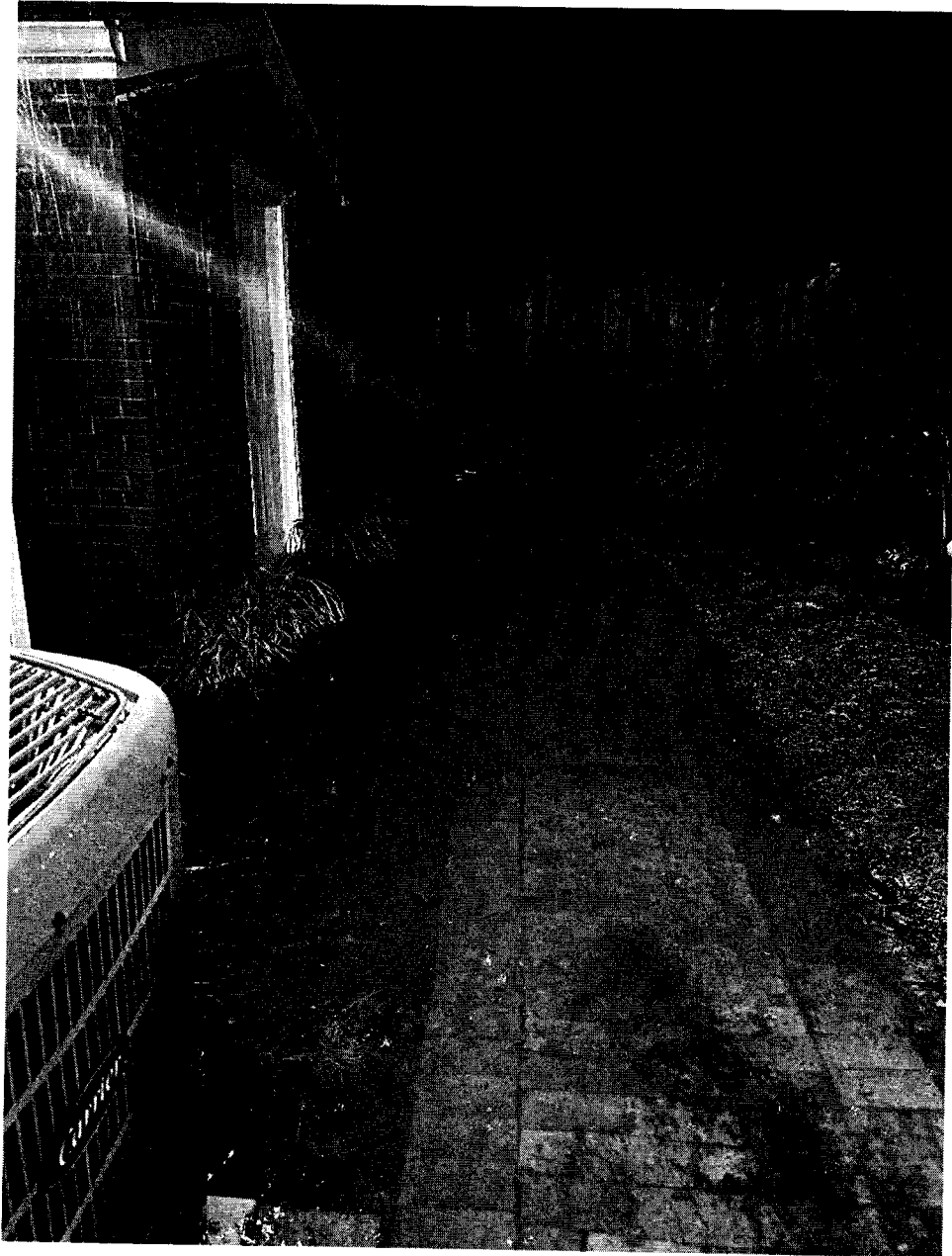
12) Breach of ADU rules:

The Developers have admitted they will not be living in either the primary residence, nor the ADU, but will lease both out (one as an AirBnb). The DRCA points out this is not allowed under zoning code section 7-203.B6 which requires that the owners of the property live in the primary residence at the time they apply for an ADU permit. (SR, p. 94) They note that this language was added by city council in 2021 to ensure that the majority of ADUs were not used as short-term rentals or "by a developer to build out the maximum envelope of a site pushing the sale price higher rather than providing additional affordable housing." If this SUP is approved, the city council will set a new precedent of allowing developers to use ADUs as profit centers rather than avenues for affordable housing.

13) The Planning Commission voted 4-3 to support the SUP. However, the Commissioner disagreed with the suggestion by multiple board members to defer the SUP and simply forced the vote.

Thank you for your consideration.

Matt Kaim, 703-731-3782



CouncilComment@alexandriava.gov

From: Mary Ellen <maryellen.file@yahoo.com>
Sent: Monday, March 11, 2024 9:07 PM
To: Catharine Rice
Cc: CouncilComment@alexandriava.gov
Subject: Re: Please Vote NO on SUP 2023-00076//404A East Alexandria on March 12

You don't often get email from maryellen.file@yahoo.com. [Learn why this is important](#)

I urge you to vote NO on this.

Mary Ellen File
1401 Mount Vernon Avenue

Sent from my iPad

On Mar 11, 2024, at 2:21 PM, Catharine Rice <catharine.rice@gmail.com> wrote:

Apologies. Re-attaching with **the corrected SUP #.**

----- Forwarded message -----

Attached is a slightly modified version of comments filed earlier this year when this SUP was originally to be heard by the council. As a resident on East Alexandria Avenue, I urge you to please vote NO tomorrow night on the basis that these two dwellings placed on this tiny substandard lot will not be compatible with the existing neighborhood character, will diminish or impair established property values of surrounding homes, and will have an adverse impact on the character of the neighborhood, traffic conditions, utility facilities, public health safety and general neighborhood welfare.

Please know that to approve this Application would mean you would also be establishing an historical, new SUP precedent for developers to use for R2-5 housing construction in Del Ray that is at odds with our basic zoning guidelines, our commitment to the historic preservation of the character of Del Ray, the recent ADU rules, and the intent of our new Housing for All zoning rules to bring in new housing, but not by crowding up R-2-5 lots with multiple buildings.

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You received this message because you are subscribed to the Google Groups "404A Del Ray Neighbours" group.

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To view this discussion on the web visit <https://groups.google.com/d/msgid/404a-del-ray-neighbours/CABX6JphLq9JVa7p5fhq2zTmNhcFwvZErSC4m2Rk2b%2BfgG%3DHR7Q%40mail.gmail.com>.

For more options, visit <https://groups.google.com/d/optout>.

<Vote No on SUP 2023-00076--404A East Alexandria.pdf>

CouncilComment@alexandriava.gov

From: Ingrid Allen <ingridsallen@gmail.com>
Sent: Monday, March 11, 2024 7:13 PM
To: CouncilComment@alexandriava.gov
Cc: Justin Wilson; Alyia Gaskins; Amy Jackson; John Chapman; Sarah Bagley; Canek Aguirre; Kirk McPike
Subject: [EXTERNAL]Opposition to SUP #2023-00076

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To Mayor Wilson and City Councilors:

I am Ingrid Allen, resident of 416 E Alexandria Ave. - just down the street from the proposed project at 404 E. Alexandria.

I am OPPOSED to this project for the following reasons:

1. The lot size is way too small for a lot in our immediate area
2. The lot is too small for a single family Home let alone a SFH AND an ADU
3. The proposed design is not in character with the EXISTING neighbors' homes
4. The home design is not even close to being in character with the EXISTING neighborhood.
5. The lot size is NOT common or compatible with other SF developed lots.
6. There are no SF developed Lots having NO STREET FRONTAGE and by definition, are not compatible!

The incompatibility and oddity of the non street frontage/alley lot and Home by definition will negatively impact property values of surrounding homes.

Please vote NO on SUP #2023-00076!!

Thank you, Ingrid Allen

--

Ingrid S. Allen
ingridsallen@gmail.com
202-415-0362

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CouncilComment@alexandriava.gov

From: Paula Kara <paula@sfn.org>
Sent: Monday, March 11, 2024 11:51 AM
To: Justin Wilson; John Chapman; Canek Aguirre; Amy Jackson; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Subject: [EXTERNAL]Opposition of SUP #2023-00076

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Members of City Council,

I am writing again to express my opposition to the proposed SUP #2023-00076 for 404A E Alexandria Avenue. And I want to thank the members of Council who replied to my previous emails.

Once again, there are multiple concerns about lot 404A – I will focus this communication on just a few.

It's not just that the lot is substandard in size, it also lacks street frontage, and the percentage of open space currently required by the City. These three issues are significant, but they are not the only issues.

Another major concern is flooding of the nearby homes with the removal of soil and most likely multiple trees. Adjoining houses already have flooding issues, construction will just exasperate the issue and cost the adjoining homeowners money and time.

If construction occurs, the homes adjacent to lot 404A will decrease in value. While the assessments may remain the same, or increase, the homes will become less desirable to buyers. There are no other homes built on similar lots in Del Ray with lack of street frontage. This proposal does not fit within the character of Del Ray, nor does it comply with **Section 12-400**.

City council, upon consideration of the special use permit, finds that the proposed development

- will not unreasonably impair an adequate supply of light and air to adjacent property, - will **not diminish or impair the established property values in the surrounding areas**, and
- **will be compatible with the existing neighborhood character**.

The Del Ray Land Use Committee recommended rejection of the SUP. It is still unclear, even after meeting with staff from Planning & Zoning, why P&Z recommends approval. I don't feel that I received clarification on any of the issues raised during the March 4 meeting with P&Z staff.

For these reasons, and for others previously mentioned, I ask that the Council not grant approval for SUP #2023-00076 for 404A E Alexandria Avenue.

Thank you for your time and consideration.

Sincerely,
Paula Kara

Owner/Landlord: 1411 Mt. Vernon Avenue, Alexandria, VA 22301
Owner/Resident: 310 E. Windsor Avenue, Alexandria, VA 22301
Phone: 703/307-7678

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CouncilComment@alexandriava.gov

From: MD Lim <markdlim@gmail.com>
Sent: Monday, March 11, 2024 11:02 AM
To: Amy Jackson; Justin Wilson
Cc: John Chapman; Canek Aguirre; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Subject: [EXTERNAL]3/12 Council Public Hearing: Opposition to SUP 2023-00076 (404A E. Alexandria Ave)

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Members of the City Council,

On behalf of the residents of the City of Alexandria, thank you for your leadership of this City. I urge you to reject Special Use Permit (SUP) #2023-00076 at the City Council legislative meeting on March 12, 2024, and hope that to finally have the opportunity to provide a testimony.

I wanted to thank those Members who responded to me and my neighbors' emails to learn our perspectives about the deleterious impact on our homes if this SUP were approved. We only wished to have similar empathy from the Staff at the Department of Planning and Zoning. My neighbors span the spectrum of perspectives on Del Ray's growth but after self-learning about the SUP process and City Regulations, we are in agreement that the City Staff has not been objective and borderline deceptive. In addition to their multiple mistakes leading this City Council discussion, the Staff have not been sincere in their efforts to engage us and instead have been manipulative and held their ground on their original position without a willingness to compromise. To say that this frustration has led to distrust would be an understatement.

Their first missed opportunity to foster a discussion followed Del Ray Citizen Association's public vote to oppose the SUP on November 7, 2023. The second missed opportunity was after the split 4-3 vote by the Planning Commission on January 4, 2024. It wasn't until Mayor Justin Wilson urged a discussion between the City Staff, neighbors, and Applicant after the February 4, 2024, administrative decision. Then the City Staff finally reached out via an unannounced door-to-door campaign on a three-day holiday weekend (February 17) that was less than a week from the postponed discussion on February 24 (that was subsequently delayed by their error). This could only be interpreted as a way to divide our voices and check the box in hopes that none of us are available, as there was no email or written announcement of their visit. Another meeting on March 4 included several of my neighbors, but unfortunately, we were out-of-town on travel on that day.

In supplement to my previous email (below), I wanted to summarize my rationale in asking you to reject the SUP on March 12.

- The increased flooding risk will make many of our homes inhabitable given the infeasibility of further updating our 1939-built townhomes that are immediately west of 404A Alexandria. Through sump pumps, our houses are below elevation to 404A and already run routinely to mitigate excess water brought into our basements on dry days. Given that 404A is almost-always saturated on a minor rain event and underground streams drain the Hooff's Run Watershed, it is highly likely that a predominantly underground footprint of both an adjoined primary unit and ADU that runs against the lot borderline will increase the flooding pressure on our homes. The older trees that will be killed due to the planned development of this

SUP will further increase the flooding potential as they currently are another reservoir for the underground water.

- The increased traffic on Mount Vernon from a poorly-visible alleyway will endanger the pedestrians, bicyclists, and vehicles, particularly the children walking to/from GW Middle School and commuters heading to/from Braddock Metro. The alley is not visible going Southbound on Mt Vernon Avenue because of a tall fence and parked cars that make it hard to see. It is also unexpected by cross-traffic as it is a) the only middle-of-the-block alley way on Mt Vernon Avenue, b) barely 10 feet in width and without crosswalks or other signage, and c) less than 200 feet from a major intersection where cars / bicyclists / pedestrians are more likely to focus their attention, rather than on this alleyway. Given the lack of street frontage, no one would expect cars or service vehicles to be crossing the sidewalk or into Mt Vernon Avenue.
- The lot is defined as substandard for multiple reasons and given that it is on-record that the intended use of the property is as rental properties, the SUP does not describe a project that would be in-character with the immediate neighborhood or, as the City Staff likes to allude, does not represent the vision of Zoning For Housing.
- Alexandria Times has investigated and shared many of the concerns about this property
 - <https://alextimes.com/2024/02/city-makes-second-mistake-in-public-engagement-process-for-404a-east-alexandria-ave/>
 - <https://www.alxnow.com/2024/03/07/del-ray-accessory-dwelling-unit-proposal-raises-concerns-about-short-term-rentals/>
 - <https://alextimes.com/2024/01/what-to-watch-at-saturdays-council-public-hearing/>

Again, thank you for reviewing and considering this recommendation to vote in opposition of this SUP application. I hope for an opportunity to share my testimony as part of the verbal arguments and in the meantime, please do not hesitate to contact me by email if you have any questions or suggestions.

Sincerely,

Mark Lim (and Yashin Lin)

1407 Mount Vernon
markdlim@gmail.com

On Mon, Feb 19, 2024 at 7:43 PM MD Lim <markdlim@gmail.com> wrote:

Dear Mayor Justin Wilson, Vice Mayor Amy Jackson, and Honorable Members of the City Council for the City of Alexandria,

Thank you for the opportunity to provide my recommendation to reject the Special Use Permit #2023-00076 that will be discussed as item #12 on the docket for City Council's Public Hearing on February 24, 2024. I submitted my written testimony via the City Council portal on Alexandria.gov and pasted it below, welcoming any opportunity to share my perspective or answer any questions.

Respectfully,

Mark

1407 Mount Vernon Avenue

Dear Councilors to the City of Alexandria,

On behalf of the City of Alexandria's residents, thank you for your leadership representing the interests of our community. As the final check-and-balance to a process that seems to be steam-rolled by City Staff and the Applicant, I ask you to reject the Special Use Permit application #2023-00076 at the City Council hearing on February 24, 2024, as Docket # 24-1854. Below my signature is my written testimony for the City Council Public Hearing on January 20, 2024. Rather than repeat that letter, I wanted to further share why I recommend that you consider rejecting this application.

My residence will be directly impacted if this substandard lot is developed as designed in the application. The lack of community engagement and disregard for community opinion by the Applicant and Department of Planning and Zoning Staff remains appalling. Those affected by this application remain united in opposition, as shown by: Mayor Wilson's comments at the City Council Public Hearing on January 20, 2024 (quoted below); an Alexandria Times article calling this a "contentious issue" on January 17, 2024; a split 4-3 vote by the Planning Commission on January 4, 2023; and formal opposition by the Del Ray Citizen's Association sent to the Department of Planning and Zoning on November 20, 2023. Amongst this public opposition and contention, the Applicant and Staff of the Department of Planning and Zoning have not offered a forum for discussion or resolution.

None of the letters supporting this application were authored by affected neighbors, except for one who welcomed "new neighbors in our immediate area and the diversity in housing". As the applicant responded to Planning Commissioner Koenig's question on January 4, 2024 (4 hrs : 9 mins) "Ideally our plan would be to rent it long term, year lease" without mention in the application or subsequent reports that this development would be rented at below-market rates. This property is not an example of Zoning For Housing, a vision of which I'm supportive as the City continues to grow. But, that vision is disingenuously applied in this letter of support and by the Staff of the Department of Planning and Zoning who justified their recommendation against the opposition of Del Ray Citizen's Association at the Planning Commission Public Hearing. Zoning for Housing should include sincere engagement of the community and the steam-rolling to advance this specific application is an example of what not to do.

As Mayor Wilson said at the City Council's Public Hearing (2 hrs : 56 mins), "There has been considerable disagreement between the applicant and residents...let me encourage the applicant and the neighbors to get together...and have some conversation about the areas of disagreement and see what possible could be agreed to." My neighbors who would be negatively impacted if this permit is approved represent different interests in this City's growth. However, this lack of engagement by the Department of Planning and Zoning staff and Applicant has brought us together to learn and share what is happening at 404-A E. Alexandria Avenue. It was through these forums that I learned: a) about the application and potential impact to my residence (only one paper sign was posted in a non-obvious location on E. Alexandria Avenue, a sign that has been missing for weeks), b) that some neighbors reached out to the Department of Planning and Zoning and not received a response, and c) that not all impacted neighbors received an invitation to the one-and-only introduction by the Applicant in November 2023. This meant that we had to quickly learn about the utility of a Special Use Permit and the review process, search historical public records of our residence and community, and provide testimonies to Del Ray Citizen's Association, Planning Commission, and City Council. Beyond those forums and particularly given the public perception of this issue, the applicant and/or staff of the Department of Planning and Zoning had multiple opportunities and ample time to do outreach but failed to do so. Instead, we learn about updates on the Staff Report through formal reports submitted to dockets of the City Council Public Hearings.

The Applicant and the City Staff have not reached out to me, even though my email address is publicly available as written testimony. Another missed opportunity was at the City Council Public Hearing on January 20, 2024, where about 20 of us planned to provide verbal testimony or support. Upon learning about the delay, we all met in the overflow room to discuss next steps. The Applicant entered the room, saw all of us and instead of joining the discussion, left the room to consult with Mr. Sam Shelby of the Department of Planning and Zoning who waited in the hallway. The door to the overflow room is glass and we were at the entrance, so they could not have missed us as I clearly saw them in discussion. But, both left without saying a word, missing an opportunity for transparent discussion and furthering concerns that City Staff sides with the Applicant and are not interested in talking with us.

Instead, Planning Director Mr. Karl E. Moritz reached out to two neighbors by email on Friday, February 16, 2024, at 5:19 p.m. EST, asking to meet. This outreach, one week prior to the City Council Public Hearing, three weeks after

Mayor Wilson's recommendation, and after 5pm on the Friday before a three-day weekend, can be seen as nothing but devious. I did not receive this invitation. Fortunately, we developed an email list among affected neighbors after the City Council meeting, with many of us changing our Saturday plans to meet with Mr. Moritz and Mr. Shelby with less than 24 hours notice. When I asked Mr. Moritz why I wasn't invited to the discussion, he said that he didn't have my email address (I had to remind him about the written testimony) and that he was planning on going door-to-door. Their unannounced door-to-door campaign on the Saturday of a three-day weekend would have occurred *after* meeting my neighbors. None of this makes practical sense and furthers speculation that this was a last-minute and insincere attempt to "check the box" on engaging the community a week before the postponed Public Hearing.

As mentioned in my original testimony, I remain concerned about the increased underground flooding to my basement and the increased risk to pedestrian, bicycle, and vehicular traffic on Mount Vernon Avenue. At the impromptu Saturday meeting, Mr. Moritz and Mr. Shelby did not provide comment on the flooding potential and seemed to agree with the poor visibility of cross pedestrian and vehicular traffic after we walked down the alley, acknowledging that this may be the only alley on Mt Vernon Avenue that is in-the-middle of a block. Given their lack of engagement, I was still disappointed that neither were prepared to answer those concerns, even though it was raised in several written testimonies submitted by myself and others.

Again, thank you for your leadership and opportunity to provide my comments in advance of the discussion on February 24, 2024. Please do not hesitate to email me at markdlim@gmail.com if you have any questions about the content of this testimony, the one submitted for the City Council Public Hearing on January 20, 2024 (pasted below), or would like to discuss my frustration on the lack of engagement by the Applicant and staff of the Department of Planning and Zoning.

Respectfully,

Mark Lim (and Yashin Lin)
1407 Mount Vernon Avenue

Previous written testimony sent to City Council Members for January 20, 2024 hearing

Dear Councilors to the City of Alexandria,

On behalf of the City of Alexandria's residents, thank you for your continued service representing the best interests of our community. Change is not easy, particularly for a city with extensive historical roots, and as you steer our City through Northern Virginia's growth, I remain proud of your leadership in ensuring that Alexandria maintains a healthy and inclusive community.

The health of our community has embodied a personal obligation to contribute through community service. To date, I have volunteered over 400 hours to the Alexandria Health Department's Medical Reserve Corps (MRC) and Community Emergency Response Team. This includes weekends supporting and supervising: annual mass influenza vaccination events, several COVID-19 mass testing events, large COVID-19 vaccine clinics that immunized over a thousand community members to smaller clinics in neighborhoods hardest hit by the pandemic, and pediatric vaccine clinics. I also volunteered at the Health Department's COVID-19 call center and as a COVID-19 contract tracer and case investigator. These opportunities gave me a unique opportunity to cross paths with other Alexandrians from different walks of life, and I have left every event prouder of being a resident of this City.

However, I am writing to express my disappointment at the lack of community engagement or consideration by the Department of Planning and Zoning and the Alexandria Planning Commission on the application for a Special Use Permit (SUP) #2023-00076 for 404A E Alexandria Avenue. I only learned about changes in the original application through public filings of the final document, interpreting these documents as a non-subject matter expert with other impacted neighbors, and attending the Planning Commission meeting on January 4, 2024. Beyond these filings and forum, we were never given an opportunity to learn about changes, exchange concerns, or explore alternatives with

the City Staff, Planning Commission, or applicant, even though my residence and those of my neighbors would be negatively affected by this new single-family residence with a detached Accessory Dwelling Unit.

This lengthy letter seems to be the last opportunity for community-level input. The first and only-opportunity for dialogue was hosted by the Del Ray Citizen Association (DRCA), which did its job in allowing for deliberation and voting in opposition to this SUP (re. letter sent to Mr. Moritz, Alexandria Department of Planning and Zoning). But, instead of following up with DRCA's letter and those of my neighbors, the Department of Planning and Zoning responded through a final report that recommended approval of the SUP permit. Not only did their official report not address the significant concerns in those letters, it only raised more questions. We only wished for dialogue and the Planning and Zoning Staff didn't respond to our requests. Adding to the sting was that we first learned about adaptations at the Planning Commission meeting, after the Staff filed their report and recommendations.

I am in full agreement with my neighbor's and DRCA's concerns and since there is no other opportunity for dialogue with the Planning and Zoning Staff, Planning Commission, or applicant. I am presenting my main concerns through this letter and hopefully as verbal testimony to you, as our City Council.

- Firstly, our residences are part of the Hooffs Run Watershed that sit on-top of underground streams that drain into the very-active Hooffs Run. Most of the recent flooding events, specifically those off Monroe Avenue and off Commonwealth Avenue in the Rosemont Neighborhood, are associated with our watershed. The streams immediately underneath and surrounding our residences have not been disturbed since our multi-unit townhomes were built in the late 1930's with sump pumps being a necessity. My sump pump routinely runs multiple times during dry periods and almost continuously during rain and snow events. It also takes several days for the large "puddles" on the 404A E Alexandria lot to absorb into the ground after a modest rain event, confirming that the soil is already water-logged by active streams with little capacity for additional run-off. Building a solid structure that runs to the edge of the lot with a predominantly underground footprint will stress these active sub-terrain streams. Since our townhomes are below 404A E Alexandria, it is highly likely that the streams will be diverted and focused into our basements if the proposed building is constructed. My own sump pump is unlikely to handle increased demand and I would predict that putting in a single-family home at 404A E Alexandria could make the surrounding ten homes unlivable given their age and cost for reinforced infrastructure.
- Secondly, the only vehicular access to the proposed unit is through a small public alley off Mount Vernon Avenue. Approving this permit will increase the danger to our immediate community by converting a lightly-used alleyway into an active vehicular thoroughfare. Driving onto Mount Vernon Avenue from this alley means that the driver must first cross an active sidewalk connecting the Braddock Road Metro Station, GW Middle School, and the rest of Alexandria to Del Ray's "downtown" core. Then, the driver must carefully navigate onto Mount Vernon Avenue after passing parked cars at the edge of the alley entrance, with additional effort that car and bicycle cross-traffic is aware given that the entrance is not obvious (as it is in the middle of the block) or visible from the street. There have been several occasions of cars blocking the alley because visitors thought it was a viable parking spot. The City's refuse, recycling, and compost collection staff also will not attempt to drive down the alley and instead service our townhomes by parking on Alexandria Avenue and walking down the alley. The detached Accessory Dwelling Unit described in the SUP application has its own dedicated kitchen and laundry in addition to those within the main building, elevating concern that the proposed construction is for two separately-resided buildings. This alley and its intersection with the sidewalk and Mount Vernon Avenue is not designed for the likely increased traffic pressure introduced by two new family units at 404A E Alexandria and regular services such as Amazon or other delivery providers.
- Most shockingly, during verbal testimony provided by the staff of the Department of Planning and Zoning at the Planning Commission meeting, one significant justification for their final recommendation was based on the proposed goals of Zoning For Housing/Housing For All (ZFH). My love of the diversity and inclusivity of this City should show that I am in full support of ZFH and I applaud the Council's

leadership on this issue. However, the residence described in the application for this SUP does not address the vision as it is proposed as a single-family residence (although this counters the design, as mentioned above) that the applicant testified is intended to be a rental. If these are rented, I highly doubt these will be offered at sub-market rental rates as this is not described anywhere. The intended use and design of these buildings are not the model that should represent the vision of ZFH and it is insincere to make that claim. I remain disappointed that these City Staff wanted to distract the lack of substance in their report by politicizing an issue unrelated to this SUP application.

Our family focused our housing search on Alexandria when we were moving back to this region after several years in Seattle. After living in eight different cities, Alexandria is the only city I have ever wanted to put down roots, a commitment that resulted in the purchase of our first home. The past five years have been nothing but amazing, including new routines of weekend walks throughout Alexandria's diverse neighborhoods, enjoying the multitude of cuisines from Old Town and Arlandria to the West End, and partaking in multiple events, festivals, farmer's markets, and local theater. We typically find ourselves comparing Alexandria during our vacations, often to the detriment of the cities we're visiting.

As you review this SUP application and my comments, I also ask the City Council to recognize that this review process lacked transparency and community engagement, with concerns filed by my neighbors and DRCA remaining unaddressed. This process has been disappointingly frustrating, and I am speaking as a resident who loves Alexandria and the community represented by its residents and dedicated civil servants.

Again, thanks for this opportunity to voice my concerns. I welcome a call, email, or opportunity to meet if you have any questions about the content of this letter or want to learn more about my concerns about this application or the lack of transparency and engagement in its review.

Respectfully,

Mark Lim (with Yashin Lin)

1407 Mt Vernon Ave

markdlim@gmail.com

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From: Angela Rice <riceangie@gmail.com>
Sent: Monday, March 11, 2024 10:55 AM
To: CouncilComment@alexandriava.gov
Subject: [EXTERNAL]SUP 2023-00076 AGAINST

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You don't often get email from riceangie@gmail.com. [Learn why this is important](#)

Dear Mayor and City Counselors,

My name is Angela Rice, and my family and I live at 408 E Alexandria Ave abutting the vacant Substandard lot being heard on March 12.

Im asking that you to deny this application on the grounds that

- 1) it **will impair property values** of the abutting semi detached homes and the townhomes on Mount Vernon Ave and
- 2) is not in character with the existing neighborhood in lot size, lack of street frontage, as well as design of the proposed home** as per the substandard lot approval regulations.

The proposed design and orientation of the home and ADU (which I will add the Staff incorrectly shows on the presentation as **oriented East to West, while they are actually proposed to be oriented South to North**) will impair the value of the abutting properties by creating the one place in Del Ray where the Semi Detached homes on E Alexandria Ave and the Townhomes on Mount Vernon Ave will be situated with an odd contemporary home AND an ADU with NO STREET FRONTAGE a few feet from all of those properties. This will be the only place in Del Ray where this situation will occur. Townhomes and semi detached homes are common in Del Ray and if this project is approved, the owners of these abutting homes will be required to lower the sales price to encourage potential buyers to purchase here. Buyers will purchase elsewhere in Del Ray where this situation does not occur. **This Development WILL IMPAIR Property Values and must be denied.**

This proposed development IS NOT compatible with the existing character of the neighborhood. The planning staff admits as much in the staff report, while continuing to pledge support for the project as a 'creative way to make more housing'. It's neither creative nor appropriate. The P&Z staff writes in the Staff report that there are no other lots in Del Ray developed with a single family home that has **NO Street Frontage**. By definition this makes in **Not Compatible**. The staff also notes there are no lots in the immediate surrounding blocks that have a Single Family home developed on a townhome sized Lot. Again, by definition this is **Not Compatible**. Lastly, P&Z staff admits there are no other contemporary homes in the immediate surrounding blocks, and admits this would be the first, and acknowledged that they did not advise or work with the applicant to attempt to design a home that fit with the existing pattern book of Del Ray. Again, by definition and as required by the ordinance, the home is **NOT compatible** with the existing developed neighborhood.

Section 12-400 reads in part "will be compatible with the **existing neighborhood character**."

The ordinance does NOT provide an avenue to intentionally " Change " the existing character as the City Staff has proposed.

Section 12-400.

(C)
City council, upon consideration of the special use permit, finds that the proposed development

- will not unreasonably impair an adequate supply of light and air to adjacent property, - **will not diminish or impair the established property values in the surrounding areas**, and
- **will be compatible with the existing neighborhood character.**

For the reason noted above, and per section 12-400, The City Council must deny this application.

Respectfully,

Angela Rice

Angela Rice, PT, DPT, NCPT

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CouncilComment@alexandriava.gov

From: Singh, Raj <raj.singh@hq.dhs.gov>
Sent: Thursday, March 07, 2024 8:28 AM
To: Justin Wilson; John Chapman; Canek Aguirre; Amy Jackson; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Cc: raj.singh.kumar@gmail.com
Subject: [EXTERNAL]SUP #2023-00076: SAY NO to 404A East Alexandria

Some people who received this message don't often get email from raj.singh@hq.dhs.gov. [Learn why this is important](#)

ALCON,

I am writing again to log my **opposition** to SUP20223-0076 on the substandard property at 404A east Alexandria Ave. As all of my immediate neighbors have already registered their thoughtful and reasonable concerns/issues, I wont go into the minor details again.

- 1) If approved, the homes surrounding this property **will** flood.
 - a. This vacant lot, absorbs a lot of rain water through a root system consisting of a complex network of individual roots that vary in length and age. Vacant lots city wide may cumulatively infiltrate 50% plus additional annual rainfall volume as compared to built lots.
 - b. Historically, green infrastructure (GI; the use of soils, plants, and landscape design to control stormwater) has been introduced across urban areas as a decentralized, distributed approach to reduce sewer system overflows and to deliver other tangible benefits.

Please make the right decision, not the easy one.

V/r,

-raj and kim singh

From: Singh, Raj
Sent: Thursday, February 15, 2024 3:03 PM
To: justin.wilson@alexandriava.gov; john.taylor.chapman@alexandriava.gov; Canek.Aguirre@alexandriava.gov; Amy.Jackson@alexandriava.gov; alyia.gaskins@alexandriava.gov; Kirk.McPike@alexandriava.gov; Sarah.Bagley@alexandriava.gov; councilcomment@alexandriava.gov
Cc: raj.singh.kumar@gmail.com
Subject: SUP #2023-00076: SAY NO to 404A East Alexandria on 24 FEB

My name is Raj Singh and I am the owner of 404 E Alexandria. I am writing, **again**, in **opposition** of the Special Use Permission (SUP) application for 404 A E Alexandria lot (Applicants: Eric Teran and Daniela Gross).

1. Del Ray Citizens Association recommended not supporting SUP (see attached file)
2. Building an ADU is **against** zoning code as this is not their primary resident nor will it be at project start.
 - a. City Council approved ADU policy on January 23, 2021 at their regular public hearing. City Council amended the policy to include the following: **Require homeowners to maintain primary residence of the subject property at the time of ADU construction.**
 - b. Link to bullet a ([Accessory Dwelling Units in Alexandria | City of Alexandria, VA \(alexandriava.gov\)](#))

- c. Mr Teran is on record (4 Jan meeting) stating he WILL NOT live at the property
- 3. It fails 12-401: Applicants disregard for the community and neighbors is egregious as this two-dwelling design is 100% out of character for the neighborhood and immediate area.
 - a. It does not meet the basic standard of the neighborhood and surrounding area
- 4. There is no frontage. This is uncharacteristic of any other house in Del Ray and increases foot traffic in an active alley raising the risk of pedestrian accidents
 - a. Safety will decrease due to increased traffic in an alley not built with visual clearances
 - b. Trash trucks, firetrucks, UPS, FEDEX, etc are not able to enter the alleyway
- 5. Planning commission vote was 4-3; resulting in a controversial approval
- 6. Planning commission was misguided when comparing lots, comparing lot sizes with street frontage with this application with a lot with no street frontage (as every teacher in our school district would say "Apple and Oranges")
- 7. All immediate neighbors are against this build
 - a. Would you want a house built behind a dozen homes?

I am unable to attend the 24 FEB meeting but am sending this e-mail with the hope you take it into consideration and deny this application.

V/r,

-raj and kim singh

Raj Singh
 Department of Homeland Security
 OFFICE: Microsoft Teams
 MOBILE: 202.897.8175
 e-mail: raj.singh@hq.dhs.gov

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CouncilComment@alexandriava.gov

From: Ann Kammerer <ann.kod@gmail.com>
Sent: Tuesday, March 05, 2024 9:38 PM
To: Justin Wilson; John Chapman; Canek Aguirre; Amy Jackson; Alyia Gaskins; Kirk McPike; Sarah Bagley; CouncilComment@alexandriava.gov
Subject: [EXTERNAL]Opposition to SUP #2023-00076 for 404A E Alexandria Ave.

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Dear Alexandria City Council Members

I'm writing again to express my opposition to the SUP application for development at 404a E. Alexandria Ave in Del Ray.

I've lived at 1403 Mt Vernon Ave, a nearly adjacent property to the one in question, since 1998.

The design of the house and ADU, the undersized lot, and the lack of street frontage, are not keeping with the surrounding neighborhood. In response to neighbors' concerns about the street frontage issue and size of the lot, city staff gave comparisons to townhouses in the surrounding area, not to single family homes. Staff also admitted there are no houses in the surrounding area without street frontage.

The developers have indicated that they don't intend to live on the property. They'll be renting the property, and the ADU, which will exacerbate already tight parking in the area. Doesn't the person applying for the ADU permit need to reside in the house at the time the ADU permit is sought?

There is a legitimate concern on the part of all the neighbors that this development is going to have an impact on water runoff and flooding of our residences. It will also negatively affect our property values.

The lack of street frontage, safety concerns regarding fire service access, and past flooding issues all weigh on my feelings about the project.

It's worth noting that Del Ray Citizens Association recommended that the SUP be rejected--which staff left out of their report summary. And that the Planning Commission vote was a close 4-3 vote.

And lastly, this entire process from the start has been marred by lack of communication and haphazard community engagement. (For example, I was not contacted at all about staff's plans to meet with neighbors at the site earlier in February.)

I urge you to reject this SUP application.

Ann Kammerer
1403 Mt Vernon Ave
Alexandria VA 22301
703-732-0012

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Gloria Sitton

From: Amy Jackson
Sent: Wednesday, March 06, 2024 9:33 PM
To: Gloria Sitton
Subject: FW: [EXTERNAL]SUP 2023-0076

Follow Up Flag: Follow up
Flag Status: Flagged

For the letters this week.
Thanks

Amy B. Jackson, Vice Mayor
Alexandria City Council
Office: 703.746.4500
Cell: 703.215.5558
amy.jackson@alexandriava.gov

From: Bridget Donohue <bkdonohue1@gmail.com>
Sent: Wednesday, March 6, 2024 7:41 PM
To: Justin Wilson <justin.wilson@alexandriava.gov>
Cc: Ernie Pickell <pickell@comcast.net>; Alyia Gaskins <alyia.gaskins@alexandriava.gov>; Canek Aguirre <Canek.Aguirre@alexandriava.gov>; Amy Jackson <Amy.Jackson@alexandriava.gov>; Sarah Bagley <sarah.bagley@alexandriava.gov>; John Chapman <john.taylor.chapman@alexandriava.gov>; Kirk McPike <kirk.mcpike@alexandriava.gov>
Subject: [EXTERNAL]SUP 2023-0076

Some people who received this message don't often get email from bkdonohue1@gmail.com. [Learn why this is important](#)

RE: SUP 2023-0076

I am writing to register my opposition to the proposed development of a substandard property at 404A East Alexandria Ave. Many of my neighbors have already registered their numerous and reasonable concerns with the City Council, Planning and Zoning staff, and the Del Ray Citizens Association Land Use Committee. I share their opposition, though my particular concern is flooding.

Any recommendation to approve this proposal is antithetical to Alexandria's goals of mitigating stormwater runoff and reducing flooding. The proposed construction can only exacerbate those issues. 404A is currently a vacant lot which, situated at a low point of the block, and aided by the trees around it, absorbs considerable water. It remains marshy long after an average rainfall. With the proposed buildings, an enormous basement, and the expected loss of up to 4 mature trees, we will lose this buffer against nature. Rainfall will have no place to go, except over land and to the surrounding homes, alleys, and streets. The 400 and 500 blocks of East Alexandria Avenue and surrounding alleyways (behind Luray, Glendale and Nelson, for example) and intersections (E. Nelson and Dewitt, and all along Mt. Vernon Avenue, for example) are known to experience flooding and property damage in the extreme. Fortunately, over the last few years, City staff worked **actively** with our neighborhood stormwater group to identify and remediate flooding issues specific to this area. Approval of this SUP is counter to our efforts.

With SUP 2023-0076, the developer proposes a lot-line to lot-line basement, displacing about half the 2660 sf parcel's below grade soil. The central living areas: living room, kitchen, laundry, utilities, bathroom, a 4th bedroom, and an entrance courtyard will be below ground, with window wells for light (and flooding). Only 2 bedrooms, 2 baths, and a

master suite would be above-ground. Placing over half the house below ground allows the applicant to request to shoehorn an additional nearly 400sf ADU, without exceeding FAR. I was only half-joking when I suggested, In a hastily arranged meet-up with Planning and Zoning Director Karl Moritz on February 17th, the proposed basement and courtyard will be a swimming pool after the first big storm, and that perhaps it should just be planned as a cistern. At that meeting, Mr. Moritz did not satisfactorily explain the Planning Commission's rationale for ignoring the proposed plans' obvious deficiencies, or the DRCA Land Use Committee's recommendation to oppose this SUP; nor could he resolve our concerns about the impact this project might have on the properties and mature trees around it.

Though the applicant wants an investment property in Del Ray, there is scant evidence he is at all invested in the neighborhood. The applicant advises he plans to rent the house and AirBnB the requested ADU. Because he will not live here, his family will not experience the devastating loss of their personal possessions due to the inevitable flooding. They will not be present to witness the resultant damage to their (not)neighbors' properties. (Notably, I could not help noticing his architectural renderings do not even spell Del Ray correctly.) At a March 4 P&Z staff-facilitated meeting with the applicant and concerned neighbors, the applicant seemed surprised by the issues we raised, and brushed off concerns about damage from construction and flooding with the assertion that insurance companies would cover it. As one example, the applicant advised he intends to avoid flooding by connecting directly to the city sewer lines, but so do all of our waste lines. Where is his sump water going to be discharged? These details, like others in the project, are apparently not quite hammered out, which is not reassuring; but as they say, the devil is in the details. Is the additional tax revenue generated from this tiny parcel worth it?

At the conclusion of the March 4th meeting Mr. Moritz indicated our concerns were not persuasive for P&Z to change its recommended APPROVAL of this SUP. I urge you to reject that recommendation.

Thank you for taking the time to consider my thoughts. I invite your feedback. We expect heavy rain tonight. I'd be happy to show the area tomorrow, or anytime before the March 12 City Council meeting.

Bridget Donohue, 422 East Alexandria Avenue, 22301 (703) 887-7132

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