

**BEFORE THE
CITY COUNCIL OF THE CITY OF ALEXANDRIA**

Development Special Use Permit #2024-10004
107 and 125 North West Street
North West Street Townhomes

Docket Item #23 (24-2311)
Hearing Date: July 2, 2024

Planning Commission Recommendation:
5-1 in favor of Approval

Dated: June 30, 2024

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I. INTRODUCTION

As Commissioner Brown aptly noted, King Street is “one of the premier streets . . . in the country.”¹ Indeed, it was recently voted seventh on a list of “America’s Most Charming Main Streets.”² Commissioner Brown expressed significant concern that Development Special Use Permit and Site Plan #2024-10004, as designed, risks “jamming up King Street with traffic that has to come in one way or the other on King Street just to get to this project,” unless a vehicle is already traveling northbound on, or has routed to, N. West Street from the south.³ Further, Commissioner Brown expressed surprise that “the Staff switched its views with regard to the elimination of [] access to this property on Cameron.”⁴ Maintaining the current alley layout, he opined, seems “a much better way to get into and out of this project.”⁵

These concerns are directly on point and succinctly encompass significant questions about the project as currently envisioned. First, the Development and Planning Staff (the “Staff”) previously and consistently maintained a position regarding the N. West Street curb cut that is completely at odds with its current posture. To date, this sudden change has not been explained, let alone fully or transparently so. Second, the project design raises significant questions regarding pedestrian safety, traffic pattern, and fire safety.

Commissioner Brown also noted his disfavor of the way in which the project “[is] going to rather massively . . . overwhelm the two-story townhouses” around it.⁶ Indeed, the project is neither compatible with nearby residential housing, nor an appropriate fit for the neighborhood and therefore not in the public interest.

In light of these issues and, as detailed below, significant underlying process concerns, important unanswered questions remain regarding this application. This is not to say that no residential development should occur here; rather, that it should be well-planned, compatible with the neighborhood, and in the public interest. Returning this application for further development and reconsideration is *not* incompatible with the goal of increasing housing stock. It merely seeks assurance that the process has been conducted openly, reasonably, and with due regard to City zoning principles.

II. BACKGROUND AND PROCEDURAL HISTORY

This matter comes before the City Council (the “Council”) on an application for a Development Special Use Permit and Site Plan to construct thirteen oversized dwelling units on a site located at the northwest corner of Cameron Street and N. West Street in Old Town. The proposed units consist

¹ See Excerpts of June 24, 2024 Planning Commission Hearing at 11:43-12:1, attached as additional Record materials (hereinafter, “Expt.”).

² See, e.g., Vernon Miles, “King Street named one of the ‘most charming main streets’” (ALXnow, Apr. 23, 2024) available at <https://www.alxnow.com/2024/04/23/king-street-named-one-of-the-most-charming-main-streets>.

³ Expt. 12:2-4.

⁴ *Id.* 12:7-9.

⁵ *Id.* 12:9-10.

⁶ *Id.* 11:38-40.

of nine townhouses and four semi-detached houses. The plan acreage is 23,174 SF (.53 acre), and the units are envisioned to be forty-five feet tall (before rooftop appurtenances). Multiple modifications are requested, including to open space, rear and side yard setbacks, and parking in required yards.

With a location in the 100 block of N. West Street, the southwest site edge is one-third of a block from King Street. The site is within the Braddock Metro Neighborhood Plan (“BMNP”) area and the King Street retail overlay. Under the BMNP, at p. 130, West Street is an “A1 - Principal Walking Street.”⁷ Further, for the quartet of streets so-designated, buildings should be “tall enough to create a sense of enclosure without being out of scale to pedestrians.”⁸

While ingress/egress to the site is currently served by alleys on N. West and Cameron Streets, the Site Plan proposes eliminating the access on Cameron Street and adding an additional curb cut on N. West Street, a short distance from the signal-controlled intersection. Thus, access would be solely via N. West Street. Jefferson Houston Elementary School is diagonally across the intersection from the site.

The Planning Commission (the “Commission”) considered this matter on June 24, 2024. At that time, the Commission voted, in a split 5-1 decision over the well-reasoned dissent of Commissioner Brown, to recommend approval.

III. ARGUMENT

A. The Commission Failed to Adequately Address the Sudden About-Face Regarding the Curb Cut and Traffic Pattern on N. West Street

As of February 22, 2024, Staff did not “support the N. West curb cut for several reasons:

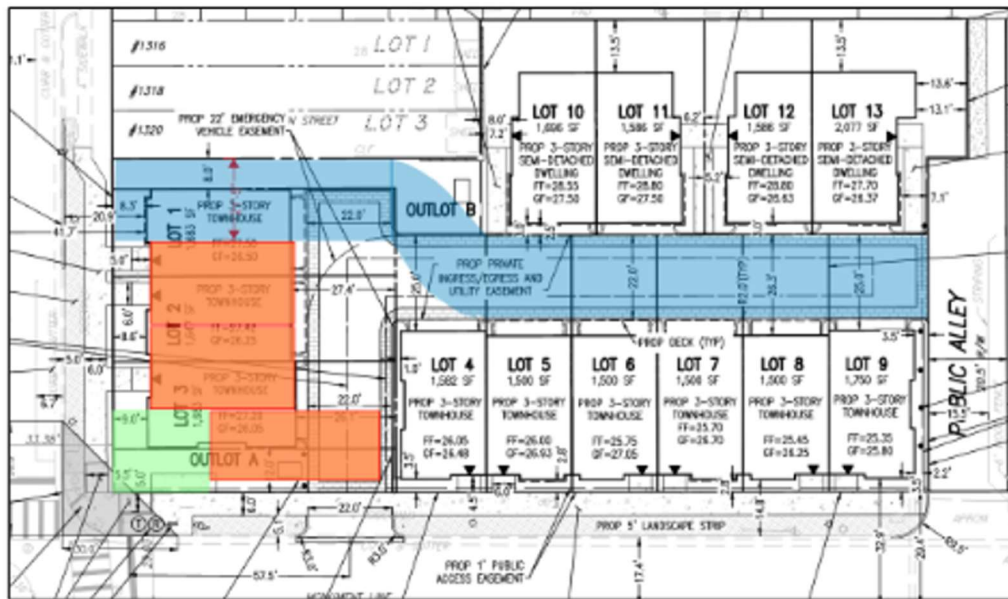
- (i) West St. is a Priority Walking Street in the Braddock plan (which also calls for minimizing curb cuts on active sidewalks/higher levels of traffic)[;]
- (ii) Fire truck access is slightly easier with the proposed alley layout we proposed below[;]
- (iii) Using Cameron St. alley instead of a new West St. curb cut will allow for project design that can limit the visibility into the rear elevations . . . [; and]
- (iv) Consolidated open space could be then provided at the corner (either private or with PAE).”⁹

⁷ “These include four streets—West, Fayette, Madison and Wythe—designated as priority pedestrian routes deserving special attention to pedestrian accessibility. These streets also present important public faces both to local residents and to others passing through the area to and from the Metro and other destinations. Accordingly, land use selection and quality of architecture and urban design are subject to high standards in these guidelines to ensure quality and distinction of character.”

⁸ *Id.* at p. 37.

⁹ See Community Brief to the Commission (“Comm. Br.”) at pp. 112-113. The Comm. Br. is found as pages 110-130 of the Staff Report included in the docket.

In that document, the proposed layout was:



Similar correspondence shows a consistent position from Staff that it “will support utilizing the existing Cameron Street curb cut” for “several reasons.”¹⁰ This was a “fundamental issue” for Staff “regardless of AASHTO.”¹¹ Likewise, on January 22, 2024, “Transportation Planning’s position remain[ed] that . . . no new curb cuts shall be created by this development, *especially* on North West Street.” (emphasis in original).¹²

On its face, the Staff’s current finding that the “the proposed new development [is] consistent with several identified [Braddock Metro Neighborhood Plan] goals, including . . . provid[ing] walkable neighborhoods that are secure and feel safe” is undermined by the Staff’s prior position.¹³ The Staff Report is silent as to *why* Staff suddenly did an about-face on this issue, or how the conflicting positions can be reconciled.

Furthermore, at the hearing, Commissioner McMahon opined that she believes “the account that’s provided” illustrates “a back-and-forth” between Staff and the applicant reflective of “a negotiation.”¹⁴ Respectfully, this assessment is unsupported by the record. Applicant was able to

¹⁰ *Id.* at p. 113.

¹¹ *Id.* at pp. 114, 116.

¹² *Id.* at p. 117 (It is “obviously located directly in the middle of an elementary school zone. We’ve had drivers mount the sidewalk in the past near this location, seriously injuring a nine year-old student” and therefore “Transportation Planning’s position remains that . . . no new curb cuts shall be created by this development, *especially* on North West Street.”).

¹³ Staff Report at p.10.

¹⁴ Expt. 10:12-18. The suggestion that because the applicant engaged with the Staff for over a year there implicitly must have been a deliberative process is flawed. *Id.* Passage of time is not necessarily indicative of diligence. In reality, what the documented process shows is that, until recently, the Staff had substantial concerns, on a repeated and consistent basis, regarding the curb cut. What occurred to change the Staff’s thinking and precipitate a sudden 180° reversal has not been explained.

sit rigidly in one position, ultimately forcing a complete capitulation by Staff on a self-described “fundamental issue.” Thus, the question for this Council is simple: *why did the Staff suddenly diverge from this “fundamental issue,” and how did Staff become comfortable despite crucial misgivings about the appropriateness of the layout and curb cut on N. West Street?*

This Council should share Commissioner Brown’s unease: “I don’t understand why the Staff switched its views.”¹⁵ If it is unclear to a Commissioner, and if it is unarticulated to the public, then there is a major issue of transparency and process that warrants further consideration.

i. The Curb Cut Analysis Overlooks Significant Pedestrian Safety Considerations

Relatedly, the current design is incompatible with pedestrian safety. As noted above, West Street is a priority walking street and the BMNP mandates more—not less—walkable neighborhoods. This, in turn, means minimizing curb cuts. During the same session on June 24, regarding a different application, Commissioner McMahon observed that “I don’t like curb cuts -- and I want them to go away -- and [] they make, they make the sidewalk less safe for the people walking along it.”¹⁶ This sentiment is entirely correct, yet the recommended approval by the Commission of this application is contrary to this goal. The inconsistent treatment of substantially similar issues during consideration of *consecutive docket items* appears arbitrary.

ii. The Curb Cut Analysis Overlooks Detrimental Traffic Pattern Effects

Commissioner Brown’s concern that the proposed design means “jamming up King Street with traffic”¹⁷ is well-founded. At best, if the traffic layout works as designed, then vehicles approaching the site from the north side of the City will have to re-route to the pedestrian heavy area of King Street, travel on King, and then turn right (approaching from the east) or turn left (approaching from the west) onto N. West Street. In both cases, this means navigating east-west oriented thru-traffic (pedestrian and vehicular) on King Street. Or, they will have to cross King Street, if approaching on N. West Street from the south. This is already a heavily trafficked, and sometimes dangerous, intersection of King and N. West Streets, frequented by pedestrians.

For vehicles exiting the development, they will be forced to turn right onto N. West Street and immediately encounter the intersection of N. West and Cameron Streets shared by the southeast corner of Jefferson Houston. Limiting ingress and egress *solely* to N. West Street significantly modifies the current layout and should be reconsidered.

Turning to the reality that this is Alexandria, the Council should dispense with the polite fiction that drivers will obey the “right-in only” and “right-out only” pattern as designed. Vehicles approaching the development from the north side of the City are likely to attempt to travel south on N. West Street and turn left (crossing the northbound lane) into the development. And vehicles exiting the development should be anticipated to turn left out of the development, across the northbound lane, to travel south on N. West Street. It is unrealistic, at best, for the design not to

¹⁵ *Id.* 12:7.

¹⁶ *Id.* 1:1-4.

¹⁷ *Id.* 12:2.

account for the practical likelihood that such vehicles—including delivery and service trucks, rideshares, and taxis, to name a few—will opt for convenience over safety and legality.

Finally, the applicant’s explanation for this proposal does not withstand scrutiny. At the June Planning Commission hearing, counsel explained:

What it, came, people came to realize is Cameron is an important street. That across the street from Cameron there are two public alleys that are heavily used by the daycare and others. There is a car repair shop on the corner that is effectively one quarter of a block of curb cuts and garage bays and on West, on this side of Cameron there are two curb cuts. **So the amount of traffic that would come from the existing curb cut**, came to the realization that controlling the West Street curb cut providing the loop that the fire department wanted, uh, actually was a safer location to put the driveway and that’s where it is today.¹⁸

Contrary to a reason for a new curb cut on N. West Street, this explanation actually *supports* maintaining the already existing curb cut on Cameron Street, not eliminating it. First, applicant’s counsel explains that Cameron *already* has numerous cuts, even what is effectively “one quarter of a block” of them on the north side. There is also a curb cut for alley access three lots east on Cameron. If the nature of Cameron Street is already reflective of curb cuts—which bikes, pedestrians and vehicles *already* navigate—then eliminating one (of many) curb cuts on Cameron will have negligible or no effect. On the other hand, creating something new on N. West Street (near the intersection and across from the school) will cause a significant detriment. This is not a 1:1 exercise, as not all curb cuts are created equal; and the negative impact significantly outweighs the questionable benefit.

Further, counsel for the applicant alluded to a significant “amount of traffic that would come from the existing curb cut” on Cameron Street.¹⁹ However, counsel provided no explanation for the conclusory statement that that existing curb cut will see significant traffic post-development. Indeed, this is contradicted by the Staff Report:

The proposal does not trigger a traffic study based on the City’s guidelines for the trip generation. According to the trip generation analysis **submitted by the applicant**, the proposal generates eight fewer (from 13 to 5) AM peak hour motor vehicle trips and six fewer (12 to 6) PM peak hour motor vehicle trips from the current office/commercial uses.²⁰

Which is it? It cannot be that for purposes of avoiding a traffic study, there is reduced traffic in and out of the development, but for purposes of altering the road design, traffic would be increased.

What counsel describes as significant traffic must be routed somewhere, and here it is apparently onto a priority walking street near the school.

¹⁸ *Id.* 5:16-25 (emphasis added).

¹⁹ *Id.* 5:21-22.

²⁰ Staff Report at p. 17 (emphasis added).

iii. *The Curb Cut Analysis Minimizes Fire Safety Considerations*

At the June 24 hearing, Staff was questioned regarding the opinion of the Fire Department. Unfortunately, the assertions developed during the hearing overstate the record, namely that the Fire Department “was happy with the solution”²¹ and “fire is fully on board with the alleyway configuration.”²²

The issue should not be whether the layout *technically* meets minimal requirements, rather whether it is *the best possible*. The record shows that the Fire Department preferred a different design, evidenced by specific Staff observations:

- “logistically [] Cameron St. will be easier for fire trucks”²³ and
- “the curb cut on West would be difficult but possible, and the curb cut on Cameron would probably be less difficult?” and the response provided “Yes. It would be less turns.”²⁴

The current proposal creates unnecessarily difficult routing for emergency vehicles (presumably from Fire Station 205/Engine Co. 5) who could not simply travel westbound on Cameron and turn left into the development. In other words, emergency vehicles traveling westbound on Cameron would have to turn left on N. West and then into one of the areas of ingress/egress for the site, or an approach from King Street—further compounding concerns as to traffic on that central hub—turning onto N. West and then into the development. (*Fig. A*).

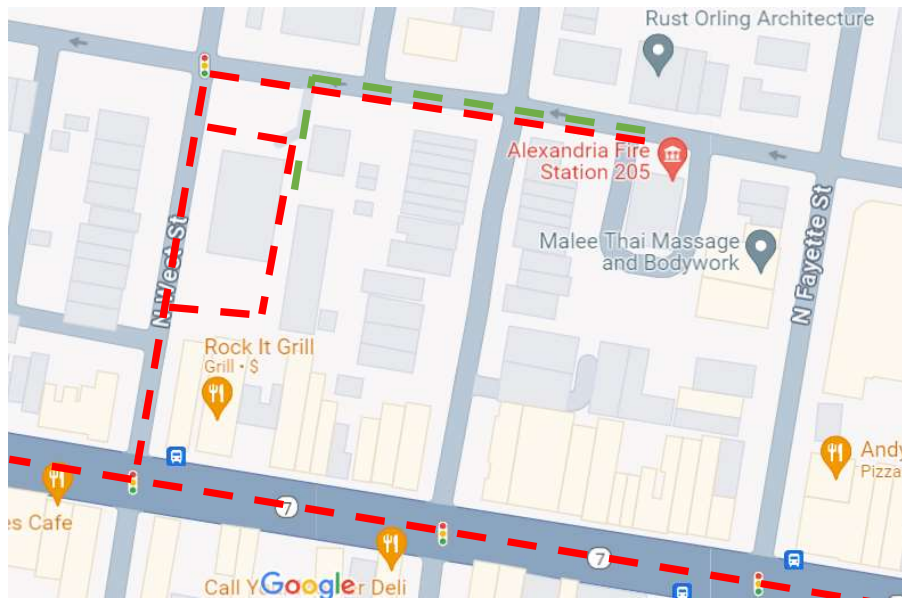


Fig. A.

To state the obvious, buildings and streets are generally permanent, thus once the project is underway it will be difficult to address problems in the future. There is no reason why the Fire

²¹ Expt. 7:21-22.

²² *Id.* 10:18-20.

²³ Comm. Br. at pp. 114-15.

²⁴ *Id.*

Department should not be heard on this issue directly and first-hand (in writing or by appearing before the Commission) rather than relying on a second-hand account.

B. The Determination that the Project is Compatible With “Nearby Residential Housing and with that Area Generally” Was Incorrect

Regarding the proposed design, here Commissioner Brown also has the better of the argument:

[I]f this goes to the Council, I just want them to understand that uh, I think that this is, this project does not warrant, at least in my case, my approval. Staff calls this high-quality design. To me, Commissioner Koenig may disagree, and I respect his views, but I see nothing distinguished about this design [and] I don’t like the idea that it’s going to rather massively, uh, overwhelm the two-story townhouses on the other side of the same block.²⁵

As Staff observes, according to the Zoning Ordinance, the “location of the [site] in and near the Old and Historic Alexandria District requires that such uses be compatible with **nearby residential housing** and with **that area generally**.”²⁶ However, the Staff Report makes no effort to show that this requirement is satisfied and, indeed, recommends numerous SUPs and modifications that would place the proposed units far from the heartland of the surrounding neighborhood.

i. The Expansive Interpretation of “Nearby” Is Unsupportable

Considering solely the height issue, the proposed development is in an area where residential units are often two stories. While the King Street corridor has some taller buildings, they are of a wholly different class (*i.e.*, mixed business/residential, business, or multi-unit). Taller buildings are generally offices or hotels.²⁷ For single-family *residential homes* in this area, the proposed development would tower over the surrounding area and be out of place.

The applicant and Staff were hard-pressed to identify comparable projects “nearby.” Instead, both pointed to Gibbon Street in the southwest quadrant.²⁸ Staff also cited the Venue to the northeast.²⁹ These examples are in different Overlay Plans and are not relevant points of comparison.

ii. The Commission Ignored Relevant and Comparable Residential Housing

Numerous examples that are actual, relevant points of comparison—largely showing homes that were built or are stylistically compatible with 19th century and early 20th century town homes of two stories—were not addressed by the Commission.³⁰ These include N. West itself, Cameron, Harvard, and N. Payne. Further, Commissioner Manor illustrated this point when he zeroed in on

²⁵ Expt. 11:34-40.

²⁶ Staff Report at p. 8 (emphasis added).

²⁷ *E.g.*, 1300 King Street (street level businesses and condos above), 1420 King Street (the Washington Engineering Center), 1600 King Street (Lorien Hotel and Spa), 1555 and 1605 King Street (office units), 1615 King Street (Hyatt Centric hotel), 1616 King Street (Hampton Inn hotel), 1101 King Street (office units).

²⁸ Staff Report at p. 12; Expt. 5:38 (also N. Alfred).

²⁹ Staff Report at p. 12.

³⁰ *See* Comm. Br. at pp. 122-24.

116 N. Payne Street while posing a question to Staff. He described that building as “I mean, looking at the map it’s quite massive [] compared to the other houses in the neighborhood . . . [i]t’s quite big.”³¹ Staff observed that this “three-story gabled roof house” is likely “at least 30 to 35 feet.”³²

This exchange underscores the issue for two reasons. First, that unit is *not* indicative of the neighborhood, but is a stand-out. 116 N. Payne Street, known as “Colonial Court,” is a plaqued building dating to 1814, now converted to multi-unit. Second, Staff indicated a likely 30 or 35-foot height for this building—thus, this historic outlier described as “massive” by Commissioner Manor is *shorter* than the 45 feet proposed here. There is no question that the proposed plan would tower over the surrounds, shown even in applicant’s rendering (the white shapes are existing houses in the 1300 block of Cameron Street):



Finally, even if 116 N. Payne Street was relevant for comparison, which it is not, given its use and uniqueness, it would flip the compatibility standard on its head to cherry-pick a single example that fits the conclusion, while ignoring the scores of others that do not.

iii. The Commission’s Reasoning Sets Negative Precedent that Will Erode Statutory Intent

Finally, as Commissioner Lyle observed, Alexandria has a rich and varied architectural tradition.³³ There are many examples of different, historical styles. But it does not follow that just because a single example can be found somewhere within the Small Area Plan, that it should be transplanted and emulated, *thirteen times over*, on a small half-acre parcel.

³¹ Expt. 8:28-38.

³² *Id.* 8:40-41.

³³ Commissioner Lyle expressed a view that “[w]e’ve seen a lot of modern architecture, we, but this really [] combines the aesthetics of the neighborhood” and thus this is “probably one of the better designed projects in terms of compatibility with Old Town, with both historic districts . . .” Expt. 9:7-11. However, this completely ignores the non-traditional intent of one-third of the units. *See* Staff Report at p. 11 (“the four semi-detached units fronting the private alley are less traditional”).

By beginning with a flawed point of reference, placing these units in this location would create a precedent that, over time, alters the existing character of the neighborhood. Future development could easily point to these units as a “comparable” starting point, creating a slippery slope of built up, towering development inconsistent with the Master Plan and height zones, and license to build out of character residences proximate to King Street.

C. Significant Process Concerns Have Been Overlooked

In addition to the above questions concerning the “what,” there are also unresolved issues concerning the “how.” If left unresolved, these process concerns will make any decision vulnerable to collateral attack and potentially time and resource-intensive litigation and judicial review. The Council should not compound this error by accepting the current recommendation, without more.

Underlying process concerns include that Staff did not articulate its reasoning, as discussed above, and that the proposed Site Plan is contrary to public interest. Commissioner Lyle cast these concerns as individualized, rather than public, stating that “no one is guaranteed a view” and a view is “not something that we can take into consideration.”³⁴ This summary is reductionist, and incorrect. First, it is not a question of individualized viewsheds, but of the public interest in the city scape generally that the Commission can, and should, have considered in the context of the proposal’s character and fit.³⁵

Second, neither the Site Plan nor the Commission appears to have considered the fact that the current building at 107 N. West Street serves as the permanent, backline property demarcation for at least four properties on N. Payne Street (*i.e.*, it is the back wall). Since 107 N. West Street’s construction approximately 70 years ago, the 20-foot back wall of the building has served to provide enclosure, safety, and privacy to the properties. As it stands, nothing in the Site Plan requires the applicant to maintain or replace this divider by, for example, installation of a comparable property enclosure/division. This is surprising given that a barrier—such as a brick wall—would be a relatively minimal cost to the project and consistent with the character of the

³⁴ Expt. 9:15-21.

³⁵ In any event, whether removal of an iconic view is actionable in law is an open question in Virginia. In November 2023, a Norfolk Circuit Court ruled that a landowner does not create a private nuisance by erecting a fence that blocks their adjoining neighbor’s view according to English common law. But in reaching this decision, the court observed an absence of controlling Virginia law or appellate authority and had to look at pre-Mayflower English legal precedent. *See Patterson v. Gardner*, Case No. CL22-10435 (Nov. 21, 2023). The *Patterson* court did recognize that diminution in value of property is a consideration for nuisance. Moreover, in that case, the issue was a generic scenic waterfront view that was blocked by a neighbor’s fence, not a preexisting unique and iconic view such as the Masonic National Memorial, blocked by a new structure that will be incompatibly tall for its type. While the general rule is that the loss of a view is not actionable under nuisance, even the *Patterson* court relied on precedent that reflects the established principle under tort law that “discomfort and annoyance” that are “significant and of a kind that would be suffered by a normal personal in the community” may be actionable. *See generally* Restatement (Second) of Torts §§ 821D and 821F (1977); *Foley v. Harris*, 286 S.E.2d 186 (Va. 1982). Thus, the issue of unique, rather than generic views, is ripe for consideration in Virginia, particularly given the height increase.

neighborhood.³⁶ Given the sheer amount of variances already proposed, it is especially notable that the applicant has made no guarantees or provision on this front. At least one community member expressed this concern during the hearing; and this is neither an individualized concern nor a matter of a “view.”

Regarding both issues, Zoning Ordinance section 11-500 makes obligatory that a SUP cannot be “detrimental to the public welfare or injurious to *property or improvements in the neighborhood.*” (emphasis added). The Staff Report simply concludes, without analysis, that the “SUP request will not create any adverse effects to any adjacent properties,”³⁷ which is patently inaccurate.

Finally, process concerns also include indications that community involvement was not duly considered and that there was a rush to recommend this application by an artificial June deadline, as detailed in submission below.³⁸ The request to the Commission below included a reasonable suggestion that the application be returned to Staff for further assessment and development of the record. Nonetheless, the Commission pressed forward in the face of an undeveloped and inadequate record.³⁹ This Council now has an opportunity to fix that mistake.

IV. CONCLUSION

If zoning and use rules and the Master Plan are to be given effect, then this Council should deny the application or, at minimum, return it for further assessment. Anything less risks allowing the exceptions to swallow the rule, without regard to baselines designed to benefit the entire City.

The Council is necessarily presented with competing principles, including increasing housing stock in Alexandria. But increasing housing is *not incompatible* with increasing housing that *fits* the surrounding area and adheres to City zoning principles.

The Staff erred. The Committee then compounded those errors and largely declined to approach the Staff Report with the critical eye warranted under the circumstances. This Council is now at a crossroads—deny the Application and return it for further consideration, or endorse a run-away, flawed process, to the detriment of the Community.

Respectfully submitted,


Kendall Wangsgard

³⁶ Including such a demarcation and enclosure would be appropriate for both the new semi-detached units and for maintaining the existing layout. Notably, the back portion of 108 N. Payne Street has an approximately 10-foot brick wall.

³⁷ Staff Report at p. 13.

³⁸ See Comm. Br. at pp. 126-29.

³⁹ At least one Commissioner noted on the record that she did not have an opportunity to review public comments in full, see Expt. 6:36, although they were submitted in advance of the hearing as per published City guidelines. The majority Commission voted in favor of the proposal at the hearing nonetheless.

Excerpts from Planning Commission Hearing

Docket Item #8 – June 24, 2024

1:14:08 **M. McMahon** Yeah, thank you. And, and that is my main concern. Um, as much I 1
don't like curb cuts -- and I want them to go away -- and, uh, they 2
make, they make the sidewalk less safe for the people walking along 3
it. 4

Docket Item #9 – June 24, 2024

<i>1:16:34</i>	Clerk	Item number nine – Development Special Use Permit 2024–10004, 107 and 125 N. West Street, N. West Street Townhomes. Public hearing and consideration of a request for Development Special Use Permit and site plan including a Special Use Permit for: land without frontage, subdivision, and modifications to construct nine residential townhouses and four semi-detached dwellings zoned CD/commercial downtown. Applicant 125 N. West Street, LLC represented by Duncan Blair, attorney.	1 2 3 4 5 6 7 8 9
<i>1:17:20</i>	M. McMahon	Please proceed, thank you.	10 11
<i>1:17:23</i>	C. Miliaras	<p>Good evening, Vice Chair McMahon and Planning Commission members. For the record my name is Catherine Miliaras with the Department of Planning and Zoning.</p> <p>The applicant 125 N. West Street, LLC proposes to re-develop the existing two parcels at 107 and 125 N. West Street with thirteen new residential units, nine townhouses fronting the public streets and four semi-detached units facing the private alley.</p> <p>The project site is in a mixed-use area of Old Town with street frontage on N. West Street and Cameron Street. The site is half a block from commercial core on King Street and adjacent to a variety of different property uses, including retail and commercial, educational, personal services, and residential townhouses, both historic and modern.</p> <p>The project is in the Braddock Metro Neighborhood Plan and the Braddock Road Metro Station Small Area Plan boundaries, and the site is adjacent to, but not in, the City’s two locally-regulated historic districts.</p> <p>The site plan you see here shows the nine street-fronting townhouses and the four semi-detached units accessed from a new private drive aisle. The project includes a new curb cut on N. West Street and the removal of an existing curb cut along Cameron Street.</p> <p>The new West Street curb street curb cut will be right in, right out only and will have an extended bulb-out to improve pedestrian safety, and minimize vehicular conflicts given its close proximity to the intersection with Cameron Street.</p>	12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41

The project also includes a variety of open space, including at-grade publicly accessible open space at the front, at the corner, it will have a bench, private at-grade space for project residents as well as rooftop decks for all units. The semi-detached units will also have rear yards. Each townhouse will have one standard and one compact parking space. The public alley to the south, that's existing, will be enlarged slightly to meet City standards.

Architecturally the dwelling units are well-designed and consistent with a variety of different building styles within the vicinity. They're compatible with the transitional nature of this neighborhood, which features the commercial core of King Street and larger buildings to the south, and more residential uses to the north. The buildings will be primarily constructed of brick with the limited use of synthetic materials, largely located on interior elevations. All parking for the units will be in a garage on the first floor accessed from the private alley.

As is common with infill developments, there is a Special Use Permit and three modifications associated with the project. The SUP is for lots without frontage. And the SUP request necessitates a DSUP for the project. Without that request, the project would have been processed as a development site plan.

The site was posted, and adjacent properties were notified of the project as is required for all projects before Planning Commission and City Council. In addition, the applicant reached out to nearby property owners and hosted a community meeting, on, at the site. The well-attended meeting included representatives from three civic associations and several neighbors. City Staff were also available at the meeting to answer any questions. As with all projects we like to highlight certain areas like stormwater and schools, as well as transportation improvements.

Regarding stormwater, the project is improving current conditions through reduced imperviousness and an underground BMP structure. There are transportation improvements also associated with the project, including wider sidewalks, a bump-out at the corner of N. West and Cameron Streets. The City will also receive increased taxes over the current taxes collected.

There are also several benefits associated with the project, including the replacement of office buildings and surface parking with dwelling

		units, enhanced streetscapes, and an open space with a public access	1
		easement and a bench, high-quality architecture, meeting the green	2
		building policy, and monetary contributions to bikeshare, affordable	3
		housing, and public art. With that, Staff recommends approval of the	4
		project, subject to the project conditions, and happy to answer any	5
		questions. Thank you.	6
			7
1:21:59	M. McMahon	Thank you. Are there any questions for Staff?	8
			9
1:22:04	J. Manor	Yes, I have one.	10
			11
1:22:06	M. McMahon	Yup, Commissioner Manor.	12
			13
1:22:07	J. Manor	Uh, has there been, has there been an estimate about the difference	14
		in real estate taxes, since you mentioned it would be increased?	15
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1:22:17	C. Miliaras	Commissioner Manor, yes. Um, in the Staff report towards the end of	17
		it, you'll see there is a section that talks about the calculated, um,	18
		taxes as a commercial use right now, um, versus what real estate	19
		would estimate would be the, um, future real estate taxes based on,	20
		um, the construction of the thirteen townhouses and we estimate	21
		that it's an increase of approximately 85 to 108 thousand dollars	22
		annually.	23
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1:22:52	J. Manor	Okay, thank you. I'm sorry that I missed that uh detail in the Staff	25
		report.	26
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1:22:54	C. Miliaras	No, no problem.	28
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1:22:59	M. McMahon	All right, and with that we do have some public speakers.	30
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		Public Speakers – S. Barkell, K. Wangsgard – omitted	32
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1:30:48	M. McMahon	That brings us to the applicant represented by Duncan Blair.	34
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1:30:54	D. Blair	Good evening, once again I'm Duncan Blair, of Land, Carroll & Blair	36
		here on behalf of the applicant 125 N. West Street. With me is the	37
		principal of 125, Vic Bonomi. Vic is a Alexandria resident. Vic is the	38
		major outreach from the beginning of this project when he bought	39
		the property. Uh, he's knocked on doors, he's talked to people, he	40
		had an open house, he sent cards, we apologize to Ms. Bechtel [sic],	41
		but, but her only address was the home address. We sent	42
		information. We finally talked last Saturday, uh, so we, we tried our	43

best, but we can't reach people if, unfortunately if, their contact information isn't available in the City records.

We had a great community meeting. We've had great conversations with West Alexandria Civic Association, Old Town and Upper King Street. The project has been an iterative process. It started out as nine units on, uh, West, N. West Street. Uh, when the Winstanley property became available, explored multi-family on the two, looking at the environment many of the things that, uh, Ms. Riley said earlier weighed in that attention. Settled on new housing, uh, thirteen units of new housing much needed in the area. Uh, worked very closely with Staff to develop a plan, worked with the Alexandria Police Department, the Alexandria Fire Department on access issues.

And on the Cameron Street we spent a lot of time conversing on it. What it, came, people came to realize is Cameron is an important street. That across the street from Cameron there are two public alleys that are heavily used by the daycare and others. There is a car repair shop on the corner that is effectively one quarter of a block of curb cuts and garage bays and on West, on this side of Cameron there are two curb cuts. So the amount of traffic that would come from the existing curb cut, came to the realization that controlling the West Street curb cut providing the loop that the fire department wanted, uh, actually was a safer location to put the driveway and that's where it is today.

This project is not a rezoning, a CRMU, like many of the other townhouse projects. And I know that this project does ask for some modifications, uh but unlike a lot of the CRMU projects, it does provide for rear yards where it abuts the residential, where, CMR, CRMU has no rear yard.

That said, um, we worked closely with Staff, it's not in the architectural control area. I think I was as surprised as Staff was that it's in this area where it's not, but the architectural review by the Staff was indeed was detailed and I think that the project shows itself to be consistent with townhouse projects that are being approved in the area including, just recently, Gibbon Street and N. Alfred Street and the height is consistent with those heights. Part of the reason for the bump in the height, was to provide some flexibility for architectural interest on the streetscape, uh, and not just merely have flat roofs. So with that, I will be glad to respond to any questions that the Commission may have.

1:37:47	M. McMahon	Commissioner Lyle.	1
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1:37:50	M. Lyle	Mr. Blair, when did you start working on this application with Staff, because I know we keep hearing 'oh it's just shown up in the last month or two' we've gotten several comments on that, and I know it's much longer.	3
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1:35:05	Audience	[inaudible]	8
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1:35:22	M. McMahon	Other questions for the applicant? I will acknowledge there is a new hand raised in the attendee list so I want before we close the public hearing make sure that they have a chance to speak. I see a William and Marianne Schreiber online. Um, yup, you should be able to speak now.	10
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1:35:42		[Public Speakers – W. Schreiber – omitted]	16
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1:36:59	M. McMahon	Thank you very much.	18
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1:37:02	M. Lyle	Make a motion to close the public hearing.	20
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1:37:06	M. McMahon	I have a motion to close the public hearing by Commissioner Lyle.	22
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1:37:10	S. Koenig	Second.	24
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1:37:12	M. McMahon	A second by Commissioner Koenig. All those in favor, please say 'aye.'	26
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1:37:15		[crosstalk]	28
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1:37:18	M. McMahon	Opposed? Motion carries 6-0 to close the public hearing. That brings us to Commissioner discussion or questions for Staff if there are new ones.	30
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		And I actually have a question for Staff, I, um, in, reviewing, as much of, um, Mr. Wangsgard's memo, it was very long, and I was working today, so I can't admit to having read every, every sentence of it, but, um, I one of the key concerns is safety and the fire department, um, the correspondence between Staff and the applicant on design of the site and what would be the safest or most appropriate, um, drive aisle arrangement. Can Staff speak to, um, the fire department position on the, the final proposal that we're seeing here tonight and their satisfaction with it?	34
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- 1:38:14 **B. Dofflemyer** Hi, Brian Dofflemyer with TES and yes, so we did work closely with them. Of course I, we try to balance safety concerns with public safety concerns, right, and access for the site. So, at one point, you know we had, um, tried to limit the curb cuts as much as possible, but then you know fire does need to get through the site and then they needed to make a loop through there. And then so once that was established, then we worked with the, um, the applicant to come up with ways to make that, um, curb cut on N. West Street as safe as possible, including working with them to make it a right in and right out, as well as, uh, working on some bulb out at that corner also to the, uh, reduce pedestrian crossing distances.
- 1:39:00 **M. McMahon** Ok, so it's your understanding that the fire department is satisfied with the safety of this solution and that they can serve this this facility?
- 1:39:08 **C. Miliaras** Yes, so, Catherine Miliaras. We had extensive conversations, um, Planning and Zoning, Transportation, and, um, the Fire, uh, the Fire Marshal and Code Administration to discuss how to ensure that access to all of the properties was maintained, and the most ideal way to get different trucks in and out. And they were happy with the solution that we arrived upon.
- 1:39:34 **M. McMahon** Thank you for that. Um, I have another question for Staff, um, that comes, um, out of this, this memo. Um, the applicant speaks to, uh, what is essentially, um, a footnote to a table that relates to the height that's being proposed here and that in code the base height would be 35 feet except, um, in meeting 4-506, um, the height for this zone for a residential building of this nature can go up to 45 feet. And the two criteria that it lists are related to the ridgeline being parallel to the street and the slope of the roof being compatible with neighborhood buildings, and it's not super specific or detailed other than that's that's what the code says. So can Staff speak to how this project meets those two criteria?
- 1:40:24 **C. Miliaras** Sure, um, Staff found that the proposed design does meet the two criteria the, um, townhouses that you see have, um, a sloped gable roof with dormers with individual gabled dormers. It's technically a mansard roof because it's flat at the top, but the appearance is as a sloped gable and so that ridgeline is parallel to the street, so it meets that first criteria.

		And then the second one is compatibility with the neighborhood and this site is in Old Town. It's near both of the historic districts, which feature a range of historic and new buildings that have a range of different roof types and one of the most common forms are gabled roofs, mansard roofs, and on N. Payne Street, N. West Street, you see, um, examples of gable roofs with dormers. Even on Cameron Street adjacent to the site, there is a similar example of what they're trying to do. So, the architect was, to create a compatible design, I suspect, walked around and looked at some of the buildings that exist, um, to create a design that was, um, appropriate and compatible.	1 2 3 4 5 6 7 8 9 10 11
1:41:36	M. McMahon	Thank you very much. Are there other questions. Uh, Commissioner Manor you have your hand raised, do you have a question for Staff or comment, comments?	12 13 14 15
1:41:45	J. Manor	Yeah, I didn't, the applicant I couldn't tell what they said about how long they had been working with Staff. It was hard to hear.	16 17 18
1:41:55	D. Blair	Over a year.	19 20
1:41:59	J. Manor	Okay. And then I have question for Staff, how, how tall is the building at 114, no I'm sorry, 116 N. Payne?	21 22 23
1:42:12	C. Miliaras	I, I don't know, uh, 116 N. Payne would be a townhouse behind this and I do not have the height of one of those townhouses readily available.	24 25 26 27
1:42:25	J. Manor	It's, I mean, looking at the map it's quite massive, uh, compared to the other houses in the neighborhood. It's three stories.	28 29 30
1:42:33	C. Miliaras	Are you, so you're referring . . .	31 32
1:42:35	J. Manor	It's quite big.	33 34
1:42:36	C. Miliaras	. . . to this house, yeah. The three-story gabled-roof house right here that I'm pointing to.	35 36 37
1:42:39	J. Manor	Yes. Yes.	38 39
1:42:40	C. Miliaras	So typically, I would expect that a three-story building would be at least 30 to 35 feet.	40 41 42 43

1:42:50	J. Manor	Okay, okay thank you very much.	1
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1:42:54	C. Miliaras	Sure.	3
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1:42:56	M. McMahon	Alright, Commissioner comments?	5
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1:43:02	M. Lyle	I'll start. I am fully in support of this project. I think it's probably one of the better designed projects in terms of compatibility with Old Town, with both historic districts that we've seen come through in quite a while. We've seen a lot of modern architecture, we, but this really, um, combines the aesthetics of the neighborhood. And I agree with you that the architect probably walked around a significant amount of time before he hit the boards.	7
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		Um, I, sympathize with the neighbors, but no one is guaranteed a view, and we've had these cases come before us, um, several over the last two years that I can remember where, uh, people were upset because one project was coming down another going up and their views were impacted. But, that is not something that we can take into consideration when we're looking at whether, um, a project meets the requirements for a DSUP. And so, I think this is a good project, it's a nice use of, um, what is one vacant commercial building and another that's soon to be vacant, um, and I'll be supporting it.	15
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1:44:41	M. McMahon	Other Commissioner comments? Commissioner Koenig.	25
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1:44:48	S. Koenig	Madam Chairman, I, I concur with Commissioner Lyle's, um, perspective. Um, I'm in agreement with the, uh, Staff report and I'm, uh, in support of the project.	27
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1:45:00	M. McMahon	Alright. Um, I, I'll give some of my, my comments. I'm in support of this project, um, and one of the reasons is because I've been up here and walked around Old Town enough to see a fair amount of infill townhouse development. And, um, and this is, this is as Old Town as anywhere, um, but there are lots of blocks of Old Town east of here, closer to the water, closer to the historic core, what some might say that have, um, larger but compatible infill townhome development.	31
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		Sometimes it's on a corner, like this one is. Um, sometimes it's not, but, um, I, I appreciate when architects can put together the package that allows for homes to be, to be developed into sometimes it's reuse of funky commercial space that hasn't had any activity in a long time. Sometimes it's those odd, um, vacant lots that sit between	39
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homes and maybe once upon a time had a building on them, but it, it
burned down like a hundred years ago, but it's been a vacant lot
between row houses for a long time, we've seen those fill in. And they
don't fill in with two-story row houses. They fill in with three, three
and a half story sort of full-size market-appropriate homes but, with
design that allows them to fit into the fabric around them and I think
that this project does that really well and it looks very similar to a lot
of those.

Um, I appreciate Staff's, appreciate community members' interest in
this in the concern that safety was taken into account and was closely
evaluated. And I, and I believe that the account that's provided
through the, um, the memo from, um, from community comment
actually does a good job of talking about and showing, illustrating the
back-and-forth that Staff undertake with applicants to find a solution.
And no one sits rigidly in one position through a negotiation like that,
because everyone is in a design process, everyone is looking at what
a solution might be that fits the location and, um, I'm glad to hear
that fire is fully on board with the alleyway configuration that
ultimately, uh, appears in this final design.

Um, I also think this final design does a good job with open space
solutions. I, it is rare that we see a public accessible open space
provided as part of a townhome development and so even the fact
that there is a little of that on the corner with some public seating,
um, is entirely appropriate and helpful at this location. Um, and, yeah,
I, I appreciate Staff's, um, description of their assessment of 4-506
process, that there it is admittedly it's not just an auto stamp on this
35 feet to 45 foot question, but rather there is a design consideration
associated with the project's final, um, final look and feel that allows
it to qualify for that extra 10 feet of space.

Um, and, and these homes happily have rooftop out, outdoor open
space amenity which is very desirable, um, and very uh helps to
balance the fact that this is such an urban location. And it's very hard
to get open space anywhere this, this part of town um, and so to fit
what they have on this block is, um, admirable and I think makes it a
great amenity for the community. So I will be supporting this
application.

Any other comments from Commissioners or a motion tonight?

1:48:52	M. Lyle	Are we, are we ready for a motion?	1
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1:48:55	M. McMahon	I'm ready for a motion.	3
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1:48:56	M. Lyle	Ok. I'm just going to make one more comment. This is really an interesting use of this site because 107 N. West Street was originally a tire, um, company. And it was a tire warehouse, and it became an architecture and photography studio with a great adaptive reuse of the tire company and now it's gonna be housing. And I think this shows us how this city has changed through the years, because it was not that long ago that the tire company became the architecture and photography studio. So, I move to recommend approval of Development Special Use Permit 2024-10004, 107 and 125 N. West Street.	5
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1:49:53	S. Koenig	Second.	16
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1:49:55	M. McMahon	I have a motion [crosstalk], oh, I have a motion from Commissioner Lyle and a second from Commissioner Koenig, sorry Commissioner Manor. He beat you to it.	18
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1:50:02	J. Manor	No, I'm on, I'm on delay.	22
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1:50:06	M. McMahon	All those in favor, please . . .	24
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		[crosstalk]	26
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1:50:09	M. McMahon	Yes, yes absolutely. Commissioner Brown.	28
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1:50:13	D. Brown	It's clear to me that this project is going to be given approval, um, and I don't want to disturb the consensus of the Commission on this project.	30
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		On the other hand, uh, if this goes to the Council, I just want them to understand that uh, I think that this is, this project does not warrant, at least in my case, my approval. Staff calls this high-quality design. To me, Commissioner Koenig may disagree, and I respect his views, but I see nothing distinguished about this design. Um, I don't like the idea that it's going to rather massively, uh, overwhelm the two-story townhouses on the other side of the same block.	34
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		I don't like the idea that the only way to get into this project is northbound on N. West Street. Um, King Street is one of the premier	42
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streets in the City. Not in, I'm sorry, not in the City, in the country. 1
And I don't like jamming up King Street with traffic that has to come 2
in one way or the other on King Street just to get to this project unless 3
they happen to be on the, the southern half of, of North Street. Um, 4
I'm in, I'm in considerable sympathy with the remarks of Mr. 5
Wangsgard on this project and I deserve, I believe that they deserve 6
more attention. I don't understand why the Staff switched its views 7
with regard to the elimination of, uh, access to this property on 8
Cameron. Seems to me a much better way to get into and out of this 9
project. But, uh, there wasn't enough of a negative view on this, on 10
the Commission, uh, I just want the Council to know that not 11
everybody sees it the same way. Thank you. 12

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1:52:50 **M. McMahon** Alright, we have a motion and a second on the table. All those in 14
favor, please say 'aye.' 15

[crosstalk] 16
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1:52:31 **M. McMahon** Alright, motion carries 5-1. 19

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7-2-24

CouncilComment@alexandriava.gov

From: JD Drewes <jdrewes@hotmail.com>
Sent: Sunday, June 30, 2024 7:48 PM
To: CouncilComment@alexandriava.gov
Subject: [EXTERNAL]Feedback on Permit #2024-10004 (107 and 125 N West Street)

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

I am writing to voice my support for Development Special Use Permit #2024-10004 at 107 and 125 N. West Street. As a resident of the 100 block of N. West Street, I believe the proposed townhouses will enhance the block, transforming a parking lot, and under-utilized commercial buildings into an extension of the neighborhood. The height and scale of the new townhouses matches this block very well, with its eclectic mix of 2 and 3 story townhouses, some old as the 19th century, others as new as the 1980's. It is very obvious that the developer has a real sense of what makes this block, and has chosen to enhance it. In short, I am excited by the prospect of new homes that would complement and complete the block, and bring us new neighbors.

John Drewes
112 N West St.

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I am writing in strong support of Development Special Use Permit #2024-10004 107 and 125 North West Street. I and my family live on the 100 block of North West Street, and we eagerly support the redevelopment of this property. Converting this space from mostly unused commercial use to residential will greatly improve the neighborhood. Currently, 125 North West Street is almost always vacant. People often loiter in the parking lots holding boisterous conversations while playing loud music from their cars. Plenty of unsavory behavior has been noted behind 125. It would be an asset to this block to develop the site into a vibrant residential parcel. Thank you for the opportunity to comment.

Stephen Poston
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