

Docket Item #3

Development Special Use Permit #2012-0026 Colonial Heights Decks

Application	General Data
Project Name: Colonial Heights Decks	PC Hearing: March 5, 2013
	CC Hearing: March 16, 2013
	If approved, DSUP Expiration: n/a
Location: 1-45 & 99 Carriage House Circle	Plan Acreage: Approximately 4 acres
	Zone: RT/Townhouse zone
	Proposed Use: Option to add decks to existing townhouses
Applicant: Colonial Heights Homeowner's Association	Dwelling Units: 44 Townhouses (already constructed)
	Small Area Plan: Seminary Hill

Purpose of Application

Amend the development approval for the Colonial Heights development to allow decks on certain lots within the community.

Special Use Permits, Modifications, and other Approvals Requested:

- Amendment to previously approved DSUP 98-0027 to allow decks.

Staff Recommendation: APPROVAL WITH CONDITIONS

Staff Reviewer: Katye North, Urban Planner, AICP katye.north@alexandriava.gov

PLANNING COMMISSION ACTION, MARCH 5, 2013: On a motion by Commissioner Lyman, seconded by Commissioner Dunn, the Planning Commission voted to **recommend approval** of DSUP #2012-0026, subject to compliance with all applicable codes, ordinances and staff recommendations, including a revision to Condition 19.g and the addition of Condition 19.j. The motion passed on a vote of 7 to 0.

Reason: The Planning Commission stated that the townhouse owners should have the same right to construct decks as others in the City, and that there is greater benefit to handling this request through a revision to the overall DSUP rather than individual deck requests as suggested by several opponents. The Commission also noted that the current application has been much better coordinated with among the Colonial Heights residents than the original 1999 request for a single deck that was opposed by the HOA and denied by the City Council.

Speakers:

John Von Senden, Colonial Heights HOA Vice President and applicant representative, spoke in support of the requested amendment. He noted that the homeowner that initiated the request in 1999 unfortunately created a lot of issues for this request, but he believes the current application has been well thought out and coordinated among the Colonial Heights residents. They will have strong design guidelines to ensure a high quality for the design of the decks. He believes decks should be permitted in their community as they are already allowed in many other townhouse and single family neighborhoods in the City.

Roland Shaw, Colonial Heights resident at 25 Carriage House Circle, spoke in support of the requested amendment. He noted that there are several townhouse developments close to Colonial Heights that all have decks and he believes they should be allowed the same right.

Harriett McCune, resident at 19 Fort Williams Parkway, spoke in opposition of the requested amendment. She does not believe decks are appropriate in this location and that there is already a loss of privacy from the townhouses. She also indicated that the trees in the wooded buffer area have declined from the ivy growth that has taken over the buffer. She stated that the townhouses are not designed for decks and the townhouses may have soil issues given the problems she has had with her property.

Victoria Gilner, 21 Carriage House Circle, spoke in support of the requested amendment. She stated that she was the neighbor of the original deck requestor in 1999 that created a number of problems related to this issue. She is now in support of the request to allow decks, although she probably will not install one. She also noted that one of the adjacent owners on Fort Williams Parkway behind Colonial Heights has a deck.

Nancy Jennings, resident at 2115 Marlboro Drive and Seminary Hill Association (SHA) President, spoke in opposition of the requested amendment. She felt that the townhouse residents were not interested in discussing a compromise. She stated that SHA did not support a blanket approval for decks and mentioned the resolution that they passed to recommend the Planning Commission uphold the 1999 denial. She noted that SHA would be willing to consider a deck request for one of the residents who is ill who had requested a deck at his property on the east side of the development.

Ron Bennett, Colonial Heights resident at 23 Carriage House Circle, spoke in support of the requested amendment. He noted that this is an urban area where privacy levels may not be the same as outside the City. He also stated that the buffer on the west side of the development actually provides more privacy than other locations, such as the east side where he resides.

Eleanor Ratcliff, Colonial Heights resident at 34 Carriage House Circle, spoke in support of the requested amendment. She stated that there would be guidelines in place to ensure the decks would be attractive, which benefits the residents of Colonial Heights as well. She questioned whether the City can always guarantee the same level of privacy over the years. She also noted that she originally opposed the request for a deck in 1999, but now supports the request since this time the issue has been thoroughly discussed among the Colonial Heights residents.

Frank Putzu, resident at 1423 Juliana Place and member of the Seminary Hill Association, spoke in opposition of the request. He expressed his appreciation for the deferral and noted that the parties did have good conversation about the issues. However, the concerns with privacy along the west side remain and he did not think it was unreasonable to require a case by case special use permit review if individual homeowners were interested in decks. He noted that in general, he was comfortable with decks along the east side of the development.

Rosalyn Bellis, Colonial Heights resident at 42 Carriage House Circle, spoke in support of the requested amendment. She noted that the distance between the townhouses and the two Fort Williams Parkway houses that are owned by residents who had expressed concern would be over a hundred feet and if decks were constructed on these townhouses, the buffer would only be reduced by 12 feet. She noted that one of the residents who previously spoke against the request has a deck. She believes that the HOA will ensure the designs of the decks are a good quality and that there will probably not be a rush of requests to install decks.

Sharon Annear, resident at 1118 N. Howard Street, spoke in opposition of the requested amendment. She was disappointed a compromise could not be reached. Although she does not live near this development, she noted that the residents had assurances about uniformity and appearances, and they feel like they cannot depend on the City or HOA to protect their rights.

Steve Tuttle, resident at 12 Fort Williams Parkway, spoke in opposition of the requested amendment. He stated that he objected to the decks that would infringe on the privacy of the residents of Fort Williams Parkway. He also noted that the deck that was constructed at 25 Fort Williams Parkway was installed prior to the current owner.

PLANNING COMMISSION ACTION, DECEMBER 4, 2012: On a motion by Ms. Lyman, seconded by Mr. Jennings, the Planning Commission voted to **defer** the case to allow for further coordination between affected parties. The motion passed on a vote of 6 to 0. Mr. Robinson was absent.

Reason: The Planning Commission requested that staff coordinate a meeting between the applicant, the adjacent property owners, and the Seminary Hill Association to discuss the request and attempt to develop a compromise. Commissioner Fossum requested that City staff closely monitor the deferral and discussions between parties.

Speakers:

Tom Collelo, Colonial Heights HOA President, spoke in support of the requested amendment. He stated that the decks would be subject to guidelines and would be modest in size. Regarding the concerns from the neighbors on Fort Williams Parkway, he believes those concerns are unfounded since there is a substantial wooded buffer to provide screening. He requested that their development be afforded the same rights for decks as other City residents.

Harriett McCune, resident at 19 Fort Williams Parkway, spoke in opposition of the requested

amendment. She noted that there is an elevation change and the decks on the townhouses would be high above her house and create a loss of privacy. She stated that the original development was required to have a uniform appearance and decks would create a visual impact. She questioned why decks on Duke Street were proposed to have extra design treatment and not the decks facing the Fort Williams Parkway residents. She was troubled that the request was listed on the consent agenda and that the residents of Fort Williams Parkway and Tupelo Place were left out of the report.

Steve Tuttle, resident at 12 Fort Williams Parkway, spoke in opposition of the requested amendment. He has been a resident since the original development was approved and was increased to 44 units. He stated that the understory is very thin in the buffer and this allows lights to come through from Colonial Heights to Fort Williams Parkway. He believes that decks will collect junk and become an eyesore and recommends denial of the request.

John Von Senden, Colonial Heights resident at 18 Carriage House Circle, spoke in support of the requested amendment even though his house would not be eligible for a deck per the proposed guidelines (his house does not have a basement walkout). He noted the significant amount of open space surrounding the site and the limitations of adding additional planting in the buffer due to the requirements of the original conditions to leave the area in the existing natural state.

Roland Shaw, Colonial Heights resident at 25 Carriage House Circle, spoke in support of the requested amendment. He noted that he is the owner of one of the townhouses with a deck. He believes the addition of decks will add value to the development and that issues have changed since 1999 that merit reconsideration of the request.

Ron Bennett, Colonial Heights resident at 23 Carriage House Circle, spoke in support of the requested amendment. He lives on the east side of the development adjacent to the Quaker Ridge site that includes decks. He pointed out that there is no buffer on this side, and the decks and any noise from them are not an issue.

Nancy Jennings, resident at 2115 Marlboro Drive and Seminary Hill Association President, requested deferral of the application for further explanation of the request by staff for the Association to review and consider. She believes the staff report was inaccurate since the residents had not been consulted.

Scott West, resident at 25 Fort Williams Parkway, spoke in opposition of the requested amendment. He has been a resident since 1999 and attended the public hearing in 1999 when the deck issued was previously discussed. He questioned why decks were not included with the original development in 1984 if they were intended for decks. He believes the decks will create an eyesore as they will become storage areas and create noise.

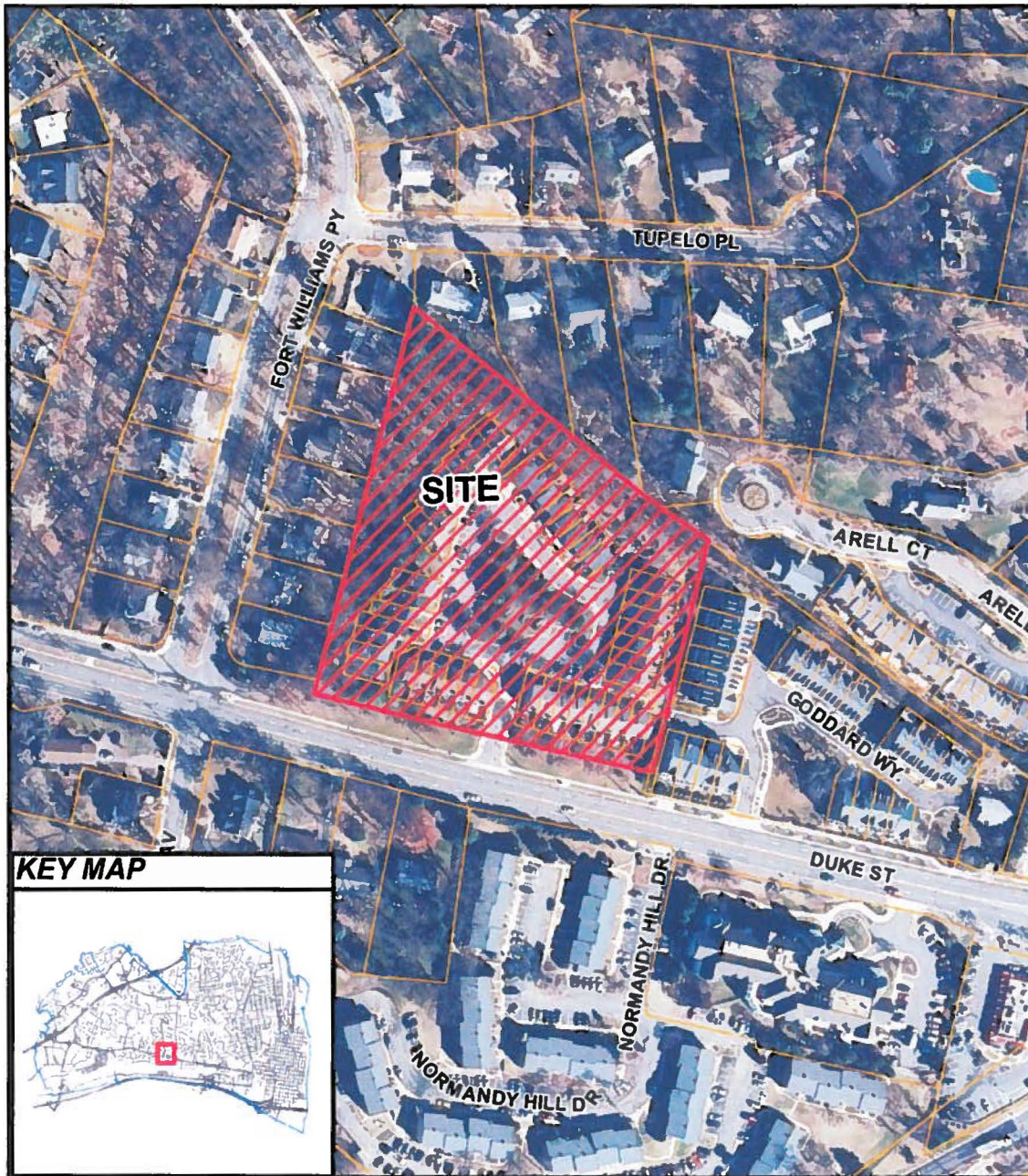
Rosalyn Bellis, Colonial Heights resident at 42 Carriage House Circle, spoke in support of the requested amendment. She noted that she is an original member of Colonial Heights and lives on the west side adjacent to the Fort Williams Parkway residents. She stated that there have not been any requests for decks on the west side, probably due to the amount of trees and shading

on this side. She believes that noise will not be an issue because if residents are noisy, the Colonial Heights neighbors would be most directly impacted and would take measures to address it. She pointed out that since she has lived in Colonial Heights, two of the Fort Williams Parkway residents have added decks facing Colonial Heights, but she did not have any say over them. She believes Colonial Heights keeps the site, including the buffer area, well maintained.

Frank Putzu, resident at 1423 Juliana Place and member of the Seminary Hill Association, requested deferral of the application to allow time for the applicant, the homeowners, and the civic association to work through areas of concern. He expressed concerns with the notice and questioned why the neighbors were not consulted and why the case was listed on the consent agenda. He noted that the issue had been thoroughly discussed in 1999 and compatibility and privacy were major factors in the denial of the request. Since he believes neither of those conditions has changed, the rationale should remain the same. He also noted that this situation is exactly what we should try to prevent through the What's Next Alexandria efforts.

Eleanor Ratcliff, Colonial Heights resident at 34 Carriage House Circle, spoke in support of the requested amendment. She has lived in Colonial Heights since 1988 and originally opposed the request for a deck in 1999. She now supports the request since this time the issue has been thoroughly discussed among the Colonial Heights residents and is well thought out. She believes any deck facing Fort Williams Parkway would not be objectionable. She also noted that they are not asking for special treatment, just the same treatment other city residents are allowed, including the Fort Williams Parkway residents.

Sharon Annear, resident at 1118 N. Howard Street, spoke in opposition of the requested amendment. She noted that special use permits are intended to address issues that may create a lot of friction between properties and allow for additional discussion to address issues. She stated that Seminary Hill had standing at the time of the original approval since the developer met with them, but sometimes it may not be possible to address every single issue at the beginning. She believes there is room for everyone to discuss this issue further to see if there is a resolution that can be achieved. She is concerned that staff seemed more concerned with the design of decks on Duke Street than the design facing the residents on Fort Williams Parkway.



DSUP #2012-0026

12/4/2012



I. SUMMARY

Staff recommends *approval* of the requested amendment to the Development Special Use Permit for the Colonial Heights development to allow decks at eligible townhouses. This request has been initiated by the Colonial Heights Homeowner's Association, who has included a set of design criteria to regulate the location and style of the decks. Given that decks are a fairly common amenity for townhouse developments and the neighboring townhouse development of Quaker Ridge is now constructed and includes decks, staff believes this is a reasonable request that will not negatively impact the overall site.

II. BACKGROUND

A. Procedural Background

The Colonial Heights development was approved as a 44 unit cluster plan in 1984 and was constructed and occupied by 1987. In 1998, the HOA requested an amendment to redistribute the surface parking spaces within the community, which was approved with modifications (DSUP #98-0027). In 1999, a resident requested an amendment to the plan to allow a deck on his property within the development (DSUP #99-0046). A deck had already been partially constructed at the applicant's townhouse without a building permit and he needed approval of the amendment to obtain a permit to complete the construction. However, the request was not coordinated with the HOA or the neighbors, and at the Planning Commission and City Council public hearings, several residents spoke in opposition to the request (see Attachment #1 for a copy of the staff report which includes the list of speakers). As a result, the Planning Commission recommended denial of the request, which was supported by the City Council.

One deck existed at the site prior to the amendment, which staff believes was originally constructed with the townhouse. Since the amendment was denied in 1999, two decks were constructed through valid building permits that were unfortunately issued in error. Several years after the denial, the Quaker Ridge townhouse development immediately east of the site was constructed and a number of these units have decks. Recently, a Colonial Heights resident submitted a building permit for a deck, which staff could not approve. This initiated discussions between the City and the HOA to reassess whether decks would be an appropriate structure at this development. Staff suggested the HOA discuss the issue with the residents and provide a coordinated request for the City to reconsider, which is the purpose of this application.

B. Site Context

The 4-acre site consists of 44 townhouse lots situated around a central open space. The development is located off Duke Street, a quarter mile west of N. Quaker Lane. As a cluster development, the individual lots are less than 2,000 sf and over half of the site is in common ownership for open space, parking, and an internal street (Carriage House Circle). There is a substantial setback along Duke Street with a number of trees and a fence, so the first row of townhouses are not extremely visible. The Quaker Ridge townhouse development is east of the

site and single family houses along Fort Williams Parkway and Tupelo Place are to the north and west. Across Duke Street are more single family homes, garden apartments, and the Sunrise Assisted Living facility.

C. Detailed Project Description

The applicant, Colonial Heights HOA, requests an amendment to the cluster plan approval to allow decks on eligible lots. Unlike the request made in 1999, this application has been filed by the HOA and has been discussed with the residents to ensure coordination among the neighbors. The HOA has included a series of guidelines to regulate the size and style of future decks. Staff has included applicable portions of these guidelines in the conditions of approval and the HOA intends to update their HOA documents with this information if the request is approved. Decks would be limited to the first or second story and special detail would be paid to any decks along Duke Street.

III. STAFF ANALYSIS

Although a deck seemed to be a fairly reasonable addition, the request made in 1999 appeared to be somewhat contentious among the residents of the community (see Attachment #1). The fact that it had been partially constructed without City approval further complicated the matter. Given the lack of coordination with the HOA and the neighbors, and the number of requests for denial, it made sense that the request was not approved.

However, staff still believes the addition of decks is a reasonable request and typical of many similar townhouse developments. In fact, the Quaker Ridge development immediately east of the site includes a number of units with decks. This time the request for decks has been initiated by the HOA and has been coordinated with the residents to ensure everyone is in agreement. The HOA has carefully crafted guidelines to manage the size, appearance, and location of the decks, which staff supports and has included in the conditions. Approval of this amendment does not mean every unit at Colonial Heights will request a deck, but it will provide a process for the residents to apply for building permits should they choose to add this amenity to their homes.

IV. CONCLUSION

Staff recommends **approval** of amendment to the DSUP to allow decks on eligible lots subject to compliance with all applicable codes and ordinances and all the conditions from previous approval (DSUP # 98-0027).

V. STAFF RECOMMENDATIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions from the previous approval (DSUP # 98-0027):

Note: These conditions have been carried over from the previous approval, but many have been completed through the site plan process for this application. Conditions 19 and 20 are new conditions.

1. Show proposed VEPCO, C&P, and gas service. (DSUP #98-0027) (T&ES)
2. Provide storm sewers along limit of clearing on west side of pick up storm runoff and pipe to detention tank (4 inlets required) to satisfaction of Transportation & Environmental Services.” (DSUP #98-0027) (T&ES)
3. Revise proposed sanitary sewer to satisfaction of Transportation & Environmental Services. Manholes must be accessible to sewer truck. (DSUP #98-0027) (T&ES)
4. Show easements for proposed sanitary sewers. (DSUP #98-0027) (T&ES)
5. Provide ramps for the handicapped at parking lot sidewalks. (DSUP #98-0027)
6. Show proposed site lighting. (DSUP #98-0027) (T&ES)
7. Show landscape tabulation with crown coverage. (DSUP #98-0027) (T&ES)
8. Units 42, 43 and 44 are in worst marine clay area on the entire site. Special foundation considerations to the satisfaction of the Director of Transportation & Environmental Services shall be provided for these units if they are built. (DSUP #98-0027) (T&ES)
9. Make deposit for emergency vehicle easement sign before release of special use permit. (DSUP #98-0027) (T&ES)
10. Make deposit for cleaning up mud during construction. (DSUP #98-0027) (T&ES)
11. Make deposit of one hundred five dollars (\$105.00) for painting three fire hydrants. (DSUP #98-0027) (T&ES)
12. Reconfigure center islands at project entrance to provide more turning room for emergency equipment. (DSUP #98-0027) (Public Safety - Fire Marshall)
13. Provide gates on all rear or side fences to provide access linkage. (DSUP #98-0027) (P&CD)
14. Designate one surface parking space per non-garage unit (25); the remainder of the spaces (25) must be unreserved parking. (DSUP #98-0027) (P&Z)

15. Provide minimum of 88 parking spaces as shown on plan (19 garages, 50 bays, plus 19 driveways 10' x 20'). (DSUP #98-0027) (P&CD)
16. Provide minimum side and rear setbacks as shown on plan.. (DSUP #98-0027) (P&Z)
17. Plant staggered double row of red maples (*Acer rubrum* "Red Sunset" or "October Glory") on Duke Street. On row to be planted on development property as shown. Second row to be planted on north portion of public right-of-way to serve as street trees. (DSUP #98-0027) (P&CD) (R,P&CA)
18. Extend tree planting along Duke Street to western end of property. (DSUP #98-0027) (P&CD)
19. **[CONDITION ADDED BY STAFF AND AMENDED BY PLANNING COMMISSION]** Decks shall be permitted provided that they meet the following requirements, to the satisfaction of the Director of P&Z:
 - a. They are located within the property lines of the individual unit;
 - b. They are not located above the second floor above grade;
 - c. Decks facing Duke Street must be designed with a level of decoration and finish that is appropriate for their visible location and be in the neo-colonial style of architecture;
 - d. The Colonial Heights Home Owners Association must approve any deck, including the materials, size and appearance;
 - e. The maximum depth of a deck is limited to 12 feet from the rear face of the house;
 - f. The maximum width of a deck is limited to the width of the property, less 2 feet, which shall provide for one foot of clear space on each side of the deck;
 - g. Stairs from the deck to the ground shall be ~~prohibited~~ permitted, provided they are completely within the allowed footprint of the deck;
 - h. Vertical panels of lattice, louvers, or other screening materials shall be limited to within 4 feet of the face of the house and the screening height shall not exceed 7 feet above the deck floor; and
 - i. The existing decks at units 25, 27, and 29 shall be unaffected by these requirements except for future modifications.
 - j. The Colonial Heights HOA shall provide regular maintenance to the wooded buffer area and provide supplemental plantings for screening, in consultation with the City Arborist and to the satisfaction of the Director of Planning and Zoning. (P&Z)(PC)
20. **[CONDITION ADDED BY STAFF]** Submit a narrative plan for erosion mitigation for the proposed decks. The plan shall include proposed mitigation measures as well as requirements for maintenance and enforcement of the plan. The plan shall be approved by the Director of Transportation & Environmental Services prior to submission of any building permit for a new deck. (T&ES)

ATTACHMENTS

1. Staff Report for previous deck request - DSUP #99-0046

Docket Item #6
DEVELOPMENT SPECIAL USE PERMIT #99-0046
COLONIAL HEIGHTS

Planning Commission Meeting
October 5, 1999

ISSUE: Consideration of a request for an amendment to a cluster development special use permit to allow decks to be built within the cluster development.

APPLICANT: William R. and Linda B. Goodrich

LOCATION: 19 Carriage House Circle (and including 1-45 Carriage House Circle)

ZONE: RT/Residential

CITY COUNCIL ACTION, DECEMBER 18, 1999: City Council upheld the Planning Commission recommendation and **denied** the application for a deck.

City Council referred to staff and the Planning Commission a text amendment relative to the issue of ambiguous decks.

CITY COUNCIL ACTION, OCTOBER 16, 1999: City Council deferred this item for 30 days to allow the homeowners' association to file its own application to amend the SUP.

PLANNING COMMISSION ACTION, OCTOBER 5, 1999: On a motion by Mr. Robinson, seconded by Mr. Komoroske, the Planning Commission voted to **recommend denial** of the request. The motion carried on a vote of 6 to 0. Mr. Dunn was absent.

Reason: The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

Speakers:

Doug Fears, Colonial Heights resident (immediately adjacent neighbor), spoke against.
David Shetler, Colonial Heights resident, spoke against.
Sue Sheller, Colonial Heights resident, spoke against.
Cameron Cohick, Colonial Heights resident, spoke against.
Harriet McKune, Fort Williams Parkway, spoke against.
Cindy Gearn, Fort Williams Parkway, spoke against.
Scott West, Fort Williams Parkway, spoke against.
Jim Brown, Colonial Heights resident (immediately adjacent neighbor), spoke against.
Bill Goodrich, the applicant.

STAFF RECOMMENDATION:

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

The following conditions are being brought forward from (DSUP #98-0027):

1. Show proposed VEPCO, C&P, and gas service. (DSUP #98-0027) (T&ES)
2. Provide storm sewers along limit of clearing on west side of pick up storm runoff and pipe to detention tank (4 inlets required) to satisfaction of Transportation & Environmental Services.” (DSUP #98-0027) (T&ES)
3. Revise proposed sanitary sewer to satisfaction of Transportation & Environmental Services. Manholes must be accessible to sewer truck. (DSUP #98-0027) (T&ES)
4. Show easements for proposed sanitary sewers. (DSUP #98-0027) (T&ES)
5. Provide ramps for the handicapped at parking lot sidewalks. (DSUP #98-0027)
6. Show proposed site lighting. (DSUP #98-0027) (T&ES)
7. Show landscape tabulation with crown coverage. (DSUP #98-0027) (T&ES)
8. Units 42, 43 and 44 are in worst marine clay area on the entire site. Special foundation considerations to the satisfaction of the Director of Transportation & Environmental Services shall be provided for these units if they are built. (DSUP #98-0027) (T&ES)
9. Make deposit for emergency vehicle easement sign before release of special use permit. (DSUP #98-0027) (T&ES)
10. Make deposit for cleaning up mud during construction. (DSUP #98-0027) (T&ES)
11. Make deposit of one hundred five dollars (\$105.00) for painting three fire hydrants. (DSUP #98-0027) (T&ES)
12. Reconfigure center islands at project entrance to provide more turning room for emergency equipment. (DSUP #98-0027) (Public Safety - Fire Marshall)
13. Provide gates on all rear or side fences to provide access linkage. (DSUP #98-0027) (P&CD)
14. Designate one surface parking space per non-garage unit (25); the remainder of the spaces (25) must be unreserved parking. (DSUP #98-0027) (P&Z)

15. Provide minimum of 88 parking spaces as shown on plan (19 garages, 50 bays, plus 19 driveways 10' x 20'). (DSUP #98-0027) (P&CD)
16. Provide minimum side and rear setbacks as shown on plan.. (DSUP #98-0027) (P&Z)
17. Plant staggered double row of red maples (*Acer rubrum* "Red Sunset" or "October Glory") on Duke Street. On row to be planted on development property as shown. Second row to be planted on north portion of public right-of-way to serve as street trees. (DSUP #98-0027) (P&CD) (R,P&CA)
18. Extend tree planting along Duke Street to western end of property. (DSUP #98-0027) (P&CD)
19. Decks shall be permitted provided that they meet the following requirements :
 - A) they are located within the property lines of the individual unit;
 - B) they are not located above the second floor;
 - C) decks facing Duke Street are designed to have a finished appearance, such as detailed woodwork and/or painting with an opaque stain, to the satisfaction of the Director of Planning & Zoning;
 - D) the Colonial Heights Home Owners Association approves the deck. (P&Z)

DISCUSSION:

The applicants, William and Linda Goodrich, are requesting an amendment to the cluster residential development approved for Colonial Heights to allow a rear deck at 19 Carriage House Circle. The cluster was originally approved by Council on September 26, 1984 (SUP #1699), and was amended in 1998 to redistribute the surface parking spaces within the community (DSUP #98-0027). The approved development plan shows no decks.

Colonial Heights is a 44 unit townhouse development facing a central open space feature located on Carriage House Circle off Duke Street between Arell Court and Fort Williams Parkway.

The applicants proposed deck would measure 16' x 16' and be located off of the second floor. The applicants have indicated that at the time they purchased the house from the developer a deck and second floor sliding glass doors were offered as an option. Although the applicants did not choose the deck option, sliding glass doors were installed in the event that a deck was added at a later date. The applicant has already obtained approval for the proposed deck from the Colonial Heights Homeowner's Association Board of Directors.

Staff recommends approval of the proposed deck. When the project was originally approved no decks were shown on the site plan, although according to the applicant, the developer offered decks as a purchase option. If this project were being approved today, staff would encourage the developer to show proposed decks on the site plans and staff would craft conditions which describe the limitations for future decks. In addition to recommending approval of the applicant's deck, staff recommends that a condition be added to the Colonial Heights approval which sets parameters for future decks, thus avoiding Commission and Council approval each time a new deck is proposed.

Staff recommends the following conditions be established for future decks at Colonial Height, including:

- All proposed decks must be located within the property lines of the individual unit. In Colonial Heights each property is located on a smaller lot within the larger project site and minimum dimensions were established between the rear property lines and the project property line. No decks may reduce these setbacks.
- Decks may not be located above the second floor of any house.
- Decks facing Duke Street must be designed with a level of decoration and finish that is appropriate for their highly visible location along Duke Street. The Director of Planning & Zoning must approve the design of decks along this elevation.
- The Homeowners Association (HOA) must approve all decks at Colonial Heights. The HOA already approves exterior improvements and decks at Colonial Heights and has also approved the proposed deck at 19 Carriage House Circle.

There is only one existing second story deck at Colonial Heights, in the same string of units as the deck proposed by the applicants, which staff believes was likely constructed at the time the house was built. In the opinion of Staff, the request for a deck at 19 Carriage House Drive is not unreasonable provided that the minimum standards set out by this amendment are met.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning;
Kimberley Johnson, Chief, Development;
Stephanie Sechrist, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

No comment.

Code Enforcement:

No comment.

Parks & Recreation (Arborist):

No comment.

City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 22, 2013

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: FAROLL HAMER, DIRECTOR, PLANNING AND ZONING

SUBJECT: COLONIAL HEIGHTS DECK AMENDMENT – FOLLOW UP ACTIVITIES

At the December 4th Planning Commission meeting, the Planning Commission deferred the Colonial Heights deck amendment case to allow for further coordination among the affected parties. Concerns had been expressed at the public hearing by adjacent property owners and the Seminary Hill Association (SHA) that they had not been adequately notified of the request by the Colonial Height Homeowners Association to allow decks on the existing townhouses within their development. The Planning Commission asked staff to facilitate a meeting between the applicant (Colonial Heights Homeowners Association), the adjacent property owners, and the SHA to see if a compromise could be reached on the issue of decks in this community.

Staff, representatives from Colonial Heights, representatives from SHA, and two adjacent property owners who reside on Fort Williams Parkway met on December 10th. At this meeting, staff provided the adjacent property owners and the SHA representatives with the background of this request and the history that led to the 1999 denial of a similar request by the City. The applicant explained the reasoning for their request and their change in position as a community on the issue of decks. The adjacent property owners discussed their concerns about the impacts to privacy and views from their properties. The issue was also discussed at the SHA meeting later that week on December 13th where staff provided the history and nature of the request to the larger community group and the applicant was available for questions.

On January 9th, staff, the applicant, and a representative from SHA met with one of the adjacent property owners directly west of Colonial Heights at her property to discuss the visual and privacy impacts of the decks on the Fort Williams Parkway properties and discuss whether there were any opportunities for mitigation. Suggestions included increasing the vegetation in the buffer area between the single family homes and the townhouses to reduce the visibility of any potential decks. The group also discussed having the Colonial Heights HOA propose a landscape maintenance plan to start clearing the invasive species in this area and begin supplementing the vegetation with new understory trees. However, there were concerns raised by both the applicant and the adjacent property owner about the success of this vegetation surviving and providing substantial screening given the amount of shade that currently exists in

this buffer area from the established trees. Another suggestion was to have the HOA develop specific design criteria, above what the proposed conditions require, to ensure any decks facing Fort Williams Parkway were consistent in appearance.

Unfortunately, none of these suggestions could persuade the adjacent property owners that decks facing their rear yards would not be an intrusion of their privacy or views. In support of the adjacent property owners, the SHA voted at their January meeting to recommend that the Planning Commission maintain their previous denial of decks. The Colonial Heights HOA does not want to modify their application to only request decks on the east and south townhouses. Although there are no pending requests for decks for any of the units on the west side, the HOA did not want to preclude this as a future option should a homeowner want to make this improvement.

Staff still believes that the application for decks is a reasonable request and is not unique only to this development. There are several more recent developments, including the Quaker Ridge townhouses to the east and the Arell Court single-family homes to the north, that include provisions for decks in the site plan approvals, regardless of whether decks would be constructed by the developer or at a later time by the homeowner. Additionally, staff often gets requests for decks in older cluster plans that did not include specific criteria about decks in the original approval. In those cases, staff reviews a minor amendment to the site plan to determine the size and location of the deck to ensure compatibility with the rest of the development. Staff believes this administrative review would have been the process taken in 1999 except that the applicant who made the request had failed to coordinate and get approvals from the larger HOA. Given the opposition from the immediate neighbors within Colonial Heights, the case was elevated to a public hearing. Since the HOA has now coordinated with all of the Colonial Heights residents and has made an organized request, staff is comfortable that the issues of privacy and compatibility within Colonial Heights have been addressed.

With regard to Commissioner Wagner's comment about the appropriateness of decks on the units that back up to Duke Street, staff still supports the applicant's request to allow decks at these units. As noted in the conditions, additional design standards will be required for these units to ensure they provide an attractive and consistent elevation along Duke Street. These decks will be similar in materials and style to the decks immediately to the east at Quaker Ridge. Additionally, the Colonial Heights townhouses are set back further from Duke Street than the Quaker Ridge townhouse behind a double row of trees, which will provide additional screening for these decks.



APPLICATION

DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN

DSP # 2012-0026

Project Name: Colonial Heights Amendment.

PROPERTY LOCATION:

99 Carriage House Circle

TAX MAP REFERENCE:

060.02-03058

ZONE:

RT

APPLICANT:

Name:

Colonial Heights Homeowners Association (CHHOA)

Address:

Carriage House Circle, Alexandria, VA 22304

PROPERTY OWNER:

Name:

SAMU AS ABOVE

Address:

SUMMARY OF PROPOSAL Request to allow limited homeowners to construct second-level decks to their homes.

MODIFICATIONS REQUESTED Amendment to DSUP 99-0046

SUPs REQUESTED _____

☒ **THE UNDERSIGNED** hereby applies for Development Site Plan with Special Use Permit approval in accordance with the provisions of Section 11-400 of the Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Thomas Collelo, President, CHHOA

Print Name of Applicant or Agent

1 Carriage House Circle

Mailing/Street Address

Alexandria, VA

22304

City and State

Zip Code

Thomas Collelo

Signature

703-370-3492

Telephone #

Fax #

collelo@comcast.net

Email address

18 September 2012

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____

Received Plans for Completeness: _____

Fee Paid and Date: _____

Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

ALL APPLICANTS MUST COMPLETE THIS FORM.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is: (check one)

☐ the Owner ☐ Contract Purchaser ☐ Lessee or ☒ Other: HOA of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Colonial Heights Homeowners Association, P.O. Box 61, Merrified, VA 22116-0061

If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- ☐ **Yes.** Provide proof of current City business license.
☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

2. **Narrative description.** The applicant shall describe below the nature of the request ***in detail*** so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. If not appropriate to the request, delete pages 6-9. (*Attach additional sheets if necessary.*)

Colonial Heights is a cluster development approved in 1986 and at that time, there were no provisions for decks on the site plan. In 1999, a homeowner, proposed a deck through an amendment to the cluster development approval, but it was denied by City Council due to significant public comment from Colonial Heights residents and neighbors to deny the request. Since that denial, the Quaker Ridge development to the east has been constructed which includes decks. Additionally, the HOA has discussed the issue of decks and have prepared a list of criteria to regulate the decks. The HOA is now supportive of adding decks in this development. Request that the cluster plan be amended to allow decks, consistent with the criteria discussed by the HOA.

See attached sheet for details.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. <i>See attached</i>		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. <i>See Attached</i>		
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity below and "None" in the corresponding fields)

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. <i>See Attached</i>		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

9/26/12
Date

THOMAS Colletto
Printed Name

Thomas Colletto
Signature

Colonial Heights Homeowners Eligible for Decks; Relationship to City Officials
(all owner addresses are located on Carriage House Circle unless otherwise noted)

Unit Number	Owner(s)	Relationship
1	Thomas Collelo MaryAnne Beatty	John Von Senden—neighbor Kerry Donley--friend
2	Alice Simmons Larry Jensen	John Von Senden—neighbor
3	Paul Rollins	John Von Senden—neighbor
4	Jamie Daley-Douvres	John Von Senden—neighbor
5	Dereck and Anny Hogan	John Von Senden—neighbor
6	Jay Cline	John Von Senden—neighbor
7	Brendan Salmon	John Von Senden—neighbor
8	Cookie Herdawit	John Von Senden—neighbor
9	Dimple Dhabalia	John Von Senden—neighbor
10	Jeffrey Donels Paige Lichens	John Von Senden—neighbor
11	Craig Herring Brandon Boswell	John Von Senden—neighbor
12	Elizabeth Wykpisz 310 Chestnut St. New Castle, DE 19720	John Von Senden—neighbor
13	Kirk and Siobhan Casey 7307 Burtonwood Dr. Alexandria, VA 22307	John Von Senden—neighbor
15	Eric and Kimberly Swartz	John Von Senden—neighbor
17	Cameron Cohick	John Von Senden—neighbor
19	Kwangbin Lee Shin won Kyung	John Von Senden—neighbor
20	Chuck and Chris Winwood	John Von Senden—neighbor
21	Vicky Gilner Jeanne Byrd	John Von Senden—neighbor
22	Andy Margileth	John Von Senden—neighbor
23	Ron Bennett	John Von Senden—neighbor
24	Amy Wilson 6180 Kabul Place Dulles, VA 20189	John Von Senden—neighbor
26	Rick Murphy 1212 Trinity Dr. Alexandria, VA 22304	John Von Senden—neighbor
28	Amelia Smith	John Von Senden—neighbor
30	Adam and Katherine Copeland	John Von Senden—neighbor

32	Tim and Christina Gerhardson 5080 Zagreb Place Dulles, VA 20189	John Von Senden—neighbor
34	Eleanor Ratcliff	John Von Senden—neighbor
36	Andy and Tammy Parezo	John Von Senden—neighbor
38	Nicholas and Janice Walters	John Von Senden—neighbor
40	Thomas and Pamela McCoy	John Von Senden—neighbor
42	Rosalyn Bellis	John Von Senden—neighbor

Colonial Heights Homeowners Association, Request for Amendment to DSUP 99-0046,
attached sheet in response to #2, Narrative Description

- Decks must comply with City of Alexandria Zoning Ordinances and the Virginia Statewide Building Code for Residential Construction.
- Decks must be located within the property lines of the individual unit. In Colonial Heights, each property is located on a smaller lot within the larger project site and minimum dimensions were established between the rear property lines and the project property line. No decks may reduce these setbacks.
- Decks may not be located above the second floor above grade of any house.
- Decks facing Duke Street must be designed with a level of decoration and finish that is appropriate for their highly visible location and be in the neo-colonial style of the architecture.
- Colonial Heights Homeowners Association Board of Directors must approve all decks at Colonial Heights, including the materials, size and appearance thereof.
- The maximum depth of a deck is limited to 12 feet from the rear face of the house. The maximum width is limited to the width of the property, less 2 feet, which shall provide for one foot of clear space on each side of the deck.
- Stairs from the deck to the ground shall be permitted, provided they are completely within the allowed footprint of the deck.
- Guardrails shall be 36 inches above the deck floor and shall have vertical pickets at 4 inches on center. The top of the guardrail should have traditional detailing in keeping with the neo-colonial character of the townhouses.
- Built-in bench seats shall not be permitted.
- Retractable canopies are allowed to a maximum depth of 8 feet from the rear face of the house.
- Vertical panels of lattice, louvers, or other screening materials shall be limited to within 4 feet of the face of the house and the screening height shall not exceed 7 feet above the deck floor.
- Existing decks at units #29, 27, and 25 shall be unaffected by these requirements, except for future modifications.

3. How many patrons, clients, pupils and other such users do you expect?

Specify time period (i.e., day, hour, or shift).

N/A**4. How many employees, staff and other personnel do you expect?**

Specify time period (i.e. day, hour, or shift).

N/A**5. Describe the proposed hours and days of operation of the proposed use:**

Day

Hours

Day

Hours

N/A**6. Describe any potential noise emanating from the proposed use:**

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

minimal

B. How will the noise from patrons be controlled?

HOA will comply with all city codes**7. Describe any potential odors emanating from the proposed use and plans to control them:**N/A

8. Provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

No additional trash or garbage will be generated

B. How much trash and garbage will be generated by the use?

C. How often will trash be collected?

D. How will you prevent littering on the property, streets and nearby properties?

No additional trash or garbage will be generated

9. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☐ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

none

10. Will any organic compounds (for example: paint, ink, lacquer thinner, or cleaning or degreasing solvent) be handled, stored, or generated on the property?

☐ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

none

11. What methods are proposed to ensure the safety of residents, employees and patrons?HOA will comply with all city codes

_____**ALCOHOL SALES****12. Will the proposed use include the sale of beer, wine or mixed drinks?**☐ Yes. ☐ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

none

_____**PARKING AND ACCESS REQUIREMENTS****13. Provide information regarding the availability of off-street parking:**

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

no additional

B. How many parking spaces of each type are provided for the proposed use:

N/A Standard spaces

N/A Compact spaces

N/A Handicapped accessible spaces

Other

- C. Where is required parking located? (check one) ☒ **on-site** ☐ **off-site**

If the required parking will be located off-site, where will it be located?

N/A

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the **Parking Reduction Supplemental Application**.

14. Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? N/A
- B. How many loading spaces are available for the use? N/A
- C. Where are off-street loading facilities located?
N/A
- D. During what hours of the day do you expect loading/unloading operations to occur?
N/A
- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
N/A

15. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

N/A

Kendra Jacobs

From: Katie North
Sent: Tuesday, December 04, 2012 5:40 PM
To: Kendra Jacobs
Subject: FW: Request for deferral of Item #3 DSUP Colonial Heights Decks

From: Nancy Jennings [<mailto:nrijennings@comcast.net>]
Sent: Monday, December 03, 2012 7:54 PM
To: Donna Fossum; Eric Wagner; Jesse Jennings; John Komoroske; John Komoroske; Larry Robinson; Marilyn Lyman; H Stewart Dunn
Cc: Rashad Young; Tom Gates; Faroll Hamer; Gwen Wright; Katie North; Kerry Donley; Harriet McCune
Subject: Request for deferral of Item #3 DSUP Colonial Heights Decks

Members of the Planning Commission,

As President of Seminary Hill Association, Inc. (SHA), I ask you to defer Docket Item #3 of the 4 Dec. Planning Commission agenda—Development Special Use Permit #2012-0026 Colonial Heights Decks—until staff from the City's Planning & Zoning Department can explain this new DSUP at SHA's meeting on 13 Dec. I was not involved in this development when it was approved in 1986 nor in its first proposal to build balconies in 1999. Page 4 of the 2012 staff report inaccurately notes that "this application has been . . . discussed with the residents to ensure coordination among the neighbors." The immediate neighbors of the project who will be impacted are residents in SHA's Area 4, whose concerns about privacy and noise have yet to be discussed.

At my request, City staff asked the applicant for a deferral but he would NOT agree to giving SHA additional time to evaluate the merits of this new proposal and the concerns of SHA's members.

See you soon!

Nancy R. Jennings
President, Seminary Hill Association, Inc.
2115 Marlboro Drive
Alexandria, VA 22304

Kendra Jacobs

From: Katye North
Sent: Tuesday, December 04, 2012 5:40 PM
To: Kendra Jacobs
Subject: FW: Request for deferral of Item #3 DSUP Colonial Heights Decks

From: Frank and Sandi Putzu [<mailto:sputzu@verizon.net>]
Sent: Monday, December 03, 2012 8:32 PM
To: Nancy Jennings; Donna Fossum; Eric Wagner; Jesse Jennings; John Komoroske; John Komoroske; Larry Robinson; Marilyn Lyman; H Stewart Dunn
Cc: Rashad Young; Tom Gates; Faroll Hamer; Gwen Wright; Katye North; Kerry Donley; Harriet McCune; jlepanto@bostonpacific.com; Dick Hayes; Nancy Jennings; j.taylor.chapman@gmail.com
Subject: Request for deferral of Item #3 DSUP Colonial Heights Decks

I write this in support of the request to defer item #3 DSUP Colonial Heights Decks, scheduled for the Consent Calendar on the December 4, 2012 Planning Commission hearing. I am currently a Board Member of Seminary Hill Association, Inc. (SHA) for Area 8. I am speaking for myself because SHA has not had an opportunity to review the application due to the late notice. Because of the problems explained below, I respectfully request that his item be deferred.

On Saturday, Harriet McCune of Fort Williams Parkway called to let me know that Colonial Heights townhomes applied for a SUP to allows decks, which looks like they would be built off the second floor. These decks back up to Fort Williams Parkway (and Tupelo) and can peer into properties along Fort Williams Parkway. In 1999, the Planning Commission and City Council rejected a similar request, although in 1999 the request came from one homeowner, and this time it appears the entire townhouse association applied. The staff report includes the 1999 report and the rationale for denial in 1999.

This is disturbing because the staff report recommends approval (as it did in 1999) without any meaningful consultation with the neighboring properties or SHA, and the Planning Commission put it on the Consent Calendar. Ms. McCune told me she received a certified letter right before Thanksgiving, but only a few of the houses along Fort Williams Parkway were notified. Residents along Tupelo were apparently not notified. The staff report says this year's request has been "coordinated" with the neighbors, but it does not say what "coordination" occurred. "Coordination" with neighbors appears to refer to Colonial Heights residents only.

The key passage from the 1999 Planning Commission decision states that it rejected it because:

Reason: The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

Mr. Robinson moved to deny the request, and Mr. Komoroske seconded the motion. City Council agreed with the Planning Commission and rejected the request in 1999 for the same reasons. The design of the development is unchanged, and the same privacy concerns exist.

Whether and what "coordination" occurred here is unclear. Ms. McCune is the most affected property but she tells me she received a certified letter around Thanksgiving. I am concerned that the city never mentioned anything about this to SHA, especially in light of the history. This is EXACTLY what the What's New Alexandria effort was designed to avoid -- a process that at least appears hurried and inadequately engaged with the public.

I can be reached at 703-201-1702. I plan to go Tuesday night but do have a work commitment.

Frank Putzu
1423 Juliana Place
Alexandria, VA 22304



Submitted at 12/4/12
PC hearing

PETITION OF SUPPORT

Alexandria City Council
301 King Street
Alexandria, VA 22313

We, the undersigned homeowners, fully support the right of eligible Colonial Heights homeowners to construct second-floor decks.

We understand that if City Council approves the amendment to DSUP 99-0046, the Colonial Heights Board of Directors must approve any deck and such plans must conform to all Alexandria City codes, conditions, and ordinances.

<u>Name</u>	<u>Address</u>	<u>Date</u>
 Phillip Mendenhall	#47 Ft. Williams Parkway	11/28
 Cameron Church	#17 Ft. Williams Parkway CARRIAGE HOUSE CIRCLE	12/02/12 12/02/12
_____	#_____ Ft. Williams Parkway _____	_____
_____	#_____ Ft. Williams Parkway _____	_____
_____	#_____ Ft. Williams Parkway _____	_____
_____	#_____ Ft. Williams Parkway _____	_____
_____	#_____ Ft. Williams Parkway _____	_____

Submitted at the 12/4/12
PC hearing

Statement to the Planning Commission
Re: DSUP #2012-0026
December 4, 2012

My name is Harriett G. McCune, and I live at 19 Fort Williams Parkway where I have lived for 45 years.

I object to the granting of the DSUP #2012-0026 and request that you deny approval.

The townhouses are built on ground that is elevated above most of the houses on Fort Williams and Tupelo and decks at the second story level would loom over our properties. They would cause a tremendous loss of privacy for the adjacent properties, especially as there are not many trees behind some of the buildings and the houses on FWP.

Another objection is the negative visual impact of decks. In 1984 the developer met with homeowners on FWP and Tupelo, and they were given the choice of the color of the rear siding. The townhouses were also required to have fenced back yards. All of this was designed to present a uniformity of appearance. Decks were not part of the original DSUP.

There are many reasons decks can be objectionable. Staff seems to acknowledge this by requiring maple trees on Duke Street and requiring that decks facing Duke Street must be designed with a level of decoration and finish appropriate for their visible location and be in the neo-colonial style of architecture, whatever that is. Passersby on Duke Street are given more consideration than residents of FWP and Tupelo, who are given none. Yet these are the people who would see the decks 24 hours a day.

Additional noise from the use of decks could be a problem because decks do not have a way to buffer sound from their use.

There are quite a few troubling and puzzling items in the staff report. The most puzzling is that this issue was put on the consent calendar. It is as though staff was unaware of the past history of citizen concerns.

The most troubling is that the only time FWP and Tupelo are mentioned is on page 4. It is noted that they are on the west and north of Colonial Heights. They disappear from the report after that. The residents of Fort Williams Parkway and Tupelo Place were totally ignored and left out of a report whose contents so directly affect us.

I have already stated that staff made no mention of the view of decks by the homeowners of FWP and Tupelo, just the view from Duke Street.

Then staff recommends approval of the decks, partly because Quaker Ridge has them and because the residents want them. This is a fallacious argument. Of course, this does not

mean that they are appropriate. Quaker Ridge was not built next to a long-standing neighborhood of single family homes. Colonial Heights was, and there is a BIG difference which staff has obviously ignored.

Staff says decks will not negatively impact the overall site. Again, there was no mention of the negative impact on FWP and Tupelo, of which the loss of privacy is the most important.

Why were the residents of Fort Williams Parkway and Tupelo Place completely left out? It is a mystery. It is most unusual. Was someone told to do this? We don't know, but there were some other unusual occurrences in connection with this application which will be addressed at another time.

On October 5, 1999, I was present when the Planning Commission recommended denial of the application for a deck at Colonial Heights by a vote of 6-0. The Commission felt that the design of this development was not compatible with decks and that decks would interfere with the privacy of adjacent owners both within and outside the development. The reasons given are just as valid tonight as they were then, and I hope that you will vote to deny the request.

Submitted at the 12/4/12
PC hearing

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

RE: Development Special Use Permit #2012-0026
Docket Item #3
Planning Commission Hearing December 4, 2012

Dear Mr. Chairman and Members of the Commission:

I am a homeowner and resident of the first block of the east side of Fort Williams Parkway. We are a neighborhood of single-family homes, and my property adjoins that of Colonial Heights, a cluster development of townhouses. I object to the request of the Colonial Heights Homeowners' Association to amend the DSUP for Colonial Heights to allow decks on certain lots within the community. Two of the residents on Tupelo Place whose properties adjoin Colonial Heights did not receive a notice of the hearing to be held on December 4, 2012, but were notified by a neighbor.

The townhouses are built on ground that is elevated above Fort Williams Parkway and Tupelo, and decks would cause a loss of privacy for the adjacent properties. Decks built at the second-story level would loom above our properties. The original DSUP did not allow for decks, and the townhouses were required to have fences that enclose the ground level patios. There are not many trees between some of the townhouse properties and the single-family homes because many of the original trees have died, have been taken down and were not replaced. Many of the remaining trees are covered with ivy which appears to be choking them.

Decks would have a negative visual impact upon the neighborhood properties. Decks would spoil the uniform appearance of the backs of the townhouses. When Colonial Heights was built, the developer, Signature Communities, Inc., met with representatives from Fort Williams Parkway and Tupelo Place and agreed to certain recommendations that were added to the development and landscape plan when the City Council granted the original special use permit on October 13, 1984. One of these conditions was that back yards would be fenced. Another condition was the color of the rear siding of the townhouses facing Fort Williams Parkway and Tupelo. The representatives were allowed to choose a neutral color that was used on all of the townhouses to present a uniform appearance that would be aesthetically pleasing. Decks were not part of the DSUP.

Apparently two decks were built in the past without an amendment to the DSUP. The city erroneously granted building permits, and the decks were allowed to stand.

Page 2
December 1, 2012

The fences shield from public view items that residents often store in their back yards, such as outdoor furniture, covers for furniture, tools, grills, firewood, gas tanks for gas grills and trash receptacles. You can drive through areas such as Cameron Station and Fords' Landing to see how unattractive it is to see many of these items on elevated decks that are visible from adjacent properties and the street.

These decks and the contents would be on permanent view, and the homeowners on Fort Williams Parkway and Tupelo Place whose living rooms and dining rooms are on the rear of their houses would especially be negatively impacted. Staff acknowledges that decks can be eyesores by requiring that a staggered row of red maples be planted on Duke Street and that decks facing Duke Street should have a finished appearance, such as detailed woodwork and/or painting with an opaque stain. THERE IS NO MENTION OF HOW OTHER DECKS WOULD APPEAR TO THE ADJACENT SINGLE-FAMILY HOMEOWNERS ON FORT WILLIAMS PARKWAY AND TUPELO PLACE WHO WOULD CONFRONT THE DECKS TWENTY-FOUR HOURS A DAY, ONLY CONCERN FOR THE APPEARANCE TO THE TRAFFIC ON DUKE STREET!

The fences ameliorate the impact of the noise generated by residents who use their back yards, sometimes with music which can be quite loud at times. Decks would have no way to buffer any noise generated by their use.

A request for decks was brought before the Planning Commission on October 5, 1999, and the Commission voted to recommend denial of the request by a vote of 6 to 0. The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

All of the reasons given above for denial are still valid, and I respectfully request that you again vote to recommend denial of the request for second-story decks.

Sincerely,



owner of 31 Fort Williams Pky

Name: Anne McDonald
Address: 5 Fort Williams Pky
Alexandria, VA 22304
Telephone: (703) 370-5941

Page 3
December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katie North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

RE: Development Special Use Permit #2012-0026
Docket Item #3
Planning Commission Hearing December 4, 2012

Dear Mr. Chairman and Members of the Commission:

I am a homeowner and resident of the first block of the east side of Fort Williams Parkway. We are a neighborhood of single-family homes, and my property adjoins that of Colonial Heights, a cluster development of townhouses. I object to the request of the Colonial Heights Homeowners' Association to amend the DSUP for Colonial Heights to allow decks on certain lots within the community. Two of the residents on Tupelo Place whose properties adjoin Colonial Heights did not receive a notice of the hearing to be held on December 4, 2012, but were notified by a neighbor.

The townhouses are built on ground that is elevated above Fort Williams Parkway and Tupelo, and decks would cause a loss of privacy for the adjacent properties. Decks built at the second- story level would loom above our properties. The original DSUP did not allow for decks, and the townhouses were required to have fences that enclose the ground level patios. There are not many trees between some of the townhouse properties and the single-family homes because many of the original trees have died, have been taken down and were not replaced. Many of the remaining trees are covered with ivy which appears to be choking them.

Decks would have a negative visual impact upon the neighborhood properties. Decks would spoil the uniform appearance of the backs of the townhouses. When Colonial Heights was built, the developer, Signature Communities, Inc., met with representatives from Fort Williams Parkway and Tupelo Place and agreed to certain recommendations that were added to the development and landscape plan when the City Council granted the original special use permit on October 13, 1984. One of these conditions was that back yards would be fenced. Another condition was the color of the rear siding of the townhouses facing Fort Williams Parkway and Tupelo. The representatives were allowed to chose a neutral color that was used on all of the townhouses to present a uniform appearance that would be esthetically pleasing. Decks were not part of the DSUP.

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Page 2
December 1, 2012

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All of the reasons given above for denial are still valid, and I respectfully request that you again vote to recommend denial of the request for second-story decks.

Sincerely,



Name: JASON S. OSBORNE
Address: 11 FORT WILLIAMS PARKWAY
Alexandria, VA 22304
Telephone: _____

Page 3
December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katie North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

RE: Development Special Use Permit #2012-0026
Docket Item #3
Planning Commission Hearing December 4, 2012

Dear Mr. Chairman and Members of the Commission:

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All of the reasons given above for denial are still valid, and I respectfully request that you again vote to recommend denial of the request for second-story decks.

Sincerely,

Harriett G. McCune

Name: Harriett G. McCune
Address: 19 Fort Williams Parkway
Alexandria, VA 22304
Telephone: 703-370-1652

Page 3
December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katie North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

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Sincerely,


Name: Scott R West
Address: 25 FORT WILLIAMS PKWY
Alexandria, VA 22304
Telephone: 763 823 4359

Page 3
December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katy North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

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Sincerely,

Name: Lucy Willis
Address: 39 Ft. Williams Pkwy.
Alexandria, VA 22304
Telephone: 703-851-3032

December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katie North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

RE: Development Special Use Permit #2012-0026
Docket Item #3
Planning Commission Hearing December 4, 2012

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All of the reasons given above for denial are still valid, and I respectfully request that you again vote to recommend denial of the request for second-story decks.

Sincerely,

Name:

Address:

Telephone:

Robert A. [Signature]
3078 Tupelo Pl. Alex VA 22304
Alexandria, VA 22304
703-823-2458

December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katie North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

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Planning Commission Hearing December 4, 2012

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Sincerely,

Name: Catherine R. Levi
Address: 3622 TUPELO PLACE
Alexandria, VA 22304
Telephone: 571-312-0602

Page 3
December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Harner, Director, Department of Planning and Zoning
Katie North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

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Sincerely,

Name:

Address:

Telephone:


3614 Tupelo Place
Alexandria, VA 22304
703-370-6334

Page 3
December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Harner, Director, Department of Planning and Zoning
Katie North, Urban Planner

December 1, 2012

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Alexandria, VA 22314

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*PS I did not
get a notice
get the letter
of the application
at the meeting.
-62- Victor P. Salamone
5 Dec 2012*

Page 2
December 1, 2012

The fences shield from public view items that residents often store in their back yards, such as outdoor furniture, covers for furniture, tools, grills, firewood, gas tanks for gas grills and trash receptacles. You can drive through areas such as Cameron Station and Fords' Landing to see how unattractive it is to see many of these items on elevated decks that are visible from adjacent properties and the street.

These decks and the contents would be on permanent view, and the homeowners on Fort Williams Parkway and Tupelo Place whose living rooms and dining rooms are on the rear of their houses would especially be negatively impacted. Staff acknowledges that decks can be eyesores by requiring that a staggered row of red maples be planted on Duke Street and that decks facing Duke Street should have a finished appearance, such as detailed woodwork and/or painting with an opaque stain. THERE IS NO MENTION OF HOW OTHER DECKS WOULD APPEAR TO THE ADJACENT SINGLE-FAMILY HOMEOWNERS ON FORT WILLIAMS PARKWAY AND TUPELO PLACE WHO WOULD CONFRONT THE DECKS TWENTY-FOUR HOURS A DAY, ONLY CONCERN FOR THE APPEARANCE TO THE TRAFFIC ON DUKE STREET!

The fences ameliorate the impact of the noise generated by residents who use their back yards, sometimes with music which can be quite loud at times. Decks would have no way to buffer any noise generated by their use.

A request for decks was brought before the Planning Commission on October 5, 1999, and the Commission voted to recommend denial of the request by a vote of 6 to 0. The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

All of the reasons given above for denial are still valid, and I respectfully request that you again vote to recommend denial of the request for second-story decks.

Sincerely,

Name:

Address:

Telephone:

VICTOR P. SALAMANCA / DAVID LAUSIER
3610 TUPELO PLACE
Alexandria, VA 22304
703-340-5888

Page 3
December 1, 2012

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner
Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katie North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

RE: Development Special Use Permit #2012-0026
Docket Item #3
Planning Commission Hearing December 4, 2012

Dear Mr. Chairman and Members of the Commission:

I am a homeowner and resident of Fort Williams Parkway. We are a neighborhood of single-family homes, and I object to the request by the Colonial Heights Homeowners Association, a cluster development of townhomes, for an amendment to the DSUP to allow for decks to be built.

The townhomes are built on ground that is elevated above Fort Williams Parkway, and decks would cause a loss of privacy for the adjacent properties. There would also be negative visual impact and the potential for increased noise.

A request for decks was brought before the Planning Commission on October 5, 1999, and the Commission voted to recommend denial of the request by a vote of 6 to 0. The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

These reasons are still valid, and I respectfully request that you again vote to recommend denial of the request.

Sincerely,

Name: Steve Tuttle
Address: 12 Fort Williams Parkway
Alexandria, VA 22304
Telephone: 703 751 3452

cc:

John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner

Page 2

December 1, 2012

Jesse Jennings, Commissioner

Mary Lyman, Commissioner

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Katy North, Urban Planner

December 1, 2012

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Planning Commission Hearing December 4, 2012

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A request for decks was brought before the Planning Commission on October 5, 1999, and the Commission voted to recommend denial of the request by a vote of 6 to 0. The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

These reasons are still valid, and I respectfully request that you again vote to recommend denial of the request.

Sincerely,

Marshall L. Cain

Name: MARSHALL L. CAIN
Address: 20 Fort Williams Parkway
Alexandria, VA 22304
Telephone: (703) 751-1062

cc:

John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner

Page 2
December 1, 2012

Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katy North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

RE: Development Special Use Permit #2012-0026
Docket Item #3
Planning Commission Hearing December 4, 2012

Dear Mr. Chairman and Members of the Commission:


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The townhomes are built on ground that is elevated above Fort Williams Parkway, and decks would cause a loss of privacy for the adjacent properties. There would also be negative visual impact and the potential for increased noise.

A request for decks was brought before the Planning Commission on October 5, 1999, and the Commission voted to recommend denial of the request by a vote of 6 to 0. The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

These reasons are still valid, and I respectfully request that you again vote to recommend denial of the request.

Sincerely,


Name: Sonja Mowry
Address: 32 Fort Williams Parkway
Alexandria, VA 22304
Telephone: 703-212-4797

cc:

John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner

Page 2

December 1, 2012

Jesse Jennings, Commissioner

Mary Lyman, Commissioner

J. Lawrence Robinson, Commissioner

Eric Wagner, Commissioner

Nancy Jennings, President, Seminary Hill Association, Inc.

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Katy North, Urban Planner

December 1, 2012

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

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Docket Item #3
Planning Commission Hearing December 4, 2012

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The townhomes are built on ground that is elevated above Fort Williams Parkway, and decks would cause a loss of privacy for the adjacent properties. There would also be negative visual impact and the potential for increased noise.

A request for decks was brought before the Planning Commission on October 5, 1999, and the Commission voted to recommend denial of the request by a vote of 6 to 0. The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

These reasons are still valid, and I respectfully request that you again vote to recommend denial of the request.

Sincerely,

Name: Susan Palmer
Address: 48 Fort Williams Parkway
Alexandria, VA 22304
Telephone: 703-4161-7325

cc:

John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Donna Fossum, Commissioner

Page 2
December 1, 2012

Jesse Jennings, Commissioner
Mary Lyman, Commissioner
J. Lawrence Robinson, Commissioner
Eric Wagner, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katie North, Urban Planner

PlanComm

PC Docket Item #3

From: Nancy Jennings <nrijennings@comcast.net>
Sent: Sunday, March 03, 2013 1:25 PM
To: Derek Hyra; Derek Hyra; Eric Wagner; John Komoroske; Maria Wasowski; Maria Wasowski; Mary Lyman; Nathan Macek; PlanComm; Stewart Dunn
Subject: SHA resolution re: balconies on Colonial Heights townhouses

Mr. Chairman and Commission Members,

In the past decades, Seminary Hill Association, Inc., has seen no new developments that would alter our residents' concerns about a proposal to put balconies on ALL of the townhouses in Colonial Heights. Mainly, the topography on the west side raises concerns about privacy. As a result, on January 10, 2013, the SHA Board of Directors passed the resolution below. Feel free to contact me if you have any questions.

Thank you,
Nan Jennings, President
(703) 820-6930 home
(703) 874-2316 work

Resolution of the Seminary Hill Association, Inc. Board of Directors on the DSUP for balconies at Colonial Heights:

SHA asks the Planning Commission to reaffirm its 1999 decision that balconies be prohibited in Colonial Heights.

If one gentleman with a health problem would want to request a balcony and applied for a SUP, SHA would take it under consideration.

Approved on January 10, 2013

PlanComm

PC Docket Item #3
DSUP 2012-0026

From: Harriett McCune <harriett.mccune@verizon.net>
Sent: Sunday, March 03, 2013 8:58 PM
To: 'Derek Hyra'; 'Derek Hyra'; Eric Wagner; 'John Komoroske (John)'; 'Maria Wasowski'; Maria Wasowski; 'Mary Lyman'; Nathan Macek; PlanComm; 'Stewart Dunn'
Cc: Nrjennings@comcast.net
Subject: Decks at Colonial Heights - DUSP #2012-0026
Attachments: H. McCune letter to Planning Commission.pdf; McCune Statement to the Planning Commission 3-05-13.pdf

Dear Mr. Chairman and Commission Members:

I have attached a letter regarding my opposition to the granting of DSUP #2012-0026 for decks at Colonial Heights and also a copy of my statement written for the hearing on December 4, 2012.

On December 4, 2012, I presented the Commission with signed letters of opposition from residents of Fort Williams Parkway and Tupelo Place, including signed letters of opposition from owners of ten of the eleven properties that adjoin Colonial Heights.

We are very puzzled and quite upset by the fact that the staff put the application on the consent calendar without ever consulting any of the adjacent single-family homeowners, who would certainly be affected by decks. How could the staff treat this as an item that needed no discussion? Why did they conclude that something that would certainly impact our quiet use and enjoyment of our property was of no concern? What was the basis for this decision? The issue of decks has always been controversial, and we were blindsided by this action.

I respectfully request that you review this information, my letter and my statement. It is my hope that you will recommend denial of this application as the Planning Commission did on October 5, 1999. The design of the development is not compatible with decks, and decks would interfere with the privacy of adjacent owners both within and outside the development.

Sincerely,
Harriett G. McCune

Circular 230 disclosure:

Any advice concerning Federal tax issues contained in this communication (including any attachment) was not intended or written to be used, and cannot be used, for the purpose of avoiding tax-related penalties under the Internal Revenue Code, or promoting, marketing or recommending to another any transaction or matter addressed herein.

Harriett G. McCune, CPA
Harriett G. McCune, CPA, LLC
19 Fort Williams Parkway
Alexandria, VA 22304-1803
Phone: 703-370-1652
Fax: 703-370-5236
Cell: 571-216-6275
Harriett.mccune@verizon.net

Confidentiality notice:

The information transmitted with this e-mail is intended only for the personal use of the recipients named above. The information may be an accountant-client communication or accountant work product, and as such, constitutes privileged

82 14

PC Docket Item #3
DSUP #2012-0026

March 2, 2013

The Chairman and Members of the Alexandria Planning Commission
301 King Street
Room 2100
Alexandria, VA 22314

RE: Development Special Use Permit #2012-0026
Docket Item #3
Planning Commission Hearing March 5, 2013

Dear Mr. Chairman and Members of the Commission:

I am a homeowner and resident of the first block of the east side of Fort Williams Parkway. We are a neighborhood of single-family homes, and my property adjoins that of Colonial Heights, a cluster development of townhouses. I object to the request of the Colonial Heights Homeowners' Association to amend the DSUP for Colonial Heights to allow decks on certain lots within the community. Two of the residents on Tupelo Place whose properties adjoin Colonial Heights did not receive a notice of the hearing to be held on December 4, 2012, but were notified by a neighbor.

The townhouses are built on ground that is elevated above Fort Williams Parkway and Tupelo, and decks would cause a loss of privacy for the adjacent properties. Decks built at the second-story level would loom above our properties. The original DSUP did not allow for decks, and the townhouses were required to have fences that enclose the ground level patios. There are not many trees between some of the townhouse properties and the single-family homes because many of the original trees have died, have been taken down and were not replaced. Many of the remaining trees are covered with ivy which appears to be choking them.

Decks would have a negative visual impact upon the neighborhood properties. Decks would spoil the uniform appearance of the backs of the townhouses. When Colonial Heights was built, the developer, Signature Communities, Inc., met with representatives from Fort Williams Parkway and Tupelo Place and agreed to certain recommendations that were added to the development and landscape plan when the City Council granted the original special use permit on October 13, 1984. One of these conditions was that back yards would be fenced. Another condition was the color of the rear siding of the townhouses facing Fort Williams Parkway and Tupelo. The representatives were allowed to choose a neutral color that was used on all of the townhouses to present a uniform appearance that would be esthetically pleasing. Decks were not part of the DSUP.

Apparently two decks were built in the past without an amendment to the DSUP. The city erroneously granted building permits, and the decks were allowed to stand.

73 75

Page 2
March 2, 2013

The fences shield from public view items that residents often store in their back yards, such as outdoor furniture, covers for furniture, tools, grills, firewood, gas tanks for gas grills and trash receptacles. You can drive through areas such as Cameron Station and Fords' Landing to see how unattractive it is to see many of these items on elevated decks that are visible from adjacent properties and the street.

These decks and the contents would be on permanent view, and the homeowners on Fort Williams Parkway and Tupelo Place whose living rooms and dining rooms are on the rear of their houses would especially be negatively impacted. Staff acknowledges that decks can be eyesores by requiring that a staggered row of red maples be planted on Duke Street and that decks facing Duke Street should have a finished appearance, such as detailed woodwork and/or painting with an opaque stain. THERE IS NO MENTION OF HOW OTHER DECKS WOULD APPEAR TO THE ADJACENT SINGLE-FAMILY HOMEOWNERS ON FORT WILLIAMS PARKWAY AND TUPELO PLACE WHO WOULD CONFRONT THE DECKS TWENTY-FOUR HOURS A DAY, ONLY CONCERN FOR THE APPEARANCE TO THE TRAFFIC ON DUKE STREET!

The fences ameliorate the impact of the noise generated by residents who use their back yards, sometimes with music which can be quite loud at times. Decks would have no way to buffer any noise generated by their use.

A request for decks was brought before the Planning Commission on October 5, 1999, and the Commission voted to recommend denial of the request by a vote of 6 to 0. The Planning Commission felt that the design of this development was not compatible with decks, and that decks would interfere with the privacy of adjacent owners both within and outside the development.

All of the reasons given above for denial are still valid, and I respectfully request that you again vote to recommend denial of the request for second-story decks.

Sincerely, *Harriett G. McCune*

Name: Harriett G. McCune
Address: 19 Fort Williams Parkway
Alexandria, VA 22304
Telephone: 703-370-1652

77 76

Page 3

March 2, 2013

cc: John Komoroske, Chairman of the Planning Commission
H. Stewart Dunn, Commissioner
Derek Hyra, Commissioner
Mary Lyman, Commissioner
Nathan Macek, Commissioner
Eric Wagner, Commissioner
Maria Wasowski, Commissioner
Nancy Jennings, President, Seminary Hill Association, Inc.
Faroll Hamer, Director, Department of Planning and Zoning
Katie North, Urban Planner

75 11

Statement to the Planning Commission
Re: DSUP #2012-0026
December 4, 2012
March 5, 2013

My name is Harriett G. McCune, and I live at 19 Fort Williams Parkway where I have lived for 45 years.

I object to the granting of the DSUP #2012-0026 and request that you deny approval.

The townhouses are built on ground that is elevated above most of the houses on Fort Williams and Tupelo and decks at the second story level would loom over our properties. They would cause a tremendous loss of privacy for the adjacent properties, especially as there are not many trees behind some of the buildings and the houses on FWP.

Another objection is the negative visual impact of decks. In 1984 the developer met with homeowners on FWP and Tupelo, and they were given the choice of the color of the rear siding. The townhouses were also required to have fenced back yards. All of this was designed to present a uniformity of appearance. Decks were not part of the original DSUP.

There are many reasons decks can be objectionable. Staff seems to acknowledge this by requiring maple trees on Duke Street and requiring that decks facing Duke Street must be designed with a level of decoration and finish appropriate for their visible location and be in the neo-colonial style of architecture, whatever that is. Passersby on Duke Street are given more consideration than residents of FWP and Tupelo, who are given none. Yet these are the people who would see the decks 24 hours a day.

Additional noise from the use of decks could be a problem because decks do not have a way to buffer sound from their use.

There are quite a few troubling and puzzling items in the staff report. The most puzzling is that this issue was put on the consent calendar. It is as though staff was unaware of the past history of citizen concerns.

The most troubling is that the only time FWP and Tupelo are mentioned is on page 4. It is noted that they are on the west and north of Colonial Heights. They disappear from the report after that. The residents of Fort Williams Parkway and Tupelo Place were totally ignored and left out of a report whose contents so directly affect us.

I have already stated that staff made no mention of the view of decks by the homeowners of FWP and Tupelo, just the view from Duke Street.

Then staff recommends approval of the decks, partly because Quaker Ridge has them and because the residents want them. This is a fallacious argument. Of course, this does not

mean that they are appropriate. Quaker Ridge was not built next to a long-standing neighborhood of single family homes. Colonial Heights was, and there is a BIG difference which staff has obviously ignored.

Staff says decks will not negatively impact the overall site. Again, there was no mention of the negative impact on FWP and Tupelo, of which the loss of privacy is the most important.

Why were the residents of Fort Williams Parkway and Tupelo Place completely left out? It is a mystery. It is most unusual. Was someone told to do this? We don't know, but there were some other unusual occurrences in connection with this application which will be addressed at another time.

On October 5, 1999, I was present when the Planning Commission recommended denial of the application for a deck at Colonial Heights by a vote of 6-0. The Commission felt that the design of this development was not compatible with decks and that decks would interfere with the privacy of adjacent owners both within and outside the development. The reasons given are just as valid tonight as they were then, and I hope that you will vote to deny the request.

PlanComm

PC Docket Item #3
DSUP 2012-0026

From: 1srwest@comcast.net
Sent: Monday, March 04, 2013 9:20 PM
To: PlanComm; hyra.home1@verizon.net; derek3@vt.edu; john.komoroske@nasd.com; mslyman@verizon.net; Nathan Macek; Eric Wagner; Maria Wasowski; ashowofhands.alexandria@gmail.com
Cc: Harriett.mccune@verizon.net
Subject: re: balconies on Colonial Heights townhouses

Planning Commission 2013

Mr. Chairman and Members of the Commission,

As a resident of Alexandria since 1998 with a home on 25 Fort Williams Parkway adjacent to the Colonial Heights townhouses, I wish to refer to the proposal to build balconies on Colonial Heights townhouses. I do not support this measure and urge the board to disapprove this proposal as it did on or about 1999 during that hearing for the same (which I also appeared at). I support the SHA resolution that asks the Planning Commission to reaffirm its 1999 decision that balconies be prohibited in Colonial Heights. A previous work commitment prevents me from personally appearing at the hearing scheduled for 5 March at City Hall to voice my opposition on this issue. In my estimation, the conditions of the family residences and the townhouses have not changed substantially to justify this potential privacy concern. Thank you.

Very Respectfully,

Scott R. West
h(703) 823-4359

From: Nancy Jennings [mailto:nrijennings@comcast.net]
Sent: Sunday, March 03, 2013 1:25 PM
To: Derek Hyra (derek3@vt.edu); Derek Hyra (Hyra.home1@verizon.net); Eric Wagner (Erwagner@comcast.net); John Komoroske (John.Komoroske@nasd.com); Maria Wasowski (ashowofhands.alexandria@gmail.com); Maria Wasowski (Mariawasowski@comcast.net); Mary Lyman (Mslyman@verizon.net); Nathan Macek (natemacek@hotmail.com); Planning Commission (PlanComm@alexandriava.gov); Stewart Dunn (Hsdunn@isbtax.com)
Subject: SHA resolution re: balconies on Colonial Heights townhouses

Mr. Chairman and Commission Members,

In the past decades, Seminary Hill Association, Inc., has seen no new developments that would alter our residents' concerns about a proposal to

put balconies on ALL of the townhouses in Colonial Heights. Mainly, the topography on the west side raises concerns about privacy. As a result, on January 10, 2013, the SHA Board of Directors passed the resolution below. Feel free to contact me if you have any questions.

Thank you,

Nan Jennings, President

(703) 820-6930 home

(703) 874-2316 work

Resolution of the Seminary Hill Association, Inc. Board of Directors on the DSUP for balconies at Colonial Heights:

SHA asks the Planning Commission to reaffirm its 1999 decision that balconies be prohibited in Colonial Heights.

If one gentleman with a health problem would want to request a balcony and applied for a SUP, SHA would take it under consideration.

Approved on January 10, 2013

PC Docket Item #3
DEUP 2012-0026

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2013

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: FAROLL HAMER, DIRECTOR *fh*
DEPARTMENT OF PLANNING AND ZONING

SUBJECT: DOCKET ITEM #3 - REVISION TO CONDITION # 19

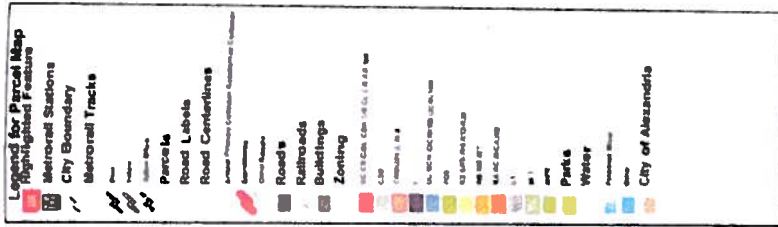
After the staff memo was issued, the applicant, Colonial Heights HOA, proposed the revision noted below to restrict stairs from the decks. This was suggested as an additional way to help reduce the visual bulk of the overall deck and ensure a consistent appearance for any decks that would be constructed if the amendment is approved. Staff supports this revision as will help create a more uniform appearance and will keep deck activities confined to the deck level.

19. **[CONDITION ADDED BY STAFF]** Decks shall be permitted provided that they meet the following requirements, to the satisfaction of the Director of P&Z:
- a. They are located within the property lines of the individual unit;
 - b. They are not located above the second floor above grade;
 - c. Decks facing Duke Street must be designed with a level of decoration and finish that is appropriate for their visible location and be in the neo-colonial style of architecture;
 - d. The Colonial Heights Home Owners Association must approve any deck, including the materials, size and appearance;
 - e. The maximum depth of a deck is limited to 12 feet from the rear face of the house;
 - f. The maximum width of a deck is limited to the width of the property, less 2 feet, which shall provide for one foot of clear space on each side of the deck;
 - g. Stairs from the deck to the ground shall be restricted permitted, ~~provided they are completely within the allowed footprint of the deck;~~
 - h. Vertical panels of lattice, louvers, or other screening materials shall be limited to within 4 feet of the face of the house and the screening height shall not exceed 7 feet above the deck floor; and
 - i. The existing decks at units 25, 27, and 29 shall be unaffected by these requirements except for future modifications. (P&Z)

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City of Alexandria

Date Created: 3/5/2013



DISCLAIMER: The information presented herein is provided as is and the City and its representatives, including the City Engineer, make no warranty, representation, or guarantee, including but not limited to, the accuracy, completeness, or reliability of the information. The City of Alexandria is not responsible for any errors or omissions in this information. The City of Alexandria is not responsible for any damages, including but not limited to, direct, indirect, or consequential damages, arising out of or in connection with the use of this information. The City of Alexandria is not responsible for any actions taken by any person or entity based on the information presented herein. The City of Alexandria is not responsible for any actions taken by any person or entity based on the information presented herein.



Townhouse communities along Duke St. near Colonial Heights with 2nd level decks.

Communities: 1-Cameron Knoll, 2-Wheaton Grove, 3-Quaker Ridge, 4-Quaker View, 5-Quaker Village.
 Year Built: 1982 1987 2006 1994

CAMERON

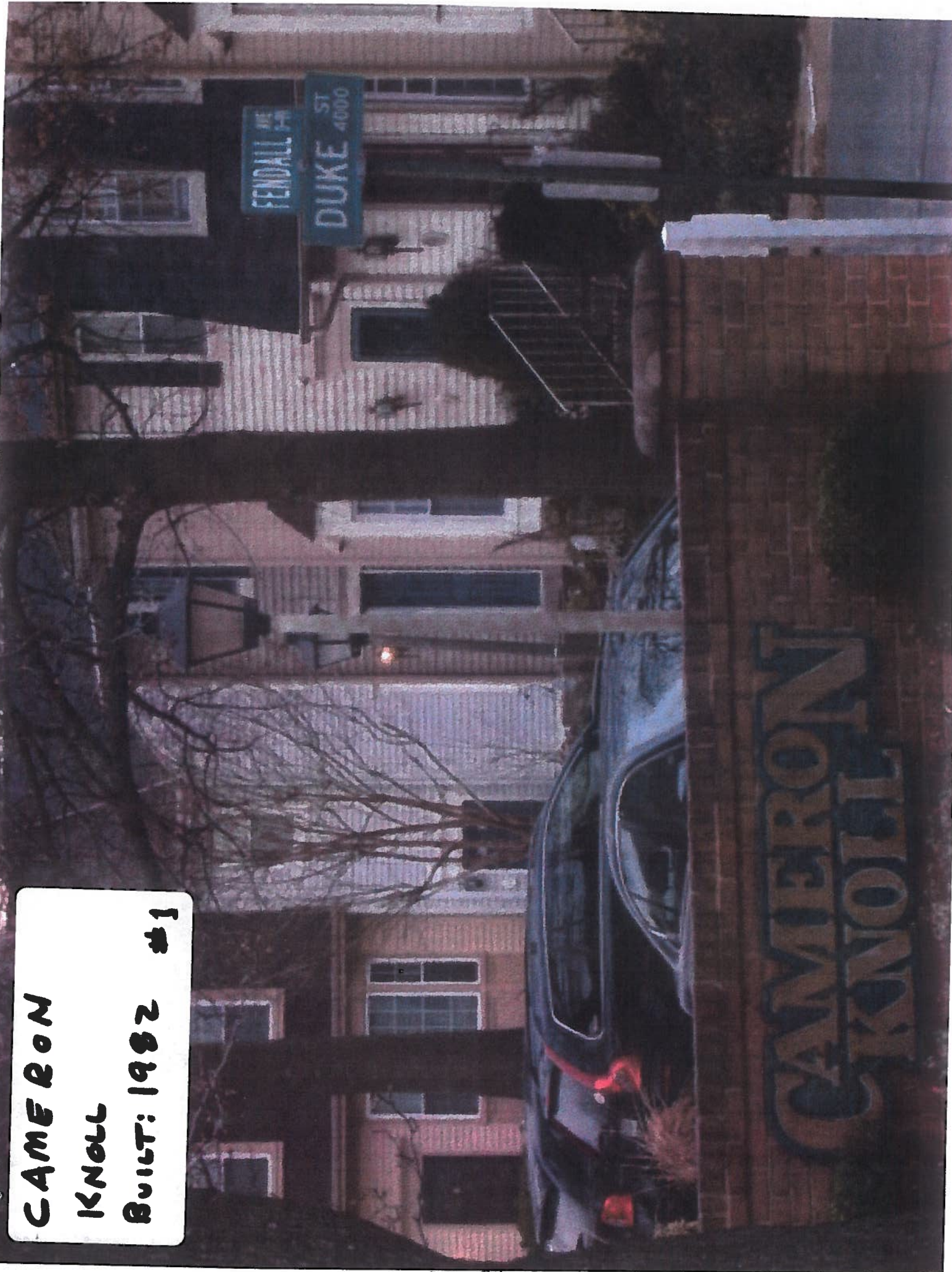
KNOLL

BUILT: 1982 #1

FENDALL AVE

DUKE ST 4000

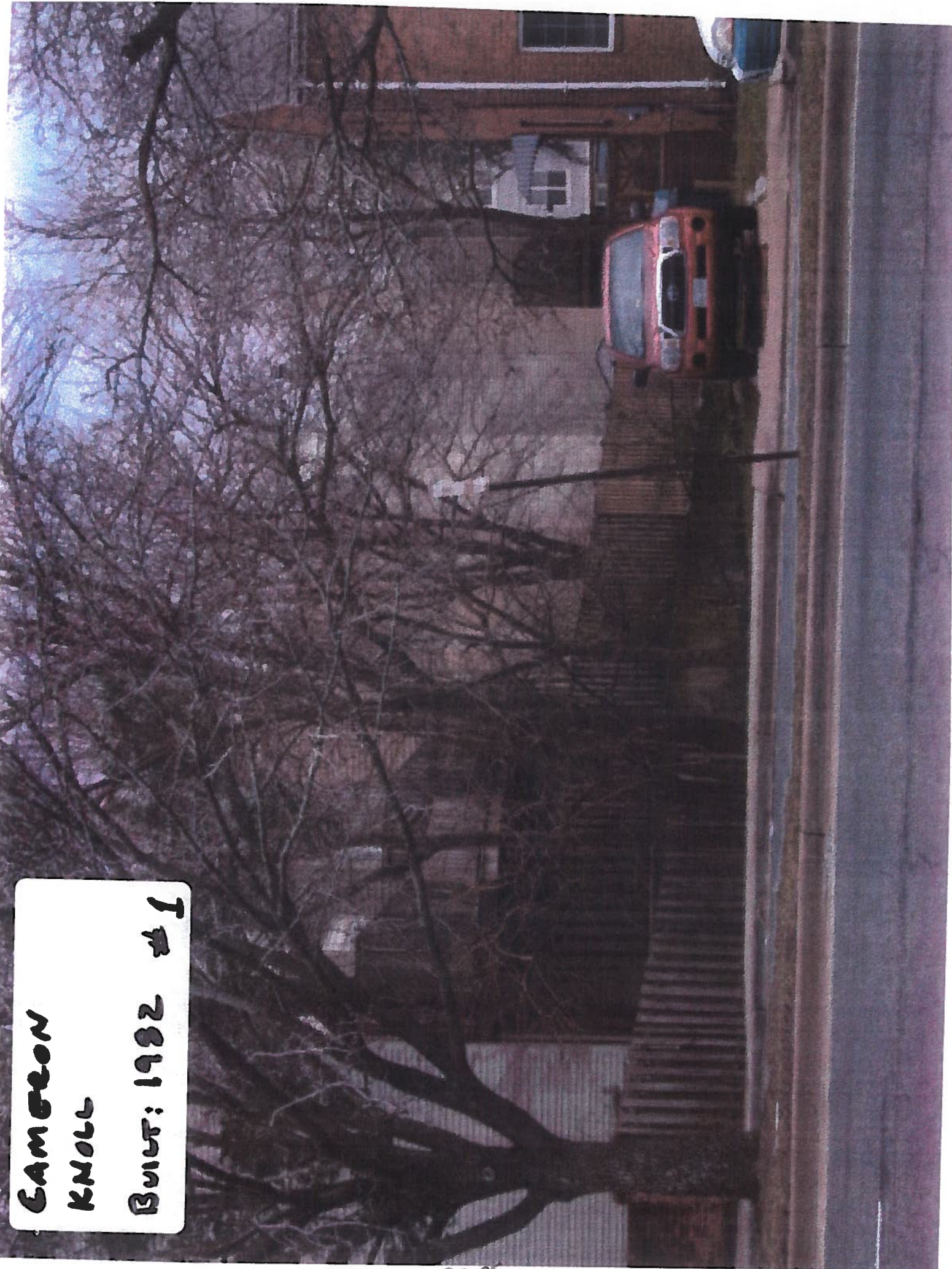
CAMERON
KNOLL



CAMERON

KNOLL

BUILT: 1982 #1



WHEATON GROVE

BUILT: 2002

#2



WHEATON GEORG

BUILT: 2002

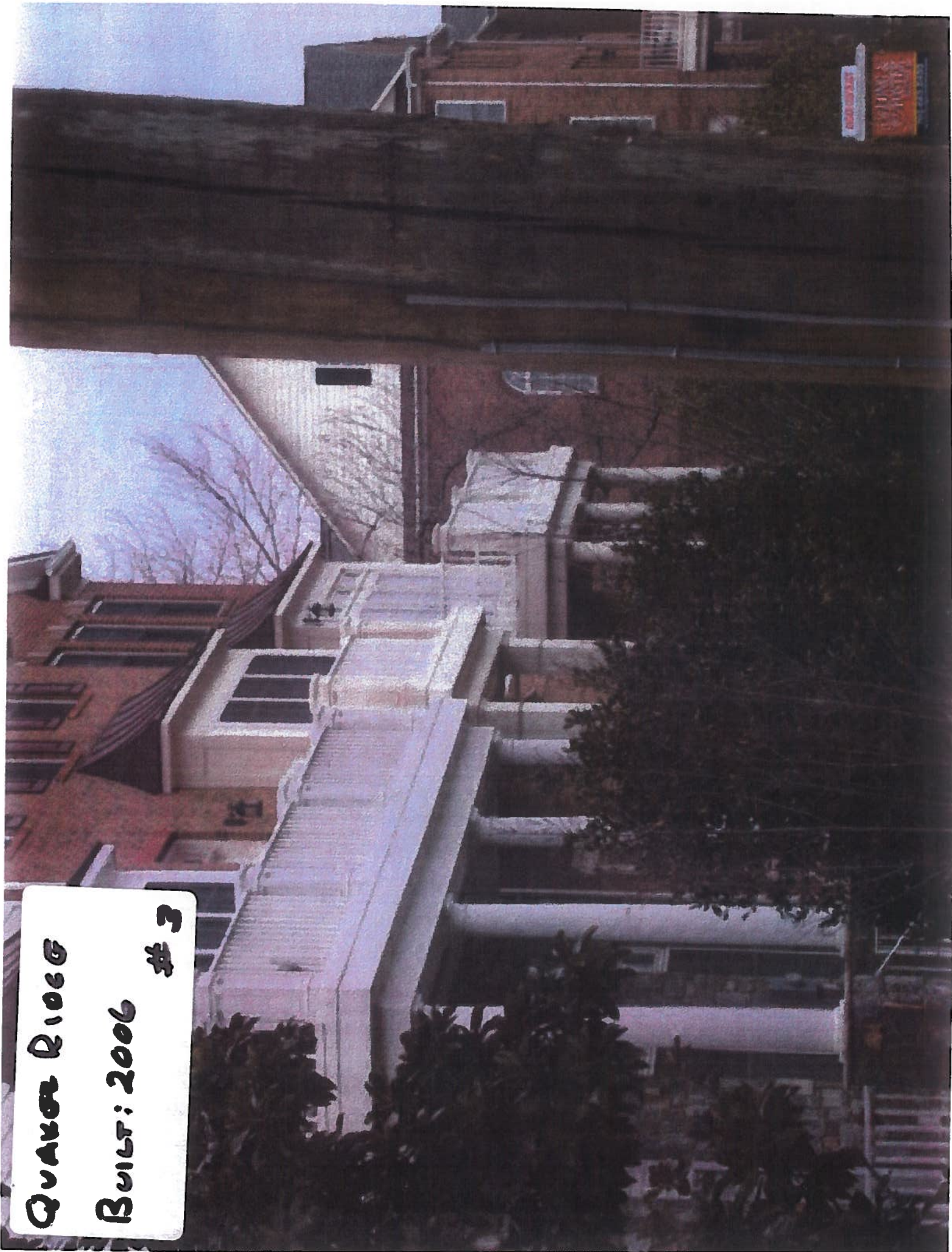
#2



Quaker Ridge

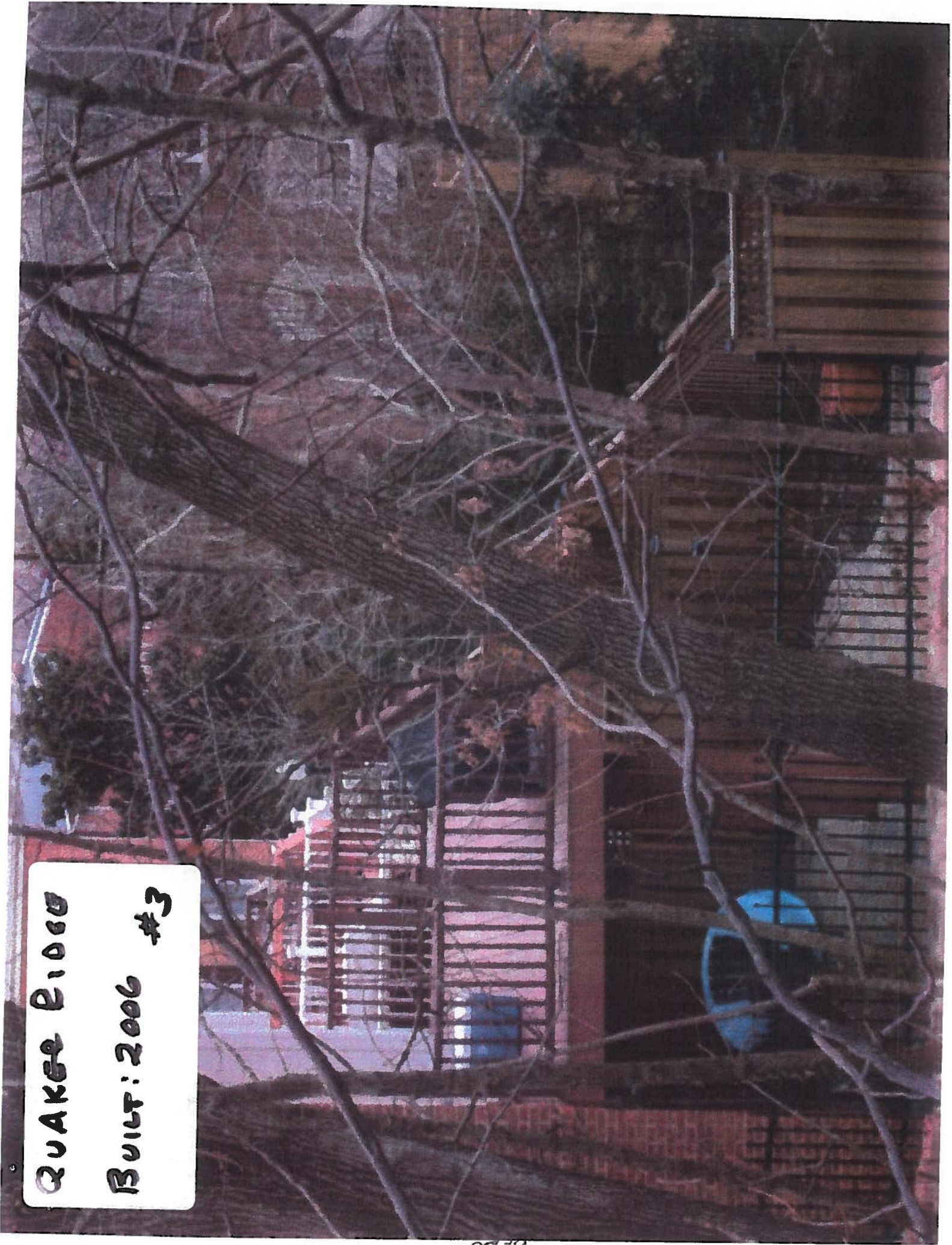
Built: 2006

#3



Quaker P1000

Built: 2006 #3



A photograph of a multi-story brick building, likely a school or institutional structure, with several windows. In the foreground, there are large, dark, bare trees that partially obscure the view of the building. A white label is attached to the bottom left corner of the photo.

Quaker View

Built: 1997 #4

Quaker Village

Built: 1994

#5

Quaker Village



QUAKER VILLAGE

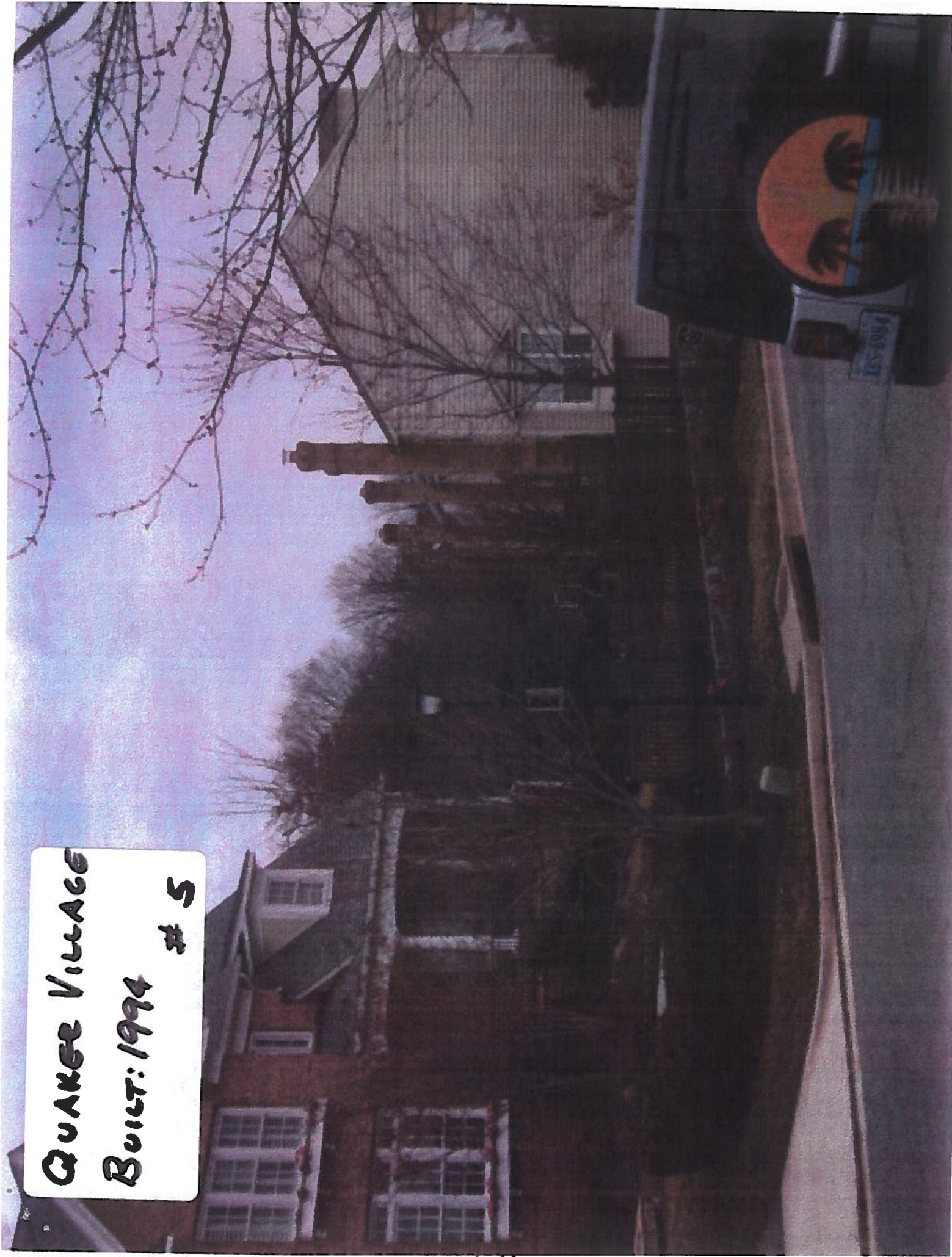
BUILT: 1994

#5

QUAKE VILLAGE

BUILT: 1994

5

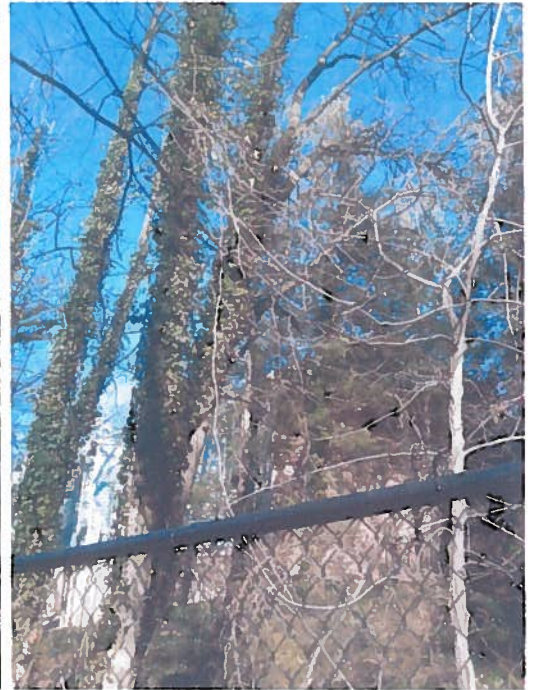


View of Colonial Heights from 19 Fort Williams Parkway

5 March 2013



View from patio



Ivy killing trees



Lower branches on pines removed.



102 94

Seminary Hill Association, Inc.

2115 Marlboro Drive

Alexandria, VA 22304

Resolution of the Seminary Hill Association, Inc. Board of Directors on the DSUP for balconies at Colonial Heights:

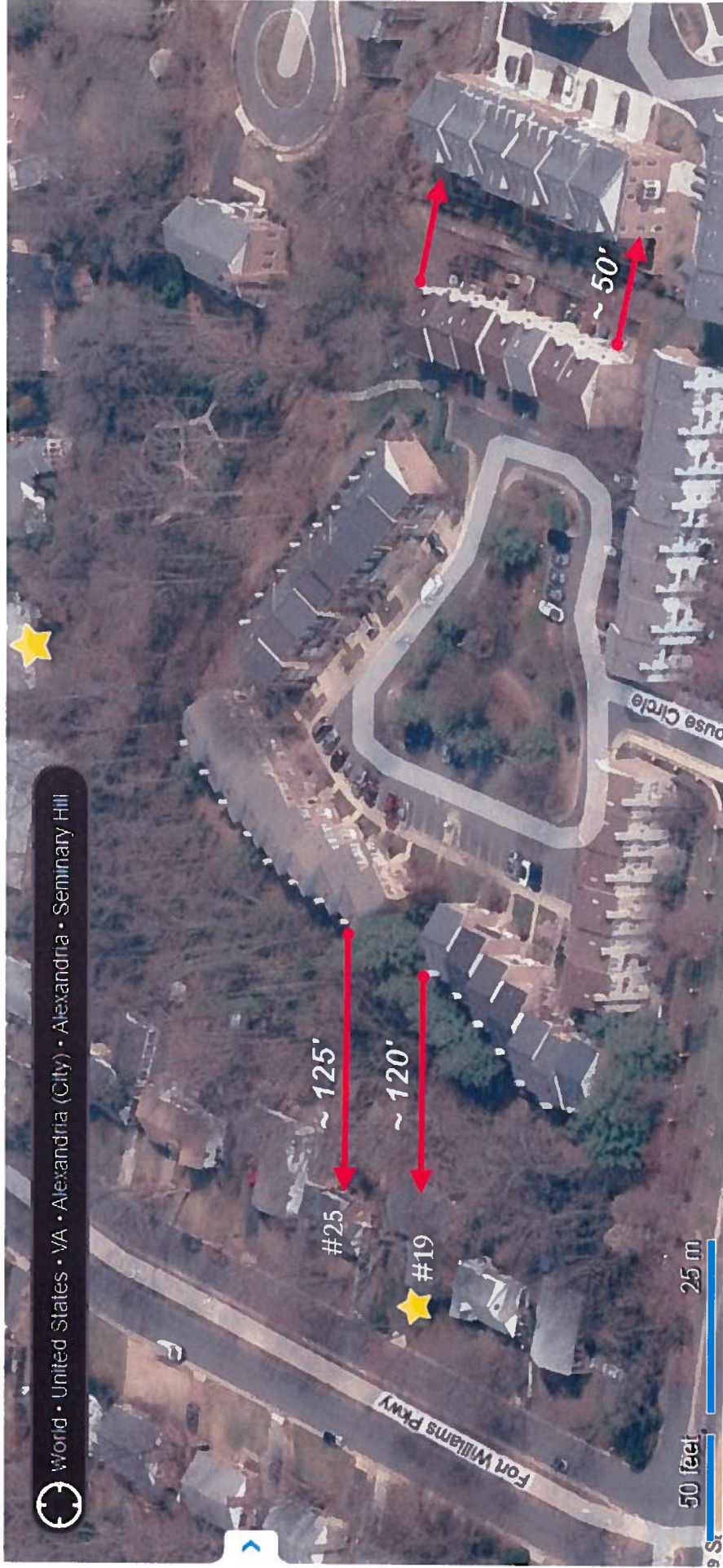
SHA asks the Planning Commission to reaffirm its 1999 decision that balconies be prohibited in Colonial Heights.

If one gentleman with a health problem would want to request a balcony and applied for a SUP, SHA would take it under consideration.


Approved on January 10, 2013

March 5, 2013
 Docket Item #3
 Development Special Use Permit #2012-0026
 Colonial Heights Decks

Submitted by Rosalyn Bellis, #42 Carriage House Circle



104 96

-  = single family home owners present in 1984 (pre-Colonial Heights construction)
- #19/25 = adjacent single family home owners opposed to CHHOA amendment request